

## **Burlington Official Plan**

### **Comparison of the Proposed New Official Plan (February 2018) and Proposed New Official Plan Recommended for Adoption (April 2018)**

#### **TRACKED CHANGES VERSION**

This document compares the proposed new Official Plan (February 2018) and the proposed new Official Plan recommended for adoption (April 2018). Additions are shown in underline, and deletions are shown in strikethrough. This document has been prepared to assist the public in understanding the scope of changes to the revised Official Plan. It does not include notations to describe edits to mapping and appendices. This document has been prepared for illustrative purposes, please refer to the proposed new Official Plan (February 2018) version and the proposed new Official Plan (April 2018) version for a complete record.

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## INTRODUCTION

The City of Burlington is at a turning point in its evolution and is transitioning from a suburban to an urban community. The city's growth is shifting from building new greenfield communities to accommodating more residents and jobs within existing areas through *intensification* targeted to specific areas of the city. This is to ensure that denser *development* is carefully co-ordinated with *infrastructure*, either by *encouraging development* in areas that make efficient use of existing or planned *infrastructure*, and/or by effectively co-ordinating any *infrastructure* enhancements to accommodate future growth. This targeted approach also ensures that existing residential neighbourhoods of the city are protected from major change. All remaining *Designated Greenfield Areas* will be developed as *complete* and *sustainable communities*.

The focus on accommodating growth through *intensification* within the existing Urban Area aligns with the City's interest in protecting and strengthening the rural community and in retaining the special character of North Aldershot as a distinct, identifiable area. It supports the protection of *agricultural* lands and *agricultural* operations and the protection of natural heritage and water resources in line with the City's Strategic Plan and Provincial Plans and Policies.

Provincial Plans and policies have directed that Burlington must grow and must grow within the existing Urban Area. The City has developed a new Official Plan in recognition of the challenges and opportunities ahead as it continues to evolve into a *sustainable*, resilient and *complete community*. A *complete community* offers and supports opportunities for people of all ages and abilities to conveniently access the necessities for daily living, providing convenient access to an appropriate mix of jobs, shopping and personal services, housing, transportation options and *public service facilities* such as recreation and open space.

The Official Plan is a policy document that sets out the City's directions for growth and *development*, and continues the commitment to building a *complete community*. It was developed through planning analysis and research but also through significant collaboration and dialogue with the community as well as internal and external stakeholders. The Official Plan fuses the local community interests with Regional and Provincial policy direction and articulates the City of Burlington vision to 2031 and beyond. It includes policy to manage physical change in relation to land use and *development*, transportation, *infrastructure*, the natural environment, heritage, parks, and social, economic and environmental *sustainability*.

The Official Plan sets out a clear vision and establishes strategic priorities for



*sustainable growth, complete communities, environment and sustainability, economic activity, infrastructure, design excellence, land uses and public participation. This Plan sets out development-ready provisions and guides development within certain parameters allowing for private sector flexibility while ensuring the public interest is maintained. The Plan also includes criteria for when and how changes to the Plan are to be considered. At times, refinements to policies of the Plan may be appropriate. The Plan will be used to guide the decision making and approval processes of the City, ensuring that all new development contributes to Burlington's long-term vision.*

### 1.1 PURPOSE OF THE PLAN

This document constitutes the Official Plan (the "Plan") for the City of Burlington. The Plan has been prepared and enacted to comply with The Planning Act of Ontario.

The Planning Act defines an Official Plan as a document containing goals, objectives and policies established primarily to manage and direct physical change and the effects on the social, economic, built and natural environment of the city. An Official Plan includes a description of the measures and procedures for informing and obtaining the views of the public along with other matters prescribed by The Planning Act.

The purpose of the Plan is to outline a long-term vision of the community and quality of life for Burlington residents through statements of objectives and policies. The Plan provides policy direction to both the public and private sectors on land use, *development* and resource management matters to guide the future planning and *development* of the City of Burlington towards the desired community vision.

### 1.2 CONTEXT

Burlington is situated on the western shore of Lake Ontario, adjacent to Hamilton and approximately 70 km west of Toronto, in the urbanized area of Southern Ontario, known as the "Greater Golden Horseshoe (GGH)". The GGH is a dynamic and diverse area, one of the fastest growing regions in North America, and the largest urban region in Canada.

The city is one of four area municipalities within the Region of Halton. The Regional Municipality of Halton, the Regional Municipalities of Peel, York, and Durham and the cities of Hamilton and Toronto form the Greater Toronto and Hamilton Area (GTHA), established by the Provincial government for planning purposes.

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The 185 sq km of land within Burlington’s municipal boundary is characterized by the Niagara Escarpment, the Burlington Bay and Lake Ontario shorelines, and a Natural Heritage System comprising numerous creeks and *woodlands*. Around this natural framework, a number of human-made features have come to further define the landscape, such as settlement areas, *agricultural* areas, and *infrastructure* including highways, railways, and hydro corridors.

The Official Plan divides the city into three planning areas which each possess a unique combination of these features: the Urban Area, the Rural Area, and North Aldershot, and these constitute 8,747 ha, 8,593 ha and 1,365 ha in area, respectively. These planning areas are further described in Chapter 2: Sustainable Growth, of this Plan.

Indigenous peoples inhabited the land that now makes up the City of Burlington long before the arrival of the first European and American Loyalist settlers. Indigenous peoples have continued to play a role in shaping the city since this time, notably including the sale of parcels of land to settlers from Joseph Brant’s Block.

The municipality of Burlington was born of the union of numerous smaller communities. The Town of Burlington, created in 1873 from the villages of Wellington Square and Port Nelson, developed primarily as a residential area through the early 1900s. In 1958, Burlington, Aldershot and Nelson Township were amalgamated and in 1973 the present municipal boundary was established through The Regional Municipality of Halton Act.

In the second half of the 20<sup>th</sup> century, Burlington experienced tremendous growth and expansion of its urban area, with greenfield *development* spreading east to Burloak Drive and north of the QEW Highway to Dundas Street.

The development of the Orchard and Alton communities in the early 21<sup>st</sup> century extended the developed area of the city to its urban boundary. Now with little land left available for greenfield *development*, the city is transitioning to accommodate future growth predominantly through targeted *intensification* of its existing urban area. This new approach to growth will enable the *City* to protect the character of its Rural and North Aldershot areas while also achieving more *sustainable development* patterns in its urban area.

### 1.3 JURISDICTION

This Official Plan replaces the 1994 Official Plan, as amended, and was prepared to conform to Provincial land use plans and regulations and to the Region of Halton Official Plan, and to be consistent with Provincial Policy Statements and Guidelines. Burlington's Official Plan policies reflect the *City's* individual

community interests within the Provincial and Regional planning frameworks. In this manner, the Plan may be more restrictive than the policies contained in Provincial and Regional Government planning documents, but is not permitted to conflict with these documents.

External policies and plans that will be referred to in conjunction with any interpretation or amendment of the City of Burlington Official Plan are:

- a) any Provincial Policy Statement issued by the Province of Ontario, as amended from time to time, subject to requirements under The Planning Act;
- b) Provincial Land Use and Transportation Plans, including specifically The Niagara Escarpment Plan, the Provincial Greenbelt Plan, the “Places to Grow” Growth Plan for the Greater Golden Horseshoe, the Parkway Belt West Plan, the Regional Transportation Plan (The Big Move) and any applicable amendments;
- c) the Region of Halton Official Plan, and any applicable amendments; and
- d) other government agencies' policies and plans, where applicable.

### 1.4 STRATEGIC DIRECTIONS

The Official Plan has also been prepared in alignment with the vision expressed in the 2016 Council Strategic Plan. In 2016, Burlington approved a 2015 - 2040 Strategic Plan that included four key strategic directions. This Official Plan builds upon the following four strategic directions in the context of a statutory land use plan with a planning horizon of 2031:

**A CITY THAT GROWS:** The City of Burlington attracts talent, good jobs and economic opportunity while having achieved *intensification* and balanced, targeted population growth for youth, families, newcomers and seniors.

**A CITY THAT MOVES:** People and goods move throughout the city more efficiently and safely. A variety of convenient, affordable and green forms of transportation that align with regional patterns are the norm. Walkability within new/transitioning neighbourhoods and the downtown are a reality.

**A HEALTHY AND GREENER CITY:** The City of Burlington is a leader in the stewardship of the environment while encouraging healthy lifestyles.

**AN ENGAGING CITY:** Community members are engaged, empowered, welcomed and well-served by their *City*. Culture and community activities thrive, creating a positive sense of place, inclusivity and community.

### 1.4.1 PRINCIPLES

The following principles will guide all land use decision making to achieve *sustainable development* and a *complete community* in accordance with the City's four key strategic directions.

### 1.4.2 A CITY THAT GROWS

- a) Co-ordinates land use and *infrastructure* strategies to achieve *complete*, diverse, adaptable and *sustainable communities* that are attractive and livable;
- b) Maintains the urban boundary and recognizes the distinct role and function of the Urban Area, Rural Area and North Aldershot;
- c) Accommodates population and employment growth through *development* and *intensification* within targeted locations of the city's Urban Area;
- d) Provides for the long-term protection of the city's established neighbourhoods, and natural and *cultural heritage resources*;
- e) Promotes design excellence at every *scale* to create safe, accessible, attractive, vibrant and sociable places that people are drawn to;
- f) Grows and invests in a manner that supports the long-term financial *sustainability* and prosperity of a built-out city in the context of a two-tier municipality;
- g) Provides for the efficient, effective and financially responsible provision, use and maintenance of *infrastructure* and *public service facilities* to support planned growth;
- h) Ensures *employment* lands are protected over the long term to provide certainty to economic enterprises and promote economic activity and job growth; and
- i) Promotes economic development and competitiveness in all areas of the city by providing for a diverse and appropriate mix and range of *employment*, [public service facilities](#) and *institutional uses* to meet long-term needs.

### 1.4.3 A CITY THAT MOVES

- a) Integrates and prioritizes land use planning and transportation decision making to provide a range of *multi-modal* and *sustainable* transportation choices connecting people, goods and places; and

- b) Achieves land use patterns, densities and quality urban design that supports travel by walking, cycling and transit.

#### 1.4.4 A HEALTHY AND GREENER CITY

- a) Supports and protects important and unique geographic features of the city, including the Lake Ontario waterfront and the Niagara Escarpment;
- b) Protects and strengthens the character of the rural community, protects *Prime Agricultural Areas* and supports and enhances the long term viability of the *Agricultural System*;
- c) Maintains and enhances a healthy and *sustainable natural environment* for present and future generations;
- d) Protects, restores and, where possible, enhances the long-term *ecological function*, connectivity and biodiversity of the Natural Heritage System;
- e) Promotes conservation and the responsible and *sustainable* use of natural resources;
- f) Promotes *development* measures and patterns to achieve a low carbon, energy secure and climate resilient community, protect life and property from natural hazards, and achieve *sustainable* community and building design;
- g) Promotes health, safety and social well-being in the community through equitable access to a wide range of choices in housing, jobs, transportation, health care and recreation facilities, parks, green spaces and other public spaces and facilities, and amenities for all ages and abilities; and
- h) Maintains and grows healthy urban greenspace through the provision of *green infrastructure*.

#### 1.4.5 AN ENGAGING CITY

- a) Involves citizens to enhance land use decision making and maintain active and engaged neighbourhoods;
- b) Recognizes the important role that culture, arts and design excellence play in creating a liveable community, as shaped through engagement with citizens;
- c) Fosters the evolving urban nature and community identity of key areas of the city, including the Downtown and Uptown Urban Centres, *Mobility Hubs* and identified *Intensification Areas*; and

- d) Seeks partnership, collaboration and participation with other agencies, stakeholders and community groups to achieve the long term vision of this Plan.

## 1.5 PLANNING HORIZON

The Plan will manage and direct the *development* and planning of land uses for a period extending to the year 2031. It is the intent of the Plan to accommodate and to plan for the growth associated with the underlying housing, population and employment projections. The planning horizon serves as an appropriate measure of the duration of the Plan and should not be regarded as a specific completion date for its implementation. There are durable elements of the urban system that extend beyond the horizon of the plan. The Plan establishes a long term vision for the urban area of a built out municipality that will grow primarily through *intensification*. Furthermore, the Plan should not be regarded as a static or inflexible document that is resistant to the pressures of economic, social or environmental change during the planning period. The validity and relevance of the Plan will be maintained through a process of monitoring, review and modification, as required.

~~No by-law may be passed, and no public work undertaken by the City, which does not conform with this Plan. The capital works program and the capital budget are intended to provide the *infrastructure* required to implement the community land use vision, objectives and policies of this Plan.~~

## 1.6 LEGAL STATUS

For the purpose of The Planning Act and The Municipal Act, Chapters 1 through 14 inclusive of any schedules, figures or tables shall be considered the Official Plan of the City of Burlington.

The official portion of this Plan has been prepared and adopted pursuant to The Planning Act and other pertinent Provincial legislation. No by-law may be passed, and no public work may be undertaken by the *City*, which does not conform with this Plan. The capital works program and the capital budget are intended to provide the *infrastructure* required to implement the community land use vision, objectives and policies of this Plan.

## 1.7 ORGANIZATION OF THE OFFICIAL PLAN

The Official Plan consists of fourteen chapters and appendices.

**Chapter 1. Introduction** provides the vision and overall context within which the objectives and policies of the Official Plan have been prepared.

**Chapter 2. Sustainable Growth** outlines a community vision for the Plan and presents the City System, which describes the physical make-up of the city over the long-term and provides the comprehensive overall framework to guide growth and *development* over the horizon of the Plan and beyond.

**Chapter 3. Complete Communities** outlines components of the Plan which contribute to the development of *complete communities*, including housing, *institutional uses*, *public service facilities*, *cultural resources* and *cultural heritage resources*.

**Chapter 4. Environment and Sustainability** reflects the City's intention to continue to be a prosperous, liveable and *healthy community* through the process of *sustainable development*. This includes policies to protect and enhance the Natural Heritage System, *urban forest*, and *watersheds*, to achieve *sustainable* design and environmental *compatibility* and address climate change, contamination and other environmental matters.

**Chapter 5. Economic Activity** sets out policies for supporting a diverse economy including the protection and enhancement of the city's *employment* lands, and the promotion of economic development objectives throughout the city and in particular Primary Growth Areas, which are critical to the long-term economic *sustainability* of the city.

**Chapter 6. Infrastructure, Transportation and Utilities** contains policies for the planning and delivery of municipal transportation, *infrastructure* and *utilities*, which are critical to the support of the Plan's community vision and an essential part of a *sustainable* city.

**Chapter 7. Design Excellence** contains policies designed to achieve a high quality environment, *encourage* innovative design and recognize land use *compatibility* through design.

**Chapter 8. Land Use Policies-Urban Area** establishes objectives and policies for major land use designations shown on the City System and the Urban Area-Land Use Plan. Objectives and policies are presented for Mixed Use Intensification Areas, Employment Lands, Residential Neighbourhood Areas, the Natural Heritage

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System, and Parks and Open Space. Specific use policies related to uses in the Urban Area are also included.

**Chapter 9. Land Use Policies-Rural Area** establishes objectives and policies for major land use designations shown on the City System and the Rural Area-Land Use Plan. Objectives and policies are presented for the Rural Community, the Agricultural System, the Natural Heritage System, Mineral Resource Extraction Area and Rural Settlement Area designations.

**Chapter 10. Land Use Policies – North Aldershot** establishes objectives and policies for major land use designations shown on the City System and the North Aldershot-Land Use Plan. Objectives and policies are presented for Residential Area, Office Area, Environmental Protection Area, Commercial Area, Parkway Belt West Area, Mineral Resource Extraction Area, Recreation/Open Space, Special Study Area and Niagara Escarpment Plan designations.

**Chapter 11. Public Participation and Engagement** sets out commitments, policies and procedures for public participation and engagement in the planning process.

**Chapter 12. Implementation and Interpretation** establishes policies affecting the use and *development* of lands in the city under The Planning Act, and monitoring to achieve the stated vision for the city.

**Chapter 13. Definitions** contains a glossary of terms used throughout the Plan. These terms are indicated in *italic* type throughout the text of the Plan.

**Chapter 14. Schedules and Tables** to the Plan includes City System, Urban Structure and Growth Framework Schedules showing major land use activity areas such as Urban, Rural, North Aldershot, Urban Growth Centre and Rural Settlement Areas. These schedules show, in broad terms, the spatial orientation and relationship of various major land use activity areas. Land Use Plans are presented in more detail for the Urban, Rural, and North Aldershot Areas. These schedules show how lands within the major land use activity areas will be developed or maintained. Land use schedules that show the results of *area-specific planning* studies are included for Rural Settlement Areas within the Rural Area and for [the Uptown Urban Centres](#), [the Official Plan level policies related to the Downtown Mobility Hub area-specific plan](#) and [the study areas for the Mobility Hubs](#) within the Urban Area. The city's roadway classification is shown on separate schedules. Transportation Tables to the Plan also includes tables outlining the function and classification of transportation facilities and road allowance widths. [In addition, Schedules are included that show Provincial Land Use Plan boundaries and designations and the Provincial Agricultural Land Base and Natural Heritage System for the Greater Golden Horseshoe.](#)



**The Appendices** contain additional information, and while the appendices do not constitute part of the Official Plan, they *shall* be applicable in implementing the Plan policies, such as [the City's Urban Structure Vision](#), approved Design Guidelines, Watershed Plan, Sub-watershed and other related Studies, principles and objectives of *Sustainable Development*, Conservation Halton Regulation Limit Mapping, Regional and Provincial Guidelines, former Waste Disposal sites and *cultural heritage landscape* study areas. These Appendices *may* be amended from time to time without requiring a formal amendment to this Plan.

### 1.8 A GENERAL GUIDE TO THIS PLAN

To understand the intent of this Official Plan, the document should be read in its entirety and all relevant text, schedules and definitions are to be applied in each unique instance.

#### CONNECTIONS AMONG POLICIES AND SCHEDULES

Notwithstanding that the Official Plan should be read in its entirety to gain full understanding of the intent of the document, several cross-references have been added to assist the reader. Cross-referencing between policies is not exhaustive; rather, select cross-references have been added between sections of the Plan that are commonly read together. Urban Structure, Growth Framework and Land Use sections of the Official Plan are related, and therefore cross-referenced to each other. These same sections are also linked through cross-references to other policies throughout this Plan.

The purpose of each of the key inter-related land use schedules that apply in the Urban Area are described below. Reference must be made to all schedules to identify the relevant policies of the Plan.

#### SUMMARY OF KEY INTER-CONNECTED OFFICIAL PLAN SCHEDULES

The purpose of the following table is to summarize four key inter-related Official Plan schedules. The objectives and policies for each land use designation are to be read in conjunction with the objectives and policies in other parts of the Plan.

Official Plan Map	What does this map show?
<b>Schedule A: City System</b>	<ul style="list-style-type: none"> <li>Describes the physical make up of the whole city</li> <li>Shows three major areas of the city: Urban, Rural, North Aldershot</li> </ul>

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Official Plan Map	What does this map show?
	<ul style="list-style-type: none"><li>Shows the networks that connect the city: Green System; Infrastructure and Transportation system.</li></ul>
<b>Schedule B: Urban Structure</b>	<ul style="list-style-type: none"><li>Establishes a community vision for the Urban Area identified in Schedule A</li><li>Shows <del>six</del><u>seven</u> major components: Mixed Use Intensification Areas; <a href="#">Areas of Region of Halton</a>; Employment <a href="#">Areas</a>; <a href="#">Employment Lands</a>; Residential Neighbourhood Areas; Natural Heritage System; Major Parks and Open Space; Mineral Resource Extraction Area; and Infrastructure and Transportation Corridors.</li></ul>
<b>Schedule B-1: Growth Framework</b>	<ul style="list-style-type: none"><li>Communicates type and location of growth in the Urban Area</li><li>Shows four Growth Framework Areas: Primary Growth Areas; Secondary Growth Areas; Employment Growth Areas; and Established Neighbourhood Areas.</li></ul>
<b>Schedule C: Land Use – Urban Area</b>	<ul style="list-style-type: none"><li>Shows the land use designations for the Urban Structure components identified on Schedule B.</li></ul>

### UNDERSTANDING THE POLICIES

Each chapter of the Official Plan generally contains a preamble, objectives and policies. The preamble sets the general vision for the topic of the chapter to assist with interpretation of intent of the objectives and policies of the chapter. The objectives set the framework to which the policies are linked. Interpretation of the Plan is also supported by definitions in Chapter 13: Definitions.

For detailed guidance to assist in understanding the policies of this Plan, reference should be made to the Interpretation policies in Chapter 12: Implementation and Interpretation.

The following terms express either flexibility or strength in the policy language and are used when considering *development applications* or other matters related to The Planning Act, or other legislation:

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- **May** - implies that there is discretion and flexibility or that criteria are to be satisfied in the application of an Official Plan policy.
- **Should** - implies that the policy is directive and a convincing planning reason is required in order not to fully comply with an Official Plan policy.
- **Shall** - implies that the policy is mandatory or it is required to comply with an Official Plan policy.

### UNDERSTANDING RELATED IMPLEMENTATION INITIATIVES

This Plan identifies a number of related initiatives and actions that the *City* must carry out or implement over the course of the planning horizon of this Plan. These initiatives and actions are identified in policies throughout the plan using the phrase “The *City* will...”. These initiatives will be prioritized by the *City*’s work plan and are subject to alignment with the *City*’s current Strategic Plan, other corporate initiatives such as transit and transportation plans, future strategic plans of Council, and annual budget processes.

### UNDERSTANDING GROWTH, INTENSIFICATION AND DENSITY TARGETS

There are three broad types of targets related to growth, intensification and density in the Official Plan.

- Population and employment growth targets, see Subsection 2.2.4;
- Intensification targets, see Subsection 2.2.3 d) ii); and
- Density targets, see Subsection 2.2.3 d) iv).

This Official Plan, in conformity with Provincial and Regional Planning documents, establishes density and *intensification* targets over areas larger than a given site. In each instance, the policies of this Plan will either:

- Establish the number of residential units required to meet the *intensification* target over a period of time. For example, in the case of the *intensification* target for the *Delineated Built Up Area*, 8,300 units will be added from 2015 to 2031; or
- Establish the number of residents and jobs combined and the area over which the target applies. For example, in the case of the *Designated Greenfield Area*, a minimum density target of 45 residents and jobs combined per hectare, measured across the entire *Designated Greenfield Area* within the city, netting out certain features in accordance with Provincial Plans.

It is not appropriate to apply growth, density and/or intensification targets on an area other than the entire area over which the target applies, as defined in policy.

For more details, reference should be made to the Regional Official Plan and

Places to Grow.

### UNDERSTANDING METRICS

Metrics are occasionally used to clarify the objectives of policies in this Plan, when needed. At times, minor variations from those metrics may be appropriate. [The](#) Interpretation policies of Chapter 12: Implementation and Interpretation, and other policies of this plan assist in determining whether variation is appropriate, where the intent of the Official Plan is maintained.

### SITE LEVEL METRICS: DENSITY AND INTENSITY

This Plan uses a number of metrics to describe the degree of *development* envisioned or required at a site level, within the various land use policies of this Plan. This is described as either density or *intensity*. In each case, this Plan precisely identifies the *intensity* or density metric. There are two general categories:

- In the case of both the Mixed Use Intensification Area and [eEmployment](#) ~~L~~ands a measure of *intensity* is employed. *Intensity* is described as the *floor area ratio*, the relationship between the building(s) and the *net* area of the site on which they are located.
- In the case of the Residential Neighbourhood Areas, a measure of density is employed. Density is described as the number of units measured over the *net* area of the site on which the *development* is located.

These metrics provide appropriate means of understanding the degree of *development* at a site level.

### HOW TO DETERMINE THE POLICIES THAT APPLY TO THE DEVELOPMENT OF A PROPERTY

**STEP 1: Consult Schedule A-1 to determine within what part of the City System the property is located.**

- **If your property is located in the Urban Area**

In the case of a property in the Urban Area, determine within which urban structure element the property is located on Schedule B: Urban Structure, including whether the site is captured within the [Area of Region of Halton](#) Employment [Area o](#)~~E~~verlay, and the Growth Framework Area Schedule B-1: Growth Framework. Reference should be made to the Sustainable Growth policies, Urban Structure policies and the Growth Framework policies in Chapter 2: Sustainable Growth, to provide details

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about the policies and objectives relevant to the property. To understand the role of each of these key schedules in the context of the Urban Area, please refer to the table above.

In the case of a property captured within the ~~Areas of Employment~~ [Area Overlay identified as an overlay](#) on Schedule B: Urban Structure, reference should be made to Chapter 5: Economic Activity as these lands are protected from conversion from *employment* use to non-employment use outside of a *municipal comprehensive review*.

Next, locate the property on either Schedule C: Land Use – Urban Area; Schedule D: Land Use – Downtown Urban Centre, or Schedule E: Land Use – Uptown Urban Centre, and identify the designation. Consult the related policies of Chapter 8: Land Use Policies–Urban Area, including both the general policies of the Urban Structure element and the specific land use designation attributed to the site.

- **If your property is located in the Rural Area**

In the case of a property in the Rural Area, locate the property on either Schedule I, I-1, I-2 or I-3 and [on Schedule J-1: Provincial Agricultural Land Base for the Greater Golden Horseshoe and](#) consult the policies in Chapter 9: Land Use Policies - Rural Area.

- **If your property is located in North Aldershot**

In the case of a property in North Aldershot, locate the property on Schedule K: Land Use – North Aldershot and Schedules L-1 through L-11 if applicable, and consult the policies in Chapter 10: Land Use Policies - North Aldershot.

**STEP 2: Determine if the property is located within, or adjacent to, the Natural Heritage System (Schedule M) [or the Provincial Natural Heritage System for the Greater Golden Horseshoe \(Schedule M-1\)](#).**

Where the property is located within or adjacent to the Natural Heritage System, reference should be made to the general policies in Chapter 4: Environment and Sustainability, ~~or~~ [and](#) the specific policies regarding the Natural Heritage System in Chapter 8: Land Use Policies - Urban Area or Chapter 9: Land Use Policies - Rural Area, [Chapter 10: Land Use Policies – North Aldershot](#).

**STEP 3: Reference should be made to the policies of Chapters 1, 3, 4, 5, 6, and 7, and Chapters 11, 12, 13 and 14 to understand how the policies, definitions and schedules of the Plan may affect how a property may be used.**

### **A ROLE FOR PROCESS: DEVELOPMENT APPLICATIONS**

As noted above, the Official Plan should not be regarded as static or inflexible document. The role of the Official Plan is to provide general guidance for *development* that applies on a city-wide basis related to land use including designations and permissions. The policies of this Plan also provide guidance ~~from~~ *to* inform *development application* processes and *area-specific planning* processes. The specific role for *development applications* like Official Plan Amendments, Zoning By-law Amendments and minor variance applications acknowledge that city-wide level policy cannot anticipate every circumstance related to a site or a *development*. The Official Plan has policies to ensure that *development applications* are considered against the policies of this Plan including a set of objective policies to ensure the outcome of a *development application* addresses the public interest.

The *area-specific planning* policies guide the preparation of more detailed policies that may be more prescriptive in terms of how development should take place. These policies would then inform the assessment of a *development application*.

### **GUIDANCE FOR DEVELOPMENT APPLICATIONS**

All *development applications* will be considered in relation to the Development Applications section of the Plan, including the complete application requirements (Subsection 12.1.2(1)) and the development criteria (Subsection 12.1.2(2) and *shall* consider any additional policies established related to a given site-. In the case of an application for Official Plan Amendment, additional official plan amendment criteria as contained in Subsection 12.1.1(3) will also apply.

### GUIDANCE FOR UNDERSTANDING SITE SPECIFIC POLICIES

Properties throughout the City are designated land uses on Schedules in Chapter 14. All site specific policies are listed at the end of each land use designation policy section [in Chapter 8](#). Please note that the land use schedules do not indicate the cases where a site specific policy applies. The site specific policies listed in each designation include municipal addresses as of the date of approval of the Official Plan. [In addition to the site specific policies attributed to a site or group of sites, all other relevant policies of this Plan \*shall\* apply.](#)

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## SUSTAINABLE GROWTH

### 2.1 COMMUNITY VISION

The *City's* community vision is based on *City Council's* key strategic directions and the guiding principles contained in Chapter 1: Introduction, of this Plan.

Growth will be focused in the Urban Area to protect Burlington's natural heritage and Rural Area; to build compact, vibrant, *sustainable*, resilient, *transit-supportive*, [healthy](#) and *complete communities*; to optimize use of existing and future *infrastructure* and services; to support *active transportation*; to reduce energy use and greenhouse gas emissions; and to support a strong and competitive economy.

The direction of growth in Burlington's Urban Area requires the careful placement of new residents and jobs; growth is encouraged in some areas, while limited in others. In some places, such as the Natural Heritage System, *development may* be prohibited. Those areas that will see significant change over the planning horizon of this Plan are called *intensification areas* and represent a small fraction of Burlington's total land area.

The building of *intensification areas* around the city's GO Stations and the Downtown, called *Mobility Hubs*, [the Uptown Urban Centre](#), Mixed Use Nodes and *Intensification Corridors* and other key locations will help ensure Burlington continues to be a thriving, vibrant 21<sup>st</sup> century city that easily [supports and](#) connects people of all ages and abilities to the places they live, work and play. *Development* in these areas will promote connected, walkable, transit-oriented communities that offer convenient access to *employment* opportunities, a full range of housing, *public service facilities* including schools and parks, and convenient access to various daily needs like shopping, services, and supports for residents throughout their entire lives.

~~The Rural Area faces significant pressures and challenges as a community, but also significant opportunities.~~ [Burlington's rural area is envisioned as an economically and socially active area, producing agricultural products and providing rural recreational activities for the city.](#) The *City* is committed to the protection and strengthening of the rural community. This means conserving the area's rural character and protecting and enhancing its *natural environment* while enabling the rural economy, particularly *agriculture*, to evolve and change. The health of the *Agricultural System* and the protection of the *agricultural* land base are central to the future of the Rural Area. Connections between the Urban and Rural Areas will protect and strengthen the social, economic, and environmental well-being of both the Urban Area and the Rural Area, including through the production and

## CHAPTER 2 – SUSTAINABLE GROWTH

consumption of local food.

The landscape of Burlington has changed remarkably over the last 50 years, and the evolution will continue. The combination of an economically strategic location, diversified economy and environmental and aesthetic factors, an extraordinary waterfront, its world-renowned Niagara Escarpment and other natural wonders has contributed to Burlington being a place where people and business thrive.

Community engagement, co-ordination and strategic thinking will be required to successfully manage the challenges and opportunities of growth through *intensification* and *development*. Residents, politicians, business owners, investors and others using the Official Plan must collaborate to shape the future of Burlington.

The building of the city will never have a date of completion, but is a continuous process of targeting growth in the right areas of the city to make good use of existing *infrastructure* and wise investment in new or upgraded *infrastructure*. The Plan's long-term vision for the community will help ensure land use decisions made today contribute to the *City's* goal of being a vibrant 21<sup>st</sup> century community.

## 2.2 THE CITY SYSTEM

The community vision is described by the City System. The City System describes the physical make-up of the city over the long term and provides a strategic framework to guide growth and *development* over the horizon of this Plan and beyond. The City System is made up of three general land use areas: the Urban Area, the Rural Area, and North Aldershot. The City System also includes the Green System and the Infrastructure and Transportation System that cross and connect the entire city.

The City System recognizes that various areas of the city perform different functions. These distinct, and inter-connected areas, and the key boundaries that define them, establish the strategic framework within which more detailed policies are established. This framework provides direction on which areas must be protected and which areas should be expected to grow.

Burlington's City System is shown on Schedule A: City System, of this Plan.

### 2.2.1 AREAS

#### Urban Area

- a) The Urban Area represents the lands where forecasted population and employment growth will be accommodated.
- b) Within the Urban Area, municipal water and/or waste water will be provided to accommodate concentrations of existing and future *development*, in accordance with the policies of this Plan and the Regional Official Plan.

#### Rural Area

- c) The Rural Area comprises the rural lands, consisting of an *agricultural* system, a natural heritage system, rural settlement areas, and mineral resource extraction areas. The identification of these lands provides for the protection and strengthening of the rural community through the maintenance and enhancement of the Natural Heritage System, the protection of *prime agricultural areas*, support for the economic viability of *agriculture*, conservation of *cultural heritage resources* and management of *mineral aggregate resources and operations*.
- d) Non-farm *development* in the Rural Area *shall* be directed to existing Rural Settlement Areas. Rural Settlement Areas represent compact rural communities designated to accommodate limited residential growth in the Rural Area and small scale *industrial*, commercial and *institutional uses* serving the *farming* and rural communities. The existing boundaries of the Rural Settlement Areas will be maintained.

**North Aldershot**

- e) North Aldershot represents a distinct area separate from both the Urban and Rural Areas that contains environmental protection areas of environmental significance that co-exist with human settlement areas. The Plan recognizes the distinct character of the area and that any *development* must be *compatible* with its special characteristics.

**2.2.2 CITY-WIDE SYSTEMS**

**Infrastructure and Transportation Systems**

- a) *Infrastructure* and transportation systems cross the Urban Area, Rural Area and North Aldershot, and are critical to the delivery of *infrastructure, utilities* and services, including the movement of people and goods in the city today and in the future.
- b) *Infrastructure* is provided by many different partners. *Infrastructure* systems play a critical role in supporting growth and *development* in the city. The city's *multi-modal* transportation system is an essential part of a *sustainable* city which influences both land use and quality of life.
- c) Major *infrastructure* and transportation facilities are shown on Schedule A: City System, of this Plan.

### The Green System

- d) The Green System depicts the network of green spaces that runs through the city's Urban Area, Rural Area and North Aldershot. It is a critical component of a healthy and environmentally *sustainable* city. The Green System is made up of three components: the Natural Heritage System land use designation; the Major Parks and Open Space land use designation ~~which are designated~~ within *settlement areas*; and other parks in the Urban Area such as Neighbourhood Parks, Parkettes and Special Resource Areas. The policies that apply to the Green System are found in the corresponding land use designation.

## 2.2.3 PROVINCIAL PLAN BOUNDARIES AND CONCEPTS

The *City* must conform to Provincial plans and policies, including a suite of three plans that work together to direct growth and to protect the ~~natural environment~~ natural environment, ~~agriculture~~ agriculture and rural areas.

### Niagara Escarpment Plan

- a) The Niagara Escarpment Plan provides for the maintenance of the Niagara Escarpment and lands in its vicinity substantially as a continuous natural environment, and ensures only such ~~development~~ development occurs as is compatible with that natural environment, as defined by the Niagara Escarpment Plan and the Niagara Escarpment Planning and Development Act.
- b) The Niagara Escarpment Plan has associated land use designations and policies that guide ~~development~~ development in these areas. These designations are illustrated on Schedule A-1: Provincial Land Use Plans and Designations, of this Plan. Parts of the Rural Area and North Aldershot are within the Niagara Escarpment Plan.

### Greenbelt Plan

- c) The Provincial Greenbelt Plan identifies a Protected Countryside Area and a Greenbelt Natural Heritage System. The expansion of settlement areas into the Greenbelt Plan is not permitted in order to provide permanent protection to the ~~agricultural~~ agricultural land base and the Natural Heritage and Water Resource Systems occurring on this landscape. The designations are illustrated on Schedule A-1: Provincial Land Use Plans and Designations, of this Plan. Parts of the Rural Area, North Aldershot and the Urban Area are within the Greenbelt Plan.

### Growth Plan for the Greater Golden Horseshoe

- d) The Provincial Growth Plan as amended, was prepared to provide a framework for building stronger, prosperous communities, by better managing growth first to 2031, and subsequently through revised growth forecasts to 2041. The Plan guides decisions on a wide range of issues – *intensification*, transportation, *infrastructure* planning, land use planning, urban form, housing, natural heritage and resource protection in the interest of promoting economic prosperity.

### Urban Boundary

(i) The Urban Boundary represents the fixed boundary that identifies the Urban Area. ~~Changes to the An~~ Urban Boundary expansion ~~may only be considered~~ occur through a *municipal comprehensive review* and ~~are is~~ not intended or permitted within the planning horizon of this Plan.

(ii) The *municipal comprehensive review* must demonstrate how an urban boundary expansion proposal meets policies 2.2.8.2 and 2.2.8.3 of “Places to Grow”, Growth Plan for the Greater Golden Horseshoe.

### Delineated Built Boundary

(iii) The *Delineated Built Boundary* represents the fixed boundary that identifies the *Delineated Built-up Area*, which constitutes the developed Urban Area of the municipality, as defined by the Province of Ontario in consultation with the *City* in 2006, and subsequently finalized in April, 2008. A significant portion of new residential and employment growth within the city will be accommodated within the *Delineated Built-up Area* through *intensification*. The Province of Ontario is responsible for reviewing and updating the *Delineated Built Boundaries* within the Greater Golden Horseshoe. The Regional Official Plan establishes that 40 per cent of ~~all~~ new residential development occurring annually within the Region will be within the *Delineated Built-up Area*. The Regional Official Plan Table 2, Intensification and Density Targets, states that a minimum of 8,300 new housing units must be added within the city within the *Delineated Built-up Area* between 2015 and 2031.

### Urban Growth Centre

(iv) The boundary of the Downtown Urban Growth Centre, referred to in the “Places to Grow”, Growth Plan for the Greater Golden Horseshoe, and depicted in the Regional Official Plan and this Plan, identifies the area that will be planned to achieve, by 2031 or earlier, a minimum density target of 200 residents and jobs combined per hectare.



### Designated Greenfield Area

~~(iv)~~(v) The *Designated Greenfield Area* is located between the Urban Area Planning Boundary and the *Delineated Built Boundary* and represents the lands within the Urban Boundary which ~~are~~were not built up in 2006. The City of Burlington is expected to achieve a minimum density target of 45 residents and jobs per hectare across the entire *designated greenfield area* within the city. The Regional Natural Heritage System is excluded in the measurement of that density target.

(vi) *Development in the designated greenfield area* will occur in a manner which contributes to the City's overall vision for building healthy and complete communities.

### Agricultural System

(vii) The Growth Plan provides for the identification and protection of the agricultural system for the Greater Golden Horseshoe. The agricultural system is comprised of the agricultural land base and an agri-food network made up of infrastructure, services, and assets important to the viability of the agri-food sector. Prime agricultural areas identified by the Province are to be designated in municipal official plans.

### Natural Heritage System

(viii) The Growth Plan includes policies to maintain, restore and enhance the Natural Heritage System. Pursuant to the Growth Plan the Province has mapped a Natural Heritage System for the Greater Golden Horseshoe outside settlement areas to be incorporated in municipal plans.

The Natural Heritage System and Agricultural Land Base mapping will be refined through the *municipal comprehensive review* pursuant to Policy 4.2.2.5 and Policy 4.2.6.9 of the Growth Plan. This review will involve consultation with stakeholders, public agencies and the public. The mapping refinements resulting from the *municipal comprehensive review* will be incorporated into this Plan by amendment or as part of the City's next statutory review of this Plan.

### Parkway Belt West Plan

e) The Provincial Parkway Belt West Plan is intended to provide for a multi-purpose *utility* corridor and linked open space system, which extends from the City of Hamilton through the Regions of Halton, Peel and York. The boundaries of the Parkway Belt West Plan Area are shown on Schedule A-1: Provincial Land Use Plans and Designations, of this Plan. Subject to other

policies of this Plan, linear transportation, communication, and utility facilities, including necessary accessory facilities and installations such as interchanges, transformer stations, and treatment plants that are part of the linear distribution or collections networks *may* be permitted.

- (i) All development within the Parkway Belt West Plan Area is subject to the provisions of the Ontario Planning and Development Act, applicable Provincial Land Use Regulations, the Parkway Belt West Plan, the Greenbelt Plan (where applicable) as well as the policies of the Regional Official Plan, this Plan and the Zoning By-law.

## 2.2.4 POPULATION AND EMPLOYMENT DISTRIBUTION

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

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

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

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

## 2.3 THE URBAN STRUCTURE

The City's Urban Structure elaborates on the Urban Area, as identified in Schedule A: City System, of this Plan. Each element of the Urban Structure performs a distinct function. Some elements ensure long term protection, while others support growth, *intensification* and appropriate transition. The Urban Structure establishes the community vision for the Urban Area which is further refined in Chapter 8: Land Use Policies – Urban Area, of this Plan.

The Urban Structure is composed of ~~seven~~ major components: 1. Mixed Use *Intensification* Areas; 2. [Region of Halton Employment Areas](#); 3. ~~Areas of~~ Employment [Lands](#); ~~43.~~ Residential Neighbourhood Areas; ~~54.~~ Natural Heritage System, Major Parks and Open Space; ~~65.~~ Mineral Resource Extraction Area; and ~~76.~~ Infrastructure and Transportation Corridors, as shown on Schedule B: Urban Structure, of this Plan. Each area is identified in Schedule B: Urban Structure, of this Plan.

Additional information in support of other policies of this Plan, [including the identification of areas that will be subject to further study](#), as well as other contextual information, is also presented in Schedule B-1: Growth Framework, of this Plan.

### 2.3.1 MIXED USE INTENSIFICATION AREAS

- a) Lands identified as Mixed Use *Intensification* Areas provide locations where a range and *intensity* of *employment*, shopping, *public service facilities*, residential uses and complementary uses such as open space and parks, *institutional*, and *cultural uses* will be developed with transit supportive densities in *compact built form*. Walking, biking, transit and other *transportation demand management* measures will be prioritized. Mixed Use *Intensification* Areas will offer substantial *development* opportunities and represent a key element in this Plan's strategy to accommodate and direct growth in the city over the planning horizon and beyond.
- b) Mixed Use *Intensification* Areas will occur in either linear forms, along a transportation corridor, or nodal form, as a concentrated group of parcels located generally at a major intersection, at different levels of *intensity*. These areas will accommodate a wide, or in some cases, a limited, range of uses in accordance with the underlying land use designations.
- c) Mixed Use *Intensification* Areas include the city's existing urban centres, emerging *mobility hubs* and other mixed use nodes and *intensification corridors*. This organization reinforces that while all areas are considered part of the *intensification areas*, each has an important and distinct role.



### Urban Centres

- d) The city has two existing Urban Centres: the Downtown Urban Centre and the Uptown Urban Centre. These areas represent established mixed use *development* areas with both established neighbourhood areas and dynamic evolving growth areas.
- e) Lands identified as Urban Centres provide for a broad range and mix of uses in areas of higher, yet appropriate, *intensity* in relation to ~~the surrounding~~the surrounding neighbourhoods, in accordance with the underlying land use designations. They bring a variety of *public service facilities* and a mix of other uses such as retail uses to support residents and employees.
- f) The Downtown Urban Centre will continue to develop as the city's centre, taking advantage of the unique qualities that contribute to its distinct identity.
- g) The Uptown Urban Centre will continue to develop as an important destination for a wide variety of uses in north-east Burlington including mixed uses, residential as well as designated employment lands.
- h) Urban Centres will exhibit a wide variety of land uses and *intensities* designed in a *compact built form*, oriented to support transit and facilitate *active transportation*.

### Mobility Hubs

- i) *Mobility hubs* consist of areas located within walking distance to *major transit station areas*, including the Downtown Bus Terminal or GO Rail Stations, which are either currently or planned to be serviced by the *frequent transit corridors* and GO Transit. The high level of existing or planned transit service within these areas provides an environment within which significant residential and employment growth can be supported. To further support the transit oriented nature of these areas, growth *shall* occur in the form of compact, mixed-use and pedestrian-friendly areas with residential and *employment intensities* greater than which exist in the surrounding areas. These are emerging areas in the Urban Structure that represent opportunities to *intensify* and develop *complete communities*.
- j) Provincially, *mobility hubs* are identified through Metrolinx's The Big Move: Transforming Transportation in the Greater Toronto and Hamilton Area (GTHA) which designates a system of *mobility hubs* including *anchor hubs* and *gateway hubs*. The *mobility hub* system is intended to reinforce land use and transportation objectives in the Province's Growth Plan for the Greater

Golden Horseshoe; in particular, the goal of focusing *development* growth around *major transit station* areas.

- k) In Burlington there are four identified *Mobility Hubs*. Two of these hubs, Downtown Burlington and the area around Burlington GO, have been identified by Metrolinx, included in the Halton Region Official Plan, and classified as an *Anchor Hub* and *Gateway Hub*, respectively. An additional two *Mobility Hubs* have been identified by the *City* in the areas around Aldershot GO and Appleby GO. All four areas are considered *major transit station areas*. In this Plan, these four hubs are identified collectively as areas that will be subject to further detailed *area-specific planning*.
- l) The Provincial government may consider a new GO Station in the vicinity of Walker's Line and Cumberland Ave. The *City shall* designate any new GO Station as a *Mobility Hub* and the area will be subject to further detailed *area-specific planning*.

### Mixed Use Nodes and Intensification Corridors

- m) Lands identified as Mixed Use Nodes represent areas with a concentration of commercial, residential and *employment* uses with *development intensities* generally greater than surrounding areas. Nodes are generally located at points where two or more transit routes intersect.
- n) 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.
- o) Mixed Use Nodes and *Intensification Corridors* will be a focus of re-urbanization. These areas 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 permitted uses, both designed to achieve their planned function. These areas 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*.

### 2.3.2 EMPLOYMENT LANDS

- a) Lands identified as [eEmployment](#) ~~L~~ands represent areas of land designated to accommodate a full range of manufacturing, warehousing and *office* uses.

- b) The ~~e~~Employment ~~L~~ands allow a full range of *scales* and *intensities* of development and offer opportunities for *employment* land intensification and development for employment purposes.
- c) The *employment* lands provide for the location of significant diverse areas of current and future *employment* activities that are required for the city's long term economic development and competitiveness, as these lands represent the principal *employment* generator in the city and will be guided by the underlying land use designations.
- b)d) While not identified on Schedule B: Urban Structure of this plan designated *employment* lands are also found within both the Urban Centre and the Mixed Use Nodes and Intensification Corridors identified on Schedule B: Urban Structure of this Plan and designated on Schedule C: Land Use – Urban Area.

### 2.3.3 ~~REGION OF HALTON EMPLOYMENT AREA~~ **AREAS OF EMPLOYMENT OVERLAY**

- a) The Region and the City must plan for, protect and preserve the *employment area* for current and future use.
- b) Lands identified within the ~~Areas of Employment~~ Region of Halton *Employment Area* identified as an overlay on Schedule B: Urban Structure, of this Plan provide, in conjunction with those *employment* uses within the residential and mixed use area of the community, opportunities for a fully-diversified economic base, including maintaining a range and choice of suitable sites for *employment* uses which support a wide range of economic activities and *ancillary* uses, and take into account the needs of existing and future businesses.
- c) ~~The Areas of Employment Overlay includes lands identified on Schedule B: Urban Structure, of this Plan, and is composed of:~~
  - (i) ~~A significant portion of the traditional, designated employment lands, designated General Employment or Business Corridor as shown on Schedule C: Land Use – Urban Area, of this Plan; and~~
  - (ii) ~~A significant portion of the mixed use employment-oriented designations including Urban Corridor Employment Lands shown on Schedule C: Land Use – Urban Area, of this Plan; and Uptown Business Corridor Employment Lands and Uptown Business Employment Lands shown on Schedule E: Land Use – Uptown Urban Centre of this Plan.~~

- c) Consistent with Regional Official Plan policy 77.2, additional *Employment Areas* are introduced to the Region of Halton *Employment Area* identified as an overlay on Schedule B: Urban Structure, of this Plan. Lands within the Uptown Urban Centre, Mixed Use Nodes and Intensification Corridors and *employment* lands are recommended to be added and are identified on Schedule B: Urban Structure.
- d) All lands identified within the ~~Region of Halton *Areas of Employment*~~*Employment Area* overlay including lands added to the Region of Halton *Employment Area* identified as an overlay on Schedule B: Urban Structure, of this Plan, prohibit residential and non-employment uses including *major retail* uses with some exceptions subject to Regional Official Plan policy 77.4(1). These lands are protected from conversion to a non-employment use outside of a *municipal comprehensive review*.
- e) The re-designation of lands within the *Employment Area* to a designation that permits non-employment uses is considered a conversion and *may only* occur through a *municipal comprehensive review*, subject to policy 2.2.5.9 of the Provincial Growth Plan (“Places to Grow.”)
- ~~d) Where lands are not identified by the *Areas of Employment Overlay* on Schedule B: Urban Structure, of this Plan, but are captured by the Region of Halton *Employment Overlay*, non-employment uses are prohibited. These lands are protected from conversion to a non-employment use outside of a *municipal comprehensive review*.~~
- ~~e) For clarity, lands which have been recommended for conversion to a non-employment use are not captured in the *Areas of Employment Overlay*.~~
- f) Notwithstanding the policies of Subsection 2.3.2 a) and Subsection 5.2.2 b) of this Plan, the *City*, as part of the development of the Official Plan, has reviewed the combined *City* and Regional *Employment Area* within the *City* of Burlington. Conversion of lands within the *Employment Area* as described in the Regional Official Plan *may only* be considered through the *municipal comprehensive review*. Given that the *City* is built out and that very little if any new lands will be added to the *Employment Area*, the *City* requests the Region of Halton implement Appendix A: Urban Structure Vision, of this Plan for the *City* of Burlington as part of a new approach to meeting both employment and *intensification* objectives through the *municipal comprehensive review*. Appendix A: Urban Structure Vision, proposes that the Region of Halton in reviewing the *Employment Area* consider:
  - i) in strategic locations, permitting non-employment uses which support the *City*’s long term Urban Structure needs by supporting the building of compact mixed use *development* along a series of



transitive-supportive, mixed use corridors, to reduce congestion and support the *major transit station area* policies of the Provincial Growth Plan and the Regional Official Plan;

(ii) p-Permitting non-employment uses on several small, isolated and constrained parcels; and

(iii) modifications that reflect long standing land use policy as embedded in the City's Official Plan as of December 16, 2009, or other irregularities between City and Regional land use policies.

#### **2.3.32.3.4 RESIDENTIAL NEIGHBOURHOOD AREAS**

- a) Lands identified as Residential Neighbourhood Areas make up a significant proportion of the Urban Area. 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.
- b) Residential Neighbourhood Areas are established residential areas, and are not intended to capture a significant portion of the city's growth. Rather, only limited *intensification* such as *secondary dwelling units* shall be permitted. Any *development* occurring in these areas shall be *compatible* and *should* enhance the *physical character* of the surrounding area.
- c) Residential Neighbourhood Areas also include a number of *Neighbourhood Character Areas*, which were identified through planning studies. These areas are guided by additional area-specific policies and Zoning By-law regulations to ensure that *development* is *compatible* with the existing *neighbourhood character*.

#### **2.3.42.3.5 NATURAL HERITAGE SYSTEM, MAJOR PARKS AND OPEN SPACE**

- a) Lands identified as Natural Heritage System, Major Parks and Open Space, include the *City's* Natural Heritage System and lands designated for Major Parks and Open Space. Together they are essential components of a healthy and *sustainable* urban area, and are intended to be protected in accordance with the policies of this Plan.
- b) The Natural Heritage System is made up of *natural heritage features and areas*, such as *woodlands* and *wetlands*, shorelines, enhancements and buffers, and the *linkages* and inter-relationships among them, and with the surrounding landscape. Major Parks and Open Space includes Community Parks, City Parks and other public and private open space lands.

### **2.3.52.3.6 MINERAL RESOURCE EXTRACTION AREA**

- a) Lands identified as Mineral Resource Extraction Area are subject to the policies in Section 8.5, Mineral Resource Extraction Area, of this Plan.

### **2.3.62.3.7 INFRASTRUCTURE AND TRANSPORTATION CORRIDORS**

- a) Lands identified as Infrastructure and Transportation Corridors are guided by the policies in Chapter 6: Infrastructure, Transportation and Utilities, of this Plan.
- b) Major Infrastructure and Transportation facilities are shown on Schedule B: Urban Structure, of this Plan.

## 2.4 GROWTH FRAMEWORK

The Growth Framework is comprised of a collection of policies and a schedule, to be used in conjunction with the Urban Structure, its policies and the land use policies of this Plan. Together they communicate the relative priority, degree, type and location of growth among the four Growth Framework areas: Primary Growth Areas; Secondary Growth Areas; Employment Growth Areas; and Established Neighbourhood Areas, as shown on Schedule B-1: Growth Framework, of this Plan. [Schedule B-2: Growth Framework and Long Term Frequent Transit Corridors illustrates the coordination between land use and transit and highlights the City's frequent transit corridors, along with other provincial transit corridors and facilities. Further information on this schedule can be found in Section 6.2.3.](#)

### 2.4.1 GENERAL OBJECTIVES

- a) To introduce a growth management strategy that differentiates areas within the Urban Area for the purposes of communicating clear direction about where the *City* will and will not be planning to direct growth and *intensification*.
- b) To identify the Primary, Secondary and Employment Growth Areas as the areas where the *City* is planning to accommodate significant population and employment growth and higher *intensity* mixed uses in appropriate areas to make better use of land and *infrastructure*, transforming Burlington from a primarily suburban to a more urban community.
- c) To identify the Established Neighbourhood Area as an area where *intensification* is generally discouraged.
- d) To communicate the *City's* built form strategy for new *development* with respect to *low-rise*, *mid-rise* and *tall building* form.
- e) To identify priority areas for investments in transit as well as other types of *infrastructure* and *public service facilities* in recognition of the importance of the financial *sustainability* of the city as it grows predominantly through *intensification* in key areas.
- f) To ensure that the city's growth makes efficient use of existing and planned *infrastructure*, including transportation and transit, wherever feasible, before considering the development of new *infrastructure* within the Urban Area.
- g) To advance a number of strategic city building objectives, including supporting targeted *intensification*, providing more mobility choices by prioritizing *active transportation* and transit, and supporting more diverse demographic growth through the provision of a wide range of housing options in proximity to existing neighbourhoods.



## 2.4.2 GENERAL POLICIES

- a) The policies of this section *shall* be read in conjunction with the Urban Structure and the underlying land use designations.
- b) The Growth Framework *shall* not apply to:
  - (i) undeveloped areas outside of the *Delineated Built Boundary*; and
  - (ii) lands designated Natural Heritage System, Major Parks and Open Space. In addition, the Growth Framework *shall* not apply to features that meet the criteria for identification as *Key Natural Features* or as sensitive surface water or *groundwater features* in accordance with Subsection 4.2.2 of this Plan, or *hazardous lands* and *hazardous sites* in accordance with Subsection 4.4.2(3) of this Plan;
- c) The boundaries of the Primary Growth Area, Secondary Growth Area, Employment Growth Area or Established Neighbourhood Area, as identified on Schedule B-1: Growth Framework, of this Plan, are static and *shall* only be modified in accordance with the policies of this Plan or through a *City*-initiated Official Plan Amendment.
- d) Notwithstanding Subsection 2.4.2 c) of this Plan, minor modifications to the Growth Framework, as shown on Schedule B-1: Growth Framework, of this Plan, *may* be considered in the context of a site-specific Official Plan Amendment.
- e) The *City* will consider long-term opportunities *for* the *direction* of *intensification* growth and investments in transit *as well as* other types of *infrastructure* and *public service facilities* to Secondary Growth Areas including, but not limited to, the development of future *area-specific plans* and the expansion of the *frequent transit corridors*.

### 2.4.2.(1) PRIMARY GROWTH AREAS

- a) Primary Growth Areas:
  - (i) are identified on Schedule B-1: Growth Framework, of this Plan and are ~~areas~~ generally located within areas identified in the Urban Structure within the Mixed Use Intensification Areas as Urban Centres and *Mobility Hubs*, as identified on Schedule B: Urban Structure, of this Plan with some exceptions. ~~two elements established in the Mixed Use Intensification Areas, and which are identified in Schedule B-1: Growth Framework, of this Plan;~~
  - (ii) *shall* be recognized as a distinct area within the City's Urban Area accommodating the majority of the city's forecasted growth over the planning horizon of this Plan and beyond, and consequently will

- experience the greatest degree of change;
- (iii) *shall* be regarded as the most appropriate and predominant location for new *tall buildings* ~~subject to~~ in accordance with the underlying land use designations, or the land use policies of an *area-specific plan*;
  - (iv) *shall* be identified as priority locations for *City-initiated area-specific planning* and for investments in transit as well as other types of *infrastructure* and *public service facilities*, including parks to support population and employment growth; and
  - (v) *shall* support the *frequent transit corridors* and accommodate *development* that is compact, mixed use, and pedestrian-oriented in nature.
- b) Primary Growth Areas *shall* be a priority for Provincial, Regional and *City* investment in new or upgraded *infrastructure* and/or *public service facilities* which *may* be required to facilitate *intensification* including, but not limited to, the following:
- (i) water/wastewater capacity;
  - (ii) investments in the Province’s Priority Transit Corridors, *frequent transit corridors* and the investigation of the development of a *higher order transit* line such as dedicated lane rapid transit options, if warranted;
  - (iii) *public service facilities*, including parks;
  - (iv) other *infrastructure*, including but not limited to, *hydro infrastructure*; and
  - (v) *public realm* improvements or other capital priorities.
- c) Where an *area-specific plan* has been approved, the more specific land use policies *shall* apply.
- d) Primary Growth Areas are also subject to the policies of Subsection 7.3.2(1) of this Plan.

