Regular Meeting of Council
Agenda

Date: June 18, 2024
Time: 9:30 am
Location: Hybrid meeting- virtual and Council Chambers, City Hall

Council meetings are hybrid, allowing members of Council, city Staff and the public the option of participating remotely, or in person. The meeting is live streamed, and posted to the city's website. For further information please contact clerks@burlington.ca

Pages

1. **Call to Order:**

2. **Land Acknowledgement:**

   Burlington as we know it today is rich in history and modern traditions of many First Nations and the Métis. From the Ah-nish-nah-beg (Anishinaabeg) to the Ho-den-oh-sho-nee (Haudenosaunee), and the Métis – our lands spanning from Lake Ontario to the Niagara Escarpment are steeped in Indigenous history. The territory is mutually covered by the Dish with One Spoon Wampum Belt Covenant, an agreement between the Iroquois Confederacy, the Ojibway and other allied Nations to peaceably share and care for the resources around the Great Lakes. We would like to acknowledge that the land on which we gather is part of the Treaty Lands and Territory of the Mississaugas of the Credit.

3. **National Anthem:**

4. **Regrets:**

5. **Approval of the Agenda:**

6. **Declarations of Interest:**

7. **Proclamations:**

   7.1 Burlington Historical Society Day: June 28, 2024

   7.2 Seniors Month: June 2024

   7.3 World Rubinstein Taybi Syndrome Day: July 3, 2024

8. Recognitions and Achievements:

8.1 Senior of the year award presentation to Gordon Schottlander.

8.2 2024 Special Olympics Ontario participant recognitions.

9. Presentations:

10. Motion to approve Council Minutes:

Confirm the minutes of the following meeting of Council:

10.1 Special Council of April 2, 2024

10.2 Regular Council May 21, 2024

10.3 Special Council April 17, 2024

10.4 Special Council of June 11, 2024

11. Delegations:

In order to speak at a Council meeting, Individuals must register as a delegation no later than noon the day before the meeting. To register, complete the online application at www.burlington.ca/delegation or by submitting a written request by email to the Office of the City Clerk at clerks@burlington.ca

If you do not wish to delegate, but would like to submit feedback, please email your comments to clerks@burlington.ca by noon the day before the meeting. Your comments will be circulated to Council members in advance of the meeting and will be attached to the minutes, forming part of the public record.

12. Petitions:

13. Recommendations from Standing Committees:

13.1 Committee of the Whole meeting of June 10 and 11, 2024

a. Major Transit Station Area (MTSA) Official Plan Amendment 2 and Community Planning Permit By-law (PL-03-24, SD-12-24)

Item 20.1 provides supplemental information regarding this item.

Adopt Official Plan Amendment No. 2 to the City of Burlington Official Plan, 2020, substantially in the form provided in

Appendix A of community planning department report PL-03-24; and

Instruct the City Clerk to prepare the necessary by-law adopting Official Plan Amendment No. 2; and

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

Approve, in principle, the Major Transit Station Area Community Planning Permit By-law provided in Appendix B of community planning department report PL-03-24; and

Direct staff to make the necessary refinements to the Major Transit Station Area Community Planning Permit By-law, including any changes to reflect any modifications as a result of Ministerial approval; and

Direct the Director of Community Planning to report back at the July cycle of COW regarding the Community Improvement Plan (CIP) terms of reference as it relates to reflect the City's unit mix endorsed in the Housing Strategy *(three bedroom units)*. (SD-12-24)

b. City-initiated amendment to Zoning By-law 2020 - residential parking standards for Fairview Street/Plains Road and Appleby Line corridors (PL-45-24)

Item 20.2 provides supplemental information regarding this item.

Approve the proposed amendments to Zoning By-law 2020 as provided in revised Appendix A of community planning department memo to report PL-45-24; and

Enact By-law 2020.478 as contained in revised Appendix A of community planning department memo to report PL-45-24; and

Deem that the amending Zoning By-law will conform to the Official Plan for the City of Burlington.

c. Ontario Integrated Vehicle Safety Inspection Program update - DriveON (RPF-06-24) (EICS)

Approve the City of Burlington's enrollment in the new DriveON program to permit the City to continue providing internal motor vehicle safety inspections and certifications for Corporate Fleet, Transit and Fire as outlined in roads, parks and forestry

department report RPF-06-24; and

Authorize the Director of Roads, Parks and Forestry to execute on behalf of the City Burlington the performance contract and any associated agreements or amendments, between City or Burlington and the Province of Ontario or any third-party vendors approved or required by the Province of Ontario in connection with the DriveON program, including any equipment purchase agreement(s) and/or pre-authorized payment agreements required for the DriveON Program, to the satisfaction of the Chief Financial Officer, the Manager of Procurement Services, and the Executive Director of Legal Services and Corporation Counsel.

d. Motion Memorandum regarding lease rate reduction for Not for Profit groups (COW-16-24)

Authorize and direct the Executive Director of Legal Services and Corporation Counsel to prepare and present to Council for enactment a by-law amending By-law 71-2023, the Delegated Authority By-law, Schedule F, Legal Services & Real Estate, Section 14 Leases and Licenses, to permit a rental rate reduction of 20% of fair market value for office leases and licenses with qualifying not-for-profit Team Burlington tenants within 414 Locust Street to the satisfaction of Legal, Realty Services, and Recreation Services.

e. Multi-Year Community Investment Plan – financing plan update report (F-24-24)

Endorse in principle the 10-year financial strategy presented in finance department report F-24-24; and

Direct the Chief Financial Officer to report back as part of the annual budget process, as required on updates to the Multi-Year Community Investment Plan, subject to the availability of future funding opportunities and significant changes in infrastructure needs.

f. 2025 financial needs and multi-year forecast (Financial Forecast) (F-25-24)

Item 20.3 provides supplemental information regarding this item.

Receive the 2025 Financial Forecast as a budget reference document; and

Request the Mayor and Members of Council to consider the contents of the 2025 Financial Forecast including related appendix when preparing and reviewing the 2025 Proposed Budget.

g. Amendment to Business Licensing By-law 42-2008 (BL-05-24) (CPRM)

Approve the amendment to By-law 42-2008, a by-law to provide for the licensing, regulating and governing of various businesses in the City of Burlington, in order to clarify powers of inspection related to enforcement, as attached as Appendix A to by-law compliance department report BL-05-24, in a form satisfactory to the Director of Legal Services and Corporation Counsel.

h. 2024 Integrated Halton Planning System Memorandum of Understanding (PL-47-24) (CPRM)

Receive and file community planning department report PL-47-24 regarding 2024 Integrated Halton Planning System Memorandum of Understanding.

i. Live and Play Plan – recommendations for future recreation infrastructure needs (RCC-12-24)

Item 20.4 provides supplemental information regarding this item.

Endorse in principle the Live and Play Plan as presented in Appendix A of recreation, community, and culture department report RCC-12-24 as the guiding document for the future development of park, recreation, and cultural facilities; and

Direct the Director of Recreation, Community and Culture to update the plan every five years by way of a council report; and

Direct the Director of Recreation, Community and Culture to report back on an implementation plan for the recommendations in recreation, community and culture department report RCC-12-24, a partnership policy and funding options in Q3 2024.

j. Approval of a Festivals and Events Policy (RCC-13-24)

Item 20.5 provides supplemental information regarding this item.

Approve the Festivals and Events Policy in Appendix A of recreation, community and culture department report RCC-13-24; and

Direct the Director of Recreation, Community and Culture to apply the Festivals and Events Policy and phased implementation of the event selection criteria as listed in recreation, community and culture department report RCC-13-24; and

k. Greening the Crosstown Trail (RPF-04-24)

Direct the Director of Roads, Parks and Forestry to proceed with a pilot program for Greening the Crosstown Trail from Guelph Line to Fisher Ave, as detailed within Option 1 of roads, parks and forestry department report RPF-04-24; and

Authorize the Director of Roads, Parks, and Forestry to pursue a grant application through the Canadian Wildlife Federation to offset any and all project related costs; and

Direct the Acting Chief Financial Officer to allocate $40,750 from capital account PR0122 and $75,000 from the Tree Establishment and Enhancement Reserve to cover implementation costs for the pilot program.

l. Confidential real estate matter - property lease and management (L-12-24)

Pursuant to Section 239(2)(k), a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

Instruct the Manager of Realty Services to proceed in accordance with the instructions sought in confidential legal department report L-12-24.

m. Confidential real estate matter property update (L-22-24)

Pursuant to Section 239(2)(k), a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

Instruct the Manager of Realty Services to proceed in accordance with the instructions sought in confidential legal

department report L-22-24.

n. Confidential post secondary attraction update (CM-08-24)

Pursuant to Section 239(2)(h) information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them.

Endorse the confidential recommendation contained in City Manager's Office report CM-08-24 providing an update on post-secondary attraction.

o. Confidential triannual litigation update report (L-20-24)

Pursuant to Section 239(2)(e) of the Municipal Act, litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board

Direct the Executive Director of Legal Services or his designate to proceed in accordance with the instructions sought in matters 15, 17, 29, 30, 37, 41, 44, 45, and 47 and that the balance of L-20-24 be received and filed.

p. Confidential status report on the Contingency Reserve - April 30, 2024 (F-18-24)

Pursuant to Section 239(2)(e) of the Municipal Act, litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board

Receive confidential finance department report F-18-24 providing the status report on the contingency reserve – April 30, 2024.

13.2 Audit Committee meeting of June 12, 2024

a. Status of Management Action Plans (CA-08-24)

Receive city auditor's office report CA-08-24 providing a summary of the Management Action Plans in progress.

b. Quarterly dashboard for office of the city auditor (CA-09-24)

Receive office of the city auditor's report CA-09-24 providing a quarterly dashboard of City Auditor Key Performance Indicators (KPI's) attached as Appendix A.

c. Approval of the 2023 consolidated financial statements as audited by Deloitte LLP. (F-20-24)

Approve the 2023 consolidated financial statements for the City of Burlington as audited by Deloitte LLP attached to finance department report F-20-24 as Appendix A; and

Approve the 2023 financial statements for the trust funds of the City of Burlington as audited by Deloitte LLP attached to finance department report F-20-24 as Appendix B; and

Authorize the Acting Chief Financial Officer to publish the statements on the City's website.

d. Audit Committee terms of reference - update (CL-13-24)

Rescind the Audit Committee terms of reference approved in December 2021 found in office of the city clerk's report CL-35-21; and

Approve the revised Audit Committee terms of reference attached to office of the city clerk's report CL-13-24, as Appendix B.

e. Anti-Fraud Information & Education Program - update (CA-10-24)

Receive office of the city auditor's report CA-10-24 regarding an update of the Anti-Fraud Information & Education Program.

f. Internal Audit Charter - update (CA-11-24)

Approve the updated Internal Audit Charter attached as Appendix B of city auditor's office report CA-11-24.

13.3 Pipeline to Permit Committee of June 13, 2024

a. Pay-On-Demand Development Bonds (F-13-24)

Approve a five (5) development pilot program approach to accepting Pay-on-Demand development bonds that considers a number of bonds per developer and maximum bond amount that is satisfactory to the CAO; and

Direct the Chief Financial Officer to maintain a waitlist of additional developments above the five accepted and report back monthly to the Pipeline to Permit Committee on the

additional developments; and

Direct the Chief Financial Officer to develop a pay-on-demand bond template and pay-on-demand development Bond Policy in accordance with the approved five (5) pilot program, in a form satisfactory to the Executive Director of Legal and Corporation Counsel, as outlined in this report for Council approval by Fall 2024; and

Direct the Executive Director of Legal and Corporation Counsel to ensure that Site Plan Agreements for developments participating in the pilot program recognize pay-on-demand development bonds as an acceptable form of security, as recommended in this report; and

Direct the Chief Financial Officer to report back in one (1) year, or earlier subject to provincial legislation or pilot program demand with a summary of challenges and future consideration for on-going acceptance of Pay-On-Demand development bonds or pilot program expansion; and

Direct the Chief Financial Officer to connect with the industry and report back to the Pipeline to Permit Committee by the end of Q4 2024 on how to incorporate the option of transferring letters of credit to surety bonds.

14. Motion to Approve Standing Committee Minutes:

Approve the following minutes:

14.1	Council Workshop Committee meeting minutes of May 16, 2024	1 - 2
14.2	Committee of the Whole meeting minutes of June 10 and 11, 2024	3 - 16
14.3	Audit Committee meeting minutes of June 12, 2024	17 - 19
14.4	Pipeline to Permit Committee meeting minutes of June 13, 2024	20 - 23

15. Urgent Business:

15.1 Recommendation Report for Official Plan and Zoning By-law Amendments for 1120 Cooke Blvd (PL-57-24) (PL-04-24) 24 - 99

Approve the recommendations of Community Planning Department report PL-04-24.

Approve the applications submitted by WND Associates Ltd., on behalf

of Adi Development Group, to amend the Official Plan and Zoning By-law to permit a mixed-use development comprising three tall buildings with maximum heights of 34, 32, and 30 storeys; and

Approve Official Plan Amendment No. 142 to the City of Burlington Official Plan, as provided in Appendix B of community planning department report PL-04-24, to introduce new site-specific policies for the subject lands; and

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

Instruct the City Clerk to prepare the necessary by-law adopting Official Plan Amendment No. 142 as contained in Appendix B of community planning department report PL-04-24 to be presented for approval at the same time as the associated by-law to amend Zoning By-law 2020, as amended, for the development proposal (505-01/22); and

Approve Zoning By-law 2020.472, attached as Appendix C of community planning department report PL-04-24, to rezone the lands located at 1120 Cooke Boulevard from “MXC-26” (Mixed-Use Corridor – Commercial with site-specific exception 26) to “H-MXC-531” (Mixed-Use Corridor – Commercial with a Holding “H” prefix and site-specific exception 531); and

State that the amending zoning by-law will not come into effect until Official Plan Amendment No. 142 is adopted; and

Deem that the lands described as 1120 Cooke Boulevard are classified as a Class 4 area as defined by the Ontario Ministry of Environment, Conservation, and Parks NPC-300 Environmental Noise Guidelines.

15.2 Appointments to Advisory Committee (CL-14-24) 100 - 103

Approve the appointments to the Burlington Cycling Advisory Committee, as outlined in confidential appendix A of office of the city clerk report CL-14-24 and following approval from Council make the recommended names for appointments public.

16. Confidential Items and Closed Session:

Confidential reports may require a closed meeting in accordance with the Municipal Act, 2001. Meeting attendees may be required to leave during the discussion.

16.1 Motion to approve confidential closed session minutes:

Confirm the following closed session minutes.

a. Confidential closed session minutes for the Committee of the Whole meeting of June 10 and 11, 2024

b. Confidential closed session minutes for Council Workshop meeting of May 16, 2024

16.2 Confidential Appendix A of CL-14-24

17. Rise and Report:

18. Motions of Members:

19. Council Information Package:

19.1 Council Information Package May 24, 2024

19.2 Council Information Package May 31, 2024

19.3 Council Information Package June 7, 2024

19.4 Council Information Package June 14, 2024

20. Motion to Receive and File Information Items:

Receive and file Information items, having been considered by Council:

20.1	Memorandum from staff, Modified Official Plan Amendment No. 2 to the City of Burlington Official Plan, 2020 to replace Appendix A (PL-03-24) This item provides supplemental information regarding item 13.1 a.	104 - 317
20.2	Revised Appendix A to Report PL-45-24 - Draft Zoning By-law amendment This item provides supplemental information regarding item 13.1 b.	318 - 325
20.3	Memorandum from staff regarding 2024 Financial Forecast Report (F-25-24) This item provides supplemental information regarding item 13.1 f.	326 - 329
20.4	Memorandum from staff regarding Live and Play Plan – recommendations for future recreation infrastructure needs (RCC-12-24) This item provides supplemental information regarding item 13.1 i.	330 - 330

20.5 Memorandum from staff regarding Approval of a Festivals and Events Policy (RCC-13-24) 331 - 332

This item provides supplemental information regarding item 13.1 j.

20.6 Correspondence from Arcadis Professional Services regarding Major Transit Station Area (MTSA) Official Plan Amendment 2 and Community Planning Permit By-law (PL-03-24) 333 - 336

20.7 Correspondence from Fasken Martineau DuMoulin LLP regarding (MTSA) Official Plan Amendment 2 (PL-03-24) 337 - 337

21. Notice of Motion:

22. Motion to Approve By-Laws:

Enact and pass the following by-laws which are now introduced, entitled and numbered as indicated below:

22.1 45-2024: A by-law to adopt Official Plan Amendment No. 2 to establish a vision for the City's Major Transit Station Areas and enable the implementation of a Community Planning Permit System in the three Major Transit Station Areas. 338 - 429

Report PL-03-24, Committee of the Whole June 10 and 11, 2024

22.2 46-2024: A by-law to amend By-law 42-2008 being a by-law to provide for the licensing, regulating and governing of various businesses in the City of Burlington, as amended. 430 - 431

Report BL-05-24, Committee of the Whole June 10 and 11, 2024

22.3 2020.478: A by-law to amend By-law 2020, as amended, to update parking standards for lands identified along the Fairview Street, Plains Road and Appleby Line Corridors. 432 - 438

Report PL-45-24, Committee of the Whole June 10 and 11, 2024

22.4 14-2024: A by-law to adopt Official Plan Amendment No. 142 to permit a mixed-use development comprising three tall buildings of maximum 30, 32, and 34 storeys with 1165 residential units and ground-level non-residential uses at 1120 Cooke Boulevard. 439 - 443

Report PL-04-24, PL-57-24 Committee of the Whole March 5, 2024 and Council June 18, 2024

22.5 2020.472: A by-law to amend By-law 2020, as amended; for 1120 Cooke Boulevard,for the purpose of facilitating the mixed-use development of three residential towers of maximum heights of 30, 32, 444 - 454

and 34 storeys.

Report PL-04-24, PL-57-24 Committee of the Whole March 5, 2024 and Council June 18, 2024

23. Confirmatory By-law: 455 - 456

Enact and pass By-law Number 47-2024 being a by-law to confirm the proceedings of Council at its meeting held June 18, 2024 being read a first, second and third time.

24. Statements by Members:

25. Motion to Adjourn:

Adjourn this Council now to meet again at the call of the Mayor.

Council Workshop Meeting

Minutes

Date:	May 16, 2024
Time:	1:00 p.m.
Members Present:	Angelo Bentivegna (Chair), Shawna Stolte, Paul Sharman, Kelvin Galbraith, Rory Nisan, Mayor Marianne Meed Ward
Member Regrets:	Lisa Kearns
Staff Present:	Samantha Yew, Oanh Kasperski, David Thompson (Audio/Video Specialist), Richard Bellemare (Audio/Video Specialist), Suzanne Gillies (Clerk)

1. Declarations of Interest:

None

2. Delegation(s):

None

3. Consent Items:

None

4. Regular Items:

None

5. Confidential Items and Closed Session:

Moved by: Councillor Sharman

Proceed into closed session on **May 16, 2024 at 1:09 p.m.** in accordance with the following provisions under the Municipal Act:

Pursuant to Section 239(3.1)(1) the meeting is held for the purpose of education or training the members, and Section 239(3.1)(2) at the meeting, no member discusses or otherwise deals with any matter in a way that materially advances

the business or decision-making of the council, local board or committee regarding item **5.1.**

CARRIED

5.1 Media relations training during emergencies (CWC-01-24)

a. Confidential presentation regarding media relations training during emergencies (CWC-01-24)

6. Rise and Report

Committee reconvened into public session on May 16, 2024 at 3:27 p.m.

Note: there were no votes taken in closed session, there is no recommendation with this report.

7. Procedural Motions:

8. Information Items:

Moved by: Councillor Sharman

Receive and file the following item, having been given due consideration by the Council Workshop Committee.

CARRIED

8.1 Confidential presentation by Brain Lambie from Red Brick regarding media relations training during emergencies (CWC-01-24)

9. Staff Remarks:

10. Committee Remarks:

11. Adjournment:

2:16 p.m. (recessed), 2:25 p.m. (reconvened), 1:09 p.m. (closed), 3:27 p.m. (public)

Mayor Meed Ward left the meeting at 1:55 p.m.

Chair adjourned the meeting at 3:31 p.m.

Committee of the Whole Meeting

Minutes

Date:	June 10, 2024
Time:	9:30 am
Location:	Hybrid meeting- virtual and Council Chambers, City Hall
Members Present:	Mayor Marianne Meed Ward (Chair), Kelvin Galbraith, Lisa Kearns, Rory Nisan (absent Tuesday, June 11, 2024), Shawna Stolte (absent Monday, June 10, 2024), Paul Sharman (absent Monday, June 10, 2024), Angelo Bentivegna
Staff Present:	Hassaan Basit, Blake Hurley, Sue Evfremidis, Craig Kummer, Jacqueline Johnson, Allan Magi, Chad MacDonald, Catherine Baldelli, Emilie Cote, Kerry Davren, Jamie Tellier, Scott Hamilton, Oanh Kasperski, Karen Roche, Enrico Scalera, David Thompson (Audio/Video Specialist), Richard Bellemare (Audio/Video Specialist), Jo-Anne Rudy (Clerk), Lisa Palermo (Clerk)

1. Call to Order

The Chair called the meeting to order.

2. Land Acknowledgement

The Chair read the Land Acknowledgement.

3. Approval of the Agenda

Moved by Councillor Nisan

Motion to suspend the rules for section 34.2 of the Procedure By-law 31-2021, as amended, to reorder the agenda. Confidential Items and Closed Session will follow the Statutory Public Meetings and item 11.1 Live and Play Plan – recommendations for future recreation infrastructure needs (RCC-12-24) will follow the Closed Session.

CARRIED

Moved by Councillor Bentivegna

Motion to suspend the rules for section 46.1 of the Procedure By-law 31-2021, as amended, to permit a delegate who registered past the prescribed deadline. Deborah Bartucci, Burlington pickleball association, would like to speak regarding item 11.1 Live and Play Plan – recommendations for future recreation infrastructure needs (RCC-12-24)

CARRIED

Moved by Councillor Galbraith

Approve the agenda as amended.

CARRIED

4. Declarations of Interest

4.1 Councillor Galbraith - Major Transit Station Area (MTSA) Official Plan Amendment 2 and Community Planning Permit By-law (PL-03-24, SD-12-24)

The Councillor's property is within the MTSA.

5. Delegation(s)

5.1 Terry Caddo, Burlington Chamber of Commerce spoke regarding Motion Memorandum regarding lease rate reduction for Not for Profit groups (COW-16-24) (CSSRA)

5.2 Lydia Thomas spoke regarding 2025 financial needs and multi-year forecast (Financial Forecast) (F-25-24) (CSSRA)

5.3 Doreen Sebben spoke regarding 2025 financial needs and multi-year forecast (Financial Forecast) (F-25-24) (CSSRA)

5.4 Jim Young, Partnering Aldershot spoke regarding Live and Play Plan – recommendations for future recreation infrastructure needs (RCC-12-24) (EICS)

5.5 Harsh Singh, Halton Cricket Club, spoke regarding Live and Play Plan – recommendations for future recreation infrastructure needs (RCC-12-24) (EICS)

5.6 Amy Schnurr, BurlingtonGreen Environmental Association, spoke regarding Greening the Crosstown Trail (RPF-04-24) (EICS)

5.7 Deborah Bartucci, Burlington Pickleball Association, spoke regarding Live and Play Plan – recommendations for future recreation infrastructure needs (RCC-12-24)

6. Consent Items

6.1 Ontario Integrated Vehicle Safety Inspection Program update - DriveON (RPF-06-24) (EICS)

Moved by Councillor Bentivegna

Approve the City of Burlington's enrollment in the new DriveON program to permit the City to continue providing internal motor vehicle safety inspections and certifications for Corporate Fleet, Transit and Fire as outlined in roads, parks and forestry department report RPF-06-24; and

Authorize the Director of Roads, Parks and Forestry to execute on behalf of the City Burlington the performance contract and any associated agreements or amendments, between City or Burlington and the Province of Ontario or any third-party vendors approved or required by the Province of Ontario in connection with the DriveON program, including any equipment purchase agreement(s) and/or pre-authorized payment agreements required for the DriveON Program, to the satisfaction of the Chief Financial Officer, the Manager of Procurement Services, and the Executive Director of Legal Services and Corporation Counsel.

CARRIED

6.2 Amendment to Business Licensing By-law 42-2008 (BL-05-24) (CPRM)

Moved by Councillor Bentivegna

Approve the amendment to By-law 42-2008, a by-law to provide for the licensing, regulating and governing of various businesses in the City of Burlington, in order to clarify powers of inspection related to enforcement, as attached as Appendix A to by-law compliance department report BL-05-24, in a form satisfactory to the Director of Legal Services and Corporation Counsel.

CARRIED

6.3 2024 Integrated Halton Planning System Memorandum of Understanding (PL-47-24) (CPRM)

Moved by Councillor Bentivegna

Receive and file community planning department report PL-47-24 regarding 2024 Integrated Halton Planning System Memorandum of Understanding.

CARRIED

7. Presentation(s)

None.

8. Corporate Services, Strategy, Risk & Accountability Regular Items

8.1 Motion Memorandum regarding lease rate reduction for Not for Profit groups (COW-16-24)

Moved by Councillor Galbraith

Authorize and direct the Executive Director of Legal Services and Corporation Counsel to prepare and present to Council for enactment a by-law amending By-law 71-2023, the Delegated Authority By-law, Schedule F, Legal Services & Real Estate, Section 14 Leases and Licenses, to permit a rental rate reduction of 20% of fair market value for office leases and licenses with qualifying not-for-profit Team Burlington tenants within 414 Locust Street to the satisfaction of Legal, Realty Services, and Recreation Services.

CARRIED

8.2 Multi-Year Community Investment Plan – financing plan update report (F-24-24)

Moved by Councillor Galbraith

Endorse in principle the 10-year financial strategy presented in finance department report F-24-24; and

Direct the Chief Financial Officer to report back as part of the annual budget process, as required on updates to the Multi-Year Community Investment Plan, subject to the availability of future funding opportunities and significant changes in infrastructure needs.

CARRIED

8.3 2025 financial needs and multi-year forecast (Financial Forecast) (F-25-24)

Moved by Councillor Bentivegna

Receive the 2025 Financial Forecast as a budget reference document; and

Request the Mayor and Members of Council to consider the contents of the 2025 Financial Forecast including related appendix when preparing and reviewing the 2025 Proposed Budget.

CARRIED

9. Confidential Items and Closed Session

Moved by Mayor Meed Ward

Proceed into closed session on **June 11, 2024 at 1:23 p.m.** in accordance with the following provisions under the Municipal Act:

Pursuant to Section 239(2)(k), a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board regarding Item **9.2; and**

Pursuant to Section 239(2)(h) information explicitly supplied in confidence to the municipality or local board by Canada, a province or territory or a Crown agency of any of them, regarding Item **9.3; and**

Pursuant to Section 239(2)(e) of the Municipal Act, litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board regarding Items **9.4.**

CARRIED

9.1 Confidential real estate matter - property lease and management (L-12-24)

9.2 Confidential real estate matter property update (L-22-24)

9.3 Confidential post secondary attraction update (CM-08-24)

9.4 Confidential triannual litigation update report (L-20-24)

9.5 Confidential status report on the Contingency Reserve - April 30, 2024 (F-18-24)

10. Rise and Report

Committee reconvened into open session on June 11, 2024 at 1:52 p.m.

In closed session Committee provided instructions to staff on the following confidential report(s):

- Confidential real estate matter property update (L-22-24)
- Confidential post-secondary attraction update (CM-08-24)

Moved by Councillor Bentivegna

Instruct the Manager of Realty Services to proceed in accordance with the instructions sought in confidential legal department report L-12-24.

CARRIED

Moved by Councillor Galbraith

Direct the Executive Director of Legal Services or his designate to proceed in accordance with the instructions sought in matters 15, 17, 29, 30, 37, 41, 44, 45, and 47 and that the balance of L-20-24 be received and filed.

CARRIED

Moved by Councillor Bentivegna

Receive confidential finance department report F-18-24 providing the status report on the contingency reserve – April 30, 2024.

CARRIED

11. Environment, Infrastructure & Community Services Regular Items

11.1 Live and Play Plan – recommendations for future recreation infrastructure needs (RCC-12-24)

Note: view the COW June 11, 2024 video for the discussion of this item.

Moved by Mayor Meed Ward

Endorse in principle the Live and Play Plan as presented in Appendix A of recreation, community, and culture department report RCC-12-24 as the

guiding document for the future development of park, recreation, and cultural facilities; and

Direct the Director of Recreation, Community and Culture to update the plan every five years by way of a council report; and

Direct the Director of Recreation, Community and Culture to report back on an implementation plan for the recommendations in recreation, community and culture department report RCC-12-24, a partnership policy and funding options in Q3 2024.

CARRIED

11.2 Approval of a Festivals and Events Policy (RCC-13-24)

Moved by Mayor Meed Ward

Approve the Festivals and Events Policy in Appendix A of recreation, community and culture department report RCC-13-24; and

Direct the Director of Recreation, Community and Culture to apply the Festivals and Events Policy and phased implementation of the event selection criteria as listed in recreation, community and culture department report RCC-13-24; and

Amend the Festival and Events Policy in appendix A to recreation, community and culture department report RCC-13-24 to add "and the Festival Events Strategy Team (FEST)" to section three, Application Review under the Application Process and Timelines section on page 5 of the policy.

CARRIED

Amendment:

Moved by Mayor Meed Ward

Amend the Festival and Events Policy in appendix A to recreation, community and culture department report RCC-13-24 to add "and the Festival Events Strategy Team (FEST)" to section three, Application Review under the Application Process and Timelines section on page 5 of the policy.

CARRIED

11.3 Greening the Crosstown Trail (RPF-04-24)

Moved by Mayor Meed Ward

Direct the Director of Roads, Parks and Forestry to proceed with a pilot program for Greening the Crosstown Trail from Guelph Line to Fisher Ave, as detailed within Option 1 of roads, parks and forestry department report RPF-04-24; and

Authorize the Director of Roads, Parks, and Forestry to pursue a grant application through the Canadian Wildlife Federation to offset any and all project related costs; and

Direct the Acting Chief Financial Officer to allocate $40,750 from capital account PR0122 and $75,000 from the Tree Establishment and Enhancement Reserve to cover implementation costs for the pilot program.

CARRIED

Amendment:

Moved by Mayor Meed Ward

Direct the Director of Roads, Parks and Forestry to consider options for community gardens in this location as part of the city's community garden strategy.

LOST

12. Community Planning, Regulation & Mobility Regular Items

None

13. Statutory Public Meeting

Note: view the COW June 11, 2024 video for the discussion of items 13.1 and 13.2.

13.1 Major Transit Station Area (MTSA) Official Plan Amendment 2 and Community Planning Permit By-law (PL-03-24, SD-12-24)

Councillor Galbraith declared a conflict on this item. (The Councillor's property is within the MTSA.)

The Committee of the Whole, in accordance with the Planning Act, held Public Meeting No. 7-24 on June 11, 2024, regarding Major Transit Station Area (MTSA) Official Plan Amendment 2 and Community Planning Permit By-law. Having considered the oral and written comments received from staff and the public, the Committee of the Whole approved community planning department report PL-03-24.

Moved by Councillor Sharman

Adopt Official Plan Amendment No. 2 to the City of Burlington Official Plan, 2020, substantially in the form provided in Appendix A of community planning department report PL-03-24; and

Instruct the City Clerk to prepare the necessary by-law adopting Official Plan Amendment No. 2; and

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

Approve, **in principle**, the Major Transit Station Area Community Planning Permit By-law provided in Appendix B of community planning department report PL-03-24; and

Direct staff to make the necessary refinements to the Major Transit Station Area Community Planning Permit By-law, including any changes to reflect any modifications as a result of Ministerial approval; **and**

Direct the Director of Community Planning to report back at the July cycle of COW regarding the Community Improvement Plan (CIP) terms of reference as it relates to reflect the City's unit mix endorsed in the Housing Strategy *(three bedroom units)*. (SD-12-24)

CARRIED

Amendment:
Moved by Councillor Kearns

Direct the Director of Community Planning to report back at the July cycle of COW regarding the Community Improvement Plan (CIP) terms of reference as it relates to reflect the City's unit mix endorsed in the Housing Strategy *(three bedroom units)*. (SD-12-24)

CARRIED

Amendment:
Moved by Councillor Sharman

Remove the following words in paragraph 2: "to be presented for approval at the same time as the associated Major Transit Station Area Community Planning Permit By-law".

In paragraph 4, add the words "in principle" after "Approve" and remove the words "substantially in the form".

Remove paragraphs six and seven in their entirety.

CARRIED

a. Sarah Turney, Fasken Martineau DuMoulin LLP, spoke to Major Transit Station Area (MTSA) Official Plan Amendment 2 and Community Planning Permit By-law (PL-03-24)

b. Martin Quarcoopome, Weston Consulting, spoke to Major Transit Station Area (MTSA) Official Plan Amendment 2 and Community Planning Permit By-law (PL-03-24)

c. Michelle Diplock, West End Home Builders' Association, spoke to Major Transit Station Area (MTSA) Official Plan Amendment 2 and Community Planning Permit By-law (PL-03-24)

d. Adam Layton, Goldberg Group, spoke to Major Transit Station Area (MTSA) Official Plan Amendment 2 and Community Planning Permit By-law (PL-03-24)

e. Arun Anand, Infinity Development Group, spoke to Major Transit Station Area (MTSA) Official Plan Amendment 2 and Community Planning Permit By-law (PL-03-24)

f. Scott Beedie and Matt Johnson, Urban Solutions, spoke to Major Transit Station (MTSA) Official Plan Amendment 2 and Community Planning Permit By-law (PL-03-24)

g. Amy Shepherd, Arcadis, spoke to Major Transit Station Area (MTSA) Official Plan Amendment 2 and Community Planning Permit By-law (PL-03-24)

h. Brandon Simon, The Planning Partnership, spoke to Major Transit Station Area (MTSA) Official Plan Amendment 2 and Community Planning Permit By-law (PL-03-24)

i. David Faletta, Bousfields Inc., spoke to Major Transit Station Area (MTSA) Official Plan Amendment 2 and Community Planning Permit By-law (PL-03-24)

j. Nancy Adie spoke to Major Transit Station Area (MTSA) Official Plan Amendment 2 and Community Planning Permit By-law (PL-03-24)

k. Staff presentation regarding Major Transit Station Area (MTSA) Official Plan Amendment 2 and Community Planning Permit By-law (PL-03-24)

l. Correspondence from Noah MacLaren, MHBC Planning, regarding Major Transit Station Area (MTSA) Official Plan Amendment 2 and Community Planning Permit By-law (PL-03-24)

m. Additional comments received from the Community Planning Department regarding Major Transit Station Area (MTSA) Official Plan Amendment 2 and Community Planning Permit By-law (PL-03-24)

n. Additional items received by the Office of the City Clerk regarding Major Transit Station (MTSA) Official Plan Amendment 2 and Community Planning Permit By-law (PL-03-24)

o. Delegation material from Sarah Turney, Fasken Martineau DuMoulin LLP, regarding Major Transit Station (MTSA) Official Plan Amendment 2 and Community Planning Permit By-law (PL-03-24)

p. Delegation material from Martin Quarcoopome, Weston Consulting, regarding Major Transit Station (MTSA) Official Plan Amendment 2 and Community Planning Permit By-law (PL-03-24)

q. Delegation material from Adam Layton, Goldberg Group, regarding Major Transit Station Area (MTSA) Official Plan Amendment 2 and Community Planning Permit By-law (PL-03-24)

r. Delegation material from Scott Beedie and Matt Johnson, Urban Solutions, regarding Major Transit Station Area (MTSA) Official Plan Amendment 2 and Community Planning Permit By-law (PL-03-24)

13.2 City-initiated amendment to Zoning By-law 2020 – residential parking standards for Fairview Street / Plains Road and Appleby Line corridors (PL-45-24)

The Committee of the Whole, in accordance with the Planning Act, held Public Meeting No. 8-24 on June 11, 2024, regarding City-initiated

amendment to Zoning By-law 2020 - residential parking standards for Fairview Street/Plains Road and Appleby Line corridors. Having considered the oral and written comments received from staff and the public, the Committee of the Whole approved community planning department report PL-45-24.

Moved by Councillor Kearns

Approve the proposed amendments to Zoning By-law 2020 as provided in revised Appendix A of community planning department memo to report PL-45-24; and

Enact By-law 2020.478 as contained in revised Appendix A of community planning department memo to report PL-45-24; and

Deem that the amending Zoning By-law will conform to the Official Plan for the City of Burlington.

CARRIED

a. Staff memo regarding City-initiated amendment to Zoning By-law 2020 – residential parking standards for Fairview Street / Plains Road and Appleby Line corridors (PL-45-24)

b. Revised Appendix A to City-initiated amendment to Zoning By-law 2020 – residential parking standards for Fairview Street / Plains Road and Appleby Line corridors (PL-45-24)

c. Correspondence from Nick Morrison, Safe Streets Halton, regarding City-initiated amendment to Zoning By-law 2020 – residential parking standards for Fairview Street / Plains Road and Appleby Line corridors (PL-45-24)

d. Correspondence received by Tina Doyle regarding city-initiated amendment to Zoning By-law 2020 - residential parking standards for Fairview Street/Plains Road and Appleby Line corridors (PL-45-24)

e. Correspondence from West End Home Builder Association regarding City-initiated amendment to Zoning By-law 2020 - residential parking standards for Fairview Street/Plains Road and Appleby Line corridors (PL-45-24)

14. Procedural Motions

15. Information Items

Moved by Councillor Bentivegna

Receive and file the following eight items, having been given due consideration by the Committee of the Whole.

CARRIED

15.1 Office of the City Clerk forecast of standing committee reports (COW-17-24)

15.2 Staff presentation regarding 2025 financial needs and multi-year forecast (Financial Forecast) (F-25-24)

15.3 Correspondence from Cecilia Bailey and Mike Labancz regarding 2025 financial needs and multi-year forecast (Financial Forecast) (F-25-24)

15.4 Correspondence from Ivan Furlich regarding 2025 financial needs and multi-year forecast (Financial Forecast) (F-25-24)

15.5 Correspondence from Michael Baron regarding 2025 financial needs and multi-year forecast (Financial Forecast) (F-25-24)

15.6 Correspondence from Siegfried Hoffman regarding 2025 financial needs and multi-year forecast (Financial Forecast) (F-25-24)

15.7 Staff presentation regarding, Live and Play Plan - recommendations for future recreation infrastructure needs (RCC-12-24)

15.8 Correspondence from Nick Morrison, Safe Steets Halton regarding Greening the Crosstown Trail (RPF-04-24)

16. Staff Remarks

17. Committee Remarks

18. Adjournment

Meeting was called to order on June 10, 2024 at 9:32 a.m.

11:28 a.m. (recessed), 11:36 a.m. (reconvened), 12:45 p.m. (recessed), 12:52 p.m. (reconvened), 1:29 p.m. (recessed)

Note: Councillor Nisan left the meeting at 10:30 a.m.

Meeting reconvened on June 11, 2024 at 9:30 a.m.

10:45 a.m. (recessed), 10:56 a.m. (reconvened), 11:45 a.m. (recessed), 11:55 a.m. (reconvened), 12:07 p.m. (recessed), 1:02 p.m. (reconvened), 1:17 p.m.

(recessed), 1:21 p.m. (reconvened), 1:23 p.m. (closed), 1:52 p.m. (public), 1:55 p.m. (recessed), 1:59 p.m. (reconvened)

Note: Mayor Meed Ward left the meeting at 1:45 p.m.

Chair adjourned the meeting at 2:34 p.m.

Audit Committee Meeting

Minutes

Date:	June 12, 2024
Time:	3:30 pm
Location:	Hybrid meeting- virtual and Council Chambers, City Hall
Members Present:	Lisa Kearns (Chair), Michael Di Iuilo, Kartik Gupta, Mathew Moore, Etienne Durafour
Member Regrets:	Paul Sharman, Mayor Marianne Meed Ward
Staff Present:	Maciej Jurczyk, Chad MacDonald, Lori Jivan, Michelle Moore, David Thompson (Audio/Visual Specialist), Richard Bellemare (Audio/Video Specialist), Suzanne Gillies (Clerk)

1. Declarations of Interest:

None

2. Delegation(s):

None

3. Consent Items:

3.1 Status of Management Action Plans (CA-08-24)

Moved by: Kartik Gupta

Receive city auditor's office report CA-08-24 providing a summary of the Management Action Plans in progress.

CARRIED

3.2 Quarterly dashboard for office of the city auditor (CA-09-24)

Moved by: Kartik Gupta

Receive office of the city auditor's report CA-09-24 providing a quarterly dashboard of City Auditor Key Performance Indicators (KPI's) attached as Appendix A.

CARRIED

4. Regular Items:

4.1 Approval of the 2023 consolidated financial statements as audited by Deloitte LLP. (F-20-24)

Moved by: Mathew Moore

Approve the 2023 consolidated financial statements for the City of Burlington as audited by Deloitte LLP attached to finance department report F-20-24 as Appendix A; and

Approve the 2023 financial statements for the trust funds of the City of Burlington as audited by Deloitte LLP attached to finance department report F-20-24 as Appendix B; and

Authorize the Acting Chief Financial Officer to publish the statements on the City's website.

CARRIED

4.2 Audit Committee terms of reference - update (CL-13-24)

Moved by: Mathew Moore

Rescind the Audit Committee terms of reference approved in December 2021 found in office of the city clerk's report CL-35-21; and

Approve the revised Audit Committee terms of reference attached to office of the city clerk's report CL-13-24, as Appendix B.

CARRIED

4.3 Anti-Fraud Information & Education Program - update (CA-10-24)

Moved by: Etienne Durafour

Receive office of the city auditor's report CA-10-24 regarding an update of the Anti-Fraud Information & Education Program.

CARRIED

4.4 Internal Audit Charter - update (CA-11-24)

Moved by: Kartik Gupta

Approve the updated Internal Audit Charter attached as Appendix B of city auditor's office report CA-11-24.

CARRIED

5. Confidential Items and Closed Session:

5.1 Confidential Appendix B regarding status of management action plans (CA-08-24)

6. Rise and Report from Closed Session

7. Procedural Motions:

None

8. Information Items:

Moved by: Etienne Durafour

Receive and file the following item, having been given due consideration by the Audit Committee.

CARRIED

8.1 External Auditor's presentation regarding approval of the 2023 consolidated financial statements as audited by Deloitte LLP. (F-20-24)

9. Staff Remarks:

10. Committee Remarks:

11. Adjournment:

Chair adjourned the meeting at 4:02 p.m.

Pipeline to Permit Committee

Minutes

Date:	June 13, 2024
Time:	9:30 am
Location:	Hybrid meeting- virtual and Council Chambers, City Hall
Members Present:	Mayor Marianne Meed Ward (Co-Chair), Shawna Stolte (Co-Chair), Kelvin Galbraith, Paul Sharman, Bianca Steer, Elisha Vankleef, Jackie Isada, Jason Sheldon, John Davidson, John Doyle, Kellie McCormack, Mike Collins-Williams
Member Regrets:	Jim Dunn
Staff Present:	Hassaan Basit, Nick Anastasopoulos, Blake Hurley, Jacqueline Johnson, Craig Kummer, Chad MacDonald, Jamie Tellier, David Thompson (Audio/Video Specialist), Richard Bellemare (Audio/Video Specialist), Samantha Yew (City Clerk)

1. Entrance

1.1 Call to Order

The Chair called the meeting to order at 9:32 a.m.

1.2 Land Acknowledgement

The Chair read the land acknowledgement.

1.3 Approval of the Agenda

Moved by Bianca Steer

Waive section 45.2 of the Procedure By-law 31-2021, as amended, to allow the staff presentation to extend past 10 minutes for item 2.1.a, P2P Open Data Migration.

CARRIED

Moved by Kellie McCormack

Approve the agenda as presented.

CARRIED

1.4 Declarations of Interest

1.5 Written Delegations and Delegations

a. Delegation from Michelle Diplock, West End Home Builders' Association, regarding Pay-On-Demand Development Bonds (F-13-24)

b. Delegation from Adil Darr, Masters Insurance, regarding Pay-On-Demand Development Bonds (F-13-24)

c. Delegation from Michael Georgiev, Jones DesLauriers Insurance, regarding Pay-On-Demand Development Bonds (F-13-24)

d. Delegation from Diana Ho, RAISE Underwriting, regarding Pay-On-Demand Development Bonds (F-13-24)

2. Enlightenment

2.1 Presentations

a. P2P Open Data Migration (PP-17-24)

3. N2: News and Numbers

3.1 Pipeline to Permit Report

3.2 Contextual Updates

4. Enactions

4.1 Pay-On-Demand Development Bonds (F-13-24)

Moved by Councillor Stolte

Approve a five (5) development pilot program approach to accepting Pay-on-Demand development bonds that considers a number of bonds per developer and maximum bond amount that is satisfactory to the CAO; and

Direct the Chief Financial Officer to maintain a waitlist of additional developments above the five accepted and report back monthly to the Pipeline to Permit Committee on the additional developments; and

Direct the Chief Financial Officer to develop a pay-on-demand bond template and pay-on-demand development Bond Policy in accordance with the approved five (5) pilot program, in a form satisfactory to the Executive Director of Legal and Corporation Counsel, as outlined in this report for Council approval by Fall 2024; and

Direct the Executive Director of Legal and Corporation Counsel to ensure that Site Plan Agreements for developments participating in the pilot program recognize pay-on-demand development bonds as an acceptable form of security, as recommended in this report; and

Direct the Chief Financial Officer to report back in one (1) year, or earlier subject to provincial legislation or pilot program demand with a summary of challenges and future consideration for on-going acceptance of Pay-On-Demand development bonds or pilot program expansion; and

Direct the Chief Financial Officer to connect with the industry and report back to the Pipeline to Permit Committee by the end of Q4 2024 on how to incorporate the option of transferring letters of credit to surety bonds.

CARRIED

4.2 Next Steps and Action Identification

4.3 Information Items

Moved by Councillor Galbraith

Receive and file the following four items, having been given due consideration by the Pipeline to Permit Committee.

CARRIED

a. Delegation material from Adil Darr, Masters Insurance, regarding Pay-On-Demand Development Bonds (F-13-24)

b. Delegation material from Diana Ho, RAISE Underwriting, regarding Pay-On-Demand Development Bonds (F-13-24)

c. Presentation and presentation material for 2.1.a. P2P Open Data Migration (PP-18-24)

d. Pipeline to Permit Report

4.4 Adjournment

Meeting was called to order on June 13, 2024 at 9:32 a.m.

11:26 a.m. (recessed), 11:33 a.m. (reconvened)

Chair adjourned the meeting at 12:03 p.m.

SUBJECT: Recommendation Report for Official Plan and Zoning By-law Amendments for 1120 Cooke Blvd

TO: Mayor and Members of Council

FROM: Community Planning Department

Report Number: PL-57-24

Wards Affected: 1

Date to Committee: Not applicable

Date to Council: June 18, 2024

Recommendation:

Approve the recommendations of Community Planning Department report PL-04-24.

PURPOSE:

Vision to Focus Alignment:

- ☑ Designing and delivering complete communities
- ☐ Providing the best services and experiences
- ☐ Protecting and improving the natural environment and taking action on climate change
- ☐ Driving organizational performance

Executive Summary:

This report provides an update on the applications for Official Plan Amendment and Zoning By-law Amendment for 1120 Cooke Boulevard (file numbers 505-01/22, 520-01/22). Staff had recommended approval of these applications in March 2024 through report PL-04-24; however, a decision was deferred by Council pending review of new information presented by CN Rail. The current report describes this review and recommends that approval of the recommendations of report PL-04-24 is appropriate at this time.

Background and Discussion:

On March 5, 2024, Community Planning staff presented report PL-04-24 to Committee of the Whole. This report recommended approval of applications by Adi Developments (Adi) for Official Plan Amendment and Zoning By-law Amendment to permit a mixed-use development at 1120 Cooke Boulevard in ward 1, comprising three towers of maximum 34, 32, and 30 storeys ("the development applications").

Report PL-04-24 described staff's review of the subject development applications, including with respect to matters of land use compatibility such as noise impacts and air quality impacts. As stated on page 12 of the report:

> "Staff Opinion: Staff are satisfied that the proposed development provides needed housing and is appropriately located in the Aldershot Major Transit Station Area in close proximity to existing and planned transit. Staff are of the opinion that the proposed development of sensitive uses is compatible with surrounding major facilities, subject to the implementation of mitigation measures that will be designed in greater detail through a future Site Plan application."

The recommendations of PL-04-24 were considered by Committee and put on the March 19, 2024 Council meeting agenda for final approval.

Prior to the Council meeting of March 19, 2024, City Council received correspondence from legal counsel of CN Rail, which introduced new information about noise modeling for CN's Aldershot rail yard and asked Council to defer a decision on the development applications until CN's concerns could be addressed. Mike Bennett of WND Planning, representing Adi Developments, delegated at the March 19 Council meeting and requested that Council defer a decision to allow Adi an opportunity to address the concerns raised by CN. Community Planning staff supported the applicant's request for a deferral. Council then passed a motion, "Refer item ah. Official Plan and Zoning By-law amendments for 1120 Cooke Boulevard (PL-04-24) to the April 16, 2024 Council meeting."

Following the March Council meeting, legal counsel for CN Rail provided updated noise modelling information to Adi Developments for analysis by their noise consultant, SLR Consulting (Canada) Ltd. At the April 16, 2024 meeting of City Council, Community Planning staff presented a memo entitled "Update on report PL-04-24, applications for Official Plan Amendment and Zoning By-law Amendment for 1120 Cooke Blvd (ward 1)". This memo advised that the CN noise matter remained outstanding and recommended that Council again defer a decision. Accordingly, Council passed a motion, "Defer a decision on Official Plan and Zoning By-law amendments for 1120 Cooke Boulevard (PL-04-24) until such time as the Director of Community Planning advises that outstanding matters have been addressed and provides an updated recommendation if required."

On June 10, 2024, the applicant submitted to the City a letter entitled "Opinion Letter on CN Rail Aldershot Rail Yard Environmental Noise – 1120 Cooke Boulevard, Burlington",

prepared by SLR Consulting (Canada) Ltd., and dated June 7, 2024. The SLR opinion letter, attached to this memo as Appendix A, describes SLR's analysis of the information provided by CN Rail, and contains the following relevant excerpts:

> "SLR has reviewed the acoustic model prepared by Jade, received on March 18, 2024. It is SLRs opinion that the acoustic model is overly conservative and not likely representative of the predictable worst-case scenario for the CN Aldershot Rail Yard."
>
> "The February 2023 [by SLR] study demonstrates that the Project site is anticipated to be compliant with MECP Publication NPC-300 Class 4 guideline limits"
>
> "It is SLRs opinion that the new acoustic model received from CN on 2024 represents an absolute worst-case scenario, rather than a predictable worst-case scenario, and therefore significantly overstates potential impacts."

The June 7, 2024 SLR Opinion Letter goes on to conclude as follows:

> "It is SLR's opinion that MECP Publication NPC-300 Class 4 Area guidelines will be met at the proposed development, based on predictable worst-case noise impacts from the CN Rail Aldershot Yard, as per SLR Report dated February 23, 2023."

The SLR opinion letter has been reviewed by staff in Development Engineering and Community Planning. On the basis of staff's review of this letter, considered together with staff's review of the overall development applications for 1120 Cooke Boulevard, staff continue to support approval of the applications for Official Plan Amendment and Zoning By-law Amendment applications for 1120 Cooke Boulevard. Accordingly staff now recommend that Council approve the recommendations of Community Planning Department report PL-04-24 without modifications.

Staff advised CN Rail of this recommendation by email to their legal counsel on June 14, 2024.

Strategy/process/risk

Should Council approve staff's recommendation, staff will provide notice of the decision in accordance with the requirements of the Planning Act. Council's decision may be appealed to the Ontario Land Tribunal (OLT) by interested parties with appeal rights under the Planning Act, including CN Rail. Should Council's decision be appealed, the City will incur costs associated with defending Council's decision at the OLT.

Options Considered

Council has the option to again defer a decision, but this is not recommended by staff. Should Council defer a decision, the applicant could appeal to the OLT on the basis of

non-decision. Because the subject applications were deemed complete prior to the passing of Bill 109, there is no risk of the City having to refund application fees.

Council also has the option to refuse the development applications, but this is not recommended, and would be contrary to the recommendations of report PL-04-24.

Financial Matters:

Refer to Community Planning Department report PL-04-24.

Climate Implications:

Refer to Community Planning Department report PL-04-24.

Engagement Matters:

Refer to Community Planning Department report PL-04-24.

Conclusion:

The new information presented by CN Rail in March 2024 has been analyzed by the applicant's noise consultant, SLR Consulting (Canada) Ltd. City staff have reviewed an opinion letter from SLR wherein SLR concluded that MECP Publication NEPC-300 Class 4 Area guidelines will be met. Staff have considered this opinion alongside staff's overall review of the development applications for 1120 Cooke Blvd and determined that approval of the applications for Official Plan Amendment and Zoning By-law Amendment for 1120 Cooke Boulevard is appropriate at this time. Accordingly, staff now recommend that Council approve the recommendations of Community Planning Department report PL-04-24 without modifications.

Respectfully submitted,

Thomas Douglas, MCIP RPP

Senior Planner – Development Review

(905) 335-7600 ext. 7811

Appendices:

A. “Opinion Letter on CN Rail Aldershot Rail Yard Environmental Noise – 1120 Cooke Boulevard, Burlington”, prepared by SLR Consulting (Canada) Ltd., dated June 7, 2024

Notifications:

Mike Bennett and Andrew Ferancik, WND Associates Ltd.

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.

SLR Consulting (Canada) Ltd.
Please select an office from this list

June 7, 2024

Attention: Mr. Saud Adi
Adi Developments (Masonry) Inc.
1100 Burloak Drive
Burlington, ON L7L 6B2

SLR Project No.: 241.V30122.00003

Revision: 0

RE: Opinion Letter on CN Rail Aldershot Rail Yard Environmental Noise
1120 Cooke Boulevard - Burlington

SLR Consulting (Canada) Ltd. (SLR) provides this letter at the request of Adi Developments (Masonry) Inc, for the proposed development at 1120 Cooke Boulevard, Burlington ("Project site"). This letter provides our opinion on the environmental noise from CN Rail ("CN") Aldershot Yard ("Yard") operations at the Project site.

Background

SLR previously completed the following studies with regards to this Project site:

- *Environmental Noise Study – 1120 Cooke Boulevard – Burlington, ON,* dated August 12, 2021;
- *Environmental Noise Study – 1120 Cooke Boulevard – Burlington, ON,* dated November 18, 2021; and
- *Environmental Noise Study – 1120 Cooke Boulevard – Burlington, ON,* dated February 23, 2023 (February 2023 study).

SLR completed on-site observations of the CN Yard during site visits completed in February 2016, October 2018, and April 2021to the development lands and surrounding area. The SLR assessments noted above were completed based on our site visit observations and using rail yard information provided by CN for Environmental Noise Assessments for the approved 101 Masonry Court development (located on adjacent lands) and the approved nearby 1085 Clearview Avenue development.

Jade Acoustics Inc. ("Jade") was retained by CN to conduct a peer review of SLR noise assessment. Jade/CN provided their peer review of the February 2023 study in their letter dated May 12, 2023. SLR provided a response letter dated June 26, 2023 to address the comments. SLR received a final response letter from Jade/CN on August 4, 2023.

In their August 4, 2023 letter, Jade concluded:

> "Based on our review, the responses provided are generally acceptable and its concluded that the development has been designed to mitigate the noise sources to meet the CN, RAC/FCM [Railway Association of Canada/ Federation of Canadian Municipalities] and MOE [Ministry of Environment, Conservation and Parks] guidelines."

Approximately seven (7) months later, on March 15, 2024**,** Dentons on behalf of CN provided comments to the City of Burlington City Council, requesting council to defer its consideration for Project site to address CN's concerns before the City of Burlington Council meeting to consider approval of the Development Applications originally scheduled for March 19, 2024.

On March 18, 2024, Dentons on behalf of CN provided Adi Developments (Masonry) Inc. and SLR with a Cadna/A acoustic model representative of CN's operations at the CN Yard. In addition to the model, a memorandum, dated February 27, 2024 from Jade was provided, detailing the acoustic modelling parameters in the Cadna/A model.

SLR Opinion on CN Aldershot Rail Yard Acoustic Model

SLR has reviewed the acoustic model prepared by Jade, received on March 18, 2024. It is SLRs opinion that the acoustic model is overly conservative and not likely representative of the predictable worst-case scenario for the CN Aldershot Rail Yard. Site visits by SLR staff have been conducted on various dates, with the most recent occurring on December 2023 to the development lands and surrounding area. The operations included in the Jade acoustic model appear to greatly exceed operations observed during these site visits.

CN has previously approved SLRs acoustic modelling for the Project site based on SLRs on-site observations, as well as information provided by CN for Yard operations on August 4, 2023. The Project site has been designated a Class 4 area with relaxed guideline limits for noise. The February 2023 study demonstrates that the Project site is anticipated to be compliant with MECP Publication NPC-300 Class 4 guideline limits. Notable differences between the Jade March 18, 2024 model and SLR onsite observations, that increase the predicted sound level at the Project site include:

- An Increase from three (3) simultaneous idling CN locomotives to seven (7);
- A +5 dB correction has been included for each of the idling locomotives; and
- The location and sound power level (noise emission level) of impulsive noise from trains coupling/uncoupling and stretching.

A total of seven (7) locomotives idling simultaneously in the rail yard is more than double the observations made by SLR staff on various dates. Based on SLR observations and modelling previously approved by CN, three (3) idling locomotives is representative of a predictable worst-case for the CN Yard.

The +5 dB correction applied to the idling locomotives, which SLR assumes is to address low frequency noise, does not follow the guidelines for sound level adjustment procedures outlined in MECP Publication NPC-104. It is SLRs opinion this correction is unwarranted and overly conservative.

During site visits conducted by SLR staff, direct measurements of impulsive noise from the rail yard were taken. Impulsive from rail car movements were not consistently present, where trains of rail cars were observed to come to a complete stop without the associated knuckle-thump impulsive noise. On occasion, a single impulse was observed when the train came to a stop, as opposed to the successive impulses associated with a long train of railway cars. It is SLRs opinion that the modelling of impulsive noise sources in the model provided by Jade is overly conservative and does match actual activities at the site.

Acoustic assessments conducted in accordance with MECP Publication NPC-300 assess the predictable worst-case noise impacts. A predictable worst-case scenario is one based on "planned and predicable" operations of an industry and its equipment, and is not necessarily the absolute worst-case operation. It is SLRs opinion that the new acoustic model received from CN on 2024 represents an absolute worst-case scenario, rather than a predictable worst-case scenario, and therefore significantly overstates potential impacts.

Statement of Limitations

This letter has been prepared by SLR Consulting (Canada) Ltd. (SLR) for Adi Developments (Masonry) Inc. (Client) in accordance with the scope of work and all other terms and conditions of the agreement between such parties. SLR acknowledges and agrees that the Client may provide this report to government agencies, interest holders, and/or Indigenous communities as part of project planning or regulatory approval processes. Copying or distribution of this letter, in whole or in part, for any other purpose other than as aforementioned is not permitted without the prior written consent of SLR.

Any findings, conclusions, recommendations, or designs provided in this letter are based on conditions and criteria that existed at the time work was completed and the assumptions and qualifications set forth herein.

This letter may contain data or information provided by third party sources on which SLR is entitled to rely without verification and SLR does not warranty the accuracy of any such data or information.

Nothing in this letter constitutes a legal opinion nor does SLR make any representation as to compliance with any laws, rules, regulations, or policies established by federal, provincial territorial, or local government bodies, other than as specifically set forth in this report. Revisions to legislative or regulatory standards referred to in this letter may be expected over time and, as a result, modifications to the findings, conclusions, or recommendations may be necessary.

Closure

It is SLR's opinion that MECP Publication NPC-300 Class 4 Area guideline limits will be met at the proposed development, based on predictable worst-case noise impacts from the CN Rail Aldershot Yard, as per SLR Report dated February 23, 2023.

Should you have any questions or comments, please feel free to contact us.

Regards,

SLR Consulting (Canada) Ltd.

Dylan Diebolt, B.Sc.
Acoustics Consultant
ddiebolt@slrconsulting.com

Aaron Haniff, P.Eng.
Principal Acoustic Engineer
ahaniff@slrconsulting.com

SUBJECT: Official Plan and Zoning By-law amendments for 1120 Cooke Blvd

TO: Committee of the Whole

FROM: Community Planning Department

Report Number: PL-04-24

Wards Affected: 1

File Numbers: 505-01/22, 520-01/22

Date to Committee: March 4, 2024

Date to Council: March 19, 2024

Recommendation:

Approve the applications submitted by WND Associates Ltd., on behalf of Adi Development Group, to amend the Official Plan and Zoning By-law to permit a mixed-use development comprising three tall buildings with maximum heights of 34, 32, and 30 storeys; and

Approve Official Plan Amendment No. 142 to the City of Burlington Official Plan, as provided in Appendix B of community planning department report PL-04-24, to introduce new site-specific policies for the subject lands; and

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

Instruct the City Clerk to prepare the necessary by-law adopting Official Plan Amendment No. 142 as contained in Appendix B of community planning department report PL-04-24 to be presented for approval at the same time as the associated by-law to amend Zoning By-law 2020, as amended, for the development proposal (505-01/22); and

Approve Zoning By-law 2020.472, attached as Appendix C of community planning department report PL-04-24, to rezone the lands located at 1120 Cooke Boulevard from “MXC-26” (Mixed-Use Corridor – Commercial with site-specific exception 26) to “H-MXC-531” (Mixed-Use Corridor – Commercial with a Holding “H” prefix and site-specific exception 531); and

State that the amending zoning by-law will not come into effect until Official Plan Amendment No. 142 is adopted; and

Deem that the lands described as 1120 Cooke Boulevard are classified as a Class 4 area as defined by the Ontario Ministry of Environment, Conservation, and Parks NPC-300 Environmental Noise Guidelines.

PURPOSE:

The purpose of this report is to describe staff's review of the subject applications and to recommend approval of the requested Official Plan Amendment and Zoning By-law Amendment contained in the appendices of this report.

Vision to Focus Alignment:

The recommendation of this report supports the following elements of Vision to Focus:

- Designing and delivering complete communities

Executive Summary:

RECOMMENDATION:	Approve OPA and ZBA	***Ward:***	1
Application Details	***APPLICANT:***	WND Associates Ltd.	
	OWNER:	Adi Development Group	
	FILE NUMBERS:	505-01/22, 520-01/22	
	TYPE OF APPLICATION:	Official Plan Amendment, Zoning By-law Amendment	
	PROPOSED USE:	Mixed-use development consisting of residential and retail uses within three tall buildings of maximum 34, 32, and 30 storeys.	
Property Details	***PROPERTY LOCATION:***	North side of Masonry Court between Waterdown Road and Cooke Blvd	
	MUNICIPAL ADDRESS:	1120 Cooke Blvd	
	PROPERTY AREA:	0.95 hectares	

	EXISTING USE:	Temporary sales centre for “Stationwest” Phase One development
Documents	***1997 OFFICIAL PLAN Existing:***	Mixed-Use Corridor – Commercial
	1997 OFFICIAL PLAN Proposed:	Mixed-Use Corridor – Commercial, with site-specific policy
	2020 OFFICIAL PLAN Existing:	Urban Corridor
	ZONING Existing:	MXC-26 (Mixed Use Corridor – Commercial, with site-specific exception)
	ZONING Proposed:	H-MXC-531 (Mixed Use Corridor – Commercial, with new site-specific exception 531 and an ‘H’ Holding symbol)
Processing Details	***APPLICATION MADE AND COMPLETE AS OF:***	March 1, 2022
	STATUTORY DEADLINE:	June 29, 2022
	PRE-APPLICATION COMMUNITY MEETING:	September 29, 2020
	STATUTORY PUBLIC MEETING:	June 14, 2022
	PUBLIC COMMENTS:	As of February 14, 2024, the Community Planning Department has received written comments via email from four residents. The City also received written correspondence from three residents at the Statutory Public Meeting.

Background and Discussion:

1.1 Application History

On March 1, 2022, the City received a complete application from WND Associates Ltd. on behalf of Adi Development Group requesting Official Plan Amendment and Zoning By-law Amendments to permit a proposed mixed-use development comprising residential and retail uses within three tall buildings at 1120 Cooke Blvd.

A Statutory Public Meeting was held at the June 14, 2022 meeting of Community Planning, Regulation, and Mobility Committee. At this meeting, Committee considered

staff report PL-48-22 and received delegations and correspondence from the applicant and members of the public. Committee then approved the report recommendation to "Direct staff to continue to process the submitted applications for Official Plan Amendment and Zoning By-law Amendment for 1120 Cooke Boulevard, including evaluating and incorporating any/all comments received by the committee and the public at the Statutory Public Meeting, as well as the comments received through the ongoing technical review of this application by agency partners and internal departments."

The applicant submitted revised application materials in March 2023 to address comments that had been provided by the public and technical agencies through the review of the original application. These materials were posted on the City's website at www.burlington.ca/1120cooke.

The applicant made a third submission in August 2023 consisting of revised materials to address outstanding technical issues that had been raised through the technical review of the second submission.

Staff have completed their review of the submitted materials and are recommending approval of the subject applications for Official Plan Amendment and Zoning By-law Amendment.

1.2 Description of Subject Property and Surrounding Land Uses

The subject property is located on the north side of Masonry Court between Waterdown Road and Cooke Blvd, as shown in Appendix A of this report. The property has an area of 0.95 hectares, with approximately 100 metres of frontage on Waterdown Road, 91 metres of frontage on Masonry Court, and 90 metres of frontage on Cooke Blvd. Due to a grade change, the subject property is located at a lower elevation than the traveled portion of Waterdown Road (approximately 5 metres lower at the northwest corner of the site). The site is currently occupied by a temporary sales centre for the adjacent development to the east (Phase 1 of "Stationwest" development) and is otherwise vacant (the proposed development on the subject property is Phase 2 of the Stationwest development). Historic use of the property included a concrete brick manufacturing facility prior to 2011.

Surrounding uses are as follows:

- North: A floodplain storage area is located to the immediate north; this feature is within the regulated area of Conservation Halton. Immediately east of the floodplain storage area, at the northern terminus of Cooke Blvd, is an undeveloped park block.
  Further north, beyond the stormwater management infrastructure, is a CNR railway corridor.

Highway 403 and the Waterdown Road-Highway 403 interchange are located north of the rail corridor.

- East: to the east, across Cooke Blvd, is Phase 1 of the Stationwest development, comprising two 6-storey mid-rise residential apartment buildings with frontage on Masonry Court and low-rise townhouse buildings on condominium streets north of the mid-rise buildings.
  At the southeast corner of Masonry Court and Clearview Ave is a church property that has zoning approval for a seven-storey mid-rise apartment building.
  A low-rise, low-density, detached residential neighbourhood is located south of Masonry Court, to the south and east of the Stationwest development.
  The Aldershot GO Station is located 300 metres to the east of the subject property along Masonry Court. This train station is served by GO Transit's Lakeshore West line and by VIA Rail. Additionally, this GO station includes a bus loop on the north side of the train tracks that is served by Burlington Transit Routes 4 & 87 and Hamilton Street Railway bus route 18, which provides connections to the Waterdown community in the City of Hamilton.
- South: to the south, across Masonry Court, are employment uses in the form of multiple one-storey manufacturing buildings with office components. Further south, on the east side of Waterdown Road are existing low-rise, low-density detached dwellings.

  At the intersection of Waterdown Road and Masonry Court are bus stops served by Burlington Transit route 4.

  340 metres to the south on Plains Road there are bus stops served by Burlington Transit route 1, which provides connections to downtown Hamilton.
- West: to the west, across Waterdown Road, are industrial uses including a concrete and aggregate facility.
  Burlington Fire Station 3 is located on the west side of Waterdown Road, south of the industrial uses.

The subject property is located within the "Aldershot Corners" Major Transit Station Area (MTSA), as defined by Halton Region's Official Plan, which is currently the subject on an ongoing Area-Specific Planning study by the City of Burlington.

1.3 Description of Applications

The applications propose to amend the Official Plan and Zoning By-law to permit a mixed-use development comprising three tall buildings with retail uses at ground level and residential uses above.

In the original proposal (2022): Building A (northwest corner of site) was 36 storeys tall including a 4-storey podium. Building B (southeast) was 26 storeys tall. Building C

(southwest) was 36 storeys tall. Buildings B and C shared a three-storey podium. The proposed buildings contained a total of 1,139 residential units and 231m2 of ground-level retail at the corner of Masonry Court and Cooke Blvd. 1,031 parking spaces were proposed within five levels of underground parking.

In the revised proposal (2023): Building A (northwest) is 33 storeys tall including a 12-storey podium. Building B (southeast) is 29 storeys including a six-storey podium that steps down to three storeys on the north side. Building C (southwest) is 31 storeys including a six-storey podium. The buildings are no longer connected to each other, and a plaza has been introduced at the ground level between Buildings B and C. The total number of residential units has increased from 1,139 to 1,165. The total amount of retail floor area has increased from 231m2 to 495m2. The total number of parking spaces has increased from 1,031 to 1,145 spaces within 6 underground parking levels.

The applications propose to develop the site in three phases, beginning with the southeast building, then southwest, then northwest.

The changes in the development proposal from the original submission to the revised submissions are summarized in the Table 1 below.

Table 1: Summary of Changes from Original Proposal to Revised Proposal, and Recommended Zoning

	Original proposal	**Revised proposal**	**Recommended Zoning***
Residential dwelling units	1139 units	1165 units	Maximum 1165 units
Non-residential floor area (e.g.: retail, service commercial)	231 m2	495 m2	Minimum 475 m2
Floor Area Ratio	7.9:1	9.0:1	Maximum 9.1:1
Building Height • Building A • Building B • Building C	 • 36 storeys and 119 m • 26 storeys and 89 m • 36 storeys and 119 m	 • 33 storeys and 109 m • 29 storeys and 97 m • 31 storeys and 103 m	Maximums: • 34 storeys and 112 m • 30 storeys and 100 m • 32 storeys and 106 m
Parking	0.9 spaces per unit	0.97 spaces per unit (0.89 occupants spaces per unit	Minimum 0.97 spaces per unit (0.89 occupant spaces per unit

		0.08 visitor spaces per unit)	0.08 visitor spaces per unit)
Bicycle parking	0.45 long-term spaces per unit 0.049 short-term spaces per unit	0.5 long-term spaces per unit 0.05 short-term spaces per unit	Minimum 0.5 long-term spaces per unit, 0.05 short-term spaces per unit
Amenity area	18.5m2 per unit	15.6 m2 per unit	Minimum 15m2 per unit

Footnote to Table 1: *The Zoning By-law Amendment being recommended by this report has been written to incorporate appropriate flexibility for potential changes in the detailed design as the project advances through a future Site Plan application. This approach is discussed in more detail in section 2.7 of this report. The intent of Table 1 is to summarize how the proposed development has been revised from the original submission to the revised submission; information about Zoning recommendations is provided to avoid confusion about what is shown on the current plans (Revised proposal) and what staff are recommending as suitable minimum/maximum parameters for the development (Recommended Zoning).

1.4 Supporting Documents

The original application materials are listed in report PL-48-22 and are posted on the City's website at www.burlington.ca/1120cooke.

The applicant's second submission consists of the following revised application materials submitted to the City in March 2023:

1. Arborist Report (February 8, 2023)
2. Architectural Plans (February 8, 2023)
3. Civil Engineering Drawings (February 17, 2023)
4. Comment Matrix (March 5, 2023)
5. Cover Letter (March 3, 2023)
6. Draft Official Plan Amendment (March 3, 2023)
7. Draft Zoning By-law Amendment (March 3, 2023)
8. Environmental Noise Report (February 23, 2023)
9. Fiscal Impact Study (March 3, 2023)
10. Functional Servicing and Stormwater Management Report (February 16, 2023)
11. Land Use Compatibility and Air Quality Response Letter (February 16, 2023)
12. Landscape Plans (February 10, 2023)
13. Pedestrian Wind Study (February 28, 2023)
14. Shadow Study (March 3, 2023)
15. Shoring and Excavation Plan (February 17, 2023)

16. Transportation Impact Study (March 3, 2023)
17. Urban Design Brief (February 17, 2023)
18. Waste Management Planning Review (February 15, 2023)

The applicant's third submission consists of the following revised application materials submitted to the City in August 2023:

1. Pedestrian Wind Comfort: Wind Control Measure Recommendations (May 17, 2023)
2. Architectural Plans (July 10, 2023)
3. Cross-Section Plans (June 16, 2023)
4. Details Plan (June 16, 2023)
5. Draft Official Plan Amendment (August 3, 2023)
6. Draft Zoning By-law Amendment
7. External Drainage Technical Memo (June 30, 2023)
8. Fiscal Impact Study Response Letter (July 27, 2023)
9. Loading Space Letter (June 16, 2023)
10. Notes Plan (June 16, 2023)
11. Construction and Erosion Control Plans (June 16, 2023)
12. Planning Rationale Addendum (July 2023)
13. Response to Air Quality Peer Review (June 20, 2023)
14. Response to Environmental Noise Peer Review (June 26, 2023)
15. Site Grading Plan (June 30, 2023)
16. Traffic Impact Study (July 20, 2023)
17. Vehicle Maneuvering Diagram (May 19, 2023)
18. Sanitary Drainage Technical Update Memo (July 21, 2023)

In addition to the above, the applicant provided further supplemental submissions in late 2023 and early 2024 to address the remaining technical issues raised by technical reviewers, including:

1. Phase 1 Environmental Site Assessment Update (June 20, 2023)
2. Phase 2 Environmental Site Assessment Update (June 20, 2023)
3. Draft Functional Design for Waterdown Road and Masonry Court (October 20, 2023)
4. Iterative responses to technical comments on Land Use Compatibility (Air Quality) analysis:
    a. December 2023
    b. January 2024
    c. February 2024

All of the above application materials have been reviewed by relevant technical staff at the City and/or external agencies.

Strategy/process/risk

2.1 Policy Framework

The proposed Official Plan Amendment and Zoning By-law Amendment are subject to review in accordance with the Planning Act, Provincial Policy Statement (2020), A Place to Grow: The Growth Plan for the Greater Golden Horseshoe (2020), Region of Halton Official Plan, City of Burlington Official Plan (1997, as amended), City of Burlington Official Plan, 2020 (2020), and City of Burlington Zoning By-law 2020, as summarized below.

2.2 Provincial Policy Statement and Growth Plan for the Greater Golden Horseshoe

The proposed Official Plan Amendment and Zoning By-law Amendment must be consistent with the Provincial Policy Statement (PPS) (2020) and must conform to A Place to Grow: Growth Plan for the Greater Golden Horseshoe (The Growth Plan) (2020).

The PPS came into force and effect on May 1, 2020, and applies to decisions concerning planning matters occurring after this date. The PPS provides broad policy direction on matters of provincial interest related to land use planning and development and supports improved land use planning and management, which contributes to a more effective and efficient land use planning system.

The PPS recognizes that Official Plans are the most important vehicle for implementation of the PPS; however, all Council decisions affecting planning matters are required to be consistent with the PPS.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (the Growth Plan) came into effect on May 16, 2019, with Amendment 1 to the Growth Plan taking effect on August 28, 2020. The Growth Plan provides a growth management policy direction for the defined growth plan area. The policies in the Growth Plan intend to build on the progress that has been made towards the achievement of complete communities that are compact, transit-supportive, and make effective use of investments in infrastructure and public service facilities. All planning decisions in Burlington must conform to the Growth Plan.

2.2.1 Growth Management

The PPS promotes the integration of land use planning, growth management, transit-supportive development, and intensification to optimize transit investments, minimize land consumption, and contribute to the creation of complete communities (PPS 1.1.1).

The PPS directs growth to be focused in settlement areas where land use patterns shall be based on densities and a mix of uses that efficiently use land and resources and are

appropriate for and efficiently use the planned and available infrastructure. (PPS 1.1.3). Planning authorities are required to identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated, taking into account the availability of suitable existing or planned infrastructure and public service facilities (PPS 1.1.3.3).

The PPS promotes the application of development standards that facilitate intensification and compact form while avoiding or mitigating risks to public health and safety (1.1.3.4).

The Growth Plan provides more specific direction on growth management, directing growth to be focused in strategic growth areas and locations with existing or planned transit, with a priority on higher-order transit (Growth Plan 2.2.1.2). Municipalities are to establish a hierarchy of growth areas where development will support the achievement of complete communities that improve social equity and quality of life, provide a diverse range and mix of housing options, support active transportation and access to transportation options, contribute to environmental sustainability, and provide for a more compact built form and vibrant public realm (Growth Plan 2.2.1.4). Within Major Transit Station Areas, development must achieve transit-supportive densities and is to be supported by providing alternative development standards such as reduced parking standards (Growth Plan 2.2.4).

Staff Opinion: The proposed development is appropriately located within a Major Transit Station Area in close proximity to existing and planned higher-order transit. It provides a mix of housing and non-residential land uses at a transit-supportive density within a compact built form. The available infrastructure can accommodate the proposed development, subject to the provision of infrastructure improvements that align with current infrastructure planning for the area. Development standards have been applied to the design of the development to avoid or mitigate risks to public health and safety, to support active transportation, and to support a vibrant public realm. Development standards will continue to be applied to the detailed design of the development through a future Site Plan application. In this regard, the proposed development is consistent with the PPS and conforms to the Growth Plan.

2.2.2 Land Use Compatibility

The PPS requires major facilities and sensitive land uses to be planned and developed to avoid, or if avoidance is not possible, to minimize and mitigate, any potential adverse effects from odour, noise, and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards, and procedures (PPS 1.2.6.1).

Where avoidance is not possible, the development of sensitive land uses may be permitted subject to demonstration that the proposed use is needed, that there are no reasonable alternative locations, that adverse effects to the proposed sensitive land use are minimized and mitigated, and that potential impacts to industrial, manufacturing, or other uses are minimized and mitigated (PPS 1.2.6.2).

The Growth Plan also requires development of sensitive land uses to minimize and mitigate adverse impacts on surrounding industrial, manufacturing, or other uses that are vulnerable to encroachment, where avoidance of such impacts is not possible (Growth Plan 2.2.5.8).

The subject property is located in proximity to major facilities including the CN rail yard to the north and various industrial uses in the surrounding area. The proposed development provides new housing, which is a sensitive use, along with ground-level non-residential uses to support the achievement of a complete community. The proximity of the proposed sensitive uses to the existing major facilities means that avoidance of some impacts is not possible and therefore any impacts must be minimized and mitigated.

The development of new housing supply in Burlington is recognized as needed in provincial, regional, and city policies. The provincial policy direction is for new growth to be focused in settlement areas with a particular emphasis on strategic growth areas, including Major Transit Station Areas (MTSAs), in close proximity to higher-order transit. The City has undertaken an Area-Specific Planning process for the Aldershot MTSA, which has included the completion of an area-wide Land Use Compatibility Study. The Area-Specific Planning work has outlined a vision for the area to transition to a more urban, mixed-use character with fewer industrial uses over time. Existing and currently permitted industrial uses may continue, and the CN rail yard will remain, and so land use compatibility will need to be achieved in future development of sensitive uses, in accordance with area-specific policies and implementing the Community Planning Permit By-law that is currently being developed by the City.

The proposed development is distinct from the existing residential uses located immediately to the east because it requests a Zoning By-law Amendment to increase the maximum building height, whereas the existing development to the east was developed within existing height permissions. If approved, the proposed height increase would allow the creation of elevated receptor points for noise and air quality impacts. It is therefore necessary to understand the impacts on these elevated receptor points which may experience different impacts than receptor points in the existing shorter buildings.

The applicant provided technical studies demonstrating the feasibility of achieving land use compatibility for their proposed development through minimization and mitigation of noise impacts and air quality impacts, including with consideration for proposed new

elevated receptor points. These studies have been reviewed by staff at the City, Halton Region, CN Rail, Metrolinx, and external peer reviewers retained by the Region and CN. Both CN Rail and Metrolinx have indicated their intent to enter into development agreements with the property owner for the proposed development.

Staff Opinion: Staff are satisfied that the proposed development provides needed housing and is appropriately located in the Aldershot Major Transit Station Area in close proximity to existing and planned transit. Staff are of the opinion that the proposed development of sensitive uses is compatible with surrounding major facilities, subject to the implementation of mitigation measures that will be designed in greater detail through a future Site Plan application.

2.2.2.1 Mitigation of Noise Impacts

Where avoidance of potential adverse noise impacts is not possible, these impacts must be minimized and mitigated in accordance with provincial and municipal standards, guidelines, and procedures.

NPC-300 is the “Environmental Noise Guideline – Stationary and Transportation Sources – Approval and Planning” published by the provincial Ministry of the Environment, Conservation and Parks. Staff rely on NPC-300 when reviewing environmental noise matters for development applications.

NPC-300 includes provisions for classifying areas based on their acoustical environment (Class 1-4 areas). Each class of area is subject to standards such as sound level limits appropriate to the area’s context. NPC-300 enables planning authorities to classify an area or property as Class 4 in the exercise of their responsibilities under the Planning Act. Properties in Burlington have been classified as Class 4 in the past through decisions of the Ontario Land Tribunal (OLT) or through approvals by staff under delegated authority.

Through the Area-Specific Planning work for the Aldershot MTSA, the City completed a Land Use Compatibility Study, which recommended that the City formalize procedures for assessing Class 4 applications. This direction has been incorporated in the MTSA draft Official Plan Amendment 2 (OPA2). The City will also be developing a set of guidelines and/or policies that will be applicable City-wide and will be supported by best practices to guide the use and application of a Class 4 classification.

Staff have reviewed the subject application, including the submitted Environmental Noise Study, in accordance with the currently applicable policy framework. Based on this review, staff recommend that the subject property be classified as Class 4 to facilitate the proposed development. Crucially, this classification allows noise control measures to be implemented at the noise receptor (e.g.: at the plane of apartment windows) rather than at the source (e.g.: at the rail yard or industrial facility). Staff’s

recommendation to classify the subject property as Class 4 is integral to staff's recommendation to approve the proposed development.

Each site is assessed individually; however, for reference, staff note that the existing residential development to the immediate east of the subject property (Phase 1 of Masonry Court development) was also classified as Class 4 through the delegated approval of its Site Plan application.

2.2.3 Housing

The PPS requires municipalities to provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents. Municipalities must permit and facilitate transit-supportive residential intensification and promote densities for new housing that efficiently use land, resources, infrastructure, and public service facilities, and support the use of active transportation and transit. Such intensification must be directed to locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs (PPS 1.4.3).

The Growth Plan requires municipalities to support housing choice and sets minimum intensification and density targets for specific areas. The Growth Plan also requires multi-unit residential developments to incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes (Growth Plan 2.2.6).

The proposed development provides 1165 new dwelling units, comprising a mix of 6 bachelor units (0.5%), 312 one-bedroom units (26.8%), 459 one-bedroom-plus-den units (39.4%), 337 two-bedroom units (28.9%), and 51 two-bedroom-plus-den units (4.4%). Multi-bedroom units make up a combined 33.3% of units in the proposed development. Housing tenure of the proposed development (condo or rental) will be determined in future at the detailed design stage and may vary from one building to the next.

Staff Opinion: The proposed development is consistent with the PPS and conforms to the Growth Plan as it provides new housing supply in a range of unit sizes in an MTSA with transit-supportive densities that make efficient use of resources and support active transportation.

2.2.4 Water and Wastewater Servicing and Stormwater Management

The PPS promotes development in settlement areas that makes efficient use of existing municipal sewage services and municipal water services (PPS 1.6.6). The PPS requires stormwater management to be integrated with sewage and water service planning, to minimize or prevent increases in contaminant loads, to prepare for the impacts of a changing climate, and to mitigate risks to human health, safety, property, and the environment (PPS 1.6.6.7).

The Growth Plan requires municipal water and wastewater systems to serve growth in a manner that supports the achievement of the minimum intensification and density targets set by the plan (Growth Plan 3.2.6).

The City completed an Area Servicing Plan for the Aldershot MTSA as part of the Area-Specific Planning process. This Area Servicing Plan was considered by staff at the City and Halton Region in the review of the subject applications, alongside the Functional Servicing Report and Stormwater Management Study submitted by the applicant. Halton Region staff have determined that an improvement to the existing downstream sanitary infrastructure will be needed to support the proposed development; accordingly, the Zoning By-law Amendment recommended by this report places a Holding Symbol on the property that requires the applicant to resolve this matter and enter into a regional servicing agreement prior to the Holding Symbol being removed and the development proceeding.

Staff Opinion: Subject to detailed design and implementation of a sanitary infrastructure improvement, the proposed development can be accommodated and will make more efficient use of existing municipal services. The proposed development can also appropriately manage stormwater subject to detailed design through a future Site Plan application. The proposed development therefore is consistent with the PPS and conforms to the Growth Plan.

2.2.5 Transportation

The PPS promotes a land use pattern, density, and mix of uses that makes efficient use of existing and planned infrastructure, incorporates transportation demand management, minimizes vehicle trips, and supports transit and active transportation (PPS 1.6.7).

The Growth Plan prioritizes transit and requires municipalities to provide multimodal transportation systems that ensure user safety and offer alternatives to the automobile (Growth Plan 3.2.2-3). The Growth Plan also requires the protection of goods movement corridors (Growth Plan 3.2.4).

The proposed development appropriately locates a dense mixed-use development within a Major Transit Station Area in close proximity to existing and planned transit and active transportation networks. The development has been revised to support safer design of driveway accesses in response to comments from City staff and the MTO. Improvements to the existing infrastructure on Waterdown Road and Masonry Court will be required to support the proposed development and protect functionality of Highway 403 interchanges, and the detailed design of these improvements will be determined through the future Site Plan application and MTO permitting process for this development.

Staff Opinion: The proposed development is consistent with the transportation policies of the PPS and conforms to the transportation policies of the Growth Plan.

2.2.6 Sustainability

The PPS requires municipalities to support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and to prepare for the impacts of a changing climate. This is to be achieved by promoting compact form and a structure of nodes and corridors, promoting active transportation and transit, and encouraging transit-supportive intensification, among other measures (PPS 1.8).

The Growth Plan requires municipalities to adopt Official Plan policies to reduce greenhouse gas emissions and address climate change adaptation goals by supporting complete communities and the minimum intensification targets of the plan, reducing automobile dependence, and supporting transit and active transportation (Growth Plan 4.2.10).

Staff Opinion: The proposed development is consistent with the PPS and conforms to the Growth Plan with respect to sustainability and adaptation to climate change, as it provides transit-supportive intensification in a compact built form that supports the achievement of complete communities and the minimum intensification targets of the Growth Plan.

2.2.7 Site Contamination

The PPS requires sites with contaminants in land or water to be assessed and remediated as necessary to ensure that there will be no adverse effects on the proposed land use (PPS 3.2).

The applicant provided a Phase One and Phase Two Environmental Site Assessment with the subject applications, which have assessed site contamination and addressed remediation for the purpose of the requested Official Plan Amendment and Zoning By-law Amendment. A Record of Site Condition (RSC) has been completed for the subject property and reviewed by staff at Halton Region. The Region has advised that the RSC has addressed site contamination matters for the purpose of the current Official Plan Amendment and Zoning By-law Amendment applications, and noted that due to the age of the RSC, a letter update will be required to confirm the RSC findings are still current through the review of a future Site Plan application.

Staff Opinion: The proposed development is consistent with the PPS with respect to site contamination.

2.2.8 Overall Opinion on Provincial Policy:

The PPS recognizes municipal Official Plans as the most important vehicle for implementation of the PPS (PPS 4.6). The Growth Plan similarly identifies that it will be

primarily implemented through Ontario's land use planning system, including Official Plans that have been updated to conform to the Growth Plan (Growth Plan 5.1).

Staff have reviewed the subject applications in accordance with the applicable policy framework, including the PPS, Growth Plan, Regional Official Plan, and City Official Plan. On the basis of this review, staff are of the opinion that the proposed development is consistent with the PPS and conforms to the Growth Plan.

2.3 Halton Region Official Plan (ROP)

The subject property is located within the Urban Area as shown on Map 1 – Regional Structure of the ROP and is located within a Major Transit Station Area (MTSA) on a Commuter Rail Corridor, as shown on Map 1H – Regional Urban Structure of the ROP.

The Regional Urban Structure outlines a hierarchy of Strategic Growth Areas, which identifies MTSAs on Commuter Rail Corridors as one of the top four priority areas for accommodating growth through intensification within the Region (ROP 78-79). The ROP directs development with higher densities and mixed uses to MTSAs in accordance with the hierarchy of Strategic Growth Areas. In conformity with the Growth Plan for the Greater Golden Horseshoe, the ROP identifies a minimum density target of 150 residents and jobs combined per hectare for the Aldershot GO MTSA, with a target proportion of 80% residents and 20% jobs (ROP Table 2b). The proposed development provides 1165 new residential units and a minimum 475 m2 of non-residential floor area, both of which will contribute to the overall MTSA achieving these targets within the planning horizon of the ROP.

The ROP requires local municipalities to prepare Area-Specific Plans (ASPs) for MTSAs. The City has substantially completed an Area-Specific Planning process for the Aldershot MTSA and is currently preparing policies and a Community Planning Permit (CPPS) by-law to implement the ASP. The ASP and CPP will establish development permissions that will support the achievement of the ROP's minimum density target and proportion of residents and jobs. The proposed development is in alignment with the vision established for the MTSA by the ASP work to date.

The proposed development supports the housing objectives of the ROP by providing 1165 new housing units within multi-storey buildings.

The ROP requires the protection of existing major facilities within Strategic Growth Areas through the achievement of land use compatibility between major facilities and new sensitive uses (ROP 79.3(12)). Regional staff have reviewed the subject applications and retained an external consultant to conduct a peer review of the land use compatibility studies (noise and air quality studies) submitted with the subject applications. Based on this review, the Region has provided comments indicating that the proposed development of new sensitive uses can achieve land use compatibility

with surrounding major facilities subject to incorporating measures to minimize and mitigate potential adverse impacts. These measures will be designed and implemented through a future Site Plan application.

The ROP requires new development within the Urban Area to be on the basis of connection to Halton's municipal water and wastewater systems. Regional staff have reviewed the Functional Servicing Report submitted with the subject applications, alongside consideration of the Area Servicing Plan completed by the City as part of the Area-Specific Planning for the MTSA, and have concluded that the proposed development can be accommodated by existing water and wastewater infrastructure, subject to needed improvements to the sanitary infrastructure downstream of the subject property. The Region requires that a Holding Symbol be placed on the subject property, and this is reflected in the Zoning By-law Amendment recommended by this report. The applicant must address the Region's servicing requirements and enter into a regional servicing agreement prior to the Holding Symbol being removed and the development proceeding.

The ROP requires the development site to be assessed for potential site contamination and for any such contamination to be remediated as needed to bring the site to a condition suitable for its planned use. This policy has been addressed through the Region's review of the submitted application materials.

Staff opinion: the subject applications have addressed matters of regional interest and conform to the applicable policies of the ROP.

2.4 City of Burlington Official Plan (1997 as amended)

The subject property is designated Mixed Use Corridor – Commercial Corridor, as shown on Schedule B – Comprehensive Land Use Plan – Urban Planning Area, of the OP. The subject property has frontage on Waterdown Road, Masonry Court, and Cooke Blvd. Schedule J – Classification of Transportation Facilities, of the OP, shows that Waterdown Road is a Minor Arterial Road and Masonry Court and Cooke Blvd are local streets.

2.4.1 Functional Policies

2.4.1.1 Sustainability and the Environment

Part II, section 2 of the OP contains policies for Sustainability and the Environment. This section includes policies for sustainable design, land use compatibility, site contamination, and stormwater management. These matters have been reviewed by staff in Planning, Development Engineering, and at Halton Region. As discussed in greater detail elsewhere in this report, the proposed development:

- Represents sustainable development in a compact built form that makes efficient use of resources;
- Achieves compatibility with surrounding land uses, subject to implementation of mitigation measures;
- Has addressed matters of site contamination and remediation; and
- Appropriately manages stormwater, subject to detailed design.

Detailed design will be further assessed through a future Site Plan application.

2.4.1.2 Transportation

The subject application has been reviewed by staff in the Transportation Department as well as Halton Region, the MTO, CN Rail, and Metrolinx. This has included review of the submitted Traffic Impact Study, which includes analysis of traffic impacts, vehicle parking demands, bicycle parking demands, and Transportation Demand Management (TDM).

Part II, section 3 of the OP contains policies for Transportation. These policies promote an efficient, safe, accessible, and multimodal transportation system that provides options for all users, including providing alternatives to automobile use. This section also contains policies ensuring the provision of adequate parking supply in developments, while allowing for reduced parking ratios to be approved in appropriate locations where justified based on the review of site-specific development applications. The policies also allow for parking to be shared between uses within mixed-use developments. In the proposed development, parking for residential visitors will be shared with parking for non-residential (e.g.: commercial) uses, and a reduced parking ratio of 0.97 spaces per dwelling unit has been supported by staff based on the property's location within a MTSA in close proximity to existing and planned transit.

The proposed development provides a primary site access on Cooke Blvd and a secondary access on Waterdown Road. The secondary access on Waterdown Road is restricted to right turns only (right in, right out) while the primary access on Cooke Blvd accommodates a full range of turning movements. The Cooke Blvd access leads to a central roundabout on the property which is where passenger drop-off, loading areas, limited surface parking, and underground parking garage access are accommodated. The Waterdown Road access provides access only to and from the underground parking garage.

Due to the grade change surrounding the property, the proposed Waterdown Road access requires construction of a ramp leading downward from Waterdown Road to the subject property. This ramp will cross an existing City-owned service lane that runs alongside Waterdown Road within the public right-of-way and provides maintenance access to culverts that run underneath Waterdown Road. The applicant will need to design the proposed ramp in a manner that protects the service lane for access by City

maintenance crews, prevents public access to the service lane, and provides safe driveway slopes and sightlines for all road users. The applicant will also need to enter into relevant agreements with the City reflecting that the proposed driveway and ramp, including portions located within the City's right-of-way, are private assets to be maintained by the property owner (e.g.: future condo board) in perpetuity. In response to City comments, the applicant has revised their conceptual design of this driveway access to demonstrate feasibility of implementing these requirements. The detailed design and the relevant agreements will be determined through a future Site Plan application.

In response to other comments provided by City and agency staff, the applicant has revised their proposal to increase the supply of vehicle parking and bicycle parking, redesign their loading areas to support retail uses and accommodate Halton Region waste collection, and improve safe pedestrian connectivity throughout the site. The applicant has also acknowledged that to support their proposed development they will need to implement improvements to surrounding transportation infrastructure. Needed improvements include expanding turning lanes on Waterdown Road and Masonry Court, and constructing a new northbound right-turn lane on Waterdown Road that will allow northbound drivers to slow down before turning right onto the new site driveway ramp. The detailed design of these improvements will be determined through a future Site Plan application.

Subject to the infrastructure improvements and detailed design that are described above and to be further reviewed as part of the future Site Plan application, the proposed development conforms with the Transportation policies of the OP.

2.4.1.3 Design

Part II, section 6 of the OP contains policies that require development to provide a high quality of design in both the public realm and private realm. These policies promote compact and sustainable developments that support active transportation and transit use through the provision of safe, comfortable, and accessible streetscapes. This is achieved through the implementation of Council-approved policies and design guidelines. As discussed in greater detail in subsequent sections of this report, staff have reviewed the subject applications in accordance with the applicable design guidelines and policies. The proposed development conforms with the design policies of the Official Plan.

2.4.1.4 Financial Impact Analyses

Part II, section 12 of the OP requires the preparation of financial impact analyses to assist in the assessment of major land use development proposals. The applicant was required to submit a Financial Impact Analysis as part of the subject applications, which

has been reviewed by Finance Department staff and an external peer reviewer. This analysis is described in the subsequent Technical Review section of this report.

2.4.2 Land Use Policies

Part III of the OP contains land use policies for the Urban Planning Area. The subject property is located within a Mixed-Use Activity Area and designated Mixed-Use Corridor – Commercial Corridor. The policies for this designation are found in Part III, section 5 of the OP.

The general policies for Mixed-Use Activity areas state that these areas are intended to be focal points for community activities that are characterized by a compact form of development, pedestrian-orientation, greater accessibility to public transit, and higher-intensity development with high-quality urban design.

Lands designated Mixed-Use Corridor – Commercial Corridor are intended to provide for the retail needs of residents and businesses within the City and adjacent areas. Permitted uses include retail, service commercial, personal service, financial institution, office, entertainment, recreation, community facility, and medium- or high-density residential uses. Industrial uses are prohibited. Development must be designed to be close to the street and support transit and active transportation. Street-level retail and service commercial uses are encouraged.

The Mixed-Use Corridor – Commercial Corridor policies establish a maximum height of six storeys and a maximum Floor Area Ratio of 1.5:1. The subject applications request Official Plan Amendments to permit a maximum height of 34 storeys and a maximum Floor Area Ratio of 9.1:1. These amendments represent a substantial change from the current permissions in the OP, but are supported by staff based on the current policy framework and the detailed technical review of the applications as described in this report.

The Official Plan Amendment recommended by this report also includes amendments intended to reflect the land use compatibility considerations to be implemented through detailed design at the Site Plan stage, and to allow for a limited number of surface parking spaces to be provided to support proposed non-residential uses and residential visitors.

Staff are of the opinion that the requested Official Plan Amendments meet the intent of the OP and of the overall framework of applicable policies.

2.4.3 Intensification Criteria

Part III, section 2.5.2 of the OP provides the following criteria that are considered by staff when evaluating proposals for housing intensification.

(i) Adequate municipal services to accommodate the increased demands are provided, including such services as water, wastewater and storm sewers, school accommodation, and parkland.

As discussed elsewhere in this report, the proposed development can be accommodated by the existing water, wastewater, and stormwater infrastructure, subject to detailed design and implementation of sanitary sewer improvements downstream of the subject property. A Holding Symbol will be placed on the property through the recommended Zoning By-law Amendment, to ensure development cannot proceed until the sanitary sewer improvements are advanced through the execution of a Regional Servicing Agreement.

Halton District School Board, Halton Catholic District School Board, and Conseil Scolaire Viamonde have reviewed the subject application and advised that they have no concerns with availability of capacity to accommodate the proposed development in existing schools.

Parks Design & Construction staff reviewed the subject application and advised that parkland dedication will be required in the form of cash-in-lieu of land. A future urban parkette is planned to be developed adjacent to the site at the northern terminus of Cooke Blvd on land dedicated through the development of the adjacent phase 1 development to the east. Another future park is planned on the east side of Cooke Blvd, approximately 240 metres south of the subject property, on land to be dedicated through the approved development at 53-71 Plains Rd E and 1025 Cooke Blvd. Through the long-term development of the MTSA, new active transportation connections are planned that will provide improved access to existing parks, including Hidden Valley Park, Lasalle Park, Grove Park, and Aldershot Park.

Staff opinion: the proposed development satisfies this criterion as it is adequately served by existing and planned infrastructure, schools, and parks.

(ii) Off-street parking is adequate.

The proposed development will provide bicycle parking in the amount of 0.5 long-term spaces and 0.05 short-term spaces per dwelling unit. This is the City's current standard rate and is supported by staff as it supports cycling for future residents and visitors of the site.

The subject applications request a reduced vehicle parking rate of 0.97 parking spaces per unit, which is broken down into 0.89 occupant spaces per unit and 0.08 spaces per unit to be shared by non-residential uses and residential visitors. This reduced rate is supported by staff as it is appropriate given the subject property's location within a Major Transit Station Area in close proximity to existing and planned higher-order transit and local transit.

Staff opinion: the criterion is satisfied, as the proposed development provides adequate parking for bicycles and vehicles.

(iii) The capacity of the municipal transportation system can accommodate any increased traffic flows, and the orientation of ingress and egress and potential increased traffic volumes to multi-purpose, minor and major arterial roads and collector streets rather than local residential streets.

As discussed elsewhere in this report, the proposed development can be accommodated by the municipal transportation system and the provincial highway system, subject to infrastructure improvements on Waterdown Road and Masonry Court to be implemented by the applicant.

The proposed development provides a primary driveway access on Cooke Blvd and a secondary driveway access on Waterdown Road. Cooke Blvd is a local street but notably is a local street in a Mixed-Use Corridor rather than in a residential neighbourhood. The proposed primary access is appropriately located on Cooke Blvd to allow for a full range of turning movements without disruption to efficient and safe circulation of road users, including pedestrians and cyclists, on Waterdown Road and Masonry Court. The proposed secondary access on Waterdown Road is desirable, given the scale of the development, to reduce traffic pressures on the local streets Cooke Blvd and Masonry Court. The secondary access is appropriately restricted to right-in, right-out movements to avoid adverse impacts to circulation on the arterial road network.

Staff opinion: The transportation impacts of the proposed development have been assessed by staff at the City, Region, and MTO. The capacity of the municipal and provincial transportation systems can accommodate the proposed development, subject to infrastructure improvements. The proposed development is also supported by appropriately located driveways. The criterion is therefore satisfied.

(iv) The proposal is in proximity to existing or future transit facilities.

Staff opinion: The criterion is met as the proposed development is located within a Major Transit Station Area in close walking distance to existing and planned higher-order transit and local transit.

(v) Compatibility is achieved with the existing neighbourhood character in terms of scale, massing, height, siting, setbacks, coverage, parking, and amenity area so that a transition between existing and proposed buildings is provided.

The proposed development represents a significantly taller and more intense form of development than what exists or has been approved in the immediate surroundings to date. However, the proposed development is consistent with the emerging vision for this area of the Aldershot MTSA, which is being established through the City's Area-Specific Planning process for the Aldershot MTSA.

The massing of the podiums along Masonry Court are proposed to be six storeys in height, aligning with the existing six-storey buildings immediately to the east. Along Cooke Blvd, the podium of Building B steps down to three storeys to the north, creating a transition to the low-rise townhouses located on the east side of Cooke

Blvd. The podium of the northwest building (Building A) is more massive with a height of 12 storeys, but this is acceptable given the building's physical separation from the surrounding streets which limit its impact on the public realm.

Parking is proposed to be located underground, with only limited vehicle parking (6 spaces) proposed at ground level on the site. This design will avoid negative impacts on the streetscape that could be caused through excessive surface parking areas.

Indoor and outdoor amenity spaces are provided on the site, including two notable outdoor amenity areas at ground level: an urban plaza fronting on Masonry Court, between Buildings B and C; and a more landscaped outdoor amenity area north of Building B, adjacent to Cooke Blvd and the planned future park. These planned amenity areas will serve residents and visitors of the site, and positively contribute to the streetscape, subject to detailed design to be addressed through a future Site Plan application.

Staff opinion: the criterion is satisfied, as the proposed development achieves built form and design compatibility with the existing and planned context of the area.

(vi) Effects on existing vegetation are minimized, and appropriate compensation is provided for significant loss of vegetation, if necessary to assist in maintaining neighbourhood character.

The subject property currently contains no trees. Subject to detailed design, the proposed development is expected to introduce new trees on the site as part of the landscaping, although it is acknowledged that any new trees on site will be planted on top of an underground parking garage.

There are 15 public trees located in the Waterdown Road right-of-way adjacent to the subject property. Of these, two are assessed as being in good condition, three are assessed as dying, and the balance are assessed as being in fair condition. Two of these trees (one fair and one dying) are proposed to be removed due to conflict with the proposed driveway access to Waterdown Road. Additional public tree removals may be necessary due to grading works necessary for the proposed ramp and potential redesign of the City's service lane. The detailed design, including a more detailed Tree Inventory and Preservation Plan, will be reviewed through a future Site Plan application. Public tree removals and potential compensation planting will be considered in accordance with applicable City policies.

Staff opinion: The criterion is satisfied as there are no trees or significant vegetation existing on the subject site, and proposed vegetation impacts in the Waterdown Road right-of-way will be assessed in greater detail through a future Site Plan application.

(vii) Significant sun-shadowing for extended periods on adjacent properties, particularly outdoor amenity areas, is at an acceptable level.

A revised Shadow Study was submitted that models shadow impacts of the proposed development. As discussed in greater detail under the Design Guidelines section below, the proposed development complies with the City's Shadow Guidelines as its shadow impacts on surrounding areas are at an acceptable level as defined in the guidelines.

(viii) Accessibility exists to community services and other neighbourhood conveniences such as community centres, neighbourhood shopping centres, and health care.

The subject property is located within the Aldershot Village Business Improvement Area (BIA) boundary and is in walking distance to retail areas along Plains Road. The site is well-served by transit, which provides connections to public and private services in Burlington, Hamilton, and along the Lakeshore West GO line. The recently completed protected bike lanes on Plains Road West further support access to services.

The subject property is also located within the Aldershot MTSA, which is planned to develop as a complete community with a range of land uses including public service facilities.

Staff opinion: The criterion is satisfied as the proposed development has access to existing and planned public and private services.

(ix) Capability exists to provide adequate buffering and other measures to minimize any identified impacts.

As discussed throughout this report, the design of the proposed development will need to incorporate measures to minimize and mitigate potential adverse impacts from wind, noise and vibration, and air quality. As part of the current Official Plan Amendment and Zoning By-law Amendment applications, the applicant has provided technical analysis that has demonstrated the feasibility of minimizing and mitigating these potential impacts through design. These measures will be considered through the detailed design of the proposed development, which will be determined through a future Site Plan application.

Staff opinion: The criterion is met as the applicant has demonstrated capability of providing buffering and other measures to minimize and mitigate potential adverse impacts through design.

(x) Where intensification potential exists on more than one adjacent property, any redevelopment proposals on an individual property shall demonstrate that future redevelopment on adjacent properties will not be compromised, and this may require the submission of a tertiary plan, where appropriate.

The lands adjacent to the subject property have already developed in recent years; no further intensification potential is anticipated on the immediately adjacent lands. In the broader context of the MTSA, extensive intensification is anticipated through development both east and west of Waterdown Road. This intensification potential

has been considered through the City's Area-Specific Planning project for the MTSA, and the proposed development is in alignment with the vision for the MTSA. No impacts on the intensification potential of other properties are anticipated.
Staff opinion: The criterion is met as the proposed development aligns with the vision established through an area-specific planning exercise, and the proposed development will not compromise the intensification potential of surrounding properties.

(xi) Natural and cultural heritage features and areas of natural hazard are protected.

There are no natural or cultural heritage features or areas of natural hazard located on the subject property. The subject applications were circulated to Conservation Halton, who responded to confirm that the existing stormwater management feature to the north of the site was designed to contain areas of natural hazard within its own boundaries and will not be impacted by the proposed development.
Staff opinion: The criterion is satisfied as there are no impacts to natural or cultural heritage features or areas of natural hazard.

(xii) Where applicable, there is consideration of the policies of Part II, Subsection 2.11.3 (g) and (m).

Policy 2.11.3 (g) does not apply to the subject property. Policy (m) is a stormwater management policy that applies to the South Aldershot area in which the subject property is located. As discussed elsewhere in this report, the subject application has been reviewed by Development Engineering staff, who have confirmed that the proposed development can be accommodated by the stormwater infrastructure system, subject to detailed design to be reviewed in greater detail through a future Site Plan application.
Staff opinion: The criterion is satisfied as policy (g) does not apply and policy (m) has been addressed through the stormwater review of the applications by Development Engineering staff.

(xiii) Proposals for non-ground-oriented housing intensification shall be permitted only at the periphery of existing residential neighbourhoods on properties abutting, and having direct vehicular access to, major arterial, minor arterial or multi-purpose arterial roads and only provided that the built form, scale, and profile of development is well integrated with the existing neighbourhood so that a transition between existing and proposed residential buildings is provided.

The subject property is located in a Major Transit Station Area and has direct vehicular access to a minor arterial road (Waterdown Road). The built form and scale of development have been designed to provide a transition to surrounding properties and are in alignment with the vision for the MTSA established through the Area-Specific Planning process.

Staff opinion: The criterion is satisfied.

2.4.4 Overall Staff Opinion

The proposed development satisfies the intensification criteria and conforms to the other applicable policies of the OP. The requested Official Plan Amendments are supported by staff based on a detailed technical review that has found that the proposed development meets the intent of the Official Plan, complies with the applicable policy framework, and is consistent with the emerging vision for the Aldershot MTSA established through the City's ongoing Area-Specific Planning project.

2.5 Burlington's New Official Plan (New OP) (2020)

Burlington's New OP was approved in 2020 and is subject to appeals. Due to the appeals, substantial portions of the New OP have not yet come into effect. Nonetheless, the new OP represents Burlington's vision for future development and staff have considered the new OP in the review of the subject applications.

2.5.1 Urban Structure and Growth Framework

The subject property is located within the lands identified as Mixed-Use Nodes and Intensification Corridors on Schedule B – Urban Structure of the new OP. These lands will be developed at overall greater intensities, supporting frequent transit corridors and providing focal points of activity where active transportation is facilitated through careful attention to urban design.

The subject property is located within an area identified as a Primary Growth Area as shown on Schedule B-1 – Growth Framework of the new OP. Primary Growth Areas will accommodate the majority of the City's forecasted growth over the planning horizon of the new OP and consequently will experience the greatest degree of change. These areas will be regarded as the most appropriate and predominant locations for new tall buildings in accordance with the underlying land use designations or the land use policies of an Area-Specific Plan.

2.5.2 Land Use Policies

The subject property is designated Urban Corridor as shown on Schedule C – Land Use – Urban Area of the new OP. Urban Corridor lands are intended to provide for the day-to-day goods and service needs of residents and employees within and in proximity to the Corridor and may also serve a broader city-wide market. Permitted land uses include retail and service commercial, residential, office, entertainment, and recreation uses. Retail and service commercial uses and other pedestrian-oriented uses shall be be located on the ground floor of residential buildings; a limited range of office uses may also be permitted on the ground floor. Development of Urban Corridor lands shall maintain the planned commercial function of the site.

The Urban Corridor policies establish a maximum Floor Area Ratio of 2:1, which may be increased through a site-specific Zoning By-law Amendment provided that the objectives of the Urban Corridor are maintained. The maximum building height is six storeys.

The proposed development conforms to the land use policies of the Urban Corridor designation, as it provides residential uses with ground-floor non-residential uses along Masonry Court. The ground-floor non-residential uses may be retail, service commercial, office, recreation, or entertainment uses, or other pedestrian-oriented uses if permitted by the Zoning By-law.

The proposed development substantially exceeds the maximum Floor Area Ratio and building height of the Urban Corridor designation. As discussed elsewhere in this report, the proposed Official Plan Amendment to increase maximum Floor Area Ratio and building height is supported by staff as it aligns with the overall current policy framework vision of the Area-Specific Planning for the MTSA.

2.5.3 MTSA Policies

The subject property is located within the Aldershot GO Major Transit Station Area (MTSA) as identified by the Regional Official Plan. Section 8.1.2 of the new OP indicates that the City will complete Area-Specific Plans (ASPs) for MTSAs. An ASP for the Aldershot GO MTSA is currently substantially underway, as discussed elsewhere in this report. Prior to the completion of the ASP, section 8.1.2 requires development applications in MTSAs to contain a mix of uses, support active transportation and transit, incorporate Transportation Demand Management, and be consistent with the MTSA typology of the new OP. The MTSA typology identifies Aldershot GO as an MTSA located along a higher-order transit route with planned frequent transit service but not a Priority Transit Corridor identified by the Growth Plan. The typology anticipates that Aldershot GO and other MTSAs will accommodate the majority of growth over the planning horizon of the new OP.

The proposed development is consistent with the policies and objectives of section 8.1.2, as it is a dense, mixed-use development that supports active transportation and transit with appropriate design and transportation demand management.

2.5.4 Transportation

The subject property fronts on a segment of Waterdown Road that is identified as a MTSA Primary Connector and a Frequent Transit Corridor as shown on Schedule B-2 – Growth Framework and Long-Term Frequent Transit Corridors of the new OP. This segment of Waterdown Road is also identified as a Multi-Purpose Arterial on Schedule O-1 – Classification of Transportation Facilities – Urban Area of the new OP.

The proposed development provides a mix of uses in a compact, high-density form that will contribute to supporting transit use along the planned Frequent Transit Corridors

and throughout the transit network more broadly. The proposed development also supports active transportation through provision of long-term and short-term bicycle parking and through compact built form. As discussed elsewhere in this report, the proposed development can be accommodated by the transportation network, subject to needed infrastructure improvements to be designed and implemented through a future Site Plan application.

The proposed development conforms to the transportation policies of the new OP.

