



**Committee of the Whole**  
**Agenda published June 26, 2026**  
**Addendum published July 2, 2026**

**Date:** July 6, 2026  
**Time:** 9:30 am  
**Location:** Council Chambers, City Hall, second floor

**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 Anishinaabeg to the 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 acknowledge that the land on which we gather is part of the Treaty Lands and Territory of the Mississaugas of the Credit.

**3. Approval of the Agenda**

**4. Declarations of Interest**

**5. Presentations**

## 6. Delegations

Standing committee and City Council meetings are held at city hall, 426 Brant St. Requests to speak at this meeting can be made by completing the online delegation registration form at [www.burlington.ca/delegate](http://www.burlington.ca/delegate), by submitting a written request by email to Legislative Services at [clerks@burlington.ca](mailto:clerks@burlington.ca) or by phoning 905-335-7777, ext. 7481 by noon the Friday before the meeting date.

If you do not wish to speak, but would like to submit your comments in writing, please email your comments to [clerks@burlington.ca](mailto:clerks@burlington.ca). Written correspondence will be circulated to committee members.

## 7. Consent Items

Reports of a routine nature, which are not expected to require discussion and/or debate. Staff may not be in attendance to respond to questions on items contained in the Consent Agenda.

- 7.1 Burlington's application for Development Charge Reduction Program funding (CAO-03-26) (CCS) 1 - 15

Receive for information Chief Administrative Officer report CAO-03-26 regarding the City of Burlington's funding application to the 2026-2035 Development Charge Reduction Program (DCRP).

- 7.2 Corporate policy framework and policy review (CAO-05-26) (CCS) 16 - 21

Direct the Chief Administrative Officer (CAO) to implement a policy framework as described in chief administrative officer report CAO-05-26 that:

- a. establishes criteria for which policies are Council approved & maintained;
- b. meets legislative requirements for public disclosure;
- c. establishes a risk-based policy review cadence;
- d. authorizes staff to make housekeeping and technical edits provided intent, risk, cost or authority is not altered; and

Direct the CAO to report changes to the policy framework, changes to organizational policies, and changes to the public disclosure of policies by Q2, 2027 with subsequent updates provided via the Council Information Package (CIP) at least twice per year.

- 7.3 Staff directions update (CAO-04-26) (CCS) 22 - 27
- Receive for information transformation office report CAO-04-26 regarding the update on staff directions since CAO-01-25, including progress made, the current status of outstanding items, and the proposed transition to semi-annual reporting.
- 7.4 Amendments to Rates and Fees By-law 92-2025 - By-law Compliance (DGM-22-26) (GM) 28 - 33
- Direct the Commissioner, Legal and Legislative Services/City Solicitor to prepare, for the approval of Council, the necessary by-law to amend 2026 Rates and Fees By-law 92-2025, to reduce fees related to transient trader, refreshment vehicles, lottery licences, to transfer the late renewal fee for dog licences and align administrative fees across all licensing categories to meet customer needs as outlined in development and growth management report DGM-22-26.
- 7.5 Repeal and replace Parks By-law 35-1976 (DGM-47-26) (GM) 34 - 38
- Direct the Commissioner, Legal and Legislative Services/City Solicitor to prepare, for the approval of Council, the necessary by-law to repeal and replace Parks By-law 35-1976 as outlined in development and growth management report DGM-47-26.
- 7.6 Options to restrict construction noise, response to staff direction COW-16-26 (DGM-48-26) (GM) 39 - 42
- Receive for information development and growth management report DGM-48-26, regarding options to restrict construction noise, response to staff direction COW-16-26 which outlines the proposed process for engagement.
- 7.7 Amendment to Licensing By-law 42-2008 to clarify Foodstuff Sales (DGM-49-26) (GM) 43 - 45
- Direct the Commissioner, Legal and Legislative Services/City Solicitor to prepare, for the approval of Council, the necessary by-law to amend Business Licensing By-law 42-2008 to clarify definitions related to the sale of 'foodstuff', as outlined in development and growth management report DGM-49-26.

## 8. Community and Corporate Services

- 8.1 Advance authorization to pursue community, recreation and sport grant opportunities (CSS-17-26) 46 - 52
- Direct the Director of Recreation, Community and Culture, in consultation with Government Relations staff, Director of Engineering Services and Chief Financial Officer (CFO) to pursue and submit applications for future community, recreation, sport, cultural, and related infrastructure grant opportunities, including provincial and federal programs as outlined in community services report CSS-17-26; and
- Authorize the Director of Recreation, Community and Culture to execute all documents required for the submission of such applications, where any required municipal contribution is within approved budgets and in accordance with applicable City policies; and
- Authorize the Chief Administrative Officer (CAO) in consultation with the CFO to identify an appropriate funding source for the municipal contribution should we be successful in the grant application under these programs.
- 8.2 Recommendations from Traffic, Congestion and Road Safety Roundtables (MO-02-26) 53 - 91
- Endorse the key findings arising from the Mayor's Traffic, Congestion, and Related Road Safety Roundtables, as summarized in mayor's office report MO-02-26; and
- Direct the Director of Transportation Services to report back in Q4 2026 with an implementation framework, associated resource requirements, governance considerations, and priority actions arising from the roundtable recommendations, including intergovernmental advocacy, coordination measures with Halton Region and the Province of Ontario, and the development of a comprehensive congestion strategy; and
- Direct the Director of Corporate Communications to report back by Q4 2026 with a community engagement plan to gather input from residents on the set of recommendations arising from the roundtables and to identify any gaps in strategy.
- 8.3 Motion memo regarding Freeman Station (COW-18-26) 92 - 93
- Direct the Commissioner of Community Services to report back by Q4 2026 with information exploring options and implications for the long-term, sustainable operation of Freeman Station.

## **9. Confidential Items and Closed Meeting**

Confidential items will be discussed at 1 p.m. on Monday, July 6, 2026

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

### **9.1 Confidential legal update on a litigation matter regarding appeal of OPA 2, projected Major Transit Station Areas (LLS-28-26)**

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

### **9.2 Confidential legal update on a litigation matter regarding 1200 King Road (LLS-1-26)**

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

### **9.3 Confidential legal advice regarding City of Stratford legal challenge to Strong Mayor Powers (LLS-33-26)**

Pursuant to Section 239(2)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose

## **10. Rise and Report**

## **11. Public Works**

## **12. Growth Management**

## **13. Statutory Public Meetings**

Statutory Public Meetings will be discussed at 9:30 a.m. on Tuesday, July 7, 2026

13.1 Official Plan and Zoning By-law Amendments for 2105 Headon Road (DGM-44-26)

94 - 199

Approve the applications for Official Plan and Zoning By-law Amendments, submitted by JEC Properties proposing eight (8) 3-storey townhouse units within a single building block at 2105 Headon Road; and

Approve Official Plan Amendment No.10 to the City of Burlington Official Plan 2020, as outlined in Appendix D of development and growth management report DGM-44-26, to amend the designation of the lands located at 2105 Headon Road to 'Low-Rise Neighbourhoods I' with site-specific policies; and

Deem that Official Plan Amendment No.10 is consistent with The Planning Act; and

Instruct the City Clerk to prepare the necessary by-law adopting Official Plan Amendment No.10 as outlined in Appendix D to development and growth management report DGM-44-26 to be presented for approval at the same time as the associated by-laws to amend Zoning By-law 09-2026 and Zoning By-law 2020, as amended, for the development proposal; and

Approve Zoning By-law 2020.522, attached as Appendix E to development and growth management report DGM-44-26, to rezone portions of the lands at 2105 Headon Road as outlined under By-law 2020.522 from the existing "LN5" zone to a "O2" zone; and

Approve the amendment to Zoning By-law 09-2026, attached as Appendix F to development and growth management report DGM-44-26, to rezone portions of the lands at 2105 Headon Road from the existing "LN5" zone to a site-specific "(H5)-LN8-1" zone; and

Deem that the amendments to Zoning By-law 09-2026 and Zoning By-law 2020.522 will conform to the Halton Region Official Plan, the 1997 Official Plan of the City of Burlington and the 2020 Official Plan once Official Plan Amendment No.10 is adopted; and

State that the amending Zoning By-laws will not come into effect until Official Plan Amendment No.10 is adopted.

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

200 - 236

**Note: Appendix F was published on Thursday, July 2, 2026**

Approve the applications for Official Plan and Zoning By-law Amendments, as modified by staff, submitted by Landwise, on behalf of the property owner for a 7-storey mixed use building; and

Approve Official Plan Amendment No.165 to the City of Burlington Official Plan 1997, as outlined in Appendix D of development and growth management report DGM-45-26, to amend the designation of the lands located at 198 and 206 Plains Road East to “Mixed Use Corridor – General” with site-specific policies; and

Deem that Official Plan Amendment No.165 is consistent with The Planning Act; and

Instruct the City Clerk to prepare the necessary by-law adopting Official Plan Amendment No.165 as outlined in Appendix D to development and growth management report DGM-45-26 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; and

Approve Zoning By-law 2020.523, as modified by staff and attached as Appendix E to development and growth management report DGM-45-26, to rezone the lands at 198 and 206 Plains Road East from the existing “RM1-346” and “RM2-119” zones to a site-specific “MXG-572” zone; and

Deem that Zoning By-law 2020.523, as modified by staff, will conform to the Halton Region Official Plan, the 1997 Official Plan of the City of Burlington and the 2020 Official Plan once Official Plan Amendment No.165 is adopted; and

State that the amending Zoning By-law will not come into effect until Official Plan Amendment No.165 is adopted.

a. *Appendix F regarding Official Plan and Zoning By-law Amendments for 198 and 206 Plains Road East (DGM-45-26)* 237 - 278

13.3 Official Plan and Zoning By-law Amendment for 1200 King Road (DGM-28-26) 279 - 343

**Note: Appendices E, F, G, H will be provided as part of an addendum to the agenda**

Approve the applications, as modified by planning staff, for Official Plan Amendment and Zoning By-law Amendment submitted by Bousfields Inc. on behalf of Alinea Land Corporation proposing a mixed use development consisting of a mixed-use node, entertainment node, campus node, and residential node at 1200 King Road subject to the conditions of draft plan approval described in this report being secured to the satisfaction of the Commissioner of Legal and Legal Services/City Solicitor or his designate, as set out in confidential legal report LLS-31-26; and

Approve Official Plan Amendment No. 9 to the City of Burlington Official Plan 2020, as modified by planning staff and provided in Appendix D of development and growth management report DGM-28-26, to amend the designation for the lands located at 1200 King Road; and

Deem that Official Plan Amendment No.9 is consistent with The Planning Act; and

Instruct the City Clerk to prepare the necessary by-law adopting Official Plan Amendment No. 9 as contained in Appendix D to development and growth management report DGM-28-26 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; and

Approve Zoning By-law 2020.524, attached as Appendix E to development and growth management report DGM-28-26, and

Deem that Zoning By-law 2020.524 will conform to all applicable Official Plans of the City of Burlington once Official Plan Amendment No. 9 is adopted; and

State that the amending zoning by-law will not come into effect until Official Plan Amendment No. 9 is adopted; and

Deem that the lands described as 1200 King Road are classified as a Class 4 area as defined by the Ontario Ministry of Environment, Conservation, and Parks NPC-300 Environmental Noise Guidelines; and

Endorse the Urban Design Brief, dated February 2026, prepared by NAK Urban Design Strategy as urban design guidelines for the King Road Community.

## **14. Information Items**

14.1 Legislative Services forecast for standing committee reports (COW-19-26)

344 - 344

15. **Staff Remarks**

16. **Committee Remarks**

17. **Adjournment**

SUBJECT: Burlington's application for Development Charge Reduction Program funding

TO: Committee of the Whole

FROM: Chief Administrative Officer  
Government Relations

Report Number: CAO-03-26

Wards Affected: All

Date to Committee: July 6, 2026

Date to Council: July 21, 2026

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## **Recommendation**

Receive for information Chief Administrative Officer report CAO-03-26 regarding the City of Burlington's funding application to the 2026-2035 Development Charge Reduction Program (DCRP).

## **Purpose**

To confirm the submission of, and details related to, the City's conditional DCRP application.

## **Executive Summary**

As a follow-up to [CAO-02-26, Staff Supplemental Memo on Report FIN-06-26 Requesting Resolution for Council Consideration](#), Government Relations staff have prepared a summary of the projects proposed (Appendix B) as part of the City's formal application for funding under the DCRP, as per direction received during the June 15, 2026, Special Meeting of Council.

Burlington's DCRP application and accompanying resolution – the only submission representing Halton Region – clearly communicate the City's ongoing commitment to working with senior levels of government and the development sector to tackle Ontario's housing crisis while remaining strategic in its approach to meeting local housing needs and the development of complete communities without risk of impact to existing taxpayers. Although there is no guarantee of funding, the City's DCRP submission responds to the call for municipal partnership and provides a unique opportunity for provincial negotiation that would otherwise be unavailable. If successful, Burlington will benefit from an investment in municipal infrastructure to support its housing objectives and overall growth across the City.

## Application Details

As outlined in the CAO letter and Council-approved resolution which accompanied the City's application (Appendix A), the City is committed to shared federal and provincial goals for housing supply, affordability, and infrastructure. While the DCRP presents a unique opportunity to achieve these goals through an investment in municipal infrastructure, the current program design presents financial considerations and risk for the City.

As discussed at a Special Meeting of Council on June 15, 2026, the potential of unfunded revenue shortfall creating pressure on tax-supported funding sources, and the mitigation of this risk, is a primary focus. This was discussed at the Regular Meeting of Regional Council on June 17, 2026.

Recognizing the urgent need to address Ontario's ongoing housing crisis in partnership with senior levels of government, Burlington was the only Halton Region municipality to submit an application for DCRP support with an emphasis on the need for provincial and federal flexibility to recognize local context, previous action, and long-term financial sustainability. The details of the application are set out in the CAO letter (Appendix A) and the proposed DCRP project list outlined in the Appendix B.

In line with this recognition, a \$20 million ask from the Ministry was included in the CAO letter to be used to enhance the City's DC-equivalent grants within the Burlington Housing CIP to include all new residential unit types while expanding the timeframe of the program to 2028. If this ask is declined, the City submitted the four projects included in the Appendix B as part of its formal DCRP application:

- Projects 1 and 2 (City View sports field development and Transit Signal Priority/Emergency Vehicle Preemption) are considered shovel-ready, amounting to a \$6.2 million request.
- Projects 3 and 4 (Stormwater Infrastructure Resiliency and Integrated Mobility Plan Implementation) amount to an additional \$58.3 million request but do not meet some of the funding criteria. These initiatives were included in the event that DCRP subscription is low and/or the Province is willing to consider flexible delivery timelines.

## **Financial Implications**

The current DCRP framework risks creating a financial deficit for the City, as mandatory three-year residential DC reductions lack a cap on municipal liability, potentially creating pressure on tax-supported funding. To mitigate this risk, Burlington's DCRP application and accompanying resolution seeks recognition of previous housing incentives and the elimination of the city's 10 per cent contribution or funded from non-tax-supported sources including Housing Accelerator Fund (HAF) funding and other eligible reserve funds.

# Information Report

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## Background

The federal and provincial governments launched the Canada-Ontario Partnership to Build agreement on March 30, 2026. This initiative commits up to \$8.8 billion over 10 years to fund municipal housing-enabling infrastructure. Following this, the Ministry of Municipal Affairs and Housing (MMAH) announced the DCRP on June 1, 2026, outlining eligibility, assessment criteria, and funding rules ahead of the June 19, 2026 application deadline.

Council directed the CAO at the June 2026 Committee of the Whole meeting to apply for the DCRP on the basis that the City's submission of proposed projects would be considered in the context of Burlington's previously approved reduction of residential DCs and other housing-supportive actions, as formally communicated in the CAO letter and resolution which accompanied the City's application (Attachment A).

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## Status

Burlington's DCRP application was successfully submitted through TPON by the submission deadline on Friday, June 19, 2026. At the time of writing this memo, the City has not received a status update from the Ministry regarding its application. Should the City receive any notification or correspondence from the Province on this matter, staff will provide an update to Council.

It is anticipated that MMAH will communicate funding decisions in the summer with prioritization given to those applications based on the depth of DC rate reduction, housing impact (number of housing units enabled), and municipal contribution. It is also anticipated that additional priority will be given to projects that are housing-enabling and shovel-ready.

If the Ministry rejects, alters, or fails to fund Burlington's application, Council may need a special August meeting to decide whether to continue to proceed with the application and execute the Transfer Payment Agreement, which must be signed by mid-August 2026.

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## Key Dates & Milestones

- **June 17, 2026:**
  - DCRP resolution shared with the Premier, the Ministers of Finance and Municipal Affairs and Housing, Halton Regional Council, all Ontario municipalities, the Association of Municipalities of Ontario and the Federation of Canadian Municipalities.

- DCRP report received by Halton Regional Council; Unanimous decision that Halton will not submit a DCRP application.
  - **June 19, 2026:** DCRP application submitted successfully by the City of Burlington, prior to the submission window closing at 10:00 a.m.
  - **June 22, 2026:** Burlington launches temporary incentive programs Housing CIP; Applications will be accepted until funding is subscribed.
  - **August 21, 2026:** Nomination period closes for 2026 municipal election; Province intends to execute all DCRP funding agreements.
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## Implications

Without a cap on municipal liability, the current DCRP framework creates a financial risk by straining tax-supported funds through mandatory three-year residential DC reductions. Burlington is addressing this risk through its application and resolution. The City is requesting credit for past housing incentives and seeking to leverage non-tax sources like the Housing Accelerator Fund (HAF) and eligible reserves towards its 10 per cent contribution requirement.

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## References

[CAO-02-26 Staff Supplemental Memo on Report FIN-06-26 Requesting Resolution for Council Consideration \(003\)](#), June 15, 2026

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## Strategic 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
- 

## Author:

Jayson Doll  
Corporate Strategic Lead, Government Relations  
[Jayson.Doll@burlington.ca](mailto:Jayson.Doll@burlington.ca)

Paul Szachlewicz  
Corporate Strategic Lead, Government Relations  
[Paul.Szachlewicz@burlington.ca](mailto:Paul.Szachlewicz@burlington.ca)

**Appendices:**

- A. CAO Letter and Resolution on the Development Charge Reduction Program
- B. Proposed Development Charge Reduction Program Projects

**Notifications:**

N/A

**Report Approval:**

All reports are reviewed and approved by the Commissioner, Head of Corporate Affairs, Chief Financial Officer, and Commissioner of Legal and Legislative Services/City Solicitor.



**Office of the Chief Administrative Officer**

905-335-7600 ext. 7609  
[curt.benson@burlington.ca](mailto:curt.benson@burlington.ca)  
 426 Brant St., PO Box 5013  
 Burlington, ON L7R 3Z6

Martha Greenberg  
 Deputy Minister  
 Ministry of Municipal Affairs and Housing  
 777 Bay Street, 17th Floor  
 Toronto, ON M7A 2J3  
[martha.greenberg@ontario.ca](mailto:martha.greenberg@ontario.ca)

**Re: Development Charge Reduction Program**

June 18, 2026

Dear Deputy Minister Greenberg,

The City of Burlington is submitting its application, as well as an alternative proposal for funding, under the Development Charge Reduction Program (DCRP), further to the additional information provided by Ministry of Municipal Affairs and Housing at the Ontario Big City Mayors meeting on June 12, 2026, and by resolution of Council from June 15, 2026.

We appreciated the opportunity to better understand the program's requirements, opportunities and implementation considerations as municipalities continue to assess how best to advance the shared objectives of housing supply, affordability and growth-related infrastructure.

The City of Burlington shares the goals of the provincial and federal governments to build more homes faster, make housing more affordable, and accelerate key infrastructure projects to protect jobs and help communities grow. The City recognizes the importance of this investment and the opportunity it presents to advance housing-enabling infrastructure in municipalities across Ontario.

While the DCRP presents an important opportunity to advance these shared goals through investment in municipal infrastructure, the current program design presents financial considerations for the City. The potential for an unfunded revenue shortfall to create pressure on tax-supported funding sources, and the mitigation of this risk, is a primary focus. Without appropriate flexibility or mitigation, municipalities may face financial impacts that are difficult to forecast and manage within existing funding frameworks, with potential implications for tax-supported budgets and local taxpayers.

This matter was discussed at a Special Meeting of Council on June 15, 2026. The enclosed resolution (Appendix A) formally communicates Council's feedback on the program and the basis on which the City is submitting its application.

Burlington has already taken meaningful, Council-approved action to support housing supply, affordability and complete communities. This includes a 28 per cent reduction to residential development charges already in effect. The [City of Burlington Housing Community Improvement Plan](#) (CIP) has also been amended to establish a suite of temporary programs with a focus on incentivizing development during a challenging time for the development industry and to support the creation of new housing units aligned with Burlington's housing needs and objectives. The programs include Development Charge grants, fee waivers, tax increment equivalent grants, and other housing-related incentives.

Given these Council-approved actions, and the City's responsibility to balance housing objectives with long-term financial sustainability, Burlington is submitting its DCRP application with a request that the following be considered as part of the City's contribution to advancing the program objectives:

- the 28 per cent development charge reduction for new residential units already made and in effect;
- the existing temporary CIP programs related to development charge grants, fee waivers and other housing-related incentives available for a broad range of housing through the amended City of Burlington Housing Community Improvement Plan; and
- the City's 10 per cent municipal contribution requirement being eliminated or, where permitted by the program and applicable legislation, funded from non-tax-supported sources, including Housing Accelerator Fund funding and other eligible reserve funds.

While the City has submitted a formal application in accordance with DCRP requirements, we would like to propose an alternative approach. The temporary programs established in the CIP are limited by the following factors:

- the amount of funding available to deploy the incentives;
- the timing requirements of spending the available funding (Housing Accelerator Fund); and
- the eligibility criteria.

The temporary CIP programs launch on Monday June 22, 2026, and are expected to quickly absorb all funding currently available, the majority of which is dedicated to the grants equivalent to the City's Development Charges for both ownership and rental units. If the Province were able to provide additional funding of \$20 million to the City to support enhanced CIP implementation, the City would commit this new funding at the earliest opportunity, thereby making the DC grant CIP program applicable to all new units while extending the time frame of the temporary programs to 2028. Broadening eligibility and extending the timeframe of the program would represent a simple, direct and effective means of supporting the creation of new homes in the City of Burlington.

Alternatively, the City has submitted our formal DCRP application consisting of four proposed project bundles. The first two bundles meet DCRP criteria and are highlighted in yellow in our DC Background Study:

- Transit Signal Priority & Emergency Vehicle Preemption; and
- City View Sports Field Development.

The second two bundles do not meet DCRP criteria and are highlighted in green in our DC Background Study:

- Stormwater Infrastructure Resiliency; and
- Integrated Mobility Plan Implementation.

These additional two project bundles are set out in Appendix B. The City is willing to discuss the potential of Provincial flexibility of delivery timeframes. While these projects do not meet the DCRP criteria, these investments in municipal infrastructure are critical to supporting complete communities and overall growth across the entire City.

Burlington is proud of the work already underway and remains focused on sustaining momentum during Ontario's ongoing housing crisis. We recognize that continued progress depends on strong partnership among municipalities, the Province, the federal government and the development industry. As the program is implemented, we would welcome flexibility that recognizes local context, previous municipal action and the need for financially sustainable implementation.

Burlington remains committed to working collaboratively with the Province to advance housing-enabling infrastructure while protecting the long-term financial sustainability of the municipality and the interests of local taxpayers.

Sincerely,

Curt Benson  
Chief Administrative Officer

c: Laurie Miller, Assistant Deputy Minister, Local Government Division, Ministry of Municipal Affairs and Housing  
Marianne Meed Ward, Mayor, City of Burlington  
Kelvin Galbraith, Ward 1 Councillor  
Lisa Kearns, Ward 2 Councillor  
Rory Nisan, Ward 3 Councillor  
Shawna Stolte, Ward 4 Councillor  
Paul Sharman, Ward 5 Councillor  
Angelo Bentivegna, Ward 6 Councillor  
Mike de Rond, City Clerk, Director of Legislative Services

**Enclosure:** Appendices A and B

## APPENDIX A: City of Burlington Resolution



905-335-7600 ext. 7490  
905-335-7675  
Mike.derond@burlington.ca

June 16, 2026

### **SUBJECT: Information on the new Development Charge Reduction Program (FIN-06-26)**

Please be advised that at its Special Council meeting held Monday, June 15, 2026, the Council of the City of Burlington approved the following resolution:

Whereas on March 30, 2026, the federal and provincial government signed the Canada-Ontario Partnership to Build agreement to support the shared goals of building more homes faster, making housing more affordable and accelerating key infrastructure projects to protect jobs and help communities grow, and the agreement included \$8.8 billion in federal and provincial funding over 10 years to support housing-enabling infrastructure investments for municipalities; and

Whereas on June 1, 2026, the Province released information on the Development Charge Reduction Program, including details on the application process, eligibility and assessment criteria and funding requirements; and

Whereas municipalities had limited opportunity to provide input on the program design prior to its release, despite the commitment of up to \$8.8 billion for housing enabling infrastructure representing a significant investment in municipal infrastructure and housing priorities; and

Whereas eligible projects must primarily enable the construction of new housing units, accelerate the delivery and implementation of shovel-ready infrastructure projects in the municipality's DC background study and capital plan, begin construction by July 31, 2030, and be complete by October 31, 2035; and

Whereas applications will also be assessed based on the percentage of committed DC rate reduction, the number of housing units projected to be built as a result of the proposed DC relief, and the municipality's financial contribution, with at least 10 per cent of eligible project costs to be funded by the municipality; and

Whereas the City supports the objectives of the Canada-Ontario Partnership to Build and recognizes the importance of senior government investment in housing-enabling infrastructure; and

Whereas the City has already taken significant Council-approved actions to reduce its DC rates, which are among the lowest in Halton Region and low compared to other GTHA municipalities, and has also used other municipal and planning tools, including the City of Burlington Housing Community Improvement Plan, to support housing supply, affordability and complete communities; and

Whereas the current DCRP design, including the requirement for an across-the-board 30 per cent to 50 per cent residential DC reduction, the minimum municipal contribution requirement, the March 30, 2026 measurement date and the absence of a mechanism to cap municipal exposure, presents significant municipal financial exposure; and

Whereas in addition to the risk that the program could result in a subsidy from City taxes, there does not appear to be consideration given to early and creative actions already enacted by municipalities to support the creation of new housing while also meeting specific housing targets and goals to deliver complete communities; and

Whereas a number of Council-approved actions have been implemented that support the creation of housing and do not impact the tax base, including:

- Staff-driven initiative to reduce the proposed DC rates to mitigate the proposed increase in the DC Background Study that has been in effect since June 2024, resulting in residential DC rates being reduced by 28 per cent and non-residential DC rates being reduced by 32 per cent;
- Development of the City's first Affordable Rental Housing Community Improvement Plan, including 10 programs in 2025;
- Amendments to the Affordable Rental Housing Community Improvement Plan in May 2026 to broaden the scope of the CIP and develop a suite of new temporary programs in the now named City of Burlington Housing Community Improvement Plan, approved in May 2026 and currently within the appeal period, including DC grant programs to incentivize purpose-built rental units and ownership units with criteria related to built form, bedroom numbers and unit size, including within midrise and tall buildings, as well as other temporary programs including a

Missing Middle Municipal Fee Waiver, Tax Increment Equivalent Grants and Accessible Design Grant;

- Modernized Official Plan policies and associated Residential Zoning By-law to support the creation of new residential units;
- Completion of all Housing Accelerator Fund Action Plan items; and

Whereas in considering the DCRP, staff also note that Council recently reviewed options to support housing through development-related financial incentives, and through that work, broad DC reductions were identified as presenting financial and implementation risks, including reduced flexibility in future DC by-law updates, limitations in targeting specific housing policy objectives and pressure on tax-supported funding sources; and

Whereas Council ultimately approved amendments to the City's housing-related Community Improvement Plan as a more targeted, temporary and controlled approach to supporting housing while protecting existing taxpayers;

Therefore, be it resolved that staff submit a list of projects and apply to the Development Charge Reduction Program on the basis that, through the application, the City requests to receive credit for:

1. The significant development charge reductions for new residential units, being 28 per cent, already made and in effect; and
2. The development charge exemptions available for a broad range of housing through the amended Community Improvement Plan; and
3. The City's 10 per cent portion being eliminated or funded from non-tax-supported sources, including Housing Accelerator Fund funding and development charges;

Therefore, be it further resolved that the CAO provide an accompanying letter to the City of Burlington's application under the DCRP detailing these considerations and requesting that the Ministry of Municipal Affairs and Housing and Housing, Infrastructure and Communities Canada evaluate program applications with fair consideration for previous municipal actions to reduce DCs and provide flexibility in working with municipalities to ensure successful program implementation;

Therefore, be it further resolved that a copy of this motion be shared with the Premier, the Minister of Municipal Affairs and Housing, the Minister of Finance, Halton Regional Council, all Ontario municipalities, the Association of Municipalities of Ontario and the Federation of Canadian Municipalities.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike de Rond". The signature is fluid and cursive, with a large initial "M" and "d".

Mike de Rond  
City Clerk, Director of Legislative Services

## APPENDIX B: Additional Projects for Consideration

Service	Project Name	Timing (year)	Gross Capital Cost Estimate (2024\$)	Sum of Residential Share
stormwater infrastructure resilience	Appleby Creek Erosion Control (Detailed Design and Partial Construction) (South Service Road to Lake Ontario)		1,057,377	515,982
	Appleby Creek Erosion Control (South Service Road to Lake O	2025	755,737	368,830
		2026	1,018,033	496,826
		2027	704,918	344,014
		2028	893,443	436,034
		2029	700,000	341,600
<b>stormwater infrastructure resilience Total</b>			<b>5,129,508</b>	<b>2,503,286</b>
<b>Integrated Mobility Plan Implementation Program</b>				
	Plains Road East from ~50m east of Helena Street to Brant Str	2028	812,500	570,375
	Ironstone Drive from Heron Way to Appleby Line	2030	500,000	351,000
	Mount Forest Drive from Brant Street to ~55m east of Mountai	2029	575,000	403,650
	Queensway Drive from ~25m east of Reimer Common to Guel	2027	1,250,000	877,500
	Appleby Line from Fairview Street to New Street		2,330,000	1,635,660
	Appleby Line from New Street to Lakeshore Road	2027	1,384,000	971,568
	Cedar Springs Road from Dundas Street to No. 1 Side Road	2029	1,396,500	980,343
	Cedar Springs Road from No. 1 Side Road to No. 2 Side Road	2029	1,379,875	968,672
	Cedar Springs Road from No. 2 Side Road to Britannia Road	2026	4,134,375	2,902,331
	Cumberland Avenue from Fairview Street to Prospect Street	2030	399,150	280,203
	Elizabeth Street from Caroline Street to Lakeshore Road	2032	18,150	12,741
	Fairview Street from Walkers Line to Appleby Line	2026	7,350,000	5,159,700
	Greenwood Drive from King Road to Francis Road	2030	230,850	162,057
	James Street from Brant Street to Martha Street	2029	1,000,000	702,000
	John Street from Caroline Street to Lakeshore Road	2029-2030	625,000	438,750
	Lakeshore Road from Appleby Line to Burloak Drive	2026	687,500	482,625
	Lakeshore Road from Brant Street to Martha Street	2027	580,781	407,708
	Lakeshore Road from Martha Street to Guelph Line	2027	1,250,000	877,500
	Mainway from Appleby Line to Burloak Drive	2028	4,420,000	3,102,840
	Mainway from Guelph Line to Walkers Line	2026	2,966,350	2,082,378
	Mainway from Walkers Line to Appleby Line	2028	3,045,000	2,137,590
	Martha Street from Caroline Street to Lakeshore Road	2029	893,150	626,991
	Mountainside Drive from Multi-Use Trail to Guelph Line	2030	846,325	594,120
	North Service Road from Brant Street to Industrial Street	2032	1,363,125	956,914
	North Service Road from Kerns Road to Brant Street	2032	1,586,475	1,113,705
	Plains Road from Daryl Drive to Shadeland Avenue	2025	7,668,000	5,382,936
	Plains Road from York Boulevard to Daryl Drive	2029	6,664,500	4,678,479
	Snake Road from Old York Road to Thomson Drive / Main Stree	2026	873,600	613,267
	Sutton Drive from Mainway to North Service Road	2030	1,026,300	720,463
	Upper Middle Road from Brant Street to Guelph Line	2026-2029	4,728,325	3,319,284
	Walkers Line from Dundas Street to Upper Middle Road	2027	4,420,166	3,102,957
	Walkers Line from Fairview Street to New Street	2025	1,789,900	1,256,510
	Walkers Line from Harvester Road to Fairview Street	2025	993,443	697,397
	Walkers Line from Mainway to Harvester Road	2025-2028	1,828,894	1,283,884
	Walkers Line from New Street to Lakeshore Road	2025	767,600	538,855
	Walkers Line from Upper Middle Road to Mainway	2027	1,722,967	1,209,523
<b>Integrated Mobility Plan Implementation Program Total</b>			<b>73,507,802</b>	<b>51,602,477</b>

### Proposed Development Charge Reduction Program (DCRP) Projects

Shovel-Ready Projects *			
Project Title	Description	Funding Request	Total Municipal Contribution
1. City View Sports Field Development	Expand the City's outdoor recreation capacity through the development of new sports fields (baseball, soccer) and supporting infrastructure (trails, park roads and parking) to maintain service levels for existing and future residents while advancing complete community objectives.	\$5,068,263	\$877,074
2. Transit Signal Priority (TSP) and Emergency Vehicle Preemption (EVP)	TSP technology and equipment will be deployed on-street at signalized intersections and on-board transit vehicles to improve transit travel times, reduce delays for transit vehicles, and enhance the overall transit experience for passengers. This project will also equip signalized intersections with technology to ensure EVP is provided City-wide, thereby allowing fire department vehicles to receive a green indication at traffic signals when responding to calls and providing a more timely response to emergencies.	\$1,135,639	\$1,776,256
<b>Sub-Total:</b>		<b>\$6,203,902</b>	<b>\$2,653,330</b>

\* Construction to start by July 31, 2030 and completed by October 31, 2035.

Additional Projects Proposed			
Project Title	Description	Funding Request	Total Municipal Contribution
3. Stormwater Infrastructure Resiliency – Appleby Creek	Erosion control and channel stabilization works - including slope stabilization, channel protection, restoration works, and associated infrastructure improvements - to address identified erosion hazards, improve watershed resilience, protect municipal infrastructure investments, and support the long-term sustainability of lands planned for residential growth and development.	\$2,699,744	\$2,832,328

<b>4. Integrated Mobility Plan Implementation (IMP)</b>	A bundled portfolio of active transportation projects identified through Burlington's IMP including the planning, design, and construction of cycling facilities, multi-use pathways, sidewalks, pedestrian crossings, intersection improvements, and related infrastructure to improve safety, accessibility, and connectivity while supporting population growth, residential intensification, and complete communities.	\$55,652,239	\$23,624,454
<b>Sub-Total:</b>		<b>\$58,351,983</b>	<b>\$26,456,782</b>
<b>Grand Total:</b>		<b>\$64,555,885</b>	<b>\$29,110,112</b>

SUBJECT: Corporate policy framework and policy review  
TO: Committee of the Whole  
FROM: Chief Administrative Officer  
N/A

Report Number: CAO-05-26

Wards Affected: All

Date to Committee: July 6, 2026

Date to Council: July 21, 2026

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## Recommendation

Direct the Chief Administrative Officer (CAO) to implement a policy framework as described in chief administrative officer report CAO-05-26 that:

- a) establishes criteria for which policies are Council approved & maintained;
- b) meets legislative requirements for public disclosure;
- c) establishes a risk-based policy review cadence;
- d) authorizes staff to make housekeeping and technical edits provided intent, risk, cost or authority is not altered; and

Direct the CAO to report changes to the policy framework, changes to organizational policies, and changes to the public disclosure of policies by Q2, 2027 with subsequent updates provided via the Council Information Package (CIP) at least twice per year.

## Executive Summary

Purpose of report:

To modernize corporate policy governance by improving efficiency, clarifying Council and staff roles, maintaining a current corporate policy inventory, and aligning publicly available policies with legislative requirements and transparency objectives.

Key findings:

- The City of Burlington currently has 159 organizational policies which can be categorized as:
  - approved by Council and published via the City website
  - staff approved and not published publicly
- There are policies previously approved by Council which are exempt from public disclosure by legislation. Likewise, there are staff approved policies which would benefit from public disclosure.
- All policies reviewed by Council are available via council agenda packages and minutes. All policies are subject to public disclosure via the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA).
- The City of Burlington would benefit from the establishment of a policy framework which determines consistent review cycles, review roles and responsibilities and approval authority.
- Staff do not currently have delegated authority to make any edits to Council approved policies, including minor housekeeping edits. All edits identified would currently require Council review and approval via staff reporting if delegated authority is not provided.
- Staff are recommending that reporting to Council on policy changes be established through the CIP on a semi-annual basis. This will ensure Council can review all changes to organizational policies, and question staff policy decisions if necessary.

# Recommendation Report

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## Background

The City maintains a large inventory of policies developed over time under varying governance standards. The last comprehensive report to Council regarding Corporate Policies was in October 2012, through Report CL-21-12.

This report focused on a round of policy updates recognizing a variety of policies that required updates and established that the entirety of the Corporate Policy Manual is eligible for publication on the City's public website.

Since that time, policies have continued to evolve without a comprehensive governance framework. Policies have been tabled for Council review and approval in absence of a clear criterion. The current organizational practice is such that all policies reviewed by Council are made available via the publicly facing webpage.

The City has yet to establish a consistent policy review cycle. This leaves review periods at the discretion of the role holders responsible for each policy.

Municipal policy governance has changed over time from static policy documentation to the concept of living/responsive governance systems. Policies need more continuous updates balancing risk exposure with the pace of organizational change.

All policies, regardless of Council approval, remain subject to access under the Municipal Freedom of Information and Protection of Privacy Act, unless a legal exemption applies.

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## Analysis

It is also recommended that staff, via CAO delegated authority, be given the ability to make/ approve minor housekeeping amendments to all corporate policies so long as the edits do not change intent, risk, cost or authority. This recommendation aligns with policy control best practices and Councils desire for red tape reduction.

The COSO Framework (previously endorsed by Council as the Corporations organizational approach to Enterprise Risk Management) explicitly states that policies are a core component of internal control systems, and that 'Controls' must be continuously monitored and updated. Similarly, ISO 9001 suggests that policies are part of a system of management with the goal being effectiveness, not volume, hierarchy or approval.

In alignment with best practices, it is staff's recommendation that a policy framework be established which would guide a review of current policies, while also establishing criteria through which new policies would be considered. Including a determination over which policies are eligible for staff approval, and which require Council consideration.

It is also recommended that staff, via CAO delegated authority, be given the ability to make & approve minor housekeeping amendments to all corporate policies so long as the edits do not change intent, risk, cost or authority of said policy. This recommendation aligns with policy control best practices and Councils desire for efficiency and red tape reduction.

### Public Accessibility of Policies

All policies are subject to public disclosure as per the *Municipal Freedom of Information and Protection of Privacy Act*, unless a specific legal exemption applies. Policies brought forward for Council consideration are also made publicly accessible via Committee and Council agenda packages, as well as meeting minutes.

A previous Council received and approved recommendations put forth in report CL-21-12, which reinforced the use of a publicly accessible webpage with a searchable inventory of Council-approved policies. These policies are available to the public at all times, regardless of review status or accuracy. Organizational policies established by staff are not included in this public inventory and are maintained on an internal intranet site.

A preliminary review of all policies indicates that some publicly accessible policy documents may be subject to legislative exemptions from disclosure. These exemptions were established to support organizations in managing corporate security risks. Likewise, there are policies previously established by staff and internally available which would benefit from public disclosure.

Based on legislative requirements, 15 of our 79 published policies must be publicly accessible. A further nine organizational policies must be accessible to staff.

To maintain public transparency, staff are recommending that semi-annual reporting is established via the Council Information Package (CIP). Any changes to the policy framework, public accessibility to policy documents, and any edits to policies themselves would be outlined in the CIP reporting. This will continue to provide Council the ability to review and question changes to the framework and any policy edits which are not presented to Council directly.

### Policies subject to Council Decision Making

Municipalities which have implemented policy frameworks typically establish criteria which determine when a policy requires Council consideration.

It is recommended that moving forward, policies would be brought to Council if one of the following criteria is met:

- Creates or materially changes public-facing commitments or service levels
- Has financial implications exceeding previously approved spending or is outside of existing delegated authority
- Is required by provincial or federal legislation

- Involves statutory authority, legal risk, or liability exposure
- Establishes or materially changes user fees, subsidies, or eligibility criteria
- Has significant equity, reputational, or community impact
- Commits the municipality to long-term strategic directions or partnerships

All other policies would remain the responsibility of City staff.

### **Transparency and access**

Burlington's website already reflects the City's commitment to transparency and accountability. However, the inventory of policies published should distinguish between policies that must be published, those that are good to publish for transparency purposes, and those retained internally.

Where a policy is not published, it remains accessible through MFIPPA unless an exemption applies. Public posting is therefore a transparency measure and not the sole mechanism for access.

As outlined above, it is intended that all staff approved policy amendments and publication decisions would be reported to Council via the Council Information Package on a semi-annual basis.

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### **Implications**

There are no direct financial implications arising from the approval of the governance framework itself. Administrative time will be required to finalize a new policy framework, create and maintain a master policy inventory, coordinate policy reviews with appropriate internal staff, and update the public policy register on the City's website.

Staff are proposing to return to Council Q2, 2027 to provide an update on progress made. Thereafter, staff are proposing twice yearly policy updates to ensure the policy framework is achieved and policy documents are maintained.

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### **References**

A summary of relevant reports, decisions, and other related material, include hyperlinks [Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56](#)

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## Strategic 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
- 

### Author:

Andrew Scott  
Chief Transformation Officer  
[Andrew.scott@burlington.ca](mailto:Andrew.scott@burlington.ca)

### Appendices:

N/A

### Report Approval:

All reports are reviewed and approved by the Commissioner, Head of Corporate Affairs, Chief Financial Officer, and Commissioner of Legal and Legislative Services/City Solicitor.

SUBJECT: Staff directions update  
TO: Committee of the Whole  
FROM: Transformation Office  
N/A

Report Number: CAO-04-26

Wards Affected: All

Date to Committee: July 6, 2026

Date to Council: July 21, 2026

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## **Recommendation:**

Receive for information transformation office report CAO-04-26 regarding the update on staff directions since CAO-01-25, including progress made, the current status of outstanding items, and the proposed transition to semi-annual reporting.

## **Executive Summary**

This report provides Council with an update on progress made against the inventory of staff directions presented to Council through the inventory presented via CAO-01-25. At that time, 29 staff directions were reviewed; 12 were deemed completed with 17 remaining outstanding. Since then, significant progress has been made, including the completion of several complex and high-priority initiatives.

The staff directions identified in CAO-01-25 has largely been addressed. The remaining staff directions are fewer in number and primarily reflect longer-term, strategic, or policy-driven work. New staff directions continue to be issued by Council and are incorporated into the corporate tracking process by Legislative Services.

As part of this review, staff recommend moving to a semi-annual reporting cycle on the status of staff directions. This will maintain transparency while aligning reporting with the scale and timelines of the work necessary to fulfill staff directions.

# Information Report

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## Background

In 2024, Council approved direction CL-25-24, requesting a comprehensive audit of outstanding staff directions to improve visibility, prioritization, and alignment with corporate priorities. Staff undertook a cross-departmental review to assess progress, identify barriers, and strengthen tracking and reporting practices. The results were presented in CAO-01-25 in early 2025. At that time, 29 staff directions were reviewed, with 17 identified as outstanding. These items varied in scope, ranging from short-term operational tasks to multi-year strategic initiatives. The report introduced a prioritization framework to support focus on high-impact work and established a path forward that included enhanced tracking, clearer accountability, and regular reporting to Council.

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## Status

Since CAO- 01 - 25, the City has made substantial progress in completing outstanding staff directions, particularly those identified as high priority or complex.

Additionally, staff have continued to deliver on new directions issued by Council. This reflects a shift toward reporting back to Council on staff directions as part of regular operations (refer to Appendix A for details).

The number of outstanding staff directions has been significantly reduced in number. Remaining items are primarily longer-term initiatives or policy work requiring consultation, coordination, or alignment with broader planning processes. All are actively progressing and aligned with anticipated report back timelines.

Newer staff directions issued in 2025 and 2026 are also underway and are being integrated into departmental workplans alongside ongoing initiatives.

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## Implications

The progress achieved since CAO-01-25 demonstrates that the majority of staff directions, including a range of those deemed high priority, have been completed. Remaining items reflect appropriate long term work and new directions that are actively managed through existing processes.

Given this improved position, transitioning to semi annual reporting is recommended. This

approach will continue to support accountability while providing more meaningful updates that reflect the pace and nature of the work required to fulfil staff directions from Council.

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## References

[CL-25-24](#) staff directions audit report  
[CAO-01-25](#) staff directions audit update

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## Strategic Alignment

- Designing and delivering complete communities
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  - Driving organizational performance
- 

## Author:

Andrew Scott  
Chief Transformation Officer  
[Andrew.scott@burlington.ca](mailto:Andrew.scott@burlington.ca)

Leah Bortolotti  
Head of Corporate Affairs  
[leah.bortolotti@burlington.ca](mailto:leah.bortolotti@burlington.ca)

## Appendices:

A. Update on current staff directions

## Report Approval:

All reports are reviewed and approved by the Commissioner, Head of Corporate Affairs, Chief Financial Officer, and Commissioner of Legal and Legislative Services/City Solicitor.

### Status of Staff Directions

#### Completed Since CAO-01-25

Staff Direction	Description	Status	Report / Memo Reference
SD-20-23 to SD-24-23	Digital Transformation & AMANDA Compliance	Completed	<a href="#"><u>DGM-04-25</u></a>
SD-23-22	New Zoning By-Law Review	Completed	<a href="#"><u>DGM-05-26</u></a>
SD-17-24	Burlington Lands Partnership Update – inventory and partnership opportunities	Completed	<a href="#"><u>DGM-08-25</u></a>
SD-19-24	Fare-Free Transit Study – feasibility and reporting	Completed	<a href="#"><u>CSS-03-25</u></a>
SD-13-24	Civic Square and Brant Street Renewal – design and reporting	Completed	<a href="#"><u>PWS-01-25</u></a>
SD-18-23	Park Provisioning Master Plan – ongoing reporting updates	Completed	<a href="#"><u>DGM-20-25</u></a> <a href="#"><u>DGM-32-35</u></a>
SD-26-22	ROPA 49 – growth and planning analysis and reporting	Completed	<a href="#"><u>DGM-20-25</u></a>
SD-28-23	School Safety and Mobility Committee – feasibility and reporting	Completed	<a href="#"><u>PWS-09-25</u></a>

#### Additional Completed Staff Directions (Not Part of CAO-01-25 Review)

Staff Direction	Description	Status	Report / Memo Reference
SD-1163	Council Code of Good Governance and Staff–Council Relations Policy Review	Completed	<u>LLS-25-26</u>
SD-1162	Council Code of Good Governance and Staff–Council Relations Policy Review (Clerk-led components)	Completed	<u>LLS-25-26</u>
SD-1089	ABC Governance / Integrity Commissioner Advice	Completed	<u>LLS-08-26</u>
SD-1169	Community Survey Results	Completed	<u>CAF-05-26</u>
COW-08-26	Committee Membership / Lobbyist Eligibility Review	Complete	<u>LLS-27-26</u>

**Outstanding / In Progress**

Staff Direction	Description	Status
SD-25-22	Health Protection and Air Quality By-law	In Progress
SD-12-22	Bird Friendly City Resolution	In Progress
SD-27-23	Kennel / Pet Boarding Licensing Framework	In Progress
SD-10-24	Municipal Addressing Process Review	In Progress
SD-09-24	Range Burlington redevelopment exploration	In Progress
SD-34-19	Urban Design and Streetscape Guidelines – Plains Road	In Progress
SD-18-20	Character-Defining Precincts Review	In Progress
SD-26-21	By-law Compliance Review and Updates	In Progress

COW 10-26	On-demand transit pilot exploration and implementation plan	In-Progress
COW-05-26	Corporate Communications – social media strategy (X platform)	In-Progress

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SUBJECT: Updates to 2026 Rates and Fees - By-law Compliance

TO: Committee of the Whole

FROM: Development and Growth Management  
By-law Compliance

Report Number: DGM-22-26

Wards Affected: All

Date to Committee: July 6, 2026

Date to Council: July 21, 2026

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## Recommendation

Direct the Commissioner, Legal and Legislative Services/City Solicitor to prepare, for the approval of Council, the necessary by-law to amend 2026 Rates and Fees By-law 092-2025, to reduce fees related to transient trader, refreshment vehicles, lottery licences, to transfer the late renewal fee for dog licences and align administrative fees across all licensing categories to meet customer needs as outlined in development and growth management report DGM-22-26.

## Executive Summary

Purpose of report:

- To reduce 2026 Rates and Fees related to Refreshment Vehicles and Transient Trader business licence categories to aid vendors/event organizers participating in special events in Burlington, reduce lottery licence fees, combine licensing administrative fees to ensure equality across all licensing categories, fix errors in labels (including applicable tax) and add in the late renewal fee for Animal Services that should have been transferred from Animal Control By-law 60-2005.

Key findings:

- Fees for Transient Traders and Refreshment Vehicles have been reduced to meet market conditions. This will not result in significant impact to revenue but will make it easier for vendors to comply with the by-law and reduce the need for enforcement resources. Staff have already applied these fees for events in 2026 to ensure fairness.

# Recommendation Report

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- Licence fees for Lottery Licences have been reduced by 50% to meet market conditions as profits have not rebounded since the COVID19 pandemic. Staff have been applying these new fees as part of their delegated authority.
  - Administrative Fees for licensing have been combined for clarity which results in licence replacement and late fees increasing for the Adult Entertainment category.
  - The Late Renewal Fee for Dog Licences is now transferred to the Rates and Fees By-law (fee remains the same).
- 

## Background

Through discussion with a special event operator in December 2025, it was noted that they struggled to attract vendors due to the licence costs required by the City of Burlington. Similar feedback was received regarding lottery licensing and how it impacted profits for charity. As Burlington has not increased fees since 2020, and past reviews indicated fees aligned with similar municipalities, staff re-reviewed the fees in light of vendor feedback. During the review, some administrative errors were also noted, prompting the proposed changes.

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## Analysis

The following changes to the 2026 Rates and Fees for By-law Compliance are recommended:

### Licensing Category

1. Reduce Rates for Transient Trader and Refreshment Vehicle licences to match market conditions. Although the rates have not increased since 2020, the original rates were developed based on a business model where refreshment vehicles or other vendors would have semi-permanent locations (e.g. long-term stall or on-street location) to conduct business. The rates were aimed at ensuring these businesses would not interfere with existing 'brick and mortar' businesses. The reality is that other laws prevent 'semi-permanent' operations and the majority of these businesses operate at special events (both public and private) where the profit is less than the licence. Many vendors have been operating illegally without appropriate licences and now that enforcement resources have increased, businesses are reluctant to participate in events for fear of enforcement – creating a barrier for event organizers trying to attract vendors.

2. Change the 3-month licence to a 6-month licence for Transient Trader and Refreshment Vehicles to match the seasonal requirements of the businesses.
  
3. Add daily, monthly and seasonal rates for all classes of refreshment vehicles.  
Currently, this is only available for full food trucks, but other vehicles such as hot dog or ice cream carts may also want to attend a 'one-time' event without paying the annual fee.

The proposed rate changes are shown in Tables 1 and 2 below:

TABLE 1: Transient Trader Rate Comparison

Type	Category	Current Rate	Proposed Rate	Difference
Transient Trader	1 to 3 days	\$104.04	\$49.00	-\$55.04
	Monthly	\$297.84	\$79.00	-\$218.84
	3 Months	\$710.94 (\$236.98 per month)	N/A (now 6 months)	
	6 months <i>(new category)</i>	-	\$129.00 (\$21.50 per month)	-\$215.48 per month
	Annual	\$1,264.80	\$193.80	-\$1,071.00 per year

Table 2: Refreshment Vehicle Rate Comparison

Type	Category	Current Rate	Proposed Rate	Difference
Class A Refreshment (chip trucks, hot dog carts, BBQ)	1 to 3 days	-	\$59.00	
	Monthly	-	\$89.00	
	6 Months	-	\$170.00	
	Annual	\$392.70	\$275.00	-\$117.70

Class B Refreshment (Ice Cream Carts/Bikes)	1 to 3 days	-	\$49.00	
	Monthly	-	\$79.00	
	6 Months	-	\$125.00	
	Annual	\$193.80	\$193.80	\$0.00

Class C Refreshment (Catering Trucks, Ice)	1 to 3 days	-	\$79.00	
	Monthly	-	\$99.00	
	6 Months	-	\$190.00	
	Annual	\$287.64	\$287.64	\$0.00

Cream Trucks)				
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Class D Refreshment (Food Trucks)	1 to 3 days	\$99.96	\$79.00	-\$20.00
	Monthly	\$388.62	\$99.00	-\$289.62
	3 Months	\$764.04 (\$255.68 per month)	N/A (now 6 months)	
	6 Months		\$129.00 (\$21.50 per month)	-\$234.18 per month
	Annual	\$1,416.78	\$325.00	-\$1,091.78

These rate changes will not have a significant impact on revenue as most vendors were not applying for the licences.

4. Combine Administrative Fees for all business licensing categories to ensure consistency. As past fees have been listed under each by-law, there are discrepancies depending on when a fee was added. The result of this change is that two fees in the Adult Entertainment category will increase as follows:
  - Licence Replacement Fee increases by \$34.44 (from \$12.48 to \$46.92)
  - Late Renewal Fee increases \$21.42 (from \$52.02 to \$73.44)
  
5. Reduce Bingo Licence Fees in half from \$102 to \$51. Bingo has not recovered since the COVID19 pandemic, and these fees interfere with charitable profits.

Animal Service Category (Page 14/86)

1. Add the \$10 late renewal fee. This \$10.00 fee has existed since 2005, but a housekeeping error meant that the fee was not transferred over to the Rates and Fees By-law as required.
  
2. Combine the Microchip and Implant Fee into one fee as we cannot sell a microchip without the implant. Making it one fee provides clarity for customers. No change to cost.
  
3. Change the label for the unaltered dog licence fee. It is incorrectly labelled as an 'additional' fee to the regular licence when it is just a higher licence fee.

## Recommendation Details

Changes to the Rates and Fees By-law are recommended to meet customer needs.

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## Implications

Although some of the fee decreases are high, it will not affect actual revenue given the majority of vendors are not applying for these fees. For example, the Annual Class D Refreshment fee which, as ranged from \$1,300 - \$1,400, has only been used twice since 2016 (1 in 2018 and 1 in 2025). Additional revenue is expected from the seasonal refreshment rates, but it is difficult to estimate as many vendors were not paying these fees.

The Late Renewal Fee for dog licences has always been applied as they were included in the animal care by-law since at least 2005. When rates were moved to the Rates and Fees By-law, this fee was missed and this change is administrative only.

In terms of the administrative fee alignment, the only change is to the Adult Entertainment category. Increased revenue from those fees are minimal as there are only 32 licences currently issued and the fee is only applied if someone loses their licence and needs to replace or if the application is late and late renewal fees apply.

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## References

City of Burlington Rates and Fees By-law 92-2025.

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## Strategic 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
- 

## Author:

Kerry Davren  
Director By-law Compliance

**Draft By-laws for Approval at Council:**

- Amendment to 2026 Rates and Fees By-law 92-2025 to Council July 21, 2026

**Notifications:**

N/A

**Report Approval:**

All reports are reviewed and approved by the Commissioner, Head of Corporate Affairs, Chief Financial Officer, and Commissioner of Legal and Legislative Services/City Solicitor.

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SUBJECT: Repeal and replace Parks By-law 35-1976

TO: Committee of the Whole

FROM: Development and Growth Management  
By-law Compliance

Report Number: DGM-47-26

Wards Affected: All

Date to Committee: July 6, 2026

Date to Council: July 21, 2026

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## **Recommendation**

Direct the Commissioner, Legal and Legislative Services/City Solicitor to prepare, for the approval of Council, the necessary by-law to repeal and replace Parks By-law 35-1976 as outlined in development and growth management report DGM-47-26.

## **Executive Summary**

Staff recommend repealing and replacing Parks By-law 35-1976, which is outdated, contains administrative errors, and lacks the provisions necessary for effective enforcement.

The proposed modernized by-law would streamline regulations by removing duplicate provisions covered under other by-laws, reduce confusion regarding noise and nuisance, establish enforcement mechanisms for park agreements and permits, address park encroachments, enable permit-only use of designated facilities, and support the use of an Administrative Penalty System.

While enforcement would remain a last resort and can initially be managed within existing staffing resources through proactive compliance measures, successful implementation will require updates to park agreement/permit processes and a comprehensive review of park signage to ensure consistency, clarity, and enforceability.

# Recommendation Report

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## Background

The By-law Compliance Department was established in 2023 with a mandate to centralize enforcement. Prior to its creation, the responsibility to enforce and maintain by-laws, many of which are outdated and unenforceable, sat with the departments with relevant subject matter expertise. Working with internal partners, By-law Compliance staff have been integrating enforcement duties into their workplan which requires by-laws to be reviewed and modernized.

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## Analysis

Parks By-law 35-1976 was passed in 1976 and has been amended many times. It contains administrative errors, including numbering errors, and lacks appropriate enforcement language making enforcement difficult; therefore, staff recommend that it be repealed and replaced with a modernized version that achieves the following:

1. Remove any items already covered in other by-laws. Examples of items currently in Parks By-law 35-1976 but covered by other by-laws include, but are not limited to:
  - Dogs at large (Animal Control By-law 60-2005)
  - Noise and Nuisance (Noise and Nuisance By-law 19-2003)
  - Smoking/Vaping/Waterpipe (Halton Region By-laws 40-2020 and 41-20)
  - Fireworks (Discharge of Fireworks By-law 84-2020)
  - Firearms (Discharge Firearms By-law 83-1991)
  - Disposal of refuse, garbage and debris (Lot Maintenance By-law 49-2022)
  - Open Air Burning (Open Air Burning By-law 65-2019)
  - Parking (Parking and Idling By-law 39-2016)
  - Selling of goods (Business Licensing By-law 42-2008)
2. Reduce confusion regarding noise and nuisance. As has been noted through discussion regarding cricket at Central Park, noise related to regular, permitted use in a park cannot be considered illegal and is covered via Noise and Nuisance By-law 19-2003.
3. Includes enforcement provisions related to park use agreements and permits. While park use has been regulated through agreements/permits for many years, there are no

enforcement provisions in Parks By-law 35-1976 related to these items. The new by-law will provide an additional tool to aid in managing these agreements/permits.

4. Includes provisions to deal with park encroachments. Encroachments onto municipal property have become an issue across the City. The long-term plan is to develop an encroachment by-law that applies to all City property, however, park encroachments have become problematic so new language will be added to this by-law in the interim.
5. Allows certain facilities to be managed by permit only. Currently, passive play in parks is not illegal and is encouraged via the City's [Live and Play Plan](#). As the City has grown and organized play has increased, it is becoming more challenging to manage demand. Language is being included in the by-law that will allow staff to designate certain facilities to be used by permit only if signed as such. Appropriate signage will need to be installed and managed to ensure successful enforcement.
6. Allow for use in an Administrative Penalty System. The by-law will include provisions that allow for the use of an Administrative Penalty System.

#### Additional Items that Need to be Addressed

- Agreements and Permits for Park Use

As noted, facilities are booked using legal agreements and permits. These agreements/permits will need to align with the new Parks By-law to ensure they can be enforced under it. Staff recommend implementing the updated by-law and working with relevant departments as issues arise to refine the agreement/permit system and to reinforce the importance of permitted users being “good neighbours” to avoid potential conflicts.

- Signage

Under the provisions of the existing Parks By-law, most of the existing signage in parks is not enforceable. This is confusing to those reporting issues to the City of Burlington based on posted information. The updated by-law will allow park use to be managed using enforceable signs that clearly distinguish between the rules and recommendations that apply to park users. A process for how park signs are reviewed, placed and tracked will need to be developed and requires cooperation among several departments including Legal, Recreation and Culture, Engineering, Roads Parks & Forestry and Transportation.

There will be costs associated with updating signage, and it is difficult to determine the impact without a fulsome review. Most changes will likely be captured by regular sign maintenance updates to replace damaged or weathered signs. Initial sign changes will be limited to those with major impact (e.g. signage limiting park usage to permit play only or regulating barbequing).

### Enforcement Plan

For many years parks have been managed successfully through operational means including the maintenance of facilities and scheduling of activities. This work will continue. Enforcement should always be a last resort and if done properly, will result in timely compliance before major issues occur.

When required, enforcement can be done on a proactive basis by tracking issues and developing a proactive patrol plan. This can be achieved with current staffing levels by varying schedules.

It is understood that Council wishes to explore options related to increased levels of service related to issues in Central Park (as per Staff Direction [COW-15-26](#) from the June 23, 2026 Council meeting). The potential for additional resources will be addressed via that report.

### Additional Options Considered

Staff considered waiting until a comprehensive agreement/permit and signage process were developed before bringing forward an updated by-law. This option was rejected for the following reasons:

- There is currently no tool for enforcement in parks and not every activity needs an agreement/ permit or sign. It is better to ensure partial enforceability than none.
  - Enforcement in parks is a new endeavor for the By-law Compliance Department. There is a lack of information regarding park enforcement related issues as they have been managed by the various departments on a case-by-case basis in absence of any enforcement tools. In addition, voluntary compliance with the applicable by-law is a desired outcome and therefore the preferred approach over enforcement. However, it is important that staff have the necessary tools where voluntary compliance cannot be achieved or in the opinion of staff is not possible to achieve. The earlier staff start enforcement, the faster staff can understand the level of service needed to achieve compliance.
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## Recommendation Details

Implementing the recommended changes to the Parks By-law will provide a new tool to aid in the management of parks.

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## Implications

In order to ensure success of the new by-law, a review of park permitting and signage will need to be completed.

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## Strategic 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
- 

## Author:

Kerry Davren  
Director By-law Compliance  
905-335-7777 Ext. 7800

## Appendices: N/A

## Draft By-laws for Approval at Council:

- Repeal and Replace Parks By-law 35-1976 to be submitted for the July 21, 2026 Council meeting.

## Report Approval:

All reports are reviewed and approved by the Commissioner, Head of Corporate Affairs, Chief Financial Officer, and Commissioner of Legal and Legislative Services/City Solicitor.

SUBJECT: Options to restrict construction noise, response to staff direction COW-16-26

TO: Committee of the Whole

FROM: Development and Growth Management  
By-law Compliance

Report Number: DGM-48-26

Wards Affected: All

Date to Committee: July 6, 2026

Date to Council: July 21, 2026

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## **Recommendation:**

Receive for information by-law compliance department report DGM-48-26, regarding options to restrict construction noise, response to staff direction COW-16-26 which outlines the proposed process for engagement.

## **Executive Summary**

Staff will examine community preferences for construction noise limits, the potential impacts restrictions have on construction projects and costs and opportunities to regulate construction noise based on project type or geographic area. Guided by Burlington's Community Engagement Charter and Framework, public and stakeholder engagement will include online surveys, public engagement events, open houses, and targeted stakeholder meetings. Findings will include comparisons with other municipalities, an assessment of historical concerns, and consideration of resource and budget implications associated with enforcement and municipal projects. Staff will report back to Committee and Council with recommendations in Q1 2027.

# Information Report

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## Background

At its meeting of June 23, 2026, Council directed that staff report back on the process and considerations to regulate construction and related impacts to residents as per Staff Direction COW-16-26.

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## Status

Municipalities have the ability to regulate noise from construction via noise control by-laws as per the *Municipal Act, 2001*. The City of Burlington *Noise Control By-law 19-2003, as amended*, currently limits the use of construction equipment by time and day (Monday to Saturday 7 a.m. to 7 p.m.). Construction equipment is defined as:

*“Construction Equipment” means any equipment or device designed and intended for use in construction, or material handling, including but not limited to, air compressors, pile drivers, pneumatic or hydraulic tools, bulldozers, tractors, excavators, trenchers, cranes, derricks, loaders, scrapers, pavers, generators, off highway haulers or trucks, ditchers, compactors and rollers, pumps, concrete mixers, graders, or other material handling equipment.*

An exemption from the Noise Control By-law may be requested for construction or similar activities that involve sound or vibration. These approvals can include requests to extend permitted work hours. The application process for an exemption requires the applicant to send a Noise Exemption Notice to all residences within a 150-metre radius of the event or project location.

## Proposed Engagement

Staff will use Burlington’s [Community Engagement Charter and Framework \(2026\)](#) to guide the engagement regarding Construction Noise – including a project page on [getinvolvedburlington.ca](http://getinvolvedburlington.ca) and inclusion as a topic in the September ‘Food for Feedback’ event.

Based on discussion at the June 8/9, 2026 Committee of the Whole meeting, staff propose to research and engage on the following:

- Community preference for limiting construction noise (both days and hours of permitted activity);

- How limits to construction noise may affect (financial and otherwise) the construction industry and projects (including municipal);
- Whether construction noise can be regulated via construction type (e.g. single-detached infill dwelling in an existing neighbourhood vs. greenfield subdivision/large building or infrastructure project) or geographical areas.

The report will include a best practices comparison with other municipalities, a review of historical issues and possible implications to resources/budget related to various enforcement levels of service and implications for municipal construction projects.

### Target Audience

- Residents and business owners impacted by noise
- Construction and development industry – including advocacy groups
- Internal stakeholders – e.g. those responsible for municipal and regional infrastructure

### Outreach Methods

- Staff will utilize the ‘Get Involved Burlington’ website for information and associated engagement tactics, and work with Communications to disseminate information about this review.
- Construction Noise will be a topic at the September ‘Food for Feedback’ event
- Staff will set up public engagement sessions in Q4 of 2026.
- Staff will make themselves available to meet with Construction/Development/Advocate groups separately so they can provide detailed feedback/explanations on impacts to their current/proposed projects.

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### **Key Dates & Milestones**

- Get Involved Page - up by September 1, 2026 - including associated engagement tactics.
- Food for Feedback – September 12, 2026
- Public Engagement - Q4 2026
- Final Report Back to Committee/Council – Q1 2027

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### **References**

Staff Direction [COW-16-26](#) “Review of Options to Restrict Construction Hours” from Council Meeting of June 23, 2026.

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## Strategic 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
- 

### Author:

Kerry Davren  
Director of By-law Compliance  
905-335-7777 x7800

### Appendices:

N/A

### Report Approval:

All reports are reviewed and approved by the Commissioner, Head of Corporate Affairs, Chief Financial Officer, and Commissioner of Legal and Legislative Services/City Solicitor.

SUBJECT: Amendment to Licensing By-law 42-2008 to clarify Foodstuff Sales

TO: Committee of the Whole

FROM: Development and Growth Management  
By-law Compliance

Report Number: DGM-49-26

Wards Affected: All

Date to Committee: July 6, 2026

Date to Council: July 21, 2026

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## **Recommendation**

Direct the Commissioner, Legal and Legislative Services/City Solicitor to prepare, for the approval of Council, the necessary by-law to amend Business Licensing By-law 42-2008 to clarify definitions related to the sale of 'foodstuff', as outlined in development and growth management report DGM-49-26.

## **Executive Summary**

This is a minor amendment to Business Licensing By-law 42-2008 to clarify regulations related to the sale of 'foodstuff' and ensure consistency across all licensing categories regarding where foodstuff can be sold. The proposed changes are administrative in nature, will not affect how licences are issued or the required fees.

# Recommendation Report

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## Background

By-law Compliance staff monitor customer feedback on the by-laws as a result of the day-to-day administration of the applicable by-laws. Customers have experienced confusion to staff related to the definition of the sale of foodstuff. As a customer service initiative to clarify the Business Licensing By-law, a minor amendment is required to the by-law.

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## Analysis

Business Licensing By-law 42-2008 uses the term 'foodstuff' for several categories. The definition of "foodstuff" is as follows:

*"Foodstuff" means an edible commodity meant for human consumption, including but not limited to pre-packaged, prepared, wholesale, bulk or catered.*

There are discrepancies in the Business Licensing By-law regarding where foodstuff can be sold depending on the licensing category (e.g. may need to own a building vs. selling online or in temporary space) and new business models, such as commercial kitchens. The proposed by-law amendment is minor in nature and intended to clarify for business users and ensure alignment across all categories.

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## Recommendation Details

To ensure language in Business Licensing By-law 42-2008 is easily understood by users trying to comply and align the sale of foodstuff across all categories.

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## Implications

None. The change is for clarification purposes, will not change how business licences are issued or the required fees.

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## Strategic 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
-

**Author:**

Kerry Davren  
Director of By-law Compliance  
905-335-7777 Ext. 7800

**Draft By-laws for Approval at Council:**

- Amendment to Business Licensing By-law 42-2008 for July 21, 2026 Council.

**Report Approval:** All reports are reviewed and approved by the Commissioner, Head of Corporate Affairs, Chief Financial Officer, and Commissioner of Legal and Legislative Services/City Solicitor.