**2.4.2.(2) SECONDARY GROWTH AREAS**

- a) Secondary Growth Areas:
- (i) are identified on Schedule B-1: Growth Framework, of this Plan, and are located within Mixed Use Nodes and *Intensification* Corridors, as identified on Schedule B: Urban Structure, of this Plan, with some exceptions. In addition, Secondary Growth Areas also comprise select vacant residential sites and *employment* designated sites located immediately adjacent to a Major Arterial or Multi-Purpose Arterial Street as identified on Schedule O-1: Classification of Transportation Facilities – Urban Area, of this Plan;
  - (ii) *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;
  - (iii) are areas expected to transition over the planning horizon and beyond and will not result in a significant relocation of planned growth outside of the Primary Growth Areas [in order to ensure that the objectives and policies of Chapter 6 Infrastructure, Transportation and Utilities can be met;](#)
  - (iv) *shall* be limited to a maximum of *mid-rise building* form, unless otherwise permitted by the policies of this Plan; and
  - (v) where applicable, *shall* support the *frequent transit corridors* and accommodate *development* that is compact, mixed use and pedestrian-oriented in nature.
- b) Secondary Growth Areas are also subject to the policies of Subsection 7.3.2(1) of this Plan.

**2.4.2.(3) ESTABLISHED NEIGHBOURHOOD AREAS**

- a) Established Neighbourhood Areas:
- (i) are identified in the Urban Structure as the following:
    - a. the Residential Neighbourhood Area; and
    - b. certain Mixed Use *Intensification Areas* that are otherwise not included in the Primary or Secondary Growth Areas, both of which are identified in Schedule B-1: Growth Framework, of this Plan;
  - (ii) *shall* be recognized as a distinct area within the city’s Urban Area where *intensification* is generally discouraged;

- (iii) *shall* not be regarded as essential to achieve the population growth distributions, as stated by Places to Grow, and as distributed by the Region of Halton; and
  - (iv) *shall* be composed of selected lands designated Local Centres, and lands designated Residential-Low Density, Residential – Medium Density, and Residential – High Density, and as such *development shall be* in accordance with the permissions and densities established in the underlying land use designation.
- b) ~~Notwithstanding Subsection 2.4.2(3) a) ii) of this Plan, t~~The following opportunities for *intensification* may be permitted:
- (i) *development* in accordance with the maximum density and/or *intensity* permitted under the applicable land use designation;
  - (ii) consents;
  - (iii) plans of subdivision;
  - (iv) lands designated Residential-High Density, in accordance with Subsection 8.3.5(1) c); and/or
  - (v) *secondary dwelling units*.
- c) In the Established Neighbourhood Area, land assembly for *development applications* should be discouraged.
- d) Established Neighbourhood Areas are also subject to the policies of Subsection 7.3.2(2) of this Plan.

#### **2.4.2.(4) EMPLOYMENT GROWTH AREAS**

- a) Employment Growth Areas, as identified on Schedule B-1: Growth Framework, of this Plan, *shall* consist of ~~Areas of Employment~~ employment oriented designations not captured within the Primary Growth or Secondary Growth Areas, and will be an area of focus for the *intensification* of employment ~~lands~~.
- b) Employment Growth Areas have the potential to accommodate a significant portion of the employment distributed by the Region of Halton.
- c) Within Employment Growth Areas, all forms of *employment intensification* may be permitted in accordance with the permissions established in the underlying land use designation.
- d) Employment Growth Areas are also subject to the policies of Subsection 7.3.2(3) of this Plan.



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Complete communities meet people’s needs for daily living throughout an entire lifetime by providing convenient access to an appropriate mix of jobs, local services, a full range of housing and *public service facilities* including *affordable housing*, schools, *recreation* and open space for their residents. *Culture* and community activities thrive, creating a positive sense of place, inclusivity and community. Convenient access to public transportation and options for active transportation are also provided.

Broadly, the policies of this Plan aim to provide a wide range of opportunities to accommodate jobs and housing. A successful and *complete community* must also provide residents with access to a range of services and facilities that will satisfy health, education, social, religious and recreation needs. Several key elements of a complete community, such as housing, *public service facilities* and *institutional uses*, parks, *cultural resources* and *cultural heritage resources*, are addressed by the policies of this chapter; however the entire Plan is intended to work together to deliver the elements of a *complete community*.

### 3.1 HOUSING

Housing is fundamental to the social, economic and physical well-being of the city’s residents and neighbourhoods. The *City* will promote an appropriate and adequate range of housing choices by type, tenure and affordability level, to accommodate the needs of all city residents and workers, regardless of age, income level, physical, sensory and mental health and ability, culture, level of support services, household structure and family composition.

#### 3.1.1 HOUSING SUPPLY

##### 3.1.1(1) OBJECTIVES

- a) To ensure that a sufficient supply of suitably designated and serviced land is available to accommodate residential growth to meet existing and future housing needs.
- b) To promote a land use pattern that mixes and disperses a full range and mix of housing types and tenures across the city, subject to the policies of this Plan.
- c) To make more efficient use of existing developed lands, housing stock and available services to increase the supply of housing, while maintaining *compatibility* with the character of existing neighbourhoods.

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- d) To support the Region of Halton in the establishment and monitoring of minimum housing targets.
- e) To maintain the quality of the existing housing stock.

### 3.1.1(2) POLICIES

- a) To the extent to which land is available in the Urban Area, the *City shall* maintain the ability to accommodate its share of residential growth within the *regional market area*. The *City* will assist the Region of Halton in the establishment and monitoring of annual minimum targets for the production of housing units by density type, and for the production of *assisted* and *affordable housing*, based on targets established in the Regional Official Plan.
- b) The *City* will work with the Region of Halton to provide opportunities for housing for a wide array of socio-economic groups and those with differing physical needs and household compositions, using all available planning mechanisms and tools.
- c) The use of surplus lands owned by the *City* and other *public authorities shall* be considered for *affordable* and *assisted housing*, before using them for other land uses.
- d) In consultation with the Region of Halton, the *City* will ensure an adequate level of local municipal *infrastructure* to meet the demands of residential *development*.
- e) *The City* will support housing initiatives that facilitate revitalization, particularly the identification and remediation of *brownfield, greyfield* and *bluefield* lands, *compact built form*, flexibility and adaptability in the design and function of the housing stock, and an increased variety of housing alternatives.
- f) In partnership with the Region of Halton, other *public authorities* and the private sector, the *City* will identify *brownfield, greyfield* and *bluefield* sites outside ~~Areas of Employment~~ Areas and work toward encouraging their availability where appropriate, for *development* for housing purposes, including a component of *affordable housing* and/or *assisted* and *special needs housing*. Such sites or lands *may* be declared as Community Improvement Project Areas subject to Subsection 12.1.15 of this Plan, to facilitate their *development*.
- ~~g) The City will consider financial and other incentives, including grants, property tax reductions, infrastructure improvements and Community Improvement Plans to facilitate the provision of affordable housing and/or assisted and special needs housing.~~

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~~h)g)~~ The City will develop a city-wide housing strategy that will support the Region's Comprehensive Housing Strategy and will:

- (i) ~~d~~Describe the current range and mix of housing in the city;
- (ii) ~~e~~Establish city-wide housing objectives;
- (iii) ~~c~~Consider the housing policies and strategies from this Plan and *area-specific plans*;
- (iv) ~~e~~Examine opportunities for partnerships to increase the supply of *affordable housing*;
- (v) ~~d~~Develop:
  - a. minimum targets in support of achieving the Region's housing mix and *affordable* and *assisted housing* targets;
  - b. minimum targets within *mid-rise* and *tall buildings* for *affordable*, *assisted* and/or *special needs housing*;
  - c. minimum targets for two (2) and three (3) bedroom units for residential *development* applications, including minimum targets for 3 or more bedroom units.
- (vi) The City will consider financial and other incentives, including grants, property tax reductions, infrastructure improvements and Community Improvement Plans to facilitate the provision of *affordable housing* and/or *assisted* and *special needs housing*.
- (vii) ~~r~~Recommend any required amendments to this Plan to implement the findings of the city-wide housing strategy.

~~h)~~ The City shall require the submission of a *housing impact statement* where ~~the a~~ development proposal includes more than one hundred (2100) dwelling units, identifying:

- (i) how the proposal contributes to achieving the Region's housing targets, including identification of any proposed new *affordable* or *assisted* housing units;
- (ii) how the estimated rents and/or initial sales prices of the *development* are at or below the *affordable housing* thresholds by type;
- (iii) where construction of the units is expected to occur in phases, information regarding the number of *affordable housing* units to be provided per phase, where applicable; and

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- (iv) the proposed legal and/or financial mechanisms to ensure the delivery of any proposed new *affordable housing* commitments, and mechanisms to retain the long term affordability of units, where applicable.
- ~~j~~i) The *City* will advise the Region of Halton and senior levels of government of the need for *infrastructure* and servicing funding associated with the provision of additional housing in the city.
- ~~k~~j) The *City* will consider the provision of innovative forms of housing tenure, such as co-operative housing, and common element, phased and vacant land condominiums, as a means of increasing housing diversity, choice and supply in the city.
- ~~k~~) The *City* will *encourage* a mix of housing forms. However, the city's existing areas of Residential Low-Density *shall* be considered sufficient to contribute towards that component of the mix.
- ~~m~~) The *City* will *encourage* the building and *development* industry to incorporate *universal design* features in all new buildings.
- ~~m~~) The *City* will support and encourage the ongoing maintenance and stability of the existing housing stock in the community by:
  - (i) enforcingement of the *City's* Property Standards By-law;
  - (ii) supporting the reuse and adaptation of the housing stock; and
  - (iii) supporting community access to programs funded by senior levels of government for the rehabilitation and repair of housing.

### 3.1.2 HOUSING TENURE

#### 3.1.2(1) OBJECTIVE

- a) To maintain an appropriate balance between rental and ownership housing stock in the city by protecting the existing supply of rental housing and encouraging the provision of new rental housing.

#### 3.1.2(2) POLICIES

- a) The demolition or conversion to freehold or condominium ownership of a residential rental property containing six (6) or more units, in part, or in whole, ~~should~~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

## CHAPTER 3 – COMPLETE COMMUNITIES

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) where demolition occurs, and where a *development application* is submitted, at a minimum the proposal *shall* include the same number of replacement rental housing units with the same number of bedrooms per unit, for those units that are demolished;
  - (iv) that negative economic and other impacts upon tenants are minimized to an acceptable level; and
  - (v) the requirements of any applicable Provincial legislation or regulation, as amended, are met.
- b) A complete application for conversion to condominium tenure *shall* include, to the satisfaction of the *City*, proof of tenant notification of the 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.
  - c) The *City* will *encourage* the construction of rental housing with a full mix and range of unit types and sizes.

### 3.1.3 HOUSING AFFORDABILITY

#### 3.1.3(1) OBJECTIVES

- a) To promote the provision of an appropriate range and mix of *affordable housing* to meet the needs of the existing and future population.
- b) To support programs designed to increase the supply of *affordable housing*.
- c) To *encourage* the development of *affordable housing* throughout the city.
- d) To explore new approaches to reduce residential land and construction costs, including expediting the *development* approval process, as an aid to reduce the overall cost of housing.

#### 3.1.3(2) POLICIES

- a) The *City* will identify, promote and where appropriate, participate in, *affordable* and *assisted housing* opportunities funded by senior levels of government.



- b) In consultation with the *development* industry, the *City* will consider the establishment of alternative *development* standards for residential *intensification* and new residential *development* which minimize the cost of housing and facilitate *compact built form*, while maintaining appropriate levels of public health and safety.
- c) The *City* will consult with the *development* industry to develop innovative housing designs that encourage the *development* of more *affordable housing*.

### 3.1.4 ASSISTED AND SPECIAL NEEDS HOUSING

#### 3.1.4(1) OBJECTIVES

- a) To meet housing needs by permitting *assisted* and *special needs housing* in all residential neighbourhoods in the Urban Area of the city.
- b) To integrate *assisted* and *special needs housing* with *market housing*.
- c) To support housing programs that are beneficial to the provision of *assisted* and *special needs housing*.

#### 3.1.4(2) POLICIES

- a) *Assisted* and *special needs housing* shall be permitted throughout the city, but shall be directed and *encouraged* to locate within the Urban Area, where public transit, retail and *public service facilities* are readily accessible.
- b) The *City* will encourage providers of *assisted* and *special needs housing* in maintaining the supply of *assisted* and *special needs housing* in the Urban Area of the city. The Zoning By-law shall contain provisions that will permit *assisted* and *special needs housing* in all residential neighbourhoods, subject to reasonable planning standards and design criteria.
- c) The *City* will support the Halton Community Housing Corporation and other providers of *assisted* and *special needs housing* in providing *assisted* and *special needs housing* in the city, and will support their applications to senior levels of government for funding under housing programs.
- d) The *City* will identify, promote and where appropriate, participate in, *assisted* and *special needs housing* opportunities funded by senior levels of government.
- e) The *City* will recognize the importance of *development applications* which will provide *assisted* and *special needs housing*, and further, will give priority to planning approval of those receiving funding from senior levels of government or where proposed by a charitable not for profit organization.

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*Any development application shall be assessed by the relevant policies of this Plan.*

- f) The *City shall* require that *assisted and affordable housing* projects receiving government funding include, as appropriate, units with *universal design* and energy conservation standards, as described by the Region of Halton.
- g) Notwithstanding the other provisions of this Plan, the Zoning By-law *may* exclude *assisted and special needs housing* containing *dwelling units* without full culinary and sanitary facilities from the density provisions of this Plan.

## 3.2 PUBLIC SERVICE FACILITIES AND INSTITUTIONAL USES

This section is intended to ensure that a broad range of *public service facilities*, such as police/fire services, libraries, schools, parks, community centres, hospitals, and *long-term care facilities*, are planned for at a neighbourhood and city-wide scale in order to serve the current and future needs of residents. These services are provided by many levels of government and *public authorities*. The *City* makes decisions for some of these facilities, such as libraries, parks and community centres.

An *institutional use* includes a broad category of uses that provide a service to the public but that service is provided by other partners in the community. Examples include private day care facilities, trade schools, ~~private schools,~~ medical offices, and places of worship. These are important uses that are ~~critical to~~ part of a *complete community*.

### 3.2.1 OBJECTIVES

- a) To ensure that *public service facilities* and *institutional uses* are recognized as having an important role both within neighbourhoods and the city as a whole.
- b) To ensure that current and future neighbourhood and city-wide needs for *public service facilities* and *institutional uses* are considered and planned for as part of future growth and *development* planning.
- c) To recognize the role of *public service facilities*, in particular parks and open spaces, in contributing to more *complete communities* that support recreation, sports and active living.
- d) To support the development of a city-wide Post-Secondary Institution Strategy.
- e) To recognize that *public service facilities* and *institutional uses* may contain *sensitive land uses* that may not be appropriate in all areas of the city.

### 3.2.2 POLICIES

- a) *Public service facilities* shall be permitted in all land use designations identified on Schedule C: Land Use – Urban Area, Schedule I: Land Use – Rural Area and Schedule K: Land Use- North Aldershot; with the exception of the Natural Heritage System, Agricultural Area, and Mineral Resource Area designations of this Plan. Within the Niagara Escarpment Plan Area, the policies of the Niagara Escarpment Plan also apply.

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- b) In the Urban Area, *institutional uses shall* be permitted within all land use designations identified on Schedule C: Land Use - Urban Area, of this Plan, with the exception of the Natural Heritage System designation of this Plan. In the North Aldershot Area, *institutional uses may* be permitted within all land use designations identified on Schedule K: Land Use– North Aldershot, with the exception of the Greenlands (Escarpment Plan Area), Environmental Protection Area and North Aldershot Special Study Area land use designations, subject to meeting the conditions set out in Subsection 10.3.2 k) of this Plan.
- c) Notwithstanding Subsection 3.2.2 a) and b) of this Plan, *public service facilities and institutional uses should be discouraged from locating within the Employment Area as they often require locations that would better serve the broader community. These uses may only be permitted in the ~~Area of~~ Employment Area where the following criteria are met:*
- (i) the use is an *ancillary employment use, as defined in Chapter 13, Definitions, of this Plan;*
  - (ii) the use is located at the periphery of the ~~Area of~~ *Employment Area, as shown on Schedule B: Urban Structure, of this Plan by being within 400 m of a Major Arterial, Multi-Purpose Arterial Street or an Urban Avenue, as identified on Schedule O-1: Classification of Transportation Facilities-Urban Area, of this Plan;*
  - (iii) the use has access to at least one Major Arterial, Multi-Purpose Arterial, Urban Avenue, or Industrial Connector Street, as identified on Schedule O-1: Classification of Transportation Facilities – Urban Area, of this Plan;
  - ~~(iii)~~(iv) the use has a maximum floor area of 500 sq. m.; and,
  - ~~(iv)~~(v) the use *shall* not contain a residential use.
- d) Notwithstanding Subsection 3.2.2 b) of this Plan, *major places of worship shall* not be permitted within an ~~Area of~~ *Employment Area* with the exception of lands designated Urban Corridor-Employment Lands.
- e) Notwithstanding Subsection 3.2.2 a), and b) and c) of this Plan, *public service facilities and institutional uses that are considered a sensitive land use which are proposed within an ~~Area of~~ Employment Area, with the exception of lands designated Urban Corridor-Employment Lands, shall* be subject to the following:
- (i) meeting the criteria established in Subsection 3.2.2 c) ii) through iv); and

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- (ii) a site-specific Zoning By-law amendment *shall* be required to the Zoning By-law. Such an amendment will be considered only following the completion of a land use compatibility assessment that addresses all relevant considerations such as noise, vibration, odour and dust, using Provincial Land Use Compatibility guidelines and the Region of Halton's Land Use Compatibility Guidelines, Air Quality Guidelines, the policies of Section 4.6, Land Use Compatibility, of this Plan, and any other relevant considerations to ensure that the location and design of the use mitigates *adverse effects*.
- f) *Institutional uses* proposed within the Rural Area *shall* only be permitted to locate within the Rural Settlement Area designations as shown on Schedule I: Land Use – Rural Area, of this Plan.
- g) The *City* will initiate the preparation of a comprehensive, city-wide Post-Secondary Institution Strategy that will consider, at a minimum:
  - (i) an economic development strategy;
  - (ii) an analysis and discussion of the relative strengths and opportunities related to the potential to accommodate a post-secondary institution in Primary Growth Areas, including the Downtown or *Mobility Hubs* or areas within the *Designated Greenfield Area*; and
  - (iii) an analysis of the *infrastructure*, investments and supportive uses that would likely be required to support a potential post-secondary institution.
- h) *Area-specific plans* *shall* identify and plan for future *public service facility* needs, [including community hubs](#) as identified in Subsection 12.1.3 of this Plan, and *shall* have regard for potential future *institutional uses* which may be required to serve residents.
- i) The implementing Zoning By-law *shall*:
  - (i) subject to the policies of Subsections 3.2.2 a), b), c), d) and e) of this Plan, permit *public service facilities* and *institutional uses* within all Urban Area zones, with the exception of the zones implementing the Natural Heritage System designation, provided such uses about a Major Arterial, Multi-Purpose Arterial, Urban Avenue, Main Street, Neighbourhood Connector or Industrial Connector Street, as identified on Schedule O-1: Classification of Transportation Facilities – Urban Area, of this Plan; and
  - (ii) establish regulations, where appropriate, regarding the location and associated *development* standards for *public service facilities* and *institutional uses* in order to achieve a high degree of *compatibility*

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with surrounding areas. Such regulations *may* include, but *shall* not be limited to: design standards, parcel size requirements, minimum setbacks and/or minimum separation distances from like uses or other *sensitive land uses*.

- j) Surplus *public service facilities* *may* be acquired by the *City* where such lands and/or buildings are deemed to be required to fulfill a community need, are cost-effective, and in cases involving surplus public education facilities, the acquisitions are in accordance with the appropriate Ontario Regulation for surplus public education facilities.
- k) The co-location of more than one *public service facility* and/or *institutional use* within a single building, ~~or~~ site or community hub is encouraged.
- l) The City will collaborate and consult with service planning, funding and delivery sectors to facilitate the co-ordination and planning of community hubs and other public service facilities.
- ~~l)m)~~ Notwithstanding any policy of this Plan, *public service facilities* and *institutional uses* shall not be subject to a floor area maximum as identified within any land use designation contained within this Plan, with the exception of *institutional uses* located within an ~~Area of Employment~~ Area in accordance with Subsections 3.2.2 ~~ce~~), de) and ef) of this Plan.
- ~~m)n)~~ Notwithstanding Subsection 3.2.2 ij) (i) of this Plan, *existing* public education facilities not abutting a Major Arterial, Multi-Purpose Arterial, Urban Avenue, Main Street, Neighbourhood Connector or Industrial Connector Street as identified on Schedule O-1: Classification of Transportation Facilities – Urban Area, of this Plan, *shall* be a permitted use.

### 3.2.3 SITE-SPECIFIC POLICIES

- a) **1500 Kerns Road:** Notwithstanding Subsection 3.2.2 d) of this Plan, an individual *major place of worship* is permitted at 1500 Kerns Road.
- b) **4209 Palladium Way, 4691 Palladium Way, 4721 Palladium Way, and 4380 South Service Road:** Notwithstanding Subsections 3.2.2 ce) and ef) of this Plan, individual *minor places of worship* are permitted at the following locations:
  - (i) 4209 Palladium Way;
  - (ii) 4691 Palladium Way;
  - (iii) 4721 Palladium Way; and
  - (iv) 4380 South Service Road.

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### 3.3 PARKS, RECREATION AND OPEN SPACE

Parks and open space are an essential component of a healthy and *sustainable* city. Parks, open space and *recreational* opportunities contribute to a healthier environment and healthier residents, improving quality of life, providing positive public health outcomes and creating a sense of belonging. The policies in this section provide direction on parks and open space in all areas of the city.

#### 3.3.1 OBJECTIVES

- a) To recognize parks and open space lands as valuable resources to the community that play an important role in defining the character of the city and lifestyle of the city's residents.
- b) To ensure an adequate and equitable supply of parks, open space and public gathering space, and that a full range of leisure opportunities, are available throughout the city.
- c) To collaborate with other agencies such as the school boards, Conservation Halton and the Region of Halton, in the planning and development of parks and other *recreation* and leisure facilities.
- d) To implement the park classification system established in the Parks, Recreation and Cultural Assets Master Plan, as amended from time to time, in order to effectively address the parks and *recreation* needs of city residents.
- e) To collaborate with partner agencies to create and enhance the Cootes to Escarpment Ecopark System and the Niagara Escarpment Parks and Open Space System.

#### 3.3.2 POLICIES

- a) The municipal parks system *shall* consist of Parkettes, Neighbourhood Parks, Community Parks, City Wide Parks and Special Resource Areas/Linkages. The function of each type of park is defined in the Parks, Recreation and Cultural Assets Master Plan, as amended from time to time. The main function of each park type is as follows:
  - (i) a Parkette consists of a small land area that is designed to provide a variety of passive and visual benefits for the surrounding area;
  - (ii) a Neighbourhood Park is designed and located to serve the recreational needs of a neighbourhood;
  - (iii) a Community Park is designed and located to serve several neighbourhoods;



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- (iv) a City Park is designed to serve the leisure needs of all the residents of the city; and
  - (v) a Special Resource Area/Linkage is an area of parkland in its natural state used for conservation and/or preservation, and *may* include *non-intensive recreation uses*.
- b) The policies in this section apply to all parks and open space throughout the city. Additional parks and open space policies are found in Chapter 8: Land Use Policies - Urban Area, Chapter 9: Land Use Policies – Rural Area, and Chapter 10: Land Use Policies - North Aldershot, of this Plan.
  - c) The location of neighbourhood parks, special resource areas/linkages and parkettes will not be designated on Schedule C: Land Use - Urban Area, Schedule I: Land Use - Rural Area, or Schedule K: Land Use - North Aldershot, of this Plan.
  - d) The amount of parkland to be provided in the city, including the distribution of parkland by park type will be defined in the Parks, Recreation and Cultural Assets Master Plan, as amended from time to time. The majority of new parkland will be acquired by the *City* through the *development* approval process as parkland dedication in accordance with Subsection 12.1.16 of this Plan.
  - e) The *City* will update the existing Parks, Recreation and Cultural Assets Master Plan, and *may* identify new park types and park functions.
  - f) Connections between neighbourhoods and parks, such as pedestrian and bicycle trails, *shall* be identified and secured during the *development* approval process. Provision for these connections *shall* be included in the design of the park. Additional policies related to trails and cycling are found in Subsection 6.2.4 of this Plan.
  - g) The public acquisition and/or use of *utility* corridors, such as railway rights-of-ways and hydro rights-of-ways, *shall* be *encouraged* for the purposes of expanding the city's walkway and bikeway systems.
  - h) A high priority *shall* be placed on environmental protection, accessibility for all ages and abilities, public safety, public access and increased visibility along streets during the detailed design and development of parks.
  - i) Parks *shall* be located, designed and maintained to enhance the local neighbourhood or community.
  - j) In areas of the city that are deficient in parkland, parkettes *may* be developed by the *City* to respond to this deficiency.

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- k) The *City* will work with other orders of government to co-ordinate strategies and funding opportunities to acquire and preserve parks and open space, with priority given to areas along the waterfront, the Cootes to Escarpment Ecopark System and the Niagara Escarpment Parks and Open Space System.
- l) The design, development and use of Burloak Waterfront Park, Paletta Waterfront Park, LaSalle Park, Spencer Smith and Burlington Beach Waterfront Park will be subject to Park Master Plans, Park Development Plans and/or revitalization plans. Each Master Plan will be prepared by the *City*, in conjunction with the Region of Halton and Conservation Halton.
- m) Consideration will be given to locating school sites and parks adjacent to one another, in order to avoid duplication of services.

### 3.3.3 OTHER USES

#### 3.3.3(1) CEMETERIES AND ACCESSORY FACILITIES

- a) A *cemetery* and *accessory* facilities and structures *shall* be located in accordance with Provincial Land Use Compatibility Guidelines. A *crematory* *shall* not be considered an *accessory* use to a cemetery and *shall* be considered an *industrial* use that is subject to the policies contained in Section 4.6, Land Use Compatibility, of this Plan.

### 3.4 CULTURAL RESOURCES

*Culture* makes each place unique and *cultural resources* are central to building a vibrant, liveable and unique community. They have the ability to boost economic development and tourism by making destinations for visitors and local residents and are linked to other aspects of the city's overall health, including the environment.

*Cultural resources* include the following categories: Community Cultural Organizations; Creative Cultural Industries; Cultural Events and Festivals; Cultural Facilities and Spaces; *Cultural Heritage Resources*; Independent Artists; Natural Heritage; and Public Art.

The *City* recognizes the importance of planning for a wide range of arts, culture, *recreation* and leisure opportunities as well as the role of *cultural resources* in meeting the needs of the community and ensuring that each component contributes to the future quality of life. Benefits can include: enhanced civic pride and identity; enhanced tourism and economic development opportunities; site beautification; enhanced cultural vibrancy; new opportunities for the local cultural community; encouragement of community dialogue; and a lasting legacy for future generations.

#### 3.4.1 OBJECTIVES

- a) To support *cultural resources* in a way that contributes to increased cultural vibrancy and diversity in the community.
- b) To increase the amount of publicly visible art throughout the city.

#### 3.4.2 GENERAL POLICIES

- a) The *City* will support a wide range of *creative cultural industries* in appropriate locations throughout the city.
- b) The *City* will maintain an inventory of *cultural resources*.
- c) The *City* will consider opportunities for establishing cultural clusters or districts that can create a critical mass of cultural activity in specific geographic areas.

#### 3.4.3 PUBLIC ART

- a) The *City* will manage a city-wide public art program that will make art more visible throughout the city, in accordance with the Public Art Master Plan.
- b) A citizens' panel *shall* advise and assist the *City* in the acquisition and siting of public art.

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- c) The *City* will ensure that public art is a consideration in all significant new and enhanced related capital projects.
- d) The *City* will *encourage* the inclusion of public art in all significant private sector *development* across the city, using applicable planning tools and processes. Private sector developers will be *encouraged* to follow the best practices established by the *City* for the acquisition and selection of public art. The *City* will provide assistance in the application of these practices.



## 3.5 CULTURAL HERITAGE RESOURCES

Burlington's heritage is a living legacy that helps the community to understand its past, provides context for the present, and influences the future. *Cultural heritage resources* are comprised of *built heritage resources*, *cultural heritage landscapes*, and *archaeological resources*. *Cultural heritage resources* are located throughout the city and many are privately owned. These resources provide physical and cultural links to the identity of the city, create a sense of civic pride, and contribute to the quality of life and enjoyment of the city by residents and visitors alike. The *conservation of cultural heritage resources* also contributes to the overall *sustainability* of the city.

This section contains objectives and policies which recognize the irreplaceable nature of *cultural heritage resources* and provides a framework for their identification, promotion, and *conservation*.

### 3.5.1 OBJECTIVES

- a) To recognize and raise awareness of *cultural heritage resources* in the city.
- b) To *encourage* and support public and private stewardship of the city's *cultural heritage resources*.
- c) To *encourage* innovation and creativity in the maintenance, *rehabilitation*, renovation, and reuse of *cultural heritage resources*.
- d) To minimize the demolition, destruction, deterioration, and inappropriate alteration and/or use of *cultural heritage resources* in accordance with legislative authority and sound heritage conservation practices.
- e) To identify *cultural heritage resource* conservation issues early on and throughout in the land use planning and decision-making process.
- f) To ensure that new *development* in areas with cultural heritage character does not detract from the overall cultural heritage character of the area, as defined through study.
- g) To identify *archaeological resources* and areas of archaeological potential and to ensure that significant *archaeological resources* are *conserved* on lands where *development* or *site alteration* is proposed.
- h) To identify *cultural heritage landscapes* in the city.

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- i) To *encourage* an active and engaged approach to heritage conservation, and to provide practical advice to owners of *cultural heritage resources* about the means of protecting and maintaining *cultural heritage resources*.
- j) To *encourage* and develop private and public financial and non-financial support for the conservation of *cultural heritage resources* and to support the continuing use, reuse, care and conservation of *cultural heritage resources* by encouraging property owners to seek out and apply for any available funding for conservation work and good stewardship.
- k) To *encourage* other orders of government, including the Region of Halton, Provincial ministries, and Conservation Halton, to take actions to *conserve*, enhance and use *cultural heritage resources* located in the City of Burlington.

### 3.5.2 POLICIES

#### 3.5.2(1) USE AND TREATMENT OF CULTURAL HERITAGE RESOURCES

- a) The *City* will protect, enhance and manage *City*-owned and/or *City*-maintained *cultural heritage resources* in a manner that furthers the objectives of this Plan and sets an example of leadership for the community in the *conservation* of *cultural heritage resources*. Heritage *conservation* planning *shall* be an integral part of the land use planning process in the city.
- b) The *City shall* consult its municipal heritage committee with regard to the identification, protection, use and treatment of *cultural heritage resources*.
- c) *Cultural heritage landscapes*, including *cemeteries*, and *significant views* *should* be inventoried and *conserved*.
- d) The *City* will consider the use of government and/or non-government funding, including grants, loans and/or tax rebates to support the implementation of heritage *conservation* objectives.
- e) *Cultural heritage resources shall* be protected and *conserved*, in accordance with the Standards and Guidelines for the Conservation of Historic Places in Canada and other recognized heritage protocols and standards.
- f) The *City shall* use criteria established by Provincial regulation under The Ontario Heritage Act for determining cultural heritage value or interest and for identifying and evaluating properties for listing on the Municipal Register and for designation under The Ontario Heritage Act. The *City may* further refine these criteria and provide guidelines for their use.

#### 3.5.2(2) PUBLIC ENGAGEMENT

- a) *Cultural heritage resources shall be conserved* through actions that are determined in consultation with the municipal heritage committee (Heritage Burlington); Conservation actions will also be determined through consultation with property owners, local residents, special interest groups ~~and~~, government agencies, and First Nations and Metis communities, as appropriate. These actions include identifying, managing, interpreting and using *cultural heritage resources* in responsible, creative and *sustainable* ways.
- b) The municipal heritage committee will advise and assist the *City* on matters relating to *cultural heritage resources* and will promote heritage conservation and collaborative stewardship within the city, through public engagement and communication initiatives.

### 3.5.2(3) IMPLEMENTATION

- a) A Municipal Register of Cultural Heritage Resources *shall* be maintained in consultation with the municipal heritage committee.
- b) The Municipal Register *shall* contain all properties designated under The Ontario Heritage Act and *may* contain properties of cultural heritage value or interest to the *City* or a community that are not designated under The Ontario Heritage Act. The Municipal Register *may* contain documentation including legal description(s), owner information, and a description of the *heritage attributes* for each designated and listed *cultural heritage resource*. To ensure effective protection and to maintain its currency, the Municipal Register will be updated regularly and be accessible to the public.
- c) The *City* will participate in the *conservation and development* of *cultural heritage resources* through a range of actions which *may* include acquisition, assembly, resale, joint venture, tax incentives, grant or loan programs, community benefits, or other forms of involvement that will result in the sensitive *conservation* of those resources.
- d) Pursuant to The Ontario Heritage Act, The Planning Act, The Building Code Act, The Municipal Act, or any other relevant legislation, the *City may* enact by-laws or adopt other measures for the management and *conservation* of *cultural heritage resources*.
- e) The *City* will *encourage*, where appropriate, the adaptive re-use of a *built heritage resource* in a manner that is not destructive to the character-defining attributes of the resource.
- f) Pursuant to the provisions of The Ontario Heritage Act, the *City may* enter into heritage conservation easement agreements with private property

owners to ensure the long-term maintenance and *conservation of cultural heritage resources*.

- g) Provisions *may* be included within the Zoning By-law to ensure that the *development* of properties containing *cultural heritage resources*, and the *development* of properties adjacent to *cultural heritage resources*, are *compatible* with the existing heritage character of an area.
- h) *Area-specific planning* land use studies and *community improvement plans* and programs, including the provision of *infrastructure*, shall identify *cultural heritage resources* that exist in the area under study and propose ways to *conserve*, integrate, protect and enhance any significant *cultural heritage resources*.

### 3.5.2(4) HERITAGE DESIGNATION

- a) The designation of *cultural heritage resources* under the provisions of The Ontario Heritage Act, will be pursued to implement the objectives and policies of this Plan.
- b) The *City may* give priority to designating non-designated properties listed on the Municipal Register over other historic properties.
- c) The “Statement of Significance” in a designation by-law will outline the character-defining attributes that must be maintained and which define the heritage value of the *cultural heritage resource*.
- d) Owners of *cultural heritage resources* designated under The Ontario Heritage Act shall be required to *conserve* the *heritage attributes* identified in the Statement of Significance of the resource.
- e) *Cultural heritage resources may be conserved* through designation as Heritage Conservation Districts under The Ontario Heritage Act where some or all of the following criteria have been met:
  - (i) the District contains *cultural heritage resources* that reflect an aspect of local history by nature of location and historical significance of setting;
  - (ii) the District contains *cultural heritage resources* that are of a style of architecture or method of construction which is historically or architecturally significant to the city, Region or Province;
  - (iii) the District contains other important earth science features, *archaeological resources*, natural elements, landscape or aesthetic attributes that are not sufficient for individual designation, but lend support in evaluating the criteria for designation; and/or



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- (iv) that together are of cultural heritage value to a community for their interrelationship, meaning or association, which is explored and determined through a community engagement process.

**3.5.2.(4.1) USE AND TREATMENT OF DESIGNATED CULTURAL HERITAGE RESOURCES**

- a) *Cultural heritage resources* designated under The Ontario Heritage Act will be *conserved* in accordance with best practices in *heritage conservation*.
- b) Alterations to *cultural heritage resources* designated under The Ontario Heritage Act, including *site alteration* or the erection, demolition, alteration, or removal of any building or structures on the designated property, will require the written consent of the *City* in accordance with The Ontario Heritage Act.
- c) The *City* will require the submission of supporting materials, which *may* include a Heritage Impact Statement prepared by a *qualified person*, prior to recognizing a complete application for consent to alter a property designated under The Ontario Heritage Act.
- d) Any alteration to an existing building or structure and/or new construction within a Heritage Conservation District under The Ontario Heritage Act will be considered on the property's assessed heritage value and contribution to the character of the district as determined by the district guidelines.

**3.5.2(5) DEVELOPMENT POLICIES**

- a) All *development* shall consider *cultural heritage resources* and, wherever feasible, incorporate these resources into any *development* plans in a way that *conserves* the character-defining attributes of the *cultural heritage resource*.
- b) If *development* is proposed on any property listed on the Municipal Register, the property, or portions of the property, *may* be considered for heritage designation or the entering into of a heritage conservation easement agreement, to secure *conservation of cultural heritage resources*.
- c) All options for the retention of *cultural heritage resources* in their original location *should* be exhausted before resorting to re-location. The following alternatives *shall* be given due consideration in order of priority:
  - (i) on-site retention in the original use and location and integration with the surrounding or new *development*;
  - (ii) on-site retention in an adaptive re-use;
  - (iii) re-location to another site within the same *development*; and
  - (iv) re-location to a sympathetic site within the city.

The *City* will consider other *conservation* solutions as appropriate.

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- d) Completion of a Heritage Impact Study by a *qualified person shall* be required prior to the *City* recognizing a complete application for proposed *development*, where the *City* foresees potential unacceptable impacts on the character-defining attributes (including important landscapes, vistas and *streetscape*) of a property designated pursuant to The Ontario Heritage Act, or of a property worthy of designation, as determined by The Ontario Heritage Act. Completion of a Heritage Impact Study *may* be required prior to any approvals for proposed *development* where the *City* foresees potential unacceptable adverse impacts on the cultural *heritage attributes* of any other property identified on the City's Municipal Register. The applicant *shall* submit a Heritage Impact Statement when:
- (i) the proposal requires an Official Plan Amendment, a zoning by-law amendment, a plan of subdivision, a plan of condominium, a site plan application, or where necessary, a consent or minor variance application;
  - (ii) the proposal involves the demolition of a building or the removal of a building or landscape feature or part thereof of a *cultural heritage resource*;
  - (iii) there is potential for unacceptable adverse impacts to a *cultural heritage resource* from the proposed *development*.
- e) If a *development* proposal substantially changes in scope and/or design from that described in the Heritage Impact Statement, the *City shall* require that the applicant submit additional information, including a revised Heritage Impact Statement.
- f) Approval of *development* on lands containing *cultural heritage resources* and/or within a *cultural heritage landscape may* be subject to *conservation* of the *cultural heritage resource*. Should the *City*, in consultation with its municipal heritage committee, determine that the proposal to alter, demolish or erect a structure that would detract from, or indirectly impair the character, quality, *heritage attributes* or stability of a significant *cultural heritage resource*, the proposal *shall* be subject to the recommendations of a Heritage Impact Statement.
- g) *Cultural heritage resources* that are to be removed, demolished, or significantly altered with the appropriate approvals from the *City, shall* be recorded for archival purposes with a history, photographic record and measured drawings, as appropriate, before alteration, removal or demolition. Such documentation *shall* be made available to the *City* for archival purposes.

- h) Local *utility* companies and public works projects *shall* locate equipment and devices and conduct work in such a manner so that they do not detract from the visual character of the character-defining attributes of *cultural heritage resources*.
- i) *Trees* and other vegetation and/or landscape features identified as contributing to the cultural heritage value or interest of a *cultural heritage resource* *should* be *preserved*, and considered in the design of any *development*. Where removal of *trees* or other vegetation and/or landscape features identified as contributing to the cultural heritage value or interest of a *cultural heritage resource* is proposed, the *City* *may* require the applicant to revise the proposal such that these features are retained.
- j) The *City* *may* require a letter of credit or other financial security satisfactory to the *City*, from the owner of property containing a *cultural heritage resource* or of property within a *cultural heritage landscape*, to secure:
  - (i) protection of the resource during *development* and/or re-location; and/or
  - (ii) implementation of measures to *conserve* the *cultural heritage resource* approved by the *City*.

#### 3.5.2.(5.1) CULTURAL HERITAGE LANDSCAPES

- a) The proponent of a major *development* or *infrastructure* proposal within the Cultural Heritage Landscape Study Area Boundary identified in Appendix [HG](#): Cultural Heritage Landscape Study Area, of this Plan, *may* be required to prepare a Cultural Heritage Landscape Impact Assessment. The Assessment *shall* include:
  - (i) the identification and evaluation of *cultural heritage resources*, natural features and landscape and aesthetic attributes within and adjacent to the Cultural Heritage Landscape Study Area and the inter-relationships among them;
  - (ii) public and agency consultation to assess the significance and value of the *cultural heritage landscape* and its components to the community;
  - (iii) mapping of *cultural heritage resources* and attributes and of the boundaries of the *cultural heritage landscape* as identified through the Assessment;
  - (iv) a Statement of Significance providing a brief summary of the cultural heritage value or interest, historical integrity and community value of the *cultural heritage landscape* as developed during the evaluation of

- its significance; and
- (v) recommended measures and strategies to *conserve* the *cultural heritage landscape*.
- b) The recommendations of an approved Cultural Heritage Landscape Impact Assessment *shall* be implemented through approvals required under The Planning Act, The Niagara Escarpment Planning and Development Act, The Heritage Act, and other applicable legislation and regulations.

### 3.5.2(5.2) ARCHAEOLOGICAL RESOURCES

- a) *Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.* In consultation with the Provincial and Regional governments, the need for the study and *conservation of significant archaeological sites shall be determined during the review of development or site alteration proposals.* An archaeological survey and the *conservation or rescue excavation of significant archaeological resources, that may be affected by the development or site alteration may be required.* Archaeological assessments and mitigation *shall be done by an archaeological consultant licensed by the appropriate Provincial Ministry.*
- b) The *City* recognizes the role of the Region of Halton in maintaining and implementing the Archaeological Master Plan. The Archaeological Master Plan *shall be referenced as an important planning tool and implemented within the boundaries of the city and shall be a consideration as part of any planning process.*
- c) Any archaeological or other artifacts of cultural heritage *significance* discovered on properties during the *development or site alteration of privately owned land shall be deeded gratuitously to the appropriate public authority.*
- d) Removal of artifacts from an archaeological site *shall be prohibited, except in accordance with the requirements of The Ontario Heritage Act, the Provincial Government or the City.*
- e) The *City* will support the involvement of Indigenous communities in archaeological surveys that may affect their interests.

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## ENVIRONMENT AND SUSTAINABILITY

*Sustainable development* is about meeting the needs of today without compromising the needs of future generations. The goal of *sustainable development* is to create city systems and built form that support the kinds of communities and connections that provide social, economic and environmental well-being now and in the future.

In 1990, Burlington City Council declared the City a *Sustainable Development* Community and in 1994 City Council adopted principles and objectives of *Sustainable Development*, to guide the citizens and leadership of the city in their discussions and decisions on how to achieve *sustainable development*. Council's 2015 - 2040 Strategic Plan reaffirms the City's commitment to *sustainable development*. This chapter of the Plan reflects the City's intention to continue to be a prosperous, liveable and healthy community through the process of *sustainable development*. This includes policies to protect and enhance the Natural Heritage System, *urban forest*, and our *watersheds*, to achieve *sustainable* design and environmental *compatibility*, provide various types of *green infrastructure*, and address climate change, contamination and other environmental matters.

While the policies in this chapter are primarily related to environmental *sustainability*, it is important to note that the principles of *sustainable development* have been applied to all policies throughout this Plan to achieve *sustainable* land use patterns, transportation systems and community and economic development.

The principles and objectives of *sustainable development*, as updated and adopted by City Council in 2017, are included as Appendix [E-D](#): Sustainable Development Principles and Objectives, of this Plan.

The City will maintain a citizens' advisory committee to advise and assist the City on the implementation of Principles and Objectives of Sustainable Development, as outlined in Appendix [E-D](#) of this Plan, through the review of *development applications*, policies and other matters of interest in accordance with the terms of reference for the committee adopted and periodically reviewed by the City.

### 4.1 CLIMATE CHANGE AND AIR QUALITY

In order to achieve a *sustainable* community, and human and *ecosystem* health, climate change and air pollution must be addressed. Climate change and air pollution impacts are caused primarily by burning fossil fuels, resulting in the emission of greenhouse gases and air pollutants. These impacts can be reduced



through *sustainable*, effective and efficient land use and transportation policies that reduce air and greenhouse gas emissions. This section of the Plan highlights policies that contribute to the mitigation of greenhouse gas and fuel emissions, policies that enhance carbon sinks such as the Natural Heritage System, and policies that address adaptation in order to minimize the city’s vulnerability to the unacceptable impacts of climate change, all of which contribute to a more resilient community and *infrastructure*.

### 4.1.1 OBJECTIVES

- a) To increase community resiliency to climate change through mitigation and adaptation measures and through the maintenance and restoration of the Natural Heritage System.
- b) To work towards the goal of the city community being net carbon-neutral.
- c) To enhance air quality.

### 4.1.2 POLICIES

- a) The *City* will work to improve air quality and energy efficiency, to reduce greenhouse gas and fuel emissions, and to mitigate and adapt to climate change through land use and transportation policies related to:
  - (i) maintaining the urban boundary and seeking a *compact built form* in Mixed Use *Intensification Areas*;
  - (ii) achieving mixed use *development* to *encourage* walking, cycling and transit;
  - (iii) locating *intensification* in areas which are well served by existing or planned transit;
  - (iv) promoting and encouraging modal shift towards transit and *active transportation*, using tools such as *transportation demand management*;
  - (v) addressing parking management, primarily through the Zoning By-law, that does not undermine transit and active *modes* of transportation;
  - (vi) maintaining, restoring and enhancing the *urban forest* and Natural Heritage System;
  - (vii) protecting and recognizing the importance of water resources, including *watershed* management, natural hazards and stormwater management;

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- (viii) *encouraging* energy generation from renewable sources and community energy solutions such as micro grids, district energy, and energy storage;
- (ix) *encouraging sustainable*, energy efficient and low carbon buildings;
- (x) addressing air quality impacts through land use *compatibility* policies;
- (xi) developing and implementing a Community Energy Plan with energy conservation measures and a carbon reduction target; and
- (xii) supporting local *agriculture* and food production.

## 4.2 NATURAL HERITAGE SYSTEM

The Natural Heritage System (NHS) makes a valuable contribution to the environmental, economic, social and cultural well-being of the city and to the health of the city's residents. Natural features such as Lake Ontario, Burlington Bay/Hamilton Harbour, the Niagara Escarpment, and the city's forests and valleys have helped to shape the character of the Burlington.

The Natural Heritage System is made up of *natural heritage features and areas*, such as *woodlands* and *wetlands*, and the *linkages* and inter-relationships among them, and with the surrounding landscape. A healthy Natural Heritage System provides a wide range of benefits to the city's residents, farms and businesses including: protecting water resources and maintaining healthy *watersheds*; moderating stormwater runoff, flooding and erosion; reducing air pollution and acting as a sink for greenhouse gases; maintaining biodiversity and native plant and wildlife populations; and providing opportunities for residents and visitors to experience and enjoy nature.

The Natural Heritage System policies are directed at planning and managing the city's *natural heritage features* and the interconnections among them as an integrated natural heritage system that is part of a much larger system extending beyond the city's boundaries. The goal is to ~~protect and enhance~~increase the certainty that the biodiversity and *ecological* and *hydrologic functions* of the Natural Heritage System will be protected and enhanced for present and future generations.

### 4.2.1 OBJECTIVES

- a) To maintain, restore and enhance the long-term *ecological health*, integrity and biodiversity of the Natural Heritage System and its *ecological* and *hydrologic functions*.
- b) To maintain, restore and enhance the continuity of *linkages* and functional inter-relationships among *natural heritage features and areas*, *surface water* and *groundwater features and hydrologic functions*.
- c) To maintain and enhance the landscape quality and open space character of the Niagara Escarpment.
- d) To provide a buffer to prominent Escarpment features and ecologically sensitive areas of the Escarpment.
- e) To support *agriculture* as a complementary and *compatible* use outside Key Natural Features.

- f) To recognize and support *agriculture* as a primary activity within *Prime Agricultural Areas*, in accordance with the policies of Subsection 9.2.4, *Prime Agricultural Areas*, of this Plan.
- g) To maintain, restore and enhance *Key Natural Features*, without limiting the ability of existing *agricultural uses* to continue.
- h) To maintain a continuous natural open space system providing separation between *settlement areas*.
- i) To direct *development* to locations outside *hazardous lands* and *hazardous sites*.
- j) To protect and enhance the quality and quantity of ground and surface water and their related *hydrologic functions*.
- k) To avoid increased flooding, erosion and sedimentation.
- l) To preserve examples of the landscape that display *significant* earth science features and their associated processes.
- m) To enhance air quality.
- n) To provide opportunities for scientific study and education.
- o) To provide opportunities for *non-intensive recreation uses* within the Natural Heritage System, where appropriate.

#### 4.2.2 GENERAL POLICIES

- a) The Natural Heritage System consists of two components: the City's Natural Heritage System and the Greenbelt Natural Heritage System. The Natural Heritage System (NHS) is shown on Schedule M: The Natural Heritage System, of this Plan. The Natural Heritage System and its components are defined by the policies of this Plan.
- b) The Provincial Natural Heritage System for the Growth Plan for the Greater Golden Horseshoe is shown on Schedule M-1: Provincial Natural Heritage System for the Greater Golden Horseshoe, of this Plan. The Provincial Natural Heritage System functions as an overlay with respect to Schedule J-1: Provincial Prime Agricultural Areas – Greater Golden Horseshoe, of this Plan. The Provincial Prime Agricultural Area mapping identifies areas to be protected for long term use for *agriculture* under Provincial Plans. The Provincial Natural Heritage System mapping, as an overlay, identifies areas where the natural heritage policies of the applicable Provincial Plans also apply.
- c) Within the Provincial Natural Heritage System, the policies of the applicable provincial plan as shown on Schedule A-1: City System - Provincial Land Use

Plans and Designations, shall apply as follows, in addition to the policies of this Plan:

- i) within the Greenbelt Plan Protected Countryside Area, the policies of the Greenbelt Plan shall apply. This Plan may contain policies that are more stringent than the requirements of the Greenbelt Plan, unless they conflict with any of the policies or objectives of the Greenbelt Plan, but the policies of this Plan may not be more restrictive than Sections 3.1 and 4.3.2 of the Greenbelt Plan;
- ii) within the Niagara Escarpment Plan Boundary, the policies of the Niagara Escarpment Plan shall apply. The policies of this Plan may be more stringent than the requirements of the Niagara Escarpment Plan, provided that they do not conflict with the Niagara Escarpment Plan;
- iii) within the North Aldershot Area as shown on Schedule K: Land Use- North Aldershot, the policies of the Provincial Growth Plan shall apply with respect to those lands that are outside both the Niagara Escarpment Plan Boundary and the Greenbelt Plan Protected Countryside Area.

In the event of a conflict between the provisions of this Plan and those of an applicable provincial plan, the provisions of the applicable provincial plan shall prevail; however, where the provisions of this Plan are more restrictive the provisions of this Plan shall apply, unless doing so would conflict with the Provincial Plan.

~~p)d)~~ The City's Natural Heritage System is made up of:

- (i) areas so designated on Schedule C: Land Use - Urban Area, and Schedule I: Land Use -Rural Area, of this Plan;
- (ii) the shoreline along Lake Ontario and Burlington Bay/Hamilton Harbour; and
- (iii) *Key Natural Features and Areas* not designated as Natural Heritage System on Schedule C: Land Use - Urban Area, or Schedule I: Land Use - Rural Area, of this Plan.

~~e)e)~~ The City's Natural Heritage System embodies a systems approach to protecting and enhancing *natural heritage features and areas* and *ecological and hydrologic functions* and is scientifically structured on the basis of the following components:

- (i) *Key Natural Features*, which include:
  - a. *habitat of endangered species and threatened species;*
  - b. *significant wetlands;*

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- c. *significant coastal wetlands;*
- d. *significant woodlands;*
- e. *significant valleylands;*
- f. *significant wildlife habitat;*
- g. *significant areas of natural and scientific interest; and*
- h. *fish habitat;*

*Key Natural Features* that have been identified are shown on Schedule M: The Natural Heritage System, of this Plan. Additional *Key Natural Features* may be identified through future studies, through the *development application* or *site alteration* application process, or through an Environmental Assessment. Schedule M may not identify refinements to the Natural Heritage System that have been approved pursuant to Subsection 4.2.2 ~~fh~~ [of this Plan](#) or additions to the Natural Heritage System that have been identified in accordance with Subsection 4.2.2 ~~ik~~ [of this Plan](#).

- (ii) *enhancements to the Key Natural Features* including *Centres for Biodiversity;*
- (iii) *linkages;*
- (iv) *buffers;*
- (v) *watercourses* that are within a Conservation Halton Regulation Limit or that provide a *linkage* to a *wetland* or a *significant woodland;* and
- (vi) *wetlands* other than those considered *significant* under Subsection 4.2.2 ~~ee~~ (i) of this Plan.

~~4)f~~ [4\)f](#) The City's Natural Heritage System includes lands that are:

- (i) designated as Escarpment Natural Area or Escarpment Protection Area in the Niagara Escarpment Plan; and
- (ii) regulated as *hazardous lands* and *hazardous sites* as determined, mapped and refined from time to time by Conservation Halton. Policies respecting *hazardous lands* and *hazardous sites* are contained in Subsection 4.4.2(3) of this Plan.

~~4)g~~ [4\)g](#) Those lands that are within the Natural Heritage System but are outside the *Key Natural Features*, and those where the only *Key Natural Feature* is a *significant earth science area of natural and scientific interest*, also are part of the Agricultural Land Base as shown on Schedule J: The Agricultural Land Base-Rural Area, of this Plan. Within those lands *agriculture* is recognized,

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supported and promoted in accordance with the policies of Section 9.2, The Agricultural System, of this Plan.

~~h)~~ h) The boundaries of the City's Natural Heritage System, and of *Key Natural Features* within it, *may* be refined, with additions, deletions and/or boundary adjustments, through:

- (i) a sub-*watershed* study undertaken in the context of an ~~a~~sArea-specific ~~p~~Plan and prepared in accordance with Subsection 4.4.2(1) of this Plan;
- (ii) an individual Environmental Impact Assessment (EIA) prepared in accordance with Subsection 4.2.4 of this Plan; or
- (iii) a similar study ~~based on terms of reference accepted by the City, the Region and, where appropriate, Conservation Halton;~~

provided that the study or EIA has been accepted by the City, the Region and, where appropriate, Conservation Halton. Once such refinements have been approved through an approval process under The Planning Act, The Niagara Escarpment Planning and Development Act or Federal or Provincial Environmental Assessment requirements, these refinements *shall* be in effect on the date of such approval. The City will maintain mapping showing such refinements and *shall* incorporate them in the appropriate Schedules to this Plan as part of the City's statutory review of this ~~ise~~ Plan. If the refinement undertaken in accordance with this policy leads to a reduction in the size of the Natural Heritage System designation, the new land use designation shall be consistent with the Zoning By-law designation and shall not require an Official Plan Amendment.

~~h)~~ h) Refinements to the City's Natural Heritage System *should* be determined at an early stage in the planning process or the *development application* or *site alteration* application process, and in the broadest available context, at a point where there is greater opportunity to design the *development* to protect and enhance the natural features and *ecological* and *hydrologic functions* of all components of the City's Natural Heritage System and therefore to improve the long-term *sustainability* of the Natural Heritage System as a whole.

~~h)~~ h) Notwithstanding Subsection 4.2.2 ~~h)~~ of this Plan, refinements to the boundaries of the following *Key Natural Features* identified by the Province *shall* only be made with the agreement of the Provincial government:

- (i) Provincial Areas of Natural and Scientific Interest; and
- (ii) *significant wetlands* and *significant coastal wetlands*.

~~w)~~k) If, through the preparation of an area-specific plan or the review of a *development application* or an application for *site alteration*, it is found that there are one or more natural features on or adjacent to the site of the application that are not shown on Schedule M: The Natural Heritage System, of this Plan, and that have not been adequately identified or evaluated, or for which new information has become available, the applicant *may* be required to have an Environmental Impact Assessment (EIA) prepared by a *qualified person* to the satisfaction of the *City*, the Region and, where appropriate, Conservation Halton and the Province, to determine whether the feature is a *Key Natural Feature*. If it is determined that the feature is a *Key Natural Feature*, the policies of Section 4.2, Natural Heritage System, of this Plan, *shall* apply to the application ~~and~~. The City will maintain mapping showing such the Key Natural Features and they shall be identified on the appropriate Schedules to this Plan as part of the *City's* statutory review of the Plan.