2.5.5 Housing

Subsection 3.1.1(2)(g) of the new OP and the City's Strategic Plan, directed the City to develop a city-wide housing strategy to among other things, support the Region of Halton's Housing Strategy, describe the current range and mix of housing in the city, establish city-wide housing objectives, examine opportunities for partnerships to increase the supply of affordable housing, to develop minimum targets in support of achieving the region of Halton's housing mix and affordable unit targets as well as two and three bedroom unit minimum targets.

The Housing Strategy and the Annual Housing Targets (Appendix B to the Housing Strategy) were approved by Council in June 2022. The City's Housing Strategy provides a roadmap for addressing local housing needs and increasing housing options that meet the needs of current and future residents at all stages of life and at all income levels. The Housing Strategy is underpinned by extensive technical work that can be found in the Housing Needs and Opportunities Report. The Housing Needs and Opportunities Report articulates the current state of housing in Burlington as well as current and future housing needs and establishes a toolbox of best practices in housing, focusing on innovative practices and new ideas. The Housing Strategy identifies 12 Actions to move toward the vision for housing in Burlington. It provides a set of action-oriented housing objectives (Themes) and an associated implementation plan that also identifies a list of Prioritized Actions and Quick Wins.

The proposed development supports the achievement of Action No. 7 of the Housing Strategy, "Support, permit, and encourage the development of alternate forms of housing, including higher-density types of housing, where feasible and appropriate". The proposed development provides 1165 new housing units in a higher-density, compact development, in an appropriate location in a Primary Growth Area and MTSA. 33% of the proposed housing units are proposed as two-bedroom or two-bedroom-plus-den units.

2.5.6 Environment and Sustainability Policies

Chapter 4 of the new OP contains policies for stormwater management, land use compatibility, and site contamination. As discussed elsewhere in this report, the subject applications have addressed the City's requirements for these matters. Detailed design

of stormwater management and land use compatibility measures will be reviewed in further detail through a future Site Plan application.

2.5.7 Financial Sustainability

The new OP requires the completion of a Financial Impact Study to support development applications that propose more than 500 dwelling units. Accordingly, a Financial Impact Study was submitted by the applicant and reviewed by the Finance Department. The Finance Departments' review and comments are discussed under the Technical Review section of this report.

2.5.8 Design Policies

The Design policies in chapter 7 of the new OP include requirements for design of development within Primary Growth Areas. The proposed development conforms to the design policies of the new OP as it locates buildings close to the street to define the street edge, provides built form transitions to surrounding residential uses, locates primary public entrances on the façade facing the street, and provides appropriate outdoor amenity areas and open spaces that enhance the public open space network of the community. Further discussion of the design of the proposed development is contained in the Urban Design Guideline sections of this report.

The proposed development complies with the design policies of the new OP. Design will be reviewed in greater detail through a future Site Plan application.

2.5.9 Development Criteria

Section 12.1.1(3) of the new OP contains criteria to inform the assessment of site-specific Official Plan Amendment applications. The proposed development does not deliver all of the city-building objectives contained in policy 12.1.1(3)(i)(xi), but generally meets the intent of these criteria as it is consistent with the Urban Structure and Growth Framework of the new OP, conforms to provincial and regional plans, is compatible with the surrounding area, can be accommodated by existing infrastructure subject to improvements.

Section 12.1.2(2.2) of the new OP contains additional criteria for the review of site-specific development applications. The majority of these criteria are comparable to the Intensification Criteria of the Official Plan (1997 as amended) discussed elsewhere in this report. As discussed above, the proposed development conforms to these criteria.

2.5.10 Overall Staff Opinion

The subject applications generally comply with the policies and intent of the new OP. The requested Official Plan Amendment proposes increased Floor Area Ratio and building height beyond the permissions of the Urban Corridor designation of the new OP. These amendments are supported by staff as they conform to the overall current

policy framework and align with the Area-Specific Plan for the Aldershot GO MTSA that is referred to in chapter 8.1.2 of the new OP.

2.6 Area-Specific Plan (ASP) for the Aldershot GO Major Transit Station Area (MTSA)

The City started the Mobility Hubs Study in 2017-2018 and focused on area-specific planning work for the three GO station areas. Precinct plans were drafted for each study area around the Aldershot, Burlington, and Appleby GO Stations. The precinct plans were presented to Council for comment, but not approved, and the Mobility Hubs Study was placed on Hold. The City has resumed work through the Major Transit Station Area (MTSA) Area-Specific Planning Project. The following staff reports have been presented to Council:

- MTSA Area-Specific Recommended Preferred Precinct Plans (PL-02-22)
- Major Transit Station Areas – Area Specific Plans Planning Study update (PL-10-22, SD-20-22)
- Proposed Major Transit Station Area (MTSA) Official Plan Amendment and Draft Community Planning Permit (CPP) By-law public release (PL-59-23, SD-43-23)

Council received the studies and reports presented through the above-referenced reports and direct staff to review feedback (public and agency) and complete further work related to the Burlington GO MTSA and Appleby GO MTSA. The most recent report (PL-59-23, SD-43-23) also directed the Director of Community Planning to consider the feedback provided in the Statutory Public Meeting October 31, 2023, prior to bringing forward a subsequent staff report recommending adoption of Official Plan Amendment No. 2 and Community Planning Permit By-law. Currently, the policies for the Precinct Plans are not in force and effect but inform the planning direction for the future.

The vision for the Aldershot MTSA, also known as Aldershot Corners, is to provide the first impression of Burlington when travelling east from Hamilton and Niagara on the Lakeshore West GO line. Aldershot Corners will continue to evolve as an urban area with a distinct sense of neighbourhood character, supported by a mix of residential, commercial, and employment uses. Taller buildings will be concentrated along the rail line and will decrease in height and intensity closer to Plains Road and the existing residential neighbourhoods. Aldershot Corners will be a vibrant, livable community with urban shopping and dining opportunities serving those living and working close by. The objectives of Aldershot Corners is to achieve sensitive transitions to established residential neighbourhood areas; concentrate higher intensity development on large brownfield/greyfield sites that contain existing employment uses in order to encourage mixed use development; recognize existing employment and planning for future employment and commercial uses; planning for flexible commercial and retail spaces;

creating new streets and active transportation connections; and, focusing heights away from Plains Road and towards the rail corridor.

There are five distinct precincts within Aldershot Corners MTSA. The subject property is within the Aldershot GO Central Precinct which is the focus area for the MTSA's highest density. This precinct is the preeminent destination for Major Office, affordable housing, and urban format retail. Built-form transition is important in this precinct to ensure increased density is also met with streetscape design that creates a pedestrian-focused area for travelers to arrive in, find amenities, and enjoy outdoor spaces.

The Aldershot GO Central Precinct is the focus of the tallest buildings close to the GO station at a maximum height of 30 storeys. However, maximum building heights are not guaranteed and are to be commensurate with the degree of community benefit or amenity provided by the development.

The permitted uses in the Aldershot GO Central Precinct may include apartments with non-residential uses on the ground floor; office and major office uses; retail and service commercial uses (on bottom two floors only); hotel uses; entertainment uses (on bottom two floors only); employment uses such as light assembly and manufacturing uses compatible with abutting mixed-use residential buildings; and recreation uses (on bottom two floors only). Office and commercial uses should be prioritized near the Aldershot GO Transit Station to encourage areas of employment within walking distance of the station.

Staff opinion: Staff have reviewed the subject applications with consideration for the vision and objectives of the ASP. The proposed development aligns with the vision for the Aldershot GO Central Precinct and the MTSA more broadly. The proposed residential apartment buildings with non-residential uses at ground level along the street, and building heights of maximum 30, 32, and 34 storeys, are consistent with the land uses and built form intended for this precinct.

2.7 Zoning Bylaw

The subject property is currently zoned MXC-26 (Mixed Use Corridor – Commercial, with site-specific exception 26). This report recommends approval of a Zoning By-law Amendment, contained in Appendix C of this report, to rezone the property from MXC-26 to H-MXC-531 (Mixed-Use Corridor – Commercial, with site-specific exception 531 and holding symbol) to permit the proposed development.

The existing MXC-26 zone is consistent with the in-effect policies of the Official Plan (1997 as amended). The proposed new H-MXC-531 zone is consistent with the proposed Official Plan Amendment that is recommended for approval by this report.

The changes from the current MXC-26 to the proposed new zone are summarized in Table 2 below.

Table 2: Summary of Zoning Changes from Current to Proposed Zones

	Current MXC-26 zone	**Proposed MXC-531 zone**
Maximum Floor Area Ratio	1.5:1	9.1:1
Maximum Building Height • Building A • Building B • Building C	6 storeys (all buildings)	 • 34 storeys and 112 m • 30 storeys and 100 m • 32 storeys and 106 m
Maximum Dwelling Units	No maximum	1165
Minimum Non-residential Floor Area	None required	475 m^2
Landscape Area abutting a street	3 m	None required
Amenity Area	28, 690 m^2	15 m^2 per unit (equals 17,475 m^2)
Minimum yards	3 m (from all streets)	Building A: 4.5m from Waterdown Rd Building B: 5 m from Cooke Blvd and Masonry Court Building C: 5m from Masonry Crt and 3 m from Waterdown Rd
Minimum underground setbacks (from all lot lines)	3 m	0.9 m
Minimum residential parking	1457 spaces total	0.89 occupant spaces/unit 0.08 visitor spaces/unit (equals 1130 spaces total)
Minimum bicycle parking	3 spaces	0.5 long-term spaces/unit 0.05 short-term spaces/unit (equals 641 spaces)

2.7.1 Flexibility in regulations

The proposed Zoning By-law Amendment has been written with recognition of the fact that the subject property is proposed to be developed in phases. Accordingly, staff have written a degree of flexibility into the requirements for each individual building, provided that the overall development continues to adhere to key parameters. For example, the

applicant could change the exact number of dwelling units and non-residential floor area provided in each building, so long as the overall site does not exceed a maximum of 1165 dwelling units and that it provides a minimum of 475 m2 of non-residential floor area on the site.

Similarly, a degree of flexibility has been provided in the maximum height and Floor Area Ratio. The proposed development as shown on the submitted plans comprises three buildings of 33, 31, and 29 storeys (109, 97, and 103 metres), with a Floor Area Ratio of 9:1. The proposed Zoning By-law Amendment sets the maximums slightly higher (one extra storey and 3 extra metres of height for each tower) and a Floor Area Ratio of 9.1:1. This maintains the intent of the proposed development while allowing for an appropriate amount of flexibility to account for minor design changes that may occur at the detailed design stage, such as the need for a taller than expected rooftop mechanical penthouse, or the desire to add a mezzanine level to one or more of the buildings.

2.7.2 Holding Symbol

The proposed Zoning By-law Amendment places a Holding Symbol on the subject property, as required by Halton Region. The Holding Symbol prevents the development from proceeding until the applicant satisfies criteria to allow the Holding Symbol to be removed by adoption of a by-law. For the subject property, the Holding Symbol removal criterion is “The Owner executes a Regional Servicing Agreement for the replacement of the Cooke Boulevard sanitary sewer to address downstream sanitary sewer capacity.”

2.7.3 Landscape Area

The proposed amendments remove the requirement for a Landscape Area along street frontages, to recognize the planned urban character of the proposed development and streetscape. Removing this requirement will also simplify implementation; landscaping will still be required through the Site Plan application but will not need to be a continuous strip of planted area running along the entire street frontage. This will allow for a more nuanced design that responds to the specific context and streetscaping objectives of the site.

2.7.5 Bicycle parking

The current zoning regulations only require bicycle parking for non-residential uses. The proposed zoning more appropriately requires a minimum number of parking spaces per residential unit.

2.8 Urban Design Guidelines

2.8.1 Tall Building Guidelines (2017)

The proposed development comprises three tall buildings with L-shaped podiums and rectangular towers.

2.8.1.1 Podium Design

The podium of a tall building anchors the tower and defines the pedestrian experience at the street. The proposed development complies with the guidelines with respect to podium design as follows:

- Buildings B and C are located to frame the street on Masonry Court and Cooke Blvd.
- Buildings B and C have six-storey podiums which reinforce the six-storey streetwall that has already been established by the existing mid-rise buildings to the immediate east on Masonry Court.
- The podium of Building B steps down to a height of three storeys toward the north along Cooke Blvd, which provides an appropriate transition to the low-rise townhouse development located on the opposite side of Cooke Blvd.
- Non-residential uses are provided within the podiums of Buildings B and C. These uses in will have entrances on Masonry Court. Due to the slope of Masonry Court, Building B is lower than the street, and so its non-residential uses have entrances accessed via a central plaza
- A mid-block pedestrian connection is provided between Buildings B and C via a plaza that will provide access from Masonry Court to the entrances of non-residential uses and to the interior of the site.
- Podiums are separated by 16 m (Buildings C and A) and 22 m (Buildings C and B)
- Building B provides a residential entrance on Cooke Blvd. Due to the slope of Masonry Court, Building C provides a primary residential entrance on the ground level from the drop-off area at the interior of the site, and a secondary residential entrance at the second storey on Masonry Court.

2.8.1.2 Tower Design and Building Top

The tower is the most substantial and impactful component of a tall building. It should maximize sky views and access to sunlight through slender floorplates and spacious separations between towers. The proposed development complies with the guidelines with respect to tower design as follows:

- The towers provide a height transition to the surrounding area, with heights stepping down from the tallest tower (Building A, max. 34 storeys) in the northwest at Waterdown Road near the train tracks, down to Building C (32 storeys) at Masonry Court and Waterdown Road, and the shortest tower

(Building B, 30 storeys) at the corner of Cooke Blvd and Masonry Court, nearest to the mid-rise and low-rise residential areas to the east.

- Towers are separated from each other by at least 27 metres (Buildings A and B), which exceeds the minimum 25 m separation outlined in the guidelines. Buildings B and C have a tower separation of 47 metres.
- Towers are slender with floorplates of 750 m2
- Tower balconies do not project more than 1.5 m from the building wall

The design of the building top (mechanical penthouse) will be determined through detailed design at a future Site Plan application stage, but the current proposed design complies with the guidelines for building top.

2.8.1.3 Alternative Solutions

The proposed development does not meet the exact metrics of the guidelines in a few respects. The Tall Building Guidelines represent best practices but are not intended to limit creativity in design. Where it can be demonstrated than an alternative built form achieves the intent of the guidelines, alternative solutions should be permitted. The following alternative solutions are proposed, which staff believe are appropriate for the site's context and meet the intent of the guidelines.

Building A has a podium height of 12 storeys, which exceeds the maximum podium height of 20 m (approximately 6 storeys) recommended by the guidelines. This is acceptable given the building's substantial separation from public streets, which limits its impact on the streetscape or surrounding properties. Building A is separated from Cooke Blvd by 42 m and from the Waterdown Road sidewalk by 35 m. The Waterdown Road sidewalk is also elevated 5 m higher than the base of Building A, which lessens the tall podium's impact on the street. The lands to the north of Building A are open space (stormwater infrastructure) that will not develop.

The proposed buildings each provide a substantial stepback (with rooftop terrace) above the podium on at least one side, but provide no stepback above the podiums on other sides. This means that on two to three sides of each building, the building wall goes straight up from ground level to the top storey. However, the proposed development provides an alternative solution to achieve the intent of providing a stepback: substantial balconies will wrap around those sides of the podium that do not have a stepback. These balconies will project up to 2.1m out from the building and will be enclosed on the sides and top, open only to the front. Visually, these balconies will appear to be a part of the podium. Above the podium, balconies will be smaller, less continuous, and light, projecting only 1.5. Overall, this will have the effect of creating slender towers that are pulled back from the street relative to the building massing (partly enclosed balconies) below them. Technical studies submitted with the application have demonstrated that this alternative solution will also achieve the guideline intent of

minimizing shadow impacts, and that wind impacts can be mitigated to acceptable levels through detailed design.

2.8.1.4 Staff Opinion

The proposed development satisfies the intent of the Tall Building Guidelines, including through the use of some alternative design solutions that differ from the specific metrics of the guidelines.

2.8.2 Shadow Study Guidelines and Terms of Reference (2020)

The applicant submitted a Revised Shadow Study prepared by Core Architects Inc., dated February 10, 2023, which was reviewed against the Shadow Study Guidelines and Terms of Reference (2020). The guidelines consider shadowing on Key Civic and Cultural Spaces, Private Outdoor Amenity Spaces, Parks and Open Spaces, Places Where Children Play, and Public Realm and Sidewalks. The impact of shadowing on these spaces are reviewed below:

- Key Civic and Cultural Spaces: There are no Key Civic and Cultural Spaces in the surrounding area, and therefore, not applicable.
- Private Outdoor Amenity Spaces: These spaces include rear yards, decks, and (rooftop) patios. As per the guidelines, shadows from proposed developments should not exceed 2 hours in duration, between 9:00 and 18:00 on March 21st. The proposed development complies with this guideline, as it provides a Sun Access Factor on March 21st is 0.35, exceeding the minimum Sun Access Factor of 0.22.
- Parks and Open Spaces: There is a planned park located immediately adjacent to the north of the subject property at the terminus of Cooke Blvd. Shadows cast must allow for either: a) full sunlight 50 per cent of the time; or b) 50 per cent sun coverage at all times during the specified periods of March 21st (9:00 to 18:00), September 21st (9:00 to 18:00), and December 21st (11:00 to 15:00). The Sun Access Factor is 0.83 on March 21st, 0.8 on September 21st, and 0.51 on December 21st. Therefore, the criterion is met as it is greater than 0.5 on each test date.
- Places Where Children Play: These spaces include school yards, playgrounds, and park features such as wading pools or other outdoor shadow-sensitive activity areas as identified by the City of Burlington. There are no Places Where Children Play in the surrounding area, and therefore, not applicable.
- Public Realm and Sidewalks: Shadows cast onto the full extents of the boulevard and sidewalk on the opposite side of the adjacent right-of-way must allow for either: a) full sunlight 50 per cent of the time; or b) 50 per cent sun coverage at all times between 9:00 and 18:00 on March 21st. The Sun Factor is 0.85 on the opposite boulevard on March 21st. Therefore, the criterion is met as it is greater than 0.5 on the test date.

The applicant has also provided a separate shadow review of the outdoor amenity area for the proposed development. The Sun Access Factor on the proposed private outdoor

amenity space within the development is 0.38 on March 21st which exceeds the minimum of 0.22. Overall, the Revised Shadow Study meets the Shadow Study Guidelines and Terms of Reference (2020).

2.8.3 Pedestrian-Level Wind Study Guidelines and Terms of Reference (2020)

The applicant submitted a revised Pedestrian Wind Study, prepared by SLR, and dated February 28, 2023, as part of the second submission. The Wind Study assessed the effect of the proposed development on local conditions in pedestrian areas for the subject lands and surrounding area. Staff have reviewed the submitted wind analysis in accordance with the Pedestrian-Level Wind Study Guidelines and Terms of Reference (the Wind guidelines).

2.8.3.1 Wind Conditions and Impacts on the Subject Property

As the site exists currently, wind conditions are uncomfortable in winter on portions of the site close to Masonry Court. The proposed development, without mitigation, would result in generally acceptable wind conditions in summer for the proposed uses throughout the site, with the exception of one uncomfortable location at the corner of Building C interior to the site, and some locations on the 13th-storey rooftop terrace of Building A where conditions would be suitable for fast walking but not sitting.

In winter, the proposed development without mitigation would result in uncomfortable wind conditions at numerous locations throughout the site, particularly on rooftop terraces and at ground level in the outdoor amenity area and central drop-off area. The rooftop terrace of Building A also does not meet the annual wind safety threshold.

Mitigation measures will be required to achieve acceptable conditions on site throughout the year, in particular to address the areas assessed as uncomfortable or unsafe.

2.8.3.2 Wind Conditions and Impacts on the Surrounding Area

Public sidewalks surrounding the subject property currently experience uncomfortable conditions in some areas, and conditions suitable for fast walking or better in other areas. The proposed development, without mitigation, would result in uncomfortable conditions occurring on public sidewalks around the intersection of Cooke Blvd and Masonry Court.

2.8.3.3 Mitigation of Wind Impacts

The submitted wind study indicates that strong wind flows on site are due to the overall exposure of the development to the prevailing northeasterly and southwesterly winds. These winds would downwash off the building facades and accelerate at grade around the three buildings.

The proposed development will have pedestrian-level wind impacts on the subject property and surrounding public realm, which must be mitigated in order to bring wind comfort and safety conditions down to acceptable levels. The detailed design of

mitigation measures will be determined through a future Site Plan application. As part of the current application, the applicant has provided a conceptual design for mitigation, which involves the use of ground-level wind screens at various locations around the site. Staff identified concerns with the location of some of these screens, which in the opinion of staff were too close to Cooke Blvd and the central drop-off area, creating undesirable streetscape design on Cooke Blvd and potential sightline issues for pedestrians and drivers in the drop-off area. In response, the applicant provided supplemental material in which their wind consultant confirmed that alternative mitigation designs are possible that will appropriately mitigate wind impacts while also addressing the design concerns of staff. As part of the future Site Plan application, the applicant will be required to submit more detailed information. Staff will ensure through their detailed review of the Site Plan application that wind impacts are appropriately mitigated to acceptable levels, and that mitigation measures such as wind screens are appropriately integrated into the design of the development.

2.8.3.4 Staff Opinion

For the purposes of the current Official Plan Amendment and Zoning By-law Amendment, staff are satisfied that the wind impacts of the proposed development can be mitigated to achieve the intent of the Pedestrian-Level Wind Guidelines and Terms of Reference.

2.8.4 Sustainable Building and Development Guidelines (2021)

The purpose of the Sustainable Building and Development Guidelines is to encourage sustainable design approaches through Planning Act applications, in keeping with the City's declaration as a sustainable community, and in alignment with Burlington's Strategic Plan 2015-2040. Burlington's Strategic Plan encourages energy efficient buildings and other on-site sustainable features, and sets a net carbon neutral goal for the community. The guidelines address sustainability approaches related to site design, transportation, the natural environment, water, energy and emissions, waste and building materials, and maintenance, monitoring, and communication.

In accordance with Guideline 2.1, development proposals require pedestrian and cycling connections from on-site buildings to off-site public sidewalks, pedestrian paths, trails, open space, active transportation pathways, transit stops and adjacent buildings and sites. The applicant has identified that pedestrian connections are provided on site between and around buildings which connect to public sidewalks.

The Guidelines require the provision of bicycle parking spaces, and the location of bicycle parking within convenient, weather-protected spaces to encourage active transportation. The proposed development exceeds the base requirements of the Zoning By-law by providing 0.5 long-term bicycle spaces and 0.05 short-term bicycle

spaces per unit. These spaces are appropriately located with short-term spaces (for visitors or customers) at ground level and long-term spaces indoors.

Guideline 2.4 encourages the provision and implementation of a Transportation Demand Management (TDM) Plan as part of development proposals. TDM plans evaluate building transportation needs comprehensively and may consider measures such as the provision of transit passes, flexible work hours, unbundled parking, on site transit facilities, priority parking for carpooling and autoshare programs, etc. The applicant provided a Transportation Impact Study that included a TDM plan with strategies such as unbundling parking, providing a mix of land uses, providing bicycle parking and supportive resources such as bike repairs stations, among others. The proposed TDM plan has been considered by Transportation staff as part of their review of the applications, and have accepted the overall Transportation Impact Study for the purpose of the current Official Plan Amendment and Zoning By-law Amendment applications.

Guideline 4.1 promotes sustainable stormwater management. Comments from Development Engineering staff indicate that the subject applications have addressed stormwater management matters for the purpose of the current applications. More detailed stormwater design will be reviewed through the future Site Plan application.

In accordance with guideline 5.1, development proposals require vegetated landscape areas in hard surface areas as per the Zoning By-law. Vegetation can reduce the urban heat island effect to improve human comfort and energy efficiency in the surrounding areas. The development proposal includes landscaped areas at ground level and on rooftop terraces.

In accordance with Guideline 6.1 development proposals are required to provide and implement a waste management plan in accordance with Regional requirements. The applicant has revised their plans to accommodate Regional waste collection. Further waste management specifications will be addressed at the Site Plan Review stage.

Staff is of the opinion the proposed development proposal complies with the required Sustainable Building and Development Guidelines and considers some voluntary guidelines. Additional sustainability measures will be established in more detail at the Site Plan approval stage to ensure the sustainability objectives of the City of Burlington are met.

3.1 Technical Review

Planning staff circulated the original and second submissions of the application to relevant City departments and external technical agencies for review. The third submission of the application was circulated to those reviewers who had outstanding

concerns from their review of the previous submissions. A summary of comments from technical reviewers is provided below.

3.1.1 Halton Region

Halton Region comments on the subject applications were primarily concerned with the following themes:

Land use compatibility: the Region retained Dillon Consulting to conduct an external peer review of the submitted Land Use Compatibility (Air Quality) Assessment and Environmental Noise Study. The peer review identified the need to provide additional information to demonstrate that the proposed sensitive uses would be compatible with nearby major facilities including industrial uses and the CN rail yard. The applicant addressed these concerns through the provision of revised and supplemental materials demonstrating that the proposed development will be compatible with its surroundings.

Municipal Servicing: Regional comments identified the need for improvements to the sanitary sewer infrastructure downstream of the subject property. In accordance with Regional requirements, the Zoning By-law Amendment that is recommended by this report includes the provision of a Holding Symbol that will require the owner to execute a Regional Servicing Agreement for the replacement of the Cooke Boulevard sanitary sewer to address downstream sanitary servicing capacity prior to removal of the Holding Symbol and construction of the proposed development.

Site contamination: the Region identified the need to provide further information; the applicant addressed this concern through supplemental submissions.

Waste management: the applicant addressed Regional concerns with waste management by revising their site plan to accommodate regional waste collection vehicles.

The comments of Halton Region have been addressed for the purposes of approving the Official Plan Amendment and Zoning By-law Amendment. The applicant will be required to continue working with Halton Region to address more detailed design requirements prior to removal of the Holding Symbol from the property and prior to Site Plan approval.

3.1.2 Development Engineering and Stormwater Engineering

Development Engineering staff provided comments requiring revisions to the design of the proposed right-in, right-out driveway on Waterdown Road to address concerns with stormwater management and impacts to the existing City service laneway that runs alongside Waterdown Road. Development Engineering also required revisions to the submitted noise and vibration study. The applicant addressed these comments through revised submissions. Further review of detailed design will occur through a future Site Plan application.

3.1.3 Transportation Services

Transportation staff provided comments on the applications identifying requirements for parking, site design, and traffic impacts. The applicant has addressed these comments as follows:

- Increasing vehicle parking supply to a rate of minimum 0.97 spaces per unit, which is supported by staff given the subject property's location within a Major Transit Station Area in close proximity to transit.
- Increasing bicycle parking to 0.5 long-term spaces per unit and 0.05 short-term spaces per unit.
- Revising the design of the proposed right-in, right-out driveway on Waterdown Road with appropriate slopes and a flat landing pad to allow safe sightlines for drivers. The applicant may also have to construct a new northbound right-turn lane on Waterdown Road to allow drivers to slow down before turning right into the new driveway. Detailed design requirements will be confirmed through a future Site Plan application.
- Revising the site design to provide adequate loading spaces for the proposed development.
- Acknowledging the need to provide road improvements to accommodate future traffic levels, such as extensions of turning lanes on Waterdown Road and Masonry Court. Detailed design requirements and cost estimates will be confirmed through a future Site Plan application.

Staff are satisfied that Transportation comments have been addressed for the purpose of the current Official Plan Amendment and Zoning By-law Amendment applications.

3.1.4 Ministry of Transportation (MTO)

The subject property is located at the edge of the area regulated by the MTO due to proximity to Highway 403. The MTO provided comments on the original application identifying concerns with the proposed right-in, right-out driveway access on Waterdown Road, as well as general impacts of the proposed development on Waterdown Road and the nearby Highway 403 interchange.

The applicant addressed the MTO comments through revised and supplementary submissions. To resolve concerns of the MTO, the applicant will extend the centre median on Waterdown Road to create a physical barrier that will prevent drivers from making left turns into or out of the proposed right-in, right-out driveway on Waterdown Road. The MTO also identified the need for design changes on Waterdown Road such as expansion of left-turn lanes to support continued function of the Highway 403 interchange; these design matters can be addressed through a future Site Plan application and/or through the MTO permitting process prior to development. For the

purpose of the current Official Plan Amendment and Zoning By-law Amendment applications, City staff are satisfied that the MTO's concerns have been addressed.

3.1.5 CN Rail

CN Rail maintains a rail corridor and a rail yard in proximity to the subject property. CN provided comments indicating general support for the proposed development, subject to the applicant addressing CN's concerns with respect to noise and vibration. CN retained Jade Acoustics to conduct an external peer review of the applicant's revised noise and vibration study. Jade Acoustics concluded that the applicant's revised study was generally acceptable and that the proposed development has been designed to mitigate the noise sources to meet the applicable guidelines of CN Rail, the Federation of Canadian Municipalities and Railway Association of Canada, and the Ministry of the Environment, Conservation, and Parks. CN accepted this report and has worked with the applicant to enter into a development agreement and the registration of an easement on the subject property.

Staff are satisfied that the concerns of CN Rail have been addressed for the purposes of the subject applications. Detailed design of noise mitigation measures will occur through a future Site Plan application.

3.1.6 Metrolinx

The subject property is located in proximity to the CN Rail corridor on which Metrolinx operates the Lakeshore West GO Line. Metrolinx defers to CN Rail to provide comments about matters of rail safety. Metrolinx did not raise any objections to the proposed development, and provided comments identifying their standard requirements for development in proximity to their corridor, including a requirement that the property owner shall grant Metrolinx an environmental easement for operational emissions. Planning staff are satisfied that Metrolinx's requirements can be addressed during the future Site Plan application stage.

3.1.7 Finance Department

Finance Department retained Watson & Associates Economist Ltd to conduct an external peer review of the applicant's Fiscal Impact Study by Altus.

The original Altus study estimated an annual fiscal surplus of close to $430,000 from the proposed development. However, responding to the peer review by Watson and technical comments from Finance Department, Altus Group provided an updated memorandum revising the fiscal impact analysis. The updated memorandum, as to the November 2021 report, adopted the peer review assumptions resulting in an annual fiscal surplus reduced to $14,700 per annum. The memo also identified maintaining their assumptions on a key differentiated assumption of lifecycle costing their alternate estimated fiscal impact would be $292,000 per annum.

By comparison and as summarized in the Watson Peer Review, analysis indicates the redevelopment is significantly less optimistic than Altus revised analysis with a potential annual fiscal deficit of approximately $81,000, with the principal difference being assumptions on lifecycle costs.

The Finance Department's comments conclude by stating that, "While the peer review would indicate that the redevelopment may provide a slight deficit to the City from a fiscal perspective, it is important to recognize that the fiscal impact study is a tool to be used, along with other policy documents and not in isolation of other factors of importance that this study does not consider such as the physical, social, economic, and cultural elements of the City. A fiscal review is only one of many useful tools that are utilized in the process."

3.1.8 Parks Design and Construction

Parks Design & Construction staff advised that parkland dedication will be required from the proposed development in the form of cash in lieu of land.

3.1.9 Aldershot Village BIA

Aldershot Village BIA provided comments emphasizing the importance of providing adequate commercial space to serve the needs of the growing Aldershot community. The comments also spoke to design considerations including the need for parking to serve commercial businesses.

Staff are satisfied that the revised proposal has addressed the BIA's comments by increasing the proposed space for non-residential uses from 231 m2 to minimum 475 m2. Although the BIA encouraged commercial space to be located in all three of the proposed buildings, staff are of the opinion that it is more appropriate to locate this space in the two buildings that front on Masonry Court and Cooke Blvd, but not in the third building, which is set well back from the street. The BIA had encouraged the provision of additional commercial parking beyond the six spaces shown in the proposal; however, Planning and Transportation staff are satisfied that the proposed parking rate for the site is appropriate given the site's context within a Major Transit Station Area in close proximity to the GO station. The BIA's comments about design of retail spaces can be addressed through a future Site Plan application.

3.1.10 Sustainable Development Committee (SDC)

SDC provided comments expressing general support for the proposed development, acknowledging its contributions to intensification, active transportation, and limiting urban sprawl, consistent with the site's location within a Major Transit Station Area. SDC encouraged the applicant to consider further revisions to their proposal to incorporate additional sustainable building and development measures in accordance with the Sustainable Building and Development Guidelines. These comments can be addressed through a future Site Plan application.

3.1.11 Other Technical Comments

The following departments and agencies provided comments relating to design that can be addressed through a future Site Plan application.

- Landscape and Forestry
- Accessibility Co-ordinator
- Fire Department
- Burlington Transit
- Burlington Hydro

The following departments provided standard comments communicating typical requirements for development:

- Canada Post
- Halton District School Board
- Halton Catholic District School Board
- Finance Department (Tax section)

The following departments and agencies responded that they had no comments or no concerns with the proposed development:

- Conservation Halton
- Conseil Scolaire Viamonde
- Halton Regional Police
- CP Rail
- Sun Canadian Pipeline
- Trans-Northern Pipeline Inc.
- Bell
- Rogers

4.0 Public Comments

Public input has been considered by staff in the review of the subject applications. As of February 13, 2024, Planning staff have received written comments from 7 members of the public, including at the statutory public meeting. Written submissions received prior to May 17, 2022 were appended to report PL-48-22. Additional delegations and correspondence from the public at the statutory public meeting were included in the agenda of the June 14, 2022 Community Planning, Regulation, and Mobility Committee meeting. Written submissions received directly by Planning staff since May 17, 2022, have been appended to this report.

All public feedback received throughout the process has been considered by staff in the review of the subject applications. Concerns expressed in these comments are summarized in Table 3 below in no particular order.

Table 3: Summary of public comments received by Planning staff as of February 13, 2024

Row #	Public comment theme	Staff response
1	Concern that inadequate parking will be provided and this wall cause impacts on availability of on-street parking in the area	A Traffic Impact Study, which included recommended Transportation Demand Management measures, was submitted with the subject applications and explains the applicant's rationale for the proposed reduced parking rate. This study has been reviewed by staff in the Transportation Department as part of the City's review of the applications. Staff are satisfied that the proposed parking rate of 0.97 spaces per unit is appropriate given the site's context in a Major Transit Station Area in close proximity to existing and planned transit. The traffic impact study can be found online at www.burlington.ca/1120cooke.
2	Concerns about traffic impacts from the proposed development	A traffic impact study was submitted with the subject applications and addresses traffic impacts. This study has been reviewed by the Transportation Department, Halton Region, and the MTO. The City and agency review has concluded that the proposed development can be accommodated by the existing road network, subject to infrastructure improvements to be implemented by the applicant, including extension of turning lanes on Waterdown Road and Masonry Court. The traffic impact study can be found online at www.burlington.ca/1120cooke.
3	Concerns about existing conditions in the neighbourhood (incompleteness of Phase One of Stationwest development, cars parked on the dirt or grass, garbage, crime, speeding, pedestrian safety)	Concerns about construction management, parking, and speeding were forwarded to the relevant City staff. Residents with concerns about crime can contact Halton Police directly.

4	Concern about loss of privacy from occupants of proposed tall buildings being able to see rooftop patios of existing townhouses.	The existing zoning of the subject site permits buildings up to 6 storeys in height. The Area-Specific Plan for the Aldershot Corners MTSA contemplates tall buildings up to 30 storeys in the precinct within which the subject property is located. The New Official Plan (2020) identifies the MTSA as a Primary Growth Area; Primary Growth Areas will accommodate the majority of the City's growth and experience the greatest degree of change, and are considered to be the most appropriate locations for tall buildings. Staff are of the opinion that the proposed development, with revised maximum building height of 34 storeys, is appropriate for the subject property and aligns with City objectives for the intensification and urbanization of the MTSA.
5	Concern that the proposed buildings are too tall.	The existing zoning of the subject site permits buildings up to 6 storeys in height. The Area-Specific Plan for the Aldershot Corners MTSA contemplates tall buildings up to 30 storeys in the precinct within which the subject property is located. As discussed above, staff support the revised development proposal with maximum building height of 34 storeys.
6	Concern about lack of greenspace/neighbourhood park and subject lands were previously identified as future community park.	The proposed development is located on land that is currently zoned for development with mixed-use buildings of up to 6 storeys in height. The planned public park associated with the Stationwest development will be developed on land north of the subject property, adjacent to the floodplain storage area. An additional public park is planned further south on Cooke Blvd on lands to be dedicated as part of the recently approved development at 53-71 Plains Rd E and 1025 Cooke Blvd.
9	Concern about complete communities, including lack of retail commercial space and quality of planned park space.	In response to comments from the public, BIA, and City staff, the applicant has revised their proposal to increase the amount of non-residential floor area from 231 m2 to 475 m2. This space may be used for permitted uses identified in the Zoning By-law, which may include retail, service commercial, office, entertainment, or recreation uses.

11	Concern about the provision of affordable housing within the area	The proposed development contributes new housing supply and is consistent with the City's Housing Strategy as discussed in section 2.5.5 of this report.
14	Concern about that the size of the site is not suitable to accommodate the proposed amount of intensification and compatibility with existing and future development on surrounding lands.	Staff are satisfied that the proposed development is appropriately scaled relative to the lot size, that the proposed built form provides a suitable transition to surrounding lands, and that potential impacts such as wind impacts can be minimized and mitigated through detailed design. Staff recommend approval of the applications with a maximum Floor Area Ratio of 9.1:1.
15	Concern that approval of proposed development for subject lands would be inconsistent with Council's recent decision refusing application regarding 1029-1033 Waterdown Road.	Each development application is reviewed on its own merits in accordance with the applicable policy framework. The other Council decision referenced in the comment was made in 2022 and was specific to the unique context of the site and the policy framework in effect at that time. Staff's current recommendation to approve the subject applications is supported by detailed technical review, reflects the unique context of the subject property, conforms to the applicable policy framework, and aligns with the City's ongoing Area-Specific Planning work for the Aldershot MTSA.
16	Concern about the provision of infrastructure improvements and community facilities, including grocery stores, schools, parks, and community centre.	The subject property is adequately served by community services as discussed in section 2.4.3 of this report. The proposed development should also be considered in the context of the planned development of the Aldershot GO Major Transit Station Area which will bring significant new development with a mix of land uses and will support the creation of a complete community with a full range of urban amenities and services.

Financial Matters:

As discussed under section 3.1.7 above, the Finance Department retained Watson & Associates Economist Ltd to conduct an external peer review of the applicant's Fiscal Impact Study by Altus. While Altus Group's revised analysis indicates the proposed development will result in an annual fiscal surplus of $14,700, Watson's analysis

indicates the proposed development will have a potential annual fiscal deficit of approximately $81,000, with the principal difference being assumptions on lifecycle costs.

The Finance Department's comments conclude by stating that, "While the peer review would indicate that the redevelopment may provide a slight deficit to the City from a fiscal perspective, it is important to recognize that the fiscal impact study is a tool to be used, along with other policy documents and not in isolation of other factors of importance that this study does not consider such as the physical, social, economic, and cultural elements of the City. A fiscal review is only one of many useful tools that are utilized in the process."

Planning staff have considered the Finance Department's comments on the financial implications of the proposed development, alongside the overall analysis of the proposed development in accordance with the applicable policy framework and the City's objectives for the Aldershot GO Major Transit Station Area. Planning staff recommend approval of the subject applications.

Climate Implications

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

As part of the Official Plan Amendment and Zoning By-law Amendment applications, the applicant was required to consider the Sustainable Building and Development Guidelines (2021), which encourage sustainable design measures for new development across the City. Further, Burlington's MTSAs play a key role in the sustainable growth of our city and to address climate change. Given the immediate proximity to the Aldershot GO Station of the subject site the application proposes intensification that supports an opportunity to increase transit use as well as multi-modal, active transit mode shares and the efficient redevelopment of under-utilized land. The applicant submitted a Sustainable Building and Development Guidelines Checklist which is intended to demonstrate considerations applied from the guidelines.

Engagement Matters:

A virtual Pre-Application Community Consultation Meeting was held by the applicant on September 29, 2020. This meeting was attended by approximately 35 members of the public as well as by City staff, Mayor Marianne Meed Ward, and ward 1 Councillor Kelvin Galbraith.

After receiving a complete application for the subject lands, City staff notified and consulted the public through the City's standard public notification and consultation practices for an Official Plan Amendment and/or Zoning By-law Amendment applications. As discussed in detail in report PL-48-22, this included the creation of a website at www.burlington.ca/1120cooke, notice signs being erected on the property, notices being mailed to neighbouring property owners and tenants within 120 metres of the property, and notice published in the Burlington Post.

The City held a Statutory Public Meeting for the subject applications on June 14, 2022. At this meeting, Council members considered report PL-48-22 and heard delegations and received correspondence from members of the public.

Staff have considered the comments of members of the public in their review of the application. Members of the public will have an additional opportunity to provide input to Council by delegating at the public meeting on March 4, 2024, where the current report will be considered.

Staff have notified members of the public about the public meeting on March 4, 2024, as follows:

- Notice published in the Hamilton Spectator on February 12, 2024;
- Notice mailed to members of the public who have previously commented or requested to be notified about this application, and provided their mailing address;
- Information about the meeting published on the application webpage, www.burlington.ca/1120cooke, and an email notification sent to webpage subscribers.
- Information posted on the Public Notices newsfeed of the City's website.

More information on the planning process in Burlington, including opportunities for public consultation, can be found at www.burlington.ca/planningprocess.

Conclusion:

The subject applications request Official Plan Amendments and Zoning By-law Amendments to permit a mixed-use development comprising three tall buildings of maximum 30, 32, and 34 storeys with a maximum Floor Area Ratio of 9.1:1, 1165 residential units, and ground-level non-residential uses at 1120 Cooke Boulevard. Staff

have consulted the public and conducted a thorough technical review in accordance with applicable provincial, regional, and City policies, regulations, and guidelines.

Staff are of the opinion that the proposed development, as revised by the applicant through resubmissions, is consistent with the Provincial Policy Statement; conforms to the Growth Plan for the Greater Golden Horseshoe, Regional Official Plan; conforms to the City's Official Plan subject to a proposed amendment that meets the intent of the Plan; and meets the intent of the City's New Official Plan and urban design guidelines. The proposed development is also consistent with the direction of the City's ongoing Area-Specific Planning process for the Aldershot GO Major Transit Station Area.

The detailed design of the proposed development, to be reviewed through a future Site Plan application, will implement infrastructure improvements to support the proposed development, and measures to minimize and mitigate potential adverse impacts to and from the proposed development.

Staff are of the opinion that the proposed development represents good planning and recommend that Council approve the subject applications and adopt the Official Plan Amendment and Zoning By-law Amendment as described in the Recommendation of this report.

Respectfully submitted,



Thomas Douglas MCIP RPP

Senior Planner, Community Planning Department

Thomas.douglas@burlington.ca

(905) 335-7600 ext. 7811

Appendices:

A. Concept Plan
B. Official Plan Amendment No. 142
C. Zoning By-law Amendment 2020.472
D. Public Comments

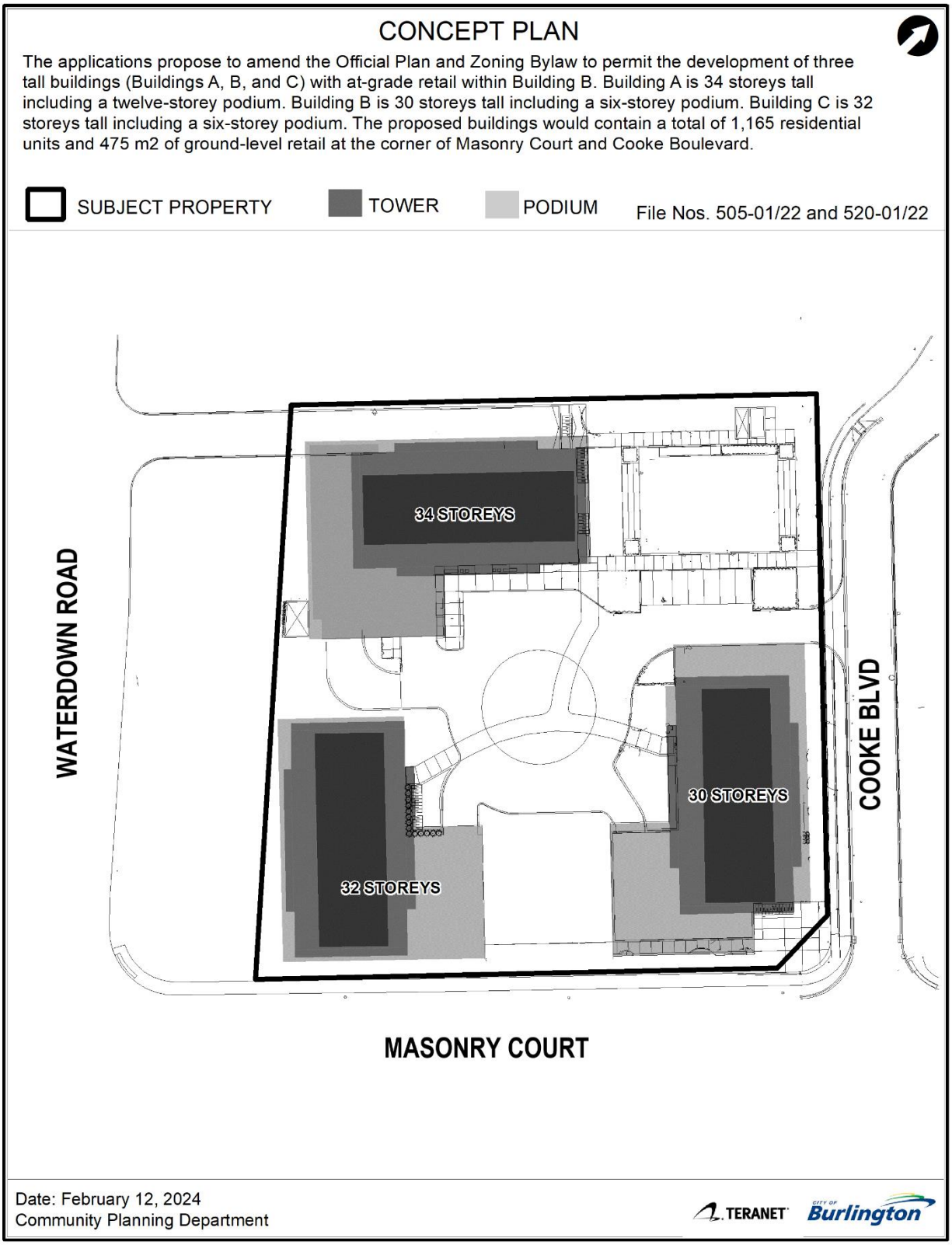
Notifications:

Mike Bennett and Andrew Ferancik, WND Associates Ltd.

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.

Appendix A: Concept Plan



Appendix B: Official Plan Amendment No. 142

The Corporation of the City of Burlington

City of Burlington By-law XX-2020

A by-law to adopt Official Plan Amendment No. 142 to permit a mixed-use development comprising three tall buildings of maximum 30, 32, and 34 storeys with 1165 residential units and ground-level non-residential uses at 1120 Cooke Boulevard.

Whereas the Council of the Corporation of the City of Burlington in accordance with the provisions of Section 17 and 21 of the Planning Act, 1990, as amended, approved recommendation PL-04-24 at its meetings held on March 19, 2024.

Now therefore the Council of the Corporation of the City of Burlington hereby enacts as follows:

1. That Amendment No.142 to the Official Plan (1997, as amended) of the City of Burlington consisting of the attached amendment and supporting documentation is hereby adopted.

2. That this by-law shall come into full force and take effect on the final day of passing thereof.

Enacted and passed this 19th day of March, 2024

Mayor Marianne Meed Ward _____

City Clerk _____

AMENDMENT NO.142 TO THE OFFICIAL PLAN OF THE CITY OF BURLINGTON

CONSTITUTIONAL STATEMENT

The details of the Amendment, as contained in Part B of this text, constitute Amendment No. 142 to the Official Plan of the City of Burlington, as amended.

PART A - PREAMBLE

1. PURPOSE OF THE AMENDMENT

The purpose of this Amendment is to permit a mixed-use development consisting of three residential towers of maximum 30, 32, and 34 storeys (plus mechanical penthouse). The development is comprised of 1,165 dwelling units, 6 levels of underground parking, and minimum 475 square metres of ground-related non-residential space at 1120 Cooke Boulevard with a maximum floor area ratio of 9.1:1.

2. SITE AND LOCATION

The subject site is comprised of one parcel of land located on the north side of Masonry Court between Cooke Boulevard and Waterdown Road and is nearly square-shaped with frontages of approximately 104 metres on Masonry Court, 100 metres on Waterdown Road, and 91 metres on Cooke Boulevard. The area of the subject site is 0.95 hectares.

To the north of the site is floodplain storage and a planned public park, to the east is a residential development consisting of two 6-storey mid-rise apartment buildings and townhouse units, to the south are low-rise employment uses, and to the west are employment uses.

3. BASIS FOR THE AMENDMENT

The proposed development:

a) Intensifies a vacant brownfield site in proximity to higher-order transit with residential and retail/service commercial uses in a manner that is consistent with the policies of the Provincial Policy Statement (PPS). The PPS promotes the achievement of complete communities that are efficient, compact, and transit-supportive. The proposed development provides an increase in supply and mix of housing options in a higher density form that supports existing and planned transit options and encourages non-automobile modes of transportation including active transportation;

b) Conforms to the Growth Plan for the Greater Golden Horseshoe, 2020, as amended, and the Halton Region Official Plan, as amended, by providing for appropriate intensification within the delineated built-up area, close to rapid transit, and on a site that carries a growth designation in the Official Plan, contributing to the diversification of the housing supply and meeting Provincial growth and density targets;

c) Is identified within the delineated boundary of the Aldershot GO *Major Transit Station Area* as shown on Map 1H, Regional Urban Structure, of the Halton Region Official Plan, and supports the Regional Growth Management strategy as articulated in Halton Region's Official Plan;

d) Responds to the intent of the Tall Building Guidelines by providing for a human-scaled, street-related building form with appropriate transitions to nearby built forms and slender tower forms with adequate separation distances that contribute to a visually interesting skyline;

e) Responds appropriately to the direction of the City's Major Transit Station Area Area-Specific Planning Project for the Aldershot GO MTSA, which contemplates buildings of up to 30 storeys on the subject site;

f) Provides for an appropriate parking ratio that ensures that parking demand generated by the building can generally be accommodated on-site while recognizing the transit accessibility of the subject site and promoting non-automobile-based modes of travel;

g) Contributes to the pedestrian realm of the area by enhancing the public realm on boundary streets, providing permeability through the site, and contributing publicly-accessible private green spaces that create linkages to public park space and the Aldershot GO station;

h) Subject to the implementation of mitigation measures as part of the development of the residential uses, is compatible with existing major facilities and employment

uses, and transportation infrastructure in relation to air quality, odours, noise, and vibration;

i) Does not create unacceptable wind or shadow impacts on abutting sidewalks, open spaces, or adjacent properties, including the lower-scaled residential lands to the east and south;

j) Is located on lands that can utilize existing servicing infrastructure on the abutting rights-of-way and near transit routes, commercial uses and community amenities and meets Official Plan policies by providing new housing units that increase the supply and diversity of the housing stock in the area while promoting non-automobile transportation options; and,

k) Is supported by technical studies and reports that have been submitted by the applicant and provide adequate and appropriate information regarding the proposed development.

PART B – THE AMENDMENT

1. DETAILS OF THE AMENDMENT

Map Change: None proposed

Text Change:

The text of the City of Burlington Official Plan, as amended, is hereby amended by adding the following site-specific policy (n) to Part III, Subsection 5.3.3.2 as follows:

1120 Cooke Boulevard	(n) *Development* on the lands described as 1120 Cooke Boulevard *shall* be in accordance with the following: (i) *Development shall* incorporate measures to avoid or minimize and mitigate potential adverse effects to the *development* from noise and air emissions including odour. (ii) *Development shall* incorporate measures to avoid or minimize and mitigate potential impacts on industrial, manufacturing, or other uses, including reducing the risk of complaints, and to ensure the ability of major facilities to comply with

	environmental approvals, registrations, legislation, regulations, and guidelines for both current and future operations. (iii) Notwithstanding the use, floor area ratio, height, and design policies contained in Part III, Subsections 5.3.2 c), d) (i) and (ii), and g) (i) and (v), and 5.3.3.2 c) and e) (i) and (ii), of this Plan, for the lands described as 1120 Cooke Boulevard, the following policies *shall* apply: a. a mixed-use *development* comprising three buildings, with a combined maximum 1165 *dwelling units* and a combined maximum *Floor Area Ratio* of 9:1:1 *shall* be permitted; b. a maximum building height of 34 storeys (plus mechanical) *shall* be permitted; c. non-residential uses *shall* be located at ground level in two of the three buildings; d. surface parking spaces for residential visitors and/or non-residential uses may be provided.

2. INTERPRETATION

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

3. IMPLEMENTATION

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

Appendix C: Zoning By-law Amendment

THE CORPORATION OF THE CITY OF BURLINGTON

BY-LAW NUMBER 2020.472

A by-law to amend By-law 2020, as amended; for 1120 Cooke Boulevard, for the purpose of facilitating the mixed-use development of three residential towers of maximum heights of 30, 32, and 34 storeys
File number: 520-01/22

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

WHEREAS the Council of the Corporation of the City of Burlington approved PL-04-22 on March 19, 2024, to amend the City's existing Zoning By-law 2020, as amended, to permit the mixed-use development of three residential towers of maximum 30, 32, and 34 storeys;

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

1. Zoning Map Number 3 of PART 15 to By-law 2020, as amended, is hereby amended as shown on Schedule "A" attached to this By-law.

2. The lands identified on Schedule "A" attached hereto are hereby rezoned from MXC-26 to H-MXC-531.

3. Part 11, Appendix A, of By-law 2020, as amended, Site-Specific Requirements for Removal of an "H" Holding Symbol, is amended by creating Section 77 as follows:

77.	**H-MXC-531**	**Map 3-E**	**Resolution:**
Prior to the removal of the 'H' Holding Symbol, the following must be completed to the satisfaction of the Region of Halton: 1. The Owner executes a Regional Servicing Agreement for the replacement of the Cooke Boulevard sanitary sewer to address downstream sanitary sewer capacity.			

4. Part 14 of By-law 2020, as amended, Exceptions to Zone Classifications, is amended with the following:

Exception	**Zone**	**Map**	**Amendment**	**Enacted**
531	**MXC**	**3**	**2020.472**	**March 19, 2024**
1. <u>In addition to Part 1, Subsection 2.22 and Part 5, Section 3, the following uses are prohibited</u>:				
a) Funeral Home b) Automotive uses				
2. <u>Regulations for the entire site:</u>				
a) For the purposes of applying zoning regulations the property zoned MXC-531 shall be considered one lot. b) Notwithstanding Part 5, Section 4.1, Table 5.4.1 the maximum yard abutting any other street shall not apply. c) Notwithstanding Part 1, Section 2.27.1, for the purposes of establishing building setbacks or for the application of any other provisions of this By-law the deemed and actual street width of Cooke Boulevard is 17 m.				
d) Non-residential floor area i) Building A: ii) Building B & C:				None required 475 m^2 combined
iii) Notwithstanding the combined non-residential floor area for Buildings B and C, Buildings B and C must provide a minimum of 175 m^2 of non-residential floor area per building.				
e) Landscape Area abutting a street:				None required.
f) Amenity Area:				15 m^2 per unit
g) A rooftop terrace shall maintain the principal building yards of the storey below it.				
h) Maximum Residential Units i) Building A: ii) Building B:				450 units

iii) Building C:	370 units 385 units
iv) Notwithstanding the maximum residential units in any individual building, the maximum number of residential units on the lands zoned MXC-531 shall be 1165.	
i) Maximum Floor Area Ratio:	9.1:1
j) Setbacks for a Below-grade parking structure to all lot lines: k) Setback from Cooke Blvd for an above-grade access stairway building to the below grade parking structure:	0.9 m 6 m
l) Setback from the north lot line for an above-grade access stairway building to the below grade parking structure: m) Set back to Waterdown Road for an entrance and exit ramp to a parking garage:	1.5 m 0 m
n) Parking: i) Occupant: ii) Visitor:	 0.89 spaces/unit 0.08 spaces/unit
iii) Notwithstanding Part 5, Section 4.6(b), (c) and d) where a development is comprised of residential and non-residential uses, up to 100% of the required visitor parking located on the development site may be counted towards the required non-residential parking.	
o) Bicycle Parking: i) Long-term: ii) Short-term: iii) Vertical bicycle parking space dimensions: iv) Horizontal bicycle parking space dimensions:	 0.5 spaces/unit 0.05 spaces/unit 0.6 m width 1.2 m length 0.6 m width 1.8 m length

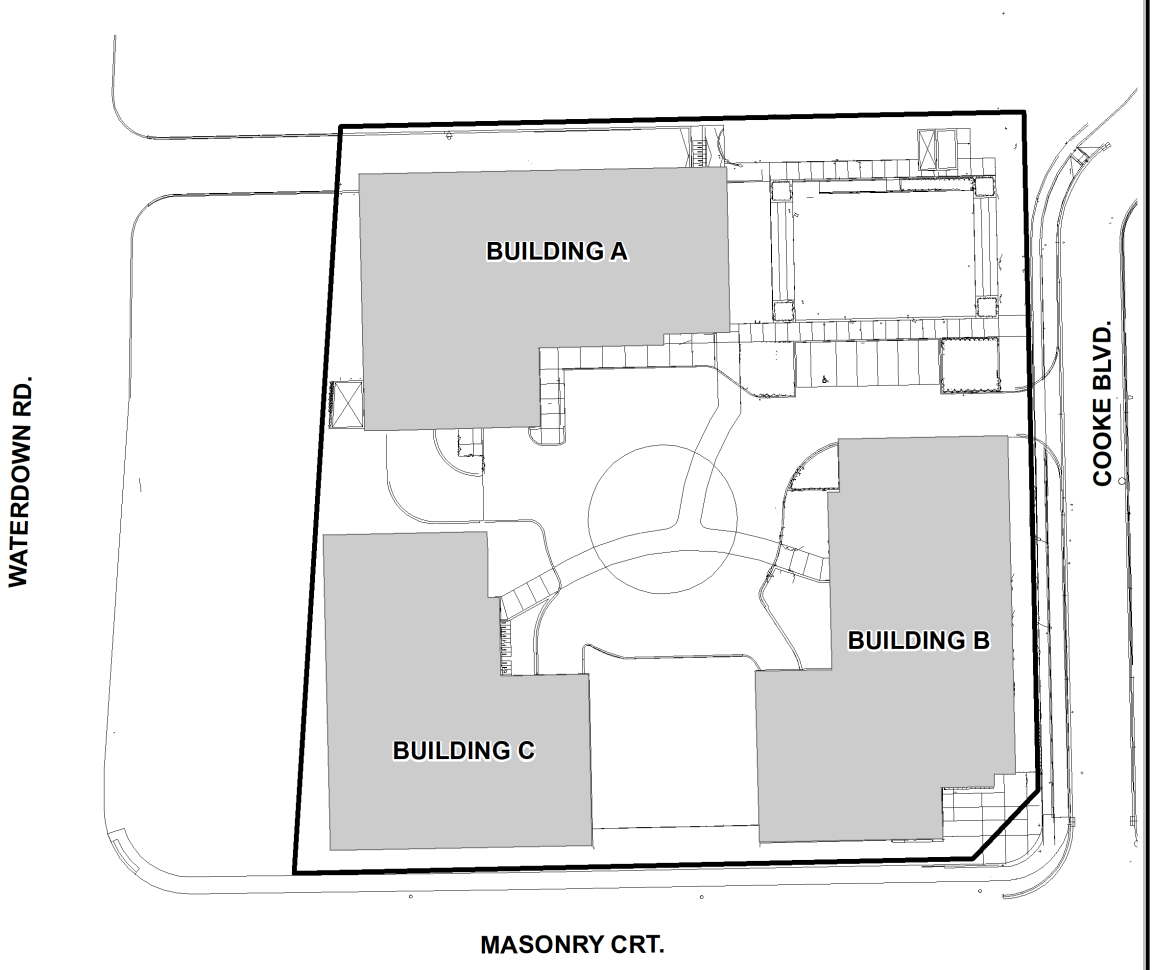
p) Long-term bicycle parking spaces are bicycle parking spaces for use by the occupants, employees, or tenants of a building, and must be located in a building. Required long-term bicycle parking spaces in apartment buildings may not be in a dwelling unit, on a balcony, or in a storage locker. q) Short-term bicycle parking spaces are bicycle parking spaces for use by visitors to a building. r) Stacked bicycle parking spaces mean a horizontal bicycle parking space that is positioned above or below another bicycle parking space and equipped with a mechanical device providing floor level access to both bicycle parking spaces. s) All short-term bicycle parking spaces shall be provided as horizontal bicycle parking spaces and be provided at ground level.	
t) Accessory Structures on the ground: i) Maximum height: ii) Yard abutting Waterdown Road: iii) Yard abutting Masonry Court: iv) Yard abutting Cooke Boulevard:	 One storey and 4 m 1 m 5 m 6 m
u) Accessory Structures on a roof top terrace: i) Maximum height from the roof top:	 3.7 m
v) Notwithstanding Part 1, Section 2.2.2 any accessory structure located on a terrace and/or roof top shall maintain the yard requirements of the floor level below the terrace and/or roof top	
w) Notwithstanding Part 5, section 4.6(f), the minimum width for a walkway connecting the sidewalk to the principal entrance of the building shall be 2 m.	
3. <u>Regulations applying to Building 'A' on Figure 531:</u>	
a) Maximum height:	34 storeys and 112 m
b) Yard abutting Waterdown Road: i) Floors 1 to 12: ii) Floors 13 to 34: c) Yard abutting Masonry Court: d) North Side Yard: e) Yard abutting Cooke Boulevard:	 4.5 m 9 m 50 m 6 m 40 m

f) Maximum Balcony Projections on the east elevations: i) Floors 2 to 7: ii) Floor 8 to 34: g) Maximum balcony projections on the south elevation: i) Floors 2 to 34: h) Maximum balcony projections abutting Waterdown Road: i) Floors 2 to 7: ii) Floor 8 to 34: i) Maximum balcony projections on the north elevation: i) Floor 2 to 7: ii) Floor 8 to 34:	 2.1 m 1.5 m 1.5 m 2.1 m 1.5 m 2.1 m 1.5 m
j) A pedestrian accessible door shall be provided for residential apartment lobbies facing on the south or east elevation.	
4. <u>Regulations applying to buildings to Building 'B' on Figure 531:</u>	
a) Maximum height:	30 storeys and 100 m
b) Yards Abutting Waterdown Road: c) Abutting Masonry Court: i) Floors 1 to 8: ii) Floor 8 to 30: d) North Side Yard: e) Cooke Boulevard:	55 m 5 m 9 m 40 m 5 m
f) Maximum balcony projections abutting Cooke Boulevard: i) Floors 2 to 7: ii) Floors 8 to 30: g) Maximum balcony projections abutting Masonry Court: i) Floors 2 to 7: ii) Floors 8 to 30: h) Maximum balcony projections on the west elevation: i) Floors 2 to 30: i) Maximum balcony projections on the north elevation: i) Floor 2 to 30:	 3 m 1.5 m 2.1 m 1.5 m 1.5 m

	1.5 m
j) A pedestrian accessible door shall be provided for residential apartment lobbies facing on the west elevation and facing Cooke Boulevard. k) A pedestrian accessible door shall be provided for all non-residential uses facing Masonry Court and/or Cooke Boulevard	
5. <u>Regulations applying to buildings to Building 'C' on Figure 531:</u>	
a) Maximum height:	32 storeys and 106 m
b) Yard Abutting Waterdown Road: c) Yard Abutting Masonry Court: d) North Side Yard: e) Yard abutting Cooke Boulevard:	3 m 5 m 50 m 50 m
f) Maximum Balcony Projections on the east building Elevations: i) Floors 2 to 32: g) Maximum balcony projections abutting Masonry Court: ii) Floors 2 to 7: iii) Floor 8 to 32: h) Maximum balcony projections abutting Waterdown Road: i) Floors 2 to 7: ii) Floor 8 to 32 i) Maximum balcony projections on the north elevation: i) Floor 2 to 6: ii) Floor 7 to 32:	 1.5 m 2.1 m 1.5 m 2.1 m 1.5 m 2.1 m 1.5 m
j) A pedestrian accessible door shall be provided for residential apartment lobbies facing on the east elevation and facing Masonry Court. k) A pedestrian accessible door shall be provided for all non-residential uses facing Masonry Court or on the east elevation.	
Except as amended herein, all other provisions of this By-law, as amended, shall apply.	
Figure 531:	

FIGURE 531

SUBJECT PROPERTY



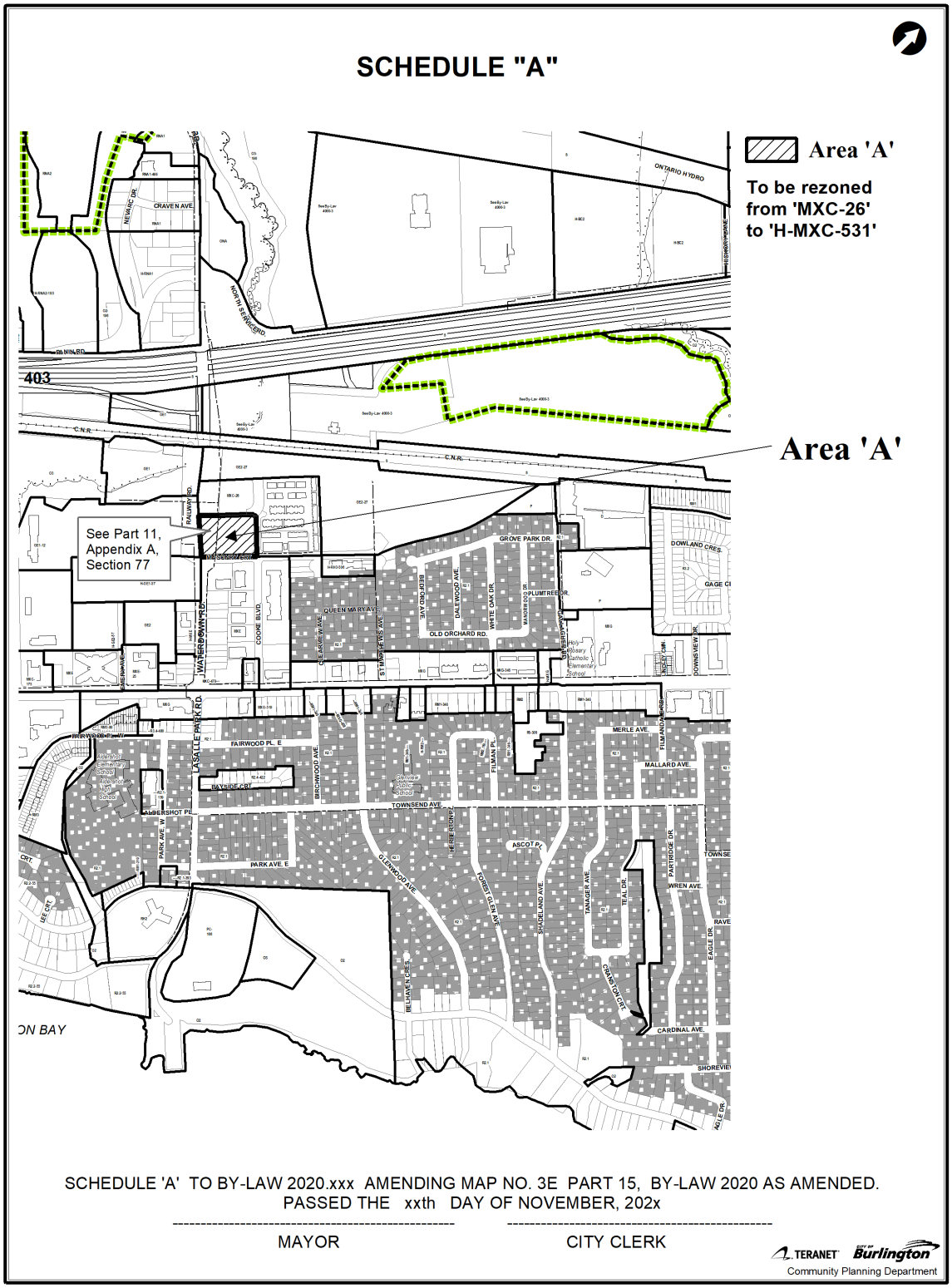
Date: December 08, 2023
Community Planning Department

Enacted and passed this 19th day of March, 2024

Mayor Marianne Meed Ward _____

City Clerk _____

Schedule A to By-law 2020.472



Appendix D: Public Comments received since May 17, 2022

Comment 1: Josh Perell, Received by e-mail on June 3, 2022

Dear Mr. Douglas,

My name is Joshua Perell and I co-own a home in Burlington.

I am a member of the Law Society of Ontario and I act on behalf of the City of Burlington in some matters. I am writing today only on behalf of myself as a concerned resident of Burlington.

Thank you for the opportunity to provide feedback regarding the proposed redevelopment at 1120 Cooke Boulevard (Files 505-1/22 and 520-1/22).

As a resident of Ward 1, I am concerned that the proposed redevelopment of 1120 Cooke Boulevard does not constitute good planning for the following reasons:

1. The land is not suitable for the proposed purpose. The property under review is too small to accommodate the three tall buildings included in the application;
2. The proposed redevelopment is incompatible with adjacent land uses. Two of the proposed buildings are 30 storeys taller than the maximum height currently set out in the City's Official Plan. The shortest of the three proposed buildings is 20 storeys taller than the maximum height currently set out in the City's Official Plan;
3. Given the small size of the site of the proposed development, the new buildings will impose upon buildings and properties on all sides of the proposed new structures;
4. Vehicle access to the redeveloped site is inadequate. The proposed redevelopment will result in increased traffic and traffic congestion which the relevant sections of Waterdown Road, Masonry Court, and Cooke Boulevard were not designed to accommodate; and
5. The summary of the zoning changes required to approve the proposed redevelopment as set out in the Notice of Statutory Public Meeting released by the City of Burlington amounts to creating site-specific zoning that conflicts with the City's Official Plan as well as the permitted building type/use, and parking requirements.

Given the height of the proposed buildings and the number and extent of the zoning changes required for the proposed redevelopment plan, it is difficult to see how the general intent and purpose of the area's zoning by-law and of the City's Official Plan can be maintained.

I also note that approval of the proposed redevelopment of 1120 Cooke Boulevard would be inconsistent with Council's recent decision refusing application 520-10/21 concerning 1029-1033 Waterdown Road. In my opinion, Council should refuse the application for the proposed redevelopment of 1120 Cooke Boulevard for the same reasons as set out in the City's Notice of Decision regarding application 520-10/21,

dated April 21, 2022: “the proposed development is premature, the proposed building does not represent a compatible transition to the established neighbourhood, does not provide sufficient range of housing or employment opportunity and is not supportive of multi-modal infrastructure or contribute to an enhanced public realm.”

Please treat this letter as written submissions to Council for the purposes of obtaining standing to appeal to the Ontario Land Tribunal under section 34 (or any other relevant section) of the *Planning Act*, R.S.O. 1990, c. P.13 (or as amended).

Yours truly,

Joshua Perell

Comment 2: Carolyn V, received March 17, 2023

I have read that 3 ENORMOUS buildings have been proposed on Cooke Boulevard, 29 storeys, 31 storeys and, 33 storeys.
Yikes. That is absurd.
This is an older neighbourhood and the infrastructure is as such.
I’m wondering how Plains Road would possibly be expected to handle such an enormous influx of traffic? Thousands of extra vehicles.
The intersection of Plains Road and Waterdown Road now is already chaotic with the current amount of traffic that passes through every day. The traffic on Plains Road itself is already very noticeably at capacity.
When a builder makes a proposal of such magnitude, are they responsible for the infrastructure changes and improvements that definitely come along with such projects? Are they responsible for providing proper grocery stores, department stores, schools, parks and community centres? It should be the law.
As a long time resident of the Aldershot community, I am not in favour of a development of 29, 31 and 33 storeys. The neighbourhood can’t handle it properly and safely. Isn’t that property only zoned for 6 storeys??
I am very concerned about traffic issues in my neighbourhood.
Thank you for your time,
Carolyn

SUBJECT: Appointments to Advisory Committee

TO: Mayor and Members of Council

FROM: Office of the City Clerk

Report Number: CL-14-24

Wards Affected: N/A

Date to Committee: Select date

Date to Council: June 18, 2024

Recommendation:

Approve the appointments to the Burlington Cycling Advisory Committee, as outlined in confidential appendix A of office of the city clerk report CL-14-24 and following approval from Council make the recommended names for appointments public.

PURPOSE:

Vision to Focus Alignment:

- ☑ Designing and delivering complete communities
- ☑ Providing the best services and experiences
- ☐ Protecting and improving the natural environment and taking action on climate change
- ☐ Driving organizational performance

The recommendation in this report aligns with the strategic direction for An Engaging City as identified in the City's Plan: From Vision to Focus. The city is forging strong community relationships with open dialogue and citizen involvement in municipal issues through its advisory committees and provides Burlington residents the opportunity to give advice and recommendations to Council on various matters and/or organize activities that strengthen the community's connection to the municipality.

Executive Summary:

This report recommends member appointments to the Burlington Cycling Advisory Committee for a term of two years and provides background information on the recruitment process as per the Public Appointment Policy.

Background and Discussion:

The Office of the City Clerk launched an appointment recruitment campaign for the following Advisory Committees on November 7, 2023: Mundialization Committee, Burlington Accessibility Advisory Committee, Integrated Transportation Advisory Committee, Burlington Agricultural and Rural Affairs Advisory Committee, Burlington Cycling Committee, Downtown Parking Advisory Committee, Heritage Burlington Advisory Committee, and the Sustainable Development Advisory Committee

The recruitment campaign deadline was originally scheduled to end on November 27, 2023, but was extended to December 4, 2023, to allow for more applications to be submitted. Some appointments were approved by City Council at the January 16, 2024 and February 13, 2024 meetings of Council.

Recruitment opportunities were advertised on the City's website, through social media, postcards and bookmarks. In addition, Office of the City Clerk staff planned a virtual information session for November 23 which due to lack of interest was cancelled; however, staff personally connected with the few residents who were interested in attending to provide them all the information they needed as well as share the presentation that was developed for the session. In response to this recruitment, 67 applications were received from individuals expressing an interest in participating on the above-mentioned committees and boards.

In accordance with the Public Appointment Policy, the recommended appointments are for a two-year term, expiring on December 31, 2025.

A shortlisting process took place following the recruitment where all applications were sorted by staff and sent to the interview panel, consisting of the Chair/Vice-Chair, Staff Liaison, Council Liaison and Committee Clerk. Applications were reviewed based on the committee's terms of reference and using their committee knowledge and experience. The interview panel met via Zoom to review applications, and by consensus determined a shortlist of candidates. The interview team was comprised as follows:

Committee	**Interview Team**

Burlington Cycling Advisory Committee	Jon Millman (Chair), Dan Ozimkovic, Suzanne Gillies

Most Advisory Committee appointments were completed earlier this year, however there was a delay in selecting members for this committee due to interview scheduling conflicts. The interview panel made their selected recommendations based on the committee's needs as well as the applicant's knowledge of the role, relevant skills and experience, expressed dedication/commitment, time availability, and communication skills. The names of the recommended appointees are included within confidential appendix A of office of the city clerk report CL-14-24.

Financial Matters:

Not Applicable

Climate Implications:

The use of video conferencing technology reduces the carbon footprint for public appointment interviews. In addition, the use of technology has also provided more flexibility to applicants when scheduling interviews

Engagement Matters:

Following Council approval of the recommendations, the Office of the City Clerk will formally advise all applicants of Council's decision and provide a virtual orientation session for the committee members. Appointees will receive a copy of the Terms of Reference for their respective committee and will undergo any further required training. New members will participate in future committee meetings as voting members.

Individuals who are not appointed at this time will be contacted individually and advised of other City of Burlington volunteer opportunities and that applications will be held for any vacancies that should occur on boards and committees throughout the year.

Conclusion:

As a member of one of the City's advisory committees, residents can actively participate in local government, which contributes to the high quality of life that Burlington residents enjoy.

Respectfully submitted,

Suzanne Gillies

Committee Clerki

905-335-7600, ext. 7862

Appendices: (if none delete section)

A. Confidential Appendix A – recommended appointments

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.

CITY OF Burlington . . . Memo

To: Mayor Meed Ward and Members of Council

From: Alison Enns, Manager of Policy and Community &
Karyn Poad, Supervisor, Community Initiatives

Cc: Craig Kummer, Director of Transportation Planning

Jamie Tellier, Director of Community Planning

Date: June 18, 2024

Re: Modified Official Plan Amendment No. 2 to the City of Burlington Official Plan, 2020 to replace Appendix A to staff report PL-03-24.

The purpose of this memo is to present a revised OPA 2 (attached to this memo as Appendix A) to replace the Appendix A to staff report PL-03-24 and to discuss the minor changes and identify any further modifications needed to OPA 2 following the delegations heard at the Statutory Public Meeting on June 11, 2024.

This memo is also presenting the proposed workplan to advance the necessary refinements to the MTSA Community Planning Permit By-law including continued collaboration with the industry and any necessary modifications as a result of Ministerial approval.

Background and Discussion

On June 11, 2024, a second statutory public meeting was held to consider staff report PL-03-24: MTSA Official Plan Amendment 2 and Community Planning Permit By-law and Statutory Public Meeting and receive feedback from the public, stakeholders and Council at the Committee of a Whole meeting.

At the June 11, 2024 statutory public meeting, staff report PL-03-24 contained the following staff recommendations:

> Adopt Official Plan Amendment No. 2 to the City of Burlington Official Plan, 2020, substantially in the form provided in Appendix A of community planning department report PL-03-24; and
>
> Instruct the City Clerk to prepare the necessary by-law adopting Official Plan Amendment No. 2 to be presented for approval at the same time as the associated Major Transit Station Area Community Planning Permit By-law; and

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

Approve the Major Transit Station Area Community Planning Permit By-law substantially in the form provided in Appendix B of community planning department report PL-03-24; and

Deem that the Community Planning Permit By-law conforms to the Burlington Official Plan, 2020 once Official Plan Amendment No. 2 is in force; and

State that the Community Planning Permit By-law will not come into effect until Official Plan Amendment No. 2 is approved.

Committee amended the motion regarding the staff recommendations as follows:

Adopt Official Plan Amendment No. 2 to the City of Burlington Official Plan, 2020, substantially in the form provided in Appendix A of community planning department report PL-03-24; and

Instruct the City Clerk to prepare the necessary by-law adopting Official Plan Amendment No. 2; and

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

Approve, in principle, the Major Transit Station Area Community Planning Permit By-law provided in Appendix B of community planning department report PL-03-24; and

Direct staff to make the necessary refinements to the Major Transit Station Area Community Planning Permit By-law, including any changes to reflect any modifications as a result of Ministerial approval.

Through PL-03-24, staff noted that there were additional refinements needed to OPA No. 2 to prior to Council formally adopting OPA No. 2 on June 18, 2024.

Statutory Public Meeting Submissions

Staff have reviewed the submissions that were received from May 29 and at the Statutory meeting and have provided responses in Appendix B – Staff Responses to submissions received.

After considering the verbal and written submissions provided at the statutory public meeting, staff are proposing modifications to the proposed OPA 2 and contained in a revised OPA 2 in Appendix A and identified below.

Staff-initiated proposed policy modifications to OPA No. 2

The submissions received from May 29th and at the statutory public meeting have been reviewed and considered by staff as they relate to Official Plan Amendment No 2. Staff

note that submissions containing comments related to the CPP By-law will be addressed through the CPP By-law workplan outlined below. Where appropriate, staff have addressed comments through modifications to OPA 2.

Staff have proposed the following Official Plan policy modifications:

a) A modification has been made to Section 8.1.2(2.2) e), 8.1.2 (3.2) e) and 8.1.2 (4.2) f) to add a new subsection to recognize the enlargement or extension of a legal non-conforming use in accordance with Section 45(2) of the Planning Act.
b) Modifications to 8.1.2(2.1)f, 8.1.2(3.1) f) and 8.1.2 (4.1) f) to provide clarity that the proposed minimum floor area ratio will be planned through the permitted heights of the CPP By-law.
c) Minor modification to Section 8.1.2 (5.2) b) and 8.1.2(5.4) b) to align terminology of off-street trails with the legends on the Schedules.
d) Modifications to Section 8.1.2 (6) b) to provide clarity that the land use compatibility screening assessment will confirm whether the site is within a potential influence area of a major facility and the need for a Land Use Compatibility study and updated language to recognize the impacts to existing and planned industrial facilities in alignment with language in the Provincial Policy Statement.
e) Modifications to Section 8.1.2 (6) c) iii) to insert “and noise” to ensure noise is also considered in a Land Use Compatibility Terms of Reference.
f) Modifications to Section 8.1.2 (6) by inserting a new subsection d) to require that the City consult with operators and landowners of existing major facilities when preparing a Terms of Reference for a Land Use Compatibility study.
g) Modifications to Section 8.1.2 (d) to insert the words “where applicable” after the word “lots” to reflect that some sites may not have elements such as new public streets shared with other landowners and may not be required to pursue a shared distribution of responsibility.
h) Modifications to Section 8.1.2 (10.3) to retitle the subsection as “Support Strategies and Tools” and include a new subsection b) that considers a future Community Improvement Plan (CIP) to focus on housing and employment outcomes.
i) Modifications to 8.1.2 (10.4) c) that clarify that complete application requirements may be scoped on a case by case basis with consideration to scale and elements that have the potential to impact the permit application and identified conditions.
j) Modifications to 8.1.2 (10.4) c) [table] to insert “and, if required, a” and delete “or” after a Land Use Compatibility Screening Assessment to clarify that the results of the Screening assessment may require a further land use compatibility study.

k) Modification to Section 12.1.14 to insert a new subsection b) and renumber accordingly, and further modify k), and m) to comply with O.Reg 173/16 Section 3 by establishing goals and objectives of the CPP By-law in the OPA policies and specify the delegated authority of a CPP application in policy.
l) Modifications to Section 12.1.14 by inserting a new subsection v) and new subsection g) to 8.1.2 (4.2) to exclude the lands at 720, 735, 740 Oval Court and 5135, 5155 Fairview Street from the Community Planning Permit policies and any Official Plan policies to be implemented through the Community Planning Permit System to recognize approved minutes of settlement at the OLT.

Appendix A to this memo presents a revised OPA 2 to replace the Appendix A version attached to Staff report PL-03-24 for adoption by Council.

Appendix B provides staff responses to the submissions received from May 29 up to and including the June 11th Statutory Public Meeting. Where required, staff have made minor typographic edits and corrections to policy cross references as a result of renumbering to OPA 2 and are shown in the redline version of OPA 2 in Appendix C-OPA 2 Redlined for reference.

Community Planning Permit System

At this time staff are not proposing any changes to the May 2024 CPP By-law recommended to be "approved, in principle" as set out in Appendix B to Report No. PL-03-24. In modifying the original recommendation from the staff report, Committee of the Whole identified an opportunity to direct staff to continue working to respond to submissions received as part of the Statutory Public Meeting and build on extensive engagement done to date. Staff were directed to prepare a work plan to describe how the interested and affected parties would use the approval timeframe for Official Plan Amendment 2 to attempt to resolve a scoped list of outstanding issues. See next steps below for connection to the broader process.

Community Planning Permit By-law Work Plan

As noted above Committee has amended the recommendation to speak to approval in principle of the MTSA CPP by-law and has directed staff to continue to work with interested and affected parties over a defined time period to address a core set of remaining issues limited to the following:

Land Use Compatibility

Continue to work with representatives from the existing major facilities and future potential industrial uses and landowners/development proponents to the south of the rail line in the Appleby GO MTSA to explore changes to the CPP By-law to enshrine roles and responsibilities in ensuring land use compatibility issues are addressed.

Class 1 and Class 2 Permit Structure

Continued dialogue to share the intended objective of the framework of permit classes as set out in the CPP By-law and seek opportunities for enhancements. This will also include further discussion related to opportunities to consider alternative approaches related to height permissions that continue to reflect engagement completed to date and to support the outcomes related to building standards, design and transition and continue to deliver, as required by the By-law, Facilities Services and Matters.

Facilities, Services and Matters

Staff will consider further submissions related to determining the Facilities, Services and Matters calculation and may consider further refinements. This discussion may also be considered in the implementation considerations outlined below.

EV parking Requirements

Staff will work with industry representatives to seek out any best practices aimed at ensuring that there are no limitations to ensuring that development progressing today are future-ready for EV expansions.

Implementation Considerations

In addition to the elements highlighted in the Staff report staff will continue to develop and collaborate on a variety of implementation considerations including but not limited to:

- Monitoring
- Reporting
- Partnering
- Education
- Communication
- Fees and Process maps

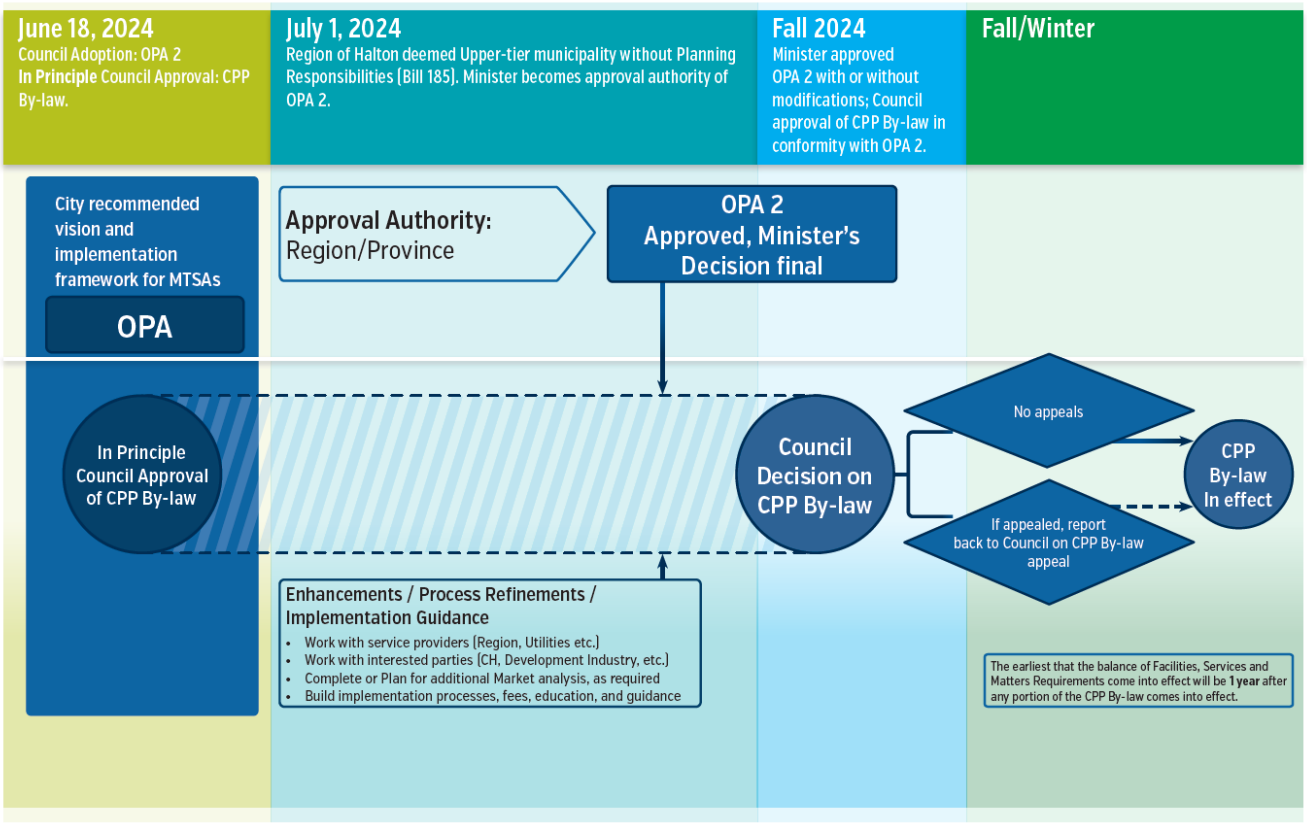
Site-specific issues

The work will include staff consideration of site-specific issues highlighted in submissions received at the Statutory Public Meeting.

A broad distribution list will be compiled to include interested and affected parties. The call will include a request for input on the set of scoped issues set out in this memo (or as amended by Council) and to invite participation in discussions to be scheduled for the summer.

Next Steps

To be clear, Appendix A to this memo replaces the Appendix A to Staff Report PL-03-24. Based on the proposed modifications described in this memo (and as contained in Appendix A to this memo) in conjunction with the feedback received on staff report PL-03-24 at the statutory public meeting, staff is of the opinion that no further public notice is required in respect of OPA 2. Should Council adopt OPA 2, as modified, staff will expeditiously prepare the record and submit it to our current planning approval authority and to the Province. Staff will meet soon with Ministry Staff to discuss opportunities to support their review and expedite the approval of OPA 2. The following process flow conceptually shows the next steps in implementing the Official Plan Amendment and the Community Planning Permit By-law.



If you have any questions, please contact staff.

Sincerely,

Alison Enns, MCIP, RPP, Manager of Policy and Community

Karyn Poad, MCIP, RPP, Supervisor, Community Initiatives

Community Planning Department

Appendices:
Appendix A: Revised OPA 2 for Adoption
Appendix B: Staff Responses to submissions
Appendix C: OPA 2 Redlined version for reference

OFFICIAL PLAN AMENDMENT

AMENDMENT NO. 2 TO THE OFFICIAL PLAN

OF THE BURLINGTON PLANNING AREA

CONSTITUTIONAL STATEMENT

The Amendment contained in Part "B" of this document constitutes Amendment No. 2 to the Official Plan of the City of Burlington, 2020.

In accordance with Section 17(36.1.4) of the Planning Act, there is no appeal of the Protected Major Transit Area components of the Amendment.

PART A – PREAMBLE

1. PURPOSE OF THE AMENDMENT

The purpose of this Official Plan Amendment is to revise certain elements of the text and schedules of the Burlington Official Plan, 2020 to implement the findings of the Major Transit Station Areas (MTSA) Area Specific Planning Project for the Downtown Burlington UGC/Burlington GO MTSA, Aldershot GO MTSA, and the Appleby GO MTSA. As it relates to the elements identified under Section 16(16) of the Planning Act for Protected Major Transit Station Areas, these stations are identified as Protected Major Transit Station Areas.

The effect of the proposed Amendment is to replace policies from Burlington Official Plan, 2020 to:

- Establish a planning vision for the MTSAs to evolve into three distinct and complete communities by accommodating intensification population and employment growth in a mix of uses to 2051 and beyond.
- Update the policies and schedules to identify the Burlington, Aldershot and Appleby GO Major Transit Station Areas as Protected MTSAs and including all associated policy requirements, and as Strategic Growth Areas in accordance with the Regional Official Plan.
- Establish the policy framework for the authorized uses of land within Protected MTSAs, urban design and public realm, parks and open space, transportation and infrastructure servicing and land use compatibility.
- Provide implementation direction and enabling Community Planning Permit policies to allow for the implementation of a Community Planning Permit System By-law for the Protected MTSAs.

2. SITE AND LOCATION

Burlington Urban Growth Centre/Burlington GO Major Transit Station Area

The proposed amendment pertains to the lands within an approximiate 800m radius of the Burlington GO Station, including Brant Street south to Ghent Avenue and north to Leighland Drive identfied in Attachment 1, within the Burlington Urban Growth Centre/Burlington GO Major Transit Station Area.

Aldershot GO Major Transit Station Area

The proposed amendment pertains to the lands within an approximate 800m radius of the Aldershot GO Station, south of Alayne Bryk Way and north of (and including Plains Road East and West, East of Hidden Valley Park and west of Grove Park identified in Attachment 2, within the Aldershot GO Major Transit Station Area.

Appleby GO Major Transit Station Area

The proposed amendment pertains to the lands within an approximate 800m radius of the Appleby GO Station, south of the Queen Elizabeth Way and north of the Centennial Multi-Use Trail, west of Sherwood Forest Park and generally east of Inverary Road identfied in Attachment 3, within the Appleby GO Major Transit Station Area.

3. BASIS FOR THE AMENDMENT

On November 30, 2020, the Burlington Official Plan, 2020 was approved by Halton Region. The Plan outlines the community's vision for growth through an Urban Structure and Growth Framework which establishes a hierarchy of land uses to accommodate growth within a set urban boundary. Within the vision, Major Transit Station Areas, the lands around the City's three GO stations, are priority locations for the accommodation of transit supportive, mixed use intensification.

A significant portion of the Burlington Official Plan, 2020, including policies relating to MTSAs, is subject to broad appeal and therefore not yet in effect. However, a Decision issued by the Ontario Land Tribunal (OLT) on January 4, 2023 confirmed that some portions of the new Official Plan did come into effect on Dec. 22, 2020 (the day after the end of the appeal period), meaning that the Plan has legal status and may be amended in accordance with the Planning Act. Since the January 2023 Decision, a number of additional policies have been brought into effect through approved settlements, as well as a Motion for Partial Approval put forward by the City (OLT Decision issued on April 2, 2024).

The City's current approach to advancing the appealed portions of the Burlington Official Plan, 2020, while also addressing the ongoing changes to Ontario's land use planning framework, is outlined in report PL-25-42: Burlington Official Plan, 2020 Targeted

Realignment Exercise – Initial Work Plan. The work plan identifies a role for both modifications (through the OLT process) and amendments (through a City-initiated statutory process) to address the whole range of changes to the planning framework in place at the time of Regional approval of the Official Plan.

While changes to appealed policies typically proceed by way of OLT modification, in some limited and specific circumstances, amendments may also be brought forward to replace policies that are not yet in effect, such as the Major Transit Station Area policies. In this context, the City is effectively 'withdrawing' the appealed policies and proposing new policies that are in alignment with the updated Regional and Provincial planning framework. These amendments will follow the standard Planning Act process and any appeals to the new policies would be expected to be consolidated with the existing appeals to the Burlington Official Plan, 2020, as appropriate.

On November 11, 2021, the Minister of Municipal Affairs and Housing approved Regional Official Plan Amendment 48 (ROPA 48) with minor modifications bringing the amendment into full effect. ROPA 48 also established in the Upper-tier plan direction under provisions 16(16) of the Planning Act that the City's MTSAs are identified as Protected Major Transit Station Areas (PMTSAs). In accordance with the Planning Act, the Protected Major Transit Station Area policy framework must be implemented through the City's Official Plan. In addition to items related to a Regional Urban Structure established through ROPA 48, consideration of employment conversions and identification of regional nodes as strategic growth areas, ROPA 48 implements the following for the City of Burlington:

- Confirms the boundaries of Burlington's Urban Growth Centre.
- Implements the boundaries for all Major Transit Station Areas, sets minimum density targets and policy changes to conform to the Growth Plan, 2019 and implements a policy framework that identifies the stations as Protected MTSAs to meet the legislative requirements under Section 16(16) of the Planning Act.
- Directs local municipalities to complete area specific plans for Strategic Growth Areas – including MTSAs.

Since the approval of the Burlington Official Plan, 2020, there have been a number of changes to the Regional and Provincial planning policy framework. These changes have necessitated a realignment exercise for the Burlington Official Plan, 2020 to ensure consistency with/conformity to the updated policy framework. The policies in this amendment are consistent with or in conformity to the in effect Provincial plans and policies at the time of adoption, though they may be subject to change as the Ontario planning policy and regulatory landscape continues to evolve. Remaining conformity requirements for other policy areas of the Burlington Official Plan, 2020 will be addressed through other components of the realignment exercise.

This Official Plan Amendment is one of the first elements of the realignment exercise to advance Council's priority of establishing a policy framework and implementing a Community Planning Permit System to establish the MTSAs as complete communities where the significant majority of the City's population and employment growth will be accommodated to 2051 and beyond.

The MTSA Area Specific Planning project began in 2016 as the Mobility Hubs Study. The purpose of the project was to develop area specific plans, supported by technical studies to guide growth and investment around the City's GO Stations. Following a pause in early 2019 to allow the City to address other planning priorities, the process was re-initiated in September 2021 as the MTSA Area Specific Planning project (reflective of a change in Provincial terminology). On July 5, 2022, staff presented the MTSA ASP Planning Study process from January to July 2022 and the findings of the MTSA ASP Planning Study Final Report. Through report PL-10-22: Major Transit Station Areas – Area Specific Plans Planning Study update, Council directed staff to use the MTSA ASP Planning Study Final Report to prepare a draft amendment to the Burlington Official Plan, 2020. Through this project, the City has developed policy recommendations to guide the transformation of the MTSAs into transit-oriented, mixed-use, and complete communities which will support future growth being directed to the City.

On March 28, 2023, through report ES-02-23: Park Provisioning Master Plan final report, which delivered the Parks Provisioning Master Plan, Council approved a recommendation directing the Community Planning Department to conduct an exploration of a Community Planning Permit System in the MTSAs. A Community Planning Permit System (CPPS) is a land use planning tool available under The Planning Act that combines Zoning By-law Regulations/Amendments, Minor Variance and Site Plan applications into one single application and approval process. The CPPS is administered through a Community Planning Permit By-law and replaces a traditional Zoning By-law for the area where the system applies. The Official Plan, 2020 contains policies through Section 12.1.1.14(2) which permit the use of a CPPS in the city and establishes the process to which more detailed enabling policies would be created to implement a CPPS.

On June 27, 2023, through report PL-40-23: MTSA Update and Community Planning Permit Exploration, staff provided an update on the MTSA planning project from June 2022 to June 2023 and provided an overview of the Community Planning Permit System tool and its benefits to streamlining the development of these intensification areas. In accordance with the recommendations of PL-40-23, Council directed staff to prepare a draft Community Planning Permit By-law to align and support the implementation of the MTSA Official Plan policies. To implement a Community Planning Permit By-law, detailed enabling Official Plan policies that set out the areas in which a Community Planning Permit By-law applies, and outlines specific provisions that need to be considered within a Community Planning By-law are required through legislation. The requirements for a Community Planning Permit System are identified in Ontario Regulation 173/16 of The Planning Act.

On October 31, 2023, through report PL-59-23: Proposed Major Transit Station Area (MTSA) Official Plan Amendment (OPA) and Draft Community Planning Permit (CPP) By-law Public Release and Statutory Public Meeting, a statutory public meeting was held to obtain feedback from the public and agencies. Staff have worked to review, resolve and integrate feedback on OPA 2 related to:

- Additional policies to identify Regional requirements for the provision of sufficient capacity for water and wastewater infrastructure.
- Consideration of Regional guidelines related to access management.
- General clarity and structure throughout amendment.
- Clarifying the vision of the precincts in each MTSA.
- Additional public realm policies that provide clarity on the City's role in implementation and support of an enhanced public realm.
- Process requirements for Tertiary Planning Areas in the MTSAs related to timing and challenges related to landowners with different timelines.
- Alignment of new streets with property lines and requests for clarity that new streets are conceptual in nature.
- Land Use Compatibility considerations and balancing the objectives of ensuing long-term operational and economic viability of existing and future major facilities and the introduction of sensitive land uses in MTSAs.
- Clarification of Complete Application requirements in the amendment.

The policies of this amendment will replace the policies in subsection 8.1.2 of the Burlington Official Plan, 2020 and will modify Sections 2.2.3 d) iv) and 2.3.1 h) and i). These policies which were developed at a time when the Region of Halton's Municipal Comprehensive Review was still underway and a Regional policy framework for MTSAs had not yet been established. The policies of the Burlington Official Plan, 2020 were designed to provide interim direction and to communicate a high-level local vision, based on the work completed through the former Mobility Hubs Study and other projects. A detailed local vision has been developed through the City's MTSA Area-Specific Planning project, supported by various technical studies that are reflective of current conditions. Given the complexity of the ongoing appeal process, as well as the other elements of the realignment exercise, this amendment is limited to the core enabling policies required to advance the MTSAs in accordance with the City's growth priorities. Additional revisions that may be required, such as updating terminology and cross-references in other sections of the Plan, implementing further changes to Provincial policy, or incorporating future decisions of the OLT, will be addressed throughout the other processes as outlined in PL-25-42. Throughout the evolving process, the policies of the Burlington Official Plan, 2020 will be interpreted in accordance with the provisions of the Planning Act and any other applicable Provincial legislation, regulations, polices and guidelines.

PART B – THE AMENDMENT

1. DETAILS OF THE AMENDMENT

1.1 Text Change:

The amendment includes the changes to the text of the Burlington Official Plan, 2020 as described in the following table, and as provided in Attachment 4:

In the "Description of Change" column, text that is underlined is new text to be inserted into the Burlington Official Plan, 2020 by way of changes to the approved or under appeal policies not in effect. Text that is crossed out ("~~strikethrough~~") is to be deleted from the under-appeal policies not in effect.