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SUBJECT: Advance authorization to pursue community, recreation and sport grant opportunities

TO: Committee of the Whole

FROM: Community Services  
Recreation, Community and Culture

Report Number: CSS-17-26

Wards Affected: all

Date to Committee: July 6, 2026

Date to Council: July 21, 2026

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## **Recommendation**

Direct the Director of Recreation, Community and Culture, in consultation with Government Relations staff, Director of Engineering Services and Chief Financial Officer (CFO) to pursue and submit applications for future community, recreation, sport, cultural, and related infrastructure grant opportunities, including provincial and federal programs; and

Authorize the Director of Recreation, Community and Culture to execute all documents required for the submission of such applications, where any required municipal contribution is within approved budgets and in accordance with applicable City policies; and

Authorize the Chief Administrative Officer (CAO) in consultation with the CFO to identify an appropriate funding source for the municipal contribution should we be successful in the grant application under these programs.

## **Executive Summary**

The purpose of this report is to seek Council authorization for staff to pursue and submit applications for future community, recreation, sport, and related infrastructure grant opportunities as they become available this fall, and to execute all documents required to complete such applications.

The City anticipates the release of several significant funding opportunities in 2026, including the Province of Ontario's expanded [Community Sport and Recreation Infrastructure Fund \(CSRIF\)](#) and the federal [Build Communities Strong Fund \(BCSF\) – Local Impact Stream](#). While funding commitments have been announced and some grant programs have begun releasing eligibility and intake information, staff require time to evaluate program criteria, identify the projects that best align with funding objectives, and develop competitive applications. Given the potential for limited application windows, advance authority will ensure the City can respond strategically and efficiently once all program details are confirmed.

The province has announced an additional \$300 million investment in the Community Sport and Recreation Infrastructure Fund, bringing the total program value to \$500 million, with further details regarding eligibility and application requirements to be released later in 2026. Similarly, the Government of Canada has established the Build Communities Strong Fund to support community infrastructure projects that strengthen local economies, community vitality, and quality of life, with multiple intake periods anticipated over the coming years.

Given the timing of anticipated grant announcements, potential application deadlines, and limited Council meeting opportunities during the fall period, delays associated with obtaining project-specific Council approval may reduce the City's ability to respond competitively or meet application timelines. As the exact grant criteria are not yet known, staff are not seeking approval for specific projects through this report. Rather, staff are seeking advance authority to evaluate forthcoming program requirements and determine the most suitable and strategic City projects for submission once program details are released.

This approach will position the City to maximize access to external funding opportunities, improve organizational responsiveness, and ensure that Burlington remains competitive for provincial and federal investments that support Council-approved recreation, sport, cultural, and community infrastructure priorities. Staff will report back to Council on the outcome of applications and any funding awards received, as appropriate.

# Recommendation Report

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## Background

The City of Burlington continuously seeks opportunities to pursue senior government funding to advance recreation and community infrastructure projects. In 2024, the City submitted an [application](#) to the Province of Ontario's Community Sport and Recreation Infrastructure Fund (CSRIF) seeking funding support for the redevelopment of the Sherwood Forest Park. Although the project addressed an identified community need, the City was unsuccessful in securing funding. Staff understand that the program was significantly oversubscribed and that funding was allocated quickly, highlighting the importance of being prepared to respond rapidly when future grant opportunities are released.

Today, several key initiatives have strengthened the City's ability to identify and prioritize recreation infrastructure investments. In 2024, Council approved the [Live and Play Plan](#), providing a strategic framework for recreation services, sport infrastructure, parks amenities, and community facilities. The plan confirms growing demand for recreation opportunities across Burlington and identifies priorities for future investment.

Council's adoption of the [2025 Asset Management Plan](#) has also provided a clearer understanding of the City's long-term infrastructure needs. The plan identifies several recreation and community assets that are approaching the end of their useful life and will require significant renewal, rehabilitation, or replacement in the coming years. While capital funding continues to support ongoing asset renewal, some projects exceed the funding capacity available through existing municipal budgets.

As a result, future provincial and federal grant opportunities present an important opportunity to accelerate infrastructure renewal and address identified service gaps. Subject to program eligibility requirements, staff anticipate focusing applications on projects that renew existing infrastructure, address major repair needs, and advance priorities identified through the various strategic plans mentioned above.

As the criteria, intake timelines, and funding requirements for anticipated grant programs have not yet been released, staff are not seeking approval for specific projects through this report. Instead, staff are requesting advance authority to evaluate program requirements and submit applications for projects that best align with Council-approved priorities, identified infrastructure needs, and available municipal funding capacity. This approach will position the City to respond quickly to time-sensitive funding opportunities and maximize Burlington's ability to secure external investment in community, recreation, and sport infrastructure.

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## **Analysis**

Advance authority is particularly important given the anticipated timing of future grant releases. Staff expect that application intake periods may coincide with the 2026 municipal election cycle and the associated restrictions on Council decision-making. Waiting until program details are released before seeking Council direction could significantly reduce the City's ability to prepare and submit applications within available timelines.

Subject to future eligibility requirements, staff anticipate prioritizing projects that:

- Address aging recreation and community infrastructure approaching end-of-life;
- Advance significant rehabilitation or renewal projects identified through asset management planning;
- Improve accessibility, service levels, and community benefit;
- Support Council-approved recreation and community priorities;
- Are identified in the 10-year capital forecast to support any required City funding contributions; and
- Leverage external funding to reduce pressure on municipal capital funding sources.

## **Options Considered**

### **Option 1 – Approve Advance Authority for Staff to Pursue Grant Opportunities (Recommended)**

Under this option, Council would authorize the Director of Recreation, Community and Culture along with relevant stakeholders to evaluate future program criteria and submit applications for projects that best meet funding requirements and City priorities.

This approach:

- Positions Burlington to respond quickly to competitive funding opportunities;
- Reduces the risk of missing application deadlines;
- Allows staff to select projects that most closely align with released program criteria;
- Supports proactive pursuit of external funding to compliment capital projects identified in the 10-year capital forecast; and
- Maximizes the City's ability to secure provincial and federal investment in community, sport, and recreation infrastructure.

### **Option 2 – Wait Until Program Criteria Are Released and Return to Council with Project-Specific Recommendations**

Under this option, staff would review program requirements once released, complete a project assessment, and then return to Council seeking authority to apply.

While this option would provide Council with project-specific approval prior to submission, it carries several risks:

- Limited time may be available between the release of program criteria and application deadlines;
  - The timing may coincide with the municipal election period and restricted decision-making authority;
  - Additional report preparation and Council approval processes could delay submissions; and
  - Burlington may be disadvantaged if funding is allocated on a first-come, first-served basis or through highly competitive intake windows.
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### **Recommendation Details**

Staff recommend Option 1 – Advance Authority to Pursue Grant Opportunities because it provides the City with the greatest flexibility to respond to funding opportunities that may have short application windows, evolving eligibility requirements, or competitive allocation processes.

At present, the Province has announced an additional \$300 million for the Community Sport and Recreation Infrastructure Fund; however, eligibility criteria and intake details have not yet been released and are expected later this year. Similarly, the federal Build Communities Strong Fund is being delivered through phased intake periods and may present future opportunities that require timely municipal responses.

The timing of these anticipated funding opportunities is expected to coincide with the municipal election period and the transition to a newly elected Council. While the City remains committed to maintaining appropriate governance and accountability, staff are seeking delegated authority to ensure Burlington is not disadvantaged by timing constraints outside of its control. Advance authorization would allow staff to review published criteria, identify the most suitable project(s), complete application requirements, and submit funding requests within the required timelines.

This approach is particularly important given Burlington's previous experience with the 2024 Community Sport and Recreation Infrastructure Fund application. While the City submitted a strong application for the Sherwood Forest Park project, the experience demonstrated the importance of responding quickly to funding opportunities where program demand significantly exceeds available funding.

Advance authority also allows staff to align project selection with the finalized program requirements rather than seeking approval for a specific project before the criteria are known.

This increases the likelihood of submitting competitive applications and maximizing external funding opportunities for Burlington residents.

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### Key Dates & Milestones

- **March 2026:** [Province of Ontario announced an additional \\$300 million investment in the Community Sport and Recreation Infrastructure Fund \(CSRIF\)](#), bringing the total program value to \$500 million. Program criteria, eligibility requirements, and intake details are anticipated later in 2026.
  - **June 2026:** [Government of Canada launched the Build Communities Strong Fund \(BCSF\)](#) – Local Impact Stream for Southern Ontario, supporting community infrastructure projects that strengthen local economies and quality of life. Future intake opportunities are anticipated.
  - **Summer/Fall 2026 (anticipated):** Provincial CSRIF program guidelines, eligibility criteria, and intake timelines expected to be released.
  - **Fall 2026 (anticipated/subject to program timelines):** Staff review and assess funding opportunities against City priorities, identified infrastructure needs, and published program requirements. Submission of grant applications under delegated authority for projects that align with funding criteria and available municipal funding sources.
  - **Following funding decisions:** Staff report back to Council on application outcomes, funding awards received, and recommended next steps, as appropriate.
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### Implications

The recommendations in this report have no immediate financial, human resource, legal, communication, engagement, or climate implications. Approval of delegated authority would enable staff to pursue future grant opportunities and submit applications as funding programs become available. Projects would be selected from the 10-year capital forecast without committing the City to any specific project or expenditure. Any required municipal contribution would be supported through funding sources as identified by the Chief Financial Officer and in accordance with City policies. Successful funding applications may provide opportunities to accelerate infrastructure renewal, leverage external funding, improve community recreation assets, and advance sustainability objectives through future project implementation. Staff will report back to Council on funding outcomes and any resulting project recommendations, as appropriate.

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## References

- [RCC-17-24 Seeking project endorsement for Community Sport and Recreation Infrastructure Fund \(CSIRF\)](#)
  - [RCC-12-24 Live and Play Plan – recommendations for future needs](#)
  - [Live and Play Plan](#)
  - [Asset Management Plan \(2025\)](#)
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## Strategic 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
- 

## Author:

Emilie Cote  
Director of Recreation, Community and Culture  
Ext. 7353  
[Emilie.Cote@burlington.ca](mailto:Emilie.Cote@burlington.ca)

## Report Approval:

All reports are reviewed and approved by the Commissioner, Head of Corporate Affairs, Chief Financial Officer, and Commissioner of Legal and Legislative Services/City Solicitor.

SUBJECT: Recommendations from Traffic, Congestion and Road Safety Roundtables

TO: Committee of the Whole

FROM: Office of the Mayor

N/A

Report Number: MO-02-26

Wards Affected: All

Date to Committee: July 6, 2026

Date to Council: July 21, 2026

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## **Recommendation**

Endorse the key findings arising from the Mayor's Traffic, Congestion, and Related Road Safety Roundtables, as summarized in mayor's office report MO-0-26; and

Direct the Director of Transportation Services to report back in Q4 2026 with an implementation framework, associated resource requirements, governance considerations, and priority actions arising from the Roundtable recommendations, including intergovernmental advocacy, coordination measures with Halton Region and the Province of Ontario, and the development of a comprehensive congestion strategy; and

Direct the Director of Corporate Communications to report back by Q4 2026 with a community engagement plan to gather input from residents on the set of recommendations arising from the Roundtables and to identify any gaps in strategy.

## **Executive Summary**

Purpose of report:

This report presents the outcomes and recommended actions emerging from the Mayor's Traffic, Congestion, and Related Road Safety Roundtables, and to seek Council direction on advancing coordinated, multi-jurisdictional solutions to address traffic, congestion, and road safety issues in Burlington.

Traffic continues to be a top concern for Burlington residents. The 2025 Community Survey found that 33 percent of residents report traffic has worsened their quality of life, while the 2023 survey identified traffic and road safety as the top issue for Council attention.

Two roundtables held in March and May 2026 brought together key partners from the City of Burlington, Halton Region, Province of Ontario, local academia, business, and industry experts to assess challenges and identify solutions.

Participants identified five priority actions to address congestion:

1. Advancing real-time signal coordination, potentially led by a single agency.
2. Strengthening coordination with the Ministry of Transportation for the Burlington Skyway Bridge and Freeman Interchange.
3. Expanding transit service to reduce dependence on single-occupant vehicle travel.
4. Improving communication, data sharing, and coordination of construction projects with Halton Region and the Province of Ontario.
5. Developing a comprehensive congestion strategy for the City of Burlington.

Key findings:

The Traffic, Congestion, and Road Safety Roundtables confirmed that traffic congestion remains a top concern for Burlington residents and is a complex, multi-jurisdictional challenge requiring coordinated action. Participants identified a set of priority actions to address congestion and improve road safety, including:

1. Advancing adaptive traffic control and real-time signal coordination across jurisdictions, including the potential for single agency control;
2. Strengthening advocacy and coordination with the Ministry of Transportation related to the Burlington Skyway Bridge and Freeman Interchange;
3. Expanding transit service and enhanced reliability to support a balanced transportation network by encouraging mode shift and reducing dependence on single-occupant vehicle travel;
4. Improving communication, data sharing, and coordination of construction and major projects; and
5. Developing a comprehensive anti-congestion strategy, including the potential for formal MOUs with partnering agencies.

Implications:

- Financial implications will be dependent on the scope and phasing of recommended initiatives. Some actions, such as coordination improvements and advocacy, can be advanced within existing resources, while others, including technology upgrades and transit investments, will require future capital and operating funding.

# Recommendation Report

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## Background

Traffic and road safety rank among Burlington residents' top concerns. Council continues to hear clearly and consistently from residents that traffic congestion is impacting daily life, including longer commute times and increased cut-through traffic in neighbourhoods.

The 2025 Community Survey found that 33 percent of residents reported that traffic has worsened their quality of life over the past two years, and was the second most reported factor, after cost of living/affordability. The 2023 Community Survey identified traffic and road safety as the top issue requiring attention from Mayor and Council.

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## Analysis

Burlington is a key corridor for regional and provincial travel. Major transportation routes such as the QEW, Highway 403, and Highway 407 generate significant through-traffic, meaning congestion pressures often originate beyond municipal boundaries but are experienced locally.

Traffic congestion occurs when demand exceeds road capacity, resulting in slower speeds, increased delays, and longer travel times. Congestion is most noticeable during peak periods and is often linked to freeway-related disruptions, which can quickly negatively influence local road conditions.

The complexity of Burlington's transportation system presents additional challenges. Responsibility for road operations is shared across multiple jurisdictions including the City of Burlington, Halton Region, the Province of Ontario, and 407 ETR, requiring coordinated approaches to signal timing, incident management, and infrastructure planning.

Provincial highways, including the QEW, Highway 403, and associated interchanges, are owned and operated by the Province of Ontario. Many of Burlington's major arterial roads are operated by Halton Region, including Guelph Line, Brant Street, Appleby Line, Burloak Drive, Dundas Street, Upper Middle Road, and Derry Road.

Lastly, traffic pressures are expected to intensify as the City's population increases. According to the most recent growth analysis conducted for Burlington by Watson & Associates in February 2025, the City is expected to grow at an annual rate of 1.1% to 1.7% per year, with population projections ranging from 265,200 to 323,600 by 2051.

## Community Engagement and Communications:

The roundtables represent a targeted engagement approach bringing together subject matter experts, institutional partners, and community representatives. The outcomes complement broader community engagement, including findings from the City's Community Surveys

identifying traffic and road safety as top concerns.

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### **Key Dates & Milestones**

The Mayor convened two Traffic, Congestion, and Related Road Safety Roundtables to bring together key partners, share data, and identify practical, evidence-informed solutions.

#### **March 23, 2026 – Mountainside Community Centre**

The first roundtable focused on establishing a shared understanding of congestion challenges in Burlington and identifying key system pressures. Staff presented data on traffic patterns, collision trends, and jurisdictional responsibilities. Congestion was identified as occurring primarily during peak periods, with larger disruptions often linked to freeway incidents that quickly impact local roads. Participants discussed broader impacts including economic, social, road safety, and environmental considerations, and explored key factors influencing congestion such as infrastructure constraints, collisions, construction activity, and limited network redundancy.

#### **May 25, 2026 – Central Arena (Auditorium)**

The second roundtable focused on identifying and prioritizing actionable solutions. Participants reviewed key congestion themes, including traffic signals and technology, transit and active transportation, freeway network coordination, growth and construction impacts, and communication and coordination across agencies. The session included a structured “pair and share” exercise to identify top recommendations and build consensus on priority actions, with particular emphasis on measures within municipal and regional control.

### **Representation and Participation**

Both roundtables were led by City of Burlington Transportation staff, supported by a professional meeting facilitator, and included a broad cross-section of participants. Attendees included representatives from several internal departments, the Province of Ontario, representatives from MPP’s offices, Halton Region, City of Burlington advisory committees, Economic Development and Tourism, Business Improvement Areas, and academic experts in transportation and congestion. Representation also included the Town of Oakville as a neighbouring municipality.

The March 23 session included approximately 22 participants, including Ward 1 and 2 Councillors.

The May 25 session included approximately 23 participants, including Ward 3 and 5 Councillors.

Participants brought perspectives from transportation operations, emergency services, economic development, academia, and community advocacy. This broad representation supported a multidisciplinary approach to identifying solutions and reinforcing the importance of coordination across jurisdictions and sectors.

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## Implications

Specific funding necessary to complete the resourcing and development of an implementation framework and congestion strategy would be formulated into a 2027 budget submission for Council consideration in 2027.

The development of a implementation framework and anti-congestion strategy will help Burlington reach its climate change goals, as it will help reduce our use of fossil fuels and lower our carbon emissions overall. Car usage is a leading driver of climate change.

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## References

This work aligns with the City's endorsed Integrated Mobility Plan (IMP), and more specifically the System Management Program. The IMP identifies a number of policies, programs, and actions intended to improve transportation network performance and address congestion. The recommendations arising from the roundtable support and complement many of these existing directions.

This work also supports coordination with Halton Region, provincial partners, neighbouring municipalities, and other transportation agencies in addressing transportation challenges that extend beyond municipal boundaries.

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## Strategic 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
- 

## Author:

Esther Gibbs  
Policy & Community Support Specialist  
Office of the Mayor

Marie Nash  
Chief-of-Staff  
Office of the Mayor

## Appendices:

- A. Traffic Roundtable Presentation for March 23, 2026
- B. Traffic Roundtable Presentation for May 25, 2026

**Notifications:**

Marek Braczek  
Director  
Transportation  
Halton Region

Lee Anne Jones  
Commissioner  
Public Works  
Halton Region

**Report Approval:**

All reports are reviewed and approved by the Commissioner, Head of Corporate Affairs, Chief Financial Officer, and Commissioner of Legal and Legislative Services/City Solicitor.



# Traffic Congestion and Related Road Safety Roundtable

**Presented By:**

**Chris King**

**Manager of Transportation Operations**

**City of Burlington**

# What is Traffic Congestion?

Traffic Demand is higher than road capacity

Measured by:

- Volume
- Capacity
- Speeds
- Stops
- Queues
- Delay
- Travel times
- Reliability

Congestion results in slower speeds, increased delay and longer trip times

## Drivers angry, frustrated as Ontario highway lane closures stall traffic to Niagara

Ontario | Brampton | Caledon | Durham | Halton | Hamilton | Mississauga | Niagara | Toronto | Latest News | Original Features | Traffic

By Steve Pecar

Published May 11, 2025 at 4:35 pm

## Burlington calls on province to address Skyway lane closures

The Mother's Day weekend closure "impacted Burlington significantly," says mayor.

BURLINGTON  
**The Post.**

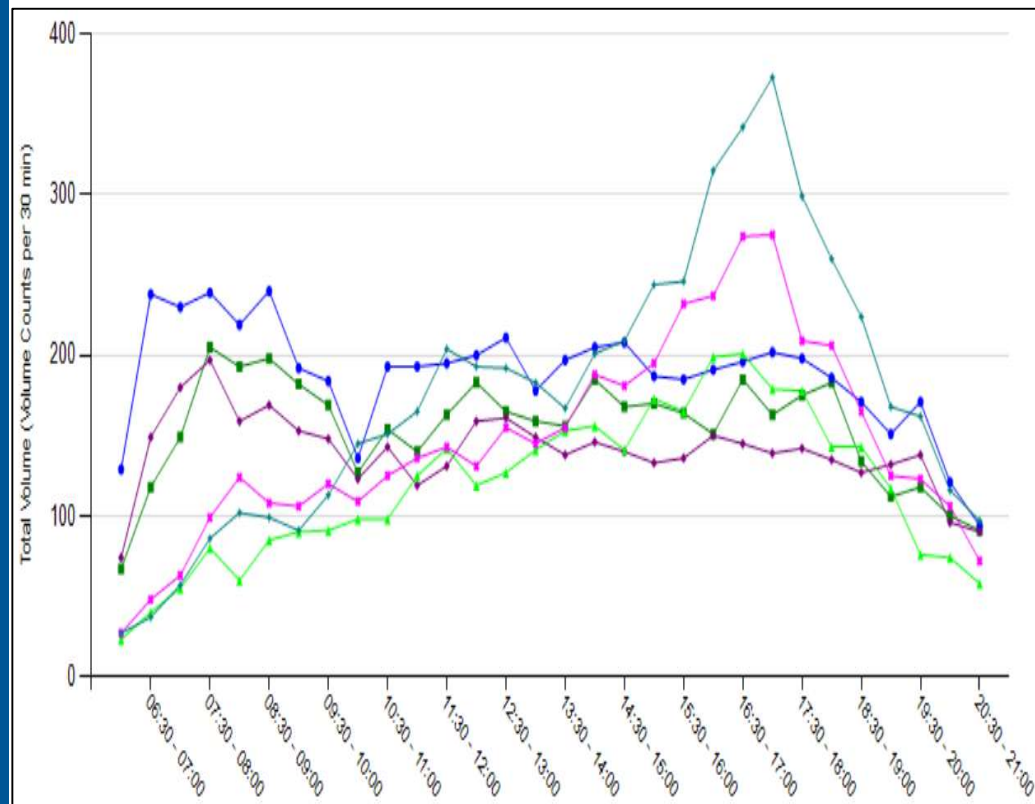
By **Craig Campbell** Burlington Post

Wednesday, June 11, 2025 | 2 min to read

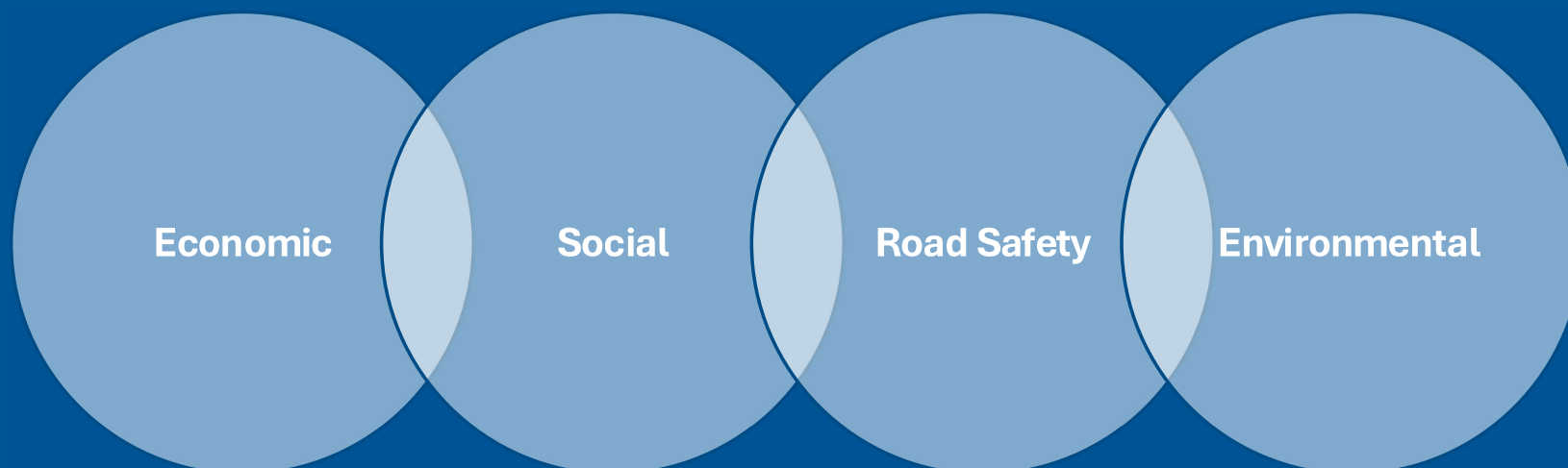
Article was updated Jan 14, 2026

# Congestion in Burlington

- Traffic generally functions well day-to-day
- Congestion is most noticeable during peak periods
- Larger disruptions are typically freeway-related
- Freeway impacts can quickly influence local roads



# Congestion's Broader Impacts



# Jurisdictional Partners

Federal: Lift Bridge

Provincial: QEW, 403

Private: 407 ETR

Halton Region: Arterials

City of Burlington: Local/collector/Arterial

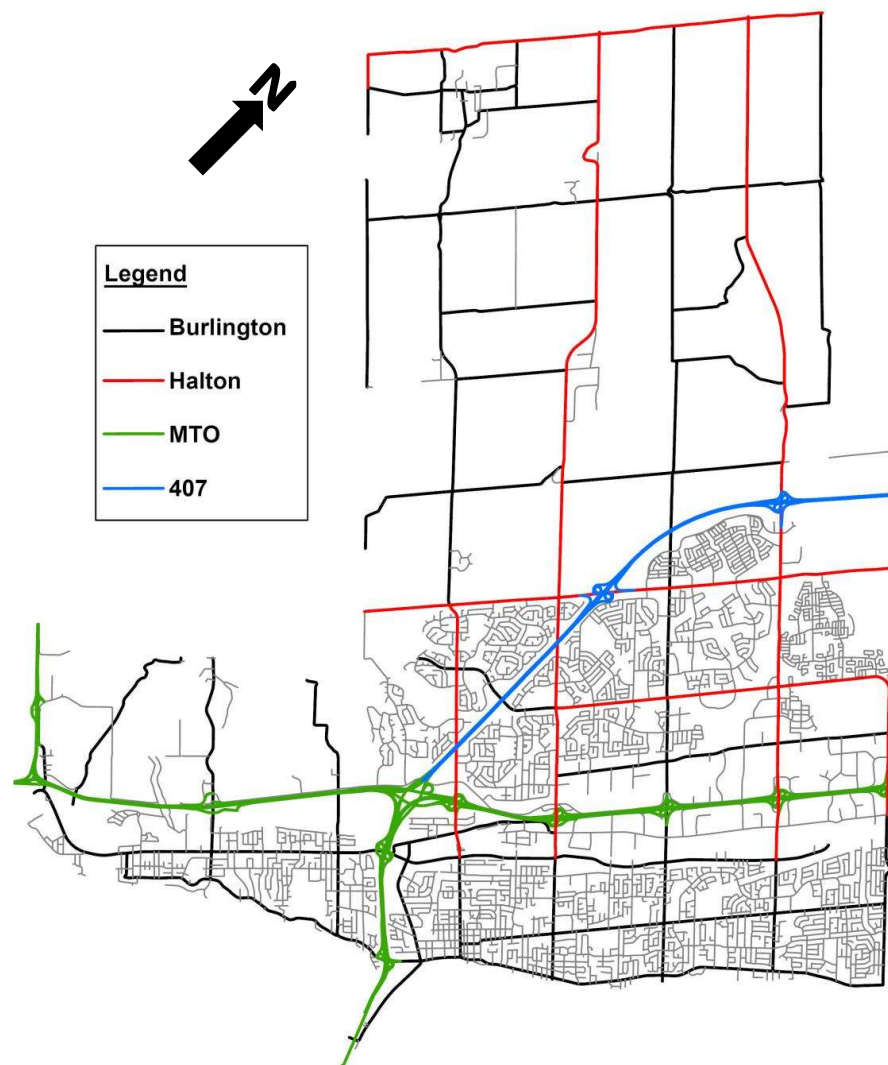
Border municipalities: Hamilton/Milton/Oakville



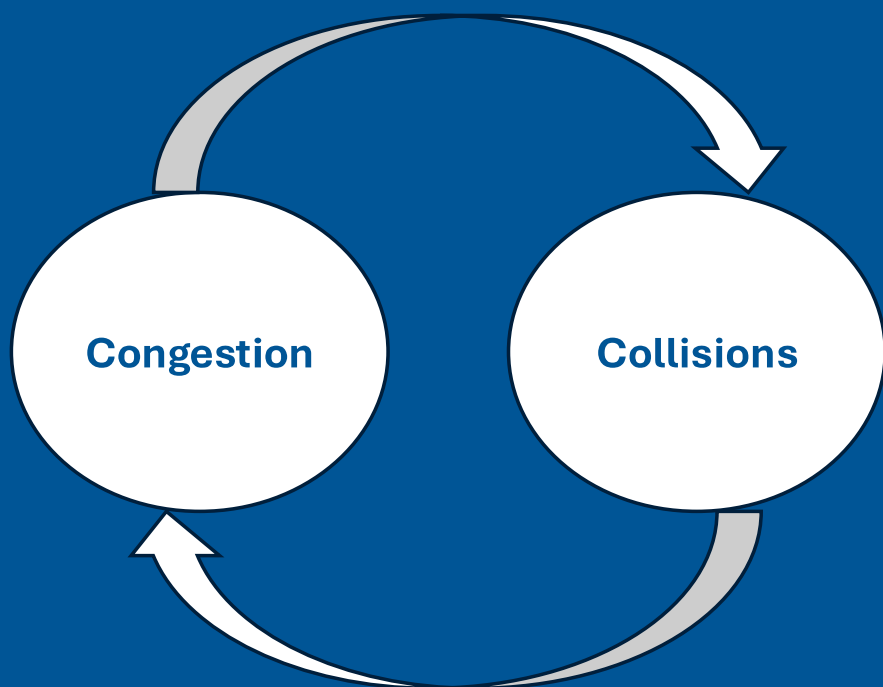
# Who Operates Which Roads?

There are 218 traffic signals within Burlington's urban area, falling under 4 jurisdictions:

- 131 City of Burlington Signals
- 64 Halton Region Signals
- 19 Ministry of Transportation (MTO) Signals including along Eastport Drive.
- 4 Highway 407 Signals



## Congestion and Collisions: A Two-Way Connection



# Collision Trends in Burlington

- Burlington has had 1.6 traffic fatalities / year
- Injury collisions have remained consistent at approximately 150 / year
- Provincial average is 3.9 fatalities per 100,000 people
- 809 collisions per 100k residents vs. Brampton (1,208), Toronto (1,081)

## MyChoice annual rankings

- MyChoice uses self-reported accidents from 200k+ insurance quotes, not official collision data



CANADA

## Burlington Traffic Debate Intensifies After Insurance Report Labels City Dangerous — But Is It Accurate?

A report from an online insurance comparison platform recently ranked Burlington as the second most dangerous city to drive in Ontario, but local officials say the finding may not reflect the city's actual collision data.

# City Initiatives

- Corridor Management
- Real time monitoring
- Coordination with partners
- Integrated Mobility Plan and key future programs/plans:
  - Transportation System Management
  - Vision Zero
  - Transportation Demand Management
  - Active Transportation



## 2026 ATMS Initiatives – Burlington

### 2026 Focus: Signal Connectivity (Tier 1 Rollout)



Deployment across **72 intersections**, enabling full visibility and control from the **Regional Traffic Management Centre**.



#### Enhanced Operations & Monitoring

Real-time system viewing, alerts, and diagnostics will improve incident response, maintenance efficiency, and overall level of service.



#### Coordinated Implementation with Burlington

Ongoing collaboration to confirm network topology and constraints, ensuring equal or improved service levels during rollout.



#### Future Phase: Adaptive Signal Technology (AST)

To be implemented in later phases of the Regional Traffic Management Centre / ATMS program

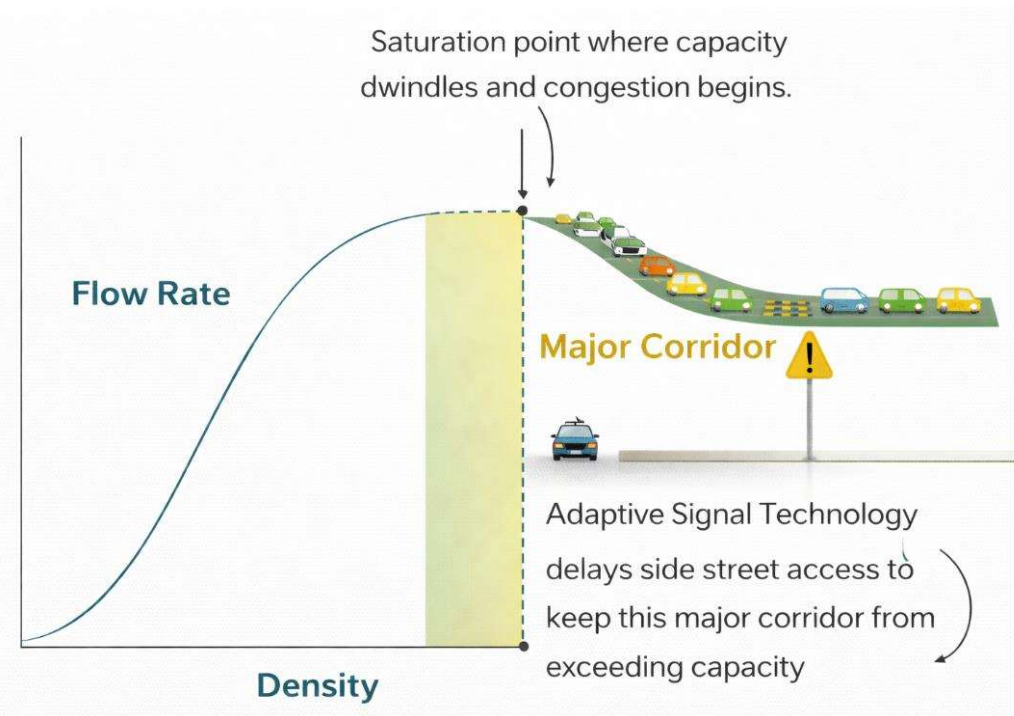


#### Corridor Optimization Through Adaptive Control

AST will use live data and predictive modeling to improve arterial flow, **reduce corridor travel times**, and manage congestion—while accepting minor side street delays.

## Benefits of Adaptive Signal Corridors

- **Improved traffic flow:** Signals adjust in real time to reduce stops and delays along the Arterial corridor.
- **Reduced congestion:** Prioritizes main routes to prevent bottlenecks and maintain steady movement.
- **Shorter travel times:** Dynamic timing improves progression, helping vehicles move through multiple intersections efficiently.
- **Better incident response:** System adapts quickly to fluctuations from crashes, events, or peak demand.



# Key Factors Influencing Congestion

## Network Structure & Regional Context

- Complex freeway interchanges
- Freeman Interchange (QEW / 403 / 407)
- Skyway Bridge constraints
- Limited alternatives to the Skyway
- Lift bridge openings
- All QEW crossings are full interchanges

## Incidents & Unplanned Disruptions

- Freeway collisions
- Roadway collisions
- Vehicle breakdowns
- Infrastructure failures
- Equipment or signal failures

## Planned & Recurring Activity

- Construction and lane closures
- Road and bridge maintenance
- Special events
- School travel patterns
- Population growth and development

## Operations & Competing Demands

- Multiple road jurisdictions
- Signal timing and coordination
- Limited network redundancy
- Diverse travel needs
- Limited street space

# Key Context: What We Know

A 'KnoWonder' Exercise	
What else do we <b>KNOW</b> that is essential to informing the discussion?	About what else are we <b>WONDERING</b> — what are key outstanding questions?



# Issues and Challenges Top-Up

**What else would you add to the list of notable issues and challenges that are traffic congestion specific, and that may also have related safety implications/impacts?**



# Identifying Potential Priorities and Related Action Tracks

What do you believe are the top five issues that need to be addressed to deliver the biggest positive impact on Burlington's traffic congestion (and related road safety)?

- Of these, on which two issues would you place the greatest focus?

For the two issues of greatest focus, please answer the following questions:

- Which parties have a key role to play and what should they be doing?  
(For example: What can the City of Burlington do? What can the Region of Halton do? What can the Ontario Ministry of Transportation do? What can others do? Etc.)



# Looking Ahead and Open Forum

- **What's next — and Roundtable Meeting #2**
- **Additional participant comments/observations**



*Thank  
you!*

**Travel Safely.**



# Traffic Congestion and Related Road Safety Roundtable 2



**PRESENTED BY**  
**Chris King**  
*Manager of Transportation Operations*

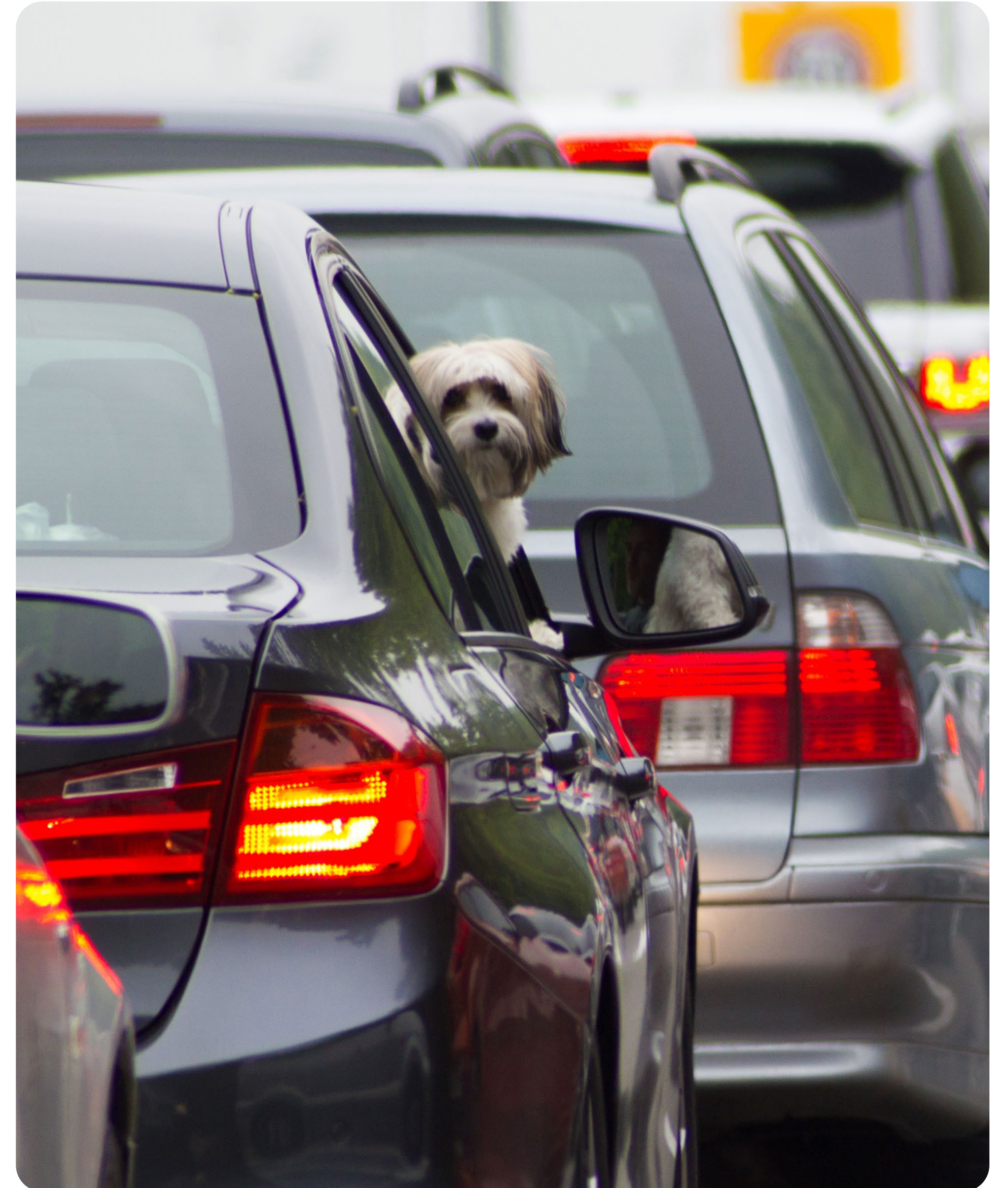
A circular portrait of Chris King, a man with short dark hair and a beard, wearing a blue shirt and a dark tie.

# Agenda

**1** **Jurisdiction Overview**  
**Who Does What?**

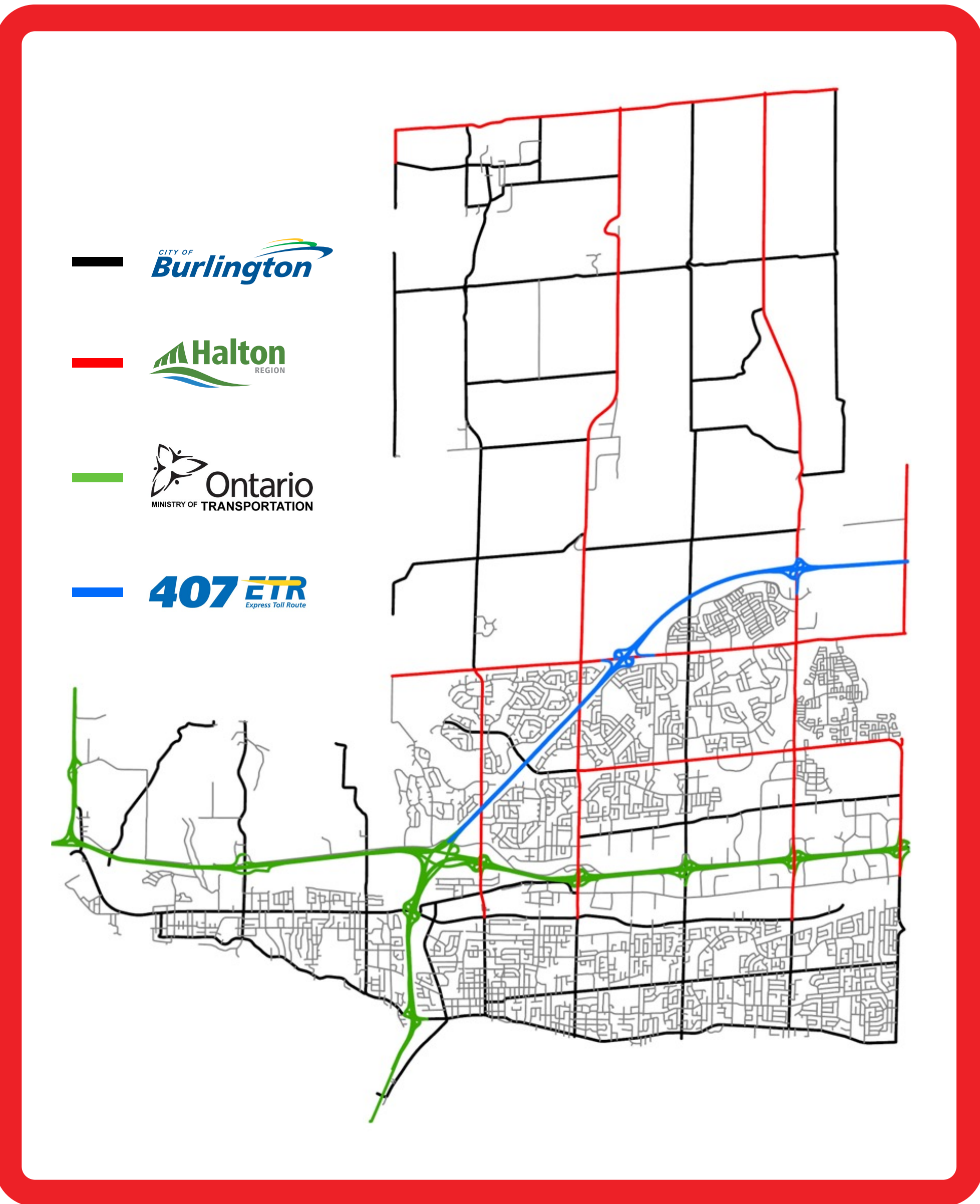
**2** **What We Heard**  
**Congestion Themes**

**3** **Identifying Priorities**  
**Pair & Share**



# 1 Jurisdiction Overview Who Does What?





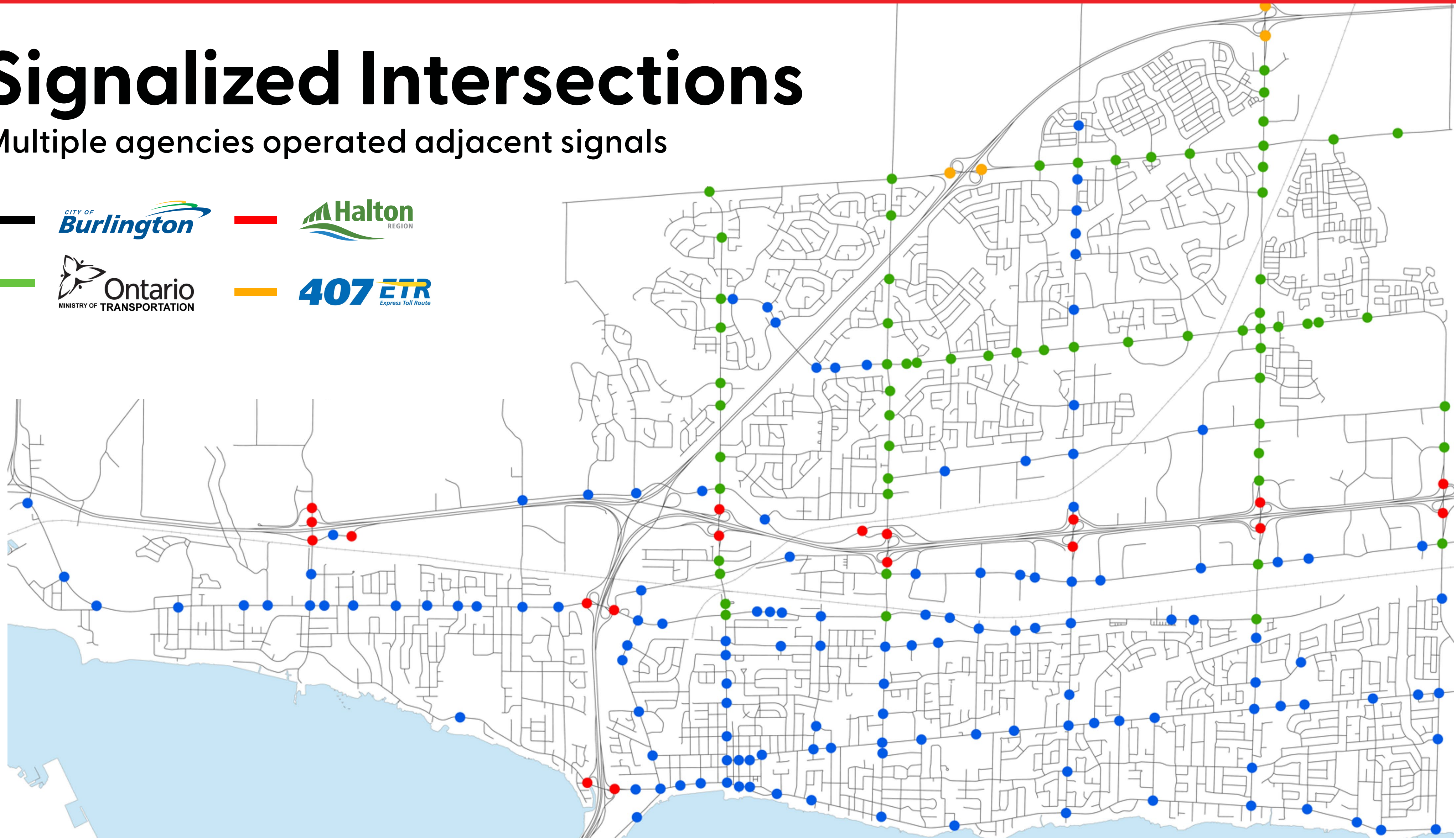
## JURISDICTION OVERVIEW

# Road Network Overview

- Multiple Jurisdictions are responsible for the Operations and Maintenance of roads in the City of Burlington
- City, Region, Province, 407, Lift Bridge
- Boundary Roads
- Freeman Interchange

# Signalized Intersections

Multiple agencies operated adjacent signals



# 2

## What We Heard Congestion Themes



# Traffic Signals & Technology

- Implement/Pilot adaptive signal control
- Investigate AI for signal timing, modelling, and simulation
- Real-time signal monitoring and timing changes, ramp monitoring
- Shared signal systems between jurisdictions
- Advocate for changes to navigation app routing / add planned works
- Better coordination and communication between jurisdictions
- Collect Data



## CONGESTION THEMES

# Transit, Walking and Rolling

- Address barriers to shifting from driving (safety, reliability, comfort, accessibility)
- More and safer cycling and walking infrastructure
- Free transit / Go shuttle service / Expand Service and Reliability
- Review and enhance last mile connection options
- Adopt Vision Zero



## CONGESTION THEMES

# Freeway Network

- Skyway Alternatives
- Prevent highway spillover onto local roads
- Advocate and collaborate with the MTO on provincial freeway capacity and network planning
- Difficult merges where many highways converge causes congestion
- Use technology (adaptive ramps, COMPASS)
- Better construction coordination and communications



## CONGESTION THEMES

# Growth & Construction

- Strong coordination needed across City, Region, Province and with developers
- Paid duty police support during construction
- Improve road conditions during construction
- Increase transit during construction
- Improve public communication on construction timing, impacts, and detours/closures
- Better planning and coordination of projects
- Address growing population pressures on the transportation network (and associated development construction)



## CONGESTION THEMES

# Communication & Coordination

- Improve real-time traffic and incident communication across agencies
- Coordinate response to incidents and congestion events
- Stronger partnerships, advocacy, and information sharing between municipalities
- Engage with app providers to influence routing behaviour
- Treat traffic like managed events (Develop pre-planned, multi-agency detour and signal timing strategies for incident/event induced congestion)
- Stakeholders may have differing priorities
- Enhance communications (Variable message or public safety messaging)

# 3

## Identifying Priorities Pair & Share

GLPi



# Step 1

On your own...

Identify your **top three recommendations** to deliver the biggest positive impact on Burlington's traffic congestion (and related road safety)—at least one of which must be within the City of Burlington's and/or Halton Region's control to implement!



# Step 2

Within your group of 4-6 others...

Share your ideas and make the case for them.

Develop a list of the **top five recommendations** (at least two of which must be within the City of Burlington's and/or Halton Region's control to implement!)

Please use the index card, one per card, be precise.



# Step 3

Pair-up with another group...

Share your **top fives** —make the case for them.

Discuss, challenge, make difficult choices with a view to coming up with a **top six recommendations list** (at least three of which must be within the City of Burlington's and/or Halton Region's control to implement!)

You can create new cards, but... keep the old ones and do not “water things down” or “overly combine”.



# Step 4

Of your top six, which two are most essential to act on expeditiously?  
**Why?**



## IDENTIFYING PRIORITIES

# Making the Case & Sequencing

### Rationale building for the top recommendations

- Why is this a top-tier recommendation—how would you “make the case” for it?

### Recommendation Sequencing (time permitting)

- What is the most logical order for recommendation implementation?



## IDENTIFYING PRIORITIES

# Looking Ahead & Open Forum

- What's next
- Additional participant comments/  
observations

**Thank You!**  
**Travel Safely.**



## Motion Memorandum

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**SUBJECT:** Freeman Station

**TO:** Committee of the Whole

**From:** Mayor Marianne Meed Ward and Councillor Shawna Stolte

**Seconded by (for Council only):** N/A

Date to Committee: July 6, 2026

Date to Council: July 21, 2026

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### **Motion for Council to Consider:**

Direct the Commissioner of Community Services to report back by Q4 2026 with information exploring options and implications for the long-term, sustainable operation of Freeman Station.

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### **Reason:**

Freeman Station is a cherished part of Burlington's history and a testament to the dedication of residents who saved and restored it over decades. Built in 1906, it played a key role in the development of our community and remains an important cultural and heritage asset.

In May 2024, Council unanimously approved the City assuming responsibility for the operation, upkeep, and maintenance of Freeman Station following the dissolution of the Friends of Freeman Station volunteer organization. That decision honoured the work of volunteers who preserved the station and ensured its continued protection under City stewardship.

To date, Freeman Station remains closed. The community and Council have not been provided any recent or public-facing updates from staff on the status of Freeman Station.

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### **Outcome Sought:**

A staff report that outlines:

- Options for long-term operation, including integration within Museums of Burlington

- Financial implications, including capital and operating requirements
- Partnership opportunities with community and heritage stakeholders
- Programming opportunities to enhance public access and community use
- Risks and implementation considerations

The goal is a clear, sustainable plan that preserves Freeman Station and brings it back into active community use.

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### **Implications:**

Previous financial costs cited are approximately \$250,000 in capital improvements to achieve the necessary occupancy requirements, along with operating funding for the Museums of Burlington to manage the facility. Both the capital and operating requirements were included in the 2025 budget.

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### **References:**

[Staff Memo](#): Memo- Freeman Station, May 10, 2024

[Staff Report](#): Freeman Station – Proposed Next Steps, May 13, 2024

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### **Strategic 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
- 

Approved as per form by the City Clerk

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SUBJECT: Official Plan and Zoning By-law Amendments for 2105 Headon Road

TO: Committee of the Whole

FROM: Development and Growth Management  
Community Planning

Report Number: DGM-44-26

Wards Affected: 6

Date to Committee: July 7, 2026

Date to Council: July 21, 2026

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## Recommendation

Approve the applications for Official Plan and Zoning By-law Amendments, submitted by JEC Properties proposing eight (8) 3-storey townhouse units within a single building block at 2105 Headon Road; and

Approve Official Plan Amendment No.10 to the City of Burlington Official Plan 2020, as outlined in Appendix D of development and growth management report DGM-44-26, to amend the designation of the lands located at 2105 Headon Road to 'Low-Rise Neighbourhoods I' with site-specific policies; and

Deem that Official Plan Amendment No.10 is consistent with The Planning Act; and

Instruct the City Clerk to prepare the necessary by-law adopting Official Plan Amendment No.10 as outlined in Appendix D to development and growth management report DGM-44-26 to be presented for approval at the same time as the associated by-laws to amend Zoning By-law 09-2026 and Zoning By-law 2020, as amended, for the development proposal; and

Approve Zoning By-law 2020.522, attached as Appendix E to development and growth management report DGM-44-26, to rezone portions of the lands at 2105 Headon Road as outlined under By-law 2020.522 from the existing "LN5" zone to a "O2" zone; and

Approve the amendment to Zoning By-law 09-2026, attached as Appendix F to development and growth management report DGM-44-26, to rezone portions of the lands at 2105 Headon Road from the existing “LN5” zone to a site-specific “(H5)-LN8-1” zone; and

Deem that the amendments to Zoning By-law 09-2026 and Zoning By-law 2020.522 will conform to the Halton Region Official Plan, the 1997 Official Plan of the City of Burlington and the 2020 Official Plan once Official Plan Amendment No.10 is adopted; and

State that the amending Zoning By-laws will not come into effect until Official Plan Amendment No.10 is adopted.

### **Executive Summary**

Purpose of report:

- The purpose of this report is to provide Council with information concerning the applications for an Official Plan Amendment and a Zoning By-law Amendment at 2105 Headon Road, proposing eight (8) 3-storey townhouse units within a single building block, and recommend approval of the Official Plan and Zoning By-law Amendment applications.

Key findings:

- The applicants have applied for an Official Plan Amendment to facilitate the proposed eight (8) 3-storey townhouse units within a single building block. The applicants are proposing amendments to the Official Plan (2020, as amended) to permit an increased number of principal dwelling units from the currently permitted four (4) units to eight (8) units as well as increased height from the currently permitted 2-storeys to 3-storeys.
- The applicants have applied for a Zoning By-law Amendment to facilitate the proposed eight (8) 3-storey townhouse units within a single building block. The proposed amendments would rezone the lands from ‘Low-Rise Neighbourhood 5 (LN5)’ to a ‘Low-Rise Neighbourhood 8’ zone with site specific exceptions and holding provision ((H5)LN8-1) to permit the proposed townhouse use; increased building height; reduced lot area, yards and other site-specific regulations related to the accessible parking spaces and potential future severance of the proposed units.
- The applicants have also applied for a Zoning By-law Amendment to the Zoning By-law 2020 to facilitate the protection of Natural Heritage Key Features and related buffers. The proposed amendments to Zoning By-law 2020 include rezoning portions of the lands from ‘Low Density Residential (R2.3)’ to an ‘Open Space (O2)’ zone.
- Staff are recommending approval of the proposed Official Plan Amendment and Zoning By-law Amendment based on the following:
  - The proposed amendments are consistent with the Provincial Planning Statement (2024);

- The proposed amendments conform with the Regional Official Plan (2009, as amended) and maintain the general intent of the Burlington Official Plan (1997) and Burlington Official Plan (2020);
- The proposed development maintains the general intent of Zoning By-laws 09-2026 and 2020;
- Staff is of the opinion that the proposed development represents good planning.

<b>RECOMMENDATION:</b>		Approval	<b>Ward:</b>	6
<b>Application Details</b>	<b>APPLICANT:</b> <b>OWNERS:</b> <b>FILE NUMBERS:</b> <b>TYPE OF APPLICATION:</b> <b>APPLICANT'S PROPOSAL:</b>	JEC Properties Inc. JEC Properties Inc. 505-08/26 and 520-08/26 Official Plan & Zoning By-law Amendment Eight (8) 3-storey townhouse units within a single building block		
<b>Property Details</b>	<b>PROPERTY LOCATION:</b>  <b>MUNICIPAL ADDRESS:</b> <b>PROPERTY AREA:</b>  <b>EXISTING USE:</b>	On the east side of Headon Road, approximately 370m north of Upper Middle Road. 2105 Headon Road 0.4 ha  One (1) single-detached dwelling with a detached garage/storage shed		
	<b>2020 OFFICIAL PLAN Existing:</b> <b>2020 OFFICIAL PLAN Proposed:</b>  <b>ZONING Existing:</b> <b>ZONING Proposed:</b>	'Low-Rise Neighbourhoods I' 'Low-Rise Neighbourhoods I' with site-specific policies 'Low-Rise Neighbourhood 5' (LN5) 'Low-Rise Neighbourhood 8' with site specific exceptions and holding provision ((H5)LN8-1) under Zoning By-law 09-2026 and 'Open Space' (O2) under Zoning By-law 2020		
<b>Processing Details</b>	<b>APPLICATION SUBMITTED:</b> <b>APPLICATION DEEMED COMPLETE:</b> <b>STATUTORY DEADLINE:</b> <b>PRE-APPLICATION COMMUNITY MEETING:</b> <b>STATUTORY PUBLIC MEETING:</b> <b>PUBLIC COMMENTS:</b>	April 9, 2026 April 15, 2026  August 13, 2026 May 13, 2025 July 7, 2026 At the time of writing this report, 10 written public letters were received out of 175 notices mailed to residents and tenants.		

# Recommendation Report

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## Background

On April 15, 2026, the City acknowledged that complete applications had been received as of April 9, 2026 for an Official Plan Amendment and Zoning By-law Amendment for 2105 Headon Road.

The applications propose to amend the existing Official Plan designation 'Low-Rise Neighbourhoods I' with site-specific policies under the in-effect Official Plan (2020, as amended) as well as amendments to rezone the subject lands from the current 'Low-Rise Neighbourhood 5' (LN5) zone to a 'Low-Rise Neighbourhood 8' zone with site specific exceptions and holding provision ((H5)LN8-1). The proposed site-specific amendments are intended to facilitate the following:

- The proposed townhouse use;
- Increased number of principal dwelling units from the currently permitted four (4) units to eight (8);
- Increased height from the currently permitted 2-storeys to 3-storeys;
- Reduced lot area;
- Reduced yards; and,
- Site-specific regulations related to the accessible parking spaces and potential future severance of the proposed units.

The proposed development has undergone two pre-consultation processes with the City, one in June of 2021 and another in May of 2024. Since that time, the proposal has been revised to reduce the number of dwelling units from eleven (11) to eight (8) townhouse units with a height of 3-storeys.

## Description of Subject Property and Surrounding Land Uses

The subject lands are located on the east side of Headon Road, approximately 370m north of Upper Middle Road and have a total area of 0.4 hectares. The subject lands currently contain one (1) single-detached dwelling of 1-storey in height as well as a detached garage/storage shed. Surrounding uses are as follows:

- North: Low-rise residential ranging from 1.5 to 2-storeys as well as open space uses. Directly abutting the northwest corner of the subject lands is the property 2109 Headon Road which currently contains a single-detached dwelling of approximately 1.5 storeys. To the northeast of the subject lands are also open space uses including Cleaver Park, beyond which is also the rear yard of C.H. Norton Public School.

- South and East: Open space uses including Cleaver Park. This area is mainly zoned as P (Neighbourhood Park) under Zoning By-law 2020. Additionally, to the south of the subject lands is Tuck Creek.
- West: Headon Road and directly across are open space uses including a creek. This area is mainly zoned as O2 (Open Space) under Zoning By-law 2020.

The subject lands are approximately 360m north on Headon Road from a Burlington Transit bus stop. Two bus routes are accessible from Upper Middle Road, being Route 12 (Upper Middle) and Route 6 (Headon). Route 12 runs between the Burlington GO and Dundas Street while Route 6 runs along Headon Forest Drive and Upper Middle Road between Burlington GO and Highway 407 Carpool GO Station.

### **Description of Applications**

JEC Properties Inc. has made an application to amend the Official Plan (2020, as amended) and Zoning By-law for the property located at 2105 Headon Road. The application proposes to facilitate the development of eight (8) townhouse units within a building block. The units are proposed to accommodate 4-bedrooms each and private terraces resulting in a private amenity area of approximately 25m<sup>2</sup> per unit. The proposed development also includes two shared visitor parking spaces for all units as well as a private two-car garage for each townhouse unit. Access to the subject lands is proposed along Headon Road which connects to all proposed parking spaces via a private drive.

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## **Analysis**

### **Discussion: Policy Analysis**

The proposed Official Plan Amendment and Zoning By-law Amendment are subject to the following policy framework: Planning Act; Provincial Planning Statement (2024); Halton Region Official Plan (2006, as amended); City of Burlington Official Plan (1997, as amended); and City of Burlington Official Plan (2020, as amended). Staff are of the opinion that the proposed application is consistent with and conforms to the applicable policy framework and represents good planning, as discussed below and under Appendix G – Detailed Planning Analysis.

### **1.0 Housing**

In accordance with Section 2.2, 1. of the Provincial Planning Statement (PPS, 2024), planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by, for instance, permitting and facilitating all types of residential intensification, including the development and redevelopment of underutilized lands for residential use, development and introduction of new housing options within previously developed areas, and redevelopment. Similarly, Section 84 and 85 of the Regional Official Plan (ROP) indicates that the goal for housing is to supply the

people of Halton with an adequate mix and variety of housing to satisfy differing physical, social and economic needs and some of the objectives include: to make more efficient use of existing developed lands, housing stock and available services to increase the supply of housing while maintaining the physical character of existing neighbourhoods. Section 75 of the ROP projects for the City of Burlington, a population target of 240,050 people as well as a density target of 20,500 new Housing Units in the Built-Up Area between 2022 and 2041. Furthermore, Section 86, (6) of the ROP, indicates that the per cent of new housing units produced annually in Halton in the form of townhouses or multi-storey buildings is to be at least 65 per cent to 2031 and at least 75 per cent each year thereafter.

The proposed development consists of housing intensification on an underutilized parcel as it proposes a conversion of one (1) single-detached dwelling on a large property into an eight (8) unit townhouse block served by existing infrastructure while contributing to the projected housing supply.

Section 3.1.1(2)(g) of the City of Burlington Official Plan (2020) (“OP 2020”) 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; and, to develop minimum targets in support of achieving the region of Halton’s housing mix. The Burlington Housing Strategy and the Annual Housing Targets (Appendix B to the Housing Strategy) were approved by City Council on June 21, 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 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.

One of the housing objectives (Theme 2) of the Housing Strategy is to Support a Broad Variety of Housing Types and Forms to increase housing options that meet the needs of all current and future residents at all stages of life. This theme describes an important need to diversify the existing housing stock to include additional semi-detached, townhouse, mid-rise, high rise, and alternative housing forms as the City’s current housing stock is primarily composed of single-detached dwellings. Furthermore, Action 4 of the Housing Strategy established minimum targets around housing that builds upon the policies of OP 2020 and uses the findings of the Housing Strategy Project. These targets are appended to the Housing Strategy and establish that out of all new dwellings annually in the City, ground related new dwellings in the City should make up 20 per cent split between 10 per cent allocated for 1- and 2-bedroom dwellings and 10 per cent allocated for 3-bedroom and more.

Additionally, the proposed built form is defined under the City's Housing Strategy as part of the 'Missing Middle' which is defined as "a range of housing types between single-detached houses and apartment buildings that have gone missing from cities over the decades. These include duplexes, triplexes, fourplexes, and townhouses. This term has also been used to describe the lack of affordable and attainable housing options for middle-income households, both in the ownership and private rental sectors. 'Missing middle' housing provides an opportunity to make a wider spectrum of housing options available to residents and address the need for a multi-prong approach to full spectrum housing affordability".

Staff is of the opinion that the proposed development housing type and size contributes to increased number of housing options that meet the needs of current and future residents in the City of Burlington.

## **2.0 Development Built Form and Intensification Criteria**

In accordance with Part III, Section 2.5.2 a) (v) and (ix) of the OP 1997, compatibility shall be considered 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. Section 12.1.2 (2.2) c) (ii) (iv) and (viii) of the City of Burlington Official Plan (2020, as amended) ("OP 2020") further indicates that the development shall achieve built form compatibility, achieve high quality urban design as outlined under the design policies of OP 2020 and provide buffering, setbacks and amenity area so that an appropriate transition between existing and proposed buildings are provided.

The application proposes amending the existing Official Plan (2020, as amended) designation to permit an increased number of principal dwelling units from the currently permitted four (4) units to eight (8) units as well as increased height from the currently permitted 2-storeys to 3-storeys. Additionally, it proposes to rezone the current LN5 zone to an LN8 zone with a holding provision and site-specific amendments including permitting only the proposed townhouse use; increased building height; reduced lot area, yards and other site-specific regulations related to the accessible parking spaces and potential future severance of the proposed units as later discussed in the Zoning By-law 09-2026 section of this analysis and under Appendix G – Detailed Planning Analysis.

Staff is of the opinion that the proposed development maintains compatibility with the existing neighbourhood character in terms of scale, massing, height, siting, setbacks, and coverage as outlined under the analysis of the Zoning By-law and applicable urban design policies.

### **3.0 Natural Heritage and Urban Forestry**

The subject lands abut low-rise residential uses along the north-west corner of the property as well as Cleaver Park to the north, south and east property lines. Cleaver Park is designated as part of the 'Regional Natural Heritage System' and 'Key Features' under the ROP as well as envisioned as the 'City's Natural Heritage System' under OP 2020. The subject lands are also regulated by Conservation Halton (CH) as they are adjacent to Tuck Creek and contain a portion of the flooding and erosion hazards associated with this watercourse.

In accordance with the Natural Heritage policies under Section 4.1 2. of the PPS, the diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved. Furthermore, Section 4.1 5. and 8 indicate that development and site alteration shall not be permitted on significant woodland areas as well as on adjacent lands to these natural heritage features unless the ecological function of these has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.

In accordance with Part III, Section 118. (3.1) of the ROP, the proponent of developments or site alterations, that are located wholly or partially inside or within 120m of the Regional Natural Heritage System, is required to submit an Environmental Impact Assessment (EIA). Similarly, in accordance with Part II, Section 2.3 of the Official Plan (1997, as amended) ("OP 1997"), new development is not permitted in areas such as of significant woodlands and shall generally be prohibited within natural heritage features unless it can be deemed suitable through an Environmental Evaluation, which the plan outlines, may be required for development proposals affecting lands where the City determines that the proposal has the potential to adversely affect the environment and may also be required to fulfill the requirements of a Regional EIA.

In accordance with Part III, Section 118 (3) of ROP, the purpose of an EIA is to demonstrate the proposed development or site alteration will result in no negative impacts to that portion of the Regional Natural Heritage System or unmapped Key Features affected by the development or site alteration by identifying components of the Regional Natural Heritage System as listed in Section 115 and their associated ecological functions as well as assessing the potential environmental impacts, requirements for impact avoidance and mitigation measures, and opportunities for enhancement. In this proposal, the components include the Key Features such as significant woodlands as identified under the submitted EIA, which are currently unmapped under the applicable Official Plan designations and zone.

Through the review of the EIA, the City's environmental planning staff have indicated concerns with the proposed buffer and related pinch points as well as the impacts to the critical root of

trees on the subject lands. The trees affected by the proposed development include two (2) woodland edge trees (Trees 593 and 600) and five (5) trees located within the proposed buffer area (Trees 202, 579, 592, 692, and 693), which are subject to the No Negative Impact (NNI) policies. Additionally, staff indicated that road salt contamination and the proposed mitigation strategies, including deferring the responsibility of salt management to future homeowners, represented a potentially unmitigated impact mainly to the integrity of the woodland edge trees. Planning staff acknowledge the comments provided by the City's environmental staff; however, remain of the opinion that the impacts to these trees, as identified in the Tree Preservation Plan (TPP), will not adversely affect the overall ecological function of the Natural Heritage System lands or the associated Key Features.