~~x)~~l) *Existing agricultural operations* are a permitted use within the *Key Natural Features* and can continue.

~~y)~~m) The *City shall* apply a systems based approach to *development* and *site alteration* within and adjacent to the *City's* Natural Heritage System, including the *development* of permitted uses, by:

- (i) prohibiting *development* and *site alteration* within:
  - a. —significant wetlands and significant coastal wetlands;
  - b. *fish habitat* except in accordance with Provincial and Federal legislation or regulations;
  - c. the *habitat of endangered species and threatened species* except in accordance with Provincial and Federal legislation or regulations; and
  - d. *hazardous lands, hazardous sites* and other areas regulated by Conservation Halton unless the *development application* is in accordance with Subsection 4.4.2(3) of this Plan and permission has been received by Conservation Halton;
- (ii) not permitting *development* or *site alteration* within or adjacent to the *City's* Natural Heritage System that requires an Environmental Impact Assessment (EIA) under Subsection 4.2.4 of this Plan, unless it has been demonstrated through the EIA or equivalent study that there will be no *negative impacts* on the *City's* Natural Heritage System or on *natural heritage features and areas* or their *ecological* and *hydrologic functions or linkages*. In applying this policy,



*agricultural operations* are considered to be *compatible* and complementary uses in those parts of the *City's* Natural Heritage System within the Agricultural Land Base as shown on Schedule J: The Agricultural Land Base-Rural Area, of this Plan and are supported and promoted in accordance with the policies of this Plan;

- (iii) applying the Natural Heritage System policies of this Plan to a *development application* or *site alteration* application within the city that is located within one hundred and twenty (120) m of a Natural Heritage System or a *Key Natural Feature* designated in the Official Plan of an abutting municipality; and
- (iv) supporting the interconnection of the Natural Heritage System to Natural Heritage Systems in neighbouring municipalities.

~~z)n)~~ Where appropriate, the *City* will enhance the function of the *City's* Natural Heritage System through the *development* process by locating City parks and open space adjacent to or near the *City's* Natural Heritage System and designing and managing that open space to enhance natural features and *ecological* and *hydrologic functions*.

~~aa)o)~~ The designation of land as part of the Natural Heritage System does not imply:

- (i) that those lands are available or open for public use; or
- (ii) that the *City* intends to purchase those lands.

### 4.2.3 GREENBELT NATURAL HERITAGE SYSTEM

- a) The Greenbelt Natural Heritage System identified in the Provincial Greenbelt Plan is shown as an overlay on Schedule M: The Natural Heritage System, of this Plan. The purpose of the policies in this Section of the Plan is to implement the policies of the Greenbelt Plan as they apply to the Greenbelt Natural Heritage System.
- b) The Greenbelt Natural Heritage System represents a systems approach to protecting natural features and functions within the Greenbelt Plan Area and its construct is equivalent to that of the *City's* Natural Heritage System as described in Subsection 4.2.2 ~~be)~~ of this Plan. The *Key Natural Features* within the Natural Heritage System referred to under Subsection 4.2.2 ~~ee)~~ (i) of this Plan, and the following *Key Natural Features* within the Greenbelt Natural Heritage System are shown on Schedule M: The Natural Heritage System, of this Plan:
  - (i) sand barrens, savannahs and tall grass prairies;

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- (ii) permanent and intermittent streams;
  - (iii) lakes;
  - (iv) seepage areas and springs;
  - (v) alvars; and
  - (vi) *significant habitat of special concern species*.
- c) While the Greenbelt Natural Heritage System and the City's Natural Heritage System have different sets of planning policies, they complement each other and together implement the City's vision of a *sustainable* Natural Heritage System that preserves and enhances the biological diversity and *ecological* and *hydrologic functions* of the city. Within those parts of the Greenbelt and City's Natural Heritage Systems that are within the Agricultural System described in Section 9.2, The Agricultural System, of this Plan, *agricultural operations* are considered as *compatible* and complementary uses towards implementing this vision.
- d) Refinements to the boundaries of the Greenbelt Natural Heritage System are not permitted unless as a result of amendments to the Greenbelt Plan by the Province. The boundaries of *Key Natural Features* within the Greenbelt Natural Heritage System *may* be refined in accordance with Subsections 4.2.2 ~~h~~<sup>f</sup>), ~~g~~<sup>i</sup>) and ~~h~~<sup>j</sup>) of this Plan.
- e) The City shall prohibit *development* or *site alteration* within the *Key Natural Features* of the Greenbelt Natural Heritage System, except in accordance with the policies of the Greenbelt Plan.
- f) The City shall not permit *development* or *site alteration* on lands adjacent to the *Key Natural Features* of the Greenbelt Natural Heritage System unless the proponent has evaluated the *ecological* and *hydrologic functions* of these lands through an Environmental Impact Assessment (EIA) in accordance with Subsection 4.2.4 of this Plan.
- g) Notwithstanding Subsections 4.2.3 e) and f) of this Plan, the following uses *may* be permitted within *Key Natural Features* of the Greenbelt Natural Heritage System, subject to the applicable policies of this Plan:
- (i) *forest, fisheries and wildlife management* that is carried out in a manner that maintains or, where possible, improves these features and their functions;
  - (ii) conservation and flood or erosion control projects if they have been demonstrated to be necessary in the public interest and after all alternatives have been considered;
  - (iii) archaeological activities;

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- (iv) *essential [linear](#) infrastructure* facilities subject to Subsection 6.1.2 h) of this Plan;
  - (v) *non-intensive recreation uses* such as nature viewing, pedestrian trails and small-scale structures such as boardwalks, footbridges, fences, docks, and picnic facilities where *negative impacts* are minimized;
  - (vi) *existing uses*, including existing *agricultural* uses; and
  - (vii) *mineral aggregate operations*, subject to the policies of Section 4.10, Mineral Aggregate Resources, of this Plan.
- h) The proponent of any *development* or *site alteration*, including public works, that is located wholly or partially within the Greenbelt Natural Heritage System or within one hundred and twenty (120) m of a *Key Natural Feature* shall be required to carry out an Environmental Impact Assessment (EIA) prepared by a *qualified person*, in accordance with Subsection 4.2.4 of this Plan to the satisfaction of the *City*, the *Region*, and, where appropriate, the Conservation Authority. The EIA will identify a *vegetation protection zone* which:
- (i) is of sufficient width to protect the *Key Natural Feature* and its functions from the *negative impacts* of the proposed *development* or *site alteration* and associated activities that may occur before, during, and after, construction, and where possible, restore or enhance the feature and/or its functions; and
  - (ii) is established to achieve, and be maintained as *natural self-sustaining vegetation*.
- i) A proposal for new *development* or *site alteration* within the Greenbelt Natural Heritage System is not subject to Subsection 4.2.3 h) of this Plan where the only key natural heritage feature is the habitat of endangered species and threatened species.
- ii) Notwithstanding Subsection 4.2.3 h) of this Plan, a minimum *vegetation protection zone*~~ee~~, thirty (30) m wide shall be required for *wetlands*, seepage areas and springs, *fish habitat*, permanent and intermittent streams, lakes, and *significant woodlands*, measured from the outside boundary of the *Key Natural Feature*.
- k) For *agriculture-related development* or *site alteration* the requirement for an EIA under Subsection 4.2.3 h) of this Plan is reduced to within 30 m of a *Key Natural Feature*.
- jj) Notwithstanding Subsection 4.2.3 h) of this Plan, new *agricultural* uses shall be required to provide a thirty (30) m *vegetation protection zone* from a *Key*

*Natural Feature* but *may* be exempted from the requirement to establish a condition of *natural self-sustaining vegetation* if the land is, and will continue to be, used for *agricultural* purposes.

- ~~k) For agricultural uses the requirement for an Environmental Impact Assessment (EIA) under Subsection 4.2.3 h) of this Plan only applies to agricultural buildings and structures:~~
- ~~i) with a footprint not exceeding one thousand (1,000) sq. m. that are located partially or wholly within 30 m of a Key Natural Feature;~~
  - ~~ii) with a footprint exceeding one thousand (1,000) sq. m that are located partially or wholly within one hundred and twenty (120) m of a Key Natural Feature.~~
- ~~l)m) Notwithstanding Subsections 4.2.3 h), i) and j) of this Plan, the expansion of existing agricultural buildings and structures, residential dwellings, and accessory uses to both, shall be permitted within Key Natural Features without the requirement of an EIA, subject to it being demonstrated to the satisfaction of the City, the Region and, where appropriate, Conservation Halton, that:~~
- ~~(i) there is no alternative and the expansion, alteration or establishment is directed away from the Key Natural Feature to the maximum extent possible;~~
  - ~~(ii) the impact of the expansion or alteration on the Key Natural Feature and its functions is minimized to the maximum extent possible; and~~
  - ~~(iii) the development will be on the basis of private, individual well water supply and waste water treatment systems in accordance with the policies of this Plan.~~

### 4.2.4 ENVIRONMENTAL IMPACT ASSESSMENT (EIA)

- a) Where any of the following *developments* or *site alterations* are proposed, the proponent *shall* be required to carry out an Environmental Impact Assessment (EIA) in accordance with the Region's Environmental Impact Assessment Guidelines to the satisfaction of the City, Halton Region and, where appropriate, Conservation Halton and the Niagara Escarpment Commission:
- (i) the following buildings and structures if located wholly or partially inside or within thirty (30) m of any *Key Natural Feature* of the City's Natural Heritage System, other than where the only *Key Natural*

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*Feature is a significant earth science area of natural and scientific interest;*

- a. single-detached dwellings on *existing lots* and their *accessory uses*;
  - b. *agricultural* buildings and structures and buildings and structures for uses permitted under Subsection 9.2.3 a) (xvi), and expansions to such buildings and structures, with a footprint not exceeding one thousand (1,000) sq. m. If the proposed ~~agricultural~~ buildings or structures are located entirely within the boundary of an existing farm building cluster that is surrounded by woodlands, an EIA is not required if there is no tree removal within the woodlands;
- (ii) *agricultural* buildings and structures and buildings and structures for uses permitted under Subsection 9.2.3 a) (xvi), and expansions to such buildings and structures, with a footprint over one thousand (1,000) sq. m, that are located wholly or partially inside or within thirty (30) m of the *City's* Natural Heritage System; and
  - (iii) all other *developments* or *site alterations*, including *infrastructure*, that are located wholly or partially inside or within one hundred and twenty (120) m of the *City's* Natural Heritage System.
- b) The requirement for an Environmental Impact Assessment (EIA) *may* be waived if:
    - (i) the *City*, in consultation with the Region, and Conservation Halton and the Niagara Escarpment Commission where ~~applicable~~appropriate, determines that the *development* or *site alteration* is not likely to result in *negative impacts* on the *City's* Natural Heritage System, on *sensitive surface water features* or *groundwater features* or their *hydrologic functions*, on *Key Natural Features*, or on their *ecological functions* or *hydrologic functions*; or
    - (ii) the *development* or *site alteration* is exempt or modified by other specific policies of this Plan.
  - c) The purpose of an Environmental Impact Assessment (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 ee) of this Plan but are unmapped. The EIA *shall* assess the potential environmental impacts, recommend ~~-requirements~~ for

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impact avoidance and mitigation measures, and identify opportunities for environmental enhancement and restoration. The EIA *shall*, as a first step, in accordance with Subsection 4.2.2 [ik](#)) of this Plan, identify *Key Natural Features* as listed in Subsection 4.2.2 [ee](#)) of this Plan that are on or near the site of the proposed *development* or *site alteration* but are not shown on Schedule M: The Natural Heritage System, of this Plan.

- d) An Environmental Impact Assessment (EIA) *shall* be prepared by a *qualified person* in accordance with Halton Region’s Environmental Impact Assessment Guidelines. The EIA *shall* address the requirements of the City, Halton Region and, where appropriate, the requirements of Conservation Halton, the Niagara Escarpment Commission and Provincial Ministries.
- e) If an Environmental Assessment, or equivalent study prepared under Federal or Provincial requirements, satisfies the Region’s Environmental Impact Assessment Guidelines, an EIA *shall* not be required, but the proponent *shall* implement those recommendations of the Environmental Assessment that address the *City’s* policies in accordance with Section 4.2, Natural Heritage System, of this Plan and the policies and requirements of the Region of Halton ~~and~~, Conservation Halton.
- f) Through the Environmental Impact Assessment (EIA), the boundaries of *Key Natural Features* and other components of the Natural Heritage System will be delineated on site by the applicant, corroborated by *City* and Regional staff, and Conservation Halton [and Niagara Escarpment Commission](#) staff and Provincial Ministries where appropriate. The surveyed boundaries *shall* be shown on any plans submitted as part of a complete *development application*.
- g) Within the *watershed* of Burlington Bay/Hamilton Harbour, an Environmental Impact Assessment *shall* address the goals, objectives and policies of the Hamilton Harbour Remedial Action Plan.
- h) The recommendations of an approved Environmental Impact Assessment (EIA), including the placement of *lot* lines and structures, and *buffers* and *development* setbacks, *shall* be implemented through zoning bylaws, site plan control, conditions of planning or *site alteration* approval and/or regulations or conditions imposed by the *City* or another appropriate *public authority* such as the Region, Province, Conservation Halton or the Niagara Escarpment Commission.
- i) Conditions *may* be placed on any proposed *development* to restore the natural character of degraded components of the *City’s* Natural Heritage System [within the development site](#).

#### 4.2.5 NATURAL HERITAGE SECUREMENT

- a) The *City* supports the *securement* of lands within the Natural Heritage System to protect the city's natural heritage for present and future generations. These lands *may* also provide important opportunities for *non-intensive recreation*, where appropriate.
- b) 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. In the Rural Area, outside Rural Settlement Areas, this policy *shall* only apply to Official Plan Amendment applications.
- c) Subsection 4.4.2(3) g) of this Plan sets out the requirements respecting the dedication of *hazardous lands*. The policies respecting the dedication of waterfront lands are contained in Subsection 4.5.3(2) e) of this Plan.
- d) The *City* will collaborate with the Region, Conservation Halton, the Niagara Escarpment Commission, other *public authorities* and *non-government conservation organizations* in the voluntary *securement* of lands within the Natural Heritage System. The *City* will consider all options for the voluntary *securement* of lands within the Natural Heritage System, the Cootes to Escarpment Ecopark System and the Bruce Trail. These options include, but are not limited to:
  - (i) land purchases;
  - (ii) land exchanges;
  - (iii) long-term leases;
  - (iv) conservation easement agreements;
  - (v) donations; and/or
  - (vi) bequests.
- e) Consents *may* be permitted to enable the *securement* of lands for conservation purposes, or to support the Bruce Trail, by a *public authority* or a *non-government conservation organization* in accordance with Subsection 12.1.12(4.1) c) [\(iv\)](#) of this Plan, provided that in the Rural Area, the severance does not result in the creation of a new developable non-farm *lot* outside the Rural Settlement Areas.



## 4.3 URBAN FORESTRY

The *urban forest* provides various benefits and services to the city, including the reduction of air pollution, water attenuation, moderation of the *urban heat island effect*, carbon sequestration, shade, habitat for wildlife, *neighbourhood character* and health benefits.

The City's Urban Forest Management Plan (~~UFMP~~) was developed with the purpose of ~~increasing~~ implementing effective and efficient management of the urban forest ~~management effectiveness and efficiency~~, improving *tree* health and diversity, minimizing risks to the public and maximizing the benefits provided by a healthy and *sustainable urban forest*. The policies in this section assist with the implementation of the UFMP and provide guidance related to the protection and planting of *trees* in all areas of the city.

### 4.3.1 OBJECTIVES

- a) To ensure that opportunities for the protection and enhancement of *trees* both within and outside of the City's Natural Heritage System are fully considered through the planning process and capital projects.
- b) To recognize that *trees* and *green infrastructure* provide important *ecosystem* services that benefit current and future generations by:
  - (i) identifying opportunities for protection, enhancement and restoration wherever possible, including opportunities to increase the city's *urban forest* and *tree canopy*;
  - (ii) supporting initiatives that provide for ongoing management, maintenance, monitoring and stewardship of the *urban forest*; and
  - (iii) supporting the replenishment and enhancement of the *urban forest* with a high diversity of predominantly native, where appropriate, and non-invasive *trees*.

### 4.3.2 POLICIES

- a) The City will make use of *area-specific plans*, zoning by-law regulations and site plan control to ensure *development* occurs in a manner that advances the objectives of the Urban Forest Management Plan, including ensuring the provision of adequate space and suitable conditions at, below and above grade for the planting and growth of *trees* on public and private property. The City will undertake a review of the Zoning By-Law to support the implementation of urban forestry objectives.



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- b) The proponent of a *development application* may be required to submit and implement an arborist's report, and/or a *tree* inventory and preservation plan, to the satisfaction of the *City*.
- c) Boundary *trees* shall be protected in accordance with The Forestry Act.
- d) 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.
- e) Subsection 4.3.2 d) of this Plan shall not apply to *trees* within *Key Natural Features* which are subject to Section 4.2, Natural Heritage System, of this Plan.
- f) Replacement and compensation planting requirements ~~shall~~ should consider on-site *tree* removals that occurred prior to and after the submission of a *development application*.
- g) The *City*, in conjunction with Conservation Halton, will *encourage* the planting and reforestation of creek blocks, streams and *valleylands*, and their *buffer* areas where appropriate using native and non-invasive species, so as to reduce flooding and erosion, maintain stream banks and slope stability and provide suitable *fish habitat*.
- h) The *City* will require the integration of *trees* into parking lots and other impervious areas through the implementation of Landscape Areas in the Zoning By-law.
- i) The *City* shall require the incorporation of appropriate *tree* planting during design of *streetscapes*, including considerations of diverse, non-invasive, drought tolerant, salt tolerant and low maintenance *trees*, including the provision of adequate minimum soil volumes and soil composition.
- j) Where planting is proposed within the Natural Heritage System, the *City* shall require the use of diverse native and non-invasive species. The *City* will *encourage* the use of diverse native and non-invasive species in other areas;

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however, in urban areas issues such as *infrastructure*, soil compaction, drought resistance, road salt impacts, pests and other urban conditions will be considered when selecting species.

- k) The *City* will *encourage* the eradication of invasive, non-native *trees*, shrubs and groundcovers, where appropriate for ecological restoration.
- l) The *City* will undertake a review of the Urban Forest Management Plan, and will address considerations including but not limited to: canopy cover target(s), *tree* health, species diversity, renewal of aging *tree* populations, and climate change and weather impacts.

## 4.4 WATER RESOURCES

The city has many different *watersheds*; each eventually draining to Lake Ontario or Burlington Bay/Hamilton Harbour. *Watersheds* are areas of land that catch rain and snow, which in turn drain or seep into *wetlands*, streams, rivers, lakes or groundwater.

Healthy *watersheds* are ~~critical~~ important to the health and prosperity of the city. Healthy *watersheds* provide numerous human, ecological, economic and health benefits including: safe drinking water for residents, *wildlife habitat*, climate change adaptation, flood and erosion mitigation, *sustainable* streams and groundwater, recreational opportunities in nature, and support for *agriculture*, industry and other resource uses.

Effective water resource management, natural heritage and natural hazard planning is best completed at a *watershed* scale through *watershed* planning. Effective implementation of stormwater management is also required to: provide protection against flooding and erosion; maintain *groundwater recharge areas* and maintain or improve stormwater run-off quality; and provide sedimentation control.

The objectives and policies in this section address *watershed* management, water resource and stormwater management, and *watercourses* and natural hazards. The policies of this section are to be read in conjunction with the objectives and policies of Section 4.2, Natural Heritage System, of this Plan.

### 4.4.1 OBJECTIVES

- a) To ensure that *watershed* planning, including supporting technical studies, and the implementation of *watershed* plans and/or sub-*watershed* studies is completed by the *City* and its partner agencies as a component of the planning process.
- b) To protect life and property from natural hazards.
- c) To protect, restore and enhance the long term *ecological health*, integrity and biodiversity of the Natural Heritage System and its *ecological* and hydrologic *functions*.
- d) To assist in the de-listing of Burlington Bay/Hamilton Harbour as an Area of Concern through implementation of the Hamilton Harbour Remedial Action Plan.
- e) To protect, improve or restore the quality and quantity of water resources throughout the city.
- f) To reduce flood potential in areas that are flood-prone.

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- g) To manage stream bank erosion and flooding concerns in a way that maintains or enhances *fish habitat* and other components of the Natural Heritage System, and maintains *watercourses* in a natural state.
- h) To minimize the *negative impact of development* on downstream *watercourse* erosion.
- i) To stabilize stream banks where ongoing erosion threatens existing buildings, roads, structures or private lands.
- j) To direct *development* to locations outside *hazardous lands* and *hazardous sites*.
- k) To encourage implementation of *low impact development* features, where possible.
- l) To control future *development* in a way that protects, improves and restores groundwater quantity and prevents undesirable groundwater level increases or decline and reduction in base flow to *watercourses*.
- m) To ensure base flow maintains permanent and seasonal *fish habitat* where it exists naturally.
- n) To protect, improve or restore groundwater quality.
- o) To restrict or limit *development* in *sensitive groundwater features* and *sensitive surface water features*.
- p) To control the quality of stormwater runoff from future developed surfaces, so that surface water and groundwater quality is maintained or enhanced.
- q) To manage *development* and construction activity to minimize sediment and nutrient loading to receiving *watercourses*, Burlington Bay/Hamilton Harbour and Lake Ontario.
- r) To control the quantity and volume of stormwater released to prevent downstream flooding and erosion risks.

### 4.4.2 POLICIES

#### 4.4.2(1) WATERSHED MANAGEMENT

- a) The *City*, in partnership with Conservation Halton and the Region, will update existing *watershed* plans and sub-*watershed* studies where appropriate. Generally, *watershed* plans and sub-*watershed* studies *may* require review and update every five [\(5\)](#) years to ensure they reflect current scientific methods, policies, legislation, and *development* conditions. A list of *watershed* plans, sub-*watershed* studies and other related water resource

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studies is included in Appendix [BC](#): Watershed Plans, Sub-watershed Studies and other Related Studies, of this Plan.—

- b) *City*-approved and adopted *watershed* plans or sub-*watershed* studies will be the basis for all sub-*watershed* and master drainage plans.
- c) *Watershed* plans will be used in the preparation of land use policies in the city; and *watershed* plans or sub-*watershed* studies will be used in the preparation of *area-specific plans* and land use policies in the Urban and North Aldershot Areas as identified on Schedule C: Land Use – Urban Area, and Schedule K: Land Use – North Aldershot, of this Plan.
- d) In partnership with Conservation Halton and the Region, and in consultation with other local municipalities and the Province in the respective *watersheds*, *watershed* plans and their updates will include, but are not limited to:
  - (i) definition of erosion thresholds, as well as water quality, erosion and quantity objectives and targets;
  - (ii) a general inventory of existing geology, hydrology, hydrogeology, limnology, Natural Heritage System and features and other environmental data;
  - (iii) recommendations for implementation of the Hamilton Harbour Remedial Action Plan, [the Great Lakes Strategy, the targets and goals of the Great Lakes Protection Act](#), and the Source Protection Plan (where applicable);
  - (iv) identification of potential additions and refinements to the boundaries of the Natural Heritage System;
  - (v) identification of opportunities for and constraints to *development* and *infrastructure*;
  - (vi) the *cumulative impact of development*;
  - (vii) preparation of a water budget analysis;
  - (viii) recommendation of implementation strategies;
  - (ix) establishment of goals for enhancement and restoration to the Natural Heritage System and hydrologic system;
  - (x) development of monitoring programs necessary for implementation;
  - (xi) measures to facilitate the ongoing stewardship and maintenance of natural *watercourses*;

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- (xii) identification of best management practices to minimize stormwater volumes and contaminant loads from both urban and rural uses;
  - (xiii) climate change mitigation and adaptation, including resilience to increased flooding, erosion and sedimentation risk;
  - (xiv) identification of water resource systems consisting of key hydrologic features, key hydrologic areas, groundwater features, hydrologic functions and *surface water features* including shoreline areas, which are necessary for the ecological and hydrological integrity of the *watershed*;
  - (xv) identification of the linkages among *ground water features, hydrologic functions, natural heritage features and areas*, and *surface water features* including shoreline areas;
  - ~~(xiv)~~(xvi) cross-jurisdictional and cross-watershed impacts, and the integration of management approaches for lands both within and beyond the Greenbelt;
  - ~~(xvi)~~(xvii) estimation of the *development capacity* of the *watershed* based on defined water quality objectives; and
  - ~~(xvii)~~(xviii) directions for the carrying out of sub-*watershed* studies.
- e) All sub-*watershed* studies *shall be completed* with appropriate consultation with residents and property owners, Conservation Halton, the Region, and the Province. Appropriate recommendations of the sub-*watershed* studies *shall* be incorporated by amendment into this Plan. Sub-*watershed* studies include, but are not limited to:
- (i) a general inventory of existing geology, hydrology, hydrogeology, limnology, *key natural features* and other environmental data;
  - (ii) a definition of water quality objectives and targets;
  - (iii) a determination of base flows to maintain water quality and existing ecological and *hydrologic* conditions;
  - (iv) an assessment of the methods and costs of providing and monitoring the required stormwater management methods both on and off the site;
  - (v) a refinement of the boundaries of the Natural Heritage System in accordance with the policies of this Plan;
  - (vi) criteria and/or recommended ranges for *buffers* or setbacks for *development*;

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- (vii) identification of opportunities for and constraints to *development* and *infrastructure*;
  - (viii) addressing the *cumulative impact* of *development*;
  - (ix) undertaking of a water budget analysis;
  - (x) recommendations for implementation strategies, including detailed guidelines for *development*, design and construction;
  - (xi) establishment of procedures for monitoring water quality and quantity and the Natural Heritage System before, during and after construction;
  - (xii) directions for the carrying out Environmental Impact Assessments (EIAs);
  - (xiii) discussion of relevant Provincial, Regional and *City* policies, and *Watershed* Study policies where applicable; and,
  - (xiv) evaluation of all existing and proposed drainage features including headwater drainage features.
- f) The specific contents of sub-*watershed* studies as listed in Subsection 4.4.2(1) e) of this Plan *may* be scoped in proportion to the context, complexity and size of the area being considered, subject to the satisfaction of the *City*, in consultation with the Region, Conservation Halton and other agencies as required.
- g) In conjunction with Conservation Halton, the *City* will *encourage* land owners to engage in *watershed* stewardship activities and programs.

### 4.4.2(2) WATER RESOURCE AND STORMWATER MANAGEMENT

- a) Planning for stormwater management *shall*:
- (i) minimize, or, where possible, enhance, water quality and prevent increases in contaminant loads;
  - (ii) minimize changes to, or, where possible, enhance water balance and erosion;
  - (iii) not increase risks to human health and safety and property damage;
  - (iv) maximize the extent and function of vegetative and pervious surfaces; and
  - (v) promote stormwater management best practices, including stormwater attenuation.

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- b) Stormwater management techniques *shall* be used in the design and construction of all new *developments* to control both the quantity and quality of stormwater runoff. The degree of control and techniques used will depend on the conditions in the downstream receiving water bodies. The *negative impacts of development* on the downstream aquatic environment and adjacent lands *shall* be avoided or mitigated.
- c) The provision of stormwater drainage facilities *shall* be in accordance with existing master plans established through *watershed* and sub-*watershed* studies, the criteria established in the *City's* Storm Drainage Criteria Manual, the Region of Halton's Guidelines, and Conservation Halton requirements. A list of *watershed* plans, sub-*watershed* studies and other related water resource studies is included in Appendix [BC](#): Watershed Plans, Sub-watershed Studies and other Related Studies, of this Plan.
- d) For those *development* sites draining into Burlington Bay/Hamilton Harbour or Lake Ontario, the *City shall* require an enhanced level of stormwater quality control, in order to assist with the de-listing of Hamilton Harbour as an Area of Concern and to maintain water quality in Lake Ontario.
- e) Functional drainage designs *shall* be prepared to support *development applications* in accordance with the requirements of the *City's* Storm Drainage Criteria Manual, in consultation with Conservation Halton and the Region, and where appropriate, the Province, the Niagara Escarpment Commission and other agencies. [Within the Protected Countryside, the policies of the Greenbelt Plan also apply to the planning, design and construction of stormwater management infrastructure.](#) The *City may* require a geotechnical study to support the functional drainage design.
- f) Functional drainage designs will consider: maintenance of natural *watercourses, fish habitat* and other *key natural features*, control of discharges to surface and groundwater, water quality and quantity targets and the identification and protection of *sensitive groundwater* and *surface water features*.
- g) Where appropriate, the *City* will undertake monitoring of stormwater discharges from new *development* to ensure that water quality and quantity discharges are in accordance with approved drainage designs.
- h) The *City* will consider the retrofit of stormwater management ponds, to enhance water quality, manage water quantity and improve landscaping.
- i) The *City* will consider opportunities to implement quantity and quality controls for stormwater management within the city's developed areas where controls do not exist or could be improved.



- j) The *City* will *encourage* stormwater management best practices and *low impact development* measures where appropriate, in consultation with Conservation Halton. The *City may* require a geotechnical study to support the *low impact development* measures.
- k) The *City* will *encourage* stormwater facilities to be oriented, designed and constructed to compliment the Natural Heritage System, in consultation with the Region and Conservation Halton.
- l) During stormwater management facility design, the opportunity for public pedestrian pathways and public open spaces will be considered, provided public safety measures can be incorporated.
- m) The *City shall* restrict *development* and *site alteration* in or near *sensitive surface water features* and *sensitive groundwater features* such that these features and their related hydrologic functions will be protected, improved or restored through mitigative measures and/or alternative *development* approaches. The proponent of *development* in or near these features *shall* carry out hydrogeological and hydrological studies to protect, improve or restore such features, in conjunction with an Environmental Impact Assessment (EIA). The hydrogeological/hydrological study and/or EIA *shall* identify and demonstrate the maintenance of *linkages* and related functions among *groundwater features*, hydrologic functions, *Key Natural Features* and areas and *surface water features*, including shoreline areas, if they are relevant to the study area.
- n) In addition to the policies of this Plan, the policies of the applicable Provincial Plans pertaining to *key hydrologic features* and *key hydrologic areas* shall apply, as follows:
  - (i) within the Greenbelt Plan Protected Countryside Area as shown on Schedule A-1: City System - Provincial Land Use Plans and Designations, of this Plan, the policies of the Provincial Greenbelt Plan and Section 4.2.3 of this Plan shall apply. This Plan may contain policies that are more stringent than the requirements of the Greenbelt Plan, unless they conflict with any of the policies or objectives of the Greenbelt Plan, but the policies in this Plan may not be more restrictive than Sections 3.1 and 4.3.2 of the Greenbelt Plan;
  - (ii) within the Niagara Escarpment Plan Boundary as shown on Schedule A-1: City System - Provincial Land Use Plans and Designations,- of this Plan, the policies of the Niagara Escarpment Plan shall apply. The policies of this Plan may be more stringent than the requirements of the Niagara Escarpment Plan, provided that they do not conflict with the Niagara Escarpment Plan;

(iii) within the North Aldershot Area as outlined on Schedule K: Land Use - North Aldershot, of this Plan, the policies of the Provincial Growth Plan for the Greater Golden Horseshoe shall apply with respect to those lands outside the Niagara Escarpment Plan Boundary, as shown on Schedule A-1: City System - Provincial Land Use Plans and Designations, of this Plan.

In the event of a conflict between the provisions of this Plan and those of an applicable provincial plan, the provisions of the applicable provincial plan shall prevail; however, where the provisions of this Plan are more restrictive the provisions of this Plan shall apply, unless doing so would conflict with the Provincial Plan.

~~m)~~

~~n)o)~~ The City shall require a source protection disclosure report where there would be significant drinking water threats from the following activities associated with a proposed *development*:

- (i) the establishment, operation or maintenance of a system that collects, stores, transmits, treats, or disposes of sewage, but not including on-site conveyance systems, such as outlet piping.

~~o)p)~~ The City may require a source protection disclosure report where there would be significant drinking water threats from the following activities associated with a proposed *development*:

- (i) the application, handling and/or storage of commercial fertilizer;
- (ii) the application, handling and/or storage of pesticide;
- (iii) the application, handling and/or storage of road salt;
- (iv) the storage of snow;
- (v) the handling and storage of fuel;
- (vi) the handling and storage of a dense non-aqueous phase liquid; and/or
- (vii) the handling and storage of an organic solvent.

q) The City will co-operate with the Region of Halton and Conservation Halton to implement optional source protection policies identified in Source Protection Plans.

~~o)r)~~ The City will incorporate best practices for the management of excess soil generated and fill received during *development* and *site alteration* into the City's Site Alteration Bylaw. Best practices include, but are not limited to,

practices related to soil reuse, appropriate sites for excess soil storage and processing, and fill quality, including impacts to the *natural environment*.

~~e/s~~ Future *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 stormwater runoff due to *development*. The *City may* require 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 stormwater infiltration facilities and other stormwater management techniques as part of the design of new *development* proposals; and/or
- (iii) limiting the density and/or *intensity* of proposals for *intensification* in this area if required.

#### 4.4.2(3) NATURAL HAZARDS AND WATERCOURSES

- a) The policies of this section *shall* be read in conjunction with the objectives and policies of Section 4.2, Natural Heritage System, of this Plan. *Hazardous lands* and *hazardous sites* are often located within the components of the Natural Heritage System identified in Subsection 4.2.2 ~~ee~~ of this Plan. As such, *hazardous lands*, *hazardous sites* and associated setbacks *shall* be designated Natural Heritage System if they are located within other Natural Heritage System components. In instances where *hazardous lands* and/or *hazardous sites* are not located within other Natural Heritage System components, another land use designation *may* be more appropriate, provided the *hazardous lands* and/or *hazardous sites* are addressed appropriately in accordance with the policies in this section.
- b) The Zoning By-law *shall* prohibit new construction and the expansion or replacement of existing non-conforming uses within *hazardous lands* and *hazardous sites*, except where specifically exempted by Conservation Halton or identified as a Special Policy Area in this Plan.
- c) *Development shall* not be permitted to locate in *hazardous lands* and *hazardous sites* where the use is:
  - (i) an *institutional use* including hospital, *long-term care facility*, retirement home, pre-school, school nursery, day care and school;
  - (ii) an *essential emergency service* such as that provided by fire, police and ambulance stations and electrical substations; or

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- (iii) uses associated with the disposal, manufacture, treatment or storage of *hazardous substances*.
- d) The delineation and regulation of *hazardous lands* and *hazardous sites* is administered by the Conservation Authority. Conservation Halton regulates lands in or adjacent to river or stream valleys (including flooding and erosion hazards), *wetlands*, shorelines and other *hazardous lands*. The approximate regulated limit of these lands and the location of watercourses are illustrated in Appendix [E-D](#): Conservation Halton Approximate Regulation Limit Mapping, of this Plan. The limits of *hazardous lands* in Appendix [E-D](#) of this Plan *may* be updated from time to time. The map lines are approximate and there *may* be some regulated areas which not have been mapped. Technical studies *may* be required to identify regulated *hazardous lands*, *hazardous sites*, *watercourses* and *wetlands* that are unmapped. Conservation Halton must be contacted to confirm the approximate regulation limit mapping and permit requirements.
- e) The Hager and Rambo Creek *Watersheds*, south of the diversion channel, are not subject to Conservation Halton's regulation and are under the jurisdiction of the *City*, as noted in Appendix [E-D](#): Conservation Halton Approximate Regulation Limit Mapping, of this Plan. The location of *watercourses* in this area is conceptually shown on Appendix [E-D](#) of this Plan.
- f) New *development* adjacent to *watercourses* shall be subject to a setback from the *stable top of bank*, the *flooding hazard* and *meander belt allowance* (whichever is the greater) that are associated with the *watercourse*. The location of the *stable top of bank*, *flooding hazard* and *meander belt allowance* width shall be determined by Conservation Halton, in conjunction with the *City*.
- g) As a condition of *development* approval, the *City* shall normally require the dedication of *hazardous lands* from the greater of the *flooding hazard*, or the valley through which the *watercourse* flows, including a conservation setback from *stable top of bank*, *flooding hazard*, or *meander belt allowance*. Dedication of these lands shall not be considered part of parkland dedication requirements of The Planning Act. It is not intended that all *hazardous lands* shall be acquired by the *City*, if the policies of this Plan can be achieved by other means. If any such land remains in private ownership, it shall be protected by zoning, agreement and/or easement to protect the ecologic and hazard functions of such land.
- h) *Development* adjacent to *valleyland* and *watercourse* features *may* be required to be supported by detailed slope stability, stream erosion and/or flooding studies, where appropriate. The studies and resulting limits of the

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*hazardous lands shall* be to the satisfaction of the *City* and Conservation Halton.

- i) As part of the *development* approval process, the zoning of *hazardous lands*, *hazardous sites* and associated setbacks to an appropriate open space zoning category *shall* be required if the *hazardous lands* and/or *hazardous sites* are located within other Natural Heritage System components, as identified in Section 4.2, Natural Heritage System, of the Plan. In instances where *hazardous lands* and/or *hazardous sites* are not located within other Natural Heritage System components, another zoning designation *may* be more appropriate, provided the *hazardous lands* and/or *hazardous sites* are addressed appropriately in accordance with the policies in this section.
- j) *Watercourses* and *valleylands* *should* be left in their natural state. The *City* *may* consider proposals to construct new *watercourses*, provided natural channel design is used and if such proposals are approved by the regulatory agencies. The enclosure of open *watercourses* is not permitted, unless supported by a sub-*watershed* study.
- k) Wherever feasible, *watercourses* that have been enclosed *should* be restored as an open *watercourse*.
- l) It is recognized that the use of *watercourses* for *agricultural* land drainage is a *normal farm practice*.
- m) The review of fisheries and *fish habitat* is subject to the authority of the Federal Government, and the review of Conservation Halton.
- n) The *City* will *encourage* the planting and reforestation of creek blocks, streams and *valleylands*, and their *buffer* areas where appropriate using native and non-invasive species, so as to reduce flooding and erosion, maintain stream banks and slope stability and provide suitable *fish habitat*.
- o) The *City* will *encourage* the protection and enhancement of *watercourses* and headwater areas as an integral component for maintaining natural hydrological processes within a *watershed*, and promote their integration with the Natural Heritage System.
- p) The *City* will consider potential impacts of climate change that could increase the risk associated with natural hazards, in conjunction with Conservation Halton.
- q) *Development* *shall* generally be directed to areas outside of lands that are unsafe for *development* due to the presence of hazardous forest types for wildland fire. *Development* *may* however, be permitted on lands with hazardous forest types for wildland fire where the risk is mitigated in accordance with wildland fire assessment and mitigation standards.

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## 4.5 WATERFRONT

One of the city's greatest assets and defining features is the shoreline of Lake Ontario. Burlington's Waterfront is a unique destination offering Burlington residents and visitors a place to discover, celebrate, play, and relax. Public access to the waterfront for use and enjoyment by residents is valued and as a result the waterfront includes several public areas and notable features including: the Brant Street Pier, Spencer Smith Park, Discovery Landing, Beachway Regional Waterfront Park, Burloak Regional Waterfront Park, LaSalle Park, the Waterfront Trail and several Windows to the Lake. The *City* will seek opportunities to increase and improve public access to the waterfront.

The shoreline is a unique natural feature, part of a sensitive and complex *ecosystem*, which adds significantly to the identity, character, setting and well being of the city and its citizens. The health of Burlington Bay/Hamilton Harbour and its waterfront is directly affected by the actions of the *City* of Burlington and the City of Hamilton. Waterfront policies apply to all properties immediately adjacent to the Lake Ontario/Burlington Bay/Hamilton Harbour shoreline, including parks and open space. In planning for uses of the waterfront, the effects of human activities on the *natural environment* will be considered to maintain the future integrity of the waterfront.

All future *development* surrounding the waterfront will be clean, open, connected, green, accessible, useable, diverse, attractive and environmentally *sustainable*. *Development* and activities along the Burlington Bay/Hamilton Harbour waterfront will address the Remedial Action Plan to de-list Hamilton Harbour as an Area of Concern. The waterfront environment and *ecosystem* will be maintained, restored and enhanced.

### 4.5.1 NATURAL ENVIRONMENT

#### 4.5.1(1) OBJECTIVES

- a) To maintain, restore and enhance *natural heritage features and functions* along the waterfront and to recognize that public and private use of or access to these areas *shall* be limited due to their sensitive nature.
- b) To maintain the shore and banks along the waterfront as a permanent, stable landform in a manner that maintains the natural appearance of the waterfront in appropriate areas, and by methods other than lakefill, that is consistent with Federal, Provincial and Conservation Halton requirements.
- c) To protect *development* on or near the Lake Ontario/Burlington Bay/Hamilton Harbour shoreline from potential *shoreline hazardous lands* related to flooding, erosion and dynamic beaches.

- d) To have the Hamilton Harbour/Burlington Bay de-listed as an Area of Concern.
- e) To protect and enhance the Halton waterfront as a major resource that is part of the Provincially significant Lake Ontario and Hamilton Harbour/Burlington Bay shoreline.

**4.5.1(2) POLICIES**

- a) The shoreline along Lake Ontario and Burlington Bay/Hamilton Harbour is part of the City's Natural Heritage System, and *shall* be maintained, enhanced and restored in accordance with the objectives and policies in Section 4.2, Natural Heritage System, of this Plan. The *City* supports the securement of lands within the Natural Heritage System and the incorporation of these features into plans for *City* and Regional waterfront parks, the Waterfront Trail, Windows to the Lake and other publicly owned open space.
- b) *Development* within the *shoreline hazardous lands* regulated by Conservation Halton *shall* only be permitted subject to a permit from Conservation Halton and, if the *City* considers the *development* to be consistent with the waterfront objectives and policies of this Plan.
- c) *Development shall* be set back from the *shoreline hazardous lands* at a distance which is acceptable to Conservation Halton and the *City*.
- d) The use of stormwater management practices and other pollution control measures *shall* be used to protect and enhance water quality in Lake Ontario and Burlington Bay/Hamilton Harbour and to allow continued use of the Burlington Beach for safe public swimming.
- e) Lakefill *may* be necessary for reasons of public safety, security or access. The *cumulative impacts* of proposed public and private lakefill projects on erosion, transport and deposition patterns and *fish habitats* in Lake Ontario and Burlington Bay/Hamilton Harbour *should* be examined in conjunction with the Federal Government, the Province of Ontario and Conservation Halton and necessary mitigation action taken, so that the lakefill project contributes to the shoreline regeneration in accordance with Federal and Provincial policies and guidelines.
- f) Shoreline protection measures *shall* be designed to visually complement the waterfront and to be undertaken in a manner that will have minimum *negative impacts* on the environment to a standard which is acceptable to the *City* and Conservation Halton, and Federal and Provincial agencies, where required. An unobstructed access allowance of at least five (5) m *shall* be provided to and along any shoreline protection works to allow sufficient



access for maintenance and repair to the shoreline protection works, except where specifically exempted by Conservation Halton. Where appropriate, the *City may* require an easement or access agreement over the access allowance lands. Where shoreline protection works are undertaken by the *City*, Region of Halton, Conservation Halton or any other *public authority*, the *City shall* consider opportunities to incorporate a Waterfront Trail as part of the overall design of the shoreline protection works.

- g) Landscaping plans for publicly owned waterfront open space will address the restoration or enhancement of natural areas by means such as the use of native plants.
- h) Guidelines relating to Great Lakes Areas of Concern and the Hamilton Harbour Remedial Action Plan designed to improve water quality, natural heritage values and aesthetics *shall* be used in the review of all *development applications* along the Burlington Bay/Hamilton Harbour waterfront.
- h)i) Waterfront planning initiatives will consider the Great Lakes Strategy, the targets and goals of the Great Lakes Protection Act and Source Protection Plans, where applicable.

### 4.5.2 PUBLIC ACCESS AND USE

#### 4.5.2(1) OBJECTIVES

- a) To provide a visible, inter-connected and publicly accessible waterfront for the widest range of public activities, while maintaining natural waterfront features in an environmentally responsible manner.
- b) To establish, in a *sustainable* manner, more areas of publicly accessible waterfront through the acquisition of key access points, additions to the Waterfront Trail, Windows to the Lake, and the *development* of waterfront parks.
- c) To improve access to the waterfront by all *modes* of transportation while maintaining a pedestrian-oriented atmosphere.

#### 4.5.2(2) POLICIES

- a) Planning for public use of, and access to, the shoreline *shall* recognize areas of ecological sensitivity, existing private uses and the ownership of the shoreline and *shall* incorporate ways to ensure these uses are *compatible*.
- b) The acquisition of land to create new or to add to existing Windows-to-the-Lake and Windows-to-the-Bay, or other forms of public open space, will be *encouraged* by the *City*, as a means to increase public access to the waterfront.

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- c) A *multi-modal* transportation system for pedestrians, cyclists, transit travel and automobiles will be planned for the waterfront.
- d) The connection of transit routes and north-south transportation routes such as pedestrian/cyclist trails with waterfront public open space, parks and the Waterfront Trail will be *encouraged*.
- e) Parking areas in the vicinity of the waterfront *shall* be designed, located and landscaped to complement the waterfront environment and to maximize the *recreation* and *cultural* open space *uses* of waterfront property.
- f) A continuous Waterfront Trail *shall* be implemented through *development* along Lake Ontario and Burlington Bay/Hamilton Harbour where there is sufficient land between the water and a public or private street. In order of priority, this trail *may* be comprised of:
  - (i) a shoreline trail immediately abutting the lake or bay; or
  - (ii) a near shoreline trail located in the general vicinity of the lake or bay.
- g) The Waterfront Trail *shall* be connected to existing waterfront public open spaces and where appropriate, other points of interest in the general vicinity of the waterfront.
- h) The *City*, Region or Conservation Halton will hold land title of the Waterfront Trail and will be responsible for liability and maintenance of the Waterfront Trail, consistent with Conservation Halton, Provincial and Federal requirements.
- i) Regional and local waterfront parks will achieve a high level of design excellence, in both landscape and architectural built form.

### 4.5.3 DEVELOPMENT

#### 4.5.3(1) OBJECTIVES

- a) To *encourage* a balanced mix of land uses, parks, facilities and open spaces which are responsive to the existing *cultural heritage resources* and the City's Natural Heritage System along the waterfront.
- b) To ensure that *development* is *compatible* with the waterfront in terms of land use, *intensity* and *scale*, and is carried out in a manner that protects and enhances *cultural heritage resources* and the City's Natural Heritage System, and ensures pedestrian friendliness and user accessibility.
- c) To enhance public accessibility to the waterfront by obtaining publicly owned waterfront open space, parkland and trails when considering *development applications* along the waterfront.

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**4.5.3(2) POLICIES**

- a) *Development* proposals along the waterfront *shall* provide for public open space and Waterfront Trail use, where feasible.
- b) *Development along the waterfront shall* preserve or complement public views of Lake Ontario or Burlington Bay/Hamilton Harbour from public streets and trails.
- c) *Development* along the waterfront *shall* animate the waterfront and connect to the downtown and key *cultural* facilities.
- d) The *shoreline hazardous lands* associated with the Lake Ontario and Burlington Bay/Hamilton Harbour shorelines, and lands proposed for public open space use of the waterfront through parkland dedication (such as the Waterfront Trail), as determined by the *City* and Conservation Halton, *shall* not be considered in calculating *net* areas or densities in plans for *development*.
- e) Along the waterfront where the distance between the water and the public roadway will accommodate both some form of *development* and the Waterfront Trail and/or Windows to the Lake or other waterfront open space, the proponent of a Official Plan Amendment, Zoning By-law Amendment or plan of subdivision, *shall*, to the satisfaction of the *City*:
  - (i) dedicate to the *City* the *shoreline hazardous lands* as determined by the *City* and Conservation Halton, as a condition of *development*;
  - (ii) dedicate to the *City* as part of parkland dedication, a minimum fifteen (15) m wide strip of land along the shoreline as determined by the *City* and Conservation Halton. If the value of this dedication exceeds normal park land dedication requirements of the city, the proponent *shall* receive compensation for the difference (i.e. either payment or considered as a contribution towards community benefits) as a condition of *development* approval;
  - (iii) dedicate to the *City* as part of parkland dedication, where appropriate, links to adjacent public open space, roadways and other properties. If the value of this dedication exceeds the normal park dedication, the proponent *shall* receive compensation for the difference (i.e. either payment or considered as a contribution towards community benefits) as a condition of *development* approval; and
  - (iv) carry out a survey, shoreline protection, and basic grading of the Waterfront Trail and any required fencing as a condition of

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*development* approval. The *City* will be responsible for detailed trail design and finished construction.

- f) The *City* *may* also apply the policies in Subsection 4.5.3(2) e) of this Plan to site plan applications and consents to sever land, where appropriate.
- g) *Shoreline hazardous lands*, public open space and Waterfront Trail lands dedicated to the *City* will be retained by the *City* and the *City* will be responsible for the liability and maintenance of the lands.
- h) The *City* will *encourage* that the design of waterfront *development* include the imagery of water, through fountains, sculpture and colour, and create a thematic link between the waterfront and adjacent *development*.
- i) *Development* proposals along the waterfront in the downtown or on publicly owned lands *should* integrate public art and/or other *cultural* elements.
- j) *Development* of publicly owned waterfront open space will be in accordance with *City* or Regional approved Park Master Plans or Park Development Plans.

## 4.6 LAND USE COMPATIBILITY

The Province provides legislation to regulate the emissions from transportation, *industrial* and other stationary sources to mitigate *adverse effects* on *sensitive land uses*, such as residential, [as well as some public service facilities](#) and *institutional uses*. *Employment* uses are also protected from the encroachment of *sensitive land uses*. Emissions could include noise, vibration, dust, odour and air pollution. The policies in this section require the evaluation of these *adverse effects* in land use planning decisions. Given that the City will develop primarily through *intensification*, innovative approaches to manage and mitigate land use compatibility will be considered.

### 4.6.1 OBJECTIVES

- a) 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.
- b) To protect *employment* uses from the encroachment of *sensitive land uses*.

### 4.6.2 POLICIES

- a) Exposure of residential and other land uses *sensitive* to vibration, noise, dust, odours or other effects caused by transportation, stationary, or *industrial* facilities, and likewise, the encroachment of *sensitive land uses* on these facilities, *shall* be avoided or mitigated through the use of separation distances, the placement of non-*sensitive land uses* in buffer areas, and/or other means and mitigation measures.
- b) Proponents *may* be required to submit studies and undertake necessary actions to mitigate *adverse effects* to the satisfaction of the *City* and the *Region*. Provincial guidelines and Regional Land Use Compatibility and Air Quality Guidelines *shall* be referred to for direction in land use planning decisions.
- c) Where noise abatement is required along roads, design features such as the orientation of buildings, vegetative *buffers* and other innovative methods *shall* be preferred over the use of acoustical walls. The *Region's* Noise Abatement Guidelines *shall* be referred to.

## 4.7 CONTAMINATED SITES

Some land *may* be *contaminated* as a result of past or present land uses or migration of off-site contaminants. Potentially *contaminated sites* are sites where the environmental condition of the property (soil and/or groundwater) *may* have potential for *adverse effects* on human or *ecological health*. In order to determine no *adverse effects* prior to permitting *development* on these sites, confirmation regarding the level of *contamination* is required to ensure that they are suitable or have been made suitable for the proposed use in accordance with government legislation, regulations, standards, objectives and guidelines.

Provincial legislation and related regulations identify many activities that *may* potentially cause *contamination*. Some examples of current or past activities that *may* be causing or *may* have caused environmental *contamination* include:

- a) activities involved with the elimination of waste and other residues, including but not limited to, waste disposal sites and recycling facilities;
- b) activities associated with potentially hazardous materials such as fuels, oils, detergents, chemicals, paints or solvents;
- c) activities associated with refining and smelting of metals, or storage of batteries or other products containing lead, acid or other potentially hazardous substances; and
- d) activities associated with transportation corridors.

The *City* uses tools such as Phase I *Environmental site assessments*, Phase II *Environmental site assessments*, Records of Site Condition, and Provincial and Regional guidelines in the *development application* review process in order to:

- a) help ensure that *development* takes place on sites where the environmental conditions are suitable for the proposed use of the site; and/or
- b) facilitate the remediation of the site where necessary to ensure conditions are suitable for *development*.

### 4.7.1 OBJECTIVE

- a) To establish a system of environmental due diligence in accordance with Provincial legislation, regulation and standards to ensure that the *development* of land to ensure no *adverse effects* on human and *ecological health*.

## 4.7.2 POLICIES

- a) Provincial legislation *shall* be referred to in the review of *development applications* to address matters related to known and potential site *contamination*. Where Provincial legislation does not apply, the Region of Halton's *contaminated sites* protocols *shall* be referred to in the review of *development applications*.
- b) In order to screen for known or potential *site contamination*, applicants *shall* be required to document, to the satisfaction of the *City*, Region, Province and other approval authorities, previous uses and environmental information of:
  - (i) property or properties that are subject of a *development application*; and/or
  - (ii) properties that *may* be *adversely affecting* the property that is the subject of a *development application* in order to assist in the determination of the potential for *site contamination*.
- c) The *City* will co-ordinate its efforts with those of other orders of government to exchange information related to environmental background studies such as Phase I *Environmental site assessments*, Phase II *Environmental site assessments*, Risk Assessments and Records of Site Condition that have been submitted as part of *development applications*.
- d) The *City* *may* require all applications for Official Plan amendment, Zoning By-law amendment, plan of subdivision, site plan and consent, as specified in the Region of Halton's Contaminated Sites Protocol, to be supported by a Phase I *Environmental site assessment* to be undertaken in accordance with Provincial legislation by a *qualified person*.
- e) The *City* *shall* require a Phase II *Environmental site assessment* to be undertaken in accordance with Provincial legislation to support *development applications* for sites where the Phase I *Environmental site assessment* reveals that the site *may* be *contaminated*. The Phase II *Environmental site assessment* *shall* include conclusions as to whether or not *contamination* is migrating off site.
- f) The *City* *may* require the applicant to provide a Record of Site Condition in accordance with Provincial legislation, to be completed to the satisfaction of the *City* and the Province, confirming that the site has been made suitable for the proposed use.
- g) The *City* *may* not consider a Record of Site Condition as acknowledged by the Province until a statement of third party reliance is provided and either:



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- (i) it has been confirmed that the Record of Site Condition will not be audited by the Province; or
  - (ii) it has been confirmed that the Record of Site Condition has passed the Provincial audit.
- h) For all information requirements, as specified in this section of this Plan, such as *Environmental Site Assessments* and Records of Site Condition that are submitted as part of a *development application*, a *qualified person* may be retained to extend third party reliance to the *City*.
- i) If site remediation works are required, the satisfactory completion of site remediation works *shall* be a condition of approval. For rezoning applications, a Holding symbol *may* be placed on the zoning. A condition of lifting the Holding symbol *shall* be the satisfactory remediation of the *contaminated site* which is supported by a Record of Site Condition.
- j) Where the *City* is deeded land for any purpose, the *City* may require, as a condition of transfer, a Record of Site Condition signed by a *qualified person*, or other information as required, to verify to the satisfaction of the *City* that the lands in question are suitable or have been made suitable for the proposed use.
- k) The *City* will consider the provision of financial incentives to encourage *brownfield development* through tools such as Community Improvement Plans.

k) —

## 4.8 FORMER WASTE DISPOSAL SITES

There are several former waste disposal sites within the *city*. *The* policies in this section of the Plan address land use in the vicinity of these sites to protect the health, safety, convenience and welfare of residents.

### 4.8.1 OBJECTIVE

- a) To protect the health, safety, convenience and welfare of residents from the potential *adverse effects* of landfills and to evaluate environmental considerations in accordance with Provincial legislation, regulation and guidelines.

### 4.8.2 POLICIES

- a) The *City*, in consultation with the Province and Region of Halton, *may* permit *development* on and within five hundred (500) m of areas identified as former Waste Disposal Sites, identified as a Study Area on Appendix [GF](#): Former Waste Disposal Sites, of this Plan, subject to the following policies:
  - (i) written approval has been received from the Province that the *development* satisfies the provisions of The Environmental Protection Act;
  - (ii) a landfill assessment in accordance with Provincial Guidelines has been carried out by a *qualified person* to the satisfaction of the *City* and the Province to show that *development* has demonstrated land use compatibility and can safely take place;
  - (iii) the *City shall* require the construction and phasing of all *development* to coincide with the control of any problems identified by the studies;
  - (iv) the *City shall* be satisfied with the required studies with respect to any matter regarding structural stability, safety and integrity of any structure; and
  - (v) notwithstanding the land use designations on Schedule C: Land Use – Urban Area, and Schedule K: Land Use – North Aldershot, of this Plan, *development shall* not be permitted to proceed on lands identified by the study(ies) as containing waste until the requirements of the Province are met.