Item No.	Section	Description of Change
1	**2.2.3 d) iv)**	Modify Section 2.2.3 d) iv) as follows: ~~The final delineation of Major Transit Station Areas (MTSAs) boundaries and minimum density targets will be established by the Region of Halton through the municipal comprehensive review in keeping with the policies of the Provincial Growth Plan~~. The boundaries of the *Major Transit Station Areas* are depicted in the Regional Official Plan and this Plan. These boundaries identify the area around an existing *higher order transit* station as a *Protected Major Transit Station Area* in accordance with The Planning Act. The boundaries and minimum density targets of the *Protected Major Transit Station* Area are identified through Section 8.1.2.
2	**2.3.1 h)**	Modify Section 2.3.1 h) as follows: *Major Transit Station Areas (MTSAs)* are an important component of the City's Urban Planning Area, and are intended to serve as city-wide destinations and focal points for the provision of transit. *MTSAs* will exhibit a wide variety of land uses and building types, and densities that will be oriented to support and facilitate transit and *active transportation*. Located in key areas served by the regional and local transit networks, *MTSAs* are focal points for higher *intensity* and mixed-use, *transit-supportive* development that

		will accommodate a significant share of the City's future population and employment growth. It is anticipated that the majority of growth ~~within the City's four MTSAs~~ will occur in the three *MTSAs* located along *higher order transit* routes and with planned *frequent transit* service ~~by way of Regional Express Rail~~. ~~In keeping with the policies of the Provincial Growth Plan, the final delineation of the MTSA boundaries and the identification of minimum density targets, will be established by the Region of Halton through the municipal comprehensive review and will be implemented through a future Official Plan Amendment.~~
3	**2.3.1 i)**	Modify Section 2.3.1 i) as follows: In Burlington there are three <u>*Protected Major Transit Station Areas*</u> ~~MTSA Special Planning Areas~~ identified by the *City* <u>and the Region</u> around the <u>Downtown Burlington Urban Growth Centre/</u>Burlington GO, Aldershot GO and Appleby GO Stations. ~~All three areas are major transit station areas~~. In this Plan, the three *MTSA<u>s</u>* ~~Special Planning Areas~~ are identified as areas that will be subject to further detailed area-specific planning. ~~The boundaries of the major transit station areas and assignment of growth targets will be confirmed through the Region of Halton's municipal comprehensive review in conformity to the Provincial Growth Plan.~~
4	**8.1.1(3.8) Upper Brant Precinct**	Delete Section 8.1.1(3.8) in its entirety.
5	**8.1.2 Major Transit Station Areas**	Delete Section 8.1.2 Major Transit Station Area in its entirety and replace with the new policies as shown in **Attachment 4**.
6	**12.1.14 Community Planning Permit Systems**	Insert a new preamble to Subsection 12.1.14 Community Planning Permit System as follows: A *Community Planning Permit System* is a land use planning tool available to municipalities in Ontario through <u>The Planning Act</u>. The tool can be implemented for an entire municipality or for a specific area. Once implemented, the

		Zoning By-law for the identified area is replaced with a Community Planning Permit By-law. A Community Planning Permit By-law combines Zoning By-law Amendments, minor variance, and site plan approval processes into a single application and approval process. The Community Planning Permit By-law *may* also identify *development* rules and requirements usually covered under separate processes, such as vegetation removal, and allow discretionary uses, conditional approvals, and variations. Doing so provides staff and Council with flexibility in approving *development applications* that meet the growth objectives of the Permit Area while streamlining the *development* approvals process. It also provides the public and developers with more certainty on the type of *development* permitted within an area under a *Community Planning Permit System*.
7	**12.1.14 Community Planning Permit Systems**	Insert a new subsection 12.1.14(3) as follows: 12.1.14 (3) Major Transit Station Area Community Planning Permit System Policies a) The following areas are designated *Community Planning Permit Areas*, as shown on Schedule F: Land Use- Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area, Schedule G: Land Use- Aldershot GO Major Transit Station Area, and Schedule H: Land Use- Appleby GO Major Transit Station Area: i. Downtown Burlington Urban Growth Centre/Burlington GO *Major Transit Station Area*; ii. Aldershot GO *Major Transit Station Area*; and iii. Appleby GO *Major Transit Station Area*. The *City's* Zoning By-law and Site Plan Control By-law *shall* not apply within areas where a Community Planning Permit By-law has been enacted.

		b) A *Community Planning Permit System* for all three of the *Community Planning Permit Areas* listed in 12.1.14(3)a) *shall* be designed and implemented in accordance with the following goal and objectives: i. The goal of the *Community Planning Permit System* is to implement the City's vision, objectives and policies for the *Major Transit Station Areas* as expressed in Section 8.1.2 of this Plan. ii. The objectives of the *Community Planning Permit System* are: i. To implement a land use regulatory framework that supports the objectives and policies of the MTSA Area Specific Plans and the Burlington Official Plan ii. To provide greater certainty to the development community and current and future residents through establishing principles to support desired *development* that aligns with the Council-approved policy framework of the Burlington Official Plan for the *MTSAs*. iii. To streamline the development process to assist the development industry by combining the zoning, site plan approval and minor variance processes into one review and approval process. iv. To support the *development* of complete communities that meet people's needs for daily living throughout an entire lifetime by providing convenient access to a mix of jobs, local services, a full range of housing and public service facilities, including affordable housing, schools, recreation and open space for their residents.

		c) Pursuant to the provisions of The Planning Act, a Community Planning Permit By-law *shall*: i. Contain a description of the area to which the by-law applies, which must be within the boundaries of the Community Planning Permit Area identified in the Official Plan; ii. Set out and define permitted and discretionary uses; iii. Set out a list of minimum and maximum *development* standards; iv. Set out any internal review procedures for community planning permit decisions; v. Describe notification procedures for community planning permit decisions; vi. Set out criteria for determining whether a proposed use or *development* is permitted; vii. Describe the process for amending community planning permits, community planning permit agreements and pre-existing Site Plan agreements; viii. Outline any conditions of approval that *may* be imposed; ix. Set out the scope of delegated authority, including any limitations; and x. Include exemptions for any class of *development* or use of land from the complete information and material requirements for applications under a Community Planning Permit By-law. d) Pre-consultation with the *City* and other affected agencies, as outlined in this Plan and in the Community Planning Permit By-law, *shall* occur prior to the submission of a Community Planning Permit application. Where required, pre-submission of

		complex natural hazard technical studies is strongly encouraged. e) For a Community Planning Permit application to be deemed complete, the *City shall* require the provision of additional supporting information or material required to allow full consideration of the application, as outlined in this Plan and in the Community Planning Permit By-law. The scope of the information or material required for each application *shall* be determined as part of the pre-consultation process. Where applicable, a pre-submission review of technical studies dealing with complex issues including but not limited to natural hazards, land use compatibility, or natural heritage is strongly encouraged. f) If a Community Planning Permit By-law is enacted, the use and *development* of land within the *Community Planning Permit Area* must comply with the permitted uses, standards and criteria set out in the Community Planning Permit By-law as demonstrated by the issuance of a Community Planning Permit, unless the proposed use or *development* is exempted from a permit as indicated in the Community Planning Permit By-law. In the context of a Community Planning Permit By-law, *development* is defined in accordance with O.Reg 173/16 under The Planning Act and includes *site alteration*, including but not limited to: alteration of the grade of land, placing or dumping fill, or the removal of vegetation. The removal of vegetation defined as a tree *shall* not require a Community Planning Permit and is subject to the City's Public and Private Tree By-law as amended. g) The criteria for determining whether a *development*, use of land, discretionary use or variation to the Community Planning Permit By-law provisions *may* be permitted and *shall* be set out in the Community Planning Permit By-law and *shall* include

		demonstration of the following to the satisfaction of the *City*: i. The proposed *development* implements the Guiding Principles of the Community Planning Permit By-law; ii. The proposed *development* implements the complete community requirements and conforms to and maintains the general intent of the Burlington Official Plan; iii. The proposed *development* does not result in significant off-site adverse effect of negative impacts, or any potential significant off-site adverse effects or negative impacts can be mitigated to the satisfaction of the *City and/or Region*; iv. The proposed *development* demonstrates consideration for provincial, regional and municipal guidelines and has regard for technical studies that have been completed; and, v. The proposed *development* is consistent with provincial policy, legislation, regulations and standards, as amended. h) The Community Planning Permit By-law establishes permitted uses and discretionary uses subject to criteria identified in the Community Planning Permit By-law and *may* also allow, as a discretionary use, any use not specifically listed as a permitted use, provided that the proposed use is same as or similar to the uses permitted under the Community Planning Permit By-law, would have no *negative impact* on adjoining properties, and would maintain the intent, objectives and policies of this Plan and the criteria set out in the Community Planning Permit By-law.

		i) The Community Planning Permit By-law *may* outline provisions for issuing a Community Planning Permit for the extension or enlargement of a non-conforming use, building or structure as a discretionary use, provided the proposal conforms with the intent, objectives, and policies of this Plan and the criteria set out in the Community Planning Permit By-law. j) Where existing Site Plan Agreements are already registered on a property, those agreements *may* be amended as long as such amendments comply with the applicable provisions of the Community Planning Permit By-law. k) The Community Planning Permit By-law *may* allow for variations to a development standard as specified in the Community Planning Permit By-law, subject to the criteria outlined in 12.1.14(3)g) of this Plan. l) Any proposal for a use which is not listed as a permitted or discretionary use subject to criteria in the Community Planning Permit By-law, or a proposed amendment to the boundary of a precinct *shall* require an amendment to the Community Planning Permit By-law and *may* also require an amendment to this Plan. An application to amend a Community Planning Permit By-law *shall* be supported by a comprehensive planning rationale, details of public engagement, and applicable supporting studies and conformity to the Burlington Official Plan. The scope of the information or material required for the amendment *shall* be determined as part of the pre-consultation process. m) Council *may* delegate to staff, a Committee, or a body appointed by Council the authority to approve or issue Community Planning Permit applications and Community Planning Permits for *development* which meet or vary from the development standards of the Community Planning Permit By-law through a Class 1 and Class 2 Community Planning Permit application as set out in the By-law. The delegated authority *shall* be limited to *development* which meet the *City's* goals,

		objectives, and policies for the *Major Transit Station Areas* and the *Community Planning Permit System* as provided in this Plan, and the goals, objectives, principles, variation limits and criteria, and other provisions as applicable in the Community Planning Permit By-law. n) A Community Planning Permit will not be required for the following: i. Any *development* that has a Plan approved through prior Site Plan Control and/or existing Site Plan Agreements. Such *developments may* proceed in accordance with the approved Site Plan. ii. Any use or *development* explicitly exempt within the Community Planning Permit By-law. iii. The placement of a portable classroom on a school site of a district school board, if the school site was in existence on January 1, 2007 subject to Section 8.1.2(7.1) of this Plan. o) Upon consideration of a complete Community Planning Permit Application, the *City may:* i. Approve the application and issue a Community Planning Permit with no conditions; ii. Approve the application and issue a Community Planning Permit with conditions attached as outlined in the Community Planning Permit By-law; iii. Approve the application subject to conditions being met before the issuance of a Community Planning Permit (Provisional Approval); iv. Approve the application subject to the conditions being met before the issuance of the Community Planning Permit (Conditions Attached to Approval and Provisional

		Approval) and with conditions as outlined in the Community Planning Permit By-law; or v. Refuse to approve the application. p) The Community Planning Permit By-law *shall* include policies related to the requirement of specified facilities, services or matters or in-kind contributions in exchange for a specified density or height of *development* or increases in density or height where there is a maximum height as regulated in the Community Planning Permit By-law, in accordance with The Planning Act. The Community Planning Permit By-law *shall* establish a proportional relationship between the quantity or monetary value of the facilities, services and matters that *may* be required and the height or density of *development* that *may* be allowed. q) The *City* will review the Community Planning Permit By-law as a whole to ensure it is responding to the needs of the community and will undertake a market analysis to support the review of the following elements of facilities, services and matters depending on market feasibility and market analysis: i. Potential increases to the new required set aside rate for Affordable Housing to a maximum of 10%; ii. Requirements for the provision of facilities, services and matters for building heights not currently subject to such requirements in the Community Planning Permit By-law; iii. Reassessment of required complete community contribution value. r) In addition to Section 12.1.14 (3) o) of this Plan, a Community Planning Permit By-law *may* identify other specified facilities, services or matters as part of issuing a Community Planning Permit to achieve *Protected Major Transit Station Area* objectives, provided the proposal conforms with the intent, objectives, and policies of this Plan and the criteria

		established within the Community Planning Permit By-law. s) A Community Benefits Charge and By-law *shall* not apply in an area where a Community Planning Permit System is in effect, in accordance with The Planning Act. t) The City *may* impose the following types of conditions as part of a decision on a Community Planning Permit application described in Section 12.1.14(3) o) ii. to iv. of this Plan: i. A condition that is permitted by section 34, 40, 41 or 42 of The Planning Act. ii. A condition related to *site alteration*, including but not limited to alteration or restoration of the grade of land, and placing or dumping fill. iii. A condition related to the removal or restoration of vegetation. iv. A condition related to ongoing monitoring requirements that are considered necessary for the protection of public health and safety or the *natural environment*. v. A condition related to water, wastewater servicing and transportation network capacity and the phasing of *development* in accordance with subsection 8.1.2(10.2) of this Plan. vi. A condition requiring the submission of confirmation of review, approvals and/or permits from other agencies and levels of government. vii. A condition requiring the provision of specified facilities, services and matters in exchange for a specified height or density of *development* as identified in the Community Planning Permit By-law in accordance with Section 12.1.14(3)o), p) and q) of this Plan.

		viii. With respect to paragraph 3, 3.1 or 3.2 of subsection 34(1) of The Planning Act, a condition that is related to the matters that would otherwise be prohibited under those paragraphs. ix. A condition requiring the owner of land to enter into one or more agreements with the *City* regarding one or more conditions x. A condition related to the payment of fees and the deposit of financial securities. u) A condition requiring the completion of technical studies to demonstrate the application is consistent with provincial natural hazards policies and that proposed *development* activities can be permitted under the *Conservation Authorities Act* and associated regulations to the satisfaction of Conservation Halton. v) The lands at 720, 735, 740 Oval Court and 5135, 5155 Fairview Street are excluded from the Community Planning Permit policies and any Official Plan policies to be implemented through the Community Planning Permit process.
8	**Part VIII, Definitions**	By adding the following new Definition under Part VIII, Definitions: Community Planning Permit Area- An area within a municipality that is subject to the regulations and provisions of a Community Planning Permit System By-law as adopted by Council.
9	**Part VIII, Definitions**	By adding the following new Definition under Part VIII, Definitions: Community Planning Permit System – a land use planning tool under The Planning Act that combines the Zoning By-law, Site Plan Control and Minor Variance approvals into a single permit application and approval process. The *Community Planning Permit System* establishes regulations, permitted

		uses, standards, and criteria for variations for *development* within a *Community Planning Permit Area*.
10	**Part VIII, Definitions**	By modifying the following definitions under Part VIII, Definitions: Development - Within areas designated Community Planning Permit System, *development* means: ○ a change of use of land, ○ the construction, erection or placing of one or more buildings or structures on land, ○ the making of an addition or alteration to a building or structure that has the effect of substantially increasing its size or usability, ○ the laying out and establishment of: ○ a commercial parking lot, ○ sites for the location of three or more mobile homes as defined in subsection 46 (1) of the *Planning Act*, ○ sites for the construction, erection or location of three or more land lease community homes as defined in subsection 46 (1) of the *Planning Act*, or ○ sites for the location of three or more trailers as defined in subsection 164 (4) of the *Municipal Act*, 2001, ○ *site alteration*, including but not limited to: ○ alteration of the grade of land, and ○ placing or dumping fill, or ○ the removal of vegetation. In all other cases, Development means-

		The creation of a new *lot*, a change in land use, or the construction of buildings and structures requiring approval under the *Planning Act*, but does not include: 1. activities that create or maintain *infrastructure* authorized under an environmental assessment process; or 2. works subject to The Drainage Act.
11	**Part VIII, Definitions**	By modifying the following definitions under Part VIII, Definitions: ~~Special Needs Housing~~ Additional Needs Housing Any housing, including dedicated facilities, in whole or in part, that is used by people who have specific needs beyond economic needs, and includes, but is not limited to, needs such as mobility requirements or support functions required for daily living. Examples *may* include, but are not limited to, housing for persons with disabilities such as physical, sensory or mental health disabilities, seniors' housing, *group home*s, emergency shelters, housing for the homeless, and independent permanent living arrangements, where support services such as meal preparation, grocery shopping, laundry, housekeeping, respite care and attendant services are provided. It does not include households that receive community–based support services in their own home.
12	**Part VIII, Definitions**	By modifying the following definitions under Part VIII, Definitions: Development Application – Formal request to the City of Burlington and/or Region of Halton, for an Official Plan amendment, zoning by-law amendment, site plan approval, land conveyance, minor variance approval, plan of subdivision, plan of condominium, part-lot control application, <u>community planning permit application</u>**,** Niagara Escarpment development permit application, or Parkway Belt regulation application.
13	**Part VIII, Definitions**	By adding the following new Definition under Part VIII, Definitions:

		Linear Park and Greenway – A type of park that functions as an *active transportation* corridor and connection between open spaces, community facilities and/or neighbourhoods to support the objective of seamless connectivity through the *public realm*. Such parks *may* be manicured (Linear Park) or more natural looking (Greenway) and *may* include recreation or amenity opportunities.
14	**Part VIII, Definitions**	By modifying the following definition under Part VIII, Definitions: Major Transit Station Area (MTSA) – The area including and around any existing or planned *higher order transit* station, or stop within a *settlement area*; or the area including and around a major bus depot in an urban core. Major transit station areas generally are defined as the area within an approximate five hundred (500) m to eight hundred (800) m radius of a transit station, representing about a ten (10) minute walk. ~~In keeping with the policies of the Provincial Growth Plan, the final delineation of the Major Transit Station Area boundaries and the identification of minimum density targets, will be established by the Region of Halton through the municipal comprehensive review and will be implemented through a future Official Plan Amendment.~~ The *City*'s *MTSAs* are identified as *Protected Major Transit Station Areas* in accordance with The Planning Act and the Regional Official Plan.
15	**Part VIII, Definitions**	By adding the following new Definition under Part VIII, Definitions: Place of Assembly- Means a building or part of a building used to accommodate the gathering of people for events such as trade shows, banquets, conferences, conventions, meetings, seminars, workshops or other similar events and *may* include accessory food preparation.
16	**Part VIII, Definitions**	By adding the following new Definition under Part VIII, Definitions:

		Protected Major Transit Station Area – a Major Transit Station Area delineated and assigned a minimum density target in accordance with Section 16(16) of the Planning Act.
17	Chapter 14 List of Tables	Insert new Table 3- Classification of Major Transit Station Area Facilities as shown in Attachment 6
18	Chapter 14 – List of Tables	Insert new Table 4- Major Transit Station Area Public Right-of-Way Widths as shown in Attachment 7
This section is provided for reference purposes only and does not form part of the Official Plan.		
19	Appendices	Attachment 8 Figures 1,2 and 3 are presented using the best information available to form the basis for future updates to relevant appendices showing CH Regulated area and components thereof (Appendix E: Conservation Halton Approximate Regulation Limit Mapping)

1.2 Map Changes:

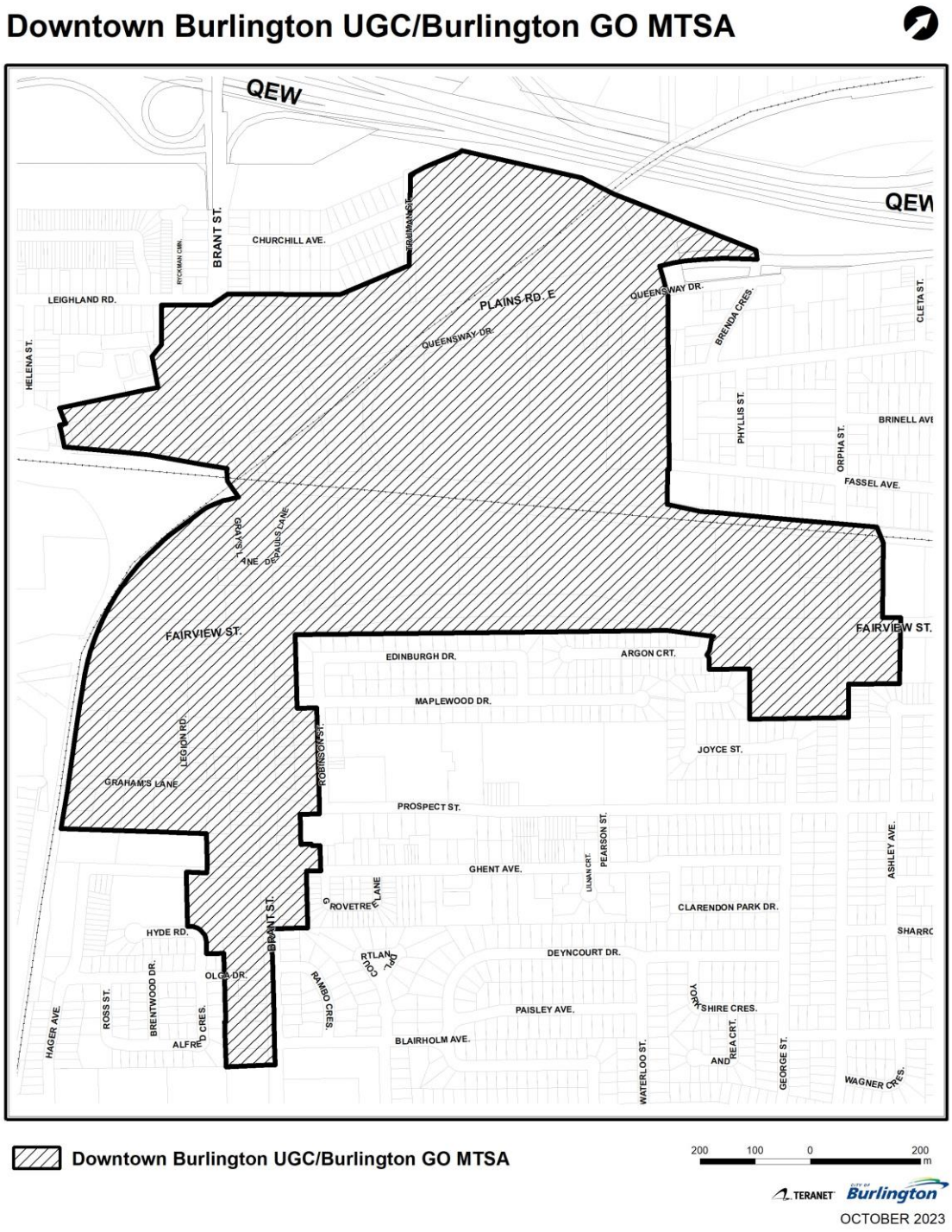
The following schedules in Attachment 5 to OPA 2 are hereby added to the Official Plan as follows:

Item No.	Section	Description of Change
19	Schedules	Insert new schedule as follows: Schedule F: Land Use – Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area
20	Schedules	Insert new schedule as follows: Schedule F-1: Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area Transportation Network
21	Schedules	Insert new schedule as follows: Schedule F-2: Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area Activated Streets

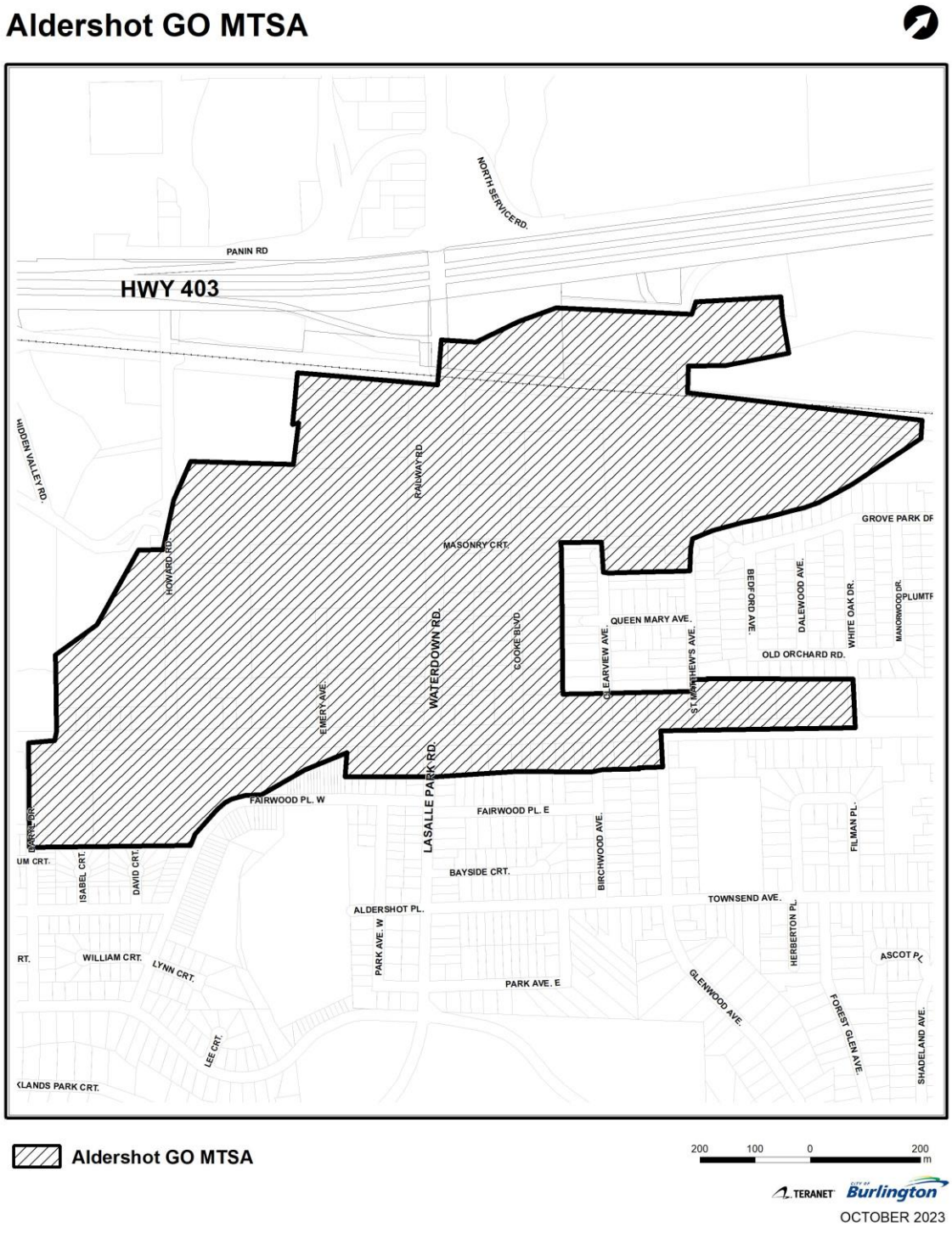
22	Schedules	Insert new schedule as follows: Schedule F-3: Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area Tertiary Planning Areas
23	Schedules	Insert new schedule as follows: Schedule G: Land Use- Aldershot GO Major Transit Station Area
24	Schedules	Insert new schedule as follows: Schedule G-1: Aldershot GO Major Transit Station Area Transportation Network
25	Schedules	Insert new schedule as follows: Schedule G-2: Aldershot GO Major Transit Station Area Activated Streets
26	Schedules	Insert new schedule as follows: Schedule G-3: Aldershot GO Major Transit Station Area Tertiary Planning Areas
27	Schedules	Insert new schedule as follows: Schedule H: Land Use- Appleby GO Major Transit Station Area
28	Schedules	Insert new schedule as follows: Schedule H-1: Appleby GO Major Transit Station Area Transportation Network
29	Schedules	Insert new schedule as follows: Schedule H-2: Appleby GO Major Transit Station Area Activated Streets

30	Schedules	Insert new schedule as follows: Schedule H-3: Appleby GO Major Transit Station Area Tertiary Planning Areas

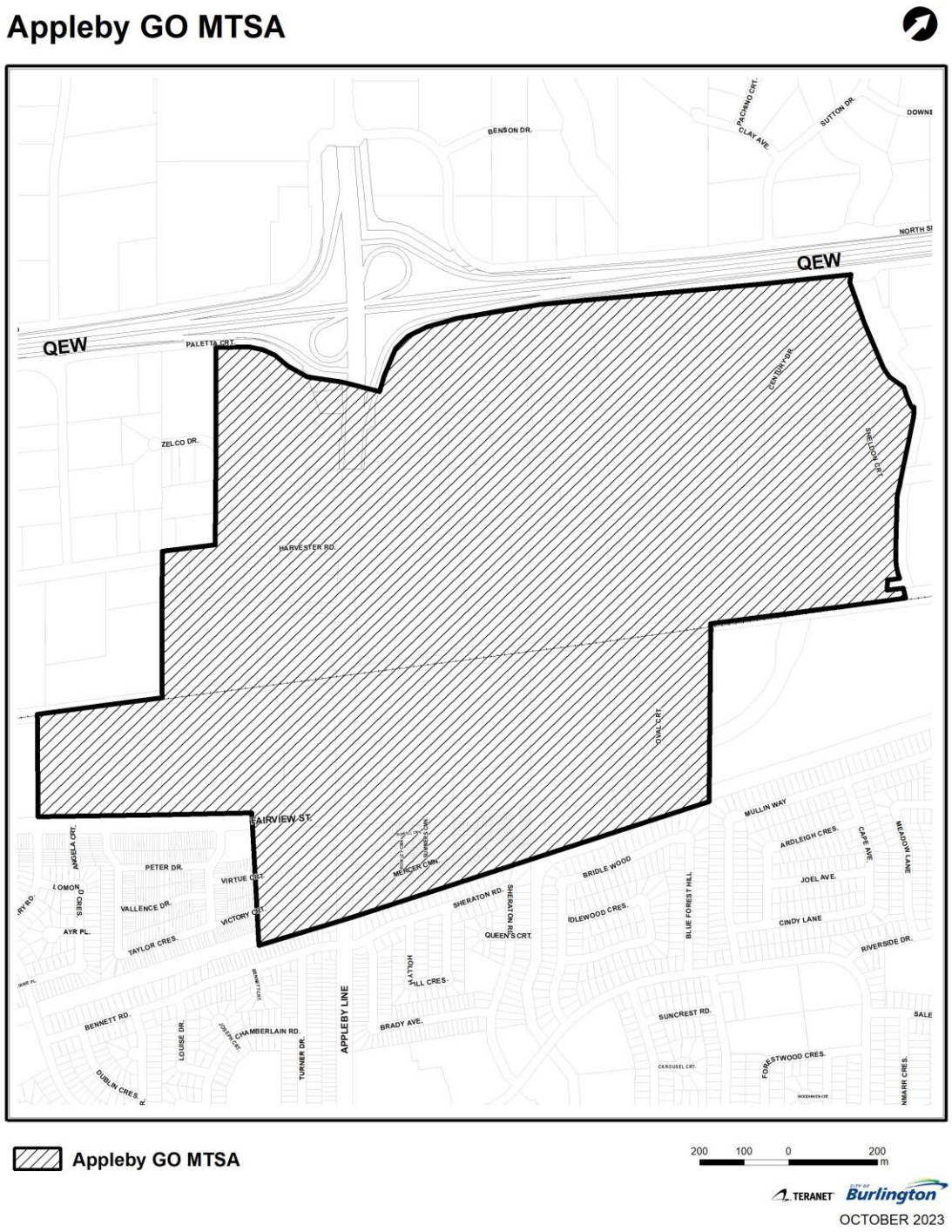
Attachment 1 to OPA 2- Subject Lands



Attachment 2 to OPA 2- Subject Lands



Attachment 3 to OPA 2- Subject Lands



Attachment 4 to OPA 2 – Major Transit Station Area Policies

8.1.2 Major Transit Station Areas

*Major Transit Station Area*s (*MTSAs*) are important components of the *City*'s Urban Structure, Growth Framework and transportation network and serve as city-wide destinations and focal points for the provision of transit. These areas are intended to accommodate growth through *intensification* in a variety of land uses and densities that support and facilitate a modal shift to transit and *active transportation* and deliver *complete communities.* The co-location of land use, green cover, and *multi-modal* transit in the MTSAs will support the *City*'s objective of reducing greenhouse gas (GHG) emissions and supporting climate change adaptation objectives and long-term climate resilience.

The *City* has three *Major Transit Station Area*s: Burlington GO, which is also the *City*'s Urban Growth Centre; Aldershot GO; and Appleby GO. The *MTSAs* have been identified and delineated as *Protected MTSAs* in accordance with the provisions of The Planning Act. These areas are identified as *Protected MTSAs* to implement a policy framework that protects elements such as the authorized use of the land and densities from appeal to the Ontario Land Tribunal.

This section establishes a vision for the *MTSAs* to evolve into three distinct and *complete communities* that will accommodate a significant share of the *City*'s population and *employment* growth to 2051 and beyond. Over the long term, these areas will contribute to accommodating population and employment growth in the *City*, and facilitate strategic economic development in accordance with the Chapter 5 of this Plan. The vision is supported by a series of policies organized into two components. The first set of policies and schedules establish the boundaries, minimum density targets and authorized uses of land for each *Major Transit Station Area.* The second set of policies and schedules, set out land use policies that are applicable to all *MTSAs* and are to be read in conjunction with other applicable policies of this Plan. All schedules are to be read together and in conjunction with all policies of this Plan.

A Community Planning Permit By-law will be established for the Burlington GO, Aldershot GO, and Appleby GO *Major Transit Station Areas* to achieve the vision for the *MTSAs* to evolve into urban destinations to provide the day to day needs of the community. The Community Planning Permit By-law will be designed to ensure that *development* within these areas will incrementally and comprehensively deliver on *complete community* elements, prioritizing *affordable housing*, rental housing, *employment* opportunities, and parks, amenities and facilities, while remaining flexible to allow the *City* to monitor and respond to changing needs of the community as it evolves over time.

8.1.2(1) General Objectives

a) To encourage the redevelopment of the *Protected Major Transit Station Areas* into *complete communities* that are mixed-use to provide a range of retail and *service commercial* uses that serve the needs of residents, intense, *transit-supportive*, safe, and respectful of surrounding areas including natural heritage system, parks and open space, and existing neighbourhoods.

b) To provide sufficient direction to ensure that *development* is consistent with the vision and intent of each *Protected Major Transit Station Area* and the function of the unique precincts that comprise them.

c) To encourage the highest *intensity* of *development* in the MTSAs where it is in closest proximity to major transit stations and current or planned *frequent transit*.

d) To ensure that the *Protected Major Transit Station Areas* provide *multi-modal* transportation opportunities while also providing seamless connections between different *modes* of transportation.

e) To ensure that there is an appropriate transition in *scale*, intensity, height, *massing* and spacing of *development* by including appropriate transitions between various land uses and built forms.

f) To achieve design excellence in the *Major Transit Station Areas* that will *encourage* long-term investment and the creation of high quality and sustainable built forms in the *public realm* contributing to achieving these communities with a unique sense of place.

g) To ensure *development* contributes to a lively, high-quality, comfortable *public realm* featuring a connected network of publicly accessible spaces such as public squares, parks and open spaces and *public service facilities*.

h) To support the retention and expansion of existing *employment* functions and *encourage* new *employment* functions and *employment* uses, including *office* and major *office* which are compatible with other uses and serve to make each MTSA an *employment* destination within the *City*.

8.1.2 (2) Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area

Downtown Burlington Urban Growth Centre/Burlington GO *Major Transit Station Area* is the *City*'s Urban Growth Centre and also known as Burlington Junction. Burlington Junction is the focal point for growth and *intensification*. It will have the greatest variety and *intensity* of uses in the *City*, from residential to commercial, *major office*, cultural, recreation, *public service facilities* and other *employment* uses. Burlington Junction will be a destination for residents and employees both within and beyond the *MTSA.*

The future transportation network in Burlington Junction will provide enhanced mobility and improved access to the GO station from the north and south of the rail corridor, as well as enhanced connections on the broader mobility network to the rest of the City. Enhanced *active transportation* and transportation connections, including investments to support community connectivity, will be made between Burlington Junction and the other *MTSAs*, adjacent neighborhoods and to the Downtown Urban Centre and Lake Ontario waterfront.

8.1.2 (2.1) Downtown Burlington Urban Growth Centre/ Burlington GO Major Transit Station Area (Burlington Junction)

a) The area surrounding and including the Burlington GO Station as shown on Schedule F: Land Use – Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area is a *Protected Major Transit Station Area* in accordance with The Planning Act.

b) *Development* within the Downtown Burlington Urban Growth Centre/*Major Transit Station Area* boundary *shall* be planned to achieve a minimum density of 200 residents and jobs per hectare combined and will contribute towards achieving the minimum density target of the Urban Growth Centre/*Major Transit Station Area*.

c) The minimum density target of 200 residents and jobs per hectare combined *shall* apply to the Downtown Burlington Urban Growth Centre/*Major Transit Station Area*.

d) Based on the minimum density of 200 residents and jobs per hectare combined, the corresponding population is approximately 15,985 residents and 8,449 jobs, for an estimated minimum of 24,434 residents and jobs combined to achieve a proportional target of approximately 65% residents and 35% jobs per hectare.

e) The proportional mix of residents and jobs is planned to 2051 and beyond and *shall* be monitored and adjusted in accordance with Section 8.1.2(10.2) and Section 12.3 of this Plan to track the achievement of the growth target.

f) The entire Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area is planned to achieve a minimum *floor area ratio* of 2.3 to be implemented and regulated through the Community Planning Permit By-law by way of permitted building heights.

8.1.2 (2.2) Downtown Burlington Urban Growth Centre/Major Transit Station Area Authorized Uses of Land

a) Schedule F: Land Use- Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area identifies the precincts, and their respective boundaries within the MTSA. The visions for each precinct, which *shall* be implemented through the *Community Planning Permit System* are as follows:

Burlington GO Urban Growth Centre/MTSA Precinct Visions	
Precinct	**The precinct will…**
Burlington GO Central	• Be the preeminent destination for *major office*, regional *public service facilities* as well as commercial, recreation, cultural and *entertainment uses*. • Accommodate high density *employment* centres, accommodate *affordable housing* and urban format retail, and focuses *tall buildings* close to the GO station. • Be designed and developed to support the area as a landing and leaving place for all transit trips. • Be developed with built-form transitions which ensure increased density is met with *streetscape* design that creates a pedestrian-focused area for travelers to arrive in, find amenities, and enjoy outdoor spaces. • Have the tallest buildings located along the rail corridor, where shadows will have the least impact. • Where *tall buildings* are located at the interface of parks and natural heritage systems, the *tall buildings* in this precinct will provide sufficient setback with reduced height to provide a transition and minimize shadow and wind impacts. • Include new transportation connections that will be further refined through tertiary planning, transportation studies and environmental assessments.
Queensway Commons	• Serve as a unique retail and *service commercial* destination with a comfortable and vibrant pedestrian environment with active uses at the street level and increased emphasis on pedestrian and *multi-modal* movement.

	• Be developed with public features such as flexible streets, community hubs and park features that offer unique opportunities for programming and community gatherings. • Be developed with mixed-use buildings throughout the precinct that contribute towards convenient co-location and the creation of lively, vibrant, and people-oriented places. • Be developed with predominately *mid-rise* built forms. • Large, single-use buildings are to be avoided to better establish a fine-grained street frontage along new *complete street*s.
Fairview Frequent Transit Corridor	• Be a vibrant, lively, and people-oriented place, serviced by frequent and diverse *modes* of travel. • Accommodate a significant concentration of residential, retail, *employment* and *service commercial* uses, with a main-street pedestrian experience along the *frequent transit corridor* of Fairview Street. • Have building setback treatments that allow for patio spaces, public open space, and enhanced tree canopies.
Urban Employment	• Continue to be an *employment area* as part of the Region of Halton Employment Area. • Evolve and accommodate more intensive *office* and additional *employment* uses.
Drury Node	• Function as the eastern entryway into Burlington Urban Growth Centre/MTSA. • Be developed as a mixed-use precinct focused around a new mid-block connection. • Accommodate a wide range of housing options with a variety of built form and services to provide for the day-to-day and weekly needs of residents within the precinct and the surrounding neighbourhoods.
Legion Commons	• Become a *complete community* and serve as a community hub, recognizing that the precinct includes former *City employment* lands that were converted for this purpose. • Include a new community hub that will provide for the introduction of new *public service facilities* such as community centres and will support the creation of a diverse range and mix of housing options, including the retention of existing rental housing. • Be planned to provide opportunities for *ground-oriented dwellings* as well as some ground and second floor retail and *service commercial* uses in mixed use buildings.

	• Retain an employment function through the new uses, including *public service facilities*, retail and *service commercial uses* that will serve this area. • Be subject to tertiary planning to ensure the delivery of *public service facilities* and community amenities.
Leighland Node	• Be planned to allow for *intensification* at the major intersection of Brant Street and Plains Road East. • Function as the gateway and key intersection of Brant Street and Plains Road East and provide opportunities for *public service facilities* as well as retail and *service commercial* uses within landmark buildings. • Serve as a key retail and *service commercial* area, sensitively connecting adjacent residential neighbourhoods to the Burlington GO Central Precinct.
Upper Brant	• Be planned to accommodate *developments* with a variety of building heights proportional to parcel depth along Brant Street between Prospect Street and Blairholm Avenue, with the tallest *developments* located along and north of Ghent Avenue. • Function as the connection between the Downtown Burlington Urban Centre and the Downtown Burlington Urban Growth Centre/Burlington GO *MTSA*. • Consist of *development* that generally achieves a height and density that reflects the precinct's walking distance to higher-order transit at the Burlington GO Station, and contributes to the creation of a transit, pedestrian and cycling oriented area while also achieving *compatibility* with adjacent Residential Low Density areas. • Maintain a low-rise feel for pedestrians along Brant Street through building setbacks above the third storey abutting Brant Street. • To balance the objectives of providing increased density within walking distance to the Burlington GO Station, providing for a transition to adjacent established low- rise residential areas and to provide for a setback along Brant Street above the third storey, flexibility *may* be considered in the depth of the setback from Brant Street above the third storey.
Mid-Rise Residential	• Support the general housing and height transition objectives of the *City*'s *Major Transit Station Area*s.

	• Include a variety of *low-rise* and *mid-rise building* forms, with the tallest buildings framing main streets such as Plains Road East, Queensway Drive, Brant Street, Fairview Street, and along the rail corridor. • Incorporate gradual transitions from the *mid-rise buildings* along Fairview Street, Drury Lane, Plains Road East and Leighland Road to the adjacent *low-rise* neighbourhoods, offering flexibility for new housing *development* to support the growing population of the area.
Low to Mid-Rise Residential	• Serve as a transition between existing *low-rise* residential neighbourhoods and the *intensification areas* within the *MTSA*. • Recognize that while the existing *low-rise buildings* in the precinct are not anticipated to redevelop in the long term, there are opportunities to accommodate new lower *mid-rise* residential and residential/mixed use.

b) The following uses *may* be permitted on land within the precincts identified on Schedule F: Land Use- Downtown Burlington Urban Growth Centre/Burlington GO *Major Transit Station Area* in accordance with the policies of this Plan and *shall* be regulated in accordance with the Community Planning Permit By-law:

   i. residential uses excluding single detached dwellings, and semi-detached dwellings;

   ii. *office* uses;

   iii. retail and *service commercial* uses;

   iv. *entertainment* uses;

   v. *recreation* uses;

   vi. *employment* uses

   vii. hotel uses;

   viii. *place of assembly*; and,

   ix. major trip generating facility.

c) *Public Service Facilities* and *institutional uses shall* be permitted in all precincts identified on Schedule F: Land Use - Downtown Burlington Urban Growth Centre/Burlington GO MTSA, of this Plan; with the exception of the Natural Heritage System precinct and in lands within *hazardous lands* and *hazardous*

sites as approximately shown on Appendix E of this Plan, and in accordance with the policies of this Plan and implemented through the Community Planning Permit By-law.

d) *Assisted* and *additional needs housing* are *encouraged* to locate in all precincts where residential uses are permitted identified on Schedule F: Land Use - Downtown Burlington Urban Growth Centre/Burlington GO MTSA and where public transit, retail and *public service facilities* are readily accessible, with the exception of *hazardous lands* and *hazardous sites* as approximately shown on Appendix E of this Plan, in accordance with the policies of this Plan and implemented through the Community Planning Permit By-law subject to reasonable planning standards and design criteria.

e) The enlargement or extension of a legal non-conforming use *shall* be permitted provided that the expansion or enlargement is used in the same manner and for the same purpose as it was used on the day OPA 2 was passed or is more compatible with the uses permitted.

8.1.2 (3) Aldershot GO Major Transit Station Area

The Aldershot GO *Major Transit Station Area,* also known as Aldershot Corners, is envisioned to continue to evolve as an urban neighbourhood with a distinct sense of place and neighbourhood identity that is connected with the surrounding community. Aldershot Corners is supported by five distinct precincts providing a mix of residential, commercial and *employment* uses, bordered by Hidden Valley Park to the west.

New *multi-modal* urban streets and *active* transportation facilities will support the continued evolution of Aldershot Corners into a walkable, urban community that is highly integrated with the existing surrounding community. The envisioned transportation network in the *MTSA* will provide enhanced mobility and improved access to the GO station as well as enhanced connections on the broader mobility network to the Burlington Urban Growth Center and the Downtown Urban Centre. The transportation network will also provide connections to nearby leisure and recreation opportunities such as parks and open spaces, as well as the many other amenities that Aldershot Corners already offers.

8.1.2 (3.1) Aldershot GO Major Transit Station Area (Aldershot Corners)

a) The area surrounding and including the Aldershot GO Station as shown on Schedule G: Land Use- Aldershot GO Major Transit Station Area, of this Plan, is a Protected *Major Transit Station Area* in accordance with The Planning Act.

b) *Development* within the Aldershot GO *Major Transit Station Area* boundary *shall* be planned to achieve a minimum density of 150 residents and jobs combined

per hectare and will contribute towards achieving the minimum density target of the *Protected Major Transit Station Area*.

c) The minimum density target of 150 residents and jobs combined per hectare *shall* apply to the Aldershot GO *Major Transit Station Area*.

d) Based on the minimum density of 150 residents and jobs combined per hectare, the corresponding population is approximately 15,249 residents and 2,565 jobs, for an estimated 17,814 residents and jobs combined to achieve a proportional target of approximately 80% residents and 20% jobs per hectare.

e) The proportional mix of residents and jobs is planned to 2051 and beyond and *shall* be monitored in accordance with Section 8.1.2(10.2) and Section 12.3 of this Plan to track the achievement of the growth target.

f) The entire Aldershot GO MTSA is planned to achieve a minimum *floor area ratio* of 1.5 to be implemented and regulated through the Community Planning Permit By-law by way of permitted building heights.

8.1.2 (3.2) Aldershot GO Major Transit Station Area Authorized Uses of Land

a) Schedule G: Land Use - Aldershot GO Major Transit Station Area identifies the precincts, and their respective boundaries within the MTSA. The visions for each precinct, which *shall* be implemented through the *Community Planning Permit System* are as follows:

Aldershot GO MTSA Precinct Visions	
Precinct	**The precinct will…**
Aldershot GO Central	• Be the focus area for the Aldershot GO *MTSA*'s highest densities. • Be the preeminent destination for *major office*, *affordable housing*, retail and *service commercial* uses within Aldershot Corners and the focus of the tallest buildings close to the GO station. • Ensure that, through built-form transitions, increased density is also met with *streetscape* design that creates a pedestrian-focused area for travelers to arrive in, find amenities, and enjoy outdoor spaces. • Be planned with the tallest buildings in the precinct located along the rail corridor, where shadows will have the least impact, and with the height peak of the precinct located where Waterdown Road intersects the rail line.
Aldershot Main Street	• Be characterized as a mid-rise precinct that advances the historic, neighbourhood driven-Plains Road Village Vision

	and establishes a unique community destination with a focus on a continuous retail frontage and main-street pedestrian experience along the *frequent transit corridors* of Waterdown Road and Plains Road (East and West).
Cooke Commons	• Be planned to accommodate a mix of uses, with *tall* and *mid-rise* mixed use buildings being the predominant built form and use. • Function as a transitional area between the tower-concentrated Aldershot GO Central Precinct and the Mid-Rise Residential and Aldershot Main Street precincts. • Consist of *development* which support the growth of a unique retail and dining destination, with a comfortable and vibrant pedestrian environment fronting onto a re-imagined Cooke Boulevard, including a potential flex street with active uses at the street level and increased emphasis on pedestrian and *multi-modal* movement.
Emery Commons	• Function as a transitional area between the tower-concentrated Aldershot GO Central Precinct and the Mid-Rise Residential and Aldershot Main Street precincts. • Accommodate a concentration of residential, retail, *employment* and *service commercial* uses in buildings with varying heights that contribute towards the creation of lively, vibrant and people-oriented places. • Become a new community hub for Aldershot Corners, with a concentration of community services, amenities and facilities. • Contain opportunities to consider strategic locations and investments for future City *public service facilities* in accordance with the policies of Section 3.2 of this Plan.
Mid Rise Residential	• Include a variety of *low-rise* and *mid-rise building* forms at the eastern and western edges of the Aldershot GO *Major Transit Station Area*. • Support the *Major Transit Station Area* objectives of providing housing as well as retail, *service commercial*, and *employment* opportunities in close proximity to the Aldershot GO Transit Station and allow for transitions to existing neighbourhoods beyond the *Major Transit Station Area* boundary. • Contain opportunities for intervening land uses within the Mid-Rise residential precinct on the east side of Waterdown Road to support achieving land use

	compatibility objectives and policies in relation to the existing CN Rail *major facility*.

b) The following uses *may* be permitted on land within the precincts identified on Schedule G: Land Use- Aldershot GO Major Transit Station Area in accordance with the policies of this Plan and *shall* be regulated in accordance with the Community Planning Permit By-law:

   i. residential uses excluding single detached dwellings, and semi-detached dwellings;

   ii. *office* uses;

   iii. retail and *service commercial* uses;

   iv. *entertainment* uses;

   v. *recreation* uses;

   vi. *hotel* uses; and

   vii. light assembly and manufacturing uses, *compatible* with abutting *sensitive land uses*.

c) *Public Service Facilities* and *institutional uses shall* be permitted in all precincts identified on Schedule G: Land Use - Aldershot GO Major Transit Station Area; with the exception of the Natural Heritage System precinct and in lands within *hazardous lands* and *hazardous sites* as approximately shown on Appendix E and in accordance with the policies of this Plan and implemented through the Community Planning Permit By-law.

d) *Assisted* and *additional needs housing* are *encouraged* to locate in all precincts where residential uses are permitted identified on Schedule G: Land Use - Aldershot GO Major Transit Station Area and where public transit, retail and *public service facilities* are readily accessible, with the exception of *hazardous lands* and *hazardous sites* as approximately shown on Appendix E of this Plan, in accordance with the policies of this Plan and implemented through the Community Planning Permit By-law subject to reasonable planning standards and design criteria.

e) The enlargement or extension of a legal non-conforming use *shall* be permitted provided that the expansion or enlargement is used in the same manner and for the same purpose as it was used on the day OPA 2 was passed or is more compatible with the uses permitted.

8.1.2 (4) Appleby GO Major Transit Station Area

The Appleby Gateway *MTSA* area is divided by the rail corridor into two sub-areas: Appleby GO North and Appleby GO South. Appleby Gateway *MTSA* North consists of largely existing *employment* uses and will continue to grow to accommodate more intensive *office* and *employment* uses while continuing to support existing *major facilities.* Appleby Gateway *MTSA* South will evolve as an urban village with a balanced mix of *employment*, residential and commercial opportunities, bordered by Sherwood Forest Park. The two areas will be connected by a new transit plaza, as well as enhanced *transportation facilities* crossing the rail line. Transitions from North to South will focus on land use compatibility and will include mitigation measures to protect both existing *employment* uses and new and existing *sensitive land uses*.

A network of new and enhanced *complete street*s and *active transportation facilities* will create additional options for riders travelling to and from the GO Station during peak periods, helping to manage congestion. The transportation network will provide access to recreation opportunities in nearby parks and open spaces, while also improving connectivity throughout Appleby Gateway, to the adjacent neighbourhood, other *MTSA*s and the Urban Growth Centre, and beyond.

8.1.2 (4.1) Appleby GO Major Transit Station Area (Appleby Gateway)

a) The area surrounding and including the Appleby GO Station as shown on Schedule H: Land Use - Appleby GO Major Transit Station Area is a Protected *Major Transit Station Area* in accordance with The Planning Act.

b) *Development* within the Appleby GO *Major Transit Station Area* boundary *shall* be planned to achieve a minimum density of 120 residents and jobs per hectare combined will contribute towards achieving the minimum density target of the Protected *Major Transit Station Area*.

c) The minimum density target of 120 residents and jobs per hectare combined *shall* apply to the Appleby GO *Major Transit Station Area*.

d) Based on the minimum density of 120 residents and jobs per hectare combined, the corresponding population is approximately 5,458 residents and 19,579 jobs, for an estimated 25,037 residents and jobs combined to achieve a proportional target of approximately 40% residents and 60% jobs per hectare.

e) The proportional mix of residents and jobs is planned to 2051 and beyond and *shall* be monitored in accordance with Section 8.1.2(10.2) and Section 12.3 of this Plan to track the achievement of the growth target.

f) The entire Appleby GO MTSA is planned to achieve a minimum *floor area ratio* of 1.2 to be implemented and regulated through the Community Planning Permit By-law by way of permitted building heights.

8.1.2 (4.2) Appleby GO MTSA Authorized Uses of Land

a) Schedule H: Land Use - Appleby GO Major Transit Station Area identifies the precincts within the MTSA. The visions for each precinct that will be implemented through the Community Planning Permit System are as follows:

Appleby GO MTSA Precinct Visions	
Precinct	**The precinct will…**
General Employment	• Continue to provide locations for existing, new and/or relocating manufacturing, assembly, distribution and service *industrial* uses. • Provide a broad range of light *industrial* to *office* uses with a mix of *office* and low-rise *employment* built form while ensuring *compatibility* with adjacent *sensitive land uses*.
Urban Employment	• 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 access and high visibility along major transportation routes. • Allow for the continuation of existing uses subject to the policies of 8.1.2(6) of this Plan.
Appleby GO Central	• Accommodate *major office*, *public service facilities* as well as commercial, recreation, cultural and *entertainment uses*. • Accommodate a higher density mix of uses including *affordable housing* and retail with a focus of *tall buildings* close to the GO station and along the rail. • Be designed and developed to support improved connectivity to the *employment* area north of the rail. • Be planned and developed in a manner that ensures the long term viability of the *employment* uses on the north side of the rail corridor and minimizes and mitigates potential *adverse effects* to new *sensitive land uses* in the precinct. • Have the tallest buildings with appropriate compatibility mitigation located along the rail corridor, where shadows will have the least impact. • Where *tall buildings* are located at the interface of parks and natural heritage system precinct, the *tall buildings* in this precinct will provide sufficient setbacks with reduced height to provide a transition and minimize shadow and wind impacts.

Fairview Frequent Transit Corridor	• Be a vibrant, lively, and people-oriented place, serviced by frequent *multi-modal* travel opportunities. • Be a unique community destination with a focus on a continuous retail frontage and main-street pedestrian experience. • Accommodate a significant concentration of residential, retail, *employment* and *service commercial* uses, with a main-street pedestrian experience along the *frequent transit corridor* of Fairview Street, and setback treatments that allow for patio spaces, public open space, and enhanced tree canopies.
Mid-Rise Residential	• Support the general housing and height transition objectives of this Plan offering gradual transitions from the adjacent existing low rise neighbourhoods.
Low to Mid-Rise Residential	• Encompass an area that includes existing *low-rise* residential neighbourhoods within the *Major Transit Station Area*. • Recognize that the existing *low-rise buildings* in the precinct are not anticipated to redevelop in the long term.

b) The precincts identified south of the rail corridor on Schedule H: Land Use - Appleby GO Major Transit Station Area *may* permit the following authorized uses of land in accordance with the policies of this Plan and *shall* be regulated in accordance with the Community Planning Permit By-law:

   i. residential uses excluding single detached dwellings, and semi-detached dwellings;

   ii. *major office* and *office* uses;

   iii. retail and *service commercial* uses;

   iv. *hotel* uses;

   v. *recreation uses* ; and

   vi. *entertainment uses*.

c) The precincts identified north of the rail corridor on Schedule H: Land Use - Appleby GO Major Transit Station Area *may* permit the following authorized uses of land and *shall* be regulated in accordance with the Community Planning Permit By-law:

   i. *Industrial* uses;

ii. *Employment* uses;

iii. *office* and *major office* uses;

iv. *automotive commercial* uses, excluding *large scale motor vehicle dealership*;

v. *accessory* retail and *service commercial uses* which serve the day to day needs of employees; and,

vi. A limited range of *recreation uses* such as fitness centres and gyms that meet the definition of *ancillary employment use*, as defined by this Plan, and *shall* be located within a building with existing or planned *employment* uses.

d) *Public Service Facilities* and *institutional uses shall* be permitted in all precincts identified on Schedule H: Land Use - Appleby GO Major Transit Station Area with the exception of the Natural Heritage System precinct and in lands within *hazardous lands* and *hazardous sites* as approximately shown on Appendix E and in accordance with the policies of this Plan and implemented through the Community Planning Permit By-law.

e) *Assisted* and *additional needs housing* are *encouraged* to locate in all precincts where residential uses are permitted identified on Schedule H: Land Use- Appleby GO Major Transit Station Area and where public transit, retail and *public service facilities* are readily accessible, with the exception of *hazardous lands* and *hazardous sites* as approximately shown on Appendix E of this Plan, in accordance with the policies of this Plan and implemented through the Community Planning Permit By-law subject to reasonable planning standards and design criteria.

f) The enlargement or extension of a legal non-conforming use *shall* be permitted provided that the expansion or enlargement is used in the same manner and for the same purpose as it was used on the day OPA 2 was passed or is more compatible with the uses permitted.

g) The lands at 720, 735, 740 Oval Court and 5135, 5155 Fairview Street are excluded from the Community Planning Permit policies and any Official Plan policies to be implemented through the Community Planning Permit process.

The policies within Sections 8.1.2(5) through to 8.1.2(10) and other applicable policies of this Plan provide direction for all precincts within the City's three *Major Transit Station Areas*.

8.1.2 (5) Water, Wastewater and Transportation Infrastructure

To support *intensification* within the *Major Transit Station Areas*, the comprehensive study of planning, phasing and ultimately financing of *infrastructure* in an integrated manner must be prioritized. Planning for *infrastructure* is undertaken by the Region of Halton and a number of different partner agencies and organizations with information provided by the *City*. Collaboration is necessary to ensure that there are services in place to support new population and employment uses as growth occurs.

Accommodating growth through *intensification* requires investment in the transportation network to ensure that people of all ages and abilities have a variety of travel options. The *multi-modal* network will be safe, accessible, and balanced, supported by the prioritization of walking, cycling and transit facilities including first and last mile connections to transit facilities. The *multi-modal* network of *complete street*s will be designed based on the safe integration of all *modes* of travel.

8.1.2 (5.1) Water and Wastewater Infrastructure

a) *Infrastructure* will be delivered in accordance with Section 6.1 of this Plan.

b) In accordance with the City's Growth Framework, the phasing of municipal *sewage and water services* capacity improvements amongst the *Major Transit Station Area*s *shall* be as follows:

    i) the Downtown Burlington Urban Growth Centre/Burlington GO *MTSA*;
    ii) Aldershot GO *MTSA*; and
    iii) Appleby GO *MTSA*.

c) D*evelopment shall* be connected to municipal *sewage and water services* in accordance with the Region of Halton's Water and Wastewater Master Plan.

d) *Development shall* be limited to the capacity and financial capability of the Region of Halton to deliver municipal *sewage and water services* in accordance with Subsection 8.1.2(10.2) b) of this Plan.

e) In accordance with the findings of the Functional Servicing Report, further study regarding the impact of planned *MTSA intensification* and its relation to other planned *development* on the Regional scale *shall* be required. The *City* will work with the Region to scope and deliver a targeted Enhanced Functional Servicing study, assessing impacts of the *Major Transit Station Areas* on the broader Regional Water and Wastewater system. This study *may* be carried out by the

City and/or developer, with a terms of reference approved by the *City* and Region.

f) Notwithstanding, 8.1.2 (5.1) e) *development* proceeding ahead of the completion of this study *shall* demonstrate, to the satisfaction of the Region, that the existing water and wastewater systems can accommodate the proposed growth.

g) In accordance with Section 8.1.2(10.2) of this Plan, the *City* will monitor growth in the *MTSAs* and collaborate with the Region to confirm the appropriate study, phasing and financing elements are in place to ensure the timely delivery of *infrastructure* investment to unlock growth in MTSAs.

h) The *City* will coordinate the timing of its *infrastructure* projects, including *streetscape* improvements and future road projects, with upgrades to sewage and water networks in collaboration with the Region of Halton to minimize the impacts of construction on the residents and businesses.

i) The co-location of linear *infrastructure* is *encouraged*, where appropriate.

8.1.2(5.2) Transportation Network

a) Street design *shall* comply with Table 1: Classification of Transportation Facilities and Table 3: Classification of *Major Transit Station Area* facilities, of this Plan.

b) The location of streets and off-street trail *active transportation* connections are conceptual and *shall* be provided, as identified on Schedule F-1: Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area Transportation Network, Schedule G-1: Aldershot GO Major Transit Station Area Transportation Network, and Schedule H-1: Appleby GO Major Transit Station Area Transportation Network, of this Plan. Further refinements and additions to the street and *active transportation* network *may* be determined through tertiary planning in accordance with Subsection 8.1.2(10.1) of this Plan or through the consideration of a Community Planning Permit application or other approval.

c) The ultimate location and design of any new streets, whether identified on Schedule F-1: Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area Transportation Network, Schedule G-1: Aldershot GO Major Transit Station Area Transportation Network, and Schedule H-1: Appleby GO Major Transit Station Area Transportation Network, or through policy, *shall* be reviewed through a *development application,* Community Planning Permit application or an Environmental Assessment process in accordance with the design parameters of Table 1: Classification of Transportation Facilities and Table 3: Classification of Major Transit Station Area Facilities, of this Plan.

d) The public street rights-of-ways as shown on Schedule F-1: Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area

Transportation Network, Schedule G-1: Aldershot GO Major Transit Station Area Transportation Network, and Schedule H-1: Appleby GO Major Transit Station Area Transportation Network and in Table 4: Major Transit Station Area Public Right-of-Way Widths, of this Plan, *shall* be protected and secured through the processing of a Community Planning Permit application, unless waived by the *City* and/or Region in accordance with Subsection 6.2.7(2)f) of this Plan. Reductions to public right-of-way allowance widths will only be considered provided the *City's* objectives to achieve complete streets standards, including all mobility, transit and design needs, have been addressed. Further, any public right-of-way identified in a detailed engineering study or Environmental Assessment study by the *City* and/or Region *shall* be protected and secured in the same way through the Community Planning Permit application.

e) A detailed, intersection level Transportation Impact Assessment Study *shall* be completed for *development* proposals to assess the impacts of traffic on the local and Regional road network and to identify *infrastructure* upgrades and access improvements subject to an approved Terms of Reference approved by the *City* and/or Region and in accordance with the most up to date *City* and/or Regional Guidelines and Bylaws. Should the Transportation Impact Assessment Study determine the public right-of-way is not needed, connections *may* be implemented through private or condo road.

f) Where a Transportation Impact Assessment Study identified in Section 8.1.2(5.2) e) determines that capacity is not available, *development shall* not be permitted until improvements to address the identified constraints have been implemented to the satisfaction of the *City* and Region including alternative *modes* of travel, *Transit Priority Measures (TPM), Transportation Demand Management (TDM)* measures and other approaches outlined in the Burlington Integrated Mobility Plan and the Region's most up to date Transportation Master Plan.

g) A Transportation Study or Transportation Impact Assessment Study *shall* be required as part of a Tertiary Planning process where tertiary planning is required in accordance with Section 8.1.2 (10.1).

h) Minor modifications to the location, size and alignment of the conceptual streets *may* be permitted without amendment to this Plan and *Community Planning Permit System* provided that such modifications continue to meet the objective of delivering *active transportation* connections and City design standards are approved by the *City* and Halton Region in accordance with their applicable guidelines.

i) *Development* proposals *shall* be located on public streets or roads, unless it can be demonstrated by the proponent to the satisfaction of the *City* that a private street or road is equally desirable from the standpoints of functionality,

community safety, efficiency, servicing, neighborhood connectivity, facilitating ease of land assembly for future *development*, reducing *negative* environmental impacts and minimizing financial impacts to the *City*.

j) Streets *shall* be planned as *complete streets* in accordance with the policies of this Plan.

k) The *City will* prepare Complete Street design guidelines as directed by the Integrated Mobility Plan, to provide guidance for the *complete streets* network, establish detailed engineering and design standards for the construction of new roads and improvements to existing roads, and to provide design opportunities for *flex streets*.

l) New streets to support *development shall* consist of short blocks and frequent crossings that will improve *active transportation* and vehicular connections.

m) Midblock connections including *active transportation* connections *should* be incorporated to support site permeability and enhance pedestrian access.

n) The *City shall* study and implement Bus Rapid Transit facilities with dedicated lanes as identified on Schedule B-2 Growth Framework and Long Term Frequent Transit Corridors of this Plan.

o) A Municipal Class Environmental Assessment *shall* be required to determine the need, feasibility and location of major grade separated crossing connections that support the goals and objectives of the City's Integrated Mobility Plan and consider rebalancing the transportation network and required people movement capacity in the following areas:

    i) a north-south Major Collector grade separated crossing connecting the north Burlington GO Central precinct to the south Burlington GO precinct to Fairview Street *shall* be required and the lands *shall* be dedicated to the in accordance with the Tertiary Plan.

    ii) a north-south Arterial grade separated crossing and enhanced *active transportation facilities* connecting Harvester Road to Fairview Street, *shall* be required. The lands *shall* be dedicated to the City in accordance with the Tertiary Plan.

p) The evaluation of other potential major network improvements in the area identified on Schedule F-1: Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area Transportation Network, of this Plan, as 'Area Subject to Further Study' and enhanced *active transportation facilities shall* also be required.

q) The *City* will collaborate with the appropriate agencies to secure an *active transportation* grade crossing at the north end of Century Drive across the QEW as shown on Schedule H-1: Appleby GO Major Transit Station Area Transportation Network and in Burlington GO across the QEW as identified on Schedule F-1: Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area Transportation Network, of this Plan.

8.1.2 (5.3) Laneways

a) Laneways *may* be considered to provide a pedestrian and mid-block connection to the interior of *development,* as well as access to the required deliveries, services and utilities for the building.

b) Laneways *should* be located in the middle or rear of *development* with access points providing adequate distance between intersections and existing driveways in accordance with a Transportation Impact Assessment.

8.1.2 (5.4) Active Transportation Network

a) *Active transportation* connections *shall* be provided both on existing and proposed streets in accordance with Schedule F-1: Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area Transportation Network, Schedule G-1: Aldershot GO Major Transit Station Area Transportation Network, and Schedule H-1: Appleby GO Major Transit Station Area Transportation Network, of this Plan.

b) Off-Street trail a*ctive transportation* connections, as shown on Schedule F-1: Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area Transportation Network, Schedule G-1: Aldershot GO Major Transit Station Area Transportation Network, and Schedule H-1: Appleby GO Major Transit Station Area Transportation Network, of this Plan, and Potential *Linear Park and Greenway* elements identified on Schedule F: Land Use - Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area, Schedule G: Land Use - Aldershot GO Major Transit Station Area and Schedule H: Land Use - Appleby GO Major Transit Station Area, *shall* be planned to facilitate direct connections within and outside of the *Major Transit Station Area*s and provide recreational opportunities in accordance Section 6.2.4 and Schedule Q: Trails Strategy, of this Plan.

8.1.2 (6) Land Use Compatibility

a) *Development* of *sensitive land uses* and *major facilities shall* be in accordance with Section 4.6 and Subsection 8.1.2(6), of this Plan.

b) Where avoidance is not possible, *development* containing *sensitive land uses shall* demonstrate how land use *compatibility* has been evaluated and addressed through a Land Use Compatibility Screening Assessment to confirm whether the site is within the potential influence area of a *major facility* and the need for a Land Use Compatibility Study, in accordance with Provincial and Regional guidelines, and where required, a Land Use Compatibility Study in accordance with 8.1.2(6) c). *Development* of new *sensitive land uses shall* only be permitted where the impacts to existing and planned *industrial*, manufacturing or other *major facilities* and potential new *major facilities,* as permitted through the Community Planning Permit By-law, have been minimized and mitigated to the satisfaction of the *City*.

c) Where proposed *development* contains *sensitive land uses*, a Land Use Compatibility Study *shall* be undertaken based on a Terms of Reference developed by the *City* which *may* include but is not limited to, the following:

i. Detailed site description and proposed use;

ii. Building *massing*, transitions, location and height description;

iii. Description of air emissions' and noise impact from surrounding environment on proposed *development*;

iv. Proposed measures, including at-source mitigation and the consideration of intervening land uses, to demonstrate mitigation;

v. Required engagement with existing industry landowners;

vi. In the case where land that has been converted from an exclusive *employment* designation, the study *shall* consider the plans of the existing industry to phase out and/or relocate the use;

vii. Warning clauses in offers of purchase and sale, lease or rental agreements and condominium declarations, or other *development* agreement as applicable, *shall* be determined and secured through the planning application process, and *may* include but not be limited to advising purchasers and future occupants of:

a) the proximity of *industrial* uses with associated heavy truck traffic; and,

b) the proximity of the railway and associated rail traffic and operations.

viii. Any other considerations that *may* be required or recommended in accordance with applicable Provincial policies and guidelines.

d) The City *shall* consult with operators or landowners of existing *major facilities* when preparing the Terms of Reference for a Land Use Compatibility Study.

e) Land use *compatibility* studies *shall* include engagement with existing industry landowners and the owners of lands with the potential for new *major facilities* including other vacant lands designated for employment use and quantitative analysis to demonstrate compatibility with respect to air quality contaminants, odour, dust, noise and vibration. The *development* proponent of a *sensitive land use shall* share the Land Use Compatibility Study with the existing impacted industry landowner. 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 study will be carried out by a qualified professional retained by the City at the applicant's expense.

f) To protect the operational and economic viability of existing and planned *major facilities*, the introduction of new *sensitive land uses shall* not be permitted within the Potential Influence Area of a *major facility* in accordance with Provincial guidelines until it can be demonstrated that the potential impacts to the facility are minimized and mitigated, and that *land use compatibility* can be maintained to the satisfaction of the *City*.

g) Where a Land Use Compatibility Study recommends that source based and/or receptor based noise control measures are required, the noise control measures *shall* be undertaken at the expense of the applicant. For any source based noise control measures, the applicant *should* work cooperatively with the noise source owner and *should* enter into an agreement for implementation and perpetual maintenance of the noise control measures. Source based noise control measures will not be feasible without authorization from the noise source owner.

h) For proposed *development*s where source mitigation is required, appropriate agreements *should* be enacted to ensure monitoring of the long term maintenance of recommended and employed mitigation measures to support new *sensitive land uses*.

i) The *City shall* develop procedures for assessing environmental noise matters for new *development*, including, but not limited to, criteria for the consideration and formal confirmation of a Class 4 area, in accordance with any applicable Provincial and Regional guidelines.

8.1.2 (7) Natural Heritage System Precinct

a) The Natural Heritage System Precinct is shown on Schedule F: Land Use - Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area, Schedule G: Land Use - Aldershot GO Major Transit Station Area, and Schedule H: Land Use - Appleby GO Major Transit Station Area, of this Plan.

b) Proposed *development shall* consider the impacts to all Key Features and components of the Natural Heritage System Precinct, as well as Key Features and components of the Natural Heritage System on adjacent lands, in accordance with the policies of this Plan and the Regional Official Plan.

c) Where *development* is proposed within 120 metres or adjacent to the Natural Heritage System Precinct, as shown on Schedule F: Land Use - Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area, Schedule G: Land Use - Aldershot GO Major Transit Station Area, and Schedule H: Land Use - Appleby GO Major Transit Station Area, of this Plan, an Environmental Impact Assessment (EIA) *shall* be required in accordance with the policies of this Plan.

d) In accordance with Section 4.2.2 of this Plan, the boundaries of the Natural Heritage System Precinct *may* be refined, with additions, deletions and/or boundary adjustments and *shall* not require an Official Plan Amendment.

e) *Buffers* for identified *significant woodlands shall* be no less than 10m wide and *shall* form part of the City's Natural Heritage System precinct. Non-intensive pedestrian trails *may* be located within these *buffers* where *negative impacts* to *woodlands* can be minimized as demonstrated through an Environmental Impact Assessment and accepted by the *City* and Halton Region.

8.1.2 (7.1) Natural Hazards and Flood Hazards

a) *Development* proposals *shall* consider the recommendations and findings from the latest Flood Hazard Assessments and Stormwater Management Plans and any flood hazard reduction or mitigation studies pertaining to each *Major Transit Station Area*.

b) The delineation and regulation of *hazardous lands* and *hazardous sites* is administered by Conservation Halton. Conservation Halton regulates lands in or adjacent to river or stream valleys (including *flooding* and *erosion hazards*), *wetlands*, shorelines and other *hazardous lands*. *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 and associated regulated allowances, in accordance with Conservation Halton's regulatory and legislative requirements.

c) *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* and Conservation Halton.

d) *Flooding hazards*, including spills, *shall* be assessed by *development* proponents utilizing the best flood hazard modeling information available to demonstrate *development* is consistent with provincial natural hazard policy and meet Conservation Halton regulatory and legislative requirements, to confirm requirements for on-site stormwater management quantity and quality controls and to ensure any required floodproofing for safe-ingress and egress is implemented in accordance with the *City's* Stormwater Management Design guidelines in addition to Conservation Halton and Provincial requirements.

e) *Adverse effects* of *development* on the downstream aquatic environment including *watercourse* erosion, *shall* be avoided or mitigated to the satisfaction of the *City* and Conservation Halton.

f) Conservation Halton's Approximate Regulated Limit mapping is illustrated on Appendix E. The map lines are approximate. Technical studies *may* be required to identify regulated *hazardous lands*, *hazardous sites*, *watercourses* and *wetlands* that are unmapped and/or refine the Approximate Regulation Limit mapping at a site-specific level. Conservation Halton must be contacted to confirm the approximate regulation limit mapping and permit requirements.

g) The *City may* update the relevant appendices of this Plan from time to time without amendment to this Plan, in accordance with the latest Flood Hazard Assessments, Stormwater Management Plans, and any flood hazard reduction/mitigation studies pertaining to each *Major Transit Station Area* and the policies of this Plan.

8.1.2 (8) Urban Design and Public Realm

8.1.2 (8.1) Public Realm

a) The design of the *public realm* and the private realm *should* be coordinated to provide attractive *streetscapes* throughout the *MTSA*s.

b) *Streetscape* improvements will be scheduled and phased appropriately with road and *infrastructure* projects, as well as timing of *development,* in accordance with Section 8.1.2 (5.1) of this Plan. Proponents of *development shall* collaborate with the *City* to align *development* with road and *infrastructure* projects, where it is deemed appropriate by the *City*.

c) Any new public streets developed in accordance with Section 8.1.2(5.2) *should* include appropriate linkages to new and existing parks or potential l*inear parks and greenways*. Where feasible and appropriate, elements which enhance the functionality of park linkages *should* be incorporated into the design of new streets (e.g., additional seating, provision of shade, street trees and accessibility requirements).

d) For lands that are not subject to a Tertiary Plan as identified in Section 8.1.2(10.1), a shared distribution of the responsibility among landowners to provide street *infrastructure*, *active transportation* connections and parks to contribute to the *public realm* is required through the comprehensive planning of contiguous lots, where applicable, based on good planning principles.

e) *Development* proponents *shall* demonstrate that the proposal will not compromise the ability of *development* on adjacent property(ies) to meet the objectives and policies of this Plan and will be designed to facilitate future pedestrian, cycling and/or private street connections across one or more adjacent properties, where such opportunities exist as determined by the *City*.

8.1.2 (8.2) Activated Streets

Activated Streets located in *MTSA*s will be designed to cater to pedestrians and create a vibrant *streetscape* for leisure, shopping, dining and working. *Public realm* and built form design will establish the safety and comfort of pedestrians as the first priority. Design will focus on creating a safe, welcoming and comfortable environment for high volumes of pedestrians across all seasons. Where Activated Streets have been identified on Schedule F-2: Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area Activated Streets, Schedule G-2: Aldershot GO Major Transit Station Area Activated Streets, and Schedule H-2: Appleby GO Major Transit Station Area Activated Streets, of this Plan, uses such as stores, restaurants, patios, *public service facilities, institutional uses*, *offices* and residential lobbies will help to create vibrancy and activation on these important streets within the *MTSAs*.

Activated streets will experience near constant evolution, be it through *redevelopment* or tenant changes over time. Every effort *should* be made to maintain and support the character and continuity of activated streets throughout this evolution.

a) In accordance with Schedule F-2: Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area Activated Streets, Schedule G-2: Aldershot GO Major Transit Station Area Activated Streets, and Schedule H-2: Appleby GO Major Transit Station Area Activated Streets, of this Plan:

    i. along Major Mixed Use Streets, retail, *service commercial, institutional uses,* day care centre*, public service facilities* or *office* uses *shall* be

required continuously at grade in buildings having frontage onto public streets, with the exception of the following as established through the Community Planning Permit By-law:

a. *Primary Public Entrances* are permitted at grade facing Major Mixed Use Streets in conjunction with other permitted uses;

b. *development* located within a Low to Mid-Rise Residential and Mid-Rise Residential Precincts *may* be exempt from the requirements of Major Mixed Use Streets, provided it can demonstrate to the satisfaction of the *City* that the proposal will provide and enhanced *public realm* and will not compromise the objectives of Activated Streets.

c. *development* located along a Major Mixed Use Street *may* be permitted to include indoor common residential amenity area on the first or second floor of a building, provided it is subordinate in size to any required non-residential and is not facing the Major Mixed Use Street.

ii. along General Mixed Use Streets, retail, *service commercial*, *institutional uses*, day care centre and *public service facilities* and *office* uses are encouraged at grade in buildings fronting onto public streets.

iii. Notwithstanding Section 8.1.2(8.2) a) i), and ii) of this Plan, *institutional uses* and day care facilities are permitted as stand-alone uses along activated streets.

b) In accordance with Section 8.1.2(5.2) of this Plan, where a new public street not shown on Schedule F-2: Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area Activated Streets, Schedule G-2: Aldershot GO Major Transit Station Area Activated Streets, and Schedule H-2: Appleby GO Major Transit Station Area Activated Streets, of this Plan, is proposed, or where a new public street is proposed within an area subject to a Tertiary Plan in accordance with Section 8.1.2(10.1) of this Plan, the *City* will determine the appropriate category of activated street. The *City* will consider objectives and vision of the precinct or precincts which the new street will cross, as well as the location of the new street in relation to other existing or proposed activated streets.

c) *Development shall* demonstrate how the amount of proposed non-residential uses at grade will support the MTSA proportional job targets and the *City's* objectives for activated streets.

d) Along Mixed Use Major Streets, the gross floor area of existing retail and *service commercial* uses *should* be considered the minimum requirement for the maintenance, restoration or replacement of retail and *service commercial uses* in any new *development*.

e) The Community Planning Permit By-law *shall* establish requirements for new *development* along activated streets to be designed in a manner that ensures flexible and functional ground floor retail and *service commercial* units that contribute to a vibrant, active and animated built environment, including, but not limited to:

   i. Minimum first floor height and floor area;

   ii. Maximum frontage at grade for units to create a character of smaller shops;

   iii. Minimum setbacks to expand the pedestrian realm; and,

   iv. Design guidance to support the character and continuity of activated streets.

8.1.2 (8.3) Built Form Transitions

a) The *City's* implementing Community Planning Permit By-law *shall* establish appropriate regulations which:

   i. ensure *compatibility* between a new *development* and existing built form in the Low to Mid-Rise Residential precinct as shown on Schedule F: Land Use- Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area, Schedule G: Land Use- Aldershot GO Major Transit Station Area and Schedule H: Land Use- Appleby GO Major Transit Station Area, Established Neighbourhood Area shown on Schedule B-1: Growth Framework of this Plan, as well as existing or new parks including linear parks and greenways; and

   ii. support diversity and flexibility in building form *massing* and design.

8.1.2 (8.4) Complete Communities Elements

a) *Public service facilities* and *institutional uses shall* be permitted in all precincts of the MTSAs with the exception of the Natural Heritage System precinct, Natural Hazards overlay, General Employment and Urban Employment precincts in accordance with Section 3.2.2 c), d and e) of this Plan, subject to land use *compatibility* policies for existing *major facilities*.

b) *Public service facilities and institutional uses* are *encouraged* to co-locate with other uses within a single building, site, mixed-use *development* or community hub.

c) *Public service facilities shall* be planned for and designed to meet the needs of the *City* and other public service providers in accordance with their respective master planning work to support long-term growth.

d) The prioritization of investment in *public service facilities* will be considered in accordance with Section 6.1.2 of this Plan.

e) *Public service facilities* are encouraged to be located within close proximity to *linear parks and greenways*, along public transit networks or *active transportation* connections as identified on Schedule F: Land Use - Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area, Schedule G: Land Use - Aldershot GO Major Transit Station Area and Schedule H: Land Use - Appleby GO Major Transit Station Area and Schedule F-1: Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area Transportation Network, Schedule G-1: Aldershot GO Major Transit Station Area Transportation Network, and Schedule H-1: Appleby GO Major Transit Station Area Transportation Network of this Plan.

f) All *public service* f*acilities shall* be designed with flexibility and adaptability to accommodate shifts in demographics, community needs and function over the long term.

g) The delivery of *public service facilities* through public/private partnerships *shall* be *encouraged* to support the *complete community* objectives of this Plan.

h) All *City public service* f*acilities shall* be designed in a multi-purpose function to accommodate a variety of community uses and a range of different users.

i) At the time of *development,* proponents *shall* collaborate with the City to address p*ublic service facility* needs identified through *City* studies including but not limited to, the Parks Provisioning Master Plan, the Live and Play Plan, the Park Dedication Bylaws in effect and the Fire Master Plan, as well as identified Regional, Provincial and School Board needs related to growth. The following facilities are to be provided in accordance with the Community Planning Permit By-law:

    i) On-site community facilities.

    ii) Off-site community facilities within 1.6 kilometers, or an appropriate distance determined by the *City* that contributes to providing elements of a complete community for the *Major Transit Station Areas*.

j) The City will establish a prioritized list of *public service facility* needs in alignment with the annual Major Transit Station Area Monitoring Report as identified in Section 8.1.2(10.2) e) of this Plan.

8.1.2 (8.5) Parks and Open Space

a) The planning, design and *development* of parks *shall* be guided by the policies of this Section, the Parks Provisioning Master Plan, the Park Dedication Bylaws in effect and all applicable policies of Chapter 3, Subsection 3.3, Parks, Recreation and Open Space, and Chapter 7, Design Excellence of this Plan.

b) New parks *shall* be designed and planned within the areas generally shown as the "New Park" and "Potential Linear Park & Greenway" symbols on Schedule F: Land Use- Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area, Schedule G: Land Use- Aldershot GO Major Transit Station Area and Schedule H: Land Use- Appleby GO Major Transit Station Area, of this Plan. The specific location, size and function of a park *shall* be established through a Community Planning Permit application process or through a Tertiary Plan as set out in Section 8.1.2 (10.1) of this Plan and in accordance with other City plans.

c) New parks within the *Major Transit Station Areas shall* be provided as part of the future *development* of a property, with preference given for the conveyance of such lands versus cash-in-lieu of land by the City through the *development* process.

d) Privately-Owned Publicly Accessible Spaces (POPS) *may* be considered as parks and *shall* be subject to all applicable parks policies of this Plan, as well as Appendix B of the Parks Provisioning Master Plan and the Park Dedication Bylaws in effect.

e) *Development* within the Urban Employment and General Employment Precincts *may* consider amenity space to support employees in the areas. Such amenity space could include Privately-Owned Publicly Accessible Spaces (POPS) and *shall* not include play structures or other uses that would impact land use compatibility.

f) *Linear parks and greenways should* respond to the context in which they are proposed by providing safe connections to key destinations, transportation (including *active transportation*) corridors and the larger park network both inside and adjacent to the MTSA boundary including, but not limited to:

    a. Brant Street and Maple Trail within/near Downtown Burlington UGC/Burlington GO MTSA;

    b. Plains Road and Hidden Valley Park within/near Aldershot GO MTSA; and

c. Sherwood Forest Park and the Centennial Multi-Use Trail near the Appleby GO MTSA.

g) *Linear parks and greenways should* be strategically located to provide mid-block pedestrian or cycling connections that are not otherwise provided by sidewalks and cycling facilities within the road allowance.

h) When considering proposals for parkland dedication as part of a *development application*, preference will be given for the conveyance of land which meet the applicable parkland dedication criteria in Appendix B of the Parks Provisioning Master Plan and the provisions of the City's Park Dedication Bylaws versus cash-in-lieu of land.

i) In appropriate locations, the *City shall* collaborate with landowners to complete a Tertiary Plan in accordance with Section 8.1.2 (10.1) of this Plan, to ensure the proper siting of parks and the effective coordination of land dedication to support park space functionality, design and development.

8.1.2 (8.6) Housing Policies

a) All forms of *affordable* and *assisted housing* to support all income levels, including subsidized non-market housing units, are *encouraged* for integration within neighbourhoods.

b) The *Community Planning Permit System shall* set out that notwithstanding any other requirements, *affordable housing* and *assisted housing*, *may* be permitted as single use *developments* and are *encouraged* to be combined with *developments* that also provide market housing.

c) The *City* will collaborate with development proponents, the Region and non-profit housing providers to locate opportunities for subsidized non-market housing units, including purpose built rental within the *Major Transit Station Area*s.

d) The *City shall* require the submission of a *housing impact statement* where a *development* proposal includes more than one hundred (100) *dwelling units,* in accordance with subsection 3.1.1(2)h) of this Plan or a Planning Justification Report in accordance with Section 8.1.2 (10.4) of this Plan. The *housing impact statement shall* also identify how the proposal contributes to achieving the *City*'s Council approved housing targets. The submission of a Planning Justification Report *may* be required in accordance with Section 8.1.2(10.4) for purpose built rental, *affordable* and *assisted housing development* instead of a *housing impact statement*.

e) To achieve a mix of unit types and to support the creation of a range of housing types, the *Community Planning Permit System shall* regulate achievement of housing size and type as identified in the City's Housing Strategy.

8.1.2 (9) Employment Uses and Employment Conversions

8.1.2 (9.1) Policies

a) In accordance with the policies of the Regional Official Plan, on lands outside of the General Employment and Urban Employment precinct where there is a redevelopment of an *employment* use or building that results in the loss of non-residential floor space, the proponent *shall* demonstrate to the satisfaction of the *City* that the proposal is supporting the achievement of the proportional target of residents and jobs in accordance with Section 8.1.2(2.1) d), 8.1.2(3.1) d) and 8.1.2 (4.1) d) of this Plan.

b) Where redevelopment replaces an existing employment operation or function, through discussions with the *City*, the proponent *shall* demonstrate how the same number of jobs or amount of gross floor area dedicated to an employment function is retained on the site.

c) To ensure a balance of residential and non-residential growth, the non-residential growth floor area required on each site as identified in the Community Planning Permit By-law *should* be developed prior to or concurrent with the residential *development*.

d) *Development may* be staged to coincide with the phasing out of *major facilities* where employment conversions have occurred.

8.1.2 (10) Implementation

8.1.2 (10.1) Tertiary Plans

A Tertiary Plan will provide further guidance on planning and *development* within a specific Precinct. A Tertiary Plan will further articulate the policies of this Plan and will provide specific development principles and guidelines that are not part of the broader Official Plan.

8.1.2 (10.1.1) Policies

a) A Tertiary Plan in select key areas of the *Major Transit Station Areas shall* provide a framework for the distribution of *development* to ensure the shared delivery of streets and blocks, land use, parks and open space, *public realm* and *streetscapes*, parking, site access and pedestrian connections, and *public service facilities*.

b) A Tertiary Plan *shall* be informed by the precinct visions and permitted uses of this Plan and the Community Planning Permit System By-law.

c) A Tertiary Plan and cost-sharing agreement(s) *shall* be prepared by the landowners group, in consultation with applicable agencies, to the satisfaction of the *City* and Region as applicable prior to the approval of any *development application* to ensure that the costs associated with the provision of parkland, parking, *infrastructure* and servicing are distributed in an equitable and fair manner among the landowners.

d) The City *may* consider waiving the requirement for a Tertiary Plan if it can be demonstrated that the proposed *development* is delivering the elements identified in 8.1.2(10.1.1) f) or that those elements are achieved elsewhere, the City *may* consider waiving the requirement for a Tertiary Plan.

e) A Tertiary Plan will be included as a non-statutory appendix to this Plan prior to the approval of a *development* application. The Tertiary Plan will be authorized by *City* staff and does not require Council approval.

f) A Tertiary Plan *shall* provide for *complete community* elements that *may* include, but are not limited to the following, in accordance with the policies of this Plan and the *Community Planning Permit System* By-law regulations:

   i. Transportation, *active transportation*, including pedestrian, cycling and transit stops and trail connections along with an assessment of the function, ownership, cross-section, alignment and design of transportation connections, including connections across railways that have been identified throughout;

   ii. Proposed layout of streets, lanes and development blocks;

   iii. The provision of water and wastewater *infrastructure* servicing in accordance with the policies of this Plan, including the confirmation that the existing water and wastewater systems can accommodate the proposed *development*;

   iv. Provision and location of stormwater management facilities and/or *green infrastructure* in accordance with the policies of this Plan;

   v. An assessment of the need for, and recommended location of pedestrian connections;

   vi. The distribution of height and density while having regard for transition to any adjacent Residential – Low Density or Low-Rise Neighbourhood Precinct, as identified on Schedule C: Land Use – Urban Area, of this Plan;

vii. The location of new required parks and open spaces, including *linear parks and greenways,* within the precinct including the size, location and configuration of parks;

viii. New *public service facilities* and *institutional uses,* along with an assessment of function, configuration and ownership in accordance with the policies of this Plan;

ix. The location and configuration of retail and *service commercial* floor area;

x. The provision of *additional needs housing*, *assisted housing* and *affordable housing* in accordance with Section 3.1 of this Plan;

xi. The relationship to abutting precincts and surrounding neighborhoods outside the *MTSA* boundaries;

xii. Demonstration of land use *compatibility,* including any mitigation requirements, to the satisfaction of the *City*; and

xiii. Provision and location of flood hazard mitigation in accordance with the policies of this plan, as required.

g) The City *may* identify and deem necessary future areas that *may* require tertiary planning or equivalent to ensure *development* provides for *complete community* elements.

h) A Tertiary Plan *shall* be required for the following subareas within the *Major Transit Station Areas*:

Burlington Urban Growth Centre/Major Transit Station Area

i. The area south of Queensway Drive, east of Brant Street and north of the Rail corridor within the Burlington GO Central and Queensway Commons precinct as shown on Schedule F-3: Downtown Burlington Urban Growth Centre/Burlington GO MTSA Tertiary Planning Areas of this Plan. A Tertiary Plan *shall* consider the items set out in Section 8.1.2(10.1.1)f) of this Plan and *shall* also address the following:

a) An assessment of the need for, and recommended location of *active transportation* connections throughout the area;

b) Transportation connections throughout the precinct in accordance with the *Major Transit Station Area* Transportation Study and as informed by the completion of a Transportation Impact Assessment;

c) The size, location and configuration of new parks and a transit plaza; and

d) A grade separated rail crossing in accordance with Section 8.1.2(5.2) o) of this Plan.

ii. The area north of Fairview Street and west of Brant Street within the Burlington GO Central precinct as shown on Schedule F-3: Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area Tertiary Planning Areas, of this Plan. A Tertiary Plan *shall* consider the items set out in Section 8.1.2(10.1.1)f), of this Plan and *shall* also address the following:

a) An assessment of the need for, and recommended location of *active transportation* connections throughout the area;

b) Demonstrated preservation and integration of *cultural heritage resources* in accordance with the policies of this Plan; and

c) The size, location and configuration of a new park.

iii. The entirety of the Legion Commons precinct as shown on Schedule F-3: Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area Tertiary Planning Areas, of this Plan. A Tertiary Plan *shall* consider the items set out in Section 8.1.2(10.1.1)f) and *shall* also address the following:

a) Transportation connections throughout the precinct in accordance with the *Major Transit Station Area* Transportation Study and completion of a Transportation Impact Assessment;

b) The size, location and configuration of a new park, including *linear park* connections within the precinct;

c) *Public service facilities* and *institutional uses* provided as part of mixed use *development;* and

d) stormwater management *infrastructure* to mitigate for *flood hazards* including spill flood hazards.

iv. The area north of Plains Road, east of Brant Street and south of Leighland Road within the Leighland Node and Mid-Rise Residential precinct as shown on Schedule F-3: Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area Tertiary Planning Areas, of this Plan. A Tertiary Plan *shall* consider the items set out in Section 8.1.2(10.1.1)f), of this Plan and *shall* also address the following:

a) The size, location and configuration of a new park;

b) Completion of a Transportation Impact Assessment including access consideration; and

c) On-site stormwater management *infrastructure* to mitigate for *flood hazards* and spills.

Aldershot GO MTSA

v. The area west of Waterdown Road, south of rail and east of Howard Road, north of Plains Road within the Aldershot GO Central, Emery Commons and Aldershot Main Street precincts and shown on Schedule G-3: Aldershot GO Major Transit Station Area Tertiary Planning Areas, of this Plan. A Tertiary Plan *shall* consider the items set out in Section 8.1.2(10.1.1)f) and *shall* also address the following:

a) The size, location and configuration of new parks within the precinct, including a *linear park* along Masonry court extending from Grove Park to Hidden Valley Park;

b) Transportation connections throughout the precinct and alignment with other connections on the east side of Waterdown Road in accordance with the *Major Transit Station Area* Transportation Study and completion of a Transportation Impact Assessment;

c) An assessment of the need for and recommended location of, pedestrian connections throughout the precinct;

d) A *public service facility,* including a fire station or community hub; and

e) Demonstration of land use *compatibility,* to the satisfaction of the City, in accordance with Section 8.1.2(6) c) (vi) and the objective of phasing out of *major facilities* within this area.

vi. The area east of Waterdown Road, south of the rail and north of Masonry Court within the Aldershot GO Central and Mid-rise Residential precincts as shown on Schedule G-3: Aldershot GO Major Transit Station Area Tertiary Planning Area, of this Plan. A Tertiary Plan *shall* consider the items set out in Section 8.1.2(10.1.1)f) and *shall* also address the following:

a) The size, location and configuration of new parks within the precinct, including a *linear park* along Masonry Court extending to Grove Park;

b) Transportation connections throughout the precinct in accordance with the *Major Transit Station Area* Transportation Study and completion of a Transportation Impact Assessment;

c) An assessment of the need for, and recommended location of, pedestrian connections throughout the precinct; and

d) Demonstration of land use *compatibility,* including the consideration of an intervening land use such as mid-rise *office* or *light industrial,* to the satisfaction of the City.

Appleby GO MTSA

vii. The area south of the rail, east of Appleby Line, north of Fairview Street and west of the creek block within the Appleby GO central and Fairview Frequent Transit Corridor precincts as identified on Schedule H-3: Appleby GO MTSA Tertiary Planning Areas, of this Plan. A Tertiary Plan *shall* consider the items set out in Section 8.1.2(10.1.1)f) and *shall* also address the following:

a) The size, location and configuration of new public parks within the precinct, including a *linear park*;

b) A new east-west transportation connection in accordance with the *Major Transit Station Area* Transportation Study and completion of a Transportation Impact Assessment;

c) An assessment of the need for, and recommended location of, pedestrian connections throughout the precinct;

d) *Public service facilities*;

e) Demonstration of land use *compatibility,* to the satisfaction of the *City;* and

f) A grade separated rail crossing in accordance with Subsection 8.1.2(5.2) o) of this Plan.

viii. The area south of the rail, west of Appleby Line, and north of Fairview Street within the Appleby GO Central and Fairview Frequent Transit Corridor precinct as shown on Schedule H-3: Appleby GO Major Transit Station Area Tertiary Planning Areas. A Tertiary Plan *shall* consider the items set out in Section 8.1.2(10.1.1)f) and *shall* also address the following:

a) The size, location and configuration of new parks within the precinct, including a *linear park*;

b) A new east-west transportation connection in accordance with the *Major Transit Station Area* Transportation Study and completion of a Transportation Impact Assessment;

c) An assessment of the need for, and recommended location of pedestrian connections throughout the precinct;

d) *Public service facilities*; and

e) Demonstration of land use *compatibility* to the satisfaction of the *City*.

i) Landowners are *encouraged* to work together to complete a Tertiary Plan however, an individual landowner *may* complete the Tertiary Plan for the entire tertiary plan area if other landowners decide not to participate.

j) Where a Tertiary Plan is required, the following *may* be requested and prepared for all properties within the Tertiary Plan area prior to the approval of a Community Planning Permit application:

i. Traffic Impact Assessment or equivalent;

ii. Parking Study;

iii. Functional Servicing Report;

iv. Stormwater Management Plan;

v. Environmental Impact Assessment;

vi. *Urban Design Brief*;

vii. Cost Sharing Analysis;

viii. Market Impact Study;

ix. Shadow Study;

x. Development Phasing Plan;

xi. Cultural Heritage Impact Assessment;

xii. Natural Hazard Technical Study;

xiii. Other supporting information and material that *may* be requested during the pre-consultation process and any other supporting information or material that the City requires to undertake a comprehensive review of the proposal.

k) Detailed requirements for engagement with landowners during the development of a Tertiary Plan will be established through the Community Planning Permit By-law.

8.1.2 (10.2) Phasing and Monitoring

a) *Development shall* be phased and coordinated with the provision of *infrastructure*, and transportation network and intersection improvements in accordance with Section 8.1.2(5) of this Plan.

b) The timing of *development* will be subject to the availability of required *infrastructure* including transportation, transit, municipal sewage and water, parks and *public service facilities,* in accordance with the policies of this Plan.

c) The *City shall* require *development applications* to be supported by servicing studies specific to the site and the proposed use, informed by the MTSA Area Specific Planning technical studies completed to date and/or *may* require alignment with other study requirements set out in the policies of this Plan, including but not limited to the Enhanced Functional Servicing study noted in Subsection 8.1.2(5.1) e).

d) The *City* will collaborate with the Region of Halton and other service and *utility* providers to support timely investments in *sustainable infrastructure*, *utilities* and services to support growth and *intensification* in accordance with Section 12.1.21 of this Plan.

e) In addition to the requirements of Section 12.3 of this Plan, the *City* will prepare an annual Major Transit Station Area Monitoring Report, including, but not limited to, the following:

   i. Progress toward population and employment growth targets;

   ii. *development* activity related to residential uses and the monitoring of the achievement of the *City's* housing targets, including three-bedroom units;

   iii. *development* activity related to non-residential uses and employment lands including *major facilities* for changes of use and achievement of the *City's* proportional employment targets.

   iv. an assessment of needs for complete community elements within each MTSA;

   v. enhanced monitoring of available Water and Wastewater servicing capacity in consultation with Halton Region;

   vi. the delivery of *public service facilities*, in a timely manner that aligns with growth;

   vii. the *Community Planning Permit System* performance including but not limited to the following:

i. quantity and status of permits, permit class, nature of variations and number of variations that require Council approval,

ii. achievement of facilities, services and matters, including the delivery of *affordable housing* and purpose built rental as identified in the Community Planning Permit By-law, and

iii. provision of parking and requested variations to parking standards.

8.1.2 (10.3) Supporting Strategies and Tools

a) The City will consider preparing implementation guidelines including urban design, *public realm* design strategy, Complete Street guidelines and a Strategic Action Plan for the Major Transit Station Areas.

b) The City will pursue a Community Improvement Plan (CIP) that focuses on City-wide housing and employment outcomes, applicable to the MTSAs.

8.1.2 (10.4) MTSA Community Planning Permit Complete Application Requirements

a) *Development* proponents for a Community Planning Permit *shall* be required to meet with City staff to discuss the requirements related to a community planning permit *development application* in advance of their submission.

b) The City *shall* require that adequate pre-consultation with the City occurs prior to the submission of a community planning permit *development application*, and will *encourage* pre-consultation with other affected agencies such as the Region of Halton and Conservation Halton, where appropriate.

c) In addition to the policies of 12.1 of this Plan, the following complete application requirements for *development* within the Major Transit Station Area Community Planning Permit System will be scoped on a case by case basis with consideration to scale and elements that have the potential to impact the permit application and the identification of conditions and *may* include, but *shall* not be limited to the following:

Community Planning
Community Planning Permit Application form and application fee
An affidavit or sworn declaration by the applicant that the information required under Schedule 1 of O. Reg. 173/16 of The Planning Act and provided by the applicant is accurate.
Response to staff and applicable agency comments received at the Community Planning Permit pre-consultation circulation.
Site Plan

Survey and Severance Sketch in metric units prepared by an Ontario Land Surveyor as required under Schedule 1 of O. Reg. 173/16 of The Planning Act
Planning justification report, which includes: • Consideration of the City's Housing Strategy and associated targets or a *housing impact statement*, • Consideration of the achievement of Complete Communities, including as regulated in the Community Planning Permit By-law provisions for Services, Facilities and Matters, • Consideration of the *Community Planning Permit System* By-law criteria for variations for Class 2 and 3 applications as regulated through the By-law, • Detailed discussion related to *development* Phasing in accordance with Section 8.1.2 (10.2) and applicable policies of this Plan, and, • Detailed discussion to demonstrate that the proposed *development* is consistent with provincial policy, legislation, regulations and standards.
Land Assembly Documents • including application address
Reference Plans or draft application for plan of subdivision, if requested (as it relates to the conveyance of land to the City for parks, public rights of ways, or for any other required purpose).
Floor Plans
One or both of the following, as required by the Community Planning Permit By-law and as per Schedule 1 of O. Reg. 173/16 of The Planning Act: a) Plans that show the location of all buildings and structures to be erected, the location of all facilities and works to be provided in conjunction with the buildings and structures. b) Drawings that show plan, elevation and cross-section views for each building to be erected and are sufficient to display: • the massing and conceptual design of the proposed building, • the relationship of the proposed building to adjacent buildings, streets, and exterior areas to which members of the public have access, • the provision of interior walkways, stairs, elevators and escalators to which members of the public have access from streets, open spaces and interior walkways in adjacent buildings, • matters relating to exterior design, including without limitation the character, scale, appearance and design features of the proposed building, and its sustainable design, but only to the extent that it is a matter of exterior design, if the official plan contains provisions relating to such matters, • the sustainable design elements on any adjoining highway under a municipality's jurisdiction, including without limitation trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street

furniture, curb ramps, waste and recycling containers and bicycle parking facilities, and • facilities designed to have regard for accessibility for persons with disabilities.
Site Details including but not limited to: • Outdoor Storage • Screening Details • Bicycle Rack Details • Fencing Details
AutoCAD File of Site Plan
3-D model of proposed buildings
Draft Common Element Condo Plan (when applicable)
Burlington Urban Design Advisory Panel (BUD) • Applicant response to the BUD comments
Urban Design Brief, including but not limited to: • Demonstrate consideration of applicable urban design guidelines and policies • Height survey of adjacent buildings • Angular plane study • Shadow analysis plan • Wind Impact Study
Sustainable Building and Development Guidelines Checklist
Phasing strategy and plans
Demonstrated compliance with the Community Planning Permit By-law or confirmation of permit class including consideration of the Community Planning Permit By-law criteria for variations for Class 2 and 3 applications as regulated.
Details of any proposed outdoor garbage storage and communal recycling containers, including any screening of the outdoor facilities
Details of all rooftop mechanical equipment. • Rooftop equipment less than 1.2m in height to be painted in a neutral colour to blend in with the building. • Rooftop equipment 1.2m in height or greater *shall* be screened from view from all sides.
8 ½ x 11 reduced site plan drawing clearly denoting the designated fire access routes for sign designation and record purposes.
Heritage Impact Study (when applicable)
Cultural Heritage Landscape Impact Assessment
Archaeological Report
In the case of applications that require the provision of facilities, services and matters as identified in the Community Planning Permit By-law, the proponent *shall* provide

sufficient information to demonstrate the proportional relationship between the quantity or monetary value or in-kind contribution of the facilities, services and matters proposed.
A Land Use Compatibility Screening Assessment and, if required, a detailed Land Use Compatibility Assessment Study in accordance with the City of Burlington's Terms of Reference for Land Use Compatibility Assessments Study in accordance with Section 8.1.2(6) of this Plan
Retail and Service Commercial Needs Assessment
Financial Impact Study
Market Impact Study
Park Concept Plan
A Tertiary Plan or equivalent in accordance with Chapter 8.1.2 (10.1) of this Plan
Tenant Relocation and Assistance Plan
Environmental Impact Assessment, where *development* is proposed within or adjacent to the Natural Heritage System Precinct;
Hydro Corridor Land Use Application if applicable
In areas regulated by Conservation Halton, a Natural Hazard Technical study or clearance obtained from Conservation Halton, as required
Letter of Reliance for the Complete Application Materials, extending reliance on any studies to the City of Burlington and the Region of Halton.
Transportation Services
Transportation Impact Assessment Study with the requirements confirmed to the satisfaction of the *City* and/or Region to identify any new streets necessary to create a grid network, including an intersection level analysis to assess the impacts of traffic on the local and Regional road network and the identification of infrastructure upgrades and access improvements in accordance with Subsection 8.1.2(5.2) of this Plan;
Transportation Demand Management Plan and implementation strategy
Pavement Marking and Signage Plan
Sightline Analysis;
Traffic Calming Report;
Transportation Monitoring Plan.
Parking Justification Report
Landscape/Forestry
Response matrix for previous pre-consultation comments
Landscape Plan • Showing the location and setbacks of the proposed building and any encroachments. • Showing the location of all jurisdictional setbacks, including but not limited to Ministry of Transportation, Conservation Halton, railways and pipelines. • Showing the location of trees / tree trunks relative to property lines

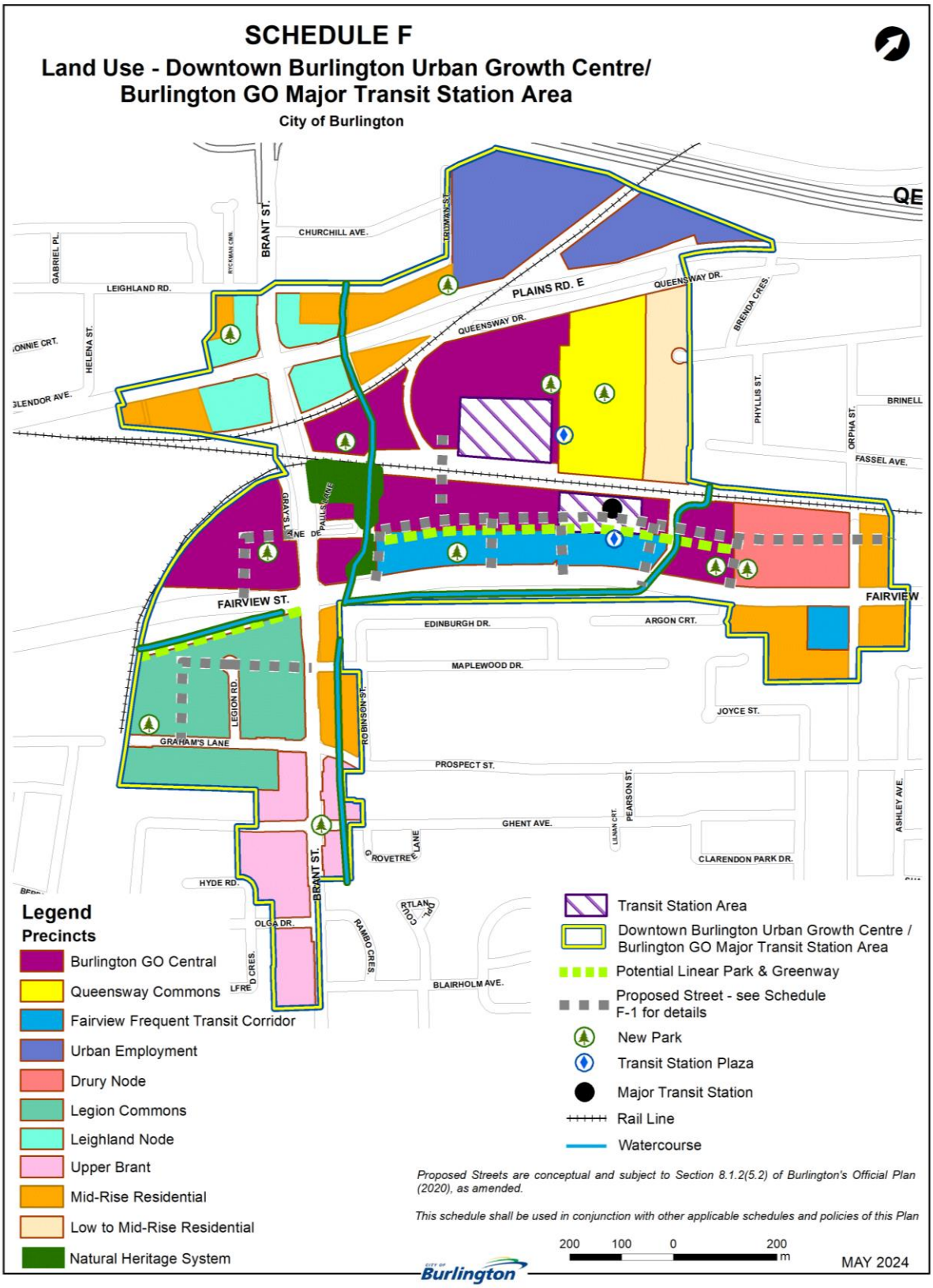
Landscape Cost Estimate for all works as proposed on the Landscape Plans
Tree Protection Plan in accordance with the City's Tree Protection and Preservation Specification SS12A (as amended) • The Tree Protection Plan must be to scale and illustrate the trees inventoried and include existing and proposed elements. This plan *shall* be coordinated with other civil drawings
Arborists Report • Including but not limited to preservation methods and justification for impacts (e.g., removals) with specific details for each individual tree
Tree Inventory • The tree inventory *shall* include all public trees of all sizes, and all private trees 10cm in diameter or greater for the subject lot and with 6m of the lot boundary, DBH, species, ownership, condition ratings, recommendations, tree protection zones, and comments
Letter of consent for removal and/or impact to trees not solely owned by applicant (e.g., boundary trees and/or neighbouring trees).
Engineering Services
Response Matrix for previous pre-consultation comments
Region of Halton Environmental Site Screening Questionnaire
Phase One Environmental Site Assessment, in accordance with O. Reg. 153/04, as amended
Phase Two Environmental Site Assessment, in accordance with O. Reg. 153/04, as amended
Remedial Action Plan • Including assessment of the subject lands and any impacted offsite lands
Ministry of the Environment, Conservation and Parks approved Record of Site Condition
Ministry of the Environment, Conservation and Parks approved Certificate of Property Use
Geotechnical Investigation
Hydrogeological Assessment • Including assessment water taking activities, in accordance with Ministry of the Environment, Conservation and Parks' requirements
Dewatering Assessment • Including groundwater dewatering monitoring and mitigation program for potential settlements • Including dewatering discharge plan for both short-term (during construction) and permanent (post-construction) discharge • Including a sampling plan to ensure compliance with the City's Storm Sewer Discharge By-Law, as amended.
Functional Servicing and Drainage Report

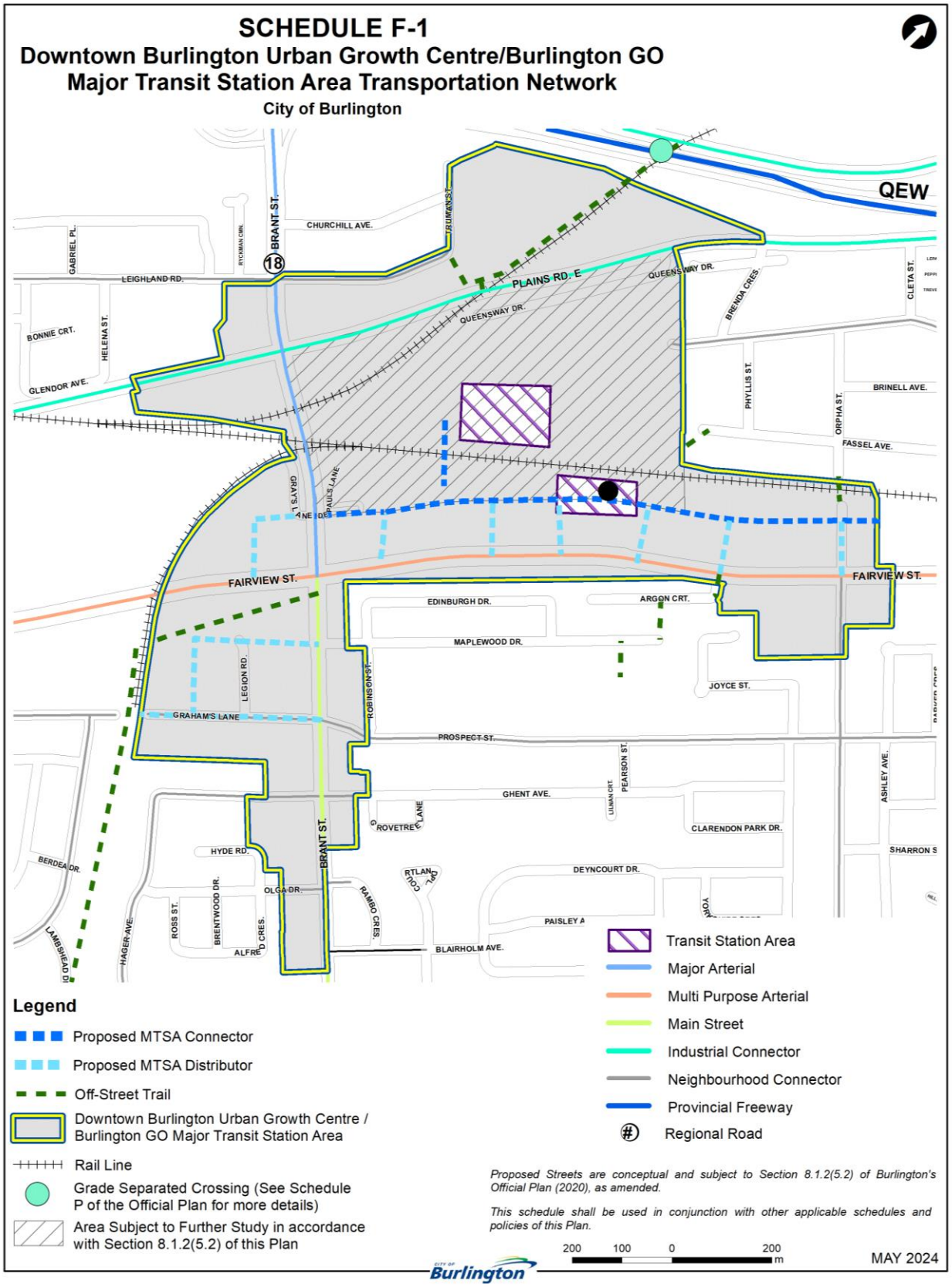
• The completion of an Enhanced Functional Servicing study in accordance with the policies of this plan or demonstration of sufficient water and wastewater capacity to service the *development* to the satisfaction of the Region. • In accordance with City and Region of Halton requirements • Including Conceptual Site Servicing and Conceptual Site Grading Plan, which include: ▪ The location and setbacks of the proposed building and any encroachments. ▪ The location of all jurisdictional setbacks, including but not limited to Ministry of Transportation, Conservation Halton, railways and pipelines. ▪ The location of trees / tree trunks relative to property lines
Stormwater Management Report
Top-of-bank Demarcation/ Slope Stability Assessment/ Creek Erosion Assessment/ Geomorphic Study
Channelization and/or Floodplain Analysis
Shoreline Hazardous Lands Studies
Source Protection Disclosure Report
Environmental Noise & Vibration Feasibility Study • In accordance with Ministry of the Environment, Conservation and Parks' guidelines and City and Region of Halton requirements • Including but not limited to an assessment of any existing offsite stationary noise sources/impacts and any necessary mitigation
Detailed Environmental Noise & Vibration Study • In accordance with Ministry of the Environment, Conservation and Parks' guidelines and City and Region of Halton requirements • Including but not limited to an assessment of any proposed outdoor mechanical equipment and any necessary mitigation
Shoring System Design Brief • Including shoring system drawings and details • Including confirmation that all elements of the underground parking structure (including but not limited to foundation walls, foundation drainage system, shoring system, etc.) are located within the limits of the subject property.
Letter of consent for required encroachments onto lands not solely owned by applicant (e.g., shoring system tie-backs)
Site Servicing Plan • Showing the location and setbacks of the proposed building and any encroachments. • Showing the location of all jurisdictional setbacks, including but not limited to Ministry of Transportation, Conservation Halton, railways and pipelines. • Showing the location of trees / tree trunks relative to property lines

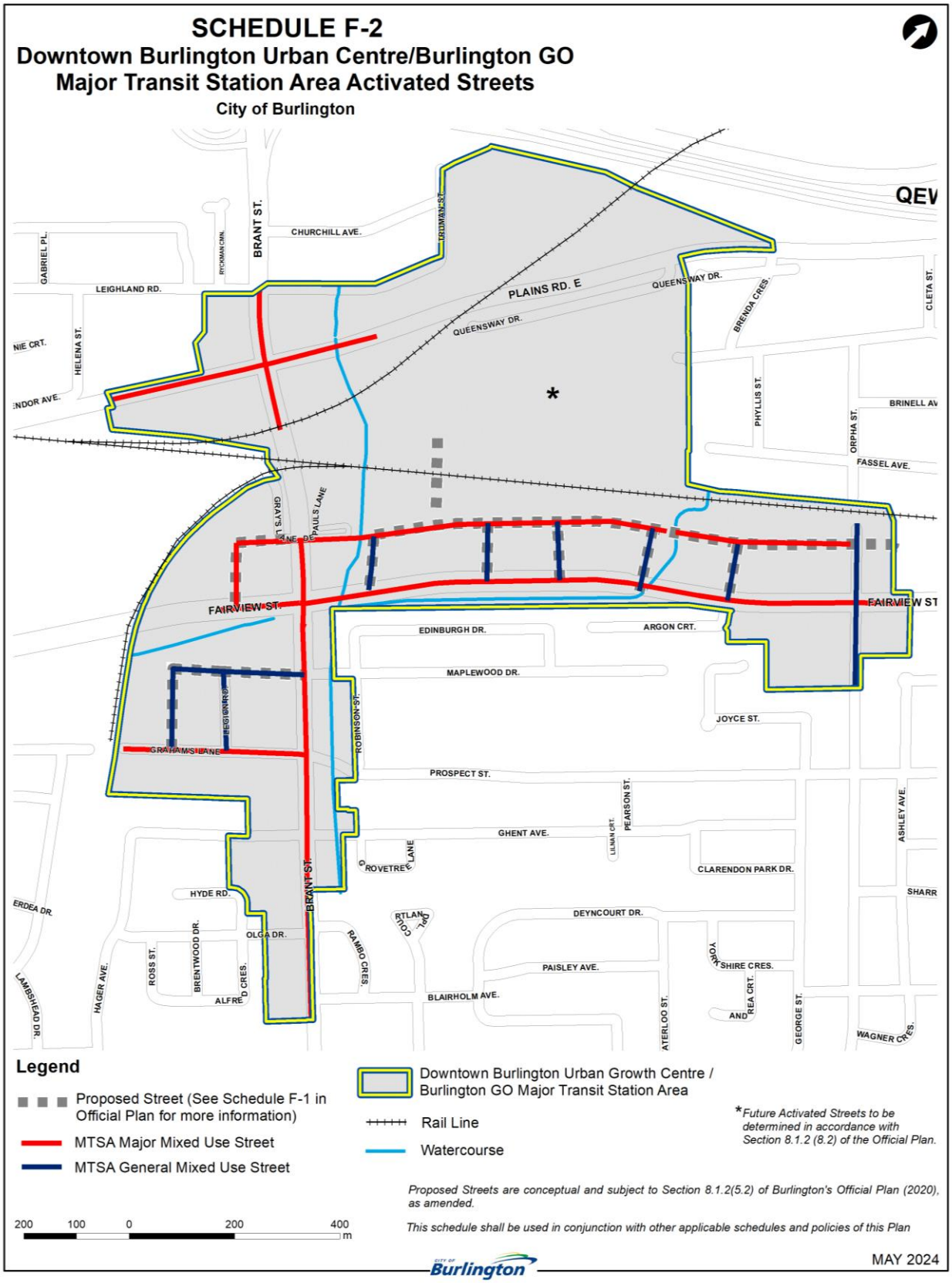
Site Grading Plan • Showing the location and setbacks of the proposed building and any encroachments. • Showing the location of all jurisdictional setbacks, including but not limited to Ministry of Transportation, Conservation Halton, railways and pipelines. • Showing the location of trees / tree trunks relative to property lines
Erosion and Sediment Control Plan and Details • Showing the location and setbacks of the proposed building and any encroachments. • Showing the location of all jurisdictional setbacks, including but not limited to Ministry of Transportation, Conservation Halton, railways and pipelines. • Showing the location of trees / tree trunks relative to property lines
Notes and Details Plan • Including City and Region of Halton standard drawings and details, as required
Outdoor Lighting Photometrics Plan and Details
Utility Coordination Plan • Showing the location and setbacks of the proposed building and any encroachments. • Showing the location of all jurisdictional setbacks, including but not limited to Ministry of Transportation, Conservation Halton, railways and pipelines. • Showing the location of trees / tree trunks relative to property lines
Construction & Mobility Management Plan and details
Written confirmation from the Geotechnical Engineer that they have reviewed the architectural and engineering drawings, including but not limited to those for civil, structural and mechanical works, and confirm that their geotechnical recommendations have been incorporated into the architectural and engineering drawings.
Written confirmation from the Hydrogeologist that they have reviewed the architectural and engineering drawings, including but not limited to those for civil, structural and mechanical works, and confirm that their hydrogeological recommendations have been incorporated into the architectural and engineering drawings.
Written confirmation from the Hydrogeologist which identifies adjacent structures, services and/or municipal infrastructure located within the zone of influence for groundwater dewatering and any potential settlement which may be considered unacceptable.
Written confirmation from the civil engineering consultant that they have reviewed the architectural, landscape and engineering drawings, including but not limited to those for structural and mechanical works, and confirm that their civil design and recommendations have been incorporated into the architectural, landscape and engineering drawings and do not conflict with the provisions of the other drawings.