Through the initial review of the application, staff identified concerns that road salt accumulation and potential contamination associated with the proposed development could adversely affect the ecological function of the Natural Heritage System lands, particularly through recurring impacts on the buffer areas and adjacent significant woodland. In response to these concerns, the applicant submitted a revised Environmental Impact Assessment (EIA) that provides additional analysis regarding the potential for salt contamination and indicates that a Salt Management Plan is proposed to be implemented as part of its ongoing property maintenance program, incorporated into condominium operational procedures and, where appropriate, reflected within condominium by-laws, property management agreements, and winter maintenance contracts. The plan which would establish requirements for the responsible storage, handling, and application of de-icing materials and shall promote the use of best management practices, including calibrated application equipment, weather-responsive application rates, staff training, and regular monitoring of material use to prevent over-application. Based on the information submitted to date, planning staff are of the opinion that the proposed mitigation strategies are appropriate and may be further reviewed by way of the detailed design process through a future Site Plan application. Therefore, Planning staff are of the opinion that the proposed development will not result in negative impacts to the long-term ecological function of the Natural Heritage System lands, including both on-site and adjacent areas, nor to the associated Key Features, including the significant woodland.

In accordance with Part III, Section 118 (4) of the ROP, recommendations of an EIA, including the placement of lot lines and structures, are to be implemented through official plan amendments, zoning by-laws, site plan control, conditions of planning approval or regulations by the appropriate authority. Similarly, Part II, Section 2.4.2 b) and Section 2.5 j) of OP 1997, describes that the City will consider all options for the securement of the natural heritage features including the option of land dedication and that the recommendations of an approved Environmental Evaluation, including the placement of lot lines and structures, and buffers and development setbacks, will be implemented through zoning by-laws, site plan control and conditions of planning approval and/or regulations by another appropriate authority such

as Conservation Halton. Furthermore, Part III, Section 118 (9) indicates that in conjunction with other public agencies and through stewardship programs, the donation of privately owned lands in the Regional Natural Heritage System to public agencies or charitable organizations, or the transfer of the responsibilities for the protection of the ecological functions and features on such lands to a public agency or charitable organization through a conservation easement agreement.

The submitted Planning Justification Report acknowledges a proposal to dedicate the Natural Heritage System extent on the subject lands to the City, including the significant woodland key feature and associated buffer, as outlined under Figure 4 of the revised EIA. The dedication has been reflected under the proposed amending by-law for the lands to be rezoned to O2 (Open Space) under Zoning By-law 2020, as amended as shown in Appendix E – Draft Zoning By-law Amendment to Zoning By-law 2020, as amended.

As previously mentioned, the subject lands are regulated by Conservation Halton (CH) as they are adjacent to Tuck Creek and contain a portion of the flooding and erosion hazards associated with this watercourse. CH has indicated they regulate 15 metres from the greater of the flood plain and erosion hazards associated with watercourses and that while portions of development activities subject to these applications are proposed within CH regulated areas and require CH permit(s), they will be a minimum of 6m from the hazards consistent with CH regulatory allowance policies and remains consistent with the PPS Natural Hazard policies (Sections 5.1.1-5.2.8). CH recommends that at minimum, hazards (including the 6m erosion access allowance) be designated and zoned (e.g. NHS, O2 Zone) for consistency with the PPS and placed into public ownership where possible and appropriate. CH staff have reviewed the application with the understanding that development will not be permitted within the proposed O2 zone and that the O2 lands will be dedicated to the City of Burlington. Based on this, CH has no objection to approval of these Official Plan and Zoning By-law Amendment applications.

### **Zoning By-law**

The subject lands are zoned as LN5 (Low-Rise Neighbourhood 5) under Zoning By-law 09-2026 (as shown on the attached Existing Zoning Map as Appendix A). The LN5 zone permits detached, semi-detached dwellings as well as Additional Residential Units (ARUs) subject to specific criteria. The application requests a Zoning By-law Amendment to rezone the subject lands from 'LN5' (Low-Rise Neighbourhood 5) to 'LN8' (Low-Rise Neighbourhood 8) with site-specific regulations and a holding provision to facilitate the development of eight (8) 3-storey townhouse units within a single building block.

As per the analysis provided of the Zoning By-law 09-2026 under Appendix G – Detailed Planning Analysis, staff is of the opinion that the proposed amendments, are consistent with

Provincial directions, conform to the Regional Plan and maintain the general intent of the Local Official Plans and are appropriate for the subject lands.

### **Technical Review**

The applications were circulated to internal staff and external agencies on April 15, 2026, for review. The following are summaries of the comments received:

**City of Burlington – Policy Planning** – staff provided the main applicable policy information for the subject lands and related proposal as well as Missing Middle Incentives related to the City’s Housing Community Improvement Plan.

**City of Burlington – Finance** – Staff requests that taxes must be paid on parcels associated with this file. This includes all outstanding balances plus current year taxes that have been billed but not yet due.

**City of Burlington – Development Engineering** – Staff have no objection to the Official Plan and Zoning By-law Amendment applications. Additionally, a list of items and materials to be submitted at the Site Plan application stage have been provided to the applicant.

### **City of Burlington – Accessibility –**

#### Access Aisle Location – Visitor Parking

From an accessibility perspective, an access aisle located adjacent to the sidewalk can be acceptable in principle, provided it is fully at grade with the parking space, constructed of a firm and stable surface, and functions as a direct, unobstructed connection to an accessible path of travel. Preliminary review suggests the proposed dimensions generally align with the Zoning By-law and City Accessibility Design Standards for a Type A accessible parking space.

However, the preferred and more functional approach in this case would be to provide the required visitor Type A accessible parking space by reconfiguring a 2.75 m parking stall, such that the required access aisle is located on the passenger side of the stall itself, consistent with a typical nose-in parking orientation, rather than adjacent to the sidewalk. This configuration better accommodates typical passenger-side ramp or lift deployment, reduces potential conflicts with regular sidewalk use (e.g., children using bikes or scooters, pedestrians with dogs or strollers, and the space required for full door opening during wheelchair transfer or ramp/lift deployment), and minimizes the risk of snow storage encroaching into the parking space or access aisle, which can compromise usability and result in vehicles parking closer to stall limits.

### Accessible Parking Requirement – Residential Parking

Staff is generally comfortable with the rationale that where all residential units are provided with private attached garages or driveways, a designated resident accessible parking space may not be required, as AODA requirements do not apply to private residential parking.

As part of this development proposal, if visitor parking is provided, the required one (1) Type A accessible parking space should be provided in accordance with the following requirements, regardless of the final parking configuration:

- A minimum 2.0 m wide access aisle free of obstructions;
- An at-grade, unobstructed connection to an accessible path of travel;
- Any grade differential between the access aisle and an adjacent sidewalk or walkway shall be resolved through a compliant curb ramp at the access aisle location, including yellow TWSI, to provide a continuous accessible path of travel;
- Clearly identified access aisles through appropriate line painting;
- Accessible parking signage in accordance with the Highway Traffic Act, including additional “Van Accessible Parking” signage.

*Planning comment:* Planning staff acknowledge that the requirement for the access aisle is acceptable in principle, provided the access aisle is fully at grade with the parking space, yet additional design considerations may need to be addressed by way of the detailed design review, that being the Site Plan application process.

**City of Burlington – Environmental Planning** – Staff indicated concerns with the proposed buffer and related pinch points as well as the impacts to the critical root zone of two woodland edge trees and 5 trees within the proposed buffer which are subject to the previously discussed No Negative Impact (NNI) policies. Additionally, staff indicated that road salt contamination and the proposed mitigation strategies, including deferring the responsibility of salt management to future homeowners, represented a potentially unmitigated impact mainly to the integrity of the woodland edge trees.

**City of Burlington – Urban Forestry and Landscaping** – Staff indicated concerns with the proposal based on the proposed Significant Woodland buffer widths, which include pinch points as narrow as 2.7 m from the staked dripline, are not considered sufficient to protect the RNHS woodlot. Under the Region of Halton Buffer Refinement Framework, a 10 m buffer is the standard requirement for significant woodlands. The EIA presented specific factors such as vegetation sensitivity, existing disturbance, and the proximity of proposed works to justify the reduced buffer. However, it does not provide adequate rationale demonstrating how long term ecological functions will be maintained within the reduced width pinch point areas.

*Planning Staff Comment:* The above comments have been taken into consideration; however, planning staff are recommending approval of the Official Plan and Zoning By-law amendment

applications as staff is of the opinion the policies applicable of the Urban Forestry portions of the lands have been met as previously discussed.

**City of Burlington – Parks and Open Space** – Staff are supportive of the proposed land dedication to the City, recognizing its role in further protecting the Natural Heritage System identified in Section 12.2 of the Planning Justification Report dated April 9, 2026. Staff also reaffirm that the lands will be conveyed gratuitously to the City and will not be eligible for any parkland dedication credit.

**City of Burlington – Transportation Planning** – Staff support the applications with the proposed land use and density. The transportation network can accommodate the increased multi-modal volumes without significant negative impact. Additionally, a list of items and materials to be submitted at the Site Plan application stage have been provided to the applicant.

**City of Burlington – Fire** – Staff have no objection to the proposal.

**City of Burlington – Heritage Planning** – Staff note no further comments. Staff have reviewed the materials submitted including the Archaeological Assessment as requested and are satisfied that the requirement has been met.

**City of Burlington – Zoning** – Amendments required to the Zoning By-law have been identified and included as part of the amending by-laws under Appendix E and F to reflect the proposed development.

**Halton Region** – Staff offered comments relating to municipal servicing, transportation, waste management, and source water protection for the proposed development. Staff indicated that the Functional Servicing Report (FSR) must be revised to address the outstanding issues in relation to the downstream sanitary sewer analysis required to confirm capacity in the sewer system and must also be updated to include fire flow testing and demonstrate that the existing water system has sufficient capacity to support the proposed development. If the FSR is not revised, then it is recommended that this zoning amendment only be approved with a holding provision applied to it in relation to a revised FSR.

*Planning Staff Comment:* Staff have included a holding provision requesting that an FSR be submitted for capacity analysis that demonstrates that the proposed flows from the development can be accommodated in the downstream trunk sewer system.

**Halton Police** – No comments.

**Halton Catholic District School Board** – Staff have no objections to the applications. In terms

of school accommodation, if the residential development were to proceed today, elementary students generated from the development would be accommodated at St. Timothy CES located at 2141 Deer Run Avenue while secondary school students would be directed to Notre Dame CSS located at 2333 Headon Forest Drive. Staff require conditions to be placed in subsequent agreements (e.g. Subdivision, Condominium, and Site Plan) and are to be fulfilled prior to final approval.

**Halton District School Board** – No comments.

**Conservation Halton (CH)** – Staff recommend that at minimum, hazards (including the 6m erosion access allowance) be designated and zoned (e.g. NHS, O2 Zone) for consistency with the PPS and places into public ownership where possible and appropriate. This has been demonstrated through the applications. Although some of the minimum yard setbacks in the LN8 regulations extend within the proposed O2 zone, staff has reviewed the application with the understanding that development will not be permitted within the proposed O2 zone and that the O2 lands will be dedicated to the City of Burlington. Based on this, CH has no objection to approval of these Official Plan and Zoning By-law Amendment applications. The applicant has provided CH revised supporting reports to accurately describe CH regulated areas and related legislation and regulations. CH has stated stormwater will be diverted to the municipal storm system and no new outlets are proposed to CH regulated areas, and therefore it defers review of stormwater management to the City of Burlington.

**Burlington Hydro** – staff have reviewed the applicable documents provided. From these, they cannot identify any hydro servicing related proposals. As this is a residential development, staff will be able to notify Burlington Hydro planning of this upcoming Site Plan / Plan of Subdivision. However, for a more detailed review, staff request the applicant to provide these in the official application:

1. Proposed locations of hydro assets on private property
  - a. Transformer
  - b. Duct routing
2. Loading schedule of the development.
3. Phasing & timeline of the development, if applicable.
4. Please take note that the electrical distribution system within the area may have capacity constraints. System Expansion may be required to bring new distribution feeder(s) to the area. Staff recommend the developers to set up a meeting with Burlington Hydro.
5. BHI will require easements to any assets located on private property.

**Canada Post** – No comments.

**Enbridge Gas** – staff do not object to the proposed applications. Standard comments for subsequent development applications were also provided.

**Imperial Infrastructure** – No comments. There is no active Imperial infrastructure in the vicinity of the subject lands.

**Rogers Communications** – No comments.

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### **Six Nations Engagement**

Environmental comments on behalf of Six Nations of the Grand River Elected Council (SNGREC) have been shared with the applicant and summarized below. These indicate cumulative effects posing significant environmental degradation. SNGREC believes that further fragmentation of this small patch of forest would be highly detrimental and that this development should only be approved if it is shown that it completes substantial environmental enhancements and mitigation efforts to improve and protect the local natural heritage system.

#### Tree compensation:

- SNGREC requests a 10:1 tree replacement ratio for all trees removed regardless of DBH and 1:1 for any dead trees/snags removed as these are an important habitat feature. SNGREC acknowledges that the City of Burlington has an existing tree replacement requirement but deems this requirement is insufficient as it is a bare minimum settler perspective and does not take into account the indigenous perspective and obligation to protect and enhance the natural environment. SNGREC indicate that the ratio can be achieved by planting plugs or other earlier-growth trees, and they do not all need to be full street-tree size. Planting earlier-growth trees will require protection (i.e. herbivore browsing guards) and minor maintenance. SNGREC requires planting best practices are used and suggests collaboration with Kayanase Plant Nursery for recommendations and guidance.
- SNGREC indicate that if tree offset is not feasible onsite, offset plantings is expected to take place as close as reasonably possible to the impacted site. SNGREC encourages collaboration with the Halton Conservation Authority or the City of Burlington to achieve these offset plantings. Lastly, the Six Nations of the Grand River Environmental Levy may be considered should closer sites be unavailable, allowing SNGREC to purchase land and plant trees on behalf of the proponent. SNGREC's Environmental Levy is a cash-in-lieu option that is more financially feasible than other cash-in-lieu options as SNGREC will plant trees that are not full caliber, resulting in a cost of about \$35 per tree planted.
- SNGREC expects that the tree replacement is paired with a robust and complete monitoring and maintenance plan complete with contingency actions to ensure successful establishment of the trees for long term success.

- SNGREC requests that Shagbark Hickory is included in the planting plan to continue to contribute to the adjacent ELC zone.

#### Landscaping

SNGREC encourages continuing the seed mix spread along the north-west side of the property to reduce the amount of manicured lawn.

#### Bird and Light Friendly Design

Requests for the building to be designed using bird and light friendly practices. This includes minimizing reflective surfaces, creating visual markers on windows, smaller windows or windows divided by mullions, and using warmer lights that are directed downwards and away from natural areas. City of Toronto's bird friendly practices for glass and for lighting as guidelines have been provided to the applicant and note this requirement should not only apply to high-rise buildings.

#### Green Roofs

SNGREC encourages the use of green roofs whenever feasible.

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### **Recommendation Details**

- The proposed amendments are consistent with the Provincial Planning Statement (2024);
  - The proposed amendments conform with the Regional Official Plan (2009, as amended);
  - The proposed amendments maintain the general intent of the Burlington Official Plan (1997) and have appropriate regard for Burlington Official Plan (2020);
  - The proposed development maintains the general intent of Zoning By-law 2020
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### **Key Dates & Milestones**

- Pre-application Community Meeting: May 13, 2025
  - Application submitted: April 9, 2026
  - Application deemed complete: April 15, 2026
  - Statutory public meeting: July 7, 2026
  - Statutory deadline: August 13, 2026
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### **Implications**

#### **Financial**

All application fees have been received in accordance with the Development Application Fee Schedule.

## Climate

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; encourage the adoption of electric mobility and equipment through personal and commercial vehicles and other currently gas-powered equipment; and support waste reduction and diversion.

As part of the Official Plan and Zoning By-law Amendment application, the applicant was required to provide consideration to the Sustainable Building and Development Guidelines (2018) which provide an overview of the required and encouraged sustainable design measures for new development across the City. The applicant submitted a Sustainable Building and Development Guidelines Checklist which includes consideration to the guidelines. A detailed review of the Sustainable Building guidelines has been included under Appendix G – Detailed Planning Analysis. Staff is of the opinion the proposed development proposal complies with the required Sustainable Building and Development Guidelines and therefore the development considers the City of Burlington Climate Action Plan to support the City's climate considerations.

## Engagement Matters

Notice signs were posted on the subject lands on April 30, 2026. A public notice of the Official Plan and Zoning By-law Amendment application was mailed to 175 addresses, which includes all property owners and tenants within 120 metres of the subject lands.

A webpage was created on the City of Burlington website, accessible at [www.burlington.ca/2105headon](http://www.burlington.ca/2105headon). This webpage provides information about the subject application including dates of public meetings, links to supporting studies, and contact information for the applicant's representative and Community Planning Department.

As of the writing of this report, 10 written public letters have been received by staff with respect to the subject application in objection to the proposal. A petition was received by Planning staff and will be read into the record at the July 21, 2026 Council meeting. The public comments received to date have been included under Appendix C – Public Comments. The letters received represent positions of opposition regarding the following themes:

**Concerns that the proposed development is inconsistent with applicable policies as the proposed development is incompatible with the surrounding neighbourhood character (including adjacent low-rise residential properties and Cleaver Park) especially in terms of built form and scale. This includes concerns on the increased number of residential units, building height, building footprint and removal of trees which may result in negative impacts on privacy due to overlook onto adjacent properties and increased noise.**

***Staff comment:***

The subject lands primarily abut Cleaver Park along the north, east, and south property lines. The subject lands also abut a single residential property at the northwest corner, municipally known as 2109 Headon Road, which currently contains an approximately 1.5-storey single-detached dwelling. This property shares approximately 32 m of its south property line with the subject lands.

The proposed building is setback approximately 32 m from the front yard property line to accommodate the private roadway entrance and Natural Heritage System features. In addition, the development includes an interior side yard setback of approximately 6 m between the building wall and the northern property line. These setbacks are reflected in the proposed Draft Zoning By-law Amendment through a minimum front yard requirement of 30 m and a minimum interior side yard requirement of 6 m.

Based on the proposed setbacks, staff is of the opinion that the building has been appropriately sited to maintain adequate separation from adjacent residential uses and to mitigate potential privacy impacts. Furthermore, staff is of the opinion that Cleaver Park provides an effective buffer between the proposed development and the surrounding residential neighbourhood.

Due to the number of units and scale of development, planning staff are of the opinion that the proposed development will not cause negative impacts onto the adjacent uses in terms of noise.

Additional detailed analysis of the applicable planning policies for the proposed development has been provided under previous sections of this analysis as well as under Appendix G – Detailed Planning Analysis.

**Concerns regarding the proposed intensification represents overdevelopment of the site and could place additional strain on existing infrastructure, particularly the stormwater management system, with potential impacts on Tuck Creek and the surrounding drainage network.**

***Staff comment:***

The applicant provided a Functional Servicing and Stormwater Management Report (FSR) as part of the initial application submission. Conservation Halton has stated stormwater will be diverted to the municipal storm system and no new outlets are proposed to Conservation Halton regulated areas, therefore it defers review of stormwater management to the City of Burlington. Development Engineering reviewed the submitted materials and have indicated no objection to the proposed development and related application, including the Stormwater Management of the property. Halton Region staff have indicated that the submitted FSR did not address the impact of this development on the overall wastewater system in the area and/or the larger system that services Burlington and determine if any upgrades would be required at the wastewater treatment plants, pumping stations and/or to the trunk wastewater system to accommodate the proposed development. As a result, Planning staff have included a holding provision requesting

that an FSR be submitted for capacity analysis that demonstrates that the proposed flows from the development can be accommodated in the downstream trunk sewer system.

**Concerns regarding lack of amenity areas such as areas for children to play resulting in the use of sensitive lands for amenity space.**

***Staff comment:***

The proposed development includes private amenity in the form of second-storey terraces located along the south elevation of the building, above the attached garages, as well as common amenity areas in the form of landscaped areas. No amendments are proposed to the Zoning By-law requirements respecting amenity space for the Block Townhouse use under the base LN8 zone. Staff is satisfied that the development provides an appropriate amount of private and common outdoor amenity area to serve future residents. In addition, the Natural Heritage System lands are proposed to be dedicated to the City which will ensure their long-term protection.

**Concerns regarding generated traffic and lack of street parking and public transit to accommodate the proposed growth as well as pedestrian safety especially of children due the nearby school.**

***Staff comment:***

Transportation Planning staff have reviewed the application materials and have indicated no concerns with the generated traffic nor the amount of parking spaces proposed. The proposed development includes a private sidewalk connection from Headon Road to the proposed building and associated uses, providing future residents with safe and convenient pedestrian access, enhancing connectivity to the surrounding public realm.

**Concerns regarding emergency vehicles, regional garbage pick- up truck, snowplow and delivery truck turning within the proposed private road as no cul-de-sac or hammer head has been provided as well as 0m separation between the garage and drive aisle for exiting and entering the garage spaces.**

***Staff comment:***

Halton Region have indicated no concerns with the proposed development and related waste management, additionally further design details may be addressed by way of a future Site Plan application. Similarly, Transportation Planning staff have reviewed the proposed development and have indicated no concerns with the proposed traffic increase and internal traffic turning. Additionally, Fire staff have also indicated no concerns.

**Concerns regarding the impacts on Natural Heritage lands and the creek corridor including snow storage within these, as well as the proposed removal of mature trees, including trees located within the public park that currently provide an important natural buffer. Concerns that this is inconsistent with applicable provincial policies and may**

affect areas regulated by Conservation Halton. Additional concerns relate to trees that have reportedly been removed without the required permits.

**Staff comment:**

As discussed previously in this analysis, planning staff are of the opinion that the proposed development will maintain the long-term ecological function of the Natural Heritage System.. The proposed snow storage area has been strategically located outside of Natural Heritage features and their associated buffers, near the front yard of the property. Planning staff is not aware of trees removed without the appropriate permit process. A tree Inventory and Preservation Plan (TIPP) has been submitted which includes existing trees and information on removal or injured of these. The applicant will be required to apply for tree permits by way of subsequent development applications. Furthermore, as noted in the summary of technical comments, Conservation Halton has indicated that it has no concerns with the proposed development, including matters related to stormwater management and runoff associated with the nearby creek.

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**References**

The applicant has submitted the following materials in support of the subject applications:

- [Complete Application Form](#) signed April 7, 2026.
- [Planning Justification Report](#) prepared by Zelinka Priamo Ltd. dated April 9, 2026.
- [Site Survey](#) prepared by MacKay, MacKay & Peters Ltd. dated September 22, 2020.
- [Conceptual Site Plan](#) prepared by JEC Properties Inc. dated March 30, 2026.
- [Architectural Plans](#) prepared by JEC Properties Inc. dated March 26, 2026.
- [Functional Servicing Report and Stormwater Management Report](#) prepared by Everwest Engineering dated April 2026.
- [Functional Servicing Report and Stormwater Management Report Plans](#) prepared by Everwest Engineering dated March 26, 2026.
- [Everwest Engineering Comments Response Letter](#) prepared by Everwest Engineering dated March 26, 2026.
- [Geotechnical Study](#) prepared by Soil-Mat Engineers and Consultants Ltd. dated October 22, 2024.
- [Slope Profile Plans](#) prepared by Soil-Mat Engineers and Consultants Ltd. dated October 22, 2024.
- [Supplemental Slope Stability Comments](#) prepared by Soil-Mat Engineers and Consultants Ltd. dated March 12, 2026.
- [Arborist Report](#) prepared by Kuntz Forestry Consulting Inc. dated March 16, 2026.
- [Tree Inventory and Preservation Plan](#) prepared by Kuntz Forestry Consulting Inc. dated March 16, 2026.
- [Conceptual Landscape Plan](#) prepared by Hill Design Studio Inc. dated March 20, 2026.

- [Phase One Environmental Site Assessment](#) prepared by Soil-Mat Engineers and Consultants Ltd. dated September 9, 2024.
- [Environmental Impact Assessment](#) prepared by Pinchin Ltd. dated April 1, 2026.
- [Stage 1-2 Archaeological Assessment](#) prepared by New Era Archaeology Inc. dated May 22, 2025.
- [Archaeological Report Entry into the Ontario Public Register](#) dated July 7, 2025.
- [Noise Feasibility Study](#) prepared by HGC Noise Vibration Acoustics dated March 17, 2026.
- [Environmental Site Screening Questionnaire](#) signed April 7, 2026.
- [Waste Management Plan](#) prepared by JEC Properties Inc. dated April 8, 2026.
- [Draft Official Plan Amendment](#) dated April 9, 2026.
- [Draft Zoning By-law Amendment \(By-law 09-2026\)](#) dated April 9, 2026.
- [Draft Zoning By-law Amendment \(By-law 2020\)](#) dated April 9, 2026.
- [Pre-Application Community meeting Notes \(May 13, 2025\)](#) prepared by JEC Properties Inc. dated May 13, 2025.
- [Pre-Application Community Meeting Notice \(April 28, 2025\)](#) prepared by JEC Properties Inc. dated May 13, 2025.
- [Pre-consultation Meeting Package](#) prepared by City of Burlington dated July 3, 2024.
- [Transportation Planning Pre-consultation Comments](#) prepared by City of Burlington dated July 12, 2024.
- [Sustainable Building and Development Design Guidelines Checklist](#) prepared dated April 9, 2026.
- [Revised Planning Justification Report](#) prepared by Zelinka Priamo Ltd. dated May 22, 2026.
- [Revised Conceptual Site Plan](#) prepared by JEC Properties Inc. dated June 2, 2026.
- [Environmental Impact Assessment](#) prepared by Pinchin Ltd. dated June 16, 2026.
- [Revised Engineering Plans](#) prepared by Everwest Engineering dated June 16, 2026.
- [Revised Engineering Comments Response Letter](#) prepared by Everwest Engineering dated June 16, 2026.
- [Revised Functional Servicing and Stormwater Management Report](#) prepared by Everwest Engineering dated June 17, 2026
- [Revised Landscape Plan](#) prepared by Hill Design Studio Inc. dated June 17, 2026
- [Revised Tree Inventory and Preservation Plan](#) prepared by prepared by Kuntz Forestry Consulting Inc. dated June 17, 2026
- [Revised Tree Inventory and Preservation Plan Figure 1](#) prepared by Kuntz Forestry Consulting Inc. dated June 17, 2026

The supporting documents have been uploaded on the City's website for the subject application which can be found on the following link [www.burlington.ca/2105headon](http://www.burlington.ca/2105headon)

## Conclusion

Staff have evaluated the application for Official Plan and Zoning By-law Amendment for 2105 Headon Road in accordance with all applicable policies, regulations, and guidelines, and with consideration for comments received from technical reviewers and the public. Staff is of the opinion that the proposed development, is consistent with the Provincial Planning Statement (2024); conforms with the Region of Halton Official Plan; and maintains the general intent of the policies of the City of Burlington Official Plan (1997, as amended) and City of Burlington Official Plan (2020). Staff are therefore recommending approval, of the subject applications

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### **Strategic 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
- 

### **Author:**

Mariana Da Silva, MCIP RPP  
Planner, Community Planning Department  
905-335-7600 Ext. 7536  
[mariana.dasilva@burlington.ca](mailto:mariana.dasilva@burlington.ca)

### **Appendices:**

- A. Existing Zoning
- B. Concept Plan
- C. Public Comments
- D. Draft Official Plan Amendment
- E. Draft Zoning By-law Amendment to Zoning By-law 2020, as amended
- F. Draft Zoning By-law Amendment to Zoning By-law 09-2026
- G. Detailed Planning Analysis

### **Draft By-laws for Approval at Council:**

- OPA and ZBA By-laws to Council on July 21, 2026 (subject to subsequent appeal period prior to coming into force and effect).

### **Notifications:**

JEC Properties (c/o Mohammad Abdullah)

**Report Approval:**

All reports are reviewed and approved by the Commissioner, Head of Corporate Affairs, Chief Financial Officer, and Commissioner of Legal and Legislative Services/City Solicitor.

Sketch No. 3  
EXISTING ZONING

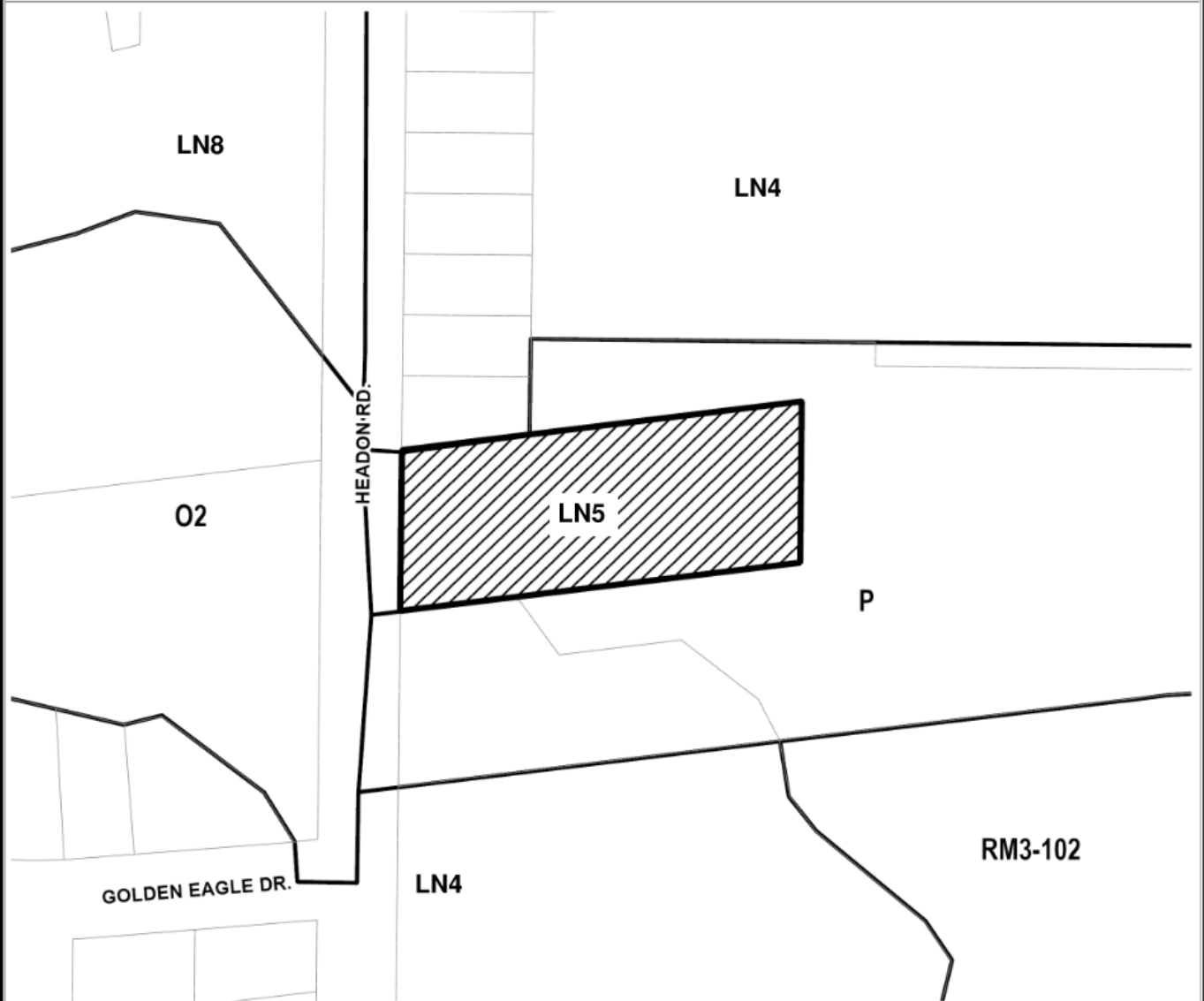


Application to amend the Official Plan and Zoning By-law to permit the development of eight (8) 3-storey townhouse units arranged within a single building block. Two visitor parking spaces are provided for the entire site, while each townhouse unit includes a private two-car garage. Vehicular access to the development is proposed via Headdon Road.



SUBJECT PROPERTY

File Nos. 505-08/26 & 520-08/26



**GENERAL ZONING LEGEND**

Low Density	Medium Density	High Density	Mixed Use	Commercial	Employment	Other
LN5 LN4	RM2 RM3					O2 P

Date: April 15, 2026  
Community Planning Department

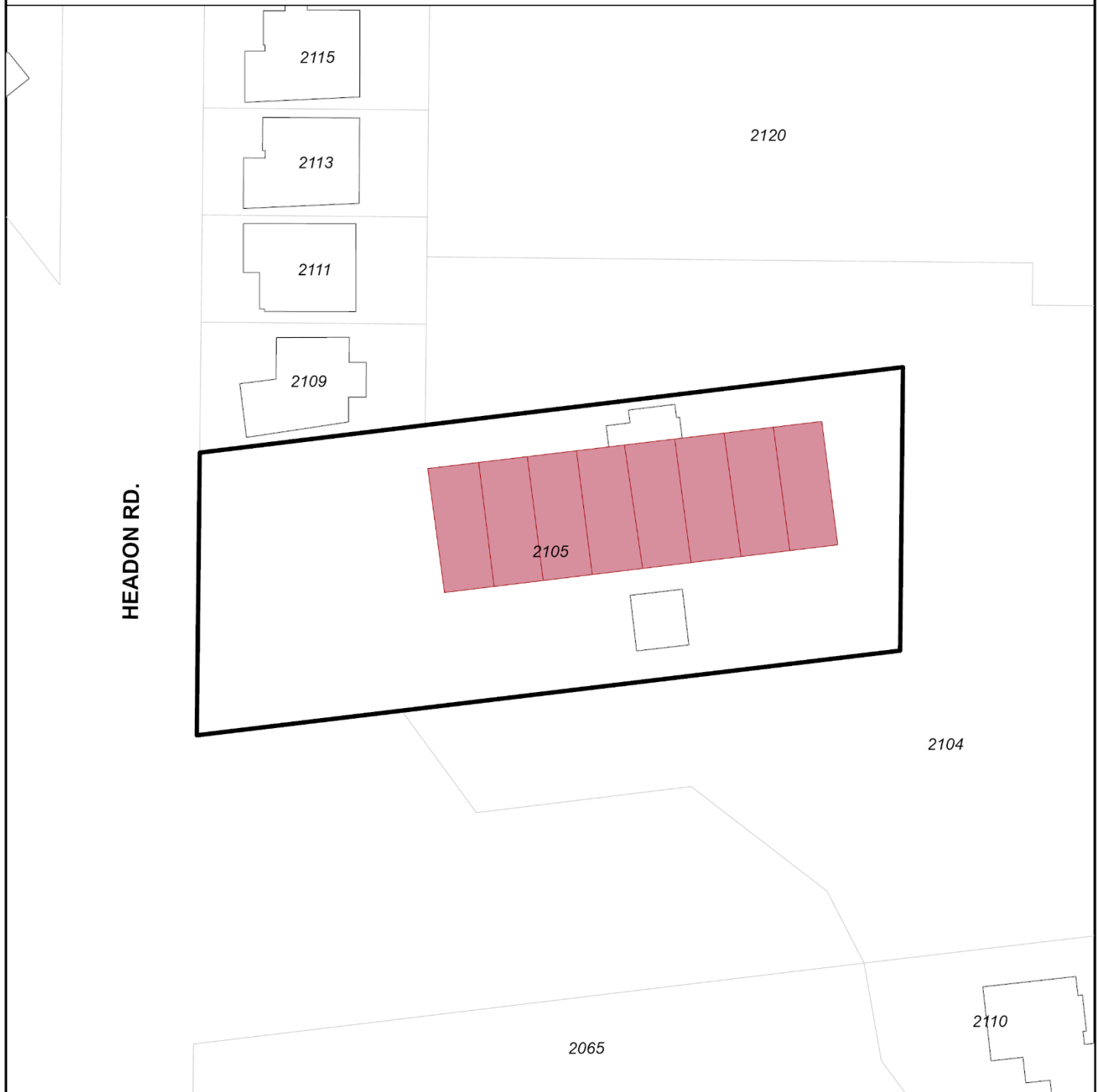


### Sketch No. 1 CONCEPT PLAN



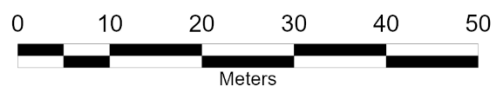
Application to amend the Official Plan and Zoning By-law to permit the development of eight (8) 3-storey townhouse units arranged within a single building block. Two visitor parking spaces are provided for the entire site, while each townhouse unit includes a private two-car garage. Vehicular access to the development is proposed via Headon Road.

 SUBJECT PROPERTY      - - - Bus Routes      ● Bus Stops      File Nos. 505-08/26 & 520-08/26



Date: 4/15/2026

Community Planning Department



RECEIVED

MAY 19 2026

City of Burlington  
Community Planning

May 5, 2026

**Subject: Formal Objection to Re-zoning Proposal – 2105 Headon Road**

To the City of Burlington Community Planning Department,

I am writing to formally register my opposition to the proposed re-zoning at 2105 Headon Road. As a long-term resident, I believe the transition from a single-family residential lot to an eight-unit, three-story townhouse complex represents significant over-development that is incompatible with the existing neighborhood.

To facilitate this project, the City would be required to alter the long-standing designation of this site. Such a change directly contradicts the City's stated goals of protecting the local environment, maintaining biodiversity, and upholding community standards. My concerns focus on the following key areas:

- **Neighborhood Character & Scale:** The proposed massing overwhelms the lot. The height of these three-story units towers over adjacent homes, compromising the privacy of existing residents and disrupting the established streetscape.
- **Environmental Integrity:** This development contributes to the incremental erosion of Burlington's Natural Heritage system. Approving this re-zoning prioritizes private profit over the preservation of the very ecosystems the City's Sustainable Growth Plan promises to protect.
- **Policy & Governance:** It is concerning that shifts in municipal policy appear to be driven by federal government intrusions and the acceptance of external funding rather than the best interests of Burlington's residents. Decisions regarding our local landscape should be dictated by community needs, not tied to federal financial incentives.
- **Existing Vacancy:** With stagnant projects nearby—such as the untouched site on the south side of Upper Middle Road—the City should focus on completing existing high-density approvals before re-zoning stable residential lots.

I urge the City to prioritize the integrity of our communities and the health of our environment over corporate interests and external political pressures.

Sincerely,



Alexa Harper

## Da Silva, Mariana

---

**From:** Catherine MacPherson [REDACTED]  
**Sent:** Wednesday, May 13, 2026 8:59 AM  
**To:** Da Silva, Mariana  
**Subject:** Proposed large 8 townhouse unit Headon Rd

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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

Dear Mariana the proposed 3 story family units of 8 townhomes off Headon Rd is concerning on many levels. They will overwhelm the infrastructure of the neighbourhood and remove mature trees in an environmentally sensitive area. Also the development as it stands will not provide the affected families with dedicated family areas for the children to play. If it must go ahead the number of units should be decreased to 4. Burlington has many unused commercial / residential areas available for new construction housing that would be affordable housing not luxury high end townhomes.

Catherine MacPherson  
Sent from my iPhone

## Da Silva, Mariana

---

**From:** Heather Brittain [REDACTED]  
**Sent:** Tuesday, May 12, 2026 3:29 PM  
**To:** monika@jecproperties.com; Da Silva, Mariana  
**Subject:** 505-08/26 & 520-08/26

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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

Hello

As a resident of Headon Forest. I am emailing to express that I am strongly opposed to the proposed townhouse complex on Headon Road.

The road is busy enough. We do not need more traffic. People don't stop at the stop sign as it is.

This will highly disrupt children's walk to school. All children walking from the other side of headon take the forest pathway. I have safety concerns about them walking past this daily for 2 years while it's being built. Will there even be a pathway after this is built?

Thanks  
Heather Giglia

Sent from my iPhone

May 19, 2026

**Via: Email ([mariana.dasilva@burlington.ca](mailto:mariana.dasilva@burlington.ca))**

Mariana Da Silva  
Planner on File  
Community Planning Department  
City of Burlington  
PO Box 5013  
426 Brant St.  
Burlington, ON L7R 3Z6

Dear Mariana:

**Re: Opposition to Planning Application  
2105 Headon Road, Burlington  
City File No.: 505-08/26 & 520-08/26**

## Introduction

We are writing in response to the above noted Planning Application for 2105 Headon Road. We have significant concerns about how the proposed development will impact the established neighborhood and natural woodland environment in the vicinity of Tuck Creek. The application is seeking many deviations from existing regulations and standards to try and build eight 3-story 4-bedroom townhouses on an existing lot with a bungalow that has considerable environmental and planning constraints.

This letter is a follow up updated replacement of the letter version dated May 15, 2026.

**We and our neighbors strongly oppose the application as it is presented.**

A petition in opposition to the proposed development is submitted as a separate document.

While not opposed to development on the subject lands we provide herein some of the rationale as to why we oppose the application as submitted.

## Comments on Submitted Documents

The following sections outline our comments on the documents submitted and available on the City's website. Our comments are arranged in the order the documents were listed.

### 1) Arborist Report

We note that locals have provided anecdotal comments that a number of trees were cut down on the site in approximately 2021 following the change in ownership. The trees are still observed lying down the slope face into the creek ravine. Many appear to be of a size that would require a permit. If this work was done without a permit to assist in advancing the development application those trees should be included in the arborist report. The trees remain lying on the site and should be inventoried.

Page two of the report identifies an *existing asphalt driveway* which is misleading as the driveway is permeable dirt and gravel. This should be changed in the report.

**Appendix A. Photographs of Trees (2022)**



Image 1. Area containing Trees 560-577, K



Image 2. Trees 560-564 (right-left)

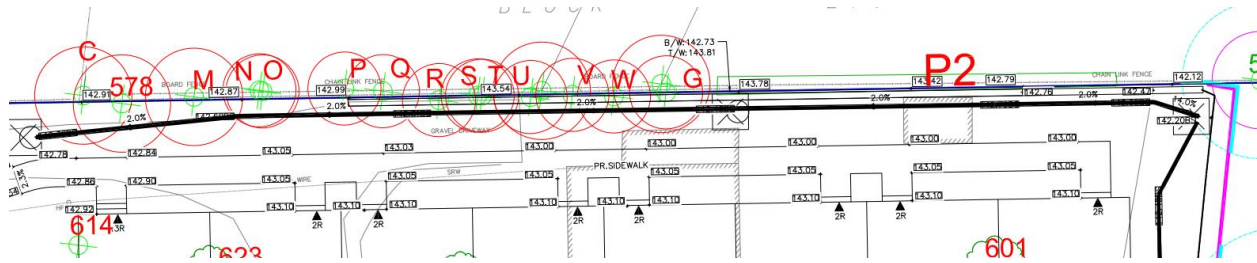
The proposed replacement for this permeable single lane gravel driveway through a regulated area with a two-lane paved driveway will be impactful to the surrounding trees.

Page three includes:

*Trees 578, C-E, G, M-W, and P2 are located partially or fully within Cleaver Park. These trees are identified for removal as there is a servicing connection and retaining wall proposed along the northern boundary, well into the minimum tree protection zones (mTPZ's) of these trees. We would not expect them to tolerate this level of intrusion.*

The development should be set back far enough from the property boundary so that impacts and tree removals within Cleaver Park are not required.

The report references the Tree Inventory and Preservation Plan and shows the following tree removals in Cleaver Park.



The tree removals in the park destroy the existing tree screen. The proposed location of the sidewalk and front building allows no room for a tree screen between the building and the park. It is not acceptable to allow development to remove trees in a public park and then construct an 11m tall wall of an 8-unit three-story building facing into the park with no ability to plant a tree screen on the property. This design should be changed to protect the park by locating the sidewalk and building further back from the park.

Park users see trees removed and then are faced with an 11m tall wall of an 8-unit three-story building set back 6 meters from parkland and no tree screen. That is incompatible land use and should be changed to provide a larger set back from Cleaver Park.

The building and sidewalk should be set back far enough from the park so the park is not impacted, and trees do not have to be removed. A tree screen must be maintained between the park boundary and the building.

*Trees 577, K, and L are located partially or fully within the City road right-of-way. Tree L is identified for removal as it conflicts with the entrance/servicing connection. Trees K and 577 are identified for removal as disturbance for the armourstone retaining wall extension through this area is too far into their mTPZ's.*

These trees are in the Halton Region Conservation Authority regulated area and should not be removed as part of the replacement of a single car gravel driveway with a paved two-lane driveway.

The below figure shows HRC regulated area (yellow shading) with proposed two-lane paved driveway, parking area and building displacing trees throughout the regulated area. The report indicates that a large part of the proposed tree destruction is within the regulated area and even within the established top of bank (purple line) where trees are

important in stabilizing the bank. This plan should be altered to avoid such tree removals and potential impacts of hardscaping within and next to the regulated area.



The design noted above suggests that trees and woodland vegetation will grow right up to the edge of the paved driveway. A minimum 1m to 2m verge should be included to separate the driveway and sidewalk from the woodland. The verge should not further encroach on the trees.

The report should include a verge to recognize that the woodland vegetation would not be effective right adjacent to the roadway as snow plowing would pile next to the roadway. A verge is needed to recognize that a setback of branches and woodland vegetation will occur, so they do not encroach on the driveway. The design needs to be modified to recognize the impact of the driveway is wider than the curb edge.

Page 4 includes:

*The findings of the study indicate a total of 118 trees and two tree polygons on and adjacent to the subject property. The removal of 50 trees and one tree polygon will be required to accommodate the proposed development. The remaining trees can be saved with the use of appropriate tree protection measures, as specified on Figure 1.*

The removal of 42% of the trees and associated vegetation in the study area to accommodate the development has an excessive permanent impact on Cleaver Park

Forest and the Tuck Creek drainage basin. This plan should be changed to avoid any impact to Cleaver Park and reduce the amount of tree removal in and close to the regulated area.

Overall, the arborist report provides a dispassionate inventory of the required destruction of trees in Cleaver Park, on City property along Headon Road and on the site to accommodate the proposed development. It does not consider the impacts of such destruction within and adjacent to a Halton Region Conservation Authority Regulated Area and the Cleaver Park Woodlands portion of the Tuck Creek valley ecologically sensitive ecosystem. The report should be revised to be more protective of the park, trees and environment.

## 2) Archaeological Report

No comments.

## 3) Architectural Drawings



The drawings show a 56m long 18m wide 11m high building divided into eight 4-bedroom 3-story townhomes with basements. This large building is incompatible with the Official Plan, Zoning and does not match the existing low rise residential area and is incompatible with the neighboring parkland and two-story single-family homes. The design should be altered to be more in line with the area. Overall height should be reduced to match the neighbourhood and the building footprint reduced to a footprint size more in line with the neighbourhood.

The 4<sup>th</sup> bedroom shown in the basement does not have an egress window which is required to meet building code. This must be addressed.

## 4) Complete Application Form

The application includes erroneous and misleading information. Section 4.3 of the application states:

4.3 Indicate Land Uses on Abutting Properties

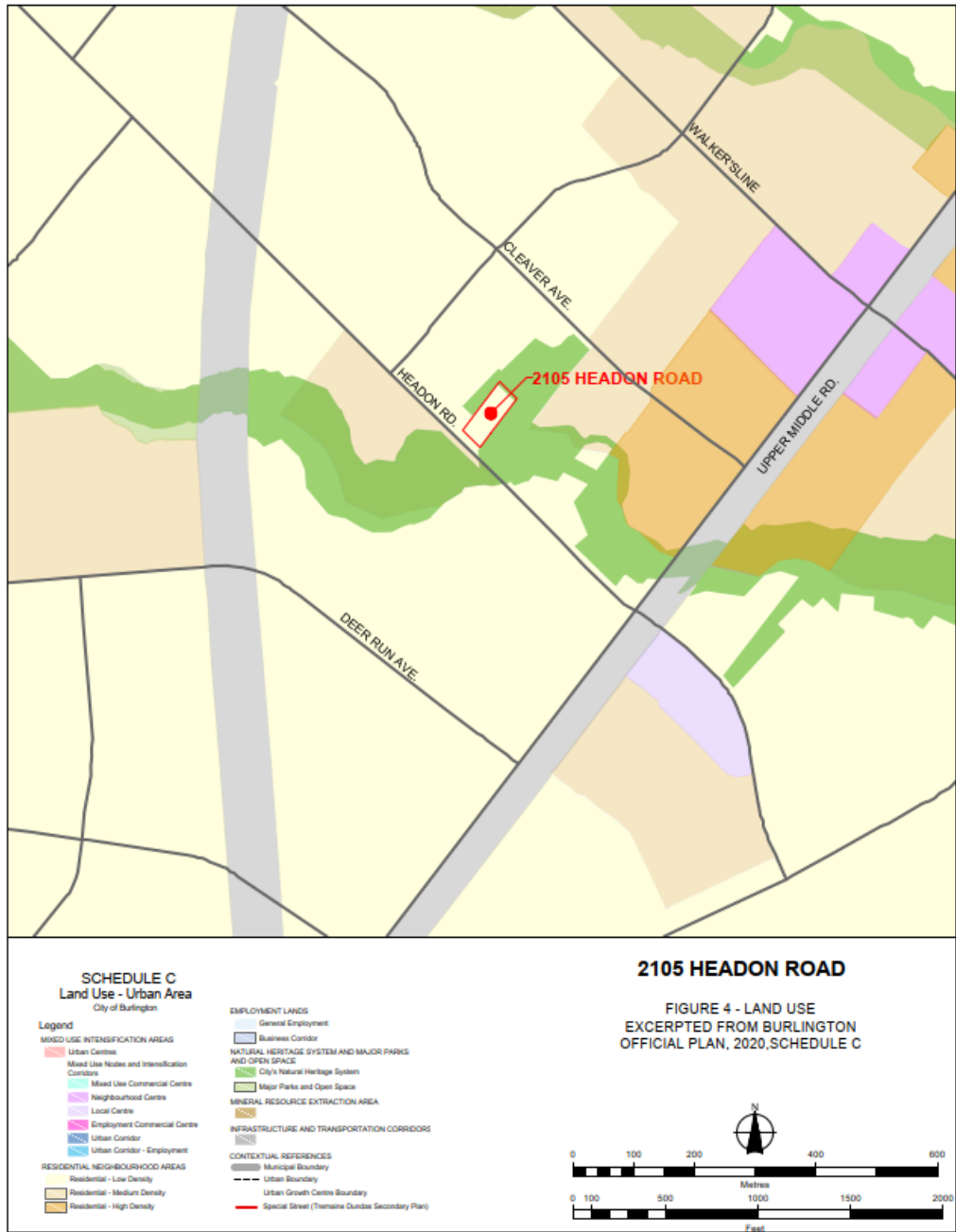
North Residential, Institutional, Open Space

South Open Space

East Open Space

West Open Space, Headon Road

This is not correct and should be changed to reflect the true land use designations as per the Burlington Official Plan shown as follows:



It should be stated as;

North: City's Natural Heritage System and Residential – Low Density

South: City's Natural Heritage System

East: City's Natural Heritage System

West: Headon Road and City's Natural Heritage System

The application needs to indicate the subject property is surrounded on three sites by Cleaver Park and beyond to the south and west is HRCA Tuck Creek woodlands.

It should be clear that the application is to intensify residential land use in the middle of existing parkland and natural heritage features. The application is not compatible with on site and surrounding land use.

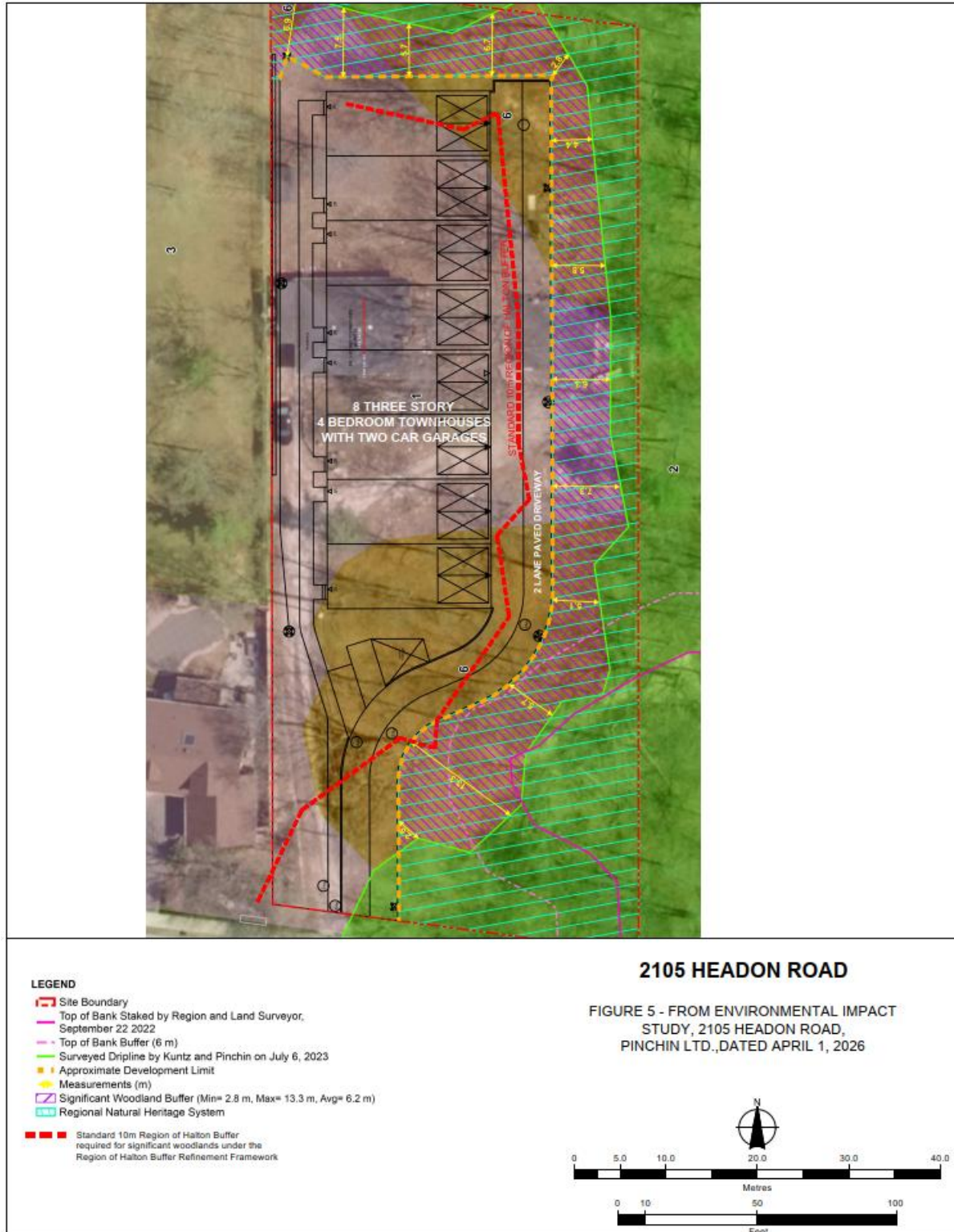
The application should be revised.

### **5) Conceptual Landscape Plan**

As outlined herein we oppose the tree removals in Cleaver Park, the tree removals in the regulated lands, the tree removals in the woodland buffer and therefore find the landscape plan unsuitable as a compensation approach. The lack of tree screening (following the removal of Cleaver Park trees) between the 11m high 3 story building and Cleaver Park as well as the backyards of 2109 Headon Road and 2111 Headon Road and is inadequate and needs to be addressed.

### **6) Conceptual Site Plan**

The following figure derived from Figure 5 of the Environmental Impact Study displays in red the required standard 10m buffer from Significant Woodlands. This requires the Conceptual Site Plan to be redrawn to allow for the full extent of the buffer to ensure protection of the sensitive ecological features. Given the proposed residential intensification with no amenity space (yard space) it would be expected the full 10m buffer would be required.



The following figure shows the site plan and the Halton Region Conservation Authority Regulated Lands mapping. The site plan should be revised to remove all new proposed

hardscaping from outside the regulated limits. The realigning of the existing single lane driveway through the regulated area would be a reasonable alteration (even if it was paved) that would not expand the existing encroachment footprint in the regulated area.



The site plan should be altered to avoid hardscape (building, sidewalk and driveway) in the regulated area.

The application should also consider that Halton Region Conservation Authority policies allow consideration of the potential impact to regulated lands from development on immediately adjacent lands. In this case the large mass of hardscaping (building footprint, sidewalk and two lane paved driveway) will significantly impact the regulated area. The density of residents with no amenity (yard space) will also impact the regulated area as there is no place for the residents to go to walk pets or enjoy amenity space except by encroaching on the regulated lands and buffer area. Since no amenity space is provided residents will use the sensitive ecological areas as amenity space causing unplanned impacts. This needs to be changed.

## **7) Draft Official Plan Amendment**

The draft OPA indicates the requirement to change the Official Plan for this property to accommodate the intensified development.

The OPA states:

*The subject lands are located on the northeast side of Headon Road, approximately 370m north of Upper Middle Road. The subject lands are comprised of a rectangular shaped parcel with a lot area of approximately 0.4 ha (1.0 ac); a lot frontage of approximately 40 m along Headon Road; and a lot depth of approximately 100 m. The subject lands currently contain a single-detached dwelling and detached garage/storage shed and are largely covered in trees and abut Cleaver Park.*

This is misleading in that the property may have the size as described but it fails to mention that approximately 50% of the property is undevelopable due to being in Halton Region Conservation Area Regulated lands, top of bank and buffer, regulated woodlands dripline and buffer. The OPA statement needs to be revised to be more truly reflective of the site conditions and indicate the actual developable portion as to be less than half of the actual property size.

The Basis for the Amendment includes:

*a) The subject application proposes intensification that is consistent with the Provincial Policy Statement (PPS), 2024. The PPS promotes a range and mix of uses and housing that efficiently uses land, resources, infrastructure, and public service facilities and is supportive of public transit.*

This intensification does not meet the PPS as it requires significant encroachment and impact to ecologically sensitive lands that would not normally be allowed except the application is leveraging the grandfathering presence of an existing bungalow and gravel driveway. The application involves expanding the impact to regulated and sensitive Tuck Creek valley lands and Cleaver Park Forest. The destruction of trees and impact to sensitive ecological lands is not an efficient use of land. This description should be changed.

There is no bus route on Headon Road and the proposed townhouse complex is a mid-block lot over 0.6km from the townhouse footprint to the nearest bus stop on Upper Middle Road, so it is not supportive of public transit. The nearest bus stop on Walkers Line, the

nearest north-south transportation corridor is over 1km from the townhouses. The proposed 18 parking spaces recognizing potential resident needs do not seem designed to be supportive of public transit. The statement regarding public transit should be rewritten.

The PPS does not support intensification at the expense of ecologically sensitive lands.

*b) Intensification of land within built-up, serviced areas of the City makes more efficient use of underutilized residential lands.*

This statement suggests that a single-family home on a small property that is more than 50% regulated as sensitive ecological land is underutilized. This statement suggests that the entire neighbourhood of Headon Forest single-family homes is underutilized and should be subject to intensification. This is not correct.

The average single-family lot near the site is roughly 30m x 15m = 450m<sup>2</sup> ( 0.045ha). The developable portion of 2105 Headon Road outside of all regulatory constraints, setbacks, and buffers (as described in the submitted reports) is approximately 25m x 50m= 1,250m<sup>2</sup> (0.1250ha). This translates to the equivalent of 3 average single-family lots in the Headon Road neighbourhood. This cannot be *underutilized residential lands* especially given the lot location surrounded by parkland and ecologically sensitive lands. The statement should be revised.

*c) The proposed development supports the City's objective to broaden the range of housing forms and supply to meet City needs in a manner that is compatible with surrounding properties and uses.*

This is not correct and should be changed. As discussed herein, the application is not compatible with the surrounding properties and uses as it requires significant exceptions and deviations from existing standards and regulations including the Official Plan and Zoning.

The surrounding property on three sides is Cleaver Park and beyond that the surrounding properties are single family low rise (two story) residential and ecologically sensitive natural heritage woodlands of Tuck Creek. The proposed intensification of residential land use is not compatible with surrounding land uses and the Official Plan. This should be changed.

A petition opposing the development submitted by the local neighbours strongly disagrees with the statement that the development is compatible with surrounding properties and uses.

The portion of the statement ....*range of housing forms to supply to meet City needs*....has not been demonstrated. The recently constructed similarly styled 2 story townhomes on

Carter Common on the west side of Walkers Line immediately north of Jordan Avenue remain only 20% occupied following completion. The demand for the proposed development has not been demonstrated and must be demonstrated.

- d) The proposed development is located on lands with adequate infrastructure and in close proximity to transit routes, commercial uses and community amenities so satisfies Official Plan policies to provide housing opportunities in locations that can reduce travel times and decrease dependence on the car.

This statement is not supported by the application. There is no bus route on Headon Road and the townhomes are mid-block from Upper Middle Road which has the nearest bus stop approximately 600m from the homes. It is almost 1km to the nearest bus stop on Walkers Line the most prominent north south artery. The proposal includes space for 18 cars suggesting that cars are required. All similar developments are on Walkers Line and Upper Middle Road which are major transit serviced routes where they truly meet this requirement. This site does not decrease dependence on the car and this statement should be revised.

- e) *The applicant submitted technical studies that provide adequate and appropriate information to support the development.*

This statement is not supported by the submitted documents as outlined herein. The design should be revised and the supporting technical studies revised.

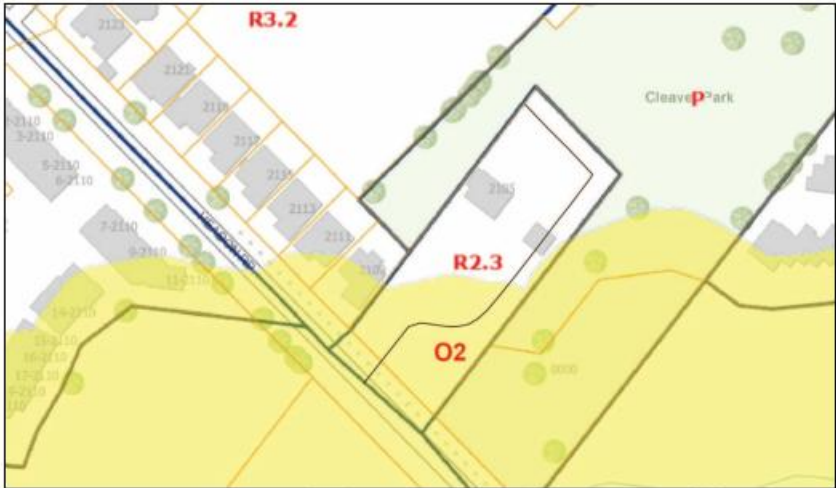
The basis of the Official Plan Amendment is not supported by the facts in the applicant's own documents and should not be approved.

### **8) Draft ZBA By-law**

The exceptions (a, b and c) are proposed to the Zoning after a Zoning By-law amendment to allow the townhouse complex. The proposed change in zoning is not appropriate as outlined in the report and the exceptions to the proposed zoning change are also not appropriate. The number and type of amendment and further exceptions to existing By-laws further illustrates that the proposed intensification is out of sync with the appropriate zoning currently in place. It should not be changed.

### **9) Draft Zoning By-law**

The designation of Open Space should also include all the regulated areas, the woodland protection lands and 10m buffer except for narrow driveway access that already exists.



**10) Environmental Impact Study**

Comments to follow.

The following is Figure A of the report and illustrates the proposed intensification of development within an ecologically connected system.



The following is an excerpt of Figure 3.



The figure should be revised to show Cleaver Park on the north side of the site as well as south and west. This presents an erroneous picture of the extent of parklands.

The report does not provide a clear rationale of why the woodlands #6 are not significant as they appear to be continuous and part of the regulated area as the woodlands identified as Significant (#2).

The following is taken from Figure 4a



The Significant Woodland Buffer should be 10m not the a little as 2.8m and averaging approximately 6.5m as per Conservation Halton policy. Given the degree of intensification proposed, reducing the buffer does not provide adequate protection for the ecologically sensitive lands.

Appendix B Agency Consultation only contains a Scoping and Terms of Reference Checklist dated September 1, 2021. The Appendix does not contain any of the consultation with Halton Region or the City as described in the text. The consultation details should be provided as the author references to a degree of pre-approval for the presented information.

Section 10 paragraph 5 indicates no storage in the buffer zone however there is insufficient snow storage area shown on the site plan for storage of snow from the sidewalks, driveway and visitor parking. This issue must be addressed.

The conclusions include:

*With the above mitigative recommendations taken into account and diligently implemented on the Site, no adverse negative impacts on the ecological intergrety of the Site will result from the proposed residential development.*

This statement does not align with the findings of the report and other provided documentation.

Because of its critical importance to the application and protection of the sensitive ecological area a Peer Review of the Environmental Impact Study and supporting documents should be undertaken by a qualified professional with the appropriate qualifications and experience.

**11) Environmental Site Screening Questionnaire**

No comments.

## **12) Enerwest Engineering Comments**

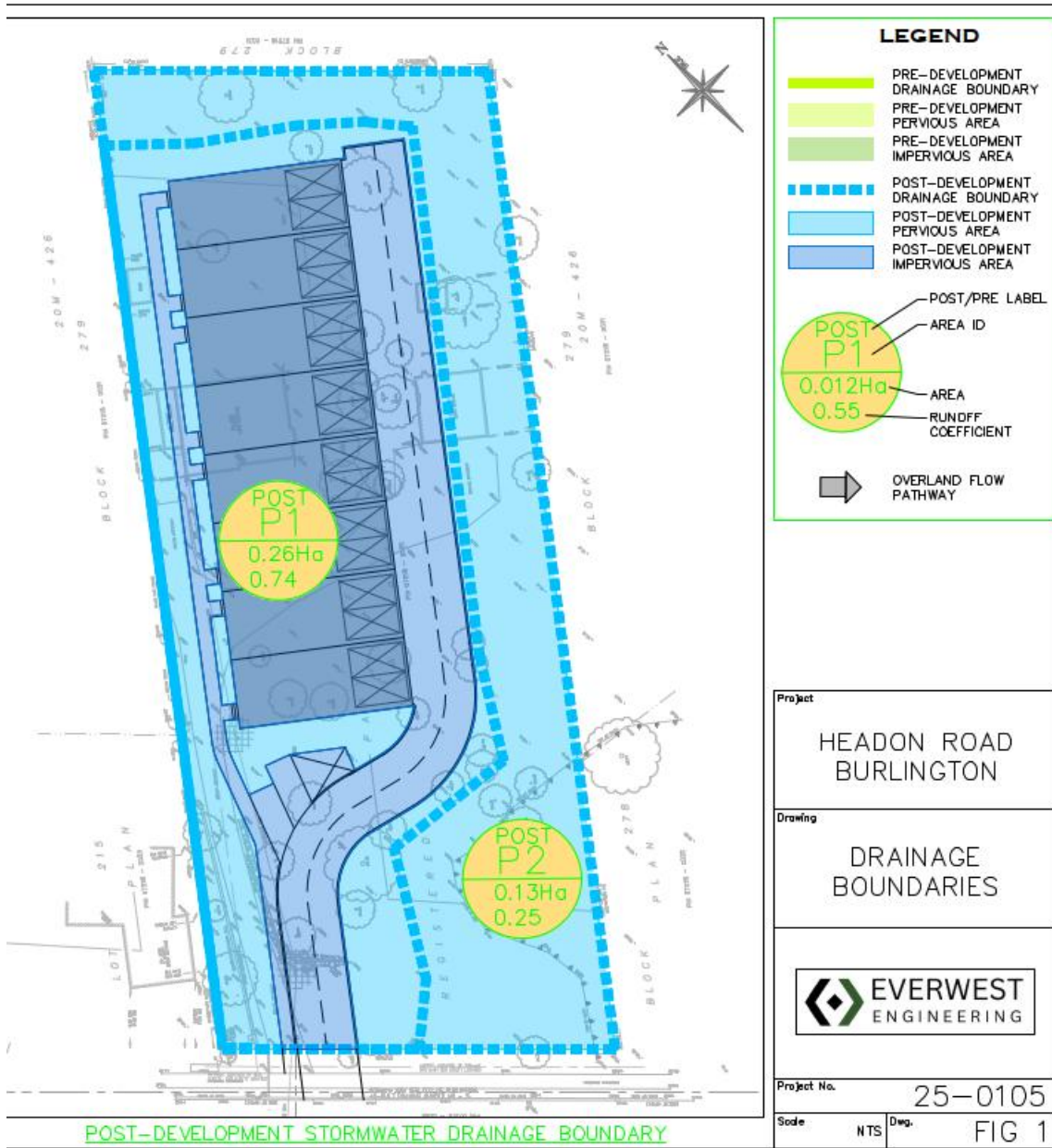
No comments.

## **13) Functional Servicing and Stormwater Management Report Plans**

The need for sophisticated stormwater collection, treatment (OGS) and management system more typical of a subdivision demonstrates that proposed development is not compatible with the surrounding properties and land uses that do not require construction and long-term condominium-based maintenance and management of such infrastructure. The design should be amended to be more like the surrounding land uses.