## 4.9 COMMUNITY GARDENS AND URBAN AGRICULTURE

*Community gardens* are social hubs where people interact with a shared interest to grow fresh produce, enjoy the health benefits of outdoor activity, and become more food secure. *Community gardens* may occur on public, *institutional*, or private land, in all areas of the city. There are various models of operation which may include resident groups, employee groups, faith programs, non-profit organizations, and publicly delivered recreation programs.

The *City* has endorsed the Halton Food Charter and supports activities and businesses to improve food security. The benefits associated with *urban agriculture*, *farmers markets* and *community gardens* include the ability to encourage *sustainable* local food production, increase access to healthy food, provide opportunities for community building and create local green space. The policies in this section support and promote *urban agriculture*, *farmers markets* and *community gardens*.

### 4.9.1 OBJECTIVES

- a) To support and promote *community gardens* on a city-wide basis, and *urban agriculture* and *farmers markets* in appropriate locations, as a means of encouraging local, fresh and healthy food production.
- b) To achieve the goal of one (1) community garden per two thousand five hundred (2,500) households.

### 4.9.2 POLICIES

- a) *Community gardens* may be permitted as an *interim use* or as a permitted *accessory use* in all land use designations.
- b) The *City* will prepare and adopt *community gardens* guidelines to assist with the development of *community gardens* on public and private lands.
- c) Subject to the other policies in this Plan, temporary or permanent *farmers markets* may be permitted within the Rural Settlement Areas and within the following designations in the Urban Area as outlined on Schedule B: Urban Structure, of this Plan:
  - (i) Urban Centres;
  - (ii) Mobility Hubs;
  - (iii) Mixed Use Nodes and *Intensification Corridors*; and
  - (iv) *Employment Lands*.

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- d) The *City shall* be satisfied that:
  - (i) the *farmers market* is *compatible* with neighbouring land uses; and
  - (ii) in the Urban Area, the *farmers market* can be accessed by *transit and active transportation modes*. *Farmers markets* are strongly *encouraged* to locate on a *frequent transit corridor*.
- e) The *City* will consider the development of an *urban agriculture* strategy to identify and support appropriate *agriculture* uses in the Urban Area.
- f) The *City* will undertake a review of the Zoning By-Law to support the implementation of *community gardens, urban agriculture* and *farmers markets*.
- g) The *City* will *encourage* the incorporation of edible landscaping in appropriate locations through the review of *development* proposals and at *City* buildings and facilities.

## 4.10 MINERAL AGGREGATE RESOURCES

*Mineral aggregate resources* are important to Ontario's economy, and to the city's growth and development, providing the raw materials used in the construction of the buildings that we live and work in and in the development of *infrastructure*. While *mineral aggregate operations* often are described as *interim land uses*, they may remain active for decades. They result in permanent changes in the landscape with long term impacts. The *development* and operation of *pits* and *quarries* can have significant *negative impacts* on *surface and groundwater resources* and the Natural Heritage System, and significant impacts on *agriculture, cultural heritage resources*, transportation and air quality, and on the overall well-being of the surrounding community.

### 4.10.1 OBJECTIVES

- a) To ensure that *mineral aggregate resource* extraction occurs in a manner that minimizes *negative impacts* on the natural environment, and avoids unacceptable adverse impacts on *agriculture*, human health, *infrastructure* and the surrounding community.
- ~~a~~)b) To ensure that the functions and features of the City's Natural Heritage System are maintained or, where possible, enhanced during and after the extraction process.
- ~~b~~)c) To ensure the progressive and final *rehabilitation* of *mineral aggregate operations* to the appropriate after use.
- ~~c~~)d) To support *mineral aggregate resource* conservation.
- ~~d~~)e) To protect known mineral aggregate deposits and areas of *high potential mineral aggregate resources* for potential future extraction.
- ~~e~~)f) To recognize existing *mineral aggregate operations* and protect them from activities that would preclude or hinder their continued use or expansion.
- ~~f~~)g) To ensure that as much of the *mineral aggregate resources* as is realistically possible is made available within the Region to supply *mineral aggregate resource* needs.
- ~~g~~)h) To provide policies and criteria for evaluating licence applications for new *mineral aggregate operations* or for expansions to existing operations.

### 4.10.2 POLICIES

#### 4.10.2(1) PROTECTION OF MINERAL AGGREGATE RESOURCES

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- a) High potential identified *Mineral Resource Areas* shall be protected from *development* that would preclude or hinder *mineral aggregate resource* extraction, except in those areas considered to be unsuitable for extraction based largely on Subsection 4.10.2(2) i) of this Plan, Provincial policies and Provincial ~~p~~Plans.
- b) Schedule N: Identified Mineral Resources, of this Plan, shows the Mineral Resource Areas identified for protection using mapping supplied by the Provincial Ministry of Development and Mines or the Ministry of Natural Resources and Forestry. The identified Mineral Resource Areas *may* include areas considered to be unsuitable under Subsection 4.10.2(1) a) of this Plan.
- c) The identification of the Mineral Resource Areas on Schedule N: Identified Mineral Resources, of this Plan, does not imply:
  - (i) that extraction in these areas conforms to Provincial Plans or policies;
  - (ii) that *mineral aggregate resource* extraction would conform to this Plan; or
  - (iii) that the *City* would support an application in these areas for a licence under The Aggregate Resources Act or an amendment to this Plan to permit *mineral aggregate resource* extraction.
- d) Subject to the other policies of this Plan, *development* that is proposed on lands wholly or partially within three hundred (300) m of a sand and gravel deposit or five hundred (500) m of a selected bedrock and shale resource identified under Subsection 4.10.2(1) a) of this Plan and that has the potential to preclude or hinder continued extraction or expansion of existing *mineral aggregate operations*, establishment of new operations or access to the *mineral aggregate resources* in accordance with the policies of this Plan and any Provincial Plan, *may* only be permitted if the proponent has demonstrated through the appropriate studies to the satisfaction of the Region and the *City* that:
  - (i) extraction would not be feasible; or
  - (ii) the proposed land use or *development* serves a greater long term public interest; and
  - (iii) issues of public health, public safety and environmental impact have been addressed.

### 4.10.2(2) MINERAL RESOURCE EXTRACTION AREA DESIGNATION

- a) This designation, which includes areas covered by a valid licence issued pursuant to The Aggregate Resources Act, is shown on Schedule C: Land Use – Urban Area; Schedule J: Land Use - Rural Area; and Schedule L: Land Use –

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North Aldershot; and is identified as Mineral Resource Extraction Area on Schedule N: Identified Mineral Resources, of this Plan.

- b) Legally existing *mineral aggregate operations* that are located within the *shall* be protected through this Plan from new land uses that are not *compatible* with such operations for reasons of public health, public safety or *negative* environmental *impact* or which would preclude or hinder the expansion or continued use of such operations.
- c) Subject to the other policies of this Plan, the applicable policies of the [Provincial](#) Greenbelt Plan, [the Provincial Growth Plan](#) and the Niagara Escarpment Plan, applicable Zoning By-laws, and site plans and conditions of the licence under [The Aggregate Resources Act](#), the following uses *may* be permitted:
  - (i) *agricultural operations*;
  - (ii) *normal farm practices*;
  - (iii) *existing uses*;
  - (iv) *mineral aggregate operations* licensed pursuant to and in compliance with [The Aggregate Resources Act](#);
  - (v) associated facilities to a *mineral aggregate operation* used in extraction, transport, beneficiation, processing or recycling of *mineral aggregate resources* and derived products such as asphalt and concrete, or the production of secondary related products, provided that such associated facilities:
    - a. are directly associated with the extraction of *mineral aggregate resources* from an integrated *mineral aggregate operation*, which *may* consist of more than one [Aggregate Resources Act](#) license;
    - b. are designed to be temporary and not to be utilized after extraction has ceased;
    - c. do not have *negative impacts* on water resources or the Natural Heritage System;
    - d. do not have unacceptable adverse impacts on the rural community, on the Agricultural System or on surrounding land uses; and
    - e. are located in a manner that does not affect the final *rehabilitation* or enhancement of the site in accordance with an approved *rehabilitation* and enhancement plan;

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- (vi) *non-intensive recreation uses* such as nature viewing and pedestrian trail activities;
  - (vii) *forest, fisheries and wildlife management*;
  - (viii) archaeological activities;
  - (ix) *essential linear infrastructure* facilities subject to Subsection 6.1.2 h) of this Plan;
  - (x) *accessory uses*;
  - (xi) uses permitted in an approved Niagara Escarpment Park and Open Space Master/Management Plan, if the subject land is located within the Niagara Escarpment Plan Area; and
  - (xii) *watershed management* and flood and erosion control projects carried out or supervised by a *public authority*.
- d) All mineral aggregate operations and accessory operations shall be conducted in a manner that:
- (i) minimizes *negative* environmental *impact* in accordance with Provincial standards and requirements and Regional and City Official Plan policies; and
  - (ii) avoids unacceptable adverse impacts on the *Agricultural System*, Regional and City *infrastructure, cultural heritage resources*, and the rural community.
- e) The *City* considers the protection of surface water and groundwater from the *negative impacts* of extraction to be a priority. Accordingly, the *City shall* support the Region in requiring the proponent of new or expanded *mineral aggregate operations* to carry out comprehensive studies and undertake recommended mitigation and/or remedial measures and on-going monitoring in accordance with Provincial requirements and the policies of the Regional Official Plan and in consultation with Conservation Halton.
- f) The *City shall* support the Region in requiring that air, noise and blasting studies be undertaken in accordance with Provincial regulations and standards and that the recommendations of the studies be implemented to minimize *adverse effects* on social and human health.
- g) The *City shall* require an amendment to this Plan to designate a new Mineral Resource Extraction Area or an expansion to an existing Mineral Resource Extraction Area.
- h) The *City shall* require that the applicant for an amendment to this Plan to designate a new Mineral Resource Extraction Area or an expansion to an



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existing Mineral Resource Extraction Area consult, prior to the submission of the application, the City, the Region, the Province, Conservation Halton and other relevant agencies to identify the studies and information to be provided to support the application, to scope or focus study requirements where appropriate, and to determine a process and an agreement respecting public engagement, evaluation and peer review.

- i) In areas outside the Greenbelt Natural Heritage System, the *City shall* not permit new Mineral Resource Extraction Areas or expansions to existing Mineral Resource Extraction Areas in:
  - (i) The Niagara Escarpment Plan Area, except the Escarpment Rural Area;
  - (ii) *significant wetlands*;
  - (iii) *habitat of endangered species and threatened species*, except in accordance with Provincial and Federal requirements;
  - (iv) *significant woodlands*, except where the woodland consists of habitat that can be effectively replaced or restored within a reasonable period of time, such as: areas of crop or pasture; plantation; early successional habitat; areas of high disturbance; areas of low ecological diversity with a high percentage of non-native species; old field meadow; hedgerows; minor areas on the perimeter of the features; or drainage swales;
  - (v) for *quarries*, areas within two hundred (200) m of the *Escarpment brow*;
  - (vi) the Urban Area as identified on Schedule C: Land Use – Urban Area, of this Plan, and the Rural Settlement Areas as identified on Schedule I: Land Use – Rural Area, of this Plan; and
  - (vii) North Aldershot as identified on Schedule K: Land Use – North Aldershot, of this Plan, except in accordance with the time limited and area specific Minutes of Settlement dated June 1, 2013 and executed by the Region prior to the approval of the Regional Official Plan.
- j) Each Official Plan Amendment application to designate a new or expanded Mineral Resource Extraction Area *shall* be evaluated based on its individual merits and consideration of all the following factors and of the other policies of this Plan:
  - (i) aAdverse or *negative impacts* on, and proposed measures to minimize or address such impacts on, the following:
    - a. the *City's* Natural Heritage System, in accordance with

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- Subsection 4.10.2(2) m) of this Plan;
- b. the quality and quantity of surface and groundwater;
  - c. adjacent *sensitive land uses* including their source of drinking water;
  - d. the Agricultural System and nearby *agricultural operations*, including associated *agriculture-related uses and on-farm diversified businesses*;
  - e. *cultural heritage resources*;
  - f. the transportation system;
  - g. the visual character of the area;
  - h. air quality; and
  - i. the Greenbelt Natural Heritage System, in accordance with Subsection 4.10.2(2) m) of this Plan;
- (ii) the social and economic impacts on the rural community;
  - (iii) the *cumulative impacts* of the proposal and other *mineral aggregate operations* in the general area;
  - (iv) the proposed *rehabilitation* plan and the *compatibility* of the proposed after-use with the objectives and policies of this Plan;
  - (v) the risk of public financial liability during and after extraction where continuous active on-site management is required; and
  - (vi) the provisions for ongoing municipal and community engagement in the operation, *rehabilitation* and closure of the proposed *mineral aggregate operation*.
- k) Halton Region's Aggregate Resources Reference Manual shall be used by the City as a guidance document and resource in reviewing an Official Plan Amendment application to designate a new or expanded Mineral Resource Extraction Area.
  - l) An Official Plan Amendment application involving mineral resource extraction below the water table *should* be discouraged if perpetual water management will be needed to maintain the direction of flow, quantity, quality and of surface water and groundwater after *rehabilitation* has been completed.
  - m) In accordance with Subsection 4.2.2 [km](#)) of this Plan, the *City shall* apply the following systems based approach in the assessment of the impact of a

proposal for a new or expanded *mineral aggregate operation* on the Natural Heritage System:

- (i) where the proposal has the potential to have *negative impacts* on one or more *Key Natural Feature* of the Natural Heritage System, as listed in Subsection 4.2.2 ~~ee~~ of this Plan, the proponent *shall* be required to demonstrate through an Environmental Impact Assessment (EIA) that the proposal will result in no *negative impacts* on the *Key Natural Features* or their *ecological* or *hydrologic functions*;
- (ii) in addition to clause (i) above, where the proposal has the potential to have *negative impacts* on the Natural Heritage System, the proponent *shall* be required to demonstrate through an EIA that the proposal will maintain, restore or where possible enhance the diversity and connectivity of *natural heritage features* in an area, and the long term *ecological* and *hydrologic functions* and biodiversity of natural heritage systems, recognizing *linkages* between and among *natural heritage features and areas, surface water features* and *groundwater features*; and
- (iii) where the proposal has the potential to negatively impact the Provincial Natural Heritage System for the Greater Golden Horseshoe as shown on Schedule M-1, of this Plan, the policies of the applicable Provincial land use plan as shown on Schedule A-1: City System - Provincial Land Use Plans and Designations, shall apply as follows, in addition to the policies of this Plan:~~Greenbelt:~~
  - a. ~~Natural Heritage System~~, if the proposal is located within the Greenbelt Plan Protected Countryside, the provisions of Section 4.3.2 of the Provincial Greenbelt Plan shall apply;
  - b. If the proposal is located within the Niagara Escarpment Plan, the provisions of Part 2.6, Part 2.7 and Part 2.9 of the Niagara Escarpment Plan shall apply; and-
  - (iii)c. if the proposal is located outside the Greenbelt Plan Protected Countryside and the Niagara Escarpment Plan Area, the provisions of Section 4.2.8 of the Provincial Growth Plan shall apply.
- n) The City *shall* consider an Official Plan Amendment application to designate a new Mineral Resource Extraction Area or to expand an existing Mineral Resource Extraction Area designation to be complete, only on the basis of Subsection 12.1.2(1.2) of this Plan.

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- o) The *City* will co-ordinate with the Region, other affected municipalities, Provincial Ministries, Conservation Halton, the Niagara Escarpment Commission and other agencies in the review of and public consultation on Official Plan Amendment applications to designate new or expanded *mineral aggregate operations*.
- p) *Mineral aggregate resource* extraction shall be considered to be an *interim land use*. The *City* will support the progressive and final *rehabilitation* of mineral aggregate operations, provided that *rehabilitation*:
  - (i) takes place in a timely fashion;
  - (ii) limits the amount of disturbed area on an on-going basis;
  - (iii) adopts prevailing best management practices;
  - (iv) is consistent with the Halton Region Source Protection Plan and relevant watershed or subwatershed plans; and
  - (iii)(v) conforms with the applicable policies of the Greenbelt Plan, the Provincial Growth Plan or the Niagara Escarpment Plan, as appropriate.
- q) The *City shall* require the *rehabilitation* of a *mineral aggregate operation* to an appropriate after-use *compatible* with the adjoining land use designations set out in this Plan. An amendment to this Plan designating the site for the appropriate after use *shall* be required. Owners of mineral aggregate operations are encouraged to provide for public access to, and public use of, former mineral aggregate operations sites, where appropriate, after final rehabilitation is complete.
- r) *Mineral aggregate operations* in the Rural Area *shall* be required to be *rehabilitated* to form part of the City's Natural Heritage System or the Agricultural Area, with the proposed after-uses being in conformity with the applicable policies of that land use designation and *compatible* with the Agricultural System.
- s) The *rehabilitation* of *mineral aggregate operations* on *prime agricultural lands*, within *Prime Agricultural Areas* *shall* be carried out so that substantially the same areas and same average soil quality for *agriculture* are restored.

In *Prime Agricultural Areas*, complete agricultural *rehabilitation* is not required if:

  - (i) there is a substantial quantity of *mineral aggregate resources* below the water table warranting extraction, or the depth of planned

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extraction in a *quarry* makes restoration of pre-extraction *agricultural* capability unfeasible;

- (ii) other alternative locations have been considered by the applicant and found unsuitable. The consideration of other alternatives *shall* include resources in areas of Canada Land Inventory Class 4 to 7 soils, resources on lands identified as designated growth areas, and resources on *prime agricultural lands* where *rehabilitation* is feasible. Where no other alternatives are found, *prime agricultural lands* shall be protected in this order of priority: *specialty crop areas*, and Canada Land Inventory Class 1, 2 and 3 lands; and
  - (iii) *agricultural rehabilitation* in remaining areas is maximized.
- t) The proponent of a new or expanded Mineral/ Resource Extraction Area *shall* be required to demonstrate to the satisfaction of the *City* and the *Region* that the transportation of aggregate and related products associated with the proposed *mineral aggregate operation* can be adequately accommodated by the transportation system in the city. Any improvements to the *City's* transportation *infrastructure* to accommodate the transportation of aggregate *shall* be at the expense of the proponent. If applicable, alternative routes and alternative *modes* for transporting the products *shall* be considered and evaluated.

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Burlington's location in proximity to Toronto and Hamilton, coupled with its access to major highway and rail *infrastructure* and an abundant supply of land, allowed the city to grow rapidly over the last 50 years. A number of conditions that supported this rapid growth are expected to change over the next 20 years. The manufacturing-based economy has entered a period of transition where issues of globalization, technology changes, including automation and labour force changes, all contribute to a new role in the economy for manufacturing. Congestion along major highway *infrastructure* is increasing, as are fuel costs. The city has a fixed urban boundary and therefore a finite supply of designated *employment* lands. The city has a sufficient supply of designated *employment* lands to accommodate forecasted growth to 2031 and the supply of land will be needed for the long term.

The Strategic Plan's first strategic direction supports a City that Grows. Key to working toward that direction is the promotion of economic growth. The Strategic Plan acknowledges that there are many interrelated actions.

A healthy and *sustainable* city provides opportunities to accommodate a wide range of businesses and economic activities throughout the city. The city has *employment* concentrations in manufacturing, retail trade and health care and social assistance. In 2015 the Region of Halton Employment survey reported that the city had the highest proportion of full time jobs compared to other local municipalities in the Region of Halton. Similar to the Region of Halton, the economy and jobs are diverse and well balanced.

The city has a number of established growth clusters in information technology, financial services and distribution services. There are a number of emerging growth sectors in transportation and logistics and business services. Given the diversity of opportunities within the various growth clusters, the historic and recent performance, geographic location and a variety of other market indicators, Burlington has the potential capitalize on long term growth projections. In recent years, the growth in commercial space in the city has outpaced population growth. The current supply of commercial space is above average for suburban GTA municipalities. However, vacancy rates and sales performance levels in the city indicate that the retail market is healthy.

The city has an available supply of commercially designated land sufficient to meet future demand to 2031. However, there are underserved portions of the city, as well as *intensification areas* which will require additional commercial uses supporting local residential and employees needs.

*Institutional uses* and *public service facilities* are integral to the economy and the creation of a vibrant and complete community. Ranging from a post-secondary

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institution, to a hospital, to a fire station, this Plan provides opportunities to locate *public service facilities* throughout the city. This Plan also identifies opportunities to support innovation and research, as well as investment in existing and proposed *public service facilities* and *institutional uses*.

This Plan, through the development of the Mixed Use Intensification Areas, is promoting the *development* of traditional commercial areas into revitalized mixed use, pedestrian-friendly hubs of activity.

The economy of Rural Burlington is quite different from that of the Urban Area, being based on *agriculture* and *on-farm diversified* uses, other resource industries, *home occupations*, recreation and *agricultural-related tourism*. Rural Burlington's location in proximity to major urban areas presents its industries with major challenges but also with new opportunities.

The City's long term land use strategy to accommodate *employment* has been developed to manage the challenges and opportunities that the city will face over the planning horizon of this Plan. The strategy:

- a) retains existing vacant lands within the ~~Areas of Employment~~Employment Area lands to provide for a wide range of parcel sizes, locations and characteristics over the long term;
- b) builds on the existing *employment* lands policy framework to nurture existing *employment* lands, including a level of predictability for those already invested and support for the continued use and *development* of *employment* lands for *employment* purposes; and
- c) focuses on encouraging *employment* growth in *mixed use intensification areas* including the city's *mobility hubs*. These areas will be planned to accommodate *employment* uses which are *compatible* with other *sensitive land uses* and to have the potential to contribute to vibrant, mixed use, transit-supportive uses.

Building on the city's strengths, over the planning horizon of this Plan, people will work throughout the city within the ~~Areas of Employment~~Area, urban centres including the Downtown Urban Growth Centre, *mobility hubs*, other mixed use areas, in the Rural Area and even in existing residential neighbourhoods in the form of *home occupations* and small-scale neighbourhood commercial uses.

This chapter of the Plan includes policies on *employment*, ~~areas of employment~~area protection, innovation districts, strategic ~~employment areas~~economic development areas and the *agricultural* system.

## 5.1 EMPLOYMENT

### 5.1.1 OBJECTIVE

- a) To promote economic development and competitiveness and the development of *complete communities*.

### 5.1.2 POLICIES

- a) The City will contribute to the development of a Regional Employment Strategy with the Region of Halton, and the Towns of Oakville, Milton and Halton Hills.
- b) The City will promote economic development and competitiveness and the development of *complete communities* by:
  - (i) providing for an appropriate mix of *employment* uses including industrial, commercial, public service facilities and *institutional uses* throughout the city to meet long-term needs;
  - (ii) focusing employment growth primarily in ~~Areas of the~~ Employment Area and ~~on employment growth~~ in mixed use *intensification areas*;
  - (iii) providing for a diversified economic base, including maintaining a range and choice of suitable sites for *employment* uses which support a wide range of economic activities and *ancillary uses*, and take into account the needs of existing and future businesses;
  - (iv) planning for, protecting and preserving ~~Areas of the~~ Employment Area for current and future uses which will achieve a significant component of the employment forecasts for the city to the year 2031; and
  - (v) ensuring the necessary *infrastructure* is provided to support current and forecasted *employment* needs, including *infrastructure* and utility requirements of emerging employment.
- c) The city's identified *Mobility Hubs* shall be planned to accommodate *employment* uses which are *compatible* with other *sensitive land uses* and contribute to the development of vibrant, mixed use and transit supportive areas.
- d) *Major office* and appropriate major ~~institutional~~ development including major public service facilities and major institutional uses shall be located in the Urban Growth Centre or *major transit station areas* also identified as the City's *Mobility Hubs*, with existing or planned higher order transit service.

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- e) *Home occupations* and small scale neighbourhood commercial uses will be *encouraged*, subject to appropriate considerations, throughout the city's neighbourhoods.

## 5.2 PROTECTING THE ~~AREA-OF-EMPLOYMENT~~ AREA

The Planning Act defines ~~Area-of-Employment~~ area of employment as an area of land designated in an Official Plan for clusters of business and economic uses. These areas are devoted to *employment* uses and are critical to the long term sustainability of the city. The ~~Areas-of-Employment~~ Area captures a cross section of lands including a portion of designated ~~Employment~~ employment lands as well as *employment*-oriented designations in Mixed Use Intensification Areas, identified as an overlay ~~described~~ on Schedule B: Urban Structure, of this Plan. Residential uses and other non-employment uses including *major retail* uses are prohibited in the ~~Area-of-Employment~~ Area.

The city has a finite supply of lands within the ~~Area-of-Employment~~ Area and it is critical that the City adopt a policy framework which protects that supply from unwarranted conversion from *employment* lands to a non-employment use. The City will need to maintain its supply of land within the ~~Area-of-Employment~~ Area in order to capitalize on its growth potential over the long term, given the fixed urban boundary.

From time to time, there may be a compelling reason based on planning grounds to consider conversion, particularly when a conversion can achieve another one of the City's strategic objectives.

### 5.2.1 OBJECTIVE

- a) To plan for, protect and preserve the *Employment Area*.
- a)b) To conform to the policies of the Provincial Policy Statement, the Provincial Growth Plan and the Regional Official Plan to guide the consideration of *employment* land conversion, at the time of a *municipal comprehensive review*.

### 5.2.2 POLICIES

- a) Lands within the ~~Areas-of-Employment~~ Area ~~o~~ Overlay and lands to be added to Region of Halton *Employment Area* as identified on Schedule B: Urban Structure, of this Plan, are subject to the policies of Chapter 5: Economic Activity, of this Plan, and the underlying land use designations.
- b) Lands within the ~~It is recognized that all lands within the Areas-of-Employment~~ Area ~~o~~ Overlay and lands to be added to Region of Halton *Employment Area* as identified on Schedule B: Urban Structure, of this Plan, are necessary to achieve a significant component of the employment forecast for the city to the year 2031, as identified in Chapter 2: Sustainable Growth, of this Plan. ~~The area of employment includes all lands identified as~~

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~~Areas of Employment Overlay on Schedule B: Urban Structure, of this Plan, which are contained within the following land use designations on Schedule C: Land Use – Urban Area, of this Plan:~~

- ~~(i) — Business Corridor;~~
- ~~(ii) — General Employment; and~~
- ~~(iii) — Urban Corridor Employment Lands;~~

~~and the following land use designations on Schedule E: Land Use – Uptown Urban Centre, of this Plan:~~

- ~~(i) — Uptown Business – Employment Lands; and~~
- ~~(ii) — Uptown Business Corridor – Employment Lands.~~

- c) Within the ~~Areas of Employment~~ Area oOverlay and lands to be added to the Region of Halton Employment Area, as identified on Schedule B: Urban Structure of this Plan, the Mixed Use Intensification Areas including the lands designated Urban Corridor- Employment Lands; Uptown Business – Employment Lands and the Uptown Business Corridor – Employment Lands, mixed uses in these designations *shall* permit *office* and ground floor retail and *service commercial* uses and *shall* prohibit *major retail* and residential uses in accordance with the underlying land use designations.
- d) Proposals for the conversion of lands identified within the ~~Areas of Employment~~ Area Overlay overlay or within lands to be added to the Region of Halton Employment Area on Schedule B: Urban Structure, of this Plan, from *employment* uses to non-*employment uses*, or to add a range of uses to an *employment* designation that are primarily permitted in a non-*employment* designation, including *major retail* uses, *shall* be evaluated in such a way as to utilize the *employment* generation and economic potential of the *employment* lands, based on meeting the following criteria:
  - (i) the conversion *shall* only be considered in conjunction with a *municipal comprehensive review* as identified in the Provincial Policy Statement and the policies of Provincial Plans;
  - (ii) there is a demonstrated need for the conversion, as determined by the *City*;
  - (iii) the proposal *shall* not detrimentally affect the short and long term *employment* land needs of the city;
  - (iv) the proposal *shall* not *adversely impact* the achievement of the *City's* *intensification* and density targets;

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- (v) the *intensity* and characteristics of the proposed non-employment *uses shall* not adversely impact the overall viability of the *Areas of Employment*, or the desirability or proper servicing of existing and future surrounding land uses;
- (vi) there is existing or planned *infrastructure* and *public service facilities* to accommodate the proposed conversion;
- (vii) cross-jurisdictional issues have been considered;
- (viii) proposals for the re-designation of lands abutting major transportation corridors including rail lines, Provincial Freeways and Major and Multi-Purpose Arterial Streets, as identified on Schedule O-1: Classification of Transportation Facilities-Urban Area, are discouraged;
- (ix) support studies as identified in Subsection 12.1.2(1), Complete Applications, of this Plan, are prepared;
- (x) in addition to clauses (i) through (ix) above, the conversion *shall* also meet at least two of the following conditions:
  - a. the amount of land affected is minor in area based on the projected land requirements within the planning horizon of this Plan;
  - b. the *development* of the site is not feasible for *employment uses* within the planning horizon of this Plan;
  - c. there are no alternative sites, designated and approved for the proposed use elsewhere in the city;
  - d. the proposal will have a beneficial impact on the surrounding uses and the broader community; and
  - e. the *development* of the lands for non-employment *uses* will meet a public need identified by *City Council* resolution.

## 5.3 INNOVATION DISTRICTS

Innovation districts are a type of business and/or industrial district designed to attract and promote clusters of public and private sector firms and organizations engaged in the development of new products, materials, services and knowledge.

Innovation districts are considered to be elements in the knowledge economy. Often they are anchored by post-secondary institutions and several major private firms, around which are clustered small and medium sized firms, support businesses and services and various business incubators and accelerators intended to support new ventures and start ups. The objective is that an innovation district, by supporting proximity, clustering and connectivity, will stimulate economic activity.

The importance of the knowledge based economy is highlighted in the *City's* Strategic Plan. A key priority related to promoting economic growth is to develop an environment that is attractive to high-growth “knowledge-based” companies. The *City* will work to create the technological support, business support, *infrastructure* and educational environment to attract start ups and growing businesses.

While the uses generally associated with innovation districts such as research and development firms, product testing, and support services are permitted in a wide variety of locations in the city, the geographic clustering of similar uses can help to catalyze economic development and innovation in specific areas of the city. While residential uses do not need to be included within a given Innovation District, the ability to conveniently access a full range of residential options is very important.

### 5.3.1 OBJECTIVES

- a) To establish a general framework for identifying an area with potential to function as an innovation district.
- b) To support the development of economic development strategies that establish the vision and the key elements of an innovation district.
- c) To develop land use policies and tools that will support the implementation of economic development strategies for the development of innovation districts through enhanced transit and other *infrastructure* improvements, in order to create a more connected, complete and *sustainable* community feature.



### 5.3.2 POLICIES

- a) One or more potential innovation districts *may* be identified in this Plan where one or more of the following conditions are present:
  - (i) an existing or proposed post-secondary institution is located in the area;
  - (ii) a clustering of a related group of businesses and/or economic activities that have the potential to support the creation of new investments, ventures or start ups to support the development of new ideas, products or services;
  - (iii) any area of the city with access to *frequent transit corridors* or a *major transit station area*, also identified as the *City's Mobility Hubs*, as identified on Schedule B-2: Growth Framework and Long Term Frequent Transit Corridors, of this Plan; and/or
  - (iv) an ~~Area of Employment~~ Area with access to the *frequent transit corridors* -and availability of *infrastructure* and access to a range of housing options within close proximity.
- b) Innovation District Study Areas *shall* be identified on Schedule B: Urban Structure, of this Plan.
- c) Where an Innovation District Study Area has been generally identified on Schedule B: Urban Structure, of this Plan, an *area-specific plan* will be completed for the District.
- d) Until the *area-specific plan* has been completed for an identified Innovation District Study Area, notwithstanding the permissions in the underlying land use designation on Schedule C: Land Use – Urban Area, of this Plan, the following uses *may* be permitted:
  - (i) *office* uses;
  - (ii) *industrial* uses that involve assembling, fabricating, manufacturing and other processes;
  - (iii) research laboratories and information processing;
  - (iv) communications;
  - (v) municipal *infrastructure* and *utilities*;
  - (vi) conference and convention uses and hotels, where they are permitted in the underlying land use designation, subject to addressing land use compatibility requirements; and

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- (vii) retail and *service commercial* uses in accordance with the policies of the underlying land use designation.
- e) An economic development strategy and brand for the development of an innovation district will include the following:
  - (i) vision and target sectors;
  - (ii) the identification of economic, networking and physical assets available to support the Innovation District; and
  - (iii) direction to undertake an *area-specific plan* to determine, in addition to the policies in Subsection 12.1.3 of this Plan, the following:
    - a. land use vision and objectives related to the vision and target sectors;
    - b. *infrastructure* investments required to promote connectivity to the *frequent transit corridors* and *mobility hubs*;
    - c. alignment of land use permissions with the vision, including, where an innovation district is located outside of an *Area of Employment Area*, a full range of permitted uses;
    - d. where an innovation district is located entirely within an *Area of Employment Area*, the identification of opportunities to connect to surrounding communities, mixed use *intensification* areas and where applicable, *mobility hubs*, shall be a priority. Connections to residential and commercial uses shall be identified and appropriate investments in *infrastructure* such as transit and *active transportation* shall be recommended;
    - e. design standards for the private and *public realm* including *streetscapes* in accordance with the policies of Chapter 7: Design Excellence, of this Plan; and
    - f. the identification of tools to incentivize preferred outcomes in line with the vision and policies of this Plan and the *area-specific plan*.

## 5.4 STRATEGIC ECONOMIC DEVELOPMENT AREAS

There are [five-eight](#) strategic economic development areas found throughout the city. Each of the economic development areas presents a distinct opportunity for supporting economic development and competitiveness and the development of *complete communities*. Some areas include a variety of vacant *employment* lands serviced, or planned to be serviced, over the horizon of the Plan, and some include existing developed *Areas of Employment* that *may* have the potential to accommodate *intensification*. Other existing and emerging areas like the Downtown Urban Centre, the Uptown Urban Centre, and Mobility Hubs represent key opportunities to accommodate significant *employment* close to great neighbourhoods in the city.

These areas are generally identified in the policies of this section of the Plan and *may* be the focus of the development of tools and approaches aimed at supporting the long-term viability and health of the city's *Areas of Employment* and to support the City's long term strategy to accommodate *employment*. Opportunities to support the *Areas of Employment* as they change over the coming years will remain a key priority. While Regional water and wastewater infrastructure is generally in place and available, these areas will require careful investment in *infrastructure* from *utilities*, *transit infrastructure*, *public service facilities* and *public realm* improvements in response to the investments of businesses and the needs of employees.

[The policies of this Plan including the land use policies established in Chapter 8 will guide appropriate development.](#)

### 5.4.1 QEW CORRIDOR

- a) This district straddles the QEW and extends from Guelph Line to Burloak Drive and from Mainway to the GO Train line. The area contains over twenty-five (25) percent of the city-wide supply of vacant parcels, making up thirteen (13) percent of the overall vacant *employment* land in the city.
- b) *Development* in close proximity to the Appleby GO *should* be *transit supportive* and consider opportunities to facilitate walking and cycling.
- c) In the long term, support for *development* for *employment* uses within this corridor will be critical to re-invest, intensify *development* and increase the number of jobs.
- d) The QEW Corridor will be the focus of the development of a long-term *employment intensification* study containing strategies to support *development* and re-investment:

- i) such a strategy *should* recognize that the lands north of the QEW/403 have a more intensive *employment* nature;
- ii) the strategy will highlight opportunities relative to the *employment* lands south of the QEW/403 and north of the GO Rail Line and Stations. The strategy *should* emphasize and identify investment required to ensure employers and employees are prioritized and provided with convenient transit and safe pedestrian access from the *major transit station areas* to the surrounding *employment* lands;
- iii) the strategy will acknowledge that over the long-term, the *City* will consider the development of a pilot *brownfield Community Improvement Plan* to support the *development* of *employment* land for new, more intensive *employment* uses including any required *infrastructure* improvements.

### 5.4.2 BRONTE CREEK MEADOWS

- a) This district extends from Burloak Drive to Creek Way and is bordered by Upper Middle Road and Mainway. The area contains the largest concentration of vacant *employment* land in the city, which constitutes fifty-two (52) percent of the City-wide supply of vacant *employment* land. The *employment* function of Bronte Creek Meadows is a priority for the *City*. This area will be a focus for innovative *employment* uses ~~as part of a complete community and~~ in accordance with this Plan and the *City's* Strategic Plan.
- b) In the near term, this area [identified on Schedule B: Urban Structure of this Plan](#), *should* be guided by the development of an *area-specific plan*.
- c) The *area-specific plan* will be prepared in accordance with the policies of Subsection 12.1.3 of this Plan and will at a minimum, consider the following:
  - i) *infrastructure* and *public service facilities* requirements;
  - ii) achieving the *employment* density target established for the *Designated Greenfield Area*;
  - iii) the Natural Heritage System;
  - iv) future land use that focuses on *employment* uses; and
  - v) consistency with the policies contained in Chapter 7: Design Excellence, of this Plan.

### 5.4.3 403 WEST CORRIDOR

- a) This district straddles the 403 west of the 407. The area contains diverse vacant *employment* land and its relationship to the Aldershot GO Station

*should* be an important consideration in its *development*. As a western gateway to the Greater Toronto Area, connections to Hamilton will be critical important to the long term *development* of the area.

- b) A significant area of the 403 West Corridor will be considered as part of the *area-specific plan* for the Aldershot Mobility Hub. The relationship between mixed use areas and *employment* lands will be considered and the opportunities and challenges for connecting the entire corridor with transit service *shall* be considered. Investments in transit will be a priority.

#### 5.4.4 407 CORRIDOR

- a) This district is the newest ~~Area-of-Employment~~ Area in the city, located on the south side of Highway 407, generally including the lands between and adjacent to the Dundas Street and Appleby Line interchanges. This area is not fully built out and represents key opportunities for prestige *employment development* with visibility and access to Highway 407, along with close proximity to two interchanges at Dundas Street and Appleby Line.
- b) In the near-term, support for the *development* of uses that are appropriate in close proximity to residential areas will be prioritized. Investment in transit will be a priority.
- c) The 407 Corridor may be the focus of a *Community Improvement Plan* related to the optimal development of this relatively young ~~Area-of-Employment~~ Area, in order to ensure that the area meets its potential as a high-profile *employment* entry node to the city.

#### 5.4.5 DOWNTOWN URBAN CENTRE

- a) The Downtown is a centre where jobs are found in focus of employment for the city. The Downtown is comprised of a spectrum of major *public service facilities* and *institutional uses* as well as a wide range of *offices* and retail and *service commercial uses*. The Downtown Urban Growth Centre will see further *intensification*. There will be opportunities in the Urban Growth Centre to add new *employment* through mixed use development.
- b) Over the long-term, the Downtown Urban ~~Centre, (also~~ Centre, also a *Mobility Hub*,) will continue to contribute to accommodating jobs and will significantly contribute to accommodating *employment* and meeting the *City's* economic objectives.
- c) The Downtown Urban Centre is currently being considered through an *area-specific planning* process, that will consider the importance of accommodating *employment* over the long term in areas targeted for *intensification*.

- d) The City will consider tools available to support employment growth within the Urban Growth Centre, including through the implementation stage of the Downtown ~~Area-Specific Plan~~.

#### 5.4.6 UPTOWN URBAN CENTRE

- a) Uptown is a mixed use centre which balances a number of land uses including *employment*, residential and other uses. The policies of Uptown protect *employment* designations from conversion to non-~~employment~~ uses. The policies of Uptown also support the development of areas where a wide range and mix of uses are permitted. In balance, Uptown is a diverse node with significant opportunities for *development* of *employment* uses on *employment* lands as well as the *development* of *employment* through mixed use *development*.
- b) Over the long-term, the Uptown Urban Centre will contribute to accommodating *employment* and meeting the City's economic objectives.
- c) This area has ~~had Secondary Planning~~ been subject to area-specific planning that considered the importance of accommodating *employment* over the long term in areas targeted for *intensification*.

#### 5.4.7 MOBILITY HUBS

- a) Over the long-term, *Mobility Hubs* centred around *Major Transit Station Areas* will contribute significantly to accommodating *employment* and meeting the City's economic objectives.
- b) Mobility Hubs are currently being considered through an *area-specific planning* process, that will consider the importance of accommodating *employment* over the long term in areas targeted for *intensification*.
- c) The City will consider tools available to support employment growth within *Mobility Hubs*, including through the implementation stage of the Mobility Hub *area-specific plans*.

#### 5.4.8 MIXED USE NODES AND INTENSIFICATION CORRIDORS

- a) Over the long-term, Mixed Use Nodes and *Intensification Corridors* will contribute significantly to accommodating *employment* uses and meeting the City's economic objectives.

## 5.5 THE AGRICULTURAL SYSTEM

The economic health and long term viability of the *agricultural system* plays an important role in creating a healthy and environmentally *sustainable* city. The policies of this Plan are directed at providing the conditions for *agriculture* and the *agricultural system* to grow and prosper and to adapt to changing conditions. This is addressed both through the policies in this section of the Plan and through the objectives and policies set out in Section 4.9, Community Gardens and Urban Agriculture, and Chapter 9: Land Use Policies - Rural Area, of this Plan.

### 5.5.1 OBJECTIVES

- a) To support the economic viability of *agriculture* and the *agricultural system*.
- b) To enable *agriculture* and the *agricultural system* to adapt to new challenges and new opportunities.
- c) To promote efficient *agricultural operations*.
- d) To encourage and protect local food production, including *urban agriculture*.

### 5.5.2 POLICIES

- a) The *City* will consider providing incentives and other forms of assistance to support the development of *agricultural, agriculture-related* and *on-farm businesses* through the preparation, adoption and implementation of a *Community Improvement Plan* under Subsection 12.1.15 of this Plan.
- b) The functional and economic connections between the agricultural land base and the other components of the *agricultural system* will be maintained and enhanced.
- b)c) The city's ~~Areas of Employment~~ *Areas* shall accommodate industries that are components of the *agricultural system*.
- e)d) The *City* will collaborate with the *Region of Halton* in implementing Halton Region's Rural Agricultural Strategy to support the long-term sustainability and prosperity of the *agricultural system* and the rural economy.
- e) The *City* will consider the development of an *urban agricultural* strategy to identify and support appropriate *agricultural uses* in the Urban Area, in accordance with the policies in Section 4.9, Community Gardens and Urban Agriculture, of this Plan.

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## INFRASTRUCTURE, TRANSPORTATION AND UTILITIES

*Infrastructure* is the underpinning of *development*. A particular type of *infrastructure*'s existence, and available or planned capacity to deliver more of their given service, is critical-important to support growth in the city. The planning for their delivery and their location within the city is critical to the success of the city.

Planning for *infrastructure* is undertaken by many different entities and organizations, each with their own planning and budgeting process. These partners should be part of discussions relating to how the *City's* vision for growth through *intensification* will impact demand for their services. For the same reason, the *City* understands that since a significant portion of these critical services are provided by others, clear priorities must be identified as investments required to support the vision will be significant.

The *City* must ensure that the land use vision can be phased and planned in a manner that optimizes the use of existing and new *infrastructure* to support growth in a compact, efficient form. Through any investment or plan, the long-term financial *sustainability* of the *City* and the Region must be ensured.

### 6.1 GENERAL

#### 6.1.1 OBJECTIVES

- a) To collaborate with all partners to ensure that *infrastructure* is planned comprehensively in a manner that effectively uses existing capacity and strategically invests in additional capacity to support the land use vision of this Plan, which calls for growth through *intensification*.
- b) To rely on the land use vision of this Plan to communicate with multiple partners the approach for developing servicing priority and phasing in a built-up municipality through the completion of a series of *area-specific plans*. Dependent upon the findings of the *area-specific plans*, the highest priority for ensuring servicing capacity will be determined among the Urban Centres and *Mobility Hubs* identified as Primary Growth Areas in the Growth Framework.
- c) To align with the *City's* long term Asset Management Plan.

### 6.1.2 POLICIES

- a) ~~The Region of Halton~~[Halton Region](#) is responsible for the planning, design, delivery and maintenance of municipal water and waste water. It is the policy of this Plan that:
- (i) all *development* within the Urban Area *shall* be connected to municipal water and waste water systems unless exempted by the policies of this Plan and the Regional Official Plan;
  - (ii) *development shall* be limited in the Urban Area to the ability and financial capability of the Region to provide municipal water and waste water services;
  - (iii) no servicing extensions beyond the Urban Area *shall* be permitted, unless exempted by the policies of the Regional Official Plan;
  - (iv) new servicing capacity, where required, *shall* be prioritized to those areas of the City identified as being Primary Growth Areas on Schedule B-1: Growth Framework, of this Plan. The *City* will work closely with ~~the Region of Halton~~[Halton Region](#) to address servicing capacity challenges in the Growth Areas within the Urban Area, consistent with the Regional Official Plan;
  - (v) the *City*, in conjunction with ~~the Region of Halton~~[Halton Region](#), *shall* further prioritize and phase the development of Growth Areas through the development of *area-specific plans*, where required.
- b) ~~The Region of Halton~~[Halton Region](#) is responsible for the planning, design, delivery and maintenance of the Regional Road Network. The *City* will participate in transportation planning processes with the Region to ensure that local context is addressed.
- c) The *City* is responsible for providing a wide range of *infrastructure* and *public service facilities* and has established a long term Asset Management Plan in order to understand capital investments and long term lifecycle costs of *infrastructure* provided by the *City*. Decision making related to the prioritization of investment in *infrastructure* will consider factors such as timing, capital budget, [infrastructure risks and vulnerabilities including those caused by climate change](#), and strategic consideration of the long term operational costs in the context of levels of service and the Long Term Asset Management Plan.
- d) The policies of this Plan including the Community Vision, the Urban Structure, the Growth Framework, the underlying land use designations and the commitment to the development of *area-specific plans*, *shall* be the means of communicating priority growth areas.

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- e) The highest priorities for servicing capacity improvements within the Urban Area are:
  - (i) the Downtown and Uptown Urban Centres; and
  - (ii) the *Mobility Hubs*, pursuant to the finalization of the *area-specific plans*, which will contain a full understanding of the short, medium and long term implications of the *development* proposed and investment required.
- f) Collaboration among the *City*, Region and other service, *infrastructure* and *utility* providers will be undertaken to ensure co-ordination of planning, investment and *development* in line with servicing capacity improvement priorities and in response to the evolving infrastructure requirements of emerging *employment* *uses and* in support of *intensification* growth.
- g) Lands that are under the ownership or jurisdiction of Federal, Provincial or municipal bodies or agencies and that are used for transportation, *utility* or communication purposes *shall* be appropriately zoned.
- h) The following policies *shall* apply to the location and construction of new *infrastructure* and to expansions and extensions of *existing infrastructure*:
  - (i) new or expanded *infrastructure shall* avoid unacceptable adverse impacts upon existing and planned communities, including public safety *and air quality*;
  - ~~(ii)~~ — new or expanded *infrastructure shall* have regard for the land use compatibility policies in Section 4.6, Land Use Compatibility, of this Plan;
  - ~~(iii)(ii) where applicable, the proponents of proposals for new or expanded utility systems, including District Energy Systems, shall obtain Environmental Compliance approvals from the Province;~~
  - ~~(iv)(iii)~~ any other relevant considerations, as determined by the *City*;
  - ~~(v)(iv)~~ the planning, design and construction of new or expanding *infrastructure shall*:
    - a. minimize, wherever possible, the amount of the Natural Heritage System and Water Resource System, traversed and/or occupied by such *infrastructure*;
    - b. minimize negative impacts on or disturbance of the existing landscape and negative impacts on the *Escarpment environment*;

- ~~a-c.~~ minimize unacceptable adverse impacts on the *Agricultural System, cultural heritage resources*, and other existing and potential future city *infrastructure* facilities; and
- ~~b-d.~~ ensure no *negative impact* on the Natural Heritage System or on the water resource system consisting of *ground water features* and areas and *surface water features*, including shoreline features, and *hydrologic functions*.~~or on sensitive surface and ground water features;~~
- (v) new or expanding *infrastructure* should avoid Key Natural Features, Prime Agricultural Areas, ~~*sensitive surface and ground water features*~~key hydrologic features and key hydrologic areas, and unacceptable adverse impacts on *cultural heritage resources*;
- (vi) where proposed *infrastructure* is to be located within the Provincial Agricultural Land Base as shown on Schedule J-1: Provincial Agricultural Land Base for the Greater Golden Horseshoe to this Plan an Agricultural Impact Assessment *shall be undertaken*. The Agricultural Impact Assessment shall be prepared in accordance with the Agricultural Impact Assessment guidelines adopted by Regional Council but broadened in scope to address impacts on the Agricultural System of this Plan;
- ~~(vi)~~(vii) the proponent of major new *infrastructure* or a major expansion to existing *infrastructure*, as determined by *the City*, may be requested to prepare the following studies to the satisfaction of the *City*:
- a. an Environmental Impact Assessment (EIA), if the proposed project would be wholly or partially inside or within one hundred and twenty (120) m of the Natural Heritage System shown on Schedule M: The Natural Heritage System, of this Plan;
  - b. ~~in the Rural Area, as defined on Schedule I: Land Use – Rural Area, of this Plan,~~ an Agricultural Impact ~~Assessment~~ Assessment prepared as required under Subsection 6.1.2 h) (vii)(AIA), based on the guidelines adopted by Regional Council but broadened in scope to address impacts on the Agricultural System of this Plan, if the proposed project is located within the Agricultural Land Base as shown on Schedule J: Agricultural Land Base-Rural Area, of this Plan;
  - c. a *Cultural Heritage Landscape* Impact Assessment prepared in accordance with Section 3.5, Cultural Heritage Resources, of this Plan, if the proposed *infrastructure* project is located within the

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*Cultural Heritage Landscape Study Area shown on Appendix G:  
Cultural Heritage Landscape Study Area, of this Plan; and*

d. a *Social Impact Assessment*.

~~(vii)~~(viii) if one or more of the studies required under Subsection 6.1.2 h) (vii) of this Plan concludes that the proposed project will result in unacceptable adverse impacts or *negative impacts* that cannot be mitigated to the satisfaction of the *City*, and other technically and financially feasible alternatives exist that would have more acceptable or fewer adverse or *negative impacts* within the *City*, the *City shall*:

- a. not approve the proposed *infrastructure* project; or
- b. if the project is proposed by another agency, not support the project in comments, submissions or recommendations.

## 6.2 MULTIMODAL TRANSPORTATION

Burlington's transportation system is made up of many elements and choices for moving around the city, including walking, cycling, taking transit or rail, and using vehicles. A diverse transportation system with many practical and realistic choices is an essential part of a *sustainable* city, one which fully integrates mobility with land use and improves the quality of life in the city.

A city that is growing up through *intensification* rather than out through greenfield *development* has a different kind of transportation system. As the city grows up, if people continue to rely on their automobile to drive everywhere, it will become increasingly difficult to travel.

For Burlington to grow successfully, it must be a walking-friendly city, a bike-friendly city and a city designed and built with supporting public transit. It is a city that provides real and attractive choices in place of the automobile. One of these choices is a convenient and reliable transit system which includes *frequent transit corridors* where transit users can expect easy-to-use services that are frequent enough that they do not need to refer to a schedule. *Frequent transit corridors* are also important *infrastructure* to support community connectivity, facilitate *intensification*, and increase ridership in the city's growth areas, as identified by this Plan.

A successful, integrated and *multi-modal* transportation system will be achieved by prioritizing decision-making to shift more trips away from the private car and to more *sustainable* transportation options, such as walking, biking, transit and car sharing. This reprioritization will be context-driven, with particular emphasis on walking, biking, transit and car sharing in the urbanizing/growing areas of the city. The goal in places expected to remain low density and suburban, and in rural places where appropriate, will be a balanced mobility. The intent is to reprioritize mobility in a way that works better for all *modes* of movement.

The main intent of the transportation policies of this Plan is to provide a *multi-modal* transportation system for all residents and businesses that is safe, convenient, accessible, and efficient and that addresses many of the *City's* key challenges, including traffic congestion, climate change, public health, fiscal responsibility and affordability. The policies in this section of the Plan address different components of the transportation system, and offer guidance on various tools to manage mobility.



## 6.2.1 GENERAL

### 6.2.1(1) OBJECTIVES

- a) To develop an equitable, integrated, *multi-modal* transportation system that offers safe, convenient and efficient movement of people and goods within the city.
- b) To develop a transportation system that supports and complements the *City's* community vision and provides a range of *mode* choices.
- c) To recognize that characteristics of urban streets and rural roads vary depending on their contexts.
- d) To recognize that urban streets and rural roads have two fundamental roles: moving people and goods, and creating public space that people use for a variety of functions.
- e) To identify new and enhanced facilities and consider innovative approaches and new technologies to serve existing and future pedestrians, cyclists, transit riders and automobile users.
- f) To support the creation of urban environments that support *multi-modal* transportation with an emphasis on pedestrians, cyclists and public transit, connecting people and places.
- g) To maximize the capacity of existing transportation *infrastructure* and reprioritize decision making in order to achieve an equitable and integrated, *multi-modal* transportation system.
- h) To consider all environmental factors in evaluating improvements to the transportation system with emphasis on public safety, quality of life, noise and air pollution levels, climate change, health effects, and the maintenance of the *natural environment*.
- i) To implement *context sensitive design* for street, road and intersection designs, particularly where constraints, such as the *natural environment* and *natural heritage features*, property impacts and cost, require flexibility in *design guidelines* and creative design, in order to achieve an optimal solution that is safe and meets the needs of the community.
- j) To establish a *complete streets* strategy in the city.
- k) To implement a range of *transportation demand management (TDM)* strategies to reduce single-occupancy vehicle trips, to *encourage* more frequent travel by *sustainable modes* and outside of *peak periods*.
- l) To recognize parking management as a tool to influence *mode* choice, affect housing costs and shape the *public realm*.

**6.2.1(2) POLICIES**

- a) The design of all urban streets and rural roads *shall* be developed to comply with the classification, function and general design requirements outlined in Table 1: Classification of Transportation Facilities, of this Plan. The location of streets and roads *shall* comply with Schedule O-1: Classification of Transportation Facilities – Urban Area, Schedule O-2: Classification of Transportation Facilities – Rural Area and North Aldershot, Schedule O-3: Classification of Transportation Facilities – Downtown Urban Centre, and Schedule O-4: Classification of Transportation Facilities – Uptown Urban Centre. Schedule O-1 does not show all Urban Local and Industrial Streets.
- b) The public street rights-of-way identified in Schedule O-1: Classification of Transportation Facilities – Urban Area, Schedule O-2: Classification of Transportation Facilities – Rural Area and North Aldershot, Schedule O-3: Classification of Transportation Facilities – Downtown Urban Centre, Schedule O-4: Classification of Transportation Facilities – Uptown Urban Centre, and in Chapter 14, Table 2: Public Right-of-Way Widths, of this Plan, *shall* be protected and secured through the processing of *development applications*, unless waived by the *City* in accordance with Subsection 6.2.7(2) f) of this Plan. Further, any public right-of-way identified in a detailed engineering study or class environmental assessment study *shall* be secured and protected in the same way through the *development application* approval process.
- c) In developing the transportation system, the *City* will evaluate and provide *infrastructure* to prioritize effective active and *sustainable modes* of travel based on efficiency, contribution to a more inclusive, healthy, livable and *complete community*, and to reduce environmental impacts and energy consumption. In the Rural Area, the transportation system *shall* be designed to minimize adverse impacts to the Agricultural System.
- d) A Transportation Impact Study to assess the impact of a proposed *development* on current travel patterns and/or future *multi-modal* transportation requirements *may* be required before *development applications* are approved.
- e) The enhancement of all *transportation facilities* to maximize mobility and access for people of all abilities *shall* be required, including during construction and reconstruction, rehabilitation and resurfacing projects.
- f) The *City* will actively provide input in the planning of Regional and Provincial *transportation facilities* and services, in accordance with the policies of this Plan and the *City's* Transportation Plan. [The City supports context sensitive design and alternative road standards for Regional Roads in mixed use](#)

[intensification areas to better integrate land uses, and to support pedestrians, cyclists and transit.](#)

- g) Opportunities for the sharing of parking will be *encouraged* between *compatible* uses where feasible, subject to an evaluation by the *City*.
- h) All *transportation facilities* shall be designed to provide seamless integration between all *modes* of local and regional transportation, including walking, cycling, transit and private vehicles.
- i) The identification of enhanced *multi-modal* transportation *infrastructure* shall be prioritized through the capital budgeting process, in accordance with direction from city plans such as the Official Plan, Transportation Plan, Cycling Master Plan, and long range transit plans, in Primary, Secondary and Employment Growth Areas, and the identified ~~frequent transit corridors~~, as identified on Schedule B-2: Growth Framework and Long Term Frequent Transit Corridors, of this Plan, and in keeping with Chapter 14, Table 1: Classification of Transportation Facilities, of this Plan.
- j) Highways under the jurisdiction of the Province and roadways under the jurisdiction of ~~the Region of Halton~~ [Halton Region](#) are illustrated on Schedule O-1: Classification of Transportation Facilities – Urban Area, Schedule O-2: Classification of Transportation Facilities – Rural Area and North Aldershot, Schedule O-3: Classification of Transportation Facilities – Downtown Urban Centre, and Schedule O-4: Classification of Transportation Facilities – Uptown Urban Centre, of this Plan. Any *development* located within the Provincial permit control area under [The Public Transportation and Highway Improvement Act](#) is subject to Provincial review and approval prior to the issuance of entrance, building and land use permits. These permits *shall* be obtained prior to any construction being undertaken within the permit control area.
- k) The *City* will undertake a city-wide *multi-modal* Transportation Plan and Parking Study.
- l) The *City* will monitor emerging trends in *multi-modal* transportation technology, including but not limited to, the use of autonomous vehicles and *infrastructure* for electric vehicles, and will amend transportation policies and standards as required.