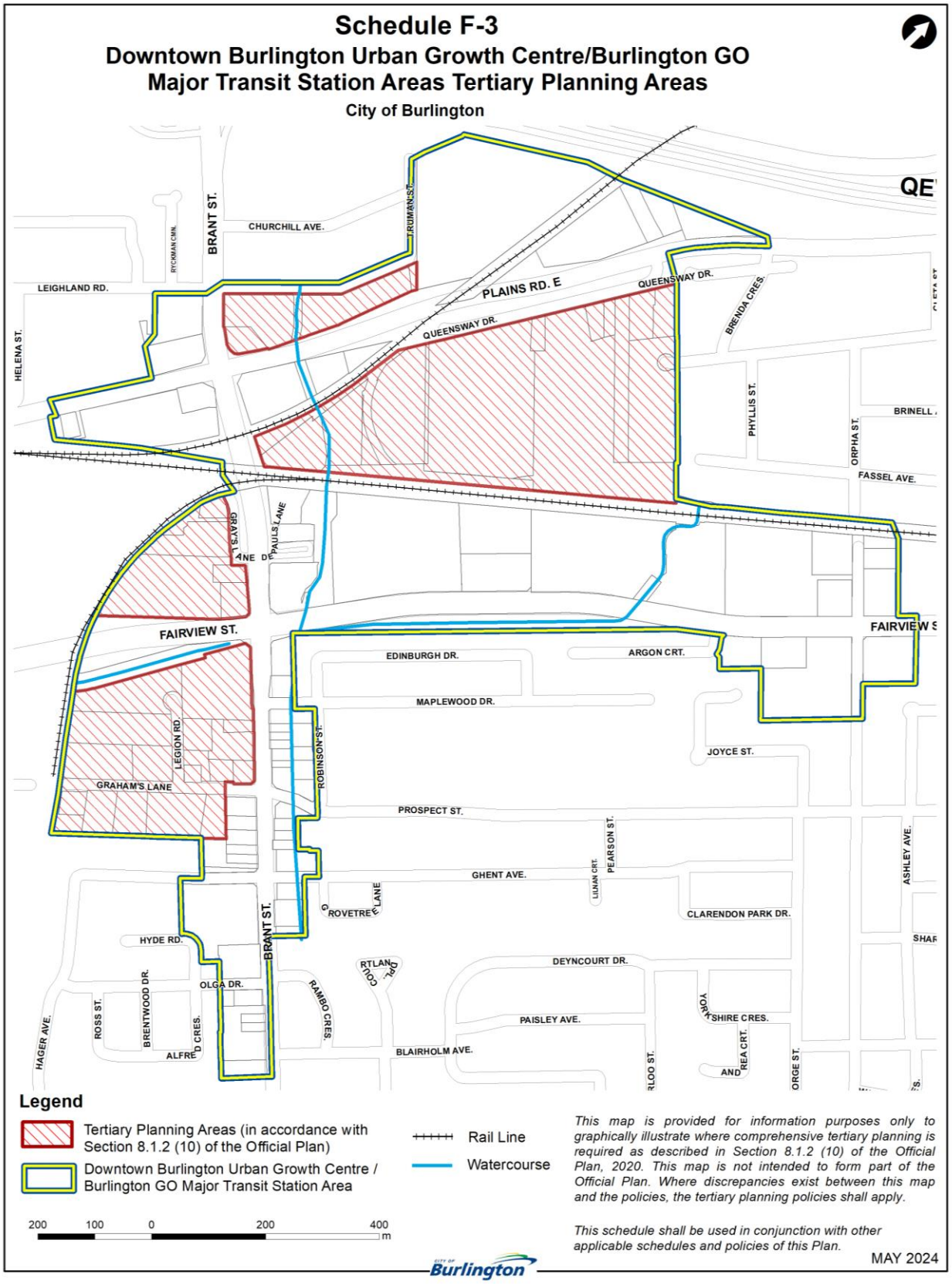
Written confirmation by a qualified acoustical consultant that the recommended noise control measures from the approved Detailed Environmental Noise & Vibration Study have been incorporated into the builder's plans.
Written confirmation from a qualified vibration consultant of study limits and locations for vibration monitoring during construction. • Including written confirmation from adjacent property owners for vibration monitors that are to be located offsite. • Including written confirmation of completed precondition surveys of surrounding structures, including but not limited to those for buried utilities (e.g. existing watermains, gas mains, storm sewers and sanitary sewers). • Including written acknowledgement that any issues/claims due to construction vibration *shall* be a civil matter between the developer and the other party.
Letter of Reliance for the Complete Application Materials, extending reliance on any studies to the City of Burlington and the Region of Halton.

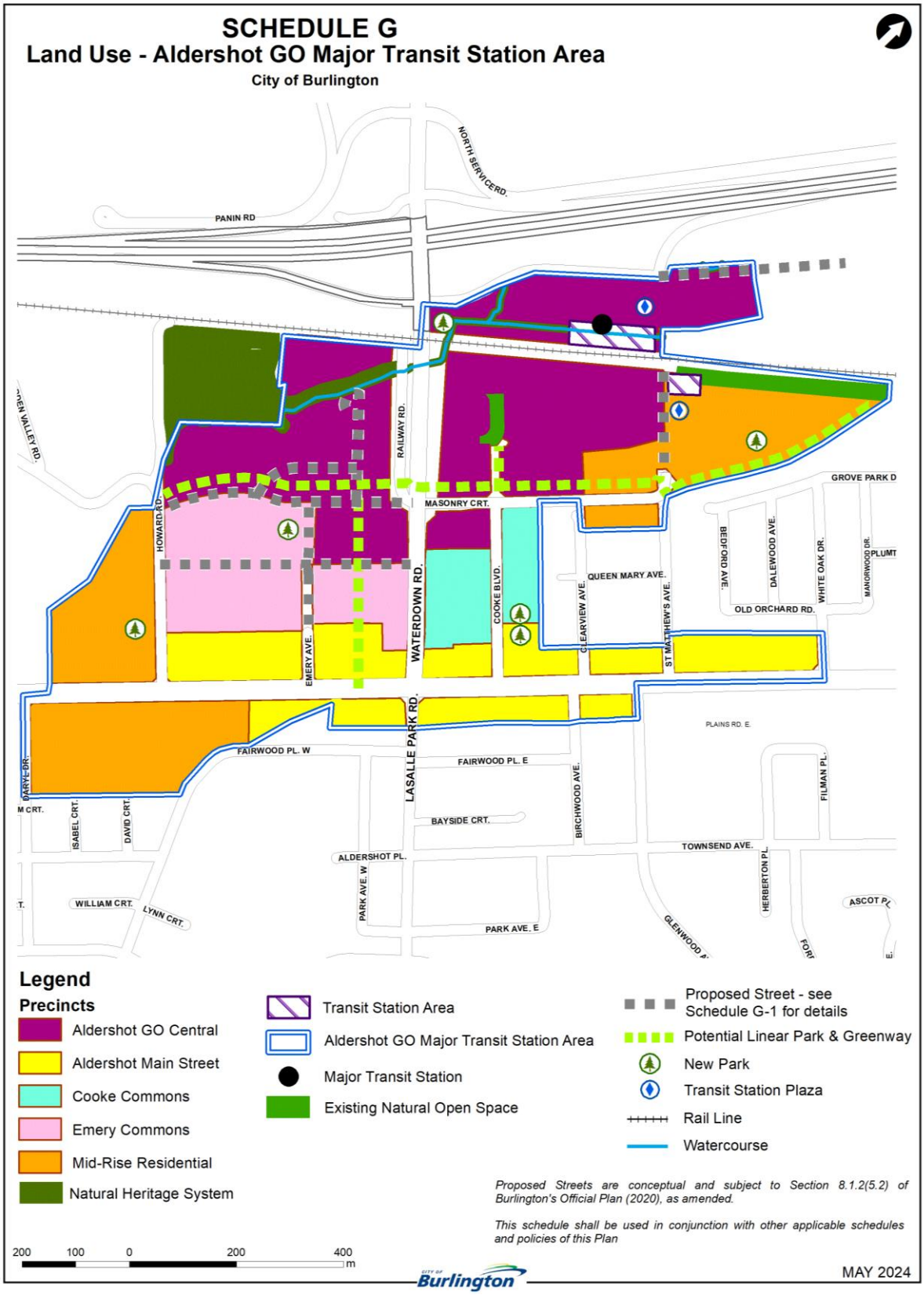
Attachment 5 to OPA 2 – Major Transit Station Area Schedules

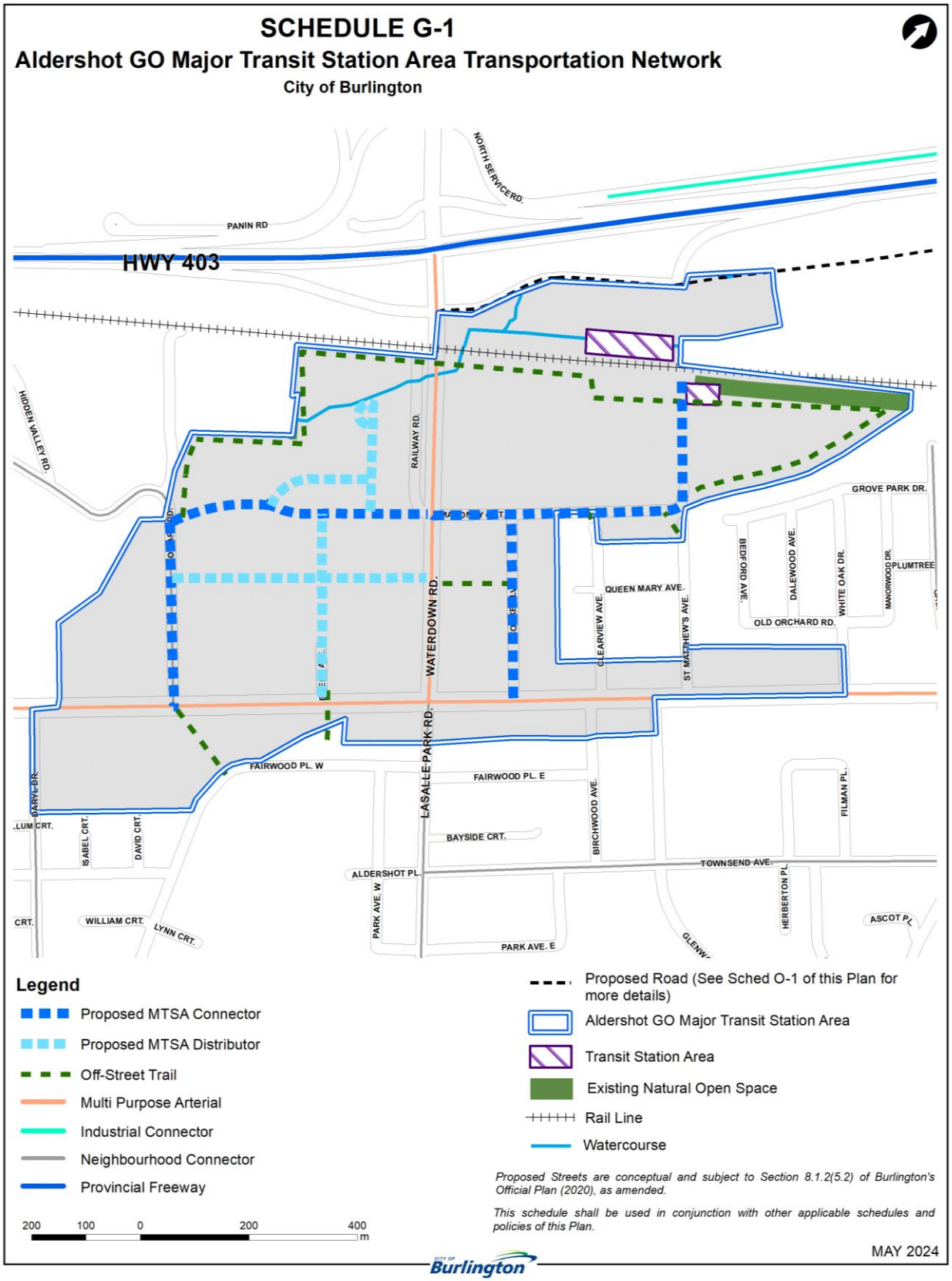

SCHEDULE F
Land Use - Downtown Burlington Urban Growth Centre/
Burlington GO Major Transit Station Area
City of Burlington
QE
BRANT ST.
CHURCHILL AVE.
TRUDEAU ST.
GABRIEL PL.
LEIGHLAND RD.
PLAINS RD. E
QUEENSWAY DR.
BRENDA CRES.
HELENA ST.
PHYLLIS ST.
ORPHA ST.
BRINELL
FASSEL AVE.
FAIRVIEW ST.
FAIRVIEW
EDINBURGH DR.
ARGON CRT.
MAPLEWOOD DR.
JOYCE ST.
LEGION RD.
GRAHAM'S LANE
ROBINSON ST.
PROSPECT ST.
PEARSON ST.
ASHLEY AVE.
GHENT AVE.
CLARENDON PARK DR.
HYDE RD.
OLGA DR.
RAMBO CRES.
BLAIRHOLM AVE.
Legend
Precincts
Burlington GO Central
Queensway Commons
Fairview Frequent Transit Corridor
Urban Employment
Drury Node
Legion Commons
Leighland Node
Upper Brant
Mid-Rise Residential
Low to Mid-Rise Residential
Natural Heritage System
Transit Station Area
Downtown Burlington Urban Growth Centre / Burlington GO Major Transit Station Area
Potential Linear Park & Greenway
Proposed Street - see Schedule F-1 for details
New Park
Transit Station Plaza
Major Transit Station
Rail Line
Watercourse
Proposed Streets are conceptual and subject to Section 8.1.2(5.2) of Burlington's Official Plan (2020), as amended.
This schedule shall be used in conjunction with other applicable schedules and policies of this Plan
200 100 0 200 m
MAY 2024

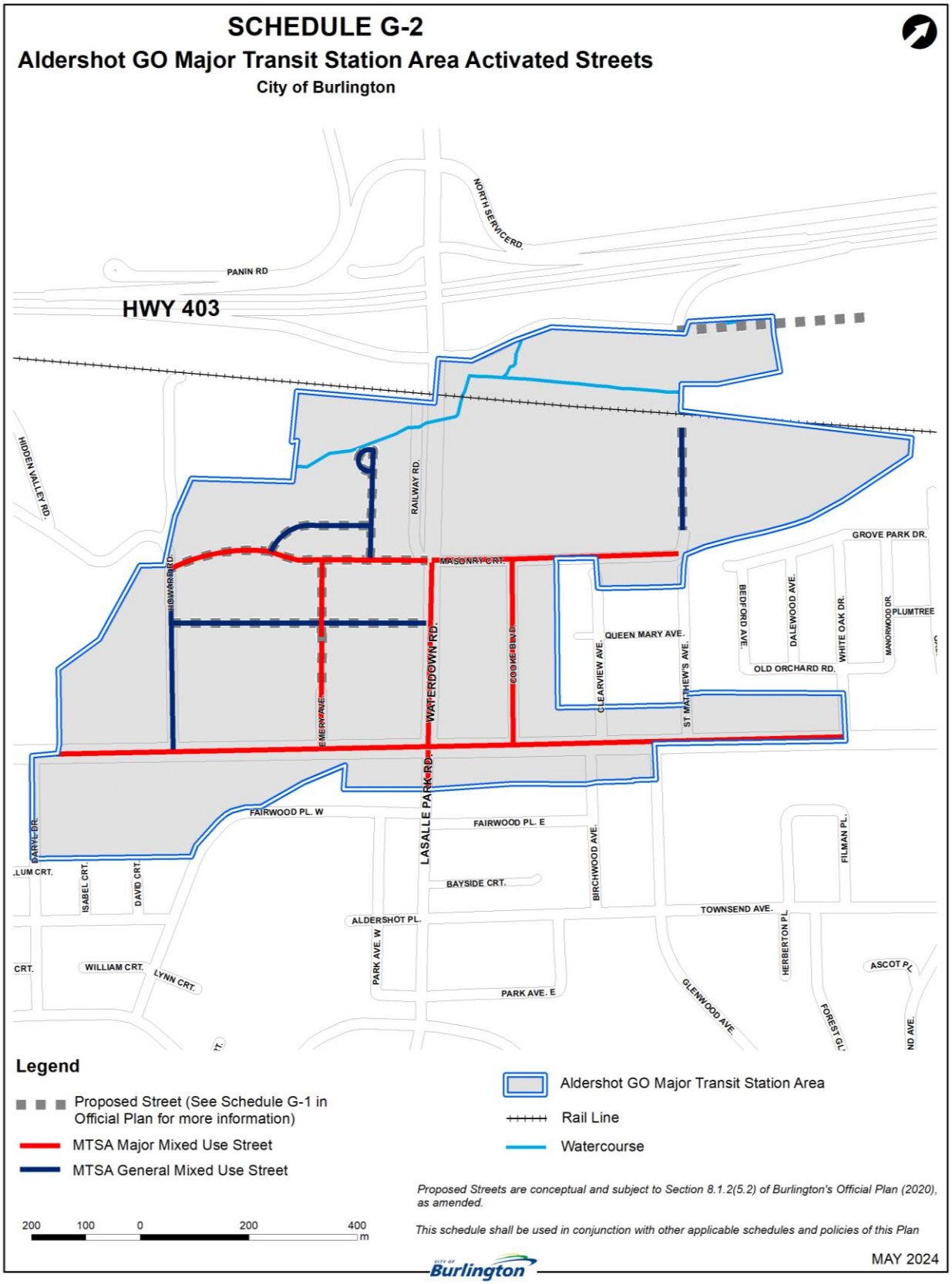

SCHEDULE F-1
Downtown Burlington Urban Growth Centre/Burlington GO
Major Transit Station Area Transportation Network
City of Burlington
QEW
BRANT ST.
CHURCHILL AVE.
LEIGHLAND RD.
PLAINS RD. E
QUEENSWAY DR.
GLENDOR AVE.
BONNIE CRT.
HELENA ST.
GABRIEL PL.
BRENDA CRES.
CLETA ST.
PHYLLIS ST.
ORPHA ST.
BRINELL AVE.
FASSEL AVE.
FAIRVIEW ST.
EDINBURGH DR.
ARGON CRT.
MAPLEWOOD DR.
JOYCE ST.
LEGION RD.
GRAHAM'S LANE
ROBINSON ST.
PROSPECT ST.
GHENT AVE.
PEARSON ST.
ASHLEY AVE.
CLARENDON PARK DR.
ROVETREE LANE
HYDE RD.
BERDEA DR.
OLGA DR.
DEYNCOURT DR.
RAMBO CRES.
BRENTWOOD DR.
ROSS ST.
HAGER AVE.
LAMBSHEAD DR.
ALFRED CRES.
BLAIRHOLM AVE.
PAISLEY A
Legend
Proposed MTSA Connector
Proposed MTSA Distributor
Off-Street Trail
Downtown Burlington Urban Growth Centre / Burlington GO Major Transit Station Area
Rail Line
Grade Separated Crossing (See Schedule P of the Official Plan for more details)
Area Subject to Further Study in accordance with Section 8.1.2(5.2) of this Plan
Transit Station Area
Major Arterial
Multi Purpose Arterial
Main Street
Industrial Connector
Neighbourhood Connector
Provincial Freeway
Regional Road
Proposed Streets are conceptual and subject to Section 8.1.2(5.2) of Burlington's Official Plan (2020), as amended.
This schedule shall be used in conjunction with other applicable schedules and policies of this Plan.
200 100 0 200 m
MAY 2024

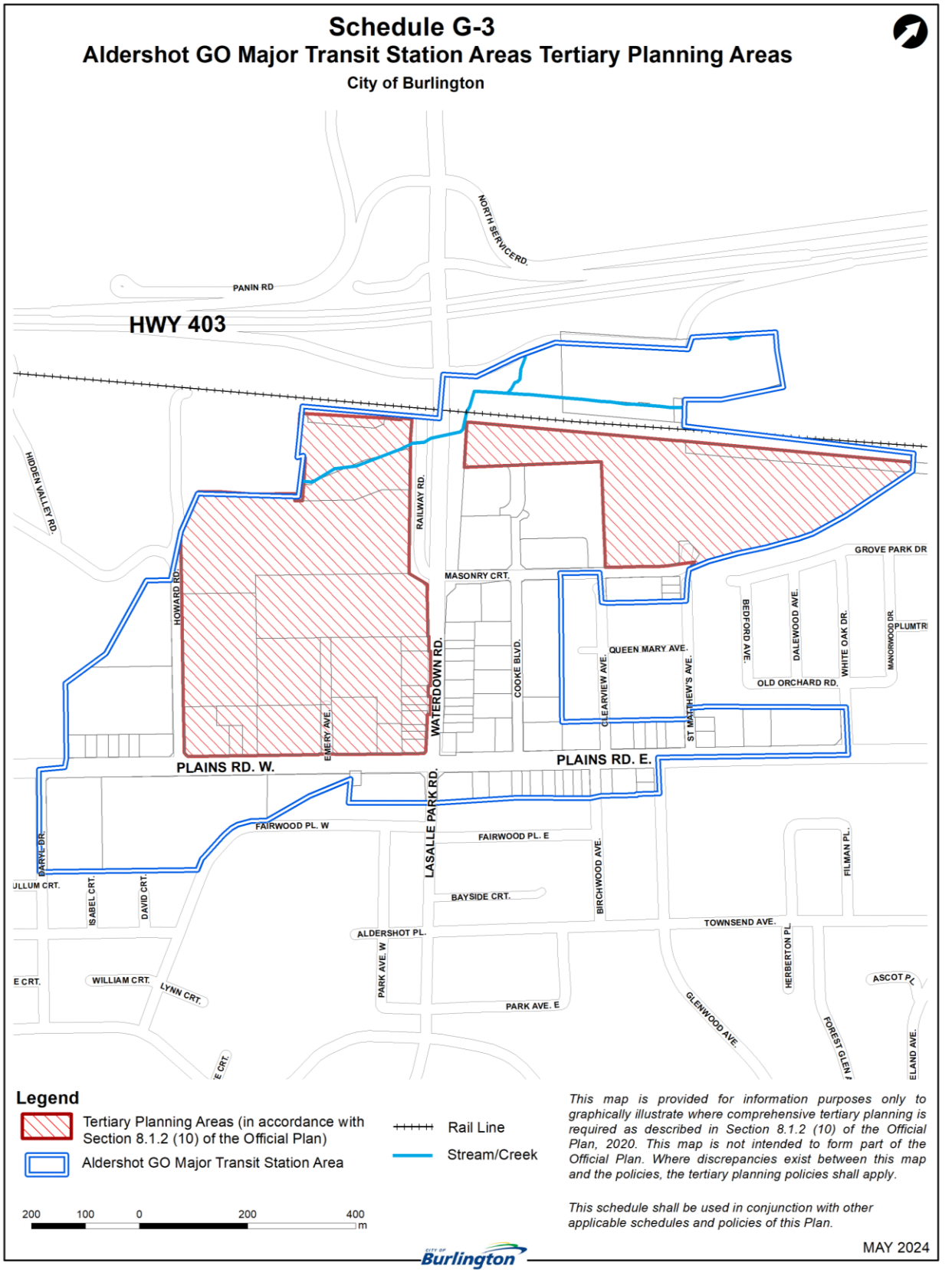

SCHEDULE F-2
Downtown Burlington Urban Centre/Burlington GO
Major Transit Station Area Activated Streets
City of Burlington
QEW
BRANT ST.
CHURCHILL AVE.
GABRIEL PL.
LEIGHLAND RD.
HELENA ST.
PLAINS RD. E
QUEENSWAY DR.
BRENDA CRES.
CLETA ST.
PHYLLIS ST.
ORPHA ST.
BRINELL AV
FASSEL AVE.
GRAYS LANE
PAULS LANE
FAIRVIEW ST.
EDINBURGH DR.
ARGON CRT.
MAPLEWOOD DR.
JOYCE ST.
ROBINSON ST.
GRAHAMS LANE
PROSPECT ST.
PEARSON ST.
GHENT AVE.
ROVETREE LANE
CLARENDON PARK DR.
ASHLEY AVE.
HYDE RD.
DEYNCOURT DR.
OLGA DR.
RAMBO CRES.
PAISLEY AVE.
YORKSHIRE CRES.
BLAIRHOLM AVE.
ATERLOO ST.
GEORGE ST.
WAGNER CRES.
HAGER AVE.
ROSS ST.
BRENTWOOD DR.
Legend
Proposed Street (See Schedule F-1 in Official Plan for more information)
MTSA Major Mixed Use Street
MTSA General Mixed Use Street
Downtown Burlington Urban Growth Centre / Burlington GO Major Transit Station Area
Rail Line
Watercourse
*Future Activated Streets to be determined in accordance with Section 8.1.2 (8.2) of the Official Plan.
Proposed Streets are conceptual and subject to Section 8.1.2(5.2) of Burlington's Official Plan (2020), as amended.
This schedule shall be used in conjunction with other applicable schedules and policies of this Plan
200 100 0 200 400 m
Burlington
MAY 2024

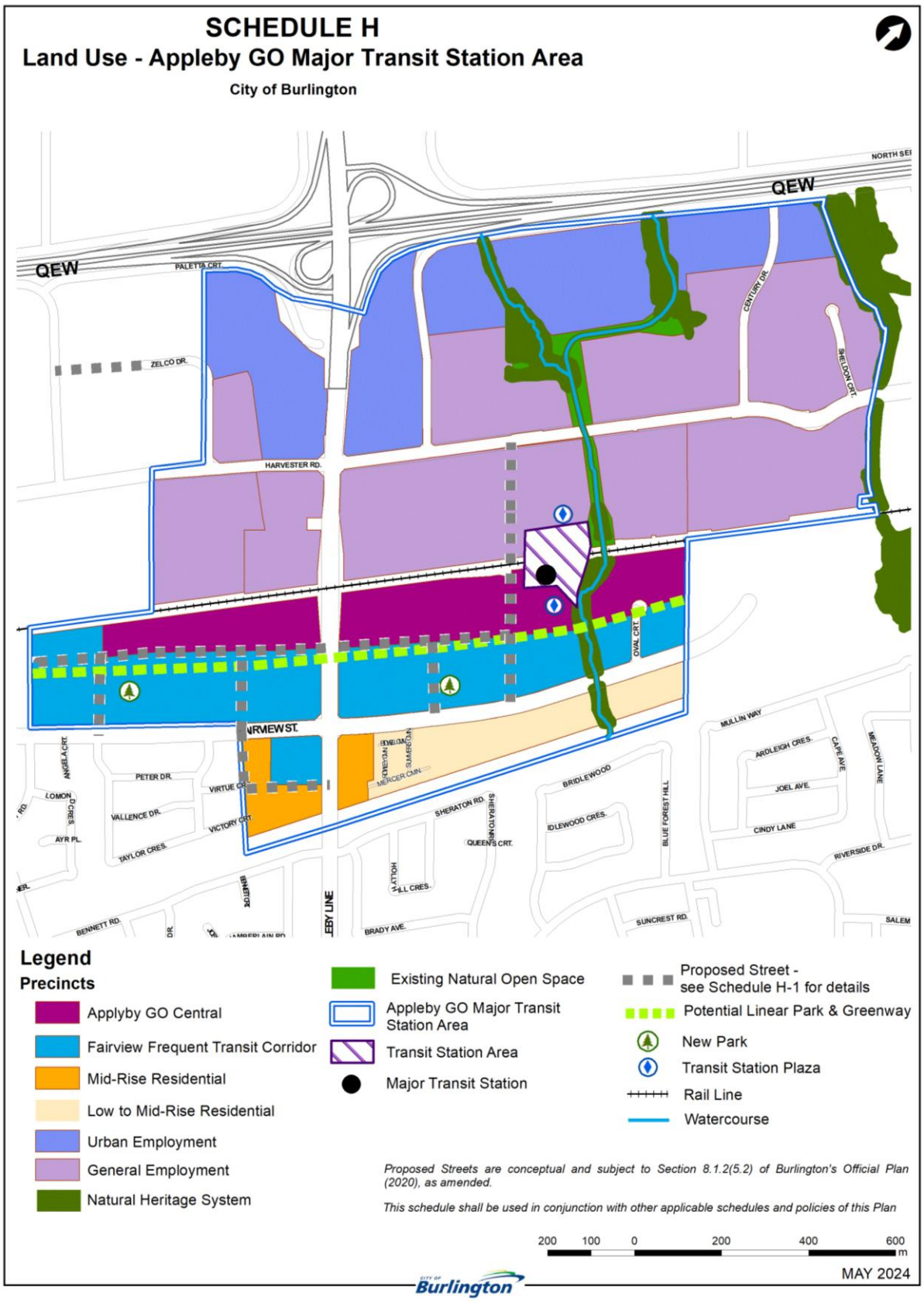

Schedule F-3
Downtown Burlington Urban Growth Centre/Burlington GO
Major Transit Station Areas Tertiary Planning Areas
City of Burlington
BRANT ST.
CHURCHILL AVE.
TRUMAN ST.
LEIGHLAND RD.
HELENA ST.
PLAINS RD. E
QUEENSWAY DR.
BRENDA CRES.
PHYLLIS ST.
ORPHA ST.
FASSEL AVE.
FAIRVIEW ST.
EDINBURGH DR.
ARGON CRT.
MAPLEWOOD DR.
JOYCE ST.
GRAHAM'S LANE
LEGION RD.
ROBINSON ST.
PROSPECT ST.
GHENT AVE.
PEARSON ST.
ASHLEY AVE.
CLARENDON PARK DR.
HYDE RD.
DEYNCOURT DR.
OLGA DR.
BRENTWOOD DR.
ROSS ST.
HAGER AVE.
RAMBO CRES.
PAISLEY AVE.
BLAIRHOLM AVE.
Legend
Tertiary Planning Areas (in accordance with Section 8.1.2 (10) of the Official Plan)
Downtown Burlington Urban Growth Centre / Burlington GO Major Transit Station Area
Rail Line
Watercourse
200 100 0 200 400 m
This map is provided for information purposes only to graphically illustrate where comprehensive tertiary planning is required as described in Section 8.1.2 (10) of the Official Plan, 2020. This map is not intended to form part of the Official Plan. Where discrepancies exist between this map and the policies, the tertiary planning policies shall apply.
This schedule shall be used in conjunction with other applicable schedules and policies of this Plan.
MAY 2024
Burlington

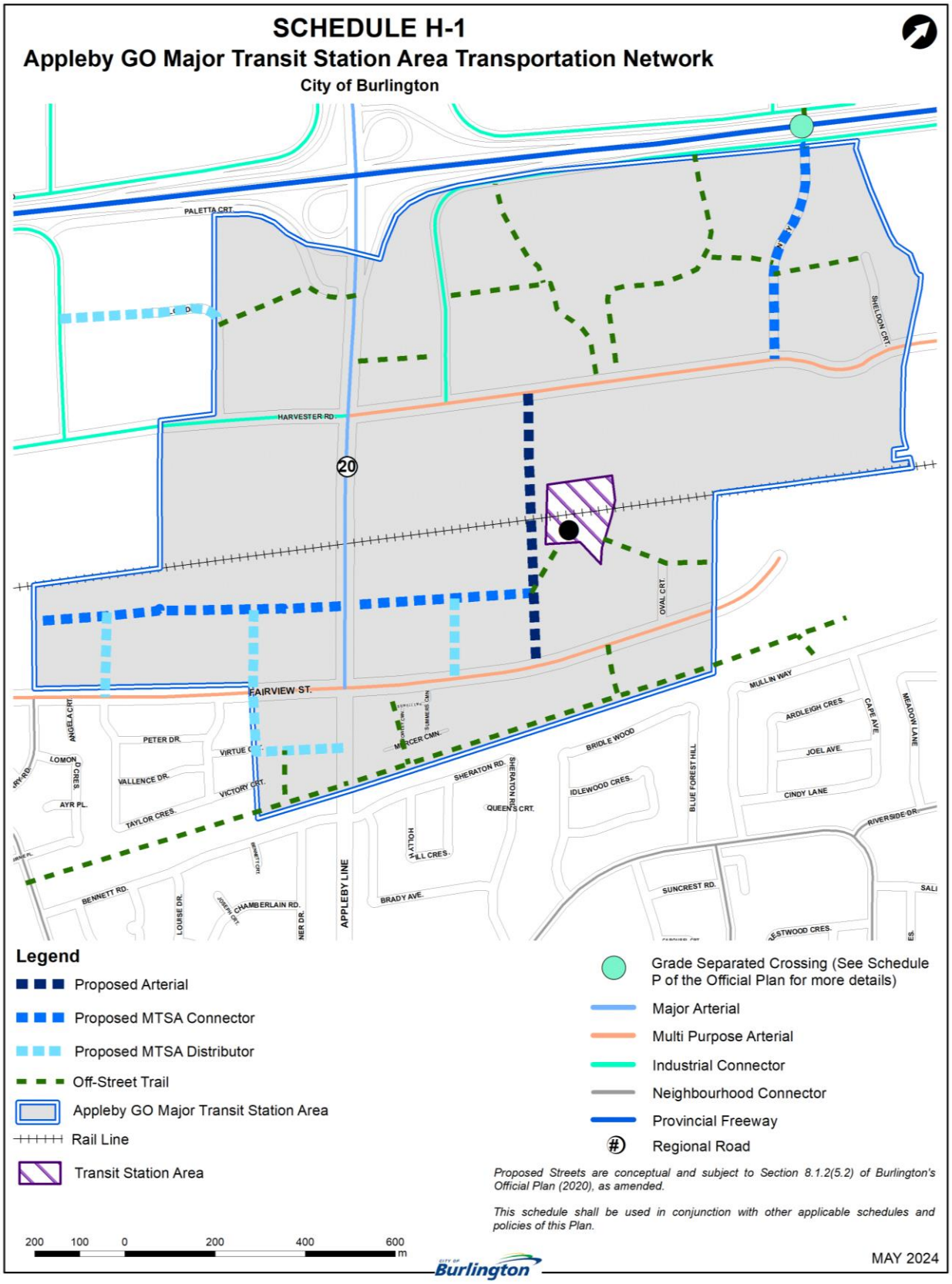

SCHEDULE G
Land Use - Aldershot GO Major Transit Station Area
City of Burlington
NORTH SERVICE RD.
PANIN RD
RAILWAY RD.
MASONRY CRT.
HOWARD RD.
WATERDOWN RD.
COOKE BLVD.
EMERY AVE.
CLEARVIEW AVE.
ST MATHEW'S AVE.
QUEEN MARY AVE.
OLD ORCHARD RD.
BEDFORD AVE.
DALEWOOD AVE.
WHITE OAK DR.
MANORWOOD DR.
GROVE PARK D
PLUMT
PLAINS RD. E.
FAIRWOOD PL. W
FAIRWOOD PL. E
LASALLE PARK RD.
BIRCHWOOD AVE.
FILMAN PL.
BAYSIDE CRT.
TOWNSEND AVE.
ALDERSHOT PL.
PARK AVE. W
PARK AVE. E
HERBERTON PL.
ASCOT PL
GLENWOOD
ISABEL CRT.
DAVID CRT.
WILLIAM CRT.
LYNN CRT.
Legend
Precincts
Aldershot GO Central
Aldershot Main Street
Cooke Commons
Emery Commons
Mid-Rise Residential
Natural Heritage System
Transit Station Area
Aldershot GO Major Transit Station Area
Major Transit Station
Existing Natural Open Space
Proposed Street - see Schedule G-1 for details
Potential Linear Park & Greenway
New Park
Transit Station Plaza
Rail Line
Watercourse
Proposed Streets are conceptual and subject to Section 8.1.2(5.2) of Burlington's Official Plan (2020), as amended.
This schedule shall be used in conjunction with other applicable schedules and policies of this Plan
200 100 0 200 400 m
MAY 2024

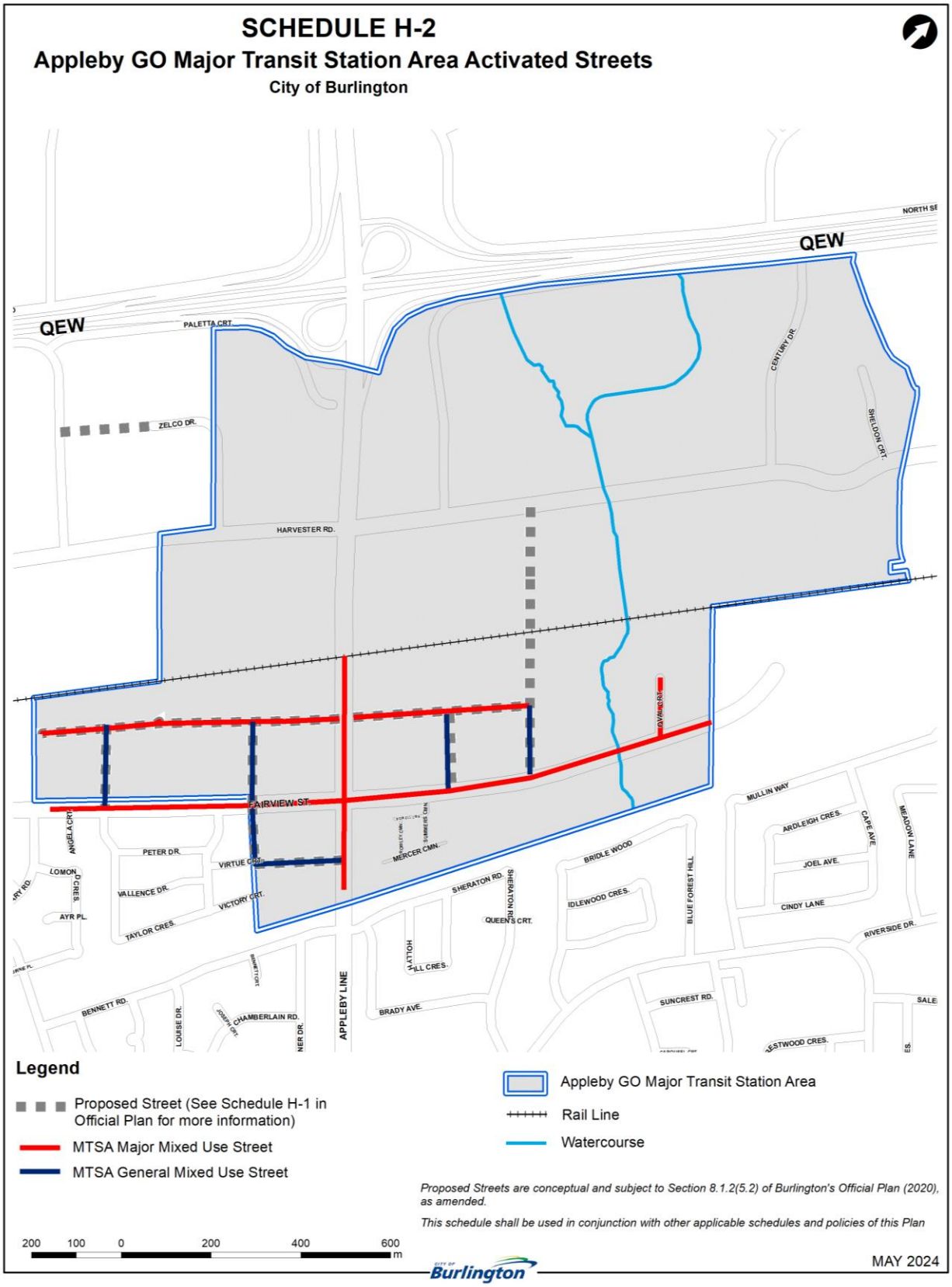

SCHEDULE G-1
Aldershot GO Major Transit Station Area Transportation Network
City of Burlington
HWY 403
PANIN RD
NORTH SERVICE RD.
HIDDEN VALLEY RD.
RAILWAY RD.
WATERDOWN RD.
GROVE PARK DR.
QUEEN MARY AVE.
OLD ORCHARD RD.
PLUMTREE
CLEARVIEW AVE.
ST MATTHEW'S AVE.
DALEWOOD AVE.
WHITE OAK DR.
MANORWOOD DR.
LASALLE PARK RD.
FAIRWOOD PL. W
FAIRWOOD PL. E
BAYSIDE CRT.
BIRCHWOOD AVE.
FILMAN PL.
TOWNSEND AVE.
ALDERSHOT PL.
PARK AVE. W
PARK AVE. E
HERBERTON PL.
ASCOT PL
WILLIAM CRT.
LYNN CRT.
ISABEL CRT.
DAVID CRT.
Legend
Proposed MTSA Connector
Proposed MTSA Distributor
Off-Street Trail
Multi Purpose Arterial
Industrial Connector
Neighbourhood Connector
Provincial Freeway
200 100 0 200 400 m
Proposed Road (See Sched O-1 of this Plan for more details)
Aldershot GO Major Transit Station Area
Transit Station Area
Existing Natural Open Space
Rail Line
Watercourse
Proposed Streets are conceptual and subject to Section 8.1.2(5.2) of Burlington's Official Plan (2020), as amended.
This schedule shall be used in conjunction with other applicable schedules and policies of this Plan.
MAY 2024
Burlington

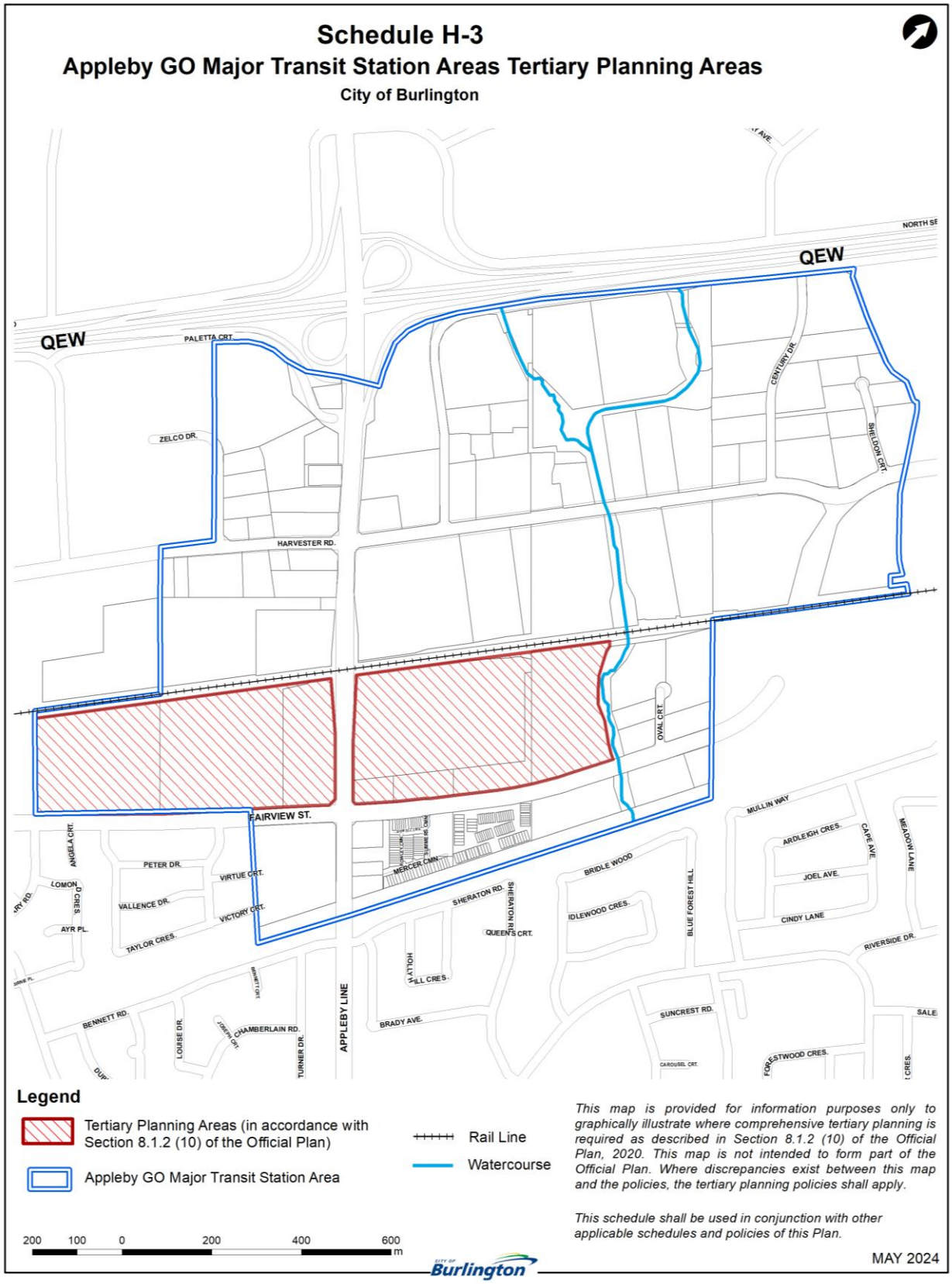

SCHEDULE G-2
Aldershot GO Major Transit Station Area Activated Streets
City of Burlington
HWY 403
PANIN RD
NORTH SERVICE RD.
HIDDEN VALLEY RD.
RAILWAY RD.
MASONRY CRT.
GROVE PARK DR.
QUEEN MARY AVE.
OLD ORCHARD RD.
PLUMTREE
WATERDOWN RD.
LASALLE PARK RD.
FAIRWOOD PL. W
FAIRWOOD PL. E
BAYSIDE CRT.
ALDERSHOT PL.
TOWNSEND AVE.
PARK AVE. E
WILLIAM CRT.
LYNN CRT.
Legend
Proposed Street (See Schedule G-1 in Official Plan for more information)
MTSA Major Mixed Use Street
MTSA General Mixed Use Street
Aldershot GO Major Transit Station Area
Rail Line
Watercourse
200 100 0 200 400 m
Proposed Streets are conceptual and subject to Section 8.1.2(5.2) of Burlington's Official Plan (2020), as amended.
This schedule shall be used in conjunction with other applicable schedules and policies of this Plan
Burlington
MAY 2024


Schedule G-3
Aldershot GO Major Transit Station Areas Tertiary Planning Areas
City of Burlington
HWY 403
PANIN RD
NORTH SERVICE RD.
HIDDEN VALLEY RD.
HOWARD RD.
RAILWAY RD.
WATERDOWN RD.
MASONRY CRT.
COOKE BLVD.
QUEEN MARY AVE.
CLEARVIEW AVE.
ST. MATTHEW'S AVE.
GROVE PARK DR
BEDFORD AVE.
DALEWOOD AVE.
WHITE OAK DR.
MANORWOOD DR.
OLD ORCHARD RD.
EMERY AVE.
PLAINS RD. W.
PLAINS RD. E.
LASALLE PARK RD.
FAIRWOOD PL. W
FAIRWOOD PL. E
BIRCHWOOD AVE.
FILMAN PL.
BAYSIDE CRT.
TOWNSEND AVE.
ALDERSHOT PL.
PARK AVE. W
PARK AVE. E
HERBERTON PL.
GLENWOOD AVE.
FOREST GLEN
ELAND AVE.
ASCOT PL
ISABEL CRT.
DAVID CRT.
WILLIAM CRT.
LYNN CRT.
Legend
Tertiary Planning Areas (in accordance with Section 8.1.2 (10) of the Official Plan)
Aldershot GO Major Transit Station Area
Rail Line
Stream/Creek
200 100 0 200 400 m
This map is provided for information purposes only to graphically illustrate where comprehensive tertiary planning is required as described in Section 8.1.2 (10) of the Official Plan, 2020. This map is not intended to form part of the Official Plan. Where discrepancies exist between this map and the policies, the tertiary planning policies shall apply.
This schedule shall be used in conjunction with other applicable schedules and policies of this Plan.
MAY 2024
Burlington


SCHEDULE H
Land Use - Appleby GO Major Transit Station Area
City of Burlington
QEW
QEW
PALETTA CRT.
ZELCO DR.
HARVESTER RD.
CENTURY DR.
SHELDON CRT.
OVAL CRT.
PETER DR.
VALLENCE DR.
VICTORY CRT.
TAYLOR CRES.
AYR PL.
SHERATON RD.
QUEEN'S CRT.
BRIDLEWOOD
IDLEWOOD CRES.
BLUE FOREST HILL
MULLIN WAY
ARDLEIGH CRES.
JOEL AVE.
CINDY LANE
RIVERSIDE DR.
SUNCREST RD.
BRADY AVE.
BENNETT RD.
Legend
Precincts
Applyby 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
Proposed Streets are conceptual and subject to Section 8.1.2(5.2) of Burlington's Official Plan (2020), as amended.
This schedule shall be used in conjunction with other applicable schedules and policies of this Plan
200 100 0 200 400 600
m
MAY 2024
Burlington


SCHEDULE H-1
Appleby GO Major Transit Station Area Transportation Network
City of Burlington
PALETTA CRT.
HARVESTER RD.
20
FAIRVIEW ST.
SHELDON CRT.
OVAL CRT.
MULLIN WAY
ARDLEIGH CRES.
CAPE AVE.
MEADOW LANE
JOEL AVE.
CINDY LANE
RIVERSIDE DR.
BRIDLE WOOD
IDLEWOOD CRES.
BLUE FOREST HILL
SHERATON RD.
SHERATON RING CRT.
QUEENS CRT.
MERCER CMN.
SUMMERS CMN.
VIRTUE CRT.
VICTORY CRT.
VALLENCE DR.
TAYLOR CRES.
AYR PL.
PETER DR.
LOMON CRES.
ANGELA CRT.
HOLLY HILL CRES.
APPLEBY LINE
BRADY AVE.
BENNETT RD.
LOUISE DR.
CHAMBERLAIN RD.
SUNCREST RD.
Legend
Proposed Arterial
Proposed MTSA Connector
Proposed MTSA Distributor
Off-Street Trail
Appleby GO Major Transit Station Area
Rail Line
Transit Station Area
Grade Separated Crossing (See Schedule P of the Official Plan for more details)
Major Arterial
Multi Purpose Arterial
Industrial Connector
Neighbourhood Connector
Provincial Freeway
Regional Road
Proposed Streets are conceptual and subject to Section 8.1.2(5.2) of Burlington's Official Plan (2020), as amended.
This schedule shall be used in conjunction with other applicable schedules and policies of this Plan.
200 100 0 200 400 600 m
Burlington
MAY 2024


SCHEDULE H-2
Appleby GO Major Transit Station Area Activated Streets
City of Burlington
QEW
QEW
PALETTA CRT.
ZELCO DR.
HARVESTER RD.
CENTURY DR.
SHELDON CRT.
FAIRVIEW ST.
MERCER CMN.
PETER DR.
VIRTUE CRT.
VALLENCE DR.
VICTORY CRT.
TAYLOR CRES.
AYR PL.
LOMON CRES.
BENNETT RD.
LOUISE DR.
CHAMBERLAIN RD.
APPLEBY LINE
BRADY AVE.
SHERATON RD.
QUEENS CRT.
BRIDLE WOOD
IDLEWOOD CRES.
BLUE FOREST HILL
MULLIN WAY
ARDLEIGH CRES.
JOEL AVE.
CINDY LANE
RIVERSIDE DR.
SUNCREST RD.
Legend
Proposed Street (See Schedule H-1 in Official Plan for more information)
MTSA Major Mixed Use Street
MTSA General Mixed Use Street
Appleby GO Major Transit Station Area
Rail Line
Watercourse
Proposed Streets are conceptual and subject to Section 8.1.2(5.2) of Burlington's Official Plan (2020), as amended.
This schedule shall be used in conjunction with other applicable schedules and policies of this Plan
200 100 0 200 400 600 m
Burlington
MAY 2024


Schedule H-3
Appleby GO Major Transit Station Areas Tertiary Planning Areas
City of Burlington
QEW
QEW
PALETTA CRT.
ZELCO DR.
HARVESTER RD.
CENTURY DR.
SHELDON CRT.
OVAL CRT.
FAIRVIEW ST.
MERCER CMN.
SHERATON RD.
QUEENS CRT.
BRIDLE WOOD
IDLEWOOD CRES.
BLUE FOREST HILL
MULLIN WAY
ARDLEIGH CRES.
CAPE AVE.
JOEL AVE.
CINDY LANE
RIVERSIDE DR.
MEADOW LANE
SUNCREST RD.
CAROUSEL CRT.
FORESTWOOD CRES.
APPLEBY LINE
BRADY AVE.
HOLLY HILL CRES.
BENNETT RD.
LOUISE DR.
CHAMBERLAIN RD.
TURNER DR.
ANGELA CRT.
PETER DR.
VIRTUE CRT.
VALLENCE DR.
VICTORY CRT.
TAYLOR CRES.
AYR PL.
LOMON CRES.
Legend
Tertiary Planning Areas (in accordance with Section 8.1.2 (10) of the Official Plan)
Appleby GO Major Transit Station Area
Rail Line
Watercourse
This map is provided for information purposes only to graphically illustrate where comprehensive tertiary planning is required as described in Section 8.1.2 (10) of the Official Plan, 2020. This map is not intended to form part of the Official Plan. Where discrepancies exist between this map and the policies, the tertiary planning policies shall apply.
This schedule shall be used in conjunction with other applicable schedules and policies of this Plan.
200 100 0 200 400 600 m
MAY 2024
Burlington

Attachment 6 to OPA 2 – Major Transit Station Area Table 3

Table 3: Classification of Major Transit Station Area Facilities

In addition to the applicable classifications shown on Schedule F-1: Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area Transportation Network, Schedule G-1: Aldershot GO Major Transit Station Area Transportation Network, and Schedule H-1: Appleby GO Major Transit Station Area Transportation Network and identified in Table 1, of this Plan, the following Classifications of Transportation facilities *shall* apply in Major Transit Station Areas. This table *shall* be incorporated into Table 1: Classification of Transportation Facilities once the table has been confirmed as in effect by the Ontario Land Tribunal.

1. Major Transit Station Area Collector Streets
Major Transit Station Area (MTSA) Collector Streets provide important connections through the Major Transit Station *intensification areas*, delivery a high level of service for *active* and *sustainable modes* of transportation and enabling supportive design features. There are two types of MTSA Collector Streets: MTSA Mixed Use/Commercial Connector and MTSA Mixed Use/Commercial Distributor. Street cross-section examples have been provided in the March 2024 Burlington Major Transit Station Areas Transportation Assessment.
1.1 MTSA Commercial Connector • Right of Way requirements of 30m. A reduction to the right of way requirement of 30m *may* be considered provided that the reduced right of way meets the objectives of the street function. • 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.
1.2 MTSA Commercial Distributor • Right of Way requirements of 26m • Cycling provision of wide shared use lanes • Minimum 2.0m pedestrian clearway and 1.5m planting and furnishing zone.

- A community street that provides ‘rear’ service and access functions to adjacent commercial and residential properties that are not private laneways;
- High level of pedestrian and cycling activity and low to moderate level of vehicular traffic; and
- Provides an attractive environment that complements adjacent main or civic streets.

Attachment 7 to OPA 2 – Major Transit Station Area Table 4

Table 4: Major Transit Station Area Public Right-of-Way Widths

The following Table *shall* be read in conjunction with the Public Right-of-Way policies contained in Chapter 6: Infrastructure, Transportation and Utilities and Section 8.1.2(5.2) of this Plan and *shall* be incorporated into Table 2: Public Right-of-Way Widths, of this Plan once the table has been confirmed as in effect by the Ontario Land Tribunal. The final public right-of-way width will be determined as part of future studies including Tertiary Planning, Environmental Assessments and/or subdivision approvals in accordance with the policies of this Plan.

Street	From	To	Public Right of Way Width (metres)
Burlington GO UGC/MTSA			
Grahams Lane	Hydro Corridor	Brant Street	26
De Pauls Lane	Brant Street	Proposed east-west connection	30
Drury Lane	CN Rail Corridor	145 metres south of Fairview street	26
Aldershot GO MTSA			
Masonry Court	Waterdown Road	Grove Park	30
Masonry Court	Waterdown Road	Howard Road	30
Cooke Blvd	Plains Road	Masonry Court	26
Emery Ave	Plains Road	Emery Ave extension	26
Howard Road	Plains Road	Lemonville Road	30
Appleby GO MTSA			
South Service Road	Harvester Road	120 metres east of Century Drive	30
Century Drive	Harvester Road	South Service Road	30
Zelco Drive	Harvester Road	To Zelco Drive extension	26

Attachment 8 to OPA 2 – For Reference Purposes Only, and does not form part of the Official Plan: Figures 1, 2, 3 (Conservation Halton) to inform the update of Appendix E

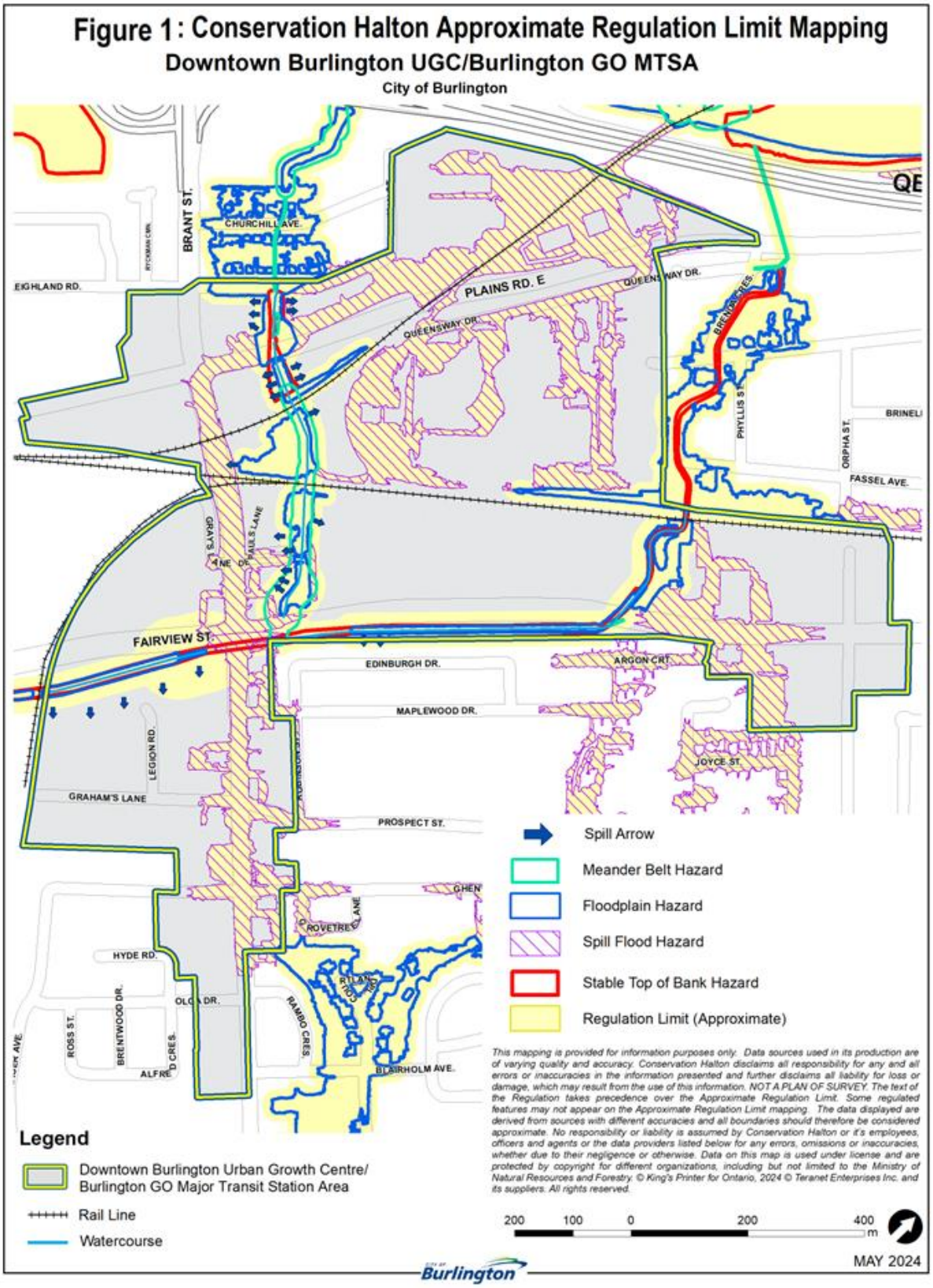
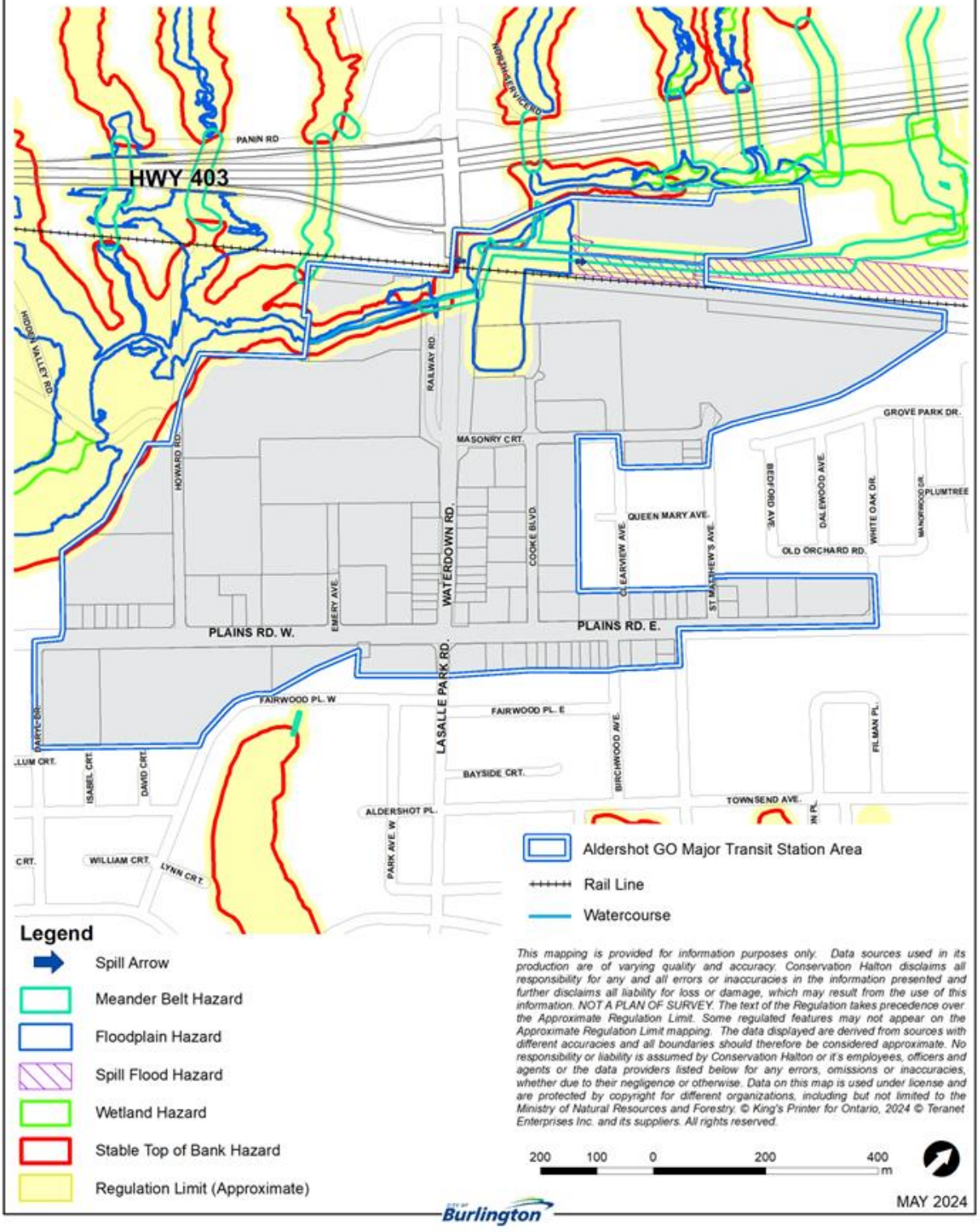

Figure 1: Conservation Halton Approximate Regulation Limit Mapping
Downtown Burlington UGC/Burlington GO MTSA
City of Burlington
BRANT ST.
CHURCHILL AVE.
EIGHLAND RD.
PLAINS RD. E
QUEENSWAY DR.
PHYLLIS ST.
ORPHA ST.
FASSEL AVE.
FAIRVIEW ST.
EDINBURGH DR.
ARGON CRT.
MAPLEWOOD DR.
JOYCE ST.
LEGION RD.
GRAHAM'S LANE
PROSPECT ST.
HYDE RD.
ROSS ST.
BRENTWOOD DR.
BLAIRHOLM AVE.
Spill Arrow
Meander Belt Hazard
Floodplain Hazard
Spill Flood Hazard
Stable Top of Bank Hazard
Regulation Limit (Approximate)
Legend
Downtown Burlington Urban Growth Centre/ Burlington GO Major Transit Station Area
Rail Line
Watercourse
200 100 0 200 400 m
MAY 2024
Burlington

Figure 2 : Conservation Halton Approximate Regulation Limit Mapping

Aldershot GO MTSA

City of Burlington



This mapping is provided for information purposes only. Data sources used in its production are of varying quality and accuracy. Conservation Halton disclaims all responsibility for any and all errors or inaccuracies in the information presented and further disclaims all liability for loss or damage, which may result from the use of this information. NOT A PLAN OF SURVEY. The text of the Regulation takes precedence over the Approximate Regulation Limit. Some regulated features may not appear on the Approximate Regulation Limit mapping. 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 it's employees, officers and agents or the data providers listed below for any errors, omissions or inaccuracies, whether due to their negligence or otherwise. Data on this map is used under license and are protected by copyright for different organizations, including but not limited to the Ministry of Natural Resources and Forestry. © King's Printer for Ontario, 2024 © Teranet Enterprises Inc. and its suppliers. All rights reserved.

Figure 3 : Conservation Halton Approximate Regulation Limit Mapping

Appleby GO MTSA

City of Burlington



Legend

- Spill Arrow
- Meander Belt Hazard
- Floodplain Hazard
- Spill Flood Hazard
- Stable Top of Bank Hazard
- Regulation Limit (Approximate)
- Appleby GO Major Transit Station Area
- Rail Line
- Watercourse

This mapping is provided for information purposes only. Data sources used in its production are of varying quality and accuracy. Conservation Halton disclaims all responsibility for any and all errors or inaccuracies in the information presented and further disclaims all liability for loss or damage, which may result from the use of this information. NOT A PLAN OF SURVEY. The text of the Regulation takes precedence over the Approximate Regulation Limit. Some regulated features may not appear on the Approximate Regulation Limit mapping. 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 it's employees, officers and agents or the data providers listed below for any errors, omissions or inaccuracies, whether due to their negligence or otherwise. Data on this map is used under license and are protected by copyright for different organizations, including but not limited to the Ministry of Natural Resources and Forestry. © King's Printer for Ontario, 2024 © Teranet Enterprises Inc. and its suppliers. All rights reserved.

200 100 0 200 400 600 m

MAY 2024

Appendix B of Staff Memo dated June 18, 2024: Staff Responses and proposed policy modifications to submissions received.

The following is a summary of submissions received between May 29 to up to and including the June 11th Statutory Public Meeting related to the Official Plan Amendment 2 (OPA No. 2).

As noted in the staff memo, some submissions included comments on the CPP By-law that will be responded to at a later date.

Submission	OPA related Comments	CPP By-law related Comments
Sarah Turney, Faskin on behalf of Brant-Plains Holdings Letter dated June 7 Delegation on June 11 Statutory Public Meeting		X
Michelle Diplock, WEHBA Delegation on June 11 Statutory Public Meeting		X
Martin Quarcoopome, Weston Letter dated June 7 Delegation on June 11 Statutory Public Meeting	X	X
Adam Layton, Goldberg Group (141-153 Plains Road W.) Letter dated June 7 Delegation on June 11 Statutory Public Meeting		X
Arun Anand, Infinity Development Group Delegation on June 11 Statutory Public Meeting		X
Noah MacLaren, MHBC for Lafarge Canada Inc. (800 Appleby Line) Letter dated June 7	X	X
Kevin Nunn, Weston for Rosseau Development Corp (849 and 855 Brant St.) Email on May 30		X
Nanni Bucci, Brant Cycle 892 Brant Street Letter dated May 31		X
Cindy Powell	X	X
Rick and Julie		X
Conservation Halton Letter dated June 6		X

Submission	OPA related Comments	CPP By-law related Comments
Alinea (4450, 4480 and 4500 Paletta Court) Letter dated June 10	X	X
Patrick Duffy, Stikeman Elliot for Sofina Foods Inc. (821 Appleby Line) Letter dated June 10		X
Denise Baker, Weirfoulds for 1602211 Ontario Limited, Branthaven 735 Oval Inc, Branthaven 740 Oval Inc., S&G Consulting Inc., 5135 Fairview Holdings Inc and Branthaven Development Corporation Letter dated June 10	X	
David Aston and Stephanie Mirtitsch, MHBC For Losani Homes (127 Plains Road W.) Letter dated June 10		X
David Falletta, Bousfields Inc. for 1000555724 Ontario Inc.; 2731115 Ontario Inc.; F. K Deals on Wheels Inc.; 2731119 Ontario Inc.; and Manor Care Homes Inc. (1376 and 1382 Plains Road East) Letter dated June 10 Delegation on June 11 Statutory Public Meeting	X	X
Oz Kemal, MHBC for Wal-Mart Canada Corp. (2065 Fairview Street) Letter dated June 10	X	X
Dr. Michael Shih, Emshih Developments Inc. Letter dated June 10	X	X
Wayne Coutinho, Korsiak Urban Planning for 546636 Ontario Inc., P & L Livestock Limited, 2362302 Ontario Inc., and 546636 Ontario Limited (4415 Fairview Street, 4445 Fairview Street, 4460 – 4490 Fairview Street and 666 – 676 Appleby Line, and 750 Appleby Line) Letter dated June 10	X	X
Denise Baker, Weirfoulds LLP for Camarro Developments Inc., (789-795 Brant Street) Letter dated June 10	X	X
Denise Baker, Weirfoulds LLP for Camarro Developments Inc., (1062 and 1074 Cooke Boulevard) Letter dated June 10	X	X

Submission	OPA related Comments	CPP By-law related Comments
Denise Baker, Weirfoulds LLP for Bull Moose Tube Limited (2170 Queensway Drive) Letter dated June 10	X	X
David Bronskill, Goodmans LLP for Presidio Construction Limited (c/o the Remington Group) – 5200 Harvester Road Letter dated June 10	X	X

Comments related to only recommended OPA No.2 received between May 29 to June 11 and staff response

Submission	Comments/Issue	Staff Response	Changes made to OPA2
Martin Quarcoopome, Weston on behalf of Valour Capital (5041 Fairview St.) Letter dated June 7 Delegation on June 11	Concerns regarding the Tertiary Plan implementation policies within OPA 2. While OPA2 does provide policies for managing non-participating landowners and to waive the need for a tertiary plan for proposed development, Valour is of the opinion that these policies should be reinforced given the size and context of their lands. 5041 Fairview Street is a small parcel of the Tertiary Planning Area compared to the other properties, fronts directly onto Fairview St and has access to available servicing. This should be taken into consideration when development applications are filed with the City. It is recommended that the mandate for Tertiary Planning not be applied for smaller properties under 1 ha. as long as the items outlined in Section 8.1.2 (10.1.1) are satisfactorily addressed.	The intent of tertiary planning is to ensure the collaboration, coordination and shared delivery of identified key infrastructure elements such as streets, parks and open spaces, public realm and streetscapes and public service facilities. In the tertiary planning areas, OPA 2 (Section 8.1.2(10.1) has identified a number of community elements that must be considered in a Tertiary Plan including location of new public parks, new transportation connections, public service facilities and others. Tertiary planning is important to ensure that the costs and phasing associated with the provision of parkland, parking, infrastructure and servicing are distributed in an equitable and fair manner among the landowner and is coordinated among multiple landowners in an urban, intensification context. Section 8.1.2 (10.1) in OPA 2 includes the following policies to provide flexibility: d) that if the landowners can demonstrate that proposed development is delivering on elements achieved elsewhere, City may consider waiving.	No changes made to OPA 2

Submission	Comments/Issue	Staff Response	Changes made to OPA2
		i) Landowners are encouraged to work together to complete a Tertiary Plan, however, an individual landowner may complete entire plan if other landowners decide not to participate	
Noah MacLaren and Dana Anderson, MHBC for Lafarge Canada Inc. (800 Appleby Line) Letter dated June 7	Recommendation for further edit to 8.1.2(6) (b) of OPA2: b) Where avoidance is not possible, development containing sensitive land uses shall demonstrate how land use compatibility has been evaluated and addressed through a Land Use Compatibility Screening Assessment and where required, a Land Use Compatibility Study in accordance with 8.1.2(6) c). Development of new sensitive land uses shall only be permitted where the impacts to **existing and planned** industrial, manufacturing or other major facilities and potential new major facilities, as permitted through the Community Planning Permit By-law, have been minimized and mitigated to the satisfaction of the City.	Updated as recommended to add the words "and planned".	Section 8.1.2(6) (b) of the revised recommended OPA 2 in Appendix A of Staff Memo dated June 18, 2024, has been revised to include the words "and planned" to b).
Cindy Powell	Concerns with proposed growth. Appleby GO MTSA cannot support such growth and the infrastructure is not in place. Traffic studies of the present flow would show it is in gridlock most of the time.	Comments have been noted. OPA 2 and the CPP By-law is being implemented in conformity with Regional Official Plan Amendment 48. The Minister	No change to OPA 2

Submission	Comments/Issue	Staff Response	Changes made to OPA2
	Stress that we should be meaning open space and plazas for resident's quality of life. Concerned about affordable housing and rental. Requests that staff will reconsider downsizing some of the MTSAs in order to limit the impact on the community.	of Municipal Affairs and Housing approved ROPA 48 in 2021. ROPA 48 identified the Protected MTSA boundaries and minimum density targets, and proportional resident and job targets that municipalities are required to plan as established in the Province's Growth Plan. The targets are minimums.	
Alinea (4450, 4480 and 4500 Paletta Court) Letter dated June 10	Concerned with Off-Street Trail proposed through the subject lands. Does not align with the conditionally approved site plan and cannot support.	An Off-Street Trail is shown on Schedule H-1 (Appleby MTSA Transportation Network) in OPA 2 to help enhanced connectivity in the area and create an active transportation connection between Zelco Drive and Appleby Line which is identified as a higher order transit corridor in regional studies. Staff have further clarified that Off-street Trails are conceptual.	Section 8.1.2 (5.2) b) and Section 8.1.2 (5.4) b) of the revised recommended OPA 2 in Appendix A of Staff Memo dated June 18, 2024, has been revised to include the words "off-street trail"
Denise Baker, Weirfoulds for 1602211 Ontario Limited, Branthaven 735 Oval Inc, Branthaven 740 Oval Inc., S&G Consulting Inc., 5135 Fairview Holdings Inc and	For clarity, it is recommended that the exemption be included in two locations within OPA 2. The first is within Section 12.1.14 which sets out the Major Transit Station Area CPP policies as a new section (u), and the second is within Section 8.1.2 Major Transit Station Area policies as a new paragraph in that section. It is requested that that a new policy be added in those locations	New language added.	Section 12.1.14 (3) v) and 8.1.2 (4.2) g) [new] of the revised recommended OPA 2 in Appendix A of Staff Memo dated June 18, 2024 has been revised to exclude the lands at 720,735,740 Oval Court and 5135, 5155 Fairview

Submission	Comments/Issue	Staff Response	Changes made to OPA2
Branthaven Development Corporation Letter dated June 10	which states: *The lands at 720, 735, 740 Oval Court and 5135, 5155 Fairview are exempt from the Community Planning Permit policies and any Official Plan policies to be implemented through the Community Planning Permit process.*		from any OPA 2 policies and the CPP By-law.
	We also note that OPA 2 does not incorporate the approved site specific Official Plan policies set out within our Minutes of Settlement. It is our opinion that the site specific Official Plan amendment for the Lands should be incorporated into OPA 2 at this time and not have to wait for a subsequent Official Plan amendment process.	As per the Minutes of Settlement for these lands, policy language has been incorporated into OPA 2 to exclude these lands from OPA 2 and the CPP By-law. The incorporation of the site-specific policies as outlined in the Minutes of Settlement to the City's 1997 Official Plan will be incorporated by modification through a future city-led process.	No change to OPA 2.
David Falletta, Bousfields Inc. for 1000555724 Ontario Inc.; 2731115 Ontario Inc.; F. K Deals on Wheels Inc.; 2731119 Ontario Inc.; and Manor Care Homes Inc. (1376 and 1382 Plains Road East) Letter dated June 10 Delegation on June 11	Do not believe the Mid-Rise Residential designation appropriate reflects the provincial direction that greater levels of intensification should be directed to MTSAs, which are intended to be developed at higher densities than lands outside of the MTSA area. The Mid-Rise Residential designation should be modified to permit tall buildings of up to 20 storeys on the subject site, subject to City Staff review and CPP By-law regulations.	Heights have not been included in OPA 2. The maximum heights for Class 1 and 2 applications in the CPP By-law reflect the overall vision of highest heights generally closest to the GO Station and transitioning down to the edges of the MTSA boundaries. These heights have also been envisioned and informed by extensive community engagement since the start of the MTSA Project and supported by Council through the Recommended Preferred Precinct Plans as presented in Interim Report (2022) and the MTSA ASP Study &	No change to OPA 2

Submission	Comments/Issue	Staff Response	Changes made to OPA2
		Final Report (2022). Through a Class 3 Community Planning Permit application, there is the ability for applicants to propose heights above Class 1 and 2 limits. Since OPA 2 does not include maximum heights, heights above a Class 1 and 2 will not require an OPA. The Community Planning Permit By-law has identified that a Class 3 height variation will be subject to City Council approval. As with all CPP applications, the application will be processed within 45 days and the provision of services, facilities and matters proportionate to the proposed height will be required, in accordance with the CPP By-law. Staff also note that there will be continued opportunity to discuss through further consultation on the CPP By-law, specifically as it relates to Class 1 and Class 2 permit structure.	
Oz Kemal, MHBC for Wal-Mart Canada Corp. (2065 Fairview Street) Letter dated June 10	**Permitted Uses** Given that Wal-Mart has operated its commercial use on Fairview Street for the past two decades, OPA 2 does not contain any supportive policies that support and maintain such established economic uses.	New subsection e) has been included in 8.1.2(2.1), 8.1.2 (3.2) and 8.1.2 (4.2) f) to recognize existing uses remain as permitted from the date of the enactment of OPA 2.	New subsection e) in 8.1.2(2.2), 8.1.2 (3.2) and 8.1.2 (4.2) f) of the revised recommended OPA 2 in Appendix A of Staff Memo dated June

Submission	Comments/Issue	Staff Response	Changes made to OPA2
	The proposed OPA 2 recommends the repealing of, and replacement of section 12.1.14 of the new City of Burlington Official Plan that is currently before the Ontario Land Tribunal. Within the proposed amendment, s.12.1.14(h) states that the CPP By-law "may" outline provisions for the issuance of a permit for the extension/enlargement of a non-conforming use, building or structure as a discretionary use subject to the policies of OPA 2 and the criteria set out in the CPP By-law. Proposed policy 12.1.14.h should be deleted and replaced with a policy that recognizes the continuation of Wal-Mart's commercial use, such as: "notwithstanding 8.1.2(2.1)d) and 8.1.2(2.1)e) regarding minimum density and minimum floor area ratio for the Downtown Burlington UBC/Burlington GO MTSA, existing uses as of the date of enactment this OPA will remain as permitted uses, and nothing in this Plan shall prevent the use, replacement, extension, or enlargement of a lawfully existing use of land, buildings or structures which lawfully existed on the date of the approval of this Plan."		18, 2024 has been included as follows: e) <u>The enlargement or extension of a legal non-conforming use *shall* be permitted provided that the expansion or enlargement is used in the same manner and for the same purpose as it was used on the day OPA 2 was passed or is more compatible with the uses permitted</u>.
	Shared Distribution of Responsibility As the Wal-Mart lands are not within the required area for Tertiary Planning that requires the preparation amongst landowners for a cost-sharing agreement under Tertiary Plans Policies, s.8.1.2(10.1.1)	The word "where applicable" has been added to policy 8.1.2 (8.1) d) to reflect that some sites may not have elements such a new public streets or new parks shared with other landowners and may not be required to pursue a shared	See revised policy 8.1.2 (8.1) d) of the revised recommended OPA 2 in Appendix A of Staff Memo dated June 18, 2024.

Submission	Comments/Issue	Staff Response	Changes made to OPA2
	c), the OPA 2, s.8.1.2(8.1)d) Public Realm policy, indicates that, "shared distribution of the responsibility among landowners to provide street infrastructure, active transportation connections and parks to contribute to the public realm is required through the comprehensive planning of contiguous lots based on good planning principles." This policy is unclear regarding what 'shared distribution' means, therefore it is recommended that this policy be further clarified as to how the coordination and cost share for roads and parks shall be determined.	distribution of responsibility with other landowners.	
Dr. Michael Shih, Emshih Developments Inc. Letter dated June 10	Concerned with the north-south linear park identified on Schedule G in OPA2 and Schedule C-4 in the CPP By-law. Request that the linear park be removed.	A Potential Linear Park and Greenway was identified on Schedule G in the draft OPA2 released in October 2023 and also shown on the Public Realm and Active Transportation Plan in the draft CPP By-law (previously shown on Figure 2a in the draft October 2023 version). The Potential Linear Park and Greenway continues to be shown on Schedule G in OPA 2 and Schedule C-4 in the CPP By-law to help enhance connectivity in the area and connect to the Potential Linear Park and Greenway located east-west along the identified Masonry Court extension street between Howard Road and Waterdown Road.	No change to OPA 2.

Submission	Comments/Issue	Staff Response	Changes made to OPA2
		Staff note that OPA 2 contains the following policy 8.1.2 (8.5) to clarify that the specific location, size and function will be established through a Community Planning permit application or tertiary planning process: b) New parks shall be designed and planned within the areas generally shown as the “New Park” and “Potential Linear Park & Greenway” symbols on Schedule F: Land Use- Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area, Schedule G: Land Use- Aldershot GO Major Transit Station Area and Schedule H: Land Use- Appleby GO Major Transit Station Area, of this Plan. The specific location, size and function of a park shall be established through a Community Planning Permit application process or through a Tertiary Plan as set out in Section 8.1.2 (10.1) of this Plan and in accordance with other City plans.	

Submission	Comments/Issue	Staff Response	Changes made to OPA2
Wayne Coutinho, Korsiak Urban Planning for 546636 Ontario Inc., P & L Livestock Limited, 2362302 Ontario Inc., and 546636 Ontario Limited (4415 Fairview Street, 4445 Fairview Street, 4460 – 4490 Fairview Street and 666 – 676 Appleby Line, and 750 Appleby Line) Letter dated June 10	**MIN. Densities:** The minimum densities proposed in the MTSA-ASP are area wide and are not specific to proposed precincts, nor does it differentiate between north and south area of the MTSA divided by the rail corridor. These minimum densities are very low for Appleby GO MTSA, which does not adequately support intensification of a MTSA as intended by the Government of Ontario and is reflected in the Halton Region Official Plan (ROPA 48). • **8.1.2 (4.1) b)c)d) -** MIN Density Targets of 120 residents and jobs per HA **Ratio of Jobs to People:** The proposed ratio of people and jobs does not support increased density and intensification within the Appleby GO MTSA, south of the Rail Corridor as intended in Provincial Growth Plan and ROPA 48. A suggestion would be to have different ratios for lands to the south similar to Aldershot GO MTSA at 80% people and 20% jobs. • **8.1.2 (4.1) d) - Appleby GO MTSA** = 40% people and 60% jobs	OPA 2 and the CPP By-law is being implemented in conformity with Regional Official Plan Amendment 48. The Minister of Municipal Affairs and Housing approved ROPA 48 in 2021 which identified an alternative target for the Appleby GO MTSA per Provincial policy direction (Growth Plan). ROPA 48 identified the Protected MTSA boundaries and minimum density targets, and proportional resident and job targets that municipalities are required to plan to achieve. The targets are minimums and subject to ongoing monitoring. A Class 3 CPP By-law application would provide the opportunity to apply for increased height subject to Council approval, still within a 45-day approval timeline. Staff also note that there will be continued opportunity to discuss through further consultation on the CPP By-law, specifically as it relates to Class 1 and Class 2 permit structure.	No change to OPA 2.

Submission	Comments/Issue	Staff Response	Changes made to OPA2
	Floor Area Ratio (FAR) / Floor Space Index (FSI): The proposed OPA 2 policy states the minimum FAR or FSI is to be ensured through minimum heights established in the Draft CPP Bylaw. • CPP Bylaw Schedules D-2 and D-3 only references MAXIMUM heights. • There are no Minimum Heights proposed or required in the Appleby GO MTSA.	The heights identified on schedules D-2 and D-3 are maximums that can be approved through a Class 1 or 2 delegated to staff. Council can approve through a Class 3 application heights higher than what is identified on the Schedule.	Sections 8.1.2(2.1) f, 8.1.2 (3.1)f) and 8.1.2 (4.1) f) has been modified to remove the word "minimum" and replace with the word "permitted".
	O.Reg 173/16: COMMUNITY PLANNING PERMITS: The Draft OPA 2 & CPP Bylaw does not appear to meet the requirement of O.Reg 173/16 for the provision of specified facilities, services and matters in exchange for a specified height or density of development. Refer to O.Reg 173/16 sections below, which states this must be established in the Official Plan and not in a future CPP By-law. **Conditions re official plan** *(5) The official plan may contain policies relating to the application of paragraph 5 of subsection 4 (5), respecting conditions requiring the provision of specified facilities, services and matters in exchange for a specified height or density of development, which may be within the ranges set out under clause 4 (2) (c) or outside those ranges as set out under clause 4 (3) (f).*	12.1.14(3) t) [re-lettered from s) includes the types of conditions that may form part of a decision on a Community Planning Permit Application. Subsection vii) includes a condition requiring the provision of specified facilities, services and matters in exchange for height or density as identified in the CPP by-law. Staff note that the O.Reg specifies clause 4(2)(c) allows for the ranges for height and density to be set out in the Community Planning Permit By-law.	No change to OPA 2.
Denise Baker, Weirfoulds LLP for Camarro	It is noted that there is no site-specific exception identified for the Subject Lands. It is also noted that within the Downtown Urban Growth Centre/Burlington GO MTSA	The submission notes that the final order from the OLT is being withheld pending additional steps being taken regarding the Heritage matters. Incorporation of	No change to OPA 2.

Submission	Comments/Issue	Staff Response	Changes made to OPA2
Developments Inc., (789-795 Brant Street) Letter dated June 10	that residential uses excluding single detached dwellings, and semi-detached dwellings are permitted. The existing building at 795 Brant Street is a designated heritage building and is a single detached dwelling and therefore isn't sufficiently addressed through the permitted uses.	this site-specific exception will be done through a future city-led process following final order from the OLT.	
Denise Baker, Weirfoulds LLP for Camarro Developments Inc., (1062 and 1074 Cooke Boulevard) Letter dated June 10	In a review of the May 21, 2024 released final draft OPA 2 and CPP By-law, it is noted that there is not yet a site-specific exception for the Subject Lands as a decision has not been formally issued by the OLT. In light of the current and ongoing OLT matters, it is requested that the City of Burlington include a site-specific exception into the Official Plan and CPP By-law for the Subject Lands to ensure the settlement for the Subject Lands is properly incorporated.	The submission notes that matter is currently before the OLT and a decision has not been issued. Incorporation of this site-specific exception will be done through a future city-led process following final order from the OLT.	No change to OPA 2.
Denise Baker, Weirfoulds LLP for Bull Moose Tube Limited (2170 Queensway Drive) Letter dated June 10	**Ontario Regulation 173/16** Section 3(1) of O. Reg. 173/16 requires that the council **shall not** pass a community planning permit by-law for any area in the municipality unless, before the passing of the by-law, the **official plan** in effect in the municipality.	At the June 11th Committee meeting, the Report PL-03-24 recommendation to Council was amended. The recommendations continue to recommend that OPA 2 be adopted, and the record sent to the approval authority for approval. The recommendation related to the CPP By-law now states that it is to be "approved in principle". Should Council approve the amended recommendations on June 18th, the CPP By-law will not come into effect until OPA 2 has been approved by the appropriate approval authority.	N/A

Submission	Comments/Issue	Staff Response	Changes made to OPA2
	Section 3(1) of O.Reg. 173/16 (b) sets out the scope of the authority that may be delegated and any limitations on the delegation, if the council intends to delegate any authority under the community planning permit by-law; and • It is submitted that OPA 2 does not meet this requirement. The only reference to delegation in the OPA is a reference to the CPP By-law. The purpose of OPA 2 having to set out the delegation requirements is to ensure that the CPP By-law conforms to the delegation authority identified in the Official Plan. This needs to be added to OPA 2 as it is not sufficient to only have this included in the CPP By-law.	Section 12.1.14 (3) provides the implementing policies for the Community Planning Permit By-law. This section has been updated to reflect the O.Reg 173/16.	Section 12.1.14 (3) m) [re-lettered] has been modified to include specific language for the delegation of approvals to and the limitations of that delegation.
	(c) for each proposed community planning permit area identified under clause (a), **(i) contains a statement of the municipality's goals, objectives and policies in proposing a community planning permit system for the area,** • This requirement has not been met in OPA 2. There are no identified goals and objectives in OPA 2 for proposing a CPP system for each of the identified areas. It is noted that there are objectives for the MTSAs set out in 8.1.2, but that is not what is required by this section of the Regulation. Instead, the Regulation is related to the goal and objectives in order to propose a CPP		Section 12.1.14 (3) b) [new] has been included to identify the goals and objectives of a Community Planning Permit System for each of the MTSAs.

Submission	Comments/Issue	Staff Response	Changes made to OPA2
	System. • The failure to set out the goals and objectives as required by the Regulation is problematic because the criteria and conditions associated with the establishment of the CPP By-law shall be in accordance with the goals, objectives and policies described pursuant to this section of the Regulation. Therefore, if there are no goals and objectives established, it is not possible to assess whether the criteria and conditions to be set out in the CPP By-law are appropriate and therefore the CPP By-law cannot be passed by Council.		
	(ii) sets out the types of criteria that may be included in the community planning permit by-law for determining whether any class of development or any use of land may be permitted by community planning permit, and This requirement has not been met in OPA 2. The Regulation requires OPA 2 to set out the criteria that may be included in the CPP By-law. It is not adequate for only the CPP By-law to set out the criteria.		Section 12.1.14 (3) g) [re-lettered from f) includes the criteria for determining the consideration of a discretionary use or variation to a provision in the CPP By-law. Section 12.1.14 (3) k) [re-lettered from j) includes an additional modification that the CPP By-law may allow for variations to a development standard subject to the criteria outlined in 12.1.14(3) g).

Submission	Comments/Issue	Staff Response	Changes made to OPA2
	(iii) sets out the types of conditions that may be included in the community planning permit by-law in accordance with clause 4 (2) (i) and subsections 4 (4), (5) and (6). • This condition is only partially met. It is acknowledged that the suggested conditions in O.Reg. 173/16 are set out in OPA 2, however O. Reg. 173/16 also states that if the City intends to use a condition which requires the provision of specified facilities, services and matters in exchange for a specified height or density of development, then the OPA has to set out policies relating to the application of paragraph 5 of subsection 5 of O. Reg. 173/16. It is submitted that OPA 2 does not meet this requirement. • In addition, it is submitted that neither OPA 2 nor the CPP By-law has established what the proportional relationship between the quantity or monetary value of the facilities services or matters that may be required and the height and density of development that may be allowed. The intention of this requirement is to provide absolute certainty to landowners as to what the cost of required facilities services or matters vis a vis the additional height requested.		Section 12.1.14 (3) t) [re-lettered from s] includes the types of conditions that a Community Planning Permit application may consider.
	(2) The types of criteria described in subclause (1) I (ii) and the types of conditions described in subclause (1) I (iii) shall be in accordance with the goals,		Section 12.1.14 (3) b) [new] has been included to identify the goals and objectives of a

Submission	Comments/Issue	Staff Response	Changes made to OPA2
	objectives and policies described in subclause (1) I (i). • As noted above, OPA 2 doesn't set out any goals or objectives as required by the Regulation and therefore it is not possible to assess the criteria and the conditions against the goals and objectives of the CPP System.		Community Planning Permit System for each of the MTSAs.
	Definitions With respect to the definition of development, while it is appreciated that the "removal of vegetation" is part of the definition included in O. Reg. 173/16, it is submitted that the requirement for a CPP for the removal of vegetation is far too onerous for any landowner. It is appreciated that the removal of trees has been exempted from this requirement as a result of Burlington's private tree by-law, however OPA leaves in places the need for a CPP for the removal of any other vegetation. Therefore, it is requested that, given the definition of *development* in OPA 2, a detailed list of exemptions to the mandatory requirement for a CPP for the removal of vegetation, should be added to 12.1.14 m).	Staff are implementing the direction of O'Reg 73/16 with respect to the definition of development. Staff note that 12.1.14m) ii) states that a CPP will not be required for a use or development that is explicitly listed as exempt in the CPP By-law. Section 3.2 of the CPP By-law currently exempts tree removal subject to the City's Private Tree Protection By-law from the CPP requirement, along with other exemptions. Staff will consider the suggestion to broadly exempt vegetation removal when finalizing in the CPP By-law.	No change to OPA 2.
	Policy 8.1.2 Under OPA 2, the Property is designated Queensway Commons, Low to Mid-Rise Residential and Burlington GO Central. It is submitted that the westerly portion of the Property should be more appropriately designated Burlington GO Central and the southeastern portion of the property as 'Mid-	Heights have not been included in OPA 2. The maximum heights for Class 1 and 2 applications in the CPP By-law reflect the overall vision of highest heights generally closest to the GO Station and transitioning down to the edges of the MTSA boundaries. These heights have	No change to OPA 2.

Submission	Comments/Issue	Staff Response	Changes made to OPA2
	Rise Residential' as set out on Figure 2 attached hereto, to ensure that sufficient heights and densities on the Property can be achieved to support the Property's role immediately abutting the identified Transit Station Area. The Property, being in the Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area, plays a vital role in helping the City meet its growth targets. It is of note that there are many other properties which are in close proximity to existing residential areas and are further from the Transit Station Area than the Property, which are designated for greater heights and densities than the subject Property.	also been envisioned and informed by extensive community engagement since the start of the MTSA Project and supported by Council through the Recommended Preferred Precinct Plans as presented in Interim Report (2022) and the MTSA ASP Study & Final Report (2022). Through a Class 3 Community Planning Permit application, there is the ability for applicants to propose heights above Class 1 and 2 limits. Since OPA 2 does not include maximum heights, heights above a Class 1 and 2 will not require an OPA. The Community Planning Permit By-law has identified that a Class 3 height variation will be subject to City Council approval. As with all CPP applications, the application will be processed within 45 days and the provision of services, facilities and matters proportionate to the proposed height will be required, in accordance with the CPP By-law. Staff also note that there will be continued opportunity to discuss through further consultation on the CPP By-law, specifically as it relates to Class 1 and Class 2 permit structure.	

Submission	Comments/Issue	Staff Response	Changes made to OPA2
	With respect to policy 8.1.2 (6), OPA 2 is establishing the land uses designations and permitted uses on the site. Therefore, in this context, the inclusion of 8.1.2 (6)(b) is difficult to understand. This exercise of whether avoidance is possible should be done at the OPA 2 stage, not leave it to the specific development application stage. At the application stage, mitigation techniques can be explored, but the threshold question of "avoidance", should be resolved through this OPA. As such it is suggested that 8.1.2 (6)(b) should be reconsidered or deleted in its entirety.	Section 8.1.2 (6) b) and the term avoidance is consistent with Provincial plans and policies. The intent of b) is to trigger the need for a Land Use Compatibility study to ensure impacts to existing industries have been minimized and mitigated. Staff note there is an existing industry operating in the Employment precinct of the Burlington GO MTSA that the policies of OPA 2 should ensure the continued operation and economic viability of that facility with the introduction of sensitive uses.	
	The requirement for Tertiary Planning should be deleted from OPA 2. A Tertiary Plan is not required to ensure the shared delivery of streets and blocks, land use, parks and open space, public realm and streetscapes, parking, site access and pedestrian connections and public service facilities. There are other existing mechanisms for those results to be achieved. The mechanism for the delivery of each of those elements has already been established through the *Planning Act*, the *Development Charges Act*, draft OPA 2 or the draft CPP By-law. To now require a Tertiary Plan over and above all of the studies that the City indicates in the staff report that it has already	The intent of tertiary planning is to ensure the collaboration, coordination and shared delivery of identified key infrastructure elements such as streets, parks and open spaces, public realm and streetscapes and public service facilities. In the tertiary planning areas, the OPA 2 (Section 8.1.2(10.1)) has identified a number of community elements that must be considered in a Tertiary Plan including location of new public parks, new transportation connections, public service facilities and others. Tertiary planning is important to ensure that the costs and phasing associated with the provision of parkland, parking, infrastructure and servicing are distributed in an equitable and fair	No change to OPA 2.

Submission	Comments/Issue	Staff Response	Changes made to OPA2
	undertaken, will delay the much need delivery of housing for no purpose. The intent of proceeding with OPA 2 and the CPP By-law is to expedite the delivery of housing. The Tertiary Plan requirement directly contracts that goal, and entirely undermines the Pipeline to Permit process that the City has established. If the true goal of the Tertiary Planning is to ensure that cost sharing agreements are in place that could be identified in OPA 2 and the CPP By-law as a type of condition that the City will seek to impose as part of a CPP By-law, and therefore no Tertiary Plan is required. The City is limited in what it can require as developer contributions as set out in the *Planning Act,* the *Development Charges Act* and the CPP By-law. A Tertiary Plan is not an appropriate mechanism for the City to try to secure what it is otherwise permitted to secure. It is therefore submitted that Policy 8.1.2(10.1) should be deleted. Specific to the Property, all of the elements set out in 8.1.2(10.1.1) i should either been established by the City's own transportation. Active Transportation Master Plans of the Development Charge Background Study. For example, requiring an individual landowner to prepare a Tertiary Plan to address a grade separated rail crossing is entirely inappropriate. The assessment of grade	manner among the landowner and is coordinated among multiple landowners in an urban, intensification context. Section 8.1.2 (10.1) in OPA 2 includes the following policies to provide flexibility: d) that if the landowners can demonstrate that proposed development is delivering on elements achieved elsewhere, City may consider waiving. i) Landowners are encouraged to work together to complete a Tertiary Plan, however, an individual landowner may complete entire plan if other landowners decide not to participate. As identified on Schedule F-1 and subject to policy 8.1.2 (5.2) p) a Municipal Class Environmental Assessment shall be required to determine the need, feasibility and location of major grade separated crossing connections that support the goals and objectives of the City's Integrated Mobility Plan and consider rebalancing the transportation	

Submission	Comments/Issue	Staff Response	Changes made to OPA2
	separated rail crossing is to be completed as part of the municipal Transportation Master Plan and implemented through the Development Charge By-law. In addition, the requirement for a Tertiary Plan for the Property is further complicated by the fact that Metrolinx is a landowner directly abutting the Property to the west and individually owned townhouses are abutting the Property to the east. This ownership to the east and the west will, in our experience, render the achievement of a Tertiary Plan in a timely fashion virtually impossible, and will only serve to delay the development of the Property.	network and required people movement capacity in the following areas: i) a north-south Major Collector grade separated crossing connecting the north Burlington GO Central precinct to the south Burlington GO precinct to Fairview Street shall be required and the lands shall be dedicated to the in accordance with the Tertiary Plan. The Municipal Class Environmental Assessment is a city-led process.	
	Implementation Guidelines The City is proposing to prepare implementation guidelines for many elements associated with the MTSA. It is submitted that these implementation documents should be available prior to the passage of OPA 2 and the CPP By-law for consideration by the public.	The certainty afforded with the direction from Council through the adoption of OPA 2 allows additional time to work through refinements and clarity on additional implementation guidance.	No change to OPA 2
	Complete Application Requirements It is submitted that a number of the requirements to have an application deemed complete are not appropriate. Among others, the requirement for the Construction and Mobility Management Plan would be difficult to submit at the outset of an application process. For example, this policy would require written confirmation from a qualified	Section 8.1.2 (10.4) c) has been revised to clarify that requirements will be scoped on case-by-case basis. The CPPS framework replaces the zoning, minor variance and site plan application processes requiring detailed design information to be obtained through the CPP By-law application process.	A modification has been made to 8.1.2(10.4) c) as follows: c) In addition to the policies of 12.1 of this Plan, the following complete application requirements for

Submission	Comments/Issue	Staff Response	Changes made to OPA2
	vibration consultant of study limits and locations of vibration monitoring during construction. However, it is highly unlikely that the locations of vibration monitoring during construction would be known at the time of the submission of an application. In addition, it is submitted that such information is neither important nor necessary in order to assess a CPP By-law application. It is acknowledged that this is something that might be important at building permit or detailed design stage but is not needed in order to assess a CPP By-law application. It is submitted that many by requiring unnecessary studies and reports simply leads to more costs and delays in the delivery of much needed homes.	The purpose of the Construction and Mobility Management Plan (CMMP) requirement is to provide staff and the applicant an opportunity to discuss implementation as early in the process as possible, as the CMMP (and any related Engineering permit) may inform a Community Planning Permit application.	*development* within the Major Transit Station Area Community Planning Permit System will be scoped on a case-by-case basis with consideration to scale and elements that have the potential to impact the permit application and the identification of conditions and *may* include, but *shall* not be limited to the following:
David Bronskill, Goodmans LLP for Presidio Construction Limited (c/o the Remington Group) – 5200 Harvester Road Letter dated June 10	Still have concerns regarding the appropriate designation for the Lands, protection for existing permitted uses on the Lands, the introduction of permissions for sensitive uses in proximity to the Lands, and the process for review of compatibility assessments. Client is in favour of a deferral and would appreciate the opportunity to continue discussions with City staff and other stakeholders.	Modifications to OPA 2 have been made to ensure major facility industry involvement in land use compatibility screening and assessments. At the June 11th Committee meeting, the Report PL-03-24 recommendation to Council was amended. The recommendations continue to recommend that OPA 2 be adopted, and the record sent to the approval authority for approval. The recommendation related to the CPP By-law now states that it is to be "approved in principle". Should Council approve the amended	Modifications to Section 8.1.2 (6) d) [new] to require that the City consult with operators and landowners of existing major facilities when preparing a Terms of Reference for a Land Use Compatibility study

Submission	Comments/Issue	Staff Response	Changes made to OPA2
		recommendations on June 18th, the CPP By-law will not come into effect until OPA 2 has been approved by the appropriate approval authority.	

OFFICIAL PLAN AMENDMENT

~~PROPOSED~~ AMENDMENT NO. 2 TO THE OFFICIAL PLAN

OF THE BURLINGTON PLANNING AREA

CONSTITUTIONAL STATEMENT

The Amendment contained in Part "B" of this document constitutes Amendment No. 2 to the Official Plan of the City of Burlington, 2020.

In accordance with Section 17(36.1.4) of the Planning Act, there is no appeal of the Protected Major Transit Area components of the Amendment.

PART A – PREAMBLE

1. PURPOSE OF THE AMENDMENT

The purpose of this Official Plan Amendment is to revise certain elements of the text and schedules of the Burlington Official Plan, 2020 to implement the findings of the Major Transit Station Areas (MTSA) Area Specific Planning Project for the Downtown Burlington UGC/Burlington GO MTSA, Aldershot GO MTSA, and the Appleby GO MTSA. As it relates to the elements identified under Section 16(16) of the Planning Act for Protected Major Transit Station Areas, these stations are identified as Protected Major Transit Station Areas.

The effect of the proposed Amendment is to replace policies from Burlington Official Plan, 2020 to:

- Establish a planning vision for the MTSAs to evolve into three distinct and complete communities by accommodating intensification population and employment growth in a mix of uses to 2051 and beyond.
- Update the policies and schedules to identify the Burlington, Aldershot and Appleby GO Major Transit Station Areas as Protected MTSAs and including all associated policy requirements, and as Strategic Growth Areas in accordance with the Regional Official Plan.
- Establish the policy framework for the authorized uses of land within Protected MTSAs, urban design and public realm, parks and open space, transportation and infrastructure servicing and land use compatibility.
- Provide implementation direction and enabling Community Planning Permit policies to allow for the implementation of a Community Planning Permit System By-law for the Protected MTSAs.

2. SITE AND LOCATION

Burlington Urban Growth Centre/Burlington GO Major Transit Station Area

The proposed amendment pertains to the lands within an approximiate 800m radius of the Burlington GO Station, including Brant Street south to Ghent Avenue and north to Leighland Drive identfied in Attachment 1, within the Burlington Urban Growth Centre/Burlington GO Major Transit Station Area.

Aldershot GO Major Transit Station Area

The proposed amendment pertains to the lands within an approximate 800m radius of the Aldershot GO Station, south of Alayne Bryk Way and north of (and including Plains Road East and West, East of Hidden Valley Park and west of Grove Park identified in Attachment 2, within the Aldershot GO Major Transit Station Area.

Appleby GO Major Transit Station Area

The proposed amendment pertains to the lands within an approximate 800m radius of the Appleby GO Station, south of the Queen Elizabeth Way and north of the Centennial Multi-Use Trail, west of Sherwood Forest Park and generally east of Inverary Road identfied in Attachment 3, within the Appleby GO Major Transit Station Area.

3. BASIS FOR THE AMENDMENT

On November 30, 2020, the Burlington Official Plan, 2020 was approved by Halton Region. The Plan outlines the community's vision for growth through an Urban Structure and Growth Framework which establishes a hierarchy of land uses to accommodate growth within a set urban boundary. Within the vision, Major Transit Station Areas, the lands around the City's three GO stations, are priority locations for the accommodation of transit supportive, mixed use intensification.

A significant portion of the Burlington Official Plan, 2020, including policies relating to MTSAs, is subject to broad appeal and therefore not yet in effect. However, a Decision issued by the Ontario Land Tribunal (OLT) on January 4, 2023 confirmed that some portions of the new Official Plan did come into effect on Dec. 22, 2020 (the day after the end of the appeal period), meaning that the Plan has legal status and may be amended in accordance with the Planning Act. Since the January 2023 Decision, a number of additional policies have been brought into effect through approved settlements, as well as a Motion for Partial Approval put forward by the City (OLT Decision issued on April 2, 2024).

The City's current approach to advancing the appealed portions of the Burlington Official Plan, 2020, while also addressing the ongoing changes to Ontario's land use planning framework, is outlined in report PL-25-42: Burlington Official Plan, 2020 Targeted

Realignment Exercise – Initial Work Plan. The work plan identifies a role for both modifications (through the OLT process) and amendments (through a City-initiated statutory process) to address the whole range of changes to the planning framework in place at the time of Regional approval of the Official Plan.

While changes to appealed policies typically proceed by way of OLT modification, in some limited and specific circumstances, amendments may also be brought forward to replace policies that are not yet in effect, such as the Major Transit Station Area policies. In this context, the City is effectively 'withdrawing' the appealed policies and proposing new policies that are in alignment with the updated Regional and Provincial planning framework. These amendments will follow the standard Planning Act process and any appeals to the new policies would be expected to be consolidated with the existing appeals to the Burlington Official Plan, 2020, as appropriate.

On November 11, 2021, the Minister of Municipal Affairs and Housing approved Regional Official Plan Amendment 48 (ROPA 48) with minor modifications bringing the amendment into full effect. ROPA 48 also established in the Upper-tier plan direction under provisions 16(16) of the Planning Act that the City's MTSAs are identified as Protected Major Transit Station Areas (PMTSAs). In accordance with the Planning Act, the Protected Major Transit Station Area policy framework must be implemented through the City's Official Plan. In addition to items related to a Regional Urban Structure established through ROPA 48, consideration of employment conversions and identification of regional nodes as strategic growth areas, ROPA 48 implements the following for the City of Burlington:

- Confirms the boundaries of Burlington's Urban Growth Centre.
- Implements the boundaries for all Major Transit Station Areas, sets minimum density targets and policy changes to conform to the Growth Plan, 2019 and implements a policy framework that identifies the stations as Protected MTSAs to meet the legislative requirements under Section 16(16) of the Planning Act.
- Directs local municipalities to complete area specific plans for Strategic Growth Areas – including MTSAs.

Since the approval of the Burlington Official Plan, 2020, there have been a number of changes to the Regional and Provincial planning policy framework. These changes have necessitated a realignment exercise for the Burlington Official Plan, 2020 to ensure consistency with/conformity to the updated policy framework. The policies in this amendment are consistent with or in conformity to the in effect Provincial plans and policies at the time of adoption, though they may be subject to change as the Ontario planning policy and regulatory landscape continues to evolve. Remaining conformity requirements for other policy areas of the Burlington Official Plan, 2020 will be addressed through other components of the realignment exercise.

This Official Plan Amendment is one of the first elements of the realignment exercise to advance Council's priority of establishing a policy framework and implementing a Community Planning Permit System to establish the MTSAs as complete communities where the significant majority of the City's population and employment growth will be accommodated to 2051 and beyond.

The MTSA Area Specific Planning project began in 2016 as the Mobility Hubs Study. The purpose of the project was to develop area specific plans, supported by technical studies to guide growth and investment around the City's GO Stations. Following a pause in early 2019 to allow the City to address other planning priorities, the process was re-initiated in September 2021 as the MTSA Area Specific Planning project (reflective of a change in Provincial terminology). On July 5, 2022, staff presented the MTSA ASP Planning ~~study~~ Study process from January to July 2022 and the findings of the MTSA ASP Planning Study Final Report. Through report PL-10-22: Major Transit Station Areas – Area Specific Plans Planning Study update, Council directed staff to use the MTSA ASP Planning Study Final Report to prepare a draft amendment to the Burlington Official Plan, 2020. Through this project, the City has developed policy recommendations to guide the transformation of the MTSAs into transit-oriented, mixed-use, and complete communities which will support future growth being directed to the City.

On March 28, 2023, through report ES-02-23: Park Provisioning Master Plan final report, which delivered the Parks Provisioning Master Plan, Council approved a recommendation directing the Community Planning Department to conduct an exploration of a Community Planning Permit System in the MTSAs. A Community Planning Permit System (CPPS) is a land use planning tool available under The Planning Act that combines Zoning By-law Regulations/Amendments, Minor Variance and Site Plan applications into one single application and approval process. The CPPS is administered through a Community Planning Permit By-law and replaces a traditional Zoning By-law for the area where the system applies. The Official Plan, 2020 contains policies through Section 12.1.1.14(2) which permit the use of a CPPS in the city and establishes the process to which more detailed enabling policies would be created to implement a CPPS.

On June 27, 2023, through report PL-40-23: MTSA Update and Community Planning Permit Exploration, staff provided an update on the MTSA planning project from June 2022 to June 2023 and provided an overview of the Community Planning Permit System tool and its benefits to streamlining the development of these intensification areas. In accordance with the recommendations of PL-40-23, Council directed staff to prepare a draft Community Planning Permit By-law to align and support the implementation of the MTSA Official Plan policies. To implement a Community Planning Permit By-law, detailed enabling Official Plan policies that set out the areas in which a Community Planning Permit By-law applies, and outlines specific provisions that need to be considered within a Community Planning By-law are required through legislation. The requirements for a Community Planning Permit System are identified in Ontario Regulation 173/16 of The Planning Act.

On October 31, 2023, through report PL-59-23: Proposed Major Transit Station Area (MTSA) Official Plan Amendment (OPA) and Draft Community Planning Permit (CPP) By-law Public Release and Statutory Public Meeting, a statutory public meeting was held to obtain feedback from the public and agencies. Staff have worked to review, resolve and integrate feedback on OPA 2 related to:

- Additional policies to identify Regional requirements for the provision of sufficient capacity for water and wastewater infrastructure.
- Consideration of Regional guidelines related to access management.
- General clarity and structure throughout amendment.
- Clarifying the vision of the precincts in each MTSA.
- Additional public realm policies that provide clarity on the City's role in implementation and support of an enhanced public realm.
- Process requirements for Tertiary Planning Areas in the MTSAs related to timing and challenges related to landowners with different timelines.
- Alignment of new streets with property lines and requests for clarity that new streets are conceptual in nature.
- Land Use Compatibility considerations and balancing the objectives of ensuing long-term operational and economic viability of existing and future major facilities and the introduction of sensitive land uses in MTSAs.
- Clarification of Complete Application requirements in the amendment.

The policies of this amendment will replace the policies in subsection 8.1.2 of the Burlington Official Plan, 2020 and will modify Sections 2.2.3 d) iv) and 2.3.1 h) and i). These policies which were developed at a time when the Region of Halton's Municipal Comprehensive Review was still underway and a Regional policy framework for MTSAs had not yet been established. The policies of the Burlington Official Plan, 2020 were designed to provide interim direction and to communicate a high-level local vision, based on the work completed through the former Mobility Hubs Study and other projects. A detailed local vision has been developed through the City's MTSA Area-Specific Planning project, supported by various technical studies that are reflective of current conditions. Given the complexity of the ongoing appeal process, as well as the other elements of the realignment exercise, this amendment is limited to the core enabling policies required to advance the MTSAs in accordance with the City's growth priorities. Additional revisions that may be required, such as updating terminology and cross-references in other sections of the Plan, implementing further changes to Provincial policy, or incorporating future decisions of the OLT, will be addressed throughout the other processes as outlined in PL-25-42. Throughout the evolving process, the policies of the Burlington Official Plan, 2020 will be interpreted in accordance with the provisions of the Planning Act and any other applicable Provincial legislation, regulations, polices and guidelines.

PART B – THE AMENDMENT

1. DETAILS OF THE AMENDMENT

1.1 Text Change:

The amendment includes the changes to the text of the Burlington Official Plan, 2020 as described in the following table, and as provided in Attachment 4:

In the "Description of Change" column, text that is underlined is new text to be inserted into the Burlington Official Plan, 2020 by way of changes to the approved or under appeal policies not in effect. Text that is crossed out ("~~strikethrough~~") is to be deleted from the under-appeal policies not in effect.