## **14) Functional Servicing and Stormwater Management Report**

The proposed development will result in a large water balance deficit. The large impervious area will not be supported by enhanced infiltration resulting in run-off flowing to the storm sewer. An overall large water balance deficit in the Tuck Creek water shed and ecologically sensitive area is not appropriate and should be changed to a design with less impervious surface.



The need for sophisticated stormwater collection, treatment (OGS) and management system more typical of a subdivision demonstrates that proposed development is not compatible with the surrounding properties and land uses that do not require the construction and long-term condominium based maintenance and management of such infrastructure.

### 15) Geotechnical Study

The geotechnical study documents the steep slopes on the side of the property and the areas not suitable for development and requiring protection in perpetuity. The proposed intensification of residential development with no on site amenity space such as back yards and front yards may result in residents using the steep slope lands as amenity space given no other option. That is a risk that needs to be addressed.

## 16) Noise Feasibility Study

Although below the regulatory thresholds the proposed development will add noise load to neighboring properties. The impact of the noise load of 30 or more people and 18 cars squeezed as proposed should be considered in more detail than just the provincial minimum approach. The provincial minimum approach does not consider the impact of so many people placed on one small footprint of property with the attendant noise generated by people and cars. This consideration must be part of a more thorough land use compatibility study.

## 17) Phase 1 ESA

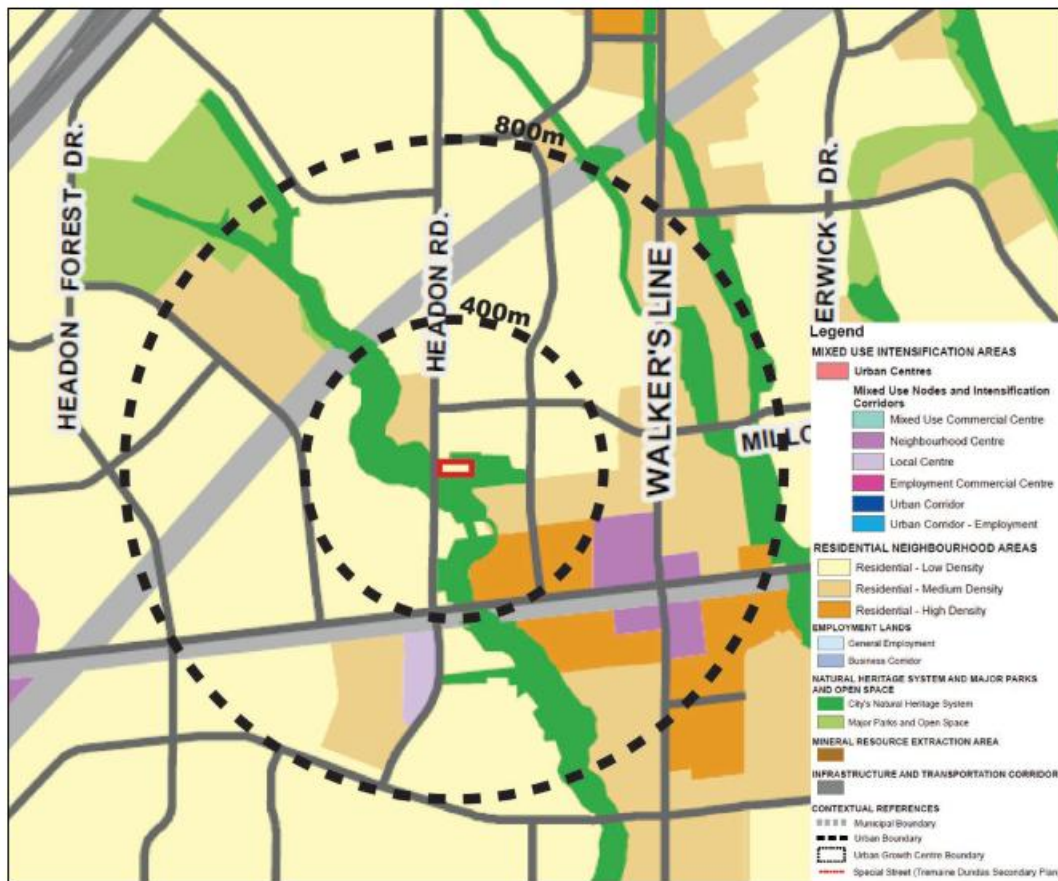
No comments.

## 18) Planning Justification Report

The Planning Justification Report contains significant errors and misrepresentations and needs to be rewritten.

Figure 4 from the report includes:

Figure 4 – Regional Spatial Analysis (Land Uses)



The figure shows the subject site surrounded by City Natural Heritage System lands that are described in the report as Open Space. This is misleading and should be changed to reflect the true nature of the surrounding parkland and Tuck Creek woodlands ecologically sensitive ecosystem. The outline of the site within Natural Heritage System lands and Residential- Low Density lands indicate the lack of any connection with higher density residential lands. Intensification of this 'island' of property within incompatible surrounding lands far from transit serviced routes is not good planning and should be changed.

The term "Open Space" throughout the report should be changed to reflect the specific designation of the lands as per the Official Plan otherwise the submission is misleading.

In Section 3.2 it states:

*There are existing trees of varying sizes throughout the property. A tree dripline has been surveyed and established for the purpose of tree preservation; some trees will need to be removed for construction but a large amount is being retained and protected.*

This is not reflected in the fact that 42% of the trees and associated vegetation in the study area will be removed to accommodate the development. This has an excessive permanent impact on Cleaver Park Forest and the Tuck Creek drainage basin. This plan should be changed to avoid any impact on Cleaver Park and reduce the amount of tree removal in and close to the regulated area. It should be noted that trees in Cleaver Park are proposed for removal.

Figure 11 includes:

Figure 11 – Site-Specific Spatial Analysis



Section 3.2 states:

*Due to the fact that this property only abuts one (1) residential dwelling, there is less of a concern regarding compatibility and overlook between the existing land uses and the subject lands.*

This is a misleading figure and statement as it identifies the parkland and City Natural Heritage System as per the Official Plan as Open Space. The proximity of the 3 story 4 bedroom townhome complex set close to the property lines will have significant overlook of the park and the neighbouring low density residential home.

The following figure provides the true face of the overlook.



The statements need to be revised to be more realistic of the overarching face of the building over the park and the neighbouring 1 ½ story single family home.

Section 4.2 includes:

*...the following design objectives have been identified:*

- *Improve the functionality of the subject lands and interfacing street frontage by adding a high-quality residential townhouse design.*

This sentence needs to be rewritten as the street frontage is being changed by the removal of a single lane gravel driveway to a two lane paved condo street which does not improve the street interface.

- *Implement suitable design standards and privacy elements that ensure compatibility with neighboring uses and the surrounding community.*

This statement needs to be rewritten as the 3 story high 8 unit townhouse building placed close to property lines is a overarching impactful structure in compatible with Cleaver Park and the adjacent 1 ½ story adjacent single family home. The lack of any amenity space and tree screen as part of the development is incompatible with the surrounding properties and neighbourhood.

- *Support the residential intensification of the area, which will contribute positively to the development of the Headon neighbourhood; and,*

As shown in Figure 4 of the report the intensification is an island within Residential – low density and the City Natural Heritage System and is not compatible and provides no positive contribution to the neighbourhood. In fact the intensification of residents in 4 bedroom homes with 18 parking spaces and no amenity space ( yard space) will negatively impact the sensitive ecological lands and the single family home neighbourhood.

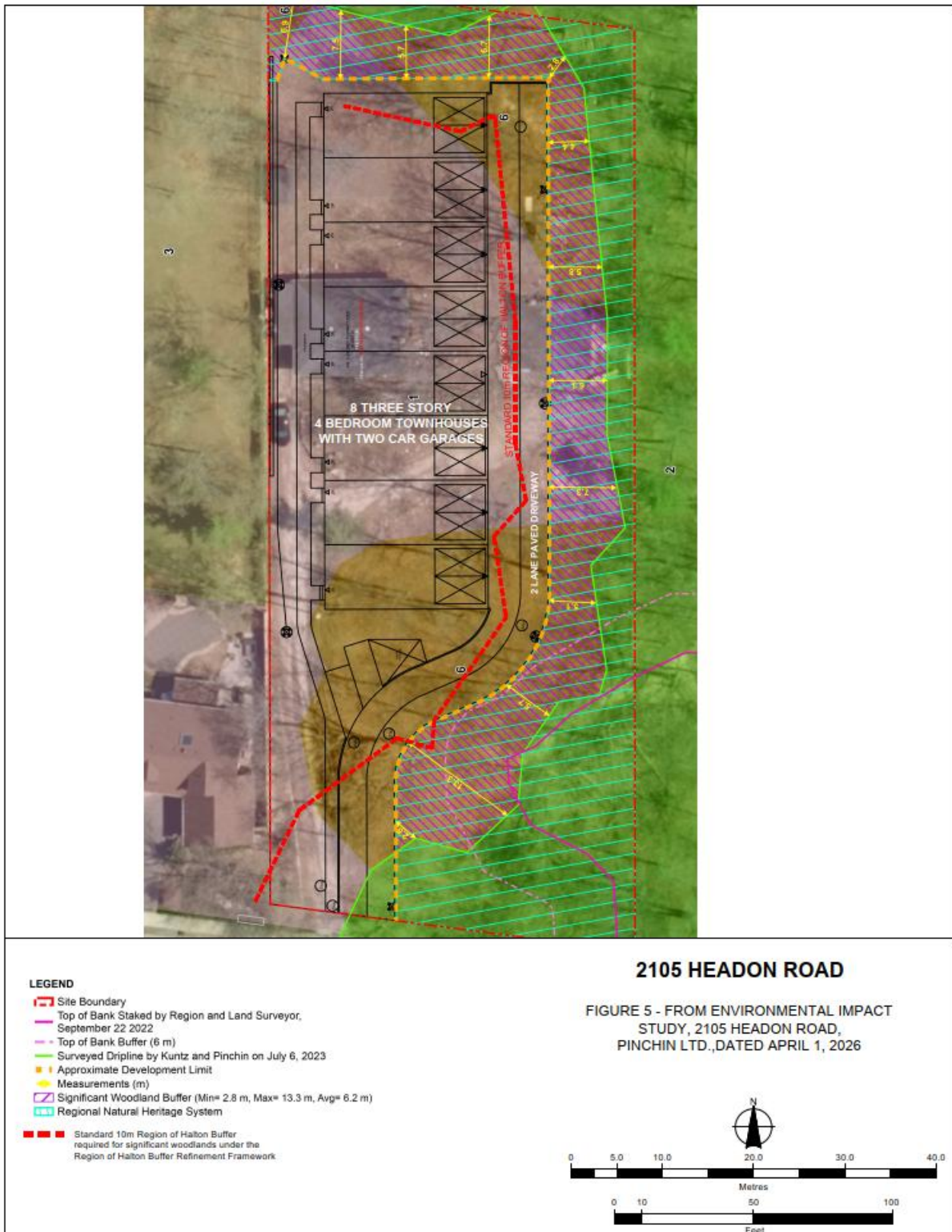
- *Effectively integrate the built form into the current land use policy context, particularly concerning massing and height.*

This sentence needs to be rewritten as the proposed built form of 3 story 4-bedroom condominium intensification is an isolated mass and height that is incompatible with the surrounding lands. It is completely isolated from the high density lands positioned along the transit corridors of Upper Middle Road and Walkers Line. The over arching size of the building is not compatible with the surrounding lands.

Section 4.2 includes:

*The proposed townhouse block is located as close to rear and northwesterly interior side yard as possible in order to maintain the surveyed top of bank and tree dripline denoted on the provided conceptual development plan and support a sufficient buffer to protect this feature while still supporting infill development.*

This is not correct and should be changed. The proposed buffer is significantly less than the standard 10m and does not support infill development. The following figure shows the appropriate set back buffer minimum. This should be changed.



The encroachment into regulated lands and the lack of appropriate buffer needs to be addressed.

Section 5.5 states;

*...an overall height (floor to top peak of roof) of 11.0m; rectangular forms with clean lines and angles; mansard roofing; and, modest colours and materials are proposed. These elements provide a built form consistent with the surrounding townhouse forms in this neighbourhood.*

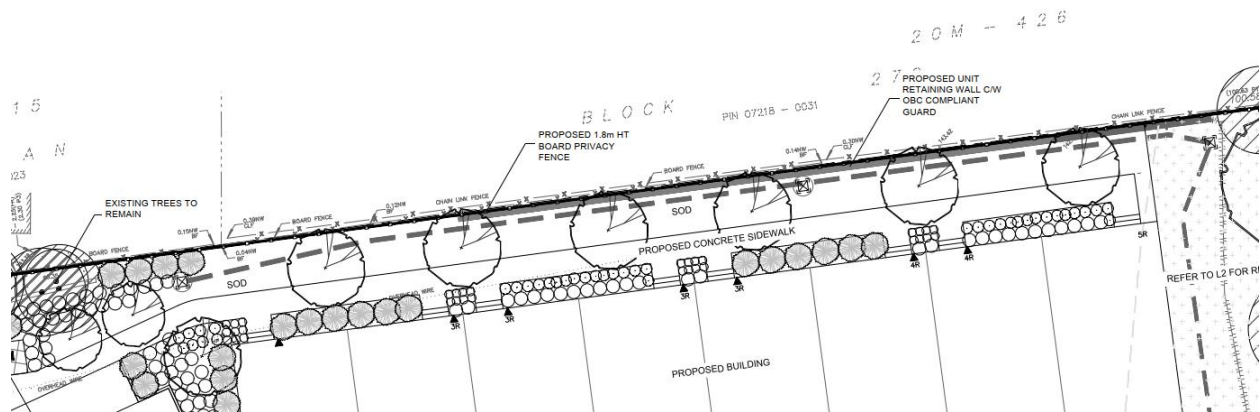
This is a misleading statement and should be changed. The proposed development built form is not consistent with the neighbourhood as there are no adjacent or nearby buildings of similar height. The area is characterized by 1 ½ and 2 story single family homes with amenity spaces in the form of front and rear yards. The proposed 3 story design towers over the adjacent 1 ½ story home.

Section 5.7 includes:

*...and a landscape buffer is proposed along the north property line for privacy. The combination of robust landscaping, including a variety of coniferous and deciduous trees, and fencing, supports the high priorities for this design which is privacy and tree retention.*

This statement does not reflect what is shown on the site plans and should be changed.

The Landscaping Plan shows the removal of 40% of the trees in the study area including tree removals from Cleaver Park. Following the removal of the trees, installation of a retaining wall and sidewalk there is insufficient space for any significant tree screen to screen an 11m high building so close to the property line. The design should be altered to allow for a thick tree screen. All properties surrounding Cleaver Park have an at least 8m or more backyard amenity space between the building and park.



Section 6.0 includes:

*...and will not generate overlook in the surrounding area considering the 1.5 and 2-storey heights of the surrounding residential dwellings.*

This statement is contradictory and should be changed. There is definitely overlook of a proposed 3 story townhouse next to a 1.5 story single family home.

Section 10.1 includes:

- *This project is characterized as residential intensification and has been planned to be compatible within the surrounding context of the residential neighbourhood. Furthermore, the subject lands are capable of supporting the proposed development without generating any significant adverse impacts on surrounding land uses (Policy 2.4.3).*

This is not a correct statement as it fails to identify the significant impacts to sensitive ecological lands and park lands requiring an application for reduced setbacks and deviations from standard policies and requirements for the protection of regulated lands. The property is an 'island' of proposed intensification within low density residential lands and the Tuck Creek woodlands. The installation of a large footprint of building, sidewalk and two-lane roadway with no amenity space such as back yard lands for residents and pets only further risks impacts to sensitive ecological lands.

Section 11.2 includes:

*...the proposed development is able to preserve the ecological functions of the adjacent and on-site natural features and enhance the natural landscape on the subject lands through the installation of restoration and enhancement measures.*

This is a misleading statement as the construction of a 3 story 8 unit townhouse complex with sidewalks and two-lane condo road will have irreparable impacts on the ecology of the property and surrounding lands. The removal of 40% of the trees on the site and some from Cleaver Park cannot be mitigated with post construction plantings on the lands that are not hard scaped. Plantings cannot occur on the building foot print, sidewalk or pavement. There is permanent destruction to the environment that should occur.

Section 12.1 Conservation Halton

The report indicates that the development proposal will be seeking .... *a 7.5 metre setback from the long-term stable top of bank rather than 15 metres.*

Given the proposed development with no yard space (front or back) reducing the Conservation Halton set back is not appropriate as the full set back is required to protect the lands from residents who have no amenity space.

The assessment of environmental impact needs to include the land both within and adjacent to the regulated area and recognize the impacts of residential intensification rather than just distances from buildings.

Section 13 Conclusions includes:

*The proposed Official Plan and Zoning By-Law Amendment applications seeks to permit an 8-unit townhouse development on the subject lands. Based on the analysis throughout this report, the proposal is consistent with the 2024 Provincial Planning Statement; maintains the purpose and intent of the policies in the City of Burlington Official Plan (1997 and 2020); and, maintains the purpose and intent of the regulations in the City of Burlington Zoning By-Law. As such, the proposed Official Plan and Zoning By-Law Amendment applications represents good planning practice, is appropriate for the subject lands, and is in the public interest.*

It is not clear how the proposed changes to the Official Plan and two Zoning By-law Amendments can be considered as maintaining the intent and purpose of the Official Plan and the City's Zoning By-law. The proposed changes to these well-established planning documents suggest that the proposal is not good planning as it does not conform with the existing planning. There is no supporting evidence that such changes to established planning and zoning is in the public interest. The findings outlined herein strongly suggest that the proposed changes are not in the interest of the public and not in the interest of protecting ecologically sensitive lands. This statement should be changed.

### **19) Pre Application Community Meeting Notes 25-05-13**

Comment 1. The suggested cedar plantings are not shown on the landscape plan and are unlikely to address the 11m height of the proposed building.

Comment 2. There has been no indication in the submission that traffic has been considered.

The lack of a hammer head, cul de sac or turning radius for emergency vehicles and other vehicles is a concern especially having to back a down a curving driveway and out on to Headon Road.

### **20) Pre Application Community Meeting Notice 25-04-28**

No Comments

### **21) Pre-Consultation Meeting Package**

No comments.

### **22) Site Survey**

No comments.

### **23) Slope Profile Plans**

The slope profile plans provide further evidence of the incompatibility of a significant portion of the site to support intensification of residential land use. A mechanism to protect the sloped portion of the property from being used by residents for amenity space needs to be provided as the current design includes not yard amenity space for walking pets and other typical yard uses.

**24) Stage 1-2 Archaeological Assessment**

No comments.

**25) Supplemental Slope Stability Comments**

No comments.

**26) Sustainable Building and Development Guidelines**

No comments other than to note that many of the voluntary items are only marginally addressed.

**27) Transportation Planning Preconsultation**

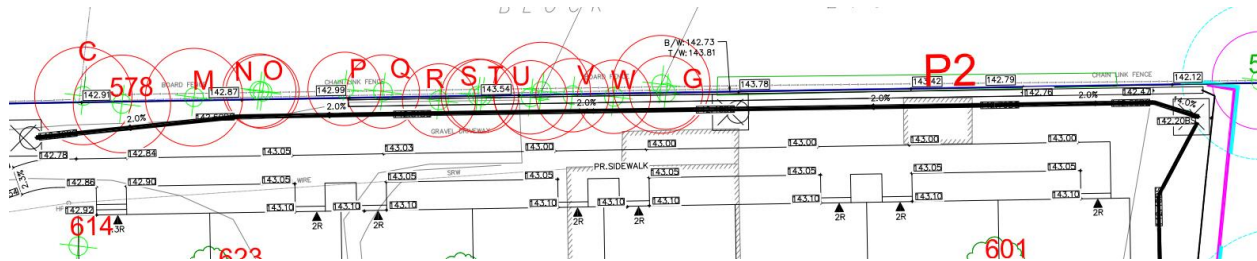
A traffic impact assessment on Headon Road is required to evaluate the impact to Headon Road traffic and the location of the entrance to Headon Road adjacent to a traffic control feature (speed bump) and close to the crossing guard managed intersection with Golden Eagle Drive.



The application proposes approximately 18 cars from the development exiting on to Headon Road in an area where neighbors have issues exiting from their driveways. This is too many cars being added to a busy low speed residential traffic speed-controlled road. It is also an area that attracts children accessing the school and park. The number of units should be reduced to reduce the volume of additional traffic.

## 28) Tree Inventory and Preservation Plan

The Plan outlines the removal of approximately 40% of the trees in the study area this includes trees in Cleaver Park as shown below.



The tree removals in the park destroy the existing tree screen. The proposed location of the sidewalk and front building allows no room for a tree screen between the building and the park. It is not acceptable to allow development to remove trees in a public park and then construct an 11m tall wall of an 8-unit three-story building facing into the park with no ability to plant a tree screen on the property. This design should be changed to protect the park by locating the sidewalk and building further back from the park.

Park users see trees removed and then are faced with an 11m tall wall of an 8-unit three-story building set back 6 meters from parkland and no tree screen. That is incompatible land use and should be changed to provide a larger set back from Cleaver Park.

The building and sidewalk should be set back far enough from Cleaver Park so the park is not impacted, and trees do not have to be removed. A tree screen must be maintained between the park boundary and the building.

## 29) Waste Management Plan

The waste management plan indicates that the site will have to use a pickup truck sized vehicle privately contracted to collect the waste.

It states:

- *Inability to meet Regional turning radius and maneuvering requirements*

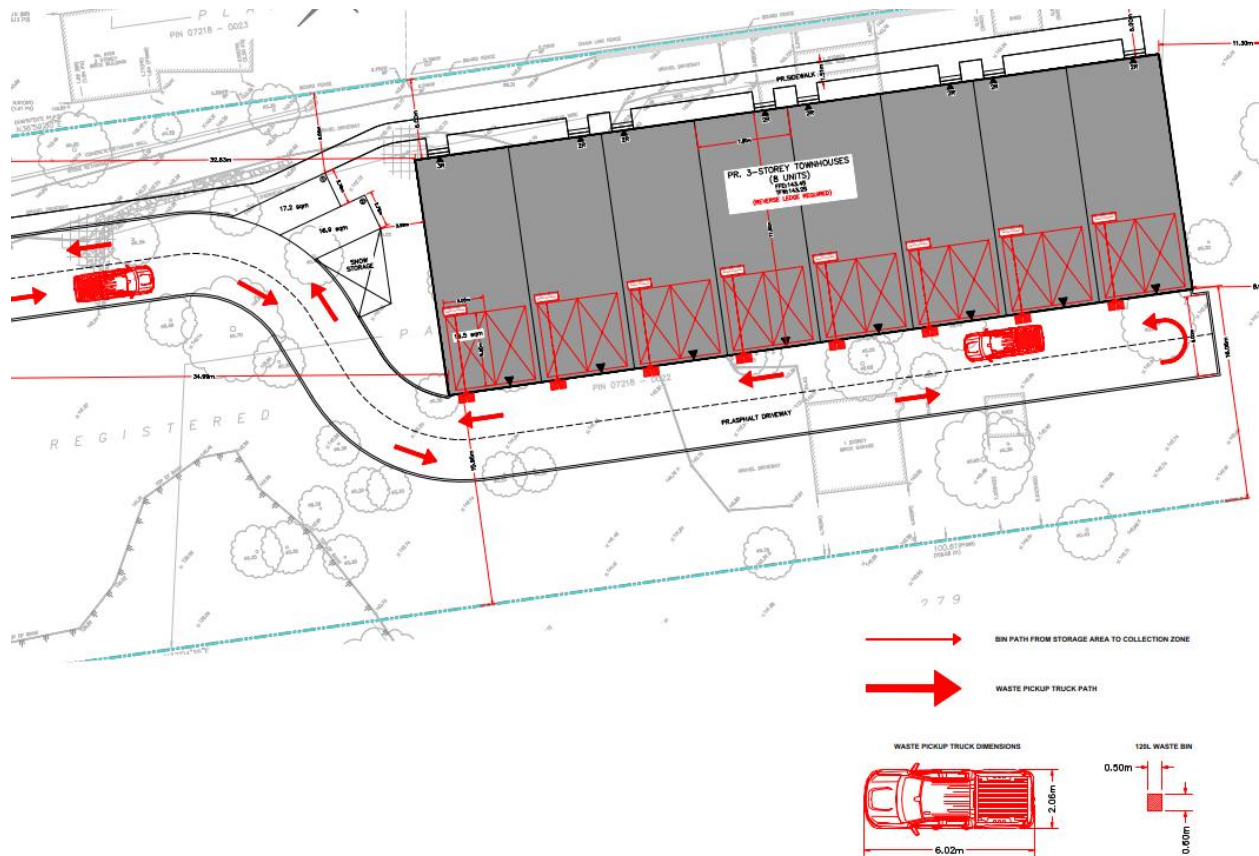
This is a change from current method used for the property in the surrounding area which makes use of the City/Region based system. This is not efficient and should be reconsidered.

The plan indicates the pickup truck will make a U turn at the end of the driveway in order to service the units. The driveway is not wide enough for a U turn and a three-point turn would be

required. The driveway does not include a cul-de-sac or hammer head to allow turning for emergency vehicles, snowplow, any type of delivery truck.

The location of the garbage pickup is shown blocking the garage door at each unit. This would not be practical and should be redesigned.

Although the plan includes the use of a pick up truck to pick up the waste the access does not allow a U turn and should be changed.



## Additional Comments

### Snow Storage

The tiny snow storage area does not seem sufficient to store the snow accumulated from the parking area, sidewalk and driveway. The environmental setbacks and buffers are less than standard and much hardscaping is in the regulated area. There is no verge along the driveway for plowing snow. It is not prudent to plow snow onto the woodland buffer. A plan showing how the snow is to be plowed and stored during the winter without impacting the woodlands is required.

### **Garage and Driveway**

As shown on the above figure the application proposes a 0m separation from the active drive isle and the front of each garage. A car driving out of the garage forwards has to enter the active roadway before the driver's side window is far enough out of the garage to look up the drive isle to see a vehicle moving down the drive isle. This is even further compounded should a vehicle have to back out of the garage. The driver would back into the live drive lane almost fully before being able to look either side of the garage up the active drive isle to observe traffic. Any vehicle, snowplow, garbage truck etc. moving along the drive isle would be faced with the potential of a vehicle exiting from a garage blindly. Two neighbours side by side exiting backwards blindly as the driver seating is still within the garage could collide. There is also insufficient turn radius for a car exiting the garage to stay within the narrow drive isle resulting in overlap into the lane going the opposite direction.

The roadway has no way for a vehicle that drives to the end to turn without making a multi position 3- or 4-point turn at best. A hammer head or cul de sac design should be required.

This should not be allowed.

### **Impacts on Cleaver Park**

Cleaver Park is bounded by a school yard, Tuck Creek, and residential properties with residential backyards backing on to the park providing significant setback between buildings and the park boundary.

The proposed development means the users of Cleaver Park will face an 11m high and 56m long solid wall of building set back only 6m from the park boundary. With the set back space taken up by sidewalk this is an insufficient setback to allow for a tree screen. Park users will be faced with this overarching feature of incompatible land use. The concept should be changed to be more compatible with the park.





- It is not appropriate to install a two-lane paved driveway will add approximately 18 cars accessing Headon Road immediately south of a traffic speed control feature and just north of the crossing guard managed intersection with Golden Eagle Drive.
- The townhouse block has no yard space and no areas for amenities. This will result in approximately 30 residents impacting sensitive woodlands for typical yard activities.
- The Official Plan designates the property as Low Rise Neighborhoods 1, which is an appropriate designation for the majority of the 2-story homes along Headon Road and it should not be changed to allow higher density uses.
- The Zoning By-law designation is Low-Rise Neighborhood 5 which is appropriate for the Headon Road area and should not be changed to allow higher density uses.
- If the City approves this proposed intensification on a small property in a low-rise residential neighborhood within the Tuck creek woodlands it will set a precedent for the development of other similar properties to the long-term detriment of the Headon Forest area.

### **Overall Assessment of Application**

The application fails to consider the overall impacts of the development and the need for many exceptions to established planning and environmental policies and standards. The exceptions include:

- Changes to the Official Plan
- Two Changes to Zoning By-laws
- Modifications of standard setbacks and buffers from ecologically sensitive woodlands and regulated lands
- Modifications to allowed hardscaping within and adjacent to regulated lands that could impact those lands
- Approval to remove trees from a public park

The application needs to consider the concept of the wider area of environment. It needs to recognize that each individual technical study is not isolated in it's perspective that all the reports need to mesh into a full picture of impacts. The site is a proposed 'island' of intensification unconnected to other areas of higher density residential land use in the middle of ecologically sensitive lands. There is no amenity yard space for the 30 to 40 people and their pets that could inhabit the property and by default encroach on the adjacent ecologically sensitive lands.

The application suggests that there is a need to intensify this isolated property not in immediate proximity to the local east west and north south transportation corridors. This is not the case. This type of intensification belongs along the main transit corridors and away from the

ecologically sensitive lands and exist low density neighbourhood. The application is not supported by the facts of the studies and should not proceed.

## **Summary**

We trust we have presented a thoughtful and balanced technical and social assessment of the implications of the application and trust the City will agree with our reasons for opposing the application.

We are not opposed to development on the subject lands but are vigorously opposed to the the degree of intensification.

If you have any questions or comments, please contact the undersigned.

Yours truly,

**On behalf of Headon Forest Neighbours**

A handwritten signature in black ink that reads "Jim Walls". The signature is written in a cursive, flowing style.

Jim Walls, P.Geo., QP<sub>ESA</sub>  
Geoscientist

cc: Headon Forest Neighbours (Via: Email and personal communication)

# Petition to Oppose Townhouses at 2105 Headon Road

To the Mayor, Members of Council, and the Planning Department of the City of Burlington, and the Halton Region Conservation Authority:

We, the undersigned residents and stakeholders of the Headon Forest community, respectfully submit this petition to formally oppose Planning Application File # 505-08/26 & 520-08/26. This application proposes the development of a block of **eight 3-story, 4-bedroom townhouses at 2105 Headon Road.**

Our opposition is based on serious concerns regarding the impacts this project will have on our neighborhood. We urge you to deny this application.

## 1. Population and Traffic Density

Our neighborhood is already strained. Introducing eight large family units will significantly increase local population density and traffic congestion.

- Each 4-bedroom unit could house **4-6 residents**, adding up to **48 new residents** to a small lot.
- This influx will increase traffic on Headon Road, a collector road already quite busy.
- The additional vehicles will enter near a Crossing Guard controlled intersection used by children walking to a nearby school and park.

## 2. Impact on Halton Region Conservation Authority (HRCA) Regulated Lands for Tuck Creek

The site is partially within lands regulated by the Halton Region Conservation Authority for the protection of Tuck Creek. This development poses a direct threat to this sensitive ecological area.

- The proposal includes significantly reducing the standard Region of Halton Buffer from Significant Woodlands increasing the risk of impacts.

## 3. Lack of Yard Space and Amenities

These townhouses are designed without consideration for family living. The proposed units lack private and communal outdoor space.

- There is virtually no yard space for children and pets.
- Residents will be forced to use sensitive creek valley lands for amenity space.

## 4. Inconsistency with Official Plan and Zoning By-law

This application contradicts the City of Burlington's Official Plan and Zoning By-laws.

- The Official Plan designates the site as **Low Rise Neighborhoods 1**, which permits only low-density residential development.
- The Zoning Bylaw designates the site as **Low-Rise Neighborhood 5**, which is intended for detached and semi-detached homes.
- These established designations should not be changed.

## 5. Negative Development Precedent in Headon Forest

Approving a block of eight 3-story 4-bedroom townhouses on one lot sets a dangerous precedent for up-zoning in the Headon Forest area.

- If this over-development is permitted, other property owners will seek similar intensification.
- This will lead to cascading applications, further compromising the Headon Forest neighbourhood.

May 12, 2026 Commenced  
by Walls Family

**Signatory Section**

We, the undersigned, call upon the City of Burlington and the Halton Region Conservation Authority to reject Planning Application Files # 505-08/26 & 520-08/26. We do not consent to this development and demand that our existing planning, zoning and environmental protections be upheld.




## Signatory Section

We, the undersigned, call upon the City of Burlington and the Halton Region Conservation Authority to reject Planning Application Files # 505-08/26 & 520-08/26. We do not consent to this development and demand that our existing planning, zoning and environmental protections be upheld.

A large, empty rectangular box with a thin black border, intended for signatures or names of the undersigned parties.

## Signatory Section

We, the undersigned, call upon the City of Burlington and the Halton Region Conservation Authority to reject Planning Application Files # 505-08/26 & 520-08/26. We do not consent to this development and demand that our existing planning, zoning and environmental protections be upheld.

A large, empty rectangular box with a thin black border, intended for signatures or additional text. It occupies the majority of the lower half of the page.

## Da Silva, Mariana

---

**From:** Krista Jane [REDACTED]  
**Sent:** Friday, May 15, 2026 4:59 PM  
**To:** Da Silva, Mariana  
**Subject:** Concerns Regarding Proposed Development at 2105 Headon Road (Ward 6)

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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

To Mariana and the Community Planning Department,

I am writing as a nearby resident on Golden Eagle Road to express my serious concerns regarding the proposed development by JEC Properties Inc. at 2105 Headon Road in Ward 6.

As someone who lives in very close proximity to the site, I can confidently say that our area is already experiencing significant challenges with traffic and parking. The existing townhouse developments nearby have contributed to increased congestion, and Headon Road itself already carries a substantial volume of traffic, not to mention a lack of street parking the frequently spills on to Golden Eagle Drive. There is currently insufficient parking for existing residents, and adding further density will only exacerbate these ongoing issues.

This is quite a high traffic area, with Golden Eagle, Headon, and Jordan all functioning as busy through streets in the neighbourhood. The proposed development construction, as well as the homes suggested, would cause quite a disruption to an already busy area.

In addition to traffic and parking concerns, I am deeply troubled by the potential loss of the mature and diverse tree canopy on the property and how this could effect the creek and pathway. This green space provides an important natural buffer—particularly between the proposed development and the nearby school CH Norton—and contributes to the character and environmental health of our neighborhood, of which we take so much pride.

I am also concerned about the environmental implications, specifically related to runoff and the nearby creek. Developments of this scale can have lasting impacts on local ecosystems, and I urge the City to carefully consider these risks.

I understand and *fully support* the petition has been circulating among neighbors, my name is not included simply because I was not home at the time to connect with the organizers. However, I want to emphasize that I share the same concerns as many others in the community. Having spoken with our neighbour recently at length about the proposed development.

I sincerely hope the City will take the time to listen to the voices of residents in this neighborhood. In my view, this is not an appropriate development for our area given the existing infrastructure limitations and environmental considerations. Not to mention the struggle to sell similar newly developed townhomes on Walker's Line.

Thank you for your time and consideration.

Sincerely,  
Krista Olynyk



## Da Silva, Mariana

---

**From:** REG COPELAND [REDACTED]  
**Sent:** Thursday, June 4, 2026 5:26 PM  
**To:** Da Silva, Mariana  
**Subject:** Regarding 2105 Headon Road

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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

Good Evening Mariana

I am writing with respect to the proposed townhouse complex at 2105 Headon Road.

It fits, but only just.

It fits only because it is turned 90-degrees to Headon Road.

It fits, only because the three-story structure is going to be leering over its immediate northern neighbor.

It fits, only because it is nearly encroaching onto the pathway to C. H. Norton public school.

It fits, because it will be disrupting the migrator bird corridor that runs along Tuck Creek. Birds migrate along Tuck Creek both in the spring and fall of every year. This structure will interrupt the corridor where it crosses Headon Road.

I see issues related to the C. H. Norton students who will march past immediately adjacent to the structure every morning and every afternoon five days a week. Also, the playground and ball diamond are bound to become an issue too.

A normal house makes sense on the site, but not an eight-unit townhouse complex.

This is a bad idea. I do not support a zoning bi-law amendment!

Reg Copeland

RECEIVED

MAY 19 2026

City of Burlington  
Community Planning

May 5, 2026

**Subject: Re-zoning Application – 2105 Headon Road**

To the City of Burlington Community Planning Department,

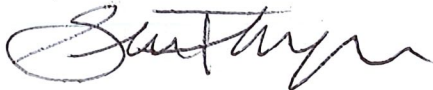
I am writing to state my firm opposition to the proposed re-zoning of 2105 Headon Road.

The proposal to build an eight-unit townhouse block is an inappropriate use of this lot. To move forward, the City must abandon the long-standing designation of this site—a move that fundamentally undermines your commitment to protecting Burlington's environment, biodiversity, and community standing.

Furthermore, I am deeply concerned that municipal planning decisions are being influenced by federal government intrusions and the acceptance of large-scale funding. Planning should be based on the City's Official Plan and the welfare of its citizens, not on fulfilling external mandates that disregard the local context.

The "Modern Luxury" marketing of this project does not justify the loss of greenspace or the negative impact on the surrounding residents. I request that the City deny this re-zoning application and remain steadfast in its stated goal to protect our Natural Heritage system and the character of our established neighborhoods.

Regards,



Shawn Thompson

## Da Silva, Mariana

---

**From:** Tanya Warren [REDACTED]  
**Sent:** Saturday, May 16, 2026 10:41 PM  
**To:** Da Silva, Mariana  
**Cc:** Bentivegna, Angelo  
**Subject:** 2105 Headon Rd -Development Proposal Concerns

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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

Hello Mariana,

I am a local resident writing to express concerns regarding the proposed development at 2105 Headon Road.

My primary concerns relate to the impact this project may have on traffic safety, environmental preservation, and flooding risks in the area.

Headon Road already experiences frequent speeding issues, and there are currently not enough speed calming measures such as speed bumps in place. Adding additional residential density and vehicle traffic raises concerns for the safety of residents, pedestrians, and children in the neighbourhood.

I am also concerned about the potential encroachment on nearby green space and the reduction of tree canopy. Burlington has made significant efforts to preserve and expand its urban tree canopy, and developments that require the removal of mature trees appear inconsistent with those goals.

Additionally, the proximity to Tuck Creek raises concerns regarding stormwater management and flooding risk. Flooding and water management are already important issues in Burlington, and further development near sensitive green space and waterways should be approached with caution.

While I understand the need for additional housing, Burlington has many other opportunities for redevelopment and intensification that would not require impacting environmentally sensitive areas and established green space. I believe the example and

impact of the Millcroft development has set the tone for how the residents of Burlington feel about encroaching on established green spaces.

If the city of Burlington continues to allow developers to encroach on green spaces in this way, the City may need to soon rename Headon Forest... there will be no forest left!!!

I respectfully ask that these concerns be carefully considered as part of the review process for this application.

Thank you for your time and consideration.

Tanya Warren

[REDACTED]

[REDACTED]

## Da Silva, Mariana

---

**From:** Wilma Hope [REDACTED]  
**Sent:** Thursday, April 23, 2026 6:55 PM  
**To:** Da Silva, Mariana  
**Subject:** 2105 Headon Road

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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

Dear Mariana & Community Planning Department,

I am writing in response to the revised notice regarding the proposed condominium development near our home. My household previously attended an earlier consultation where a six-unit building was presented.

The current proposal for an eight-unit development represents a significant shift from what was initially discussed, and it raises several concerns that we feel have not been adequately addressed.

First and foremost is visitor parking. The plan provides only two visitor parking spaces for eight units. Based on typical usage, this is clearly insufficient and will inevitably result in overflow street parking. Our street is already limited in capacity, and additional congestion will directly impact our ability to park near our home. More importantly, increased street parking can obstruct sightlines, restrict access for emergency vehicles, and create safety risks for pedestrians, cyclists, and children in the area.

We are also concerned about the apparent removal of trees from the adjacent forested area. This space is an important natural buffer for the neighbourhood, contributing to privacy, noise reduction, and environmental health. The loss of mature trees will have lasting ecological impacts and alter the character of the area in a way that cannot easily be reversed.

Additionally, we are troubled by the shift away from the originally discussed plan. Community consultations are intended to build trust and incorporate resident feedback, and it is disappointing to see a move toward a more intensive development that appears to prioritize maximizing unit count over compatibility with the neighbourhood.

We respectfully request that the City take these concerns into serious consideration before making any decisions. In particular, we ask that:

- Visitor parking be reassessed to reflect realistic needs and prevent overflow onto residential streets

- A thorough review of traffic and safety impacts be conducted
- Tree removal be minimized, with clear justification and mitigation plans provided
- Greater weight be given to the scale and intent of the original proposal presented to residents

We appreciate the opportunity to provide input and ask to be kept informed as this application progresses.

Thank you for your time and consideration.

Sincerely,  
Wilma Hope

## **AMENDMENT NO.10 TO THE OFFICIAL PLAN OF THE CITY OF BURLINGTON PLANNING AREA**

### **CONSTITUTIONAL STATEMENT**

The details of the Amendment, as contained in Part “B” of this text, constitute Amendment No.10 to the Official Plan of the City of Burlington Planning Area, as amended.

### **PART A – PREAMBLE**

#### **1. PURPOSE OF THE AMENDMENT**

The purpose of this amendment to the Burlington Official Plan, 2020 is to permit eight (8) 3-storey townhouse units within a single building block.

#### **2. SITE AND LOCATION**

The subject lands are located on the northeast side of Headon Road approximately 370m north of Upper Middle Road. The subject lands are approximately 0.4 hectares in size and are currently occupied by a single-detached dwelling and detached garage.

Surrounding land uses consist of a mix of residential, open space and institutional uses.

#### **3. BASIS FOR THE AMENDMENT**

- a) The subject application proposes intensification that is consistent with the Provincial Planning Statement (PPS), 2024. The PPS promotes housing that efficiently uses land, resources, infrastructure, and public service facilities and is supportive of public transit.
- b) Intensification of land within built-up, serviced areas of the City makes more efficient use of existing developed lands which meets the intent of the Halton Region Official Plan, 1995 (an Official Plan of the City of Burlington).
- c) The proposed development supports the City's objective to broaden the range of housing forms and supply to meet City needs in a manner that is compatible with surrounding properties and uses.
- d) The applicant submitted technical studies that provide adequate and appropriate information to support the development.

## **PART B – THE AMENDMENT**

### **1. DETAILS OF THE AMENDMENT**

#### **Map Change:**

#### **Schedule B – Comprehensive Land Use Plan – Urban Planning Area**

The lands designated as “A” on Schedule “A” attached hereto are hereby amend the ‘Low-Rise Neighbourhoods I’ to ‘Low-Rise Neighbourhoods I’ with site specific policies.

#### **Text Change:**

The text of the Official Plan of the City of Burlington, 2020, as amended, is hereby amended as follows:

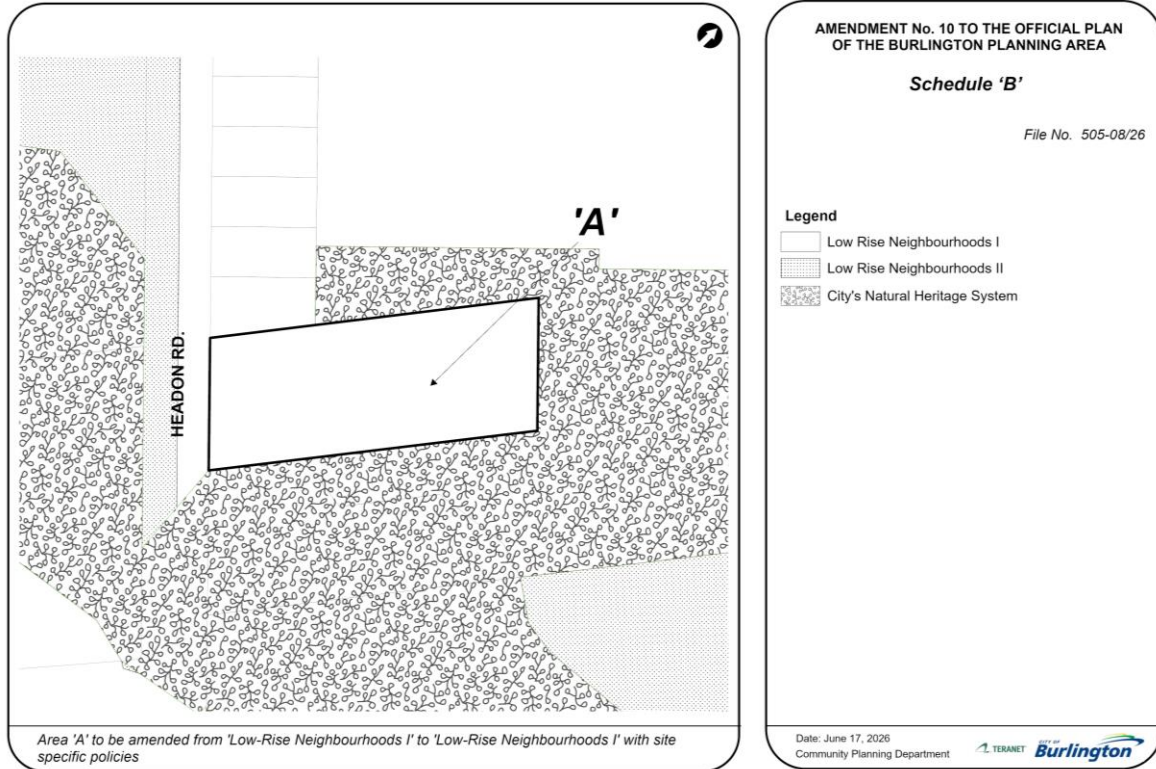
By adding the following site-specific policy in Chapter 8 – Land Use Policies – Urban Area, Subsection 8.3.3(2) Site-Specific Policies for Low-Rise Neighbourhoods I:

- 2105 Headon Road c) Notwithstanding the policies of Subsection 8.3.3 (1) c) of this Plan, for the properties identified as 2105 Headon Road, the following policies *shall* apply:
- (i) the *development shall* include up to a maximum of 8 principal *dwelling units*; and
  - (ii) the *development may* be permitted to a maximum height of three (3) storeys.

### **2. INTERPRETATION**

This Official Plan Amendment shall be interpreted in accordance with the “Interpretation” policies of Chapter 12 of the Official Plan of the City of Burlington, 2020.

### **3. IMPLEMENTATION**



This Official Plan Amendment will be implemented in accordance with the appropriate “Implementation” policies of Chapter 12 of the Official Plan of the City of Burlington, 2020.

The Corporation of the City of Burlington

City of Burlington By-law 2020.522

A by-law to amend Zoning By-law 2020, as amended, for 2105 Headon Rd.  
(File Nos. 505-08/26 and 520-08/26)

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

Whereas the Council of the Corporation of the City of Burlington approved Recommendation Report DGM-44-26 on July 21, 2026, to amend the City's existing Zoning By-law 2020, as amended, to permit for Natural Heritage related uses.

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

1. Map No. 20 - E of Part 15 to Zoning By-law 2020, as amended, is further amended by rezoning the lands as shown on Schedule "A" to this By-law.
2. This By-law comes into force in accordance with Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended.

Enacted and passed this 21<sup>st</sup> day of July, 2026

Mayor Marianne Meed Ward

City Clerk Michael de Rond



**EXPLANATION OF PURPOSE AND EFFECT OF BY-LAW 2020.522**

By-law 2020.522 amends Zoning By-law 2020 to rezone lands municipally known as 2105 Headon Rd., to permit for Natural Heritage related uses.

For further information regarding By-law 2020.522, please contact Mariana Da Silva of the Burlington Community Planning Department at (905) 335-7600, extension 7536.

The Corporation of the City of Burlington

City of Burlington By-law XX.2026

A by-law to amend Zoning By-law 09-2026, for 2105 Headon Rd.  
(File Nos. 505-08/26 and 520-08/26)

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

Whereas the Council of the Corporation of the City of Burlington approved Recommendation Report DGM-44-26 on July 21, 2026, to amend the City's existing Zoning By-law 09-2026, to permit the development of eight (8) 3-storey townhouse units within a single building block.

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

1. Map No. 20 - E of Part 10 to Zoning By-law 09-2026 is further amended by rezoning the lands marked as Area "A", and by removing the lands marked as Area "B", as shown on Schedule "A" to this By-law.
2. Part 8, Holding Zone Requirements, of Zoning By-law 09-2026 is amended by adding a new Section 8.6 as follows:

**8.6 Holding Provision (H5) – 2105 Headon Rd.**

As shown on Map No. 20 - E in Part 10 of this By-law

- a) The (H) holding symbol shall be removed when the following condition has been completed to the satisfaction of the **City**:
  - i) That the Owner is required to submit a revised Functional Servicing Report that includes analysis and/or calculations that demonstrate that the existing water system in the area can accommodate the proposed development to the satisfaction of Halton Region.
2. Part 9, Site-Specific Exceptions, of Zoning By-law 09-2026 is amended by adding a new Section 9.1 as follows:

Exception: 1	Map: Map 20 - E	Parent Zone: LN8	Amending Bylaw: XX.2026	Enacted: July 14, 2026
<b>9.1.1 Permitted Uses</b>				
Only the following uses shall be permitted:				
a) <b>Block Townhouse</b>				
<b>9.1.2 Provisions for Block Townhouse</b>				
The following regulations apply for <b>Block Townhouses</b>				
a) Minimum <b>Lot Area</b>	2500 m <sup>2</sup>			
b) Minimum <b>Front Yard</b>	30 m			
c) Minimum <b>Rear Yard</b>	2.7 m			
d) Minimum <b>Interior Side Yard</b>	6 m			
e) Maximum <b>Building Height</b>	3 <b>storeys</b> up to 14 m for a <b>peaked roof</b> or 10 m for a <b>flat roof</b>			
f) Minimum distance from a wall to an <b>internal roadway</b>	0 m			
g) Minimum distance from a wall to a <b>parking space</b>	2.3 m			
h) Minimum distance from an attached <b>private garage</b> to an <b>internal roadway</b>	0 m			
i) Minimum distance from a <b>parking space</b> to the north-west <b>interior side lot line</b>	2 m			
j) <b>Accessible Parking spaces</b>	<p>The <b>accessible parking space</b> requirements of Section 6.5 shall not apply to resident parking provided that each unit includes an attached <b>private garage</b> with 2 <b>parking spaces</b>.</p> <p><b>Accessible parking spaces</b> for visitor parking shall be subject to the requirements of Section 6.5.</p>			
<b>9.1.3 Special Site Provisions</b>				
The following additional provision applies:				

a) Notwithstanding any future severance, partition, or division of the lands subject to this exception, the provisions of this By-law shall apply to the whole of these lands as if no severance, partition or division had occurred.

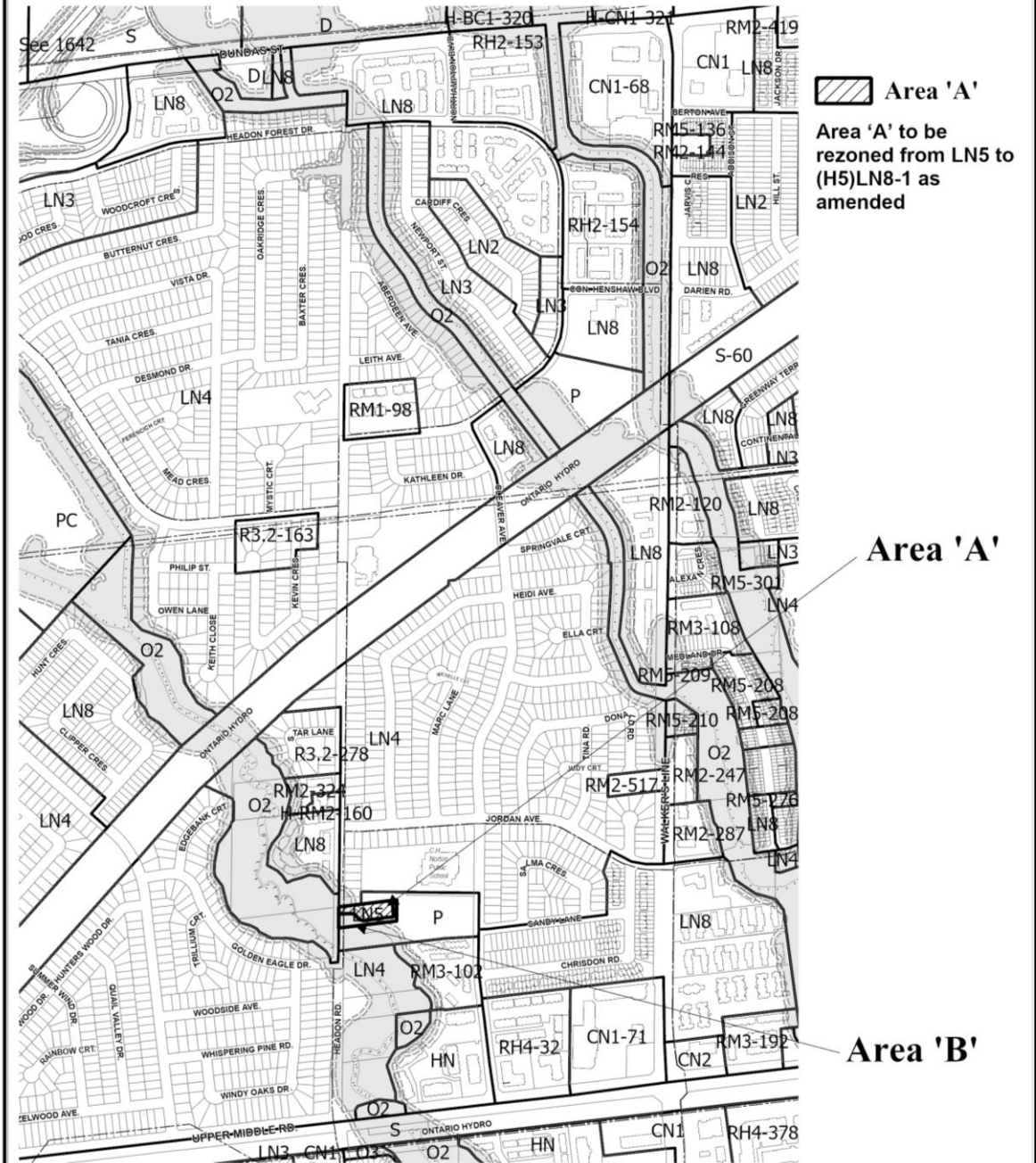
3. This By-law comes into force in accordance with Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended.


Enacted and passed this 21<sup>st</sup> day of July, 2026

Mayor Marianne Meed Ward

City Clerk Michael de Rond

### SCHEDULE "A"



 Area 'A'

Area 'A' to be rezoned from LN5 to (H5)LN8-1 as amended

Area 'A'

Area 'B'

SCHEDULE 'A' TO BY-LAW XX.2026 AMENDING MAP NO. 20-E PART 10, BY-LAW 09-2026.  
 PASSED THE 21st DAY OF JULY, 2026

MAYOR

CITY CLERK



**EXPLANATION OF PURPOSE AND EFFECT OF BY-LAW XX.2026**

By-law XX.2026 amends Zoning By-law 09-2026 to rezone lands municipally known as 2105 Headon Rd., to permit eight (8) 3-storey townhouse units within a single building block.

For further information regarding By-law XX.2026, please contact Mariana Da Silva of the Burlington Community Planning Department at (905) 335-7600, extension 7536.

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

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

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

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

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

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

- b) permitting and facilitating
  - 1. all housing options required to meet the social, health, economic and wellbeing requirements of current and future residents, including additional needs housing and needs arising from demographic changes and employment opportunities; and
  - 2. all types of residential intensification, development and introduction of new housing options within previously developed areas, and redevelopment;
- c) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation.

The PPS directs that growth and development be focused in ‘Settlement Areas’. Settlement Areas include built-up urban areas where development is concentrated, and which have a mix of land uses and lands which have been designated in an Official Plan for development over the long term. In accordance with Section 2.3.1 1. and 2., Settlement Areas shall be the focus of growth as well as development and should be based on densities and a mix of land uses which:

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

The proposed development consists on redeveloping the subject lands from an underutilized property including one (1) single detached dwelling with a detached garage to eight (8) townhouse units to provide for additional housing options in the City. This proposal would be served by existing and planned servicing infrastructure, existing public service facilities and nearby existing public transit routes. The subject lands are approximately 360m north on Headon Road from a Burlington Transit bus stop. Two bus routes are accessible from Upper Middle Road, being Route 12 (Upper Middle) and Route 6 (Headon). Route 12 runs between the Burlington GO and Dundas Street while Route 6 runs along Headon Forest Drive and Upper Middle Road between Burlington GO and Highway 407 Carpool GO Station. As a result, staff are of the opinion that the proposed development is an efficient use of the land, resources, infrastructure and public service facilities which are planned and available.

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

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

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

In accordance with the Land Use Compatibility policies under Section 3.5 1., major facilities and sensitive land uses, such as residential uses, shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major

facilities in accordance with provincial guidelines, standards and procedures. The proposed development is not near land uses which would impact the existing and proposed residential uses.

In accordance with the public spaces, recreation, parks, trails and open space policies under Section 3.9 1., the plan indicates that healthy and active communities should be promoted by planning public streets and spaces to be safe, meet the needs of persons of all ages and abilities, including pedestrians, foster social interaction and facilitate active transportation and community connectivity; planning and providing for the needs of persons of all ages and abilities in the distribution of a full range of publicly-accessible built and natural settings for recreation, including public spaces, open space areas, trails and linkages. The proposed development provides access to private and common outdoor amenity space as well as connectivity to public outdoor spaces.

In accordance with Section 4.6 2., Planning authorities shall not permit development and site alteration on lands containing archaeological resources or areas of archaeological potential unless the significant archaeological resources have been conserved. Similarly, Section 4.6 4. indicates that Planning authorities are encouraged to develop and implement: archaeological management plans for conserving archaeological resources; and proactive strategies for conserving significant built heritage resources and cultural heritage landscapes. Through the application submission, the applicant provided a Stage 1-2 Archaeological Assessment, Heritage Planning staff have reviewed the materials received and are satisfied that the archaeological assessment requirement has been met.

In accordance with Section 5.2 1., Planning authorities shall, in collaboration with conservation authorities where they exist, identify hazardous lands and hazardous sites and manage development in these areas. Furthermore, in accordance with Section 5.2 2., development shall generally be directed to areas outside of hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards. As previously mentioned under report DGM-44-26, The subject lands are regulated by Conservation Halton as these are adjacent to Tuck Creek and contain a portion of the flooding and erosion hazards associated with this watercourse. CH regulates 15 metres from the greater of the flood plain and erosion of hazards associated with watercourses. Conservation Halton and Planning staff are of the opinion that since the proposed development will be located outside of hazard lands (including stable top of bank and 6m erosion access allowance), the proposal remains consistent with the PPS.

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

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

The Halton Region Official Plan (the “ROP”) describes that it provides for “broad policy directions on strategic matters such as management of land and natural resources, growth strategies, housing, economic development, water and wastewater services, solid

waste management, transportation, and health and social services”. The Planning Act requires that Burlington’s Official Plan and Zoning By-law be amended to conform with the ROP.

In accordance with Map 1H – Regional Urban Structure of the ROP, the subject lands are designated ‘Urban Area’. The subject lands also abut low-rise residential uses along the north-west corner property line as well as Cleaver Park to the north, south and east property lines. In accordance with Map 1 – Regional Structure of the ROP, Cleaver Park is designated as the ‘Regional Natural Heritage System’. Furthermore, Map 1G – Key Features within the Greenbelt and Regional Natural Heritage Systems, designates Cleaver Park as Key Features.

In accordance with Section 72, the Urban Area policies of the ROP identify that the goal of the Urban Area and the Regional Urban Structure is to manage growth in a manner that fosters complete communities, enhances mobility across Halton, addresses climate change, and improves housing affordability, sustainability, and economic prosperity. In accordance with Section 74, the Urban Area consists of areas designated within the Regional Urban Boundary as delineated on Map 1, where urban services are or will be made available to accommodate existing and future urban development and amenities.

Section 86 outlines it is the policy of the Region to permit intensification of land use for residential purposes such as infill, redevelopment, and conversion of existing structures provided that the physical character of existing neighbourhoods can be maintained as well as to promote residential intensification through the development or redevelopment of greyfield sites which would include vacant lands. The proposed development constitutes appropriate intensification as it is intended to provide eight (8) new residential dwelling units instead of the one (1) existing single detached dwelling with a detached garage while aligning with the planned character of the area.

In accordance with Section 89(3), all new development within the Urban Area is to be connected to the Region of Halton’s municipal water and wastewater system. As part of the required materials for the application submission, the applicant provided a Functional Servicing and Stormwater Management Report (FSR) which was reviewed by Development Engineering and Halton Region staff. Development Engineering indicated no objection to the applications and provided a list of items and materials to be addressed at a future Site Plan application. Differently, Halton Region staff offered comments relating to municipal servicing, transportation, waste management, and source water protection for the proposed development. Halton Region staff indicated that the Functional Servicing Report (FSR) must be revised to address the outstanding issues in relation to the downstream sanitary sewer analysis required to confirm capacity in the sewer system and must also be updated to include fire flow testing and demonstrate that the existing water system has sufficient capacity to support the proposed development. As a result, Planning staff have included a holding provision requesting that an FSR be submitted for capacity

analysis that demonstrates that the proposed flows from the development can be accommodated in the downstream trunk sewer system.

Section 147(17) of the ROP requires the applicant of a development proposal to determine whether there is any potential contamination on the site they wish to develop, and if there is, to undertake the steps necessary to bring the site to a condition suitable for its intended use. As part of the application submission, the applicant provided an Environmental Site Screening Questionnaire (ESSQ) and a Phase One Environmental Site Assessment. The submitted materials have been reviewed by Development Engineering staff who have indicated no objections to the proposed development and no concerns in terms of potential site contamination.

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

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

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

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

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

*Staff comment:*

City’s Development Engineering, Halton Region, Halton District School Board and Halton Catholic District School Board have been circulated as part of the application technical review process. As part of the required materials for the application submission, the applicant provided a Functional Servicing and Stormwater Management Report (FSR) which was reviewed by Development Engineering and Halton Region staff.

Development Engineering, Halton District School Board and Halton Catholic District School Board staff have indicated no objection to the applications and have provided a list of items to be addressed at the Site Plan application stage. Differently, Halton Region staff offered comments relating to municipal servicing, transportation, waste management, and source water protection for the proposed development. Staff indicated that the Functional Servicing Report (FSR) must be revised to address the outstanding issues in relation to the downstream sanitary sewer analysis required to confirm capacity in the sewer system and must also be updated to include fire flow testing and demonstrate

that the existing water system has sufficient capacity to support the proposed development.

As a result, Planning staff have included a holding provision requesting that a revised FSR be submitted for capacity analysis that demonstrates that the proposed flows from the development can be accommodated in the downstream trunk sewer system.

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

*Staff comment:*

The proposed development contemplates two (2) vehicle private parking spaces per unit as well as two (2) vehicle visitor parking spaces including 1 designated accessible space. The proposed development would require one (1) accessible visitor parking space and one (1) accessible residential parking space. The applicant has requested that the requirement for the accessible residential parking space be waived, as each dwelling unit is provided with two (2) private parking spaces by way of individual attached garages.

The intent of the accessible residential parking space requirement is primarily to address developments that contain shared parking facilities, such as surface parking lots or underground parking garages, where residents do not have access to private attached garages or individual driveways. In this case, each unit is served by private parking spaces through attached garages, which reduces the need for a dedicated accessible residential parking space.

Accordingly, Planning staff are of the opinion that the proposed amendment is appropriate and consistent with the intent of the zoning provisions. The amendment as proposed indicates that accessible residential parking spaces are only required where dwelling units are not provided with attached garages.

The City's Transportation Planning has reviewed the submitted application and related materials and have indicated no concerns with the proposed parking rates. Similarly, the City's Accessibility staff have reviewed the submitted application and related materials as well as amendments and have indicated they are generally comfortable with the rationale that where all residential units are provided with private attached garages or driveways, a designated resident accessible parking space may not be required, as AODA requirements do not apply to private residential parking.

*Part III, Section 2.5.2 a) (iii):* the capacity of the municipal transportation system can accommodate any increased traffic flows, and the orientation of ingress and egress and potential increased traffic volumes to multi-purpose, minor and major arterial roads and collector streets rather than local residential streets.

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

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

*Staff comment:* The City's Transportation Planning staff have reviewed the application as well as the associated materials submitted and have indicated support of the application and the proposed land-use and density as the transportation network can accommodate the increase without significant negative impact. As previously mentioned, the subject lands are near existing transit. The subject lands are also located within approximately 800 metres walking distance of properties zoned CN1 and CN2 (Neighbourhood Commercial), which provide a range of neighbourhood commercial uses and conveniences for the surrounding community.

*Part III, Section 2.5.2 a) (v):* compatibility is achieved with the existing neighbourhood character in terms of scale, massing, height, siting, setbacks, coverage, parking and amenity area so that a transition between existing and proposed buildings is provided.

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

*Staff comment:* The applications propose to amend the existing designation of Official Plan 2020, as amended, as well as Zoning By-law 09-2026 to permit an increased number of residential units to eight (8) units as well as increased height to 3-storeys. Staff is of the opinion that the proposed building maintains compatibility with the existing neighbourhood character in terms of scale, massing, height, siting, setbacks, coverage as discussed under the analysis of the proposed amendments to Zoning By-law 09-2026 in later sections of this analysis. As previously mentioned, planning staff is of the opinion that the proposed development provides for adequate off-street parking.

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

*Staff comment:* Planning staff are of the opinion that replacement and compensation for the removal of existing trees is appropriate as outlined under report DGM-44-26.

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

*Staff comment:* The lands adjacent to the subject property along the north, east, and south property lines are predominantly characterized by Natural Heritage uses. The only residential property abutting the site is located at the north-west corner and contains an approximately 2-storey single-detached dwelling. Planning staff have no concerns regarding the proposed development or its potential shadow impacts, as the proposed 3-

storey building height and sitting are expected to result in shadowing effects that remain within an acceptable range.

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

*Staff comment:* Planning staff are of the opinion that based on the overall review of the Official Plan policies and the of the proposed Zoning By-law amendments as later discussed in this analysis, the proposed development would not compromise the development of the nearby and directly adjacent properties.

*Part III, Section 2.5.2 a) (xii):* where applicable, there is consideration of the policies of Part II, Subsection 2.11.3, g) and m).

*Staff comment:* Part II, Subsection 2.11.3, g), describes that as a condition of development approval, the City will normally require the dedication of the greater of the regulatory floodplain, or the valley through which the watercourse flows including a conservation setback from top of bank, regulatory floodplain, or meander belt width. Dedication of these lands shall not be considered part of parkland dedication requirements of The Planning Act, unless the dedicated lands provide needed public recreational opportunities as identified by the City. If any such land remains in private ownership, it will be protected by zoning, agreement, or easement to protect the ecologic and floodplain function of such land. As outlined under report DGM-44-26, the submitted Planning Justification Report acknowledges a proposal to dedicate the Natural Heritage System extent on the subject lands to the City, including the significant woodland key feature and associated buffer. The dedication has been reflected under the proposed amending by-law for the lands to be rezoned to O2 (Open Space) under Zoning By-law 2020, as amended as shown in Appendix E – Draft Zoning By-law Amendment to Zoning By-law 2020, as amended.

*Part III, Section 2.5.2 a) (xv):* the development addresses hazardous lands and hazardous sites in accordance with Subsection 4.4.2(3) of this Plan;

*Staff comment:* As previously mentioned, Conservation Halton and Planning staff are of the opinion that as the proposed development will be located outside of hazard lands, including stable top of bank and 6m erosion access allowance. Planning staff is of the opinion that the proposed development addresses the hazardous lands policies.

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

## 5.0 City of Burlington Official Plan (2020)

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

The subject lands are within the ‘Residential Neighbourhood Areas’ under Schedule B – Urban Structure and are further designated as ‘Low-Rise Neighbourhoods I’ under Schedule C – Land Use – Urban Area. In accordance with Section 8.3.3 (1) a), lands designated as ‘Low-Rise Neighbourhoods I’ may permit single-detached and semidetached dwellings, and duplexes. Furthermore, Section 8.3.3 (1) c) describes that notwithstanding Subsection 8.3.3(1) a) of this Plan, townhouses may be considered by the City on lands designated as ‘Low-Rise Neighbourhoods I’, through a site-specific Zoning By-law Amendment application subject to the fulfillment of the following criteria:

- (i) the development shall include up to a maximum of 4 principal dwelling units;
- (ii) the development form is compatible with the surrounding area;
- (iii) the development form is respectful of the physical character of the neighbourhood by incorporating built form and landscape qualities that are prevalent in the surrounding area;
- (iv) the development includes the provision of a functional amenity area, at grade;
- (v) the development may be permitted to a maximum height of two (2) storeys; and
- (vi) Healthy mature trees contribute to physical character. Development shall be consistent with the policies of Section 4.3, Urban Forestry, of this Plan.

The proposed development therefore requires an amendment to OP 2020, specifically the ‘Low-Rise Neighbourhoods I’ Sections 8.3.3 (1) a) (i) and (v) in order to permit a total of eight (8) townhouse units of 3-storeys in height.