## 6.2.2 URBAN STREETS AND RURAL ROADS

### 6.2.2(1) OBJECTIVES

- a) To ensure the provision of well-maintained urban streets and rural roads that will permit access to all parts of the city.

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- b) To provide adequate capacity to meet local transportation needs, but not necessarily inter-municipal traffic demands, which *should* be met by Provincial and Regional *transportation facilities* and services.
- c) To place emphasis on developing a connected and continuous grid-oriented street network that supports convenient and efficient travel by all *modes* and discourages the development of street configurations that disrupt the grid network.
- d) To provide more pedestrian oriented *streetscapes* that increase safety and attractiveness of the street environment to support *active transportation* choices.
- e) To re-evaluate traditional width standards for streets and roads under the *City's* jurisdiction and indicate the circumstances under which reduced width standards *shall* be permitted.
- f) To carry out road and street extensions, where appropriate, in order to accommodate people, transit and goods movement.
- g) To avoid the widening of local urban streets and rural roads for the sole purpose of increasing capacity for single occupant automobiles.
- h) To employ *complete streets* standards and the use of *context sensitive design* standards.
- i) To plan for and develop a street network that accommodates all *modes* of travel in a safe and efficient manner.

### 6.2.2(2) POLICIES

- a) The *City* will establish a *complete streets* strategy for all street and road projects, including those involving new construction, reconstruction, resurfacing and *rehabilitation*.
- b) The planning, staging and land requirements of urban street and rural road extensions and widenings *shall* be based on Schedule O-1: Classification of Transportation Facilities – Urban Area, Schedule O-2: Classification of Transportation Facilities – Rural Area and North Aldershot, Schedule O-3: Classification of Transportation Facilities – Downtown Urban Centre, Schedule O-4: Classification of Transportation Facilities – Uptown Urban Centre, and Chapter 14, Table 2: Public Right-of-Way Widths, of this Plan. Proposed roads that are not yet constructed are indicated on Schedule O-1: Classification of Transportation Facilities – Urban Area. Additional right-of-way *may* be required based on an engineering study, such as a Municipal Class Environmental Assessment Study, Detail Design Study, other engineering studies, in addition to those shown in Chapter 14, Table 2: Public

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Right-of-Way Widths, subject to the approval of the *City* and ~~the Region of Halton~~Halton Region, Conservation Halton and the Province, where appropriate. Where appropriate, the *City* will advocate for reduced width standards and to avoid road widening for the sole purpose of increasing capacity for single occupant automobiles for streets and roads under the jurisdiction of other levels of government.

- c) Any localized widenings *shall* be evaluated and recommended based upon consideration for all *modes* of travel and ability to support active and *sustainable* transportation.
- d) Land dedication for *daylight triangles* on urban streets and rural roads under the *City's* jurisdiction *shall* be based on the following:
  - (i) 3 m x 3 m: Local Street/Industrial Street to Local Street/Industrial Street or Neighbourhood Connector Street;
  - (ii) 5 m x 5 m: Neighbourhood Connector Street to Neighbourhood Connector Street;
  - (iii) 5 m x 5 m: Local Street/Industrial Street to Urban Avenue, Main Street, Industrial Connector or Multi-Purpose Arterial Street;
  - (iv) 7 m x 7 m: Neighbourhood Connector Street to Urban Avenue, Main Street, Industrial Connector or Multi-Purpose Arterial Street;
  - (v) 15 m x 15 m: Urban Avenue, Main Street, Industrial Connector, Multi-Purpose Arterial, or Major Arterial Street to Urban Avenue, Main Street, Industrial Connector, Multi-Purpose Arterial or Major Arterial Street;
  - (vi) 10 m x 10 m: All road intersections identified on Schedule O-2: Classification of Transportation Facilities – Rural Area and North Aldershot, of this Plan;
  - (vii) 15 m x 15 m: any *City* street or road intersecting with a Regional roadway;
  - (viii) *daylight triangles* having lesser dimensions than specified above *shall* only be acquired if the reduced standard is proven to be acceptable to the *City*, subject to the criteria in Subsection 6.2.7(2) f) of this Plan.
- e) *Transit priority measures (TPM)* *shall* be considered in Primary, Secondary and Employment Growth Areas and *may* be considered by Burlington Transit in other areas of the city. When *transit priority measures* are proposed, consideration *shall* be given to permitting the reduction in street capacity available to other vehicles and the need to widen the street.

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- f) Streets and roads serving as transit and primary response routes for emergency services *shall* be built early in the *development* process, so that transit service and primary emergency response can be provided at an early stage, subject to operational and financial feasibility.
- g) Traffic flows will be controlled on local streets within the Urban Area through traffic management, traffic calming, design features and other techniques.
- h) Street and road construction and maintenance methods will be regularly reviewed and implemented. The road and street asset management system will be continuously updated to determine maintenance requirements and priorities.
- i) The use of public and private laneways *may* be permitted subject to an evaluation by the *City* and Region of functional, operational, servicing and emergency access issues.
- j) ~~Within the Rural Area as shown on Schedule A: City System, of this Plan, All~~ new, expanded and reconstructed transportation facilities *shall* incorporate *context sensitive design* and shall be planned, designed and constructed in accordance with Subsection 6.1.2 h) of this Plan.
- k) New public rights-of-way established through the subdivision of large parcels *shall* be designed in a manner which provides for safe and efficient pedestrian and transit connections.
- l) *Development* proposals within the city *shall* be required to take place on public streets or roads, unless it can be demonstrated by the proponent, to the satisfaction of the *City*, that a private street or road is equally desirable from the standpoints of functionality, community safety, efficiency, servicing, neighbourhood connectivity, facilitating ease of land assembly for future *development*, reducing *negative* environmental *impacts*, and minimizing financial impacts to the *City*.
- m) Traffic flow on the city's Arterial Streets and Industrial Connectors, under the *City's* jurisdiction, is primarily constrained by intersection capacities and traffic signal operations. Capacity improvements at major intersections will be evaluated on a number of factors including pedestrian operations, *streetscape* and aesthetic impacts, property impacts, critical movement volume-to-capacity ratios, and widening requirements, transit operations, operations during off-peak hours, and availability of other routes. At some locations, such as Mixed Use *Intensification Areas* and ~~Areas of Employment~~ Areas, there is an increased tolerance for at-capacity conditions.
- n) Street and road design standards will be reviewed in a comprehensive manner and updated in order to:

- (i) -consider all *modes* of travel;
  - (ii) consider people of all ages and abilities to support a safe and efficient transportation system; and
  - (iii) support transit-supportive land use.
- b) Through *area-specific plans* and *development applications*, a grid-oriented street network *shall* be provided to create a continuous and highly permeable *active transportation network*. Interruptions to the grid network *may* be considered to accommodate constraints associated with the Natural Heritage System and/or *Cultural Heritage Resources*.

## 6.2.3 TRANSIT

### 6.2.3(1) OBJECTIVES

- a) *To promote* the use of transit and reduce reliance on the private automobile by making transit an attractive and convenient transportation option by encouraging *transit-supportive land use*.
- b) To develop the transit system as a part of a *multi-modal* network that supports the city's Urban Area, with a focus on the city's Primary, Secondary and Employment Growth Areas.
- c) To implement *frequent transit corridors* as important *infrastructure* to support community connectivity, facilitate *intensification* and increase ridership in the city's growth areas.
- d) To implement other local transit service, such as support corridors, with varying levels of service and geographic coverage across the city to support the needs of city residents, employees, employers and customers.
- e) To co-ordinate transit service with other service in the Greater Toronto and Hamilton Area (GTHA) to achieve convenient and effective transit service integration with GO transit, VIA rail, Hamilton Street Rail (HSR), Oakville Transit and other neighbouring service providers.
- f) To ensure that new *development* provides adequate on site connections to transit, such as pedestrian pathways that connect to the public right-of-way.

### 6.2.3(2) POLICIES

- a) Schedule B-2: Growth Framework and Long Term Frequent Transit Corridors, identifies the long-term *frequent transit corridors* and candidate *frequent transit corridors* in the city, along with the city's transit support corridors, Primary, Secondary and Employment Growth Areas, *Mobility Hub Primary* and *Secondary Connectors*, the GO commuter rail line [Priority Transit](#)



[Corridor](#), and the location of Mobility Hubs and Major Transit Stations.

Municipal transit services and facilities will be provided in accordance with Schedule B-2: Growth Framework and Long Term Frequent Transit Corridors, of this Plan. The full transit network is not shown on Schedule B-2: Growth Framework and Long Term Frequent Transit Corridors, of this Plan. The most up-to-date Burlington Transit schedules and maps should be referred to for information on all routes.

- b) Long range transit planning will support the city's *Intensification Areas* with long-term *frequent transit corridors* and priority will be placed on providing the highest level of transit service in the city's Primary, Secondary and Employment Growth Areas, as shown on Schedule B-2: Growth Framework and Long Term Frequent Transit Corridors, of this Plan. [Long range transit planning will be coordinated with Metrolinx and other transit agencies to ensure transit service integration within and across municipal boundaries.](#)
- c) Transit support corridors, as shown on Schedule B-2: Growth Framework and Long Term Frequent Transit Corridors, of this Plan, service lower density areas and *employment* uses and are intended to provide a basic level of service, such as peak service, connecting to the *frequent transit corridors*.
- d) The City will undertake long range transit planning to inform any changes to the *frequent transit corridors*, candidate *frequent transit corridors* and transit support corridors identified on Schedule B-2: Growth Framework and Long Term Frequent Transit Corridors, of this Plan.
- e) The city's transportation system and land use *development* are intended to increase transit *modal shares* in accordance with [the Region of Halton's Halton Region's Transportation Master Plan, for Transit, Active Transportation Master Plan](#) and Transportation Demand Management.
- f) The City will promote increased transit use through transit supportive densities, urban design measures and parking management measures to make *development* more accessible for transit users in Mixed Use *Intensification Areas* and ~~*Areas of Employment*~~ [Area](#), as shown on Schedule B: Urban Structure, of this Plan.
- g) Transit stations and facilities in the city *shall* be designed to provide comfortable and safe access between pedestrian, cycling, and ~~transit-transit~~ [transit](#) modes.
- h) In preparing long range transit plans, the City will consider the role of emerging and innovative technologies such as integrated mobility applications, autonomous vehicles and ride sharing, in delivering transit service.



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## 6.2.4 ACTIVE TRANSPORTATION

### 6.2.4(1) OBJECTIVES

- a) To require *active transportation* as part of a *multi-modal* and inter-connected transportation system.
- b) To develop and maintain a continuous on- street and off- street bikeway and trail system across the city, connecting to adjacent municipalities, for general commuting and *recreational* purposes.
- c) To establish the interconnections of on-road/street bike routes, multi-use trails and paths throughout the city with other open space linkages.
- d) To promote and support walking and cycling as viable and safe *mobility* options for commuting, *recreation* and other travel.
- e) To continuously improve the pedestrian realm and cycling facilities through the design and implementation of *complete streets*.
- f) To ensure that the design of *area-specific plans* and new subdivisions provides convenient *active transportation* access to schools, neighbourhood *recreational* facilities, shopping areas, ~~Areas of Employment~~ Area and existing or planned transit routes.
- g) To require that new *development* provides adequate *active transportation* connections to a public-right-of-way.
- h) To consider safety and all ages and abilities in the planning, design and implementation of *active transportation infrastructure*.

### 6.2.4(2) POLICIES

- a) Municipal cycling facilities *shall* be provided in accordance with Schedule P: Long-Term Cycling Master Plan, of this Plan. This schedule identifies the long-term location of bicycle routes, lanes, priority streets, buffered bike lanes and multi-use paths and connections to adjacent communities, in the Urban Area. ~~The Halton Region's~~ Active Transportation Master Plan ~~of the Region of Halton~~ also identifies cycling facilities in the Rural Area.
- b) Schedule P: Long-Term Cycling Master Plan, of this Plan *shall* be updated periodically and these updates *shall* not require an amendment to the Plan provided the update is in keeping with a Council-approved Cycling Master Plan. In the event of a conflict between Schedule P: Long-Term Cycling Master Plan, of this Plan and the City's Cycling Master Plan, the up to date City's Cycling Master Plan or ~~the Halton Region's~~ Active Transportation Master Plan ~~of the Region of Halton~~ *shall* prevail.

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- c) A periodic review of the *City's* Cycling Master Plan and cycling standards will be undertaken.
- d) Municipal trail facilities *shall* be provided in accordance with Schedule Q: Trails Strategy, of this Plan. This schedule identifies the location of trail routes and connections to adjacent communities. The Regional Walking Network in ~~the Region of Halton's~~ [Halton Region's](#) Active Transportation Master Plan identifies walking ~~connections~~ [infrastructure](#) on Regional roads.
- e) Schedule Q: Trails Strategy, of this Plan, *shall* be modified or updated periodically and these modifications or updates *shall* not require an amendment to the Plan provided the update is in keeping with a Council-approved Trails Strategy. In the event of a conflict between Schedule Q: Trails Strategy, of this Plan and the *City's* Trails Strategy document, the up to date Trails Strategy document or the Active Transportation Master Plan of ~~the Region of Halton~~ [Halton Region](#) *shall* prevail.
- f) The connection of bicycle routes, cycle tracks and multi-use paths and trails to *recreational* facilities and other *public service facilities* will be *encouraged*.
- g) Pedestrian and cyclist safety and users of all ages and abilities *shall* be assessed in the design and *development* of the *active transportation* network.
- h) The continued integration of cycling with transit *modes shall* be required through adequate and secure bicycle parking and related end-of-trip facilities.
- i) The reconstruction, rehabilitation and resurfacing of existing streets and the construction of new streets *shall* include safe, convenient and accessible pedestrian facilities, such as sidewalks and/or multi-use paths.
- j) Streets, sidewalks and walkways *shall* be designed to provide more direct *active transportation* access from the interior of blocks to transit locations and public rights of way. At the site plan application stage, proposed *development shall* be required to provide direct, safe, convenient and attractive interior pedestrian access through the site.
- k) The *development* of *streetscapes* that are safe, convenient, accessible and attractive for pedestrians and cyclists *shall* be implemented through the selection of appropriate site-specific measures such as providing wide sidewalks, bike lanes, barriers to protect cyclists, illumination, locating retail and *service commercial* uses at street level to provide an active street front, *encouraging* building designs that provide shelter, and providing convenient and sheltered transit stops and bike parking, street furniture, shade *trees* and other amenities.

- l) Safe, accessible and unobstructed connections *shall* be provided where trails and other *active transportation infrastructure* intersect with streets, roads and other public rights-of-way.

## 6.2.5 RAIL

### 6.2.5(1) OBJECTIVES

- a) To integrate rail services with other transportation system components.

### 6.2.5(2) POLICIES

- a) The seamless integration of rail passenger transportation services, such as GO Transit and Via Rail, with other transportation *modes shall* be planned for through *area-specific planning*.
- b) The *development* of lands close to rail lines and rail spur line services will be *encouraged* for *employment* uses.
- c) Noise and vibration-sensitive *land uses shall* generally be discouraged next to rail lines, or where appropriate, mitigated to the satisfaction of the *City, Region of Halton*~~Halton Region~~, Province and appropriate railway agency, as required.
- d) The proponent of *land uses sensitive* to noise and vibration adjacent or in proximity to railway lines or railway yards *shall* be required to undertake, prior to *development* approval, the following studies by a *qualified person* in accordance with Provincial policies, to the satisfaction of ~~Halton Region~~*the Region of Halton*, the *City*, and the Province, in consultation with the appropriate railway agency, and to implement the study recommendations as approved, including the restriction of new residential and other *sensitive land uses* and noise and vibration mitigation measures:
  - (i) noise studies, if the *development* is within three hundred (300) m of the railway right-of-way or one thousand (1000) m of a railway yard;  
~~and~~
  - (ii) vibration studies, if the *development* is within seventy-five (75) m of the railway right-of-way or a railway yard; ~~and~~
  - (iii) air quality studies, if the *development* contains *sensitive land uses* and is within 1,000 m of a railway yard.
- e) The proponent of any *development* adjacent to railways *shall* ensure that appropriate safety measures such as, but not limited to, setbacks, crash walls, berms and security fencing are provided to the satisfaction of the *City*

in consultation with the appropriate railway agency to mitigate the *adverse effects* of their *development* on the railways.

- f) The *City* will consult with the appropriate rail operator(s) to ensure that projected rail service and *infrastructure* improvements are identified, planned for and protected in any planning approvals.
- g) The *development* of facilities for the transfer of goods between rail and truck *modes* will be *encouraged* at appropriate locations that mitigate *adverse effects* on *sensitive land uses*.
- h) The assistance of Federal, Provincial and other agencies will be sought in identifying areas where existing rail lines create significant barriers to pedestrian and cycling access, or to the *development* of a continuous network of roads and streets. Once identified, these areas will be examined for possible improvements, including developing grade-separated crossings for automobiles, transit, pedestrians and bicycles.

### 6.2.6 AIR

#### 6.2.6(1) OBJECTIVES

- a) To integrate air services with other transportation system components.
- b) To *encourage* the safe and convenient use and provision of air service.

#### 6.2.6(2) POLICIES

- a) **5260-5342 Bell School Line:** The operation of the Burlington Air Park located at 5260-5342 Bell School Line is recognized as an *existing use* providing air service to residents and businesses. Any expansions *shall* be subject to necessary studies, applicable municipal by-laws, and other legislation, regulations and public review, and *shall* have regard for the surrounding area.

### 6.2.7 PUBLIC RIGHT-OF-WAY ALLOWANCES

#### 6.2.7(1) OBJECTIVES

- a) To protect adequate public rights-of-way to meet future needs.
- b) To maximize the use of existing rights-of-way through re-allocation of space instead of acquiring new rights-of-way and/or building new streets and roads.

#### 6.2.7(2) POLICIES

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- a) Public right-of-way allowances are intended to identify and protect strategic land areas for public use which are necessary to accommodate the long-term development of an efficient, safe, *sustainable* and attractive *multi-modal* transportation network.
- b) Public right-of-way allowances *shall* be developed to address the *City's* transportation priorities and to address needs with regard to the following:
  - (i) pedestrians;
  - (ii) cyclists;
  - (iii) public transit (including associated facilities);
  - (iv) public accessibility;
  - (v) street landscaping and boulevards;
  - (vi) permanent street furniture;
  - (vii) vehicular traffic;
  - (viii) public on-street or lay-by parking; and
  - (ix) ~~public~~ public infrastructure and utilities.
- c) Planned works within a public right-of-way *shall* build the elements of a *complete street*, as part of the final design and alignment of the public works.
- d) The public right-of-way width of all public right-of-ways not identified in Chapter 14, Table 2: Public Right-of-Way Widths, of this Plan *shall* be the actual width as it existed on the date of the registration of the plan of subdivision, or if a plan of subdivision does not exist, the date of approval of this Plan.
- e) Public right-of-way allowance widths identified in Chapter 14, Table 2: Public Right-of-Way Widths, of this Plan are approximate and *may* be increased to accommodate additional requirements associated with a planned public works project, such as a Municipal Class Environmental Assessment or Detailed Design. This *may* include, but are not limited to, noise walls, additional turning lanes at intersections, landscaped medians, elements required to address pedestrian, comfort, safety or accessibility, separated bicycle paths, wider roadway cuts or embankments.
- f) Required public right-of-way allowance widths identified in Chapter 14, Table 2: Public Right-of-Way Widths, and daylight triangles identified in subsection 6.2.2(2) d) of this Plan *may* be reduced on a site-specific basis by the *City* in order to address one or more of the following site-specific circumstances:

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- (i) a public need arising from the design and alignment of a planned public works project;
- (ii) accommodation of the existing or planned *streetscape* elements;
- (iii) accommodation of the existing built form and buildings;
- (iv) the presence of the Natural Heritage System or other *sensitive* environmental features;
- (v) the presence of a *cultural heritage resource*; and/or
- (vi) the presence or potential risk of environmental *contamination*.

Reductions to public right-of-way allowance widths will be considered only provided the *City's* objectives to achieve *complete streets* standards, including all mobility and transit needs, have been addressed.

- g) Public right-of-way allowances identified in Chapter 14, Table 2: Public Right-of-Way Widths, of this Plan *shall* be conveyed to the *City* as a condition of *development*, unless waived according to Subsection 6.2.7(2) f) of this Plan.
- h) Where a public right-of-way has been transferred from another *public authority* to the ownership of the *City*, any existing public right-of-way allowances associated with the right-of-way *shall* be reviewed and, where necessary, modified to ensure the right-of-way allowance reflects the *City's* needs and are modified as necessary, to incorporate the elements of a *complete street* as identified in Subsection 6.2.7(2) b) of this Plan.
- i) Where the *City* determines that a public right-of-way allowance widening is not required to be conveyed to the *City*, any required setbacks *may* be measured from the property line, rather than the edge of the deemed width of the allowance identified in Chapter 14, Table 2: Public Right-of-Way Widths, of this Plan. The Zoning By-law *shall* be updated to reflect this requirement.
- j) A public right-of-way allowance conveyed to the *City* *may* be used on an interim basis in conjunction with an approved *development* located on a property from which an allowance is to be conveyed to the *City*, provided that:
  - (i) no permanent structures are located within the allowance area;
  - (ii) the allowance area does not contain an activity or function that is required to fulfill the approval or compliance of an existing or proposed *development* on the site from which the allowance is conveyed;

- (iii) the planned public works, for which the allowance has been conveyed, are not imminent; and
  - (iv) the owner of the site from which the allowance is conveyed enters into all necessary and appropriate agreements, as determined by the *City*.
- k) Upon receipt of a *development application*, the *City shall* confirm whether a public right-of-way is required, in accordance with the policies of this Plan.

## 6.2.8 GOODS MOVEMENT

### 6.2.8(1) OBJECTIVES

- a) To support the reliable and efficient distribution of truck traffic and to facilitate goods movement to commercial and Employment Areas by heavy commercial vehicles.
- b) To minimize the impact of goods movement on the overall transportation network.

### 6.2.8(2) POLICIES

- a) Where appropriate, the *City* will identify goods movement routes.
- b) Heavy truck traffic *may* be restricted to selected goods movement routes, as established by the *City*, to minimize the adverse impacts that this traffic will have on residential areas.
- c) The *City* will ensure goods movement routes are as efficient for heavy truck traffic as possible, without compromising safety for pedestrians and other street users.
- d) All uses that facilitate goods movement *should* have regard for Provincial Freight Supportive Guidelines.
- e) Where heavy truck traffic occurs outside of any established goods movement routes, the heavy truck traffic *shall* have regard for pedestrians and cyclists, through such measures as not obstructing sidewalks and bicycle lanes, among other measures.
- f) The design and location of buildings adjacent to goods movement routes *shall* consider means to mitigate any adverse impacts that truck and commercial traffic will have on the surrounding areas. For new *development*, the *City may* require loading facilities and activities to be located off the road and street rights-of-way through site plan review.



- g) Where heavy truck traffic occurs outside of ~~Areas of Employment~~ Areas, the impacts on the pedestrian and cyclist environment *may* be mitigated, by developing wider sidewalks, and developing landscaping schemes to reduce noise and visual impacts within pedestrian areas to provide additional buffering. The adoption of such mitigation features *shall* require the consideration of the maintenance, safety, traffic operations and air quality implications of these measures.
- h) The *City* will develop, where required, specific goods movement and delivery strategies for Mixed Use *Intensification Areas*.

### 6.2.9 MOBILITY HUB CONNECTORS

*Mobility Hub* connectors are streets and other supporting active transportation corridors that link each of the *mobility hubs* both to one another and to key surrounding areas. These connectors have the potential to provide direct and convenient connections for all users, including pedestrians, cyclists, transit users and drivers.

*Mobility Hub* connectors *shall* be developed over time to reflect their role according to policies within Subsection 8.1.2, Mobility Hubs, of this Plan, as well as with those applicable policies within the *City's* Transportation Master Plan.

*Mobility hub* connectors consist of *mobility hub primary connectors*, *secondary connectors* and *tertiary connectors*. *Mobility hub primary and secondary connectors* are shown on Schedule B-2: Growth Framework and Long Term Frequent Transit Corridors, of this Plan.

#### 6.2.9(1) OBJECTIVES

- a) To ensure direct, convenient connections between *mobility hubs* and other Mixed Use *Intensification Areas* for all users, including pedestrians, cyclists, transit users and private automobiles.

#### 6.2.9(2) POLICIES

- a) *Mobility hub primary and secondary connectors shall be complete streets* and take into consideration the policies contained in Subsection 6.2.7, Public Right-of-Way Allowances, and the relevant land use policies, of this Plan.
- b) Enhanced levels of transit service and facilities such as *frequent transit corridors shall be provided on mobility hub primary and secondary connectors*.
- c) The *area-specific plan* for *mobility hubs* *shall* evaluate the role of *mobility hub* connectors and provide recommendations on any works required along connectors to support individual hub objectives and to achieve *transit*

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*supportive land uses and improved design standards on mobility hub primary and secondary connectors.*

## 6.2.10 TRANSPORTATION DEMAND MANAGEMENT

### 6.2.10(1) OBJECTIVES

- a) To manage transportation demand through the use of such means as transit, walking, cycling, carpooling, ride sharing, car sharing, bike sharing and the implementation of flexible working hours.
- b) To support and enhance *sustainable* transportation choices and discourage single occupant vehicle trips.
- c) To reduce traffic congestion, parking supply needs, and demand for parking spaces by *encouraging* non-automobile *modes* of travel.

### 6.2.10(2) POLICIES

- a) *Transportation demand management (TDM)* promotes more efficient use of existing transportation *infrastructure*, reduces automobile use, and promotes increased transit use and *active transportation*.
  - (i) within Primary, Secondary and Employment Growth Areas as shown on Schedule B-1: Growth Framework, of this Plan, *development* proponents *shall* be required to submit a *TDM* Plan and implementation strategy for the *development*, subject to *City* approval, prior to occupancy. Minor *developments* such as small additions or small townhouse *developments* *may* be exempted from this requirement, subject to the satisfaction of the *City*;
  - (ii) Within other areas of the city, excluding Residential Low-Density areas, *development* proponents *may* be required to submit a *TDM* Plan and implementation strategy for the *development*, subject to *City* approval, prior to occupancy.
- b) The *Transportation Demand Management (TDM)* Plan *shall*:
  - (i) be integrated with the required transportation impact study submitted to support the proposed *development*;
  - (ii) identify design and/or program elements to reduce single occupancy vehicle use;
  - (iii) identify the roles and responsibilities of the landowner with respect to each recommended program and its implementation; and
  - (iv) identify the operational and financial roles and responsibilities of the landowner including, but not limited to, program development, implementation and ongoing management and operations of the *TDM* Plan and/or implementation strategy.

- c) The *Transportation Demand Management (TDM)* Plan shall consider, but is not limited to, the following measures:
  - (i) secure, conveniently located, weather protected on-site bicycle storage facilities and associated amenities such as showers, change rooms and clothing lockers;
  - (ii) reserved, priority car-pool parking spaces;
  - (iii) carpooling and ridesharing programs;
  - (iv) bike-sharing and/or car-sharing programs;
  - (v) provision of Provincial, Regional or City Transit Passes to building occupants or residents;
  - (vi) measures that shift travel times from peak to off-peak periods;
  - (vii) enrollment with Smart Commute Halton; and/or
  - (viii) other measures that reduce single occupancy vehicle trips.
- d) The City will consider reduced parking requirements for *development* where a comprehensive *Transportation Demand Management (TDM)* Plan is submitted and implemented to the satisfaction of the City. The City will evaluate reduced parking standards through a city-wide parking study.
- e) The City will encourage community-wide and area-specific *transportation demand management* programs, such as car share and bike share, to locate services in the city.
- f) A co-ordinated approach will be encouraged in the *development*, implementation and monitoring of *transportation demand management (TDM)* measures.
- g) The City will work with *development* proponents to provide all new building occupants with information on available pedestrian, cycling and transit facilities and carpooling options within the community, including local transit routes and schedules.

~~g)~~—

## 6.3 UTILITIES

### 6.3.1 OBJECTIVES

- a) To recognize and protect major *utility* corridors and other lands required for *utility* purposes.
- b) To permit *compatible accessory* uses within *utility* lands and to ensure the *compatible* future use of abandoned or surplus *utility* lands.
- c) To ensure that the design, construction and operation of *essential utility facilities* or expansions to existing facilities occur in a *compatible* manner and with a minimum of social and environmental impact.
- d) To *encourage* early access and provision for a common *utility* trench to minimize disruption to municipal property and rights-of-way.
- e) To promote co-ordinated public and private *utility* planning and *infrastructure* design.
- ~~f)~~ To promote the development of *alternative energy systems and* district energy systems, resulting in a thermal grid to provide heating and/or cooling of buildings.
- ~~f)g)~~ To ensure consultation with infrastructure and/or utility providers to ensure that *development* in close proximity to infrastructure and or utility corridors or facilities is safe.

### 6.3.2 POLICIES

- ~~a)~~ Where *utilities* are permitted by this Plan~~Although electric power facilities are permitted in all land use designations,~~ *utility* companies *shall* consult with the *City* and the public regarding the location and construction of proposed facilities.
- ~~g)b)~~ The *City* will *encourage* consultation with all *utility* providers prior to the submission of a *development application* within close proximity to *utility* corridors or facilities.
- ~~h)c)~~ Setbacks for buildings and excavations ~~abutting in proximity to~~ *utility lands corridors or facilities* shall be specified by the *City* based on consultation with the appropriate *utility*. In some unique situations, modifications *may* be allowed, subject to land use compatibility assessment.~~The *City* will require early consultation with the affected *utility* for any development proposals in the vicinity of *utility* lands.~~

- ~~h~~d) All public and private *utilities*, approved for installation by the *City* shall be planned for and installed on an integrated basis in order that joint trench(es) and concurrent installations be utilized.
- ~~j~~e) The design of public and private *utilities* shall be required early in the *development* approval process in order to minimize disruption to the community.
- ~~k~~f) In order to reduce *streetscape* clutter where feasible, the *City* will encourage that public and private above ground *infrastructure* be integrated, grouped or combined at the time of *development* and at the cost of the proponent.
- ~~h~~g) The Downtown Urban Centre and *Mobility Hubs* will be considered special areas where all existing and proposed overhead *utilities* should be buried, where feasible.
- ~~m~~h) Telecommunications *utilities* shall be installed as per *City*-approved telecommunication policies. These policies may be amended from time to time in consultation with the telecommunications industry.
- i) Renewable energy projects that are subject to a Provincial approval process shall be reviewed in accordance with the City of Burlington's Renewable Energy Protocol and guidelines prepared by Halton Region~~the Region of Halton~~.
- ~~n~~) ~~where applicable, the proponents of proposals for new or expanded utility systems, including District Energy Systems, shall obtain Environmental Compliance approvals from the Province, where applicable;~~
- ~~e~~j) Pipeline rights-of-way will be identified in the City's Zoning By-law.
- ~~p~~k) TransCanada Pipelines Limited operates one high pressure natural gas pipeline within its right-of-way which crosses the city. ~~Development within two hundred (200) m of TransCanada facilities may affect the safety and integrity of the pipeline.~~New development can result in an increase in population density that may result in TransCanada being required to replace its pipeline to comply with CSA Code Z662. Therefore,
- (i) any *development* proposals within two hundred (200) m of its facilities shall require early consultation with TransCanada. Further:
- a. no permanent building or structure may be located within seven (7) m of the pipeline right-of-way; and
- b. accessory structures shall have a minimum setback of three (3) m from the limit of the right-of-way.
- (ii) approval is required for activities on or within thirty (30) m of the pipeline centre line.

- ~~q) The City will encourage consultation with all utility providers prior at the time of considering development applications within close proximity to utility corridors or facilities.~~
- ~~r) Public open space and non-intensive recreation uses, may include, but shall not be limited to, parks, linear bicycle and pedestrian path systems and playing fields. These accessory uses will be encouraged on lands zoned for transportation, utility or communication purposes in consultation with the affected transportation, utility or communications provider, where such uses are compatible with the primary utility function of these lands and are compatible with existing surrounding uses and the permitted uses in the land use designations of the adjacent lands. Technical approvals shall be obtained from the utility corridor owner and agreements may be required to permit accessory uses.~~
- s) In the Urban Area, these accessory uses may include other uses that may be permitted within utility lands include, but shall not be limited to, non-intensive recreation uses, bicycle and pedestrian path systems and multi-use trails, playing fields, parking lots, private rights-of-way and driveways, agricultural uses, golf courses and driving ranges, miniature golf, community gardens, the cultivation and storage of nursery stock for horticultural trade uses and garden centres, indoor and outdoor storage, and private services and utilities. These uses may be permitted on lands zoned for transportation, utility or communication purposes in consultation with the affected transportation, utility or communications provider, where such uses are compatible with the primary utility function of these lands and are compatible with existing surrounding uses and the permitted uses in the land use designations of the adjacent lands. Technical approvals shall be obtained from the utility corridor owner and agreements may be required to permit accessory uses.
- ~~t) In the Rural Area, these accessory uses may include, but shall not be limited to, parking lots, private rights-of-way and driveways, agricultural uses, community gardens, the cultivation and storage of nursery stock for horticultural trade uses and garden centres, outdoor storage, and private services and utilities. These uses may be permitted on lands zoned for transportation, utility or communication purposes in consultation with the affected transportation, utility or communications provider, where such uses are compatible with the primary utility function of these lands and compatible with existing surrounding uses and the permitted uses in the land use designations of the adjacent lands. Technical approvals shall be obtained from the utility corridor owner and agreements may be required to permit accessory uses.~~

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- ~~u)~~m) With the exception of private rights-of-way and driveways, ~~accessory the~~ uses ~~described in~~that may be permitted under Subsections 6.3.2 ~~4k)~~ ~~and m)~~ of this Plan *may* require an amendment to the Zoning By-law.
- ~~v)~~n) Abandoned or surplus *utility* lands in the Urban Area will be encouraged for reuse for the purpose of providing public open space, access or *recreational* uses.
- o) Where abandoned or surplus *utility* lands are not required for public uses, the *City may* consider applications for rezoning. Evaluation of applications *shall* consider whether the proposed use is *compatible* with existing and proposed uses on nearby lands, and consistent with the policies of this Plan.
- ~~w)~~p) The City will promote the use of district energy systems and alternative energy systems through the use of various tools including, but not limited to: the Community Energy Plan, *area-specific* planning and the Sustainable Building and Development Guidelines.



## 6.4 PHASING OF INFRASTRUCTURE TO SUPPORT DEVELOPMENT

The *City's* land use vision must be phased and planned in a manner that optimizes the use of existing *and new infrastructure* to support growth in a compact, efficient form. Through any investment or plan the long-term financial *sustainability* of the *City* and the Region must be ensured. Priorities must be set clearly in policy, and tools for implementing the land use vision will be guided by the policies of this Plan.

### 6.4.1 OBJECTIVES

- a) To provide new, and invest in existing, urban municipal *infrastructure, utilities and public service facilities* in conjunction with the Region only within the Urban Area, unless otherwise permitted by specific policies of this Plan.
- b) To ensure that investments in new and existing *infrastructure, utilities and public service facilities* are made strategically to support the land use vision and Urban Structure established in this Plan.
- c) To recognize that investments in new and existing *infrastructure, utilities and public service facilities* must be made in a way that supports compact, efficient *development* and that considers the long-term financial *sustainability* of the *City*, Region, and service providers.
- d) To communicate priority for *infrastructure* investment and to consider these priorities in relevant processes including, but not limited to, the Regional Official Plan, Regional Water and Wastewater Master Planning, Development Charges Background Studies, capital budgets and the *City's* Long Term Asset Management Plan.

### 6.4.2 POLICIES

- a) The Urban Structure, the Growth Framework and the land use designations of this Plan will communicate the vision for growth for the city.
- b) Through the development of this Plan, the completion of *area-specific plans* and the development of any *intensification* strategies, the *City* will, in co-ordination with ~~the Region of Halton~~ [Halton Region](#) and other service and *utility* providers, clarify long term *employment* and population growth targets and to establish phasing priorities to describe how investment in [existing and new infrastructure and public service facilities](#) will be made to support the vision for the Primary Growth Areas.
- c) The *City* will consider the role of *area-specific planning* in supporting future growth, beyond the planning horizon of this Plan, within the Secondary Growth Areas.

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- d) The *City* will work collaboratively with ~~the Region of Halton~~ [Halton Region](#) and other service [and utility](#) providers to develop plans to support timely, *sustainable* investment of *infrastructure*, *utilities* and services to support *intensification* in the *City*.
- e) [The \*City\*](#) will support the development of new tools that acknowledge the challenge that *intensification* growth poses in terms of committing to and developing the appropriate *infrastructure* to support growth.

e) —

## 6.5 FINANCIAL SUSTAINABILITY

The *City's* financial *sustainability* is integral to the successful implementation of this Plan and the ability to achieve the *City's* long-term vision.

Within the context of a built-out, two-tier municipality, the *City* will recognize the need to consider the net financial impact of all decisions on the *City*, particularly with respect to major *development applications*.

The city will develop in a manner which ensures that it has the financial capacity to provide and maintain *infrastructure* and *public service facilities* that meet the needs of Burlington's residents and businesses over the long term.

The impact of major *developments* and initiatives on the *City's* and Region's capital budgets and over the long term will also be considered.

The following objectives and policies are intended to provide a co-ordinated approach towards the long-term financial *sustainability* and prosperity of the city.

### 6.5.1 OBJECTIVES

- a) To ensure that revenue generated from *development* is reflective of the *City's* costs for providing new and upgraded *infrastructure* and *public service facilities* now and in the future.
- b) To ensure the *City* promotes new growth opportunities and operates in a cost-effective manner to promote the *City's* financial *sustainability* over time.
- c) To ensure that new *development* utilizes existing *infrastructure* and *public service facilities* capacity, where possible.
- d) To recognize, as a built-out municipality, the importance of remaining competitive at attracting new *development*.
- e) To ensure the city develops as a *complete community* with a diversified mix of land uses in order to develop a diversified economy and tax base.
- f) To ensure that the financial impact of major *development applications*, re-designations and other initiatives are analyzed, where appropriate.

### 6.5.2 POLICIES

- a) Growth-related costs *shall* only be incurred for the purposes of accommodating new *developments* which are in conformity with the policies of this Plan and the Regional Official Plan.

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- b) *City* development charges *shall* be established at a rate which is reflective of the growth-related capital costs as permitted by legislation.
- c) The *City* will negotiate development charges from other municipalities, where appropriate, for the provision of connected *infrastructure*.
- d) The *City* will engage with the Region and other levels of government to ensure the *City* has a *sustainable* funding model now and in the future.
- e) The *City* will promote new growth opportunities and remain competitive at attracting new *development* to the city by exploring innovative financial and economic development tools available to a lower-tier municipality which *may* include, but are not limited to:
  - (i) area-specific *development* charges;
  - (ii) Community Improvement Plans;
  - (iii) public/private *infrastructure* agreements, including front-ending agreements;
  - (iv) *City*-initiated land *development*; and/or
  - (v) *City*-initiated Official Plan and/or Zoning By-Law amendments.
- f) *Developments* which optimize the *City's* capital and operating costs for *City infrastructure* and *public service facilities* while maintaining acceptable levels of service will be *encouraged*.
- g) To the extent that land is available within the Urban Area, the *City* will provide adequate opportunities for new *development*, consistent with the policies of this Plan, in a timely and efficient manner.
- h) The *City* will assess proposed land uses within a mixed use *development* to ensure that the *development* achieves an optimal mix of uses that will contribute towards a diversified economy over the long-term.
- i) A Financial Impact Study *may* be required for, and considered in the evaluation of, a City-initiated area-specific plan or a major *development proposals-application* which meet one or more of the following criteria, in order to understand potential financial impacts on the *City*:
  - (i) the land area affected is greater than ten (10) ha;
  - (ii) the amount of retail floor space is greater than fifty thousand (50,000) sq. m;
  - (iii) the number of dwelling units is greater than five hundred (500);
  - (iv) the conversion of land within Areas-of-Employment Areas, as identified on Schedule B: Urban Structure of this Plan;

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- (v) an expansion to the Urban Boundary; or
- [\(vi\)](#) any other *development* or initiative which is deemed to have a potential impact on the *City's* financial *sustainability*, as determined by the *City*.

## DESIGN EXCELLENCE

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## DESIGN EXCELLENCE

The practice of urban design involves the arrangement and design of buildings, public spaces, *modes* of transportation, services and amenities at various scales, ranging from city-wide to neighbourhood and street level. It is about facilitating connections between people and places, movement and urban form, and nature and buildings, [while being responsible and sensitive to the surrounding area](#).

Urban design also has a significant role in promoting a sense of place and community. It can activate interest and invite people to share a collective vision for the future of places where people will want to live, work, visit and enjoy. As *intensification* becomes more prominent in urban life in Burlington, design takes on a more important feature in the creation of attractive, comfortable, *sustainable* and socially-active places that will contribute to people's health, happiness, well-being and sense of belonging. It is important that residents actively engage in the planning and design of new places as Burlington intensifies.

The policies of this chapter relate to the design of the city's future and existing communities, *public realm*, and buildings. They emphasize land use compatibility, a high quality built environment, and innovative design in public projects and private *developments*. A high standard of design and more attention to the relationships between the public and private realms in the *development* of communities, buildings, streets, urban parks and open spaces are expected.

### 7.1 GENERAL

#### 7.1.1 OBJECTIVES

- a) To ensure that the design of the built environment integrates with its natural setting, preserves, enhances and connects the Natural Heritage System, and contributes to environmental *sustainability*.
- b) To ensure that the design of the built environment protects and *conserves cultural heritage resources*.
- c) To ensure that the design of the built environment contributes to a sense of belonging by enhancing the *physical character* of established neighbourhoods.
- d) To design places that support public transit and active transportation through the design of attractive and well-developed pedestrian and cycling environments.
- e) To create safe, vibrant, socially active places that people are drawn to.



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- f) To achieve a high quality of design within the *public realm*.
- g) To promote public interest and achieve a high quality and diverse design expression with respect to the built environment.
- h) To ensure *compatibility* and quality in the built environment while allowing for diverse design expression.
- i) To integrate urban design into the full range of decision-making activities to assist in achieving the design objectives of this Plan.
- j) To ensure that buildings and open spaces are accessible to people of all ages and abilities.
- k) To work with senior orders of government, *public authorities* and public *utilities*, and the *development* community in the implementation of the design objectives and policies contained in this Plan.
- l) To include the diverse opinions of the community in achieving design excellence.
- m) To promote *sustainable* site and building design in keeping with the Sustainable Building and Development Guidelines, in order to:
  - (i) increase *active transportation* and transit use;
  - (ii) contribute to an enhanced *natural environment* and *public realm*;
  - (iii) improve water quality and drainage;
  - (iv) implement effective waste and resource management;
  - (v) reduce waste, energy and water consumption; and
  - (vi) enhance air quality, mitigate greenhouse gas emissions and adapt to climate change.

### 7.1.2 POLICIES

- a) The design policies contained in this section *shall* be considered in the review and approval of all *infrastructure* projects, *public realm* improvements and *development applications*, in balance with other applicable policies contained in this Plan.
- b) The policies of this Chapter *shall* be implemented through [the development application process and the comprehensive mechanisms such as the Zoning By-law, plans of subdivision and condominium, and site plan control.](#)
- c) Applicable *development* engineering standards, design standards and design manuals *shall* assist in achieving the *City's* design objectives. Their use *shall* be required in the design and construction of new buildings, facilities and

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open spaces as well as the retrofit, alteration or addition to existing buildings, facilities and open spaces.

- d) *Design guidelines may* be developed for certain types of building forms, land uses, *streetscapes*, streets and roads or specific areas in the city. Council-approved *design guidelines* will be utilized in the review and evaluation of *development applications* or City-initiated projects. A list of Council-approved *design guidelines* is included for reference purposes in Appendix [BA](#): Council-approved Design Guidelines, of this Plan.
- e) *Development* proponents *may* be required to prepare and implement an *urban design brief* to the satisfaction of the *City*, prepared by a *qualified person*, that demonstrates how the proposed *development* meets the policies of this Plan and addresses the relevant *design guidelines*.
- f) An Urban Design Advisory Panel will be established by the *City* to provide independent, objective and professional advice on issues of design that affect the *public realm*, architecture, context sensitivity and *sustainability*. Membership and review rules and procedures will be set out in Terms of Reference established by the *City*.
- [g\)](#) An Urban Design Award Program will be established by the *City* to encourage creativity and celebrate design excellence in the city. Membership, rules and procedures will be set out in Terms of Reference established by the *City*.

## 7.2 THE PUBLIC REALM

Beautiful, functional, safe and accessible streets, parks, open spaces and public facilities draw people together and provide a setting for daily interactions, community events and activities that are part of a unique experience for all community members. To do so requires both attention to design in the creation of a remarkable *public realm*, and enhancement of the connectivity, *sustainability* and aesthetics of *streetscapes* throughout the city.

- a) The design of the *public realm* shall address considerations such as, but not limited to, the following:
  - (i) improving the quality of public spaces as community destinations and public gathering places through the design of *public realm* facilities, such as public squares, parkettes or promenades;
  - (ii) providing appropriate and consistent treatments for *streetscape* elements such as sidewalks, pedestrian crossings, lighting, street furniture, signage, street trees and landscaping;
  - (iii) improving the quality and convenience of *active transportation*;
  - (iv) creating an attractive and comfortable environment for pedestrian movement while preserving and complementing existing natural features;
  - (v) implementing design measures in accordance with The Accessibility for Ontarians with Disabilities Act and other applicable Provincial legislation;
  - (vi) designing *public realm* facilities to perform their diverse roles, balancing the spatial needs of people of all ages and abilities, through the application of the principles of *Universal Design*;
  - (vii) improving *multi-modal* transportation and public space needs in the design of streets and roads;
  - (viii) improving the quality of streets, sidewalks and walkways, and cycling facilities to provide more direct *active transportation* access to transit facilities;
  - (ix) enhancing the aesthetic and functional quality of intersections, as marking major entrances into areas and neighbourhoods, where appropriate;

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- (x) creating, maintaining and enhancing public views and vistas of significant natural and built features;
- (xi) connecting natural areas with existing parks, open spaces, pedestrian trails and bicycle routes, where appropriate;
- (xii) introducing or improving links where existing public areas are inadequately connected;
- (xiii) identifying opportunities for the placement of public art;
- (xiv) recognizing and promoting pedestrian scale, public safety and the perception of safety and access for all users, through the incorporation of Crime Prevention through Environmental Design (CPTED) principles; and
- (xv) designing safe, reliable and cost-effective *infrastructure* and minimizing their visual impact.

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(xv)

## 7.3 URBAN DESIGN AND BUILT FORM

Buildings through their design and placement help enhance the *physical character* of an area and the sense of belonging in the community. Their built form characteristics, siting, access, servicing and parking arrangements, can positively contribute to the success of the *public realm* as each building, collectively with other buildings in an area, can complement and enhance its site and context, within the street, the block or the neighbourhood.

### 7.3.1 NEW COMMUNITIES

a) In new communities, including within the city's *Designated Greenfield* areas and the *Mobility Hubs*, the appropriate *public realm* and built form and the urban design objectives and implementing tools *shall* be determined through a co-ordinated *area-specific planning* exercise. The design of new communities *shall* serve to create and promote a new distinct character within Burlington as a result of an *area-specific plan*.

a) —

### 7.3.2 EXISTING COMMUNITY AREAS

- a) In ~~Community Areas~~ areas, which comprise the majority of the Urban Area, and are defined as the city's identified Established Neighbourhood Areas and Growth Areas as shown on Schedule B-1: Growth Framework, and subject to the policies of Subsection 2.4, of this Plan, *development shall* address considerations such as, but not limited to, the following:
- (i) ensuring site and building design are *compatible* with the surrounding area; and enhance considering how it contributes to maintaining and enhancing the physical character of the surrounding area;
  - (ii) providing appropriate built form transition in *scale* between buildings, the *public realm* and abutting *development*, through a variety of design methods including angular planes, stepping height limits, location and building orientation, and the use of setbacks and stepbacks of building mass;
  - (iii) providing appropriate screening, landscape buffering and other design measure to minimize any identified impacts;
  - (iv) providing pedestrian comfort and *human scale* at the street level reflecting the established and planned *streetscape* to frame the *public realm*, through a variety of design methods including the use of a *podium* in *mid-rise* and *tall buildings*;

- (v) providing safe, convenient and barrier-free pedestrian travel within the site, between the site and adjacent uses, between buildings, parking areas and other facilities, to public streets, and to and from transit facilities;
- (vi) providing façade articulation that achieves a *scale of development* which is attractive to pedestrians and avoiding the use of blank facades facing a public street or public open space;
- (vii) designing and orienting *development* in ~~predominant~~ locations such as corner lots, view terminus lots, and lots facing public open spaces to contribute to the *public realm* and pedestrian environment and, provide definition at these locations ~~and contribute to a distinctive community identity~~;
- (viii) implementing measures that adequately limit any resulting shadowing, and uncomfortable wind conditions on the *streetscape*, neighbouring properties, parks and open spaces and natural areas;
- (ix) taking into account the visual effect of varying topography and existing and proposed vegetation;
- (x) promoting pedestrian scale, public safety and the perception of safety and access for all users, through the incorporation of Crime Prevention through Environmental Design (CPTED) principles;
- (xi) implementing design measures in accordance with The Accessibility for Ontarians with Disabilities Act and other applicable Provincial legislation;
- (xii) considering the needs of persons of all ages and abilities, including new and renovated buildings, parking lots and open spaces through the application of the principles of *Universal Design*;
- ~~(xiii) mitigating the adverse effects of noise, vibration, odour or dust on adjacent uses through the use of design features;~~
- ~~(xiv)~~(xiii) considering *cultural heritage resources* and natural features;
- ~~(xv)~~(xiv) creating, maintaining and enhancing public views and vistas of significant natural and built features; and
- ~~(xvi)~~(xv) considering the adaptive reuse of buildings through innovative design.

### 7.3.2(1) PRIMARY AND SECONDARY GROWTH AREAS

- a) In Primary and Secondary Growth Areas, as shown on Schedule B-1: Growth Framework, of this Plan, development shall promote a transit- supportive and

~~pedestrian-oriented environment and ensure compatibility with adjacent land uses, particularly Established Neighbourhood Areas. urban and architectural design will have a significant contribution on how the next generation of buildings helps to create a distinct identity in the city. Development will be conceived not only in terms of how the site, building, façades and other architectural attributes fit within the existing or planned context and relate to the public realm, but also how they promote and contribute towards achieving urban design and architectural excellence.~~

- (i) ~~Development in Primary and Secondary Growth Areas shall promote a transit-supportive and pedestrian-oriented environment and ensure compatibility with adjacent land uses, particularly Established Neighbourhood Areas.~~ The design of *development in Primary and Secondary Growth Areas* shall address the policies of Subsection 7.3.2 a) of this Plan, where applicable, and additional considerations such as, but not limited to, the following:

- 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 ~~established neighbourhood areas~~ 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.

- (ii) ~~d~~d *Development* in Primary and Secondary Growth Areas *should* locate and organize parking, access and service areas to minimize their impact on surrounding properties and the *public realm*. The design of vehicle parking, access and service areas *shall* address considerations such as, but not limited to, the following:
  - a. locating off-street parking in the side and/or rear yards, in underground or structured parking where appropriate, away from the street edge and adjacent residential uses;
  - b. integrating parking areas located at or above grade within the built form of the building and away from the street frontage, where appropriate;
  - c. limiting the number and location of vehicular access points to minimize disruption to traffic flows; and to minimize the impact on local streets, pedestrian travel along sidewalks or cyclists' travel along bikeways;
  - d. screening and buffering of off-street parking areas from public view through the use of setbacks and landscaping;
  - e. locating loading areas and service areas to avoid conflict between pedestrian and vehicular traffic, and away from adjacent residential uses and adjoining streets;
  - f. incorporating landscaped islands and pedestrian walkways; and
  - g. incorporating fencing and/or screening of service facilities, such as loading bays or outdoor storage areas, in a manner which enhances screening from adjacent land uses and the public right-of-way and improves the aesthetic quality of the *development*.

### 7.3.2(2) ESTABLISHED NEIGHBOURHOOD AREAS

- a) In Established Neighbourhood Areas, as shown on Schedule B-1: Growth Framework, of this Plan, *development should* be designed to enhance the existing *physical character* of the surrounding area within which it is situated.
  - (i) ~~t~~the design of *development* in Established Neighbourhood Areas *shall* address the policies of Subsection 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;
- e. the pattern of rear and side-yard setbacks; and
- f. in the case of *Neighbourhood Character Areas*, the policies of Subsection 8.3.6 of this Plan.

### 7.3.2(3) EMPLOYMENT GROWTH AREAS

- a) In Employment Growth Areas, as shown on Schedule B-1: Growth Framework, of this Plan, ~~development should ensure land use compatibility between the lands designated for employment and adjacent land uses.~~ The design of *development* shall address the policies of Subsection 7.3.2 a) of this Plan, where applicable, and additional considerations such as, but not limited to, the following:
  - (i) allowing for a variety of *lot* sizes and building sizes to accommodate a wide range of *employment* uses, subject to the policies of this Plan;
  - (ii) maximizing the placement of buildings along the frontage of *lots* facing public streets;
  - (iii) locating off-street parking away from adjacent *sensitive land uses*;
  - (iv) limiting the number and location of vehicular access points to minimize disruption to traffic flows and the impact on pedestrian travel along sidewalks or cyclists' travel along bikeways;
  - (v) locating loading areas to avoid conflict between pedestrian and vehicular traffic away from adjacent residential areas and adjoining streets;
  - (vi) incorporating fencing and/or screening of outdoor storage areas;
  - (vii) providing safe and convenient access to buildings for pedestrians, cyclists and transit users;
  - (viii) screening and landscaping off-street parking areas, loading areas and site service areas; and
  - (ix) in Business Corridor lands:
    - a. providing enhanced architectural quality and design elements for buildings and frontage landscaping, given the prestige nature of the land, to take advantage of the highway exposure;

and

- b. using architectural elements to integrate exposed industrial systems and equipment, where appropriate.

### 7.3.3 SPECIFIC USE POLICIES

- a) To ensure safety and accessibility, the design of *accessory drive-throughs*, where permitted, *shall* address specific functionality, *compatibility* and urban design considerations such as, but not limited to:
  - (i) safe, efficient and comfortable movement of pedestrians and cyclists;
  - (ii) sufficient dedicated vehicle queuing areas;
  - (iii) sufficient separation distances between an *accessory drive-through* and a site access/egress area shared with a private or public roadway;
  - (iv) sufficient horizontal and/or vertical separation distances, with respect to mitigating adverse effects between an *accessory drive-through* and current or future *sensitive land uses*, including residential uses, where identified as a permitted use on the subject site or adjacent sites through this Plan;
  - (v) associated buildings and facilities that incorporate urban design that is *compatible* with the surrounding context or area;
  - (vi) enhanced *streetscape* with buildings and storefronts oriented to the street; and
  - (vii) locating the *accessory drive-through* in the side or rear of the building containing the principal use.

## 7.4 SUSTAINABLE DESIGN

*Sustainable building and development* uses an integrated design approach to balance environmental, economic and social considerations in the design, construction and operation of buildings and sites. *Sustainable* design helps to reduce *infrastructure* costs and demands, environmental impacts, greenhouse gas emissions and long term building operating costs, and contributes to the *City's* goal of being a prosperous, livable and *healthy community*. The *City* will promote *sustainable* design approaches through the implementation of the Sustainable Building and Development Guidelines.