Item No.	Section	Description of Change
1	**2.2.3 d) iv)**	Modify Section 2.2.3 d) iv) as follows: ~~The final delineation of Major Transit Station Areas (MTSAs) boundaries and minimum density targets will be established by the Region of Halton through the municipal comprehensive review in keeping with the policies of the Provincial Growth Plan~~. The boundaries of the *Major Transit Station Areas* are depicted in the Regional Official Plan and this Plan. These boundaries identify the area around an existing *higher order transit* station as a *Protected Major Transit Station Area* in accordance with The Planning Act. The boundaries and minimum density targets of the *Protected Major Transit Station* Area are identified through Section 8.1.2.
2	**2.3.1 h)**	Modify Section 2.3.1 h) as follows: *Major Transit Station Areas (MTSAs)* are an important component of the City's Urban Planning Area, and are intended to serve as city-wide destinations and focal points for the provision of transit. *MTSAs* will exhibit a wide variety of land uses and building types, and densities that will be oriented to support and facilitate transit and *active transportation*. Located in key areas served by the regional and local transit networks, *MTSAs* are focal points for higher

		intensity and mixed-use, *transit-supportive* development that will accommodate a significant share of the City's future population and employment growth. It is anticipated that the majority of growth ~~within the City's four MTSAs~~ will occur in the three *MTSAs* located along *higher order transit* routes and with planned *frequent transit* service ~~by way of Regional Express Rail~~. ~~In keeping with the policies of the Provincial Growth Plan, the final delineation of the MTSA boundaries and the identification of minimum density targets, will be established by the Region of Halton through the municipal comprehensive review and will be implemented through a future Official Plan Amendment.~~
3	**2.3.1 i)**	Modify Section 2.3.1 i) as follows: In Burlington there are three <u>*Protected Major Transit Station Areas*</u> ~~MTSA Special Planning Areas~~ identified by the *City* <u>and the Region</u> around the <u>Downtown Burlington Urban Growth Centre/</u>Burlington GO, Aldershot GO and Appleby GO Stations. ~~All three areas are major transit station areas~~. In this Plan, the three *MTSA<u>s</u>* ~~Special Planning Areas~~ are identified as areas that will be subject to further detailed area-specific planning. ~~The boundaries of the major transit station areas and assignment of growth targets will be confirmed through the Region of Halton's municipal comprehensive review in conformity to the Provincial Growth Plan.~~
4	**8.1.1(3.8) Upper Brant Precinct**	Delete Section 8.1.1(3.8) in its entirety.
5	**8.1.2 Major Transit Station Areas**	Delete Section 8.1.2 Major Transit Station Area in its entirety and replace with the new policies as shown in **Attachment 4**.
6	**12.1.14 Community Planning Permit Systems**	Insert a new preamble to Subsection 12.1.14 Community Planning Permit System as follows: A *Community Planning Permit System* is a land use planning tool available to municipalities in Ontario through <u>The Planning Act</u>. The tool can be implemented for an entire

		municipality or for a specific area. Once implemented, the Zoning By-law for the identified area is replaced with a Community Planning Permit By-law. A Community Planning Permit By-law combines Zoning By-law Amendments, minor variance, and site plan approval processes into a single application and approval process. The Community Planning Permit By-law *may* also identify *development* rules and requirements usually covered under separate processes, such as vegetation removal, and allow discretionary uses, conditional approvals, and variations. Doing so provides staff and Council with flexibility in approving *development applications* that meet the growth objectives of the Permit Area while streamlining the *development* approvals process. It also provides the public and developers with more certainty on the type of *development* permitted within an area under a *Community Planning Permit System*.
7	**12.1.14 Community Planning Permit Systems**	Insert a new subsection 12.1.14(3) as follows: 12.1.14 (3) Major Transit Station Area Community Planning Permit System Policies a) The following areas are designated *Community Planning Permit Areas*, as shown on Schedule F: Land Use- Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area, Schedule G: Land Use- Aldershot GO Major Transit Station Area, and Schedule H: Land Use- Appleby GO Major Transit Station Area: i. Downtown Burlington Urban Growth Centre/Burlington GO *Major Transit Station Area*; ii. Aldershot GO *Major Transit Station Area*; and iii. Appleby GO *Major Transit Station Area*.

		The *City's* Zoning By-law and Site Plan Control By-law *shall* not apply within areas where a Community Planning Permit By-law has been enacted. b) A *Community Planning Permit System* for all three of the *Community Planning Permit Areas* listed in 12.1.14(3)a) *shall* be designed and implemented in accordance with the following goal and objectives: i. The goal of the *Community Planning Permit System* is to implement the City's vision, objectives and policies for the *Major Transit Station Areas* as expressed in Section 8.1.2 of this Plan. ii. The objectives of the *Community Planning Permit System* are: i. To implement a land use regulatory framework that supports the objectives and policies of the MTSA Area Specific Plans and the Burlington Official Plan ii. To provide greater certainty to the development community and current and future residents through establishing principles to support desired *development* that aligns with the Council-approved policy framework of the Burlington Official Plan for the *MTSAs*. iii. To streamline the development process to assist the development industry by combining the zoning, site plan approval and minor variance processes into one review and approval process. iv. To support the *development* of complete communities that meet people's needs for daily living throughout an entire lifetime by providing convenient access to a mix of jobs, local services, a full range of housing and public service facilities,

		including affordable housing, schools, recreation and open space for their residents. c) Pursuant to the provisions of The Planning Act, a Community Planning Permit By-law *shall*: i. Contain a description of the area to which the by-law applies, which must be within the boundaries of the Community Planning Permit Area identified in the Official Plan; ii. Set out and define permitted and discretionary uses; iii. Set out a list of minimum and maximum *development* standards; iv. Set out any internal review procedures for community planning permit decisions; v. Describe notification procedures for community planning permit decisions; vi. Set out criteria for determining whether a proposed use or *development* is permitted; vii. Describe the process for amending community planning permits, community planning permit agreements and pre-existing Site Plan agreements; viii. Outline any conditions of approval that *may* be imposed; ix. Set out the scope of delegated authority, including any limitations; and x. Include exemptions for any class of *development* or use of land from the complete information and material requirements for applications under a Community Planning Permit By-law. d) Pre-consultation with the *City* and other affected agencies, as outlined in this Plan and in the Community Planning Permit By-law, *shall* occur prior

		to the submission of a Community Planning Permit application. Where required, pre-submission of complex natural hazard technical studies is strongly encouraged. e) For a Community Planning Permit application to be deemed complete, the *City shall* require the provision of additional supporting information or material required to allow full consideration of the application, as outlined in this Plan and in the Community Planning Permit By-law. The scope of the information or material required for each application *shall* be determined as part of the pre-consultation process. Where applicable, a pre-submission review of technical studies dealing with complex issues including but not limited to natural hazards, land use compatibility, or natural heritage is strongly encouraged. f) If a Community Planning Permit By-law is enacted, the use and *development* of land within the *Community Planning Permit Area* must comply with the permitted uses, standards and criteria set out in the Community Planning Permit By-law as demonstrated by the issuance of a Community Planning Permit, unless the proposed use or *development* is exempted from a permit as indicated in the Community Planning Permit By-law. In the context of a Community Planning Permit By-law, *development* is defined in accordance with O.Reg 173/16 under The Planning Act and includes *site alteration*, including but not limited to: alteration of the grade of land, placing or dumping fill, or the removal of vegetation. The removal of vegetation defined as a tree *shall* not require a Community Planning Permit and is subject to the City's Public and Private Tree By-law as amended. g) The criteria for determining whether a *development*, use of land, discretionary use or variation to the Community Planning Permit By-law provisions *may* be permitted and *shall* be set out in the Community Planning Permit By-law and *shall* include

		demonstration of the following to the satisfaction of the *City*: i. The proposed *development* implements the Guiding Principles of the Community Planning Permit By-law; ii. The proposed *development* implements the complete community requirements and conforms to and maintains the general intent of the Burlington Official Plan; iii. The proposed *development* does not result in significant off-site adverse effect of negative impacts, or any potential significant off-site adverse effects or negative impacts can be mitigated to the satisfaction of the *City and/or Region*; iv. The proposed *development* demonstrates consideration for provincial, regional and municipal guidelines and has regard for technical studies that have been completed; and, v. The proposed *development* is consistent with provincial policy, legislation, regulations and standards, as amended. h) The Community Planning Permit By-law establishes permitted uses and discretionary uses subject to criteria identified in the Community Planning Permit By-law and *may* also allow, as a discretionary use, any use not specifically listed as a permitted use, provided that the proposed use is same as or similar to the uses permitted under the Community Planning Permit By-law, would have no *negative impact* on adjoining properties, and would maintain the intent, objectives and policies of this Plan and the criteria set out in the Community Planning Permit By-law.

		i) The Community Planning Permit By-law *may* outline provisions for issuing a Community Planning Permit for the extension or enlargement of a non-conforming use, building or structure as a discretionary use, provided the proposal conforms with the intent, objectives, and policies of this Plan and the criteria set out in the Community Planning Permit By-law. j) Where existing Site Plan Agreements are already registered on a property, those agreements *may* be amended as long as such amendments comply with the applicable provisions of the Community Planning Permit By-law. k) The Community Planning Permit By-law *may* allow for variations to a development standard as specified in the Community Planning Permit By-law, subject to the criteria outlined in 12.1.14(3)g) of this Plan. l) Any proposal for a use which is not listed as a permitted or discretionary use subject to criteria in the Community Planning Permit By-law, or a proposed amendment to the boundary of a precinct *shall* require an amendment to the Community Planning Permit By-law and *may* also require an amendment to this Plan. An application to amend a Community Planning Permit By-law *shall* be supported by a comprehensive planning rationale, details of public engagement, and applicable supporting studies and conformity to the Burlington Official Plan. The scope of the information or material required for the amendment *shall* be determined as part of the pre-consultation process. m) ~~Where a Community Planning Permit By-law *has been enacted,*~~ Council *may* delegate to staff, a Committee, or a body appointed by Council ~~the~~ the authority to ~~approval~~ approve or ~~issuance~~ issue of Community Planning Permit applications and Community Planning Permits for *development* which meet or vary from the development standards of the Community Planning Permit By-law through a Class 1 and Class 2 Community Planning Permit application as set out in

		the By-law. . ~~Limits~~ The delegated authority ~~on and criteria for such delegation~~ *shall* be ~~established in the Community Planning Permit By-law~~ limited to *development* which meet the *City's* goals, objectives, and policies for the *Major Transit Station Areas* and the *Community Planning Permit System* as provided in this Plan, and the goals, objectives, principles, variation limits and criteria, and other provisions as applicable in the Community Planning Permit By-law. n) A Community Planning Permit will not be required for the following: i. Any *development* that has a Plan approved through prior Site Plan Control and/or existing Site Plan Agreements. Such *developments may* proceed in accordance with the approved Site Plan. ii. Any use or *development* explicitly exempt within the Community Planning Permit By-law. iii. The placement of a portable classroom on a school site of a district school board, if the school site was in existence on January 1, 2007 subject to Section 8.1.2(7.1) of this Plan. o) Upon consideration of a complete Community Planning Permit Application, the *City may:* i. Approve the application and issue a Community Planning Permit with no conditions; ii. Approve the application and issue a Community Planning Permit with conditions attached as outlined in the Community Planning Permit By-law; iii. Approve the application subject to conditions being met before the issuance of a Community Planning Permit (Provisional Approval); iv. Approve the application subject to the conditions being met before the issuance of the Community Planning Permit (Conditions

		Attached to Approval and Provisional Approval) and with conditions as outlined in the Community Planning Permit By-law; or v. Refuse to approve the application. p) The Community Planning Permit By-law *shall* include policies related to the requirement of specified facilities, services or matters or in-kind contributions in exchange for a specified density or height of *development* or increases in density or height where there is a maximum height as regulated in the Community Planning Permit By-law, in accordance with The Planning Act. The Community Planning Permit By-law *shall* establish a proportional relationship between the quantity or monetary value of the facilities, services and matters that *may* be required and the height or density of *development* that *may* be allowed. q) The *City* will review the Community Planning Permit By-law as a whole to ensure it is responding to the needs of the community and will undertake a market analysis to support the review of the following elements of facilities, services and matters depending on market feasibility and market analysis: i. Potential increases to the new required set aside rate for Affordable Housing to a maximum of 10%; ii. Requirements for the provision of facilities, services and matters for building heights not currently subject to such requirements in the Community Planning Permit By-law; iii. Reassessment of required complete community contribution value. r) In addition to Section 12.1.14 (3) o) of this Plan, a Community Planning Permit By-law *may* identify other specified facilities, services or matters as part of issuing a Community Planning Permit to achieve *Protected Major Transit Station Area* objectives, provided the proposal conforms with the intent,

		objectives, and policies of this Plan and the criteria established within the Community Planning Permit By-law. s) A Community Benefits Charge and By-law *shall* not apply in an area where a Community Planning Permit System is in effect, in accordance with The Planning Act. t) The City *may* impose the following types of conditions as part of a decision on a Community Planning Permit application described in Section 12.1.14(3) ~~n~~o) ii. to iv. of this Plan: i. A condition that is permitted by section 34, 40, 41 or 42 of The Planning Act. ii. A condition related to *site alteration*, including but not limited to alteration or restoration of the grade of land, and placing or dumping fill. iii. A condition related to the removal or restoration of vegetation. iv. A condition related to ongoing monitoring requirements that are considered necessary for the protection of public health and safety or the *natural environment*. v. A condition related to water, wastewater servicing and transportation network capacity and the phasing of *development* in accordance with subsection 8.1.2(10.2) of this Plan. vi. A condition requiring the submission of confirmation of review, approvals and/or permits from other agencies and levels of government. vii. A condition requiring the provision of specified facilities, services and matters in exchange for a specified height or density of *development* as identified in the Community Planning

		Permit By-law in accordance with Section 12.1.14(3)o) ~~and~~, p) and q) of this Plan. viii. With respect to paragraph 3, 3.1 or 3.2 of subsection 34(1) of The Planning Act, a condition that is related to the matters that would otherwise be prohibited under those paragraphs. ix. A condition requiring the owner of land to enter into one or more agreements with the *City* regarding one or more conditions x. A condition related to the payment of fees and the deposit of financial securities. u) A condition requiring the completion of technical studies to demonstrate the application is consistent with provincial natural hazards policies and that proposed *development* activities can be permitted under the *Conservation Authorities Act* and associated regulations to the satisfaction of Conservation Halton. v) The lands at 720, 735, 740 Oval Court and 5135, 5155 Fairview Street are excluded from the Community Planning Permit policies and any Official Plan policies to be implemented through the Community Planning Permit process.
8	**Part VIII, Definitions**	By adding the following new Definition under Part VIII, Definitions: Community Planning Permit Area- An area within a municipality that is subject to the regulations and provisions of a Community Planning Permit System By-law as adopted by Council.
9	**Part VIII, Definitions**	By adding the following new Definition under Part VIII, Definitions: Community Planning Permit System – a land use planning tool under The Planning Act that combines the Zoning By-law, Site Plan Control and Minor Variance approvals into a single

		permit application and approval process. The *Community Planning Permit System* establishes regulations, permitted uses, standards, and criteria for variations for *development* within a *Community Planning Permit Area*.
10	**Part VIII, Definitions**	By modifying the following definitions under Part VIII, Definitions: Development - Within areas designated Community Planning Permit System, *development* means: ○ a change of use of land, ○ the construction, erection or placing of one or more buildings or structures on land, ○ the making of an addition or alteration to a building or structure that has the effect of substantially increasing its size or usability, ○ the laying out and establishment of: ○ a commercial parking lot, ○ sites for the location of three or more mobile homes as defined in subsection 46 (1) of the *Planning Act*, ○ sites for the construction, erection or location of three or more land lease community homes as defined in subsection 46 (1) of the *Planning Act*, or ○ sites for the location of three or more trailers as defined in subsection 164 (4) of the *Municipal Act*, 2001, ○ *site alteration*, including but not limited to: ○ alteration of the grade of land, and ○ placing or dumping fill, or ○ the removal of vegetation. In all other cases, Development means-

		The creation of a new *lot*, a change in land use, or the construction of buildings and structures requiring approval under the *Planning Act*, but does not include: 1. activities that create or maintain *infrastructure* authorized under an environmental assessment process; or 2. works subject to The Drainage Act.
11	**Part VIII, Definitions**	By modifying the following definitions under Part VIII, Definitions: ~~Special Needs Housing~~ Additional Needs Housing Any housing, including dedicated facilities, in whole or in part, that is used by people who have specific needs beyond economic needs, and includes, but is not limited to, needs such as mobility requirements or support functions required for daily living. Examples *may* include, but are not limited to, housing for persons with disabilities such as physical, sensory or mental health disabilities, seniors' housing, *group home*s, emergency shelters, housing for the homeless, and independent permanent living arrangements, where support services such as meal preparation, grocery shopping, laundry, housekeeping, respite care and attendant services are provided. It does not include households that receive community–based support services in their own home.
12	**Part VIII, Definitions**	By modifying the following definitions under Part VIII, Definitions: Development Application – Formal request to the City of Burlington and/or Region of Halton, for an Official Plan amendment, zoning by-law amendment, site plan approval, land conveyance, minor variance approval, plan of subdivision, plan of condominium, part-lot control application, community planning permit application**,** Niagara Escarpment development permit application, or Parkway Belt regulation application.
13	**Part VIII, Definitions**	By adding the following new Definition under Part VIII, Definitions:

		Linear Park and Greenway – A type of park that functions as an *active transportation* corridor and connection between open spaces, community facilities and/or neighbourhoods to support the objective of seamless connectivity through the *public realm*. Such parks *may* be manicured (Linear Park) or more natural looking (Greenway) and *may* include recreation or amenity opportunities.
14	**Part VIII, Definitions**	By modifying the following definition under Part VIII, Definitions: Major Transit Station Area (MTSA) – The area including and around any existing or planned *higher order transit* station, or stop within a *settlement area*; or the area including and around a major bus depot in an urban core. Major transit station areas generally are defined as the area within an approximate five hundred (500) m to eight hundred (800) m radius of a transit station, representing about a ten (10) minute walk. ~~In keeping with the policies of the Provincial Growth Plan, the final delineation of the Major Transit Station Area boundaries and the identification of minimum density targets, will be established by the Region of Halton through the municipal comprehensive review and will be implemented through a future Official Plan Amendment.~~ The *City*'s *MTSAs* are identified as *Protected Major Transit Station Areas* in accordance with The Planning Act and the Regional Official Plan.
15	**Part VIII, Definitions**	By adding the following new Definition under Part VIII, Definitions: Place of Assembly- Means a building or part of a building used to accommodate the gathering of people for events such as trade shows, banquets, conferences, conventions, meetings, seminars, workshops or other similar events and *may* include accessory food preparation.
16	**Part VIII, Definitions**	By adding the following new Definition under Part VIII, Definitions:

		Protected Major Transit Station Area – a Major Transit Station Area delineated and assigned a minimum density target in accordance with Section 16(16) of the Planning Act.
17	Chapter 14 List of Tables	Insert new Table 3- Classification of ~~MTSA~~ Major Transit Station Area ~~Transportation~~ Facilities as shown in Attachment 6
18	Chapter 14 – List of Tables	Insert new Table 4- Major Transit Station Area Public Right-of-Way ~~w~~Widths as shown in Attachment 7
This section is provided for reference purposes only and does not form part of the Official Plan.		
19	Appendices	Attachment 8 Figures 1,2 and 3 are presented using the best information available to form the basis for future updates to relevant appendices showing CH Regulated area and components thereof (Appendix E: Conservation Halton Approximate Regulation Limit Mapping)

1.2 Map Changes:

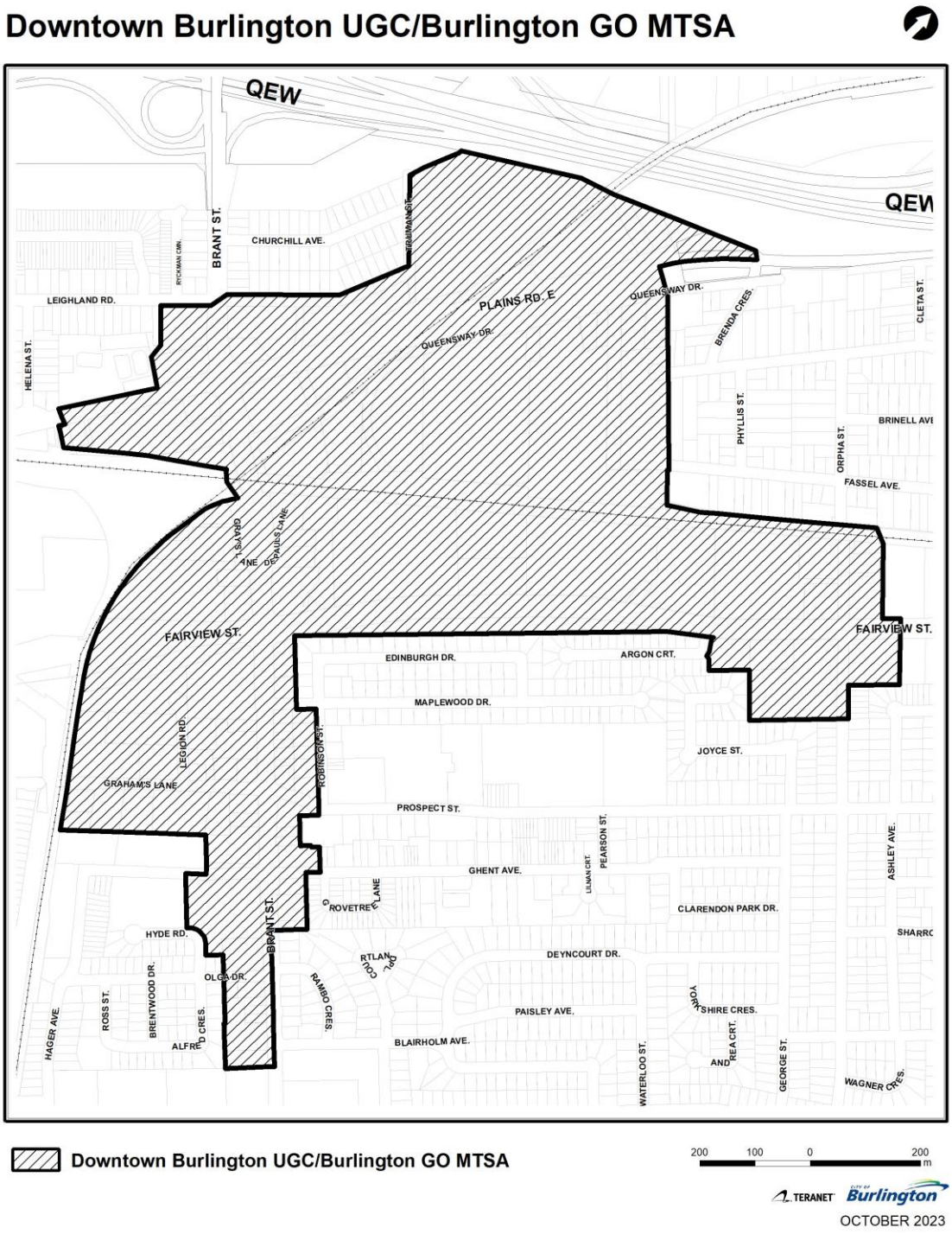
The following schedules in Attachment 5 to OPA 2 are hereby added to the Official Plan as follows:

Item No.	Section	Description of Change
19	Schedules	Insert new schedule as follows: Schedule F: Land Use – Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area
20	Schedules	Insert new schedule as follows: Schedule F-1: Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area Transportation Network
21	Schedules	Insert new schedule as follows: Schedule F-2: Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area Activated Streets

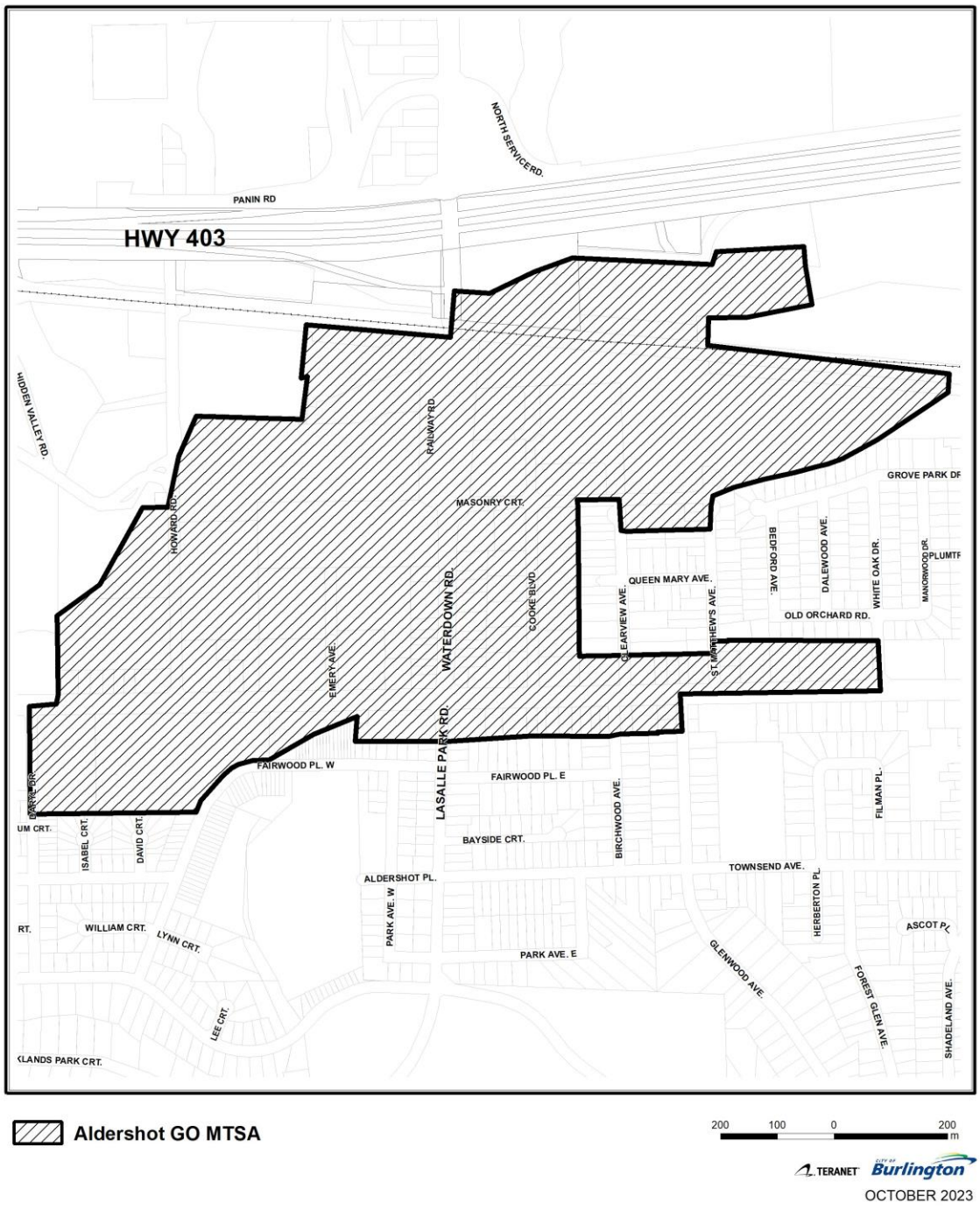
22	Schedules	Insert new schedule as follows: Schedule F-3: Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area Tertiary Planning Areas
23	Schedules	Insert new schedule as follows: Schedule G: Land Use- Aldershot GO Major Transit Station Area
24	Schedules	Insert new schedule as follows: Schedule G-1: Aldershot GO Major Transit Station Area Transportation Network
25	Schedules	Insert new schedule as follows: Schedule G-2: Aldershot GO Major Transit Station Area Activated Streets
26	Schedules	Insert new schedule as follows: Schedule G-3: Aldershot GO Major Transit Station Area Tertiary Planning Areas
27	Schedules	Insert new schedule as follows: Schedule H: Land Use- Appleby GO Major Transit Station Area
28	Schedules	Insert new schedule as follows: Schedule H-1: Appleby GO Major Transit Station Area Transportation Network
29	Schedules	Insert new schedule as follows: Schedule H-2: Appleby GO Major Transit Station Area Activated Streets

30	Schedules	Insert new schedule as follows: Schedule H-3: Appleby GO Major Transit Station Area Tertiary Planning Areas

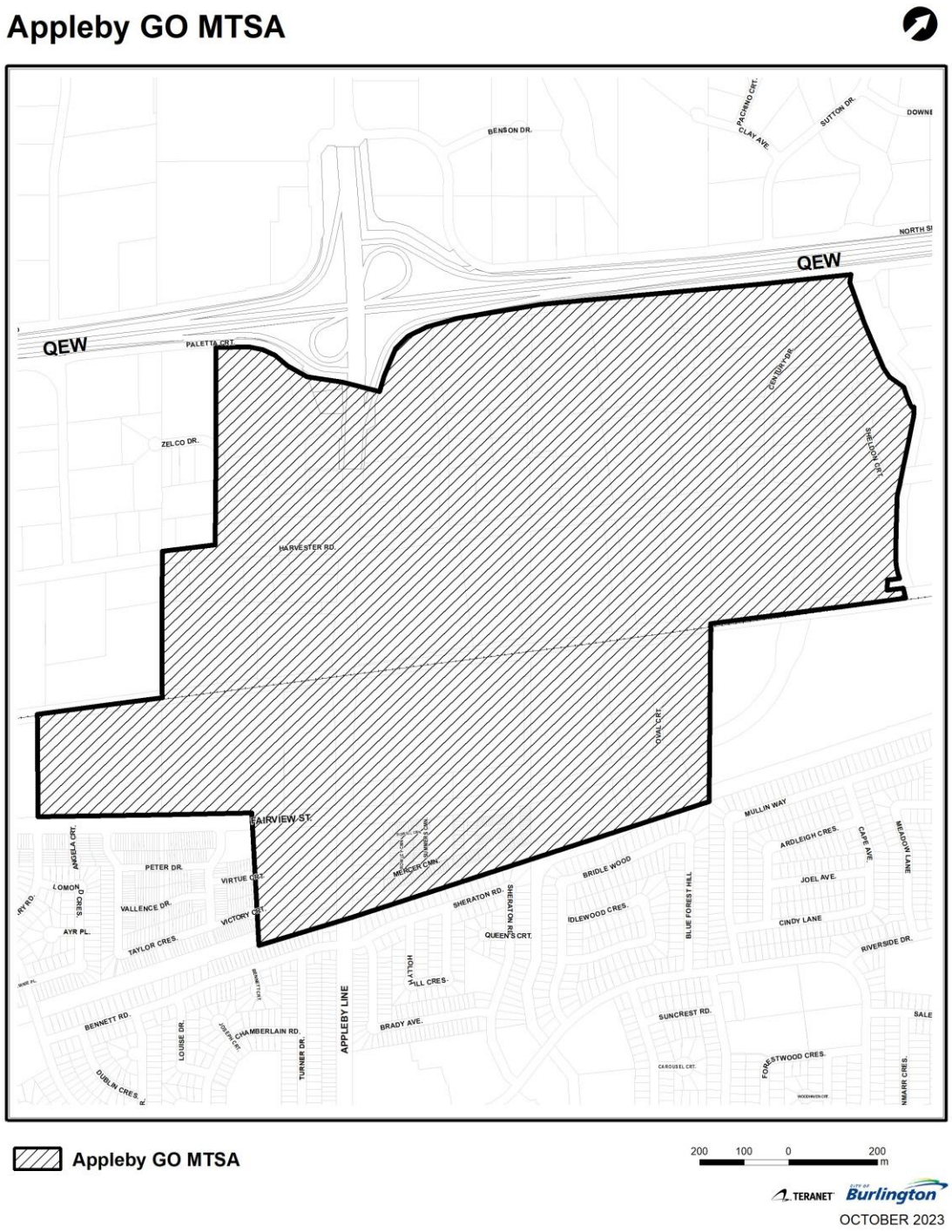
Attachment 1 to OPA 2- Subject Lands



Attachment 2 to OPA 2- Subject Lands



Attachment 3 to OPA 2- Subject Lands



Attachment 4 to OPA 2 – Major Transit Station Area Policies

8.1.2 Major Transit Station Areas

*Major Transit Station Area*s (*MTSAs*) are important components of the *City*'s Urban Structure, Growth Framework and transportation network and serve as city-wide destinations and focal points for the provision of transit. These areas are intended to accommodate growth through *intensification* in a variety of land uses and densities that support and facilitate a modal shift to transit and *active transportation* and deliver *complete communities.* The co-location of land use, green cover, and *multi-modal* transit in the MTSAs will support the *City*'s objective of reducing greenhouse gas (GHG) emissions and supporting climate change adaptation objectives and long-term climate resilience.

The *City* has three *Major Transit Station Area*s: Burlington GO, which is also the *City*'s Urban Growth Centre; Aldershot GO; and Appleby GO. The *MTSAs* have been identified and delineated as *Protected MTSAs* in accordance with the provisions of The Planning Act. These areas are identified as *Protected MTSAs* to implement a policy framework that protects elements such as the authorized use of the land and densities from appeal to the Ontario Land Tribunal.

This section establishes a vision for the *MTSAs* to evolve into three distinct and *complete communities* that will accommodate a significant share of the *City*'s population and *employment* growth to 2051 and beyond. Over the long term, these areas will contribute to accommodating population and employment growth in the *City*, and facilitate strategic economic development in accordance with the Chapter 5 of this Plan. The vision is supported by a series of policies organized into two components. The first set of policies and schedules establish the boundaries, minimum density targets and authorized uses of land for each *Major Transit Station Area.* The second set of policies and schedules, set out land use policies that are applicable to all *MTSAs* and are to be read in conjunction with other applicable policies of this Plan. All schedules are to be read together and in conjunction with all policies of this Plan.

A Community Planning Permit By-law will be established for the Burlington GO, Aldershot GO, and Appleby GO *Major Transit Station Areas* to achieve the vision for the *MTSAs* to evolve into urban destinations to provide the day to day needs of the community. The Community Planning Permit By-law will be designed to ensure that *development* within these areas will incrementally and comprehensively deliver on *complete community* elements, prioritizing *affordable housing*, rental housing, *employment* opportunities, and parks, amenities and facilities, while remaining flexible to allow the *City* to monitor and respond to changing needs of the community as it evolves over time.

8.1.2(1) General Objectives

a) To encourage the redevelopment of the *Protected Major Transit Station Areas* into *complete communities* that are mixed-use to provide a range of retail and *service commercial* uses that serve the needs of residents, intense, *transit-supportive*, safe, and respectful of surrounding areas including natural heritage system, parks and open space, and existing neighbourhoods.

b) To provide sufficient direction to ensure that *development* is consistent with the vision and intent of each *Protected Major Transit Station Area* and the function of the unique precincts that comprise them.

c) To encourage the highest *intensity* of *development* in the MTSAs where it is in closest proximity to major transit stations and current or planned *frequent transit*.

d) To ensure that the *Protected Major Transit Station Areas* provide *multi-modal* transportation opportunities while also providing seamless connections between different *modes* of transportation.

e) To ensure that there is an appropriate transition in *scale*, intensity, height, *massing* and spacing of *development* by including appropriate transitions between various land uses and built forms.

f) To achieve design excellence in the *Major Transit Station Areas* that will *encourage* long-term investment and the creation of high quality and sustainable built forms in the *public realm* contributing to achieving these communities with a unique sense of place.

g) To ensure *development* contributes to a lively, high-quality, comfortable *public realm* featuring a connected network of publicly accessible spaces such as public squares, parks and open spaces and *public service facilities*.

h) To support the retention and expansion of existing *employment* functions and *encourage* new *employment* functions and *employment* uses, including *office* and major *office* which are compatible with other uses and serve to make each MTSA an *employment* destination within the *City*.

8.1.2 (2) Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area

Downtown Burlington Urban Growth Centre/Burlington GO *Major Transit Station Area* is the *City*'s Urban Growth Centre and also known as Burlington Junction. Burlington Junction is the focal point for growth and *intensification*. It will have the greatest variety and *intensity* of uses in the *City*, from residential to commercial, *major office*, cultural, recreation, *public service facilities* and other *employment* uses. Burlington Junction will be a destination for residents and employees both within and beyond the *MTSA.*

The future transportation network in Burlington Junction will provide enhanced mobility and improved access to the GO station from the north and south of the rail corridor, as well as enhanced connections on the broader mobility network to the rest of the City. Enhanced *active transportation* and transportation connections, including investments to support community connectivity, will be made between Burlington Junction and the other *MTSAs*, adjacent neighborhoods and to the Downtown Urban Centre and Lake Ontario waterfront.

8.1.2 (2.1) Downtown Burlington Urban Growth Centre/ Burlington GO Major Transit Station Area (Burlington Junction)

a) The area surrounding and including the Burlington GO Station as shown on Schedule F: Land Use – Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area is a *Protected Major Transit Station Area* in accordance with The Planning Act.

b) *Development* within the Downtown Burlington Urban Growth Centre/*Major Transit Station Area* boundary *shall* be planned to achieve a minimum density of 200 residents and jobs per hectare combined and will contribute towards achieving the minimum density target of the Urban Growth Centre/*Major Transit Station Area*.

c) The minimum density target of 200 residents and jobs per hectare combined *shall* apply to the Downtown Burlington Urban Growth Centre/*Major Transit Station Area*.

d) Based on the minimum density of 200 residents and jobs per hectare combined, the corresponding population is approximately 15,985 residents and 8,449 jobs, for an estimated minimum of 24,434 residents and jobs combined to achieve a proportional target of approximately 65% residents and 35% jobs per hectare.

e) The proportional mix of residents and jobs is planned to 2051 and beyond and *shall* be monitored and adjusted in accordance with Section 8.1.2(10.2) and Section 12.3 of this Plan to track the achievement of the growth target.

f) The entire Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area is planned to achieve a minimum *floor area ratio* of 2.3 to be implemented and regulated through the Community Planning Permit By-law by way of ~~minimum~~ permitted building heights.

8.1.2 (2.2) Downtown Burlington Urban Growth Centre/Major Transit Station Area Authorized Uses of Land

a) Schedule F: Land Use- Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area identifies the precincts, and their respective boundaries within the MTSA. The visions for each precinct, which *shall* be implemented through the *Community Planning Permit System* are as follows:

Burlington GO Urban Growth Centre/MTSA Precinct Visions	
Precinct	**The precinct will…**
Burlington GO Central	• Be the preeminent destination for *major office*, regional *public service facilities* as well as commercial, recreation, cultural and *entertainment uses*. • Accommodate high density *employment* centres, accommodate *affordable housing* and urban format retail, and focuses *tall buildings* close to the GO station. • Be designed and developed to support the area as a landing and leaving place for all transit trips. • Be developed with built-form transitions which ensure increased density is met with *streetscape* design that creates a pedestrian-focused area for travelers to arrive in, find amenities, and enjoy outdoor spaces. • Have the tallest buildings located along the rail corridor, where shadows will have the least impact. • Where *tall buildings* are located at the interface of parks and natural heritage systems, the *tall buildings* in this precinct will provide sufficient setback with reduced height to provide a transition and minimize shadow and wind impacts. • Include new transportation connections that will be further refined through tertiary planning, transportation studies and environmental assessments.
Queensway Commons	• Serve as a unique retail and *service commercial* destination with a comfortable and vibrant pedestrian environment with active uses at the street level and increased emphasis on pedestrian and *multi-modal* movement.

	• Be developed with public features such as flexible streets, community hubs and park features that offer unique opportunities for programming and community gatherings. • Be developed with mixed-use buildings throughout the precinct that contribute towards convenient co-location and the creation of lively, vibrant, and people-oriented places. • Be developed with predominately *mid-rise* built forms. • Large, single-use buildings are to be avoided to better establish a fine-grained street frontage along new *complete street*s.
Fairview Frequent Transit Corridor	• Be a vibrant, lively, and people-oriented place, serviced by frequent and diverse *modes* of travel. • Accommodate a significant concentration of residential, retail, *employment* and *service commercial* uses, with a main-street pedestrian experience along the *frequent transit corridor* of Fairview Street. • Have building setback treatments that allow for patio spaces, public open space, and enhanced tree canopies.
Urban Employment	• Continue to be an *employment area* as part of the Region of Halton Employment Area. • Evolve and accommodate more intensive *office* and additional *employment* uses.
Drury Node	• Function as the eastern entryway into Burlington Urban Growth Centre/MTSA. • Be developed as a mixed-use precinct focused around a new mid-block connection. • Accommodate a wide range of housing options with a variety of built form and services to provide for the day-to-day and weekly needs of residents within the precinct and the surrounding neighbourhoods.
Legion Commons	• Become a *complete community* and serve as a community hub, recognizing that the precinct includes former *City employment* lands that were converted for this purpose. • Include a new community hub that will provide for the introduction of new *public service facilities* such as community centres and will support the creation of a diverse range and mix of housing options, including the retention of existing rental housing. • Be planned to provide opportunities for *ground-oriented dwellings* as well as some ground and second floor retail and *service commercial* uses in mixed use buildings.

	• Retain an employment function through the new uses, including *public service facilities*, retail and *service commercial uses* that will serve this area. • Be subject to tertiary planning to ensure the delivery of *public service facilities* and community amenities.
Leighland Node	• Be planned to allow for *intensification* at the major intersection of Brant Street and Plains Road East. • Function as the gateway and key intersection of Brant Street and Plains Road East and provide opportunities for *public service facilities* as well as retail and *service commercial* uses within landmark buildings. • Serve as a key retail and *service commercial* area, sensitively connecting adjacent residential neighbourhoods to the Burlington GO Central Precinct.
Upper Brant	• Be planned to accommodate *developments* with a variety of building heights proportional to parcel depth along Brant Street between Prospect Street and Blairholm Avenue, with the tallest *developments* located along and north of Ghent Avenue. • Function as the connection between the Downtown Burlington Urban Centre and the Downtown Burlington Urban Growth Centre/Burlington GO *MTSA*. • Consist of *development* that generally achieves a height and density that reflects the precinct's walking distance to higher-order transit at the Burlington GO Station, and contributes to the creation of a transit, pedestrian and cycling oriented area while also achieving *compatibility* with adjacent Residential Low Density areas. • Maintain a low-rise feel for pedestrians along Brant Street through building setbacks above the third storey abutting Brant Street. • To balance the objectives of providing increased density within walking distance to the Burlington GO Station, providing for a transition to adjacent established low- rise residential areas and to provide for a setback along Brant Street above the third storey, flexibility *may* be considered in the depth of the setback from Brant Street above the third storey.
Mid-Rise Residential	• Support the general housing and height transition objectives of the *City*'s *Major Transit Station Area*s.

	• Include a variety of *low-rise* and *mid-rise building* forms, with the tallest buildings framing main streets such as Plains Road East, Queensway Drive, Brant Street, Fairview Street, and along the rail corridor. • Incorporate gradual transitions from the *mid-rise buildings* along Fairview Street, Drury Lane, Plains Road East and Leighland Road to the adjacent *low-rise* neighbourhoods, offering flexibility for new housing *development* to support the growing population of the area.
Low to Mid-Rise Residential	• Serve as a transition between existing *low-rise* residential neighbourhoods and the *intensification areas* within the *MTSA*. • Recognize that while the existing *low-rise buildings* in the precinct are not anticipated to redevelop in the long term, there are opportunities to accommodate new lower *mid-rise* residential and residential/mixed use.

b) The following uses *may* be permitted on land within the precincts identified on Schedule F: Land Use- Downtown Burlington Urban Growth Centre/Burlington GO *Major Transit Station Area* in accordance with the policies of this Plan and *shall* be regulated in accordance with the Community Planning Permit By-law:

i. residential uses excluding single detached dwellings, and semi-detached dwellings;

ii. *office* uses;

iii. retail and *service commercial* uses;

iv. *entertainment* uses;

v. *recreation* uses;

vi. *employment* uses

vii. hotel uses;

viii. *place of assembly*; and,

ix. major trip generating facility.

c) *Public Service Facilities* and *institutional uses shall* be permitted in all precincts identified on Schedule F: Land Use - Downtown Burlington Urban Growth Centre/Burlington GO MTSA, of this Plan; with the exception of the Natural Heritage System precinct and in lands within *hazardous lands* and *hazardous*

sites as approximately shown on Appendix E of this Plan, and in accordance with the policies of this Plan and implemented through the Community Planning Permit By-law.

d) *Assisted* and *additional needs housing* are *encouraged* to locate in all precincts where residential uses are permitted identified on Schedule F: Land Use - Downtown Burlington Urban Growth Centre/Burlington GO MTSA and where public transit, retail and *public service facilities* are readily accessible, with the exception of *hazardous lands* and *hazardous sites* as approximately shown on Appendix E of this Plan, in accordance with the policies of this Plan and implemented through the Community Planning Permit By-law subject to reasonable planning standards and design criteria.

e) The enlargement or extension of a legal non-conforming use *shall* be permitted provided that the expansion or enlargement is used in the same manner and for the same purpose as it was used on the day OPA 2 was passed or is more compatible with the uses permitted.

8.1.2 (3) Aldershot GO Major Transit Station Area

The Aldershot GO *Major Transit Station Area,* also known as Aldershot Corners, is envisioned to continue to evolve as an urban neighbourhood with a distinct sense of place and neighbourhood identity that is connected with the surrounding community. Aldershot Corners is supported by five distinct precincts providing a mix of residential, commercial and *employment* uses, bordered by Hidden Valley Park to the west.

New *multi-modal* urban streets and *active* transportation facilities will support the continued evolution of Aldershot Corners into a walkable, urban community that is highly integrated with the existing surrounding community. The envisioned transportation network in the *MTSA* will provide enhanced mobility and improved access to the GO station as well as enhanced connections on the broader mobility network to the Burlington Urban Growth Center and the Downtown Urban Centre. The transportation network will also provide connections to nearby leisure and recreation opportunities such as parks and open spaces, as well as the many other amenities that Aldershot Corners already offers.

8.1.2 (3.1) Aldershot GO Major Transit Station Area (Aldershot Corners)

a) The area surrounding and including the Aldershot GO Station as shown on Schedule G: Land Use- Aldershot GO Major Transit Station Area, of this Plan, is a Protected *Major Transit Station Area* in accordance with The Planning Act.

b) *Development* within the Aldershot GO *Major Transit Station Area* boundary *shall* be planned to achieve a minimum density of 150 residents and jobs combined

per hectare and will contribute towards achieving the minimum density target of the *Protected Major Transit Station Area*.

c) The minimum density target of 150 residents and jobs combined per hectare *shall* apply to the Aldershot GO *Major Transit Station Area*.

d) Based on the minimum density of 150 residents and jobs combined per hectare, the corresponding population is approximately 15,249 residents and 2,565 jobs, for an estimated 17,814 residents and jobs combined to achieve a proportional target of approximately 80% residents and 20% jobs per hectare.

e) The proportional mix of residents and jobs is planned to 2051 and beyond and *shall* be monitored in accordance with Section 8.1.2(10.2) and Section 12.3 of this Plan to track the achievement of the growth target.

f) The entire Aldershot GO MTSA is planned to achieve a minimum *floor area ratio* of 1.5 to be implemented and regulated through the Community Planning Permit By-law by way of ~~minimum~~ permitted building heights.

8.1.2 (3.2) Aldershot GO Major Transit Station Area Authorized Uses of Land

a) Schedule G: Land Use - Aldershot GO Major Transit Station Area identifies the precincts, and their respective boundaries within the MTSA. The visions for each precinct, which *shall* be implemented through the *Community Planning Permit System* are as follows:

Aldershot GO MTSA Precinct Visions	
Precinct	**The precinct will…**
Aldershot GO Central	• Be the focus area for the Aldershot GO *MTSA*'s highest densities. • Be the preeminent destination for *major office*, *affordable housing*, retail and *service commercial* uses within Aldershot Corners and the focus of the tallest buildings close to the GO station. • Ensure that, through built-form transitions, increased density is also met with *streetscape* design that creates a pedestrian-focused area for travelers to arrive in, find amenities, and enjoy outdoor spaces. • Be planned with the tallest buildings in the precinct located along the rail corridor, where shadows will have the least impact, and with the height peak of the precinct located where Waterdown Road intersects the rail line.
Aldershot Main Street	• Be characterized as a mid-rise precinct that advances the historic, neighbourhood driven-Plains Road Village Vision

	and establishes a unique community destination with a focus on a continuous retail frontage and main-street pedestrian experience along the *frequent transit corridors* of Waterdown Road and Plains Road (East and West).
Cooke Commons	• Be planned to accommodate a mix of uses, with *tall* and *mid-rise* mixed use buildings being the predominant built form and use. • Function as a transitional area between the tower-concentrated Aldershot GO Central Precinct and the Mid-Rise Residential and Aldershot Main Street precincts. • Consist of *development* which support the growth of a unique retail and dining destination, with a comfortable and vibrant pedestrian environment fronting onto a re-imagined Cooke Boulevard, including a potential flex street with active uses at the street level and increased emphasis on pedestrian and *multi-modal* movement.
Emery Commons	• Function as a transitional area between the tower-concentrated Aldershot GO Central Precinct and the Mid-Rise Residential and Aldershot Main Street precincts. • Accommodate a concentration of residential, retail, *employment* and *service commercial* uses in buildings with varying heights that contribute towards the creation of lively, vibrant and people-oriented places. • Become a new community hub for Aldershot Corners, with a concentration of community services, amenities and facilities. • Contain opportunities to consider strategic locations and investments for future City *public service facilities* in accordance with the policies of Section 3.2 of this Plan.
Mid Rise Residential	• Include a variety of *low-rise* and *mid-rise building* forms at the eastern and western edges of the Aldershot GO *Major Transit Station Area*. • Support the *Major Transit Station Area* objectives of providing housing as well as retail, *service commercial*, and *employment* opportunities in close proximity to the Aldershot GO Transit Station and allow for transitions to existing neighbourhoods beyond the *Major Transit Station Area* boundary. • Contain opportunities for intervening land uses within the Mid-Rise residential precinct on the east side of Waterdown Road to support achieving land use

	compatibility objectives and policies in relation to the existing CN Rail *major facility*.

b) The following uses *may* be permitted on land within the precincts identified on Schedule G: Land Use- Aldershot GO Major Transit Station Area in accordance with the policies of this Plan and *shall* be regulated in accordance with the Community Planning Permit By-law:

   i. residential uses excluding single detached dwellings, and semi-detached dwellings;

   ii. *office* uses;

   iii. retail and *service commercial* uses;

   iv. *entertainment* uses;

   v. *recreation* uses;

   vi. *hotel* uses; and

   vii. light assembly and manufacturing uses, *compatible* with abutting *sensitive land uses*.

c) *Public Service Facilities* and *institutional uses shall* be permitted in all precincts identified on Schedule G: Land Use - Aldershot GO Major Transit Station Area; with the exception of the Natural Heritage System precinct and in lands within *hazardous lands* and *hazardous sites* as approximately shown on Appendix E and in accordance with the policies of this Plan and implemented through the Community Planning Permit By-law.

d) *Assisted* and *additional needs housing* are *encouraged* to locate in all precincts where residential uses are permitted identified on Schedule G: Land Use - Aldershot GO Major Transit Station Area and where public transit, retail and *public service facilities* are readily accessible, with the exception of *hazardous lands* and *hazardous sites* as approximately shown on Appendix E of this Plan, in accordance with the policies of this Plan and implemented through the Community Planning Permit By-law subject to reasonable planning standards and design criteria.

e) The enlargement or extension of a legal non-conforming use *shall* be permitted provided that the expansion or enlargement is used in the same manner and for the same purpose as it was used on the day OPA 2 was passed or is more compatible with the uses permitted.

8.1.2 (4) Appleby GO Major Transit Station Area

The Appleby Gateway *MTSA* area is divided by the rail corridor into two sub-areas: Appleby GO North and Appleby GO South. Appleby Gateway *MTSA* North consists of largely existing *employment* uses and will continue to grow to accommodate more intensive *office* and *employment* uses while continuing to support existing *major facilities.* Appleby Gateway *MTSA* South will evolve as an urban village with a balanced mix of *employment*, residential and commercial opportunities, bordered by Sherwood Forest Park. The two areas will be connected by a new transit plaza, as well as enhanced *transportation facilities* crossing the rail line. Transitions from North to South will focus on land use compatibility and will include mitigation measures to protect both existing *employment* uses and new and existing *sensitive land uses*.

A network of new and enhanced *complete street*s and *active transportation facilities* will create additional options for riders travelling to and from the GO Station during peak periods, helping to manage congestion. The transportation network will provide access to recreation opportunities in nearby parks and open spaces, while also improving connectivity throughout Appleby Gateway, to the adjacent neighbourhood, other *MTSA*s and the Urban Growth Centre, and beyond.

8.1.2 (4.1) Appleby GO Major Transit Station Area (Appleby Gateway)

a) The area surrounding and including the Appleby GO Station as shown on Schedule H: Land Use - Appleby GO Major Transit Station Area is a Protected *Major Transit Station Area* in accordance with The Planning Act.

b) *Development* within the Appleby GO *Major Transit Station Area* boundary *shall* be planned to achieve a minimum density of 120 residents and jobs per hectare combined will contribute towards achieving the minimum density target of the Protected *Major Transit Station Area*.

c) The minimum density target of 120 residents and jobs per hectare combined *shall* apply to the Appleby GO *Major Transit Station Area*.

d) Based on the minimum density of 120 residents and jobs per hectare combined, the corresponding population is approximately 5,458 residents and 19,579 jobs, for an estimated 25,037 residents and jobs combined to achieve a proportional target of approximately 40% residents and 60% jobs per hectare.

e) The proportional mix of residents and jobs is planned to 2051 and beyond and *shall* be monitored in accordance with Section 8.1.2(10.2) and Section 12.3 of this Plan to track the achievement of the growth target.

f) The entire Appleby GO MTSA is planned to achieve a minimum *floor area ratio* of 1.2 to be implemented and regulated through the Community Planning Permit By-law by way of ~~minimum~~ permitted building heights.

8.1.2 (4.2) Appleby GO MTSA Authorized Uses of Land

a) Schedule H: Land Use - Appleby GO Major Transit Station Area identifies the precincts within the MTSA. The visions for each precinct that will be implemented through the Community Planning Permit System are as follows:

Appleby GO MTSA Precinct Visions	
Precinct	**The precinct will…**
General Employment	• Continue to provide locations for existing, new and/or relocating manufacturing, assembly, distribution and service *industrial* uses. • Provide a broad range of light *industrial* to *office* uses with a mix of *office* and low-rise *employment* built form while ensuring *compatibility* with adjacent *sensitive land uses*.
Urban Employment	• 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 access and high visibility along major transportation routes. • Allow for the continuation of existing uses subject to the policies of 8.1.2(6) of this Plan.
Appleby GO Central	• Accommodate *major office*, *public service facilities* as well as commercial, recreation, cultural and *entertainment uses*. • Accommodate a higher density mix of uses including *affordable housing* and retail with a focus of *tall buildings* close to the GO station and along the rail. • Be designed and developed to support improved connectivity to the *employment* area north of the rail. • Be planned and developed in a manner that ensures the long term viability of the *employment* uses on the north side of the rail corridor and minimizes and mitigates potential *adverse effects* to new *sensitive land uses* in the precinct. • Have the tallest buildings with appropriate compatibility mitigation located along the rail corridor, where shadows will have the least impact. • Where *tall buildings* are located at the interface of parks and natural heritage system precinct, the *tall buildings* in this precinct will provide sufficient setbacks with reduced height to provide a transition and minimize shadow and wind impacts.

Fairview Frequent Transit Corridor	• Be a vibrant, lively, and people-oriented place, serviced by frequent *multi-modal* travel opportunities. • Be a unique community destination with a focus on a continuous retail frontage and main-street pedestrian experience. • Accommodate a significant concentration of residential, retail, *employment* and *service commercial* uses, with a main-street pedestrian experience along the *frequent transit corridor* of Fairview Street, and setback treatments that allow for patio spaces, public open space, and enhanced tree canopies.
Mid-Rise Residential	• Support the general housing and height transition objectives of this Plan offering gradual transitions from the adjacent existing low rise neighbourhoods.
Low to Mid-Rise Residential	• Encompass an area that includes existing *low-rise* residential neighbourhoods within the *Major Transit Station Area*. • Recognize that the existing *low-rise buildings* in the precinct ~~is~~ are not anticipated to redevelop in the long term.

b) ~~With the exception of the lands at 720, 735, 740 Oval Court and 5135, 5155 Fairview, the~~ The precincts identified south of the rail corridor on Schedule H: Land Use - Appleby GO Major Transit Station Area *may* permit the following authorized uses of land in accordance with the policies of this Plan and *shall* be regulated in accordance with the Community Planning Permit By-law:

i. residential uses excluding single detached dwellings, and semi-detached dwellings;

ii. *major office* and *office* uses;

iii. retail and *service commercial* uses;

iv. *hotel* uses;

v. *recreation uses* ; and

vi. *entertainment uses*.

c) The precincts identified north of the rail corridor on Schedule H: Land Use - Appleby GO Major Transit Station Area *may* permit the following authorized uses of land and *shall* be regulated in accordance with the Community Planning Permit By-law:

i. *Industrial* uses;

ii. *Employment* uses;

iii. *office* and *major office* uses;

iv. *automotive commercial* uses, excluding *large scale motor vehicle dealership*;

v. *accessory* retail and *service commercial uses* which serve the day to day needs of employees; and,

vi. A limited range of *recreation uses* such as fitness centres and gyms that meet the definition of *ancillary employment use*, as defined by this Plan, and *shall* be located within a building with existing or planned *employment* uses.

d) *Public Service Facilities* and *institutional uses shall* be permitted in all precincts identified on Schedule H: Land Use - Appleby GO Major Transit Station Area with the exception of the Natural Heritage System precinct and in lands within *hazardous lands* and *hazardous sites* as approximately shown on Appendix E and in accordance with the policies of this Plan and implemented through the Community Planning Permit By-law.

e) *Assisted* and *additional needs housing* are *encouraged* to locate in all precincts where residential uses are permitted identified on Schedule H: Land Use- Appleby GO Major Transit Station Area and where public transit, retail and *public service facilities* are readily accessible, with the exception of *hazardous lands* and *hazardous sites* as approximately shown on Appendix E of this Plan, in accordance with the policies of this Plan and implemented through the Community Planning Permit By-law subject to reasonable planning standards and design criteria.

f) The enlargement or extension of a legal non-conforming use *shall* be permitted provided that the expansion or enlargement is used in the same manner and for the same purpose as it was used on the day OPA 2 was passed or is more compatible with the uses permitted.

g) The lands at 720, 735, 740 Oval Court and 5135, 5155 Fairview Street are excluded from the Community Planning Permit policies and any Official Plan policies to be implemented through the Community Planning Permit process.

The policies within Sections 8.1.2(5) through to 8.1.2(10) and other applicable policies of this Plan provide direction for all precincts within the City's three *Major Transit Station Areas*.

8.1.2 (5) Water, Wastewater and Transportation Infrastructure

To support *intensification* within the *Major Transit Station Areas*, the comprehensive study of planning, phasing and ultimately financing of *infrastructure* in an integrated manner must be prioritized. Planning for *infrastructure* is undertaken by the Region of Halton and a number of different partner agencies and organizations with information provided by the *City*. Collaboration is necessary to ensure that there are services in place to support new population and employment uses as growth occurs.

Accommodating growth through *intensification* requires investment in the transportation network to ensure that people of all ages and abilities have a variety of travel options. The *multi-modal* network will be safe, accessible, and balanced, supported by the prioritization of walking, cycling and transit facilities including first and last mile connections to transit facilities. The *multi-modal* network of *complete streets* will be designed based on the safe integration of all *modes* of travel.

8.1.2 (5.1) Water and Wastewater Infrastructure

a) *Infrastructure* will be delivered in accordance with Section 6.1 of this Plan.

b) In accordance with the City's Growth Framework, the phasing of municipal *sewage and water services* capacity improvements amongst the *Major Transit Station Areas shall* be as follows:

    i) the Downtown Burlington Urban Growth Centre/Burlington GO *MTSA*;
    ii) Aldershot GO *MTSA*; and
    iii) Appleby GO *MTSA*.

c) D*evelopment shall* be connected to municipal *sewage and water services* in accordance with the Region of Halton's Water and Wastewater Master Plan.

d) *Development shall* be limited to the capacity and financial capability of the Region of Halton to deliver municipal *sewage and water services* in accordance with Subsection 8.1.2(10.2) b) of this Plan.

e) In accordance with the findings of the Functional Servicing Report, further study regarding the impact of planned *MTSA intensification* and its relation to other planned *development* on the Regional scale *shall* be required. The *City* will work with the Region to scope and deliver a targeted Enhanced Functional Servicing study, assessing impacts of the *Major Transit Station Areas* on the broader Regional Water and Wastewater system. This study *may* be carried out by the *City* and/or developer, with a terms of reference approved by the *City* and Region.

f) Notwithstanding, 8.1.2 (5.1) e) d~~D~~*evelopment* proceeding ahead of the completion of this study *shall* demonstrate, to the satisfaction of the Region, that the existing water and wastewater systems can accommodate the proposed growth.

g) In accordance with Section 8.1.2(10.2) of this Plan, the *City* will monitor growth in the *MTSAs* and collaborate with the Region to confirm the appropriate study, phasing and financing elements are in place to ensure the timely delivery of *infrastructure* investment to unlock growth in MTSAs.

h) The *City* will coordinate the timing of its *infrastructure* projects, including *streetscape* improvements and future road projects, with upgrades to sewage and water networks in collaboration with the Region of Halton to minimize the impacts of construction on the residents and businesses.

i) The co-location of linear *infrastructure* is *encouraged*, where appropriate.

8.1.2(5.2) Transportation Network

a) Street design *shall* comply with Table 1: Classification of Transportation Facilities and Table 3: Classification of *Major Transit Station Area* facilities, of this Plan.

b) The location of streets and ~~off-road~~ off-street trail *active transportation* connections are conceptual and *shall* be provided, as identified on Schedule F-1: Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area Transportation Network, Schedule G-1: Aldershot GO Major Transit Station Area Transportation Network, and Schedule H-1: Appleby GO Major Transit Station Area Transportation Network, of this Plan. Further refinements and additions to the street and *active transportation* network *may* be determined through tertiary planning in accordance with Subsection 8.1.2(~~8.2~~10.1) of this Plan or through the consideration of a Community Planning Permit application or other approval.

c) The ultimate location and design of any new streets, whether identified on Schedule F-1: Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area Transportation Network, Schedule G-1: Aldershot GO Major Transit Station Area Transportation Network, and Schedule H-1: Appleby GO Major Transit Station Area Transportation Network, or through policy, *shall* be reviewed through a *development application,* Community Planning Permit application or an Environmental Assessment process in accordance with the design parameters of Table 1: Classification of Transportation Facilities and Table 3: Classification of Major Transit Station Area Facilities, of this Plan.

d) The public street rights-of-ways as shown on Schedule F-1: Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area

Transportation Network, Schedule G-1: Aldershot GO Major Transit Station Area Transportation Network, and Schedule H-1: Appleby GO Major Transit Station Area Transportation Network and in Table 4: Major Transit Station Area Public Right-of-Way Widths, of this Plan, *shall* be protected and secured through the processing of a Community Planning Permit application, unless waived by the *City* and/or Region in accordance with Subsection 6.2.7(2)f) of this Plan. Reductions to public right-of-way allowance widths will only be considered provided the *City's* objectives to achieve complete streets standards, including all mobility, transit and design needs, have been addressed. Further, any public right-of-way identified in a detailed engineering study or Environmental Assessment study by the *City* and/or Region *shall* be protected and secured in the same way through the Community Planning Permit application.

e) A detailed, intersection level Transportation Impact Assessment Study *shall* be completed for *development* proposals to assess the impacts of traffic on the local and Regional road network and to identify *infrastructure* upgrades and access improvements subject to an approved Terms of Reference approved by the *City* and/or Region and in accordance with the most up to date *City* and/or Regional Guidelines and Bylaws. Should the Transportation Impact Assessment Study determine the public right-of-way is not needed, connections *may* be implemented through private or condo road.

f) Where a Transportation Impact Assessment Study identified in Section 8.1.2(5.2) e) determines that capacity is not available, *development shall* not be permitted until improvements to address the identified constraints have been implemented to the satisfaction of the *City* and Region including alternative *modes* of travel, *Transit Priority Measures (TPM), Transportation Demand Management (TDM)* measures and other approaches outlined in the Burlington Integrated Mobility Plan and the Region's most up to date Transportation Master Plan.

g) A Transportation Study or Transportation Impact Assessment Study *shall* be required as part of a Tertiary Planning process where tertiary planning is required in accordance with Section 8.1.2 (10.1).

h) Minor modifications to the location, size and alignment of the conceptual streets *may* be permitted without amendment to this Plan and *Community Planning Permit System* provided that such modifications continue to meet the objective of delivering *active transportation* connections and City design standards are approved by the *City* and Halton Region in accordance with their applicable guidelines.

i) *Development* proposals *shall* be located on public streets or roads, unless it can be demonstrated by the proponent to the satisfaction of the *City* that a private street or road is equally desirable from the standpoints of functionality,

community safety, efficiency, servicing, neighborhood connectivity, facilitating ease of land assembly for future *development*, reducing *negative* environmental impacts and minimizing financial impacts to the *City*.

j) Streets *shall* be planned as *complete streets* in accordance with the policies of this Plan.

k) The *City will* prepare Complete Street design guidelines as directed by the Integrated Mobility Plan, to provide guidance for the *complete streets* network, establish detailed engineering and design standards for the construction of new roads and improvements to existing roads, and to provide design opportunities for *flex streets*.

l) New streets to support *development shall* consist of short blocks and frequent crossings that will improve *active transportation* and vehicular connections.

m) Midblock connections including *active transportation* connections *should* be incorporated to support site permeability and enhance pedestrian access.

n) The *City shall* study and implement Bus Rapid Transit facilities with dedicated lanes as identified on Schedule B-2 Growth Framework and Long Term Frequent Transit Corridors of this Plan.

o) A Municipal Class Environmental Assessment *shall* be required to determine the need, feasibility and location of major grade separated crossing connections that support the goals and objectives of the City's Integrated Mobility Plan and consider rebalancing the transportation network and required people movement capacity in the following areas:

    i) a north-south Major Collector grade separated crossing connecting the north Burlington GO Central precinct to the south Burlington GO precinct to Fairview Street *shall* be required and the lands *shall* be dedicated to the in accordance with the Tertiary Plan.

    ii) a north-south Arterial grade separated crossing and enhanced *active transportation facilities* connecting Harvester Road to Fairview Street, *shall* be required. The lands *shall* be dedicated to the City in accordance with the Tertiary Plan.

p) The evaluation of other potential major network improvements in the area identified on Schedule F-1: Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area Transportation Network, of this Plan, as 'Area Subject to Further Study' and enhanced *active transportation facilities shall* also be required.

q) The *City* will collaborate with the appropriate agencies to secure an *active transportation* grade crossing at the north end of Century Drive across the QEW as shown on Schedule H-1: Appleby GO Major Transit Station Area Transportation Network and in Burlington GO across the QEW as identified on Schedule F-1: Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area Transportation Network, of this Plan.

8.1.2 (5.3) Laneways

a) Laneways *may* be considered to provide a pedestrian and mid-block connection to the interior of *development,* as well as access to the required deliveries, services and utilities for the building.

b) Laneways *should* be located in the middle or rear of *development* with access points providing adequate distance between intersections and existing driveways in accordance with a Transportation Impact Assessment.

8.1.2 (5.4) Active Transportation Network

a) *Active transportation* connections *shall* be provided both on existing and proposed streets in accordance with Schedule F-1: Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area Transportation Network, Schedule G-1: Aldershot GO Major Transit Station Area Transportation Network, and Schedule H-1: Appleby GO Major Transit Station Area Transportation Network, of this Plan.

b) ~~Off-Road~~ Off-Street trail a*ctive transportation* connections, as shown on Schedule F-1: Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area Transportation Network, Schedule G-1: Aldershot GO Major Transit Station Area Transportation Network, and Schedule H-1: Appleby GO Major Transit Station Area Transportation Network, of this Plan, and Potential *Linear Park and Greenway* elements identified on Schedule F: Land Use - Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area, Schedule G: Land Use - Aldershot GO Major Transit Station Area and Schedule H: Land Use - Appleby GO Major Transit Station Area, *shall* be planned to facilitate direct connections within and outside of the *Major Transit Station Area*s and provide recreational opportunities in accordance Section 6.2.4 and Schedule Q: Trails Strategy, of this Plan.

8.1.2 (6) Land Use Compatibility

a) *Development* of *sensitive land uses* and *major facilities shall* be in accordance with Section 4.6 and Subsection 8.1.2(6), of this Plan.

b) Where avoidance is not possible, *development* containing *sensitive land uses shall* demonstrate how land use *compatibility* has been evaluated and addressed through a Land Use Compatibility Screening Assessment to confirm whether the site is within the potential influence area of a *major facility* and the need for a Land Use Compatibility Study, in accordance with Provincial and Regional guidelines, and where required, a Land Use Compatibility Study in accordance with 8.1.2(6) c). *Development* of new *sensitive land uses shall* only be permitted where the impacts to existing and planned *industrial*, manufacturing or other *major facilities* and potential new *major facilities,* as permitted through the Community Planning Permit By-law, have been minimized and mitigated to the satisfaction of the *City*.

c) Where proposed *development* contains *sensitive land uses*, a Land Use Compatibility Study *shall* be undertaken based on a Terms of Reference developed by the *City* which *may* include but is not limited to, the following:

i. Detailed site description and proposed use;

ii. Building *massing*, transitions, location and height description;

iii. Description of air emissions' and noise impact from surrounding environment on proposed *development*;

iv. Proposed measures, including at-source mitigation and the consideration of intervening land uses, to demonstrate mitigation;

v. Required engagement with existing industry landowners;

vi. In the case where land that has been converted from an exclusive *employment* designation, the study *shall* consider the plans of the existing industry to phase out and/or relocate the use;

vii. Warning clauses in offers of purchase and sale, lease or rental agreements and condominium declarations, or other *development* agreement as applicable, *shall* be determined and secured through the planning application process, and *may* include but not be limited to advising purchasers and future occupants of:

a) the proximity of *industrial* uses with associated heavy truck traffic; and,

b) the proximity of the railway and associated rail traffic and operations.

viii. Any other considerations that *may* be required or recommended in accordance with applicable Provincial policies and guidelines.

d) The City *shall* consult with operators or landowners of existing *major facilities* when preparing the Terms of Reference for a Land Use Compatibility Study.

e) Land use *compatibility* studies *shall* include engagement with existing industry landowners and the owners of lands with the potential for new *major facilities* including other vacant lands designated for employment use and quantitative analysis to demonstrate compatibility with respect to air quality contaminants, odour, dust, noise and vibration. The *development* proponent of a *sensitive land use shall* share the Land Use Compatibility Study with the existing impacted industry landowner. 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 study will be carried out by a qualified professional retained by the City at the applicant's expense.

f) To protect the operational and economic viability of existing and planned *major facilities*, the introduction of new *sensitive land uses shall* not be permitted within the Potential Influence Area of a *major facility* in accordance with Provincial guidelines until it can be demonstrated that the potential impacts to the facility are minimized and mitigated, and that *land use compatibility* can be maintained to the satisfaction of the *City*.

g) Where a Land Use Compatibility Study recommends that source based and/or receptor based noise control measures are required, the noise control measures *shall* be undertaken at the expense of the applicant. For any source based noise control measures, the applicant *should* work cooperatively with the noise source owner and *should* enter into an agreement for implementation and perpetual maintenance of the noise control measures. Source based noise control measures will not be feasible without authorization from the noise source owner.

h) For proposed *development*s where source mitigation is required, appropriate agreements *should* be enacted to ensure monitoring of the long term maintenance of recommended and employed mitigation measures to support new *sensitive land uses*.

i) The *City shall* develop procedures for assessing environmental noise matters for new *development*, including, but not limited to, criteria for the consideration and formal confirmation of a Class 4 area, in accordance with any applicable Provincial and Regional guidelines.

8.1.2 (7) Natural Heritage System Precinct

a) The Natural Heritage System Precinct is shown on Schedule F: Land Use - Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area, Schedule G: Land Use - Aldershot GO Major Transit Station Area, and Schedule H: Land Use - Appleby GO Major Transit Station Area, of this Plan.

b) Proposed *development shall* consider the impacts to all Key Features and components of the Natural Heritage System Precinct, as well as Key Features and components of the Natural Heritage System on adjacent lands, in accordance with the policies of this Plan and the Regional Official Plan.

c) Where *development* is proposed within 120 metres or adjacent to the Natural Heritage System Precinct, as shown on Schedule F: Land Use - Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area, Schedule G: Land Use - Aldershot GO Major Transit Station Area, and Schedule H: Land Use - Appleby GO Major Transit Station Area, of this Plan, an Environmental Impact Assessment (EIA) *shall* be required in accordance with the policies of this Plan.

d) In accordance with Section 4.2.2 of this P~~p~~lan, the boundaries of the Natural Heritage System Precinct *may* be refined, with additions, deletions and/or boundary adjustments and *shall* not require an Official Plan Amendment.

e) *Buffers* for identified *significant woodlands shall* be no less than 10m wide and *shall* form part of the City's Natural Heritage System precinct. Non-intensive pedestrian trails *may* be located within these *buffers* where *negative impacts* to *woodlands* can be minimized as demonstrated through an Environmental Impact Assessment and accepted by the *City* and Halton Region.

8.1.2 (7.1) Natural Hazards and Flood Hazards

a) *Development* proposals *shall* consider the recommendations and findings from the latest Flood Hazard Assessments and Stormwater Management Plans and any flood hazard reduction or mitigation studies pertaining to each *Major Transit Station Area*.

b) The delineation and regulation of *hazardous lands* and *hazardous sites* is administered by Conservation Halton. Conservation Halton regulates lands in or adjacent to river or stream valleys (including *flooding* and *erosion hazards*), *wetlands*, shorelines and other *hazardous lands*. *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 and associated regulated allowances, in accordance with Conservation Halton's regulatory and legislative requirements.

c) *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* and Conservation Halton.

d) *Flooding hazards*, including spills, *shall* be assessed by *development* proponents utilizing the best flood hazard modeling information available to demonstrate *development* is consistent with provincial natural hazard policy and meet Conservation Halton regulatory and legislative requirements, to confirm requirements for on-site stormwater management quantity and quality controls and to ensure any required floodproofing for safe-ingress and egress is implemented in accordance with the *City's* Stormwater Management Design guidelines in addition to Conservation Halton and Provincial requirements.

e) *Adverse effects* of *development* on the downstream aquatic environment including *watercourse* erosion, *shall* be avoided or mitigated to the satisfaction of the *City* and Conservation Halton.

f) Conservation Halton's Approximate Regulated Limit mapping is illustrated on Appendix E. The map lines are approximate. Technical studies *may* be required to identify regulated *hazardous lands*, *hazardous sites*, *watercourses* and *wetlands* that are unmapped and/or refine the Approximate Regulation Limit mapping at a site-specific level. Conservation Halton must be contacted to confirm the approximate regulation limit mapping and permit requirements.

g) The *City may* update the relevant appendices of this Plan from time to time without amendment to this Plan, in accordance with the latest Flood Hazard Assessments, Stormwater Management Plans, and any flood hazard reduction/mitigation studies pertaining to each *Major Transit Station Area* and the policies of this Plan.

8.1.2 (8) Urban Design and Public Realm

8.1.2 (8.1) Public Realm

a) The design of the *public realm* and the private realm *should* be coordinated to provide attractive *streetscapes* throughout the *MTSA*s.

b) *Streetscape* improvements will be scheduled and phased appropriately with road and *infrastructure* projects, as well as timing of *development,* in accordance with Section 8.1.2 (5.1) of this Plan. Proponents of *development shall* collaborate with the *City* to align *development* with road and *infrastructure* projects, where it is deemed appropriate by the *City*.

c) Any new public streets developed in accordance with Section 8.1.2(5.2) *should* include appropriate linkages to new and existing parks or potential l*inear parks and greenways*. Where feasible and appropriate, elements which enhance the functionality of park linkages *should* be incorporated into the design of new streets (e.g., additional seating, provision of shade, street trees and accessibility requirements).

d) For lands that are not subject to a Tertiary Plan as identified in Section 8.1.2(10.1), a shared distribution of the responsibility among landowners to provide street *infrastructure*, *active transportation* connections and parks to contribute to the *public realm* is required through the comprehensive planning of contiguous lots, where applicable, based on good planning principles.

e) *Development* proponents *shall* demonstrate that the proposal will not compromise the ability of *development* on adjacent property(ies) to meet the objectives and policies of this Plan and will be designed to facilitate future pedestrian, cycling and/or private street connections across one or more adjacent properties, where such opportunities exist as determined by the *City*.

8.1.2 (8.2) Activated Streets

Activated Streets located in *MTSA*s will be designed to cater to pedestrians and create a vibrant *streetscape* for leisure, shopping, dining and working. *Public realm* and built form design will establish the safety and comfort of pedestrians as the first priority. Design will focus on creating a safe, welcoming and comfortable environment for high volumes of pedestrians across all seasons. Where Activated Streets have been identified on Schedule F-2: Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area Activated Streets, Schedule G-2: Aldershot GO Major Transit Station Area Activated Streets, and Schedule H-2: Appleby GO Major Transit Station Area Activated Streets, of this Plan, uses such as stores, restaurants, patios, *public service facilities, institutional uses*, *offices* and residential lobbies will help to create vibrancy and activation on these important streets within the *MTSAs*.

Activated streets will experience near constant evolution, be it through *redevelopment* or tenant changes over time. Every effort *should* be made to maintain and support the character and continuity of activated streets throughout this evolution.

a) In accordance with Schedule F-2: Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area Activated Streets, Schedule G-2: Aldershot GO Major Transit Station Area Activated Streets, and Schedule H-2: Appleby GO Major Transit Station Area Activated Streets, of this Plan:

    i. along Major Mixed Use Streets, retail, *service commercial, institutional uses,* day care centre*, public service facilities* or *office* uses *shall* be

required continuously at grade in buildings having frontage onto public streets, with the exception of the following as established through the Community Planning Permit By-law:

a. *Primary Public Entrances* are permitted at grade facing Major Mixed Use Streets in conjunction with other permitted uses;

b. *development* located within a Low to Mid-Rise Residential and Mid-Rise Residential Precincts *may* be exempt from the requirements of Major Mixed Use Streets, provided it can demonstrate to the satisfaction of the *City* that the proposal will provide and enhanced *public realm* and will not compromise the objectives of Activated Streets.

c. *development* located along a Major Mixed Use Street *may* be permitted to include indoor common residential amenity area on the first or second floor of a building, provided it is subordinate in size to any required non-residential and is not facing the Major Mixed Use Street.

ii. along General Mixed Use Streets, retail, *service commercial*, *institutional uses*, day care centre and *public service facilities* and *office* uses are encouraged at grade in buildings fronting onto public streets.

iii. Notwithstanding Section 8.1.2(8.2) a) i), and ii) of this Plan, *institutional uses* and day care facilities are permitted as stand-alone uses along activated streets.

b) In accordance with Section 8.1.2(5.2) of this Plan, where a new public street not shown on Schedule F-2: Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area Activated Streets, Schedule G-2: Aldershot GO Major Transit Station Area Activated Streets, and Schedule H-2: Appleby GO Major Transit Station Area Activated Streets, of this Plan, is proposed, or where a new public street is proposed within an area subject to a Tertiary Plan in accordance with Section 8.1.2(10.1) of this Plan, the *City* will determine the appropriate category of activated street. The *City* will consider objectives and vision of the precinct or precincts which the new street will cross, as well as the location of the new street in relation to other existing or proposed activated streets.

c) *Development shall* demonstrate how the amount of proposed non-residential uses at grade will support the MTSA proportional job targets and the *City's* objectives for activated streets.

d) Along Mixed Use Major Streets, the gross floor area of existing retail and *service commercial* uses *should* be considered the minimum requirement for the maintenance, restoration or replacement of retail and *service commercial uses* in any new *development*.

e) The Community Planning Permit By-law *shall* establish requirements for new *development* along activated streets to be designed in a manner that ensures flexible and functional ground floor retail and *service commercial* units that contribute to a vibrant, active and animated built environment, including, but not limited to:

i. Minimum first floor height and floor area;

ii. Maximum frontage at grade for units to create a character of smaller shops;

iii. Minimum setbacks to expand the pedestrian realm; and,

iv. Design guidance to support the character and continuity of activated streets.

8.1.2 (8.3) Built Form Transitions

a) The *City's* implementing Community Planning Permit By-law *shall* establish appropriate regulations which:

i. ensure *compatibility* between a new *development* and existing built form in the Low to Mid-Rise Residential precinct as shown on Schedule F: Land Use- Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area, Schedule G: Land Use- Aldershot GO Major Transit Station Area and Schedule H: Land Use- Appleby GO Major Transit Station Area, Established Neighbourhood Area shown on Schedule B-1: Growth Framework of this Plan, as well as existing or new parks including linear parks and greenways; and

ii. support diversity and flexibility in building form *massing* and design.

8.1.2 (8.4) Complete Communities Elements

a) *Public service facilities* and *institutional uses shall* be permitted in all precincts of the MTSAs with the exception of the Natural Heritage System precinct, Natural Hazards overlay, General Employment and Urban Employment precincts in accordance with Section 3.2.2 c), d and e) of this Plan, subject to land use *compatibility* policies for existing *major facilities*.

b) *Public service facilities and institutional uses* are *encouraged* to co-locate with other uses within a single building, site, mixed-use *development* or community hub.

c) *Public service facilities shall* be planned for and designed to meet the needs of the *City* and other public service providers in accordance with their respective master planning work to support long-term growth.

d) The prioritization of investment in *public service facilities* will be considered in accordance with Section 6.1.2 of this Plan.

e) *Public service facilities* are encouraged to be located within close proximity to *linear parks and greenways*, along public transit networks or *active transportation* connections as identified on Schedule F: Land Use - Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area, Schedule G: Land Use - Aldershot GO Major Transit Station Area and Schedule H: Land Use - Appleby GO Major Transit Station Area and Schedule F-1: Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area Transportation Network, Schedule G-1: Aldershot GO Major Transit Station Area Transportation Network, and Schedule H-1: Appleby GO Major Transit Station Area Transportation Network of this Plan.

f) All *public service* f*acilities shall* be designed with flexibility and adaptability to accommodate shifts in demographics, community needs and function over the long term.

g) The delivery of *public service facilities* through public/private partnerships *shall* be *encouraged* to support the *complete community* objectives of this Plan.

h) All *City public service* f*acilities shall* be designed in a multi-purpose function to accommodate a variety of community uses and a range of different users.

i) At the time of *development,* proponents *shall* collaborate with the City to address p*ublic service facility* needs identified through *City* studies including but not limited to, the Parks Provisioning Master Plan, the Live and Play Plan, the Park Dedication Bylaws in effect and the Fire Master Plan, as well as identified Regional, Provincial and School Board needs related to growth. The following facilities are to be provided in accordance with the Community Planning Permit By-law:

    i) On-site community facilities.

    ii) Off-site community facilities within 1.6 kilometers, or an appropriate distance determined by the *City* that contributes to providing elements of a complete community for the *Major Transit Station Areas*.

j) The City will establish a prioritized list of *public service facility* needs in alignment with the ~~Community Planning Permit System Interpretation and Monitoring report~~ annual Major Transit Station Area Monitoring Report as identified in Section 8.1.2(10.2) e) of this Plan.

8.1.2 (8.5) Parks and Open Space

a) The planning, design and *development* of parks *shall* be guided by the policies of this Section, the Parks Provisioning Master Plan, the Park Dedication Bylaws in effect and all applicable policies of Chapter 3, Subsection 3.3, Parks, Recreation and Open Space, and Chapter 7, Design Excellence of this Plan.

b) New parks *shall* be designed and planned within the areas generally shown as the "New Park" and "Potential Linear Park & Greenway" symbols on Schedule F: Land Use- Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area, Schedule G: Land Use- Aldershot GO Major Transit Station Area and Schedule H: Land Use- Appleby GO Major Transit Station Area, of this Plan. The specific location, size and function of a park *shall* be established through a Community Planning Permit application process or through a Tertiary Plan as set out in Section 8.1.2 (10.1) of this Plan and in accordance with other City plans.

c) New parks within the *Major Transit Station Areas shall* be provided as part of the future *development* of a property, with preference given for the conveyance of such lands versus cash-in-lieu of land by the City through the *development* process.

d) Privately-Owned Publicly Accessible Spaces (POPS) *may* be considered as parks and *shall* be subject to all applicable parks policies of this Plan, as well as Appendix B of the Parks Provisioning Master Plan and the Park Dedication Bylaws in effect.

e) *Development* within the Urban Employment and General Employment Precincts *may* consider amenity space to support employees in the areas. Such amenity space could include Privately-Owned Publicly Accessible Spaces (POPS) and *shall* not include play structures or other uses that would impact land use compatibility.

f) *Linear parks and greenways should* respond to the context in which they are proposed by providing safe connections to key destinations, transportation (including *active transportation*) corridors and the larger park network both inside and adjacent to the MTSA boundary including, but not limited to:

a. Brant Street and Maple Trail within/near Downtown Burlington UGC/Burlington GO MTSA;

b. Plains Road and Hidden Valley Park within/near Aldershot GO MTSA; and

c. Sherwood Forest Park and the Centennial Multi-Use Trail near the Appleby GO MTSA.

g) *Linear parks and greenways should* be strategically located to provide mid-block pedestrian or cycling connections that are not otherwise provided by sidewalks and cycling facilities within the road allowance.

h) When considering proposals for parkland dedication as part of a *development application*, preference will be given for the conveyance of land which meet the applicable parkland dedication criteria in Appendix B of the Parks Provisioning Master Plan and the provisions of the City's Park Dedication Bylaws versus cash-in-lieu of land.

i) In appropriate locations, the *City shall* collaborate with landowners to complete a Tertiary Plan in accordance with Section 8.1.2 (10.1) of this Plan, to ensure the proper siting of parks and the effective coordination of land dedication to support park space functionality, design and development.

8.1.2 (8.6) Housing Policies

a) All forms of *affordable* and *assisted housing* to support all income levels, including subsidized non-market housing units, are *encouraged* for integration within neighbourhoods.

b) The *Community Planning Permit System shall* set out that notwithstanding any other requirements, *affordable housing* and *assisted housing*, *may* be permitted as single use *developments* and are *encouraged* to be combined with *developments* that also provide market housing.

c) The *City* will collaborate with development proponents, the Region and non-profit housing providers to locate opportunities for subsidized non-market housing units, including purpose built rental within the *Major Transit Station Area*s.

d) The *City shall* require the submission of a *housing impact statement* where a *development* proposal includes more than one hundred (100) *dwelling units,* in accordance with subsection 3.1.1(2)h) of this Plan or a Planning Justification Report in accordance with Section 8.1.2 (10.4) of this Plan. The *housing impact statement shall* also identify how the proposal contributes to achieving the *City*'s Council approved housing targets. The submission of a Planning Justification Report *may* be required in accordance with Section 8.1.2(10.4) for purpose built

rental, *affordable* and *assisted housing development* instead of a *housing impact statement*.

e) To achieve a mix of unit types and to support the creation of a range of housing types, the *Community Planning Permit System shall* regulate achievement of housing size and type as identified in the City's Housing Strategy.

8.1.2 (9) Employment Uses and Employment Conversions

8.1.2 (9.1) Policies

a) In accordance with the policies of the Regional Official Plan, on lands outside of the General Employment and Urban Employment precinct where there is a redevelopment of an *employment* use or building that results in the loss of non-residential floor space, the proponent *shall* demonstrate to the satisfaction of the *City* that the proposal is supporting the achievement of the proportional target of residents and jobs in accordance with Section 8.1.2(2.1) d), 8.1.2(3.1) d) and 8.1.2 (4.1) d) of this Plan.

b) Where redevelopment replaces an existing employment operation or function, through discussions with the *City*, the proponent *shall* demonstrate how the same number of jobs or amount of gross floor area dedicated to an employment function is retained on the site.

c) To ensure a balance of residential and non-residential growth, the non-residential growth floor area required on each site as identified in the Community Planning Permit By-law *should* be developed prior to or concurrent with the residential *development*.

d) *Development may* be staged to coincide with the phasing out of *major facilities* where employment conversions have occurred.

8.1.2 (10) Implementation

8.1.2 (10.1) Tertiary Plans

A Tertiary Plan will provide further guidance on planning and *development* within a specific Precinct. A Tertiary Plan will further articulate the policies of this Plan and will provide specific development principles and guidelines that are not part of the broader Official Plan.

8.1.2 (10.1.1) Policies

a) A Tertiary Plan in select key areas of the *Major Transit Station Areas shall* provide a framework for the distribution of *development* to ensure the shared delivery of streets and blocks, land use, parks and open space, *public realm* and

streetscapes, parking, site access and pedestrian connections, and *public service facilities*.

b) A Tertiary Plan *shall* be informed by the precinct visions and permitted uses of this Plan and the Community Planning Permit System By-law.

c) A Tertiary Plan and cost-sharing agreement(s) *shall* be prepared by the landowners group, in consultation with applicable agencies, to the satisfaction of the *City* and Region as applicable prior to the approval of any *development application* to ensure that the costs associated with the provision of parkland, parking, *infrastructure* and servicing are distributed in an equitable and fair manner among the landowners.

d) The City *may* consider waiving the requirement for a Tertiary Plan if it can be demonstrated that the proposed *development* is delivering the elements identified in 8.1.2(10.1.1) f) or that those elements are achieved elsewhere, the City *may* consider waiving the requirement for a Tertiary Plan.

e) A Tertiary Plan will be included as a non-statutory appendix to this Plan prior to the approval of a *development* application. The Tertiary Plan will be authorized by *City* staff and does not require Council approval.

f) A Tertiary Plan *shall* provide for *complete community* elements that *may* include, but are not limited to the following, in accordance with the policies of this Plan and the *Community Planning Permit System* By-law regulations:

    i. Transportation, *active transportation*, including pedestrian, cycling and transit stops and trail connections along with an assessment of the function, ownership, cross-section, alignment and design of transportation connections, including connections across railways that have been identified throughout;

    ii. Proposed layout of streets, lanes and development blocks;

    iii. The provision of water and wastewater *infrastructure* servicing in accordance with the policies of this Plan, including the confirmation that the existing water and wastewater systems can accommodate the proposed *development*;

    iv. Provision and location of stormwater management facilities and/or *green infrastructure* in accordance with the policies of this Plan;

    v. An assessment of the need for, and recommended location of pedestrian connections;

    vi. The distribution of height and density while having regard for transition to any adjacent Residential – Low Density or Low-Rise Neighbourhood

Precinct, as identified on Schedule C: Land Use – Urban Area, of this Plan;

vii. The location of new required parks and open spaces, including *linear parks and greenways,* within the precinct including the size, location and configuration of parks;

viii. New *public service facilities* and *institutional uses,* along with an assessment of function, configuration and ownership in accordance with the policies of this Plan;

ix. The location and configuration of retail and *service commercial* floor area;

x. The provision of *additional needs housing*, *assisted housing* and *affordable housing* in accordance with Section 3.1 of this Plan;

xi. The relationship to abutting precincts and surrounding neighborhoods outside the *MTSA* boundaries;

xii. Demonstration of land use *compatibility,* including any mitigation requirements, to the satisfaction of the *City*; and

xiii. Provision and location of flood hazard mitigation in accordance with the policies of this plan, as required.

g) The City *may* identify and deem necessary future areas that *may* require tertiary planning or equivalent to ensure *development* provides for *complete community* elements.

h) A Tertiary Plan *shall* be required for the following subareas within the *Major Transit Station Areas*:

Burlington Urban Growth Centre/Major Transit Station Area

i. The area south of Queensway Drive, east of Brant Street and north of the Rail corridor within the Burlington GO Central and Queensway Commons precinct as shown on Schedule F-3: Downtown Burlington Urban Growth Centre/Burlington GO MTSA Tertiary Planning Areas of this Plan. A Tertiary Plan *shall* consider the items set out in Section 8.1.2(10.1.1)f) of this Plan and *shall* also address the following:

a) An assessment of the need for, and recommended location of *active transportation* connections throughout the area;

b) Transportation connections throughout the precinct in accordance with the *Major Transit Station Area* Transportation Study and as informed by the completion of a Transportation Impact Assessment;

c) The size, location and configuration of new parks and a transit plaza; and

d) A grade separated rail crossing in accordance with Section 8.1.2(5.2) o~~p~~) of this Plan.

ii. The area north of Fairview Street and west of Brant Street within the Burlington GO Central precinct as shown on Schedule F-3: Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area Tertiary Planning Areas, of this Plan. A Tertiary Plan *shall* consider the items set out in Section 8.1.2(10.1.1)f), of this Plan and *shall* also address the following:

a) An assessment of the need for, and recommended location of *active transportation* connections throughout the area;

b) Demonstrated preservation and integration of *cultural heritage resources* in accordance with the policies of this Plan; and

c) The size, location and configuration of a new park.

iii. The entirety of the Legion Commons precinct as shown on Schedule F-3: Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area Tertiary Planning Areas, of this Plan. A Tertiary Plan *shall* consider the items set out in Section 8.1.2(10.1.1)f) and *shall* also address the following:

a) Transportation connections throughout the precinct in accordance with the *Major Transit Station Area* Transportation Study and completion of a Transportation Impact Assessment;

b) The size, location and configuration of a new park, including *linear park* connections within the precinct;

c) *Public service facilities* and *institutional uses* provided as part of mixed use *development;* and

d) stormwater management *infrastructure* to mitigate for *flood hazards* including spill flood hazards.

iv. The area north of Plains Road, east of Brant Street and south of Leighland Road within the Leighland Node and Mid-Rise Residential precinct as shown on Schedule F-3: Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area Tertiary Planning Areas, of this Plan. A Tertiary Plan *shall* consider the items set out in Section 8.1.2(10.1.1)f), of this Plan and *shall* also address the following:

a) The size, location and configuration of a new park;

b) Completion of a Transportation Impact Assessment including access consideration; and

c) On-site stormwater management *infrastructure* to mitigate for *flood hazards* and spills.

Aldershot GO MTSA

v. The area west of Waterdown Road, south of rail and east of Howard Road, north of Plains Road within the Aldershot GO Central, Emery Commons and Aldershot Main Street precincts and shown on Schedule G-3: Aldershot GO Major Transit Station Area Tertiary Planning Areas, of this Plan. A Tertiary Plan *shall* consider the items set out in Section 8.1.2(10.1.1)f) and *shall* also address the following:

a) The size, location and configuration of new parks within the precinct, including a *linear park* along Masonry court extending from Grove Park to Hidden Valley Park;

b) Transportation connections throughout the precinct and alignment with other connections on the east side of Waterdown Road in accordance with the *Major Transit Station Area* Transportation Study and completion of a Transportation Impact Assessment;

c) An assessment of the need for and recommended location of, pedestrian connections throughout the precinct;

d) A *public service facility,* including a fire station or community hub; and

e) Demonstration of land use *compatibility,* to the satisfaction of the City, in accordance with Section 8.1.2(6) c) (vi) and the objective of phasing out of *major facilities* within this area.

vi. The area east of Waterdown Road, south of the rail and north of Masonry Court within the Aldershot GO Central and Mid-rise Residential precincts as shown on Schedule G-3: Aldershot GO Major Transit Station Area Tertiary Planning Area, of this Plan. A Tertiary Plan *shall* consider the items set out in Section 8.1.2(10.1.1)f) and *shall* also address the following:

a) The size, location and configuration of new parks within the precinct, including a *linear park* along Masonry Court extending to Grove Park;

b) Transportation connections throughout the precinct in accordance with the *Major Transit Station Area* Transportation Study and completion of a Transportation Impact Assessment;

c) An assessment of the need for, and recommended location of, pedestrian connections throughout the precinct; and

d) Demonstration of land use *compatibility,* including the consideration of an intervening land use such as mid-rise *office* or *light industrial,* to the satisfaction of the City.

Appleby GO MTSA

vii. The area south of the rail, east of Appleby Line, north of Fairview Street and west of the creek block within the Appleby GO central and Fairview Frequent Transit Corridor precincts as identified on Schedule H-3: Appleby GO MTSA Tertiary Planning Areas, of this Plan. A Tertiary Plan *shall* consider the items set out in Section 8.1.2(10.1.1)f) and *shall* also address the following:

a) The size, location and configuration of new public parks within the precinct, including a *linear park*;

b) A new east-west transportation connection in accordance with the *Major Transit Station Area* Transportation Study and completion of a Transportation Impact Assessment;

c) An assessment of the need for, and recommended location of, pedestrian connections throughout the precinct;

d) *Public service facilities*;

e) Demonstration of land use *compatibility,* to the satisfaction of the *City;* and

f) A grade separated rail crossing in accordance with Subsection 8.1.2(5.2) o~~p~~) of this Plan.

viii. The area south of the rail, west of Appleby Line, and north of Fairview Street within the Appleby GO Central and Fairview Frequent Transit Corridor precinct as shown on Schedule H-3: Appleby GO Major Transit Station Area Tertiary Planning Areas. A Tertiary Plan *shall* consider the items set out in Section 8.1.2(10.1.1)f) and *shall* also address the following:

a) The size, location and configuration of new parks within the precinct, including a *linear park*;

b) A new east-west transportation connection in accordance with the *Major Transit Station Area* Transportation Study and completion of a Transportation Impact Assessment;

c) An assessment of the need for, and recommended location of pedestrian connections throughout the precinct;

d) *Public service facilities*; and

e) Demonstration of land use *compatibility* to the satisfaction of the *City*.

i) Landowners are *encouraged* to work together to complete a Tertiary Plan however, an individual landowner *may* complete the Tertiary Plan for the entire tertiary plan area if other landowners decide not to participate.

j) Where a Tertiary Plan is required, the following *may* be requested and prepared for all properties within the Tertiary Plan area prior to the approval of a Community Planning Permit application:

i. Traffic Impact Assessment or equivalent;

ii. Parking Study;

iii. Functional Servicing Report;

iv. Stormwater Management Plan;

v. Environmental Impact Assessment;

vi. *Urban Design Brief*;

vii. Cost Sharing Analysis;

viii. Market Impact Study;

ix. Shadow Study;

x. Development Phasing Plan;

xi. Cultural Heritage Impact Assessment;

xii. Natural Hazard Technical Study;

xiii. Other supporting information and material that *may* be requested during the pre-consultation process and any other supporting information or material that the City requires to undertake a comprehensive review of the proposal.

k) Detailed requirements for engagement with landowners during the development of a Tertiary Plan will be established through the Community Planning Permit By-law.

8.1.2 (10.2) Phasing and Monitoring

a) *Development shall* be phased and coordinated with the provision of *infrastructure*, and transportation network and intersection improvements in accordance with Section 8.1.2(5) of this Plan.

b) The timing of *development* will be subject to the availability of required *infrastructure* including transportation, transit, municipal sewage and water, parks and *public service facilities,* in accordance with the policies of this Plan.

c) The *City shall* require *development applications* to be supported by servicing studies specific to the site and the proposed use, informed by the MTSA Area Specific Planning technical studies completed to date and/or *may* require alignment with other study requirements set out in the policies of this Plan, including but not limited to the Enhanced Functional Servicing study noted in Subsection 8.1.2(5.1) e).

d) The *City* will collaborate with the Region of Halton and other service and *utility* providers to support timely investments in *sustainable infrastructure*, *utilities* and services to support growth and *intensification* in accordance with Section 12.1.21 of this Plan.

e) In addition to the requirements of Section 12.3 of this Plan, the *City* will prepare an annual Major Transit Station Area Monitoring Report, including, but not limited to, the following:

   i. Progress toward population and employment growth targets;

   ii. *development* activity related to residential uses and the monitoring of the achievement of the *City's* housing targets, including three-bedroom units;

   iii. *development* activity related to non-residential uses and employment lands including *major facilities* for changes of use and achievement of the *City's* proportional employment targets.

   iv. an assessment of needs for complete community elements within each MTSA;

   v. enhanced monitoring of available Water and Wastewater servicing capacity in consultation with Halton Region;

   vi. the delivery of *public service facilities*, in a timely manner that aligns with growth;

vii. the *Community Planning Permit System* performance including but not limited to the following:

i. quantity and status of permits, permit class, nature of variations and number of variations that require Council approval,

ii. achievement of facilities, services and matters, including the delivery of *affordable housing* and purpose built rental as identified in the Community Planning Permit By-law, and

iii. provision of parking and requested variations to parking standards.

8.1.2 (10.3) ~~Implementation Guidelines~~ Supporting Strategies and Tools

a) The City will consider preparing implementation guidelines including urban design, *public realm* design strategy, Complete Street guidelines and a Strategic Action Plan for the Major Transit Station Areas.

b) The City will pursue a Community Improvement Plan (CIP) that focuses on City-wide housing and employment outcomes, applicable to the MTSAs.

8.1.2 (10.4) MTSA Community Planning Permit Complete Application Requirements

a) *Development* proponents for a Community Planning Permit *shall* be required to meet with City staff to discuss the requirements related to a community planning permit *development application* in advance of their submission.

b) The City *shall* require that adequate pre-consultation with the City occurs prior to the submission of a community planning permit *development application*, and will *encourage* pre-consultation with other affected agencies such as the Region of Halton and Conservation Halton, where appropriate.

c) In addition to the policies of 12.1 of this Plan, the following complete application requirements for *development* within the Major Transit Station Area Community Planning Permit System will be scoped on a case by case basis with consideration to scale and elements that have the potential to impact the permit application and the identification of conditions and *may* include, but *shall* not be limited to the following:

Community Planning
Community Planning Permit Application form and application fee
An affidavit or sworn declaration by the applicant that the information required under Schedule 1 of O. Reg. 173/16 of The Planning Act and provided by the applicant is accurate.

Response to staff and applicable agency comments received at the Community Planning Permit pre-consultation circulation.
Site Plan
Survey and Severance Sketch in metric units prepared by an Ontario Land Surveyor as required under Schedule 1 of O. Reg. 173/16 of The Planning Act
Planning justification report, which includes: • Consideration of the City's Housing Strategy and associated targets or a *housing impact statement*, • Consideration of the achievement of Complete Communities, including as regulated in the Community Planning Permit By-law provisions for Services, Facilities and Matters, • Consideration of the *Community Planning Permit System* By-law criteria for variations for Class 2 and 3 applications as regulated through the By-law, • Detailed discussion related to *development* Phasing in accordance with Section 8.1.2 (10.2) and applicable policies of this Plan, and, • Detailed discussion to demonstrate that the proposed *development* is consistent with provincial policy, legislation, regulations and standards.
Land Assembly Documents • including application address
Reference Plans or draft application for plan of subdivision, if requested (as it relates to the conveyance of land to the City for parks, public rights of ways, or for any other required purpose).
Floor Plans
One or both of the following, as required by the Community Planning Permit By-law and as per Schedule 1 of O. Reg. 173/16 of The Planning Act: a) Plans that show the location of all buildings and structures to be erected, the location of all facilities and works to be provided in conjunction with the buildings and structures. b) Drawings that show plan, elevation and cross-section views for each building to be erected and are sufficient to display: • the massing and conceptual design of the proposed building, • the relationship of the proposed building to adjacent buildings, streets, and exterior areas to which members of the public have access, • the provision of interior walkways, stairs, elevators and escalators to which members of the public have access from streets, open spaces and interior walkways in adjacent buildings, • matters relating to exterior design, including without limitation the character, scale, appearance and design features of the proposed building, and its sustainable design, but only to the extent that it is a matter of exterior design, if the official plan contains provisions relating to such matters,

• the sustainable design elements on any adjoining highway under a municipality's jurisdiction, including without limitation trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers and bicycle parking facilities, and • facilities designed to have regard for accessibility for persons with disabilities.
Site Details including but not limited to: • Outdoor Storage • Screening Details • Bicycle Rack Details • Fencing Details
AutoCAD File of Site Plan
3-D model of proposed buildings
Draft Common Element Condo Plan (when applicable)
Burlington Urban Design Advisory Panel (BUD) • Applicant response to the BUD comments
Urban Design Brief, including but not limited to: • Demonstrate consideration of applicable urban design guidelines and policies • Height survey of adjacent buildings • Angular plane study • Shadow analysis plan • Wind Impact Study
Sustainable Building and Development Guidelines Checklist
Phasing strategy and plans
Demonstrated compliance with the Community Planning Permit By-law or confirmation of permit class including consideration ~~of the~~ of the Community Planning Permit ~~System~~ By-law criteria for variations for Class 2 and 3 applications as regulated.
Details of any proposed outdoor garbage storage and communal recycling containers, including any screening of the outdoor facilities
Details of all rooftop mechanical equipment. • Rooftop equipment less than 1.2m in height to be painted in a neutral colour to blend in with the building. • Rooftop equipment 1.2m in height or greater *shall* be screened from view from all sides.
8 ½ x 11 reduced site plan drawing clearly denoting the designated fire access routes for sign designation and record purposes.
Heritage Impact Study (when applicable)

Cultural Heritage Landscape Impact Assessment
Archaeological Report
In the case of applications that require the provision of facilities, services and matters as identified in the Community Planning Permit By-law, the proponent *shall* provide sufficient information to demonstrate the proportional relationship between the quantity or monetary value or in-kind contribution of the facilities, services and matters proposed.
A Land Use Compatibility Screening Assessment and, if required, a ~~or~~ detailed Land Use Compatibility Assessment Study in accordance with the City of Burlington's Terms of Reference for Land Use Compatibility Assessments Study in accordance with Section 8.1.2(6) of this Plan
Retail and Service Commercial Needs Assessment
Financial Impact Study
Market Impact Study
Park Concept Plan
A Tertiary Plan or equivalent in accordance with Chapter 8.1.2 (10.1) of this Plan
Tenant Relocation and Assistance Plan
Environmental Impact Assessment, where *development* is proposed within or adjacent to the Natural Heritage System Precinct;
Hydro Corridor Land Use Application if applicable
In areas regulated by Conservation Halton, a Natural Hazard Technical study or clearance obtained from Conservation Halton, as required
Letter of Reliance for the Complete Application Materials, extending reliance on any studies to the City of Burlington and the Region of Halton.
Transportation Services
Transportation Impact Assessment Study with the requirements confirmed to the satisfaction of the *City* and/or Region to identify any new streets necessary to create a grid network, including an intersection level analysis to assess the impacts of traffic on the local and Regional road network and the identification of infrastructure upgrades and access improvements in accordance with Subsection 8.1.2(5.2) of this Plan;
Transportation Demand Management Plan and implementation strategy
Pavement Marking and Signage Plan
Sightline Analysis;
Traffic Calming Report;
Transportation Monitoring Plan.
Parking Justification Report
Landscape/Forestry
Response matrix for previous pre-consultation comments
Landscape Plan

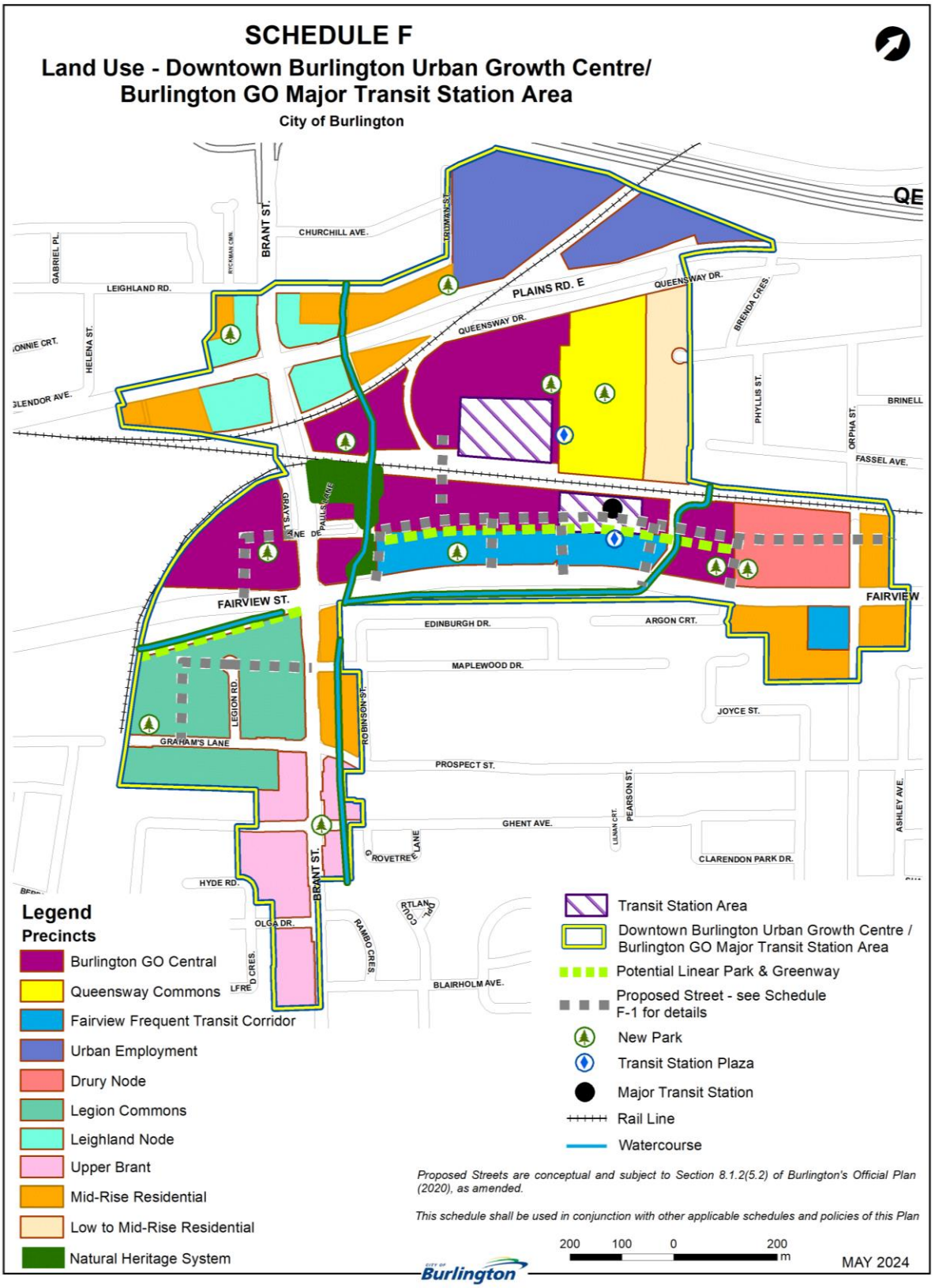
• Showing the location and setbacks of the proposed building and any encroachments. • Showing the location of all jurisdictional setbacks, including but not limited to Ministry of Transportation, Conservation Halton, railways and pipelines. • Showing the location of trees / tree trunks relative to property lines
Landscape Cost Estimate for all works as proposed on the Landscape Plans
Tree Protection Plan in accordance with the City's Tree Protection and Preservation Specification SS12A (as amended) • The Tree Protection Plan must be to scale and illustrate the trees inventoried and include existing and proposed elements. This plan *shall* be coordinated with other civil drawings
Arborists Report • Including but not limited to preservation methods and justification for impacts (e.g., removals) with specific details for each individual tree
Tree Inventory • The tree inventory *shall* include all public trees of all sizes, and all private trees 10cm in diameter or greater for the subject lot and with 6m of the lot boundary, DBH, species, ownership, condition ratings, recommendations, tree protection zones, and comments
Letter of consent for removal and/or impact to trees not solely owned by applicant (e.g., boundary trees and/or neighbouring trees).
Engineering Services
Response Matrix for previous pre-consultation comments
Region of Halton Environmental Site Screening Questionnaire
Phase One Environmental Site Assessment, in accordance with O. Reg. 153/04, as amended
Phase Two Environmental Site Assessment, in accordance with O. Reg. 153/04, as amended
Remedial Action Plan • Including assessment of the subject lands and any impacted offsite lands
Ministry of the Environment, Conservation and Parks approved Record of Site Condition
Ministry of the Environment, Conservation and Parks approved Certificate of Property Use
Geotechnical Investigation
Hydrogeological Assessment • Including assessment water taking activities, in accordance with Ministry of the Environment, Conservation and Parks' requirements

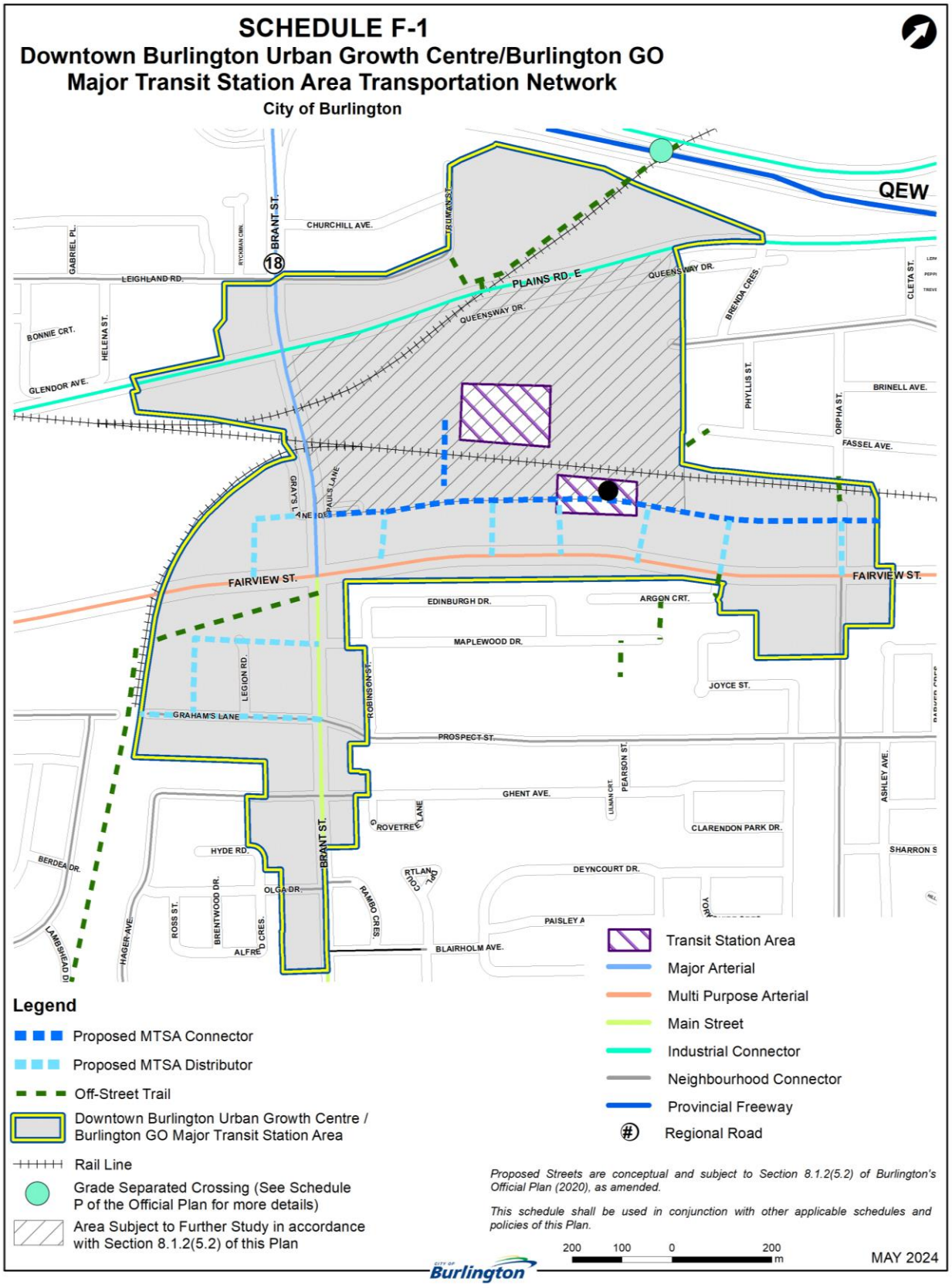
Dewatering Assessment • Including groundwater dewatering monitoring and mitigation program for potential settlements • Including dewatering discharge plan for both short-term (during construction) and permanent (post-construction) discharge • Including a sampling plan to ensure compliance with the City's Storm Sewer Discharge By-Law, as amended.
Functional Servicing and Drainage Report • The completion of an Enhanced Functional Servicing study in accordance with the policies of this plan or demonstration of sufficient water and wastewater capacity to service the *development* to the satisfaction of the Region. • In accordance with City and Region of Halton requirements • Including Conceptual Site Servicing and Conceptual Site Grading Plan, which include: ▪ The location and setbacks of the proposed building and any encroachments. ▪ The location of all jurisdictional setbacks, including but not limited to Ministry of Transportation, Conservation Halton, railways and pipelines. ▪ The location of trees / tree trunks relative to property lines
Stormwater Management Report
Top-of-bank Demarcation/ Slope Stability Assessment/ Creek Erosion Assessment/ Geomorphic Study
Channelization and/or Floodplain Analysis
Shoreline Hazardous Lands Studies
Source Protection Disclosure Report
Environmental Noise & Vibration Feasibility Study • In accordance with Ministry of the Environment, Conservation and Parks' guidelines and City and Region of Halton requirements • Including but not limited to an assessment of any existing offsite stationary noise sources/impacts and any necessary mitigation
Detailed Environmental Noise & Vibration Study • In accordance with Ministry of the Environment, Conservation and Parks' guidelines and City and Region of Halton requirements • Including but not limited to an assessment of any proposed outdoor mechanical equipment and any necessary mitigation
Shoring System Design Brief • Including shoring system drawings and details • Including confirmation that all elements of the underground parking structure (including but not limited to foundation walls, foundation drainage system, shoring system, etc.) are located within the limits of the subject property.