The subject lands abut low-rise residential uses along the north-west corner property line as well as Cleaver Park to the north, south and east property lines. In accordance with Schedule C – Land Use – Urban Area, Cleaver Park is designated as the ‘City’s Natural Heritage System’. Furthermore, Schedule M – Natural Heritage System, designates Cleaver Park as Key Natural Features. In accordance with Section 4.2.4 a) (iii) of OP 2020, for developments or site alterations proposed, including infrastructure, that are located wholly or partially inside or within one hundred and twenty (120) m of the City’s Natural Heritage System, the proponent shall be required to carry out an Environmental Impact Assessment (EIA) in accordance with the Region of Halton’s Environmental Impact Assessment Guidelines to the satisfaction of the City and Conservation Halton. In accordance with Section 4.2.4 c) of OP 2020, the purpose of an EIA is to demonstrate that the proposed development or site alteration will result in no negative impacts to the City’s Natural Heritage System or its ecological functions or hydrologic functions, to

sensitive surface water features or groundwater features or their hydrologic functions, or to Key Natural Features that are listed in Subsection 4.2.2 e) of the Plan but are unmapped, which in this case includes significant woodlands as identified under the submitted EIA. The EIA shall assess the potential environmental impacts, recommend requirements for impact avoidance and mitigation measures, and identify opportunities for environmental enhancement and restoration. As part of the subject applications, the proponent provided an EIA.

Furthermore, Section 4.2.5 b) of OP 2020 indicates that if a development application involves lands in or adjacent to the Natural Heritage System that it is determined should be protected, the City shall seek, through the development approval process, the dedication of those lands and associated buffer lands to the City, Conservation Halton, another public authority or a non-government conservation organization. The dedication of such lands shall not be considered as contributing to the parkland dedication requirements under The Planning Act.

As discussed in the staff report DGM-44-26, Planning staff are of the opinion that the proposed development will not result in negative impacts to the long-term ecological function of the Natural Heritage System lands, including both on-site and adjacent areas, nor to the associated Key Features, including the significant woodland and related buffers.

The development application criteria listed under Section 12.1.2 (2.2) c) shall be satisfied when evaluating all development applications, where applicable.

*Section 12.1.2 (2.2) c) (i):* the development shall be consistent with the land use compatibility policies contained in Section 4.6, Land Use Compatibility, of this Plan.

*Staff comment:*

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

As previously mentioned, the subject lands are designated under OP 2020 as 'Low-Rise Neighbourhoods I' and the adjacent lands as a mix of 'Low-Rise Neighbourhoods I' and 'City's Natural Heritage System'. The proposed development will not introduce a use other than residential uses. As part of the application submission, the applicant provided an Environmental Site Screening Questionnaire (ESSQ) and a Phase One Environmental Site Assessment. The submitted materials have been reviewed by Development Engineering staff who have indicated no objections to the proposed development and no

concerns in terms of potential site contamination. Planning staff is therefore of the opinion that the proposed development conforms with the policies under Section 4.6 of OP 2020.

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

*Staff comment:* As previously mentioned, The subject lands are within the ‘Residential Neighbourhood Areas’ under Schedule B – Urban Structure. In accordance with Section 2.3.4 a), these areas are intended to accommodate a wide range of residential uses and forms, together with supporting parkland, and other land uses such as small-scale commercial uses or home occupations that are part of the residential environment. Any development occurring in these areas shall be compatible and should enhance the physical character of the surrounding area, in accordance with subsection 2.4 and the applicable policies of Chapter 8: Land Use Policies – Urban Area of this Plan. Staff are of the opinion that the proposed development and related amendments meet the general intent of both Section 2.4 and Chapter 8 policies.

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

*Section 12.1.2 (2.2) c) (iv):* the development shall achieve high quality urban design and is consistent with the policies contained in Chapter 7 – Design Excellence.

*Section 12.1.2 (2.2) c) (viii):* the development shall provide buffering, setbacks and amenity area so that an appropriate transition between existing and proposed buildings are provided.

*Staff comment:*

In accordance with Section 7.3.2 (2), the design of development in ‘Established Neighbourhood Areas’ shall address the policies of Section 7.3.2 a) of this Plan, where applicable, and additional considerations such as, but not limited to, the following:

- a. the local pattern of lots;
- b. the building typologies of nearby residential properties;
- c. the heights and scale of nearby residential properties;
- d. the setback of buildings from the street; and
- e. the pattern of rear and side-yard setbacks

Staff is of the opinion that the proposed development meets the general intent of this policy section. A review of these considerations have been conducted as part of the Zoning By-law section later in this analysis.

*Section 12.1.2 (2.2) c) (vi):* the development shall be supported by available infrastructure and public service facilities.

*Section 12.1.2 (2.2) c) (xi):* the development where residential uses are proposed shall demonstrate the degree to which public service facilities and other neighbourhood conveniences, such as community centres, recreation, neighbourhood shopping centres and healthcare are located within walking distance or accessible by transit.

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

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

*Section 12.1.2 (2.2) c) (x)* the development maintains, enhances and restores the City's Natural Heritage System in accordance with the policies in Section 4.2, Natural Heritage System, of this Plan;

*Staff comment:* Staff is of the opinion that the proposed development meets the general intent of this policy section. Policy review of these considerations have been conducted as part of report DGM-44-26 under Section 3.0 Natural Heritage and Urban Forestry.

*Section 12.1.2 (2.2) c) (xii):* the development shall address multi-modal transportation considerations and be consistent with the policies in Section 6.2: Multi-modal Transportation, including but not limited that the development shall mitigate potential impacts on the municipal transportation system to an acceptable level with regard to transportation flow and capacity and it shall accommodate sufficient off-street parking and transportation demand management measures in accordance with the policies in Subsection 6.2.10.

*Section 12.1.2 (2.2) c) (xvi):* the development considers the relationship to existing or planned transit facilities including a frequent transit corridor, higher order transit, bus routes and/or transit shelters.

*Section 12.1.2 (2.2) c) (xvii):* the development complements and connects with the public realm, including walking and cycling facilities.

*Staff comment:* The proposed development fronts onto a private roadway with direct access to Headon Road which is designated as a 'Neighbourhood Connector' under Schedule O-1 – Classification of Transportation Facilities - Urban Area and as a 'Bicycle Priority Street' under Schedule P – Long Term Cycling Master Plan. The proposed development provides pedestrian access through an internal sidewalk connecting the front entrances of the townhouse units to Headon Road, while vehicular access is accommodated via the proposed private roadway located at the rear of the units. As noted previously, the subject lands are situated in close proximity to existing transit services. Accordingly, staff are of the opinion that the proposed development supports multi-modal

transportation by recognizing the relationship to existing and planned transit facilities and providing appropriate connectivity to the public realm.

*Section 12.1.2 (2.2) c) (ix):* the development shall demonstrate that future development on the adjacent properties will not be compromised by the proposal and be designed to facilitate future pedestrian, cycling and/or private street connections, where such opportunities exist, as determined by the City.

*Staff comment:* The proposed development is not intended to compromise future development on the adjacent properties. Additionally, the proposed development has been designed to facilitate future pedestrian, cycling and/or private street connections, as previously mentioned, by way of the proposed roadway and internal sidewalks

*Section 12.1.2 (2.2) c) (xiv):* the development shall provide stormwater management in accordance with the policies of Subsection 4.4.2(2) of this Plan.

*Staff comment:* Staff is of the opinion that the proposed development meets the general intent of this policy section. Policy review of these considerations have been conducted as part of Part III, Section 2.5.2 a) (i) of OP 1997.

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

## **6.0 Zoning By-law 2020**

The subject lands are currently zoned 'LN5' (Low-Rise Neighbourhood 5) under Zoning By-law 09-2026 (as shown on Appendix A – Existing Zoning). The LN5 zone permits for detached dwellings and semi-detached dwellings.

The application requests a Zoning By-law Amendment to rezone the subject lands from 'LN5' to '(H5)LN8-1' ('Low-Rise Neighbourhood 8' with site-specific regulations and holding provision) and O2 to facilitate the development of eight (8) 3-storeys townhouse units within a single building block with related Natural Heritage Key features and related buffers. The base LN8 zone permits for up to a maximum of 8 principal dwelling units in the form of: existing detached dwellings, new detached dwellings with at least one additional residential unit attached, in addition to semidetached dwellings, block townhouses, street townhouses, rear lane townhouses, stacked townhouses, back-to-back townhouses and stacked back-to-back townhouses. Apartment buildings, personal services and retail stores are also permitted subject to additional provisions.

The following table outlines a comparative analysis of the requirements of the base 'LN5' zone, the base 'LN8' zone and the proposed site-specific '(H5)LN8-1' zone which would only permit Block Townhouses:

<b>Zoning Regulation</b>	<b>LN5</b>	<b>LN8 (for Block Townhouses)</b>	<b>(H5)LN8-1 as amended</b>
Minimum Lot Area	400 m <sup>2</sup>	4000 m <sup>2</sup>	2500 m <sup>2</sup>
Staff comment: The proposed lot area includes a reduction under the LN8 zone from 4000 m <sup>2</sup> to 2500 m <sup>2</sup> given portions of the subject lands will be dedicated to the City for the protection of Natural heritage Features and related components including buffers. The minimum lot area requirement is intended to ensure that each property is large enough to accommodate development elements such as buildings, landscaping and parking while maintaining the planned character and density of a neighbourhood. Planning staff is of the opinion that the proposed reductions are appropriate for the proposed development and surrounding neighbourhood context.			
<b>Zoning Regulation</b>	<b>LN5</b>	<b>LN8</b>	<b>(H5)LN8-1 as amended</b>
Minimum Front Yard	7.5 m	3 m	30 m
Staff comment: The proposed development includes an increased front yard of 30 m. The purpose of minimum front yards is to ensure compatibility with the surrounding neighbourhood and mitigate potential adverse impacts related to building massing on the streetscape and adjacent properties. Staff is of the opinion that the proposed increased front yard setback will ensure appropriate separation between the proposed building and neighbouring residential properties to protect potential impacts related to building massing.			
<b>Zoning Regulation</b>	<b>LN5</b>	<b>LN8</b>	<b>(H5)LN8-1 as amended</b>
Minimum Rear Yard	9 m	0 m	2.7 m
Staff comment: The proposed development includes a rear yard of 2.7 m adjacent to the proposed O2 Zone, which encompasses the Natural Heritage features on the subject lands that are intended to be dedicated to the City. The purpose of minimum rear yard setbacks is generally to prevent structures from significantly encroaching into rear yard areas, which are typically intended to provide separation between dwellings and serve as outdoor amenity space. In this case, the lands to the rear consist of Natural Heritage features and associated buffer areas rather than residential uses. As such, staff have no concerns with the proposed reduction from the LN5 zone of 9.0 m, or increase from the LN8 zone of 0 m to 2.7m.			
<b>Zoning Regulation</b>	<b>LN5</b>	<b>LN8</b>	<b>(H5)LN8-1 as amended</b>
Minimum Interior Side Yard	1.8 m	1.2 m, except when abutting a detached dwelling or semi-detached dwelling in an LN4, LN5 or LN6 zone, the abutting yard shall be a minimum of 4 m	6 m

Staff comment: The proposed development provides a minimum interior side yard of 6 m along the north property line. The purpose of minimum side yard requirements is to ensure appropriate and consistent separation between dwellings, which supports orderly site design, prevents overdevelopment, provides adequate access around buildings, and maintains a balanced relationship between open space and built form. In this instance, the lands adjacent to the north side yard are predominantly comprised of Natural Heritage uses, with only one residential property abutting the north-west corner of the site. The proposed 6 m minimum interior side yard exceeds the minimum requirement of 1.8 m in the LN5 zone and 4 m in the LN8 zone. Given the enhanced setback and the surrounding land use context, staff are satisfied that the proposed interior side yard provides appropriate separation.

Zoning Regulation	LN5	LN8	(H5)LN8-1 as amended
Maximum Building Height	10 m for a peaked roof or 7.5 m for a flat roof	14 m for a peaked roof or 10 m for a flat roof	3 storeys up to 14m for a peaked roof or 10 m for a flat roof

Staff comment: The proposed development includes a height of 3-storeys up to 14m for the proposed peaked roof. The intent of maximum height regulations is to prevent excessive overshadowing or overlook of neighboring properties and to ensure that built form compatibility is maintained. The subject lands abut Cleaver Park along the north, east, and south property lines. The subject lands also abut a single residential property at the northwest corner, municipally known as 2109 Headon Road. This property currently contains an approximately 1.5-storey single-detached dwelling and abuts approximately 32 m of the front yard of the subject lands. Staff is of the opinion that the proposed minimum front yard setback of 30 m, along with the minimum interior side yard setback of 6 m adjacent to the neighbouring residential property, appropriately mitigates potential adverse impacts associated with the increased height, including overshadowing and overlook. Accordingly, the proposed height is considered compatible with the surrounding context.

Zoning Regulation	LN5	LN8	(H5)LN8-1 as amended
Minimum distance from a wall to an internal roadway	Not applicable	1.5m to 3m	0 m

Staff comment: The proposed development includes a 0 m setback between the side wall of the garage and the internal private roadway. The purpose of the minimum 3 m separation requirement between a building wall and an internal roadway is to ensure the roadway functions safely and efficiently while providing adequate clearance to protect the building and its occupants. Planning staff are of the opinion that the proposed reduction in setback is appropriate in this instance, as the private roadway is intended primarily to serve vehicular access to eight (8) garages associated with the proposed dwellings and is not expected to accommodate significant pedestrian activity nor significant levels of vehicular traffic. As such, the reduced separation distance is not anticipated to result in adverse impacts on the functionality or safety of the roadway. Furthermore, the City's Transportation staff have reviewed the proposed site layout and have indicated no concerns with the proposed roadway configuration.

<b>Zoning Regulation</b>	<b>LN5</b>	<b>LN8</b>	<b>(H5)LN8-1 as amended</b>
Minimum distance from a wall to a parking area	Not applicable	3 m	2.3 m
<p>Staff comment: The proposed development provides a 2.3 m separation between the building wall and the visitor parking area. The purpose of this regulation is to ensure adequate separation between buildings and parking areas, while also minimizing potential impacts associated with vehicle headlights shining into residential units, thereby protecting privacy and reducing nuisance. The proposed visitor parking area will be located adjacent to windows serving the entrance area of the first townhouse unit, rather than primary living spaces. Additionally, the visitor parking area will contain two (2) parking spaces, resulting in minimal traffic generation. As a result, staff are satisfied that adequate separation is maintained and that the reduced setback is not expected to result in adverse privacy, lighting, or nuisance impacts.</p>			
<b>Zoning Regulation</b>	<b>LN5</b>	<b>LN8</b>	<b>(H5)LN8-1 as amended</b>
Minimum distance from an attached private garage to an internal roadway	Not applicable	5.5 m	0 m
<p>Staff comment: The proposed development includes 0 m distance from an attached private garage to an internal roadway. The intent of the 5.5 m minimum distance from a wall to an internal roadway is to ensure that the roadway can function safely and effectively while protecting the building and its occupants. Planning staff are of the opinion that the proposed reduction in setback is appropriate in this instance, as previously mentioned, the private roadway is intended primarily to serve vehicular access to eight (8) garages associated with the proposed dwellings and is not expected to accommodate significant pedestrian activity nor significant levels of vehicular traffic. As such, the reduced separation distance is not anticipated to result in adverse impacts on the functionality or safety of the roadway. Furthermore, the City's Transportation staff have reviewed the proposed site layout and have indicated no concerns with the proposed roadway configuration.</p>			
<b>Zoning Regulation</b>	<b>LN5</b>	<b>LN8</b>	<b>(H5)LN8-1 as amended</b>
Minimum distance from a parking space to the north-west interior side lot line	Not applicable	Not applicable	2 m
<p>Staff comment: The proposed development provides an approximate 5.8 m setback between the visitor parking space (excluding the accessible parking access aisle) and the north-west interior side lot line. To accurately reflect the proposed site design and ensure that any other future potential parking spaces maintain an appropriate separation from adjacent land uses, including the abutting</p>			

the residential property located at the north-west corner of the site, planning staff are recommending a minimum setback of 2 m for all proposed visitor parking spaces.

Zoning Regulation	LN5	LN8	(H5)LN8-1 as amended
Accessible Parking spaces	Not applicable	requirements of Section 6.5: One (1) accessible visitor parking space One (1) accessible residential parking space	The accessible parking space requirements of Section 6.5 shall not apply to resident parking provided that each unit includes an attached private garage with two (2) parking spaces. Accessible parking spaces for visitor parking shall be subject to the requirements of Section 6.5

**Staff comment:**

The proposed development would require one (1) accessible visitor parking space and one (1) accessible residential parking space under the LN8 zone. The applicant has requested that the requirement for the accessible residential parking space be waived, as each dwelling unit is provided with two (2) private parking spaces by way of individual attached garages.

The intent of the accessible residential parking space requirement is primarily to address developments that contain shared parking facilities, such as surface parking lots or underground parking garages, where residents do not have access to private attached garages or individual driveways. In this case, each unit is served by private parking spaces through attached garages, which reduces the need for a dedicated accessible residential parking space.

Accordingly, Planning staff are of the opinion that the proposed amendment is appropriate and consistent with the intent of the zoning provisions. The amendment would clarify that accessible residential parking spaces are only required where dwelling units are not provided with attached garages.

Zoning Regulation	LN5	LN8	(H5)LN8-1 as amended
Special Provision	Not applicable	Not applicable	Notwithstanding any future severance, partition, or division of the lands subject to this exception, the provisions of this By-law shall apply to the whole of these lands as if no severance, partition or division had occurred.
Staff comment: This special provision indicates that if the property is ever split into smaller parcels in the future (through a severance, partition, or other form of land division), the zoning exception will continue to be applied as though the lands were still one single property.			

As per the analysis above staff is of the opinion that the proposed amendment to Zoning By-law 2020 and Zoning By-law 09-2026 comply with the general intent of the By-laws and are appropriate for the subject lands.

**7.0 Sustainable Building and Development Guidelines**

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

In accordance with guideline 2.1, development proposals are required to provide pedestrian and cycling connections from on-site buildings to off-site public sidewalks, pedestrian paths, trails, open space, active transportation pathways, transit stops and adjacent buildings and sites in accordance with Official Plan policies. This guideline helps to encourage active transportation and transit use to reduce the dependence on the automobile. The proposed development includes a private sidewalk connection from

Headon Road to the proposed building and associated uses, providing future residents with safe and convenient pedestrian access, enhancing connectivity to the surrounding public realm.

In accordance with guideline 2.3, development proposals are required to provide bicycle parking spaces in accordance with the Zoning By-law and Official Plan policies. This guideline helps ensure that sufficient bicycle parking spaces are provided to encourage a variety of active transportation modes. Although the Zoning By-law and Official Plan policies do not require bicycle parking to be provided with the proposed development, the applicant has indicated bicycle storage may be accommodated through the individual private garages.

In accordance with guideline 3.8, development proposals are encouraged to maintain existing on-site trees that are 30 cm or more DBH (diameter at breast height) or Maintain 75 per cent of healthy mature trees greater than 20 cm DBH. Tree preservation requirements are to be determined by Official Plan urban forestry policies. Similarly, in accordance with guideline 3.9, development proposals are encouraged complete and implement a restoration and/or enhancement plan that demonstrates net gain for Natural Heritage System areas, including a management and monitoring plan. May be required because of Environmental Impact Assessment (EIA) recommendations.

As previously mentioned, through the application submission, the applicant provided an Arborist Report, Tree Inventory and Preservation Plan (TIPP), Landscape Concept Plans and EIA. The applicant has indicated that Trees on site are maintained where possible as outlined on the provided TIPP. Implementation completed through the proposed amendments including the Open Space (O2) zone and the proposed land dedication to the City ensures tree protection as well as management and monitoring of the Natural Heritage components. An EIS is also provided to address this matter further.

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

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

This guideline helps to ensure Low Impact Development strategies mitigate the impacts of increased urban runoff and stormwater pollution by managing it as close to its source as possible. It comprises a set of site design approaches and small scale stormwater management practices that promote the use of natural systems for infiltration and evapotranspiration, and rainwater harvesting. As part of the application submission, the applicant provided a Functional Servicing and Storm Water Management Report to acknowledge a level one enhanced stormwater treatment for all stormwater runoff. The applicant also indicated that additional Low Impact Development strategies are to be implemented through subsequent development applications. As previously mentioned, Development Engineering staff reviewed the submitted materials and indicated no objection to the proposed development applications including the submitted Storm Water Management.

In accordance with guideline 5.1, development proposals are required to provide vegetated landscape areas in hard surface areas as per the Zoning By-law. This guideline helps to provide vegetation that can reduce the urban heat island effect to improve human comfort and energy efficiency in the surrounding areas. The proposed development provides for landscaped areas which help to the reduce potential urban heat island effects including majority of the proposed landscaping along the front entrances of the front entrances of the townhouses as well as the the entrance portion of the property along the north portion of the private roadway.

In accordance with guideline 6.1, development proposals are required to provide and implement a waste management plan in accordance with Regional requirements as recycling and composting treats waste as a resource and reduces the need for landfill expansion. Halton Region staff have reviewed the submitted materials and have indicated additional waste management details may be provided at the detailed design stage, including the Site Plan application.

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

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SUBJECT: Official Plan and Zoning By-law Amendments for 198 and 206 Plains Road East  
TO: Committee of the Whole  
FROM: Development and Growth Management  
Community Planning  
Report Number: DGM-45-26  
Wards Affected: 1  
Date to Committee: July 7, 2026  
Date to Council: July 21, 2026

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## Recommendation

Approve the applications for Official Plan and Zoning By-law Amendments, as modified by staff, submitted by Landwise, on behalf of the property owner for a 7-storey mixed use building; and

Approve Official Plan Amendment No.165 to the City of Burlington Official Plan 1997, as outlined in Appendix D of development and growth management report DGM-45-26, to amend the designation of the lands located at 198 and 206 Plains Road East to “Mixed Use Corridor – General” with site-specific policies; and

Deem that Official Plan Amendment No.165 is consistent with The Planning Act; and

Instruct the City Clerk to prepare the necessary by-law adopting Official Plan Amendment No.165 as outlined in Appendix D to development and growth management report DGM-45-26 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; and

Approve Zoning By-law 2020.523, as modified by staff and attached as Appendix E to development and growth management report DGM-45-26, to rezone the lands at 198 and 206 Plains Road East from the existing “RM1-346” and “RM2-119” zones to a site-specific “MXG-572” zone; and

Deem that Zoning By-law 2020.523, as modified by staff, will conform to the Halton Region Official Plan, the 1997 Official Plan of the City of Burlington and the 2020 Official Plan once Official Plan Amendment No.165 is adopted; and

State that the amending Zoning By-law will not come into effect until Official Plan Amendment No.165 is adopted.

## **Executive Summary**

Purpose of report:

- The purpose of this report is to provide Council with information concerning the applications for an Official Plan Amendment and a Zoning By-law Amendment at 198 and 206 Plains Road East, proposing a 7-storey mixed use building, and recommend approval, as modified by staff, of the Official Plan and Zoning By-law Amendment applications.

Key findings:

- The applicants have applied for an Official Plan Amendment and Zoning By-law Amendment to facilitate the proposed 7-storey mixed use building. The proposed amendments to the Official Plan designation would permit increased height from existing permissions of 2- to 6-storeys range to 7-storeys as well as increased Floor Area Ratio (FAR) from the existing maximum 1.5:1 to 2.4:1. Additionally, an amendment to Zoning By-law 2020 is required for increased building height, floor area ratio (FAR) as well as reduced yards, amenity area, landscape buffers and landscape areas, and permitting a loading space within a certain distance of a residential zone.
- Staff are recommending modified approval of the proposed Official Plan Amendment and Zoning By-law Amendment based on the following:
- The proposed amendments are consistent with the Provincial Planning Statement (2024);
- The proposed amendments conform with the Regional Official Plan (2009, as amended) and maintain the general intent of the Burlington Official Plan (1997) and Burlington Official Plan (2020);
- The proposed development maintains the general intent of Zoning By-law 2020;
- Staff do not support the proposed reduction of the rear landscape buffer to 1.2 metres on the subject lands. Instead, staff have recommended a reduced buffer of 2.5 metres. The removal of the existing seven (7) rental units is not supported by staff and staff have included a holding provision to ensure their retention as part of the proposed development.
- Staff is of the opinion that the proposed development, as modified by staff, represents good planning.

<b>RECOMMENDATION:</b>		Approval with modifications	<b>Ward:</b>	1
<b>Application Details</b>	<b>APPLICANT:</b> <b>OWNERS:</b> <b>FILE NUMBERS:</b> <b>TYPE OF APPLICATION:</b> <b>APPLICANT'S PROPOSAL:</b>	Landwise 2805531 Ontario Ltd. 505-05/26 and 520-05/26 Official Plan & Zoning By-law Amendment 7-storey mixed use building (inclusive of a 7th storey outdoor amenity area) consisting of 183m <sup>2</sup> of retail and service commercial uses at-grade and 66 residential units in the storeys above.		
<b>Property Details</b>	<b>PROPERTY LOCATION:</b> <b>MUNICIPAL ADDRESS:</b> <b>PROPERTY AREA:</b> <b>EXISTING USE:</b>	Directly south of the intersection of White Oak Drive and Plains Road East 198 and 206 Plains Road East 0.289 ha Two (2) detached dwellings of 2-storeys in height with a total of 7 residential rental units		
<b>Documents</b>	<b>1997 OFFICIAL PLAN Existing:</b> <b>1997 OFFICIAL PLAN Proposed:</b> <b>2020 OFFICIAL PLAN Existing:</b> <b>2020 OFFICIAL PLAN Proposed:</b> <b>ZONING Existing:</b> <b>ZONING Proposed:</b>	'Residential – Medium Density'  'Mixed Use Corridor - General' with site specific policies as amended  'Urban Corridor'  'Urban Corridor'  'Residential – Medium Density' with site exceptions (RM1-346 and RM2-119)  'Mixed Use Corridor General' (MXG-572) with site specific exceptions as amended		
<b>Processing Details</b>	<b>APPLICATION SUBMITTED:</b>	March 25, 2026		
	<b>APPLICATION DEEMED COMPLETE:</b>	April 1, 2026		
	<b>STATUTORY DEADLINE:</b>	July 30, 2026		
	<b>PRE-APPLICATION COMMUNITY MEETING:</b>	September 3, 2025		
	<b>STATUTORY PUBLIC MEETING:</b>	July 7, 2025		
	<b>PUBLIC COMMENTS:</b>	At the time of writing this report, 1 written public letter was received out of 163 notices.		

# Recommendation Report

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## Background

On April 1, 2026, the City acknowledged that complete applications had been received for an Official Plan Amendment and Zoning By-law Amendment for 198 and 206 Plains Road East (the “subject lands”). The purpose of these applications is to re-designate the subject lands from ‘Residential – Medium Density’ to ‘Mixed Use Corridor - General’ under the in-effect Official Plan (1997, as amended), and to rezone the subject lands from ‘Residential – Medium Density’ to ‘Mixed Use Corridor - General’ with site specific regulations. The proposed development also includes site specific amendments to the ‘Mixed Use Corridor - General’ designation and zone under the in effect Official Plan and Zoning By-law to facilitate:

- Increased Height - increase from the existing permissions of 2- to 6-storeys range to 7-storeys (inclusive of a 7th storey outdoor amenity area);
- Floor Area Ratio – increased Floor Area Ratio (FAR) from the existing maximum 1.5:1 to 2.4:1.

Additionally, amendments to Zoning By-law 2020 are required for reduced yards, amenity area, landscape buffers, landscape areas and permitting a loading space within a certain distance of a residential zone.

The property 198 Plains Road East was subject to a site-specific Zoning By-law Amendment application in 1994 (File No.: 520-10/94) to recognize the existing 6-unit residential building. This resulted in By-law 4000-870 enacted and in force by December 11, 1995. Additionally, the existing site-specific zoning of property 198 Plains Road East, that being exception 346 under Zoning By-law 2020, came into effect through by-law 2020.205, enacted on April 28, 2008, as part of the Implementation of a ‘Five Year Official Plan Review’. The property 206 Plains Road East was subject to a site-specific Zoning By-law Amendment application in 1988 to permit medical offices and dwelling units through a rezoning from a T-RL5 zone to RL5 zone. This resulted in By-law 4000-724 enacted and in force in 1990.

## Description of Subject Property and Surrounding Land Uses

The subject lands are located along Plains Road East, directly south of the intersection of White Oak Drive and Plains Road East. The property 198 Plains Road East contains a 2-storey dwelling with 4 residential units with parking spaces in the front and eastern side yards, and 206 Plains Road East contains a 2-storey dwelling with 3 residential units, supported by parking spaces within the front and rear yards, and a detached garage. Surrounding uses are as follows:

- North: Intersection of Plains Road East and White Oak Drive. Across the intersection on the east side of White Oak Drive are low-rise residential uses including 2-storey townhouses and to the west of White Oak Drive is a commercial plaza with mixed use buildings ranging of 2- to 3-storeys in height including at-grade commercial uses and residential uses above.
- East: Low-rise residential and commercial uses. Directly abutting the subject lands are the properties 212 and 218 Plains Road East. The property 212 Plains Road East includes a 2-storey building with home business uses and the property 218 Plains Road East includes 2-storey townhouses.
- South: Low-rise residential uses including single detached dwellings ranging of 1- to 2-storeys. Directly abutting the subject lands are the properties 958 and 960 Filman Place which include 1-storey single detached dwellings.
- West: Low-rise residential uses. Directly abutting the subject lands is the property 192 Plains Road East which contains a detached service commercial building. This property is recognized as a non-designated heritage property also known as the Scheer-Read Farmhouse (c. 1880).

The subject lands are approximately 75m east on Plains Road East from two separate Burlington Transit bus stops located on Route 1 (Plains – Fairview East). This route runs along Plains Road East, loops at the City of Hamilton and into the Burlington GO and Appleby GO Stations. Additionally, the subject lands are approximately 130m west on Plains Road East from a Burlington Transit bus stop located on Route 4 (Central). This Route runs along the intersection of Plains Road East and Shadeland Avenue and between the Aldershot GO Station to the Downtown and Appleby GO Station.

### **Description of Applications**

Landwise, on behalf of 2805531 Ontario Ltd. , has made applications to amend the Official Plan and Zoning By-law for the properties located at 198 and 206 Plains Road East. These applications propose amendments to the Official Plan 1997, as amended, and Zoning By-law 2020 to facilitate the development of a seven (7) storey (inclusive of a 7th storey outdoor amenity area) mixed use building consisting of ground floor retail and service commercial uses and 66 residential units with access to Plains Road East.

The proposed development contains a total floor area ratio (“FAR”) of 2.4:1 and a total gross floor area (“GFA”) of approximately 5,142 m<sup>2</sup>, consisting of approximately 183 m<sup>2</sup> of retail and service commercial uses at grade and approximately 4,959 m<sup>2</sup> of residential uses. The residential component includes a total of 66 dwelling units, comprising 46 (69%) one-bedroom and 20 (30%) two-bedroom unit sizes. The proposed development also includes approximately 1,638 m<sup>2</sup> of amenity space (approximately 24 m<sup>2</sup> per unit), consisting of 226 m<sup>2</sup> of indoor amenity space at grade as well as 1,412.7m<sup>2</sup> of outdoor amenity space in the form of private unit balconies (233 m<sup>2</sup>), private unit terraces (361 m<sup>2</sup>), private rooftop amenity (586 m<sup>2</sup>) and at-grade

landscaped areas (231 m<sup>2</sup>). In total, 94 vehicle parking spaces are proposed, of which 10 spaces will need to be provided for retail or service commercial uses. Additionally, a total of 45 bicycle parking spaces are proposed.

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## **Analysis**

### **Discussion: Policy Analysis**

The proposed Official Plan Amendment and Zoning By-law Amendments are subject to the following policy framework: Planning Act; Provincial Planning Statement (2024); Halton Region Official Plan (2006, as amended); City of Burlington Official Plan (1997, as amended); and City of Burlington New Official Plan (2020). Staff are of the opinion that the proposed applications are consistent with and conform to the applicable policy framework and represent good planning, as discussed below and under Appendix F – Detailed Planning Analysis.

### **1.0 Housing**

In accordance with Section 2.2, 1. of the Provincial Planning Statement (PPS, 2024), planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by, for instance, permitting and facilitating all types of residential intensification, including the development and redevelopment of underutilized lands for residential use, development and introduction of new housing options within previously developed areas, and redevelopment as well as prioritizing intensification, in proximity to transit, including corridors and stations. Similarly, Section 84 and 85 of the Regional Official Plan (ROP) indicates that the goal for housing is to supply the people of Halton with an adequate mix and variety of housing to satisfy differing physical, social and economic needs and some of the objectives include: to make more efficient use of existing developed lands, housing stock and available services to increase the supply of housing while maintaining the physical character of existing neighbourhoods. Section 75 of the ROP projects for the City of Burlington, a population target of 240,050 people as well as a density target of 20,500 new Housing Units in the Built-Up Area between 2022 and 2041. Furthermore, in accordance with Section 86, (6) of the ROP, the percent of new housing units produced annually in Halton in the form of townhouses or multi-storey buildings is to be at least 65 per cent to 2031 and at least 75 per cent each year thereafter.

The proposed development consists of housing intensification within underutilized parcels as it proposes a conversion from the two (2) residential buildings with a total of seven (7) residential units into a seven (7) storey (inclusive of a 7th storey outdoor amenity area) mixed use building consisting of 66 residential units and ground floor retail and service commercial uses that are envisioned to serve the site and surrounding community.

Section 3.1.1(2)(g) of the City of Burlington Official Plan (2020) (“OP 2020”) 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; and, to develop minimum targets in support of achieving the region of Halton’s housing mix. The Burlington Housing Strategy and the Annual Housing Targets (Appendix B to the Housing Strategy) were approved by City Council on June 21, 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 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.

One of the housing objectives (Theme 2) of the Housing Strategy is to Support a Broad Variety of Housing Types and Forms to increase housing options that meet the needs of all current and future residents at all stages of life. This theme describes that there is an important need to diversify the existing housing stock to include additional semi-detached, townhouse, mid-rise, high rise, and alternative housing forms as the City’s current housing stock is primarily composed of single-detached dwellings. Furthermore, Action 4 of the Housing Strategy established minimum targets around housing that builds upon the policies of OP 2020 and uses the findings of the Housing Strategy Project. These targets are appended to the Housing Strategy and establish that out of all new dwellings annually in the City, new apartments in the City should make up 80 per cent split between 55 per cent allocated for 1- and 2-bedroom dwellings and 25 per cent allocated for 3-bedroom and more. The proposed development includes a breakdown of 63 per cent of 1-bedroom units and 19 per cent of 2-bedroom units.

Staff is of the opinion that the proposed development housing type and size contributes to an increased number of housing options to meet the needs of current and future residents in the City of Burlington.

#### **4.0 Housing Tenure**

In accordance with Section 86(19) of the ROP, local municipalities are required to use a rental housing vacancy rate of 3 per cent as the minimum threshold in order to permit the conversion of existing rental housing to ownership tenure, other uses or the demolition of such housing. In accordance with Part III, Section 2.3.2 f) of the in-effect OP 1997, the demolition or conversion to freehold or condominium ownership of residential rental properties containing six or more units should not be permitted unless the following conditions are satisfied:

- i. the rental vacancy rate by dwelling/structure type for the City of Burlington as defined and reported yearly through the C.M.H.C. Rental Market Survey has been at or above 3 per cent for the preceding two-year reporting period;
- ii. the building for which conversion is proposed meets the requirements of the property standards by-law, the Ontario Building Code, and any other applicable law, or will be upgraded in accordance with these standards and requirements;
- iii. where demolition occurs, replacement rental housing units are provided for those units that are demolished;
- iv. that negative economic and other impacts upon tenants are minimized; and
- v. the requirements of any applicable Provincial legislation or regulation, as amended, are met.

Similarly, Section 3.1.2 (2) a) of the OP 2020 describes that, the demolition of residential rental properties or the conversion to freehold or condominium ownership of a residential rental property containing six (6) or more units, in part, or in whole, shall not be permitted unless the following conditions are satisfied:

- i. the rental vacancy rate by structure type for the City of Burlington as defined and reported yearly through the C.M.H.C. Rental Market Report has been at or above three (3) percent for the preceding two-year reporting period;
- ii. the building for which conversion is proposed meets the requirements of the property standards by-law, the Ontario Building Code, and any other applicable law, or will be upgraded in accordance with these standards and requirements;
- iii. that negative economic and other impacts upon tenants are minimized to an acceptable level; and
- iv. the requirements of any applicable Provincial legislation or regulation, as amended, are met.

Furthermore, the Official Plan sets out that the demolition of residential rental units may be permitted in conjunction with a development application which at a minimum shall provide the same number of rental units with the same number of bedrooms per unit, at a similar rental rate at the time of development application submission, as those units that are demolished. A development application related to the demolition of residential rental properties or the conversion to condominium tenure or owner occupancy shall include, to the satisfaction of the City, proof of tenant notification of the demolition or conversion proposal and proof of notification of the rights of tenants under Provincial residential tenancy legislation, including a minimum of 1 (one) tenants' only meeting as a part of the development application process. The preparation of a tenant relocation and assistance plan, including right to return and alternative accommodations to lessen hardship, may also be required. The city will encourage the construction of rental housing with a full mix and range of unit types and sizes.

The subject lands currently have seven (7) rental units, the property 198 Plains Road East contains a 2-storey dwelling with four (4) residential units of which three (3) are occupied while 206 Plains Road East contains a 2-storey dwelling with three (3) residential units of which one (1) unit is occupied. The proposed development includes the demolition of all units to accommodate for the proposed mixed-use building. As part of the submitted materials, the applicant provided a Tenant Relocation and Assistance Plan, which outlines that the rental market in Halton Region remains with low vacancy and rising rents which make it difficult and expensive for tenants to relocate to a unit with the same number of bedrooms. The plan states that the Halton Region State of Housing Report (2024), which provides an annual review of housing supply, demand, affordability in Halton Region, outlines that within the Halton Region rental market, the overall vacancy rate was 2.3% in 2024, which is below the 3% benchmark typically considered for a healthy market. The average market rent increased by 10%, from \$1,788 in 2023 to \$1,966 in 2024 and as of 2024, there were 16,870 purpose-built rentals in Halton, representing a portion of the total housing supply needed for the 21.5% of households who are renters.

Planning staff is therefore of the opinion that the general intent of the housing policies as outlined have not been met, and would recommend modified approval of the applications with the inclusion of a holding provision that shall be removed from the zone designation by way of an amending zoning by-law when “the owner demonstrates the replacement of the seven (7) rental housing units within the subject property in accordance with the policies under Part 3, Land Use Policies – Urban Planning Area, Section 2.3 Housing Supply, Subsection 2.3.2 f), Conversion of rental properties, of the Official Plan (1997, as amended) to the satisfaction of the Director of Community Planning” as outlined under Appendix E – Draft Zoning By-law Amendment. The applicant is in agreement with this requirement.

### **3.0 Development Built Form and Intensification Criteria**

In accordance with Section 2.4.1(3) of the PPS, planning authorities should identify the appropriate type and scale of development in strategic growth areas and the transition of built form to adjacent areas as well as permit development and intensification within these to support the achievement of complete communities and a compact built form.

In accordance with Official Plan, 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. Capability exists to provide adequate buffering and other measures to minimize any identified impacts. The OP further describes that, the development shall achieve built form compatibility, achieve high quality urban design and provide buffering, setbacks and amenity area so that an appropriate transition between existing and proposed buildings are provided.

The applications intend to amend the existing site-specific policy 165 to permit an increased maximum building height of 7-storeys (inclusive of a 7th storey outdoor amenity area) and an increased maximum floor area ratio (FAR) of 2.4:1. Additionally, they propose to rezone the current “RM1-346” and “RM2-119” zones to a “MXG-572” zone with site-specific amendments as later discussed in the Zoning By-law 2020 section of this analysis and under Appendix F – Detailed Planning Analysis.

Staff is of the opinion that the proposed building, along with the recommended modifications, will be compatibility with the existing neighbourhood character in terms of scale, massing, height, siting, setbacks, coverage as outlined under the analysis of the Zoning By-law and applicable Urban Design Guidelines including the Mid-Rise Building Guidelines, Pedestrian Level Wind Study Guidelines and Shadow Study Guidelines.

## **5.0 Urban Forestry**

In accordance with Section 142. (7) of the ROP, one of the objectives is to promote tree planting in urban areas for the purposes of improving air quality, sequestering carbon dioxide and reducing energy use through shading and sheltering. Section 147. (5) of the ROP further describes that, it is policy of the region to recognize and protect trees as a renewable natural resource essential to the health and welfare of Halton residents, wildlife and rural environment, and to this end support municipalities in requiring that all development proposals, to the maximum degree possible, preserve existing trees and plant additional trees in accordance with good forestry management practice as well as require as part of all development proposals to submit, an inventory of trees on site and a tree saving and planting plan. Similarly, OP 2020 describes that proponents of a development application may be required to submit and implement an Arborist Report, and/or a Tree Inventory and Preservation Plan (TIPP). As part of the development application, the applicant provided an Arborist Report, a Conceptual Landscape Plan as well as TIPP which depicts the proposed tree removals, preserved trees and newly proposed trees.

A total of fifty-five (55) trees were inventoried and assessed within the Arborist Report submitted with the application. Thirty-eight (38) of the trees are located on the subject lands, thirteen (13) are located on neighbouring properties, and four are located on the public right-of-way along Plains Road. Based on the results of the tree impact analysis, it was determined that forty-four (44) trees are recommended for removal due to proposed construction impacts, three (3) trees are recommended for injury and eight (8) trees are recommended for preservation to facilitate the proposed development. City Urban Forestry staff have indicated concerns with the removal of private tree number 708, that being the Sugar Maple tree located on the rear south-east corner of property.

Planning staff is of the opinion that the preservation of tree number 708 would result in constraints to the proposed at-grade and underground parking configuration, reducing the parking supply required to support the delivery of new service commercial and retail uses as well as residential units within the City. This also does not account for future growth of the tree canopy, which may require the removal of additional areas of the proposed development.

Planning staff has reviewed the proposed tree removal in light of the City's tree canopy objectives as well as its housing supply objectives and is of the opinion that replacement and compensation for the removal of existing trees is appropriate. Additionally, the preservation of trees T8, T9, T10, T11, and T5 within the proposed southwest landscape buffer, tree T4 within the proposed northeast landscape buffer, and tree T3 within the proposed rear landscape buffer will help maintain compatibility with adjacent land uses over time by providing natural screening of the proposed building.

Planning staff are therefore recommending modified approval of the proposed development inclusive of the removal of the municipal trees, along with the holding provision for a consent letter to injure or remove neighbouring trees as outlined under Appendix E - Draft Zoning By-law Amendment.

### **Zoning By-law**

The subject lands are currently zoned 'RM2-119' (Residential – Medium Density with site exception 119) and 'RM1-346' (Residential – Medium Density with site exception 346) under Zoning By-law 2020 as amended (as shown on Appendix A – Existing Zoning). The RM2 zone permits detached, semi-detached, duplex, triplex, fourplex and townhouse buildings as well as retirement homes, specific institutional uses and additional residential units (ARUs) subject to specific criteria. The RM1 zone similar uses to the RM2 zone, with the exception of fourplex and townhouse buildings. Site exception 119 further permits a 6-unit residential building subject to the RM2 zone regulations applying to a Fourplex with other site-specific provisions for the lands municipally known as 198 Plains Road East. Site exception 346 further permits townhouses and office uses with other site-specific provisions for the lands municipally known as 206 Plains Road East.

The application requests a Zoning By-law Amendment to rezone the subject lands from 'RM2-119' and 'RM1-346' to 'H-MXG-572' ('Mixed Use General' with site-specific regulations and associated holding provision) to facilitate the development of a seven (7) storey (inclusive of a 7th storey outdoor amenity area) mixed-use building consisting of ground floor retail and service commercial uses and 66 residential units in the storeys above.

As per the analysis provided of the Zoning By-law 2020 under Appendix F – Detailed Planning Analysis, staff is of the opinion that the proposed amendments, are consistent with Provincial directions, conform to the Regional Plan and maintain the general intent of the Local Official Plans and are appropriate for the subject lands.

### **Technical Review**

The applications were circulated to internal staff and external agencies on April 13, 2026, for review. The following are summaries of the comments received:

**City of Burlington – Finance** – Staff requests that taxes must be paid on parcels associated with this file. This includes all outstanding balances plus current year taxes that have been billed but not yet due.

**City of Burlington – Development Engineering** – Staff have no objection to the Official Plan and Zoning By-law Amendment applications provided that the applicant agrees to a holding zone designation for the subject lands. The holding would require a revised Functional Servicing and Stormwater Management Design Report as well as revised Phase One Environmental Site Assessment to be submitted and will allow the applicant and staff to accept and review the required materials during the subsequent stages of review. Additionally, a list of items and materials to be submitted at the Site Plan application stage have been provided to the applicant.

*Planning Staff Comment:* Planning staff have included a holding provision under the amending by-law attached as Appendix E – Draft Zoning By-law Amendment, to address the requirement of the revised Functional Servicing and Stormwater Management Design Report as well as revised Phase One Environmental Site Assessment.

**City of Burlington – Urban Forestry and Landscaping** – Forestry staff have indicated concerns with the proposed development as it is contingent upon the removal of private tree number 708, that being the Sugar Maple tree located at the south east corner of property. Forestry Staff have confirmed this to be a healthy significant tree and as such have concerns with its removal. Further, there is a lack of clarity in material submitted with the applications regarding adjoining and/or adjacent owner(s) and potential impacts to their trees and/or boundary trees. Forestry staff have requested the applicant submit a document in writing from adjoining and/or adjacent owner(s) that there are no concerns with the proposal for those trees. Trees of concern are listed as T1, T2 & T7 in the arborist report submitted.

*Planning Staff Comment:* The above comments have been taken into consideration; however, planning staff are recommending modified approval of the Official Plan and Zoning By-law amendment applications, acknowledging that there is an opportunity for some of the comments to be addressed through the future site plan process. Additionally, planning staff have also included a holding provision under the amending by-law attached as Appendix E – Draft Zoning

By-law Amendment, to address the requirement of a letter of consent for trees being removed and/or injured that are located on, or impacting, neighbouring properties.

**City of Burlington – Parks and Open Space** – Parks wishes to collect cash in lieu of parkland (CILP), with CILP charged at the rate in effect at the time of building permit issuance. Realty Services will be able to provide further details with respect to the amount and calculations.

**City of Burlington – Transportation Planning** – Staff support the applications with the proposed land use and density. The transportation network can accommodate the increased without significant negative impact. Staff have requested that all retail parking spaces are clearly labelled on the submitted conceptual site plan for the at-grade parking and requested revisions to the Transportation Impact Study (TIS), sight line analysis and vehicle turning plans and loading area. Staff indicated that the requested information may be submitted at the Site Plan application stage along with other Site Plan requirements.

**City of Burlington – Engineering Services – Accessibility** – no comments

**City of Burlington – Fire** – No comments.

**City of Burlington – Heritage Planning** – Staff have reviewed the application materials, particularly the scoped Heritage Impact Assessment (HIA). The scoped HIA is complete and finds that the proposed development will have no negative impacts on 192 Plains Road East (the Scheer-Read Farmhouse) and thus no mitigation is required. Heritage Planning staff have no further comments on the submission materials; however, may make additional comments at the Site Plan Control stage.

**City of Burlington – Zoning** – Amendments required to the Zoning By-law have been identified and included as part of the amending by-law under Appendix E – Draft Zoning By-law Amendment to reflect the proposed development.

**Halton Region** – Staff have outlined that updates to the Functional Servicing and Stormwater Management Report (FSR) to confirm that the existing water system in the area can accommodate the proposed development as well as a revised Waste Management Plan to address outstanding servicing and waste matters. Staff outlined that if the FSR is not revised, then it is recommended that this zoning amendment only be approved with a holding provision applied to it in relation to a revised FSR.

*Planning Staff Comment:* Planning staff have included a holding provision under the amending by-law attached as Appendix E – Draft Zoning By-law Amendment, to address the requirement of the outstanding Regional servicing concerns.

**Halton Police** – No comments.

**Halton Catholic District School Board** – No objections to the application. In terms of school accommodation, if the residential development were to proceed today, elementary students generated from the development would be accommodated at Holy Rosary (B) CES located at 261 Plains Road East. Secondary school students would be directed to Assumption CSS located at 3230 Woodward Avenue. Staff require conditions to be placed in subsequent agreements (e.g. Subdivision, Condominium, and Site Plan) and are to be fulfilled prior to final approval.

**Halton District School Board** – no objections to the application. Staff provided an overview of the potential impact of this development application on student accommodation needs as well as conditions to be placed in subsequent agreements (e.g. Subdivision, Condominium, and Site Plan) and are to be fulfilled prior to final approvals.

**Burlington Hydro** – staff have reviewed the applicable documents provided, specifically the Conceptual and Site Plan drawings. However, for a more detailed review, staff request the applicant to provide these in the official application:

1. Proposed locations of hydro assets on private property
  - a. Transformer (will require adjustments as clearance of 30 has not been provided)
  - b. Duct routing
2. Loading schedule of the development.
3. Phasing & timeline of the development, if applicable.
4. Please take note that the electrical distribution system within the area may have capacity constraints. System Expansion may be required to bring new distribution feeder(s) to the area. Staff recommend the developers to set up a meeting with Burlington Hydro.
5. BHI will require easements to any assets located on private property.

Planning staff is of the opinion the above comments may be addressed by way of the subsequent Site Plan application.

**Aldershot Business Improvement Area (ABIA)** – Support the proposed amendments and the proposed ground-level commercial space as it is an important and positive component of this proposal. They encourage the integration of a range of uses that contribute to a complete community, such as grocery retail, full-service restaurants (with appropriate venting), daycare facilities, and other essential day-to-day services. To ensure the long-term success and viability of commercial tenants, they recommend the inclusion of clearly designated, convenient parking spaces for commercial use. Accessible and visible parking is critical to attracting customers and supporting retail and service-based businesses.

**Canada Post** – No comments.

**Enbridge Gas** – No comments.

**Imperial Infrastructure** – No comments. There is no Imperial infrastructure in the vicinity of the subject lands.

**Rogers Communications** – No comments.

**Sun-Canadian Pipeline** – No objections. Sun-Canadian Pipe Line does not operate any facilities in the described Plan area.

**Ministry of Transportation (MTO)** – No comments. The subject lands are not located within the MTO Permit Control Area.

**Metrolinx** – No comments. The subject lands fall outside of the designated Metrolinx review zones.

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### **Six Nations Engagement**

Environmental comments on behalf of Six Nations of the Grand River Elected Council (SNGREC) have been shared with the applicant and summarized below. SNGREC is supportive of mixed-use infill. SNGREC Requires that this development is completed with environmental responsibility in mind.

#### **Parking**

SNGREC encourages reducing the number of surface parking spaces to allow for more landscaped space, thus minimizing Storm Water Management and maintenance costs and needs while allowing for more native tree and vegetation planting space

#### **Tree compensation:**

- SNGREC requests a 10:1 tree replacement ratio for all trees removed regardless of DBH and 1:1 for any dead trees/snags removed as these are an important habitat feature. SNGREC acknowledges that the City of Burlington has an existing tree replacement requirement but deems this requirement is insufficient as it is a bare minimum settler perspective and does not take into account the indigenous perspective and obligation to protect and enhance the natural environment. SNGREC indicate that the ratio can be achieved by planting plugs or other earlier-growth trees, and they do not all need to be full street-tree size. Planting earlier-growth trees will require protection (i.e. herbivore

browsing guards) and minor maintenance. SNGREC requires planting best practices are used and suggests collaboration with Kayanase Plant Nursery for recommendations and guidance.

- SNGREC indicate that if tree offset is not feasible onsite, offset plantings is expected to take place as close as reasonably possible to the impacted site. SNGREC encourages collaboration with the Halton Conservation Authority or the City of Burlington to achieve these offset plantings. Lastly, the Six Nations of the Grand River Environmental Levy may be considered should closer sites be unavailable, allowing SNGREC to purchase land and plant trees on behalf of the proponent. SNGREC's Environmental Levy is a cash-in-lieu option that is more financially feasible than other cash-in-lieu options as SNGREC will plant trees that are not full caliber, resulting in a cost of about \$40 per tree planted.
- SNGREC expects that the tree replacement is paired with a robust and complete monitoring and maintenance plan complete with contingency actions to ensure successful establishment of the trees for long term success.

#### Landscaping

- SNGREC requires that native plant species are prioritized in landscaping efforts, and that invasive or potentially invasive species are completely avoided. Non-native species are less ecologically beneficial, and some non-native species can become invasive even after decades of seeming fine.
- SNGREC strongly encourages the creation of pollinator gardens using native plant species in landscaped areas not intended for human movement.

#### Bird and Light Friendly Design

Requests for the building to be designed using bird and light friendly practices. This includes minimizing reflective surfaces, creating visual markers on windows, smaller windows or windows divided by mullions, and using warmer lights that are directed downwards and away from natural areas. City of Toronto's bird friendly practices for glass and for lighting as guidelines have been provided to the applicant.

#### Green Roofs

SNGREC encourages the use of green roofs whenever feasible.

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### **Recommendation Details**

- The proposed amendments, as modified by staff, are consistent with the Provincial Planning Statement (2024);
- The proposed amendments , as modified by staff, conform with the Regional Official Plan (2009, as amended);

- The proposed amendments, as modified by staff, maintain the general intent of the Burlington Official Plan (1997) and have appropriate regard for Burlington Official Plan (2020);
  - The proposed development, as modified by staff, maintains the general intent of Zoning By-law 2020
  - Staff do not support the proposed reduction of the rear landscape buffer to 1.2 metres on the subject lands. Instead, staff have recommended a buffer of 2.5 metres. Staff also do not support the removal of the existing seven (7) rental units and have included a holding provision to ensure their retention as part of the proposed development.
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### **Key Dates & Milestones**

- Pre-application Community Meeting: September 3, 2025
  - Application submitted: March 25, 2026
  - Application deemed complete: April 1, 2026
  - Statutory public meeting: July 7, 2026
  - Statutory deadline: July 30, 2026
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### **Implications**

#### **Financial**

All application fees have been received in accordance with the Development Application Fee Schedule.

#### **Climate**

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; encourage the adoption of electric mobility and equipment through personal and commercial vehicles and other currently gas-powered equipment; and support waste reduction and diversion.

As part of the Official Plan and Zoning By-law Amendment application, the applicant was required to provide consideration to the Sustainable Building and Development Guidelines (2018) which provide an overview of the required and encouraged sustainable design measures for new development across the City. The applicant submitted a Sustainable Building and Development Guidelines Checklist which includes consideration to the guidelines. A detailed review of the Sustainable Building guidelines has been included under Appendix F – Detailed Planning Analysis. Staff is of the opinion the proposed development proposal complies with the required Sustainable Building and Development Guidelines and therefore the development considers the City of Burlington Climate Action Plan to support the City’s climate considerations.

## **Engagement Matters**

A notice sign was posted on the subject lands on April 16, 2026. A public notice of the Official Plan and Zoning By-law Amendment application was mailed to 163 addresses, which includes all property owners within 120 metres of the subject lands.

A webpage was created on the City of Burlington website, accessible at [www.burlington.ca/198plains](http://www.burlington.ca/198plains). This webpage provides information about the subject application including dates of public meetings, links to supporting studies, and contact information for the applicant’s representative and Community Planning Department.

As of the writing of this report, 1 written public letter has been received by staff with respect to the subject application in objection to the proposal. The public comment received to date has been included under Appendix C – Public Comments. The letter received represents a position of opposition regarding the following themes:

**Concern that the proposal does not provide an appropriate transition to the surrounding low-density residential neighbourhood, with a 6-storey built form introduced in close proximity to low-rise homes and minimal separation between uses. The building's mid-rise built form, massing, limited setbacks, and lack of meaningful terracing or stepbacks away from adjacent properties are incompatible with the adjacent properties. Concerns regarding overlook and loss of privacy for neighbouring rear yards, particularly from the proposed rooftop amenity space, as well as potential noise impacts. Buffering and landscape screening are insufficient to mitigate these effects, resulting in development impacts being transferred onto adjacent residential properties.**

Staff comment: Staff is of the opinion that the proposed building, along with the recommended modifications, maintains compatibility with the existing neighbourhood character in terms of scale, massing, height, siting, setbacks, coverage as outlined under the analysis of the Zoning By-law and applicable Urban Design Guidelines including the Mid-Rise Building Guidelines, Pedestrian Level Wind Study Guidelines and Shadow Study Guidelines.

## References

The applicant has submitted the following materials in support of the subject applications:

- [Cover Letter](#) prepared by Landwise dated March 25, 2026.
- [Complete Application Form](#) signed March 3, 2026.
- [Planning Justification Report](#) prepared by Landwise dated March 2026.
- [Site Survey](#) prepared by J.H. Gelbloom Surveying Ltd. dated April 4, 2023.
- [Land Use Compatibility Study](#) prepared by R.J. Burnside & Associates Ltd. dated October 2025.
- [Conceptual Site Plan and Architectural Plans](#) prepared by Hatem Nassif Architects Inc. dated January 16, 2026.
- [Shadow Study](#) prepared by The Office for Architecture & Urban Design dated December 11, 2025.
- [Pedestrian Level Wind Study](#) prepared by Gradient Wind Engineering Inc. dated October 28, 2025.
- [Functional Servicing Report and Stormwater Management Report](#) prepared by GEI Consultants Canada Ltd. dated November 14, 2025.
- [Geotechnical Report](#) prepared by Landtek Ltd. dated April 2, 2025.
- [Servicing and Grading Plans](#) prepared by GEI Consultants Canada Inc. dated November 10, 2025.
- [Transportation Impact Study and Transportation Demand Management Plan](#) prepared by Paradigm Transportation Solutions Ltd. dated October 2025.
- [Arborist Report, Tree Inventory and Preservation Plan](#) prepared by GEI Consultants Canada Inc. dated June 2025.
- [Conceptual Landscape Plan](#) prepared by SDG Landscape Architects. dated December 9, 2025.
- [Phase One Environmental Site Assessment](#) prepared by GEI Consultants Canada Ltd. dated June 9, 2025.
- [Phase One Environmental Site Assessment Letter of Reliance](#) prepared by GEI Consultants Canada Ltd. dated June 10, 2025.
- [Environmental Site Screening Questionnaire](#) signed December 10, 2025.
- [Waste Management Report](#) prepared by SL Consulting dated January 27, 2026.
- [Waste Management Layout](#) dated March 25, 2026.
- [Heritage Impact Assessment](#) prepared by Hobson Built Heritage dated November 14, 2025.
- [Urban Design Brief](#) prepared by Landwise dated March 2026.
- [BUD Meeting Minutes](#) prepared by City of Burlington dated August 21, 2025.
- [Height Survey](#) prepared by J.H. Gelbloom Surveying Ltd. dated December 19, 2024.

- [Tenant Relocation and Assistance Plan](#) prepared by Landwise dated February 25, 2026.
- [Pre-consultation Meeting Package](#) prepared by City of Burlington dated August 30, 2023.
- [Pre-consultation Comment Matrix](#) prepared by Landwise dated March 24, 2026.
- [Sustainable Building and Development Design Guidelines Checklist](#) prepared by Landwise dated March 24, 2026
- [Regional Cheque Payment](#) dated March 5, 2026.
- [PIN Report for 206 Plains Road East](#) dated February 9, 2025.
- [PIN Report for 198 Plains Road East](#) dated February 9, 2025.
- [Revised Response to Shadow Study](#) prepared by The Office for Architecture & Urban Design dated June 10 2026.
- [Revised Transportation Impact Study and Transportation Demand Management Plan](#) prepared by Paradigm Transportation Solutions Ltd. dated June 2026.
- [Additional Site Statistics](#) prepared by Hatem Nassif Architects Inc. dated June 23, 2026.

The supporting documents have been uploaded on the City’s website for the subject application which can be found on the following link [www.burlington.ca/198plains](http://www.burlington.ca/198plains).

### **Conclusion**

Staff have evaluated the applications for Official Plan Amendment and Zoning By-law Amendment for 198 and 206 Plains Road East in accordance with all applicable policies, regulations, and guidelines, and with consideration for comments received from technical reviewers and the public. Staff is of the opinion that the proposed development, as modified by staff, is consistent with the Provincial Planning Statement (2024); conforms with the Region of Halton Official Plan; and maintains the general intent of the policies of the City of Burlington Official Plan (1997, as amended) and City of Burlington Official Plan (2020). Staff are therefore recommending approval, with modification, of the subject applications.

### **Strategic 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

### **Author:**

Mariana Da Silva, MCIP RPP  
 Planner, Community Planning Department

905-335-7600 Ext. 7536  
[mariana.dasilva@burlington.ca](mailto:mariana.dasilva@burlington.ca)

**Appendices:**

- A. Existing Zoning
- B. Concept Plan
- C. Public Comments
- D. Draft Official Plan Amendment
- E. Draft Zoning By-law Amendment
- F. Detailed Planning Analysis (will be circulated as part of the Addendum)

**Draft By-laws for Approval at Council:**

- OPA and ZBA By-laws to Council on July 21, 2026 (subject to subsequent appeal period prior to coming into force and effect).

**Notifications:**

Landwise (c/o Edward John)

2805531 Ontario Ltd.

**Report Approval:**

All reports are reviewed and approved by the Commissioner, Head of Corporate Affairs, Chief Financial Officer, and Commissioner of Legal and Legislative Services/City Solicitor.

Sketch No. 3  
EXISTING ZONING



Development applications have been submitted for an Official Plan Amendment and Zoning By-law Amendment to permit the development of a 7-storey mixed use building. The proposed development includes 183 m<sup>2</sup> of non-residential uses on the ground floor as well as a mix of one - and two-bedroom units resulting in a total of 66 units. A total of 94 parking spaces are proposed within 2 levels of underground parking and at grade.

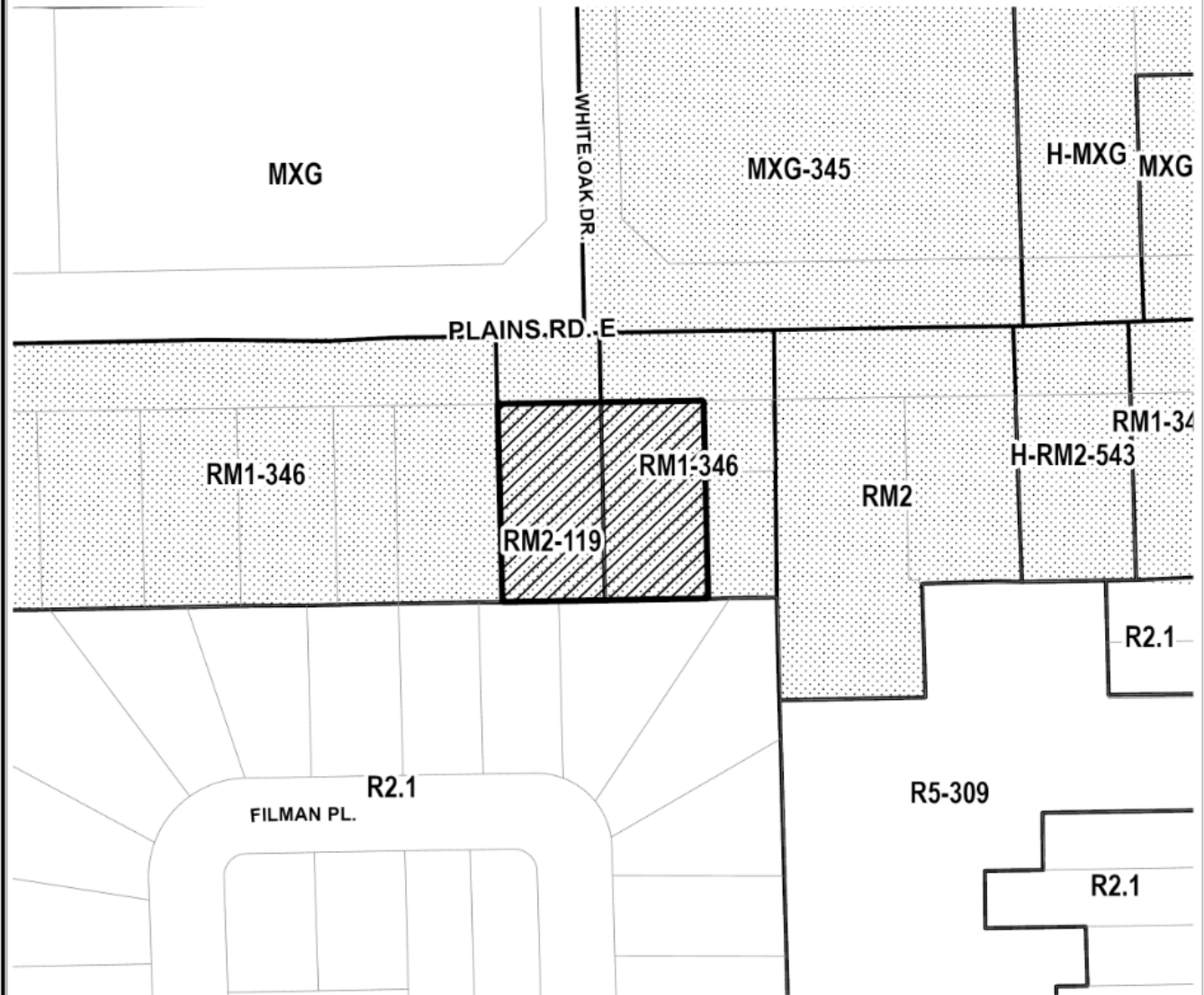


SUBJECT PROPERTY



PARKING EXEMPTION

File No. 505-05/26  
& 520-05/26



GENERAL ZONING LEGEND

Low Density	Medium Density	High Density	Mixed Use	Commercial	Employment	Other
R2.1 R5	RM1 RM2		MXG			

Date: April 13, 2026  
Community Planning Department



Sketch No. 1  
CONCEPT PLAN



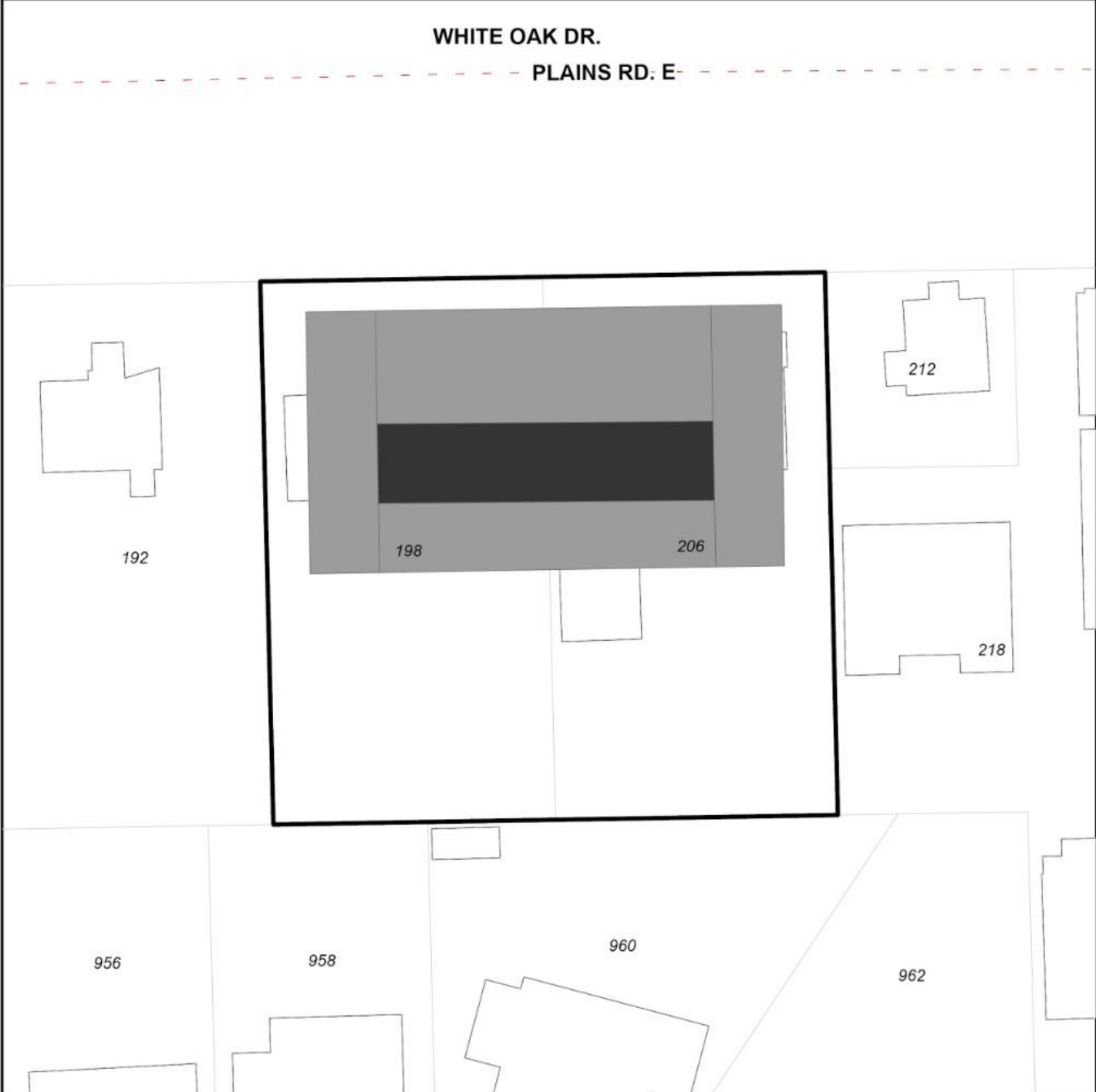
Development applications to amend the Official Plan and Zoning By-law to facilitate the development of a 7-storey mixed use building consisting of 183m<sup>2</sup> of commercial uses at-grade and 66 residential units in the storeys above. A total of 94 parking spaces are proposed at-grade and within 2 levels of underground parking. Vehicular access is proposed along Plains Road East.