### 7.4.1 POLICIES

- a) Official Plan Amendments, Zoning By-law Amendments and site plan applications for high and medium density residential, mixed use, commercial, *industrial, office, institutional* and *public service facilities* shall address the following *sustainable* design measures:
  - (i) measures to prioritize pedestrian movement within the site, to the street and to adjacent buildings, sites and neighbourhoods, and other improvements to the *public realm* to facilitate pedestrian use;
  - (ii) safe and direct on-site connections to public transit where available;
  - (iii) on-site bicycle facilities;
  - (iv) measures to reduce reflected/waste light to mitigate adverse impacts on the night sky;
  - (v) parking lot design and landscaping to minimize the *urban heat island effect*;
  - (vi) *tree* protection measures and planting of non-invasive *trees* and other vegetation, in accordance with Section 4.3, Urban Forestry, of this Plan;
  - (vii) storm water quality, quantity, erosion control and drainage measures, in accordance with Subsection 4.4.2(2) of this Plan;
  - (viii) identification of appropriate snow storage areas to reduce the adverse impacts of salt and de-icing practices;
  - (ix) a waste management plan with appropriate facilities in accordance with the Region's requirements; and
  - (x) bird-friendly design measures for glass buildings and buildings adjacent to the Natural Heritage System and the Lake Ontario shoreline.

- b) Through the review of Official Plan Amendments, Zoning By-law Amendments, plans of subdivision and site plan applications, the proponent will be *encouraged* to consider *sustainable* design considerations such as, but not limited to:
  - (i) energy efficiency, passive design measures, renewable energy sources and other low carbon building strategies;
  - (ii) potable water conservation;
  - (iii) innovative storm water management techniques such as *Low Impact Development* measures;
  - (iv) additional *sustainable* transportation measures such as electric vehicle charging stations that exceed the requirements of the Building Code;
  - (v) *sustainable* building materials and resources;
  - (vi) indoor environmental and air quality;
  - (vii) additional measures to mitigate the *urban heat island effect*;
  - (viii) maintenance, monitoring and communication of *sustainable* building features; and
  - (ix) other innovative *sustainable* design approaches or technologies.
- c) The Sustainable Building and Development Guidelines provide detailed direction for the implementation of the policies in this section. A *development application* shall be deemed to have met the policies in Subsections 7.4.1 a) and b) of this Plan, if it meets the requirements of the Sustainable Building and Development Guidelines adopted by the *City*.
- d) The *City* will consider the provision of non-financial incentives, such as an urban design award, as part of the implementation of Subsection 7.4.1 b) of this Plan, to *encourage* the voluntary components of the Sustainable Building and Development Guidelines.
- e) The *City* will consider the provision of financial incentives as part of the implementation of Subsection 7.4.1 b) of this Plan, to *encourage* the voluntary components of the Sustainable Building and Development Guidelines, through tools including, but not limited to, *Community Improvement Plans*.
- f) The Sustainable Building and Development Guidelines *may* be reviewed and revised periodically without the need for an amendment to this Plan, to respond to innovation and regulatory changes.

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- g) Building layout *shall* be reviewed for accommodating waste management and waste reduction activities for the use(s) that will be located in the building, in accordance with the Region of Halton’s Solid Waste guidelines.
- g/h) Proponents of major *development shall have regard for the Region’s Healthy Communities Guidelines.*

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## LAND USE POLICIES – URBAN AREA

This chapter of the Plan contains the objectives and policies for the Urban Structure elements identified on Schedule B: Urban Structure, of this Plan, and more specifically for the land use designations identified on Schedule C: Land Use - Urban Area, Schedule D: Land Use – Downtown Urban Centre, and Schedule E: Land Use – Uptown Urban Centre of this Plan. The objectives and policies for each land use designation are to be read in conjunction with the objectives and policies in other parts of the Plan.

### 8.1 MIXED USE INTENSIFICATION AREAS

In general, the term “mixed-use” refers to the existence of a variety of different land uses or destinations within the same location - whether that is a building, site, precinct or area. The aim of mixing land uses is to create vibrant, complete communities, provide convenience for individuals to undertake multiple activities in one trip, to shorten trip lengths and to encourage non-motorized trips through a diverse urban environment.

Lands identified as Mixed Use *Intensification Areas* on Schedule B: Urban Structure, of this Plan, will achieve a multitude of planning objectives by combining a broad range and *intensity of employment*, shopping, *public service facilities*, residential and complementary uses such as open space, *institutional*, and *cultural uses*. People will be able to live, work, and shop in the same area, giving them an opportunity to depend less on their automobiles, and create distinguishable places along transit routes that are animated, attractive and safe.

The Mixed Use *Intensification Areas* are comprised of Urban Centres, *Mobility Hubs*, and Mixed Use Nodes and *Intensification Corridors*, which will accommodate a wide, or in some cases, a limited range of uses at different levels of *intensity*, a form-based understanding of *development*.

#### 8.1.1 URBAN CENTRES

The lands identified as “Urban Centre” are intended to serve as city-wide destinations and [a focus for the provision of focal points for](#) transit and will exhibit a wide variety of land uses, building types and densities designed and oriented to support and facilitate transit and *active transportation*.

Urban Centres will contain distinct and identifiable areas that together form a unique and distinctive neighbourhood. The design and *development* of Urban Centres provide opportunities to create and/or maintain a special community identity and a primary focal point for a wide variety of *employment*, residential, shopping, leisure and educational opportunities. Urban Centres will provide

amenities and services closer to where people live or work, with the objective of creating *complete communities*.

Urban Centres will intensify and accommodate a significant portion of the demand for higher *intensity employment*, commercial and residential *development* within the city.

The Downtown and Uptown are identified as the city's two Urban Centres.

### 8.1.1(1) GENERAL OBJECTIVES

- a) To provide locations in the city that will serve as areas for higher *intensity* mixed use *development*, consisting of residential, retail, *service commercial*, *office*, *employment*, hotel, *entertainment*, *public service facilities* and *institutional uses*, and open space uses.
- b) To *encourage* higher *intensity*, transit-supportive and pedestrian-oriented *development* within Urban Centres while ensuring that *compatibility* with the surrounding area is achieved.
- c) To permit mixed use *developments* on individual sites where residential, retail, *service commercial*, *office* and other uses are located, or on different sites where residential, retail, *service commercial*, *office* and other uses are located next to one another, depending on context and land use *compatibility* considerations, [and subject to the underlying land use designation](#).
- d) To ensure Urban Centres are developed in a *compact built form*.
- e) To ensure that *development* in Urban Centres is *compatible* with the surrounding area.
- f) To encourage the accommodation of a diverse range of household sizes and incomes in Urban Centres.
- g) To create an open space system incorporating both public and private lands and which provides linkages to adjacent major open space areas.
- h) To ensure *development* in Urban Centres establishes a high quality *public realm* featuring public squares, parks and public art.
- i) To promote a more diversified and integrated *multi-modal* transportation system in Urban Centres.
- j) To ensure Urban Centres are highly accessible by transit.

**8.1.1(2) GENERAL POLICIES**

- a) Urban Centres identified on Schedule B: Urban Structure, of this Plan, *shall* be designated as the Downtown Urban Centre and the Uptown Urban Centre on Schedule C: Land Use - Urban Area, of this Plan. ~~Urban Centres are also identified on Schedule B-1: Growth Framework, of this Plan.~~
- b) The design and *development* of Urban Centres *shall* promote these areas as multi-functional activity centres and focal points for a variety of activities that are characterized by a mixed use and *compact built form of development*, pedestrian-orientation, greater accessibility to public transit and higher *intensity development*.
- c) The design and *development* of Urban Centres *shall* ensure *compatibility* between the Urban Centre uses and surrounding areas.
- d) The construction and expansion of municipal *infrastructure* and *public service facilities shall* provide for the *development* of Urban Centres in an orderly and cost effective fashion.
- e) Urban Centres will be priority locations for the following, not limited to:
  - (i) land assembly;
  - (ii) *infrastructure* and *public service facilities* improvements;
  - (iii) creation and application of financial, regulatory and other incentives;
  - (iv) new *public service facilities*;
  - (v) creation and application of *brownfield* and *greyfield development* strategies;
  - (vi) preparation of comprehensive traffic, *transportation demand management* and parking studies and strategies; and
  - (vii) *frequent transit corridors*.
- f) Zoning By-law regulations affecting Urban Centres *shall* be based on the general policies for Urban Centres contained in Subsection 8.1.1(2) of this Plan, and the specific policies for individual Urban Centres, contained in Subsections 8.1.1(3) and 8.1.1(4) of this Plan, or the policies contained in an *area-specific plan*.
- g) Multi-unit residential *developments* in Urban Centres *should* incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes.
- h) *Home occupations* and *cottage industries* may be permitted in Urban Centres, subject to the policies of Subsection 8.3.7 of this Plan.

## CHAPTER 8 – LAND USE POLICIES – URBAN AREA

- i) *Transportation demand management* ([TDM](#)) measures *shall* be addressed, and form part of the City's evaluation of opportunities for reduced parking standards in ~~all existing and~~ proposed *developments* within Primary Growth Areas in Urban Centres, subject to the policies of Subsection 6.2.10 of this Plan.
- j) The City ~~shall~~ will ensure that an appropriate amount of open space is provided in Urban Centres.
- k) Urban Centres *shall* be served by *frequent transit corridors*.
- l) In Urban Centres, development proponents considering the development of a site that contains an existing food store *should* retain the food store function as part of the overall *development*, to ensure the appropriate provision of day-to-day and weekly needs to current and future residents and employees in the surrounding area.

## CHAPTER 8 – LAND USE POLICIES – URBAN AREA

~~l) —~~

~~m) — Development proponents may be required by the City to prepare an area-specific plan prior to the development of Urban Centre areas, to provide a context for co-ordinated development providing greater direction on the mix of uses, heights, intensities, built form, and design.~~

### 8.1.1(3) DOWNTOWN URBAN CENTRE

~~The Downtown Urban Centre is presently under review through the Downtown Mobility Hub Area Specific Plan process. Additional objectives and/or policies may be added to this section, subject to the outcome of the area specific plan process, and incorporated as part of this Plan and/or through a future amendment to this Plan.~~

The Downtown Urban Centre is a lively, vibrant "people place", with a wide variety of *employment*, shopping, leisure, residential, recreational and tourism opportunities. It is the city's centre for *cultural* facilities, public gatherings, festive and civic occasions, and social interaction. A large portion of the Downtown Urban Centre is within the Urban Growth Centre boundary; an area referred to in the "Places to Grow" – Growth Plan for the Greater Golden Horseshoe, as an area that *shall* accommodate a significant share of population and employment growth within the city. The Downtown, in general, is identified as a *major transit station area* through the Growth Plan for the Greater Golden Horseshoe and identified as an *Anchor Hub* through Metrolinx's Big Move.

The Downtown will continue to be an area where specialty retail, community retail, *entertainment*, *cultural*, *public service facilities* and *institutional* facilities, and *offices*, as well as residential uses, *shall* be developed. The Downtown will continue to develop as the city's primary centre, taking advantage of the unique qualities that set it apart from all other areas of the city and that contribute to its distinct identity. These qualities include the waterfront location and related activities, historic buildings, *streetscapes* and *development* pattern, views and vistas, *cultural* activities, pedestrian orientation, and recognition of the Downtown as a centre of business and civic activity. The *City* is committed to ensuring the ongoing success of Downtown by implementing the Core Commitment: Downtown Vision and Action Plan, as amended.

*Development* in the Downtown will make the best use of the existing *infrastructure* and create a *sustainable* and *compact community* with a wide range of land uses and built forms. New *development* will be of high quality design to maintain and enhance the Downtown's image as an enjoyable, safe, bikeable, walkable and transit-supportive place, and built to be *compatible* with buildings and neighbourhoods and complement the pedestrian activity and historical attributes of the area.

**8.1.1(3.1) GENERAL OBJECTIVES**

- a) To establish the Downtown as a major centre for office, retail, *service commercial*, residential, culture, and *public service facilities*, including educational and *institutional uses* that contribute towards the Downtown's role as a unique destination and important source of identity for the city, consistent with Chapter 5; Economic Activity, [of this Plan](#).
- b) To establish minimum density targets for the Urban Growth Centre contained within the Downtown in terms of residents and jobs, in accordance with the "Places to Grow" Growth Plan for the Greater Golden Horseshoe.
- c) To establish a precinct system that recognizes areas with a common character and/or objective for land uses and built form, which *may* be informed by historical *development* patterns and precedent.
- d) To ensure *development* incorporates effective transitions with adjacent *development* and surrounding areas.
- e) To protect significant public view corridors to Lake Ontario, the Brant Street Pier, City Hall/Civic Square and other landmarks.
- f) To provide retail and *service commercial* activities that serve the general needs of Downtown residents and employees as well as specialized functions for the entire city.
- g) To ensure that residents, employees and visitors of the Downtown have access to a range of public parks and open spaces including parkettes, urban plazas, playgrounds, promenades, trails and Privately-Owned Publicly Accessible Spaces (POPS) that allow for both passive and active recreational and social activities.
- h) To recognize the Lake Ontario waterfront as a major asset and local and regional destination within the Downtown for recreational, *cultural* and leisure activities.
- i) To expand public access to parks, open spaces and the Lake Ontario waterfront within the Downtown, where possible.
- j) To conserve *cultural heritage resources* and maintain character defining areas significant to the Downtown and the city.
- k) To provide a continuous, harmonious, safe and attractive pedestrian-oriented environment through high-quality *streetscapes* including enhanced greenery/landscaping, new *developments* which achieve urban design and architectural excellence, and the retention and expansion of *cultural* assets including public art.



- l) To permit building heights and *intensities* within the Urban Growth Centre that will support and enhance the City, Regional and Provincial significance of the Downtown and its role as a *mobility hub*.
- m) To require a mix of uses within *developments* and throughout the Downtown that reinforces the Downtown's role as a *complete community*.
- n) To ensure Downtown continues to have a strong *employment* base that will attract new businesses, services and amenities to support the long-term success of the Downtown.
- o) To concentrate the tallest *development* in those parts of the Urban Growth Centre that have the greatest pedestrian access to *higher-order transit* and which are located away from the Lake Ontario waterfront, to increase affordability and attract a wide range of demographics and income levels to the Downtown.
- p) To mitigate future traffic congestion associated with growth through *transportation demand management (TDM)* measures and the provision of *frequent transit corridors*.
- q) To support the creation of new and expanded pedestrian priority and cycling corridors with adjacent active and supporting uses at grade within the Downtown.
- r) To ensure the Downtown has adequate lands to accommodate future community and government *public service facilities* to support and serve current and future residents and employees.

### 8.1.1(3.2) GENERAL POLICIES

- a) In addition to the objectives and policies of Subsection 8.1.1(3), Downtown Urban Centre, the objectives and policies of Subsection 8.1.2, Mobility Hubs, of this Plan, *shall* apply within the Downtown Urban Centre.
- b) Within the Urban Growth Centre Boundary as delineated on Schedule B: Urban Structure, and Schedule D: Land Use - Downtown Urban Centre, of this Plan, a minimum density target of 200 residents and jobs combined per hectare by 2031 or earlier is established, in accordance with the "Places to Grow" Growth Plan for the Greater Golden Horseshoe.
- c) In addition to those lands designated Downtown Parks and Promenades Precinct on Schedule D: Downtown Urban Centre, of this Plan, new greenery/landscaping, parks and open spaces *shall* be provided as part of new *development* within the Downtown, which *may* include, but are not limited to, dedication of parkland, Privately-Owned Publicly Accessible

Spaces (POPS) and/or greenery/landscaping located between a public right-of-way and a building, to be provided to the satisfaction of the *City*.

- d) Retail, *service commercial* and *office* uses at-grade *may* be developed in the Downtown Urban Centre in accordance with Schedule D-1: Downtown Urban Centre-Commercial and Office Streets, of this Plan, and in accordance with the following:
  - (i) along Main Street Retail Streets, retail or *service commercial* uses *shall* be required continuously at grade in buildings having frontage on to public streets and pedestrian pathways;
  - (ii) along Mixed Use Major Streets, retail, *service commercial* or *office* uses *shall* be required continuously at grade in buildings having frontage on to public streets and pedestrian pathways; and
  - (iii) along General Mixed Use Streets, retail, *service commercial* and *office* uses *may* be permitted at grade in buildings having frontage on to public streets and/or pedestrian pathways.
- e) *Development* along Main Street Retail Streets and Mixed Use Major Streets *shall* be required to provide a minimum floor-to-floor height at the ground floor, as established in the Downtown Area-Specific Plan and/or Zoning By-law, to support retail and *service commercial* uses at grade.
- f) *Development* along General Mixed Use Streets *may* be required to provide a minimum floor-to-floor height, as established in the Downtown Area-Specific Plan and/or Zoning By-law, to facilitate land use flexibility and adaptability over time.
- g) *Development* along Main Street Retail Streets, Mixed Use Major Streets and General Mixed Use Streets *may* be required to provide a minimum floor-to-floor height at grade, as established in the Downtown Area-Specific Plan and/or Zoning By-law, to support retail and *service commercial* uses at grade, where permitted, and facilitate land use flexibility and adaptability over time.
- h) The Downtown Area-Specific Plan and/or Zoning By-law *may* 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 Downtown Urban Centre.
- i) The *City* will *encourage* the *development* and retention of food stores in the Downtown Urban Centre, which are essential to serve the day-to-day shopping needs of current and future residents and employees and support the long-term success of the Downtown as a *complete community*.

- j) In *development* containing both retail and or *service commercial* uses at grade and residential uses above the first storey, office uses and/or uses or amenities accessory to the residential use *should* be required as an intermediary use-function between ~~areas of a building or~~ floors containing retail and or *service commercial* uses and residential uses to minimize the potential *adverse effects* of noise and vibration that *may* be generated by some types of retail ~~and-or~~ *service commercial* uses.
- k) The Downtown's *cultural heritage resources* *should* be conserved ~~and-by~~ being integrated into new *development*, where possible. Any *development* located in close proximity to *cultural heritage resources* *shall* be sensitive to the *cultural heritage* context of the street and not just of the immediately adjacent buildings, to maintain the character of those areas.
- l) Major *entertainment, major office, cultural, institutional* uses and *public service facilities* including educational uses, *should* locate within the Downtown Urban Centre.
- m) Height, density and/or *intensity* permissions stated within all Downtown Urban Centre precincts, with the exception of the Bates and St. Luke's and Emerald Neighbourhood precincts, *shall* be inclusive of the provision of any and all community benefits which *may* be required as part of the approval of a *development* to the satisfaction of the *City*. The identification of specific community benefits to be provided as part of a *development* *shall* be based on the needs and objectives of individual precincts and/or the Downtown Urban Centre as a whole, which *shall* be established by the *City* through the Downtown Area-Specific Plan and which *may* be implemented through agreements and/or *development* conditions required as part of the approval of a *development application*.
- n) The full extent of maximum *development* permissions stated within all Downtown Urban Centre precincts *may* not be achievable on every site within a precinct, due to site-specific factors including, but not limited to, *compatibility, negative environmental impacts, hazardous lands, transportation, cultural heritage resources* and/or *infrastructure* capacity, currently under review through the Downtown Area-Specific Plan.

### 8.1.1(3.3) DOWNTOWN PARKS AND PROMENADES PRECINCT

~~The policies of the Downtown Parks and Promenades Precinct continue to be developed as part of the Downtown Area-Specific Plan. Additional policies and/or objectives may be added to this section, subject to the outcome of the area-specific plan process and incorporated as a part of this Plan and/or through a future amendment to this Plan.~~

The Downtown Parks and Promenades Precinct identifies current and future parks, promenades and green spaces within the Downtown, including key linkages between parks as well as new or expanded opportunities for public access to the waterfront and nature. Lands within the Parks and Promenades Precinct will primarily serve the residents and employees of the Downtown as well as provide parks of a *scale* that will serve as significant destinations for city-wide and regional events and activities.

### 8.1.1(3.3.1) POLICIES

- a) The objectives and policies of Section 3.3, Parks, Recreation and Open Space, of this Plan *shall* apply on lands designated as Downtown Parks and Promenades.
- b) The following uses *may* be permitted within the Downtown Parks and Promenades Precinct:
  - (i) *existing uses*.
- c) Lands within the Downtown Parks and Promenades Precinct *shall* provide for recreational opportunities that *may* include festive, *cultural* and ceremonial activities.
- d) Lands within the Downtown Parks and Promenades Precinct include the Burlington Beach Regional Waterfront Park but are not intended to form part of the Urban Area.
- e) The Downtown Area-Specific Plan *shall* identify opportunities for new parks and promenades within the Downtown Urban Centre in the approximate locations identified on Schedule D: Land Use – Downtown Urban Centre, of this Plan. The identification of lands within the Downtown Parks and Promenades Precinct which are currently privately owned and/or do not serve a public function *shall* not imply that such properties are available or open to public use. New park spaces for public use *shall* be provided as part of the future *development* of a property with preference given for the acquisition of such lands by the *City* through the parkland dedication process.
- f) Public amenities will be *encouraged* on *utility* corridors located within the Downtown Parks and Promenades Precinct which serve the recreation and *active transportation* needs of residents and employees and which are *compatible* with the lands' primary purpose as a *utility* corridor. Public amenities *may* include, but are not limited to, *community gardens*, multi-use pathways and/or off-leash dog parks.

- g) Notwithstanding the policies of Section 6.3, Utilities, of this Plan, surface parking areas *shall* be prohibited within a *utility* corridor except where existing or approved as of the date of approval of this Plan.
- h) Parks and open spaces *shall* provide linkages with the surrounding neighbourhoods in a manner that promotes efficient pedestrian and/or cycling access to, from and within the Downtown Urban Centre. Such linkages *shall* be identified as part of the Downtown Area-Specific Plan.
- i) Spencer Smith Park and Burlington Beach Regional Waterfront Park *shall* establish linkages with the Downtown. Opportunities for new linkages will be established as part of the Downtown Area-Specific Plan and will include assessment of opportunities which *may* arise as a result of the Waterfront Hotel Planning Study and the *development* of the lands described as 2060 Lakeshore Road, also referred to as 'Bridgewater'.
- j) A new public park, including the creation of new pedestrian linkages connecting Birch Avenue to Emerald Crescent, *shall* be planned within the area generally located between Brant Street and the Rambo Creek as represented on Schedule D: Land Use – Downtown Urban Centre, of this Plan. The exact location, size and function of the park and associated implementation policies *shall* be established through the Downtown Area-Specific Plan.

### 8.1.1(3.4) DOWNTOWN PUBLIC SERVICE PRECINCT

~~The policies of the Downtown Public Service Precinct continue to be developed as part of the Downtown Area-Specific Plan. Additional policies and/or objectives may be added to this section, subject to the outcome of the area-specific plan process and incorporated as a part of this Plan and/or through a future amendment to this Plan.~~

The Downtown Public Service Precinct will accommodate current and future public service functions within the Downtown including public healthcare, education, emergency and protective services, *cultural* activities and civic administration, among others. Lands identified as public service will accommodate such functions, as required, either wholly or in conjunction with private *development* through a public/private partnership.

#### 8.1.1(3.4.1) POLICIES

- a) The following uses *may* be permitted in the Downtown Public Service Precinct either in conjunction with a *public service facility* and/or

*infrastructure* use or where such uses have been determined not to be required in accordance with 8.1.1(3.4.1) c) of this Plan:

- (i) residential uses with the exception of single detached, semi-detached and other stand-alone *ground-oriented dwellings*;
  - (ii) *office* uses;
  - (iii) retail and *service commercial* uses;
  - (iv) hotel uses;
  - (v) *entertainment* uses;
  - (vi) *institutional* uses; and
  - (vii) *recreation* uses.
- b) Public/private partnerships for the purpose of providing *public service facilities* and/or *infrastructure* as part of a mixed-use *development* will be *encouraged*.
- c) Where a *development* proposal does not include a *public service facility* and/or *infrastructure* use, the *City shall* provide notification to all *public authorities* as to the potential use of the lands for public use prior to *City* approval of the *development*.
- d) *Development* permissions with respect to height and density for individual sites within the Downtown Public Service Precinct *shall* be established through the Downtown Area-Specific Plan.

### 8.1.1(3.4.2) SITE-SPECIFIC POLICIES

- a) **421 John Street:** The property located at 421 John Street, also referred to as 'Municipal Parking Lot 4', *shall* be the preferred location of a future Downtown transit terminal, subject to detailed functional and technical analysis by the *City*, as required.

### 8.1.1(3.5) THE ST. LUKE'S AND EMERALD NEIGHBOURHOOD PRECINCT

~~The policies of the St. Luke's and Emerald Neighbourhood Precinct continue to be developed as part of the Downtown Area Specific Plan. Additional policies and/or objectives may be added to this section, subject to the outcome of the area-specific plan process and incorporated as a part of this Plan and/or through a future amendment to this Plan.~~

The St. Luke's Neighbourhood and Emerald Neighbourhood Precinct will maintain the existing established residential and historic character of these neighbourhoods, which contain predominantly single-detached housing forms. Limited *development* opportunities *existing* within the precinct will be *compatible* with the surrounding neighbourhood area and respectful of the existing *physical character*. Enhanced cycling and pedestrian connections will allow for non-vehicle oriented travel to key destinations within the Downtown.

### 8.1.1(3.5.1) POLICIES

- a) The following uses *may* be permitted in the St. Luke's and Emerald Neighbourhood Precinct:
  - (i) *existing uses*;
  - (ii) single-detached and semi-detached dwellings ~~to a maximum building height of two and a half (2.5) storeys~~;
  - (iii) duplexes;
  - (iv) *group homes*;
  - (v) *secondary dwelling units*, subject to the policies of Subsection 8.7.2 of this Plan;
  - (vi) day care centres, subject to the policies of Subsection 8.3.10 of this Plan: and
  - (vii) *offices* in *existing* buildings, subject to the policies of Subsection 8.3.8 of this Plan.
- b) *Development shall not exceed a maximum height of two and a half (2.5) storeys.*

~~b/c~~ On lands designated St. Luke's and Emerald Neighbourhood, *development shall* be permitted to a maximum density of twenty-five (25) units per *net* hectare or the density existing on a site, or a portion of a site, on the date of the approval of this Plan, whichever is greater.

~~e/d~~ The *development* of semi-detached dwellings *shall* ensure that:

- (i) the built form and design elements, architectural features, building separations, lot coverage, *scale, floor area ratio*, and landscape qualities and characteristics that are prevalent in the neighbourhood are considered;
- (ii) attached garages are not permitted; and
- (iii) detached garages are located in the rear yard.



**8.1.1(3.6) BATES PRECINCT**

~~The policies of the Bates Precinct continue to be developed as part of the Downtown Area Specific Plan. Additional policies and/or objectives may be added to this section, subject to the outcome of the area specific plan process and incorporated as a part of this Plan and/or through a future amendment to this Plan.~~

The Bates Precinct recognizes and *conserves* the historic character of Downtown along sections of Brant and Locust Streets, including the area's buildings, *streetscapes* and parcel fabric. Priority within the precinct will be for the adaptive re-use of existing buildings. Limited opportunities for *development* existing within the precinct will be expected to respect and maintain the existing historic character of the area's parcel fabric and buildings through the use of lotting patterns and building forms and materials currently existing within the precinct.

**8.1.1(3.6.1) POLICIES**

- a) The following uses *may* be permitted within the Bates Precinct:
  - (i) residential uses;
  - (ii) *secondary dwelling units*, subject to Subsection 8.7.2 of this Plan;
  - (iii) *office* uses;
  - (iv) retail and *service commercial* uses;
  - (v) hotel uses; and
  - (vi) *recreation* uses.
- b) *Development shall* not exceed a height of three (3) storeys.
- c) A maximum *lot* area for sites within the Bates Precinct *shall* be established through the Downtown Area-Specific Plan to ensure the historic lotting pattern of the area is maintained.
- d) *Development shall* be designed in a manner that respects and maintain the predominant *physical character* within the precinct, including, but not limited to, building setbacks, roof articulation and building materials.

**8.1.1(3.6.2) BATES PRECINCT SPECIAL PLANNING AREA**

~~The policies of the Bates Precinct Special Planning Area continue to be developed as part of the Downtown Area Specific Plan. Additional policies and/or objectives may be added to this section, subject to the outcome of the area specific plan process and incorporated as a part of this Plan and/or through a future~~

~~amendment to this Plan.~~

The Bates Special Planning Area will recognize and continue to permit an undeveloped, approved *development* with a building height greater than that permitted by the Bates Precinct.

For additional clarity to Schedule D: Land Use – Downtown Urban Centre of this Plan, properties located within the Bates Precinct Special Planning Area include: 1437 and 1445 Elgin Street and 452 Locust Street.

- a) The intent and policies of the Bates Precinct contained in Subsection 8.1.1(3.6) and 8.1.1(3.6.1) of this Plan *shall* continue to apply, except where identified below.
- b) Notwithstanding Subsection 8.1.1(3.6.1) b) of this Plan, *development* within the Bates Special Planning Area *shall* be permitted up to a maximum height as approved by the *City* through a site-specific Official Plan Amendment application.

#### 8.1.1(3.7) BRANT MAIN STREET PRECINCT

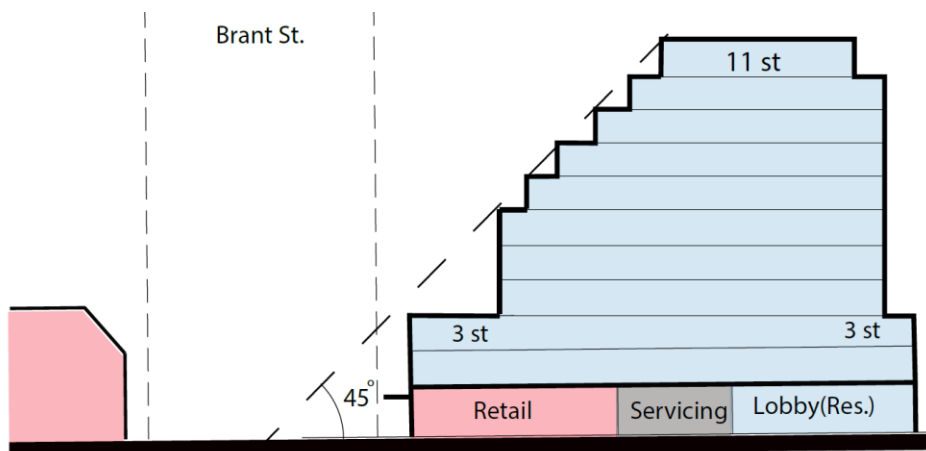
~~The policies of the Brant Main Street Precinct continue to be developed as part of the Downtown Area Specific Plan. Additional policies and/or objectives may be added to this section, subject to the outcome of the area-specific plan process and incorporated as a part of this Plan and/or through a future amendment to this Plan.~~

The Brant Main Street Precinct will continue to serve as a unique retail destination within the Downtown and city-wide. *Development* will maintain and enhance the existing traditional main street *physical character* along Brant Street, generally between Caroline and Pine Streets. *Development* will achieve a *low-rise* form on Brant Street which could also form the *podium* to a *mid-rise development*, where such height is terraced away from Brant Street towards John and Locust Streets.

#### 8.1.1(3.7.1) POLICIES

- a) The following uses *may* be permitted within the Brant Main Street Precinct:
  - (i) residential uses with the exception of single detached dwellings, semi-detached dwellings and other forms of stand-alone *ground-oriented dwellings*;
  - (ii) *office* uses;
  - (iii) retail and *service commercial* uses;

- (iv) hotel uses;
  - (v) *entertainment uses*; and
  - (vi) *recreation uses*.
- b) *Development shall* contain a minimum of two permitted uses, as identified in Subsection 8.1.1(3.7.1) a) of this Plan and should contain three permitted uses, where feasible.
- c) *Development shall*:
- (i) be in the form of *low-rise* or *mid-rise buildings* with a height not to exceed:
    - a. three (3) storeys immediately adjacent to Brant Street; and
    - b. eleven (11) storeys immediately adjacent to John or Locust Streets; and
  - (ii) achieve a terraced built form with building height between Brant Street and John or Locust Streets determined by, and not to exceed, a 45-degree angular plane measured from the centre of the Brant Street public right-of-way.



*Cross section showing 45 degree angular plane from the centre of Brant Street*

Graphic 8-1. Cross section showing 45 degree angular plane from the centre of Brant Street.

## CHAPTER 8 – LAND USE POLICIES – URBAN AREA

- ~~d) The City will identify the Brant Street public right-of-way between Caroline and Pine Streets as the preferred location for a *flex street*, including through future plans and programs of City departments.~~
- d) *Development* within the Brant Main Street Precinct *shall* provide a three (3) storey *podium* for all portions of a building fronting a public right-of-way.

### ~~8.1.1(3.7.2) SITE SPECIFIC POLICIES~~

- ~~a) **433 and 439 Brant Street:** As part of any comprehensive *development* of the properties located at 433 and 439 Brant Street, a public pedestrian walkway between Brant Street and John Street *shall* be provided which may be in the form of a Privately Owned Publicly Accessible Space (POPS).~~

~~8.1.1(3.7.3)~~8.1.1(3.7.2) **BRANT MAIN STREET PRECINCT SPECIAL PLANNING AREA**

~~The policies of the Brant Main Street Precinct Special Planning Area continue to be developed as part of the Downtown Area Specific Plan. Additional policies and/or objectives may be added to this section, subject to the outcome of the area-specific plan process and incorporated as a part of this Plan and/or through a future amendment to this Plan.~~

New *development* within the Brant Main Street Precinct Special Planning Area will contribute towards the enhancement of a civic node at the intersection of Brant Street and James Street. *Development* will provide new public squares immediately adjacent to the intersection to complement and expand the existing Civic Square and achieve a built form which will establish view corridors to Civic Square, the City Hall tower and the Burlington War Memorial from James Street. *Development* providing such public amenities will be permitted additional height and/or density in exchange for these amenities.

For additional clarity to Schedule D: Land Use – Downtown Urban Centre of this Plan, properties located within the Brant Main Street Special Planning Area include: 401, 403, 405, 409, 411, 413, 421, 425, 427, 429 and 431 Brant Street; 2012 James Street; and 444 and 448 John Street.

- a) The intent and policies of the Brant Main Street Precinct contained in Subsections 8.1.1(3.7) and 8.1.1(3.7.1) of this Plan *shall* continue to apply, except where identified ~~as follows:~~ below.
- b) Notwithstanding Subsection 8.1.1(3.7.1) c) of this Plan, *development immediately adjacent to the intersection of Brant and James Streets shall* contribute to the creation of an enhanced civic node and *may* be permitted a maximum height of seventeen (17) storeys, provided that:
  - (i) views from James Street to the Civic Square, the City Hall tower and the Burlington War Memorial are maintained and enhanced to the satisfaction of the *City*; and
  - (ii) an at-grade public plaza is provided immediately adjacent to the intersection of Brant and James Streets to the satisfaction of the *City*. *Development may* cantilever over a portion of the public plaza above a minimum height of twenty (20) m, provided that the provisions of Subsection 8.1.1(3.7.2) ~~ba~~ (i) of this Plan continue to be achieved.

### 8.1.1(3.8) DOWNTOWN MID-RISE RESIDENTIAL PRECINCT

~~The policies of the Downtown Mid-Rise Residential Precinct continue to be developed as part of the Downtown Area-Specific Plan. Additional policies and/or objectives may be added to this section, subject to the outcome of the area-specific plan process and incorporated as a part of this Plan and/or through a future amendment to this Plan.~~

The Downtown Mid-Rise Residential Precinct will primarily accommodate *existing* residential *development* consisting of eleven (11) storeys or less, in predominantly residential areas of the Downtown. Limited *development* opportunities existing within the precinct will be expected to transition to, as well as achieve *compatibility* with, the St. Luke's and Emerald Neighbourhood Precinct as well as with other established residential neighbourhoods outside of the Downtown.

#### 8.1.1(3.8.1) POLICIES

- a) The following uses *may* be permitted above the ~~second~~first storey of a *development* within the Downtown Mid-Rise Residential Precinct:
  - (i) residential uses.
- b) The following uses *may* be permitted within the first ~~and/or second~~ storey of a *development* within the Downtown Mid-Rise Residential Precinct:
  - (i) residential uses ~~(including townhouse developments only when incorporated into a mid-rise building);~~
  - (ii) retail and *service commercial* and *office* uses in accordance with Subsection 8.1.1(3.2) and Schedule D-1: Downtown Urban Centre-Commercial and Office Streets, of this Plan; and
  - (iii) *recreation* uses.
- c) Development shall be in the form of mid-rise buildings with a minimum height of five (5) storeys and a maximum height not to exceed a height of eleven (11) storeys.
- d) Notwithstanding 8.1.1(3.8.1) c), low-rise buildings in the form of townhouses and multi-residential apartments may be permitted where located on the same site as a mid-rise building.

### 8.1.1(3.8.2) DOWNTOWN MID-RISE RESIDENTIAL PRECINCT SPECIAL PLANNING AREA

~~The policies of the Downtown Mid-Rise Residential Precinct Special Planning Area continue to be developed as part of the Downtown Area-Specific Plan. Additional policies and/or objectives may be added to this section, subject to the outcome of the area-specific plan process and incorporated as a part of this Plan and/or through a future amendment to this Plan.~~

*Development* within the Downtown Mid-Rise Residential Precinct Special Planning Area will recognize the area's function as a gateway to the established, low-density St. Luke's neighbourhood from Lakeshore Road along Burlington Avenue. *Development* will incorporate sensitive transitions that respect the built form, historic and *physical character* of adjacent properties and the broader Burlington Avenue *streetscape* through building terracing, a reduced maximum height relative to that otherwise permitted by the Downtown Mid-Rise Residential Precinct and the incorporation of *ground-oriented dwelling* units.

For additional clarity to Schedule D: Land Use – Downtown Urban Centre of this Plan, properties located within the Downtown Mid-Rise Residential Precinct Special Planning Area include: 1383-1397, 1407, 1415 and 1421 Lakeshore Road.

- a) The intent and policies of the Downtown Mid-Rise Residential Precinct contained in Subsections 8.1.1(3.8) and 8.1.1(3.8.1) of this Plan *shall* continue to apply, except where identified below.
- b) Notwithstanding Subsection 8.1.1(3.8.1) c) of this Plan, *development shall*:
  - (i) terrace height away from Burlington Avenue and any adjacent property located within the St. Luke's and Emerald Neighbourhood Precinct. Building terracing *shall* be in accordance with a forty-five (45)-degree angular plane as measured from any property line shared with the Burlington Avenue public right-of-way and adjacent properties located within the St. Luke's and Emerald Neighbourhood Precinct, as identified on Schedule D: Land Use – Downtown Urban Centre of this Plan, to a maximum height which *shall* not exceed six (6) storeys; and
  - (ii) provide a building *podium* containing *ground-oriented dwelling* units oriented towards Lakeshore Road to be consistent with the *physical character* of the area. The height of the building *podium shall* not exceed two and half (2.5) storeys; and
  - (iii) provide a minimum building ~~stepback~~step back from the *podium* to the remaining portions of the building above the *podium* element of three (3) m.





### 8.1.1(3.9) DOWNTOWN TALL RESIDENTIAL PRECINCT

~~The policies of the Downtown Tall Residential Precinct continue to be developed as part of the Downtown Area Specific Plan. Additional policies and/or objectives may be added to this section, subject to the outcome of the area specific plan process and incorporated as a part of this Plan and/or through a future amendment to this Plan.~~

The Downtown Tall Residential Precinct will primarily accommodate existing residential *developments* consisting of twelve (12) storeys or more in predominantly residential areas of the Downtown. Limited *development* opportunities existing within the precinct will be expected to enhance the street-level experience for pedestrians through the incorporation of building *podiums* and street-oriented uses.

#### 8.1.1(3.9.1) POLICIES

- a) The following uses *may* be permitted above the ~~second~~first storey of a *development* within the Downtown Tall Residential Precinct:
  - (i) residential uses.
- b) The following uses *may* be permitted within the first ~~and/or second~~ storey of a *development* within the Downtown Tall Residential Precinct:
  - (i) residential uses ~~(including townhouse developments only when incorporated into a tall building);~~
  - (ii) retail and *service commercial* and *office* uses in accordance with Subsection 8.1.1(3.2) and Schedule D-1: Downtown Urban Centre-Commercial and Office Streets, of this Plan; and
  - (iii) *recreation* uses.
- ~~e) Development shall:~~ be in the form of a *tall building* with a minimum height of twelve (12) storeys and a maximum height not to exceed twenty-one (21) storeys.
  - ~~(i) be in the form of tall buildings achieving a minimum height of twelve (12) storeys; and~~
- ~~c) not exceed a maximum height of twenty one (21) storeys.~~
- d) Notwithstanding 8.1.1(3.9.1) c) of this Plan, *mid-rise buildings* and *low-rise buildings* in the form of townhouses and multi-residential apartments *may* be permitted where located on the same site as a *tall building*.

**8.1.1(3.10) OLD LAKESHORE ROAD PRECINCT**

~~The policies of the Old Lakeshore Road Precinct continue to be developed as part of the Downtown Area Specific Plan. Additional policies and/or objectives may be added to this section, subject to the outcome of the area specific plan process and incorporated as a part of this Plan and/or through a future amendment to this Plan.~~

The Old Lakeshore Road Precinct will provide for mixed-use *mid-rise buildings* consisting primarily of residential uses which are pedestrian-oriented and transit-supportive while also achieving a high standard of design. Modest *tall buildings* which transition downward from the adjacent Downtown Core Precinct towards the waterfront may be accommodated where such *development* achieves strategic public and city building objectives, including the provision of public waterfront access and the creation of new uninterrupted view corridors to Lake Ontario, among others.

**8.1.1(3.10.1) POLICIES**

- a) The following uses *may* be permitted within the Old Lakeshore Road Precinct:
  - (i) residential uses with the exception of single detached dwellings, semi-detached dwellings and other forms of stand-alone *ground-oriented dwellings*;
  - (ii) *office* uses;
  - (iii) retail and *service commercial* uses;
  - (iv) hotel uses;
  - (v) *entertainment* uses; and
  - (vi) *recreation* uses.
- b) *Development shall* contain a minimum of two permitted uses, as identified in Subsection 8.1.1(3.10.1) a) of this Plan.
- c) Within the West Sector (~~A~~Area ‘WS’) as identified on Schedule D: Land Use-Downtown Urban Centre<sub>2</sub> of this Plan:
  - (i) *development shall*:
    - a. achieve a minimum building height of two (2) storeys; and
    - b. not exceed a height of ten (10) storeys and thirty-one and a half (31.5) m<sub>2</sub>, except where permitted in accordance with Subsection 8.1.1(3.10.1) c) (ii) of this Plan.
  - (ii) *development* not exceeding fifteen (15) storeys and forty-seven (47) m<sub>2</sub> in height *may* be permitted within the West Sector, subject to the provision of the following to the satisfaction of the *City*:
    - a. assembly of lands within the Old Lakeshore Road Precinct between Pearl Street and the future Martha Street alignment and view corridor to the Waterfront (including all lands within the West Sector (Area ‘WS’), portions of the westerly portion of the existing Old Lakeshore Road public right-of-way and the westerly portion of the South Sector (Area ‘SS’) lands contained within the described area);
    - b. continuation of the Martha Street alignment to meet Old Lakeshore Road;
    - c. construction, and dedication to a *public authority*, of a public waterfront access that provides a connection between the Pearl Street extension and Lakeshore Road in the vicinity of a Martha

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- Street extension, in accordance with Subsection 8.1.1(3.10.1) c) (ii) of this Plan;
- d. closure of the portion of Old Lakeshore Road identified in Subsection 8.1.1(3.10.1) c) (ii) a. of this Plan;
  - e. provision of a view corridor from Martha Street to Lake Ontario;
  - f. provision of enhanced public spaces;
  - g. *conservation* or re-location of *significant cultural heritage resources* within the precinct;
  - h. submission of an angular plane study, identifying visual, sun shadowing and wind impacts, and demonstrating how any adverse impacts can be mitigated to acceptable levels; and
  - i. community benefits.
- d) Within the East Sector (~~A~~area 'ES') as identified on Schedule D: Land Use – Downtown Urban Centre of this Plan:
- (i) *development shall:*
    - a. achieve a minimum building height of two (2) storeys; and
    - b. not exceed a height of six (6) storeys and nineteen and a half (19.5) m, except where permitted in accordance with Subsection 8.1.1(3.10.1) d) (ii) of this Plan.
  - (ii) *development* not exceeding eight (8) storeys and twenty-nine (29) m in height *may* be permitted within the East Sector, subject to the provision of the following to the satisfaction of the *City*:
    - a. Old Lakeshore Road is retained in the East Sector and realigned to form an intersection at Martha Street and Lakeshore Road;
    - b. *conservation* or re-location of *significant cultural heritage resources* within the precinct;
    - c. submission of an angular plane study, identifying visual, sun shadowing and wind impacts, and demonstrating how any adverse impacts can be mitigated to acceptable levels; and
    - d. community benefits.
  - (iii) notwithstanding Subsections 8.1.1(3.10.1)-d) (i) and (ii) of this Plan, for the lands described as 2107-2119 Old Lakeshore Road and 2114 Lakeshore Road, the maximum height of buildings *shall* be ten (10) storeys and thirty-one and a half (31.5) m, except that buildings *may* be permitted up to a maximum height of twelve (12) storeys and

thirty-seven (37) m, subject to the provision of the following to the satisfaction of the *City*:

- a. Old Lakeshore Road is retained in the East Sector and realigned to form an intersection at Martha Street and Lakeshore Road;
  - b. *conservation* or re-location of *significant cultural heritage resources* within the precinct;
  - c. submission of an angular plane study, identifying visual, sun shadowing and wind impacts, and demonstrating how any adverse impacts can be mitigated to acceptable levels; and
  - d. community benefits.
- e) Within the South Sector (~~A~~Area 'SS') as identified on Schedule D: Land Use-Downtown Urban Centre of this Plan:
- (i) *development* will be constrained due to shoreline protection and applicable setbacks in accordance with Conservation Halton requirements;
  - (ii) existing buildings *may* be maintained, renovated or repaired if damaged, but *may* not be expanded;
  - (iii) notwithstanding Subsections 8.1.1(3.10.1) e) (i) and (ii) of this Plan, should shoreline studies be completed to the satisfaction of the *City* and Conservation Halton demonstrating that lands within the South Sector are developable, the lands located east of the Martha Street alignment *shall* continue to be subject to the policies of the East Sector contained in Subsection 8.1.1(3.10.1) d) of this Plan and lands west of the Martha Street alignment *shall* continue to be subject to the policies of the West Sector contained in Subsection 8.1.1(3.10.1) c) of this Plan.
- f) Within the Old Lakeshore Road Precinct, *significant cultural heritage resources should be conserved* and integrated into new *development*. The re-location of *cultural heritage resources* within the precinct will be considered, including within a Conservation Halton setback from Lake Ontario, as an alternative to the removal of such buildings.
- g) The transfer of *development* rights to other lands within the Old Lakeshore Road Precinct is permitted for the following properties, subject to approval of such plans by the *City*, as a means of *conserving* in perpetuity the buildings identified below:
- (i) 2101 Old Lakeshore Road (The Chrysler Carriage House): A floor area of 320 sq. m. *may* be transferred to other lands in the East Sector

once the building has been designated pursuant to Part IV of The Ontario Heritage Act and a conservation easement has been granted for the entire building, in favour of the *City* by the owner of the property;

- (ii) 2084 Old Lakeshore Road (former Estaminet): A floor area of 1,500 sq. m. *may* be transferred to other lands in the West Sector once the building has been designated pursuant to Part IV of The Ontario Heritage Act and a conservation easement has been granted for the entire building in favour of the *City* by the owner of the property.
- h) A holding zone *may* be used to specify the conditions of *development* that must be completed to achieve the higher density *development* outlined in Subsections 8.1.1(3.10.1) c) (ii) and d) (ii) of this Plan.
- i) Notwithstanding Subsection 4.5.3(2) e) of this Plan, the following policies *shall* apply with respect to the provision of a waterfront trail:
  - (i) along the waterfront where the distance between the water and the public roadway right-of-way will accommodate both the *development* and the Waterfront Trail, the proponent ~~*shall*~~will be required to undertake the following as a condition of approval of a *development application* to the satisfaction of the *City*:
    - a. dedicate, free of charge to the *City*, lands below the stable top of bank, as identified by Conservation Halton and the City;
    - b. dedicate to the *City* as part of parkland dedication, a minimum fifteen (15) m wide strip of land above the stable top of bank. Should the value of this dedication exceed normal parkland dedication, the proponent would receive compensation for the difference (i.e. either payment or provision of community benefits) as a condition of approval ~~of an Official Plan or Zoning Amendment or plan of subdivision~~;
    - c. carry out a survey, shoreline protection, and complete construction of the Waterfront Trail above the *stable top of bank*;
    - d. dedicate free of charge to the *City*, the completed Waterfront Trail and associated land; and
    - e. dedicate free of charge to the *City*, any required links to adjacent public open space, roadways and other properties.
- j) The *City* will consider undertaking an *area-specific plan* for lands within the Old Lakeshore Road Precinct with respect to the review of existing height

and density permissions and conditions for *development* as stated within this Plan, as well as other matters as determined by the *City*. The *area-specific plan* shall undertake such a review in terms of achieving key city building objectives including, but not limited to, the following:

- (i) the creation of new public pedestrian connections and park spaces along the waterfront, including any potential linkages with adjacent *development* as well as areas designated Downtown Parks and Promenades within this Plan;
- (ii) the creation of a new view corridor from Martha Street at Lakeshore Road to Lake Ontario including the establishment of any potential associated pedestrian connections; and
- (iii) the undertaking of a detailed shoreline study to assess potential impacts on *development* potential within the precinct, to be undertaken in consultation with Conservation Halton.

### 8.1.1(3.11) DOWNTOWN CORE PRECINCT

~~The policies of the Downtown Core Precinct continue to be developed as part of the Downtown Area Specific Plan. Additional policies and/or objectives may be added to this section, subject to the outcome of the area specific plan process and incorporated as a part of this Plan and/or through a future amendment to this Plan.~~

The Downtown Core Precinct will serve as the pre-eminent destination for *office and major office* uses, post-secondary educational and other learning facilities and provide significant opportunities for residential uses within mixed-use *developments*. Retail and *service commercial* uses, including food stores, will be the predominant use at grade to serve the day-to-day needs of Downtown residents and employees. In addition, the precinct will be a focus for the provision of public use parking to support retail and *office* uses throughout the Downtown. *Development* will be in the form of *tall buildings* which are informed by historical *development* patterns and precedent within the precinct. *Development* will support and enhance the Downtown as a lively, vibrant and people-oriented place and support the Downtown's role as a *major transit station area* and *mobility hub* within the city and region.

#### 8.1.1(3.11.1) POLICIES

- a) The following uses *may* be permitted within the Downtown Core Precinct:
  - (i) *office* uses;

- (ii) residential uses with the exception of single detached dwellings, semi-detached dwellings and other forms of stand-alone *ground-oriented dwellings*;
  - (iii) retail and *service commercial* uses;
  - (iv) hotel uses;
  - (v) *entertainment* uses; and
  - (vi) *recreation* uses.
- b) *Development shall* contain a minimum of two permitted uses, as identified in Subsection 8.1.1(3.11.1) a) of this Plan and *should* contain three permitted uses, where feasible.
- c) *Development shall*:
- (i) have a maximum height of twelve (12) storeys; or
  - (ii) not exceed a maximum height of seventeen (17) storeys, subject to a site-specific Zoning By-Law Amendment, where additional floors provided above the twelfth (12<sup>th</sup>) storey are provided in accordance with the following:
    - a. one additional storey for every 150 sq. m. of dedicated *office* floor space; or
    - b. one additional storey for every eight (8) underground parking spaces dedicated for public use and which *shall* not be for the sole use of occupants or visitors of the *development*.

#### 8.1.1(3.11.2) SITE-SPECIFIC POLICIES

- a) **415 Elizabeth Street:** The property located at 415 Elizabeth Street, also referred to as ‘Village Square,’ ~~*shall*~~*should*, as part of any future *development*:
- (i) retain the existing façades located immediately adjacent to a public right-of-way;
  - (ii) ~~*designate*~~*retain* the *cultural heritage* resources at 415/417 Elizabeth Street, 423 Elizabeth Street and 416 Pearl Street, ~~*under The Ontario Heritage Act*~~; and
  - (iii) ~~*provide*~~*retain* an ~~*public*~~ open space element internal to the site which may be in the form of a Privately-Owned Publicly Accessible Space (POPS) and/or parkland dedication required under The Planning Act as part of a comprehensive *development* to the satisfaction of the City.



- b) **535, 559 and 601 Brant Street:** The properties located at 535, 559 and 601 Brant Street *shall*, as part of any future *development*, retain the planned function of the property as a *major retail* centre that serves the day-to-day needs of Downtown residents and employees which *shall* include:
- (i) retaining, at minimum, all *existing* retail and *service commercial* and *office* floor area; and
  - (ii) retaining a food store function.
- c) **374 and 380 Martha Street:** The properties located at 374 and 380 Martha Street, and identified in Appendix I of this Plan, *may* be the subject of a future site-specific amendment. The amendment *may* be incorporated at the time of approval of this Plan by the Region of Halton or as part of an Official Plan amendment associated with the implementation of an approved Downtown Area Specific Plan.

### 8.1.1(3.12) THE CANNERY PRECINCT

~~The policies of The Cannery Precinct continue to be developed as part of the Downtown Area Specific Plan. Additional policies and/or objectives may be added to this section, subject to the outcome of the area-specific plan process and incorporated as a part of this Plan and/or through a future amendment to this Plan.~~

The Cannery Precinct establishes a major landmark location within the Downtown. *Development* within the precinct will establish a height maximum for the Downtown, outside of the Upper Brant Precinct. *Development* will provide new public spaces befitting the significance of the area, ensure that public view corridors to the Brant Street Pier and Lake Ontario are maintained and enhanced, and achieve a high degree of architectural and urban design excellence.

#### 8.1.1(3.12.1) POLICIES

- a) The following uses *may* be permitted within the Cannery Precinct:
  - (i) residential uses with the exception of single detached dwellings, semi-detached dwellings and other forms of stand-alone *ground-oriented dwellings*;
  - (ii) *office* uses;
  - (iii) retail and *service commercial* uses;
  - (iv) hotel uses;
  - (v) *entertainment* uses; and
  - (vi) *recreation* uses.
- b) *Development shall* contain a minimum of two permitted uses, as identified in Subsection 8.1.1(3.12.1) a) of this Plan and should contain three permitted uses, where feasible.
- c) *Development shall* not exceed a height of twenty-two (22) storeys, subject to the provision of the following to the satisfaction of the *City*:
  - (i) the protection and enhancement of public views to the Brant Street Pier and/or Lake Ontario; and
  - (ii) the upper storeys of a building *shall* incorporate a variety of architectural elements to the building, including, but not limited to,

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step backs, material variations, lighting and other architectural elements.

### 8.1.1(3.13) UPPER BRANT PRECINCT

~~The policies of the Upper Brant Precinct continue to be developed as part of the Downtown Area Specific Plan. Additional policies and/or objectives may be added to this section, subject to the outcome of the area-specific plan process and incorporated as a part of this Plan and/or through a future amendment to this Plan.~~

The Upper Brant Precinct will accommodate *developments* with a variety of building heights proportional to parcel size along Brant Street between Prospect Street and Blairholm Avenue, with the tallest *developments* in the Downtown located north of Ghent Avenue. *Development* will generally achieve a height and density that reflects the precinct's walking distance to *higher-order transit* at the Burlington GO Station and contributes to the creation of a transit, pedestrian and cycling oriented area while also achieving *compatibility* with adjacent established residential areas.

#### 8.1.1(3.13.1) POLICIES

- a) The following uses *may* be permitted within the Upper Brant Precinct:
  - (i) residential uses with the exception of single detached dwellings, semi-detached dwellings and other forms of stand-alone *ground-oriented dwellings*;
  - (ii) *office* uses;
  - (iii) retail and *service commercial* uses;
  - (iv) hotel uses;
  - (v) *entertainment* uses; and
  - (vi) *recreation* uses.
- b) *Development shall* contain a minimum of two permitted uses, as identified in Subsection 8.1.1(3.13.1) a) of this Plan and should contain three permitted uses, where feasible.
- c) *Development shall* not exceed a height of twenty-five (25) storeys except in the following sectors where maximum height *shall* be limited to one (1) storey for every four and a half (4.5) m- of parcel depth ~~resulting in a maximum height of~~ or the following, whichever is less:
  - (i) eleven (11) storeys within Sector One (Area 'S1') as identified on Schedule D: Land Use – Downtown Urban Centre of this Plan;

- (ii) seven (7) storeys within Sector Two (~~A~~area 'S2') as identified on Schedule D: Land Use – Downtown Urban Centre of this Plan; and
  - (iii) seventeen (17) storeys within Sector Three (~~A~~area 'S3') as identified on Schedule D: Land Use – Downtown Urban Centre of this Plan.
- d) *Mid-rise and tall buildings shall* achieve a terraced built form with building height oriented toward Brant Street and away from areas designated Residential-Low Density on Schedule C: Land Use-Urban Area, of this Plan. Terracing *shall* be in accordance with a forty-five (45)-degree angular plane measured from a property line shared with a property designated Residential-Low Density on Schedule C: Land Use-Urban Area of this Plan.
- e) Within Sector Three (~~A~~area 'S3'), as identified on Schedule D: Land Use – Downtown Urban Centre of this Plan, *ground-oriented dwellings* with a maximum height in accordance with Subsection 8.1.1(3.132.1) d) of this Plan *shall* be provided adjacent to a property line shared with a property designated Residential Low-Density on 'Schedule C: Land Use – Urban Area' of this Plan.
- e)f) The City's implementing Zoning By-Law will establish a minimum rear yard setback requirement for *development* within Sector 2 (Area 'S2'), as identified on Schedule D: Land Use – Downtown Urban Centre of this Plan, which ensures a consistent and *compatible* separation distance is maintained between a *development* and the principal residential building located on an adjacent property designated Residential – Low Density on Schedule C: Land Use – Urban Area, of this Plan.