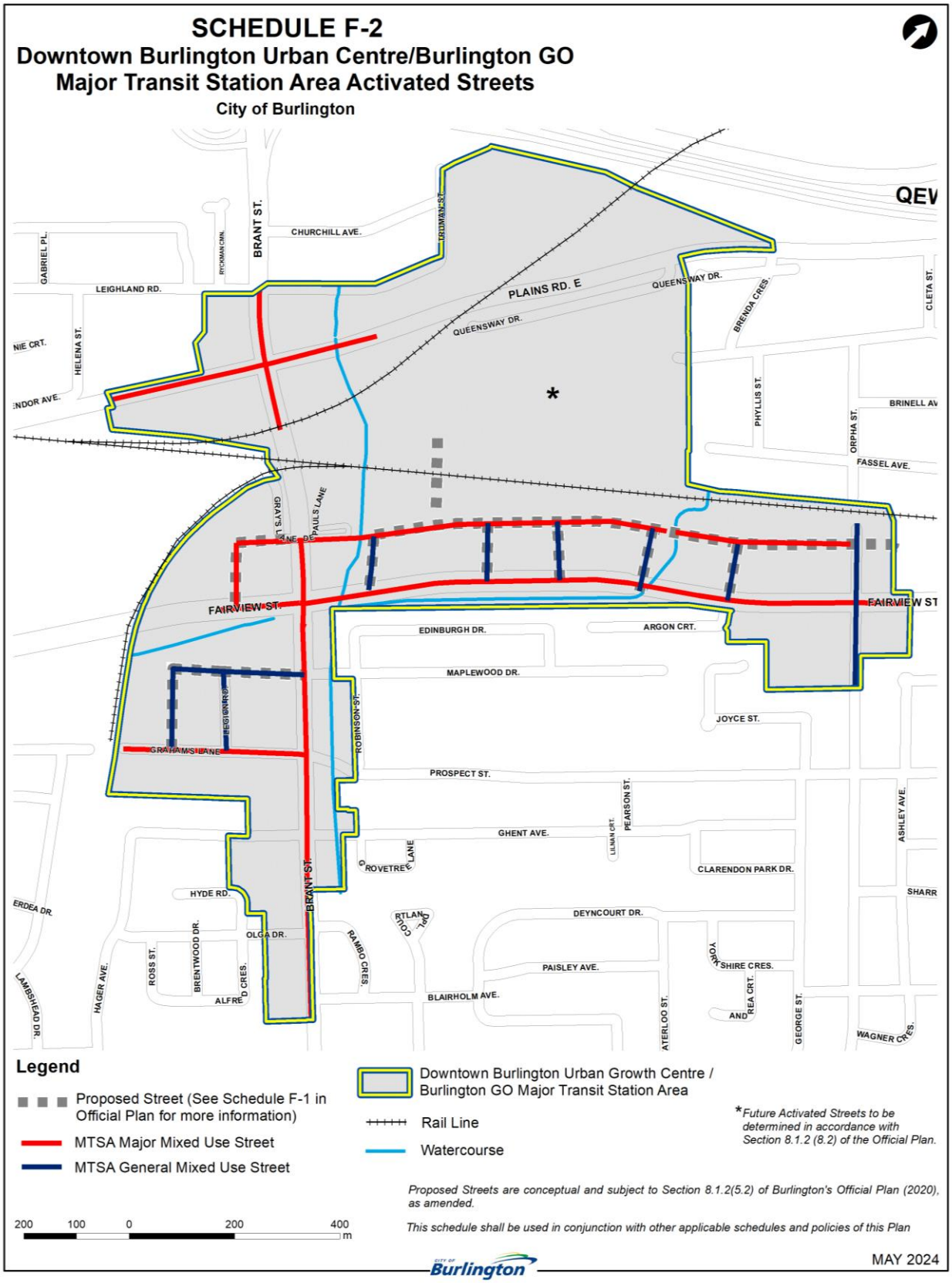
Letter of consent for required encroachments onto lands not solely owned by applicant (e.g., shoring system tie-backs)
Site Servicing Plan • Showing the location and setbacks of the proposed building and any encroachments. • Showing the location of all jurisdictional setbacks, including but not limited to Ministry of Transportation, Conservation Halton, railways and pipelines. • Showing the location of trees / tree trunks relative to property lines
Site Grading Plan • Showing the location and setbacks of the proposed building and any encroachments. • Showing the location of all jurisdictional setbacks, including but not limited to Ministry of Transportation, Conservation Halton, railways and pipelines. • Showing the location of trees / tree trunks relative to property lines
Erosion and Sediment Control Plan and Details • Showing the location and setbacks of the proposed building and any encroachments. • Showing the location of all jurisdictional setbacks, including but not limited to Ministry of Transportation, Conservation Halton, railways and pipelines. • Showing the location of trees / tree trunks relative to property lines
Notes and Details Plan • Including City and Region of Halton standard drawings and details, as required
Outdoor Lighting Photometrics Plan and Details
Utility Coordination Plan • Showing the location and setbacks of the proposed building and any encroachments. • Showing the location of all jurisdictional setbacks, including but not limited to Ministry of Transportation, Conservation Halton, railways and pipelines. • Showing the location of trees / tree trunks relative to property lines
Construction & Mobility Management Plan and details
Written confirmation from the Geotechnical Engineer that they have reviewed the architectural and engineering drawings, including but not limited to those for civil, structural and mechanical works, and confirm that their geotechnical recommendations have been incorporated into the architectural and engineering drawings.
Written confirmation from the Hydrogeologist that they have reviewed the architectural and engineering drawings, including but not limited to those for civil, structural and mechanical works, and confirm that their hydrogeological recommendations have been incorporated into the architectural and engineering drawings.

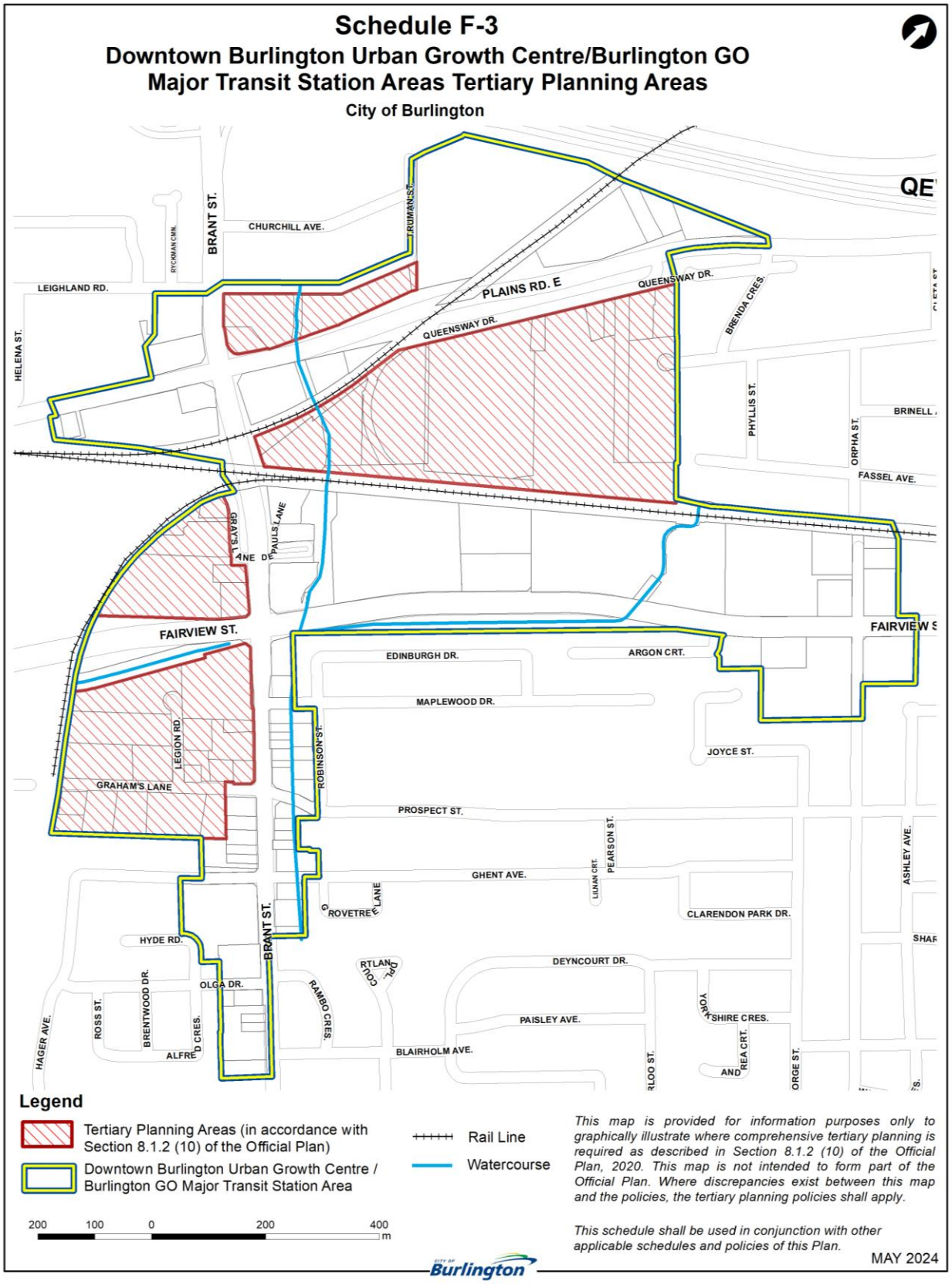
Written confirmation from the Hydrogeologist which identifies adjacent structures, services and/or municipal infrastructure located within the zone of influence for groundwater dewatering and any potential settlement which may be considered unacceptable.
Written confirmation from the civil engineering consultant that they have reviewed the architectural, landscape and engineering drawings, including but not limited to those for structural and mechanical works, and confirm that their civil design and recommendations have been incorporated into the architectural, landscape and engineering drawings and do not conflict with the provisions of the other drawings.
Written confirmation by a qualified acoustical consultant that the recommended noise control measures from the approved Detailed Environmental Noise & Vibration Study have been incorporated into the builder's plans.
Written confirmation from a qualified vibration consultant of study limits and locations for vibration monitoring during construction. • Including written confirmation from adjacent property owners for vibration monitors that are to be located offsite. • Including written confirmation of completed precondition surveys of surrounding structures, including but not limited to those for buried utilities (e.g. existing watermains, gas mains, storm sewers and sanitary sewers). • Including written acknowledgement that any issues/claims due to construction vibration *shall* be a civil matter between the developer and the other party.
Letter of Reliance for the Complete Application Materials, extending reliance on any studies to the City of Burlington and the Region of Halton.

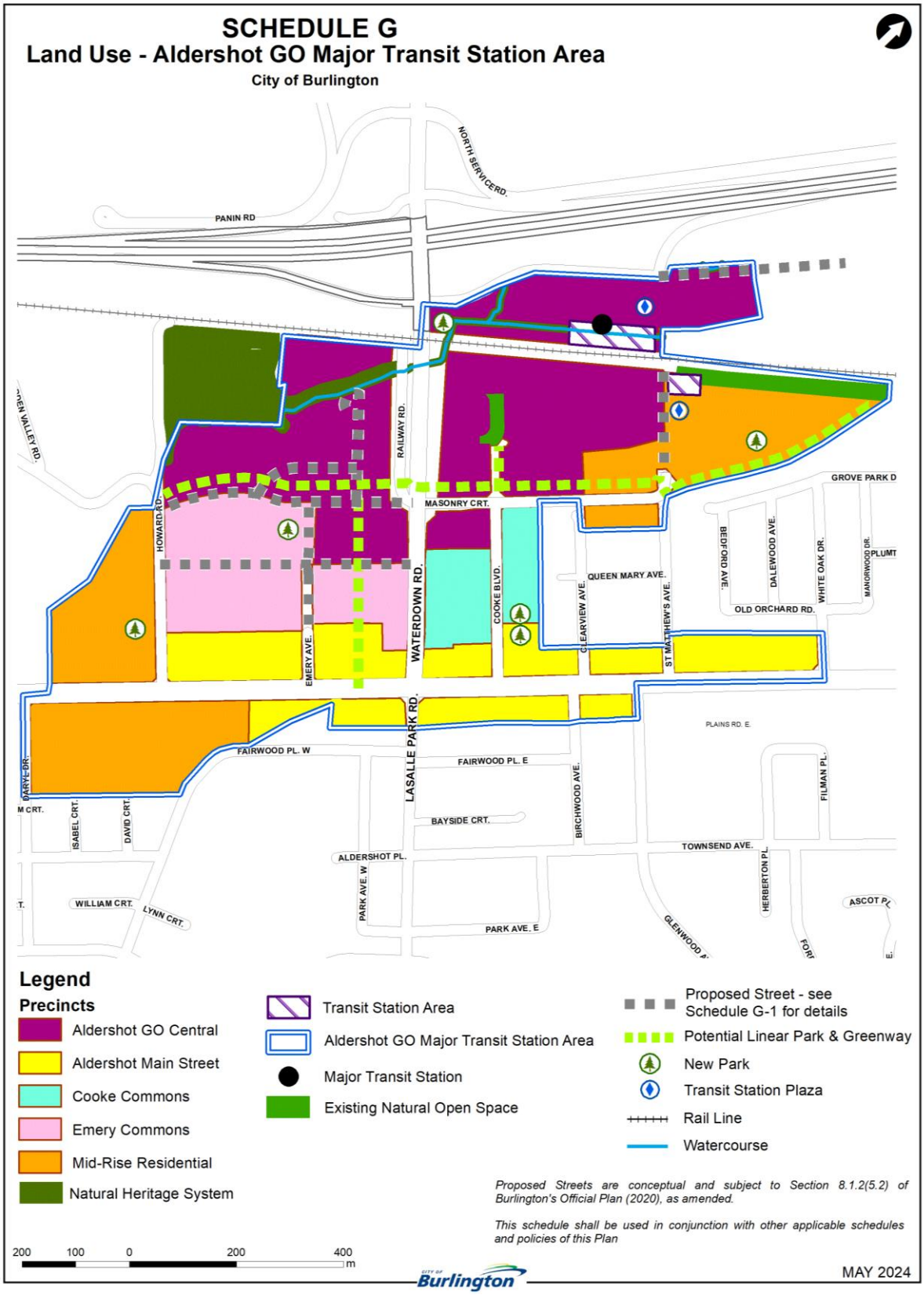
Attachment 5 to OPA 2 – Major Transit Station Area Schedules

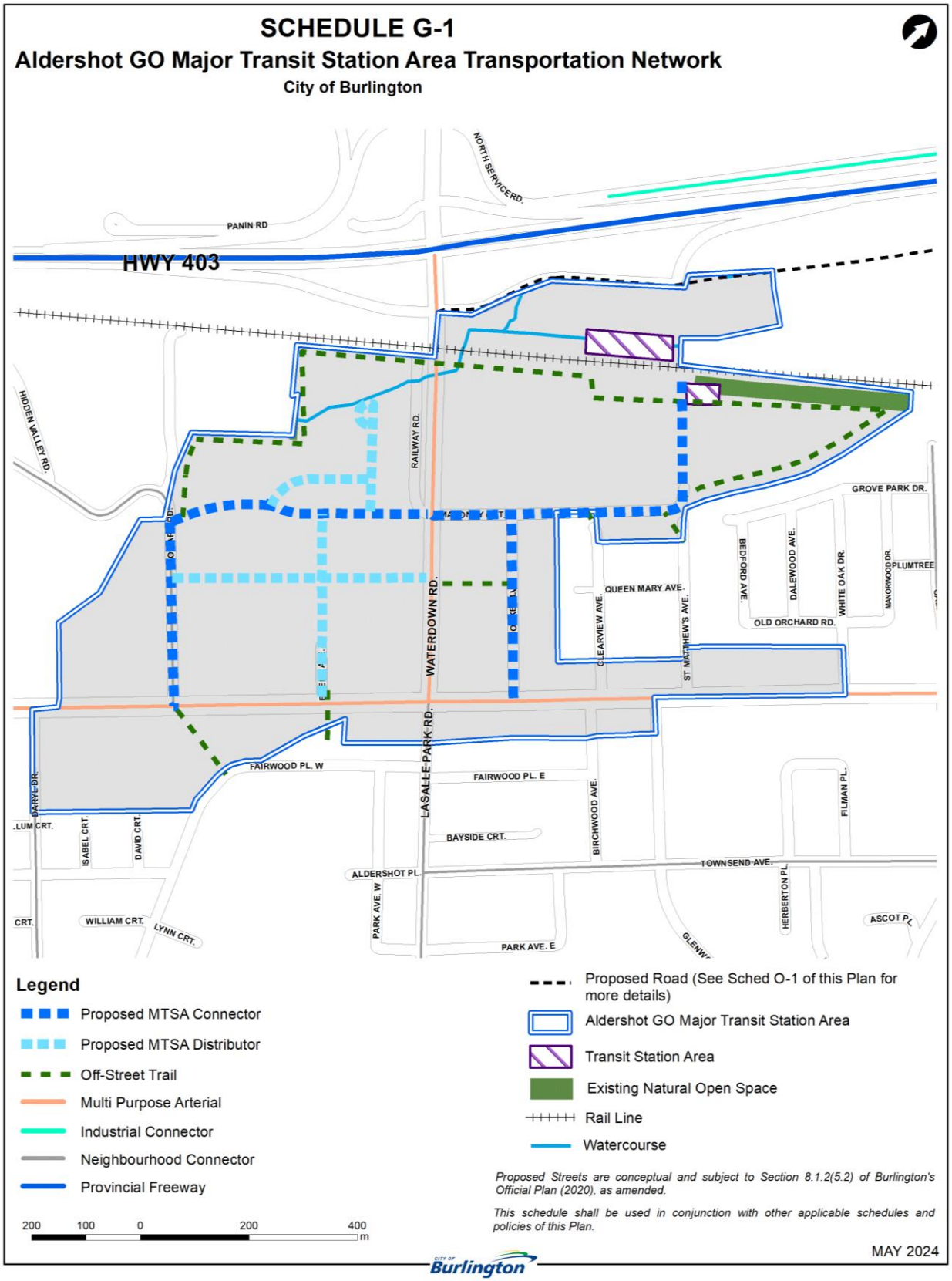

SCHEDULE F
Land Use - Downtown Burlington Urban Growth Centre/
Burlington GO Major Transit Station Area
City of Burlington
QE
BRANT ST.
CHURCHILL AVE.
LEIGHLAND RD.
PLAINS RD. E
QUEENSWAY DR.
BRENDA CRES.
PHYLLIS ST.
ORPHA ST.
BRINELL
FASSEL AVE.
FAIRVIEW ST.
FAIRVIEW
EDINBURGH DR.
ARGON CRT.
MAPLEWOOD DR.
JOYCE ST.
GRAHAM'S LANE
LEGION RD.
ROBINSON ST.
PROSPECT ST.
GHENT AVE.
PEARSON ST.
ASHLEY AVE.
CLARENDON PARK DR.
HYDE RD.
OLGA DR.
RAMBO CRES.
BLAIRHOLM AVE.
HELENA ST.
GABRIEL PL.
Legend
Precincts
Burlington GO Central
Queensway Commons
Fairview Frequent Transit Corridor
Urban Employment
Drury Node
Legion Commons
Leighland Node
Upper Brant
Mid-Rise Residential
Low to Mid-Rise Residential
Natural Heritage System
Transit Station Area
Downtown Burlington Urban Growth Centre / Burlington GO Major Transit Station Area
Potential Linear Park & Greenway
Proposed Street - see Schedule F-1 for details
New Park
Transit Station Plaza
Major Transit Station
Rail Line
Watercourse
Proposed Streets are conceptual and subject to Section 8.1.2(5.2) of Burlington's Official Plan (2020), as amended.
This schedule shall be used in conjunction with other applicable schedules and policies of this Plan
200 100 0 200 m
MAY 2024

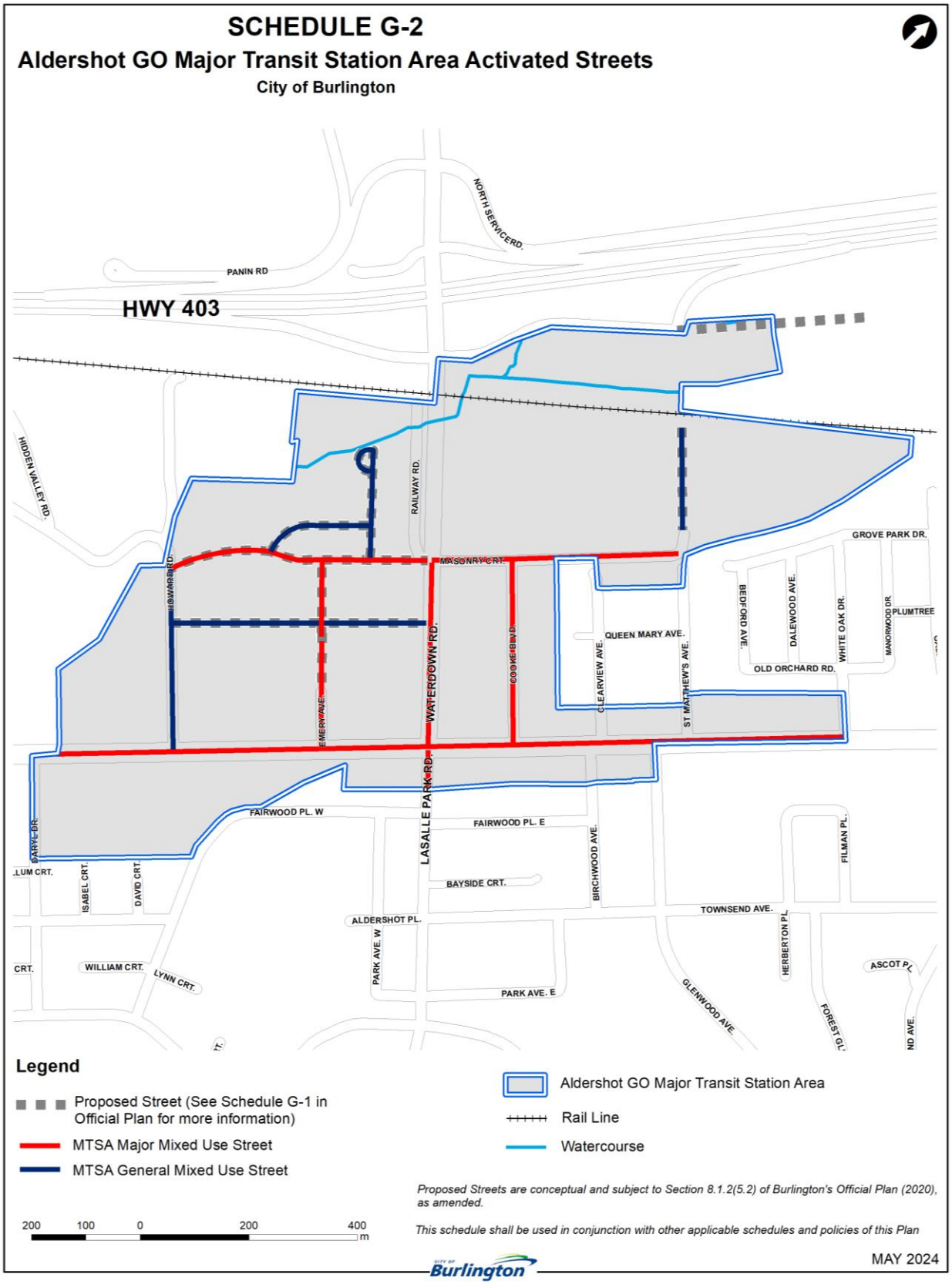

SCHEDULE F-1
Downtown Burlington Urban Growth Centre/Burlington GO
Major Transit Station Area Transportation Network
City of Burlington
QEW
BRANT ST.
CHURCHILL AVE.
LEIGHLAND RD.
PLAINS RD. E
QUEENSWAY DR.
GLENDOR AVE.
BRINELL AVE.
FASSEL AVE.
FAIRVIEW ST.
EDINBURGH DR.
ARGON CRT.
MAPLEWOOD DR.
JOYCE ST.
GRAHAM'S LANE
PROSPECT ST.
GHENT AVE.
CLARENDON PARK DR.
DEYNCOURT DR.
HYDE RD.
BLAIRHOLM AVE.
Legend
Proposed MTSA Connector
Proposed MTSA Distributor
Off-Street Trail
Downtown Burlington Urban Growth Centre / Burlington GO Major Transit Station Area
Rail Line
Grade Separated Crossing (See Schedule P of the Official Plan for more details)
Area Subject to Further Study in accordance with Section 8.1.2(5.2) of this Plan
Transit Station Area
Major Arterial
Multi Purpose Arterial
Main Street
Industrial Connector
Neighbourhood Connector
Provincial Freeway
Regional Road
Proposed Streets are conceptual and subject to Section 8.1.2(5.2) of Burlington's Official Plan (2020), as amended.
This schedule shall be used in conjunction with other applicable schedules and policies of this Plan.
200 100 0 200 m
MAY 2024

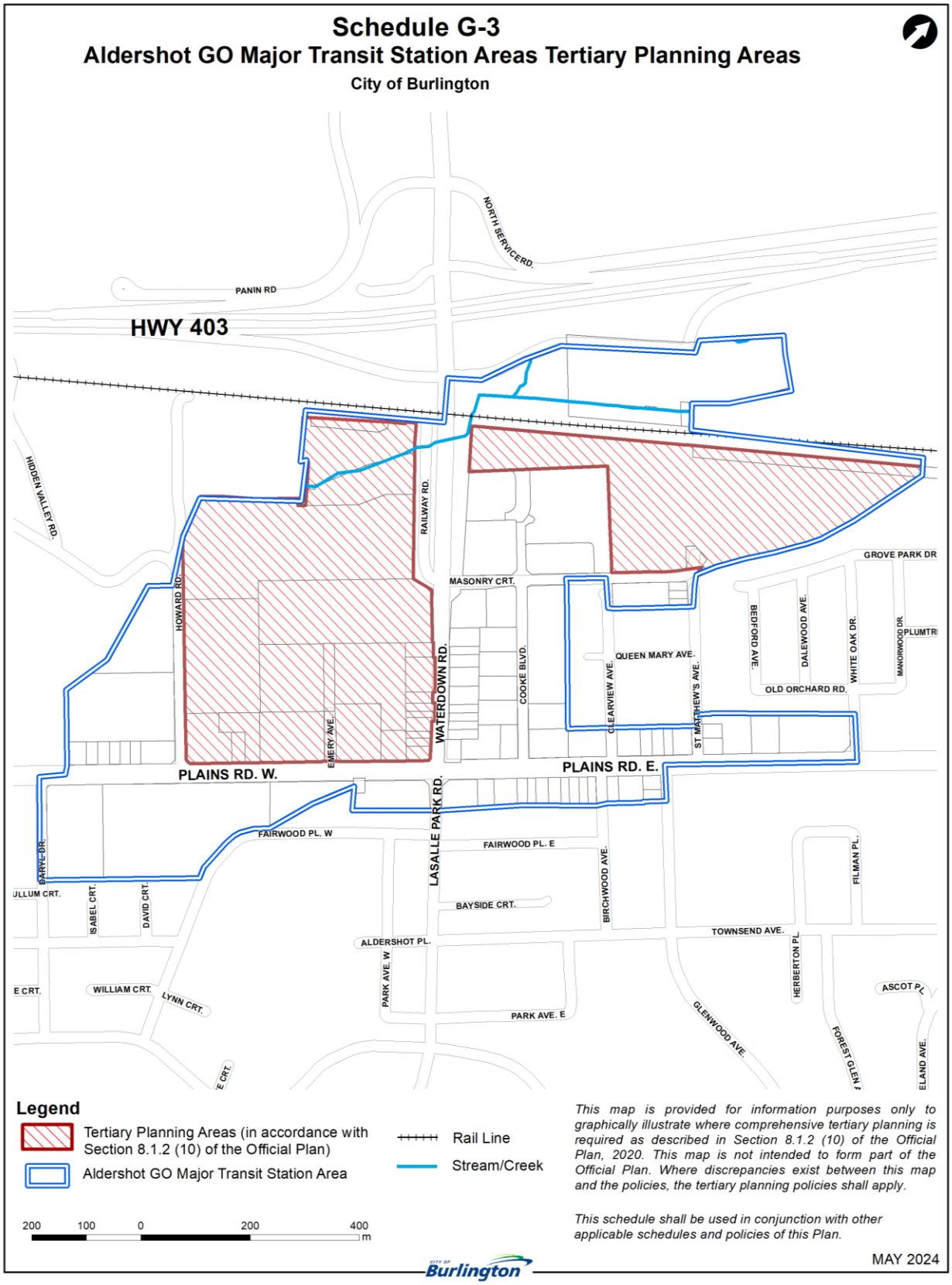

SCHEDULE F-2
Downtown Burlington Urban Centre/Burlington GO
Major Transit Station Area Activated Streets
City of Burlington
QEW
BRANT ST.
CHURCHILL AVE.
PLAINS RD. E
QUEENSWAY DR.
LEIGHLAND RD.
BRENDA CRES.
CLETA ST.
PHYLLIS ST.
ORPHA ST.
BRINELL AV
FASSEL AVE.
FAIRVIEW ST.
EDINBURGH DR.
ARGON CRT.
MAPLEWOOD DR.
JOYCE ST.
PROSPECT ST.
GHENT AVE.
CLARENDON PARK DR.
DEYNCOURT DR.
PAISLEY AVE.
BLAIRHOLM AVE.
HYDE RD.
OLGA DR.
ROBINSON ST.
PEARSON ST.
ASHLEY AVE.
GEORGE ST.
WAGNER CRES.
GRAHAMS LANE
Legend
Proposed Street (See Schedule F-1 in Official Plan for more information)
MTSA Major Mixed Use Street
MTSA General Mixed Use Street
Downtown Burlington Urban Growth Centre / Burlington GO Major Transit Station Area
Rail Line
Watercourse
*Future Activated Streets to be determined in accordance with Section 8.1.2 (8.2) of the Official Plan.
Proposed Streets are conceptual and subject to Section 8.1.2(5.2) of Burlington's Official Plan (2020), as amended.
This schedule shall be used in conjunction with other applicable schedules and policies of this Plan
200 100 0 200 400 m
Burlington
MAY 2024


Schedule F-3
Downtown Burlington Urban Growth Centre/Burlington GO
Major Transit Station Areas Tertiary Planning Areas
City of Burlington
BRANT ST.
CHURCHILL AVE.
TRUMAN ST.
LEIGHLAND RD.
PLAINS RD. E
QUEENSWAY DR.
BRENDA CRES.
HELENA ST.
PHYLLIS ST.
ORPHA ST.
FASSEL AVE.
FAIRVIEW ST.
EDINBURGH DR.
ARGON CRT.
MAPLEWOOD DR.
JOYCE ST.
LEGION RD.
GRAHAM'S LANE
ROBINSON ST.
PROSPECT ST.
PEARSON ST.
GHENT AVE.
ASHLEY AVE.
CLARENDON PARK DR.
HYDE RD.
DEYNCOURT DR.
OLGA DR.
RAMBO CRES.
PAISLEY AVE.
BRENTWOOD DR.
ROSS ST.
HAGER AVE.
ALFRED CRES.
BLAIRHOLM AVE.
Legend
Tertiary Planning Areas (in accordance with Section 8.1.2 (10) of the Official Plan)
Downtown Burlington Urban Growth Centre / Burlington GO Major Transit Station Area
Rail Line
Watercourse
200 100 0 200 400 m
This map is provided for information purposes only to graphically illustrate where comprehensive tertiary planning is required as described in Section 8.1.2 (10) of the Official Plan, 2020. This map is not intended to form part of the Official Plan. Where discrepancies exist between this map and the policies, the tertiary planning policies shall apply.
This schedule shall be used in conjunction with other applicable schedules and policies of this Plan.
MAY 2024
Burlington

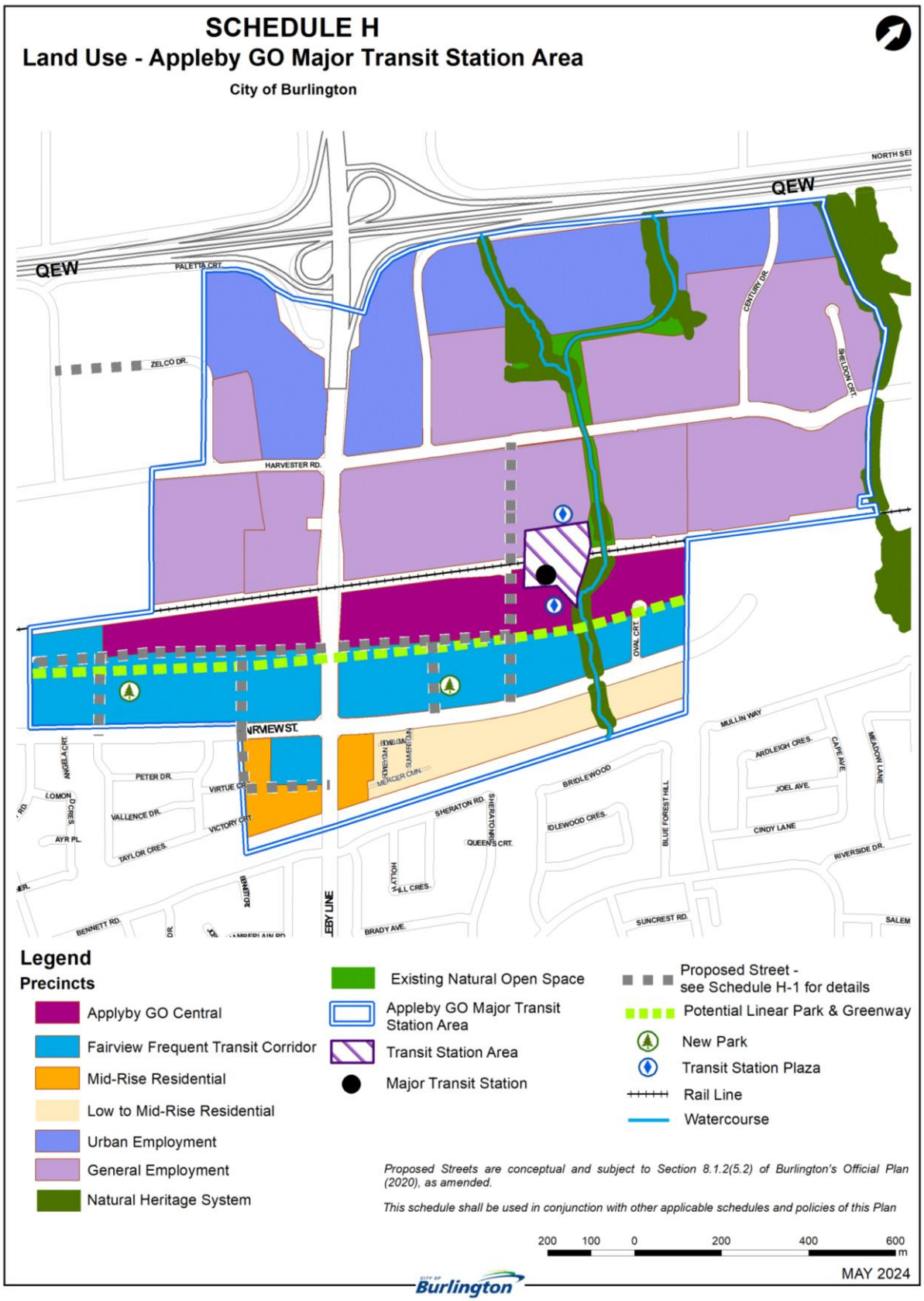

SCHEDULE G
Land Use - Aldershot GO Major Transit Station Area
City of Burlington
NORTH SERVICE RD.
PANIN RD
RAILWAY RD.
MASONRY CRT.
HOWARD RD.
WATERDOWN RD.
COOKE BLVD.
EMERY AVE.
CLEARVIEW AVE.
ST MATHEW'S AVE.
QUEEN MARY AVE.
OLD ORCHARD RD.
BEDFORD AVE.
DALEWOOD AVE.
WHITE OAK DR.
MANORWOOD DR.
GROVE PARK D
PLUMT
PLAINS RD. E.
FAIRWOOD PL. W
FAIRWOOD PL. E
LASALLE PARK RD.
BIRCHWOOD AVE.
FILMAN PL.
BAYSIDE CRT.
ISABEL CRT.
DAVID CRT.
TOWNSEND AVE.
ALDERSHOT PL.
PARK AVE. W
PARK AVE. E
HERBERTON PL.
ASCOT PL
WILLIAM CRT.
LYNN CRT.
GLENWOOD
Legend
Precincts
Aldershot GO Central
Aldershot Main Street
Cooke Commons
Emery Commons
Mid-Rise Residential
Natural Heritage System
Transit Station Area
Aldershot GO Major Transit Station Area
Major Transit Station
Existing Natural Open Space
Proposed Street - see Schedule G-1 for details
Potential Linear Park & Greenway
New Park
Transit Station Plaza
Rail Line
Watercourse
Proposed Streets are conceptual and subject to Section 8.1.2(5.2) of Burlington's Official Plan (2020), as amended.
This schedule shall be used in conjunction with other applicable schedules and policies of this Plan
200 100 0 200 400
m
MAY 2024


SCHEDULE G-1
Aldershot GO Major Transit Station Area Transportation Network
City of Burlington
HWY 403
PANIN RD
NORTH SERVICE RD.
HIDDEN VALLEY RD.
RAILWAY RD.
WATERDOWN RD.
LASALLE PARK RD.
GROVE PARK DR.
QUEEN MARY AVE.
OLD ORCHARD RD.
PLUMTREE
DALEWOOD AVE.
WHITE OAK DR.
MANORWOOD DR.
CLEARVIEW AVE.
ST MATTHEW'S AVE.
FAIRWOOD PL. W
FAIRWOOD PL. E
BAYSIDE CRT.
BIRCHWOOD AVE.
FILMAN PL.
TOWNSEND AVE.
ALDERSHOT PL.
PARK AVE. W
PARK AVE. E
HERBERTON PL.
ASCOT PL
ISABEL CRT.
DAVID CRT.
WILLIAM CRT.
LYNN CRT.
Legend
Proposed MTSA Connector
Proposed MTSA Distributor
Off-Street Trail
Multi Purpose Arterial
Industrial Connector
Neighbourhood Connector
Provincial Freeway
Proposed Road (See Sched O-1 of this Plan for more details)
Aldershot GO Major Transit Station Area
Transit Station Area
Existing Natural Open Space
Rail Line
Watercourse
200 100 0 200 400 m
Proposed Streets are conceptual and subject to Section 8.1.2(5.2) of Burlington's Official Plan (2020), as amended.
This schedule shall be used in conjunction with other applicable schedules and policies of this Plan.
MAY 2024
City of Burlington

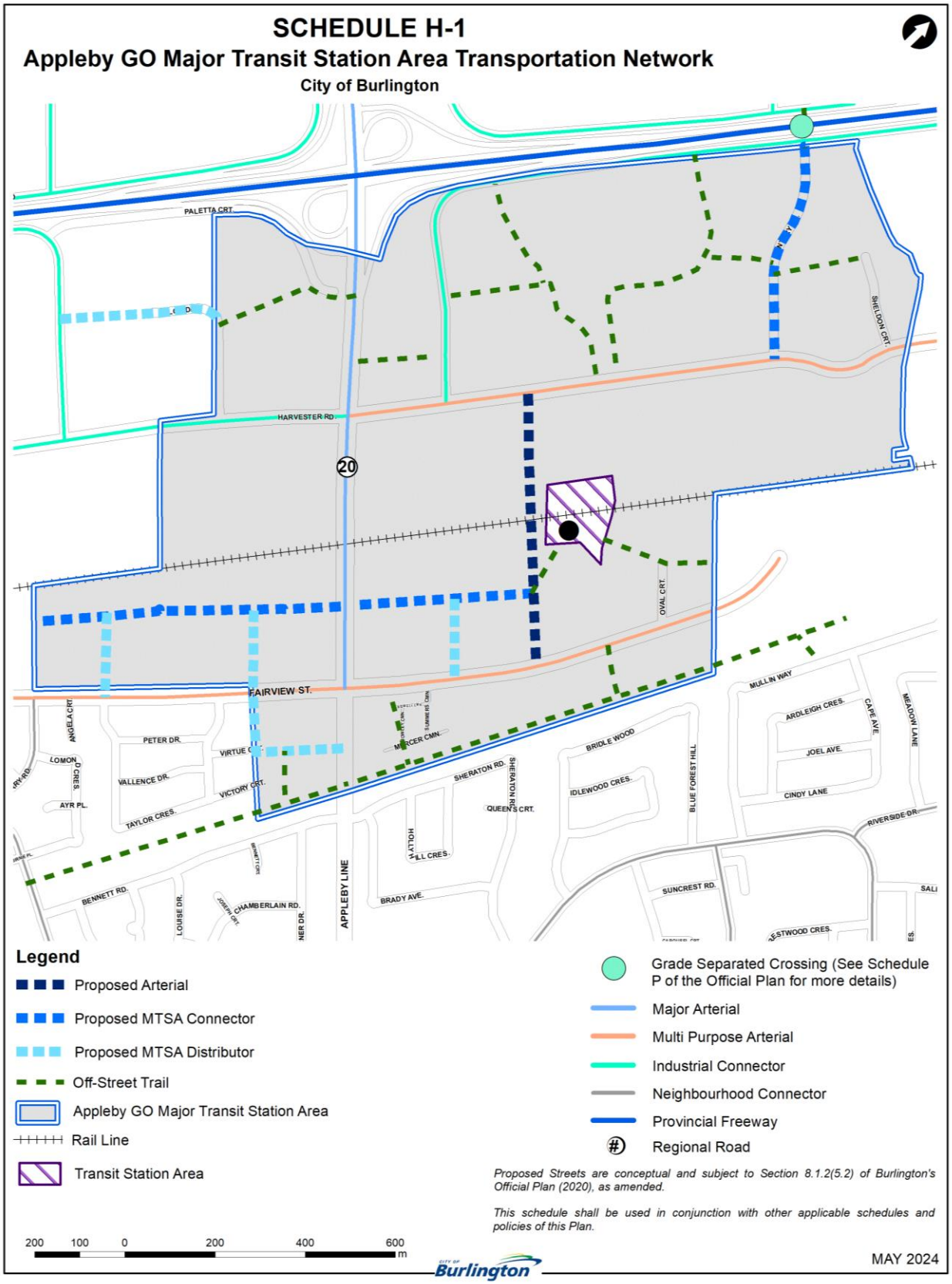

SCHEDULE G-2
Aldershot GO Major Transit Station Area Activated Streets
City of Burlington
HWY 403
PANIN RD
NORTH SERVICE RD.
HIDDEN VALLEY RD.
RAILWAY RD.
MASONRY CRT.
GROVE PARK DR.
QUEEN MARY AVE.
OLD ORCHARD RD.
PLUMTREE
WATERDOWN RD.
LASALLE PARK RD.
FAIRWOOD PL. W
FAIRWOOD PL. E
BAYSIDE CRT.
ALDERSHOT PL.
TOWNSEND AVE.
PARK AVE. E
WILLIAM CRT.
LYNN CRT.
Legend
Proposed Street (See Schedule G-1 in Official Plan for more information)
MTSA Major Mixed Use Street
MTSA General Mixed Use Street
Aldershot GO Major Transit Station Area
Rail Line
Watercourse
200 100 0 200 400 m
Proposed Streets are conceptual and subject to Section 8.1.2(5.2) of Burlington's Official Plan (2020), as amended.
This schedule shall be used in conjunction with other applicable schedules and policies of this Plan
MAY 2024


Schedule G-3
Aldershot GO Major Transit Station Areas Tertiary Planning Areas
City of Burlington
HWY 403
PANIN RD
NORTH SERVICE RD.
HIDDEN VALLEY RD.
RAILWAY RD.
HOWARD RD.
MASONRY CRT.
WATERDOWN RD.
COOKE BLVD.
QUEEN MARY AVE.
CLEARVIEW AVE.
ST MATTHEW'S AVE.
GROVE PARK DR
BEDFORD AVE.
DALEWOOD AVE.
WHITE OAK DR.
MANORWOOD DR.
OLD ORCHARD RD.
EMERY AVE.
PLAINS RD. W.
PLAINS RD. E.
LASALLE PARK RD.
FAIRWOOD PL. W
FAIRWOOD PL. E
BIRCHWOOD AVE.
FILMAN PL.
BAYSIDE CRT.
TOWNSEND AVE.
ALDERSHOT PL.
PARK AVE. W
PARK AVE. E
HERBERTON PL.
GLENWOOD AVE.
FOREST GLEN
ELAND AVE.
ISABEL CRT.
DAVID CRT.
WILLIAM CRT.
LYNN CRT.
Legend
Tertiary Planning Areas (in accordance with Section 8.1.2 (10) of the Official Plan)
Aldershot GO Major Transit Station Area
Rail Line
Stream/Creek
200 100 0 200 400 m
This map is provided for information purposes only to graphically illustrate where comprehensive tertiary planning is required as described in Section 8.1.2 (10) of the Official Plan, 2020. This map is not intended to form part of the Official Plan. Where discrepancies exist between this map and the policies, the tertiary planning policies shall apply.
This schedule shall be used in conjunction with other applicable schedules and policies of this Plan.
MAY 2024
Burlington

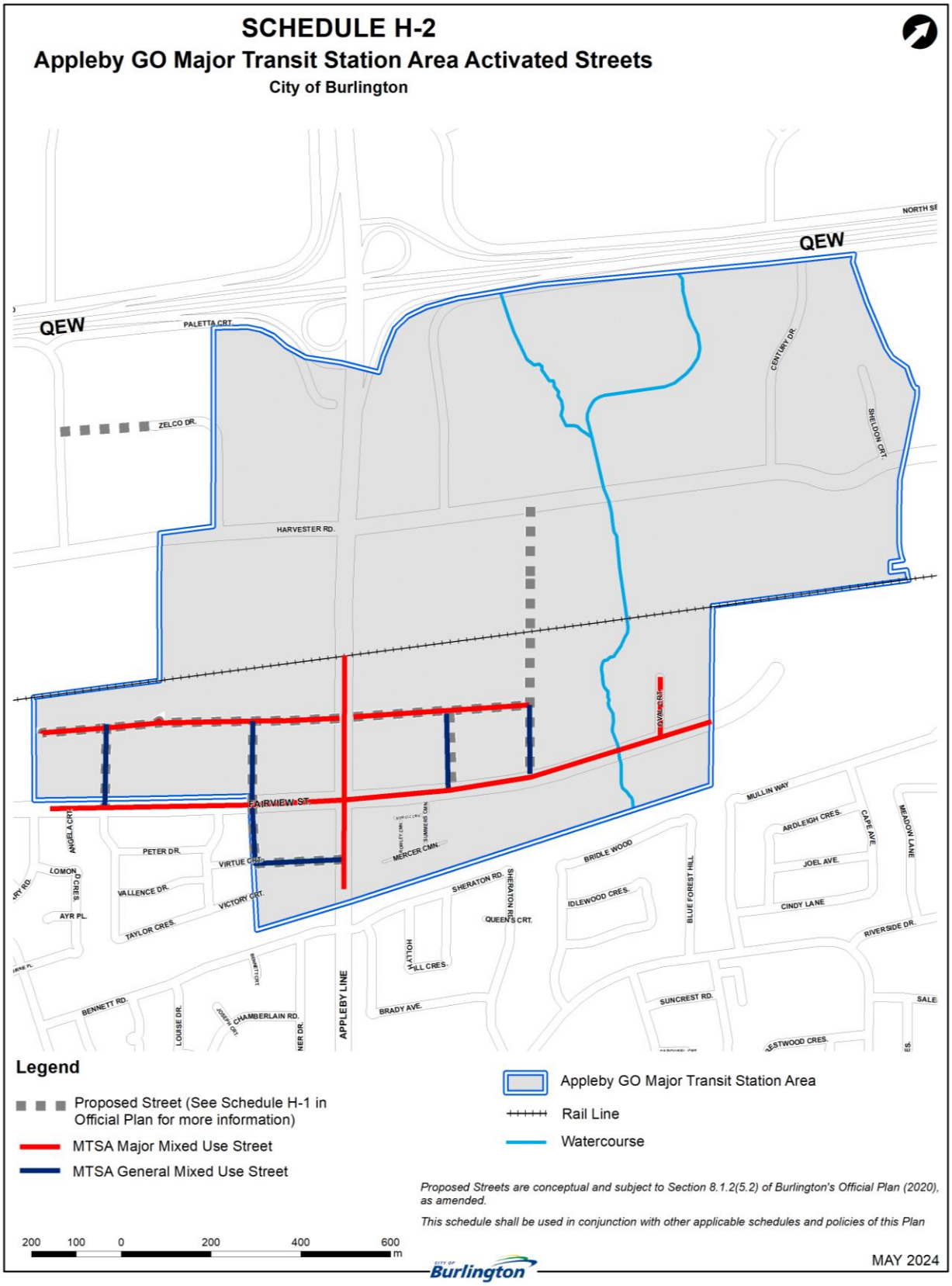
~~Proposed~~ Official Plan Amendment No. 2



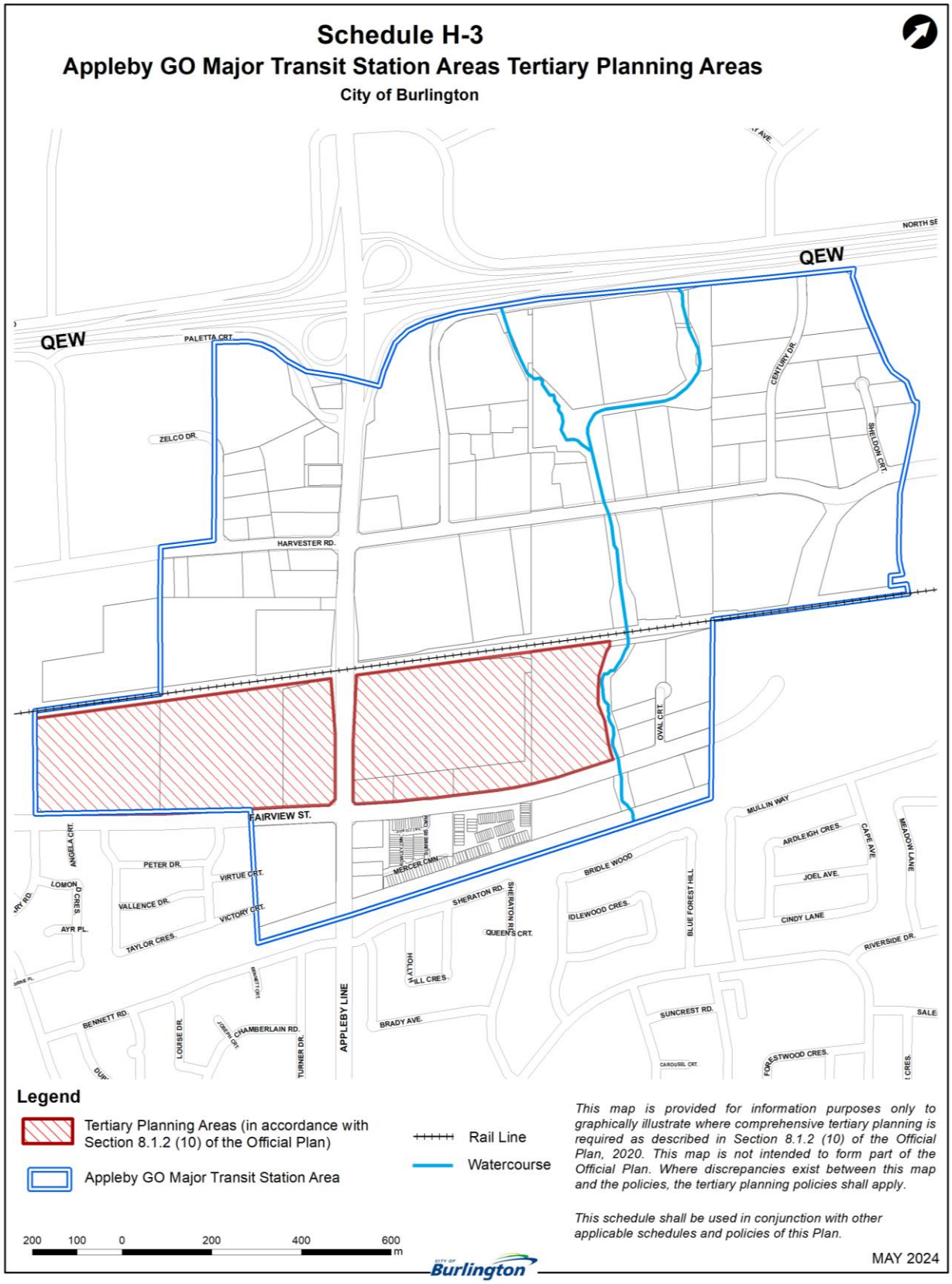
~~Proposed~~ Official Plan Amendment No. 2



~~Proposed~~ Official Plan Amendment No. 2



~~Proposed~~ Official Plan Amendment No. 2



Attachment 6 to OPA 2 – Major Transit Station Area Table 3

Table 3: Classification of Major Transit Station Area Facilities

In addition to the applicable classifications shown on Schedule F-1: Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area Transportation Network, Schedule G-1: Aldershot GO Major Transit Station Area Transportation Network, and Schedule H-1: Appleby GO Major Transit Station Area Transportation Network and identified in Table 1, of this Plan, the following Classifications of Transportation facilities *shall* apply in Major Transit Station Areas. This table *shall* be incorporated into Table 1: Classification of Transportation Facilities once the table has been confirmed as in effect by the Ontario Land Tribunal.

1. Major Transit Station Area Collector Streets
Major Transit Station Area (MTSA) Collector Streets provide important connections through the Major Transit Station *intensification areas*, delivery a high level of service for *active* and *sustainable modes* of transportation and enabling supportive design features. There are two types of MTSA Collector Streets: MTSA Mixed Use/Commercial Connector and MTSA Mixed Use/Commercial Distributor. Street cross-section examples have been provided in the March 2024 Burlington Major Transit Station Areas Transportation Assessment.
1.1 MTSA Commercial Connector • Right of Way requirements of 30m. A reduction to the right of way requirement of 30m *may* be considered provided that the reduced right of way meets the objectives of the street function. • 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.
1.2 MTSA Commercial Distributor • Right of Way requirements of 26m • Cycling provision of wide shared use lanes • Minimum 2.0m pedestrian clearway and 1.5m planting and furnishing zone.

- A community street that provides 'rear' service and access functions to adjacent commercial and residential properties that are not private laneways;
- High level of pedestrian and cycling activity and low to moderate level of vehicular traffic; and
- Provides an attractive environment that complements adjacent main or civic streets.

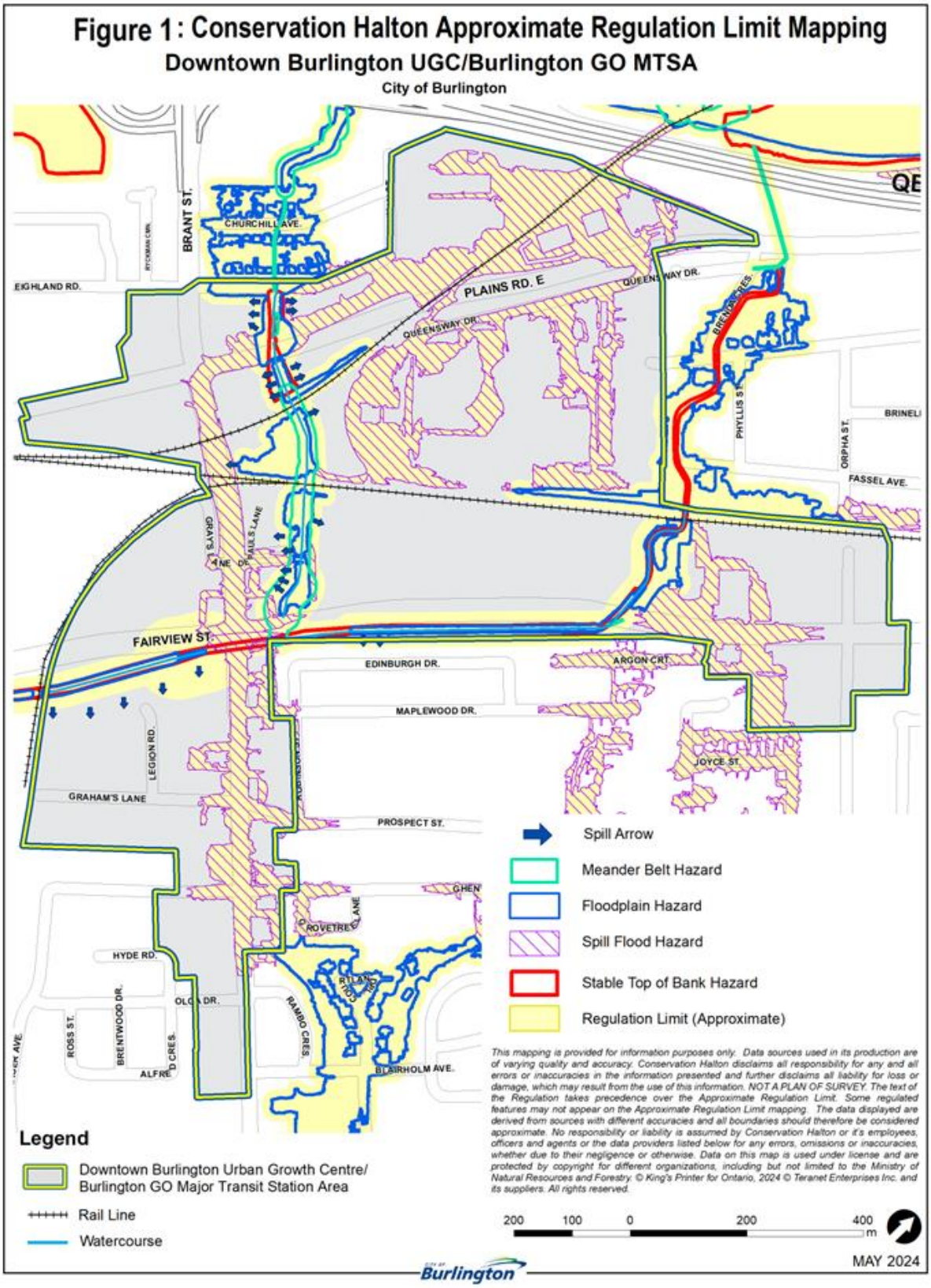
Attachment 7 to OPA 2 – Major Transit Station Area Table 4

Table 4: Major Transit Station Area Public Right-of-Way Widths

The following Table *shall* be read in conjunction with the Public Right-of-Way policies contained in Chapter 6: Infrastructure, Transportation and Utilities and Section 8.1.2(5.2) of this Plan and *shall* be incorporated into Table 2: Public Right-of-Way Widths, of this Plan once the table has been confirmed as in effect by the Ontario Land Tribunal. The final public right-of-way width will be determined as part of future studies including Tertiary Planning, Environmental Assessments and/or subdivision approvals in accordance with the policies of this Plan.

Street	From	To	Public Right of Way Width (metres)
Burlington GO UGC/MTSA			
Grahams Lane	Hydro Corridor	Brant Street	26
De Pauls Lane	Brant Street	Proposed east-west connection	30
Drury Lane	CN Rail Corridor	145 metres south of Fairview street	26
Aldershot GO MTSA			
Masonry Court	Waterdown Road	Grove Park	30
Masonry Court	Waterdown Road	Howard Road	30
Cooke Blvd	Plains Road	Masonry Court	26
Emery Ave	Plains Road	Emery Ave extension	26
Howard Road	Plains Road	Lemonville Road	30
Appleby GO MTSA			
South Service Road	Harvester Road	120 metres east of Century Drive	30
Century Drive	Harvester Road	South Service Road	30
Zelco Drive	Harvester Road	To Zelco Drive extension	26

Attachment 8 to OPA 2 – For Reference Purposes Only, and does not form part of the Official Plan: Figures 1, 2, 3 (Conservation Halton) to inform the update of Appendix E


Figure 1: Conservation Halton Approximate Regulation Limit Mapping
Downtown Burlington UGC/Burlington GO MTSA
City of Burlington
BRANT ST.
CHURCHILL AVE.
EIGHLAND RD.
PLAINS RD. E
QUEENSWAY DR.
QUEENSWAY DR.
PHYLLIS ST.
ORPHA ST.
FASSEL AVE.
FAIRVIEW ST.
EDINBURGH DR.
ARGON CRT.
MAPLEWOOD DR.
JOYCE ST.
LEGION RD.
GRAHAM'S LANE
PROSPECT ST.
HYDE RD.
ROVETREE LANE
ROSS ST.
BRENTWOOD DR.
ALFRED CRES.
RAMMO CRES.
BLAIRHOLM AVE.
Spill Arrow
Meander Belt Hazard
Floodplain Hazard
Spill Flood Hazard
Stable Top of Bank Hazard
Regulation Limit (Approximate)
Legend
Downtown Burlington Urban Growth Centre/ Burlington GO Major Transit Station Area
Rail Line
Watercourse
This mapping is provided for information purposes only. Data sources used in its production are of varying quality and accuracy. Conservation Halton disclaims all responsibility for any and all errors or inaccuracies in the information presented and further disclaims all liability for loss or damage, which may result from the use of this information. NOT A PLAN OF SURVEY. The text of the Regulation takes precedence over the Approximate Regulation Limit. Some regulated features may not appear on the Approximate Regulation Limit mapping. 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 it's employees, officers and agents or the data providers listed below for any errors, omissions or inaccuracies, whether due to their negligence or otherwise. Data on this map is used under license and are protected by copyright for different organizations, including but not limited to the Ministry of Natural Resources and Forestry. © King's Printer for Ontario, 2024 © Teranet Enterprises Inc. and its suppliers. All rights reserved.
200 100 0 200 400 m
MAY 2024
Burlington

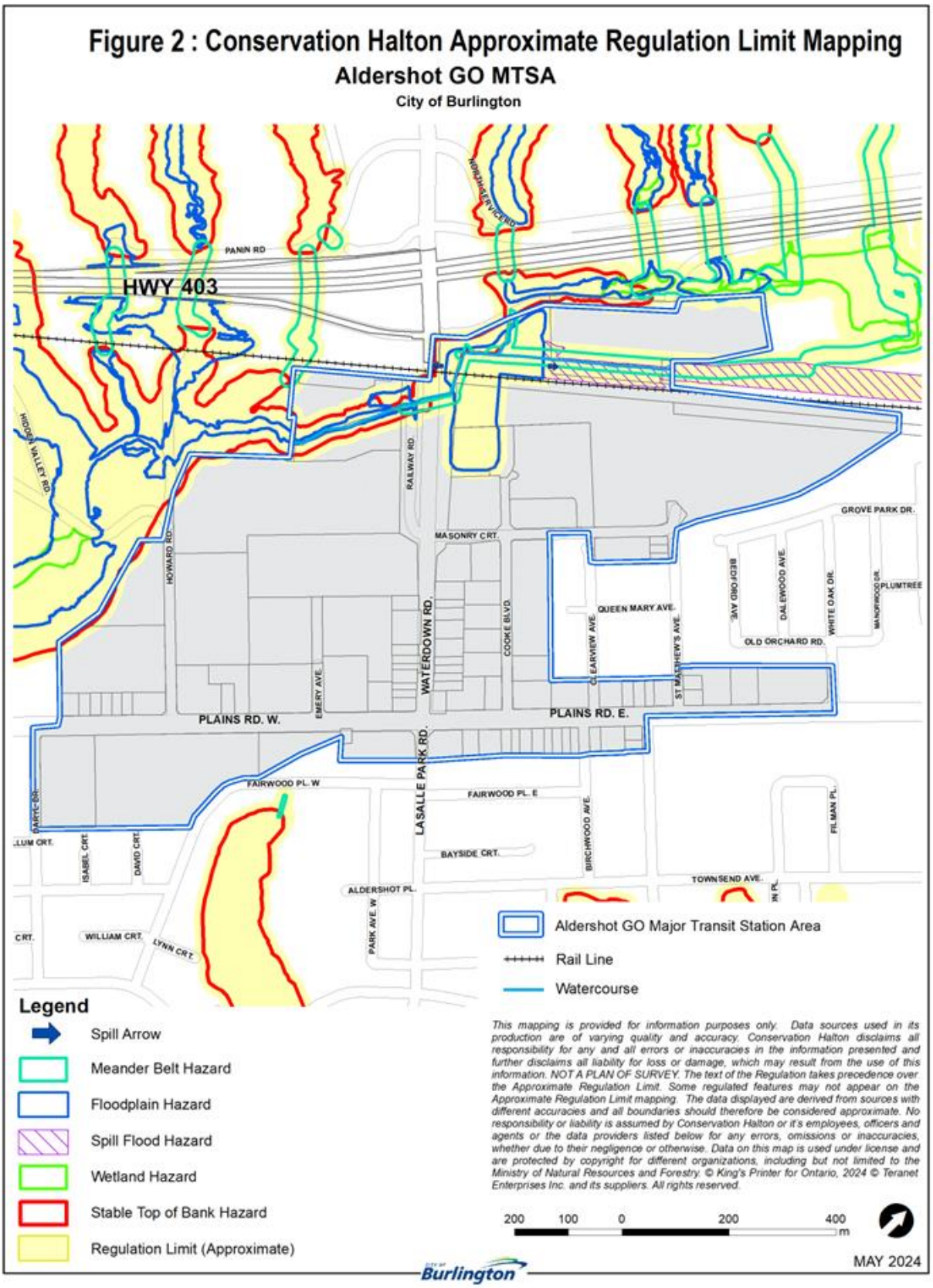

Figure 2 : Conservation Halton Approximate Regulation Limit Mapping
Aldershot GO MTSA
City of Burlington
HWY 403
PANIN RD
HOWARD RD.
RAILWAY RD
MASONRY CRT.
WATERDOWN RD.
COOKE BLVD.
EMERY AVE.
GROVE PARK DR.
QUEEN MARY AVE.
CLEARVIEW AVE.
ST MATHEW'S AVE.
OLD ORCHARD RD.
PLUMTREE
PLAINS RD. W.
PLAINS RD. E.
LASALLE PARK RD.
FAIRWOOD PL. W
FAIRWOOD PL. E
BAYSIDE CRT.
BIRCHWOOD AVE.
TOWNSEND AVE.
ALDERSHOT PL.
PARK AVE W
ISABEL CRT.
DAVID CRT.
WILLIAM CRT.
LYNN CRT.
Aldershot GO Major Transit Station Area
Rail Line
Watercourse
Legend
Spill Arrow
Meander Belt Hazard
Floodplain Hazard
Spill Flood Hazard
Wetland Hazard
Stable Top of Bank Hazard
Regulation Limit (Approximate)
This mapping is provided for information purposes only. Data sources used in its production are of varying quality and accuracy. Conservation Halton disclaims all responsibility for any and all errors or inaccuracies in the information presented and further disclaims all liability for loss or damage, which may result from the use of this information. NOT A PLAN OF SURVEY. The text of the Regulation takes precedence over the Approximate Regulation Limit. Some regulated features may not appear on the Approximate Regulation Limit mapping. 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 it's employees, officers and agents or the data providers listed below for any errors, omissions or inaccuracies, whether due to their negligence or otherwise. Data on this map is used under license and are protected by copyright for different organizations, including but not limited to the Ministry of Natural Resources and Forestry. © King's Printer for Ontario, 2024 © Teranet Enterprises Inc. and its suppliers. All rights reserved.
200 100 0 200 400
m
MAY 2024
Burlington

Figure 3 : Conservation Halton Approximate Regulation Limit Mapping

Appleby GO MTSA

City of Burlington



Legend

- Spill Arrow
- Meander Belt Hazard
- Floodplain Hazard
- Spill Flood Hazard
- Stable Top of Bank Hazard
- Regulation Limit (Approximate)
- Appleby GO Major Transit Station Area
- Rail Line
- Watercourse

This mapping is provided for information purposes only. Data sources used in its production are of varying quality and accuracy. Conservation Halton disclaims all responsibility for any and all errors or inaccuracies in the information presented and further disclaims all liability for loss or damage, which may result from the use of this information. NOT A PLAN OF SURVEY. The text of the Regulation takes precedence over the Approximate Regulation Limit. Some regulated features may not appear on the Approximate Regulation Limit mapping. 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 it's employees, officers and agents or the data providers listed below for any errors, omissions or inaccuracies, whether due to their negligence or otherwise. Data on this map is used under license and are protected by copyright for different organizations, including but not limited to the Ministry of Natural Resources and Forestry. © King's Printer for Ontario, 2024 © Teranet Enterprises Inc. and its suppliers. All rights reserved.

200 100 0 200 400 600 m

MAY 2024

CITY OF Burlington . . . Memo

To: **Mayor and Members of Council**

From: **Todd Evershed, Supervisor, Special Projects & Urban Design**

Cc: **Samantha Yew, City Clerk**
Hassaan Basit, Chief Administrative Officer
Craig Kummer, Acting Executive Director of CPRM
Jamie Tellier, Director of Community Planning

Date: **June 14, 2024**

Re: **Revised Appendix A to Report PL-45-24 - Draft Zoning By-law Amendment**

This memo responds to a question raised during Committee of the whole at the June 11, 2024, meeting in relation to Report PL-45-24.

Staff recommend minor revisions to the draft zoning by-law amendment to allow approved but not yet built developments to apply the recommended parking rates and take advantage of the change to remove minimum parking requirements in the areas of this pilot. Accordingly, the proposed bylaw amendment has been revised as it relates to site-specific exceptions and their minimum parking requirements that are otherwise set out in PART 14, Exceptions to Zone Designations of the Zoning By-law.

Respectfully submitted,

Todd Evershed
Supervisor, Special Projects & Urban Design

The Corporation of The City of Burlington

City of Burlington By-law 2020.478

A by-law to amend By-law 2020, as amended, to update parking standards for lands identified along the Fairview Street, Plains Road and Appleby Line Corridors
File No.: 520-06/24 (PL-45-24)

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

Whereas the Council of the Corporation of the City of Burlington approved the Recommendations in report PL-45-24 on June 18, 2024, for city-initiated amendments to Zoning By-law 2020, as amended.

The Council of the Corporation of the City of Burlington hereby enacts as follows:

1. PART 1 of Zoning By-law 2020, as amended, General Conditions and Provisions, Section 2.25 Off-street Parking and Loading Requirements, is further amended by replacing subsection 2.25.1 with the following:

"2.25.1 Whenever a new development occurs or whenever an existing development is enlarged, extended or increased in capacity, in accordance with this By-law, off-street vehicle parking spaces shall be provided and maintained on the property and within the zone designation for all uses, except for:

(a) those properties shown on "Diagram 1A: Downtown Parking Exemption Area". For the development of a parcel of land partially or wholly contained within the Downtown Parking Exemption Area, Section 2.25 shall only apply to residential uses; and

(b) those properties shown on "Diagram 1B: Plains Road Corridor Residential Parking Exemption Area", "Diagram 1C: Fairview Street Corridor Residential Parking Exemption Area", and "Diagram 1D: Appleby Line Corridor Residential Parking Exemption Area". For the development of a parcel of land partially or wholly contained within a Residential Parking Exemption Area Overlay Map, Section 2.25 shall only apply to non-residential uses. Despite the above, where the owner/applicant chooses to provide parking facilities on-site, the City's accessible parking spaces requirements shall apply and accessible parking spaces shall be provided in accordance with Table 1.2.7, and subsections 2.26 (9) (a) and (b), contained in PART 1, Section 2.26 General Parking Provisions."

2. PART 1 of Zoning By-law 2020, as amended, General Conditions and Provisions, Section 2.25 Off-street Parking and Loading Requirements is further amended by adding the following new Residential Parking Exemption Area Overlay Maps, as

shown on Diagrams 1B, 1C, and 1D, after “Diagram 1A: Downtown Parking Exemption Area”:

“Diagram 1B: Plains Road Corridor Residential Parking Exemption Area

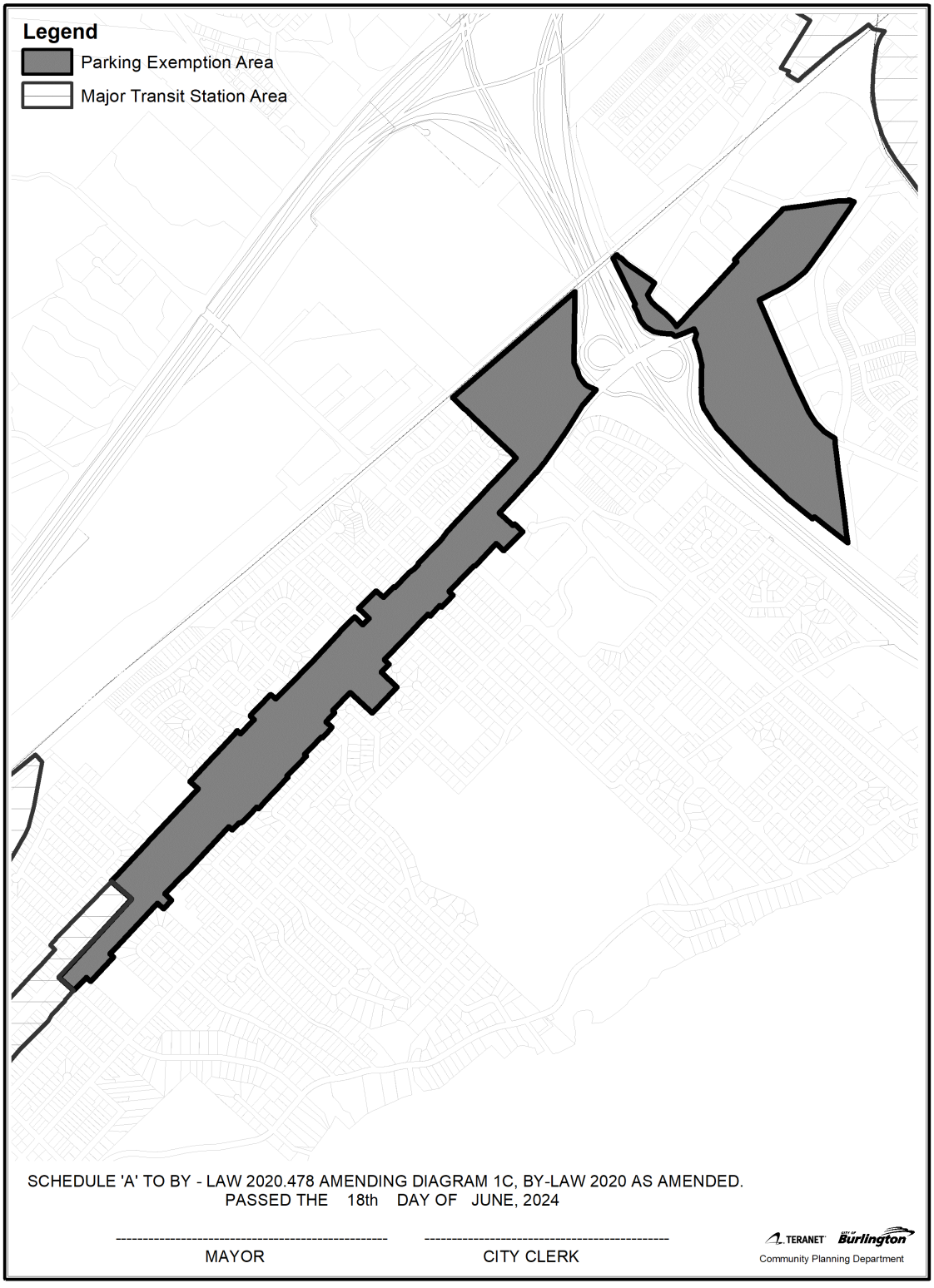


Diagram 1C: Fairview Street Corridor Residential Parking Exemption Area



Diagram 1D: Appleby Line Corridor Residential Parking Exemption Area



”

3. PART 1 of Zoning By-law 2020, as amended, General Conditions and Provisions, Section 2.25 Off-street Parking and Loading Requirements, under the heading 'Parking Standard' is further amended by adding the following words after the words "Within a Primary Growth Area as identified on Schedule B-1 of the City Official Plan (2020), as approved by Halton Region on November 30, 2020" and "Within a Secondary Growth Area as identified on Schedule B-1 of the City Official Plan (2020), as approved by Halton Region on November 30, 2020" in Table 1.2.6:

", except for those properties identified in a Residential Parking Exemption Area shown on Diagrams 1B, 1C, or 1D"

4. PART 7 of Zoning By-law 2020, as amended, Uptown Mixed-Use Centre Zones, Section 4.5 Parking is further amended by adding the following words after the words "All Dwelling Units" in subsection 4.5 (a):

", except for those properties identified in the Appleby Line Corridor Residential Parking Exemption Area shown on Diagram 1D and for Apartment Buildings within a Primary or Secondary Growth Area as identified on Schedule B-1 of the City Official Plan (2020), as approved by Halton Region on Nov. 30, 2020, and as may be further amended."

5. PART 14 of Zoning By-law 2020, as amended, Exceptions to Zone Designations, Exception 274, is further amended by adding a new Section 2. Transition Provision, so that it reads:

"2. Transition Provision

a) Subject to PART 1, subsection 2.25.1 (b), the provisions of Section 1. p) respecting required residential parking do not apply."

6. PART 14 of Zoning By-law 2020, as amended, Exceptions to Zone Designations, Exception 540, is further amended by adding a new Section 8. Transition Provision, so that it reads:

"8. Transition Provision

a) Subject to PART 1, subsection 2.25.1 (b), the provisions of Sections 2. g) and 5. g) respecting required residential parking do not apply."

7. PART 14 of Zoning By-law 2020, as amended, Exceptions to Zone Designations, Exception 542, is further amended by adding a new Section 2. Transition Provision, so that it reads:

"2. Transition Provision

a) Subject to PART 1, subsection 2.25.1 (b), the provisions of Section 1. h) respecting required residential parking do not apply."

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

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

ENACTED AND PASSED this ……..day of …… 2024.

_____MAYOR

_____CITY CLERK

EXPLANATION OF PURPOSE AND EFFECT OF BY-LAW 2020.478

By-law 2020.478 amends Parts 1, 7 and 16 of the City's Zoning By-law 2020, as amended, for the purpose of removing minimum residential vehicle parking requirements for lands in the Fairview Street / Plains Road and Appleby Line corridors.

For further information regarding By-law 2020.478, please contact Mark Johnson of the Burlington Community Planning Department at (905) 335-7777, extension 7954.

CITY OF Burlington . . . Memo

To: **Mayor and Members of Council**

From: **Lori Jivan**
Manager of Budgets & Policy
Finance Department

Date: **June 13, 2024**

Re: **Committee of the Whole, June 10, 2024**
2024 Financial Forecast Report F-25-24 – Follow-up Questions

During and subsequent to the Committee of the Whole meeting of June 10th, 2024, questions were asked in relation to the 2025 Financial Forecast report and presentation (F-25-24) which staff committed to providing a response to in advance of the Council meeting of June 18th, 2024. The following is a consolidation of those questions and responses.

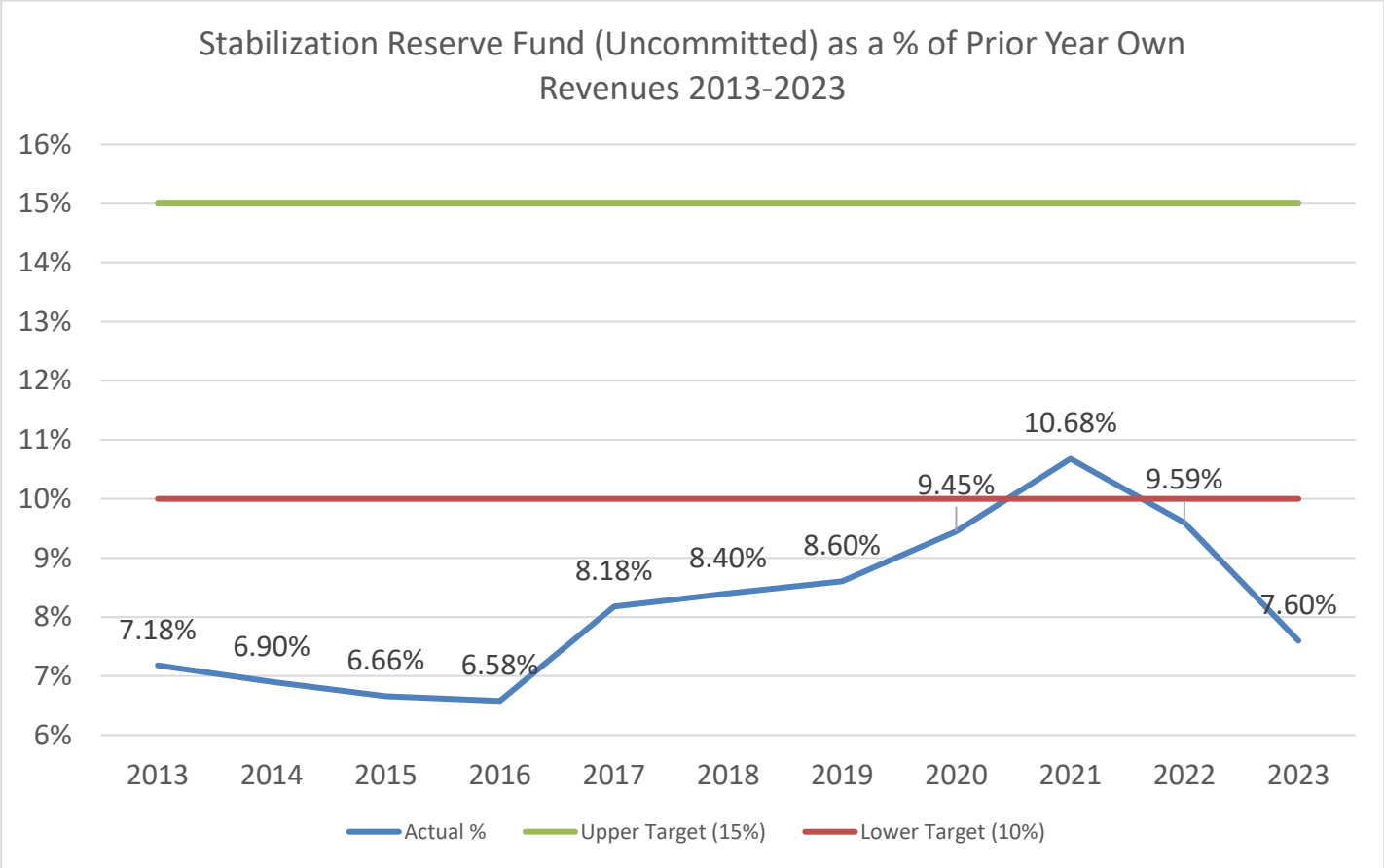
Questions

Item: **History of Stabilization Reserve Fund Target Balances**

Question: Provide a summary of the actual historical (2013 to present) consolidated reserve fund balances as a % of the City's own source revenues in relation to the target (10-15%).

Response: The following table and chart summarize the actual year-end results vs. target from 2013-2023.

Year	Actual % of Prior Year Own Source Revenues
2013	7.18%
2014	6.90%
2015	6.66%
2016	6.58%
2017	8.18%
2018	8.40%
2019	8.60%
2020	9.45%
2021	10.68%
2022	9.59%
2023	7.60%



Item: **Key Investments**

Question: Provide a financial breakdown of the Key Investments included in the 2025 Financial Forecast under Sustaining City Operations and Enhancing Services

Response: All values listed below are in thousands (000s)

Sustaining City Operations, Financial Oversight and Risk Mitigation	**Net Impact**
Improved investments in Forestry Service in the areas of tree planting and pest management and other RPF operations including ditch and culvert maintenance and grid pruning operations.	$ 300
A placeholder for ongoing utility and maintenance costs of Freeman Station.	$ 150
Enhanced financial oversight and support for senior government grant claims as well as accounting services provided to ABC partners to streamline processes, strengthen financial analysis and increase accountability.	$ 135
Enhanced coordination and oversight of IT related vendor contracts, software licensing and inventory management	$ 152

Enhanced coordination and oversight of facility maintenance activities and external maintenance providers to ensure facilities remain safe, compliant, and well-maintained for our community.	$	368
Enhanced support to mitigate the risk of the on-going threat of cyber security attacks.	$	152
Enhanced oversite, coordination and support for the city's HR recruitment function. This will ensure vacancies are filled in a timely manner to avoid negative impacts on service delivery.	$	165
Enhanced support to expand current digital marketing, and well as improve accuracy, governance, visualization and user interface experience on our websites (internal and external).	$	151
Total	**$**	**1,573**

Enhancing Services	**Net Impact**	
The continued phased implementation of the By-law Compliance Department as outlined in Report BB-15-22 with the inclusion of additional support in front-line by-law enforcement resources. (Focus Area 2 Action G)	$	432
Additional phased resourcing to support the implementation of the Urban Forestry Master Plan including front line resources to enhance community outreach programs. (Focus Area 3 Action F)	$	113
Ongoing funding to support portable washroom facilities within a number of our parks. This creates a positive customer experience and promotes the use of our outdoor recreational amenities. (Focus Area 2 Action A)	$	90
Additional phased resourcing to support the implementation and recommendations of the Fire Master Plan. (Focus Area 1 Action E)	$	156
Resourcing to implement and maintain an Automated Speed Enforcement system. This is a key part of the Vision Zero framework. (Focus Area 1 Action A)	$	-
Continued incremental phased funding for the Multi-Year Community Investment Plan in alignment with the recommendations of the financing plan. (Focus Area 1 Action I)	$	1,000
Expansion and Customer Experience in Community Gardens (deferred 2024 Budget item)	$	39
Solar Incentive Program (EICS-01-24)	$	16
Burlington Green Fee for Service model (EICS-02-24)	$	62
Better Homes Burlington Loan Program (EICS-10-24)	$	50
Total	**$**	**1,958**

Item: Forecast assumptions

Question: Provide a summary of the assumptions included in the Financial Forecast.

Response: The following table summarizes the assumptions included in the 2025 Financial Forecast. (values in thousands)

Item	2025 % Assumption	2025 Dollar Impact	2026-2029 % Assumption
Human Resources	Various by Position Type	$8,946	Various by Position Type
Assessment Growth	0.75%	$1,830	1.0%
Commodities	4.0%	$404	4.0%
Other Inflationary Impacts	3.0%	$1,261	3.0%
User Fees	3.0%	$(1,362)	3.0%

CITY OF Burlington . . . Memo

To: **Mayor and Members of Council**

From: **Denise Beard – Senior Manager of Community Development**

Cc: **Hassaan Basit, Jacqueline Johnson, Emile Cote, and Samantha Yew**

Date: **June 13, 2024**

Re: **Pilot Pickleball Rentals at Palmer Park**

In response to the delegation presented by the Burlington Pickleball Association at the Committee of the Whole on June 10, 2024, I am pleased to announce the initiation of a Pickleball Pilot Program starting on August 1, 2024. This program aims to provide a fun, engaging, and inclusive activity for all community members by offering bookable court times during non-prime hours. This will ensure the program is fair and equitable to all residents.

Over the next couple of months staff will:

- Develop an awareness marketing campaign
- Implement the booking rules, fees and process into scheduling software
- Communicate with established and known Pickleball Organizations in the City

The pilot program will run for three months, from August 1, 2024, to October 15, 2024 at Palmer Park. Courts will be available from 7:00 AM to 11:00 PM daily.

The program is open to all residents regardless of age, skill level, or background.

At the end of the pilot program, staff will evaluate its success based on participation rates, community feedback, sport ambassador observations and overall satisfaction. This evaluation will inform our decision on whether to extend or make the program permanent.

We encourage all residents to take advantage of this opportunity to try pickleball, meet new people, and enjoy a healthy activity.

CITY OF Burlington . . . Memo

To: **Mayor and Members of Council**

From: **Kristina Clint, Manager of Festivals and Events**

Cc: **Hassaan Basit, Jacqueline Johnson, Emilie Cote, Samantha Yew**

Date: **June 14, 2024**

Re: **Festivals and Events Policy RCC-13-24 Amendment and additional information on the approval process for Festivals and Events**

This memo serves as a follow up from the discussion that occurred at Committee of the Whole on June 10, 2024 with respect to RCC-13-24. Specifically, this memo is amending the Festivals and Events Policy to enhance clarity of the process for approving events in Burlington.

Amendment to Festivals and Events Policy

The Festivals and Events Policy has been amended to add "and the Festivals and Events Strategy Team (FEST)" to section three of the Application Review under the Application Process and Timelines section. This addition ensures that the Festivals and Events Strategy Team (FEST) is incorporated into the application process when evaluating and selecting events in Burlington.

Event Approval Process Clarification

Here is additional information about the approval process for Festivals and Events under the new F&E policy:

Currently, applications of new and returning events are submitted annually in September to city staff. Depending on the event category, organizers now can submit their applications throughout the year, up to 45 days before the event.

Once these applications receive approval in principle by the Special Events Team (SET) and the Festivals and Events Strategy Team (FEST) as outlined in report RCC-13-24 – Policy Implementation section, the approval process begins. According to the Delegated Authority By-Law and report PR-35-13, the Manager of Festivals and Events has the delegated authority to "approve all major **re-occurring** events that are being presented the same as the previous year and received a successful post evaluation".

In addition, and to enable quick turnaround on minor events; the Manager of Festivals and Events has the delegated authority to approve these, as outlined in the Festivals and Events Policy.

For any **new major events** or **existing major events with significant changes**, the following steps are taken as part of the approval process:

- Community consultation with surrounding residents.
- Consultation with the ward councillor.

Outlined in report PR-01-15, the Manager of Festivals and Events has delegated authority to “approve all events meeting the criteria for the events process pending consultation with the affected stakeholders and ward councillor”. Once support is received from the community and the ward councillor, the event can proceed through the application process.

Lastly, for Mega events, which occur rarely in Burlington, Council and the public can be assured that there would be various engagements and approvals required including the approval of Council as whole.

It is also worth noting that staff bring forward a quarterly information memo to Council, providing them with the list of upcoming events.

We appreciate the Committee’s endorsement of the approval of the Festivals and Events Policy, recognizing its crucial role in shaping the future of festivals and events in Burlington.

Respectfully,

Kristina Clint
Manager of Festivals and Events

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

Arcadis Professional Services
(Canada) Inc.
360 James Street North
Suite 200
Hamilton, Ontario L8L 1H5
Canada
Phone: 905 546 1010
www.arcadis.com

Date: 6/13/2024

Our Ref: 123684

Subject: Gervais Development (Emery) Corporation - 1020 Emery Ave: Comments On Revised Proposed MTSA OPA And CPPS By-Law

Dear Mayor Meed Ward and Members of Council,

We are the planning consultants retained by Gervais Development (Emery) Corporation ("GDEC"), the Owner of the lands known municipally as 1020 Emery Avenue, in Burlington, ON, herein referred to as the "subject lands". We previously provided written correspondence regarding the ongoing planning project to establish Major Transit Station Areas ("MTSA") in the City's Official Plan, which includes a proposed Community Planning Permit System By-law ("CPPS" or "By-law"), dated Dec 4, 2023. Since that time, City staff have engaged in additional stakeholder consultation, and provided revised OPA and CPPS documents for review, now posted online for the upcoming Committee of the Whole meeting: https://burlingtonpublishing.escribemeetings.com/Meeting.aspx?Id=5b404592-656c-49f4-99ea-2468b355a200&Agenda=Merged&lang=English&Item=25&Tab=attachments . We appreciate these efforts from staff and wish to specifically commend staff for their willingness to engage in constructive dialogue with stakeholders, including the development industry, to thoughtfully consider alternative approaches and to make revisions to the proposed planning framework accordingly. The process of engagement has been very positive and meaningful.

We have reviewed the OPA and CPPS document in full and are providing some additional correspondence for consideration with respect to the CPPS. In accordance with recently passed Bill 185, this letter is being submitted on behalf of the Property Owner to preserve any appeal rights. Also note that any comments raised in our previous letter which were not addressed remain generally open and valid (i.e. concerns with the Tertiary Planning process within the OPA).

SUBJECT LANDS

The subject lands are known municipally as 1020 Emery Ave, and are located north of Plains Rd, east of Waterdown Rd (**Figure 1**). The lands are currently vacant. The are no buildings or structures, and the lands have been used in the past for the staging of school bus vehicles which completed drop-offs and pick-ups in the area.

The total site area is approximately 1.5 ha, with frontage on the Emery Ave ROW of approximately 124.5 m. At this time, the Emery Ave ROW is owned by the City of Burlington, but the physical road stops at the south-easterly corner of the subject lands. Surrounding land uses include Hampton Terrace Care Centre to the south, Tim Horton's and commercial uses to the south-east, vacant lands to the east, King Paving to the north, and St Marys CBM to the west. There are no natural heritage features or hazard areas on the subject lands.



Figure 1 - Subject Lands (Source: Geowarehouse)

In terms of the existing planning framework, the subject lands are:

- Within the Aldershot GO MTSA, and within the Urban Area in the Region of Halton Official Plan (ROP), as established through ROPA 48 (which included the Employment Land Conversion as identified on the Employment Land Conversion Map).

- Within a MTSA Special Planning Area, the Delineated Built Boundary, and a Primary Growth Area in the City of Burlington Official Plan 2020. Further, the lands are designated as General Employment, which reflects the historic use rather than the planned direction established by ROPA 48.

- Within the Urban Planning Area Boundary in City of Burlington Official Plan 1997. Further, the lands are designated as General Employment, which reflects the historic use rather than the planned direction established by ROPA 48.

- Zoned H-GE2-57, being a site-specific General Employment zone with a Holding provision. This also reflects the historic use rather than the planned direction established by ROPA 48.

CPPS

Section 5.28.2 lists provisions for Activated Streets, etc. It requires retail, service commercial or office uses to be provided continuously at grade for buildings fronting Major Mixed-Use Streets, as identified in figures in the CPPS. It is our opinion that residential lobbies and supporting spaces should be permitted along frontages to ensure appropriate access options can be considered at design stages, and this appears to have been addressed **5.28.2 a i)** and **5.8.2 d).** We support the inclusion of these provisions but note more flexibility could still be provided in the provisions to allow flexible design responses to suit the location of a parcel and the proposed development specifics.

Section 7 provides all the provisions for the **Aldershot GO MTSA Permit Area.** We still agree with and support the inclusion of this MTSA-specific section, and we note it includes reference to and permissions based on precincts, which we also still support. The use of tables for permitted and discretionary uses (**Table 7.1**) and development standards (**Table 7.2**) is helpful, easy to interpret and apply, and straightforward.

The main concern we re-iterate from our previous letter is with **Table 7.1** and the use permissions which mainly permit dwelling units only above the first two storeys in a mixed-use building for frontages facing a Major Mixed Use Street. In our opinion, this requirement could result in large amounts of unused and/or vacated commercial space, particularly in the second-floor level. We don't believe stipulating this amount of commercial space is realistic from a market perspective, especially for early implementation development projects where the density of surrounding development would not provide enough population to support, nor will there necessarily be full visibility from and connectivity to the planned transportation network. Initial developments will then likely have to cope with the burden of vacant space, which will have a negative knock-on effect on the look and feel of the MTSA neigbourhood. We previously referred to the 2022 Market Analysis by Watson, which provided the summary and analysis that "***generally, the market potential is highest as ground-floor commercial within mixed-use developments" (emphasis added).***

We re-iterate that it does not appear that this study, which was specifically commissioned to support the preparation of the MTSA ASPs, has been utilized in the drafting of the CPPS By-law provisions with respect to the required amount of non-residential floor space. Our preferred approach would be to permit a range of uses at grade and for the CPPS to specifically permit some level of residential dwelling space facing these streets, at least above the first floor. The list of uses which are now proposed that may unlock this outcome are provided in the CPPS Appendix, but in our opinion this approach should be eliminated and the specific requirement for non-res space be limited to at-grade only. Flexibly designed space on the second floor may be a greater benefit to these areas over time, which would allow changes in use to reflect market conditions.

Thank you for the opportunity to provide comments on the proposed OPA and CPPS By-law. We trust the comments provided in this letter and our previous submission will be considered prior to adoption. Should you wish to discuss further, please contact the undersigned directly.

Mayor and Members of Council
City of Burlington
MTSA OPA and CPPS

Sincerely,
Arcadis Professional Services (Canada) Inc.



Mike Crough RPP MCIP
Principal - Placemaking

Email: mike.crough@arcadis.com

CC. GDEC

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

June 14, 2024

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

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

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

Dear Ms. 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**"). I write further to my deputation at the statutory public meeting on June 11, 2024.

Following my deputation I was asked whether Brant-Plains would be open to providing attainable housing as part of its development proposal. I am pleased to advise that Brant-Plains is open to discussing community benefits, including the provision of attainable housing, in the event that sufficient density and height is approved on its Properties.

Yours truly,

FASKEN MARTINEAU DuMOULIN LLP

Sarah J. Turney

SJT/sr

The Corporation of the City of Burlington By-law

City of Burlington By-law 45-2024

A by-law to adopt Official Plan Amendment No. 2 to establish a vision for the City's Major Transit Station Areas and enable the implementation of a Community Planning Permit System in the three Major Transit Station Areas
File: 505-09/23 (PL-03-24)

Whereas the Council of the Corporation of the City of Burlington in accordance with the provisions of Sections 16, 17 and 21 of the Planning Act, 1990, as amended, approved the recommendation in community planning department report PL-03-24 at its meeting held on June 18, 2024.

Whereas the City of Burlington held open houses on October 12, 2023, for the purpose of giving the public an opportunity to review and ask questions about the proposed Official Plan Amendment No. 2 to the Burlington Official Plan (2020).

Whereas Council of the City of Burlington held statutory public meetings on October 31, 2023 and June 11, 2024 for the purposes of giving the public an opportunity to make representations in respect of the proposed Official Plan Amendment No. 2 to the Burlington Official Plan (2020).

Now therefore the Council of the Corporation of the City of Burlington hereby enacts as follows:

1. That Amendment No. 2 to the Burlington Official Plan (2020) consisting of the attached amendment and supporting documentation is hereby adopted.
2. That the Clerk of the City of Burlington is authorized and directed to submit OPA 2 to the Regional Municipality of Halton and Ministry of Municipal Affairs and Housing for approval, and to provide such information as required by the *Planning Act* RSO 1990 c.P.13.

Enacted and passed this 18th day of June, 2024

Mayor Marianne Meed Ward _____

City Clerk Samantha Yew _____

OFFICIAL PLAN AMENDMENT

AMENDMENT NO. 2 TO THE OFFICIAL PLAN

OF THE BURLINGTON PLANNING AREA

CONSTITUTIONAL STATEMENT

The Amendment contained in Part "B" of this document constitutes Amendment No. 2 to the Official Plan of the City of Burlington, 2020.

In accordance with Section 17(36.1.4) of the Planning Act, there is no appeal of the Protected Major Transit Area components of the Amendment.

PART A – PREAMBLE

1. PURPOSE OF THE AMENDMENT

The purpose of this Official Plan Amendment is to revise certain elements of the text and schedules of the Burlington Official Plan, 2020 to implement the findings of the Major Transit Station Areas (MTSA) Area Specific Planning Project for the Downtown Burlington UGC/Burlington GO MTSA, Aldershot GO MTSA, and the Appleby GO MTSA. As it relates to the elements identified under Section 16(16) of the Planning Act for Protected Major Transit Station Areas, these stations are identified as Protected Major Transit Station Areas.

The effect of the proposed Amendment is to replace policies from Burlington Official Plan, 2020 to:

- Establish a planning vision for the MTSAs to evolve into three distinct and complete communities by accommodating intensification population and employment growth in a mix of uses to 2051 and beyond.
- Update the policies and schedules to identify the Burlington, Aldershot and Appleby GO Major Transit Station Areas as Protected MTSAs and including all associated policy requirements, and as Strategic Growth Areas in accordance with the Regional Official Plan.
- Establish the policy framework for the authorized uses of land within Protected MTSAs, urban design and public realm, parks and open space, transportation and infrastructure servicing and land use compatibility.
- Provide implementation direction and enabling Community Planning Permit policies to allow for the implementation of a Community Planning Permit System By-law for the Protected MTSAs.

2. SITE AND LOCATION

Burlington Urban Growth Centre/Burlington GO Major Transit Station Area

The proposed amendment pertains to the lands within an approximiate 800m radius of the Burlington GO Station, including Brant Street south to Ghent Avenue and north to Leighland Drive identfied in Attachment 1, within the Burlington Urban Growth Centre/Burlington GO Major Transit Station Area.

Aldershot GO Major Transit Station Area

The proposed amendment pertains to the lands within an approximate 800m radius of the Aldershot GO Station, south of Alayne Bryk Way and north of (and including Plains Road East and West, East of Hidden Valley Park and west of Grove Park identified in Attachment 2, within the Aldershot GO Major Transit Station Area.

Appleby GO Major Transit Station Area

The proposed amendment pertains to the lands within an approximate 800m radius of the Appleby GO Station, south of the Queen Elizabeth Way and north of the Centennial Multi-Use Trail, west of Sherwood Forest Park and generally east of Inverary Road identfied in Attachment 3, within the Appleby GO Major Transit Station Area.

3. BASIS FOR THE AMENDMENT

On November 30, 2020, the Burlington Official Plan, 2020 was approved by Halton Region. The Plan outlines the community's vision for growth through an Urban Structure and Growth Framework which establishes a hierarchy of land uses to accommodate growth within a set urban boundary. Within the vision, Major Transit Station Areas, the lands around the City's three GO stations, are priority locations for the accommodation of transit supportive, mixed use intensification.

A significant portion of the Burlington Official Plan, 2020, including policies relating to MTSAs, is subject to broad appeal and therefore not yet in effect. However, a Decision issued by the Ontario Land Tribunal (OLT) on January 4, 2023 confirmed that some portions of the new Official Plan did come into effect on Dec. 22, 2020 (the day after the end of the appeal period), meaning that the Plan has legal status and may be amended in accordance with the Planning Act. Since the January 2023 Decision, a number of additional policies have been brought into effect through approved settlements, as well as a Motion for Partial Approval put forward by the City (OLT Decision issued on April 2, 2024).

The City's current approach to advancing the appealed portions of the Burlington Official Plan, 2020, while also addressing the ongoing changes to Ontario's land use planning framework, is outlined in report PL-25-42: Burlington Official Plan, 2020

Targeted Realignment Exercise – Initial Work Plan. The work plan identifies a role for both modifications (through the OLT process) and amendments (through a City-initiated statutory process) to address the whole range of changes to the planning framework in place at the time of Regional approval of the Official Plan.

While changes to appealed policies typically proceed by way of OLT modification, in some limited and specific circumstances, amendments may also be brought forward to replace policies that are not yet in effect, such as the Major Transit Station Area policies. In this context, the City is effectively 'withdrawing' the appealed policies and proposing new policies that are in alignment with the updated Regional and Provincial planning framework. These amendments will follow the standard Planning Act process and any appeals to the new policies would be expected to be consolidated with the existing appeals to the Burlington Official Plan, 2020, as appropriate.

On November 11, 2021, the Minister of Municipal Affairs and Housing approved Regional Official Plan Amendment 48 (ROPA 48) with minor modifications bringing the amendment into full effect. ROPA 48 also established in the Upper-tier plan direction under provisions 16(16) of the Planning Act that the City's MTSAs are identified as Protected Major Transit Station Areas (PMTSAs). In accordance with the Planning Act, the Protected Major Transit Station Area policy framework must be implemented through the City's Official Plan. In addition to items related to a Regional Urban Structure established through ROPA 48, consideration of employment conversions and identification of regional nodes as strategic growth areas, ROPA 48 implements the following for the City of Burlington:

- Confirms the boundaries of Burlington's Urban Growth Centre.
- Implements the boundaries for all Major Transit Station Areas, sets minimum density targets and policy changes to conform to the Growth Plan, 2019 and implements a policy framework that identifies the stations as Protected MTSAs to meet the legislative requirements under Section 16(16) of the Planning Act.
- Directs local municipalities to complete area specific plans for Strategic Growth Areas – including MTSAs.

Since the approval of the Burlington Official Plan, 2020, there have been a number of changes to the Regional and Provincial planning policy framework. These changes have necessitated a realignment exercise for the Burlington Official Plan, 2020 to ensure consistency with/conformity to the updated policy framework. The policies in this amendment are consistent with or in conformity to the in effect Provincial plans and policies at the time of adoption, though they may be subject to change as the Ontario planning policy and regulatory landscape continues to evolve. Remaining conformity requirements for other policy areas of the Burlington Official Plan, 2020 will be addressed through other components of the realignment exercise.

This Official Plan Amendment is one of the first elements of the realignment exercise to advance Council's priority of establishing a policy framework and implementing a Community Planning Permit System to establish the MTSAs as complete communities where the significant majority of the City's population and employment growth will be accommodated to 2051 and beyond.

The MTSA Area Specific Planning project began in 2016 as the Mobility Hubs Study. The purpose of the project was to develop area specific plans, supported by technical studies to guide growth and investment around the City's GO Stations. Following a pause in early 2019 to allow the City to address other planning priorities, the process was re-initiated in September 2021 as the MTSA Area Specific Planning project (reflective of a change in Provincial terminology). On July 5, 2022, staff presented the MTSA ASP Planning Study process from January to July 2022 and the findings of the MTSA ASP Planning Study Final Report. Through report PL-10-22: Major Transit Station Areas – Area Specific Plans Planning Study update, Council directed staff to use the MTSA ASP Planning Study Final Report to prepare a draft amendment to the Burlington Official Plan, 2020. Through this project, the City has developed policy recommendations to guide the transformation of the MTSAs into transit-oriented, mixed-use, and complete communities which will support future growth being directed to the City.

On March 28, 2023, through report ES-02-23: Park Provisioning Master Plan final report, which delivered the Parks Provisioning Master Plan, Council approved a recommendation directing the Community Planning Department to conduct an exploration of a Community Planning Permit System in the MTSAs. A Community Planning Permit System (CPPS) is a land use planning tool available under The Planning Act that combines Zoning By-law Regulations/Amendments, Minor Variance and Site Plan applications into one single application and approval process. The CPPS is administered through a Community Planning Permit By-law and replaces a traditional Zoning By-law for the area where the system applies. The Official Plan, 2020 contains policies through Section 12.1.1.14(2) which permit the use of a CPPS in the city and establishes the process to which more detailed enabling policies would be created to implement a CPPS.

On June 27, 2023, through report PL-40-23: MTSA Update and Community Planning Permit Exploration, staff provided an update on the MTSA planning project from June 2022 to June 2023 and provided an overview of the Community Planning Permit System tool and its benefits to streamlining the development of these intensification areas. In accordance with the recommendations of PL-40-23, Council directed staff to prepare a draft Community Planning Permit By-law to align and support the implementation of the MTSA Official Plan policies. To implement a Community Planning Permit By-law, detailed enabling Official Plan policies that set out the areas in which a Community Planning Permit By-law applies, and outlines specific provisions that need to be considered within a Community Planning By-law are required through

legislation. The requirements for a Community Planning Permit System are identified in Ontario Regulation 173/16 of The Planning Act.

On October 31, 2023, through report PL-59-23: Proposed Major Transit Station Area (MTSA) Official Plan Amendment (OPA) and Draft Community Planning Permit (CPP) By-law Public Release and Statutory Public Meeting, a statutory public meeting was held to obtain feedback from the public and agencies. Staff have worked to review, resolve and integrate feedback on OPA 2 related to:

- Additional policies to identify Regional requirements for the provision of sufficient capacity for water and wastewater infrastructure.
- Consideration of Regional guidelines related to access management.
- General clarity and structure throughout amendment.
- Clarifying the vision of the precincts in each MTSA.
- Additional public realm policies that provide clarity on the City's role in implementation and support of an enhanced public realm.
- Process requirements for Tertiary Planning Areas in the MTSAs related to timing and challenges related to landowners with different timelines.
- Alignment of new streets with property lines and requests for clarity that new streets are conceptual in nature.
- Land Use Compatibility considerations and balancing the objectives of ensuing long-term operational and economic viability of existing and future major facilities and the introduction of sensitive land uses in MTSAs.
- Clarification of Complete Application requirements in the amendment.