File No. 505-05/26  
& 520-05/26

 SUBJECT PROPERTY      - - - Bus Routes      ● Bus Stops

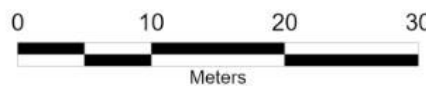
WHITE OAK DR.

PLAINS RD: E



Date: 4/8/2026

Community Planning Department



Michael Brochu, P. Eng



22 April 2026

City of Burlington – Planning Department

RECEIVED

MAY 01 2026

City of Burlington  
Community Planning

**Re: Opposition to Zoning By-law Amendment & Official Plan Amendment**

**Files: 505-05/26 and 520-05/26**

**198, 200, 206 Plains Road East**

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I am writing to formally oppose the proposed development at 198–206 Plains Road East.

While I support intensification along Plains Road East, this application, in its current form, does not represent appropriate or context-sensitive planning. It raises several significant concerns related to built form compatibility, transition, and impacts on adjacent residential properties.

### 1. Failure to Provide Appropriate Transition to Low-Density Residential

The subject lands directly interface—with only minimal separation—with a stable, low-density residential neighbourhood along Filman Place.

Although my property is separated by two intervening lots, the relationship remains a **rear-lot interface**, not a street-facing condition. This distinction is critical.

A 6-storey building at this interface represents an **abrupt and insufficiently mitigated transition** from:

- large-lot, low-density detached homes  
to
- mid-rise, high-density built form

Good planning requires a **graduated transition in height and density**, particularly where developments back onto established residential areas. That transition is not adequately achieved here.

---

## 2. Overlook and Loss of Rear-Yard Privacy

The proposal includes:

- multiple residential storeys;
- rooftop amenity space; and
- elevated vantage points facing south toward Filman Place

These elements will create direct overlook conditions into rear yards, including private family amenity spaces.

Even at a distance of two lots, upper-storey units and rooftop areas will have clear sightlines into rear yards. This is not speculative—it is a predictable outcome of the proposed height and orientation.

No evidence has been provided that adequate step-backs, angular plane controls, or meaningful landscape buffers will sufficiently mitigate these impacts. I personally invested a significant amount of time, money and effort into my backyard with the addition of pool and privacy measures. But I did all of this in consideration of the existing by-laws and the City's official plan –it is not compatible with what is now being proposed.

---

## 3. Built Form Massing and Rear-Yard Condition

This proposal effectively introduces a mid-rise wall condition along the rear lot line interface.

Key concerns include:

- insufficient rear setbacks relative to height
- lack of terracing away from low-density properties
- rooftop amenity intensifying overlook and noise impacts

A 6-storey flat elevation (if not properly stepped back) is fundamentally incompatible with rear-yard adjacency to detached homes.

---

## 4. Overdevelopment Relative to Site Context

The proposal seeks to accommodate:

- 66 residential units

- commercial uses
- structured and surface parking
- indoor and rooftop amenity space

This level of program intensity on a relatively shallow lot depth results in site overdevelopment, where:

- built form is pushed toward property edges
- buffering is minimized
- impacts are transferred onto adjacent neighbourhoods

This is a classic case of intensification without sufficient spatial capacity to absorb it appropriately.

---

## 5. Inconsistent Application of Intensification Principles

While Plains Road is an intensification corridor, not all sites along the corridor are equally suitable for mid-rise development at their full theoretical height.

More appropriate intensification on this site would include:

- 3-storey townhouse or stacked townhouse forms
- low-rise apartment forms with significant step-backs
- deeper setbacks and landscape buffers

These alternatives would:

- still achieve intensification
- better align with surrounding built form
- provide family-oriented housing near multiple schools

---

## 6. Precedent and Cumulative Impact

Approval of this application would establish a precedent for similar developments along the south side of Plains Road where properties back onto Filman Place and comparable streets.

This would:

- incrementally erode the stability of the neighbourhood
- create repeated overlook and privacy impacts

- transform a rear-yard condition into a continuous mid-rise interface

Planning decisions must consider these cumulative effects.

---

## 7. Inadequate Mitigation of Impacts

At minimum, a development of this scale should demonstrate:

- substantial rear-yard setbacks
- upper-storey step-backs (angular plane compliance)
- limited or reoriented rooftop amenity
- dense landscape buffering

Based on the proposal as presented, these measures are either insufficient or not clearly demonstrated.

---

## Conclusion

This proposal represents an over-intensification of the site without appropriate regard for its immediate context and the established residential neighbourhood to the south.

I respectfully request that the City:

- Refuse the application as proposed, or
- Require substantial revisions to:
  - reduce height and massing
  - increase rear setbacks
  - introduce meaningful step-backs and buffering
  - eliminate or redesign rooftop amenity facing low-density homes

Thank you for your consideration.

Sincerely,



Michael Brochu, P. Eng

## **AMENDMENT NO.165 TO THE OFFICIAL PLAN OF THE CITY OF BURLINGTON PLANNING AREA**

### **CONSTITUTIONAL STATEMENT**

The details of the Amendment, as contained in Part “B” of this text, constitute Amendment No.165 to the Official Plan of the City of Burlington Planning Area, as amended.

### **PART A – PREAMBLE**

#### **1. PURPOSE OF THE AMENDMENT**

The purpose of this amendment to the Burlington Official Plan, 1997 is to permit a seven (7) storey (inclusive of a 7<sup>th</sup> storey outdoor amenity area) mixed use building consisting of ground floor retail and service commercial uses and 66 residential units with access to Plains Road East.

#### **2. SITE AND LOCATION**

The subject lands are located on the south side of Plains Road East, directly south of the intersection of White Oak Drive and Plains Road East. The subject lands are approximately 0.289 hectares in size and are currently occupied by two residential buildings with accessory structures on separate parcels. The property municipally known as 198 Plains Road East contains a residential building with 4 residential units of rental tenure with parking spaces in the front and eastern side yards, and 206 Plains Road East contains a residential building with 3 residential units of rental tenure, supported by parking spaces within the front and rear yards, and a detached garage.

Surrounding land uses consist mainly of a mix of residential, commercial and institutional uses.

#### **3. BASIS FOR THE AMENDMENT**

- a) The subject application proposes intensification that is consistent with the Provincial Planning Statement (PPS), 2024. The PPS promotes a range and mix of uses and housing that efficiently uses land, resources, infrastructure, and public service facilities and is supportive of public transit.
- b) Intensification of land within built-up, serviced areas of the City makes more efficient use of existing developed lands which meets the intent of the Halton Region Official Plan, 1995 (an Official Plan of the City of Burlington).

- c) The proposed development supports the City's objective to broaden the range of housing forms and supply to meet City needs in a manner that is compatible with surrounding properties and uses.
- d) The proposed development is located on lands with adequate infrastructure and is in close proximity to transit routes, commercial uses and community amenities so satisfies Official Plan policies to provide housing opportunities in locations that can reduce travel times and decrease dependence on the car.
- e) The applicant submitted technical studies that provide adequate and appropriate information to support the development.

## **PART B – THE AMENDMENT**

### **1. DETAILS OF THE AMENDMENT**

#### **Map Change:**

#### **Schedule B – Comprehensive Land Use Plan – Urban Planning Area**

The lands designated as “A” on Schedule “A” attached hereto are hereby re-designated from ‘Residential – Medium Density’ to ‘Mixed Use Corridor – General’ with site specific policies.

#### **Text Change:**

The text of the Official Plan of the City of Burlington, 1997, as amended, is hereby amended as follows:

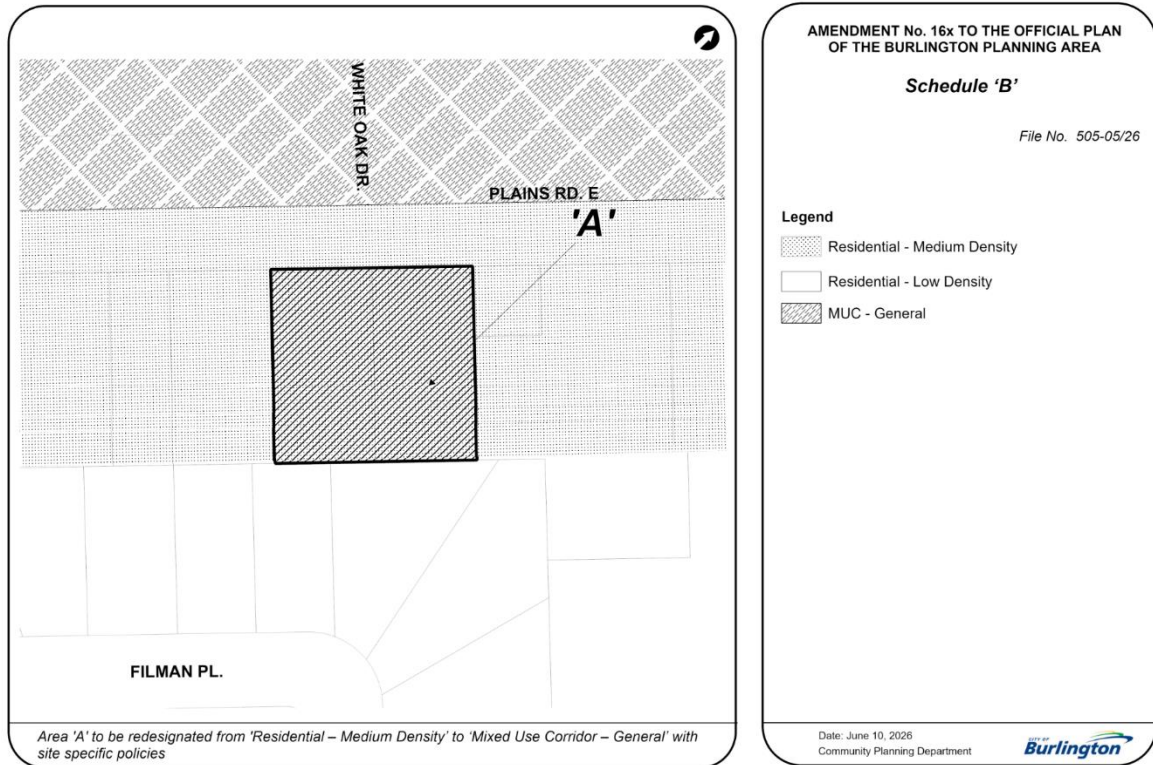
Insert the following site-specific policy at the end of Part III, Land Use Policies – Urban Planning Area, Section 5.3 Mixed Use Corridors – General, 5.3.2 General Policies:

- |                              |   |
|------------------------------|---|
| 198 and 206 Plains Road East | a) Notwithstanding policies of Part III, Subsection 5.3.2 d) of this Plan, for the properties identified as 198 and 206 Plains Road East, the following policies <i>shall</i> apply: <ul style="list-style-type: none"><li>(i) a mixed use building consisting of residential and at-grade retail and <i>service commercial</i> uses <i>shall</i> be permitted;</li><li>(ii) the maximum building height <i>shall</i> be seven storeys;</li><li>(iii) the maximum <i>floor area ratio shall</i> be 2.4:1.</li></ul> |
|------------------------------|---|

### **2. INTERPRETATION**

This Official Plan Amendment shall be interpreted in accordance with the “Interpretation” policies of Part VI, Implementation, Section 3.0, Interpretation, of the Official Plan of the City of Burlington, 1997.

### 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 City of Burlington, 1997.

**BY-LAW NUMBER 2020.523, SCHEDULE 'A' AND EXPLANATORY NOTE**

The Corporation of the City of Burlington

City of Burlington By-law 2020.523

A by-law to amend Zoning By-law 2020, as amended, for 198 and 206 Plains Rd.  
E.

(File No. 505-05/26 and 520-05/26)

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

Whereas the Council of the Corporation of the City of Burlington approved Recommendation Report DGM-45-26 on July 21, 2026, to amend the City's Zoning By-law 2020, as amended, to permit the development of a seven (7) storey (inclusive of a 7th storey outdoor amenity area) mixed use building consisting of ground floor retail and service commercial uses and 66 residential units in the storeys above.

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

1. Map No. 3-E & 6-W of Part 15 to Zoning By-law 2020, as amended, is further amended as shown on Schedule "A" to this By-law.
2. Part 11, Holding Zone Provisions, of Zoning By-law 2020, as amended is further amended by adding to Appendix 'A', Site-Specific Requirement 113, as follows:

<b>#113</b>	<b>H-MXG-572</b>	<b>Map 3-E &amp; 6-W</b>	<b>Resolution:</b>
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The Holding symbol shall be removed from the zone designation by way of an amending zoning by-law when the following has been completed:

- a) The owner demonstrates the replacement of the seven (7) rental housing units within the subject property in accordance with the policies under Part 3, Land Use Policies – Urban Planning Area, Section 2.3 Housing Supply, Subsection 2.3.2 f), Conversion of rental

- properties, of the Official Plan (1997, as amended) to the satisfaction of the Director of Community Planning.
- b) A written consent letter from the neighbouring property owner confirming any required injury and/or removal of trees has been submitted to the satisfaction of the Manager of Parks, Design and Construction.
  - c) Complete the following to the satisfaction of the Director of Engineering Services or their designate:
    - 1. Provide a Phase Two ESA, signed by a Qualified Person, and completed in accordance with Ontario Regulation, 153/04, as amended.
    - 2. The City requires that the Qualified Person indicates in the Phase Two ESA either that the environmental condition of the site is suitable for its intended land use or that one or more criteria exceed the applicable Soil, Ground Water and Sediment Standards for Use Under Part XV.1 of the Environmental Protection Act or property specific standards determined via risk assessment conducted in accordance with Schedule C or Ontario Regulation 153/04, as amended. If the Qualified Person indicates that samples contain contaminants at concentrations that exceed the applicable standards, remediation and/or risk assessment works will be required prior to change in land use.
    - 3. Include a Letter of Reliance that allows the City to rely upon the ESA.
    - 4. Provide a Functional Servicing and Stormwater Management Design Report, signed by a Qualified Person, to address the proposed stormwater storage.
  - d) That the Owner is required to submit a revised Functional Servicing Report, according to the standards of the Region of Halton, that outlines in detail the proposed servicing of this property and that includes analysis and/or calculations that demonstrate that the existing water and wastewater system in the area can accommodate the proposed development to the satisfaction of the Halton Region Project Manager.
3. Part 14, Exceptions to Zone Designations, of Zoning By-law 2020, as amended, is further amended by adding a new Exception #572 as follows:

Exception 572	Zone MXG	Map 3-E & 6-W	Amendment 2020.523	Enacted July 14, 2026
<p><b>1. Permitted Uses:</b>  a) Only the following uses shall be permitted:  i) Apartment Building with Retail or Service Commercial uses on the ground floor only</p> <p><b>2. Regulations:</b></p>				
a) Maximum Height:			7 storeys up to 26.5 m measured from fixed grade	
b) Maximum Number of Dwelling Units:			66	
c) Maximum Floor Area Ratio:			2.4:1	
d) Non-residential Floor Area:			183 m <sup>2</sup>	
e) Notwithstanding Part 5, Section 4.1, Table 5.4.1 the maximum yard abutting any street shall not apply				
f) Yard abutting south-west lot line: i) Floors 1 to 5: ii) Floors 6 to 7:			4.1 m 10.5 m	
g) Yard abutting north-east lot line: iii) Floors 1 to 5: iv) Floors 6 and 7:			4.3 m 10.7 m	
h) Yard abutting rear lot line: v) Floors 1 to 6: vi) Floor 7:			24 m 30 m	
i) Amenity Area:			24 m <sup>2</sup> per unit	
j) A balcony and/or rooftop terrace shall maintain the principal building yards of the storey below it.				
k) Landscape Area i) Abutting Plains Road East:			1.5 m	

<p>ii) Abutting south-west Residential Zone:</p>	<p>2.5 m Snow storage, bicycle parking, Hydro Transformer and pad may encroach</p>
<p>l) Landscape Buffer:</p> <p>i) Abutting south-west Residential Zone:</p> <p>ii) Abutting north-east Residential Zone:</p> <p>iii) Abutting rear Residential Zone:</p>	<p>2.5 m adjacent to a building Bicycle parking may encroach</p> <p>2.8 m Bicycle parking and sidewalk may encroach up to a maximum combined length of 10 m</p> <p>2.5 m</p>
<p>m) Loading / unloading may be permitted 4 m from abutting Residential Zone.</p>	
<p>n) Notwithstanding Part 1, Subsections 2.26(9):</p> <p>i) Where parking facilities are provided for a residential use, designated accessible parking spaces for the exclusive use of persons with disabilities shall be identified with a provincially regulated vertical sign displaying the international symbol for accessible parking spaces. Designated parking spaces shall be included in the calculation of provided parking and shall be provided in accordance with Part 1, Section 2.26(9) Table 1.2.7, 9(a) and 9(b).</p>	
<p>o) Bicycle Parking:</p> <p>i) Retail</p> <p>    a. Short-term:</p> <p>    b. Long-term:</p> <p>ii) Residential</p> <p>    a. Short-term:</p> <p>    b. Long-term:</p>	<p>3 spaces plus 1 space/1000 m<sup>2</sup> GFA 2 spaces plus 1 space/1000 m<sup>2</sup> GFA</p> <p>0.05 spaces per unit 0.5 spaces per unit</p>
<p>p) For the purpose of Bicycle parking regulations:</p> <p>i) 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 or on a balcony.</p> <p>ii) Short-term bicycle parking spaces are bicycle parking spaces for use by visitors to a building. Short-term bicycle parking spaces are to be located close to a building entrance and sheltered from the elements.</p> <p>iii) Each bicycle parking space shall be 60 cm x 1.8 m in size.</p>	
<p>Except as amended herein, all other provisions of this By-law, as amended, shall apply</p>	

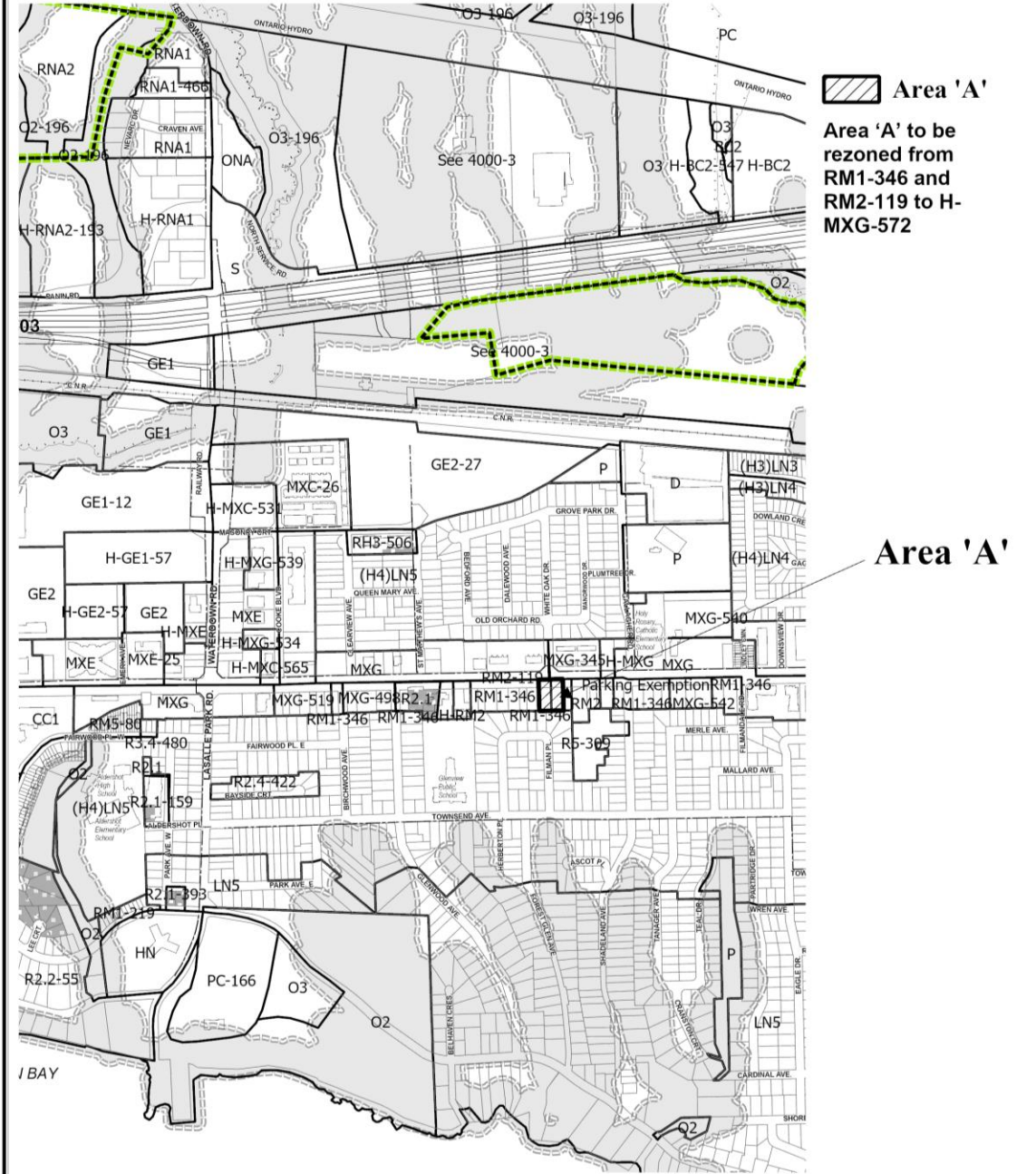
4. This By-law comes into force in accordance with Section 34 of the Planning Act, R.S.O. 1990, c. P. 13, as amended.

Enacted and passed this 21<sup>st</sup> day of July, 2026

Mayor Marianne Meed Ward

City Clerk Michael de Rond

### SCHEDULE "A"



**Area 'A'**  
 Area 'A' to be rezoned from RM1-346 and RM2-119 to H-MXG-572

**Area 'A'**

SCHEDULE 'A' TO BY-LAW 2020.XXX AMENDING MAP NOS. 3-E and 6-W PART 15, BY-LAW 2020 AS AMENDED. PASSED THE 21st DAY OF JULY, 2026

MAYOR

CITY CLERK



EXPLANATION OF PURPOSE AND EFFECT OF BY-LAW 2020.523

By-law 2020.523 amends Zoning By-law 2020, as amended, to rezones lands municipally known as 198 and 206 Plains Rd. E., to permit a seven (7) storey (inclusive of a 7th storey outdoor amenity area) mixed use building consisting of ground floor retail and service commercial uses and 66 residential units in the storeys above.

For further information regarding By-law 2020.523, please contact Mariana Da Silva of the Burlington Community Planning Department at (905) 335-7600, extension 7536.

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

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

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

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

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

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

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

The PPS directs that growth and development be focused in ‘Settlement Areas’. Settlement Areas include built-up urban areas where development is concentrated, and

which have a mix of land uses and lands which have been designated in an Official Plan for development over the long term.

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

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

Settlement Areas also include Strategic Growth Areas which are defined under the plan as nodes, corridors, and other areas that have been identified by municipalities to be the focus for accommodating intensification and higher density mixed uses in a more compact built form. The subject lands are found along Plains Road East which is designated as 'Regional Intensification Corridor' under the Regional Official Plan and envisioned as an 'MTSA Primary Connector' and 'Frequent Transit Corridor' under the Local Official Plan (2020, as amended) as later discussed in this analysis. Therefore, staff are of the opinion that the subject lands are within a Strategic Growth Area. In accordance with Section 2.4. 2., in order support the achievement of complete communities, a range and mix of housing options, intensification and more mixed-use development, Strategic Growth Areas should be planned:

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

The proposed development consists of residential intensification from the existing 7 residential units to 66 new residential units that would serve as additional housing options in the city, and which will be municipally serviced by nearby existing public transit routes. The subject lands are approximately 130m west on Plains Road East from a Burlington Transit bus stop located on Route 4 (Central). This Route runs along the intersection of Plains Road East and Shadeland Avenue and between the Aldershot GO Station to the Downtown and Appleby GO Station. As a result, staff are of the opinion that the proposed development is an efficient use of the land, resources, infrastructure and public service facilities which are planned and available.

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

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

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

The proposed development contemplates the redevelopment of the subject lands from two (2) existing residential buildings containing a total of seven (7) dwelling units to a proposed seven-storey mixed-use building comprising ground-floor retail and service commercial uses and 66 residential units. The proposed development will be supported by existing and planned municipal servicing infrastructure, as well as public service facilities that currently serve the surrounding neighbourhood. Additionally, as later discussed in this analysis, the applicant provided a checklist of the Sustainable Building Design Guidelines and demonstrated how these have been included as part of the development proposal through building design strategies. The guidelines ensure that negative impacts to air quality and climate change are minimized, that energy efficiency is promoted and prepare for the impacts of a changing climate.

In accordance with the Land Use Compatibility policies under Section 3.5 1., major facilities and sensitive land uses, such as residential uses, shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures. The applicant was requested to provide a Land Use Compatibility Study. This included a Detailed Environmental Air Quality Assessment and an Environmental Noise Feasibility Assessment to assess the potential noise, dust, and odour impacts from nearby industrial and commercial operations on the subject lands, in accordance with the Ontario Ministry of Environment, Conservation and Parks requirements. The primary potential source of air quality and noise impacts were identified from the CN Rail Aldershot Yard, approximately 560m northwest from the subject lands. However, in the worse-case scenarios such as idling or slow-moving trains, the predicted concentrations fall below the Ministry of Environment, Conservation and Parks criteria, therefore no adverse impacts are anticipated. The primary road traffic noise source at the proposed development were determined to be from Plains Road East, which can be controlled through the installation

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

In accordance with the public spaces, recreation, parks, trails and open space policies under Section 3.9 1., healthy and active communities should be promoted by planning public streets, spaces and facilities to be safe, meet the needs of persons of all ages and abilities, including pedestrians, foster social interaction and facilitate active transportation and community connectivity; planning and providing for the needs of persons of all ages and abilities in the distribution of a full range of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages. The proposed development provides access to landscaped public boulevards along Plains Road East which connect to the public realm.

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

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

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

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

In accordance with Map 1H – Regional Urban Structure of the ROP, as amended, the subject lands are designated as ‘Urban Area’, and considered to be within a ‘Strategic Growth Area’ as they are located along Plains Road East which is a right-of-way that is designated as ‘Regional Intensification Corridor’ also referred to as the ‘Plains-Fairview

Corridor'. In accordance with Section 72, the goal of the Urban Area and the Regional Urban Structure is to manage growth in a manner that fosters complete communities, enhances mobility across Halton, addresses climate change, and improves housing affordability, sustainability, and economic prosperity. Furthermore, in accordance with Section 74, the Urban Area consists of areas designated within the Regional Urban Boundary as delineated on Map 1, where urban services are or will be made available to accommodate existing and future urban development and amenities.

In accordance with Section 82.3, some of the objectives of Regional Intensification Corridors are to recognize Strategic Growth Areas in the Region and accommodating higher-density mixed use development and/or a mix of employment uses appropriate to the existing local context as well as to achieve increased residential and employment densities to ensure the viability of existing and planned transit. The proposed development is intended to provide intensification of a mix of uses that support a pedestrian-oriented urban environment and existing as well as planned transit while ensuring the neighbourhood character is preserved.

Section 86 outlines it is the policy of the Region to permit intensification of land use for residential purposes such as infill, redevelopment, and conversion of existing structures provided that the physical character of existing neighbourhoods can be maintained as well as to promote residential intensification through the development or redevelopment of greyfield sites which would include vacant lands. The proposed development consists of housing intensification within underutilized parcels as it proposes a conversion from the two (2) residential buildings with a total of seven (7) residential units into a seven (7) storey (inclusive of a 7th storey outdoor amenity area) mixed use building consisting of 66 residential units and ground floor retail and service commercial uses while aligning with the planned character of the area as later discussed in this analysis.

In accordance with Section 89(3), all new development within the Urban Area is to be connected to the Region of Halton's municipal water and wastewater system. As part of the required materials for the application submission, the applicant provided a Functional Servicing and Stormwater Management Design Report which was reviewed by Halton Region staff as well as Development Engineering staff. Development Engineering and Regional staff have requested revisions to be provided by way of a holding provision required to be lifted ahead of the subsequent Site Plan application stage.

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

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

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

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

Section 147(17) of the ROP requires the applicant of a development proposal to determine whether there is any potential contamination on the site they wish to develop, and if there is, to undertake the steps necessary to bring the site to a condition suitable for its intended use. The applicant was required to submit an Environmental Site Screening Questionnaire (ESSQ) and a Phase One Environmental Site Assessment. The submitted materials have been reviewed by Development Engineering staff and have requested that a Phase Two Environmental Site Assessment be provided, by way of a holding provision at required to be lifted ahead of the subsequent Site Plan application stage.

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

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

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

The subject lands are designated as 'Residential Areas' under Schedule 'A' – Settlement Pattern of the OP 1997. In accordance with Part III, Section 2.2.1 some of the objectives of the 'Residential Areas' designation are to encourage new residential development and residential intensification within the Urban Planning Area in accordance with Provincial

growth management objectives, while recognizing that the amount and form of intensification must be balanced with other planning considerations, such as infrastructure capacity, compatibility and integration with existing residential neighbourhoods.

The subject lands are further designated as 'Residential – Medium Density' under Schedule 'B' – Comprehensive Land Use Plan – Urban Planning Area in OP 1997. In accordance with Part III Section 2.2.2 d) and g) (ii), in 'Residential – Medium Density' areas, either ground or non-ground-oriented housing units including detached and semi-detached homes, townhouses, street townhouses and stacked townhouses, back to back townhouses, attached housing and walk-up apartments shall be permitted provided that these forms meet a density ranging between 26 and 50 units per net hectare. Furthermore, notwithstanding the policies of Part III, Subsection 2.2.2 d), the lands designated "Residential Medium Density" on the south side of Plains Road, between Cooke Boulevard and Filmandale Road, shall be subject to site-specific zoning regulations designed to protect the existing character of this portion of Plains Road and provide compatibility with the abutting neighbourhood to the south. Any exterior alteration or addition to the property shall maintain the residential appearance and character of the property.

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

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

- (iii) a wide range of retail, service commercial and personal service uses; financial institutions and services; a broad range of office uses; entertainment, recreation and other community facilities such as day care centres; and small scale motor vehicle dealerships; and
- (iii) high density residential uses and a full range of office uses

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

In accordance with Part III, Section 5.3.2 b) and c), Mixed Use Corridor lands are intended to provide for the day-to-day and weekly shopping needs of residents within and in close

proximity to the Corridor, retail and service commercial uses are to be located at street level in office or residential buildings.

In accordance with Part III, Section 5.3.2 d), Zoning By-law regulations affecting 'Mixed Use Corridors shall be based on the following factors:

- (i) the maximum floor area ratio of development at any site shall be 1.5:1. City Council may consider a higher floor area ratio in conjunction with a site-specific rezoning or variance application, subject to the consideration of various factors such as adequacy of services and infrastructure and the provision of compatibility with adjacent uses through measures such as terracing, a high quality of building design, landscaping and streetscaping, and the provision of underground parking;
- (ii) the minimum building height shall be two storeys and the maximum building height shall be six storeys. Where required to ensure compatibility, four to six storey buildings may be required to be terraced back from adjacent residential areas and/or the street;
- (iii) the implementing zoning by-law shall identify a minimum portion of all buildings abutting the corridor street to be located in close proximity to the corridor street. These setbacks may be modified for specific corridors following the completion of Council-approved Corridor studies;
- (iv) all buildings shall be required to have a building entrance from the building façade closest to the corridor street; and
- (v) off-street parking needs may be reduced for sites with transit supportive designs or shared parking arrangements.

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

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

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

*Staff comment:* The City's Development Engineering staff, Halton Region staff, Halton District School Board staff and Halton Catholic District School Board staff have been

circulated as part of the technical review process. Staff have indicated no concerns with the proposed development and existing servicing and school infrastructure subject to the inclusion of holding provisions for additional revised materials to be provided.

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

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

*Part III, Section 2.5.2 a) (iii):* the capacity of the municipal transportation system can accommodate any increased traffic flows, and the orientation of ingress and egress and potential increased traffic volumes to multi-purpose, minor and major arterial roads and collector streets rather than local residential streets.

*Staff comment:* The City's Transportation Planning staff have reviewed the application as well as the associated materials submitted and have indicated support of the application and the proposed land-use and density as the transportation network can accommodate the increase without significant negative impact. Transportation planning staff have also indicated no concerns with the proposed driveway access on Plains Road and requested further detailed design information for a future Site Plan application.

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

*Part III, Section 2.5.2 a) (xiii):* proposals for non-ground oriented housing intensification shall be permitted only at the periphery of existing residential neighbourhoods on properties abutting, and having direct vehicular access to, major arterial, minor arterial or multi-purpose arterial roads and only provided that the built form, scale and profile of development is well integrated with the existing neighbourhood so that a transition between existing and proposed residential buildings is provided.

*Staff comment:* The proposed development fronts onto Plains Road East which is designated as a 'Multi-Purpose Arterial' under Schedule J – Classification of Transportation Facilities and contains pedestrian access to Plains Road East. The subject lands are located approximately 75m east on Plains Road East from two separate Burlington Transit bus stops located on Route 1 (Plains – Fairview East). This route runs along Plains Road East, loops at the City of Hamilton and into the Burlington GO and Appleby GO Stations. Additionally, the subject lands are approximately 130m west on Plains Road East from a Burlington Transit bus stop located on Route 4 (Central). This Route runs along the intersection of Plains Road East and Shadeland Avenue and between the Aldershot GO Station to the Downtown and Appleby GO Station. The built form, scale and profile of development is well integrated with the existing neighbourhood and provides for appropriate transition between existing and proposed residential built form as later discussed under the analysis of the Zoning By-law and applicable Urban Design Guidelines including the Mid-Rise Building Guidelines, Pedestrian Level Wind Study Guidelines and Shadow Study Guidelines.

*Part III, Section 2.5.2 a) (v):* compatibility is achieved with the existing neighbourhood character in terms of scale, massing, height, siting, setbacks, coverage, parking and amenity area so that a transition between existing and proposed buildings is provided.

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

*Staff comment:* The applications intend to amend the existing site-specific policy 165 to permit an increased maximum building height of 7-storeys and an increased maximum floor area ratio of 2.4:1. Additionally, it proposes rezone the property to an H-MXG-572 with site-specific amendments as later discussed in the Zoning By-law 2020 section of this analysis. Staff is of the opinion that the proposed building maintains compatibility with the existing neighbourhood character in terms of scale, massing, height, siting, setbacks, coverage as later discussed under the analysis of the Zoning By-law and applicable Urban Design Guidelines including the Mid-Rise Building Guidelines, Pedestrian Level Wind Study Guidelines and Shadow Study Guidelines.

Additionally, as previously mentioned, Transportation Planning have reviewed the submitted application and related materials and have indicated no concerns with the proposed parking rates. As a result, planning staff are of the opinion that the proposed parking rates are appropriate for the proposed development.

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

*Staff comment:* As previously discussed under report DGM-45-26, although Urban Forestry staff have indicated concerns with the removal of tree number 708, planning staff are of the opinion that replacement and compensation for the removal of existing trees is appropriate in the context of the site's location.

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

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

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

*Staff comment:* The subject lands are intended to be designated and are within walking distance from 'Mixed Use Activity Areas' under Schedule 'A' – Settlement Pattern. As previously mentioned, these areas are planned for mixed use employment, shopping and residential areas that provide for the integration of uses such as retail stores, offices, hotels, institutional and entertainment uses with residential uses, community facilities, cultural facilities, institutions and open space in a compact urban form, and highly accessible by public transit. Additionally, directly across Plains Road is a commercial plaza with mixed use buildings including at-grade commercial uses. Staff are therefore of the opinion that the proposed development is near community services and other neighbourhood conveniences.

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

*Staff comment:* Staff are of the opinion that based on the applicable Official Plan policies and the associated applicable urban design guidelines as later discussed under the analysis of the Zoning By-law and applicable Urban Design Guidelines including the Mid-Rise Building Guidelines, Pedestrian Level Wind Study Guidelines and Shadow Study Guidelines, the proposed development would not compromise the development of the nearby and directly adjacent properties.

*Part III, Section 2.5.2 a) (xii)* where applicable, there is consideration of the policies of Part II, Subsection 2.11.3 m) which describes that, future re-development and intensification in the South Aldershot area may be restricted by limited storm sewer

capacity and the potential for increased downstream flooding and/or erosion as a result of greater levels of storm water runoff due to development. The City may undertake one or more of the following measures to address this concern:

- (i) discouraging the reconstruction of existing streets with no curbs or gutters to an urban standard (curbs, gutters and storm sewers);
- (ii) where appropriate and feasible, requiring on-site storm water infiltration facilities and other storm water management techniques as part of the design of new development proposals;
- (iii) limiting the density or intensity of proposals for re-development and intensification in this area if required.

*Staff comment:* The proposed development constitutes intensification within the Aldershot area. Region of Halton staff as well as the City's Development Engineering staff have indicated no concerns with the proposed development and requested that a revised Functional Servicing and Stormwater Management report be submitted by way of a holding provision as set out under Appendix E- Draft Zoning By-law Amendment, as well as design details are addressed at the subsequent Site Plan application process.

As per the analysis provided, planning staff is of the opinion the proposed Official Plan Amendment (as outlined under Appendix D – Draft Official Plan Amendment) and the proposed Zoning By-law Amendment (as outlined under Appendix E – Draft Zoning By-law Amendment), as modified by staff, are consistent with the intent of the OP 1997.

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

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

The subject lands are designated as 'Mixed Use Nodes and Intensification Corridors' under Schedule B – Urban Structure. In accordance with Section 2.3.1 j) 'Mixed Use Nodes and Intensification Corridors' represent areas with a concentration of commercial, residential and employment uses with development intensities generally greater than surrounding areas. Lands identified as Intensification Corridors consist of areas of street oriented uses which incorporate a mix of commercial, residential and employment uses, including designated employment lands, developed at overall greater intensities, serving as important transportation routes along higher order transit corridors and selected arterial streets. These areas will also be a focus of reurbanization and vary widely and will be guided by the underlying land use designations of this Plan. Some areas will be planned to evolve with higher residential intensities and a full mix of uses, while others may permit a more limited range of employment-oriented uses, both designed to achieve their planned function. These will support the frequent transit corridors and provide focal

points of activity and a vibrant pedestrian environment and facilitate active transportation through careful attention to urban design, enhancing the opportunities for the location of public service facilities and institutional uses.

The subject lands are further envisioned to be designated as ‘Urban Corridor’ under Schedule C – Land Use – Urban Area. In accordance with Section 8.1.3 (7.2) c), the following uses may be permitted on lands designated Urban Corridor:

- (i) retail and service commercial uses;
- (ii) automotive commercial uses, including large-scale motor vehicle dealerships existing on the date this Plan comes into effect;
- (iii) residential uses with the exception of single-detached and semidetached dwellings;
- (iv) office uses;
- (v) entertainment uses; and
- (vi) recreation uses.

In accordance with Section 8.1.3 (7.2) j), the permitted retail and service commercial uses and other pedestrian-oriented uses shall be located on the ground floor of office or residential buildings and should be permitted above or below the first storey of buildings.

In accordance with Section 8.1.3 (7.2) f), a maximum floor area ratio of development of 2.0:1 is an appropriate built form in Urban Corridor lands. An increase to this floor area ratio may occur through a site-specific Zoning By-law amendment or minor variance application, without the need for an amendment to this Plan, provided that the objectives of the Urban Corridor designation are maintained. Similarly, in accordance with Section 8.1.3 (7.2) g), the minimum building height shall be 2-storeys and the maximum building height shall not exceed 6-storeys. Where required to ensure compatibility, 4- to 6-storey buildings may be required to be terraced back from adjacent residential areas and/or the street. In accordance with Section 8.1.3 (7.2) h), to ensure compatibility with adjacent residential areas the maximum 6-storey building height may not be permitted on sites that are small in size, have insufficient depth, are adjacent to areas designated Residential-Low Density, or front local streets.

In accordance with Section 8.1.3 (7.2) j), Retail and service commercial uses and other pedestrian-oriented uses shall be located on the ground floor of office or residential buildings and should be permitted above or below the first storey of buildings. A limited amount of office uses may also be permitted on the ground floor. In accordance with Section 8.1.3 (7.2) m), any proposed development of sites designated Urban Corridor shall retain the planned commercial function of the site, in accordance with the objectives of Sections 8.1.3 (7.1) b) and f). Similarly, Section 8.1.3 (7.2) n), describes that the Zoning By-law shall establish a maximum floor area and a maximum floor area at grade per individual retail and service commercial unit, based on such considerations as planned

commercial function, built form, and contribution to achieving vibrant, active and walkable built environments in Urban Corridor lands.

The proposed zoning H-MXG-572 includes maximum floor area in the underlying MXG zone regulates a maximum Floor Area of 1800m<sup>2</sup> per retail or service commercial use of a building. Therefore, staff is of the opinion that the proposed development meets the planned commercial function of the site.

The development application criteria listed under Section 12.1.2 (2.2) c) shall be satisfied when evaluating all development applications, where applicable.

*Section 12.1.2 (2.2) c) (i):* the development shall be consistent with the land use compatibility policies contained in Section 4.6, Land Use Compatibility, of this Plan.

*Staff comment:*

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

The subject lands and the properties directly adjacent are envisioned to be designated as 'Urban Corridor' under OP 2020 except for the properties abutting the rear property line property line which are designated as 'Low Rise Neighbourhoods I'. The 'Urban Corridor' designation is envisioned to provide for a mix of uses in compact built form, including residential, retail, service commercial, office, entertainment, public service facilities and institutional uses, and open space uses while the 'Low Rise Neighbourhoods I' designation is envisioned to provide for single-detached and semi-detached dwellings as well as townhouses subject to specific criteria.

The proposed development on the subject lands aims to redevelop the existing 2 residential detached dwellings into a seven (7) storey (inclusive of a 7th storey outdoor amenity area) mixed use building consisting of ground floor retail and service commercial uses and 66 residential units, therefore the uses on the subject lands would remain residential along with 183m<sup>2</sup> of retail and service commercial uses at grade. As part of the application submission, the applicant provided a Land Use Compatibility Study inclusive of a Noise Feasibility Study, which Planning staff deem to be appropriate for the subject lands. The applicant also provided a Phase One Environmental Site Assessment which has been reviewed by Development Engineering staff and have requested that a Phase Two Environmental Site Assessment be submitted through a holding provision (as included under Appendix E – Draft Zoning By-law Amendment). Overall, staff have not indicated concerns with respect to land use compatibility, site contamination, and noise

generated by the proposed development. Therefore, Planning staff is of the opinion that the proposed development conforms with the policies under Section 4.6 of the OP 2020.

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

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

*Section 12.1.2 (2.2) c) (v):* the development, where located outside the Established Neighbourhood Area as identified on Schedule B-1: Growth Framework, constitutes intensification.

*Staff comment:*

The subject lands are designated as ‘Secondary Growth Area’ under Schedule B-1 – Growth Framework of the Plan. In accordance with Section 2.4.2 (2) a) (ii), (iv) and (v), Secondary Growth Areas shall be recognized as a distinct area within the city’s Urban Area accommodating growth in accordance with the permissions and densities of the current land use designations of this Plan, shall be limited to a maximum of mid-rise building form, unless otherwise permitted by the policies of this Plan; and where applicable, shall support the frequent transit corridors and accommodate development that is compact, mixed use and pedestrian-oriented in nature. The proposed development constitutes intensification in accordance with the general intent of the underlying land use designations under local, regional and provincial policy. The proposed development is intended to support existing and planned transit as well as pedestrian routes which in turn supports population growth.

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

*Section 12.1.2 (2.2) c) (iv):* the development shall achieve high quality urban design and is consistent with the policies contained in Chapter 7 – Design Excellence.

*Section 12.1.2 (2.2) c) (viii):* the development shall provide buffering, setbacks and amenity area so that an appropriate transition between existing and proposed buildings are provided.

*Staff comment:*

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

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

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

*Section 12.1.2 (2.2) c) (vi):* the development shall be supported by available infrastructure and public service facilities.

*Section 12.1.2 (2.2) c) (xi):* the development where residential uses are proposed shall demonstrate the degree to which public service facilities and other neighbourhood conveniences, such as community centres, recreation, neighbourhood shopping centres and healthcare are located within walking distance or accessible by transit.

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

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

*Staff comment:* Staff is of the opinion that the proposed development continues to meet the general intent of this policy section. Policy review of these considerations has been

conducted as part of the OP 1997 Part III, Section 2.5.2 a) (vi) as previously mentioned in this analysis.

*Section 12.1.2 (2.2) c) (ix):* the development shall demonstrate that future development on the adjacent properties will not be compromised by the proposal and be designed to facilitate future pedestrian, cycling and/or private street connections.

*Staff comment:* The proposed development is not intended to compromise future development on the adjacent properties, this has been reviewed along with the Urban Design Policies as later discussed under this analysis which speak to the related built form impacts onto the adjacent properties. Additionally, the proposed development has been designed to facilitate future pedestrian, cycling and/or private street connections by way of sidewalks and entrances along Plains Road East, as well as throughout the site.

*Section 12.1.2 (2.2) c) (xii):* the development shall address multi-modal transportation considerations and be consistent with the policies in Section 6.2: Multi-modal Transportation, including but not limited that the development shall mitigate potential impacts on the municipal transportation system to an acceptable level with regard to transportation flow and capacity and it shall accommodate sufficient off-street parking and transportation demand management measures in accordance with the policies in Subsection 6.2.10.

*Section 12.1.2 (2.2) c) (xvi):* the development considers the relationship to existing or planned transit facilities including a frequent transit corridor, higher order transit, bus routes and/or transit shelters.

*Section 12.1.2 (2.2) c) (xvii):* the development complements and connects with the public realm, including walking and cycling facilities.

*Staff comment:* The proposed development fronts onto Plains Road East which is designated as a 'Frequent Transit Corridor' and 'MTSA Primary Connector' under Schedule B-2 Growth Framework and Long Term Frequent Transit Corridor, as a 'Multi Purpose Arterial' under Schedule O-1 – Classification of Transportation Facilities - Urban Area and as a 'Bike Lane' under Schedule P – Long Term Cycling Master Plan. The proposed development contemplates pedestrian and vehicular access to Plains Road East and proposes a total of 45 bicycle parking spaces, near public transit, pedestrian paths and higher order transit as previously mentioned. Therefore, staff are of the opinion that the proposed development has considered multi-modal transportation, has considered the relationship to existing or planned transit facilities along Plains Road East by providing for appropriate connectivity to the public realm.

*Section 12.1.2 (2.2) c) (xiii):* the development conserves cultural heritage resources, where applicable, in accordance with the policies in Section 3.5, Cultural Heritage Resources, of this Plan.

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

*Section 12.1.2 (2.2) c) (xiv):* the development shall provide stormwater management in accordance with the policies of Subsection 4.4.2(2) of this Plan.

*Staff comment:* As part of the required materials for the application submission, the applicant provided a Functional Servicing and Storm Water Management Report which was reviewed by Development Engineering staff, whom indicated no objections to the applications and requested that a revised version be submitted by way of a holding provision as set out under Appendix E- Draft Zoning By-law Amendment, as well as design details are addressed at the subsequent Site Plan application process.

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

## **6.0 Zoning By-law 2020**

The subject lands are currently zoned 'RM2-119' (Residential – Medium Density with site exception 119) and are also zoned as 'RM1-346' (Residential – Medium Density with site exception 346) under Zoning By-law 2020 as amended (as shown on Appendix A – Existing Zoning). The RM2 zone permits detached, semi-detached, duplex, triplex, fourplex and townhouse buildings as well as Retirement Homes specific institutional uses and Additional Residential Units (ARUs) subject to specific criteria. The RM1 zone permits detached, semi-detached, duplex and triplex buildings as well as Retirement Homes, specific institutional uses and Additional Residential Units (ARUs) subject to specific criteria. Site exception 119 further permits a 6-unit residential building subject to the RM2 zone regulations applying to a Fourplex with other site-specific provisions for the lands municipally known as 198 Plains Road East. Site exception 346 further permits townhouses and office uses with other site-specific provisions for the lands municipally known as 206 Plains Road East.

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

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

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

<b>Zoning Regulation</b>	<b>MXG</b>	<b>RM2-119</b>	<b>RM1-346</b>	<b>H-MXG-572 as amended</b>
Building Height	2 storeys minimum  6 storeys maximum	2 storeys maximum	2 ½ storey up to 13 m maximum	7 storeys, up to 26.4m maximum
<b>Staff comment:</b> The amending by-law proposes an increased height from the base MXG zone of 6 storeys to 7 storeys. The intent of regulating height is to prevent overdevelopment of a property as well as mitigate any negative impact that may arise from this. Staff is of the opinion that all potential impacts of increased height have been considered through the analysis of the applicable Official Plan policies and Urban Design Guidelines review, more specifically under the Design Guidelines for Mixed-Use and Residential Mid-Rise Buildings				
<b>Zoning Regulation</b>	<b>MXG</b>	<b>RM2-119</b>	<b>RM1-346</b>	<b>H-MXG-572 as amended</b>
Number of Dwelling Units	8 units minimum (minimum density of 30 units per hectare)	6 units maximum (subject to the RM2 Fourplex regulations)	not applicable, density is subject to applicable Official Plan policies	66 units maximum
<b>Staff comment:</b> The proposed development aims to establish a maximum number of residential dwelling units of 66 units to reflect the proposed development layout. In accordance with the policies set out under Provincial, Regional and Local policies as previously discussed, staff are of the opinion that the proposed residential intensification is appropriate for the subject lands.				
<b>Zoning Regulation</b>	<b>MXG</b>	<b>RM2-119</b>	<b>RM1-346</b>	<b>H-MXG-572 as amended</b>
Floor Area Ratio (FAR)	1.5:1 maximum  0.3:1 minimum	not applicable	not applicable	2.4:1 maximum
<b>Staff comment:</b> The amending by-law proposes an increased Floor Area Ratio (FAR) from the underlying MXG regulations of 1.5:1 to 2.4:1 to reflect the increased number storeys. The intent of regulating FAR is to regulate building size and massing and prevent the overdevelopment of				

<p>a property as well as mitigate any negative impact that may arise from this. Staff is of the opinion that all potential impacts of overdevelopment have been considered as discussed throughout this report. As a result, staff is of the opinion that the proposed FAR increase and associated development concept is appropriate for the subject lands.</p>				
<b>Zoning Regulation</b>	<b>MXG</b>	<b>RM2-119</b>	<b>RM1-346</b>	<b>H-MXG-572 as amended</b>
Maximum Floor Area for retail or service commercial uses	Maximum of 1800 m <sup>2</sup>	not applicable	not applicable	Minimum of 183 m <sup>2</sup> for all non-residential uses
<p><b>Staff comment:</b> The proposed development includes 183 m<sup>2</sup> of non-residential floor area, comprising of retail and service commercial uses. While the MXG Zone does not establish a minimum floor area requirement for these uses, the proposed H-MXG-572 Zone introduces a minimum non-residential floor area to support and protect the intent of the applicable and planned Official Plan policies by ensuring the provision of at-grade commercial uses.</p>				
<b>Zoning Regulation</b>	<b>MXG</b>	<b>RM2-119</b>	<b>RM1-346</b>	<b>H-MXG-572 as amended</b>
Yards	<p><b>Yard Abutting Plains Road East:</b></p> <p>3 m minimum 23 m maximum</p> <p><b>Yard Abutting any other street:</b></p> <p>3 m minimum 4.5 m maximum</p> <p><b>Yard abutting a residential zone:</b></p> <p>Floors 1 to 3: 12m</p> <p>Floors 4 and 5: 15m</p> <p>Floor 6: 18m</p>	<p><b>Front Yard:</b> ranges between 6 m to 9 m</p> <p><b>Rear Yard:</b> 9 m</p> <p><b>Side Yard:</b> 3 m</p> <p><b>Street Side Yard:</b> 6 m</p>	<p><b>Front Yard:</b> 12m</p> <p><b>Side Yard:</b> with attached garage or carport: 10% of actual lot width without attached garage or carport: 10% of actual lot width, 3m on one side</p> <p><b>Street Side Yard:</b> 9m</p>	<p><b>Yard Abutting south-west lot line:</b></p> <p>Floors 1 to 5: 4.1m</p> <p>Floors 6 to 7: 10.5m</p> <p><b>Yard Abutting north-east lot line:</b></p> <p>Floors 1 to 5: 4.3m</p> <p>Floors 6 to 7: 10.7m</p> <p><b>Yard Abutting rear lot line:</b></p> <p>Floors 1 to 6: 24 m</p> <p>Floor 7: 30 m</p> <p><b>Yard abutting any street:</b></p> <p>Notwithstanding Part 5, Section</p>

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

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

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

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

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

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

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

	within 7.5 m of a residential zone			from abutting Residential Zone.
<p><b>Staff comment:</b> The intent of regulating the separation between loading spaces and residential zones is to promote land use compatibility by minimizing conflicts between commercial or industrial loading activities and adjacent residential areas. Staff is of the opinion that the proposed reduction is minor as well as appropriate, as the proposed development incorporates buffering measures to this, including landscaped buffers and required fencing along all property lines abutting a residential zone. These features are expected to mitigate potential impacts associated with loading and unloading activities and maintain compatibility with adjacent residential uses.</p>				
<b>Zoning Regulation</b>	<b>MXG</b>	<b>RM2-119</b>	<b>RM1-346</b>	<b>H-MXG-572 as amended</b>
Bicycle Parking	2 spaces plus 1 space/1000m <sup>2</sup> Gross Floor Area of retail and service commercial	not applicable	not applicable	<p><b><u>Retail</u></b>  <b>Short-term:</b> 3 spaces plus 1 space/1000 m<sup>2</sup> GFA  <b>Long-term:</b> 2 spaces plus 1 space/1000 m<sup>2</sup> GFA</p> <p><b><u>Residential:</u></b>  <b>Short-term spaces per unit:</b> 0.05  <b>Long-term spaces per unit:</b> 0.5</p>
<p><b>Staff comment:</b> The underlying MXG zone requires 2 spaces plus 1 space per 1000 m<sup>2</sup> Gross Floor Area for retail and service commercial uses. The proposed development includes 183m<sup>2</sup> of new ground floor retail and service commercial, therefore would require 2 bicycle parking spaces. The proposed development provides for a total of 45 bicycle parking spaces including 36 long-term spaces and 9 short-term spaces at-grade. Transportation staff have indicated no concerns with the proposed bicycle parking rates or their location and have also recommended that a portion of these spaces be located in a secure, weather-protected area accessible to retail employees and visitors, which may be addressed by way of a future Site Plan application. Additionally, the proposed rates under the by-law include the minimum recommended rates as established under the 2017 Burlington City-Wide Parking Standards Review. Planning staff is</p>				

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

As per the analysis above, staff is of the opinion that the proposed amendment to Zoning By-law 2020 as modified complies with the general intent of the Zoning By-law and is appropriate for the subject lands.

## **7.0 Sustainable Building and Development Guidelines**

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

In accordance with guideline 2.1, development proposals are required to provide pedestrian and cycling connections from on-site buildings to off-site public sidewalks, pedestrian paths, trails, open space, active transportation pathways, transit stops and adjacent buildings and sites in accordance with Official Plan policies. This guideline helps to encourage active transportation and transit use to reduce the dependence on the automobile. The proposed development provides connection from the proposed access point along Plains Road to off-site public sidewalks that connect to nearby transit stops and transportation networks.

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

In accordance with the Zoning By-law 2020, the underlying MXG zone requires 2 spaces plus 1 space per 1,000m<sup>2</sup> Gross Floor Area for Retail and Service Commercial uses. The proposed development includes 183m<sup>2</sup> of new ground floor retail and service commercial uses, therefore would require 2 bicycle parking spaces. The proposed development provides for 36 long-term bicycle spaces as well as 9 short-term bicycle spaces at-grade. This results in the approximate rates provided under the proposed amending by-law. Transportation staff have indicated no concerns with the proposed bicycle parking rates or their location and have also recommended that a portion of these spaces be located in a secure, weather-protected area accessible to retail employees and visitors, which may be addressed by way of a future Site Plan application. Additionally, the proposed amending by-law includes regulations for ensure that the minimum meets the requirement in the 2017 Burlington City-Wide Parking Standards Review, as outlined under Appendix E – Draft Zoning By-law Amendment.

In accordance with guideline 2.4, development proposals are encouraged to provide a Transportation Demand Management Plan (TDM) for parking reductions and for Primary, Secondary and Employment Growth areas. This guideline helps to ensure that sustainable modes of transportation are encouraged as TDMs evaluate building transportation needs comprehensively and may consider measures such as the provision of transit passes, flexible work hours, unbundled parking, on site transit facilities, priority parking for carpooling and autoshare programs, etc. The applicant provided a Traffic Impact Study which considered and included TDM strategies.

In accordance with guideline 3.8, development proposals are encouraged to maintain existing on-site trees that are 30 cm or more DBH (diameter at breast height) or Maintain 75 per cent of healthy mature trees greater than 20 cm DBH. Tree preservation requirements are to be determined by Official Plan urban forestry policies. As part of the application submission, the applicant provided an Arborist Report, Tree Protection Plan and Landscape Concept Plans. As previously mentioned, although Urban Forestry staff have indicated concerns with the removal of tree number 708, planning staff are of the opinion that replacement and compensation for the removal of existing trees is appropriate.

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

- permeable pavements;

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

This guideline helps to ensure Low Impact Development strategies mitigate the impacts of increased urban runoff and stormwater pollution by managing it as close to its source as possible. It comprises a set of site design approaches and small scale stormwater management practices that promote the use of natural systems for infiltration and evapotranspiration, and rainwater harvesting. As part of the application submission, the applicant provided a Functional Servicing and Storm Water Management Report to acknowledge a level one enhanced stormwater treatment for all stormwater runoff. Development Engineering staff reviewed the submitted materials and have indicated no objection to the applications provided that a holding provision be included under the amending by-law for a revised Functional Servicing and Stormwater Management Design Report.

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

In accordance with guideline 6.1, development proposals are required to provide and implement a waste management plan in accordance with Regional neighborhoods recycling and composting treats waste as a resource and reduces the need for landfill expansion. Halton Region staff have reviewed the submitted materials and have indicated that the residential portion of the proposed development is eligible for Regional waste collection, subject to conformity with the Region's Development Design Guidelines for Source Separation of Solid Waste which is to be demonstrated through the submission of a Waste Management Plan at the Site Plan stage.

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

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

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

In accordance with Section 4.2, 4.4 and 4.5, shadows cast by all existing buildings and proposed developments onto Key Civic and Cultural Spaces, lands designated or used for Parks and Open Spaces and places where children play including but not limited to school yards, playgrounds, and park features such as wading pools or other outdoor shadow-sensitive activity areas as identified by the City, must be analyzed in the study. Given none of these spaces are located within the test area, or area within the shadow catchment of the proposal, these spaces are not shown to be affected.

In accordance with Section 4.3, to maximize the usability of private outdoor amenity areas such as rear yards, decks, and (rooftop) patios, including common outdoor amenity areas, shadows from proposed developments should not exceed 2 hours in duration, between 9:00am and 6:00pm on March 21st. Additionally, the criterion is met if the Sun Access Factor (SAF) is at least 0.22 on the test dates. Through the submitted Shadow Study and additional Shadow Study information as requested by Planning staff, a test date of March 21st between the times of 9:00am and 6:00pm hours was analyzed for shadow impact on private outdoor amenity spaces generated by the proposed development onto surrounding properties. It was observed that the proposed development does not cast shadows on the rear yards of private residential properties for more than 2 hours in duration except for the rear yard of two properties directly abutting the subject lands, including 212 Plains Road East which shadows cast mainly on paved parking space for approximately 4 hours and 218 Plains Road East which shadow cast mainly on the rear yard of two (2) townhouse units for approximately 3 hours. Through the additional information submitted, the applicant confirmed that the SAF is calculated to be approximately 0.5 for these times exceeding the minimum desired rate of 0.22. Planning staff are therefore of the opinion that the shadow impacts to the private outdoor amenity areas are minor due to the duration and locations of the cast and overall meet the Shadow Study criteria.

In accordance with Section 4.6, shadows cast by all existing buildings and proposed developments onto the full extents of the boulevard and sidewalk on the opposite side of the adjacent right-of-way, must allow for either full sunlight 50 per cent of the time or 50 per cent sun coverage at all times between 9:00am and 6:00pm on March 21<sup>st</sup>, the criterion is met if the SAF is at least 0.50 on the test date. As per the submitted Shadow

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

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

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

Pedestrian Level Wind Studies ('Wind Study') are conducted to predict and assess the wind impacts of proposed buildings and site designs on surrounding public and private spaces in addition to on-site wind conditions to ensure pedestrian comfort and safety is maintained. In accordance with Section 2.1 of the guidelines, development proposals with building heights of 5- to 11-storeys are required to submit a Qualitative Wind Assessment. Given the proposed development consists of a seven (7) storey mixed use building, the applicant was required to submit a 'Qualitative Wind Assessment'.

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

1. Sitting – wind speed below 10 km/h (i.e. 0 – 10 km/h) would be considered acceptable for sedentary activities, including sitting.
2. Standing – wind speed below 14 km/h (i.e. 10 km/h – 14 km/h) is acceptable for activities such as standing.
3. Leisurely Walking – wind speed below 17 km/h (i.e. 14 km/h – 17 km/h) is acceptable for activities such as strolling.
4. Fast Walking – wind speed below 20 km/h (i.e. 17 km/h – 20 km/h) is acceptable for walking or more vigorous activities.
5. Uncomfortable – wind speed over 20 km/h is classified as uncomfortable from a pedestrian comfort standpoint. Brisk walking and exercise, such as jogging, would be acceptable for moderate excesses of this criterion.

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

The submitted Wind Study identifies that out of the five comfort categories, with the addition of the proposed project, the proposed development results in winds at-grade which remain at sitting and standing levels during the summer, and generally at leisure walking and standing levels during the winter with isolated areas of fast walking levels at

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

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

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

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

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

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

### **2.1 Building Placement**

1. *In general, buildings should be placed parallel to streets or public open spaces (within or along the edge of the site) to frame and define these spaces. This will also increase the amount of private open space behind the building and separation from neighbouring properties.*
2. *Consider the building's orientation to maximize south-facing walls for optimal access to sunlight to habitable rooms and other environmental benefits such as*

*energy conservation, solar access to open spaces or areas for stormwater management and planting.*

3. *Placement should consider existing site conditions and look to retain and enhance certain features as assets such as mature trees and topography.*
6. *Where there is no consistent pattern of street setbacks, the building should be set back to create a boulevard that can accommodate wider sidewalks, street trees, landscaping, and active uses to establish a more pedestrian oriented relationship between the building and the sidewalk. On streets where commercial or retail uses are required at the ground floor level, a minimum 6.0 metre boulevard is preferred, except where existing conditions preclude. The intent is that a road widening will not be required to specifically achieve this guideline.*
8. *All buildings should have a public front ('face') and private back. Buildings should not expose their back onto the front of a neighbouring building to minimize impacts such as "back of house" activities on adjacent properties.*

The subject lands are located along Plains Road, with the building's principal façade oriented toward this corridor. This arrangement establishes a clear public frontage while creating a more private rear condition that accommodates outdoor amenity space and provides appropriate separation from the abutting residential properties to the south.

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

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

## *2.2 Building Separation & Spacing*

1. *In general, taller buildings should provide greater separation distances. Separation distances should generally range between 15.0-20.0 metres.*

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

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

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

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

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

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

### 2.3 Built Form: Height & Massing

1. *When deciding on lower building height and massing consider the following:*
  - *the permitted minimum and maximum heights set out in the Official Plan and Zoning By-law;*
  - *the physical character of the surrounding area including the height and scale of adjacent buildings and the immediate streetscape;*
  - *the views into, out of, and through the site;*
  - *the potential shadowing impacts on neighbouring properties and adjacent public spaces – taller elements should be arranged accordingly;*
  - *the micro-climate (particularly pedestrian level wind impacts created by wind); and*
  - *the relationship of the building height to building depth and lot width. Use site characteristics such as width (narrow or wide), depth (deep or shallow) and number of frontages to inform an appropriate built form*
2. *Design buildings so that the massing reinforces the street edge.*
3. *In general, a building's form should reflect the existing and planned context in terms of street character (including the planned street function and right-of-way width), land use, and built form.*
5. *Where a streetwall is not established, the streetwall for new mid-rise buildings should be limited to a height of 80% of the street width (up to a maximum of 6-storeys) with additional storeys stepping-back a minimum of 3 metres above the streetwall to maintain a humanscale and minimize shadowing. On streets with a planned right-of-way width of 26 metres or more, new mid-rise buildings up to 6-storeys do not require an upper building step-back.*

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

Plains Road East does not currently have an established streetwall and has a deemed width right-of-way of 36m. Therefore, the maximum building height of the lower portion or podium along Plains Road East should be limited to approximately 28.8m. Plains Road East is intended to host mix use buildings with mid-rise built forms with gradually taller buildings towards the Aldershot GO station. The intent of regulating maximum heights for the lower portion of mid-rise buildings is to achieve human scale and pedestrian feel along the streetscape. The proposed lower building portion includes step-backs along the

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

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

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

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

The proposed building is approximately 45.5m in length from east to west given the lot configuration. The proposed building design includes a broken up built form by way of inset main entrances along the middle portion of the building façade along Plains Road. As previously mentioned, the proposed building includes step-backs at the 6<sup>th</sup> and 7<sup>th</sup> storeys for the provision of amenity space. These have been included under the amending by-law by way of minimum yards to building walls. Balconies are also inset into the building elevations and do not encroach into the streetwall. Staff is of the opinion that the proposed development continues to meet the intent of the mentioned guidelines.

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

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

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

2. *Where ground floor commercial / retail uses are required, the ground floor should be a minimum floor-to-floor height of 4.5 metres to accommodate internal servicing and loading areas, and active uses.*
8. *Use architectural elements and expressions such as canopies, doors, windows to highlight individual units, differentiate between residential and nonresidential entrances in mixed-use buildings, and engage the street.*
9. *Design the main entrance to be clearly distinguishable from other entrances through its architectural design and treatment, high visibility, wayfinding and direct pedestrian access.*
10. *Ensure that all main entrances are barrier free from the public sidewalk and on-site parking areas. Level access is preferred, where possible.*
11. *Emphasize grade-related entrances with high quality landscape design.*
14. *The main building entrance should be designed to be pedestrian- and cycle-friendly with convenient, well-lit, and safe access. The main entrance should also provide for shelter from wind and rain through well integrated weather protection elements such as canopies, extended eaves and overhangs. Canopies should be located above the ground floor and provide a width of at least 1.5 metres.*
15. *The location of building entrances should consider the location of adjacent transit stops.*

The first storey features a minimum height of 5.8 m and incorporates recessed building walls of approximately 1.7m in width along Plains Road East, creating weather-protected entrances. The proposed development provides multiple grade-related entrances, including one (1) primary residential entrance along the middle of the building with distinct design features and four (4) commercial entrances fronting onto Plains Road East. In addition, four (4) additional grade-related entrances are provided along the sides of the building, enhancing accessibility and pedestrian connectivity to the public realm.

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

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

1. *All access points to the site should be located and designed to respond to the street and existing mobility networks beyond the site.*
2. *Pedestrian access should always be prioritized for the safety and enjoyment of residents and visitors.*
3. *Reduce the number and width of vehicle access points to avoid conflicts between pedestrian and vehicle traffic.*
4. *Access to parking, servicing and loading should be provided at the rear of the building, or a laneway if possible. On corner sites, access should be provided from*

*secondary streets provided the entrance facilities are well integrated into the rest of the frontage.*

6. *Servicing and loading should be accommodated internally within the building.*
7. *Recess and screen garage doors and service openings from public view*
8. *Limit the extent of site area dedicated to servicing by using shared infrastructure and efficient layouts.*

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

The proposed at grade parking, underground parking access ramp, servicing and loading dock at the rear of the site are proposed to be screened from the adjacent uses by way of proposed landscape buffers and landscape areas. Loading spaces are also proposed hidden from Plains Road East as it is located at the rear of the proposed building as well as away from adjacent uses, approximately 4 m from the south-east property line and screened by landscaped areas and required fencing. Vehicular access to these areas located at the rear of the proposal has been incorporated via a 7 m driveway access point along Plains Road East.