#### 8.1.1(3.14) DOWNTOWN URBAN DESIGN

~~The Downtown Urban Design policies are currently under review through the Downtown Area Specific Plan. Additional policies and/or objectives may be added to this section, subject to the outcome of the area-specific plan process and incorporated as a part of this Plan and/or through a future amendment to this Plan.~~

- a) All buildings within the Downtown Urban Centre, with the exception of *low-rise buildings*, and properties located within the Brant Main Street Precinct or Downtown Mid-Rise Residential Special Planning Area, *shall* incorporate a *podium* element as part of a building's overall built form that:
  - (i) is equal in height to the width of the public right-of-way immediately adjacent to the façade. Where more than one public right-of-way is immediately adjacent to a building façade, the *podium* may be a

- consistent height equal to any of the public rights-of-way present;  
and
- (ii) provides a minimum building setback from the remaining portions of a building above the *podium* element of three (3) m.
  - b) *Tall buildings* ~~shall~~should provide a minimum separation distance of thirty (30) m- from another *tall building*, measured above the *podium* and excluding balconies.
  - c) *Tall buildings* ~~shall~~should not exceed a maximum floor plate of 750 sq. m. above the *podium*, excluding balconies.
  - d) Mechanical penthouses *shall* be screened and incorporated into the overall design of a building.
  - e) Development along Lakeshore Road and Old Lakeshore Road shall be terraced in a manner to preserve and frame public view corridors to Lake Ontario and Burlington Bay, to the satisfaction of the City.
  - f) Development shall incorporate measures to mitigate impacts with respect to building overlook and privacy where the site is adjacent to a property located within an area designated Residential – Low Density or within the St. Luke’s and Emerald Neighbourhood Precinct, as identified on Schedule C: Land Use – Urban Area or Schedule D: Land Use – Downtown Urban Centre of this Plan, respectively.

**8.1.1(3.15) DOWNTOWN WATERCOURSE**

~~The Downtown Watercourse policies are currently under review through the Downtown Area Specific Plan. Additional policies and/or objectives may be added to this section, subject to the outcome of the area-specific plan process and incorporated as a part of this Plan and/or through a future amendment to this Plan.~~

- a) The following uses *may* be permitted in areas identified as- Downtown Watercourse on Schedule D: Land Use-Downtown Urban Centre, of this Plan:
  - (i) *non-intensive recreation uses* including pedestrian and/or cycling trails or promenades;
  - (ii) *essential linear infrastructure*; and
  - (iii) *essential watershed management and flood control projects* carried out or supervised by a *public authority*.

- b) The Downtown Watercourse designation *shall* be designated as part of the City's Natural Heritage System in accordance with the outcomes of the Downtown Area-Specific Plan.
- c) The precise limits of the Downtown Watercourse designation *shall* be determined by the City, in consultation with Conservation Halton, at the time of a *development application* and/or through the Downtown Area-Specific Plan.
- d) All lands within the Downtown Watercourse designation are subject to the policies of Subsection 4.4.2(3), Natural Hazards and Watercourses, and where applicable, Section 4.2, Natural Heritage System, of this Plan.

#### 8.1.1(3.16) DOWNTOWN WATERFRONT

~~The Downtown Waterfront policies are currently under review through the Downtown Area-Specific Plan. Additional policies and/or objectives may be added to this section, subject to the outcome of the area-specific plan process and incorporated as a part of this Plan and/or through a future amendment to this Plan.~~

- a) A continuous waterfront promenade *shall* be developed along the entire Lake Ontario frontage within the Downtown Urban Centre. The promenade *may* be achieved in conjunction with the necessary shoreline protection.
- b) Public access *shall* be provided to the Lake Ontario waterfront within the Downtown Urban Centre, where feasible.
- c) Within the Downtown Urban Centre, public view corridors to the waterfront *shall* be provided, where feasible.
- d) All lands adjacent to the Lake Ontario Waterfront *shall* be subject to the policies of Section 4.5, Waterfront, of this Plan.

#### 8.1.1(3.17) DOWNTOWN TRANSPORTATION, TRANSIT AND PARKING

~~The Downtown Transportation, Transit and Parking policies are currently under review through the Downtown Area-Specific Plan. Additional policies and/or objectives may be added to this section, subject to the outcome of the area-specific plan process and incorporated as a part of this Plan and/or through a future amendment to this Plan.~~

- a) Policies to support the achievement of a twenty-eight (28) percent modal split target within the Downtown Urban Centre *shall* be established through the Downtown Area-Specific Plan.
- b) The City will explore opportunities for public-private partnerships to expand the supply of public parking in the Downtown within existing or proposed developments.
- c) The City will identify the Brant Street public right-of-way between Caroline and Pine Streets as the preferred location for a *flex street*, including through future plans and programs of City departments.
- d) A publicly accessible pedestrian connection between Brant Street and John Street *shall* be established and located in general alignment with the terminus of Ontario Street at Brant Street. The pedestrian connection *may* be provided in the form of a Privately Owned Publicly Accessible Space (POPS) and/or as part of a parkland dedication required under The Planning Act in conjunction with a comprehensive *development*.

#### 8.1.1(3.18) DOWNTOWN CULTURAL HERITAGE RESOURCES

~~The Downtown Cultural Heritage Resources policies are currently under review through the Downtown Area-Specific Plan. Additional policies and/or objectives may be added to this section, subject to the outcome of the area-specific plan process and incorporated as a part of this Plan and/or through a future amendment to this Plan.~~

- a) The transfer of additional *intensity* to a *development* equal in gross floor area to that of a *cultural heritage resource* *may* be permitted in the Downtown, with the exception of the Bates and St. Luke's and Emerald Neighbourhood precincts, provided that:
  - (i) the *cultural heritage resource* is listed on the City's Municipal Heritage Register and/or designated under The Ontario Heritage Act;
  - (ii) the *cultural heritage resource* is retained as part of the *development*;
  - (iii) the *cultural heritage resource* is located on the same site as the *development* receiving the transfer; and
  - (iv) a heritage conservation easement is granted for the *cultural heritage resource* in favour of the City by the property owner and ultimately designated pursuant to Part IV of The Ontario Heritage Act.



### 8.1.1(4) UPTOWN URBAN CENTRE

The Uptown Urban Centre will continue to develop as a unique and identifiable secondary Urban Centre to the Downtown, anchored at the intersection of Appleby Line and Upper Middle Road. The centre is an important destination for a wide variety of *employment*, shopping, leisure and residential opportunities in north-east Burlington.

Uptown will be characterized by *development* in a *compact built form*, which incorporates a high level of urban design and which contributes to the centre's *development* as a pedestrian and transit-oriented community.

The centre will also be characterized by a mix of land uses both within individual *developments* and the centre as a whole, which are complementary to each other and which *shall* support the continued *development* of the centre into a complete urban centre.

Uptown will also have *development intensities* which are generally higher than the surrounding communities. The highest *intensity development* shall be located in proximity to the intersection at Appleby Line and Upper Middle Road. Additional corridors of *intensity* will be located immediately along the following corridors: Appleby Line; Upper Middle Road; and Corporate Drive east of Appleby Line.

The Uptown Urban Centre will be developed through multiple phases of *development* over time. Initial phases of *development* may have occurred at *intensities* which are less than the maximums permitted and may not be representative of future *development* objectives for the centre.

#### 8.1.1(4.1) GENERAL OBJECTIVES

- a) To establish Uptown as an Urban Centre composed of retail and *service commercial, employment*, residential and *public service facility* uses providing a focus for north-east Burlington.
- b) To maintain the existing supply of *employment* lands and expand opportunities for higher *intensity office development* on those lands.
- c) To provide a range of commercial uses in a *compact built form* to serve the general needs of the Uptown Urban Centre residents, as well as specialized functions for the broader north-east Burlington community.
- d) To provide a range of housing types to accommodate a diverse population.
- e) To establish a height peak in built form at the intersection of Appleby Line and Upper Middle Road with other buildings terracing back from the intersection.

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- f) To establish a variety of social, *cultural* and *entertainment* uses which ensure that the Uptown Urban Centre is an active and engaging area during and after traditional business hours.
- g) To ensure that *development* results in the *intensification* of surface parking lots and under-utilized lands and buildings and the creation of a [diverse neighbourhood with a](#) fine grain road network and open spaces throughout the Urban Centre.
- h) To foster interconnectedness of land uses across the transportation network of Appleby Line and Upper Middle Road, through the creation of neighbourhood blocks and the provision of *complete streets*.
- i) To create a definable and pedestrian-oriented *streetscape* characterized by active uses at grade and a high quality of urban design on both private and public lands.
- j) To ensure that *development* caters to the pedestrian by creating active and engaging spaces at grade.
- k) To ensure that the design of parks and other open spaces recognize the urban character of the area and accommodate a wide range of passive and active public recreational amenities which fulfill the needs of a diverse population.
- l) To recognize and promote opportunities for the *utility* corridor, located parallel to Upper Middle Road, to serve as a functional public *non-intensive recreational* amenity and a primary linkage between the Uptown Urban Centre and surrounding neighbourhoods.
- m) To provide a *multi-modal*, efficient and safe transportation system which accommodates the movement of people and goods within and through the Uptown Urban Centre by various *modes*, including walking, cycling, transit and automobile.
- n) To ensure that the Uptown Urban Centre is a [focus for the provision of focal point for](#) transit in north-east Burlington by providing access to *frequent transit corridors* and connections to surrounding neighbourhoods, the Downtown, and other important key destinations including regional transit connectors.
- o) To ensure that parking requirements for all uses are shared where possible and based on the communal needs of the Uptown Urban Centre as a whole.

### 8.1.1(4.2) GENERAL POLICIES

- a) The subdivision of large parcels is *encouraged*, where such proposals *shall* create opportunities for *intensification* and the provision of new public rights-of-way, where appropriate.
- b) Common design elements, such as, but not limited to, streetlights, *street* signs and banners, *shall* be established within the public rights-of-way within the Uptown Urban Centre in order to establish a unique neighbourhood identity.
- c) Notwithstanding the general objectives and policies established for the Uptown Urban Centre, commercial *development* in the form of minor expansions and renovations to existing buildings, new small buildings and/or minor building replacements that are consistent with the existing *scale* and built form *may* be permitted, provided the proponent demonstrate how the *development* contributes to achieving a vibrant, active and walkable built environment and does not compromise the long-term *development* of the site.

#### 8.1.1(4.3) SITE-SPECIFIC POLICIES

- a) **2000, 2010, 2020, 2030, 2036, 2040, 2050, 2060, 2070, and 2080 Appleby Line:** Future development of the lands bounded by Appleby Line, Upper Middle Road and the rail line *shall* be considered comprehensively. The comprehensive *development* of the site *shall*:
  - (i) achieve a minimum building height of two (2) storeys;
  - (ii) consider the incorporation of a pedestrian connection the continuation of a public right of way from Dryden Avenue to the site, and the *development* of a pedestrian overpass over the rail line in accordance with Schedule Q: Trails Strategy, of this Plan;
  - (iii) submit and implement, to the satisfaction of the *City*, a phasing strategy that demonstrates that the *development* does not adversely impact the long-term provision of goods and services as the site transitions to its complete stage of *development*; and
  - (iv) achieve a significant reduction of parking at grade when *tall buildings* are proposed.
- b) **1309 Appleby Line:** Future *development* of the block located at the north-east corner of Appleby Line and Mainway, identified as 1309 Appleby Line, *shall* be considered comprehensively and *shall* require the proponent to submit and implement an *urban design brief* in accordance with the policies of Subsection 7.1.2 e) of this Plan.

~~8.1.1(4.4) THE COMPREHENSIVE DEVELOPMENT OF THE SITE SHALL CONSIDER:~~

~~8.1.1(4.5) THE CITY'S NATURAL HERITAGE SYSTEM;~~

~~8.1.1(4.6) MEANS OF MANAGING THE INTERFACE OF THE EMPLOYMENT AND EXISTING AND PLANNED RESIDENTIAL USES INCLUDING THE ESTABLISHMENT OF SETBACKS, BUFFERS AND LANDSCAPING AND OTHER MEASURES; AND~~

~~8.1.1(4.7) ACTIVE TRANSPORTATION AND CIRCULATION.~~

~~8.1.1(4.8)~~ 8.1.1(4.4) UPTOWN CORE DESIGNATION

~~8.1.1(4.8.1)~~ 8.1.1(4.4.1) OBJECTIVES

- a) To accommodate the highest *intensity* mixed use *development* and tallest buildings in a *compact built form*, in close proximity to the primary intersection at Appleby Line and Upper Middle Road.
- b) To provide opportunities for a range of retail and *service commercial* uses, and *public service facilities* in locations that meet residents' goods and service needs.
- c) To protect the planned commercial function in Uptown Core lands.
- d) To *encourage* new *development* to be in a more *compact built form*.
- e) To *encourage* the *development* of surface parking lots and the *intensification* of under-utilized lands and buildings into *complete communities*.
- f) To ensure that *development* of Uptown Core lands contributes to more walkable communities by providing an accessible and attractive pedestrian environment, with appropriate internal links, such as sidewalks and greenways, and connections to adjacent residential neighbourhoods.

~~8.1.1(4.8.2)~~ 8.1.1(4.4.2) POLICIES

- a) The following uses *may* be permitted on lands designated Uptown Core:
  - (i) residential uses with the exception of single-detached and semi-detached dwellings;
  - (ii) retail and *service commercial* uses;
  - (iii) *office* uses;
  - (iv) *entertainment* uses;
  - (v) hotel uses; and
  - (vi) *recreation* uses.

- b) Uses which *may* be permitted at-grade within a building *shall* be limited to the following:
  - (i) retail and *service commercial* uses;
  - (ii) a limited amount of *office* uses;
  - (iii) hotel uses;
  - (iv) *entertainment* uses; and
  - (v) live/work residences.
- c) Other forms of *ground-oriented dwellings* may be permitted, provided that the *ground-oriented* residential portion of the *development*:
  - (i) abuts new streets;
  - (ii) is developed in conjunction with, and is part of, a multi-storey mixed use *development*; and
  - (iii) does not compromise the objectives of the Uptown Core designation.
- d) A maximum *floor area ratio* of *development* of 3.5:1 is an appropriate built form in Uptown Core 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 Uptown Core designation are maintained.
- e) The City will *encourage* a minimum building height of two (2) storeys and the maximum building height *shall* not exceed twenty (20) storeys.
- e)f) Any proposed *development* of sites designated Uptown Core *shall* retain the planned commercial function of the site, in accordance with the objectives of Subsections 8.1.1(4.4.1) b) and ce), of this Plan, to the satisfaction of the City.
- f)g) 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 Uptown Core areas.

#### 8.1.1(4.9)8.1.1(4.5) UPTOWN CORRIDOR DESIGNATION

#### 8.1.1(4.9.1)8.1.1(4.5.1) OBJECTIVES

- a) To accommodate moderate *intensity* mixed use *development* which is located adjacent to major transportation corridors within the Uptown Corridor.

- b) To ensure *development* along the Uptown Corridor designation provides a safe, accessible and attractive pedestrian environment.

~~8.1.1(4.9.2)~~ **8.1.1(4.5.2) POLICIES**

- a) The following uses *may* be permitted on lands designated Uptown Corridor:
  - (i) residential uses on lands located east of Appleby Line and north of Upper Middle Road only, with the exception of single and semi-detached dwellings;
  - (ii) retail and *service commercial* uses;
  - (iii) *office* uses;
  - (iv) *entertainment* uses;
  - (v) hotel uses; and
  - (vi) *recreation* uses.
- b) Uses which *may* be permitted at grade within a building *shall* be limited to the following:
  - (i) retail and *service commercial* uses;
  - (ii) a limited amount of *office* uses;
  - (iii) hotel uses;
  - (iv) *entertainment* uses; and/or
  - (v) live/work residences.
- c) A maximum *floor area ratio* of *development* of 2.5:1 is [an](#) appropriate built form in Uptown 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 Uptown Corridor designation are maintained.
- d) The *City* will *encourage* a minimum building height of two (2) storeys and the maximum building height *shall* not exceed eleven (11) storeys.
- 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 Uptown Corridor areas.
- f) *Development* *should* be designed in a manner which allows for a continuous block face to be established across multiple *developments* and/or sites when located adjacent to a public right-of-way.

- g) Surface parking areas *shall* not be located *between* a building and a public right-of-way.

~~8.1.1(4.9.3)~~ 8.1.1(4.5.3) **SITE-SPECIFIC POLICY**

- a) **1830 Ironstone Drive:** In addition to the uses permitted in Subsections 8.1.1(4.5.2) a) and b) of this Plan, on the property described as 1830 Ironstone Drive, the retail sales of building and construction materials ~~may be~~ be permitted in one freestanding building with a maximum floor area of twelve thousand (12,000) sq. m. ~~Sensitive land uses including residential shall be prohibited.~~

~~8.1.1(4.10)~~ 8.1.1(4.6) **UPTOWN LOCAL CORRIDOR DESIGNATION**

~~8.1.1(4.10.1)~~ 8.1.1(4.6.1) **OBJECTIVES**

- a) To accommodate lower *intensity* residential *development*, which *may* include small-scale commercial uses at grade that support the daily needs of the immediate neighbourhood. Lands designated Uptown Local Corridor *shall* be located along Corporate Drive within the Uptown Urban Centre.
- b) To ensure *development* along Urban Local Corridor lands provides a safe, accessible and attractive pedestrian environment.

~~8.1.1(4.10.2)~~ 8.1.1(4.6.2) **POLICIES**

- a) The following uses *may* be permitted on lands designated Uptown Local Corridor:
  - (i) residential uses, with the exception of single-detached dwellings;
  - (ii) retail and *service commercial* uses; and
  - (iii) *office* uses.
- b) *Office*, retail and *service commercial* uses *may* be permitted, provided that:
  - (i) the use is located at grade; and
  - (ii) the use is located within a building containing residential uses above the first storey.
- c) A maximum *floor area ratio* of *development* of 1.0:1 is an appropriate built form in Uptown Local 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 Uptown Local Corridor designation are maintained.

- d) The minimum building height *shall* be two (2) storeys and the maximum building height *shall* not exceed four (4) storeys.
- 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 Uptown Local Corridor areas.
- f) *Development* should be designed in a manner which allows for a continuous block face to be established across multiple *developments* and/or sites.
- g) Surface parking areas *shall* not be located between a building and a public right-of-way.

~~8.1.1(4.11)~~**8.1.1(4.7) UPTOWN RESIDENTIAL - MEDIUM DENSITY DESIGNATION**

~~8.1.1(4.11.1)~~**8.1.1(4.7.1) OBJECTIVE**

- a) To preserve the existing established, lower *intensity* residential neighbourhood area located east of Appleby Line.

~~8.1.1(4.11.2)~~**8.1.1(4.7.2) POLICIES**

- a) The policies contained in Subsection 8.3.4, Subsections 8.3.7 through 8.3.10, and Subsection 8.7.2 of this Plan, *shall* apply to lands designated Uptown Residential-Medium Density.
- b) Notwithstanding Subsection 8.1.1(4.7.2) a) of this Plan, single-detached *dwelling*s *shall* not be permitted on lands designated Uptown Residential-Medium Density.

~~8.1.1(4.11.3)~~**8.1.1(4.7.3) SITE-SPECIFIC POLICY**

- a) **1309 Appleby Line:** Notwithstanding the policies of Subsection 8.1.1(4.7.2) of this Plan, on the lands designated Uptown Residential-Medium Density on the west side of Lampman Avenue, south of Corporate Drive, currently identified as 1309 Appleby Line, only stacked townhouses and back-to-back townhouses *shall* be permitted. *Development* of the site *shall* be undertaken consistent with the provisions of Subsection 8.1.1(4.3) b) of this Plan.

~~8.1.1(4.12)~~**8.1.1(4.8) UPTOWN BUSINESS CORRIDOR- EMPLOYMENT LANDS DESIGNATION**

~~8.1.1(4.12.1)~~**8.1.1(4.8.1) OBJECTIVES**

- a) To accommodate mixed use *development* in a *compact built form* along major corridors, where the primary intent of the *development* is to



accommodate *employment uses* which are *compatible* with adjacent *sensitive land uses*.

- b) To accommodate, subject to meeting criteria, a wide range of small-scale retail and *service commercial at grade*, which are intended to serve employees located within the same building and the immediate area.

~~8.1.1(4.12.2)~~ 8.1.1(4.8.2) **POLICIES**

- a) The following uses *may* be permitted on lands designated Uptown Business Corridor-Employment Lands:
  - (i) *office* uses, including research, development and information processing uses;
  - (ii) light assembly and manufacturing uses compatible with abutting residential uses in buildings containing other permitted uses;
  - (iii) hotel, conference and convention uses;
  - (iv) *entertainment uses*;
  - (v) *recreational uses*; and
  - (vi) *accessory* retail and *service commercial* uses, excluding *automotive commercial uses*.
- b) Limited display and/or retail sale of products manufactured, processed, fabricated, assembled or warehoused on-site, and located in the same premises as the primary use, *may* be permitted as follows:
  - (i) the proportion of the area of a building devoted to the display and/or sale of products *shall* be limited in the Zoning By-law, so that the space is *accessory* and clearly subordinate to the primary use of the building.
- c) *Accessory* retail and *service commercial* uses *may* only be permitted provided that:
  - (i) the use is located at grade level; and
  - (ii) the use is located within a building containing or proposed to contain *employment* uses above the first storey.
- d) *Major ~~r~~Retail* and residential uses are prohibited.
- e) *Institutional* uses and *public service facilities* may be permitted~~considered~~, subject to the policies of Subsection 3.2.2 of this Plan.
- f) A maximum *floor area ratio* of *development* of 2.0:1 is an appropriate built form in Uptown Business Corridor-Employment Lands. An increase to this

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*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 Uptown Business Corridor-Employment designation are maintained.

- g) The *City* will *encourage* a minimum building height of two (2) storeys and the maximum building height *shall* not exceed eight (8) storeys.
- h) Surface parking areas *shall* not be located between a building and a public right-of-way.

~~8.1.1(4.13)~~8.1.1(4.9) **UPTOWN BUSINESS-EMPLOYMENT LANDS DESIGNATION**

~~8.1.1(4.13.1)~~8.1.1(4.9.1) **OBJECTIVE**

- a) To preserve the *employment lands* west of Appleby Line and provide for a broad range of *employment* and *office* uses which are generally *compatible* with *sensitive land uses* located in close proximity.

~~8.1.1(4.13.2)~~8.1.1(4.9.2) **POLICIES**

- a) The following uses *may* be permitted on lands designated Uptown Business:
  - (i) *office* uses, including research, development and information processing uses; and
  - (ii) *industrial* uses that involve assembling, fabricating, manufacturing, processing, warehousing and distribution uses, communications, *utilities* and transportation uses, and service trades, provided these uses are located within an enclosed building and are unlikely to cause *adverse effects* related to noise, vibration, odours or dust.
- b) Limited display and/or retail sale of products manufactured, processed, fabricated, assembled or warehoused on-site, and located in the same premises as the primary use, *may* be permitted as follows:
  - (i) the proportion of the area of a building devoted to the display and/or sale of products *shall* be limited in the Zoning By-law, so that the space is *accessory* and clearly subordinate to the primary use of the building.
- c) *Major ~~r~~Retail* and residential uses are prohibited.
- d) *Institutional uses* and *public service facilities* may be permitted~~,considered~~ subject to the policies of Subsection 3.2.2 of this Plan.
- e) A maximum *floor area ratio of development* of 1.0:1 for *industrial* uses and a maximum *floor area ratio of development* of 1.5:1 for *office* uses are regarded as an appropriate built form in Uptown Business-Employment lands. An increase to these *floor area ratios* *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 Uptown Business Employment lands designation are maintained.
- f) The maximum building height *shall* not exceed four (4) storeys, except for *office* uses, where the maximum building height *shall* not exceed six (6) storeys.

~~8.1.1(4.14)~~**8.1.1(4.10) NATURAL HERITAGE SYSTEM DESIGNATION**

- a) The objectives and policies for the *City's* Natural Heritage System within the Uptown Urban Centre are found in Section 4.2, Natural Heritage System, and Subsection 8.4.1, City's Natural Heritage System, of this Plan.

~~8.1.1(4.15)~~**8.1.1(4.11) UPTOWN MAJOR PARKS AND OPEN SPACE DESIGNATION**

- a) The objectives and policies for this designation are found in Section 3.3, Parks, Recreation and Open Space, and Subsection 8.4.2, Major Parks and Open Space, of this Plan.
- b) Amenities will be *encouraged* within the *utility* corridor which serve the recreation needs of the Uptown Urban Centre residents and which are generally *compatible* with the lands' primary purpose as a *utility* corridor. Amenities *may* include, but are not limited to, *community gardens*, pedestrian and bike pathways and/or off-leash dog parks.
- c) Notwithstanding the policies of Section 6.3, Utilities, of this Plan, surface parking areas *shall* not be permitted within a *utility* corridor.
- d) Parks and open spaces *shall* provide linkages with the surrounding *neighbourhoods* in a manner that promotes efficient pedestrian and/or cycling access to and from the Uptown Urban Centre.

~~8.1.1(4.16)~~**8.1.1(4.12) TRANSPORTATION**

- a) The *City* will work collaboratively with the Region of Halton to ensure that Appleby Line and Upper Middle Road are designed in a manner which balances the traffic demands of these roadways with the need to accommodate *multi-modal* transportation, the elements of a *complete street*, and to facilitate the interconnectedness of land uses in the Uptown Urban Centre. As such, the *City* will *encourage* the Region of Halton to incorporate the following into any future plans for those portions of Appleby Line and Upper Middle Road which are located within the Uptown Urban Centre:
  - (i) avoiding road widening for the sole purpose of increasing capacity for single occupant automobiles;
  - (ii) incorporating reduced lane widths compared to standard Regional guidelines to reflect the surrounding urban, pedestrian oriented context of the area;
  - (iii) maintaining and expanding existing landscaped medians;

- (iv) introducing *transit priority measures* including, but not limited to, reserved lanes for buses or other *higher-order transit* and/or traffic signal priority at intersections;
  - (v) wider pedestrian sidewalks;
  - (vi) dedicated cycling facilities; and
  - (vii) pedestrian-oriented street furniture, including sitting areas and transit shelters.
- b) The Uptown Urban Centre Neighbourhood Connectors consisting of Heron Way, Ironstone Drive, and Imperial Way from Upper Middle Road to Ironstone Drive, as indicated on Schedule O-4, Classification of Transportation Facilities-Uptown Urban Centre, *shall*:
  - (i) provide an optional route of travel through the primary intersection of Appleby Line and Upper Middle Road for automobiles and transit;
  - (ii) provide direct connections for pedestrians and cyclists between the four quadrants of the Uptown Urban Centre;
  - (iii) make provision for on-street parking and lay-bys for visitors and shoppers in the Uptown Urban Centre; and
  - (iv) consist of reduced lane widths to decrease *scale* and promote a pedestrian and retail-oriented street.
- c) On-street parking *may* be permitted on any street in the Uptown Urban Centre.
- d) Sidewalks *shall* be provided on both sides of all streets and oriented in a manner to maximize efficient and safe travel for all pedestrians.
- e) Segregation of cycling lanes from the main roadway throughout the Uptown Urban Centre will be *encouraged*, where feasible, and *may* include cycle tracks or off-road pathways.
- f) New public rights-of-way established through the subdivision of large parcels *shall* be designed in a manner which provides for safe and efficient pedestrian and transit connections within the Uptown Urban Centre.
- f)g) Opportunities to connect new development with existing neighbourhoods and public service facilities, including parks shall be a priority, including proposed Trails and Critical On-Road Connections as identified on Schedule Q: Trails Strategy.

## 8.1.2 MOBILITY HUBS

*Mobility hubs* are an important component of the city's Urban Structure, Growth Framework and transportation network. Located in key areas served by the regional and local transit networks, *mobility hubs* are focal points for higher *intensity* and mixed use *development* that will accommodate a significant share of the city's future population and employment growth to 2031 and beyond.

The policies within this section of the Plan are applied to *Mobility Hubs* shown on Schedule D: Downtown Urban Centre, Schedule F: Burlington GO-Mobility Hub, Schedule G: Aldershot Mobility Hub, and Schedule H: Appleby Mobility Hub, of this Plan. The objectives and policies in this section have been informed by the City's Mobility Hubs Opportunities and Constraints Study (2014) and are intended to supplement other applicable objectives and policies of this Plan.

The policies in this section do not provide land use designations; rather this section will serve a transitional role to guide new *development applications* which precede the development of *area-specific plans* in each hub. Upon the completion of an *area-specific plan*, all new objectives, policies and land use designations pertaining to individual *mobility hubs* will be found in this section, with the exception of those for the Downtown Mobility Hub, which ~~will are be~~ found in Subsection 8.1.1(3) of this Plan.

### 8.1.2(1) OBJECTIVES

- a) To develop *area-specific plans* for each of Burlington's *mobility hubs*.
- b) To develop the *mobility hubs* into compact, pedestrian, environmentally *sustainable* and *transit-supportive* places each with a distinct character.
- c) To promote *intensification* in order to achieve transit-supportive residential and *employment* density targets.
- d) To establish the *mobility hubs* as areas largely characterized by mixed use *development* that will strengthen the shop/live/work relationship and facilitate vibrancy day and night within the *mobility hubs*.
- e) To provide a network of *complete streets* which provide for the efficient, accessible and safe movement of people and goods and which prioritize pedestrian, bicycle and transit activities.
- f) To develop *mobility hubs* into effective *multi-modal* transit station areas that provide seamless connections between different *modes* of transportation, including *frequent transit corridors*.
- g) To ensure *mobility hubs* have strong and integrated *multi-modal* connections with adjacent areas.

- h) To prioritize the *development* of surface parking lots and the *intensification* of underutilized lands and buildings.
- i) To maintain existing and *encourage* new *employment* functions and uses which are *compatible* with other uses and serve to make *mobility hubs* an *employment* destination within the city.
- j) To provide low-rise, *mid-rise* and *tall building* forms, where appropriate, that support a variety of demographics in *mobility hubs*.
- k) To provide opportunities for a range of small and medium-scale retail and *service commercial* uses that serve the needs of residents and employees in the *mobility hub*.
- l) To encourage the accommodation of a diverse range of household sizes and incomes in *mobility hubs*.
- m) To ensure the provision of a range of open spaces and connections.
- n) To ensure that there is an appropriate transition in *scale*, *intensity*, height, *massing* and spacing of *development* in *mobility hubs*.
- o) To enhance the existing *physical character* of Established Neighbourhood Areas, as identified on Schedule B-1: Growth Framework, of this Plan, within Mobility-mobility Hubshubs.
- p) To achieve design excellence ~~in-in~~ mobility hubs-hubs that will *encourage* long-term investment and the creation of high quality and *sustainable* built forms ~~in-in the the public-public~~ and ~~private-private~~ realm.
- q) To prioritize and implement innovative *sustainable* energy, water, landscape and waste management practices.
- r) To target carbon neutrality in *mobility hubs* through the use of district energy, *sustainable* building measures and other innovative approaches.
- s) To plan for and provide *public service facilities* that support future population and job growth.

#### 8.1.2(2) DEVELOPMENT APPLICATIONS PRECEDING AN AREA-SPECIFIC PLAN

- a) For the Downtown Mobility Hub, as identified on Schedule D: Downtown Urban Centre, of this Plan, the objectives and policies of Urban Centres contained in Subsection 8.1.1 of this Plan, the Downtown ~~Urban Centre~~ contained in Subsection 8.1.1(3) of this Plan, Mobility Hubs contained in this Subsection 8.1.2 of this Plan, and any other applicable policies of this Plan, *shall* apply.

- b) For the Burlington, Aldershot and Appleby Mobility Hubs, as identified on Schedule F: Burlington Mobility Hub; Schedule G: Aldershot Mobility Hub; and Schedule H: Appleby Mobility Hub, of this Plan, the applicable objectives and policies for the underlying land use designations on Schedule C: Land Use-Urban Area, the objectives and policies for ~~Mobility mobility Hubs-hubs~~ in ~~this~~ Subsection 8.1.2 of this Plan, and any other applicable policies of this Plan, *shall* apply.
- c) Applications for Official Plan Amendments, Zoning By-law Amendments and site plan approvals within *mobility hubs* preceding the completion of an *area-specific plan* shall have regard for Provincial guidelines for *mobility hubs* and transit, and *shall* implement Regional and Provincial *major transit station area* policies. In addition, applications for Official Plan Amendments, Zoning By-law Amendments and site plan approvals within the Burlington, Aldershot and Appleby Mobility Hubs, *shall* have regard for the Mobility Hub Opportunities and Constraints Study (2014).
- d) Multi unit residential *developments* in *mobility hubs* *should* incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes.
- e) All *development* proposals requiring a Transportation Impact Study *shall* address all *modes* of transportation, giving priority to *active transportation* and transit considerations, including *frequent transit corridors*.
- f) *Transportation demand management (TDM)* measures *shall* be addressed, and form part of the City's evaluation of opportunities for reduced parking standards in ~~all existing and~~ proposed *development* within *mobility hubs*, subject to the policies of Subsection 6.2.10, Transportation Demand Management, of this Plan.
- g) Applications for Official Plan Amendments, Zoning By-law Amendments and site plan approvals within ~~Mobility mobility Hubs-hubs shall~~ submit and implement, to the satisfaction of the City, an *urban design brief* prepared by a *qualified person*. The ~~brief-brief~~ *shall* demonstrate how the proposed *development* contributes towards achieving ~~mobility hub-hub~~ objectives for design and how the *development* is consistent with the policies contained in Chapter 7: Design Excellence, of this Plan, and any applicable *design guidelines*.
- h) All *development* within *mobility hubs* *shall* consider opportunities to provide improved walking and cycling connections.
- i) Established Neighbourhood Areas within ~~Mobility mobility Hubs-hubs~~ are subject to the policies contained in Subsection 2.4.2(3) of this Plan.



- ii) Development within mobility hubs preceding the completion of an area-specific plan shall be subject to the applicable policies of Subsection 7.3.2 of this Plan.

### 8.1.3 MIXED USE NODES AND INTENSIFICATION CORRIDORS

The lands identified as Mixed Use Nodes and *Intensification Corridors*, on Schedule C: Land Use – Urban Area, of this Plan, ~~will~~ provide locations where mixed commercial, residential and *employment* uses will be developed and integrated in a *compact built form* and at greater *development intensities*, encouraging the efficient use of physical resources and municipal *infrastructure*.

Mixed Use Nodes ~~will be~~ organized into four land use designations: Mixed Use Commercial Centre, Neighbourhood Centre, Local Centre, and Employment Commercial Centre, ~~Urban Corridor and Urban Corridor Employment Lands~~. *Intensification Corridors* ~~will be~~ organized into two land use designations: Urban Corridor and Urban Corridor-Employment Lands. This organization is based on spatial distribution, the planned commercial function, the mix-range of uses permitted, and the *scale* and *intensity* of the *development* allowed, ~~the design standards that will apply and the potential unacceptable adverse impacts of these uses on adjacent uses~~.

Permitted uses within Mixed Use Nodes and *Intensification Corridors* range from the broadest most diverse range to more focused and *employment*-oriented in nature.

Mixed Use Nodes and *Intensification Corridors* will be pedestrian-oriented and highly accessible by public transit and will foster community interaction by providing opportunities for *public service facilities* and open spaces.

The *City* will ensure that the *development* of Mixed Use Nodes and *Intensification Corridors* lands is *compatible* with adjacent uses, mainly residential. The design and *development* of these lands will create and maintain a special community identity and locations for a variety of city-wide, community and neighbourhood functions, generally within *mid-rise* and *tall building* forms, as described by the applicable land use designations.

#### 8.1.3(1) GENERAL OBJECTIVES

- a) To provide locations in the city that will serve as areas for more intensive integration of uses such as retail, *service commercial*, *offices*, *institutional* and *entertainment uses* with residential uses, *public service facilities*, *cultural facilities*, *institutional uses* and open space.
- b) To establish for each element of the Mixed Use Nodes and *Intensification Corridors* the appropriate range of uses, *scales* of *development* and levels of *intensity*.
- c) To provide amenities and services closer to where people live, with the objective of creating *complete communities*.

- d) To ensure Mixed Use Nodes and *Intensification Corridors* are developed in a *compact built form*, are pedestrian-oriented and highly accessible by public transit.
- e) To ensure the proper integration of Mixed Use Nodes and *Intensification Corridors* with surrounding Established Neighbourhoods Areas, protecting the physical character of these neighbourhoods.
- f) To ensure that *development* in Mixed Use Nodes and *Intensification Corridors* is *compatible* with the surrounding area.
- g) To promote an innovative and *sustainable* built environment that uses resources-infrastructure and public service facilities efficiently and *encourages* a high quality of life.
- h) To encourage the accommodation of a diverse range of household sizes and incomes in Mixed Use Nodes and *Intensification Corridors*. To ensure that *development of Mixed Use Nodes and Intensification Corridors* is offset by a range of open space areas in a manner that is appropriate to the local context.
- i) To *encourage* the use of public transit, pedestrian and bicycle travel as an alternative to the automobile and to maximize personal safety.
- j) To direct the phasing and/or expansion of municipal *infrastructure* and services to ensure the timely and orderly *development* of Mixed Use Nodes and *Intensification Corridors*.

#### 8.1.3(2) GENERAL POLICIES

- a) The design and *development* of Mixed Use Nodes and *Intensification Corridors* shall promote these areas as focal points for community activities that are characterized by a compact form of *development*, pedestrian-orientation, greater accessibility to public transit and higher *intensity development*.
- b) The construction and expansion of municipal *infrastructure* shall provide for the *development* of Mixed Use Nodes and *Intensification Corridors* in an orderly and cost effective fashion.
- c) Mixed Use Nodes and *Intensification Corridors* may be identified as priority locations for the following, not limited to:
  - (i) land assembly;
  - (ii) *infrastructure* and ~~/~~ *public service facility* improvements;
  - (iii) creation and application of financial, regulatory and other incentives;

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- (iv) new ~~municipal~~ public service facilities;
  - (v) creation and application of *brownfield* and *greyfield development* strategies;
  - (vi) preparation of comprehensive traffic, transportation demand management, and parking studies and strategies; and
  - (vii) provision of higher levels of transit service compared with other areas of the city.
- d) Zoning By-law regulations affecting Mixed Use Nodes and *Intensification Corridors* shall be based on the general policies for Mixed Use Nodes and *Intensification Corridors* contained in Subsection 8.1.3(2) of this Plan, and the specific policies for individual land use designations, contained in Subsections 8.1.3(3) to 8.1.3(8) of this Plan.
- e) Multi-unit residential *developments* in Mixed Use Nodes and *Intensification Corridors* should incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes.
- f) *Home occupations* and *cottage industries* may be permitted in Mixed Use Nodes and *Intensification Corridors*, subject to the policies of Subsection 8.3.7 of this Plan.
- g) The City ~~shall~~ will ensure the proper integration of Mixed Use Nodes and *Intensification Corridors* areas with surrounding neighbourhoods through measures such as pedestrian walkways, cycling paths and transit routes, ~~and the enhancement of the physical character of these neighbourhoods through urban design.~~
- h) In residential buildings containing retail and *service commercial* uses at grade, *office* uses or uses *accessory* to residential uses may be required in the second storey to minimize the potential *adverse effects* of noise and vibration that may be generated by some types of retail and *service commercial* uses.
- i) *Transportation demand management (TDM)* measures shall be addressed, and form part of the City's evaluation of opportunities for reduced parking standards in ~~all existing and~~ proposed *developments* in Mixed Use Nodes and *Intensification Corridors*, subject to the policies of Subsection 6.2.10 of this Plan.
- j) Where significant constraints to *development* exist on Mixed Use Nodes or *Intensification Corridor* lands within the Secondary Growth Area located adjacent to provincial highway interchanges, a site may be determined to be not subject to the policies of Subsection 2.4.2(2) a) (iv) of this Plan.

- k) Notwithstanding the general objectives and policies of Mixed Use Nodes and *Intensification Corridors* and the specific objectives and policies of the specific land use designations, *development* in the form of minor expansions and renovations to existing buildings, new small buildings and/or minor building replacements that are consistent with the existing *scale* and built form *may* be permitted, provided the proponent demonstrate how the *development* contributes to achieving a vibrant, active and walkable built environment and does not compromise the long-term *development* of the site.
- l) *Development applications* proposing a comprehensive *development* of a site that include the replacement of existing commercial floor area *shall* submit and implement, to the satisfaction of the *City*, a phasing strategy that demonstrates that *the development* does not adversely impact the long-term provision of goods and services as the site transitions to its complete stage of *development*.
- m) In Mixed Use Nodes and *Intensification Corridors*, *development* proponents considering the *development* of a site that contains an existing food store *should* retain the food store function as part of the overall *development* to ensure the appropriate provision of day-to-day and weekly needs to current and future residents and employees in the surrounding area.
- n) In accordance with the Urban Structure, *intensification* of existing Mixed Use Nodes and *Intensification Corridors* will be *encouraged* rather than the designation of new areas.
- o) Within Mixed Use Nodes and *Intensification Corridors*, *development applications* proposing the re-designation from one land use designation to another that impacts the planned commercial function throughout the *City*, *should* be discouraged.

### 8.1.3(3) MIXED USE COMMERCIAL CENTRE DESIGNATION

#### 8.1.3(3.1) OBJECTIVES

- a) To provide locations in the city for Mixed Use Commercial Centres that will offer a wide range of retail and *service commercial* uses, *office* uses, residential uses, *public service facilities* and open spaces and which are intended to serve a regional market as well as provide retail goods and services to residents in the immediate area and the city.
- b) To recognize locations that are currently characterized by one or several space-extensive, automobile-oriented large retail uses on one or more properties, which have the potential to *re-develop* in the long-term in a more

intensive, mixed use, pedestrian and transit-oriented manner, but *may* generally retain their current character in the short and medium-term.

- c) To protect the planned commercial function within Mixed Use Commercial Centres.
- d) To *encourage* job creation and residential uses where appropriate, as well as *public service facilities* and public outdoor amenities for employees, residents and visitors.
- e) To encourage the *development* of surface parking lots and the *intensification* of under-utilized lands and buildings.
- f) To ensure that *development* within Mixed Use Commercial Centres contributes to more walkable communities by providing an accessible and attractive pedestrian environment, with appropriate internal links, such as sidewalks and greenways, and connections to adjacent residential neighbourhoods.

### 8.1.3(3.2) POLICIES

- a) Mixed Use Commercial Centres are intended to provide for the unique and/or occasional goods and service needs of residents from across the city and adjacent municipalities. It is expected that these areas *may* also serve the day-to-day and weekly goods and service needs of future on-site residents.
- b) The following uses *may* be permitted on lands designated Mixed Use Commercial Centre:
  - (i) all types of retail and *service commercial* uses;
  - (ii) *automotive* ~~commercial~~ commercial uses;
  - (iii) residential uses with the exception of single-detached and semi-detached *dwelling*s;
  - (iv) *office* uses;
  - ~~(iv)~~ (v) *hospitality* uses;
  - ~~(v)~~ (vi) *entertainment* uses; and
  - ~~(vi)~~ (vii) *recreation* uses.
- c) Mixed Use Commercial Centre areas are considered major activity centres in the City, generally larger than twenty (20) ha in size and comprising more than one property.
- d) The City will *encourage* a minimum building height of two (2) storeys and the maximum building height *shall* not exceed twelve (12) storeys.

- e) *Development applications* on ~~large~~ sites that introduce additional height for *tall buildings* as part of a comprehensive site *development* may be considered through an Official Plan Amendment, and *may* not be subject to the policies of Subsection 2.4.2(2) a) iv) of this Plan, where the *development* proposal contributes to achieving vibrant, active and walkable built environments and where all of the following conditions are met:
- (i) the *development* proposal consists of a contiguous area entirely designated Mixed Use Commercial Centre;
  - (ii) the *development* proposal is submitted by a single property owner, or alternatively, with appropriate land owner agreements; and
  - (iii) the *development* proposal is consistent with the objectives of the Mixed Use Commercial Centres designation.
- f) Any proposed *development* of sites designated Mixed Use Commercial Centre *shall* retain the planned commercial function of the site, in accordance with the objectives of Subsections 8.1.3(3.1) a) and c), of this Plan, to the satisfaction of the *City*.
- g) The ground floor frontage of buildings fronting a Major Arterial or Multi-Purpose Arterial Street or Urban Avenue, as identified on Schedule O-1: Classification of Transportation Facilities-Urban Area, of this Plan, or fronting a public open space *shall* consist of retail and *service commercial* uses. The ground floor frontage of buildings fronting an Industrial Collector Street *should* consist of retail and *service commercial* uses. *Office uses, recreation uses and entertainment uses may* also be permitted.
- h) Retail and *service commercial* uses *may* extend below grade or into the second-storey of buildings to accommodate large-scale retail uses within a more *compact built form*.
- i) Residential uses will be *encouraged* in the upper storeys of commercial buildings and *may* be permitted in buildings exclusively used for residential use provided that:
- (i) the proposed *development* does not adversely impact the capacity of the Mixed Use Commercial Centre to provide for its retail and *service commercial* function as established in this Plan; and
  - (ii) the residential building is part of an overall *development* of mixed residential/commercial building forms.
- j) Other forms of *ground-oriented dwellings* *may* only be permitted, provided that the *ground-oriented* residential portion of the *development*:

- (i) does not abut a Major Arterial, Multi-Purpose Arterial Street, Urban Avenue or Industrial Connector, as identified on Schedule O-1: Classification of Transportation Facilities-Urban Area, of this Plan;
  - (ii) is developed in conjunction with, and is part of, a multi-residential or mixed use *development*; and
  - (iii) does not compromise the objectives of the Mixed Use Commercial Centre designation.
- k) *Office* uses *may* be located in freestanding buildings, within a multi-unit commercial building, or on upper storeys of commercial buildings.
- l) The *City* will *encourage* the creation of public outdoor amenity spaces, such as urban squares and parkette features, that enhance the quality of the Mixed Use Commercial Centres as public gathering places.
- m) Mixed Use Commercial Centres *shall* be served by public transit services.

#### 8.1.3(3.3) SITE-SPECIFIC POLICIES

- a) **3011 Appleby Line:** Notwithstanding the uses permitted under Subsection 8.1.3(3.2) b) of this Plan, on the lands designated “Mixed Use Commercial Centre” in the north-east quadrant of Dundas Street and Appleby Line, and identified as 3011 Appleby Line, the following policies *shall* apply:
- (i) *supermarkets/grocery stores* and *department stores* *shall* not be permitted;
  - (ii) *sensitive land uses* *shall* not be permitted;
  - (iii) subject to the above, uses permitted in the Urban Corridor-Employment Lands designation *shall* also be permitted.
- b) **3215 Appleby Line and 3270 Harrison Crescent:** On the lands designated “Mixed Use Commercial Centre” on the east side of Appleby Line, south of Highway 407, and identified as 3215 Appleby Line and 3270 Harrison Crescent, the following additional policies apply:
- (i) notwithstanding the uses permitted under Subsection 8.1.3(3.2) b) of this Plan, one *large building supplies/garden store* use is permitted, and residential uses, *supermarkets/grocery stores*, *department stores*, *warehouse clubs*, and retailing of non-work related apparel are not permitted;
  - (ii) the *total floor area* of all buildings and structures on the lands *shall* not exceed 26,670 sq. m.;



- (iii) all parking areas are to be provided as surface parking. No above grade or below grade parking structures are permitted.
- c) **3091 Appleby Line:** On the lands designated “Mixed Use Commercial Centre” at the north-east corner of Appleby Line and the southerly leg of Harrison Court, and identified as 3091 Appleby Line, the following additional policies apply:
  - (i) notwithstanding the uses permitted under Subsection 8.1.3(3.2) b) of this Plan, one *large building supplies/garden store* use is permitted, and residential uses, *supermarkets/grocery stores, department stores, large furniture and appliance stores, large home and auto supply stores* and *warehouse clubs* are not permitted;
  - (ii) notwithstanding the uses permitted under Subsection 8.1.3(3.2) b) of this Plan, *sensitive land uses* shall not be permitted;
  - (iii) the *total floor area* of all buildings and structures on the lands shall not exceed 8,600 sq. m. for commercial uses and 557 sq. m. for *office* uses;
  - (iv) all parking areas are to be provided as surface parking. No above grade or below grade parking structures are permitted.

#### 8.1.3(4) NEIGHBOURHOOD CENTRE DESIGNATION

##### 8.1.3(4.1) OBJECTIVES

- a) To provide locations in the city that will serve as areas of concentration for mixed use *development* in a *compact built form*, including pedestrian-oriented, small and medium-scale retail and *service commercial* uses, *office* uses, residential uses, *public service facilities* and open spaces.
- b) To provide opportunities for Neighbourhood Centres that serve as a focal point for community activities within and at the periphery of residential neighbourhoods in locations that meet residents’ day-to-day and weekly goods and service needs.
- c) To create vibrant and attractive places with increased day and night activity through the introduction of residential *development* and the integration of uses and open spaces.
- d) To ensure *development* within Neighbourhood Centres contributes to more walkable communities by providing an accessible and attractive pedestrian environment, with appropriate internal links, such as sidewalks and greenways, and connections to adjacent residential neighbourhoods and ~~Areas of~~ Employment Areas, wherever possible.

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- e) To protect the planned commercial function within Neighbourhood Centres.
- f) To ensure that *development* results in filling of surface parking lots and the *intensification* of under-utilized lands and buildings.
- g) To support the transformation of large sites into areas where a mix of commercial, *cultural, institutional uses* and a diversity of housing are provided, balancing the adequate *intensity* of *development* and their integration within the surrounding context.

**8.1.3(4.2) POLICIES**

- a) Lands designated Neighbourhood Centre are intended to provide for the day-to-day and weekly goods and service needs of residents within the Neighbourhood Centre and the surrounding neighbourhoods.
- b) The following uses *may* be permitted on lands designated Neighbourhood Centre:
  - (i) retail and *service commercial* uses;
  - (ii) *automotive commercial* uses, excluding motor vehicle dealerships;
  - (iii) *residential* uses with the exception of single-detached and semi-detached dwellings;
  - (iv) *office* uses;
  - (v) *entertainment* uses; and
  - (vi) *recreation* uses.
- c) Neighbourhood Centre areas are ~~smaller~~ activity centres ~~in size and function to a Mixed Use Commercial Centre,~~ generally ranging from four (4) to twelve (12) ha in size and comprising lands in more than one quadrant of an intersection.
- d) A maximum *floor area ratio of development* of 2.5:1 is an appropriate built form in Neighbourhood Centre 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 Neighbourhood Centre designation are maintained.
- e) The *City* will *encourage* a minimum building height of two (2) storeys and the maximum building height *shall* not exceed six (6) storeys. To ensure *compatibility* with adjacent residential areas the maximum six (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.
- f) Taller buildings up to a maximum height of eleven (11) storeys *may* be permitted for a proposed *development* through a site-specific Zoning By-law amendment, subject to the fulfillment of the following criteria:
  - (i) a significant reduction of parking at grade; and
  - (ii) the proponent submits and implements, to the satisfaction of the *City*, an *urban design brief* that demonstrates how the proposal's design achieves high quality of design and helps to mitigate the

adverse impacts of the increase in height on public sidewalks, public open spaces and adjacent uses.

- g) *Development applications on ~~lands large sites~~* designated Neighbourhood Centre that introduce one or more *tall buildings* as part of a comprehensive site *development* *may be considered through an Official Plan Amendment, in accordance with the policies of this Plan, and* *may* not be subject to the policies of Subsection 2.4.2(2) a) (iv) of this Plan, *where the development proposal contributes to achieving vibrant, active and walkable built environments, and is consistent with the objectives of the Neighbourhood Centre designation* ~~*and shall be processed through a site-specific Official Plan amendment, in accordance with the policies of this Plan.*~~
- h) Any proposed *development* of sites designated Neighbourhood Centre *shall* retain the planned commercial function of the site, in accordance with the objectives of Subsections 8.1.3(4.1) b) and e), to the satisfaction of the *City*.
- i) 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 Neighbourhood Centres.
- j) The ground floor frontage of buildings fronting a Major Arterial Street or Urban Avenue, as identified on Schedule O-1: Classification of Transportation Facilities-Urban Area, of this Plan, or fronting a public open space, *shall* consist of retail and *service commercial* uses and *may* also include a limited amount of *office* uses.
- k) Residential and *office* uses will be *encouraged* in the upper storeys of commercial buildings and *may* be permitted in buildings exclusively used for residential or *office* use provided that:
  - (i) the building does not adversely impact the capacity of the Neighbourhood Centre node to provide for the retail and service needs of on-site residents and surrounding neighbourhoods;
  - (ii) the building is located to the rear of street-related retail and *service commercial* uses; and
  - (iii) the building is part of an overall *development* of mixed residential/commercial building forms.
- l) Other forms of *ground-oriented dwellings* *may* only be permitted, provided that the *ground-oriented* residential portion of the *development*:

- (i) does not abut a Major Arterial or Urban Avenue, as identified on Schedule O-1: Classification of Transportation Facilities-Urban Area, of this Plan;
  - (ii) is developed in conjunction with, and is part of, a multi-residential or mixed use *development*; and
  - (iii) does not compromise the objectives of the Neighbourhood Centre designation.
- m) The *City* will *encourage* the creation of public outdoor amenity spaces, such as urban squares and parkette features, as part of the *development* of Neighbourhood Centres in a manner that is appropriate to the local context to enhance the Neighbourhood Centre's function as a public gathering place.
- n) Neighbourhood Centres *shall* be served by public transit services.

### 8.1.3(4.3) SITE-SPECIFIC POLICY

- a) **4524, 5000, 5014 & 5111 New Street and 450 Appleby Line, and 1505 & 2025 Guelph Line:** Notwithstanding Subsections 8.1.3(4.2) e) and f) of this Plan, taller buildings to a maximum height of twelve (12) storeys *may* be permitted on the Neighbourhood Centre nodes located at the intersection of New Street and Appleby Line (identified as 4524, 5000, 5014 & 5111 New Street and 450 Appleby Line), and at the intersection of Guelph Line and Upper Middle Road (identified as 1505 & 2025 Guelph Line), subject to the fulfillment of the following criteria:
- (i) a significant reduction of parking at grade; and
  - (ii) the proponent submits and implements, to the satisfaction of the *City*, an *urban design brief* that demonstrates how the proposal's design mitigates the adverse impacts of the increase in height on adjacent properties.

### 8.1.3(5) LOCAL CENTRE DESIGNATION

#### 8.1.3(5.1) OBJECTIVES

- a) To provide locations in the city for Local Centres that will serve as small areas of concentration for mixed use *development* in a *compact built form*, including pedestrian-oriented retail and *service commercial* uses, residential uses, *office* uses, *public service facilities* and open spaces.
- b) To provide opportunities for a limited range of small-scale retail and *service commercial* uses, and *public service facilities* in locations that meet residents' day-to-day and weekly goods and service needs.

- c) To protect the planned commercial function within Local Centres.
- d) To create vibrant and attractive places with increased day and night activity through the introduction of residential *development* and the integration of uses and open spaces.
- e) To achieve vertical integration of land uses, given the small size of Local Centre sites.

#### 8.1.3(5.2) POLICIES

- a) Local Centre areas are intended to provide a limited range of retail and *service commercial* uses that serve the day-to-day and weekly needs of residents within and in close proximity to the Local Centre.
- b) The following uses *may* be permitted on lands designated Local Centre:
  - (i) retail and *service commercial* uses;
  - (ii) residential *dwelling units* in the upper storeys of retail/commercial buildings; and
  - (iii) *office* uses in the upper storeys of retail/commercial buildings, and a limited amount of *office* uses at grade.
- c) Local Centre areas are small-scale activity centres, generally ranging from one (1) to four (4) ha in size.
- d) A maximum *floor area ratio* of *development* of 1.0:1 is an appropriate built form in Local Centre 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 Local Centre designation are maintained.
- e) The *City* will *encourage* a minimum building height of two (2) storeys and the maximum building height *shall* not exceed four (4) storeys.
- f) Any proposed *development* of sites designated Local Centre *shall* retain the planned commercial function of the site, in accordance with the objectives of Subsections 8.1.3(5.13) b) and c), of this Plan, to the satisfaction of the *City*.
- g) 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 Local Centres.