The policies of this amendment will replace the policies in subsection 8.1.2 of the Burlington Official Plan, 2020 and will modify Sections 2.2.3 d) iv) and 2.3.1 h) and i). These policies which were developed at a time when the Region of Halton's Municipal Comprehensive Review was still underway and a Regional policy framework for MTSAs had not yet been established. The policies of the Burlington Official Plan, 2020 were designed to provide interim direction and to communicate a high-level local vision, based on the work completed through the former Mobility Hubs Study and other projects. A detailed local vision has been developed through the City's MTSA Area-Specific Planning project, supported by various technical studies that are reflective of current conditions. Given the complexity of the ongoing appeal process, as well as the other elements of the realignment exercise, this amendment is limited to the core enabling policies required to advance the MTSAs in accordance with the City's growth priorities. Additional revisions that may be required, such as updating terminology and cross-references in other sections of the Plan, implementing further changes to Provincial policy, or incorporating future decisions of the OLT, will be addressed throughout the other processes as outlined in PL-25-42. Throughout the evolving process, the policies of the Burlington Official Plan, 2020 will be interpreted in accordance with the provisions of the Planning Act and any other applicable Provincial legislation, regulations, polices and guidelines.

PART B – THE AMENDMENT

1. DETAILS OF THE AMENDMENT

1.1 Text Change:

The amendment includes the changes to the text of the Burlington Official Plan, 2020 as described in the following table, and as provided in Attachment 4:

In the "Description of Change" column, text that is underlined is new text to be inserted into the Burlington Official Plan, 2020 by way of changes to the approved or under appeal policies not in effect. Text that is crossed out ("~~strikethrough~~") is to be deleted from the under-appeal policies not in effect.

Item No.	Section	Description of Change
1	**2.2.3 d) iv)**	Modify Section 2.2.3 d) iv) as follows: ~~The final delineation of Major Transit Station Areas (MTSAs) boundaries and minimum density targets will be established by the Region of Halton through the municipal comprehensive review in keeping with the policies of the Provincial Growth Plan~~. The boundaries of the *Major Transit Station Areas* are depicted in the Regional Official Plan and this Plan. These boundaries identify the area around an existing *higher order transit* station as a *Protected Major Transit Station Area* in accordance with The Planning Act. The boundaries and minimum density targets of the *Protected Major Transit Station* Area are identified through Section 8.1.2.
2	**2.3.1 h)**	Modify Section 2.3.1 h) as follows: *Major Transit Station Areas (MTSAs)* are an important component of the City's Urban Planning Area, and are intended to serve as city-wide destinations and focal points for the provision of transit. *MTSAs* will exhibit a wide variety of land uses and building types, and densities that will be oriented to support and facilitate transit and *active transportation*. Located in key areas served by the regional and local transit networks, *MTSAs* are focal points for higher *intensity* and mixed-use, *transit-supportive* development that

		will accommodate a significant share of the City's future population and employment growth. It is anticipated that the majority of growth ~~within the City's four MTSAs~~ will occur in the three *MTSAs* located along *higher order transit* routes and with planned *frequent transit* service ~~by way of Regional Express Rail~~. ~~In keeping with the policies of the Provincial Growth Plan, the final delineation of the MTSA boundaries and the identification of minimum density targets, will be established by the Region of Halton through the municipal comprehensive review and will be implemented through a future Official Plan Amendment.~~
3	**2.3.1 i)**	Modify Section 2.3.1 i) as follows: In Burlington there are three <u>*Protected Major Transit Station Areas*</u> ~~MTSA Special Planning Areas~~ identified by the *City* <u>and the Region</u> around the <u>Downtown Burlington Urban Growth Centre/</u>Burlington GO, Aldershot GO and Appleby GO Stations. ~~All three areas are major transit station areas~~. In this Plan, the three *MTSA<u>s</u>* ~~Special Planning Areas~~ are identified as areas that will be subject to further detailed area-specific planning. ~~The boundaries of the major transit station areas and assignment of growth targets will be confirmed through the Region of Halton's municipal comprehensive review in conformity to the Provincial Growth Plan.~~
4	**8.1.1(3.8) Upper Brant Precinct**	Delete Section 8.1.1(3.8) in its entirety.
5	**8.1.2 Major Transit Station Areas**	Delete Section 8.1.2 Major Transit Station Area in its entirety and replace with the new policies as shown in **Attachment 4**.
6	**12.1.14 Community Planning Permit Systems**	Insert a new preamble to Subsection 12.1.14 Community Planning Permit System as follows: A *Community Planning Permit System* is a land use planning tool available to municipalities in Ontario through <u>The Planning Act</u>. The tool can be implemented for an entire municipality or for a specific area. Once implemented, the

		Zoning By-law for the identified area is replaced with a Community Planning Permit By-law. A Community Planning Permit By-law combines Zoning By-law Amendments, minor variance, and site plan approval processes into a single application and approval process. The Community Planning Permit By-law *may* also identify *development* rules and requirements usually covered under separate processes, such as vegetation removal, and allow discretionary uses, conditional approvals, and variations. Doing so provides staff and Council with flexibility in approving *development applications* that meet the growth objectives of the Permit Area while streamlining the *development* approvals process. It also provides the public and developers with more certainty on the type of *development* permitted within an area under a *Community Planning Permit System*.
7	**12.1.14 Community Planning Permit Systems**	Insert a new subsection 12.1.14(3) as follows: 12.1.14 (3) Major Transit Station Area Community Planning Permit System Policies a) The following areas are designated *Community Planning Permit Areas*, as shown on Schedule F: Land Use- Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area, Schedule G: Land Use- Aldershot GO Major Transit Station Area, and Schedule H: Land Use- Appleby GO Major Transit Station Area: i. Downtown Burlington Urban Growth Centre/Burlington GO *Major Transit Station Area*; ii. Aldershot GO *Major Transit Station Area*; and iii. Appleby GO *Major Transit Station Area*. The *City's* Zoning By-law and Site Plan Control By-law *shall* not apply within areas where a Community Planning Permit By-law has been enacted.

		b) A *Community Planning Permit System* for all three of the *Community Planning Permit Areas* listed in 12.1.14(3)a) *shall* be designed and implemented in accordance with the following goal and objectives: i. The goal of the *Community Planning Permit System* is to implement the City's vision, objectives and policies for the *Major Transit Station Areas* as expressed in Section 8.1.2 of this Plan. ii. The objectives of the *Community Planning Permit System* are: i. To implement a land use regulatory framework that supports the objectives and policies of the MTSA Area Specific Plans and the Burlington Official Plan ii. To provide greater certainty to the development community and current and future residents through establishing principles to support desired *development* that aligns with the Council-approved policy framework of the Burlington Official Plan for the *MTSAs*. iii. To streamline the development process to assist the development industry by combining the zoning, site plan approval and minor variance processes into one review and approval process. iv. To support the *development* of complete communities that meet people's needs for daily living throughout an entire lifetime by providing convenient access to a mix of jobs, local services, a full range of housing and public service facilities, including affordable housing, schools, recreation and open space for their residents. c) Pursuant to the provisions of The Planning Act, a

		Community Planning Permit By-law *shall*: i. Contain a description of the area to which the by-law applies, which must be within the boundaries of the Community Planning Permit Area identified in the Official Plan; ii. Set out and define permitted and discretionary uses; iii. Set out a list of minimum and maximum *development* standards; iv. Set out any internal review procedures for community planning permit decisions; v. Describe notification procedures for community planning permit decisions; vi. Set out criteria for determining whether a proposed use or *development* is permitted; vii. Describe the process for amending community planning permits, community planning permit agreements and pre-existing Site Plan agreements; viii. Outline any conditions of approval that *may* be imposed; ix. Set out the scope of delegated authority, including any limitations; and x. Include exemptions for any class of *development* or use of land from the complete information and material requirements for applications under a Community Planning Permit By-law. d) Pre-consultation with the *City* and other affected agencies, as outlined in this Plan and in the Community Planning Permit By-law, *shall* occur prior to the submission of a Community Planning Permit application. Where required, pre-submission of complex natural hazard technical studies is strongly encouraged.

		e) For a Community Planning Permit application to be deemed complete, the *City shall* require the provision of additional supporting information or material required to allow full consideration of the application, as outlined in this Plan and in the Community Planning Permit By-law. The scope of the information or material required for each application *shall* be determined as part of the pre-consultation process. Where applicable, a pre-submission review of technical studies dealing with complex issues including but not limited to natural hazards, land use compatibility, or natural heritage is strongly encouraged. f) If a Community Planning Permit By-law is enacted, the use and *development* of land within the *Community Planning Permit Area* must comply with the permitted uses, standards and criteria set out in the Community Planning Permit By-law as demonstrated by the issuance of a Community Planning Permit, unless the proposed use or *development* is exempted from a permit as indicated in the Community Planning Permit By-law. In the context of a Community Planning Permit By-law, *development* is defined in accordance with O.Reg 173/16 under The Planning Act and includes *site alteration*, including but not limited to: alteration of the grade of land, placing or dumping fill, or the removal of vegetation. The removal of vegetation defined as a tree *shall* not require a Community Planning Permit and is subject to the City's Public and Private Tree By-law as amended. g) The criteria for determining whether a *development*, use of land, discretionary use or variation to the Community Planning Permit By-law provisions *may* be permitted and *shall* be set out in the Community Planning Permit By-law and *shall* include demonstration of the following to the satisfaction of the *City*: i. The proposed *development* implements the Guiding Principles of the Community

		Planning Permit By-law; ii. The proposed *development* implements the complete community requirements and conforms to and maintains the general intent of the Burlington Official Plan; iii. The proposed *development* does not result in significant off-site adverse effect of negative impacts, or any potential significant off-site adverse effects or negative impacts can be mitigated to the satisfaction of the *City and/or Region*; iv. The proposed *development* demonstrates consideration for provincial, regional and municipal guidelines and has regard for technical studies that have been completed; and, v. The proposed *development* is consistent with provincial policy, legislation, regulations and standards, as amended. h) The Community Planning Permit By-law establishes permitted uses and discretionary uses subject to criteria identified in the Community Planning Permit By-law and *may* also allow, as a discretionary use, any use not specifically listed as a permitted use, provided that the proposed use is same as or similar to the uses permitted under the Community Planning Permit By-law, would have no *negative impact* on adjoining properties, and would maintain the intent, objectives and policies of this Plan and the criteria set out in the Community Planning Permit By-law. i) The Community Planning Permit By-law *may* outline provisions for issuing a Community Planning Permit for the extension or enlargement of a non-conforming use, building or structure as a discretionary use, provided the proposal conforms with the intent,

		objectives, and policies of this Plan and the criteria set out in the Community Planning Permit By-law. j) Where existing Site Plan Agreements are already registered on a property, those agreements *may* be amended as long as such amendments comply with the applicable provisions of the Community Planning Permit By-law. k) The Community Planning Permit By-law *may* allow for variations to a development standard as specified in the Community Planning Permit By-law, subject to the criteria outlined in 12.1.14(3)g) of this Plan. l) Any proposal for a use which is not listed as a permitted or discretionary use subject to criteria in the Community Planning Permit By-law, or a proposed amendment to the boundary of a precinct *shall* require an amendment to the Community Planning Permit By-law and *may* also require an amendment to this Plan. An application to amend a Community Planning Permit By-law *shall* be supported by a comprehensive planning rationale, details of public engagement, and applicable supporting studies and conformity to the Burlington Official Plan. The scope of the information or material required for the amendment *shall* be determined as part of the pre-consultation process. m) Council *may* delegate to staff, a Committee, or a body appointed by Council the authority to approve or issue Community Planning Permit applications and Community Planning Permits for *development* which meet or vary from the development standards of the Community Planning Permit By-law through a Class 1 and Class 2 Community Planning Permit application as set out in the By-law. The delegated authority *shall* be limited to *development* which meet the *City's* goals, objectives, and policies for the *Major Transit Station Areas* and the *Community Planning Permit System* as provided in this Plan, and the goals, objectives, principles, variation limits and criteria, and other provisions as applicable in the

		Community Planning Permit By-law. n) A Community Planning Permit will not be required for the following: i. Any *development* that has a Plan approved through prior Site Plan Control and/or existing Site Plan Agreements. Such *developments may* proceed in accordance with the approved Site Plan. ii. Any use or *development* explicitly exempt within the Community Planning Permit By-law. iii. The placement of a portable classroom on a school site of a district school board, if the school site was in existence on January 1, 2007 subject to Section 8.1.2(7.1) of this Plan. o) Upon consideration of a complete Community Planning Permit Application, the *City may:* i. Approve the application and issue a Community Planning Permit with no conditions; ii. Approve the application and issue a Community Planning Permit with conditions attached as outlined in the Community Planning Permit By-law; iii. Approve the application subject to conditions being met before the issuance of a Community Planning Permit (Provisional Approval); iv. Approve the application subject to the conditions being met before the issuance of the Community Planning Permit (Conditions Attached to Approval and Provisional Approval) and with conditions as outlined in the Community Planning Permit By-law; or v. Refuse to approve the application. p) The Community Planning Permit By-law *shall* include policies related to the requirement of specified facilities, services or matters or in-kind contributions

		in exchange for a specified density or height of *development* or increases in density or height where there is a maximum height as regulated in the Community Planning Permit By-law, in accordance with The Planning Act. The Community Planning Permit By-law *shall* establish a proportional relationship between the quantity or monetary value of the facilities, services and matters that *may* be required and the height or density of *development* that *may* be allowed. q) The *City* will review the Community Planning Permit By-law as a whole to ensure it is responding to the needs of the community and will undertake a market analysis to support the review of the following elements of facilities, services and matters depending on market feasibility and market analysis: i. Potential increases to the new required set aside rate for Affordable Housing to a maximum of 10%; ii. Requirements for the provision of facilities, services and matters for building heights not currently subject to such requirements in the Community Planning Permit By-law; iii. Reassessment of required complete community contribution value. r) In addition to Section 12.1.14 (3) o) of this Plan, a Community Planning Permit By-law *may* identify other specified facilities, services or matters as part of issuing a Community Planning Permit to achieve *Protected Major Transit Station Area* objectives, provided the proposal conforms with the intent, objectives, and policies of this Plan and the criteria established within the Community Planning Permit By-law. s) A Community Benefits Charge and By-law *shall* not apply in an area where a Community Planning Permit System is in effect, in accordance with The Planning Act.

		t) The City *may* impose the following types of conditions as part of a decision on a Community Planning Permit application described in Section 12.1.14(3) o) ii. to iv. of this Plan: i. A condition that is permitted by section 34, 40, 41 or 42 of The Planning Act. ii. A condition related to *site alteration*, including but not limited to alteration or restoration of the grade of land, and placing or dumping fill. iii. A condition related to the removal or restoration of vegetation. iv. A condition related to ongoing monitoring requirements that are considered necessary for the protection of public health and safety or the *natural environment*. v. A condition related to water, wastewater servicing and transportation network capacity and the phasing of *development* in accordance with subsection 8.1.2(10.2) of this Plan. vi. A condition requiring the submission of confirmation of review, approvals and/or permits from other agencies and levels of government. vii. A condition requiring the provision of specified facilities, services and matters in exchange for a specified height or density of *development* as identified in the Community Planning Permit By-law in accordance with Section 12.1.14(3)o), p) and q) of this Plan. viii. With respect to paragraph 3, 3.1 or 3.2 of subsection 34(1) of The Planning Act, a condition that is related to the matters that would otherwise be prohibited under those paragraphs. ix. A condition requiring the owner of land to enter into one or more agreements with the *City*

		regarding one or more conditions x. A condition related to the payment of fees and the deposit of financial securities. u) A condition requiring the completion of technical studies to demonstrate the application is consistent with provincial natural hazards policies and that proposed *development* activities can be permitted under the *Conservation Authorities Act* and associated regulations to the satisfaction of Conservation Halton. v) The lands at 720, 735, 740 Oval Court and 5135, 5155 Fairview Street are excluded from the Community Planning Permit policies and any Official Plan policies to be implemented through the Community Planning Permit process.
8	**Part VIII, Definitions**	By adding the following new Definition under Part VIII, Definitions: <u>Community Planning Permit Area- An area within a municipality that is subject to the regulations and provisions of a Community Planning Permit System By-law as adopted by Council.</u>
9	**Part VIII, Definitions**	By adding the following new Definition under Part VIII, Definitions: <u>Community Planning Permit System – a land use planning tool under The Planning Act that combines the Zoning By-law, Site Plan Control and Minor Variance approvals into a single permit application and approval process. The *Community Planning Permit System* establishes regulations, permitted uses, standards, and criteria for variations for *development* within a *Community Planning Permit Area*.</u>
10	**Part VIII, Definitions**	By modifying the following definitions under Part VIII, Definitions: Development - <u>Within areas designated Community Planning Permit System, *development* means:</u>

		○ a change of use of land, ○ the construction, erection or placing of one or more buildings or structures on land, ○ the making of an addition or alteration to a building or structure that has the effect of substantially increasing its size or usability, ○ the laying out and establishment of: ○ a commercial parking lot, ○ sites for the location of three or more mobile homes as defined in subsection 46 (1) of the *Planning Act*, ○ sites for the construction, erection or location of three or more land lease community homes as defined in subsection 46 (1) of the *Planning Act*, or ○ sites for the location of three or more trailers as defined in subsection 164 (4) of the *Municipal Act*, 2001, ○ *site alteration*, including but not limited to: ○ alteration of the grade of land, and ○ placing or dumping fill, or ○ the removal of vegetation. In all other cases, Development means- The creation of a new *lot*, a change in land use, or the construction of buildings and structures requiring approval under the *Planning Act*, but does not include: 1. activities that create or maintain *infrastructure* authorized under an environmental assessment process; or 2. works subject to The Drainage Act.
11	**Part VIII, Definitions**	By modifying the following definitions under Part VIII, Definitions:

		~~Special Needs Housing~~ Additional Needs Housing Any housing, including dedicated facilities, in whole or in part, that is used by people who have specific needs beyond economic needs, and includes, but is not limited to, needs such as mobility requirements or support functions required for daily living. Examples *may* include, but are not limited to, housing for persons with disabilities such as physical, sensory or mental health disabilities, seniors' housing, *group home*s, emergency shelters, housing for the homeless, and independent permanent living arrangements, where support services such as meal preparation, grocery shopping, laundry, housekeeping, respite care and attendant services are provided. It does not include households that receive community–based support services in their own home.
12	**Part VIII, Definitions**	By modifying the following definitions under Part VIII, Definitions: Development Application – Formal request to the City of Burlington and/or Region of Halton, for an Official Plan amendment, zoning by-law amendment, site plan approval, land conveyance, minor variance approval, plan of subdivision, plan of condominium, part-lot control application, <u>community planning permit application</u>**,** Niagara Escarpment development permit application, or Parkway Belt regulation application.
13	**Part VIII, Definitions**	By adding the following new Definition under Part VIII, Definitions: <u>Linear Park and Greenway – A type of park that functions as an *active transportation* corridor and connection between open spaces, community facilities and/or neighbourhoods to support the objective of seamless connectivity through the *public realm*. Such parks *may* be manicured (Linear Park) or more natural looking (Greenway) and *may* include recreation or amenity opportunities.</u>
14	**Part VIII,**	By modifying the following definition under Part VIII,

	Definitions	Definitions: Major Transit Station Area (MTSA) – The area including and around any existing or planned *higher order transit* station, or stop within a *settlement area*; or the area including and around a major bus depot in an urban core. Major transit station areas generally are defined as the area within an approximate five hundred (500) m to eight hundred (800) m radius of a transit station, representing about a ten (10) minute walk. ~~In keeping with the policies of the Provincial Growth Plan, the final delineation of the Major Transit Station Area boundaries and the identification of minimum density targets, will be established by the Region of Halton through the municipal comprehensive review and will be implemented through a future Official Plan Amendment.~~ The *City*'s *MTSAs* are identified as *Protected Major Transit Station Areas* in accordance with The Planning Act and the Regional Official Plan.
15	**Part VIII, Definitions**	By adding the following new Definition under Part VIII, Definitions: Place of Assembly- Means a building or part of a building used to accommodate the gathering of people for events such as trade shows, banquets, conferences, conventions, meetings, seminars, workshops or other similar events and *may* include accessory food preparation.
16	**Part VIII, Definitions**	By adding the following new Definition under Part VIII, Definitions: Protected Major Transit Station Area – a Major Transit Station Area delineated and assigned a minimum density target in accordance with Section 16(16) of the Planning Act.
17	Chapter 14 List of Tables	Insert new Table 3- Classification of Major Transit Station Area Facilities as shown in Attachment 6
18	Chapter 14 – List of Tables	Insert new Table 4- Major Transit Station Area Public Right-of-Way Widths as shown in Attachment 7
This section is provided for reference purposes only and does not form part of the Official Plan.		

19	Appendices	Attachment 8 Figures 1,2 and 3 are presented using the best information available to form the basis for future updates to relevant appendices showing CH Regulated area and components thereof (Appendix E: Conservation Halton Approximate Regulation Limit Mapping)

1.2 Map Changes:

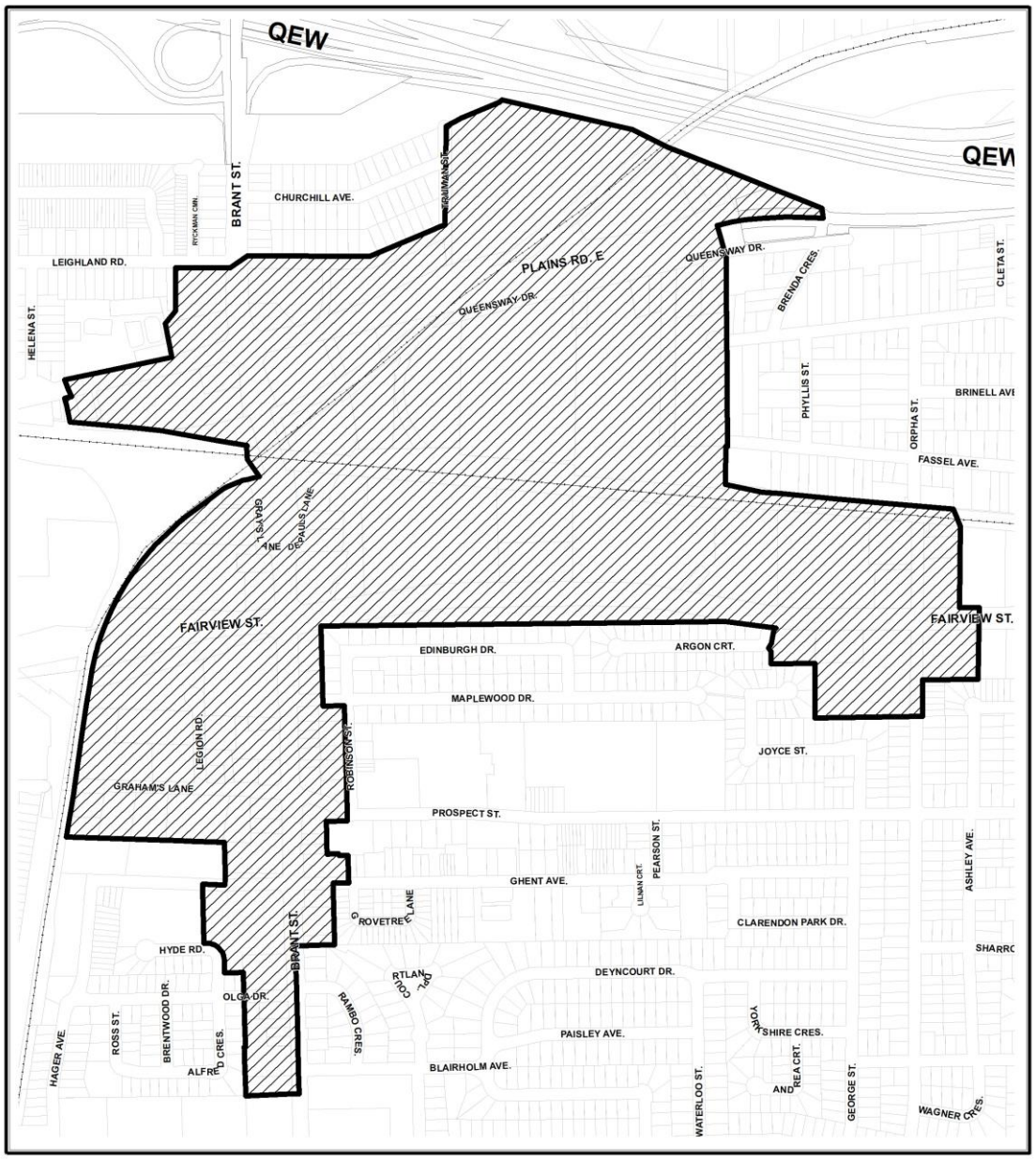
The following schedules in Attachment 5 to OPA 2 are hereby added to the Official Plan as follows:

Item No.	Section	Description of Change
19	Schedules	Insert new schedule as follows: Schedule F: Land Use – Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area
20	Schedules	Insert new schedule as follows: Schedule F-1: Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area Transportation Network
21	Schedules	Insert new schedule as follows: Schedule F-2: Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area Activated Streets
22	Schedules	Insert new schedule as follows: Schedule F-3: Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area Tertiary Planning Areas
23	Schedules	Insert new schedule as follows: Schedule G: Land Use- Aldershot GO Major Transit Station Area
24	Schedules	Insert new schedule as follows:

		Schedule G-1: Aldershot GO Major Transit Station Area Transportation Network
25	Schedules	Insert new schedule as follows: Schedule G-2: Aldershot GO Major Transit Station Area Activated Streets
26	Schedules	Insert new schedule as follows: Schedule G-3: Aldershot GO Major Transit Station Area Tertiary Planning Areas
27	Schedules	Insert new schedule as follows: Schedule H: Land Use- Appleby GO Major Transit Station Area
28	Schedules	Insert new schedule as follows: Schedule H-1: Appleby GO Major Transit Station Area Transportation Network
29	Schedules	Insert new schedule as follows: Schedule H-2: Appleby GO Major Transit Station Area Activated Streets
30	Schedules	Insert new schedule as follows: Schedule H-3: Appleby GO Major Transit Station Area Tertiary Planning Areas

Attachment 1 to OPA 2- Subject Lands

Downtown Burlington UGC/Burlington GO MTSA



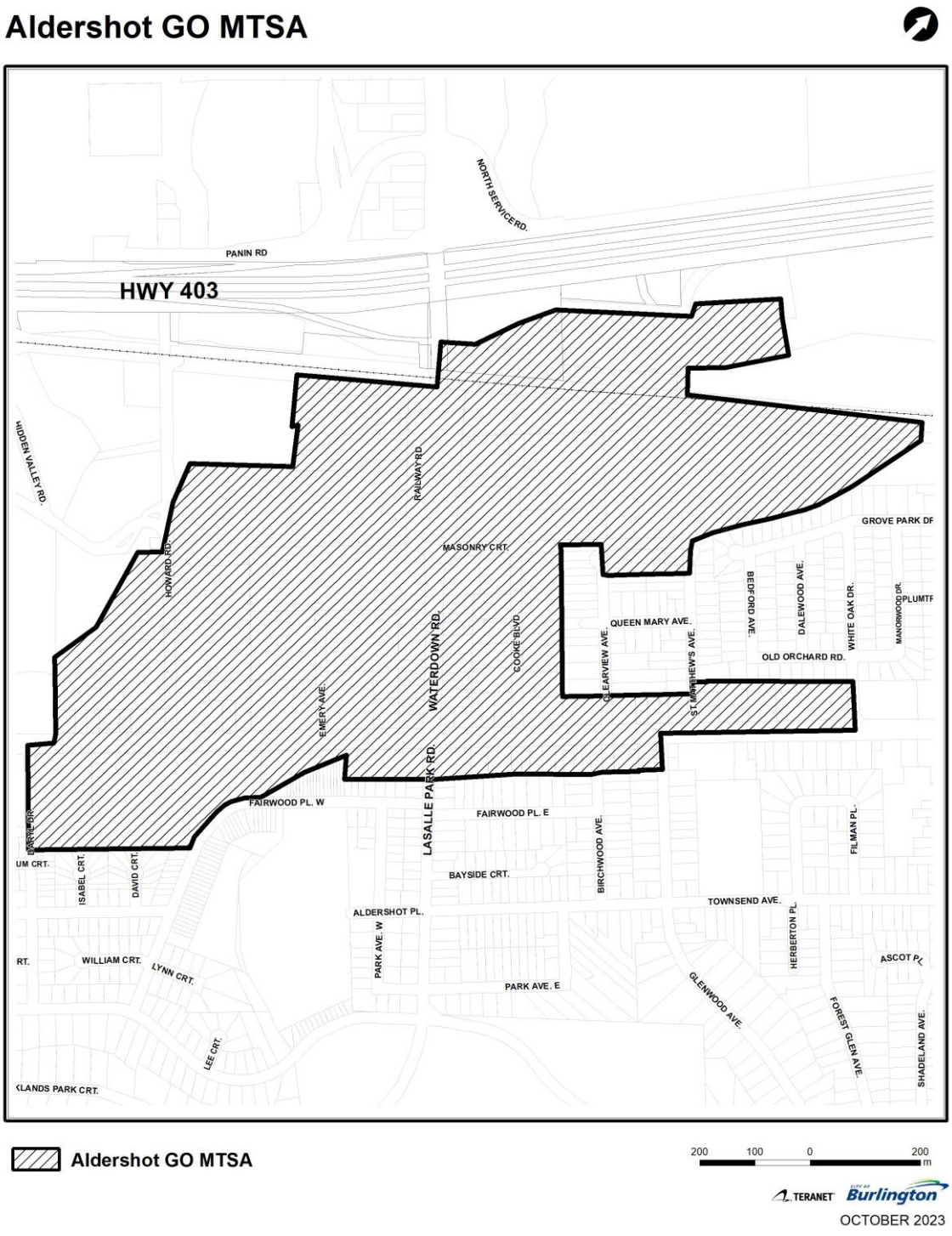
Downtown Burlington UGC/Burlington GO MTSA

200 100 0 200 m

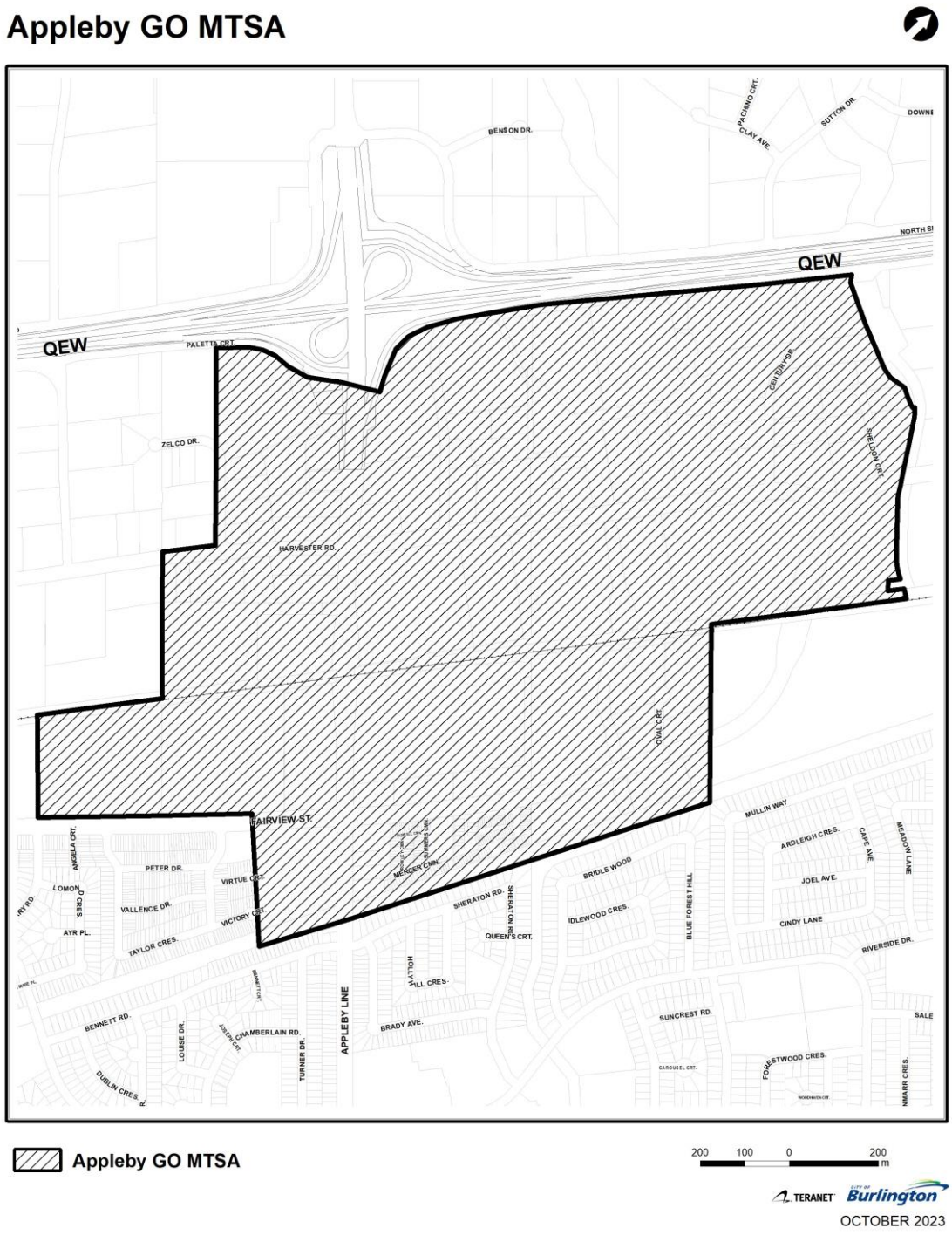
TERANET Burlington

OCTOBER 2023

Attachment 2 to OPA 2- Subject Lands



Attachment 3 to OPA 2- Subject Lands



Attachment 4 to OPA 2 – Major Transit Station Area Policies

8.1.2 Major Transit Station Areas

*Major Transit Station Area*s (*MTSAs*) are important components of the *City*'s Urban Structure, Growth Framework and transportation network and serve as city-wide destinations and focal points for the provision of transit. These areas are intended to accommodate growth through *intensification* in a variety of land uses and densities that support and facilitate a modal shift to transit and *active transportation* and deliver *complete communities.* The co-location of land use, green cover, and *multi-modal* transit in the MTSAs will support the *City*'s objective of reducing greenhouse gas (GHG) emissions and supporting climate change adaptation objectives and long-term climate resilience.

The *City* has three *Major Transit Station Area*s: Burlington GO, which is also the *City*'s Urban Growth Centre; Aldershot GO; and Appleby GO. The *MTSAs* have been identified and delineated as *Protected MTSAs* in accordance with the provisions of The Planning Act. These areas are identified as *Protected MTSAs* to implement a policy framework that protects elements such as the authorized use of the land and densities from appeal to the Ontario Land Tribunal.

This section establishes a vision for the *MTSAs* to evolve into three distinct and *complete communities* that will accommodate a significant share of the *City*'s population and *employment* growth to 2051 and beyond. Over the long term, these areas will contribute to accommodating population and employment growth in the *City*, and facilitate strategic economic development in accordance with the Chapter 5 of this Plan. The vision is supported by a series of policies organized into two components. The first set of policies and schedules establish the boundaries, minimum density targets and authorized uses of land for each *Major Transit Station Area.* The second set of policies and schedules, set out land use policies that are applicable to all *MTSAs* and are to be read in conjunction with other applicable policies of this Plan. All schedules are to be read together and in conjunction with all policies of this Plan.

A Community Planning Permit By-law will be established for the Burlington GO, Aldershot GO, and Appleby GO *Major Transit Station Areas* to achieve the vision for the *MTSAs* to evolve into urban destinations to provide the day to day needs of the community. The Community Planning Permit By-law will be designed to ensure that *development* within these areas will incrementally and comprehensively deliver on *complete community* elements, prioritizing *affordable housing*, rental housing, *employment* opportunities, and parks, amenities and facilities, while remaining flexible to allow the *City* to monitor and respond to changing needs of the community as it evolves over time.

8.1.2(1) General Objectives

a) To encourage the redevelopment of the *Protected Major Transit Station Areas* into *complete communities* that are mixed-use to provide a range of retail and *service commercial* uses that serve the needs of residents, intense, *transit-supportive*, safe, and respectful of surrounding areas including natural heritage system, parks and open space, and existing neighbourhoods.

b) To provide sufficient direction to ensure that *development* is consistent with the vision and intent of each *Protected Major Transit Station Area* and the function of the unique precincts that comprise them.

c) To encourage the highest *intensity* of *development* in the MTSAs where it is in closest proximity to major transit stations and current or planned *frequent transit*.

d) To ensure that the *Protected Major Transit Station Areas* provide *multi-modal* transportation opportunities while also providing seamless connections between different *modes* of transportation.

e) To ensure that there is an appropriate transition in *scale*, intensity, height, *massing* and spacing of *development* by including appropriate transitions between various land uses and built forms.

f) To achieve design excellence in the *Major Transit Station Areas* that will *encourage* long-term investment and the creation of high quality and sustainable built forms in the *public realm* contributing to achieving these communities with a unique sense of place.

g) To ensure *development* contributes to a lively, high-quality, comfortable *public realm* featuring a connected network of publicly accessible spaces such as public squares, parks and open spaces and *public service facilities*.

h) To support the retention and expansion of existing *employment* functions and *encourage* new *employment* functions and *employment* uses, including *office* and major *office* which are compatible with other uses and serve to make each MTSA an *employment* destination within the *City*.

8.1.2 (2) Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area

Downtown Burlington Urban Growth Centre/Burlington GO *Major Transit Station Area* is the *City*'s Urban Growth Centre and also known as Burlington Junction. Burlington Junction is the focal point for growth and *intensification*. It will have the greatest variety and *intensity* of uses in the *City*, from residential to commercial, *major office*, cultural, recreation, *public service facilities* and other *employment* uses. Burlington Junction will be a destination for residents and employees both within and beyond the *MTSA.*

The future transportation network in Burlington Junction will provide enhanced mobility and improved access to the GO station from the north and south of the rail corridor, as well as enhanced connections on the broader mobility network to the rest of the City. Enhanced *active transportation* and transportation connections, including investments to support community connectivity, will be made between Burlington Junction and the other *MTSAs*, adjacent neighborhoods and to the Downtown Urban Centre and Lake Ontario waterfront.

8.1.2 (2.1) Downtown Burlington Urban Growth Centre/ Burlington GO Major Transit Station Area (Burlington Junction)

a) The area surrounding and including the Burlington GO Station as shown on Schedule F: Land Use – Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area is a *Protected Major Transit Station Area* in accordance with The Planning Act.

b) *Development* within the Downtown Burlington Urban Growth Centre/*Major Transit Station Area* boundary *shall* be planned to achieve a minimum density of 200 residents and jobs per hectare combined and will contribute towards achieving the minimum density target of the Urban Growth Centre/*Major Transit Station Area*.

c) The minimum density target of 200 residents and jobs per hectare combined *shall* apply to the Downtown Burlington Urban Growth Centre/*Major Transit Station Area*.

d) Based on the minimum density of 200 residents and jobs per hectare combined, the corresponding population is approximately 15,985 residents and 8,449 jobs, for an estimated minimum of 24,434 residents and jobs combined to achieve a proportional target of approximately 65% residents and 35% jobs per hectare.

e) The proportional mix of residents and jobs is planned to 2051 and beyond and *shall* be monitored and adjusted in accordance with Section 8.1.2(10.2) and Section 12.3 of this Plan to track the achievement of the growth target.

f) The entire Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area is planned to achieve a minimum *floor area ratio* of 2.3 to be implemented and regulated through the Community Planning Permit By-law by way of permitted building heights.

8.1.2 (2.2) Downtown Burlington Urban Growth Centre/Major Transit Station Area Authorized Uses of Land

a) Schedule F: Land Use- Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area identifies the precincts, and their respective boundaries within the MTSA. The visions for each precinct, which *shall* be implemented through the *Community Planning Permit System* are as follows:

Burlington GO Urban Growth Centre/MTSA Precinct Visions	
Precinct	**The precinct will…**
Burlington GO Central	• Be the preeminent destination for *major office*, regional *public service facilities* as well as commercial, recreation, cultural and *entertainment uses*. • Accommodate high density *employment* centres, accommodate *affordable housing* and urban format retail, and focuses *tall buildings* close to the GO station. • Be designed and developed to support the area as a landing and leaving place for all transit trips. • Be developed with built-form transitions which ensure increased density is met with *streetscape* design that creates a pedestrian-focused area for travelers to arrive in, find amenities, and enjoy outdoor spaces. • Have the tallest buildings located along the rail corridor, where shadows will have the least impact. • Where *tall buildings* are located at the interface of parks and natural heritage systems, the *tall buildings* in this precinct will provide sufficient setback with reduced height to provide a transition and minimize shadow and wind impacts. • Include new transportation connections that will be further refined through tertiary planning, transportation studies and environmental assessments.
Queensway Commons	• Serve as a unique retail and *service commercial* destination with a comfortable and vibrant pedestrian environment with active uses at the street level and increased emphasis on

	pedestrian and *multi-modal* movement. • Be developed with public features such as flexible streets, community hubs and park features that offer unique opportunities for programming and community gatherings. • Be developed with mixed-use buildings throughout the precinct that contribute towards convenient co-location and the creation of lively, vibrant, and people-oriented places. • Be developed with predominately *mid-rise* built forms. • Large, single-use buildings are to be avoided to better establish a fine-grained street frontage along new *complete street*s.
Fairview Frequent Transit Corridor	• Be a vibrant, lively, and people-oriented place, serviced by frequent and diverse *modes* of travel. • Accommodate a significant concentration of residential, retail, *employment* and *service commercial* uses, with a main-street pedestrian experience along the *frequent transit corridor* of Fairview Street. • Have building setback treatments that allow for patio spaces, public open space, and enhanced tree canopies.
Urban Employment	• Continue to be an *employment area* as part of the Region of Halton Employment Area. • Evolve and accommodate more intensive *office* and additional *employment* uses.
Drury Node	• Function as the eastern entryway into Burlington Urban Growth Centre/MTSA. • Be developed as a mixed-use precinct focused around a new mid-block connection. • Accommodate a wide range of housing options with a variety of built form and services to provide for the day-to-day and weekly needs of residents within the precinct and the surrounding neighbourhoods.
Legion Commons	• Become a *complete community* and serve as a community hub, recognizing that the precinct includes former *City employment* lands that were converted for this purpose. • Include a new community hub that will provide for the introduction of new *public service facilities* such as community centres and will support the creation of a diverse range and mix of housing options, including the retention of existing rental housing. • Be planned to provide opportunities for *ground-oriented dwellings* as well as some ground and second floor retail

	and *service commercial* uses in mixed use buildings. • Retain an employment function through the new uses, including *public service facilities*, retail and *service commercial uses* that will serve this area. • Be subject to tertiary planning to ensure the delivery of *public service facilities* and community amenities.
Leighland Node	• Be planned to allow for *intensification* at the major intersection of Brant Street and Plains Road East. • Function as the gateway and key intersection of Brant Street and Plains Road East and provide opportunities for *public service facilities* as well as retail and *service commercial* uses within landmark buildings. • Serve as a key retail and *service commercial* area, sensitively connecting adjacent residential neighbourhoods to the Burlington GO Central Precinct.
Upper Brant	• Be planned to accommodate *developments* with a variety of building heights proportional to parcel depth along Brant Street between Prospect Street and Blairholm Avenue, with the tallest *developments* located along and north of Ghent Avenue. • Function as the connection between the Downtown Burlington Urban Centre and the Downtown Burlington Urban Growth Centre/Burlington GO *MTSA*. • Consist of *development* that generally achieves a height and density that reflects the precinct's walking distance to higher-order transit at the Burlington GO Station, and contributes to the creation of a transit, pedestrian and cycling oriented area while also achieving *compatibility* with adjacent Residential Low Density areas. • Maintain a low-rise feel for pedestrians along Brant Street through building setbacks above the third storey abutting Brant Street. • To balance the objectives of providing increased density within walking distance to the Burlington GO Station, providing for a transition to adjacent established low- rise residential areas and to provide for a setback along Brant Street above the third storey, flexibility *may* be considered in the depth of the setback from Brant Street above the third storey.
Mid-Rise Residential	• Support the general housing and height transition objectives of the *City*'s *Major Transit Station Area*s.

	• Include a variety of *low-rise* and *mid-rise building* forms, with the tallest buildings framing main streets such as Plains Road East, Queensway Drive, Brant Street, Fairview Street, and along the rail corridor. • Incorporate gradual transitions from the *mid-rise buildings* along Fairview Street, Drury Lane, Plains Road East and Leighland Road to the adjacent *low-rise* neighbourhoods, offering flexibility for new housing *development* to support the growing population of the area.
Low to Mid-Rise Residential	• Serve as a transition between existing *low-rise* residential neighbourhoods and the *intensification areas* within the *MTSA*. • Recognize that while the existing *low-rise buildings* in the precinct are not anticipated to redevelop in the long term, there are opportunities to accommodate new lower *mid-rise* residential and residential/mixed use.

b) The following uses *may* be permitted on land within the precincts identified on Schedule F: Land Use- Downtown Burlington Urban Growth Centre/Burlington GO *Major Transit Station Area* in accordance with the policies of this Plan and *shall* be regulated in accordance with the Community Planning Permit By-law:

   i. residential uses excluding single detached dwellings, and semi-detached dwellings;

   ii. *office* uses;

   iii. retail and *service commercial* uses;

   iv. *entertainment* uses;

   v. *recreation* uses;

   vi. *employment* uses

   vii. hotel uses;

   viii. *place of assembly*; and,

   ix. major trip generating facility.

c) *Public Service Facilities* and *institutional uses shall* be permitted in all precincts identified on Schedule F: Land Use - Downtown Burlington Urban Growth Centre/Burlington GO MTSA, of this Plan; with the exception of the Natural Heritage System precinct and in lands within *hazardous lands* and *hazardous*

sites as approximately shown on Appendix E of this Plan, and in accordance with the policies of this Plan and implemented through the Community Planning Permit By-law.

d) *Assisted* and *additional needs housing* are *encouraged* to locate in all precincts where residential uses are permitted identified on Schedule F: Land Use - Downtown Burlington Urban Growth Centre/Burlington GO MTSA and where public transit, retail and *public service facilities* are readily accessible, with the exception of *hazardous lands* and *hazardous sites* as approximately shown on Appendix E of this Plan, in accordance with the policies of this Plan and implemented through the Community Planning Permit By-law subject to reasonable planning standards and design criteria.

e) The enlargement or extension of a legal non-conforming use *shall* be permitted provided that the expansion or enlargement is used in the same manner and for the same purpose as it was used on the day OPA 2 was passed or is more compatible with the uses permitted.

8.1.2 (3) Aldershot GO Major Transit Station Area

The Aldershot GO *Major Transit Station Area,* also known as Aldershot Corners, is envisioned to continue to evolve as an urban neighbourhood with a distinct sense of place and neighbourhood identity that is connected with the surrounding community. Aldershot Corners is supported by five distinct precincts providing a mix of residential, commercial and *employment* uses, bordered by Hidden Valley Park to the west.

New *multi-modal* urban streets and *active* transportation facilities will support the continued evolution of Aldershot Corners into a walkable, urban community that is highly integrated with the existing surrounding community. The envisioned transportation network in the *MTSA* will provide enhanced mobility and improved access to the GO station as well as enhanced connections on the broader mobility network to the Burlington Urban Growth Center and the Downtown Urban Centre. The transportation network will also provide connections to nearby leisure and recreation opportunities such as parks and open spaces, as well as the many other amenities that Aldershot Corners already offers.

8.1.2 (3.1) Aldershot GO Major Transit Station Area (Aldershot Corners)

a) The area surrounding and including the Aldershot GO Station as shown on Schedule G: Land Use- Aldershot GO Major Transit Station Area, of this Plan, is a Protected *Major Transit Station Area* in accordance with The Planning Act.

b) *Development* within the Aldershot GO *Major Transit Station Area* boundary *shall* be planned to achieve a minimum density of 150 residents and jobs combined

per hectare and will contribute towards achieving the minimum density target of the *Protected Major Transit Station Area*.

c) The minimum density target of 150 residents and jobs combined per hectare *shall* apply to the Aldershot GO *Major Transit Station Area*.

d) Based on the minimum density of 150 residents and jobs combined per hectare, the corresponding population is approximately 15,249 residents and 2,565 jobs, for an estimated 17,814 residents and jobs combined to achieve a proportional target of approximately 80% residents and 20% jobs per hectare.

e) The proportional mix of residents and jobs is planned to 2051 and beyond and *shall* be monitored in accordance with Section 8.1.2(10.2) and Section 12.3 of this Plan to track the achievement of the growth target.

f) The entire Aldershot GO MTSA is planned to achieve a minimum *floor area ratio* of 1.5 to be implemented and regulated through the Community Planning Permit By-law by way of permitted building heights.

8.1.2 (3.2) Aldershot GO Major Transit Station Area Authorized Uses of Land

a) Schedule G: Land Use - Aldershot GO Major Transit Station Area identifies the precincts, and their respective boundaries within the MTSA. The visions for each precinct, which *shall* be implemented through the *Community Planning Permit System* are as follows:

Aldershot GO MTSA Precinct Visions	
Precinct	**The precinct will…**
Aldershot GO Central	• Be the focus area for the Aldershot GO *MTSA*'s highest densities. • Be the preeminent destination for *major office*, *affordable housing*, retail and *service commercial* uses within Aldershot Corners and the focus of the tallest buildings close to the GO station. • Ensure that, through built-form transitions, increased density is also met with *streetscape* design that creates a pedestrian-focused area for travelers to arrive in, find amenities, and enjoy outdoor spaces. • Be planned with the tallest buildings in the precinct located along the rail corridor, where shadows will have the least impact, and with the height peak of the precinct located where Waterdown Road intersects the rail line.
Aldershot Main Street	• Be characterized as a mid-rise precinct that advances the historic, neighbourhood driven-Plains Road Village Vision

	and establishes a unique community destination with a focus on a continuous retail frontage and main-street pedestrian experience along the *frequent transit corridors* of Waterdown Road and Plains Road (East and West).
Cooke Commons	• Be planned to accommodate a mix of uses, with *tall* and *mid-rise* mixed use buildings being the predominant built form and use. • Function as a transitional area between the tower-concentrated Aldershot GO Central Precinct and the Mid-Rise Residential and Aldershot Main Street precincts. • Consist of *development* which support the growth of a unique retail and dining destination, with a comfortable and vibrant pedestrian environment fronting onto a re-imagined Cooke Boulevard, including a potential flex street with active uses at the street level and increased emphasis on pedestrian and *multi-modal* movement.
Emery Commons	• Function as a transitional area between the tower-concentrated Aldershot GO Central Precinct and the Mid-Rise Residential and Aldershot Main Street precincts. • Accommodate a concentration of residential, retail, *employment* and *service commercial* uses in buildings with varying heights that contribute towards the creation of lively, vibrant and people-oriented places. • Become a new community hub for Aldershot Corners, with a concentration of community services, amenities and facilities. • Contain opportunities to consider strategic locations and investments for future City *public service facilities* in accordance with the policies of Section 3.2 of this Plan.
Mid Rise Residential	• Include a variety of *low-rise* and *mid-rise building* forms at the eastern and western edges of the Aldershot GO *Major Transit Station Area*. • Support the *Major Transit Station Area* objectives of providing housing as well as retail, *service commercial*, and *employment* opportunities in close proximity to the Aldershot GO Transit Station and allow for transitions to existing neighbourhoods beyond the *Major Transit Station Area* boundary. • Contain opportunities for intervening land uses within the Mid-Rise residential precinct on the east side of Waterdown Road to support achieving land use

	compatibility objectives and policies in relation to the existing CN Rail *major facility*.

b) The following uses *may* be permitted on land within the precincts identified on Schedule G: Land Use- Aldershot GO Major Transit Station Area in accordance with the policies of this Plan and *shall* be regulated in accordance with the Community Planning Permit By-law:

   i. residential uses excluding single detached dwellings, and semi-detached dwellings;

   ii. *office* uses;

   iii. retail and *service commercial* uses;

   iv. *entertainment* uses;

   v. *recreation* uses;

   vi. *hotel* uses; and

   vii. light assembly and manufacturing uses, *compatible* with abutting *sensitive land uses*.

c) *Public Service Facilities* and *institutional uses shall* be permitted in all precincts identified on Schedule G: Land Use - Aldershot GO Major Transit Station Area; with the exception of the Natural Heritage System precinct and in lands within *hazardous lands* and *hazardous sites* as approximately shown on Appendix E and in accordance with the policies of this Plan and implemented through the Community Planning Permit By-law.

d) *Assisted* and *additional needs housing* are *encouraged* to locate in all precincts where residential uses are permitted identified on Schedule G: Land Use - Aldershot GO Major Transit Station Area and where public transit, retail and *public service facilities* are readily accessible, with the exception of *hazardous lands* and *hazardous sites* as approximately shown on Appendix E of this Plan, in accordance with the policies of this Plan and implemented through the Community Planning Permit By-law subject to reasonable planning standards and design criteria.

e) The enlargement or extension of a legal non-conforming use *shall* be permitted provided that the expansion or enlargement is used in the same manner and for the same purpose as it was used on the day OPA 2 was passed or is more compatible with the uses permitted.

8.1.2 (4) Appleby GO Major Transit Station Area

The Appleby Gateway *MTSA* area is divided by the rail corridor into two sub-areas: Appleby GO North and Appleby GO South. Appleby Gateway *MTSA* North consists of largely existing *employment* uses and will continue to grow to accommodate more intensive *office* and *employment* uses while continuing to support existing *major facilities.* Appleby Gateway *MTSA* South will evolve as an urban village with a balanced mix of *employment*, residential and commercial opportunities, bordered by Sherwood Forest Park. The two areas will be connected by a new transit plaza, as well as enhanced *transportation facilities* crossing the rail line. Transitions from North to South will focus on land use compatibility and will include mitigation measures to protect both existing *employment* uses and new and existing *sensitive land uses*.

A network of new and enhanced *complete street*s and *active transportation facilities* will create additional options for riders travelling to and from the GO Station during peak periods, helping to manage congestion. The transportation network will provide access to recreation opportunities in nearby parks and open spaces, while also improving connectivity throughout Appleby Gateway, to the adjacent neighbourhood, other *MTSA*s and the Urban Growth Centre, and beyond.

8.1.2 (4.1) Appleby GO Major Transit Station Area (Appleby Gateway)

a) The area surrounding and including the Appleby GO Station as shown on Schedule H: Land Use - Appleby GO Major Transit Station Area is a Protected *Major Transit Station Area* in accordance with The Planning Act.

b) *Development* within the Appleby GO *Major Transit Station Area* boundary *shall* be planned to achieve a minimum density of 120 residents and jobs per hectare combined will contribute towards achieving the minimum density target of the Protected *Major Transit Station Area*.

c) The minimum density target of 120 residents and jobs per hectare combined *shall* apply to the Appleby GO *Major Transit Station Area*.

d) Based on the minimum density of 120 residents and jobs per hectare combined, the corresponding population is approximately 5,458 residents and 19,579 jobs, for an estimated 25,037 residents and jobs combined to achieve a proportional target of approximately 40% residents and 60% jobs per hectare.

e) The proportional mix of residents and jobs is planned to 2051 and beyond and *shall* be monitored in accordance with Section 8.1.2(10.2) and Section 12.3 of this Plan to track the achievement of the growth target.

f) The entire Appleby GO MTSA is planned to achieve a minimum *floor area ratio* of 1.2 to be implemented and regulated through the Community Planning Permit By-law by way of permitted building heights.

8.1.2 (4.2) Appleby GO MTSA Authorized Uses of Land

a) Schedule H: Land Use - Appleby GO Major Transit Station Area identifies the precincts within the MTSA. The visions for each precinct that will be implemented through the Community Planning Permit System are as follows:

Appleby GO MTSA Precinct Visions	
Precinct	**The precinct will…**
General Employment	• Continue to provide locations for existing, new and/or relocating manufacturing, assembly, distribution and service *industrial* uses. • Provide a broad range of light *industrial* to *office* uses with a mix of *office* and low-rise *employment* built form while ensuring *compatibility* with adjacent *sensitive land uses*.
Urban Employment	• 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 access and high visibility along major transportation routes. • Allow for the continuation of existing uses subject to the policies of 8.1.2(6) of this Plan.
Appleby GO Central	• Accommodate *major office*, *public service facilities* as well as commercial, recreation, cultural and *entertainment uses*. • Accommodate a higher density mix of uses including *affordable housing* and retail with a focus of *tall buildings* close to the GO station and along the rail. • Be designed and developed to support improved connectivity to the *employment* area north of the rail. • Be planned and developed in a manner that ensures the long term viability of the *employment* uses on the north side of the rail corridor and minimizes and mitigates potential *adverse effects* to new *sensitive land uses* in the precinct. • Have the tallest buildings with appropriate compatibility mitigation located along the rail corridor, where shadows will have the least impact. • Where *tall buildings* are located at the interface of parks and natural heritage system precinct, the *tall buildings* in this precinct will provide sufficient setbacks with reduced height to provide a transition and minimize shadow and wind impacts.
Fairview Frequent	• Be a vibrant, lively, and people-oriented place, serviced by

Transit Corridor	frequent *multi-modal* travel opportunities. • Be a unique community destination with a focus on a continuous retail frontage and main-street pedestrian experience. • Accommodate a significant concentration of residential, retail, *employment* and *service commercial* uses, with a main-street pedestrian experience along the *frequent transit corridor* of Fairview Street, and setback treatments that allow for patio spaces, public open space, and enhanced tree canopies.
Mid-Rise Residential	• Support the general housing and height transition objectives of this Plan offering gradual transitions from the adjacent existing low rise neighbourhoods.
Low to Mid-Rise Residential	• Encompass an area that includes existing *low-rise* residential neighbourhoods within the *Major Transit Station Area*. • Recognize that the existing *low-rise buildings* in the precinct are not anticipated to redevelop in the long term.

b) The precincts identified south of the rail corridor on Schedule H: Land Use - Appleby GO Major Transit Station Area *may* permit the following authorized uses of land in accordance with the policies of this Plan and *shall* be regulated in accordance with the Community Planning Permit By-law:

   i. residential uses excluding single detached dwellings, and semi-detached dwellings;

   ii. *major office* and *office* uses;

   iii. retail and *service commercial* uses;

   iv. *hotel* uses;

   v. *recreation uses* ; and

   vi. *entertainment uses*.

c) The precincts identified north of the rail corridor on Schedule H: Land Use - Appleby GO Major Transit Station Area *may* permit the following authorized uses of land and *shall* be regulated in accordance with the Community Planning Permit By-law:

   i. *Industrial* uses;

   ii. *Employment* uses;

iii. *office* and *major office* uses;

iv. *automotive commercial* uses, excluding *large scale motor vehicle dealership*;

v. *accessory* retail and *service commercial uses* which serve the day to day needs of employees; and,

vi. A limited range of *recreation uses* such as fitness centres and gyms that meet the definition of *ancillary employment use*, as defined by this Plan, and *shall* be located within a building with existing or planned *employment* uses.

d) *Public Service Facilities* and *institutional uses shall* be permitted in all precincts identified on Schedule H: Land Use - Appleby GO Major Transit Station Area with the exception of the Natural Heritage System precinct and in lands within *hazardous lands* and *hazardous sites* as approximately shown on Appendix E and in accordance with the policies of this Plan and implemented through the Community Planning Permit By-law.

e) *Assisted* and *additional needs housing* are *encouraged* to locate in all precincts where residential uses are permitted identified on Schedule H: Land Use-Appleby GO Major Transit Station Area and where public transit, retail and *public service facilities* are readily accessible, with the exception of *hazardous lands* and *hazardous sites* as approximately shown on Appendix E of this Plan, in accordance with the policies of this Plan and implemented through the Community Planning Permit By-law subject to reasonable planning standards and design criteria.

f) The enlargement or extension of a legal non-conforming use *shall* be permitted provided that the expansion or enlargement is used in the same manner and for the same purpose as it was used on the day OPA 2 was passed or is more compatible with the uses permitted.

g) The lands at 720, 735, 740 Oval Court and 5135, 5155 Fairview Street are excluded from the Community Planning Permit policies and any Official Plan policies to be implemented through the Community Planning Permit process.

The policies within Sections 8.1.2(5) through to 8.1.2(10) and other applicable policies of this Plan provide direction for all precincts within the City's three *Major Transit Station Areas*.

8.1.2 (5) Water, Wastewater and Transportation Infrastructure

To support *intensification* within the *Major Transit Station Areas*, the comprehensive study of planning, phasing and ultimately financing of *infrastructure* in an integrated manner must be prioritized. Planning for *infrastructure* is undertaken by the Region of Halton and a number of different partner agencies and organizations with information provided by the *City*. Collaboration is necessary to ensure that there are services in place to support new population and employment uses as growth occurs.

Accommodating growth through *intensification* requires investment in the transportation network to ensure that people of all ages and abilities have a variety of travel options. The *multi-modal* network will be safe, accessible, and balanced, supported by the prioritization of walking, cycling and transit facilities including first and last mile connections to transit facilities. The *multi-modal* network of *complete street*s will be designed based on the safe integration of all *modes* of travel.

8.1.2 (5.1) Water and Wastewater Infrastructure

a) *Infrastructure* will be delivered in accordance with Section 6.1 of this Plan.

b) In accordance with the City's Growth Framework, the phasing of municipal *sewage and water services* capacity improvements amongst the *Major Transit Station Areas shall* be as follows:

    i) the Downtown Burlington Urban Growth Centre/Burlington GO *MTSA*;
    ii) Aldershot GO *MTSA*; and
    iii) Appleby GO *MTSA*.

c) D*evelopment shall* be connected to municipal *sewage and water services* in accordance with the Region of Halton's Water and Wastewater Master Plan.

d) *Development shall* be limited to the capacity and financial capability of the Region of Halton to deliver municipal *sewage and water services* in accordance with Subsection 8.1.2(10.2) b) of this Plan.

e) In accordance with the findings of the Functional Servicing Report, further study regarding the impact of planned *MTSA intensification* and its relation to other planned *development* on the Regional scale *shall* be required. The *City* will work with the Region to scope and deliver a targeted Enhanced Functional Servicing study, assessing impacts of the *Major Transit Station Areas* on the broader Regional Water and Wastewater system. This study *may* be carried out by the

City and/or developer, with a terms of reference approved by the *City* and Region.

f) Notwithstanding, 8.1.2 (5.1) e) *development* proceeding ahead of the completion of this study *shall* demonstrate, to the satisfaction of the Region, that the existing water and wastewater systems can accommodate the proposed growth.

g) In accordance with Section 8.1.2(10.2) of this Plan, the *City* will monitor growth in the *MTSAs* and collaborate with the Region to confirm the appropriate study, phasing and financing elements are in place to ensure the timely delivery of *infrastructure* investment to unlock growth in MTSAs.

h) The *City* will coordinate the timing of its *infrastructure* projects, including *streetscape* improvements and future road projects, with upgrades to sewage and water networks in collaboration with the Region of Halton to minimize the impacts of construction on the residents and businesses.

i) The co-location of linear *infrastructure* is *encouraged*, where appropriate.

8.1.2(5.2) Transportation Network

a) Street design *shall* comply with Table 1: Classification of Transportation Facilities and Table 3: Classification of *Major Transit Station Area* facilities, of this Plan.

b) The location of streets and off-street trail *active transportation* connections are conceptual and *shall* be provided, as identified on Schedule F-1: Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area Transportation Network, Schedule G-1: Aldershot GO Major Transit Station Area Transportation Network, and Schedule H-1: Appleby GO Major Transit Station Area Transportation Network, of this Plan. Further refinements and additions to the street and *active transportation* network *may* be determined through tertiary planning in accordance with Subsection 8.1.2(10.1) of this Plan or through the consideration of a Community Planning Permit application or other approval.

c) The ultimate location and design of any new streets, whether identified on Schedule F-1: Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area Transportation Network, Schedule G-1: Aldershot GO Major Transit Station Area Transportation Network, and Schedule H-1: Appleby GO Major Transit Station Area Transportation Network, or through policy, *shall* be reviewed through a *development application,* Community Planning Permit application or an Environmental Assessment process in accordance with the design parameters of Table 1: Classification of Transportation Facilities and Table 3: Classification of Major Transit Station Area Facilities, of this Plan.

d) The public street rights-of-ways as shown on Schedule F-1: Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area

Transportation Network, Schedule G-1: Aldershot GO Major Transit Station Area Transportation Network, and Schedule H-1: Appleby GO Major Transit Station Area Transportation Network and in Table 4: Major Transit Station Area Public Right-of-Way Widths, of this Plan, *shall* be protected and secured through the processing of a Community Planning Permit application, unless waived by the *City* and/or Region in accordance with Subsection 6.2.7(2)f) of this Plan. Reductions to public right-of-way allowance widths will only be considered provided the *City's* objectives to achieve complete streets standards, including all mobility, transit and design needs, have been addressed. Further, any public right-of-way identified in a detailed engineering study or Environmental Assessment study by the *City* and/or Region *shall* be protected and secured in the same way through the Community Planning Permit application.

e) A detailed, intersection level Transportation Impact Assessment Study *shall* be completed for *development* proposals to assess the impacts of traffic on the local and Regional road network and to identify *infrastructure* upgrades and access improvements subject to an approved Terms of Reference approved by the *City* and/or Region and in accordance with the most up to date *City* and/or Regional Guidelines and Bylaws. Should the Transportation Impact Assessment Study determine the public right-of-way is not needed, connections *may* be implemented through private or condo road.

f) Where a Transportation Impact Assessment Study identified in Section 8.1.2(5.2) e) determines that capacity is not available, *development shall* not be permitted until improvements to address the identified constraints have been implemented to the satisfaction of the *City* and Region including alternative *modes* of travel, *Transit Priority Measures (TPM), Transportation Demand Management (TDM)* measures and other approaches outlined in the Burlington Integrated Mobility Plan and the Region's most up to date Transportation Master Plan.

g) A Transportation Study or Transportation Impact Assessment Study *shall* be required as part of a Tertiary Planning process where tertiary planning is required in accordance with Section 8.1.2 (10.1).

h) Minor modifications to the location, size and alignment of the conceptual streets *may* be permitted without amendment to this Plan and *Community Planning Permit System* provided that such modifications continue to meet the objective of delivering *active transportation* connections and City design standards are approved by the *City* and Halton Region in accordance with their applicable guidelines.

i) *Development* proposals *shall* be located on public streets or roads, unless it can be demonstrated by the proponent to the satisfaction of the *City* that a private street or road is equally desirable from the standpoints of functionality,

community safety, efficiency, servicing, neighborhood connectivity, facilitating ease of land assembly for future *development*, reducing *negative* environmental impacts and minimizing financial impacts to the *City*.

j) Streets *shall* be planned as *complete streets* in accordance with the policies of this Plan.

k) The *City will* prepare Complete Street design guidelines as directed by the Integrated Mobility Plan, to provide guidance for the *complete streets* network, establish detailed engineering and design standards for the construction of new roads and improvements to existing roads, and to provide design opportunities for *flex streets*.

l) New streets to support *development shall* consist of short blocks and frequent crossings that will improve *active transportation* and vehicular connections.

m) Midblock connections including *active transportation* connections *should* be incorporated to support site permeability and enhance pedestrian access.

n) The *City shall* study and implement Bus Rapid Transit facilities with dedicated lanes as identified on Schedule B-2 Growth Framework and Long Term Frequent Transit Corridors of this Plan.

o) A Municipal Class Environmental Assessment *shall* be required to determine the need, feasibility and location of major grade separated crossing connections that support the goals and objectives of the City's Integrated Mobility Plan and consider rebalancing the transportation network and required people movement capacity in the following areas:

    i) a north-south Major Collector grade separated crossing connecting the north Burlington GO Central precinct to the south Burlington GO precinct to Fairview Street *shall* be required and the lands *shall* be dedicated to the in accordance with the Tertiary Plan.

    ii) a north-south Arterial grade separated crossing and enhanced *active transportation facilities* connecting Harvester Road to Fairview Street, *shall* be required. The lands *shall* be dedicated to the City in accordance with the Tertiary Plan.

p) The evaluation of other potential major network improvements in the area identified on Schedule F-1: Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area Transportation Network, of this Plan, as 'Area Subject to Further Study' and enhanced *active transportation facilities shall* also be required.

q) The *City* will collaborate with the appropriate agencies to secure an *active transportation* grade crossing at the north end of Century Drive across the QEW as shown on Schedule H-1: Appleby GO Major Transit Station Area Transportation Network and in Burlington GO across the QEW as identified on Schedule F-1: Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area Transportation Network, of this Plan.

8.1.2 (5.3) Laneways

a) Laneways *may* be considered to provide a pedestrian and mid-block connection to the interior of *development,* as well as access to the required deliveries, services and utilities for the building.

b) Laneways *should* be located in the middle or rear of *development* with access points providing adequate distance between intersections and existing driveways in accordance with a Transportation Impact Assessment.

8.1.2 (5.4) Active Transportation Network

a) *Active transportation* connections *shall* be provided both on existing and proposed streets in accordance with Schedule F-1: Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area Transportation Network, Schedule G-1: Aldershot GO Major Transit Station Area Transportation Network, and Schedule H-1: Appleby GO Major Transit Station Area Transportation Network, of this Plan.

b) Off-Street trail a*ctive transportation* connections, as shown on Schedule F-1: Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area Transportation Network, Schedule G-1: Aldershot GO Major Transit Station Area Transportation Network, and Schedule H-1: Appleby GO Major Transit Station Area Transportation Network, of this Plan, and Potential *Linear Park and Greenway* elements identified on Schedule F: Land Use - Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area, Schedule G: Land Use - Aldershot GO Major Transit Station Area and Schedule H: Land Use - Appleby GO Major Transit Station Area, *shall* be planned to facilitate direct connections within and outside of the *Major Transit Station Area*s and provide recreational opportunities in accordance Section 6.2.4 and Schedule Q: Trails Strategy, of this Plan.

8.1.2 (6) Land Use Compatibility

a) *Development* of *sensitive land uses* and *major facilities shall* be in accordance with Section 4.6 and Subsection 8.1.2(6), of this Plan.

b) Where avoidance is not possible, *development* containing *sensitive land uses shall* demonstrate how land use *compatibility* has been evaluated and addressed through a Land Use Compatibility Screening Assessment to confirm whether the site is within the potential influence area of a *major facility* and the need for a Land Use Compatibility Study, in accordance with Provincial and Regional guidelines, and where required, a Land Use Compatibility Study in accordance with 8.1.2(6) c). *Development* of new *sensitive land uses shall* only be permitted where the impacts to existing and planned *industrial*, manufacturing or other *major facilities* and potential new *major facilities,* as permitted through the Community Planning Permit By-law, have been minimized and mitigated to the satisfaction of the *City*.

c) Where proposed *development* contains *sensitive land uses*, a Land Use Compatibility Study *shall* be undertaken based on a Terms of Reference developed by the *City* which *may* include but is not limited to, the following:

i. Detailed site description and proposed use;

ii. Building *massing*, transitions, location and height description;

iii. Description of air emissions' and noise impact from surrounding environment on proposed *development*;

iv. Proposed measures, including at-source mitigation and the consideration of intervening land uses, to demonstrate mitigation;

v. Required engagement with existing industry landowners;

vi. In the case where land that has been converted from an exclusive *employment* designation, the study *shall* consider the plans of the existing industry to phase out and/or relocate the use;

vii. Warning clauses in offers of purchase and sale, lease or rental agreements and condominium declarations, or other *development* agreement as applicable, *shall* be determined and secured through the planning application process, and *may* include but not be limited to advising purchasers and future occupants of:

a) the proximity of *industrial* uses with associated heavy truck traffic; and,

b) the proximity of the railway and associated rail traffic and operations.

viii. Any other considerations that *may* be required or recommended in accordance with applicable Provincial policies and guidelines.

d) The City *shall* consult with operators or landowners of existing *major facilities* when preparing the Terms of Reference for a Land Use Compatibility Study.

e) Land use *compatibility* studies *shall* include engagement with existing industry landowners and the owners of lands with the potential for new *major facilities* including other vacant lands designated for employment use and quantitative analysis to demonstrate compatibility with respect to air quality contaminants, odour, dust, noise and vibration. The *development* proponent of a *sensitive land use shall* share the Land Use Compatibility Study with the existing impacted industry landowner. 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 study will be carried out by a qualified professional retained by the City at the applicant's expense.

f) To protect the operational and economic viability of existing and planned *major facilities*, the introduction of new *sensitive land uses shall* not be permitted within the Potential Influence Area of a *major facility* in accordance with Provincial guidelines until it can be demonstrated that the potential impacts to the facility are minimized and mitigated, and that *land use compatibility* can be maintained to the satisfaction of the *City*.

g) Where a Land Use Compatibility Study recommends that source based and/or receptor based noise control measures are required, the noise control measures *shall* be undertaken at the expense of the applicant. For any source based noise control measures, the applicant *should* work cooperatively with the noise source owner and *should* enter into an agreement for implementation and perpetual maintenance of the noise control measures. Source based noise control measures will not be feasible without authorization from the noise source owner.

h) For proposed *development*s where source mitigation is required, appropriate agreements *should* be enacted to ensure monitoring of the long term maintenance of recommended and employed mitigation measures to support new *sensitive land uses*.

i) The *City shall* develop procedures for assessing environmental noise matters for new *development*, including, but not limited to, criteria for the consideration and formal confirmation of a Class 4 area, in accordance with any applicable Provincial and Regional guidelines.

8.1.2 (7) Natural Heritage System Precinct

a) The Natural Heritage System Precinct is shown on Schedule F: Land Use - Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area, Schedule G: Land Use - Aldershot GO Major Transit Station Area, and Schedule H: Land Use - Appleby GO Major Transit Station Area, of this Plan.

b) Proposed *development shall* consider the impacts to all Key Features and components of the Natural Heritage System Precinct, as well as Key Features and components of the Natural Heritage System on adjacent lands, in accordance with the policies of this Plan and the Regional Official Plan.

c) Where *development* is proposed within 120 metres or adjacent to the Natural Heritage System Precinct, as shown on Schedule F: Land Use - Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area, Schedule G: Land Use - Aldershot GO Major Transit Station Area, and Schedule H: Land Use - Appleby GO Major Transit Station Area, of this Plan, an Environmental Impact Assessment (EIA) *shall* be required in accordance with the policies of this Plan.

d) In accordance with Section 4.2.2 of this Plan, the boundaries of the Natural Heritage System Precinct *may* be refined, with additions, deletions and/or boundary adjustments and *shall* not require an Official Plan Amendment.

e) *Buffers* for identified *significant woodlands shall* be no less than 10m wide and *shall* form part of the City's Natural Heritage System precinct. Non-intensive pedestrian trails *may* be located within these *buffers* where *negative impacts* to *woodlands* can be minimized as demonstrated through an Environmental Impact Assessment and accepted by the *City* and Halton Region.

8.1.2 (7.1) Natural Hazards and Flood Hazards

a) *Development* proposals *shall* consider the recommendations and findings from the latest Flood Hazard Assessments and Stormwater Management Plans and any flood hazard reduction or mitigation studies pertaining to each *Major Transit Station Area*.

b) The delineation and regulation of *hazardous lands* and *hazardous sites* is administered by Conservation Halton. Conservation Halton regulates lands in or adjacent to river or stream valleys (including *flooding* and *erosion hazards*), *wetlands*, shorelines and other *hazardous lands*. *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 and associated regulated allowances, in accordance with Conservation Halton's regulatory and legislative requirements.

c) *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* and Conservation Halton.

d) *Flooding hazards*, including spills, *shall* be assessed by *development* proponents utilizing the best flood hazard modeling information available to demonstrate *development* is consistent with provincial natural hazard policy and meet Conservation Halton regulatory and legislative requirements, to confirm requirements for on-site stormwater management quantity and quality controls and to ensure any required floodproofing for safe-ingress and egress is implemented in accordance with the *City's* Stormwater Management Design guidelines in addition to Conservation Halton and Provincial requirements.

e) *Adverse effects* of *development* on the downstream aquatic environment including *watercourse* erosion, *shall* be avoided or mitigated to the satisfaction of the *City* and Conservation Halton.

f) Conservation Halton's Approximate Regulated Limit mapping is illustrated on Appendix E. The map lines are approximate. Technical studies *may* be required to identify regulated *hazardous lands*, *hazardous sites*, *watercourses* and *wetlands* that are unmapped and/or refine the Approximate Regulation Limit mapping at a site-specific level. Conservation Halton must be contacted to confirm the approximate regulation limit mapping and permit requirements.

g) The *City may* update the relevant appendices of this Plan from time to time without amendment to this Plan, in accordance with the latest Flood Hazard Assessments, Stormwater Management Plans, and any flood hazard reduction/mitigation studies pertaining to each *Major Transit Station Area* and the policies of this Plan.

8.1.2 (8) Urban Design and Public Realm

8.1.2 (8.1) Public Realm

a) The design of the *public realm* and the private realm *should* be coordinated to provide attractive *streetscapes* throughout the *MTSA*s.

b) *Streetscape* improvements will be scheduled and phased appropriately with road and *infrastructure* projects, as well as timing of *development,* in accordance with Section 8.1.2 (5.1) of this Plan. Proponents of *development shall* collaborate with the *City* to align *development* with road and *infrastructure* projects, where it is deemed appropriate by the *City*.

c) Any new public streets developed in accordance with Section 8.1.2(5.2) *should* include appropriate linkages to new and existing parks or potential l*inear parks and greenways*. Where feasible and appropriate, elements which enhance the functionality of park linkages *should* be incorporated into the design of new streets (e.g., additional seating, provision of shade, street trees and accessibility requirements).

d) For lands that are not subject to a Tertiary Plan as identified in Section 8.1.2(10.1), a shared distribution of the responsibility among landowners to provide street *infrastructure*, *active transportation* connections and parks to contribute to the *public realm* is required through the comprehensive planning of contiguous lots, where applicable, based on good planning principles.

e) *Development* proponents *shall* demonstrate that the proposal will not compromise the ability of *development* on adjacent property(ies) to meet the objectives and policies of this Plan and will be designed to facilitate future pedestrian, cycling and/or private street connections across one or more adjacent properties, where such opportunities exist as determined by the *City*.

8.1.2 (8.2) Activated Streets

Activated Streets located in *MTSA*s will be designed to cater to pedestrians and create a vibrant *streetscape* for leisure, shopping, dining and working. *Public realm* and built form design will establish the safety and comfort of pedestrians as the first priority. Design will focus on creating a safe, welcoming and comfortable environment for high volumes of pedestrians across all seasons. Where Activated Streets have been identified on Schedule F-2: Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area Activated Streets, Schedule G-2: Aldershot GO Major Transit Station Area Activated Streets, and Schedule H-2: Appleby GO Major Transit Station Area Activated Streets, of this Plan, uses such as stores, restaurants, patios, *public service facilities, institutional uses*, *offices* and residential lobbies will help to create vibrancy and activation on these important streets within the *MTSAs*.

Activated streets will experience near constant evolution, be it through *redevelopment* or tenant changes over time. Every effort *should* be made to maintain and support the character and continuity of activated streets throughout this evolution.

a) In accordance with Schedule F-2: Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area Activated Streets, Schedule G-2: Aldershot GO Major Transit Station Area Activated Streets, and Schedule H-2: Appleby GO Major Transit Station Area Activated Streets, of this Plan:

    i. along Major Mixed Use Streets, retail, *service commercial, institutional uses,* day care centre*, public service facilities* or *office* uses *shall* be required continuously at grade in buildings having frontage onto public streets, with the exception of the following as established through the Community Planning Permit By-law:

        a. *Primary Public Entrances* are permitted at grade facing Major Mixed Use Streets in conjunction with other permitted uses;

b. *development* located within a Low to Mid-Rise Residential and Mid-Rise Residential Precincts *may* be exempt from the requirements of Major Mixed Use Streets, provided it can demonstrate to the satisfaction of the *City* that the proposal will provide and enhanced *public realm* and will not compromise the objectives of Activated Streets.

c. *development* located along a Major Mixed Use Street *may* be permitted to include indoor common residential amenity area on the first or second floor of a building, provided it is subordinate in size to any required non-residential and is not facing the Major Mixed Use Street.

ii. along General Mixed Use Streets, retail, *service commercial*, *institutional uses*, day care centre and *public service facilities* and *office* uses are encouraged at grade in buildings fronting onto public streets.

iii. Notwithstanding Section 8.1.2(8.2) a) i), and ii) of this Plan, *institutional uses* and day care facilities are permitted as stand-alone uses along activated streets.

b) In accordance with Section 8.1.2(5.2) of this Plan, where a new public street not shown on Schedule F-2: Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area Activated Streets, Schedule G-2: Aldershot GO Major Transit Station Area Activated Streets, and Schedule H-2: Appleby GO Major Transit Station Area Activated Streets, of this Plan, is proposed, or where a new public street is proposed within an area subject to a Tertiary Plan in accordance with Section 8.1.2(10.1) of this Plan, the *City* will determine the appropriate category of activated street. The *City* will consider objectives and vision of the precinct or precincts which the new street will cross, as well as the location of the new street in relation to other existing or proposed activated streets.

c) *Development shall* demonstrate how the amount of proposed non-residential uses at grade will support the MTSA proportional job targets and the *City's* objectives for activated streets.

d) Along Mixed Use Major Streets, the gross floor area of existing retail and *service commercial* uses *should* be considered the minimum requirement for the maintenance, restoration or replacement of retail and *service commercial uses* in any new *development*.

e) The Community Planning Permit By-law *shall* establish requirements for new *development* along activated streets to be designed in a manner that ensures

flexible and functional ground floor retail and *service commercial* units that contribute to a vibrant, active and animated built environment, including, but not limited to:

i. Minimum first floor height and floor area;

ii. Maximum frontage at grade for units to create a character of smaller shops;

iii. Minimum setbacks to expand the pedestrian realm; and,

iv. Design guidance to support the character and continuity of activated streets.

8.1.2 (8.3) Built Form Transitions

a) The *City's* implementing Community Planning Permit By-law *shall* establish appropriate regulations which:

i. ensure *compatibility* between a new *development* and existing built form in the Low to Mid-Rise Residential precinct as shown on Schedule F: Land Use- Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area, Schedule G: Land Use- Aldershot GO Major Transit Station Area and Schedule H: Land Use- Appleby GO Major Transit Station Area, Established Neighbourhood Area shown on Schedule B-1: Growth Framework of this Plan, as well as existing or new parks including linear parks and greenways; and

ii. support diversity and flexibility in building form *massing* and design.

8.1.2 (8.4) Complete Communities Elements

a) *Public service facilities* and *institutional uses shall* be permitted in all precincts of the MTSAs with the exception of the Natural Heritage System precinct, Natural Hazards overlay, General Employment and Urban Employment precincts in accordance with Section 3.2.2 c), d and e) of this Plan, subject to land use *compatibility* policies for existing *major facilities*.

b) *Public service facilities and institutional uses* are *encouraged* to co-locate with other uses within a single building, site, mixed-use *development* or community hub.

c) *Public service facilities shall* be planned for and designed to meet the needs of the *City* and other public service providers in accordance with their respective master planning work to support long-term growth.

d) The prioritization of investment in *public service facilities* will be considered in accordance with Section 6.1.2 of this Plan.

e) *Public service facilities* are encouraged to be located within close proximity to *linear parks and greenways*, along public transit networks or *active transportation* connections as identified on Schedule F: Land Use - Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area, Schedule G: Land Use - Aldershot GO Major Transit Station Area and Schedule H: Land Use - Appleby GO Major Transit Station Area and Schedule F-1: Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area Transportation Network, Schedule G-1: Aldershot GO Major Transit Station Area Transportation Network, and Schedule H-1: Appleby GO Major Transit Station Area Transportation Network of this Plan.

f) All *public service facilities shall* be designed with flexibility and adaptability to accommodate shifts in demographics, community needs and function over the long term.

g) The delivery of *public service facilities* through public/private partnerships *shall* be *encouraged* to support the *complete community* objectives of this Plan.

h) All *City public service facilities shall* be designed in a multi-purpose function to accommodate a variety of community uses and a range of different users.

i) At the time of *development,* proponents *shall* collaborate with the City to address p*ublic service facility* needs identified through *City* studies including but not limited to, the Parks Provisioning Master Plan, the Live and Play Plan, the Park Dedication Bylaws in effect and the Fire Master Plan, as well as identified Regional, Provincial and School Board needs related to growth. The following facilities are to be provided in accordance with the Community Planning Permit By-law:

    i) On-site community facilities.

    ii) Off-site community facilities within 1.6 kilometers, or an appropriate distance determined by the *City* that contributes to providing elements of a complete community for the *Major Transit Station Areas*.

j) The City will establish a prioritized list of *public service facility* needs in alignment with the annual Major Transit Station Area Monitoring Report as identified in Section 8.1.2(10.2) e) of this Plan.

8.1.2 (8.5) Parks and Open Space

a) The planning, design and *development* of parks *shall* be guided by the policies of this Section, the Parks Provisioning Master Plan, the Park Dedication Bylaws in effect and all applicable policies of Chapter 3, Subsection 3.3, Parks, Recreation and Open Space, and Chapter 7, Design Excellence of this Plan.

b) New parks *shall* be designed and planned within the areas generally shown as the "New Park" and "Potential Linear Park & Greenway" symbols on Schedule F: Land Use- Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area, Schedule G: Land Use- Aldershot GO Major Transit Station Area and Schedule H: Land Use- Appleby GO Major Transit Station Area, of this Plan. The specific location, size and function of a park *shall* be established through a Community Planning Permit application process or through a Tertiary Plan as set out in Section 8.1.2 (10.1) of this Plan and in accordance with other City plans.

c) New parks within the *Major Transit Station Areas shall* be provided as part of the future *development* of a property, with preference given for the conveyance of such lands versus cash-in-lieu of land by the City through the *development* process.

d) Privately-Owned Publicly Accessible Spaces (POPS) *may* be considered as parks and *shall* be subject to all applicable parks policies of this Plan, as well as Appendix B of the Parks Provisioning Master Plan and the Park Dedication Bylaws in effect.

e) *Development* within the Urban Employment and General Employment Precincts *may* consider amenity space to support employees in the areas. Such amenity space could include Privately-Owned Publicly Accessible Spaces (POPS) and *shall* not include play structures or other uses that would impact land use compatibility.

f) *Linear parks and greenways should* respond to the context in which they are proposed by providing safe connections to key destinations, transportation (including *active transportation*) corridors and the larger park network both inside and adjacent to the MTSA boundary including, but not limited to:

    a. Brant Street and Maple Trail within/near Downtown Burlington UGC/Burlington GO MTSA;

    b. Plains Road and Hidden Valley Park within/near Aldershot GO MTSA; and

    c. Sherwood Forest Park and the Centennial Multi-Use Trail near the Appleby GO MTSA.

g) *Linear parks and greenways should* be strategically located to provide mid-block pedestrian or cycling connections that are not otherwise provided by sidewalks and cycling facilities within the road allowance.

h) When considering proposals for parkland dedication as part of a *development application*, preference will be given for the conveyance of land which meet the applicable parkland dedication criteria in Appendix B of the Parks Provisioning

Master Plan and the provisions of the City's Park Dedication Bylaws versus cash-in-lieu of land.

i) In appropriate locations, the *City shall* collaborate with landowners to complete a Tertiary Plan in accordance with Section 8.1.2 (10.1) of this Plan, to ensure the proper siting of parks and the effective coordination of land dedication to support park space functionality, design and development.

8.1.2 (8.6) Housing Policies

a) All forms of *affordable* and *assisted housing* to support all income levels, including subsidized non-market housing units, are *encouraged* for integration within neighbourhoods.

b) The *Community Planning Permit System shall* set out that notwithstanding any other requirements, *affordable housing* and *assisted housing*, *may* be permitted as single use *developments* and are *encouraged* to be combined with *developments* that also provide market housing.

c) The *City* will collaborate with development proponents, the Region and non-profit housing providers to locate opportunities for subsidized non-market housing units, including purpose built rental within the *Major Transit Station Area*s.

d) The *City shall* require the submission of a *housing impact statement* where a *development* proposal includes more than one hundred (100) *dwelling units,* in accordance with subsection 3.1.1(2)h) of this Plan or a Planning Justification Report in accordance with Section 8.1.2 (10.4) of this Plan. The *housing impact statement shall* also identify how the proposal contributes to achieving the *City*'s Council approved housing targets. The submission of a Planning Justification Report *may* be required in accordance with Section 8.1.2(10.4) for purpose built rental, *affordable* and *assisted housing development* instead of a *housing impact statement*.

e) To achieve a mix of unit types and to support the creation of a range of housing types, the *Community Planning Permit System shall* regulate achievement of housing size and type as identified in the City's Housing Strategy.

8.1.2 (9) Employment Uses and Employment Conversions

8.1.2 (9.1) Policies

a) In accordance with the policies of the Regional Official Plan, on lands outside of the General Employment and Urban Employment precinct where there is a redevelopment of an *employment* use or building that results in the loss of non-residential floor space, the proponent *shall* demonstrate to the satisfaction of the *City* that the proposal is supporting the achievement of the proportional target of

residents and jobs in accordance with Section 8.1.2(2.1) d), 8.1.2(3.1) d) and 8.1.2 (4.1) d) of this Plan.

b) Where redevelopment replaces an existing employment operation or function, through discussions with the *City*, the proponent *shall* demonstrate how the same number of jobs or amount of gross floor area dedicated to an employment function is retained on the site.

c) To ensure a balance of residential and non-residential growth, the non-residential growth floor area required on each site as identified in the Community Planning Permit By-law *should* be developed prior to or concurrent with the residential *development*.

d) *Development may* be staged to coincide with the phasing out of *major facilities* where employment conversions have occurred.

8.1.2 (10) Implementation

8.1.2 (10.1) Tertiary Plans

A Tertiary Plan will provide further guidance on planning and *development* within a specific Precinct. A Tertiary Plan will further articulate the policies of this Plan and will provide specific development principles and guidelines that are not part of the broader Official Plan.

8.1.2 (10.1.1) Policies

a) A Tertiary Plan in select key areas of the *Major Transit Station Areas shall* provide a framework for the distribution of *development* to ensure the shared delivery of streets and blocks, land use, parks and open space, *public realm* and *streetscapes*, parking, site access and pedestrian connections, and *public service facilities*.

b) A Tertiary Plan *shall* be informed by the precinct visions and permitted uses of this Plan and the Community Planning Permit System By-law.

c) A Tertiary Plan and cost-sharing agreement(s) *shall* be prepared by the landowners group, in consultation with applicable agencies, to the satisfaction of the *City* and Region as applicable prior to the approval of any *development application* to ensure that the costs associated with the provision of parkland, parking, *infrastructure* and servicing are distributed in an equitable and fair manner among the landowners.

d) The City *may* consider waiving the requirement for a Tertiary Plan if it can be demonstrated that the proposed *development* is delivering the elements

identified in 8.1.2(10.1.1) f) or that those elements are achieved elsewhere, the City *may* consider waiving the requirement for a Tertiary Plan.

e) A Tertiary Plan will be included as a non-statutory appendix to this Plan prior to the approval of a *development* application. The Tertiary Plan will be authorized by *City* staff and does not require Council approval.

f) A Tertiary Plan *shall* provide for *complete community* elements that *may* include, but are not limited to the following, in accordance with the policies of this Plan and the *Community Planning Permit System* By-law regulations:

   i. Transportation, *active transportation*, including pedestrian, cycling and transit stops and trail connections along with an assessment of the function, ownership, cross-section, alignment and design of transportation connections, including connections across railways that have been identified throughout;

   ii. Proposed layout of streets, lanes and development blocks;

   iii. The provision of water and wastewater *infrastructure* servicing in accordance with the policies of this Plan, including the confirmation that the existing water and wastewater systems can accommodate the proposed *development*;

   iv. Provision and location of stormwater management facilities and/or *green infrastructure* in accordance with the policies of this Plan;

   v. An assessment of the need for, and recommended location of pedestrian connections;

   vi. The distribution of height and density while having regard for transition to any adjacent Residential – Low Density or Low-Rise Neighbourhood Precinct, as identified on Schedule C: Land Use – Urban Area, of this Plan;

   vii. The location of new required parks and open spaces, including *linear parks and greenways,* within the precinct including the size, location and configuration of parks;

   viii. New *public service facilities* and *institutional uses,* along with an assessment of function, configuration and ownership in accordance with the policies of this Plan;

   ix. The location and configuration of retail and *service commercial* floor area;

   x. The provision of *additional needs housing*, *assisted housing* and *affordable housing* in accordance with Section 3.1 of this Plan;

xi. The relationship to abutting precincts and surrounding neighborhoods outside the *MTSA* boundaries;

xii. Demonstration of land use *compatibility,* including any mitigation requirements, to the satisfaction of the *City*; and

xiii. Provision and location of flood hazard mitigation in accordance with the policies of this plan, as required.

g) The City *may* identify and deem necessary future areas that *may* require tertiary planning or equivalent to ensure *development* provides for *complete community* elements.

h) A Tertiary Plan *shall* be required for the following subareas within the *Major Transit Station Areas*:

Burlington Urban Growth Centre/Major Transit Station Area

i. The area south of Queensway Drive, east of Brant Street and north of the Rail corridor within the Burlington GO Central and Queensway Commons precinct as shown on Schedule F-3: Downtown Burlington Urban Growth Centre/Burlington GO MTSA Tertiary Planning Areas of this Plan. A Tertiary Plan *shall* consider the items set out in Section 8.1.2(10.1.1)f) of this Plan and *shall* also address the following:

a) An assessment of the need for, and recommended location of *active transportation* connections throughout the area;

b) Transportation connections throughout the precinct in accordance with the *Major Transit Station Area* Transportation Study and as informed by the completion of a Transportation Impact Assessment;

c) The size, location and configuration of new parks and a transit plaza; and

d) A grade separated rail crossing in accordance with Section 8.1.2(5.2) o) of this Plan.

ii. The area north of Fairview Street and west of Brant Street within the Burlington GO Central precinct as shown on Schedule F-3: Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area Tertiary Planning Areas, of this Plan. A Tertiary Plan *shall* consider the items set out in Section 8.1.2(10.1.1)f), of this Plan and *shall* also address the following:

a) An assessment of the need for, and recommended location of *active transportation* connections throughout the area;

b) Demonstrated preservation and integration of *cultural heritage resources* in accordance with the policies of this Plan; and

c) The size, location and configuration of a new park.

iii. The entirety of the Legion Commons precinct as shown on Schedule F-3: Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area Tertiary Planning Areas, of this Plan. A Tertiary Plan *shall* consider the items set out in Section 8.1.2(10.1.1)f) and *shall* also address the following:

a) Transportation connections throughout the precinct in accordance with the *Major Transit Station Area* Transportation Study and completion of a Transportation Impact Assessment;

b) The size, location and configuration of a new park, including *linear park* connections within the precinct;

c) *Public service facilities* and *institutional uses* provided as part of mixed use *development;* and

d) stormwater management *infrastructure* to mitigate for *flood hazards* including spill flood hazards.

iv. The area north of Plains Road, east of Brant Street and south of Leighland Road within the Leighland Node and Mid-Rise Residential precinct as shown on Schedule F-3: Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area Tertiary Planning Areas, of this Plan. A Tertiary Plan *shall* consider the items set out in Section 8.1.2(10.1.1)f), of this Plan and *shall* also address the following:

a) The size, location and configuration of a new park;

b) Completion of a Transportation Impact Assessment including access consideration; and

c) On-site stormwater management *infrastructure* to mitigate for *flood hazards* and spills.

Aldershot GO MTSA

v. The area west of Waterdown Road, south of rail and east of Howard Road, north of Plains Road within the Aldershot GO Central, Emery Commons and Aldershot Main Street precincts and shown on Schedule G-3: Aldershot GO Major Transit Station Area Tertiary Planning Areas, of this Plan. A Tertiary Plan *shall* consider the items set out in Section 8.1.2(10.1.1)f) and *shall* also address the following:

a) The size, location and configuration of new parks within the precinct, including a *linear park* along Masonry court extending from Grove Park to Hidden Valley Park;

b) Transportation connections throughout the precinct and alignment with other connections on the east side of Waterdown Road in accordance with the *Major Transit Station Area* Transportation Study and completion of a Transportation Impact Assessment;

c) An assessment of the need for and recommended location of, pedestrian connections throughout the precinct;

d) A *public service facility,* including a fire station or community hub; and

e) Demonstration of land use *compatibility,* to the satisfaction of the City, in accordance with Section 8.1.2(6) c) (vi) and the objective of phasing out of *major facilities* within this area.

vi. The area east of Waterdown Road, south of the rail and north of Masonry Court within the Aldershot GO Central and Mid-rise Residential precincts as shown on Schedule G-3: Aldershot GO Major Transit Station Area Tertiary Planning Area, of this Plan. A Tertiary Plan *shall* consider the items set out in Section 8.1.2(10.1.1)f) and *shall* also address the following:

a) The size, location and configuration of new parks within the precinct, including a *linear park* along Masonry Court extending to Grove Park;

b) Transportation connections throughout the precinct in accordance with the *Major Transit Station Area* Transportation Study and completion of a Transportation Impact Assessment;

c) An assessment of the need for, and recommended location of, pedestrian connections throughout the precinct; and

d) Demonstration of land use *compatibility,* including the consideration of an intervening land use such as mid-rise *office* or *light industrial,* to the satisfaction of the City.

Appleby GO MTSA

vii. The area south of the rail, east of Appleby Line, north of Fairview Street and west of the creek block within the Appleby GO central and Fairview Frequent Transit Corridor precincts as identified on Schedule H-3: Appleby GO MTSA Tertiary Planning Areas, of this Plan. A Tertiary Plan *shall* consider the items set out in Section 8.1.2(10.1.1)f) and *shall* also address the following:

a) The size, location and configuration of new public parks within the precinct, including a *linear park*;

b) A new east-west transportation connection in accordance with the *Major Transit Station Area* Transportation Study and completion of a Transportation Impact Assessment;

c) An assessment of the need for, and recommended location of, pedestrian connections throughout the precinct;

d) *Public service facilities*;

e) Demonstration of land use *compatibility,* to the satisfaction of the *City;* and

f) A grade separated rail crossing in accordance with Subsection 8.1.2(5.2) o) of this Plan.

viii. The area south of the rail, west of Appleby Line, and north of Fairview Street within the Appleby GO Central and Fairview Frequent Transit Corridor precinct as shown on Schedule H-3: Appleby GO Major Transit Station Area Tertiary Planning Areas. A Tertiary Plan *shall* consider the items set out in Section 8.1.2(10.1.1)f) and *shall* also address the following:

a) The size, location and configuration of new parks within the precinct, including a *linear park*;

b) A new east-west transportation connection in accordance with the *Major Transit Station Area* Transportation Study and completion of a Transportation Impact Assessment;

c) An assessment of the need for, and recommended location of pedestrian connections throughout the precinct;

d) *Public service facilities*; and

e) Demonstration of land use *compatibility* to the satisfaction of the *City*.

i) Landowners are *encouraged* to work together to complete a Tertiary Plan however, an individual landowner *may* complete the Tertiary Plan for the entire tertiary plan area if other landowners decide not to participate.

j) Where a Tertiary Plan is required, the following *may* be requested and prepared for all properties within the Tertiary Plan area prior to the approval of a Community Planning Permit application:

i. Traffic Impact Assessment or equivalent;

ii. Parking Study;

iii. Functional Servicing Report;

iv. Stormwater Management Plan;

v. Environmental Impact Assessment;

vi. *Urban Design Brief*;

vii. Cost Sharing Analysis;

viii. Market Impact Study;

ix. Shadow Study;

x. Development Phasing Plan;

xi. Cultural Heritage Impact Assessment;

xii. Natural Hazard Technical Study;

xiii. Other supporting information and material that *may* be requested during the pre-consultation process and any other supporting information or material that the City requires to undertake a comprehensive review of the proposal.

k) Detailed requirements for engagement with landowners during the development of a Tertiary Plan will be established through the Community Planning Permit By-law.

8.1.2 (10.2) Phasing and Monitoring

a) *Development shall* be phased and coordinated with the provision of *infrastructure*, and transportation network and intersection improvements in accordance with Section 8.1.2(5) of this Plan.

b) The timing of *development* will be subject to the availability of required *infrastructure* including transportation, transit, municipal sewage and water, parks and *public service facilities,* in accordance with the policies of this Plan.

c) The *City shall* require *development applications* to be supported by servicing studies specific to the site and the proposed use, informed by the MTSA Area Specific Planning technical studies completed to date and/or *may* require alignment with other study requirements set out in the policies of this Plan, including but not limited to the Enhanced Functional Servicing study noted in Subsection 8.1.2(5.1) e).

d) The *City* will collaborate with the Region of Halton and other service and *utility* providers to support timely investments in *sustainable infrastructure*, *utilities* and

services to support growth and *intensification* in accordance with Section 12.1.21 of this Plan.

e) In addition to the requirements of Section 12.3 of this Plan, the *City* will prepare an annual Major Transit Station Area Monitoring Report, including, but not limited to, the following:

   i. Progress toward population and employment growth targets;

   ii. *development* activity related to residential uses and the monitoring of the achievement of the *City's* housing targets, including three-bedroom units;

   iii. *development* activity related to non-residential uses and employment lands including *major facilities* for changes of use and achievement of the *City's* proportional employment targets.

   iv. an assessment of needs for complete community elements within each MTSA;

   v. enhanced monitoring of available Water and Wastewater servicing capacity in consultation with Halton Region;

   vi. the delivery of *public service facilities*, in a timely manner that aligns with growth;

   vii. the *Community Planning Permit System* performance including but not limited to the following:

      i. quantity and status of permits, permit class, nature of variations and number of variations that require Council approval,

      ii. achievement of facilities, services and matters, including the delivery of *affordable housing* and purpose built rental as identified in the Community Planning Permit By-law, and

      iii. provision of parking and requested variations to parking standards.

8.1.2 (10.3) Supporting Strategies and Tools

a) The City will consider preparing implementation guidelines including urban design, *public realm* design strategy, Complete Street guidelines and a Strategic Action Plan for the Major Transit Station Areas.

b) The City will pursue a Community Improvement Plan (CIP) that focuses on City-wide housing and employment outcomes, applicable to the MTSAs.