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

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

*landscaping to create comfortable and safe pedestrian walkways and amenity areas.*

14. *Provide for safe pedestrian and cyclist access to underground parking by using clearly visible, well-lit, convenient, and easily accessible access points from the street. Signage should indicate the barrier free path of travel.*

The majority of residential parking is proposed underground with some residential parking at grade. The proposed at grade parking, underground parking access ramp, servicing and loading dock at the rear of the site are proposed to be screened from neighbouring uses through the use of required fencing and landscaped buffers and areas. The proposed underground parking structure does not encroach into the proposed landscape buffers and landscape areas ensuring the future long-term viability of trees and vegetation. Staff is of the opinion that the proposed development continues to meet the intent of the mentioned guidelines.

15. In general, maximize outdoor amenity areas at grade. The width to depth proportion of this area should not exceed 4:1 and it should be provided in one contiguous area to ensure the space is functional.

16. When outdoor amenity area is provided at grade, design it to:

- be in a highly visible area to enhance the sense and perceptions of personal safety and minimize potential for crime and vandalism through natural surveillance;
- have consideration for micro-climatic conditions such as access to sky-views and sunlight as well as shade in the summer;
- be animated and framed by buildings with active uses such as at grade cafés;
- include multiple activities and functions such as a play area, dog run, seating, shade structure, or water features;
- incorporate high-quality landscaping to define areas and screen them from surface parking, mechanical equipment and other servicing areas to minimize noise and air quality impacts; and
- where possible connect to abutting open spaces

18. *Common outdoor amenity areas should be located next to interior amenity facilities with direct physical and visual access between these spaces through doors and windows.*

19. *All common outdoor amenity areas should apply the principles of universal design and must comply with the City's Accessible Design Standards.*

20. *The roof of a lower building can be landscaped and used as common and private outdoor amenity area for the residents of a development. Where possible utilize*

*building rooftops as green roofs and/or usable private and shared outdoor amenity areas such as gardens.*

*21. Locate private outdoor amenity areas for family-sized units so that they have views and access to outdoor play areas, where possible.*

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

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

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

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

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

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

### *3.1 Built Form: Transitions*

*1. When deciding on overall and upper building height and massing consider the following:*

- the permitted minimum and maximum heights set out in the Official Plan and Zoning By-law;*
- the physical character of the surrounding area including the height and scale of adjacent buildings; and*
- the potential shadowing and pedestrian level wind impacts on neighbouring properties and private and public open spaces – taller elements should be arranged accordingly.*

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

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

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

*Upper Façade / Roof Design, Articulation & Materials*

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

As previously mentioned, all balconies proposed do not project beyond the building wall below and inset approximately 1.6 m with a total area ranging between 3.9 m<sup>2</sup> to 4.5m<sup>2</sup>. Staff are of the opinion that the proposed development continues to meet the intent of the guidelines mentioned.

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

The proposed development includes a 7<sup>th</sup> storey outdoor amenity space which wraps around the proposed mechanical uses. The outdoor rooftop terrace is approximately 586 m<sup>2</sup> in size. The building portion of the 7<sup>th</sup> storey is step-back approximately 9.7 m from the edge of the floor below along the front yard as well as 6.9 m from the edge of the floor below along the rear. Staff are of the opinion that the proposed development continues to meet the intent of the guidelines mentioned.

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

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

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

The subject property is located within the Shadeland District which is defined as the segment of the Plains Road corridor between Cooke Boulevard and Filmandale Road. This District is characterized by an eclectic mix of land uses on the north side of the corridor and primarily residential and home office uses on the south side. Urban design objective should concentrate on consolidating and infilling commercial/industrial uses and preserving and enhancing the residential and home commercial uses. Mature boulevard shad trees and existing landscaping along the corridor should be protected. The underutilized sites at Cooke Boulevards and Plains Road could be redeveloped to provide an improved gateway/entry point to the industrial park. Redevelopment should capitalize on the attractive landscaping along Cooke Boulevard. At-grade parking along the frontage of commercial properties should be screened with low growing vegetation to improve the appearance of the corridor. Furthermore, the design guidelines under Section 5.2.5.2, indicate that existing street trees should be retained and interplanted with new trees spaced at 8 metres to “green” the corridor and to assist in traffic calming. Recommended species include Oak, Maple, and Ash. The landscape treatment on private property should be harmonious with the existing character of the streetscape and should reflect and complement the existing residential properties.

The proposed development provides for a mix of uses including approximately 183 m<sup>2</sup> of new ground floor retail and service commercial as well as 66 new residential units in the storeys above which provides for the envisioned uses under the guidelines. The proposed development is also contingent upon the removal of municipal tree 708 to facilitate the proposed development, as previously mentioned, planning staff is recommending approval of the proposed development inclusive of the removal of this tree. Furthermore, planning staff is also of the opinion that the requested consent letter to injure or remove neighbouring trees can be appropriately addressed as part of the subsequent Site Plan application process. Planning Staff are therefore of the opinion that the proposal as modified meets the objectives and intent of the Plains Road Design Guidelines (2006).

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SUBJECT: Official Plan and Zoning By-law Amendment for 1200 King Road

TO: Committee of the Whole

FROM: Development and Growth Management  
Community Planning

Report Number: DGM-28-26

Wards Affected: 1

Date to Committee: July 7, 2026

Date to Council: July 21, 2026

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## Recommendation

Approve the applications, as modified by planning staff, for Official Plan Amendment and Zoning By-law Amendment submitted by Bousfields Inc. on behalf of Alinea Land Corporation proposing a mixed use development consisting of a mixed-use node, entertainment node, campus node, and residential node at 1200 King Road subject to the conditions of draft plan approval described in this report being secured to the satisfaction of the Commissioner of Legal and Legal Services/City Solicitor or his designate, as set out in confidential legal report LLS-31-26; and

Approve Official Plan Amendment No. 9 to the City of Burlington Official Plan 2020, as modified by planning staff and provided in Appendix D of development and growth management report DGM-28-26, to amend the designation for the lands located at 1200 King Road; and

Deem that Official Plan Amendment No.9 is consistent with The Planning Act; and

Instruct the City Clerk to prepare the necessary by-law adopting Official Plan Amendment No. 9 as contained in Appendix D to development and growth management report DGM-28-26 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; and

Approve Zoning By-law 2020.524, attached as Appendix E to development and growth management report DGM-28-26, and

Deem that Zoning By-law 2020.524 will conform to all applicable Official Plans of the City of Burlington once Official Plan Amendment No. 9 is adopted; and

State that the amending zoning by-law will not come into effect until Official Plan Amendment No. 9 is adopted; and

Deem that the lands described as 1200 King Road are classified as a Class 4 area as defined by the Ontario Ministry of Environment, Conservation, and Parks NPC-300 Environmental Noise Guidelines; and

Endorse the Urban Design Brief, dated February 2026, prepared by NAK Urban Design Strategy as urban design guidelines for the King Road Community.

## **Executive Summary**

Purpose of report:

- The purpose of this report is to provide Council with information on the proposed Official Plan and Zoning By-law amendment applications necessary for proceeding with the Statutory Public Meeting and present a recommendation on the proposed applications.
- Staff are recommending modified approval of the Official Plan and Zoning By-law amendment applications, subject to the conditions of draft plan approval described in this report being secured to the satisfaction of the Commissioner of Legal and Legal Services/City Solicitor or his designate.

Key findings:

- The site presents a unique opportunity to create a complete community inside the City's urban boundary, with a strong identity and character, where future Burlington residents can live, work, learn, shop and play. The community design and layout is informed by protected natural heritage features, and the establishment of a new transportation and transit network. The proposed land uses and intensity will allow for a mix of residential, commercial, institutional, recreational, office and entertainment uses, subject to the appropriate resolution of key matters, as identified within this report. The site's unique location and size is such that it warrants unique consideration within the City's overall land use vision.
- The applicants have applied for an Official Plan Amendment and Zoning By-law Amendment to facilitate the development of a mixed-use community which includes: a mixed-use node, entertainment node, campus node, and residential node. The proposal requires an amendment to the Official Plan, as well as an amendment to the Zoning By-law. Staff are recommending modified approval of the proposed Official Plan Amendment and Zoning By-law Amendment based on the following:
  - The proposed amendments are consistent with the Provincial Planning Statement (2024);

- The proposed amendments conform with the Regional Official Plan (2009, as amended), and the general intent of Burlington Official Plan (2020) and Burlington Official Plan (1997);
- The proposed development maintains the general intent of Zoning By-law 2020.
- Staff is of the opinion that the proposed development, as modified by planning staff, represents good planning.

Several Holding Provisions are recommended to ensure the following:

- That Street 'A' construction occur prior to or concurrently with any development on site, except for limited development along the three development blocks fronting King Road;
- That written confirmation from Metrolinx and the Ministry of Transportation is provided confirming they have no concerns or objections to the Street 'A' connection from 1200 King Road to Alayne Bryk Way;
- That revised Transportation Impact and Transportation Demand Management Studies are submitted and considered satisfactory;
- That a revised Environmental Impact Assessment is submitted and addresses Conservation Halton and the City's peer reviewer comments for the western portion of the property;
- That revised hydraulic and hydrologic modelling assessments and a downstream erosion assessment are submitted and address Conservation Halton comments;
- That constraint mapping, which displays the relevant setbacks, is provided to the satisfaction of the agencies with interest in the development proposal;
- Confirmation and acceptance of materials required to rationalize building heights greater than 12 storeys;
- Confirmation that water and wastewater servicing is secured;
- That a revised noise and vibration study is prepared in order to determine the appropriate railway setback; and,
- Secure for the proposed entertainment uses (arena and community facilities), park space, transportation connections and other non-residential land uses (institutional and/or public service uses) through appropriate phasing of development.

The applicant is also proposing that the subject lands be deemed as a Class 4 area as defined by the Ontario Ministry of Environment, Conservation, and Parks NPC-300 Environmental Noise Guidelines.

<b>RECOMMENDATION:</b>		Modified Approval	<b>Ward:</b>	1
<b>Application Details</b>	<b>APPLICANT:</b>	Bousfields Inc.		
	<b>OWNERS:</b>	Alinea Land Corporation		
<b>Property Details</b>	<b>FILE NUMBER:</b>	505-03-26 & 520-05-26		
	<b>TYPE OF APPLICATION:</b>	Official Plan Amendment and Zoning By-law Amendment		
	<b>APPLICANT'S PROPOSAL:</b>	Redesignate and rezone the site to support mixed-use development, an entertainment district and educational blocks		
	<b>PROPERTY LOCATION:</b>	West of King Road, east of Aldershot GO Station, south of 403 and north of the CN Rail corridor		
<b>Documents</b>	<b>MUNICIPAL ADDRESS:</b>	1200 King Road		
	<b>PROPERTY AREA:</b>	49 ha		
	<b>EXISTING USE:</b>	Vacant (Agricultural uses, woodlot)		
	<b>1997 OFFICIAL PLAN Existing:</b>	'Mixed Use Corridor Employment, 'General Employment', 'Business Corridor and Employment Commercial'		
<b>Processing Details</b>	<b>2020 OFFICIAL PLAN Existing:</b>	'Lands Designated for Employment Uses' and 'Natural Heritage System, Major Parks and Open Space'		
	<b>ZONING Existing:</b>	Business Corridor (BC1 and BC1-471), Commercial Employment (CE-412), General Employment (H-GE1-410), Mixed Use Employment Corridor (H-MXE-411) and Open Space (O2)		
	<b>ZONING Proposed:</b>	Mixed Use Corridor (MXC) - with site specific exceptions		
<b>Processing Details</b>	<b>APPLICATION SUBMITTED:</b>	March 2, 2026		
	<b>APPLICATION DEEMED COMPLETE:</b>	March 13, 2026		

	<b>STATUTORY DEADLINE:</b>	June 30, 2026
	<b>PRE-APPLICATION COMMUNITY MEETING:</b>	June 26, 2024
	<b>STATUTORY PUBLIC MEETING:</b>	July 7, 2026
	<b>PUBLIC COMMENTS:</b>	At the time of writing this report, three written public comments were received out of 161 notices.

# Recommendation Report

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## Background

On October 20, 2015 the Planning and Building Department acknowledged that a complete application had been received for a Draft Plan of Subdivision at 1200 King Road. The application proposed to create 27 lots for various employment and commercial land uses, and 8 stormwater and open space blocks east of Falcon Creek. Lands west of Falcon Creek were proposed to be divided into two large blocks on either side of Road A (a future South Service Road allowance between King Road and the GO Transit Station). The Plan of Subdivision application was previously appealed by the landowners to the Ontario Land Tribunal (OLT) on the basis of non-decision, where it currently remains. Confidential report LLS-31-26, which is proceeding to Committee and Council alongside this report, addresses the appealed Plan of Subdivision application.

In 2024, the Province made modifications to the Halton Region Official Plan (Regional Official Plan Amendment 49 – ROPA – 49) to convert several employment areas and add new urban areas within the City of Burlington.

City Council expressed support for the removal of the Employment Area overlay for 1200 King Road (i.e. the subject lands) directly to the Minister of Municipal Affairs and Housing through a letter dated December 7, 2023 on the basis that the following elements be incorporated into these developments:

- economic benefits including future employment targets that increase future property assessment growth;
- social benefits including affordable and attainable housing, public parks and greenspace and community facilities and amenities; and,
- environmental benefits including climate mitigation and adaption, natural heritage preservation and enhanced integrated mobility.

Following the Provincial decision to remove the Employment Area overlay from the subject lands, the City worked closely with the landowner's team to understand the site's potential to accommodate a mixed-use development.

On March 18, 2026, the City acknowledged that complete applications had been received for an Official Plan Amendment and Zoning By-law Amendment for the site known as 1200 King Road. The purpose of these applications is to amend the Official Plan and Zoning By-law to permit the establishment of a comprehensive development including mixed-use blocks, residential blocks, an entertainment district and educational blocks.

## **Description of Subject Property and Surrounding Land Uses**

The subject lands are located along King Road and have a total area of 49 hectares , Tthe lands are currently vacant.

Surrounding uses are as follows:

- North: Highway 403
- East: King Road, and industrial uses
- South: CN Rail corridor and industrial uses with residential beyond
- West: Aldershot GO Station

The subject lands are located approximately 200 metres away from a westbound bus stop on North Service Road which provides service to Aldershot GO every 45 minutes; Route 87. Located approximately 700 metres from the eastern extent of the subject lands are bus stops for Routes 1 (15 minute service) and 4 (30 minute service). Route 1 traverses the City along Fairview Street and Plains Road, and provides access to stops along this path and towards the Downtown of Hamilton, Burlington GO and Appleby GO. Route 4 provides access to stops eastward across the City, to Appleby GO.

There currently is not a direct connection to Highway 403 or the Aldershot GO station; however, the proposal includes a road connection to Alayne Bryk Road, Highway 403 and Waterdown Road.

## **Description of Applications**

Bousfields Inc. has submitted applications on behalf of the Alinea Land Corporation to amend the Official Plan and Zoning By-law for the property located at 1200 King Road. The application seeks permissions for a mixed use development proposing to provide roughly 8,800 residential units and consisting of 26 development blocks including: four mixed use development blocks, an entertainment block, three educational blocks, six residential blocks, a park block, two natural heritage system blocks, three blocks associated with Indian Creek, two stormwater management pond blocks, one landscape buffer block, two MTO property line blocks and one future development block.

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## **Analysis**

### **Policy Framework**

The proposed Official Plan and Zoning By-law Amendment applications are subject to review in accordance with the Provincial Planning Statement (2024); Region of Halton Official Plan (2009, as amended); City of Burlington Official Plan (1997); City of Burlington Official Plan (2020, as amended); and City of Burlington Zoning By-law 2020, as summarized below and in greater detail within Appendices F and G.

Planning Staff are of the opinion that the proposed applications are consistent with the Provincial Planning Statement (2024), conform with the Region of Halton Official Plan (2009, as amended), and the City of Burlington Official Plans (1997 as amended & 2020 as amended).

### **Proposed Official Plan Amendment (OPA 9)**

The subject lands are located within the Regional Urban Boundary and designated as Urban Area, Key Features, Natural Heritage System and Greenfield (Per Map 1G and Map 1H). As the subject lands are not identified as a Strategic Growth Area in the Regional Urban Structure, the Growth Framework would not apply as these policies are only applicable to previously developed areas within the City and not new greenfield areas.

Section 77 (5) of the Burlington Regional Official Plan (BROP), 1995 requires the preparation of area-specific plans or policies for major growth areas including the development of new communities. Given that the growth framework does not apply to the subject lands, staff are recommending that the proposed Official Plan Amendment (OPA 9) be an amendment to the Burlington 2020 Official Plan Section 8.8 Sub-Area policies, in a new subsection known as The King Road Community.

Recommended Official Plan Amendment No. 9 (attached as Appendix D) will implement a vision and area-specific policies for the King Road lands. The proposed OPA will:

- Establish a King Road community structure, informed by protected Natural Heritage features, organized in nodes with a new multi-modal transportation network;
- Establish appropriate targets and land uses within the King Road Community to allow for a mix of residential, entertainment, campus, recreational and non-residential uses;
- Provide policies relating to infrastructure, transportation, public service facilities, parks, public space, housing, land use compatibility, natural heritage and hazards; and,
- Outline requirements for implementation and phasing.

OPA 9 proposes four new community nodes within the King Road Community with their own distinct vision that will contribute to creating a healthy complete community inclusive of the following nodes:

- Campus Node - envisioned to be a focus for institutional uses such as a post-secondary use and supported by retail, service commercial, as well as community and open space, to support the creation of jobs and access to education, with shops and services for employees and visitors.
- Residential Node - envisioned to be a new neighbourhood area, providing a range of housing types with complementary community facilities, public spaces and parks. The vision for this residential node is to include a large two-hectare, central public park.
- Entertainment Node - envisioned to develop into a key destination and be a focus for entertainment uses such as a sports arena and event plaza, supported by retail, service commercial and hotel space. Together, this mix of uses will help develop this node into a

unique destination and major trip generator within the local and larger community that is easily accessible by public transit. The Entertainment Node will help promote tourism, economic development, and competitiveness, as well as the development of a complete community.

- Mixed-Use Node - envisioned to be a key area for intensification to accommodate residential and employment growth. This node will focus on a diversity of housing types and the creation of mixed-use buildings with residential units, shops, offices and daily/weekly needs, including a centrally located retail square. This node will serve as a community hub with a concentration of community services, amenities and public service facilities, transit, public spaces and active transportation connections, including a pedestrian connection/bridge over Indian Creek.

The recommended OPA establishes a policy framework for the 1200 King Road lands to develop into a complete community over time and accommodate residents and jobs, creating additional opportunities for increased housing options in the City.

A further analysis of proposed Official Plan Amendment No. 9 consistency with the Provincial Planning Statement 2024 and conformity to Burlington Regional Official Plan 1995 is found in Appendices F and G of this report.

There are site-specific policies in Chapter 8 of Burlington Official Plan 2020 that pertain to 1200 King Road. These policies are currently under appeal. At the appropriate time staff will recommend withdrawal of any policy or policies that are obsolete as a result of approval of OPA 9.

### **Proposed Built Form and Intensity**

1200 King Road represents a large vacant site within the City's urban area with a single land owner. The site presents a unique opportunity to create a complete community inside the City's urban boundaries, with a strong identity and character, where future Burlington residents can live, work, learn, shop and play. The community design and layout is informed by protected natural heritage features, and the establishment of a new transportation and transit network. The proposed land uses and intensity will allow for a mix of residential, commercial, institutional, recreational, office and entertainment uses, subject to the appropriate resolution of key threshold matters, as identified within this report.

The site's unique location and size is such that it warrants unique consideration within the City's overall land use vision. The site is adjacent to the Aldershot GO Major Transit Station Area (MTSA) which is located directly west of the site. Further, the site is bound by transportation corridors being Highway 403 and the rail corridor. Rather than functioning as an isolated enclave, these lands are being planned and designed to integrate into the existing urban fabric and function as a complete community with a variety of land uses and intensities. Further, the

design of the community is grounded in a robust public realm and open space network to protect existing natural heritage features and ensure a high quality of life for residents and visitors.

The recommended Official Plan Amendment (OPA 9) establishes a comprehensive framework to establish these lands as a new Local Node within the Urban Structure of the City. Given the close proximity to the Aldershot GO MTSA, this Local Node is expected to accommodate significant population and employment growth and complement and support the City's identified Aldershot GO MTSA. The recommended amendment sets a framework to guide the development of this emerging key destination as an emerging complete community with multiple community nodes with a wide range of housing, a mix of uses, critical major destinations all supported by multi-modal connections to the Aldershot GO MTSA including new complete streets and regional and local transit. OPA 9 provides a framework to guide building typology within King Road community, allowing for a range of heights and styles that respond to the opportunity for transit-supportive development while limiting built form impacts.

The proposed development will include a variety of building heights that align with the community's vision as a mixed-use, transit-supportive community with connections to the Aldershot GO MTSA. The proposed development will include a variety of built forms ranging from ground-oriented dwellings (i.e. townhouse units) to tall buildings (up to 53 storeys in height). All buildings will need to meet the vision and objectives of this community and will need to demonstrate how the proposed buildings are consistent with the 1200 King Road urban design brief (which staff are recommending that Council endorse) to demonstrate design excellence related to site design, architectural building design, and high quality building materials. In addition, any buildings taller than 11 storeys in height will need to ensure that the following matters are appropriately addressed and/or provided for:

- Shadow impacts;
- Pedestrian wind impacts;
- Provision of a large central park;
- Provision of a minimum of 1,500 jobs across the entire community;
- Provision of affordable housing units;
- Provision of a significant institutional or public service facility;
- Provision of a significant entertainment use, such as a sports area and/or community centre;
- Provision of a variety of building heights and design excellence.

Further, buildings exceeding 30 storeys in height will be required to provide the following:

- Items outlined above;
- Inclusion of one or more elements of the Sustainable Building and Development Guidelines; and,
- Provision of rental units or the inclusion of larger units of 2-bedroom or 3-bedroom.

The City of Burlington is committed to a high standard of urban design and architecture which is becoming increasingly important as re-development and intensification become more prominent forms of development. The review of proposed building and site design in the context of other development best practices (i.e. pedestrian and transit connections (and the continuity of grade-related activity); public realm considerations (i.e. safety and comfort), compatibility and neighbourhood character, as well as built form are critical components in the review and evaluation of development applications.

Staff reviewed the proposed development and urban design brief against the City's Mid-Rise Residential and Tall Building Guidelines which are applied to applications across the City wherever mid-rise and tall buildings are permitted, and for the purposes of the guidelines, include any buildings over 5 storeys in height for mid-rise and any building over 11-storeys in height for tall buildings. Staff are generally satisfied that the overall intent of the City's design guidelines is met through review of the architectural plans and the applicant's provided Urban Design Brief, which staff are recommending be endorsed by Council. Further refinements and assessment, including the location of outdoor amenity spaces and potential wind and shadow mitigation measures, will be required through future Draft Plan of Subdivision conditions and at the Site Plan stage.

### **Regional Natural Heritage System**

The property includes areas designated Regional Natural Heritage System, Key Features in accordance with Maps 1, 1G of the Regional Official Plan, as amended. The portions of the property that contains Indian Creek, Falcon Creek, Grindstone Creek and their floodplains are regulated by Conservation Halton. Section 118 3.1 c) of the Regional Official Plan required an Environmental Impact Assessment for the proposed development as the lands are located within 120 metres of the Regional Natural Heritage System.

An Environmental Impact Assessment (EIA), prepared by Natural Resource Solutions Inc, dated February, 2026 was submitted in support of the applications. The EIA evaluated the potential impact of the proposed development on key natural heritage features including wetlands, candidate significant woodlands, species at risk habitat and surface drainage features which flow to the creeks and provided mitigation measures to protect and enhance the function and a connectivity of these features.

Conservation Halton (CH) reviewed the submitted EIA and have requested that the material be updated in order to establish conformity with the natural hazard policies of the Provincial Policy Statement, and to confirm that the proposed creek and hazard alterations and development activities within the regulated areas meet the regulation requirements of Conservation Halton. Conservation Halton staff recommends the full regulated area be designated and zoned for protection. They also advise that a CH permit will be required prior to any work beginning on site for the works proposed within the regulated area.

Staff also reviewed the submitted EIA and are generally supportive of the EIA conclusions; however, there are still outstanding matters that need to be addressed before the EIA can be finalized, including:

- Additional modelling to ensure that the proposed wetlands and the connection to the stormwater management infrastructure will allow the features to function properly;
- Revised information identifying the specific environmental features and buffers that will be impacted, the nature of the encroachments and the total area of impact needs to be submitted;
- Further investigation needs to be carried out to ensure that the erosion potential that would result from the proposed development is acceptable;
- Additional monitoring wells throughout the western portion of the site are necessary prior to acceptance of the revised RNHS boundaries and acceptance of the wetland impact analysis.

Staff are recommending that modified boundaries of the zones that delineate these features be applied, according to input from Conservation Halton that has offered zone boundaries that delineate the hazards in such a way that it is unlikely that the feature will exceed the proposed zone boundary and allows for refinement in the future. This approach allows for the zones to be established based on the information that has been received to date, and for limited development to take place before the refinement of the work is completed. Following the acceptance of the updated studies, the Director of Community Planning will be able to use delegated authority to revise the boundaries of the zones to match the finalized studies.

Not only will completing the work allow for developable area to be recovered, but the work will be required in order to lift a the holding provision that is recommended to be applied to the site. The structure and methodology of the holding provisions are explained in more detail in the relevant section of this report.

### **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.

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.

The applicant was required to submit a Land Use Compatibility Study, Transportation Related Air Pollutants Study, Environmental Noise Feasibility Study, and Vibration Assessment with the subject applications. The Land Use Compatibility Study, Transportation Related Air Pollutants Study, Environmental Noise Feasibility Study were reviewed by an external peer reviewer, who concluded that sensitive land uses can be supported on site, but additional analysis is required to confirm that there are no adverse noise impacts to the development areas located within proximity of the railway right-of-way.

Staff are recommending that a Holding Provision be placed on the development areas within 75 metres of the railway right-of-way and cannot be lifted until such time as a revised noise and vibration study is submitted and approved by City staff in consultation with CNR. This approach will ensure compatibility to protect the health of future residents and the viability of existing facilities, as required by the PPS. A more comprehensive review of these studies is found in Appendices F and G of this report.

### **Street 'A' Connection to Alayne Bryk Way**

The applicant is proposing an east-west street that will connect King Road to Alayne Bryk Way, the Aldershot GO Station, Highway 403 and Waterdown Road. Through the Official Plan, the City has identified this street connection as a critical need in this area to connect King Road to the Aldershot GO Station, Highway 403 and Waterdown Road and ease some of the existing congestion within the surrounding street networks. This street is also required to support the proposed density and scale of development for the site. In order to secure the Street 'A' connection to Alayne Bryk Way, staff are recommending a Holding Provision be placed on the property to require the construction of this street prior to any development proceeding, except for the three development blocks along King Road, which can proceed concurrently with the road construction.

Staff also require confirmation from Metrolinx and MTO that they have no objections or concerns with the proposed street connection. A Holding Provision requiring written confirmation from these agencies has been included as part of the Draft Zoning By-law attached as Appendix E.

A further analysis of the Street 'A' connection can be found in Appendices F and G as it relates to recommended Official Plan Amendment No. 9 consistency with the Provincial Planning Statement 2024 and conformity to Burlington Regional Official Plan 1995. Further discussion of the proposed Holding Provisions can be found below under the Holding Provision Section of this report.

### **Holding Provisions**

Through the review of the applications, staff have identified several Holding Provisions that are required to implement the proposal, including:

- Street 'A' construction prior to any development on site, except for limited development within the three development blocks along King Road;
  - This holding provision will ensure that the construction of Street 'A' occurs before significant development of the site occurs as this connection is a City priority and required to support the proposed density and intensity on site. Staff have included some flexibility in the holding provision by allowing limited development along King Road as the full build out of the property will take several years;
- Written confirmation from MTO and Metrolinx that they have no concerns or objections to the Street 'A' connection;
- A revised Transportation Impact Assessment and Transportation Demand Management Report ensuring Transportation Planning and the City's external peer reviewer comments have been adequately addressed;
- A revised Environmental Impact Assessment ensuring City staff and Conservation Halton comments have been adequately addressed;
- Revised hydrologic and hydraulic modelling assessments and a downstream erosion assessment to confirm flood hazard limits and demonstrate that the proposed development will not aggravate downstream flooding or erosion;
- Provide updated constraint mapping which delineate all natural hazards and related regulatory and erosion access allowances along with wetlands and adjacent regulated areas, as well as setbacks required for all vested agencies including but not limited to MTO, HONI, CNR, Metrolinx;
- A revised noise and vibration study to determine the appropriate railway setback;
- The phasing of uses to require the development of an entertainment use in the Entertainment Node before the other permitted uses or in conjunction with a permitted use;
- The phasing of uses to require the development of non-residential uses in the Mixed-Use Node before the other permitted uses or in conjunction with a permitted use;
- Require the applicant to secure the appropriate amount of water and wastewater Servicing Allocation under the Region of Halton Allocation Program and enter into any applicable agreements with the Region;
- The phasing of building heights for buildings up to 11 storeys, between 12 storeys and 30 storeys and above 30 storeys to meet the development criteria set out in Official Plan No. 9;
- Restriction of the proposed parking rates until such time as revisions to the Transportation Impact Study and Transportation Demand Management reports have been approved by Transportation Planning Staff.

Due to the number of holds and size of the site, the applicant has requested that the holds be implemented on a block-by-block basis to allow for the holds to be removed individually from certain blocks when conditions have been satisfied. This will allow the flexibility to lift a holding provision in one area of the site and for development to proceed, provided all the holding

provisions are cleared for that area, while not being encumbered by another area and its holding provisions.

These Holding Provisions have been included as part of the Draft Zoning By-law attached as Appendix E.

### **Zoning By-law**

The subject property is currently zoned Business Corridor (BC1 and BC1-471), Commercial Employment (CE-412), General Employment (H-GE1-410), Mixed Use Employment Corridor (H-MXE-411) and Open Space (O2) in Zoning By-law 2020. These zones prohibit residential uses and permit a limited amount of retail, service commercial, and employment uses with the exception of the BC1-471 zone, which prohibits all uses except industrial and office uses. Through Regional Official Plan Amendment 49, the lands known as 1200 King Road were taken out of the Regional Employment designation and are no longer intended solely for employment purposes.

The western half of the property is subject to former Zoning By-law 4000-3 and zoned T-MR3. The MR3 zone permits a wide range of industrial and employment uses. Staff are recommending that these lands be removed from By-law 4000-3 and rezoned to the appropriate King Road Mixed Use zone categories as identified in Appendix E – Draft Zoning By-law Amendment. A future housekeeping amendment will be required to remove the 1200 King Road lands from By-law 4000-3.

The applicant initially proposed the lands to be rezoned to Mixed Use Corridor – Commercial and Open Space under Zoning By-law 2020. However, through review of the applications it was determined that five new mixed-use zones would be created for the King Road Community to align with proposed OPA 9 found in Appendix D. The mixed-use zones proposed for the development are:

- Mixed Use King Road 1 (MUKR1) – implements the Mixed-Use Node permissions including a centrally located retail plaza from proposed OPA 9;
- Mixed Use King Road 2 (MUKR2) – implements the Residential Node townhouse permissions from proposed OPA 9;
- Mixed Use King Road 3 (MUKR3) – implements the Residential Node high density residential permissions including a large centrally located 2 hectare public park from proposed OPA 9;
- Mixed Use King Road 4 (MUKR4) – implements the Entertainment Node permissions including the arena with event plaza and community/convention center from proposed OPA 9; and,
- Mixed Use King Road 5 (MUKR5) – implements the Campus Node permissions including the private or public College or University from proposed OPA 9.

The site-specific modifications to implement the proposal are discussed in further detail in Appendix H - Zoning By-law 2020: Conformity Analysis to proposed Zoning By-law 2020.524 to this report.

Planning Staff are of the opinion that the proposed development conforms to the City's Official Plans and maintains the general intent of Zoning By-law 2020. As such, staff are of the opinion that the proposed modifications are appropriate.

### **Matters For Subdivision Conditions**

Staff have identified a number of matters that are most appropriately addressed as conditions of draft plan of subdivision. These are matters required as the proposal moves through future planning process and detailed design. These matters relate to the provision of updated materials and studies regarding housing impact (and housing commitments), land use compatibility, shadow and wind, rail, construction management, stormwater, site condition, forestry and parkland. As discussed above, the Plan of Subdivision application was previously appealed and currently sits before the OLT. Confidential report LLS-31-26 addresses the conditions of draft plan of subdivision. The recommended approval of the Official Plan and Zoning By-law amendment applications that are the subject of this report are conditional upon the Commissioner of Legal and Legislative Services/City Solicitor, or his designate, being satisfied that these conditions have been secured to his satisfaction.

### **Technical Review**

The applications were circulated to internal departments and external agencies on March 10, 2026, for review. The following are the comments received that have been summarized below:

**Canada Post** – No concerns, advisories are provided.

**Conservation Halton** – Can support a recommendation of approval, provided that the zones that apply to areas subject to natural hazards are sized to reflect the status of the work that has been carried out to date. Holds applied to the site will ensure that the work is carried out prior to development being initiated, and the hazards are accounted for where development is proposed.

**Development Engineering** – Development proposal is acceptable for this stage of the planning process. Outstanding matters will be identified and included in the Minutes of Settlement.

**Enbridge Gas** – No concerns.

**Finance** – Taxes must be paid up to date for future applications.

**Halton District School Board** – No concerns.

**Halton Police** – No concerns provided as the proposed development doesn't interfere with Halton Police line-of-sight radio system.

**Halton Region** – Updated Functional Servicing Report and additional servicing related matters associated with servicing to be addressed through a Hold.

**Imperial Infrastructure** – No Imperial Infrastructure in the vicinity of this location.

**Metrolinx** – In order to support the Street ‘A’ connection to Alayne Bryk Way, Metrolinx requires the applicant to enter into a commercial agreement to support.

**Parks** – No concerns.

**Rogers Communications** – No concerns.

**Trans-Northern Pipeline** – No infrastructure in the area.

**Transportation Planning** – Concerns regarding an error made in the analysis submitted that affected calculations and conclusions offered in support of the applications. As such, a revised Transportation Impact Study and Transportation Demand Management report are identified as required holding provisions. Street A is a City priority, and this needs to be required through a holding provision.

**Urban Forestry and Landscaping** – No concerns.

**Zoning** – Deficiencies in the Zoning By-law have been identified based on the current proposal. Zoning comments are subject to change if a revised proposal is received by Planning Staff.

### **Strategy/process/risk**

#### **Option 1: Approval as submitted (not recommended)**

Benefits: While the approval of the subject applications would allow for the development of a mixed-use community with heights ranging from 53 to 11 storeys, an arena with event plaza, a retail center, two-hectare park, high-rise residential, non-residential uses and an educational campus, the recommended draft plan of subdivision conditions would not be secured, creating uncertainty and risk around those matters.

Considerations: Planning Staff have considered the applicant’s proposal and determined that since the growth framework does not apply to new greenfield developments it would be more appropriate to amend Subsection 8.8 of the City’s Official Plan (2020) Sub-Area policies by adding in a new subsection known as The King Road Community. If the applications are approved as submitted, this would allow for an amendment to the Urban Corridor – Commercial Designation, which staff do not support as these lands are not located along a Mixed Use Corridor.

Additional Information: The applicants have the ability to appeal Council’s decision to the Ontario Land Tribunal (OLT). As the applications were deferred from the June 9, 2026, Committee of the Whole meeting, the Planning Act appeal for non-decision timeline of 120 days will be surpassed on June 30, 2026. The applicant could appeal the applications for non-decision any time after June 30, 2026 to the OLT.

Community Engagement and Communications: No further communication would be required, unless the decision is appealed. At this time, the Official Plan Amendment and Zoning By-law

Amendment have provided multiple opportunities for engagement to the public. A Pre-Application Community Open House was held June 26, 2024. Notice of complete applications was sent on March 19, 2026, a notice sign was placed on the property, and a project website was set up at [www.burlington.ca/1200kingchanges](http://www.burlington.ca/1200kingchanges). Notices for the Committee of the Whole meeting were sent May 9, 2026 and June 1, 2026.

**Option 2: Modified Approval – with the condition that the draft plan of subdivision conditions described above have been secured to the satisfaction of the Commissioner of Legal and Legislative Services/City Solicitor (recommended)**

Benefits: The modified approval of the subject applications would allow for the development of the proposed mixed-use community, the creation of a new Sub-Area Policy Area known as the King Road Community and will ensure that any outstanding matters identified in Legal Services Report LLS-31-26 are addressed.

Considerations: Planning Staff have considered the applicant's proposal and are recommending modified approval subject to the City securing the recommended draft plan of subdivision conditions. This will allow for any outstanding matters identified through the Official Plan Amendment and Zoning By-law Amendment review to be addressed through the draft plan of subdivision process.

Additional Information: The applicants have the right to appeal Council's decision to the Ontario Land Tribunal (OLT). As the applications were deferred from the June 9, 2026, Committee of the Whole meeting, the Planning Act appeal for non-decision timeline of 120 days will be surpassed on June 30, 2026. The applicant could appeal the applications for non-decision any time after June 30, 2026 to the OLT.

Community Engagement and Communications: No further communication would be required, unless the decision is appealed. At this time, the Official Plan Amendment and Zoning By-law Amendment applications have provided multiple opportunities for engagement to the public. A Pre-Application Community Open House was held June 26, 2024. Notice of complete applications was sent on March 19, 2026, a notice sign was placed on the property, and a project website was set up at [www.burlington.ca/1200kingchanges](http://www.burlington.ca/1200kingchanges). Notices for the Committee of the Whole meeting were sent May 9, 2026 and June 1, 2026.

**Option 3: Refusal (only recommended draft plan if subdivision conditions are not secured)**

Benefits: the applicant is likely to appeal and the applications (include those under appeal) would be dealt with by the Tribunal comprehensively, which would require the applicant to provide all of the supporting information staff require prior to approval being granted.

Considerations: Planning Staff are only recommending refusal of the applications if the Commissioner of Legal and Legislative Services/City Solicitor is not satisfied that the conditions of draft plan approval described in this report have not been addressed through the Official Plan and Zoning By-law Amendment applications, have been secured.

Additional Information: As the applications were deferred from the June 9, 2026, Committee of the Whole meeting, the Planning Act appeal for non-decision timeline of 120 days will be surpassed on June 30, 2026. The applicant could appeal the applications for non-decision any time after June 30, 2026 to the OLT.

Community Engagement and Communications: Notice of refusal would be sent to the public within 120 metres of the subject lands.

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### **Recommendation Details**

- The proposed amendments are consistent with the Provincial Planning Statement (2024);
  - The proposed amendments conform to the Halton Region Official Plan (2009, as amended) and the Burlington Official Plans 1997 & 2020 as amended; and
  - The proposed development maintains the general intent of Zoning By-law 2020.
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### **Key Dates & Milestones**

- Pre-application community meeting: June 26, 2024
  - Application submitted: March 2, 2026
  - Application deemed complete: March 13, 2026
  - Statutory public meeting: July 7, 2026
  - Council meeting: July 21, 2026
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### **Implications**

All application fees have been received in accordance with the Development Application Fee Schedule.

#### **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; encourage the adoption of electric mobility and equipment through 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 application, the applicant was required to provide consideration to the Sustainable Building and Development Guidelines

(2018) which provide an overview of the required and encouraged sustainable design measures for new development across the City. The applicant submitted a Sustainable Building and Development Guidelines Checklist which includes consideration to the guidelines.

Through review of the applications Staff acknowledge efforts have been made to preserve and appropriately provide for natural heritage features within the subject lands. Further, the proximity of the lands to Aldershot GO coupled with critical planning elements designed into the applications, provides a connection to high-order transit, enabling and expanding options and opportunities for travel to, from and within the proposed new community. Staff is of the opinion the proposed development proposal complies with the required Sustainable Building and Development Guidelines and therefore the development considers the City of Burlington Climate Action Plan to support the City’s climate considerations.

**Engagement Matters**

The applicant held a virtual Pre-Application Community Consultation Meeting on June 26, 2024, prior to the submission of the application. The applicant, Mayor Meed Ward, Councillor Galbraith, and Planning Staff attended the meeting.

Notice signs were posted on the subject lands on April 2, 2026. A public notice of the Official Plan and Zoning By-law Amendment application was mailed to 161 addresses, which includes all property owners within 120 metres of the subject land.

A webpage was created on the City of Burlington website, accessible at <https://burlington.ca/1200kingchanges>. This webpage provides information about the subject applications including dates of public meetings, links to supporting studies, and contact information for the applicant’s representative and Community Planning Department.

As of the writing of this report, three written public comments have been received by City Planning Staff with respect to the subject applications. One written comment is in support of the proposal and the two remaining comments included questions regarding the proposed development. The public comments received to date are included in Appendix C. Below is a summary of the comments received to date:

- Flood issues downstream of the site along Falcon Creek
- Impact of traffic on King Road

<b>Public Comments Themes</b>	<b>Planning Staff Response</b>
Concern regarding the additional traffic that would need to travel along King Road.	Staff have identified the completion of Street A as a priority and this is reflected in the holding provision that ensures the east-west road is completed before the majority of development on-site begins. This is intended to alleviate existing traffic congestion in the

	area and accommodate the proposed level of intensity.
Aggravation of downstream flooding issues.	Development proposals are required to ensure that existing downstream flooding issues are not aggravated or worsened and options are reviewed to improve existing situations. Work is ongoing to confirm that the proposed development will not aggravate the existing conditions. The concern has been conveyed to Development Engineering, and opportunities to optimize post development conditions will be explored through further detailed design.

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## References

The applicant submitted the following materials in support of the subject applications:

1. [Architectural Set Part 1](#), prepared by Giannone Petricone Associates, dated February 27, 2026
2. [Architectural Set Part 2](#), prepared by Giannone Petricone Associates, dated February 27, 2026
3. [Civil Drawings](#), prepared by Urbantech, dated February 2026
4. [Cover Letter](#), prepared by Bousfields Inc., dated March 2, 2026
5. [Draft OPA with Schedules](#), prepared by Bousfields Inc., no date
6. [Draft Plan of Subdivision](#), prepared by Bousfields Inc., dated February 13, 2026
7. [Draft ZBA Schedule](#), prepared by Bousfields Inc., no date
8. [Draft ZBA Text](#), prepared by Bousfields Inc., dated February 25, 2026
9. [Enhanced Functional Servicing and Stormwater Management Report](#), prepared by Urbantech, dated February 2026
10. [Environmental Impact Assessment](#), prepared by Natural Resource Solutions Inc., dated February 2026
11. [Environmental Noise Feasibility Study](#), prepared by Valcoustics, dated February 26, 2026
12. [Fiscal Impact Study](#), prepared by KPEC, dated February 26, 2026
13. [Fluvial Geomorphology Assessment](#), prepared by Geo Morphix, dated February 26, 2026
14. [Geotechnical Investigation](#), prepared by DS Consultants Ltd., dated February 18, 2026
15. [Housing Impact Statement](#), prepared by KPEC dated February 26, 2026
16. [Hydrogeological Assessment](#), prepared by Terra-Dynamics Inc., dated February 26, 2026
17. [Indian Creek Conceptual Channel](#), prepared by Geo Morphix, dated February 26, 2026
18. [Land Use Compatibility Study](#), prepared by RWDI, dated February 27, 2026

19. [Pedestrian Level Wind Comfort Assessment](#), prepared by RWDI, dated February 25, 2026
  20. [Phase 1 ESA](#), prepared by Cambium, dated May 6, 2024
  21. [Phase 2 ESA](#), prepared by Cambium, dated May 13, 2024
  22. [Plan of Survey with Feature Limits](#), prepared by MMP, dated September 22, 2025
  23. [Plan of Survey](#), prepared by MMP, dated May 8, 2023
  24. [Planning Rationale](#), prepared by Bousfields Inc., dated March 2026
  25. [Shadow Studies](#), prepared by Giannone Petricone Associates, dated February 27, 2026
  26. [Slope Stability Assessment](#), prepared by DS Consultants Ltd., dated February 25, 2026
  27. [Traffic Impact Study](#), prepared by TYLin, dated March 2026
  28. [Transportation Related Air Pollutants Study](#), prepared by RWDI, dated February 25, 2026
  29. [Urban Design Brief](#), prepared by NAK Design Strategies, dated February 2026
  30. [Wetland Water Balance](#), prepared by Terra Dynamics Inc., dated February 26, 2026
- 

### Strategic 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
- 

### Conclusion

Staff have evaluated the applications for Official Plan Amendment and Zoning By-law Amendment for 1200 King Road in accordance with all applicable policies, regulations, guidelines and with consideration for comments received from technical reviewers and the public. Staff is of the opinion that the proposed development, as modified by staff and subject to the condition that draft plan of subdivision conditions have been secured, is consistent with the Provincial Planning Statement (2024); conforms with the Region of Halton Official Plan; and maintains the general intent of the policies of the City of Burlington Official Plan (1997, as amended) and City of Burlington Official Plan (2020, as amended). Staff are therefore recommending approval, with modification, of the subject applications.

### Authors:

Ben Kissner, RPP, MCIP  
Senior Planner  
Community Planning Department  
[benjamin.kissner@burlington.ca](mailto:benjamin.kissner@burlington.ca)

Elyse Meneray, RPP, MCIP  
Planner  
Community Planning Department  
[elyse.meneray@burlington.ca](mailto:elyse.meneray@burlington.ca)

### Appendices:

- A. Location Map
- B. Concept Master Plan
- C. Public Comments
- D. Draft Official Plan Amendment No. 9
- E. Draft Zoning By-law Amendment 2020.524 (available on the Addendum)
- F. Provincial Planning Statement (PPS), 2024: Consistency Analysis to OPA 9 (available on the Addendum)
- G. Burlington Region Official Plan Analysis (available on the Addendum)
- H. Zoning By-law 2020: Conformity Analysis to Zoning By-law 2020.524 (available on the Addendum)

**Draft By-laws for Approval at Council:**

ZBA and OPA By-laws for July 21, 2026 Council

**Notifications:**

Frank Doracin  
The Alinea Group

**Report Approval:**

All reports are reviewed and approved by the Commissioner, Head of Corporate Affairs, Chief Financial Officer, and Commissioner of Legal and Legislative Services/City Solicitor.

## Appendix A – Location Plan

### Sketch No. 2 LOCATION PLAN



The applicant is proposing to amend the Official Plan and Zoning By-law for the lands located at 1200 King Road to permit a mixed use development consisting of 26 development blocks including: four mixed use development blocks, an entertainment block, three educational blocks, six residential blocks, a park block, two natural heritage system blocks, three blocks associated with Indian Creek, two stormwater management pond blocks, one landscape buffer block, two MTO property line blocks and one future development block.

 SUBJECT PROPERTY

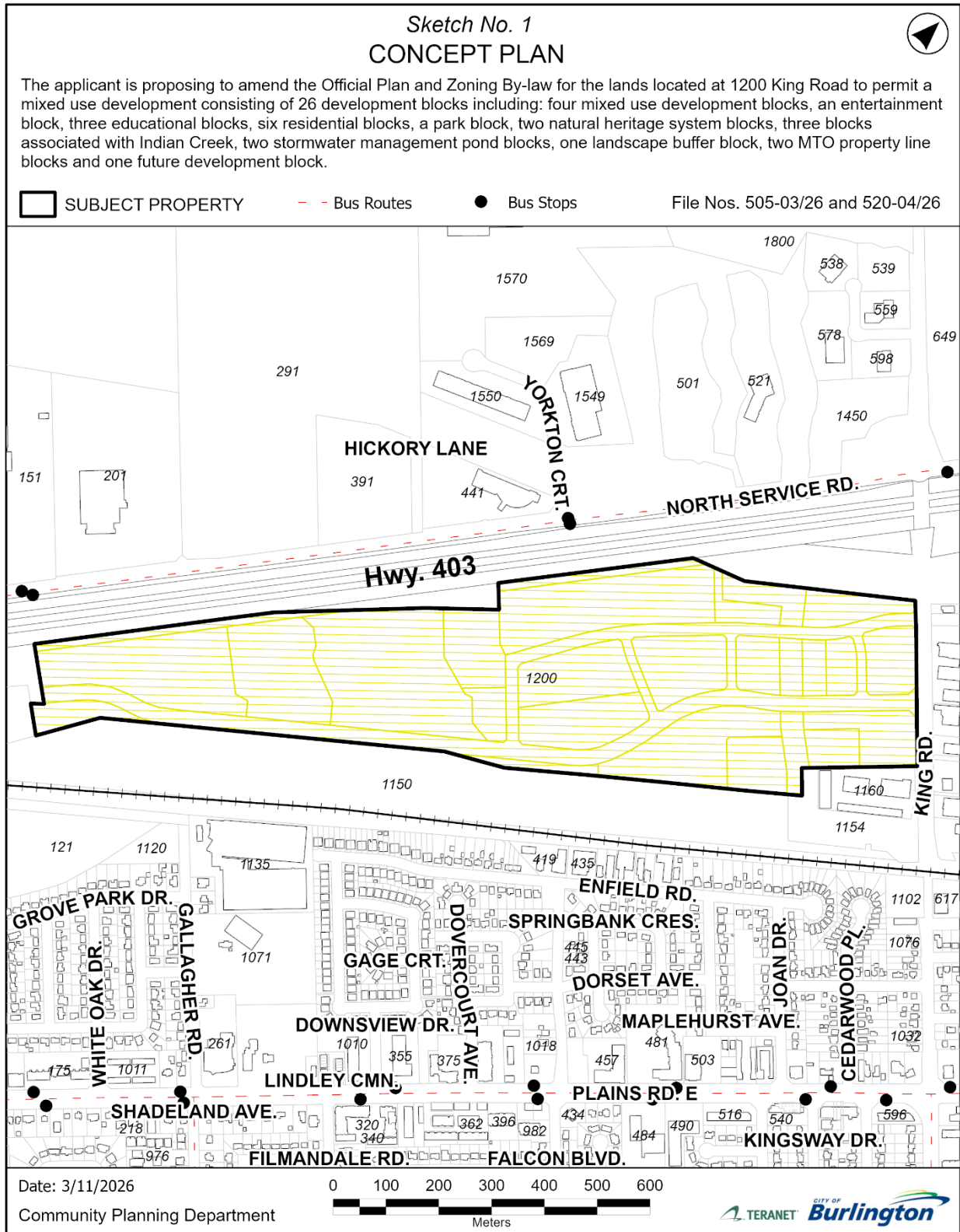
File Nos. 505-03/26 and 520-04/26



Date: March 11, 2026  
Community Planning Department



### Appendix B – Concept Plan







**Horn Design & Consulting Inc.**  
1827 Will Scarlett Drive, Mississauga, Ontario L5K 1J6

May 20, 2026  
File: 22-022

**Attention: Mr. Benjamin Kissner**  
City of Burlington/Community Planning  
426 Brant Street  
Burlington, Ontario  
L7R 3Z6

Dear Mr. Kissner,

**Reference: Comments on 1200 King Road [OPA 505-03/26 and ZBA 520-04/26]**

I'm writing on behalf of the owner of \_\_\_\_\_ which is a property located south of 1200 King Road and at the intersection of \_\_\_\_\_ The purpose of this comment letter is to draw attention to the existing flooding conditions along Falcon Creek downstream of the CNR corridor as detailed in a report entitled *Falcon Creek Hydrology and Hydraulic Study* prepared by Valdor Engineering Inc. in 2012 and commissioned by the City of Burlington. Please note that excerpts from this report were included in 1200 King Road planning application (refer to Enhanced Functional Servicing and Stormwater Management Report - Appendix F, Urbantech, 2026). Based on our review of the Falcon Creek report, it is understood that the study was to 1) update the existing hydrologic and hydraulic modeling prepared by G.M. Sernas & Associated Ltd. and 2) identify existing flooding issues and propose a stormwater management strategy to address these issues and the increase in flows due to future development within the watershed.

As outlined in Section 8 of the report, a total of eleven SWM options were reviewed to improve vulnerable areas. Some of these options were quickly discounted due to being impractical or ineffective at addressing the flooding issues. However, the study team did state the following in Section 8.2 – Evaluation of Options:

***"It was determined that the most effective way to reduce flooding of the piped section of Falcon Creek between north of Dorset Ave. and Townsend Ave. along Willowbrook Rd. and Falcon Blvd. is to construct an on-line storage reservoir on existing open space between the railroad and Highway 403."***

Given the location referenced in the report is within the 1200 King Road property, it is understandable that this option was characterized as 'cost prohibitive' at the time of the study since the city would have needed to acquire the land from a private landowner in order to implement the proposal. However, the current planning application for 1200 King Road may present an opportunity to implement the proposal on portions of the site that will eventually be dedicated to or assumed by the city and therefore eliminate the land acquisition costs. As shown on the proposed draft plan of subdivision, Block 16 will be a land dedication containing an existing woodland area and the Falcon Creek watercourse while Street 'A' is a new roadway connecting King Road and the Aldershot GO Station/highway interchange and will eventually be

Horn Design & Consulting Inc.

May 20, 2026  
Mr. Benjamin Kissner  
Page 2 of 2

**Reference:                    Comments on 1200 King Road [OPA 505-03/26 and ZBA 520-04/26]**

assumed by the City of Burlington. Therefore, the current planning application presents a rare opportunity for the city to revisit a SWM strategy previously identified as the 'best solution' to eliminate downstream flooding and more importantly will have no impact on the development parcels within the proposed draft plan of subdivision.

**Based on the foregoing, we request that during detailed engineering design that the applicant's engineer review the sizing/inlet conditions of the proposed road culvert crossing Street 'A' to determine if downstream flooding conditions can be improved/eliminated as illustrated on Figure 1 – General Concept / Online Reservoir Option (refer to attachments appended to this letter). Should the technical engineering design confirm the proposal is feasible, that an implementation strategy be provided to the City of Burlington and Conservation Halton.**

We thank you for the opportunity to share our comments on this active application and request that you include the undersigned on any communications and notices of decisions relating to this planning application. Should you have any questions or wish to discuss any of these matters in greater detail, please do not hesitate to contact the undersigned.

Yours truly,

**Horn Design & Consulting Inc.,**



Peter Horn, P.Eng., MLA  
Principal

attachments:

Figure 1 – General Concept / On-line Reservoir Option  
Excerpts from 'Falcon Creek Hydrology and Hydraulic Study, Valdor Engineering Inc., 2012

Horn Design & Consulting Inc.

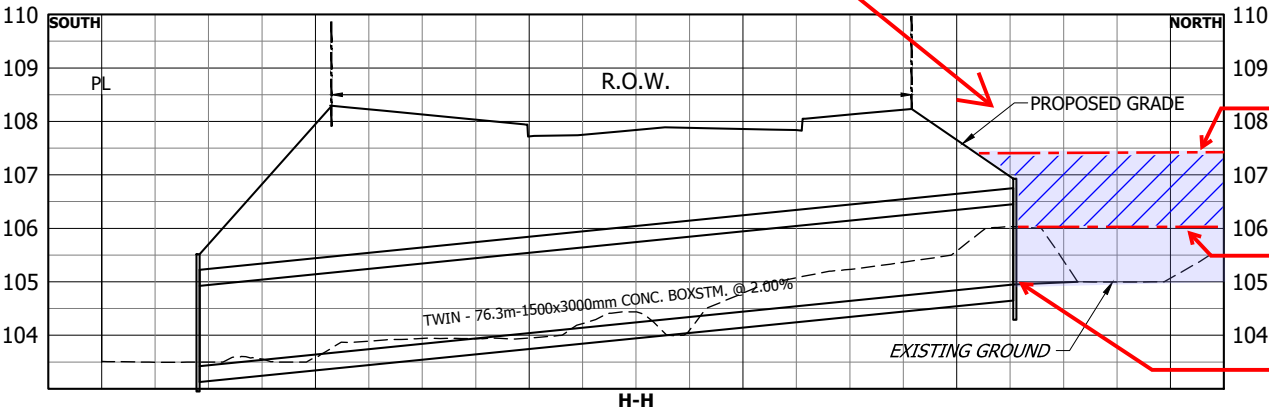
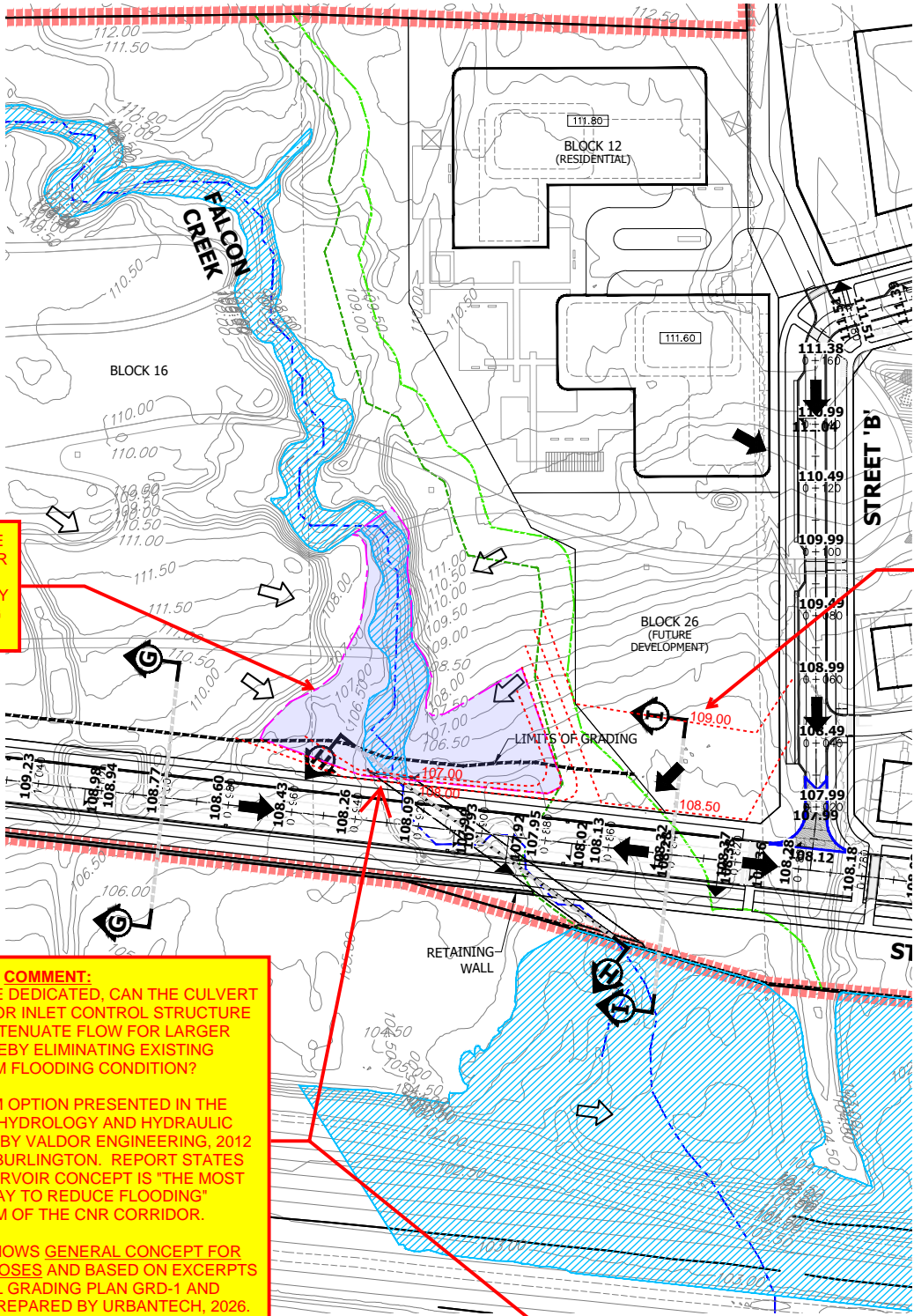
CONCEPTUAL OUTLINE OF ON-LINE RESERVOIR CONTAINED WITHIN NATURAL TOPOGRAPHY TO MINIMIZE GRADING WITHIN ESA

CONCEPTUAL GRADING OF BLOCK 16 AND 26 BASED ON X-SECTION I-I

**COMMENT:**  
 IF BLOCK 16 IS TO BE DEDICATED, CAN THE CULVERT SIZE BE REDUCED OR INLET CONTROL STRUCTURE BE ADDED TO ATTENUATE FLOW FOR LARGER STORMS THEREBY ELIMINATING EXISTING DOWNSTREAM FLOODING CONDITION?

THIS WAS A SWM OPTION PRESENTED IN THE "FALCON CREEK HYDROLOGY AND HYDRAULIC STUDY" PREPARED BY VALDOR ENGINEERING, 2012 FOR THE CITY OF BURLINGTON. REPORT STATES THE ON-LINE RESERVOIR CONCEPT IS "THE MOST EFFECTIVE WAY TO REDUCE FLOODING" DOWNSTREAM OF THE CNR CORRIDOR.

NOTE: MARKUP SHOWS GENERAL CONCEPT FOR ILLUSTRATIVE PURPOSES AND BASED ON EXCERPTS FROM GENERAL GRADING PLAN GRD-1 AND SECTIONS GRD-3 PREPARED BY URBANTECH, 2026.



POTENTIAL RISE IN FLOODLINE / STORAGE VOLUME BASED ON DETENTION OF FLOW UPSTREAM OF INLET

APPROX. EX FLOODLINE

REDUCE CULVERT SIZE OR ADD INLET CONTROL STRUCTURE TO ATTENUATE FLOW FOR LARGER STORMS

FIGURE 1 - GENERAL CONCEPT / ON-LINE RESEVOIR OPTION



# VALDOR ENGINEERING INC.

Municipal • Land Development • Water Resources  
Site Development • Project Management • Contract Administration  
Consulting Engineers - est. 1992

741 Rowntree Dairy Road, Suite 2  
Woodbridge, Ontario L4L 5T9  
TEL (905) 264-0054  
FAX (905) 264-0069  
info@valdor-engineering.com  
www.valdor-engineering.com

## Falcon Creek Hydrology and Hydraulic Study

City of Burlington  
Regional Municipality of Halton

December 2012

**FINAL Report**

Prepared For:

**The Corporation of the City of Burlington**

File: **10133**



s:\projects\2010\10133\reports\hydrologic & hydraulic report\dec 2012\10133 - hydrology & hydraulic report - dec 2012.doc



**Professional Engineers**  
Ontario

Authorized by the Association of Professional Engineers  
of Ontario to offer professional engineering services.

## 8.0 REVIEW AND EVALUATION OF OPTIONS TO IMPROVE EXISTING IDENTIFIED FLOOD VULNERABLE AREAS

Based on an assessment of the revised existing floodplain mapping and discussions with the City, a number of options to improve flood vulnerable areas were investigated. This section provides a long list of options that were considered to reduce the frequency and/or extent of flooding in the existing flood prone areas, to reduce the frequency of overtopping of key transportation routes, and to reduce or eliminate existing spills including an identified spill from the Falcon Creek Watershed to the Indian Creek Watershed and the Grindstone Creek Watershed.

### 8.1 Long List of Potential Flood Improvement Options

#### Offline Post-to-Pre Control to 100-yr Event North of CN Railway

The development of the existing areas north of the CNR tracks will result in increased runoff, making downstream flooding conditions worse. As a minimum, post-to-pre flow control north of the CNR tracks is proposed for the 2-yr through 100-yr rainfall events. In addition, post-to-pre flow control will be required for any new development or re-development south of the CNR tracks.

#### Offline Post-to-Pre Control to Regional Event North of CN Railway

To improve the peak flow reaching the downstream portion of the watershed, flow controls upstream will need to be more restrictive than post-to-pre for the 2-yr through 100-yr events. In order to reduce peak flows in the Regional event, SWM facilities must be specifically designed for this purpose. As a second stormwater management option, post-to-pre flow control is considered for the Regional, as well as the 2-yr through 100-yr events. Future development or re-development south of the CNR tracks will also require post-to-pre flow control.

#### Offline Regional to 100-yr Flow Control North of CN Railway

An additional offline flow control option is considered, which will require all future developments upstream of the CNR tracks to control the post-development Regional flow to the existing 100-yr flow, improving any existing flooding issues. This option would require SWM ponds with volumes several times those required by offline Regional post-to-pre flow control and would not completely prevent the existing spills upstream of the CNR tracks and down Willowbrook Road. With this alternative, new development or re-development south of the CNR tracks will also require post-to-pre flow control.

#### Online Regional Storm to Pipe Capacity Reservoir Between CN Railway and Highway 403

Another flow control alternative for future development upstream of the CNR tracks is to provide an online SWM reservoir between the CNR tracks and Highway 403 that would be specifically designed for Regional flow control. This alternative would require the completion of a Municipal Class Environmental Assessment and would require permits to be obtained from Conservation Halton. Part of this area is currently within the Regional floodplain due to the undersized culvert at the CNR tracks, making this location ideal for engineered storage and an outlet control structure.

along Willowbrook Rd. and Falcon Blvd. to increase conveyance capacity and to reduce or eliminate flooding in this area.

### Do Nothing

In the event that there are no suitable alternatives for SWM control and hydraulic improvement within the Falcon Creek watershed, the option to do nothing exists. This option does not address the current and future flooding issues within Falcon Creek. The existing flooding across the golf course and spill points at Plains Road and the CNR tracks will not be improved, and will be exacerbated as development continues.

## 8.2 Evaluation of Options

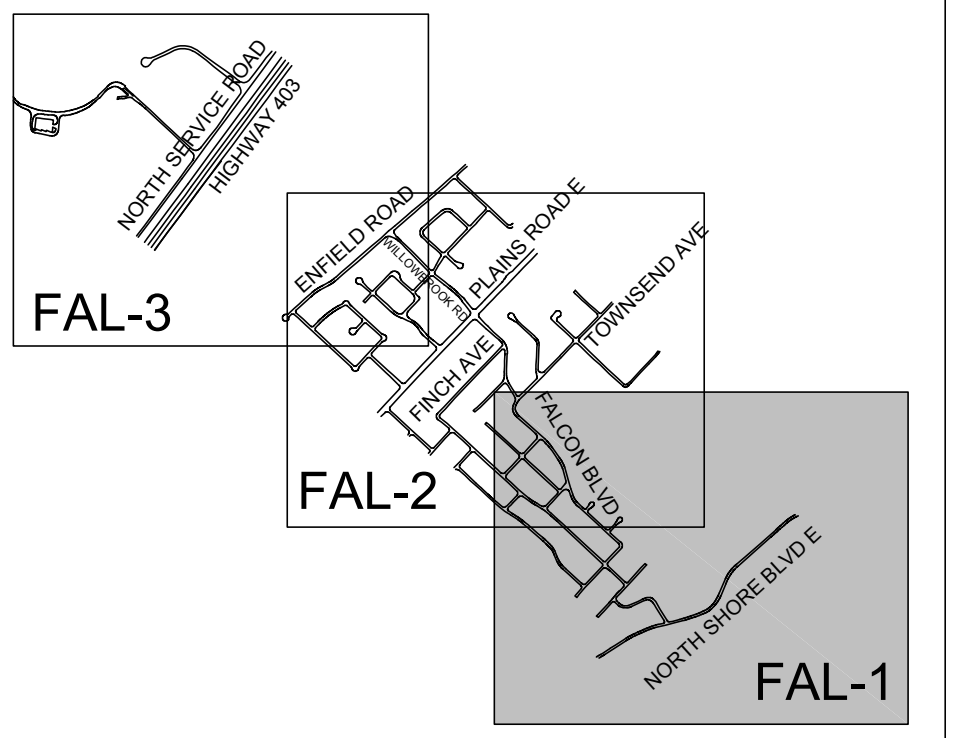
The above long list of options were considered in preparing the proposed SWM controls and hydraulic improvements. Options that were largely impractical or ineffective at addressing the identified flooding concerns were eliminated and an overall SWM control and hydraulic improvement plan was developed and evaluated. Modeling using GAWSER and HEC-RAS was completed to compare the effectiveness of various options at improving flooding at identified areas within the watershed. The advantages and disadvantages of the long list of options are summarized in **Table 8.1**. The recommended SWM controls and hydraulic improvements are discussed in **Section 9.0**.

Based on the options considered, two alternatives were identified as the most effective (and costly) means of addressing the flooding between north of Dorset Ave. and Townsend Ave. along Willowbrook Rd. and Falcon Blvd.. This included an on-line SWM reservoir upstream of the CN railroad and an enlarged storm sewer along Willowbrook Rd. and Falcon Blvd. between north of Dorset Ave. and Townsend Ave. It was determined that the most effective way to reduce flooding of the piped section of Falcon Creek between north of Dorset Ave. and Townsend Ave. along Willowbrook Rd. and Falcon Blvd. is to construct an on-line storage reservoir on existing open space between the railroad and Highway 403. Unfortunately, this option would be cost prohibitive due to land acquisition costs (approx. \$19,000,000). The next most effective option to eliminate flooding in this area was to either twin the existing 2250 mm diam. concrete storm sewer along Willowbrook Rd. and Falcon Blvd. or construct a new 3600 mm x 2100 mm box storm sewer. Such a large storm sewer, however, could be difficult to fit within the road ROW without addressing numerous conflicts with existing services and utilities and the cost would also be prohibitive (approx. \$4,000,000 to \$8,000,000).

Based on the review and evaluation of options, it was determined that the most practical SWM control and hydraulic improvement plan should include post-to-pre peak flow control up to and including the Regional storm, culvert improvements at North Shore Blvd. including a 3600x1500 mm open bottom box culvert and the completion of works along the creek within the golf course to reduce fairway flooding.