8.1.2 (10.4) MTSA Community Planning Permit Complete Application Requirements

a) *Development* proponents for a Community Planning Permit *shall* be required to meet with City staff to discuss the requirements related to a community planning permit *development application* in advance of their submission.

b) The City *shall* require that adequate pre-consultation with the City occurs prior to the submission of a community planning permit *development application*, and will *encourage* pre-consultation with other affected agencies such as the Region of Halton and Conservation Halton, where appropriate.

c) In addition to the policies of 12.1 of this Plan, the following complete application requirements for *development* within the Major Transit Station Area Community Planning Permit System will be scoped on a case by case basis with consideration to scale and elements that have the potential to impact the permit application and the identification of conditions and *may* include, but *shall* not be limited to the following:

Community Planning
Community Planning Permit Application form and application fee
An affidavit or sworn declaration by the applicant that the information required under Schedule 1 of O. Reg. 173/16 of The Planning Act and provided by the applicant is accurate.
Response to staff and applicable agency comments received at the Community Planning Permit pre-consultation circulation.
Site Plan
Survey and Severance Sketch in metric units prepared by an Ontario Land Surveyor as required under Schedule 1 of O. Reg. 173/16 of The Planning Act
Planning justification report, which includes: • Consideration of the City's Housing Strategy and associated targets or a *housing impact statement*, • Consideration of the achievement of Complete Communities, including as regulated in the Community Planning Permit By-law provisions for Services, Facilities and Matters, • Consideration of the *Community Planning Permit System* By-law criteria for variations for Class 2 and 3 applications as regulated through the By-law, • Detailed discussion related to *development* Phasing in accordance with Section 8.1.2 (10.2) and applicable policies of this Plan, and, • Detailed discussion to demonstrate that the proposed *development* is consistent with provincial policy, legislation, regulations and standards.
Land Assembly Documents

• including application address
Reference Plans or draft application for plan of subdivision, if requested (as it relates to the conveyance of land to the City for parks, public rights of ways, or for any other required purpose).
Floor Plans
One or both of the following, as required by the Community Planning Permit By-law and as per Schedule 1 of O. Reg. 173/16 of The Planning Act: a) Plans that show the location of all buildings and structures to be erected, the location of all facilities and works to be provided in conjunction with the buildings and structures. b) Drawings that show plan, elevation and cross-section views for each building to be erected and are sufficient to display: • the massing and conceptual design of the proposed building, • the relationship of the proposed building to adjacent buildings, streets, and exterior areas to which members of the public have access, • the provision of interior walkways, stairs, elevators and escalators to which members of the public have access from streets, open spaces and interior walkways in adjacent buildings, • matters relating to exterior design, including without limitation the character, scale, appearance and design features of the proposed building, and its sustainable design, but only to the extent that it is a matter of exterior design, if the official plan contains provisions relating to such matters, • the sustainable design elements on any adjoining highway under a municipality's jurisdiction, including without limitation trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers and bicycle parking facilities, and • facilities designed to have regard for accessibility for persons with disabilities.
Site Details including but not limited to: • Outdoor Storage • Screening Details • Bicycle Rack Details • Fencing Details
AutoCAD File of Site Plan
3-D model of proposed buildings
Draft Common Element Condo Plan (when applicable)

Burlington Urban Design Advisory Panel (BUD) • Applicant response to the BUD comments
Urban Design Brief, including but not limited to: • Demonstrate consideration of applicable urban design guidelines and policies • Height survey of adjacent buildings • Angular plane study • Shadow analysis plan • Wind Impact Study
Sustainable Building and Development Guidelines Checklist
Phasing strategy and plans
Demonstrated compliance with the Community Planning Permit By-law or confirmation of permit class including consideration of the Community Planning Permit By-law criteria for variations for Class 2 and 3 applications as regulated.
Details of any proposed outdoor garbage storage and communal recycling containers, including any screening of the outdoor facilities
Details of all rooftop mechanical equipment. • Rooftop equipment less than 1.2m in height to be painted in a neutral colour to blend in with the building. • Rooftop equipment 1.2m in height or greater *shall* be screened from view from all sides.
8 ½ x 11 reduced site plan drawing clearly denoting the designated fire access routes for sign designation and record purposes.
Heritage Impact Study (when applicable)
Cultural Heritage Landscape Impact Assessment
Archaeological Report
In the case of applications that require the provision of facilities, services and matters as identified in the Community Planning Permit By-law, the proponent *shall* provide sufficient information to demonstrate the proportional relationship between the quantity or monetary value or in-kind contribution of the facilities, services and matters proposed.
A Land Use Compatibility Screening Assessment and, if required, a detailed Land Use Compatibility Assessment Study in accordance with the City of Burlington's Terms of Reference for Land Use Compatibility Assessments Study in accordance with Section 8.1.2(6) of this Plan
Retail and Service Commercial Needs Assessment
Financial Impact Study
Market Impact Study
Park Concept Plan
A Tertiary Plan or equivalent in accordance with Chapter 8.1.2 (10.1) of this Plan
Tenant Relocation and Assistance Plan

Environmental Impact Assessment, where *development* is proposed within or adjacent to the Natural Heritage System Precinct;
Hydro Corridor Land Use Application if applicable
In areas regulated by Conservation Halton, a Natural Hazard Technical study or clearance obtained from Conservation Halton, as required
Letter of Reliance for the Complete Application Materials, extending reliance on any studies to the City of Burlington and the Region of Halton.
Transportation Services
Transportation Impact Assessment Study with the requirements confirmed to the satisfaction of the *City* and/or Region to identify any new streets necessary to create a grid network, including an intersection level analysis to assess the impacts of traffic on the local and Regional road network and the identification of infrastructure upgrades and access improvements in accordance with Subsection 8.1.2(5.2) of this Plan;
Transportation Demand Management Plan and implementation strategy
Pavement Marking and Signage Plan
Sightline Analysis;
Traffic Calming Report;
Transportation Monitoring Plan.
Parking Justification Report
Landscape/Forestry
Response matrix for previous pre-consultation comments
Landscape Plan • Showing the location and setbacks of the proposed building and any encroachments. • Showing the location of all jurisdictional setbacks, including but not limited to Ministry of Transportation, Conservation Halton, railways and pipelines. • Showing the location of trees / tree trunks relative to property lines
Landscape Cost Estimate for all works as proposed on the Landscape Plans
Tree Protection Plan in accordance with the City's Tree Protection and Preservation Specification SS12A (as amended) • The Tree Protection Plan must be to scale and illustrate the trees inventoried and include existing and proposed elements. This plan *shall* be coordinated with other civil drawings
Arborists Report • Including but not limited to preservation methods and justification for impacts (e.g., removals) with specific details for each individual tree
Tree Inventory • The tree inventory *shall* include all public trees of all sizes, and all private trees 10cm in diameter or greater for the subject lot and with 6m of the lot boundary, DBH, species, ownership, condition ratings, recommendations, tree protection

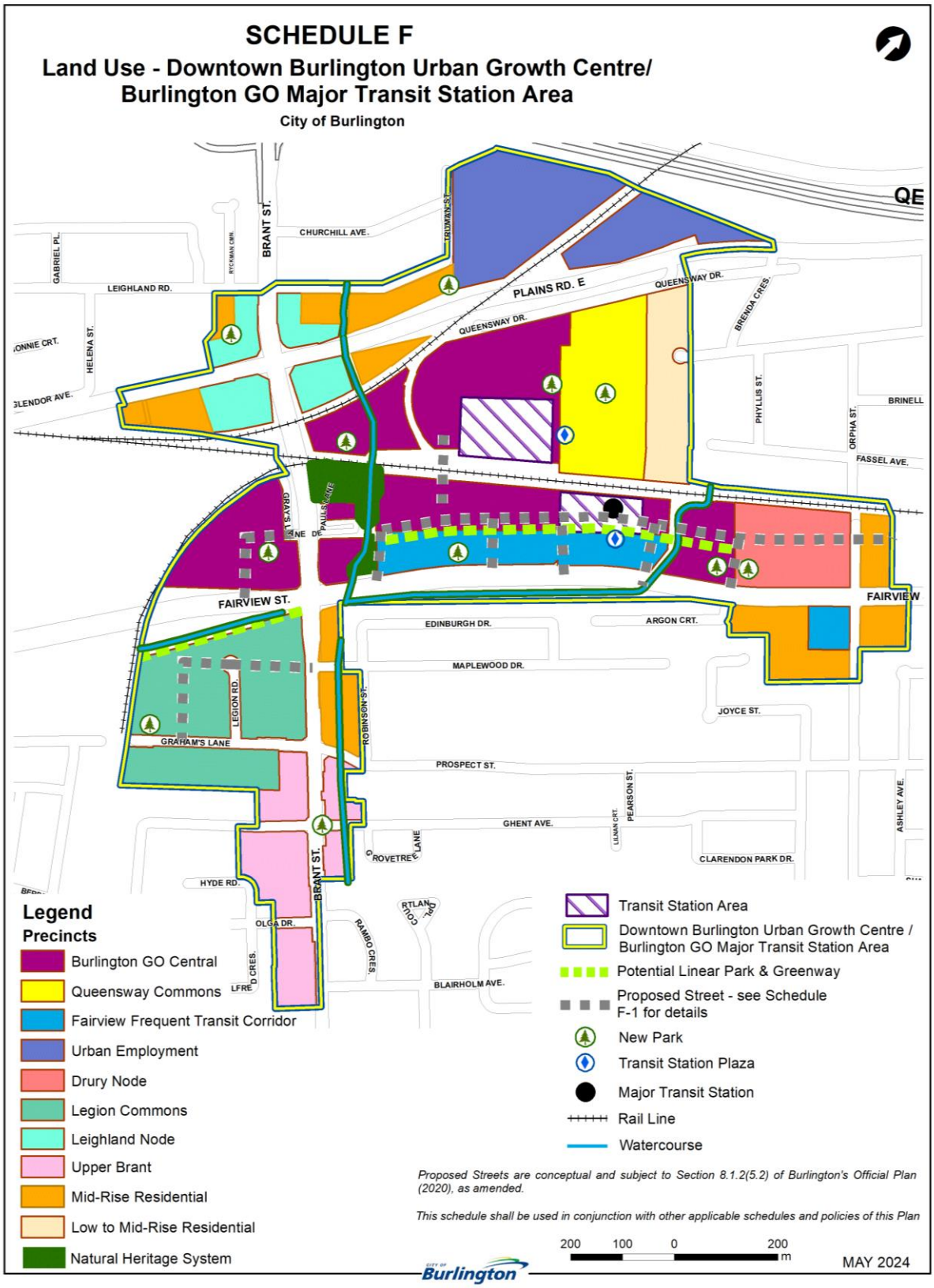
zones, and comments
Letter of consent for removal and/or impact to trees not solely owned by applicant (e.g., boundary trees and/or neighbouring trees).
Engineering Services
Response Matrix for previous pre-consultation comments
Region of Halton Environmental Site Screening Questionnaire
Phase One Environmental Site Assessment, in accordance with O. Reg. 153/04, as amended
Phase Two Environmental Site Assessment, in accordance with O. Reg. 153/04, as amended
Remedial Action Plan • Including assessment of the subject lands and any impacted offsite lands
Ministry of the Environment, Conservation and Parks approved Record of Site Condition
Ministry of the Environment, Conservation and Parks approved Certificate of Property Use
Geotechnical Investigation
Hydrogeological Assessment • Including assessment water taking activities, in accordance with Ministry of the Environment, Conservation and Parks' requirements
Dewatering Assessment • Including groundwater dewatering monitoring and mitigation program for potential settlements • Including dewatering discharge plan for both short-term (during construction) and permanent (post-construction) discharge • Including a sampling plan to ensure compliance with the City's Storm Sewer Discharge By-Law, as amended.
Functional Servicing and Drainage Report • The completion of an Enhanced Functional Servicing study in accordance with the policies of this plan or demonstration of sufficient water and wastewater capacity to service the *development* to the satisfaction of the Region. • In accordance with City and Region of Halton requirements • Including Conceptual Site Servicing and Conceptual Site Grading Plan, which include: ▪ The location and setbacks of the proposed building and any encroachments. ▪ The location of all jurisdictional setbacks, including but not limited to Ministry of Transportation, Conservation Halton, railways and pipelines. ▪ The location of trees / tree trunks relative to property lines
Stormwater Management Report

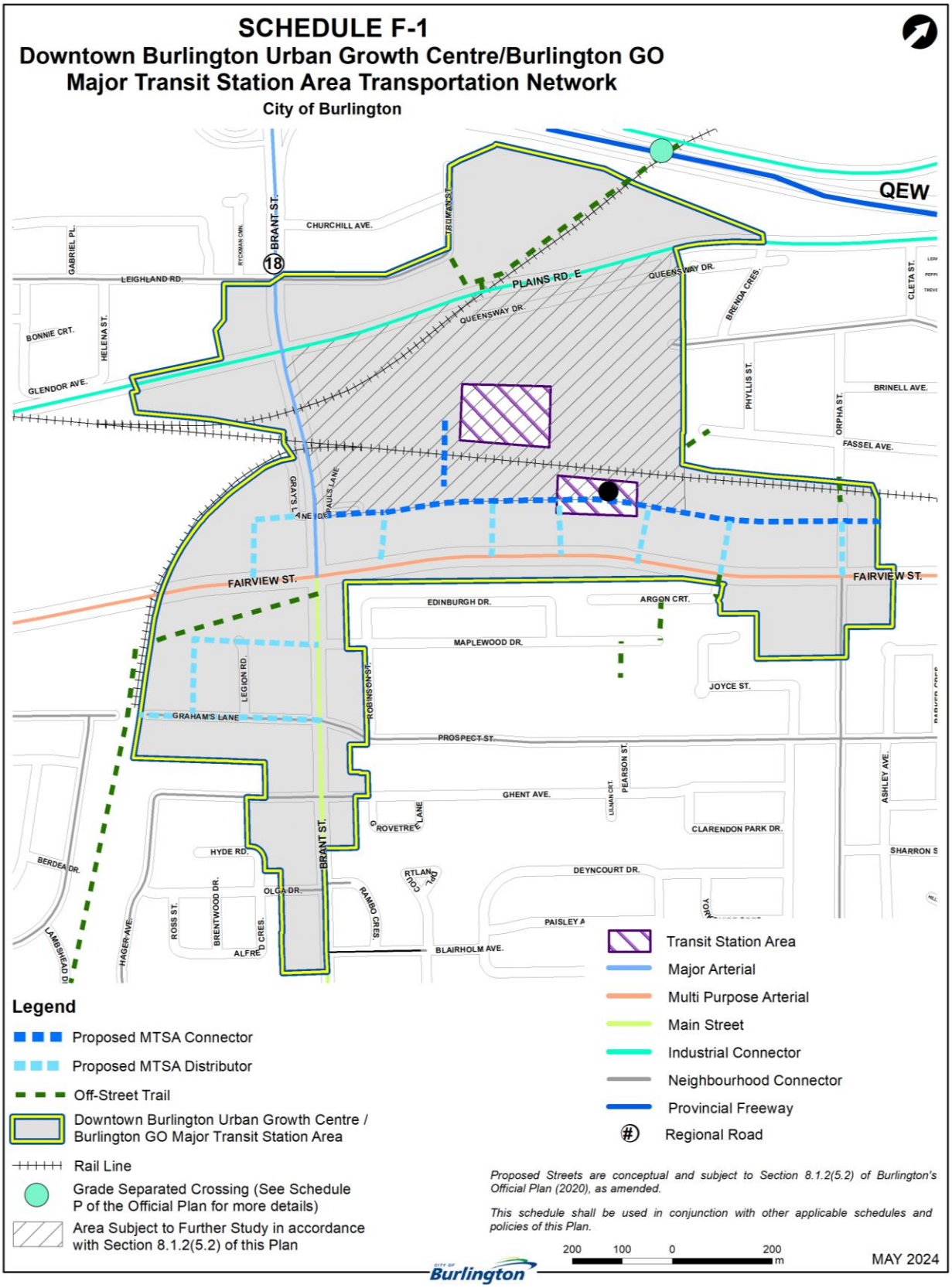
Top-of-bank Demarcation/ Slope Stability Assessment/ Creek Erosion Assessment/ Geomorphic Study
Channelization and/or Floodplain Analysis
Shoreline Hazardous Lands Studies
Source Protection Disclosure Report
Environmental Noise & Vibration Feasibility Study • In accordance with Ministry of the Environment, Conservation and Parks' guidelines and City and Region of Halton requirements • Including but not limited to an assessment of any existing offsite stationary noise sources/impacts and any necessary mitigation
Detailed Environmental Noise & Vibration Study • In accordance with Ministry of the Environment, Conservation and Parks' guidelines and City and Region of Halton requirements • Including but not limited to an assessment of any proposed outdoor mechanical equipment and any necessary mitigation
Shoring System Design Brief • Including shoring system drawings and details • Including confirmation that all elements of the underground parking structure (including but not limited to foundation walls, foundation drainage system, shoring system, etc.) are located within the limits of the subject property.
Letter of consent for required encroachments onto lands not solely owned by applicant (e.g., shoring system tie-backs)
Site Servicing Plan • Showing the location and setbacks of the proposed building and any encroachments. • Showing the location of all jurisdictional setbacks, including but not limited to Ministry of Transportation, Conservation Halton, railways and pipelines. • Showing the location of trees / tree trunks relative to property lines
Site Grading Plan • Showing the location and setbacks of the proposed building and any encroachments. • Showing the location of all jurisdictional setbacks, including but not limited to Ministry of Transportation, Conservation Halton, railways and pipelines. • Showing the location of trees / tree trunks relative to property lines
Erosion and Sediment Control Plan and Details • Showing the location and setbacks of the proposed building and any encroachments. • Showing the location of all jurisdictional setbacks, including but not limited to Ministry of Transportation, Conservation Halton, railways and pipelines. • Showing the location of trees / tree trunks relative to property lines

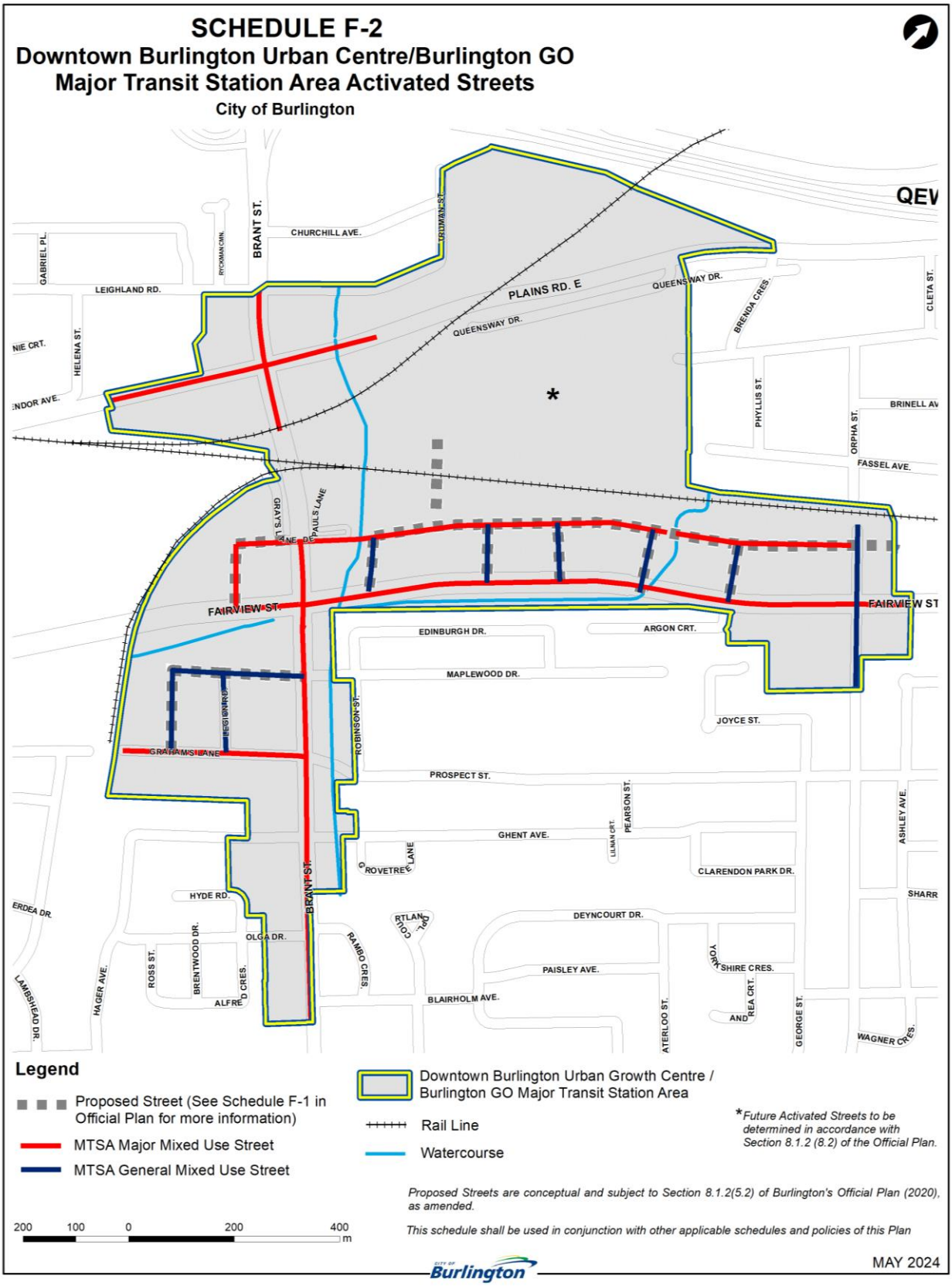
Notes and Details Plan • Including City and Region of Halton standard drawings and details, as required
Outdoor Lighting Photometrics Plan and Details
Utility Coordination Plan • Showing the location and setbacks of the proposed building and any encroachments. • Showing the location of all jurisdictional setbacks, including but not limited to Ministry of Transportation, Conservation Halton, railways and pipelines. • Showing the location of trees / tree trunks relative to property lines
Construction & Mobility Management Plan and details
Written confirmation from the Geotechnical Engineer that they have reviewed the architectural and engineering drawings, including but not limited to those for civil, structural and mechanical works, and confirm that their geotechnical recommendations have been incorporated into the architectural and engineering drawings.
Written confirmation from the Hydrogeologist that they have reviewed the architectural and engineering drawings, including but not limited to those for civil, structural and mechanical works, and confirm that their hydrogeological recommendations have been incorporated into the architectural and engineering drawings.
Written confirmation from the Hydrogeologist which identifies adjacent structures, services and/or municipal infrastructure located within the zone of influence for groundwater dewatering and any potential settlement which may be considered unacceptable.
Written confirmation from the civil engineering consultant that they have reviewed the architectural, landscape and engineering drawings, including but not limited to those for structural and mechanical works, and confirm that their civil design and recommendations have been incorporated into the architectural, landscape and engineering drawings and do not conflict with the provisions of the other drawings.
Written confirmation by a qualified acoustical consultant that the recommended noise control measures from the approved Detailed Environmental Noise & Vibration Study have been incorporated into the builder's plans.
Written confirmation from a qualified vibration consultant of study limits and locations for vibration monitoring during construction. • Including written confirmation from adjacent property owners for vibration monitors that are to be located offsite. • Including written confirmation of completed precondition surveys of surrounding structures, including but not limited to those for buried utilities (e.g. existing watermains, gas mains, storm sewers and sanitary sewers). • Including written acknowledgement that any issues/claims due to construction vibration *shall* be a civil matter between the developer and the other party.

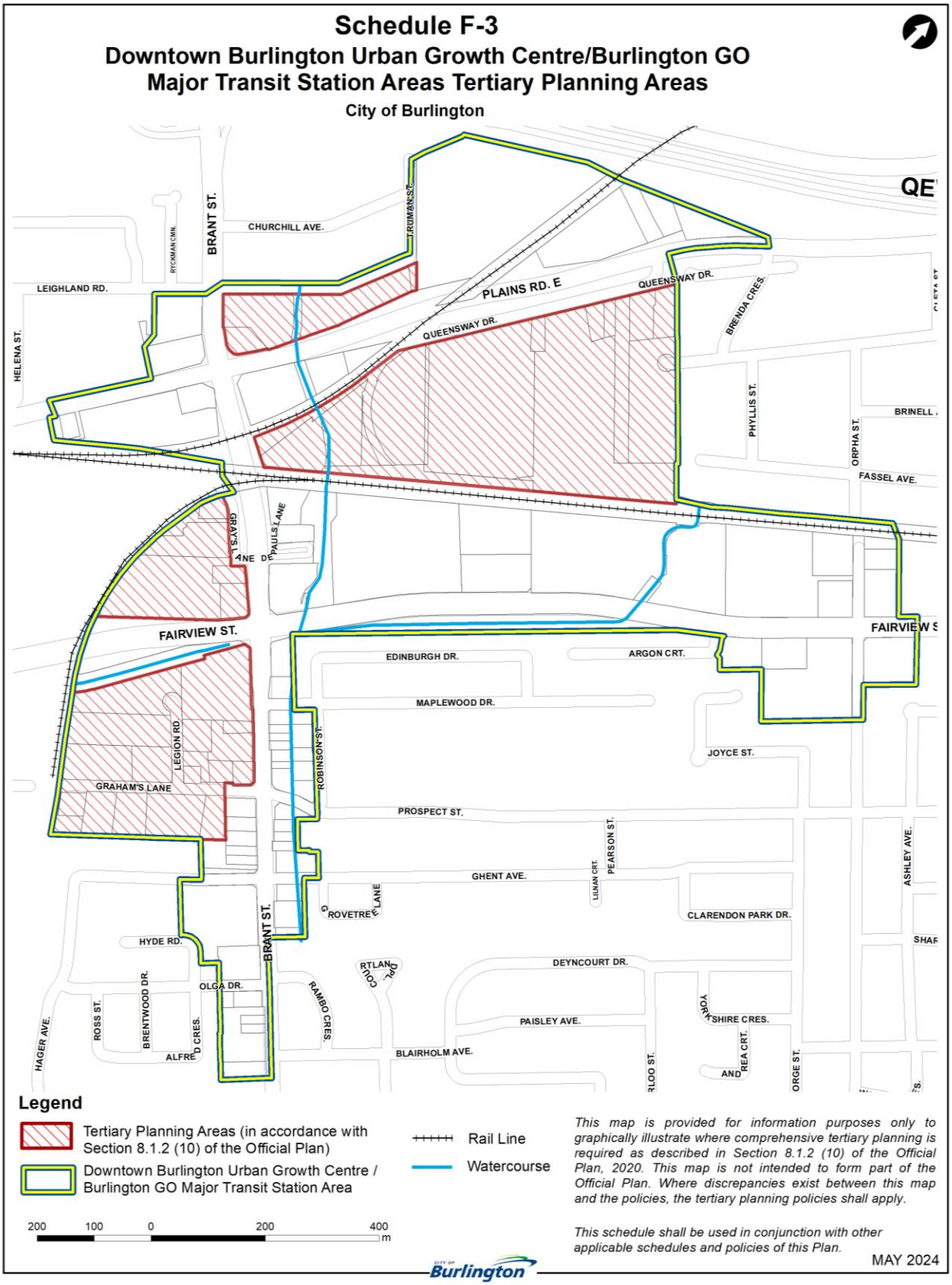
Letter of Reliance for the Complete Application Materials, extending reliance on any studies to the City of Burlington and the Region of Halton.

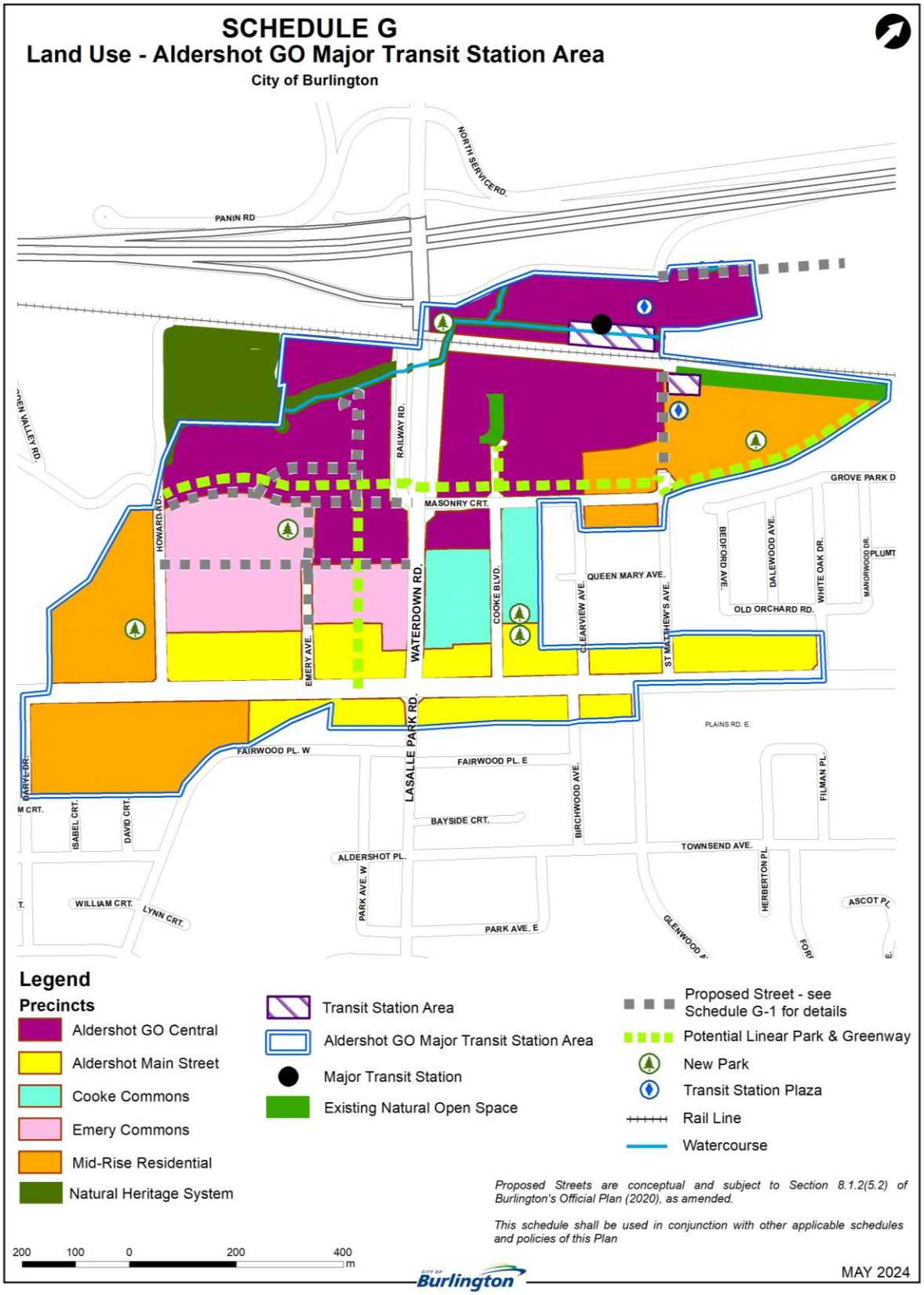
Attachment 5 to OPA 2 – Major Transit Station Area Schedules


SCHEDULE F
Land Use - Downtown Burlington Urban Growth Centre/
Burlington GO Major Transit Station Area
City of Burlington
BRANT ST.
CHURCHILL AVE.
TRUMAN ST.
GABRIEL PL.
LEIGHLAND RD.
HELENA ST.
PLAINS RD. E
QUEENSWAY DR.
BRENDA CRES.
PHYLLIS ST.
ORPHA ST.
BRINELL
FASSEL AVE.
FAIRVIEW ST.
FAIRVIEW
EDINBURGH DR.
ARGON CRT.
MAPLEWOOD DR.
JOYCE ST.
LEGION RD.
GRAHAM'S LANE
ROBINSON ST.
PROSPECT ST.
PEARSON ST.
GHENT AVE.
ASHLEY AVE.
CLARENDON PARK DR.
HYDE RD.
OLGA DR.
RAMBO CRES.
BLAIRHOLM AVE.
Legend
Precincts
Burlington GO Central
Queensway Commons
Fairview Frequent Transit Corridor
Urban Employment
Drury Node
Legion Commons
Leighland Node
Upper Brant
Mid-Rise Residential
Low to Mid-Rise Residential
Natural Heritage System
Transit Station Area
Downtown Burlington Urban Growth Centre / Burlington GO Major Transit Station Area
Potential Linear Park & Greenway
Proposed Street - see Schedule F-1 for details
New Park
Transit Station Plaza
Major Transit Station
Rail Line
Watercourse
Proposed Streets are conceptual and subject to Section 8.1.2(5.2) of Burlington's Official Plan (2020), as amended.
This schedule shall be used in conjunction with other applicable schedules and policies of this Plan
200 100 0 200 m
MAY 2024

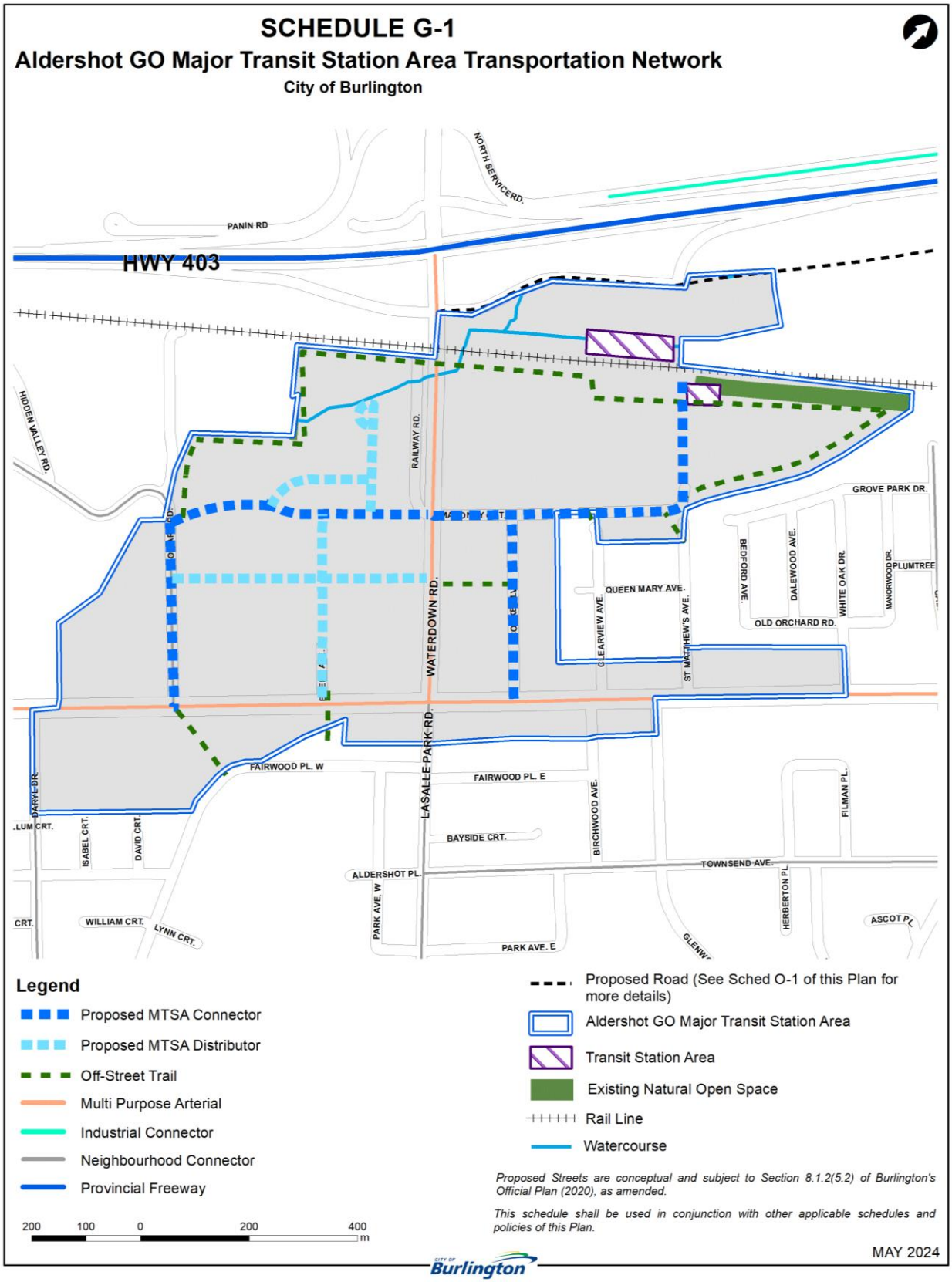

SCHEDULE F-1
Downtown Burlington Urban Growth Centre/Burlington GO
Major Transit Station Area Transportation Network
City of Burlington
QEW
BRANT ST.
CHURCHILL AVE.
PLAINS RD. E
QUEENSWAY DR.
LEIGHLAND RD.
GABRIEL PL.
BONNIE CRT.
HELENA ST.
GLENDOR AVE.
BRENDA CRES.
CLETA ST.
PHYLLIS ST.
ORPHA ST.
BRINELL AVE.
FASSEL AVE.
FAIRVIEW ST.
EDINBURGH DR.
ARGON CRT.
MAPLEWOOD DR.
JOYCE ST.
LEGION RD.
ROBINSON ST.
GRAHAM'S LANE
PROSPECT ST.
GHENT AVE.
PEARSON ST.
ASHLEY AVE.
CLARENDON PARK DR.
HYDE RD.
BERDEAN DR.
OLGA DR.
DEYNCOURT DR.
PAISLEY A
BLAIRHOLM AVE.
ROSS ST.
BRENTWOOD DR.
ALFRED CRES.
HAGER AVE.
RAMBO CRES.
Legend
Proposed MTSA Connector
Proposed MTSA Distributor
Off-Street Trail
Downtown Burlington Urban Growth Centre / Burlington GO Major Transit Station Area
Rail Line
Grade Separated Crossing (See Schedule P of the Official Plan for more details)
Area Subject to Further Study in accordance with Section 8.1.2(5.2) of this Plan
Transit Station Area
Major Arterial
Multi Purpose Arterial
Main Street
Industrial Connector
Neighbourhood Connector
Provincial Freeway
Regional Road
Proposed Streets are conceptual and subject to Section 8.1.2(5.2) of Burlington's Official Plan (2020), as amended.
This schedule shall be used in conjunction with other applicable schedules and policies of this Plan.
200 100 0 200 m
MAY 2024

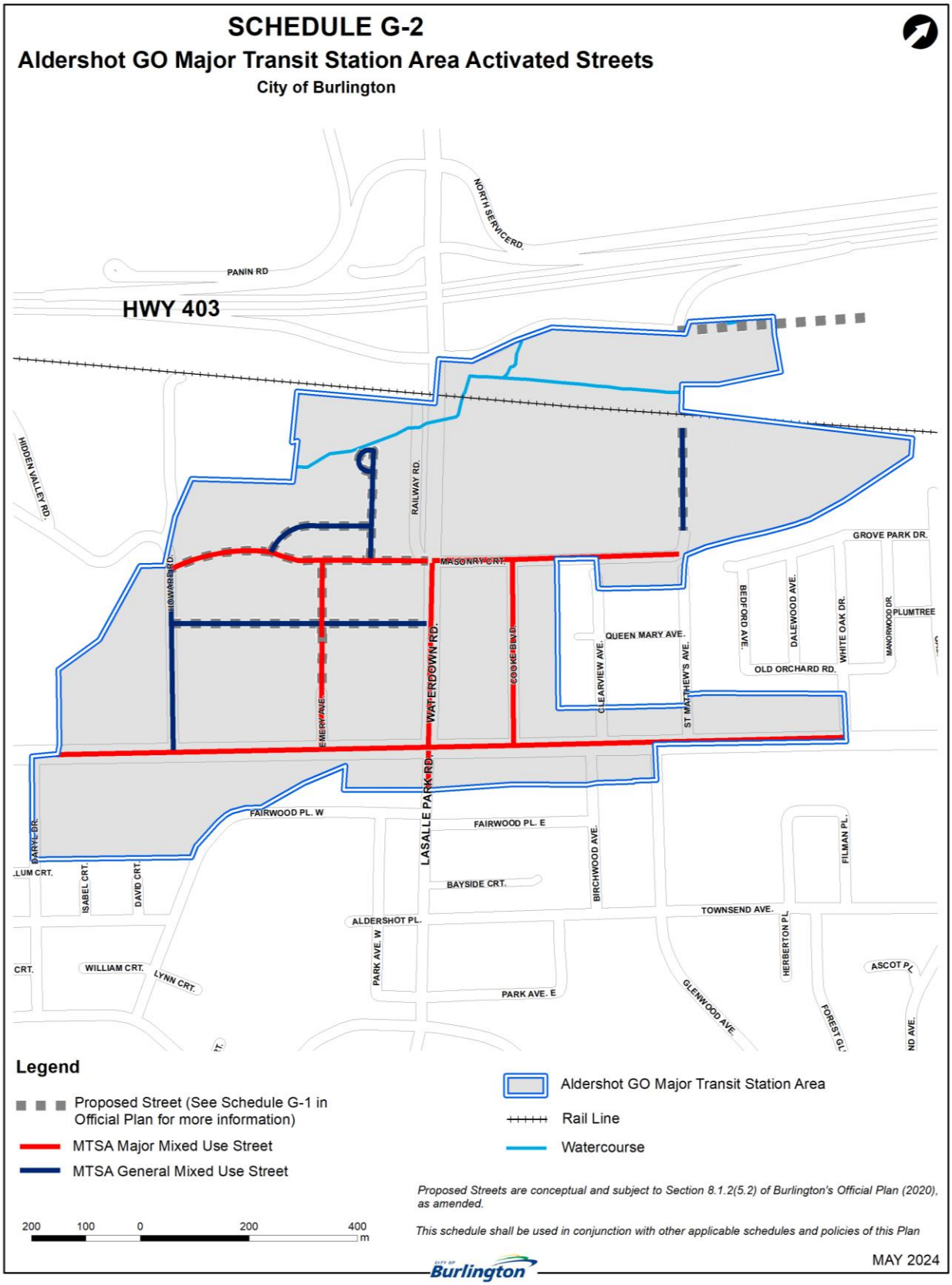

SCHEDULE F-2
Downtown Burlington Urban Centre/Burlington GO
Major Transit Station Area Activated Streets
City of Burlington
BRANT ST.
CHURCHILL AVE.
LEIGHLAND RD.
PLAINS RD. E
QUEENSWAY DR.
BRENDA CRES.
CLETA ST.
PHYLLIS ST.
ORPHA ST.
FASSEL AVE.
FAIRVIEW ST.
EDINBURGH DR.
ARGON CRT.
MAPLEWOOD DR.
JOYCE ST.
ROBINSON ST.
GRAHAM'S LANE
PROSPECT ST.
GHENT AVE.
PEARSON ST.
ASHLEY AVE.
CLARENDON PARK DR.
HYDE RD.
DEYNCOURT DR.
OLGA DR.
RAMBO CRES.
PAISLEY AVE.
BLAIRHOLM AVE.
ATERLOO ST.
GEORGE ST.
WAGNER CRES.
HELENA ST.
GABRIEL PL.
HAGER AVE.
ROSS ST.
BRENTWOOD DR.
LAMBSHEAD DR.
ERDEA DR.
Legend
Proposed Street (See Schedule F-1 in Official Plan for more information)
MTSA Major Mixed Use Street
MTSA General Mixed Use Street
Downtown Burlington Urban Growth Centre / Burlington GO Major Transit Station Area
Rail Line
Watercourse
*Future Activated Streets to be determined in accordance with Section 8.1.2 (8.2) of the Official Plan.
Proposed Streets are conceptual and subject to Section 8.1.2(5.2) of Burlington's Official Plan (2020), as amended.
This schedule shall be used in conjunction with other applicable schedules and policies of this Plan
200 100 0 200 400 m
Burlington
MAY 2024

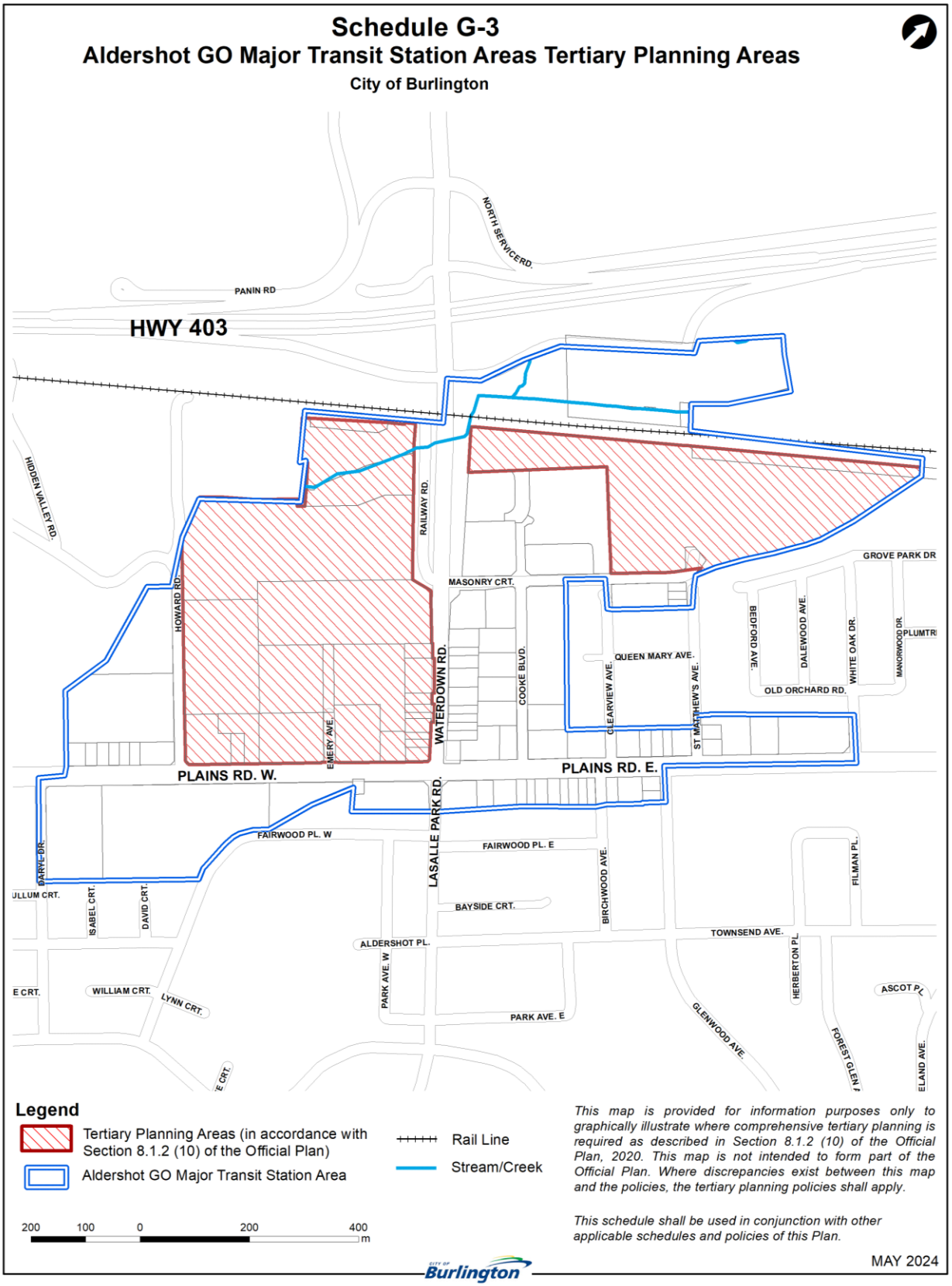

Schedule F-3
Downtown Burlington Urban Growth Centre/Burlington GO
Major Transit Station Areas Tertiary Planning Areas
City of Burlington
BRANT ST.
CHURCHILL AVE.
LEIGHLAND RD.
HELENA ST.
PLAINS RD. E
QUEENSWAY DR.
BRENDA CRES.
PHYLLIS ST.
ORPHA ST.
FASSEL AVE.
FAIRVIEW ST.
EDINBURGH DR.
ARGON CRT.
MAPLEWOOD DR.
JOYCE ST.
LEGION RD
GRAHAM'S LANE
ROBINSON ST.
PROSPECT ST.
PEARSON ST.
GHENT AVE.
ASHLEY AVE.
CLARENDON PARK DR.
HYDE RD.
DEYNCOURT DR.
OLGA DR.
RAMBO CRES.
PAISLEY AVE.
BLAIRHOLM AVE.
HAGER AVE.
ROSS ST.
BRENTWOOD DR.
Legend
Tertiary Planning Areas (in accordance with Section 8.1.2 (10) of the Official Plan)
Downtown Burlington Urban Growth Centre / Burlington GO Major Transit Station Area
Rail Line
Watercourse
200 100 0 200 400 m
This map is provided for information purposes only to graphically illustrate where comprehensive tertiary planning is required as described in Section 8.1.2 (10) of the Official Plan, 2020. This map is not intended to form part of the Official Plan. Where discrepancies exist between this map and the policies, the tertiary planning policies shall apply.
This schedule shall be used in conjunction with other applicable schedules and policies of this Plan.
MAY 2024
Burlington

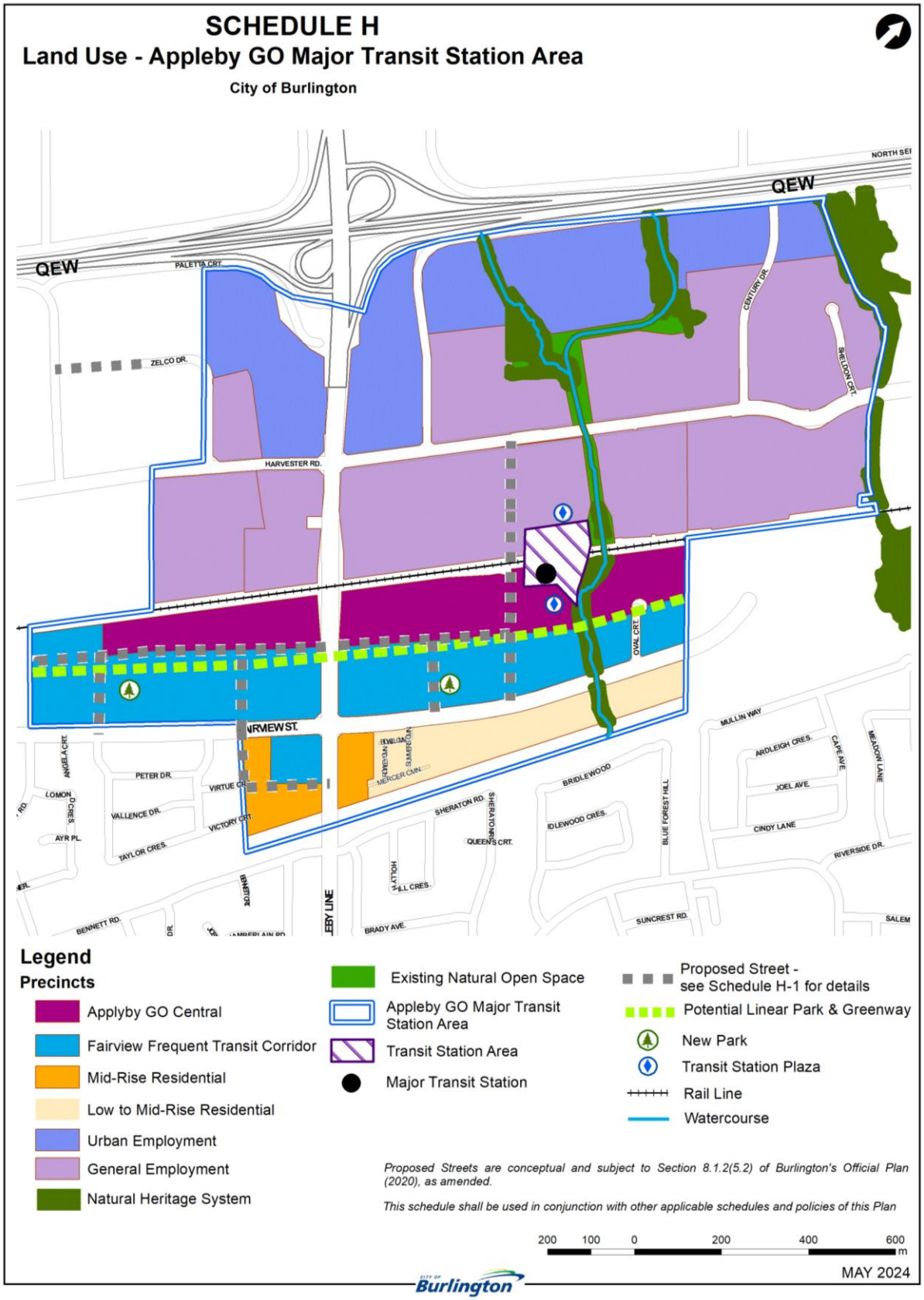

SCHEDULE G
Land Use - Aldershot GO Major Transit Station Area
City of Burlington
NORTH SERVICE RD.
PANIN RD
RAILWAY RD.
HOWARD RD.
MASONRY CRT.
WATERDOWN RD.
COOKE BLVD.
EMERY AVE.
QUEEN MARY AVE.
CLEARVIEW AVE.
ST MATTHEW'S AVE.
BEDFORD AVE.
DALEWOOD AVE.
WHITE OAK DR.
MANORWOOD DR.
OLD ORCHARD RD.
GROVE PARK D
PLUMT
PLAINS RD. E.
FAIRWOOD PL. W
FAIRWOOD PL. E
LASALLE PARK RD.
BIRCHWOOD AVE.
FILMAN PL.
BAYSIDE CRT.
ISABEL CRT.
DAVID CRT.
ALDERSHOT PL.
TOWNSEND AVE.
HERBERTON PL.
PARK AVE. W
PARK AVE. E
WILLIAM CRT.
LYNN CRT.
GLENWOOD
ASCOT PL
Legend
Precincts
Aldershot GO Central
Aldershot Main Street
Cooke Commons
Emery Commons
Mid-Rise Residential
Natural Heritage System
Transit Station Area
Aldershot GO Major Transit Station Area
Major Transit Station
Existing Natural Open Space
Proposed Street - see Schedule G-1 for details
Potential Linear Park & Greenway
New Park
Transit Station Plaza
Rail Line
Watercourse
Proposed Streets are conceptual and subject to Section 8.1.2(5.2) of Burlington's Official Plan (2020), as amended.
This schedule shall be used in conjunction with other applicable schedules and policies of this Plan
200 100 0 200 400 m
Burlington
MAY 2024

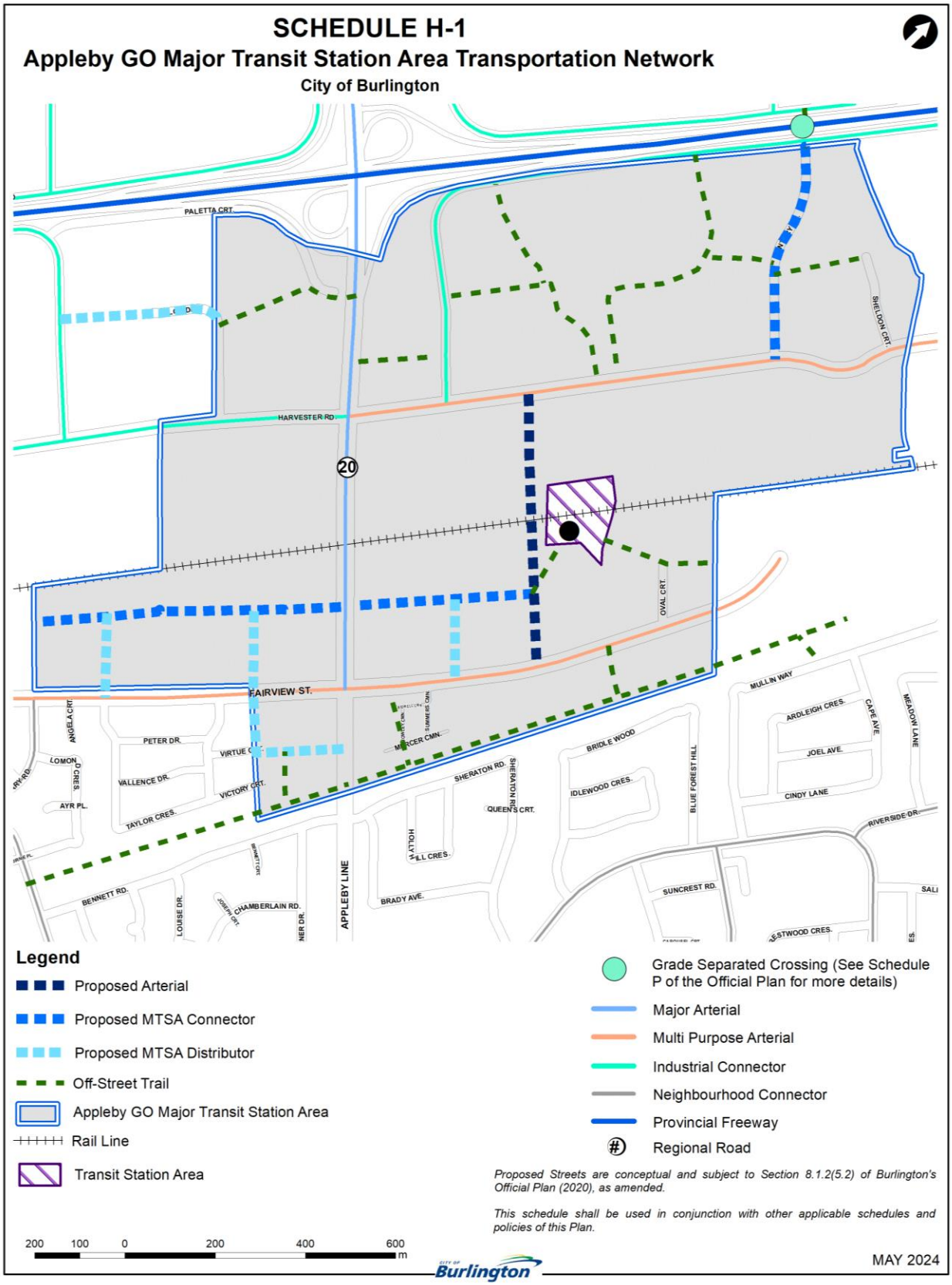
78

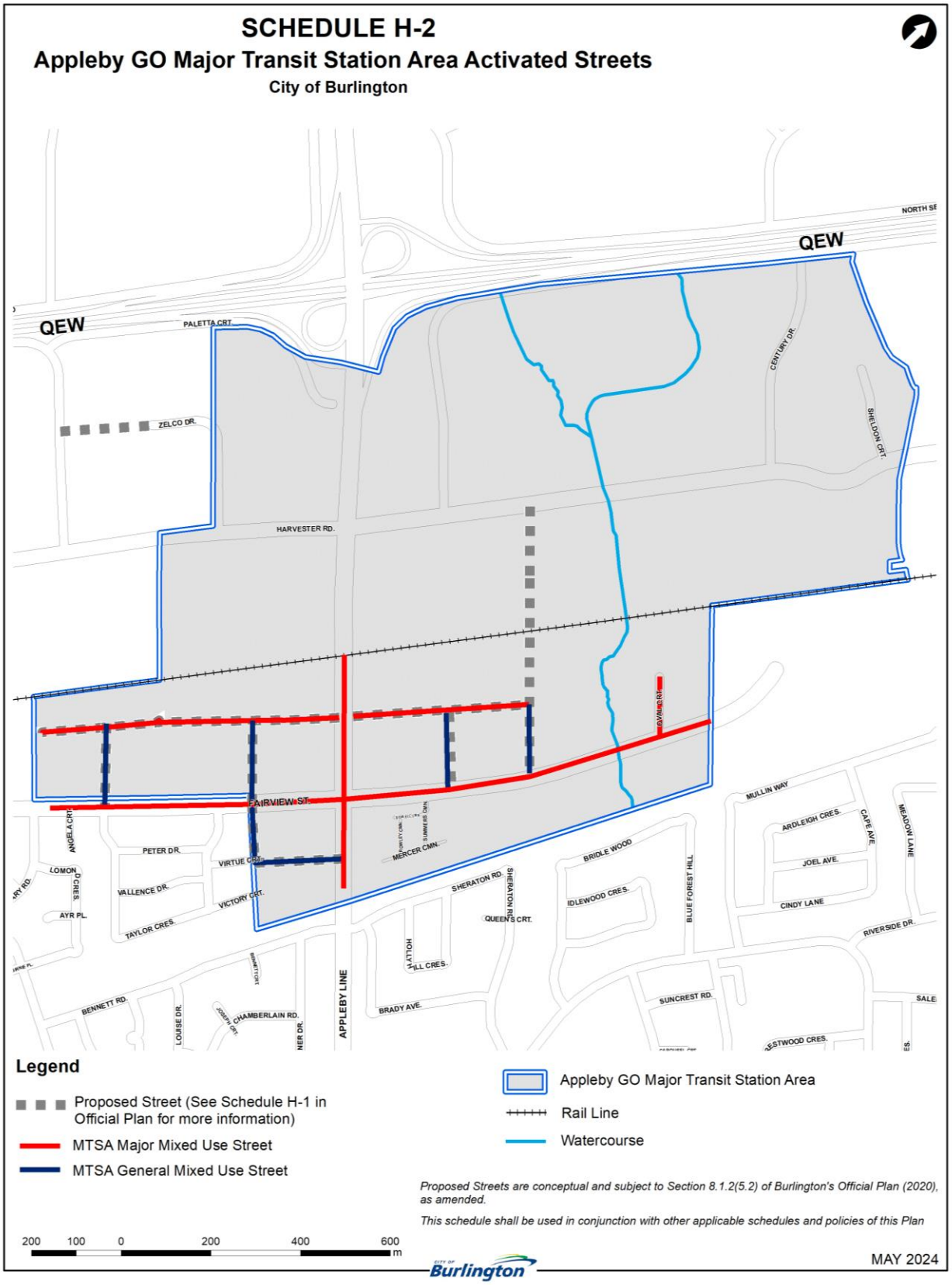

SCHEDULE G-1
Aldershot GO Major Transit Station Area Transportation Network
City of Burlington
HWY 403
PANIN RD
NORTH SERVICE RD.
HIDDEN VALLEY RD.
RAILWAY RD.
WATERDOWN RD.
LASALLE PARK RD.
GROVE PARK DR.
QUEEN MARY AVE.
OLD ORCHARD RD.
CLEARVIEW AVE.
ST MATTHEW'S AVE.
BEDFORD AVE.
DALEWOOD AVE.
WHITE OAK DR.
MANORWOOD DR.
PLUMTREE
FAIRWOOD PL. W
FAIRWOOD PL. E
BAYSIDE CRT.
BIRCHWOOD AVE.
FILMAN PL.
TOWNSEND AVE.
ALDERSHOT PL.
PARK AVE. W
PARK AVE. E
HERBERTON PL.
ASCOT PL.
WILLIAM CRT.
LYNN CRT.
ISABEL CRT.
DAVID CRT.
Legend
Proposed MTSA Connector
Proposed MTSA Distributor
Off-Street Trail
Multi Purpose Arterial
Industrial Connector
Neighbourhood Connector
Provincial Freeway
Proposed Road (See Sched O-1 of this Plan for more details)
Aldershot GO Major Transit Station Area
Transit Station Area
Existing Natural Open Space
Rail Line
Watercourse
200 100 0 200 400 m
Proposed Streets are conceptual and subject to Section 8.1.2(5.2) of Burlington's Official Plan (2020), as amended.
This schedule shall be used in conjunction with other applicable schedules and policies of this Plan.
MAY 2024
Burlington


SCHEDULE G-2
Aldershot GO Major Transit Station Area Activated Streets
City of Burlington
HWY 403
PANIN RD
NORTH SERVICE RD.
HIDDEN VALLEY RD.
RAILWAY RD.
MASONRY CRT.
WATERDOWN RD.
COOKE BLVD.
EMERY AVE.
GROVE PARK DR.
QUEEN MARY AVE.
CLEARVIEW AVE.
ST MATTHEW'S AVE.
BEDFORD AVE.
DALEWOOD AVE.
WHITE OAK DR.
MANORWOOD DR.
PLUMTREE
OLD ORCHARD RD.
FAIRWOOD PL. W
FAIRWOOD PL. E
LASALLE PARK RD.
BIRCHWOOD AVE.
FILMAN PL.
BAYSIDE CRT.
TOWNSEND AVE.
ALDERSHOT PL.
PARK AVE. W
PARK AVE. E
HERBERTON PL.
GLENWOOD AVE.
FOREST GL.
ASCOT PL.
WILLIAM CRT.
LYNN CRT.
ISABEL CRT.
DAVID CRT.
Legend
Proposed Street (See Schedule G-1 in Official Plan for more information)
MTSA Major Mixed Use Street
MTSA General Mixed Use Street
Aldershot GO Major Transit Station Area
Rail Line
Watercourse
200 100 0 200 400 m
Proposed Streets are conceptual and subject to Section 8.1.2(5.2) of Burlington's Official Plan (2020), as amended.
This schedule shall be used in conjunction with other applicable schedules and policies of this Plan
Burlington
MAY 2024


Schedule G-3
Aldershot GO Major Transit Station Areas Tertiary Planning Areas
City of Burlington
HWY 403
PANIN RD
NORTH SERVICE RD.
HIDDEN VALLEY RD.
RAILWAY RD.
HOWARD RD.
MASONRY CRT.
WATERDOWN RD.
COOKE BLVD.
QUEEN MARY AVE.
CLEARVIEW AVE.
ST MATTHEW'S AVE.
BEDFORD AVE.
DALEWOOD AVE.
WHITE OAK DR.
MANORWOOD DR.
GROVE PARK DR
OLD ORCHARD RD.
EMERY AVE.
PLAINS RD. W.
PLAINS RD. E.
LASALLE PARK RD.
FAIRWOOD PL. W
FAIRWOOD PL. E
BIRCHWOOD AVE.
FILMAN PL.
BAYSIDE CRT.
TOWNSEND AVE.
ALDERSHOT PL.
PARK AVE. W
PARK AVE. E
HERBERTON PL.
ASCOT PL
GLENWOOD AVE.
FOREST GLEN
ELAND AVE.
WILLIAM CRT.
LYNN CRT.
ISABEL CRT.
DAVID CRT.
Legend
Tertiary Planning Areas (in accordance with Section 8.1.2 (10) of the Official Plan)
Aldershot GO Major Transit Station Area
Rail Line
Stream/Creek
200 100 0 200 400 m
This map is provided for information purposes only to graphically illustrate where comprehensive tertiary planning is required as described in Section 8.1.2 (10) of the Official Plan, 2020. This map is not intended to form part of the Official Plan. Where discrepancies exist between this map and the policies, the tertiary planning policies shall apply.
This schedule shall be used in conjunction with other applicable schedules and policies of this Plan.
MAY 2024
Burlington


SCHEDULE H
Land Use - Appleby GO Major Transit Station Area
City of Burlington
QEW
QEW
PALETTA CRT.
ZELCO DR.
HARVESTER RD.
CENTURY DR.
SHELDON CRT.
OVAL CRT.
PETER DR.
VIRTUE CR.
VALLENCE DR.
VICTORY CRT.
TAYLOR CRES.
AYR PL.
SHERATON RD.
QUEENS CRT.
BRIDLEWOOD
IDLEWOOD CRES.
BLUE FOREST HILL
MULLIN WAY
ARDLEIGH CRES.
JOEL AVE.
CINDY LANE
RIVERSIDE DR.
SUNCREST RD.
BRADY AVE.
BENNETT RD.
Legend
Precincts
Applyby 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
Proposed Streets are conceptual and subject to Section 8.1.2(5.2) of Burlington's Official Plan (2020), as amended.
This schedule shall be used in conjunction with other applicable schedules and policies of this Plan
200 100 0 200 400 600
m
MAY 2024

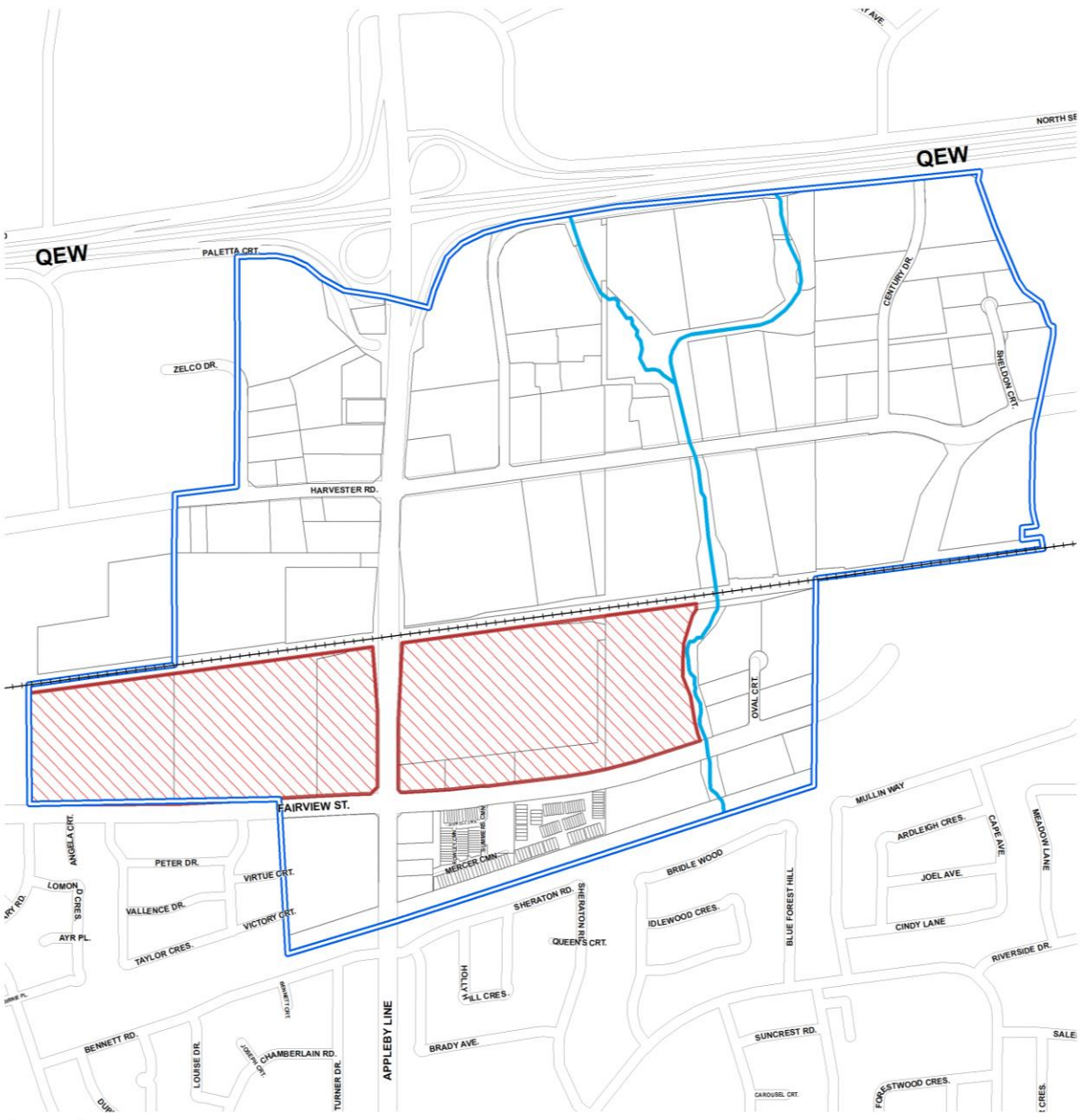

SCHEDULE H-1
Appleby GO Major Transit Station Area Transportation Network
City of Burlington
PALETTA CRT.
HARVESTER RD.
20
FAIRVIEW ST.
SHELDON CRT.
OVAL CRT.
MULLIN WAY
ARDLEIGH CRES.
CAPE AVE.
MEADOW LANE
JOEL AVE.
CINDY LANE
RIVERSIDE DR.
BRIDLE WOOD
IDLEWOOD CRES.
BLUE FOREST HILL
SHERATON RD.
QUEEN'S CRT.
SUNCREST RD.
WESTWOOD CRES.
PETER DR.
VALLENCE DR.
TAYLOR CRES.
AYR PL.
VICTORY CRT.
MERCER CMN.
APPLEBY LINE
BRADY AVE.
BENNETT RD.
CHAMBERLAIN RD.
LOUISE DR.
Legend
Proposed Arterial
Proposed MTSA Connector
Proposed MTSA Distributor
Off-Street Trail
Appleby GO Major Transit Station Area
Rail Line
Transit Station Area
Grade Separated Crossing (See Schedule P of the Official Plan for more details)
Major Arterial
Multi Purpose Arterial
Industrial Connector
Neighbourhood Connector
Provincial Freeway
Regional Road
Proposed Streets are conceptual and subject to Section 8.1.2(5.2) of Burlington's Official Plan (2020), as amended.
This schedule shall be used in conjunction with other applicable schedules and policies of this Plan.
200 100 0 200 400 600 m
Burlington
MAY 2024


SCHEDULE H-2
Appleby GO Major Transit Station Area Activated Streets
City of Burlington
QEW
QEW
PALETTA CRT.
ZELCO DR.
HARVESTER RD.
CENTURY DR.
SHELDON CRT.
FAIRVIEW ST.
MERCER CMN.
PETER DR.
VALLENCE DR.
VICTORY CRT.
TAYLOR CRES.
AYR PL.
BENNETT RD.
LOUISE DR.
APPLEBY LINE
BRADY AVE.
SHERATON RD.
QUEEN'S CRT.
BRIDLE WOOD
IDLEWOOD CRES.
BLUE FOREST HILL
MULLIN WAY
ARDLEIGH CRES.
JOEL AVE.
CINDY LANE
RIVERSIDE DR.
SUNCREST RD.
Legend
Proposed Street (See Schedule H-1 in Official Plan for more information)
MTSA Major Mixed Use Street
MTSA General Mixed Use Street
Appleby GO Major Transit Station Area
Rail Line
Watercourse
Proposed Streets are conceptual and subject to Section 8.1.2(5.2) of Burlington's Official Plan (2020), as amended.
This schedule shall be used in conjunction with other applicable schedules and policies of this Plan
200 100 0 200 400 600 m
Burlington
MAY 2024

Schedule H-3

Appleby GO Major Transit Station Areas Tertiary Planning Areas

City of Burlington



Attachment 6 to OPA 2 – Major Transit Station Area Table 3

Table 3: Classification of Major Transit Station Area Facilities

In addition to the applicable classifications shown on Schedule F-1: Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area Transportation Network, Schedule G-1: Aldershot GO Major Transit Station Area Transportation Network, and Schedule H-1: Appleby GO Major Transit Station Area Transportation Network and identified in Table 1, of this Plan, the following Classifications of Transportation facilities *shall* apply in Major Transit Station Areas. This table *shall* be incorporated into Table 1: Classification of Transportation Facilities once the table has been confirmed as in effect by the Ontario Land Tribunal.

1. Major Transit Station Area Collector Streets
Major Transit Station Area (MTSA) Collector Streets provide important connections through the Major Transit Station *intensification areas*, delivery a high level of service for *active* and *sustainable modes* of transportation and enabling supportive design features. There are two types of MTSA Collector Streets: MTSA Mixed Use/Commercial Connector and MTSA Mixed Use/Commercial Distributor. Street cross-section examples have been provided in the March 2024 Burlington Major Transit Station Areas Transportation Assessment.
1.1 MTSA Commercial Connector • Right of Way requirements of 30m. A reduction to the right of way requirement of 30m *may* be considered provided that the reduced right of way meets the objectives of the street function. • 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.
1.2 MTSA Commercial Distributor • Right of Way requirements of 26m • Cycling provision of wide shared use lanes • Minimum 2.0m pedestrian clearway and 1.5m planting and furnishing zone. • A community street that provides 'rear' service and access functions to adjacent commercial and residential properties that are not private

	laneways; • High level of pedestrian and cycling activity and low to moderate level of vehicular traffic; and • Provides an attractive environment that complements adjacent main or civic streets.

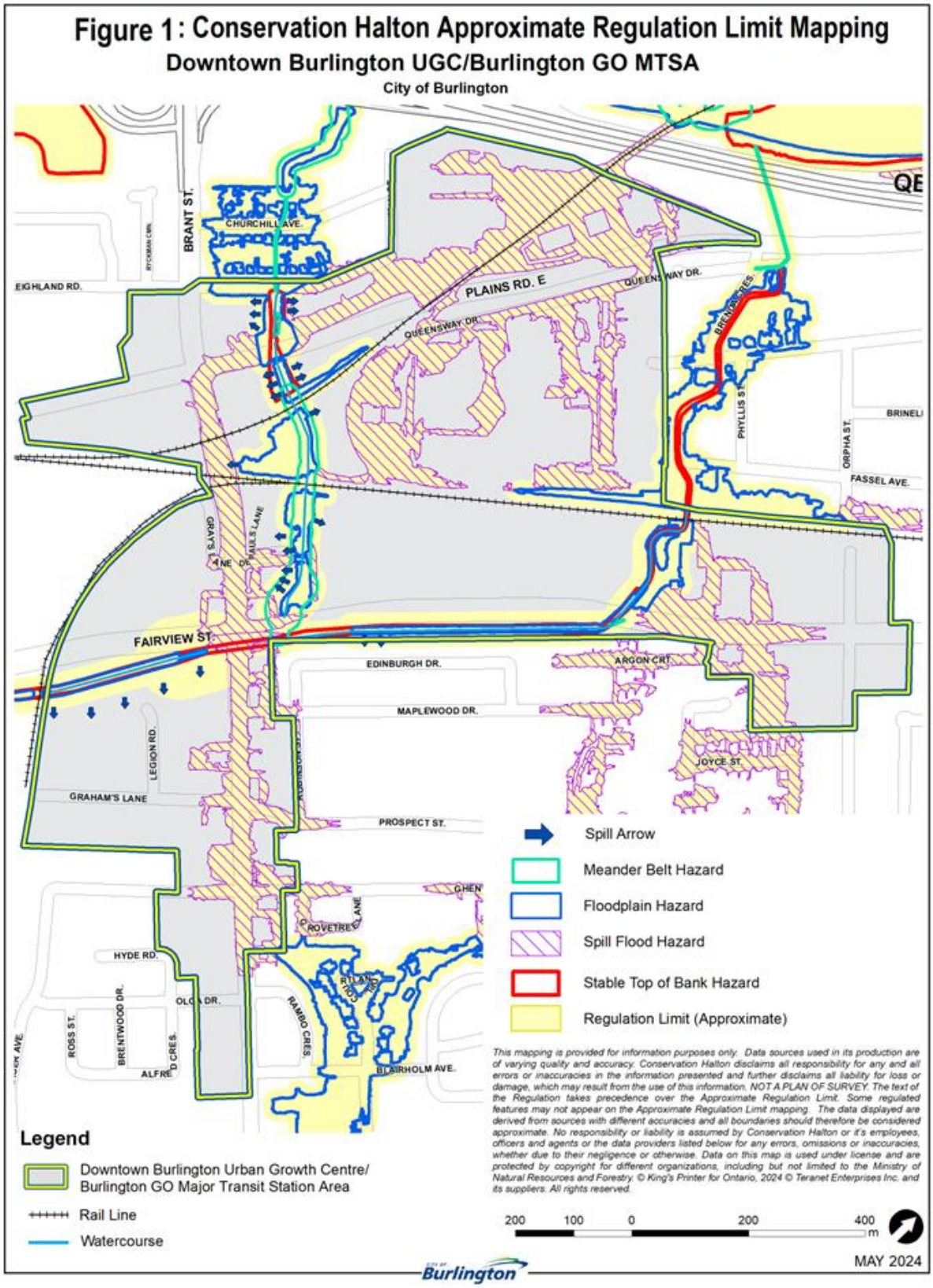
Attachment 7 to OPA 2 – Major Transit Station Area Table 4

Table 4: Major Transit Station Area Public Right-of-Way Widths

The following Table *shall* be read in conjunction with the Public Right-of-Way policies contained in Chapter 6: Infrastructure, Transportation and Utilities and Section 8.1.2(5.2) of this Plan and *shall* be incorporated into Table 2: Public Right-of-Way Widths, of this Plan once the table has been confirmed as in effect by the Ontario Land Tribunal. The final public right-of-way width will be determined as part of future studies including Tertiary Planning, Environmental Assessments and/or subdivision approvals in accordance with the policies of this Plan.

Street	From	To	Public Right of Way Width (metres)
Burlington GO UGC/MTSA			
Grahams Lane	Hydro Corridor	Brant Street	26
De Pauls Lane	Brant Street	Proposed east-west connection	30
Drury Lane	CN Rail Corridor	145 metres south of Fairview street	26
Aldershot GO MTSA			
Masonry Court	Waterdown Road	Grove Park	30
Masonry Court	Waterdown Road	Howard Road	30
Cooke Blvd	Plains Road	Masonry Court	26
Emery Ave	Plains Road	Emery Ave extension	26
Howard Road	Plains Road	Lemonville Road	30
Appleby GO MTSA			
South Service Road	Harvester Road	120 metres east of Century Drive	30
Century Drive	Harvester Road	South Service Road	30
Zelco Drive	Harvester Road	To Zelco Drive extension	26

Attachment 8 to OPA 2 – For Reference Purposes Only, and does not form part of the Official Plan: Figures 1, 2, 3 (Conservation Halton) to inform the update of Appendix E

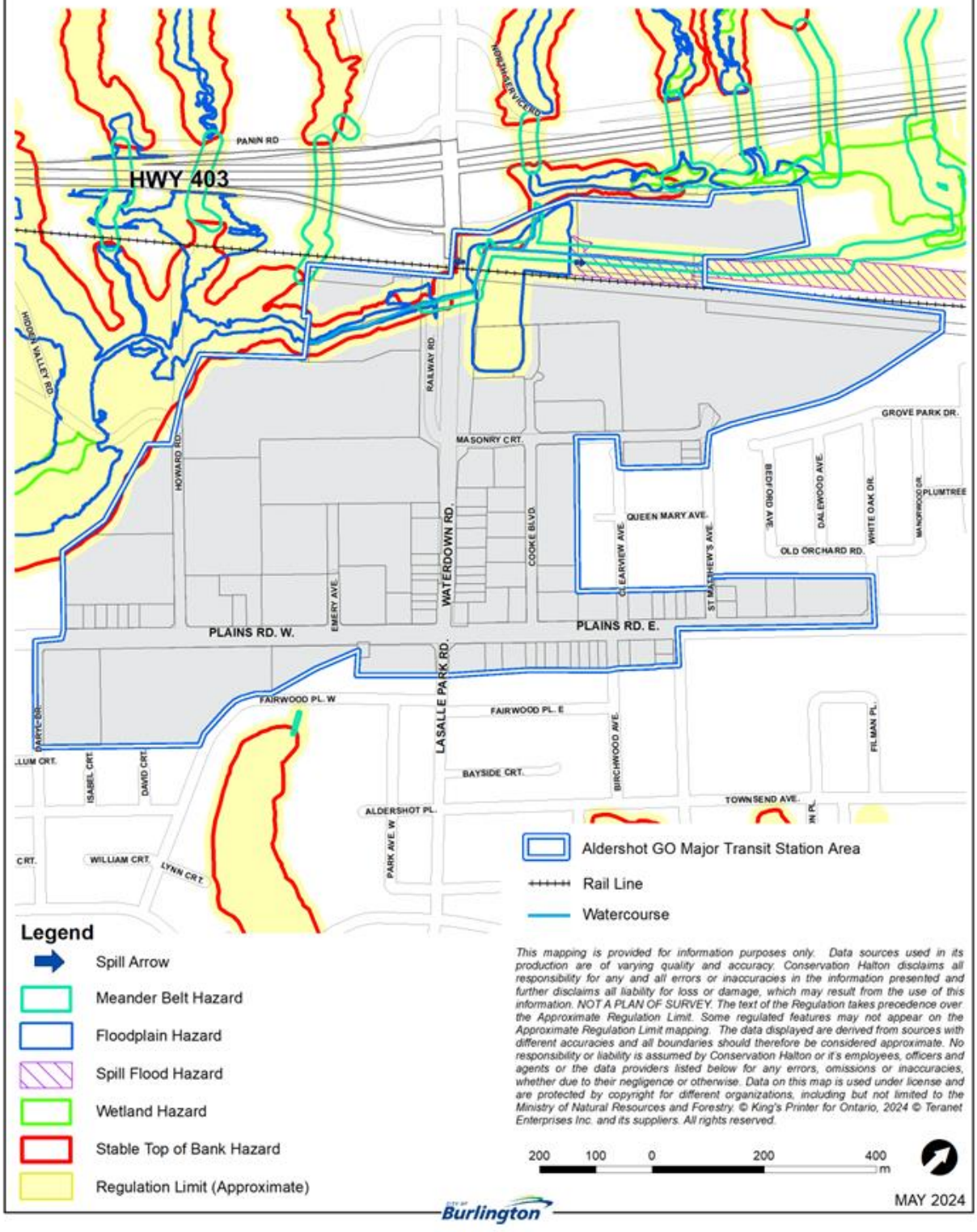


This mapping is provided for information purposes only. Data sources used in its production are of varying quality and accuracy. Conservation Halton disclaims all responsibility for any and all errors or inaccuracies in the information presented and further disclaims all liability for loss or damage, which may result from the use of this information. NOT A PLAN OF SURVEY. The text of the Regulation takes precedence over the Approximate Regulation Limit. Some regulated features may not appear on the Approximate Regulation Limit mapping. 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 it's employees, officers and agents or the data providers listed below for any errors, omissions or inaccuracies, whether due to their negligence or otherwise. Data on this map is used under license and are protected by copyright for different organizations, including but not limited to the Ministry of Natural Resources and Forestry. © King's Printer for Ontario, 2024 © Teranet Enterprises Inc. and its suppliers. All rights reserved.

Figure 2 : Conservation Halton Approximate Regulation Limit Mapping

Aldershot GO MTSA

City of Burlington



This mapping is provided for information purposes only. Data sources used in its production are of varying quality and accuracy. Conservation Halton disclaims all responsibility for any and all errors or inaccuracies in the information presented and further disclaims all liability for loss or damage, which may result from the use of this information. NOT A PLAN OF SURVEY. The text of the Regulation takes precedence over the Approximate Regulation Limit. Some regulated features may not appear on the Approximate Regulation Limit mapping. 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 it's employees, officers and agents or the data providers listed below for any errors, omissions or inaccuracies, whether due to their negligence or otherwise. Data on this map is used under license and are protected by copyright for different organizations, including but not limited to the Ministry of Natural Resources and Forestry. © King's Printer for Ontario, 2024 © Teranet Enterprises Inc. and its suppliers. All rights reserved.

Figure 3 : Conservation Halton Approximate Regulation Limit Mapping

Appleby GO MTSA

City of Burlington



Legend

- Spill Arrow
- Meander Belt Hazard
- Floodplain Hazard
- Spill Flood Hazard
- Stable Top of Bank Hazard
- Regulation Limit (Approximate)
- Appleby GO Major Transit Station Area
- Rail Line
- Watercourse

This mapping is provided for information purposes only. Data sources used in its production are of varying quality and accuracy. Conservation Halton disclaims all responsibility for any and all errors or inaccuracies in the information presented and further disclaims all liability for loss or damage, which may result from the use of this information. NOT A PLAN OF SURVEY. The text of the Regulation takes precedence over the Approximate Regulation Limit. Some regulated features may not appear on the Approximate Regulation Limit mapping. 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 it's employees, officers and agents or the data providers listed below for any errors, omissions or inaccuracies, whether due to their negligence or otherwise. Data on this map is used under license and are protected by copyright for different organizations, including but not limited to the Ministry of Natural Resources and Forestry. © King's Printer for Ontario, 2024 © Teranet Enterprises Inc. and its suppliers. All rights reserved.

200 100 0 200 400 600 m

MAY 2024

The Corporation of the City of Burlington

City of Burlington By-law 46-2024

A by-law to amend By-law 42-2008 being a by-law to provide for the licensing, regulating and governing of various businesses in the City of Burlington, as amended.
File: 110-01-01 (BL-05-24)

Whereas Part IV of the *Municipal Act, 2001*, S.O. 2001, c. 25 ("*Municipal Act*") allows the enactment of by-laws to license, regulate and govern businesses, and to impose conditions on the obtaining, holding and keeping of licences to carry on such businesses;

WHereas By-law 42-2008 was enacted on XXXX to provide for the licensing, regulating and governing of various businesses in the City of Burlington; and

Whereas Council of the Corporation of the City of Burlington has deemed it necessary to amend By-law 42-2008 to clarify powers of inspection in By-law 42-2008.

Now therefore the Council of the Corporation of the City of Burlington hereby enacts as follows:

1. That Part 5 Inspection of By-law 42-2008 be deleted in its entirety and replaced with the following new section:

PART 5: INSPECTION

Entry and Inspections

5.1 An officer may enter on land at any reasonable time and in accordance with the conditions set out in sections 435 and 437 of the *Municipal Act, 2001* for the purpose of carrying out an inspection to determine whether or not the following are being complied with:

(a) this By-law;
(b) an order made under this By-law;
(c) a condition of a licence issued under this By-law; or
(d) an order made under section 431 of the *Municipal Act, 2001*.

5.2 An officer, for the purpose of the inspection under section 5.1 and in accordance with the conditions set out in section 436 of the *Municipal Act, 2001*, may:

(a) require the production for inspection of documents or things relevant to the inspection;

(b) inspect and remove documents or things relevant to the inspection for the purpose of making copies or extracts;
(c) require information in writing or otherwise as required by an officer from any person concerning a matter related to the inspection; and
(d) alone or in conjunction with a person possessing special or expert knowledge, make examinations or take tests, samples or photographs necessary for the purposes of the inspection.

5.3 An officer may undertake an inspection pursuant to an order issued by a provincial judge or justice of the peace under section 438 of the *Municipal Act, 2001*, in accordance with the conditions set out in that section, where he or she has been prevented or is likely to be prevented from carrying out an inspection under section 5.1.

2. Despite the amendment being made to By-law 42-2008, By-law 42-2008, as amended, as it read before the amendment to Part 5, above, shall continue to apply to proceedings in respect of offences that occurred before its amendment.

3. That in all other respects, By-law 42-2008, as amended, be and is hereby confirmed.

4. That this By-law comes into force on the day it is passed.

Enacted and passed this 18th day, of June, 2024.

Mayor Marianne Meed Ward _____

City Clerk Samantha Yew_____

The Corporation of The City of Burlington

City of Burlington By-law 2020.478

A by-law to amend By-law 2020, as amended, to update parking standards for lands identified along the Fairview Street, Plains Road and Appleby Line Corridors
File No.: 520-06/24 (PL-45-24)

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

Whereas the Council of the Corporation of the City of Burlington approved the Recommendations in report PL-45-24 on June 18, 2024, for city-initiated amendments to Zoning By-law 2020, as amended.

The Council of the Corporation of the City of Burlington hereby enacts as follows:

1. PART 1 of Zoning By-law 2020, as amended, General Conditions and Provisions, Section 2.25 Off-street Parking and Loading Requirements, is further amended by replacing subsection 2.25.1 with the following:

"2.25.1 Whenever a new development occurs or whenever an existing development is enlarged, extended or increased in capacity, in accordance with this By-law, off-street vehicle parking spaces shall be provided and maintained on the property and within the zone designation for all uses, except for:

(a) those properties shown on "Diagram 1A: Downtown Parking Exemption Area". For the development of a parcel of land partially or wholly contained within the Downtown Parking Exemption Area, Section 2.25 shall only apply to residential uses; and

(b) those properties shown on "Diagram 1B: Plains Road Corridor Residential Parking Exemption Area", "Diagram 1C: Fairview Street Corridor Residential Parking Exemption Area", and "Diagram 1D: Appleby Line Corridor Residential Parking Exemption Area". For the development of a parcel of land partially or wholly contained within a Residential Parking Exemption Area Overlay Map, Section 2.25 shall only apply to non-residential uses. Despite the above, where the owner/applicant chooses to provide parking facilities on-site, the City's accessible parking spaces requirements shall apply and accessible parking spaces shall be provided in accordance with Table 1.2.7, and subsections 2.26 (9) (a) and (b), contained in PART 1, Section 2.26 General Parking Provisions."

2. PART 1 of Zoning By-law 2020, as amended, General Conditions and Provisions, Section 2.25 Off-street Parking and Loading Requirements is further amended by adding the following new Residential Parking Exemption Area Overlay Maps, as

shown on Diagrams 1B, 1C, and 1D, after “Diagram 1A: Downtown Parking Exemption Area”:

“Diagram 1B: Plains Road Corridor Residential Parking Exemption Area

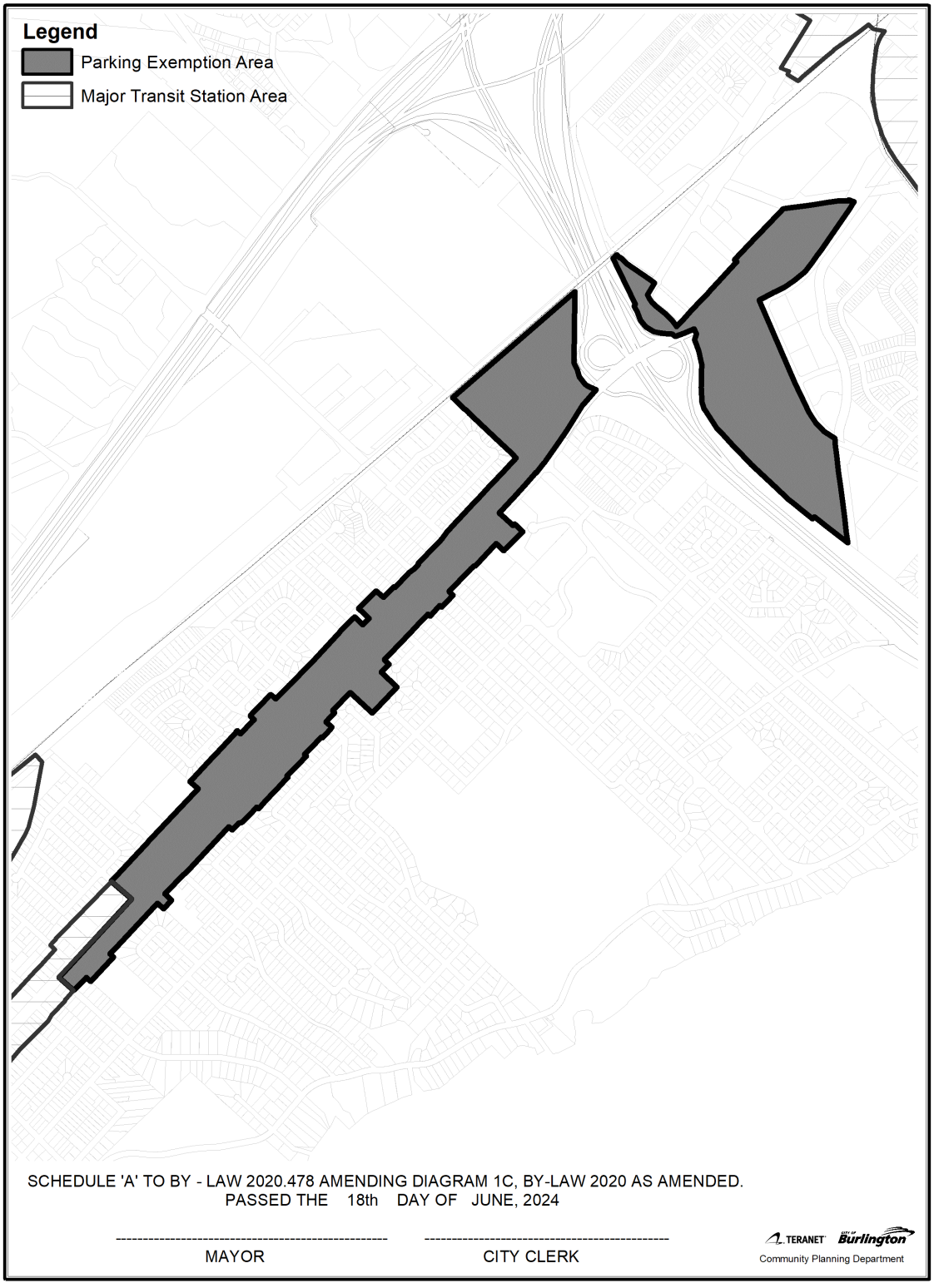


Diagram 1C: Fairview Street Corridor Residential Parking Exemption Area



Diagram 1D: Appleby Line Corridor Residential Parking Exemption Area



”

3. PART 1 of Zoning By-law 2020, as amended, General Conditions and Provisions, Section 2.25 Off-street Parking and Loading Requirements, under the heading 'Parking Standard' is further amended by adding the following words after the words "Within a Primary Growth Area as identified on Schedule B-1 of the City Official Plan (2020), as approved by Halton Region on November 30, 2020" and "Within a Secondary Growth Area as identified on Schedule B-1 of the City Official Plan (2020), as approved by Halton Region on November 30, 2020" in Table 1.2.6:

", except for those properties identified in a Residential Parking Exemption Area shown on Diagrams 1B, 1C, or 1D"

4. PART 7 of Zoning By-law 2020, as amended, Uptown Mixed-Use Centre Zones, Section 4.5 Parking is further amended by adding the following words after the words "All Dwelling Units" in subsection 4.5 (a):

", except for those properties identified in the Appleby Line Corridor Residential Parking Exemption Area shown on Diagram 1D and for Apartment Buildings within a Primary or Secondary Growth Area as identified on Schedule B-1 of the City Official Plan (2020), as approved by Halton Region on Nov. 30, 2020, and as may be further amended."

5. PART 14 of Zoning By-law 2020, as amended, Exceptions to Zone Designations, Exception 274, is further amended by adding a new Section 2. Transition Provision, so that it reads:

"2. Transition Provision

a) Subject to PART 1, subsection 2.25.1 (b), the provisions of Section 1. p) respecting required residential parking do not apply."

6. PART 14 of Zoning By-law 2020, as amended, Exceptions to Zone Designations, Exception 540, is further amended by adding a new Section 8. Transition Provision, so that it reads:

"8. Transition Provision

a) Subject to PART 1, subsection 2.25.1 (b), the provisions of Sections 2. g) and 5. g) respecting required residential parking do not apply."

7. PART 14 of Zoning By-law 2020, as amended, Exceptions to Zone Designations, Exception 542, is further amended by adding a new Section 2. Transition Provision, so that it reads:

"2. Transition Provision

a) Subject to PART 1, subsection 2.25.1 (b), the provisions of Section 1. h) respecting required residential parking do not apply."

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

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

Enacted and passed this 18th day, of June, 2024.

Mayor Marianne Meed Ward _____

City Clerk Samantha Yew_____

EXPLANATION OF PURPOSE AND EFFECT OF BY-LAW 2020.478

By-law 2020.478 amends Parts 1, 7 and 16 of the City's Zoning By-law 2020, as amended, for the purpose of removing minimum residential vehicle parking requirements for lands in the Fairview Street / Plains Road and Appleby Line corridors.

For further information regarding By-law 2020.478, please contact Mark Johnson of the Burlington Community Planning Department at (905) 335-7777, extension 7954.

The Corporation of the City of Burlington

City of Burlington By-law 14-2024

A by-law to adopt Official Plan Amendment No. 142 to permit a mixed-use development comprising three tall buildings of maximum 30, 32, and 34 storeys with 1165 residential units and ground-level non-residential uses at 1120 Cooke Boulevard.
File: 505-01/22 (PL-04-24)

Whereas the Council of the Corporation of the City of Burlington in accordance with the provisions of Section 17 and 21 of the Planning Act, 1990, as amended, approved recommendation PL-04-24 at its meetings held on March 19, 2024.

Now therefore the Council of the Corporation of the City of Burlington hereby enacts as follows:

1. That Amendment No.142 to the Official Plan (1994) of the Burlington Planning Area, as amended, consisting of the attached amendment and supporting documentation is hereby adopted.

2. That this by-law shall come into full force and take effect on the final day of passing thereof.

Enacted and passed this 18th day of June, 2024

Mayor Marianne Meed Ward _____

City Clerk Samantha Yew _____

AMENDMENT NO.142 TO THE OFFICIAL PLAN
OF THE CITY OF BURLINGTON

CONSTITUTIONAL STATEMENT

The details of the Amendment, as contained in Part B of this text, constitute Amendment No. 142 to the Official Plan of the City of Burlington, as amended.

PART A - PREAMBLE

1. PURPOSE OF THE AMENDMENT

The purpose of this Amendment is to permit a mixed-use development consisting of three residential towers of maximum 30, 32, and 34 storeys (plus mechanical penthouse). The development is comprised of 1,165 dwelling units, 6 levels of underground parking, and minimum 475 square metres of ground-related non-residential space at 1120 Cooke Boulevard with a maximum floor area ratio of 9.1:1.

2. SITE AND LOCATION

The subject site is comprised of one parcel of land located on the north side of Masonry Court between Cooke Boulevard and Waterdown Road and is nearly square-shaped with frontages of approximately 104 metres on Masonry Court, 100 metres on Waterdown Road, and 91 metres on Cooke Boulevard. The area of the subject site is 0.95 hectares.

To the north of the site is floodplain storage and a planned public park, to the east is a residential development consisting of two 6-storey mid-rise apartment buildings and townhouse units, to the south are low-rise employment uses, and to the west are employment uses.

3. BASIS FOR THE AMENDMENT

The proposed development:

a) Intensifies a vacant brownfield site in proximity to higher-order transit with residential and retail/service commercial uses in a manner that is consistent with the policies of the Provincial Policy Statement (PPS). The PPS promotes the achievement of complete communities that are efficient, compact, and transit-supportive. The proposed development provides an increase in supply and mix of housing options in a higher density form that supports existing and planned transit options and encourages non-automobile modes of transportation including active transportation;

b) Conforms to the Growth Plan for the Greater Golden Horseshoe, 2020, as amended, and the Halton Region Official Plan, as amended, by providing for appropriate intensification within the delineated built-up area, close to rapid transit, and on a site that carries a growth designation in the Official Plan, contributing to the diversification of the housing supply and meeting Provincial growth and density targets;

c) Is identified within the delineated boundary of the Aldershot GO *Major Transit Station Area* as shown on Map 1H, Regional Urban Structure, of the Halton Region Official Plan, and supports the Regional Growth Management strategy as articulated in Halton Region's Official Plan;

d) Responds to the intent of the Tall Building Guidelines by providing for a human-scaled, street-related building form with appropriate transitions to nearby built forms and slender tower forms with adequate separation distances that contribute to a visually interesting skyline;

e) Responds appropriately to the direction of the City's Major Transit Station Area Area-Specific Planning Project for the Aldershot GO MTSA, which contemplates buildings of up to 30 storeys on the subject site;

f) Provides for an appropriate parking ratio that ensures that parking demand generated by the building can generally be accommodated on-site while recognizing the transit accessibility of the subject site and promoting non-automobile-based modes of travel;

g) Contributes to the pedestrian realm of the area by enhancing the public realm on boundary streets, providing permeability through the site, and contributing publicly-accessible private green spaces that create linkages to public park space and the Aldershot GO station;

h) Subject to the implementation of mitigation measures as part of the development of the residential uses, is compatible with existing major facilities and employment

uses, and transportation infrastructure in relation to air quality, odours, noise, and vibration;

i) Does not create unacceptable wind or shadow impacts on abutting sidewalks, open spaces, or adjacent properties, including the lower-scaled residential lands to the east and south;

j) Is located on lands that can utilize existing servicing infrastructure on the abutting rights-of-way and near transit routes, commercial uses and community amenities and meets Official Plan policies by providing new housing units that increase the supply and diversity of the housing stock in the area while promoting non-automobile transportation options; and,

k) Is supported by technical studies and reports that have been submitted by the applicant and provide adequate and appropriate information regarding the proposed development.

PART B – THE AMENDMENT

1. DETAILS OF THE AMENDMENT

Map Change: None proposed

Text Change:

The text of the City of Burlington Official Plan, as amended, is hereby amended by adding the following site-specific policy (n) to Part III, Subsection 5.3.3.2 as follows:

1120 Cooke Boulevard	(n) *Development* on the lands described as 1120 Cooke Boulevard *shall* be in accordance with the following: (i) *Development shall* incorporate measures to avoid or minimize and mitigate potential adverse effects to the *development* from noise and air emissions including odour. (ii) *Development shall* incorporate measures to avoid or minimize and mitigate potential impacts on industrial, manufacturing, or other uses, including reducing the risk of complaints, and to ensure the ability of major facilities to comply with

	environmental approvals, registrations, legislation, regulations, and guidelines for both current and future operations. (iii) Notwithstanding the use, floor area ratio, height, and design policies contained in Part III, Subsections 5.3.2 c), d) (i) and (ii), and g) (i) and (v), and 5.3.3.2 c) and e) (i) and (ii), of this Plan, for the lands described as 1120 Cooke Boulevard, the following policies *shall* apply: a. a mixed-use *development* comprising three buildings, with a combined maximum 1165 *dwelling units* and a combined maximum *Floor Area Ratio* of 9:1:1 *shall* be permitted; b. a maximum building height of 34 storeys (plus mechanical) *shall* be permitted; c. non-residential uses *shall* be located at ground level in two of the three buildings; d. surface parking spaces for residential visitors and/or non-residential uses may be provided.

2. INTERPRETATION

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

3. IMPLEMENTATION

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

The Corporation of The City of Burlington

City of Burlington By-law 2020.472

A by-law to amend By-law 2020, as amended; for 1120 Cooke Boulevard, for the purpose of facilitating the mixed-use development of three residential towers of maximum heights of 30, 32, and 34 storeys
File number: 520-01/22 (PL-04-24)

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

Whereas the Council of the Corporation of the City of Burlington approved PL-04-22 on March 19, 2024, to amend the City's existing Zoning By-law 2020, as amended, to permit the mixed-use development of three residential towers of maximum 30, 32, and 34 storeys;

The Council of the Corporation of the City of Burlington hereby enacts as follows:

1. Zoning Map Number 3 of PART 15 to By-law 2020, as amended, is hereby amended as shown on Schedule "A" attached to this By-law.

2. The lands identified on Schedule "A" attached hereto are hereby rezoned from MXC-26 to H-MXC-531.

3. Part 11, Appendix A, of By-law 2020, as amended, Site-Specific Requirements for Removal of an "H" Holding Symbol, is amended by creating Section 77 as follows:

77.	**H-MXC-531**	**Map 3-E**	**Resolution:**
Prior to the removal of the 'H' Holding Symbol, the following must be completed to the satisfaction of the Region of Halton: 1. The Owner executes a Regional Servicing Agreement for the replacement of the Cooke Boulevard sanitary sewer to address downstream sanitary sewer capacity.			

4. Part 14 of By-law 2020, as amended, Exceptions to Zone Classifications, is amended with the following:

Exception	Zone	Map	Amendment	Enacted
531	MXC	3	2020.472	March 19, 2024

1. In addition to Part 1, Subsection 2.22 and Part 5, Section 3, the following uses are prohibited:

a) Funeral Home
b) Automotive uses

2. Regulations for the entire site:

a) For the purposes of applying zoning regulations the property zoned MXC-531 shall be considered one lot.

b) Notwithstanding Part 5, Section 4.1, Table 5.4.1 the maximum yard abutting any other street shall not apply.

c) Notwithstanding Part 1, Section 2.27.1, for the purposes of establishing building setbacks or for the application of any other provisions of this By-law the deemed and actual street width of Cooke Boulevard is 17 m.

d) Non-residential floor area i) Building A: ii) Building B & C:	None required 475 m^2 combined
iii) Notwithstanding the combined non-residential floor area for Buildings B and C, Buildings B and C must provide a minimum of 175 m^2 of non-residential floor area per building.	
e) Landscape Area abutting a street:	None required.
f) Amenity Area:	15 m² per unit
g) A rooftop terrace shall maintain the principal building yards of the storey below it.	
h) Maximum Residential Units i) Building A: ii) Building B: iii) Building C:	 450 units 370 units

	385 units
iv) Notwithstanding the maximum residential units in any individual building, the maximum number of residential units on the lands zoned MXC-531 shall be 1165.	
i) Maximum Floor Area Ratio:	9.1:1
j) Setbacks for a Below-grade parking structure to all lot lines: k) Setback from Cooke Blvd for an above-grade access stairway building to the below grade parking structure:	0.9 m 6 m
l) Setback from the north lot line for an above-grade access stairway building to the below grade parking structure: m) Set back to Waterdown Road for an entrance and exit ramp to a parking garage:	1.5 m 0 m
n) Parking: i) Occupant: ii) Visitor:	 0.89 spaces/unit 0.08 spaces/unit
iii) Notwithstanding Part 5, Section 4.6(b), (c) and d) where a development is comprised of residential and non-residential uses, up to 100% of the required visitor parking located on the development site may be counted towards the required non-residential parking.	
o) Bicycle Parking: i) Long-term: ii) Short-term: iii) Vertical bicycle parking space dimensions: iv) Horizontal bicycle parking space dimensions:	 0.5 spaces/unit 0.05 spaces/unit 0.6 m width 1.2 m length 0.6 m width

	1.8 m length
p) Long-term bicycle parking spaces are bicycle parking spaces for use by the occupants, employees, or tenants of a building, and must be located in a building. Required long-term bicycle parking spaces in apartment buildings may not be in a dwelling unit, on a balcony, or in a storage locker. q) Short-term bicycle parking spaces are bicycle parking spaces for use by visitors to a building. r) Stacked bicycle parking spaces mean a horizontal bicycle parking space that is positioned above or below another bicycle parking space and equipped with a mechanical device providing floor level access to both bicycle parking spaces. s) All short-term bicycle parking spaces shall be provided as horizontal bicycle parking spaces and be provided at ground level.	
t) Accessory Structures on the ground: i) Maximum height: ii) Yard abutting Waterdown Road: iii) Yard abutting Masonry Court: iv) Yard abutting Cooke Boulevard:	 One storey and 4 m 1 m 5 m 6 m
u) Accessory Structures on a roof top terrace: i) Maximum height from the roof top:	 3.7 m
v) Notwithstanding Part 1, Section 2.2.2 any accessory structure located on a terrace and/or roof top shall maintain the yard requirements of the floor level below the terrace and/or roof top	
w) Notwithstanding Part 5, section 4.6(f), the minimum width for a walkway connecting the sidewalk to the principal entrance of the building shall be 2 m.	
3. <u>Regulations applying to Building 'A' on Figure 531:</u>	
a) Maximum height:	34 storeys and 112 m
b) Yard abutting Waterdown Road: i) Floors 1 to 12: ii) Floors 13 to 34: c) Yard abutting Masonry Court: d) North Side Yard: e) Yard abutting Cooke Boulevard:	 4.5 m 9 m 50 m

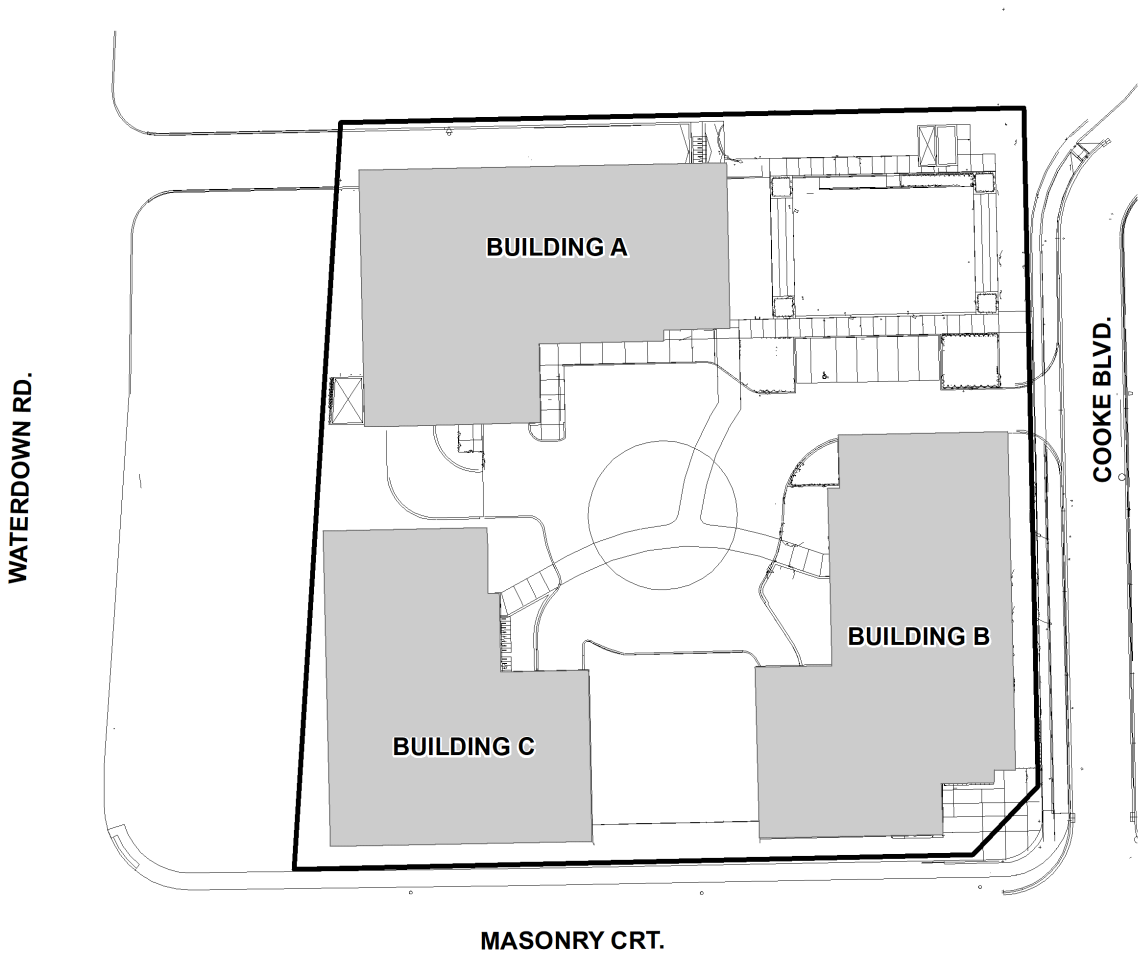
	6 m 40 m
f) Maximum Balcony Projections on the east elevations: i) Floors 2 to 7: ii) Floor 8 to 34: g) Maximum balcony projections on the south elevation: i) Floors 2 to 34: h) Maximum balcony projections abutting Waterdown Road: i) Floors 2 to 7: ii) Floor 8 to 34: i) Maximum balcony projections on the north elevation: i) Floor 2 to 7: ii) Floor 8 to 34:	 2.1 m 1.5 m 1.5 m 2.1 m 1.5 m 2.1 m 1.5 m
j) A pedestrian accessible door shall be provided for residential apartment lobbies facing on the south or east elevation.	
4. <u>Regulations applying to buildings to Building 'B' on Figure 531:</u>	
a) Maximum height:	30 storeys and 100 m
b) Yards Abutting Waterdown Road: c) Abutting Masonry Court: i) Floors 1 to 8: ii) Floor 8 to 30: d) North Side Yard: e) Cooke Boulevard:	55 m 5 m 9 m 40 m 5 m
f) Maximum balcony projections abutting Cooke Boulevard: i) Floors 2 to 7: ii) Floors 8 to 30: g) Maximum balcony projections abutting Masonry Court:	 3 m 1.5 m

i) Floors 2 to 7: ii) Floors 8 to 30: h) Maximum balcony projections on the west elevation: i) Floors 2 to 30: i) Maximum balcony projections on the north elevation: i) Floor 2 to 30:	 2.1 m 1.5 m 1.5 m 1.5 m
j) A pedestrian accessible door shall be provided for residential apartment lobbies facing on the west elevation and facing Cooke Boulevard. k) A pedestrian accessible door shall be provided for all non-residential uses facing Masonry Court and/or Cooke Boulevard	
5. <u>Regulations applying to buildings to Building 'C' on Figure 531:</u>	
a) Maximum height:	32 storeys and 106 m
b) Yard Abutting Waterdown Road: c) Yard Abutting Masonry Court: d) North Side Yard: e) Yard abutting Cooke Boulevard:	3 m 5 m 50 m 50 m
f) Maximum Balcony Projections on the east building Elevations: i) Floors 2 to 32: g) Maximum balcony projections abutting Masonry Court: ii) Floors 2 to 7: iii) Floor 8 to 32: h) Maximum balcony projections abutting Waterdown Road: i) Floors 2 to 7: ii) Floor 8 to 32 i) Maximum balcony projections on the north elevation: i) Floor 2 to 6: ii) Floor 7 to 32:	 1.5 m 2.1 m 1.5 m 2.1 m 1.5 m

	2.1 m 1.5 m
j) A pedestrian accessible door shall be provided for residential apartment lobbies facing on the east elevation and facing Masonry Court. k) A pedestrian accessible door shall be provided for all non-residential uses facing Masonry Court or on the east elevation.	
Except as amended herein, all other provisions of this By-law, as amended, shall apply.	
Figure 531:	

FIGURE 531

SUBJECT PROPERTY



Date: December 08, 2023
Community Planning Department

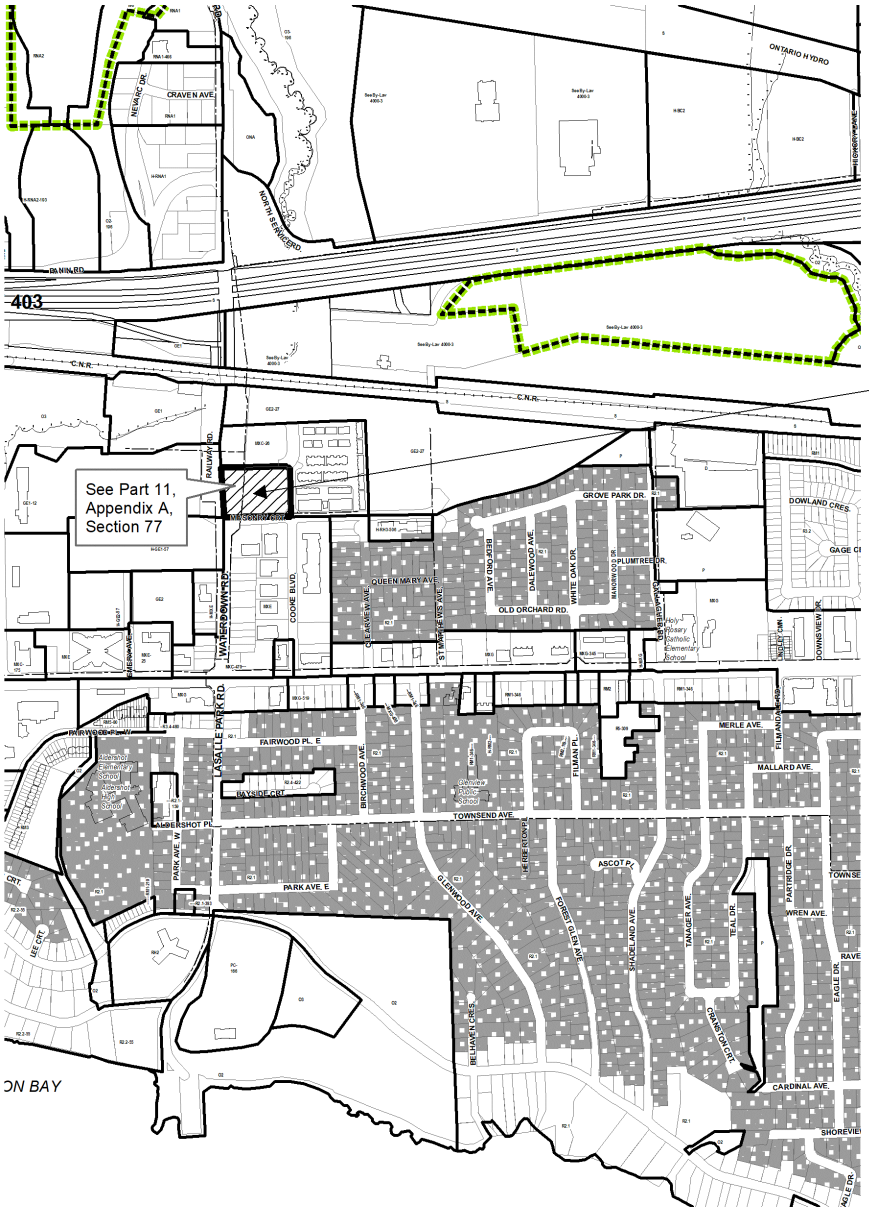
TERANET Burlington

Enacted and passed this 18th day of June, 2024

Mayor Marianne Meed Ward _____

City Clerk Samantha Yew _____

SCHEDULE "A"



SCHEDULE 'A' TO BY-LAW 2020.472 AMENDING MAP NO. 3E PART 15, BY-LAW 2020 AS AMENDED.
PASSED THE 19th DAY OF MARCH, 2024

---------- ----------

MAYOR CITY CLERK

TERANET City of Burlington
Community Planning Department

Explanation of Purpose and Effect of By-law 2020.472

By-law 2020.472 amends the zoning regulations applying to 1120 Cooke Boulevard, located on the north side of Masonry Court between Waterdown Road and Cooke Boulevard, to permit the mixed-use development of three residential towers of maximum 30, 32, and 34 storeys.

For further information regarding By-law 2020.472, please the City of Burlington's Community Planning Department at planning@burlington.ca or (905) 335-7600.

The Corporation of the City of Burlington

City of Burlington By-law 47-2024

A by-law to confirm the proceedings of the meeting of Council of the Corporation of the City of Burlington held on Tuesday, June 18, 2024

Whereas according to Section 5 of the *Municipal Act*, 2001, c. 25 as it may be amended from time to time, the powers of The Corporation of the City of Burlington are to be exercised by the Council of The Corporation of the City of Burlington and municipal powers are to be exercised by by-law; and

Whereas it is deemed expedient that the actions of the Council of The Corporation of the City of Burlington be confirmed and adopted by by-law;

Now therefore the Council of the Corporation of the City of Burlington hereby enacts as follows:

1. The actions of the Council of The Corporation of the City of Burlington in respect of:
   (a) each recommendation in the report of the Committees;
   (b) Each motion, resolution and other action passed and taken by the Council of The Corporation of the City of Burlington at this meeting are hereby adopted and confirmed as if same were expressly included in this by-law.
2. The Mayor and the proper officials of The Corporation of the City of Burlington are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Burlington referred to in Section 1.

3. The Mayor, or in the absence of the Mayor, the Deputy Mayor, and the Clerk, or in the absence of the Clerk, the Deputy Clerk,

   a) are authorized and directed to execute all documents necessary to the action taken by Council as described in Section 1, and

   b) Are authorized and directed to affix the seal of The Corporation of the City of Burlington to all such documents referred to in Section 1.

4. This by-law comes into force on the day upon which is enacted by the Council of the Corporation of the City of Burlington.

Enacted and passed this 18th day of June, 2024.

Mayor Marianne Meed Ward _____

City Clerk Samantha Yew _____