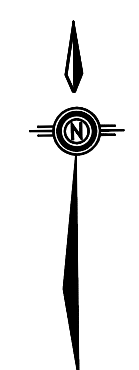
**METRIC**  
 ALL DIMENSIONS AND ELEVATIONS ARE  
 IN METRES UNLESS OTHERWISE SHOWN



LOCATION PLAN  
 N.T.S.

**LEGEND**

- REGIONAL FLOOD ELEVATION (m)  
 223.449 HEC-RAS ID#
- 100-YEAR FLOOD ELEVATION (m)
- EXISTING REGIONAL FLOODLINE
- EXISTING SPILL AREA
- SPILL POINT



TOPOGRAPHIC DATA (0.5m CONTOUR INTERVAL)  
 BASED ON DEM (2002) AND FIELD VERIFIED BY  
 CALDER ENGINEERING LTD.

REVISIONS

DATE	DETAILS	INIT.
01 May 2012	Final Revisions	BC
18 Dec 2012	Final Revisions for December 2012 Report	BC

CONSULTANT:



PLEASE NOTE:  
 THE PROFESSIONAL ENGINEER'S  
 STAMP VERIFIES THE FLOOD LINES  
 AND ASSOCIATED DATA NOT THE  
 MAP DATA UNLESS OTHERWISE  
 NOTED.

**VALDOR ENGINEERING INC.**  
 Consulting Engineers - Project Managers  
 741 ROWNREE DARY ROAD, SUITE 2, WOODBRIDGE, ONTARIO, L4L 5T9  
 TEL: (905) 264-0054, FAX: (905) 264-0069  
 E-MAIL: info@valdor-engineering.com  
 www.valdor-engineering.com

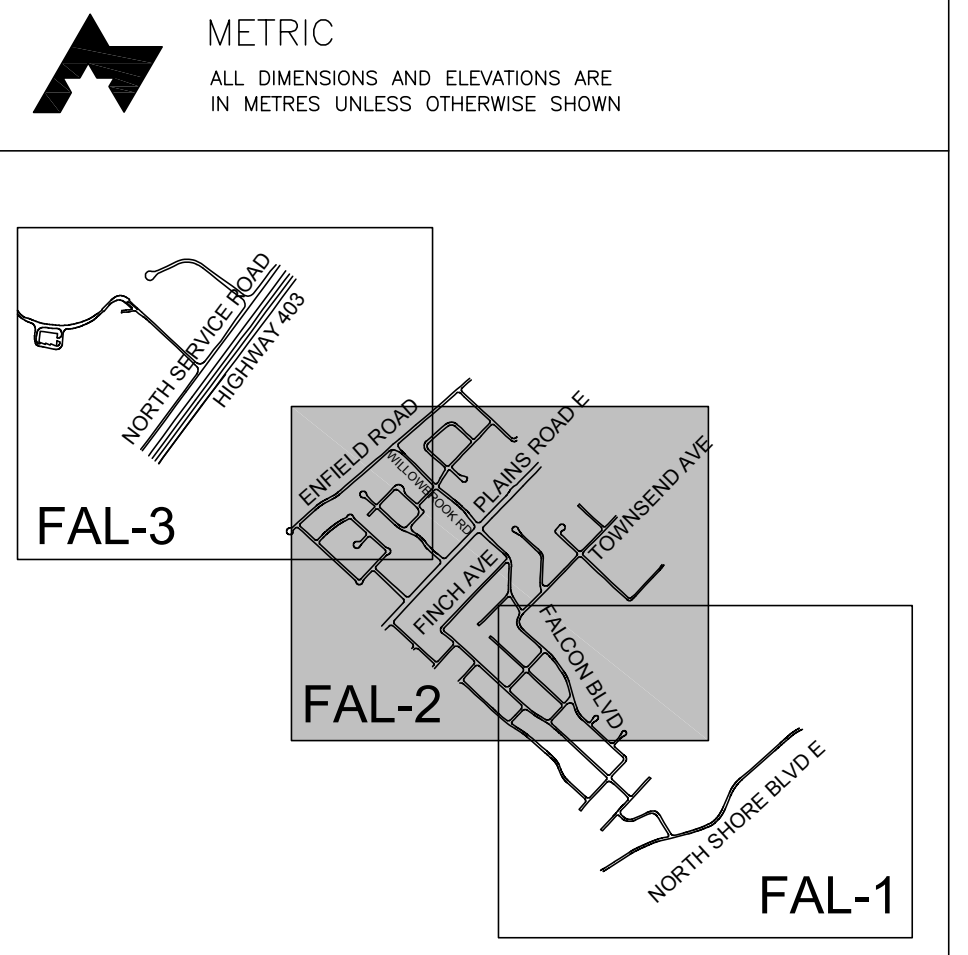
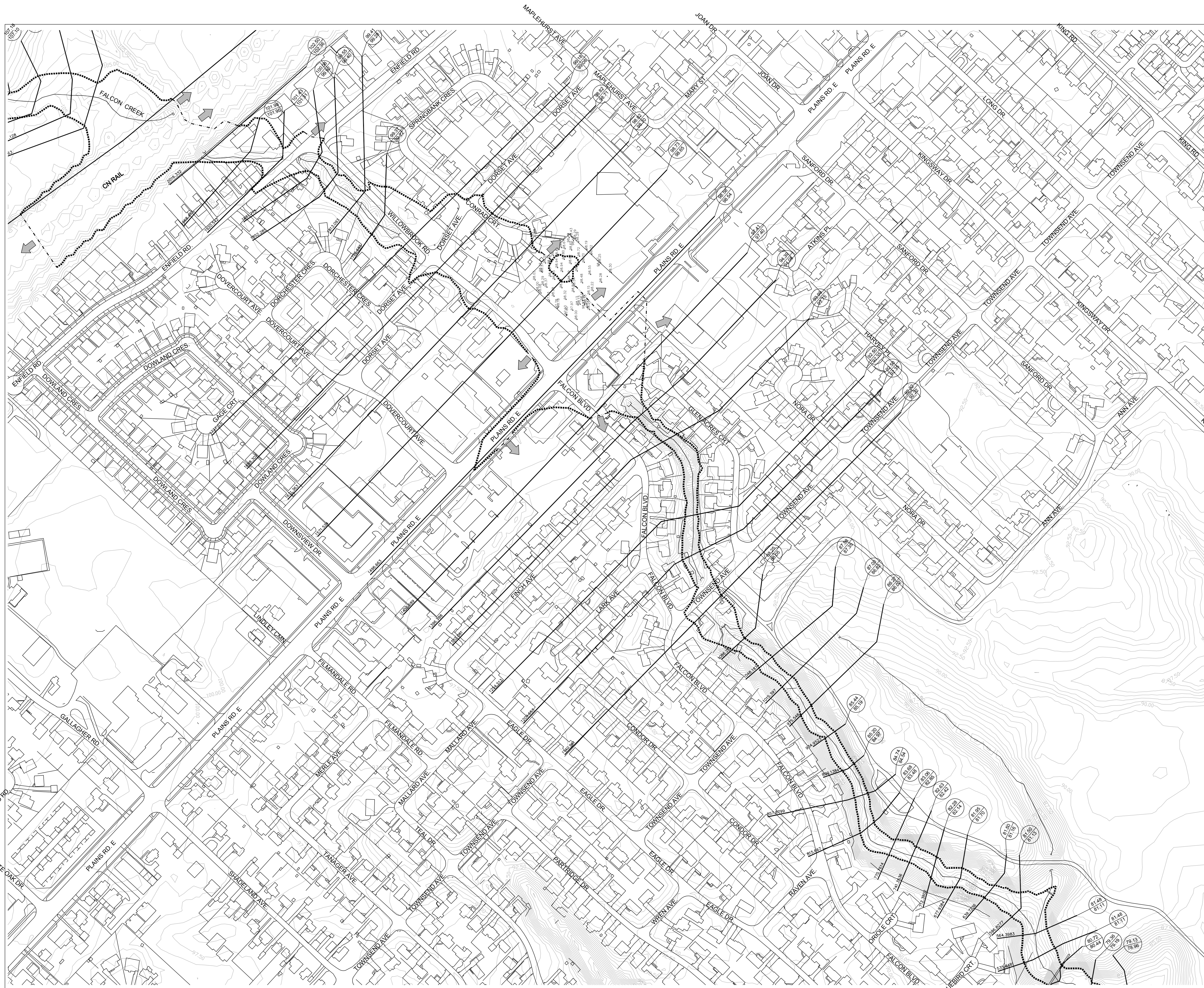
CLIENT: CITY OF BURLINGTON  
 PROJECT: FALCON CREEK HYDROLOGY  
 AND HYDRAULIC STUDY

FLOOD LINE MAPPING  
 FALCON CREEK

MAPSHEET FAL-1

DESIGNED BY: P.A.	DATE: 2011 08 24	CHECKED BY: B.C.
DRAWN BY: P.A.	SURVEYED BY:	APPROVED BY:
SCALE: 1:2000	PROJ. No. 10133	DWG. No. 1

HAMILTON HARBOUR



LOCATION PLAN  
N.T.S.

- LEGEND**
- 77.90 REGIONAL FLOOD ELEVATION (m)
  - 223.449 HEC-RAS ID#
  - 77.76 100-YEAR FLOOD ELEVATION (m)
  - ..... EXISTING REGIONAL FLOODLINE
  - - - - - EXISTING SPILL AREA
  - ➔ SPILL POINT




TOPOGRAPHIC DATA (0.5m CONTOUR INTERVAL)  
BASED ON DEM (2002) AND FIELD VERIFIED BY  
CALDER ENGINEERING LTD.

REVISIONS

DATE	DETAILS	INIT.
01 May 2012	Final Revisions	BC
18 Dec 2012	Final Revisions for December 2012 Report	BC

CONSULTANT:



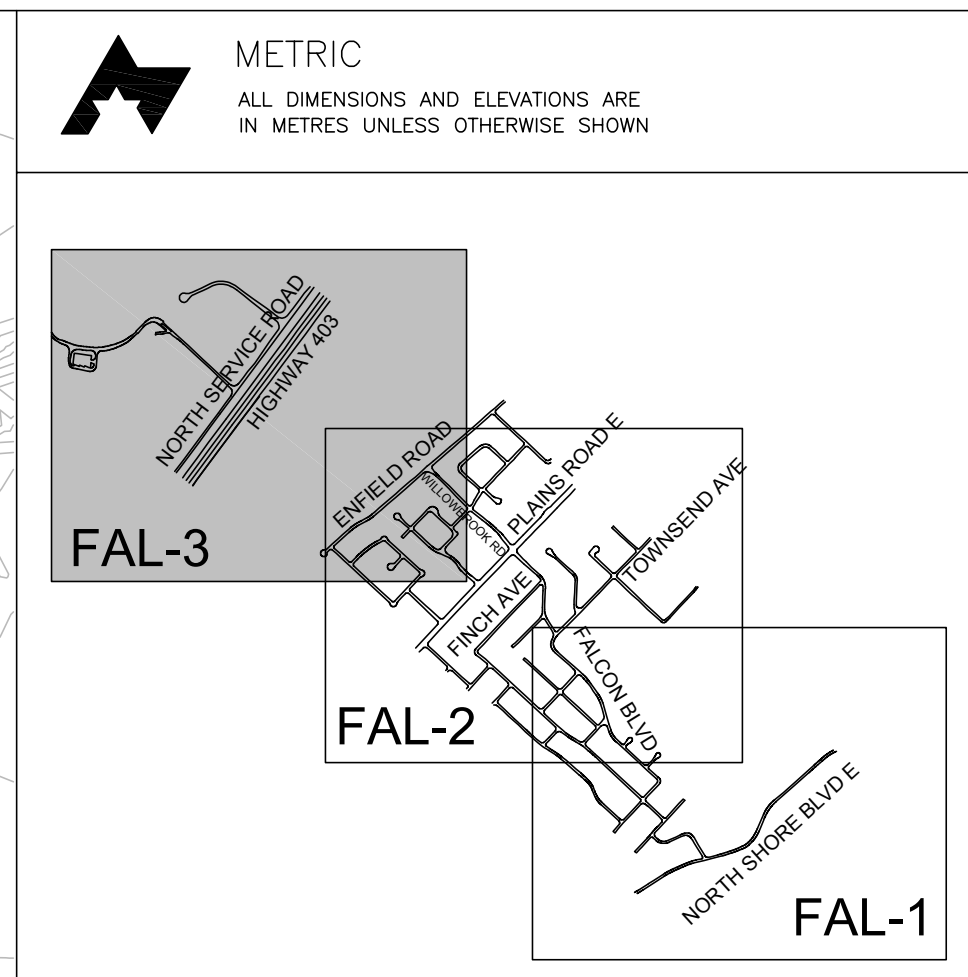
PLEASE NOTE:  
THE PROFESSIONAL ENGINEER'S  
STAMP VERIFIES THE FLOOD LINES  
AND ASSOCIATED DATA NOT THE  
MAP DATA UNLESS OTHERWISE  
NOTED.

**VALDOR ENGINEERING INC.**  
Consulting Engineers - Project Managers  
741 ROWITREE DARY ROAD, SUITE 2, WOODBRIDGE, ONTARIO, L4L 5T9  
TEL: (905) 264-0054, FAX: (905) 264-0059  
E-MAIL: info@valdor-engineering.com  
www.valdor-engineering.com

CLIENT: CITY OF BURLINGTON  
PROJECT: FALCON CREEK HYDROLOGY AND HYDRAULIC STUDY  
FLOOD LINE MAPPING  
FALCON CREEK

# MAPSHEET FAL-2

DESIGNED BY: P.A.	DATE: 2011 08 24	CHECKED BY: B.C.
DRAWN BY: P.A.	SURVEYED BY:	APPROVED BY:
SCALE: 1:2000	PROJ. No. 10133	DWG. No. 2



LOCATION PLAN  
N.T.S.

**LEGEND**

- REGIONAL FLOOD ELEVATION (m)  
223.449 HEC-RAS ID#  
100-YEAR FLOOD ELEVATION (m)
- EXISTING REGIONAL FLOODLINE
- EXISTING SPILL AREA
- SPILL POINT

TOPOGRAPHIC DATA (0.5m CONTOUR INTERVAL)  
BASED ON DEM (2002) AND FIELD VERIFIED BY  
CALDER ENGINEERING LTD.

REVISIONS

DATE	DETAILS	INIT.
01 May 2012	Final Revisions	BC
18 Dec 2012	Final Revisions for December 2012 Report	BC

CONSULTANT:

PLEASE NOTE:  
THE PROFESSIONAL ENGINEER'S  
STAMP VERIFIES THE FLOOD LINES  
AND ASSOCIATED DATA NOT THE  
MAP DATA UNLESS OTHERWISE  
NOTED.

**VALDOR ENGINEERING INC.**  
Consulting Engineers - Project Managers  
741 ROWNTREE DAIRY ROAD, SUITE 2, WOODBRIDGE, ONTARIO, L4L 5T9  
TEL (905)264-0054, FAX (905)264-0069  
E-MAIL: info@valdor-engineering.com  
www.valdor-engineering.com

CLIENT: CITY OF BURLINGTON  
PROJECT: FALCON CREEK HYDROLOGY  
AND HYDRAULIC STUDY  
FLOOD LINE MAPPING  
FALCON CREEK

MAPSHEET FAL-3

DESIGNED BY: P.A.	DATE: 2011 08 24	CHECKED BY: B.C.
DRAWN BY: P.A.	SURVEYED BY:	APPROVED BY:
SCALE: 1:2000	PROJ. No. 10133	DWG. No. 3

## Kissner, Benjamin

---

**From:**  
**Sent:** Sunday, June 14, 2026 12:02 PM  
**To:** Kissner, Benjamin  
**Subject:** 1200 King Road Development

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

Hello Benjamin,

I am writing to express my concern that this development is not considering the impact of traffic onto King Road? Currently, King Road is a single lane in each direction and if this massive development has no other connections North or South everything is spilling onto King Rd, which is not adequate for that additional traffic. I am wondering if the city is planning to add additional lanes to King Road to accommodate this additional traffic?

Kindly,

## Kissner, Benjamin

---

**From:**  
**Sent:** Friday, April 3, 2026 4:20 PM  
**To:** Kissner, Benjamin  
**Cc:** dfalletta@bousfields.ca; bousfields@bousfields.ca  
**Subject:** 1200 King Road Application (File:505-03/26,520-04/26)

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

Dear Mr. Kissner and Ms. Meneray,

I am the owner of Unit 6 at 1162 King Road, immediately adjacent to the proposed development at 1200 King Road.

I would like to express my support for this application. I believe the proposed development will bring meaningful improvements to the area, including increased population, enhanced amenities, and stronger commercial activity along the King Road corridor.

As a nearby property owner, I see this as a positive opportunity to strengthen the long-term value and vitality of the surrounding area.

I only ask that reasonable attention be given to traffic flow and construction coordination to minimize temporary impacts on existing businesses.

Overall, I support this proposal and look forward to its successful approval.

Sincerely,

**OFFICIAL PLAN AMENDMENT**  
**PROPOSED AMENDMENT NO. 9 TO THE OFFICIAL PLAN**  
**OF THE BURLINGTON PLANNING AREA**

**CONSTITUTIONAL STATEMENT**

The Amendment contained in Part “B” of this document constitutes proposed Amendment No. 9 to the Official Plan of the City of Burlington, 2020 for the new community to be known as “The King Road Community”. The lands governed by the Proposed Amendment are known for municipal purposes as 1200 King Road and are owned by a single owner. The site is presently vacant.

**PART A – PREAMBLE**

**1 PURPOSE OF THE AMENDMENT**

The purpose of this Official Plan Amendment (OPA) is to establish a planning framework for the development of The King Road as a complete, integrated, inclusive and cohesive urban village.

The effect of the proposed Amendment is to add new area-specific policies to the Burlington Official Plan, 2020 that will:

- Establish a community structure for the creation of an urban village within the City’s urban boundaries, a community with a strong identity and character, an urban village that is a complete community where future Burlington residents can live, work, learn, shop and play informed by protected Natural Heritage features, with a new transportation and transit network;
- Establish the authorized land uses in the King Road Community to allow for a mix of residential, commercial, institutional, recreational, office and entertainment uses, subject to addressing key threshold issues;
- Provide policies relating to the manner in which the King Road Community will function as an integrated complete community including policies relating to infrastructure, transportation, public service facilities, parks, public space, housing, land use compatibility, natural heritage and hazards, education, recreation and entertainment;
- Outline requirements to be addressed through zoning, plan of subdivision or other means to ensure the creation of a complete community; and,
- Establish a set of implementation policies related to phasing and monitoring, among other things.

## 2. SITE AND LOCATION

The proposed amendment will govern 49 hectares of vacant land identified for municipal purposes as 1200 King Road.

The proposed amendment pertains to the lands at 1200 King Road with its boundaries defined by Highway 403 on the North, King Road on the East, CN Rail line and Rail Yard on the South and the Aldershot GO MTSA station and parking lot on the West. The site is illustrated in Attachment 1.

## 3. BASIS FOR THE AMENDMENT

The King Road site is currently vacant with a single owner. The site presents a unique opportunity to create an complete urban village inside the City's urban boundaries, a community with a strong identity and character, a complete community where future Burlington residents can live, work, learn, shop and play, a community with significant natural features; a community providing a high quality of life for residents, an exceptional home for employment and commercial enterprise. These goals are attainable as a result of the size, ownership, visible boundaries, transportation resources, separation from other residential areas, provincial government support and historical character.

On March 24, 2024, staff report [L-27-24 Bill 162, Get It Done Act, 2024 Update](#), explained that Bill 162 reinstated modifications made by the Minister to the Region's Official Plan through the [Minister's decision on ROPA 49](#). This included modifications to remove the Employment Area overlay from 1200 King Road, among other changes. The report included a link to the [draft letter from the Mayor](#) to the Minister of Municipal Affairs and Housing regarding support for ROPA 49 changes. Bill 162 received Royal Assent on May 16, 2024. The letter highlighted the following:

The City of Burlington will continue to work collaboratively with the ROPA 49 landowners and the public in advancing the City's interests on these lands. Priority will be given to achieving the City's community responsive growth management objectives and long-term community development goals related to achieving vibrant mixed-use neighbourhoods inclusive of the following elements as outlined in our May 25, 2023, letter:

- economic benefits including future employment targets that increase future property assessment growth.
- social benefits including affordable and attainable housing, public parks and greenspace and community facilities and amenities.
- environmental benefits including climate mitigation and adaptation, natural heritage preservation and enhanced integrated mobility.

On April 2, 2024, staff report PL-29-24 Targeted realignment future growth areas – 1200 King Road, Bronte Creek Meadows and Bridgeview, addressed issues to be considered with newly converted employment areas and new urban areas resulting from Bill 162. This staff report noted that each area be treated appropriately given its status and context. The report noted that “...1200 King Road has an existing development application submitted to the existing Official Plan and Zoning By-law that is appealed to the Ontario Land Tribunal.” The report noted further that staff were working closely with the landowners at the time and that their active participation was critical and that it presented a good opportunity to return to Council with timelines and approaches that were appropriate.

Working together through the two year pre-consultation process, City Staff and the Owner have developed a set of area-specific policies to establish the vision for King Road Community.

While currently considered designated growth area, King Road community cannot be considered lands *designated and available* for development in accordance with the PPS, 2024, as the Official Plan of the City sets out the requirement for detailed, site specific policies to address key issues related to land use planning. OPA 9 establishes a comprehensive framework to establish this area as a new *Local Node* within the Urban Structure of the City. Given the close proximity to the Aldershot GO Major Transit Station Area (MTSA), this *Local Node* is expected to accommodate significant population and employment growth and complement and support the City’s identified MTSA. The policy sets a framework to guide the development of this emerging key destination as an emerging complete community with multiple community nodes with a wide range of housing, a mix of uses, critical major destinations all supported by multi-modal connections to the Aldershot GO MTSA including new complete streets and regional and local transit. OPA 9 provides a framework to guide building typology within King Road community, allowing for a range of heights and styles that respond to the opportunity for *transit-supportive* development while limiting built form impacts.

## **PART B – THE AMENDMENT**

### **1. DETAILS OF THE AMENDMENT**

#### **1.1 Text Change:**

The amendment includes a new section to be inserted into the text of the Burlington Official Plan 2020 as described in the following table.

Item No.	Section	Description of Change
1	8.8 Sub-Area Policies	Insert new section 8.8.3 King Road community, as provided in Attachment 2.
2	13 Definitions	Delete the definition in its entirety and replace with the following:  <b>Major Trip Generator:</b> <u>means origins and destinations with high population densities or concentrated activities which generate many trips (e.g., strategic growth areas, major office and office parks, major retail, employment areas, community hubs, large parks and recreational destinations, public service facilities, and other mixed-use areas)</u>
3	13 Definitions	Add the following as a new definition:  <b>Architectural Control:</b> <u>means the approval of building permit plans to ensure that urban and/or architectural designs are consistent with applicable urban design/architectural guidelines and the applicable Urban Design Brief. Certification of building plans shall be prepared by a qualified architect at the expense of the owner prior to submission of application for building permits.</u>

4	13 Definitions	<p>Add the following as a new definition:</p> <p><b>LOCAL NODE AND LOCAL INTENSIFICATION CORRIDOR</b> <u>means a Strategic Growth Area identified by a Local Municipality in an approved Official Plan, which has a role in the accommodation of mixed-use intensification and/or employment intensification at a scale appropriate to the context.</u></p>
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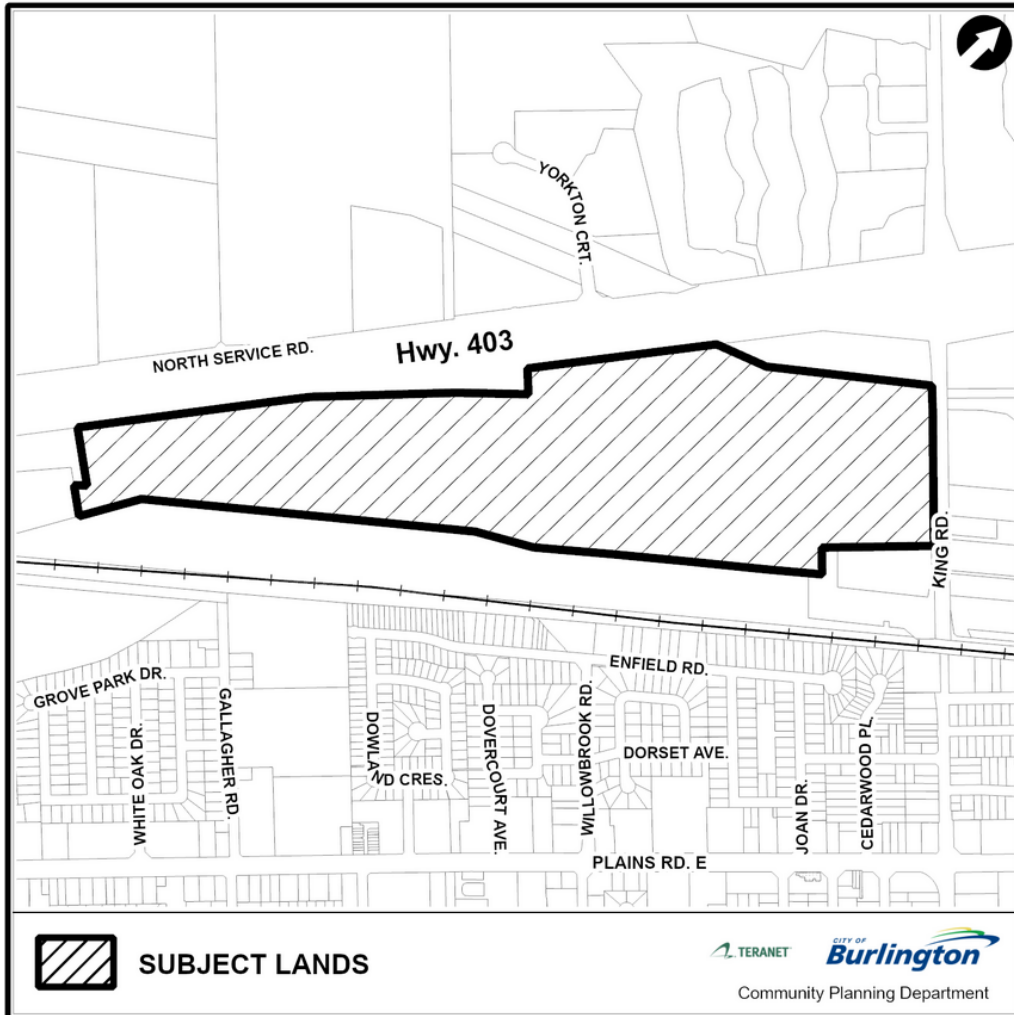
### 1.2 Map Changes:

The amendment includes new mapping to be added to the schedules of the

Item No.	Section	Description of Change
5	Schedules	<p>Insert new schedule as follows:</p> <p>Schedule T: King Road Community, as provided in Attachment 3.</p>
6	Schedules	<p>Insert new schedule as follows:</p> <p>Schedule T-1: King Road Community Frequent Transit Corridors, as provided in Attachment 4.</p>
7	Schedules	<p>Insert new schedule as follows:</p> <p>Schedule T-2: King Road Community Maximum Building Heights, as provided in Attachment 5.</p>

Burlington Official Plan, 2020, as described in the following table.

### Attachment 1 to OPA 9- Subject Lands



## Attachment 2 to OPA 9 – King Road Community Area-Specific Policies

### 8.8.3 King Road Community

#### 8.8.3 (1) Vision

The proposed amendment will govern 49 hectares of vacant land identified for municipal purposes as 1200 King Road.

1200 King Road is a unique site with clearly identified tangible boundaries consisting of Highway 403 on the North, King Road on the East, CN Rail line and Rail Yard on the South and the Aldershot GO MTSA station and parking lot on the West. The site is known as “King Road Community” and the future development of the community is illustrated in Attachment 1.

King Road represents a strategic transformation of underutilized land into a cohesive community that will be home to approximately 9,000 households and the King Road Community is designed to incorporate urban mixed-use village elements as a new *Local Node* within the City’s Urban Structure that is expected to accommodate significant population and employment growth.

Recognizing the long-term nature of such a transformation, the project is underpinned by comprehensive guidelines designed to preserve the integrity of the vision across all phases of development.

The natural environment of the King Road Community, including the protection and enhancement of the Natural Heritage System, urban forests, wetlands and watersheds, and the identification of hazards will lay the foundation for an urban village structure to emerge over time. The new structure will be organized into a set of nodes, each with its own vision and character as set out in this amendment, reliant on the introduction of a new transportation and public transit network throughout the entire community, connecting to the broader city network and achieving *multi-modal* access to the Aldershot GO MTSA. The goal is to achieve an attractive, vibrant, and active urban village community structured by a robust public realm and open space network.

Prioritizing flexibility, the plan envisions a *complete community* which is planned to be a dynamic mixed-use hub capable of adapting to future retail innovations and trends, a community recreation and entertainment centre, postsecondary education campus, and significant parks and natural features.

With an urban village character and a diversity of housing options, jobs and services available, this accessible community will be highly connected through walkable compact streets, linked open spaces, extensive trail and cycling networks, public transit and convenient transit. A network of new, *complete streets* will prioritize safe and convenient

walking and cycling connections for people of all ages and abilities, with traffic calming strategies incorporated by design. to set the tone of the urban village as safe and desirable. It will be a community where a wide spectrum of residents, from young families to downsizing retirees, can find a permanent sense of home in Burlington.

The built form structure of the King Road community will reinforce the different nodes, while providing for a distinct and varied skyline. The building bases are pedestrian scaled and are intended to frame public realm at the street level. A variety of built form typologies are provided throughout the community and will frame the structuring elements of the plan including the central park, streetscapes and natural heritage system. The strategic placement of tall buildings creates a distinct skyline while ensuring shadow impact on open spaces is minimized.

The resulting urban village will feel safe, warm and inviting, with a memorable identity and features that promote well-being, health and a strong sense of community.

### 8.8.3 (2) Objectives

The King Road community will be planned as a vibrant local and regional destination with a mix of uses in a complete community format supported by enhanced public transit connections that together achieve the following objectives:

- a) To create a new mixed use *Local Node* to support population and *employment* growth in a key area in the City's overall urban structure to support and complement the adjacent Aldershot GO MTSA.
- b) To develop the community as an urban village with a strong identity and character that will encourage cohesion, high-level community activity, smart use of streets and open space with components that function well together.
- c) To create a complete, compact and environmentally *sustainable* urban village in accordance with the vision, with a mix of uses supported by high quality public transit and convenient *multi-modal* connections to the Aldershot GO MTSA.
- d) To ensure that *development*, transportation and traffic features function as guided by the Urban Design Brief dated February 2026, as updated from time to time to contribute positively to a high quality of life in the village homes.
- e) To provide a range of services and facilities that will satisfy health, education, social, religious, culture and recreation needs of the King Road community and adjacent neighbourhoods.
- f) To include a mix of uses including *employment*, housing, *public service facilities*, parks, *recreation*, *entertainment*, *institutional* and commercial shops and services.
- g) To plan for *transit-supportive* levels of population and employment to support existing and planned local and regional transit.
- h) To ensure that streets in the residential nodes are calmed, complete and function as a positive addition to the quality of life of the residents. These roads will be designed to a maximum speed of 30km/h in order to support pedestrian safety and connections to open spaces and the public realm.
- i) To minimize cut-through traffic for residential and park areas by appropriate street structure.

- j) To ensure that pedestrians, cyclists, persons with disabilities, and children will feel safe on the streets, setting the tone of the community as safe and desirable.
- k) To ensure that the roads and sidewalks function as positive influences on the quality of life of pedestrians and residents.
- l) To provide a mixture of public and private open space that function to meet the needs of the high-density areas of the community;
- m) To provide a range of housing types and tenure and meet a broad range of demographics and income levels including *affordable housing*.
- n) To create a balanced community with a variety of local jobs and live/work opportunities for residents.
- o) To create a built environment that achieves walkability, high-quality public spaces and design excellence.
- p) To establish opportunities for a range of building typologies and heights including variety of buildings and densities subject to criteria.
- q) To establish a safe, balanced and connected fine grain *multi-modal* transportation network.
- r) To establish a new frequent transit corridor to connect the King Road community to the Aldershot GO MTSA and other parts of the city.
- s) To plan for land uses and building forms which are *compatible* with the surrounding area and achieve sensitive integration with existing areas.
- t) To create new parks, trails, *public and private realm* and open spaces.
- u) To ensure the protection and enhancement of the Natural Heritage System;
- v) To protect life and property from natural hazards.
- w) To ensure the conservation of *cultural heritage* and *archaeological resources*.
- x) To mitigate *adverse effects* to *sensitive land uses* from human-made hazards and environmental land use compatibility concerns such as noise, vibration, odour, dust and air pollution.
- y) To phase development in a manner that optimizes the use of existing and new *infrastructure* to support growth in a compact, efficient form.

### 8.8.3 (3) General Policies

- a) Section 8.8.3 *shall* only apply to those lands shown on Schedule T: King Road community, of this Plan, and all policies in Section 8.8.3 are to be read in conjunction with the policies of this Plan. In the event of a conflict, the more specific policies *shall* apply.
- b) *Development shall* conform to the overall vision for the King Road community and support the achievement of the vision, objectives and policies of the applicable community node.
- c) The King Road Community policies *shall* plan to accommodate growth to 2051 and beyond, including approximately 9000 units and a minimum of 1500 jobs on a site wide basis. This plan includes an aspirational goal of 3,000 new jobs. Minor variations to these targets *shall* not require an Official Plan Amendment.
- d) The King Road Community *shall* accommodate a minimum of approximately 5% of all residential units to be new *affordable housing* units, guided by an appropriate implementation mechanism approved by the *City*.
- e) *Public service facilities* and *institutional uses shall* be permitted in all nodes identified on Schedule T: The King Road Community, of this Plan.
- f) Public/private partnerships for the purpose of providing *public service facilities* are *encouraged*.
- g) *Affordable Housing shall* be permitted and *encouraged* to locate in all nodes.
- h) *Additional needs housing* is *encouraged* where residential uses are permitted.
- i) *Accessory drive-throughs shall* be prohibited.
- j) Notwithstanding 8.8.3 (3) i), the Zoning By-law *shall* establish standards for *accessory drive-throughs* to be permitted on a limited and interim basis within the Mixed Use Node to address the following criteria to the satisfaction of the *City*:
  - i) the proposed *development* ensures *compatibility* by appropriately separating and mitigating potential adverse impacts of the *accessory drive-through* in relation to residential uses and other sensitive land uses within, and adjacent to, the proposed *development*;
  - ii) the *accessory drive-through* will not impede current or future opportunities for intensification, including the development of sensitive land uses, on or adjacent to the site; and,

- iii) the *accessory drive-through* does not conflict with the objectives and policies of the mixed use node, activated streets as per 8.8.3 (3) l) and design policies of this Plan, to limit conflicts and ensure pedestrian safety.
  
- k) *Development* within The King Road Community *shall* implement a comprehensive network of open space, trails and *multi-modal* connections, subject to the confirmation of constraints as illustrated on Schedule T: The King Road Community.

- l) The Natural Heritage System and/or hazard as identified on Schedule T: The King Road Community of this Plan, *shall* be zoned appropriately. Upon acceptance of an EIA by the *City*, if the *City's* Natural Heritage System extent is refined to exclude all or part of the Existing Natural Heritage System as shown on Schedule T, the portion located within the respective conceptual Community Node shown on Schedule T *shall* be designated to form part of that Community Node, without amendment to this Plan.
  
- m) The boundaries of the Existing Natural Heritage System as shown on Schedule T *may* be refined without amendment to this Plan, through the *City's* acceptance of an Environmental Impact Assessment prepared in accordance with the policies of the Burlington Regional Official Plan or similar study based on terms of reference accepted by the *City*.
  
- n) Along street segments identified as an Activated Street Frontage on Schedule T: The King Road Community, of this Plan, retail, *service commercial, institutional uses, entertainment uses, recreation uses, public service facilities* and *office uses* *should* be provided along the majority of the buildings main wall at-grade in buildings having frontage onto public streets. *Primary Public Entrances* *shall* be permitted at grade in conjunction with other permitted uses. In addition, other active uses such as ground related residential units, lobbies, amenity uses, etc. *shall* also be permitted when coupled with other non-residential uses to make up the majority of the building's main wall at-grade along the street.
  
- o) *Development* *shall* comply with all applicable policies of this Plan and be guided by the Urban Design Brief dated February 2026, as updated from time to time. Changes and updates to the Urban Design Brief initiated by the owner can occur through *development application* to allow for the plan to evolve over time. Changes and updates to the Urban Design Brief are subject to approval by the Director of Community Planning. The *City* *may* require *architectural control* to be put in place by the owner to ensure consistency with the Urban Design Brief.

### 8.8.3 (3.1) Building Height Policies

The King Road Community will include a variety of building heights that align with the community's vision as a mixed use, transit-supportive community with connections to Aldershot GO MTSA.

- a) Building heights are identified on Schedule T-2, The King Road Community Maximum Building Heights and subject to the following:

- i) Meeting the vision and objectives contained in Policies 8.8.3(1) and 8.8.3(2) of this Plan.
- ii) Demonstrating how the proposed buildings are consistent with guidance in the Urban Design Brief dated February 2026, as updated from time to time, to demonstrate design excellence related to site design, architectural building design, and high quality building materials.
- iii) The consideration of the following items along with the policies in 12.1.2(1) of this Plan, where applicable *shall* be required to accompany any *development applications* that propose buildings taller than 11 storeys in height, to the satisfaction of the *City*:
  - a. Shadow impact study for the block proposed;
  - b. Pedestrian wind impact study for the block proposed;
  - c. Confirmation that the proposed central park has been secured;
  - d. Demonstration that the King Road Community will achieve the minimum 1,500 jobs as set out in 8.8.3 (3) c), across the entirety of the Community;
  - e. Confirmation that the affordable housing units, as required in Policy 8.8.3(3) d) have been secured across the entirety of the Community;
  - f. Confirmation that a significant *institutional* or *public service facility*, including but not limited to a post secondary institution use *shall* be the principle use in the Campus Node as per section 8.8.3 (5.1.2) b), unless otherwise permitted in accordance with 8.8.3 (5.1.2.) e).
  - g. Confirmation that significant *entertainment* use, such as a sports arena, with an event plaza will be located in the Entertainment Node as per section 8.8.3 (5.3.2) b), unless otherwise permitted in accordance with 8.8.3 (5.3.2) f).
  - h. Providing a variety of building heights on a block by block basis, generally in accordance with the Urban Design Brief dated February 2026, as updated from time to time.
- iv) The consideration of the following items along with the policies in 12.1.2(1) of this Plan, where applicable, *shall* be required to accompany any *development applications* that propose buildings taller than 30 storeys in height, to the satisfaction of the *City*:
  - a. Submission of the items in 8.8.3(3.1) a) i), ii), and iii);
  - b. The inclusion of one or more voluntary elements of the

Sustainable Building and Development Guidelines; and,

- c. Where residential uses are proposed, either the inclusion of rental units or the inclusion of larger units of 2-bedroom or 3-bedroom.

### 8.8.3 (4) Community Structure

The King Road Community structure is made up of both natural and planned systems which define the areas for growth and change. This community structure is informed by policies of this section and the Official Plan, which lay the foundation for a future *complete community*. Systems will link the nodes to create an integrated community. The existing and planned systems that contribute to The King Road Community Structure include the following:

- **Natural Heritage System** – The layout of community nodes and future *development* blocks is driven by the defined Natural Heritage System. Neighbourhood design will support the maintenance and enhancement of natural features and functions and a continuous natural open space system, where appropriate.
- **Infrastructure and Mobility Network** – This system is comprised of existing and planned *infrastructure*, utility and mobility elements. The future mobility network in The King Road Community will provide enhanced mobility and connections to the broader city network. The creation of community nodes is informed by a new key arterial street, identified as Street A on Schedule T of this Plan, connecting King Road to Alayne Bryk Way and will be further sub-divided by future local *complete streets* and trail connections to create a fine network of *multi-modal* connections and future development blocks. Enhanced *active transportation*, public transit service and *multi-modal* transportation connections, including infrastructure and transit investments, will support community connectivity between the King Road Community and adjacent neighborhoods such as the Aldershot GO Major Transit Station Area, as well as to the Aldershot GO Station and the rest of the city.
- **Parks and Public Service Facilities** –The King Road Community will include a network of new *public service facilities*, *public realm* and parks that will serve the new community, as well as surrounding neighbourhoods. These important *complete community* elements will be connected to each other, where possible, to create synergies of uses to serve the public, enhance accessibility and create vibrancy, as well as complement and reinforce the Natural Heritage System and Infrastructure and Mobility Network. The vision for the King Road Community

includes a series of open spaces including a two hectare, central public park.

### 8.8.3 (5) Community Nodes

The King Road Community is made up of a series of general community nodes which will further be refined through the completion of ongoing technical work and *development applications*. Each community node has its own vision, as set out below, and will evolve into a neighbourhood with its own distinct attributes and character. A new *infrastructure* and mobility network for the Village will connect the nodes to support a *complete integrated community* that allows people to move around the neighbourhoods and access a wide range of amenities, services, housing, jobs and public transit.

Schedule T: The King Road Community, of this Plan, identifies the general location of each node. The location of each node is conceptual in nature. Community Node boundaries will be confirmed through final detail road design as well as confirmation of the extent of the Natural Heritage System, the extent of regulated areas and other constraints mapping, without the need for an Official Plan Amendment.

#### 8.8.3 (5.1) Campus Node

##### 8.8.3 (5.1.1) Vision

The Campus Node is generally located on the western side of the King Road Community, west of Falcon Creek, south of HWY 403 and north of the proposed street “A” as shown on Schedule T: The King Road Community. The boundaries of this node will be defined by the Natural Heritage System in this area. This node is envisioned to be a focus for institutional uses such as a post-secondary use and supported by retail, service commercial, as well as community and open space, to support the creation of jobs and access to education, with shops and services for employees and visitors.

##### 8.8.3 (5.1.2) Policies

- a) *Development shall* demonstrate how the proposal addresses the vision and policies of the Campus Node in section 8.8.3 (5.1) of this Plan and the overall King Road Community.
- b) Significant *institutional or public service facility*, including but not limited to a post-secondary use *shall* be the principle use in the Campus Node.
- c) The following uses *may* be permitted in the Campus Node:

- i) *institutional uses*;
  - ii) *office uses*, including research and development;
  - iii) *public service facilities*;
  - iv) retail and *service commercial uses*, excluding *automotive commercial uses*;
  - v) *recreational uses*;
  - vi) *entertainment uses*;
  - vii) *additional needs housing*; and,
  - viii) residential uses with the exception of single-detached dwellings; semi-detached dwellings; and standalone townhouses such as street townhouses, stacked townhouses and back-to-back townhouses.
- d) Residential uses contemplated in 8.8.3 (5.1.2) c) viii) *may* only be permitted on a lot in conjunction with an *institutional use*.
- e) Where the Campus Node lands are re-envisioned and/or do not incorporate a significant *institutional* or *public service facility* as per 8.8.3 (5.1.2) b), an amendment to this Plan *shall* be required. In such cases, *development shall* deliver a comparable community asset of a similar scale and function, to the satisfaction of the *City*.

### 8.8.3 (5.2) Residential Nodes

#### 8.8.3 (5.2.1) Vision

The Residential Node is located in two areas of the King Road Community. The first is generally located in the middle of the King Road Community, east of Falcon Creek, west of proposed street 'D', south of HWY 403 and north of the proposed street 'A' as shown on Schedule T: The King Road Community, of this Plan. The second is located in the west side of the site, south of the proposed street 'A' as shown on Schedule T of this Plan. This node is envisioned to be new neighbourhood area, providing a range of housing types with complementary community facilities, public spaces and parks. The vision for this residential node is to include a large two hectare, central public park.

### 8.8.3 (5.2.2) Policies

- a) *Development shall* demonstrate how the proposal addresses the vision and policies of the Residential Node in section 8.8.3 (5.2) of this Plan and the overall King Road Community.
- b) One large public park *shall* be required as shown on Schedule T as part of *development* in the Residential Node.
- c) The following uses *may* be permitted in the Residential Node:
  - i) residential uses, including single-detached dwellings, semi-detached dwellings, and standalone townhouses such as street townhouses, stacked townhouses and back-to-back townhouses;
  - ii) *additional residential units*, subject to the policies of Subsection 8.7.2 of this Plan;
  - iii) *Additional needs housing*;
  - iv) *public service facilities*;
  - v) *institutional uses*;
  - vi) *office; and*,
  - vii) retail and *service commercial* uses, excluding *automotive commercial uses*.
- d) Notwithstanding 8.8.3 (5.2.2) c) i), a limited number of single-detached dwellings, semi-detached dwellings or standalone townhouses, including street townhouses, stacked townhouses and back-to-back townhouses *may* be permitted in the Residential Node where it is demonstrated that the proposal does not compromise the overall vision of the King Road Community being a vibrant mixed-use, transit-supportive, *complete community* inclusive of social, environmental and economic benefits. It is acknowledged that such housing contributes to the mix of housing proposed for the urban village.
- e) *Additional residential units are encouraged* to be built within any single-detached dwellings, semi-detached dwellings or standalone townhouses that may be built.
- f) In order to facilitate *additional residential units*, the Zoning By-law *shall* identify minimum side-yard setbacks for single and semi-detached dwellings, and street townhouses residential lots that allow sufficient space for the provision of side entrance doors through initial construction or potential future renovation.

### 8.8.3 (5.3) Entertainment Node

#### 8.8.3 (5.3.1) Vision

The Entertainment Node is generally located south of proposed street 'A' as shown on Schedule T of this Plan and west of Indian Creek. This node is envisioned to develop into a key destination and be a focus for entertainment uses such as a sports arena and event plaza, supported by retail, *service commercial* and hotel space. Together, this mix of uses will help develop this node into a unique destination and *major trip generator* within the local and larger community that is easily accessible by public transit. This Entertainment Node will help promote tourism, economic development and competitiveness, as well as the development of a *complete community*.

#### 8.8.3 (5.3.2) Policies

- a) *Development shall* demonstrate how the proposal addresses the vision and policies of the Entertainment Node in section 8.8.3 (5.3) of this Plan and the overall The King Road Community.
- b) A significant *entertainment* use, such as a sports arena with an event plaza *shall* be the principle use in the Entertainment Node.
- c) The following uses *may* be permitted in the Entertainment Node:
  - i) *Entertainment uses*;
  - ii) Hotel uses;
  - iii) Retail and *service commercial* uses, excluding *automotive commercial uses*;
  - iv) *Office*;
  - v) *Recreation* uses;
  - vi) residential uses with the exception of single-detached dwellings; semi-detached dwellings, and standalone townhouses such as street townhouses, stacked townhouses and back-to-back townhouses;
  - vii) *Public service facilities*; and,
  - viii) *Institutional* uses.
- d) Residential uses contemplated in 8.8.3 (5.3.2) c) vi) *may* only be permitted where they are co-located with a hotel use.
- e) Retail, *service commercial*, residential, and hotel uses *shall* not be permitted until

one or more of the other permitted uses listed in section 8.8.3 (5.3.2) c) have been developed or has been proposed in conjunction with another permitted use.

- f) Where the Entertainment Node lands are re-envisioned and/or do not incorporate a significant *entertainment* use such as a sports arena with an event plaza as per 8.8.3 (5.3.2) b), an amendment to this Plan *shall* be required. In such cases, development *shall* deliver a comparable public asset informed by the City's Live and Play Plan, to the satisfaction of the *City*.

### 8.8.3 (5.4) Mixed Use Node

#### 8.8.3 (5.4.1) Vision

The Mixed Use Node is generally located on the eastern side of the King Road Community, east of proposed street 'D' and on the north and south sides of proposed street 'A' (where located east of Indian Creek) as shown on Schedule T: The King Road Community, of this Plan. This node is envisioned to be a key area for *intensification* to accommodate residential and *employment* growth. This node will focus on a diversity of housing types and the creation of mixed-use buildings with residential units, shops, *offices* and daily/weekly needs, including a centrally located retail square. This node will serve as a community hub with a concentration of community services, amenities and *public service facilities*, transit, public spaces and active transportation connections, including a pedestrian connection/bridge over Indian Creek.

#### 8.8.3 (5.4.2) Policies

- a) *Development shall* demonstrate how the proposal addresses the vision and policies of the Mixed Use Node in section 8.8.3 (5.4) of this Plan and the overall The King Road Community.
- b) A retail square *shall* be required as part of *development* in the Mixed Use Node to support and activate the proposed trail across the King Road Community as shown on Schedule T: The King Road Community, of this Plan.
- c) The following uses *may* be permitted in the Mixed Use Node:
- i) residential uses with the exception of single-detached dwellings; semi-detached dwellings, and standalone townhouses such as street townhouses, stacked townhouses and back-to-back townhouses;
  - ii) hotel uses;
  - iii) retail and *service commercial* uses, excluding *automotive commercial* uses;;

- iv) *office*;
  - v) *entertainment uses*;
  - vi) *recreation uses*;
  - vii) *public service facilities*;
  - viii) *Institutional uses*; and,
  - ix) *additional needs housing*.
- d) Residential uses contemplated in 8.8.3 (5.4.2) c) *shall* not be permitted until one or more of the other permitted uses listed in section 8.8.3 (5.4.2) c) have been developed on the same block or has been proposed in conjunction with another permitted use.
- e) The Zoning By-law *shall* establish a maximum floor area and a maximum floor area at grade per individual retail and *service commercial* unit, based on such considerations as planned commercial function, built form, and contribution to achieving vibrant, active and walkable built environments in the Mixed Use Node.

### 8.8.3 (6) Infrastructure

To support *development* within the King Road Community, the comprehensive study of planning, phasing and financing of *infrastructure* in an integrated manner must be prioritized. Planning for *infrastructure* is undertaken by the Region of Halton and various 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 in this new community will require investment in the *multi-modal* transportation network to ensure that people of all ages and abilities have a variety of travel options, and that connections are made to the Aldershot GO MTSA. *Transportation facilities* will be planned and designed as a *multi-modal* transportation network to be safe, accessible, and balanced to prioritize *active transportation* and transit. The *multi-modal* network of *complete streets* will be designed based on the safe integration of all *modes* of travel.

- a) *Infrastructure shall* be delivered in accordance with Chapter 6 of this Plan.
- b) Existing and proposed overhead *utilities should* be buried, where feasible, within

the King Road Community and, where feasible, the integration, combining and grouping of *utilities* is *encouraged* at the time of *development* at the cost of the proponent.

- c) Street design and rights of way *shall* be guided by Section 3 of the Urban Design Brief dated February 2026, as updated from time to time. *Complete streets* will be designed to prioritize pedestrians, cyclists and transit, using traffic calming strategies such as slower speeds and mid-block connections to ensure safety and enhance the overall accessibility of the area.
- d) New local streets including streets A, B, C, D and E as shown on Schedule T *shall* be owned and maintained by the *City*.
- e) Notwithstanding Table 2: Public Right of Way Widths, the public street rights-of-way identified as Street “A” as shown on Schedule T: King Road Community, of this Plan, of this Plan, *shall* have a width of 35 metres and be protected and secured through the processing of a *development application*. Reductions to the public right-of-way allowance widths, without the need for an Official Plan Amendment, *may* be considered provided the proponent demonstrates that City’s objectives to achieve complete streets standards, including but not limited to all mobility, transit, *utility*, maintenance and design needs such as street trees, have been addressed to the satisfaction of the *City*.
- f) Street B identified on Schedule T: The King Road Community, of this Plan, *shall* have a width of 24 metres and be protected and secured through the processing of a *development application*. The design of the segment of Street B west of proposed Street D will include design approaches to support pedestrian safety and connections from neighbourhoods to open spaces and the public realm. Reductions to the public right-of-way allowance widths, without the need for an Official Plan Amendment *may* be considered provided the proponent demonstrates that City’s objectives to achieve complete streets standards, including but not limited to all mobility, transit, *utility*, maintenance and design needs such as street trees, have been addressed to the satisfaction of the *City*. In addition, this segment of street is to be designed to reinforce Street A as being the primary route to the GO station.
- g) Streets C, D and E identified on Schedule T: The King Road Community, of this Plan, and any new public local streets not identified on Schedule T *shall* have a right-of-way width of 18 metres.
- h) Modifications to the classification, location, and alignment of proposed streets

shown on Schedule T: The King Road Community, of this Plan, *may* be permitted without amendment to this Plan provided that such modifications continue to meet the objective of delivering *active transportation* connections and City design standards are approved by the City and positive impacts on adjacent planned residential buildings.

### 8.8.3 (6.1) The King Road Community Long-Term Frequent Transit Corridors

- a) The *City shall* implement transit corridors in accordance with Schedule T-1 of this Plan as part of the broader Frequent Transit Corridor network of the *City* as shown in Schedule B-2 of this Plan.
- b) The *City shall* incorporate Schedule T-1 through updates to Schedule B-1: Growth Framework, of this Plan, through a future process.
- c) The *City shall* plan for and implement additional transit routes and increased frequency to support population and employment growth in The King Road Community and to enhance connections to the Aldershot GO Station and other areas of the *City*.

### 8.8.3 (6.2) Trail System

- a) Trails within or adjacent to the Natural Heritage System, including additional trails west of street “B”, will be *encouraged* in accordance with Section 118 (6) of the ROP. Trails *should* be planned to avoid *Key Natural Features* unless supported by an Environmental Impact Assessment accepted by the *City*.
- b) Proposed Trail connections *shall* be provided generally in accordance with Schedule T: The King Road Community, of this Plan, as refined through an Environmental Impact Assessment or equivalent which is approved by the *City* in consultation with partner *public authorities*.
- c) Proposed trails, conceptually shown on Schedule T: The King Road Community, of this Plan, *shall* be planned to facilitate direct connections within, outside of the King Road Community, to the Aldershot GO MTSA and provide recreational opportunities in accordance Section 6.2.4 and Schedule Q: Trails Strategy, of this Plan.

### 8.8.3(7) Implementation and Phasing

- a) Prior to the development of any lands identified as “The King Road Community” on

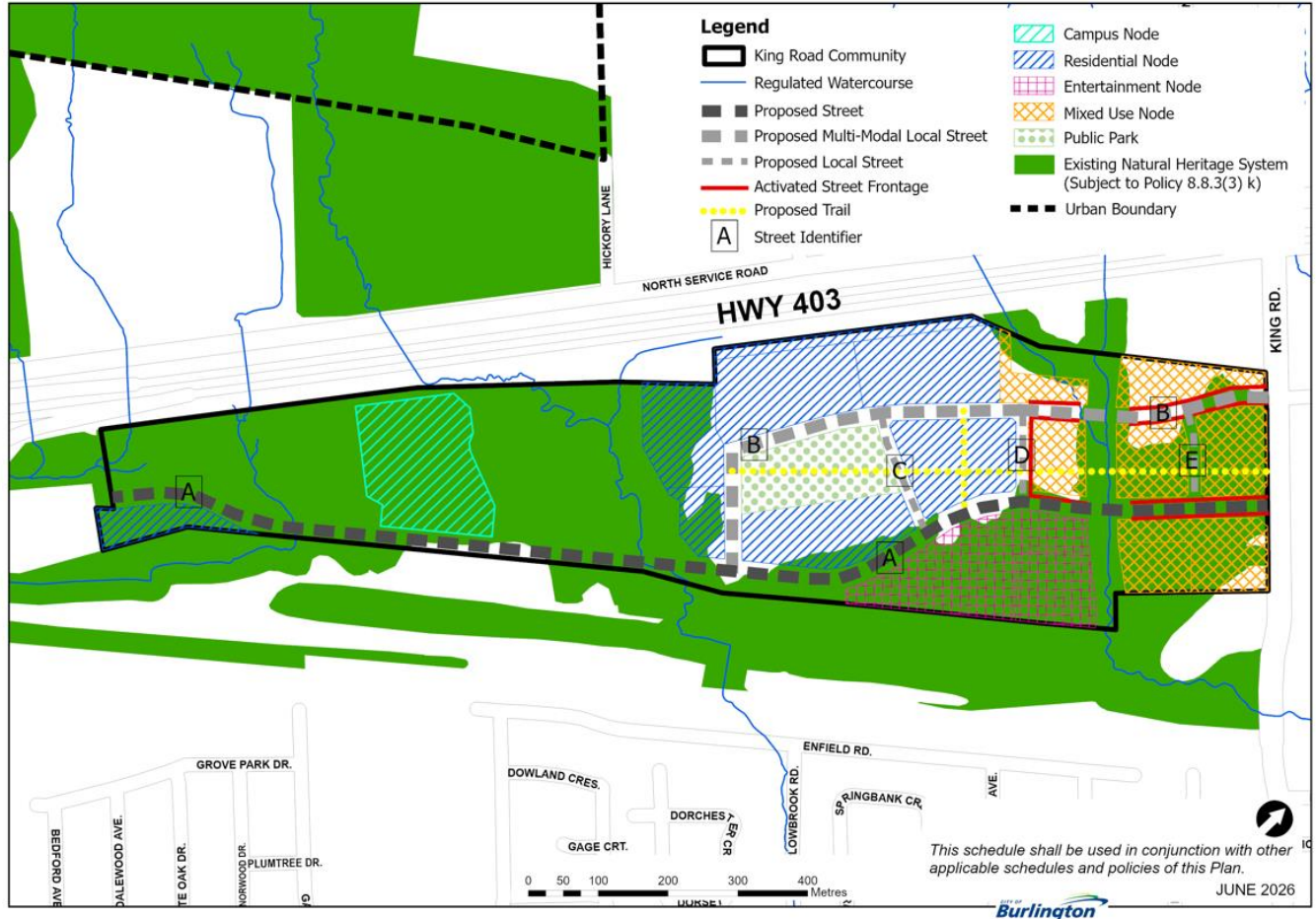
Schedule T of this Plan, the construction of the proposed east-west street from The King Road Community to Alayne Bryk Way as shown on Schedule T: The King Road Community of this Plan from the proposed *development* to the Aldershot GO station *shall* be required. Limited *development* within the three (3) blocks fronting onto King Road *may* occur prior to the construction of the road where the development does not create an unacceptable impact to the existing transportation system and the operation of the surrounding streets, to the satisfaction of the *City*. *Development may* also proceed concurrently with the construction of the road.

- b) In consultation with the *City*, Halton Region and relevant utility providers, *development shall* be phased and coordinated with provision of *infrastructure*, as well as transportation network and intersection design and improvements in accordance with Section 8.8.3 (6) of this Plan.
- c) 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.
- d) Phased development of any lands in the King Road Community as shown on Schedule T: The King Road Community, of this Plan, *shall* only be permitted once conformity to policy 77 (5) of the Burlington Regional Official Plan (BROP) is demonstrated to the satisfaction of the *City*:
  - i) policies for the protection of the Regional Natural Heritage System and for the protection of public health and safety within hazard lands;
  - ii) land use patterns that promote mixed-use, compact, transit-supportive, walkable communities, including the locations of local facilities for social, cultural, recreational, educational and religious purposes;
  - iii) location, types and density of residential and employment lands that contribute to creating healthy communities through:
    - a. urban design;
    - b. diversity of land uses;
    - c. appropriate mix and densities of housing;
    - d. provision of local parks and open space;
    - e. strengthening live-work relationship through a proper balance of residential and employment land uses; and,
    - f. promoting active transportation and public transit use;

- iv) consideration for land use compatibility in accordance with Regional and Ministry of the Environment guidelines;
  - v) a transportation network that promotes public transit and active transportation, including a strategy for early introduction of transit services;
  - vi) development phasing;
  - vii) storm water management or, if the scale of development justifies, a Sub-watershed Study as per Section 145(9) of the BROP;
  - viii) Environmental Impact Assessments, if any part of the Regional Natural Heritage System is affected in an area not covered by a Sub-watershed Study. Completion of technical work to the satisfaction of city staff will address the ultimate location and definition of features such as buffers;
  - ix) an Air Quality Impact Assessment based on guidelines under Section 143(2.1) of the BROP;
  - x) water and wastewater servicing plans;
  - xi) provision of utilities;
  - xii) a fiscal impact analysis; and,
  - xiii) a community infrastructure plan, based on Ministry of the Environment guidelines and informed by the City's Live and Play Plan, describing where, how and when public services for health, education, recreation, socio-cultural activities, safety and security and Affordable Housing will be provided to serve the community.
- e) The *City shall* require that future *development applications* be supported by a The King Road Community Monitoring Report to describe development activity related to residential uses and the monitoring of the achievement of the population and employment capacity targets and *affordable housing* targets established in section 8.8.3 (3) of this Plan and any other relevant *City* housing targets.

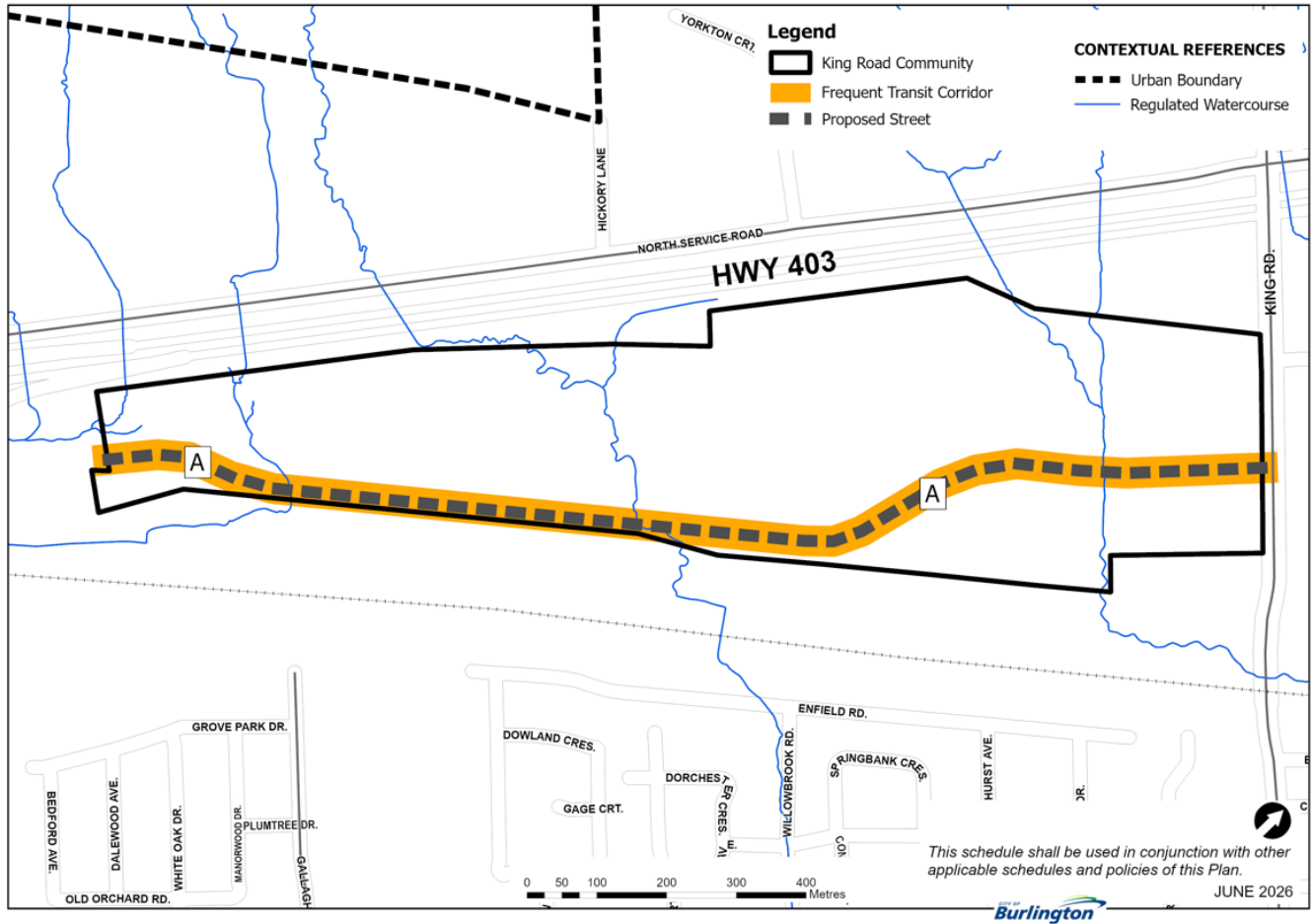
### Attachment 3 to OPA 9 – The King Road Community Schedule T

#### SCHEDULE T King Road Community City of Burlington



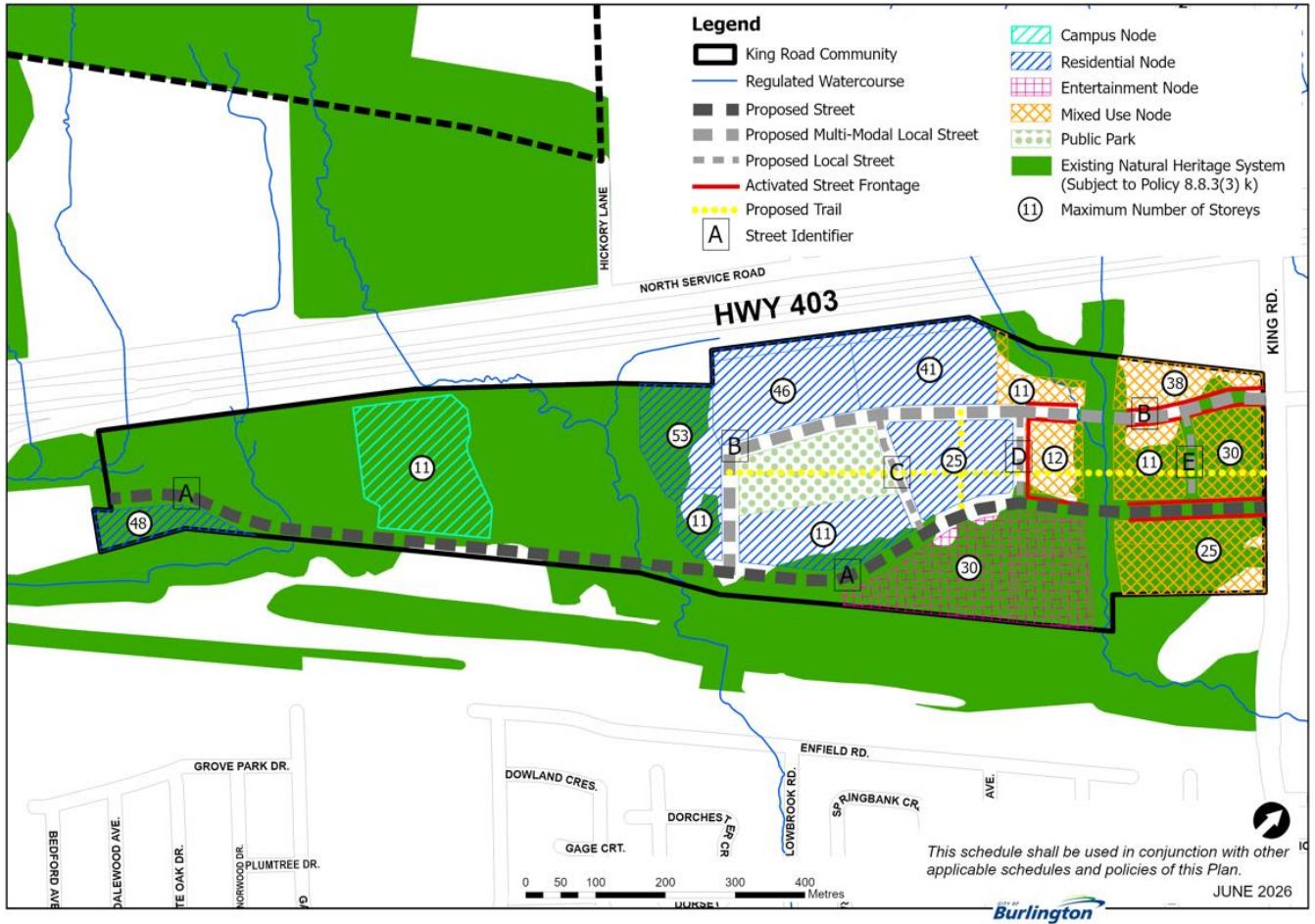
### Attachment 4 to OPA 9 – The King Road Community Schedule T-1

**SCHEDULE T-1**  
**King Road Community: Frequent Transit Corridors**  
 City of Burlington



Attachment 5 to OPA 9 – The King Road Community Schedule T-2

**SCHEDULE T-2: Building Heights**  
**King Road Community**  
 City of Burlington



## Committee of the Whole Report Forecast September 14 & 15, 2026

Note: this forecast is subject to change

### **Consent Items:**

- Grading and Drainage Clearance Certificate By-law Amendment
- Environmental Noise Policy
- Cootes to Escarpment EcoPark System 2027-2031 Memorandum of Understanding
- Municipal Consent By-law update
- Repeal and replacement of Site Alteration By-law 64-2014
- Quarterly Financial Status – June 30, 2026

### **Regular Items:**

- Heritage Designation for 4560 No. 4 Side Rd.
- Heritage Permit application for Union Cemetery
- Heritage Designation for 906 Brant St.