#### 8.1.3(5.3) SITE-SPECIFIC POLICIES

- a) **2404, 2412 & 2424 Queensway Drive:** Notwithstanding the policies of Subsections 8.1.3(5.2) b) and c) of this Plan, the Local Centre area located on

the lands on the south side of Queensway Drive, west of Guelph Line and identified as 2404, 2412 & 2424 Queensway Drive, *shall* also permit *entertainment* and hospitality uses such as hotels and *accessory* restaurants.

- b) **5317 & 5327 Upper Middle Road and 5220 Dundas Street:** Notwithstanding the policies of Subsections 8.1.3(5.2) b), d) and e) of this Plan, the two Local Centre areas within the Orchard Community, identified as 5317 & 5327 Upper Middle Road and 5220 Dundas Street, *shall* be subject to the following:
  - (i) a maximum floor area of 300 sq. m. per non-residential use;
  - (ii) the maximum building height *shall* not exceed five (5) storeys for the Local Centre at 5317 and 5327 Upper Middle Road, and six (6) storeys for the Local Centre at 5220 Dundas Street;
  - (iii) non-residential uses *shall* only be allowed on the ground floor of predominantly residential buildings, although *offices may* be allowed above the ground floor.
- c) **4125 Upper Middle Road:** Notwithstanding Subsection 8.1.3(5.2) b) of this Plan, on the Local Centre identified as 4125 Upper Middle Road, only *office* uses *shall* be permitted.
- ~~d) **800 Burloak Drive:** Notwithstanding Subsection 8.1.3(5.2) b) of this Plan, on the Local Centre identified as 800 Burloak Drive, residential and other sensitive land uses are prohibited.~~
- ~~e) **2258 Mountainside Drive:** Notwithstanding Subsection 8.1.3(5.2) b) iii) of this Plan, on the Local Centre identified as 2258 Mountainside Drive, office uses may be permitted on the ground floor.~~

### 8.1.3(6) EMPLOYMENT COMMERCIAL CENTRE DESIGNATION

#### 8.1.3(6.1) OBJECTIVES

- a) To provide locations in the city in close proximity to designated Employment Lands, for a wide range of *employment uses*, as well as retail uses which have *employment* characteristics, such as:
  - (i) serving business uses to a large extent;
  - (ii) requiring expansive land areas which cannot be easily accommodated in Mixed Use *Intensification Areas*; and
  - (iii) are not intended to serve the regular day-to-day and weekly shopping needs of the surrounding residential and business community and

*shall* not compete with the planned commercial function of other Mixed Use Nodes and *Intensification* Corridor designations.

- b) To recognize that Employment Commercial Centre areas will transition over time to *compact built forms*, while retaining their current function.

#### 8.1.3(6.2) POLICIES

- a) The following uses *may* be permitted on lands designated Employment Commercial Centre:
  - (i) *industrial* uses that involve assembling, fabricating, manufacturing, processing, warehousing and distribution uses, repair activities, communications, *utilities*, transportation, storage, service trades and construction uses; *office* uses; research and information processing; and *automotive commercial* uses;
  - (ii) retail and *service commercial* uses that serve the business community or those that have a significant processing, wholesaling or warehousing component;
  - (iii) retail uses that require significant land areas, many with outdoor sales and storage and characterized as infrequent shopping destinations;
  - (iv) home improvement and home décor sales uses which require large building areas, some of which have significant warehousing components and which are infrequent shopping destinations;
  - (v) hospitality uses;
  - (vi) *entertainment uses*, and
  - (vii) *recreation uses*.
- b) Residential uses *shall* be prohibited.
- c) The *City* will *encourage* a minimum building height of two (2) storeys.
- d) Each individual retail unit in an Employment Commercial Centre designation *should* have a minimum floor area of one thousand (1,000) sq. m.
- e) Retail uses *may* extend into the second storey of buildings to accommodate larger retail uses within *compact built forms*.
- f) It is the general intent of this Plan that the designation of additional lands for Employment Commercial Centre purposes *shall* not be permitted.
- g) *Service commercial* uses *should* be subject to floor area provisions as established in the Zoning By-law.



**8.1.3(6.3) SITE-SPECIFIC POLICIES**

- a) **3073 & 3119 North Service Road:** Notwithstanding the uses permitted in Subsection 8.1.3(6.2) a) of this Plan, *large furniture and appliance stores* and *warehouse clubs* are permitted on the lands located on the north side of the Queen Elizabeth Way, east of Guelph Line, and identified as 3073 and 3119 North Service Road.
- b) **1510 & 1515 North Service Road and 2202 & 2208 Industrial Street:** Notwithstanding Subsection 8.1.3(6.2) d) of this Plan, the minimum floor area requirement for each individual retail unit *shall* not apply to the lands designated Employment Commercial Centre along the North Service Road, east of Brant Street, and identified as 1510 & 1515 North Service Road and 2202 & 2208 Industrial Street.

**8.1.3(7) URBAN CORRIDOR DESIGNATION**

**8.1.3(7.1) OBJECTIVES**

- a) To provide locations in the city along key Major Arterial or Multi-Purpose Arterial Streets that will serve as areas of concentration for mixed use *development* in a *compact built form*, with residential, retail, *service commercial*, *office*, *entertainment*, *public service facilities* and *institutional uses*, and open space uses.
- b) To provide opportunities for a range of small and medium-scale retail and *service commercial* uses, and *public service facilities* in locations that meet residents' day-to-day and weekly goods and service needs.
- c) To recognize the *development* of *Intensification Corridors* will occur over time, and that the timing of *development* may vary from one segment to another, depending on the existing built form, and *development* pressures.
- d) To *encourage* higher *intensity*, *transit-supportive* and pedestrian-oriented mixed use *development* in a *compact built form*, while retaining *compatibility* with the surrounding area.
- e) To permit mixed use *development* on individual sites where various combinations of residential, retail, *service commercial*, *office* and other uses are located, or on sites where residential, retail, *office* and other uses are located next to one another.
- f) To protect the planned commercial function within Urban Corridors.
- g) To ensure *development* along Urban Corridors provides a safe, accessible and attractive pedestrian environment with connections to adjacent residential neighbourhoods and ~~Areas of Employment~~ Areas.

**8.1.3(7.2) POLICIES**

- a) *Transit-supportive* and pedestrian-oriented design *shall* be required in the *development* of Urban Corridor sites.
- b) Urban Corridor lands are intended to provide for the day-to-day and goods and service needs of residents and employees within and in proximity to the Corridor and *may* also serve a broader city-wide market.
- 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 semi-detached *dwellings*;
  - (iv) *office* uses;
  - (v) *entertainment* uses; and
  - (vi) *recreation* uses.
- d) Other forms of *ground-oriented dwellings* *may* only be permitted, provided that the *ground-oriented* residential portion of the *development*:
  - (i) does not abut a Multi-Purpose Arterial Street, Urban Avenue or Main Street, as shown on Schedule O-1, Classification of Transportation Facilities-Urban Area, of this Plan;
  - (ii) is developed in conjunction with, and is part of, a multi-residential or mixed use building; and
  - (iii) does not compromise the objectives of the Urban Corridor designation.
- e) Stand alone *ground-oriented dwellings* *shall* be prohibited in Urban Corridor lands located within *Mobility Hubs*.
- 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.
- g) The minimum building height *shall* be two (2) storeys and the maximum building height *shall* not exceed six (6) storeys. *-Where required to ensure compatibility, four (4) to six (6) storey buildings may be required to be terraced back from adjacent residential areas and/or the street.*

~~g~~h) To ensure *compatibility* with adjacent residential areas the maximum six (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.

~~h~~i) The City has identified the Urban Corridor lands located at the intersection of Fairview Street and Walker's Line; at the south-west corner of the intersection of Fairview Street and Guelph Line; and at the intersection of Plains Road and King Road; as having significant *development* opportunities to achieve their transformation into vibrant gateway areas and to fulfill other City objectives, including a diversity of housing mix, high quality design, and enhanced connectivity and open spaces. In these Urban Corridor lands, the following policies apply:

- (i) taller buildings up to a maximum height of eleven (11) storeys *may* be permitted for a proposed *development* through a site-specific Zoning By-law amendment, subject to the fulfillment of the following criteria:
  - a. a significant reduction of parking at grade; and
  - b. the proponent submits and implements, to the satisfaction of the City, an *urban design brief* that demonstrates how the proposal's design achieves high quality of design and mitigates the adverse impacts of the increase in height on public sidewalks, public open spaces and adjacent uses.
- (ii) *development applications* ~~on large sites~~ that introduce one or more *tall buildings* as part of a comprehensive site *development* *may* not be subject to the policies of Subsection 2.4.2(2) a) (iv) of this Plan, where the development is proposed on a large site. The development application and shall be processed through a site-specific Official Plan amendment, in accordance with the policies of this Plan.

~~i~~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.

~~j~~k) *Development* located on sites designated Urban Corridor *may* contain a minimum of one permitted use as outlined in Subsection 8.1.3(7.2) c) of this Plan, except in the following locations where mixed use buildings containing retail and *service commercial* uses at grade *shall* be required on:-

- (i) sites located at the intersections of:
  - c. Fairview Street and Walker's Line;

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- d. Fairview Street and Guelph Line; and
- e. Plains Road and King Road.
- (ii) sites located within *Mobility Hubs*, as shown on Schedule B: Urban Structure, and Schedule B-1: Growth Framework, of this Plan.
- ~~k)~~l) *Development* along Urban Corridors *may* be required to provide a minimum floor-to-floor height at grade, as established in the Zoning By-law, to facilitate land use flexibility and adaptability over time.
- ~~h)~~m) Any proposed *development* of sites designated Urban Corridor *shall* retain the planned commercial function of the site, in accordance with the objectives of Subsections 8.1.3(7.14) b) and f), of this Plan, to the satisfaction of the *City*.
- ~~m)~~n) 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.
- ~~n)~~o) *Motor vehicle dealerships* in Urban Corridor lands *shall* contribute to a vibrant, active and walkable built environment. The following site design and *development* factors *shall* be considered in reviewing proposals for new *small-scale motor vehicle dealerships* and/or expanding existing *small or large-scale motor vehicle dealerships* in Urban Corridor areas:
  - (i) where new buildings are erected or buildings are relocated, outdoor vehicle storage and display areas *shall* be located at the side or rear of buildings and *shall* be *encouraged* in multi-storey structures and/or below grade; and
  - (ii) a landscaped buffer *shall* be provided along the edge of the site where existing parking areas or vehicle storage areas are located adjacent to the street.
- ~~o)~~p) Urban Corridor lands *shall* be served by *frequent transit corridors*.

### 8.1.3(7.3) SITE-SPECIFIC POLICIES

- a) **4460 to 4490 Fairview Street and 666 to 676 Appleby Line:** Notwithstanding Subsection 8.1.3(7.2) ~~gh~~ of this Plan, no minimum building height is required for the property located at the south-west corner of Fairview Street and Appleby Line, and identified as 4460 to 4490 Fairview Street and 666 to 676 Appleby Line, for buildings less than 1,200 sq. m. in size.

- b) **4415 Fairview Street:** This site is within the Appleby ~~GO-M~~obility Hub Study Area and will be assessed through the *area-specific plan*. Notwithstanding the policies of Subsection 8.1.3(7.2) of this Plan, the following additional policies *shall* apply to the property identified as 4415 Fairview Street:
- (i) this property is generally recognized for lower *intensity*, retail *development* intended to provide for the retail needs of the residents and business within the city and from adjacent areas;
  - (ii) residential and other *sensitive land uses*, and *supermarket/grocery store* uses, are prohibited;
  - (iii) retail uses that require either multi-tenant or freestanding buildings on sites that have significant needs for on-site storage and parking, such as garden centres, all *automotive commercial* uses, furniture and home furnishing uses and home improvement stores, *may* be permitted;
  - (iv) individual retail uses are permitted to a maximum floor area of three thousand (3,000) sq. m.;
  - (v) no minimum building height is required; and
  - (vi) in new *development*, the majority of the on-site storage *shall* be located at the rear of buildings, away from public view.
- c) **2089 and 2095 Fairview Street:** Notwithstanding the height and *floor area ratio* policies contained in Subsection 8.1.3(7.2) ~~fg~~ and ~~gh~~ of this Plan, for the properties identified as 2089 and 2095 Fairview Street, the following policies *shall* apply:
- (i) the maximum building height *shall* be twenty-two (22) storeys. Additional height *may* be permitted if the proposed building is LEED certified (or equivalent to the satisfaction of the *City*); and
  - (ii) there *shall* be a total site (at full build out) minimum *floor area ratio* of approximately 0.5:1 and the maximum 2.0:1 *floor area ratio shall* not apply.
- d) **834 - 850 Brant Street:** Notwithstanding the uses permitted in Subsection 8.1.3(7.2) c) of this Plan, the *large-scale motor vehicle dealership* located on the south-west corner of Fairview Street and Brant Street, and identified as 834-850 Brant Street, *may* be expanded on the abutting property within the Urban Corridor designation by a maximum of fifty (50) percent of the floor area existing on the date of adoption of this Plan, without an amendment to this Plan.

- e) **2065 Fairview Street:** Notwithstanding the uses permitted in Subsection 8.1.3(7.2) c) of this Plan, on the lands on the north side of Fairview Street, east of Rambo Creek, and identified as 2065 Fairview Street, a single-storey *department store*, not exceeding twelve thousand (12,000) sq. m. of gross floor area, is permitted, provided that no greater than fifteen (15) percent (1,800 sq. m.) of the gross floor area within the *department store* shall be used for the sale of food products.
- f) **104, 110, 120, 130, 134 & 140 Plains Road West:** Notwithstanding the maximum heights specified in Subsection 8.1.3(7.2) ~~g~~ of this Plan, buildings to a maximum height of twelve (12) storeys *may* be permitted on the Urban Corridor lands identified as 104, 110, 120, 130, 134 & 140 Plains Road West, subject to the evaluation of site-specific criteria that *may* include, but *shall* not be limited to, traffic, *compatibility* and environmental factors.
- g) **1329 Plains Road East:** Notwithstanding Subsection 8.1.3(7.2) d) of this Plan, townhouses that are not part of a larger mixed use *development* shall be permitted on the lands at the north-east corner of Plains Road East and Glendor Avenue, identified as 1329 Plains Road East.

#### 8.1.3(8) URBAN CORRIDOR-EMPLOYMENT LANDS DESIGNATION

##### 8.1.3(8.1) OBJECTIVES

- a) To provide locations in the city along Major Arterial or Multi-Purpose Arterial Streets that ~~are~~ are primarily intended for higher *intensity employment* uses.
- b) To *encourage* higher *intensity*, *transit-supportive* and pedestrian-oriented mixed use *development* in a *compact built form*, while retaining *compatibility* with the surrounding area.
- c) To ensure *development* of Urban Corridor-Employment Lands provides a safe, accessible and attractive pedestrian environment.

##### 8.1.3(8.2) POLICIES

- a) Urban Corridor-Employment Lands are intended to provide for the retail and *service commercial* needs of the *employment* uses and their employees within and immediately adjacent to the Corridor.
- b) The following uses *may* be permitted on lands designated Urban Corridor-Employment Lands:
  - (i) *industrial* uses;
  - (ii) *office* uses;

- (iii) *accessory* retail and *service commercial* uses which serve the day to day needs of employees;
  - (iv) home improvement and home décor sales;
  - (v) *automotive commercial uses*, including *large-scale motor vehicle dealerships* existing on the date this Plan comes into effect;
  - (vi) *entertainment uses*; and
  - (vii) *recreation uses*.
- c) *Accessory* retail and *service commercial* uses *may* only be permitted provided that:
- (i) the use is located at grade level; and
  - (ii) the use is located within a building containing or proposed to contain *employment* uses above the first storey.
- d) Limited display and/or retail sale of products manufactured, processed, fabricated, assembled or warehoused on-site, and located in the same premises as the primary use, *may* be permitted as follows:
- (i) the proportion of the area of a building devoted to the display and/or sale of products *shall* be limited in the Zoning By-law, so that the space is *accessory* and clearly subordinate to the primary use of the building.
- e) Transit-supportive and pedestrian-oriented urban design *shall* be required in the *development* of Urban Corridor-Employment Lands.
- f) *Major retail* and residential uses *shall* be prohibited in Urban Corridor-Employment Lands.
- g) A maximum *floor area ratio* of *development* of 2.0:1 is an appropriate built form in Urban Corridor-Employment 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-Employment designation are maintained.
- h) The minimum building height *shall* be two (2) storeys, except for *industrial* uses where no minimum height is required; and the maximum building height *shall* not exceed six (6) storeys. Where required to ensure *compatibility*, four (4) to six (6) storey buildings *may* be required to be terraced back from adjacent residential areas and/or the street.
- i) The *City* has identified the Urban Corridor-Employment Lands located at the north-west corner of the intersection of Fairview Street and Guelph Line, as



having *development* opportunities to achieve a transformation into a vibrant gateway area and achieve other *City* objectives, including high quality design, and enhanced connectivity and open spaces. On these Urban Corridor-Employment lands, the following policy applies:

- (i) taller buildings up to a maximum height of eleven (11) storeys *may* be permitted for a proposed *development* through a site-specific Zoning By-law amendment, subject to the fulfillment of the following criteria:
  - a. a significant reduction of parking at grade;
  - b. residential uses and other *sensitive land uses* are prohibited; and
  - c. the proponent submits and implements, to the satisfaction of the *City*, an *urban design brief* that demonstrates how the proposal's design achieves high quality of design and mitigates the adverse impacts of the increase in height on public sidewalks, public open spaces and adjacent uses.
- j) 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-Employment Lands.
- k) *Motor vehicle dealerships* in Urban Corridor-Employment Lands *shall* contribute to a vibrant, active and walkable built environment. The following site design and *development* factors *shall* be considered in reviewing proposals for new *small-scale motor vehicle dealerships* and/or expanding existing *small or large-scale motor vehicle dealerships* in Urban Corridor-Employment Lands:
  - (i) where new buildings are erected or buildings are relocated, outdoor vehicle storage and display areas *shall* be located at the side or rear of buildings and *shall* be *encouraged* in multi-storey structures and/or below grade; and
  - (ii) a landscaped buffer *shall* be provided along the edge of the site where existing parking areas or vehicle storage areas are located adjacent to the street.
- l) Urban Corridor-Employment Lands *shall* be served by *frequent transit corridors*.



**8.1.3(8.3) SITE-SPECIFIC POLICIES**

- a) **1200 King Road:** Notwithstanding the policies of Subsection [s 8.1.3\\_\(8.2\) b\)](#) [and h\)](#) of this Plan, the following additional policies apply to lands designated “Urban Corridor-Employment” and located west of King Road, south of Highway 403, and identified as 1200 King Road:
- (i) no minimum building height is required; and
  - (ii) should the sports arena and/or stadium facility referenced in Subsection 8.2.3(3) d) of this Plan, be constructed on the “General Employment” lands located to the south, additional retail and *service commercial* uses related to the sports arena and/or stadium facility and permitted in the Urban Corridor designation *may* be permitted. These uses *shall* consist of those uses permitted in the Urban Corridor designation, with the exception of residential uses, *supermarket/grocery store and large building supplies/garden store.*

## 8.2 EMPLOYMENT LANDS

The lands identified as “Employment Lands” on Schedule B: Urban Structure, of this Plan, help the *City* to fulfill its obligation to ensure all types of businesses can locate and thrive in the city. *Employment* uses are provided for under two land use designations on Schedule C: Land Use – Urban Area, of this Plan: General Employment and Business Corridor. These designations are based on a range of permitted uses, the *scale* and *intensity* of the *development* allowed, the design standards that *shall* apply and the potential *adverse effects* of these uses on adjacent uses.

A full range of manufacturing, warehousing and *office* uses will be permitted in areas designated for Employment Lands. *Accessory* retail and *service commercial* uses and other facilities ancillary to manufacturing, warehousing and *office* uses may be permitted, subject to the policies of this Plan.

The objective of the employment lands policies is to ensure opportunities to accommodate employment to the planning horizon of this Plan and beyond. Given that there will be very limited, if any, opportunities to designate additional *employment* land, future employment growth on employment lands, beyond 2031, will be accommodated primarily through *intensification*.

### 8.2.1 GENERAL OBJECTIVES

- a) To maintain a sufficient supply of land within the Urban Area for *employment* in order to achieve the employment distributed to the city by the Region of Halton. An adequate supply of vacant *employment* land and an allowance for choice in terms of location, size of property and servicing needs *shall* be provided. It is the general intent of this Plan that this supply *shall* not be reduced through re-designation of *employment* lands to permit non-*employment* uses.
- b) To *encourage*, through the implementation of site plan control and urban design policies, aesthetically pleasing *employment development* in the city, especially along arterial streets and Provincial freeway frontages.
- c) To provide appropriate locations for *employment uses* that have features that are not *compatible* with other land uses.
- d) To support *intensification* through *development* of *employment lands*.
- e) To develop existing *employment* lands in a manner that efficiently uses existing *infrastructure* and land.
- f) To maintain the primary function and long term viability of *employment* lands.

- g) To enhance employee access to amenities that supports the broader function of the *employment* areas.
- h) To locate manufacturing uses so as to provide convenient access to *infrastructure* such as rail sidings, high voltage power lines, high pressure and capacity gas lines, and critical high tech *infrastructure* and heavy truck roadbeds and truck routes.
- i) To expand access to *employment* lands with frequent and tailored transit service and the development of *transit-supportive employment* facilities to respond to the needs of employees and businesses.
- j) To implement the five-year Burlington Economic Development Corporation Economic Development Strategy.

### 8.2.2 GENERAL POLICIES

- a) A sufficient supply of land designated for *employment* shall be maintained within the Urban Area in order to meet anticipated short and long-term needs, including an adequate supply of serviced land and an allowance for choice in terms of location, size of property and servicing needs.
- b) Limited display and/or retail sale of products manufactured, processed, fabricated, assembled or warehoused on-site, and located in the same premises as the primary use, *may* be permitted as follows:
  - (i) the proportion of the area of a building devoted to the display and/or sale of products shall be limited in the Zoning By-law, so that the space is *accessory* and clearly subordinate to the primary use of the building.
- c) The *accessory* retail and *service commercial* uses permitted under Subsections 8.2.3(2) a) (ii) and 8.2.4(2) a) (ii) of this Plan shall be subject to the following:
  - (i) such uses shall be *ancillary employment uses* as defined in Chapter 13: Definitions, of this Plan;
  - (ii) no more than fifteen (15) percent of the *total floor area* of any one building shall be used for *accessory* uses, except that a restaurant may occupy up to one hundred (100) percent of the *total floor area* of any one building if:
    - i. the *total floor area* of all buildings on the site is greater than three thousand (3,000) sq. m.;

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- ii. the *total floor area* of all restaurants does not exceed fifteen (15) percent of the *total floor area* of all buildings on the site; and
- iii. the site has access to a Major Arterial or Multi-Purpose Arterial Street, Urban Avenue, or Industrial Connector as identified on Schedule O-1: Classification of Transportation Facilities-Urban Area, of this Plan;
- iv. where *accessory* retail and/or *service commercial* uses are proposed on an existing occupied *employment* site that would exceed the maximum fifteen (15) percent% *total floor area* set out in Subsection 8.2.2 c) (ii) of this Plan, such a proposal *may* be considered by the *City* through a site-specific Zoning By-law amendment, without the need for an amendment to this Plan, where the following criteria are addressed to the satisfaction of the *City*:
  - a. the proposed use *shall* meet the definition of *ancillary employment use* as defined in Chapter 13: Definitions, of this Plan;
  - b. the proposed use *shall* maintain and support the *employment* function of the site and *shall* in no case exceed thirty (30) percent of the *total floor area* of all existing buildings on the site;
  - c. the applicant *shall* demonstrate that there are no unacceptable *adverse effects* on the surrounding area related to noise, vibration, dust or odour, or unacceptable adverse impacts related to traffic and parking, and that the surrounding existing or permitted uses are *compatible* with the proposed use;
  - d. the proposed use *shall* have direct access to existing or planned transit; and
  - e. the proposed use is, or *shall* be, pedestrian and *active transportation* accessible.
- d) The *recreation uses* permitted under Subsections 8.2.3(2) a) (iii) and 8.2.4(2) a) (iii) of this Plan *shall* be subject to the following:
  - (i) such uses *shall* meet the definition of *ancillary employment use*, as defined in Chapter 13: Definitions, of this Plan; and

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- (ii) the use *shall* be located within a building with existing or planned *employment uses*.
- e) Where *recreation uses* are proposed in a separate building on the same lot as an existing occupied *employment* site, the proposal *may* be considered by the *City* through a site-specific Zoning By-law Amendment, where the following criteria are addressed to the satisfaction of the *City*:
  - (i) the use *shall* be an *ancillary employment use*, as defined in Chapter 13: Definitions, of this Plan;
  - (ii) the site has access to at least one Major Arterial or Multi-Purpose Arterial Street, Urban Avenue or Industrial Connector, as identified on Schedule O-1: Classification of Transportation Facilities-Urban Area, of this Plan;
  - (iii) the site is located at the periphery of the Areas of Employment Overlay, as shown on Schedule B: Urban Structure, of this Plan by being within 400 ~~metres~~ of a Major Arterial, Multi-Purpose Arterial Street or an Urban Avenue, as identified on Schedule O-1: Classification of Transportation Facilities-Urban Area, of this Plan;
  - (iv) the proposed use is *compatible* with surrounding uses;
  - (v) the site *shall* be planned to support safe pedestrian access and access to transit; and,
  - (vi) where the lands are designated Business Corridor, the proposed *development*:
    - a. provides enhanced landscaping to frame the use, given the prestige nature of the lands; and
    - b. incorporates excellence in urban design.
- f) Notwithstanding Subsection 8.2.3(2) a) iii) of this Plan, existing recreation uses permitted as of the date of approval of this Plan will become legal non-conforming uses. Minor additions to those existing recreation uses or change of use from one recreation use to another recreation use may be permitted.
- ~~f)g)~~ Proposals for the re-designation of lands to a General Employment or Business Corridor designation from another designation *shall* require an amendment to this Plan and *shall* be evaluated based on the fulfillment of the following criteria:
  - (i) the area has access to and from a Major Arterial, ~~or~~ Multi-Purpose Arterial, or Industrial Connector Street, as identified on Schedule O-1: Classification of Transportation Facilities-Urban Area, of this Plan;

- (ii) full municipal *infrastructure* including sewer, water and *utilities* are available;
- (iii) *development* of the site *shall be compatible* with existing and proposed uses in the surrounding area;
- (iv) the site has direct access to streets that can accommodate the anticipated traffic generated by the proposed *development*;
- (v) the anticipated traffic *shall* not result in through traffic in surrounding residential areas;
- (vi) efficient public transit service can be provided in the area; and
- (vii) for Business Corridor designations only, the site is located in an area where there is visibility to the Queen Elizabeth Way, Highway 403 or Highway 407 or is adjacent to a freeway interchange.

~~g)h)~~ Where *development* abuts existing or future residential areas, landscaping and other site plan design elements *shall* be required in order to create an aesthetically pleasing environment for residents. *Development shall* be subject to the land use compatibility policies in Section 4.6, Land Use Compatibility, of this Plan.

~~h)i)~~ Major retail and residential uses are prohibited in the General Employment and Business Corridor Designation.

~~i)j)~~ In the General Employment and Business Corridor ~~d~~Designations, ~~i~~institutional uses and public service facilities may be considered, subject to the policies of Subsection 3.2.2 ~~e) f)~~ of this Plan.

### 8.2.3 GENERAL EMPLOYMENT DESIGNATION

#### 8.2.3(1) OBJECTIVES

- a) To provide locations for existing, new and/or relocating manufacturing, assembly, distribution and service *industrial* uses.
- b) To provide locations in the city for a broad range of *employment* and *office* uses.
- c) To separate General Employment areas from other *sensitive land uses*, particularly residential, due to potential *adverse effects*.
- d) To provide some locations in the General Employment designation for low-intensity, *industrial* uses, and *offices* that have a limited effect on the surrounding environment and that are generally small-scale. These uses can usually be located close to other *sensitive land uses*, including residential

land uses, without significant *adverse effects* if appropriate site plan design features are used and if appropriate mitigation measures are incorporated.

### 8.2.3(2) POLICIES

- a) The following uses *may* be permitted within the General Employment designation:
  - (i) *industrial* uses that involve assembling, fabricating, manufacturing, processing, warehousing and distribution uses, repair activities, communications, *utilities*, transportation, storage, service trades and construction uses; *office* uses; research and information processing; *automotive commercial* uses, including *large-scale motor vehicle dealerships*;
  - (ii) a limited range of *accessory* retail uses such as convenience stores, and a full range of *accessory service commercial* uses such as restaurants and banks, subject to the provisions of Subsection 8.2.2 c) of this Plan;
  - (iii) a limited range of *recreation uses* such as fitness centres and gyms, subject to the provisions of Subsections 8.2.2 d) and e) of this Plan;
  - (iv) *adult entertainment* uses, subject to the provisions of Subsection 8.2.3(2) d) of this Plan; and
  - (v) in locations adjacent to residential and other *sensitive land uses*, only uses that would have limited *adverse effects* on the surrounding area *shall* be permitted.
- b) The *City* will *encourage* the retention of existing manufacturing uses and permit a wide range of manufacturing uses at these locations.
- c) A range of building heights and *development intensities shall* be permitted within areas designated as General Employment.
- d) Regulations relating to the location of *adult entertainment* establishments *shall* be included in the Zoning By-law and *shall* be based on the following:
  - (i) a separation distance of four hundred (400) m from land uses that are sensitive to *adult entertainment* uses, such as residential, schools, places of worship and assembly, retail and *service commercial* uses and day care centres;
  - (ii) properties containing *adult entertainment* establishments *shall* not abut a Provincial Freeway, Major Arterial or Multi-Purpose Arterial Street; and

- (iii) [restrictions on the number and size of \*adult entertainment\* establishments and the establishment of a separation distance between them, which \*may\* be reduced when they are separated by a major barrier such as a Provincial Freeway.](#)

### 8.2.3(3) SITE-SPECIFIC POLICIES

- a) **1195 Walker’s Line:** Notwithstanding Subsection 8.2.3(2) a) of this Plan, freestanding restaurant uses *may* be permitted on property identified as 1195 Walker’s Line.
- b) **4045 Harvester Road:** Notwithstanding Subsection 8.2.3(2) a) of this Plan, on the property identified as 4045 Harvester Road, one freestanding restaurant and one additional *office or industrial* building of a minimum of one thousand, four hundred and thirty (1,430) sq. m. in size, containing up to thirty (30) percent of a limited range of *accessory* retail and *service commercial* uses, *may* be permitted.
- c) **3190, 3210 & 3250 Harvester Road:** [In addition to the other policies of this Plan, the following ~~additional~~ policies apply to those lands designated “General Employment” located south of Harvester Road, between Laurentian Drive and Cumberland Avenue, and identified as 3190, 3210 & 3250 Harvester Road:](#)
  - (i) as part of the review of any *development* proposals, a north-south pedestrian connection *may* be provided across the Canadian National Railways tracks at Cumberland Avenue. The actual location and design details *shall* be determined by the *City* and Canadian National Railways;
  - (ii) as part of the *development* of lands west of Roseland Creek, a pedestrian and bicycle path *shall* be provided along the Roseland Creek south from Harvester Road and a pedestrian crossing access over the Roseland Creek *may* be provided near the southern extent of Laurentian Drive, subject to the approval of Conservation Halton.
- d) **1200 King Road:** Notwithstanding Subsection 8.2.3(2) a) of this Plan, the following additional policies apply to lands designated “General Employment” and located west of King Road, south of Highway 403, and identified as 1200 King Road:
  - (i) *recreation use* and *entertainment* uses, including a sports arena and/or stadium, *shall* be permitted only up to a maximum seating capacity of nine thousand (9,000) persons. Any *recreation use* or *entertainment uses(s)* with a seating capacity in excess of nine



thousand (9,000) persons *shall* require a further amendment to this Plan;

- (ii) the Zoning By-law *shall* contain provisions relating to *recreation* and *entertainment uses*, placing a Holding (H) zone prefix on these lands which prohibit a sports arena and/or stadium with a maximum seating capacity of nine thousand (9,000) persons, until the following is completed to the satisfaction of the *City*:
  - a. the submission of a parking and access study which demonstrates that site access and parking *shall* be adequate to meet the demands of the sports arena and/or stadium facility;
  - b. the proposed east-west service road extending from Waterdown Road to King Road has received all applicable approvals to permit its construction; and
  - c. adequate securities have been posted with the *City* to ensure that the construction of the entire east-west service road *shall* be completed concurrent with the completion of the sports arena and/or stadium facility.

e) 1250 Appleby Line; 4495 North Service Road; 1243, 1239, 1227, 1181, 1230, 1254, 1240, 1200, 1184/1178 and 1144 Plains Road East; 955 Maple Avenue: Notwithstanding the policies of Subsections 8.2.2 d) and 8.2.3(2) a) of this Plan, freestanding *entertainment uses* and *recreation uses* may be permitted.

~~1250 Appleby Line; 4495 North Service Road; 1243, 1239, 1227, 1181, 1230, 1254, 1240, 1200, 1184/1178 and 1144 Plains Road East; 955 Maple Avenue. In addition to the permitted uses in 8.2.3(2) a) the following additional uses may be permitted:~~

- ~~(i) — *entertainment uses*, and~~
- ~~(ii) — *recreation uses*~~

## 8.2.4 BUSINESS CORRIDOR DESIGNATION

### 8.2.4(1) OBJECTIVES

- a) To provide locations in the city for prestige-type *offices* and *industrial* uses that require good access and high visibility along major transportation routes.

- b) To permit a wide range of *employment uses* including *office, industrial and related uses*.
- c) To establish high design and *development* standards for Business Corridor lands.

#### 8.2.4(2) POLICIES

- a) The following uses *may* be permitted within the Business Corridor designation:
  - (i) a broad range of *office uses*; *industrial* uses that involve assembling, fabricating, manufacturing, processing, warehousing and distribution uses, research and information processing, communications, *utilities* and transportation uses, and service trades, provided these uses are located within an enclosed building and are unlikely to cause significant adverse effects such as noise, vibration, odours or dust; hotel, conference and convention uses;
  - (ii) a limited range of *accessory* retail uses such as convenience stores, and a full range of *accessory service commercial* uses such as restaurants and banks, subject to the provisions of Subsection 8.2.2 c) of this Plan; and
  - (iii) a limited range of *recreation uses* such as fitness centres and gyms, subject to the provisions of Subsections 8.2.2 d) and e) of this Plan; and
  - (iv) *large-scale motor vehicle dealerships*, subject to the provisions of Subsection 8.2.4(2) e) of this Plan.
- b) A range of building heights and *development intensities* shall be permitted within areas designated as Business Corridor.
- c) The City will encourage A-a minimum floor area ratio of development of 0.255:1 is an appropriate minimum built form for office development in Business Corridor Lands– in order to promote more efficient use of land. Any modification 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 Business Corridor designation are maintained.
- d) The City will *encourage* the retention of existing manufacturing uses and permit a wide range of manufacturing uses at these locations.
- e) A *large-scale motor vehicle dealership* may be considered by the City through a site-specific Zoning By-law Amendment, subject to the fulfillment of the following criteria:

- (i) a minimum employment generation target of forty-five (45) jobs per hectare is met;
- (ii) the site *should* be located on a Major Arterial or Multi-Purpose Arterial Street or Industrial Connector, as outlined on Schedule O-1: Classification of Transportation Facilities- Urban Area, of this Plan;
- (iii) outside storage *shall* be limited (including the parking of vehicles), and any required outside storage *shall* be landscaped. Storage of vehicles *may* be permitted underground, or alternatively, off site; and
- (iv) other site plan considerations are addressed, including, but not limited to, stormwater management and drainage and landscaping details.

#### 8.2.4(3) SITE-SPECIFIC POLICIES

- a) **441, 501, 521, 538, 539, 559, 578, 598, 649, 801 & 891 North Service Road; 1450 King Road; 1549, 1550, 1569 & 1570 Yorkton Court and 538, 539, 559, 578 & 598 King Forest Court:** Notwithstanding the other policies of this Plan, on the lands on the north side of the North Service Road, east and west of King Road, and identified as 441, 501, 521, 538, 539, 559, 578, 598, 649, 801 & 891 North Service Road, 1450 King Road, 1549, 1550, 1569 & 1570 Yorkton Court and 538, 539, 559, 578 & 598 King Forest Court, only lower *intensity development* may be permitted, subject to the following:
  - (i) the open-space character of the area *shall* be maintained to the maximum possible degree;
  - (ii) outside storage of goods and materials is prohibited;
  - (iii) all uses except parking *shall* be enclosed;
  - (iv) parking facilities *shall* be landscaped and screened;
  - (v) landscaping, *tree* planting and berms *shall* be provided within landscape areas abutting North Service Road and King Road;
  - (vi) the *City's* Natural Heritage System and other wooded areas, hedgerows and *trees* *shall* be protected to the maximum possible degree;
  - (vii) a maximum impervious coverage of forty (40) percent *shall* be provided for *lots* which front the North Service Road, save and except 1450 King Road, or as permitted in the Zoning By-law;

- (viii) the outside storage of finished brick materials is permitted on approximately 7.5 ha of land consisting of the southernmost 4.8 ha of 1570 Yorkton Court and approximately the westernmost 2.7 ha of 1570 Yorkton Court; and
- (ix) notwithstanding Subsections 8.2.4(2) a) and e) of this Plan, a *large-scale motor vehicle dealership* is permitted on land identified as 441 North Service Road. A limited amount of outside storage of motor vehicles for retail use is also permitted, provided the storage area is screened from the North Service Road with landscaping and decorative features. Waste and refuse containers are permitted, provided they are screened from the North Service Road.
- ~~(ix)~~ (x) ~~a~~ Additional uses that are supportive of and *accessory* to, the *large-scale motor vehicle dealership* on 441 North Service Road, and that may not be located on the same lot as 441 North Service Road, including the outside storage of motor vehicles and parking, *may* also be permitted on any of the lands identified under Subsection 8.2.4(3)(a) of this Plan.
- b) **151, 201, 291 & 391 North Service Road:** *Development* of lands designated “Business Corridor” on the north side of North Service Road, west of King Road, and identified as 151, 201, 291 & 391 North Service Road, *shall* also be required to submit and implement the following:
  - (i) a site-specific Environmental Impact Assessment (EIA), as described in Subsection 4.2.4 of this Plan, and prepared by a *qualified person*, to ensure that *negative impacts* on the *natural environment* and *natural heritage features and areas* are minimized, through such measures as maximum impervious surface limits and setbacks from *watercourses* and natural features;
  - (ii) a viewshed study and calculation of maximum building heights to ensure views to the Escarpment are maintained to the maximum extent; and
  - (iii) compliance with the policies of Subsection 10.3.3 of this Plan.
- c) **990 Fraser Drive:** In addition to the uses permitted in Subsection 8.2.4(2) a) of this Plan, a retail furniture showroom in combination with a furniture warehouse is permitted on lands identified as 990 Fraser Drive, provided the retail showroom does not exceed fifty (50) percent of the floor area of the building.
- d) **4111 North Service Road and ~~at~~ 4315 North Service Road:** In addition to the uses permitted in Subsections 8.2.4(2) a) and e) of this Plan, *motor vehicle*

*dealerships* are also permitted on lands identified as 4111 North Service Road and ~~at~~ 4315 North Service Road.

- e) **3106, 3110, 3120, 3130 and 3140 South Service Road:** In addition to the uses permitted in Subsection 8.2.4(2) a) of this Plan, freestanding restaurants are permitted on those lands identified as 3106, 3110, 3120, 3130 and 3140 South Service Road.
- f) **Alton Community:** In addition to the policies in Subsection 8.2.4(2) a) of this Plan, within the ~~Alton Community~~, area bounded by Dundas Street to the south, Highway No. 407 to the north and west and Bronte Creek to the east, known as the Alton Community, outdoor storage is prohibited in yards adjacent to Highway No. 407. Outdoor storage in other locations *shall* be sited, fenced and screened so as not to detract from the character of the Business Corridor.
- g) **3750 Palladium Way:** In addition to the uses permitted in Subsection 8.2.4(2) a) of this Plan, *development* of the lands identified as 3750 Palladium Way *shall* be subject to the following additional policies:
  - (i) a maximum of 0.9 ha of the lands *may* be used for freestanding *service commercial* uses including restaurants and *motor vehicle service stations* and a freestanding convenience store, provided the *total floor area* of these uses does not exceed one thousand four hundred (1,400) sq. m, excluding a *motor vehicle service station*; and
  - (ii) the remainder of the lands *shall* only be used in accordance with the uses permitted in Subsection 8.2.4(2) a) (i) of this Plan.
- h) **3027 Harvester Road and 901 Guelph Line:** In addition to the other policies of this Plan, the following policies apply to *development* within the north-east and south-east quadrants of the intersection of Harvester Road and Guelph Line, identified as 3027 Harvester Road and 901 Guelph Line:
  - (i) this intersection is identified as a gateway to the city and *shall* consist of high quality, *office development* fronting and facing Guelph Line and Harvester Road. An urban plaza located at the south-east corner *shall* signal the entry into the corporate gateway;
  - (ii) the Zoning By-law *shall* contain provisions which *shall* permit the *development* of high quality, business corridor uses at the south-east corner of Guelph Line and Harvester Road, in order to act as visual landmarks and help establish the gateway to the city;
  - (iii) pedestrian access *shall* be provided from lands east of Roseland Creek, over the creek and through to Guelph Line, as part of the *development* of lands west of Roseland Creek;

- (iv) *development shall* not proceed on the lands bounded by the Roseland Creek, Guelph Line, the CNR tracks and Harvester Road, until such time as the property owners sign a Master Servicing/Cost Sharing Agreement for future creek, servicing, traffic and *streetscaping* improvements in the area;
  - (v) all *development* within the lands bounded by the Roseland Creek, Guelph Line, the CNR tracks and Harvester Road, *shall* be evaluated within the context of a comprehensive site plan for the entire area that provides appropriate detail with respect to built form, land use mix, internal road pattern and pedestrian access.
- i) **3309 Harrison Crescent:** In addition to the other policies of this Plan, the lands identified as 3309 Harrison Crescent, *shall* be subject to the following policies:
- (i) banks and similar uses as identified through the Zoning By-law, *shall* not be subject to the provisions of Subsection 8.2.2 c) of this Plan;
  - (ii) all parking areas *shall* be provided as surface parking. No above grade or below grade parking structures are permitted.
- j) **960 Cumberland Avenue:** Notwithstanding the other policies of this Plan, on the lands identified as 960 Cumberland Avenue, a freestanding fitness and racquet club is permitted. In addition, parking for the fitness and racquet club *may* be located on 957 Cumberland Avenue.

## 8.3 RESIDENTIAL NEIGHBOURHOOD AREAS

The lands designated as "Residential Neighbourhood Areas" on Schedule B: Urban Structure, within the Urban Area, are intended to provide for housing and other residential supportive land uses that are part of an urban residential environment. Housing *may* take many forms ranging from single detached homes to *tall buildings* and will occur primarily in the form of *intensification* within existing areas.

The city's Residential Neighbourhood Area is comprised of three land use designations based on density and building types: Residential – Low Density, Residential – Medium Density and Residential – High Density, identified on Schedule C: Land Use - Urban Area, of this Plan. Each designation is based on the function, land uses, location, density and *scale of development*.

New residential housing within the Residential Neighbourhood Area will be accommodated primarily through the *intensification* of existing areas, where *compatible*. The City will address new housing demands, through the best use of existing *infrastructure* and *public service facilities* within the Urban Area.

### 8.3.1 GENERAL OBJECTIVES

- a) To *encourage* new residential *development* and residential *intensification* within the Residential Neighbourhood Area in accordance with Provincial, Regional and City growth management objectives, while recognizing that the density and form of new *development* must be balanced with other planning considerations, such as the availability of *infrastructure* and *public service facilities*, and also ensuring that new *development* achieves *compatibility* and integration within existing residential neighbourhoods.
- b) To provide housing in a form and location that supports the existing, and the expansion of, the city's transportation network, with emphasis on public transit and *active transportation*.
- c) To encourage the accommodation of a diverse range of household sizes and incomes.
- d) To *encourage* a strong *live/work relationship* within the city by providing housing that reflects the existing and future socio-economic, employment and demographic characteristics of local residents.
- e) To provide, where *compatible*, housing opportunities in proximity to ~~areas-of employment~~ *Employment Areas* and other land uses that support residential neighbourhoods, such as commercial and recreational activities, in order to

improve access to places of work and neighbourhood amenities with a reduced dependence on private automobiles.

- f) To provide opportunities for limited small-scale commercial uses within medium and high density residential neighbourhood areas, where *compatible*, which serve the day-to-day needs of residents without the need for a private automobile.
- g) To *encourage* the integration of a wide range of housing types and tenures within Residential Neighbourhood Areas, including *assisted and special needs housing, affordable housing* and rental housing.
- h) To ensure that *development* within the Residential Neighbourhood Area is *compatible* with surrounding properties.

### 8.3.2 GENERAL POLICIES

- a) In addition to the permitted uses of each land use designation, within Residential Neighbourhood Areas, the following neighbourhood support uses *may* be permitted:
  - (i) assisted and special needs housing such as group homes, retirement homes and long-term care facilities, provided compatibility with the surrounding neighbourhood is achieved;
  - (ii) *home occupations and cottage industries*, which are *compatible* with, and complementary to, the primarily residential neighbourhood; and subject to the policies of Subsection 8.3.7 of this Plan;
  - (iii) *office conversions* within existing single-detached *dwelling*s, which are *compatible* with, and complementary to, the primarily residential neighbourhood, and subject to the policies of Subsection 8.3.8 of this Plan; and
  - (iv) neighbourhood parks and open spaces.
- b) Multi-unit residential *developments* in Residential Neighbourhood Areas *should* incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes.
- c) *Development* which proposes the creation of a new common roadway will be *encouraged* to provide the roadway in the form of a public right-of-way.
- d) The preservation and enhancement of on-site *trees* and vegetation will be *encouraged* in order to assist in maintaining the character of the surrounding neighbourhood.
- e) Where there is a significant loss of existing on-site *trees* and vegetation, appropriate compensation *shall* be provided.



### 8.3.3 RESIDENTIAL LOW-DENSITY

#### 8.3.3(1) POLICIES

- a) On lands designated Residential – Low Density, single-detached and semi-detached *dwelling*s may be permitted.
- b) Notwithstanding Subsection 8.3.3(1) a) of this Plan, other forms of attached, *ground-oriented dwelling*s may be ~~permitted~~ considered by the City on lands designated Residential – Low Density, through a site-specific Zoning By-Law Amendment, subject to the fulfillment of the following criteria:
  - (i) ~~the development does not exceed the density established in Subsection 8.3.3(1) c) of this Plan;~~
  - (ii) ~~the development form is compatible with the surrounding area;~~
  - (iii) ~~the development form is respectful of the physical character of the neighbourhood; and,~~
  - (iv) ~~the development includes the provision of a functional amenity area at grade.~~
  - ~~(i) provided that these forms meet the density as specified in Subsection 8.3.3(1) c) of this Plan, and provided that the development form is compatible with the surrounding area and respectful of the physical character of the neighbourhood, including the provision of a functional common amenity area at grade.~~
- b)c) On lands designated Residential – Low Density, *development shall* be permitted to a maximum density of twenty-five (25) units per *net* hectare.
- e)d) On lands designated Residential – Low Density, the maximum height of *development shall* be established through the implementing Zoning By-Law.
- e)e) On lands designated Residential- Low Density, in addition to the criteria contained in Subsection 12.1.7(2) of this Plan, the following criterion *shall* be considered when evaluating minor variance applications for increased height:
  - (i) the maximum building height *should* be comparable to the average height of the highest points of the rooflines of existing residential buildings on the immediately adjoining properties sharing lot lines with the lands under application.

#### 8.3.3(2) SITE-SPECIFIC POLICIES

- a) **Orchard Community:** Notwithstanding the policies of Subsections 8.3.3(1) a) to d) of this Plan, on lands within the area bounded by Upper Middle Road to the south, Bronte Creek Valley to the east, Dundas Street and the CN rail

line to the north and Appleby Line to the west, known as the Orchard Community, the maximum density of development on lands designated Residential - Low Density shall be thirty (30) units per *net* hectare. The permitted housing forms in the low and medium density areas shall include predominantly single-detached and semi-detached units, townhouses and street townhouses; duplexes, three-plexes and four-plexes are also permitted.

- b) **Alton Community:** Notwithstanding the policies of Subsection 8.3.3(1) c) of this Plan, on lands in the Alton Community, within the area by Dundas Street to the south, Highway No. 407 to the north and west and Bronte Creek to the east, known as the Alton Community, the maximum density of development on lands designated Residential - Low Density shall be thirty (30) units per *net* hectare.

### 8.3.4 RESIDENTIAL-MEDIUM DENSITY

#### 8.3.4(1) POLICIES

- a) On lands designated Residential – Medium Density, *ground and non-ground-oriented dwellings* including single-detached and semi-detached dwellings, townhouses, street townhouses, stacked townhouses, back-to-back townhouses and *low-rise* residential buildings *may* be permitted.
- b) On lands designated Residential – Medium Density, *ground or non-ground-oriented dwellings*, as specified in Subsection 8.3.4(1) a) of this Plan, *may* be permitted at a density of twenty-six (26) to seventy-five (75) units per *net* hectare, subject to Subsection 8.3.4(1) c) of this Plan.
- c) On lands designated Residential – Medium Density, *development may* be permitted to a maximum height of:
  - (i) three (3) storeys for *ground-oriented dwellings* (not including rooftop amenity/outdoor areas); or
  - (ii) four (4) storeys for *non-ground-oriented dwellings*.
- d) *Development of non-ground oriented buildings shall* be permitted only at the periphery of existing neighbourhoods.

#### 8.3.4(2) SITE-SPECIFIC POLICIES

- a) **2290 Queensway Drive:** Notwithstanding the policies of Subsection 8.3.4(1) a) of this Plan, *development* on lands identified as 2290 Queensway Drive, *shall* be subject to the following:
  - (i) in addition to the uses permitted in Subsection 8.3.4(1) a) of this Plan, additional specialized retail and *service commercial* uses, as set out in the Zoning By-law, *may* be permitted on the property; and
  - (ii) the additional permitted retail and *service commercial* uses are permitted within the *existing* building only.
- b) **1180 Unsworth Avenue:** Notwithstanding the policies of Subsection 8.3.4(1) a) of this Plan, on the lands identified as 1180 Unsworth Avenue, a Local Centre, including freestanding *offices*, *may* also be permitted, with a maximum non-residential floor area of four hundred (400) sq. m.
- c) **4107 & 4125 Upper Middle Road:** Notwithstanding the policies of Subsection 8.3.4(1) a) and Subsection 8.3.8 of this Plan, the lands located on the north side of Upper Middle Road, west of William O’Connell Boulevard, and identified as 4107 & 4125 Upper Middle Road, *may* also be used for *offices*,

subject to *compatibility* being provided with the abutting single-detached residential *neighbourhood* to the north.

- d) **3095 New Street:** Notwithstanding the policies of Subsections 8.3.4(1) a) and c) of this Plan, on lands identified as 3095 New Street, a mixed-use building with *office* and residential uses *may* be permitted, and the maximum building height *shall* be three (3) storeys.
- e) ~~238 Sumach Drive: Notwithstanding the policies of Subsection 8.3.4(1) b) of this Plan, on the lands identified as 238 Sumach Drive, given site constraints and the requirements for remediation, development shall be permitted to a density of one hundred and ten (110) units per net hectare.~~

### 8.3.5 RESIDENTIAL-HIGH DENSITY

#### 8.3.5(1) POLICIES

- a) On lands designated Residential – High Density, *ground* and *non-ground-oriented dwellings* including townhouses, street townhouses, stacked townhouses, back-to-back townhouses, stacked back-to-back townhouses, attached housing and apartments, but excluding single-detached and semi-detached dwellings, *may* be permitted.
- b) On lands designated Residential – High Density, *ground* or *non-ground-oriented dwellings*, as specified in Subsection 8.3.5(1) a) of this Plan, *may be permitted*, with a density ranging between seventy-six (76) and one hundred and eighty-five (185) units per *net* hectare, ~~*may be permitted*~~.
- c) Notwithstanding the density range identified in Subsection 8.3.5(1) b) of this Plan, *development* with a proposed density in excess of one hundred and eighty-five (185) units per *net* hectare, *may* be considered by the *City* through a site-specific Zoning By-law Amendment, without the need for an amendment to this Plan, subject to the fulfillment of the following criteria:
  - (i) a significant reduction of parking at grade;
  - (ii) the *development should* be located within four hundred (400) m of a *frequent transit corridor*; and
  - (iii) the *development shall* conform with all applicable minimum and maximum height requirements as stated in the Zoning By-Law.
- d) On lands designated Residential – High Density, the maximum height of *development shall* be established through the implementing Zoning By-Law.
- e) *Development* on lands designated Residential – High Density *should* provide a functional outdoor common *amenity area* at grade level for use by residents.

### 8.3.5(2) SITE-SPECIFIC POLICIES

- a) **Alton Community:** Notwithstanding Subsections 8.3.5(1) a) & d) of this Plan, in the Alton Community, within the area bounded by Dundas Street to the south, Highway No. 407 to the north and west and Bronte Creek to the east, known as the Alton Community, on lands designated Residential – High Density street townhouses and stacked townhouses, attached housing and apartments to a maximum height of ten (10) storeys may be permitted ~~to a maximum height of ten (10) storeys~~.
- b) **910 Guelph Line:** In addition to the other policies of this Plan, the following policies *shall* apply to *development* on lands located in the south-west quadrant of Guelph Line and Glenwood School Drive and identified as 910 Guelph Line:
  - (i) this intersection is identified as a gateway to the city and any *development* abutting the intersection *shall* be in a compact, urban form;
  - (ii) the lands *shall* be developed with buildings that front and face the street, and building heights, *massing*, setbacks and landscape features *shall* be designed to enhance the gateway function of this intersection;
  - (iii) a maximum *floor area ratio* of 2.0:1 *may* be permitted, provided that the building height, *massing*, setbacks and landscaping features are designed to enhance the gateway function of the intersection in accordance with the approved *Urban Design Guidelines*.
- c) **1800 Tobyn Drive:** Notwithstanding the density ranges identified in Subsections 8.3.5(1) b) and c) of this Plan, on the lands located at 1800 Tobyn Drive, apartment buildings and at least one *retirement home* with a combined *floor area ratio* of 2.2:1 *may* be permitted. In addition, the two buildings adjacent to the western property line are permitted to have a limited range of ground floor retail, *service commercial* and *office* uses provided these uses are *accessory* and complementary to the seniors' residential complex.
- d) **4100 Upper Middle Road:** Notwithstanding the density ranges identified in Subsection 8.3.5(1) b) and c) of this Plan, on the lands identified as 4100 Upper Middle Road, a retirement community consisting of a *long-term care facility*, apartment buildings and *retirement home* units, with a combined maximum *floor area ratio* of 1.9:1, *may* be permitted.
- e) **2051-2067 and 2077-2085 Prospect Street:** Notwithstanding the policies of Subsection 8.3.5(1) a) of this Plan, on the northern portion of the lands

identified as 2051-2067 and 2077-2085 Prospect Street, only *ground-oriented dwelling units shall* be permitted, to ensure *compatibility* with the abutting single-detached residential neighbourhood to the north.

- f) **4880 Valera Road:** Notwithstanding the policies of Subsections 8.3.5(1) a) & d) of this Plan, on the lands identified as 4880 Valera Road, the following additional policies *shall* apply:
- (i) retail and *service commercial* uses in the form of mixed use or stand-alone buildings *shall* be provided fronting on Thomas Alton Boulevard; and
  - (ii) residential building height *shall* be transitioned to provide for a lower height fronting Valera Road and existing residential *development* to the south.

### 8.3.6 NEIGHBOURHOOD CHARACTER AREAS

*Neighbourhood Character Areas* are specific neighbourhoods within the city's Residential Neighbourhood Areas, where only limited, *compatible development* is anticipated. *Neighbourhood Character Areas* are identified in the Zoning By-law.

#### 8.3.6(1) OBJECTIVES

- a) To maintain, protect and enhance *neighbourhood character* by ensuring that *development* within *Neighbourhood Character Areas* is consistent with and respectful of the *neighbourhood character*.
- b) To manage change in *Neighbourhood Character Areas* through appropriate development applications.
- c) To maintain and improve the *urban forest* in *Neighbourhood Character Areas* through the enhancement and/or replacement of *trees*.

#### 8.3.6(2) POLICIES

- a) *Neighbourhood Character Areas shall* be identified in the City's Zoning By-law.
- b) The *City may* add or delete *Neighbourhood Character Areas* or alter the boundaries of existing *Neighbourhood Character Areas* from time to time through further amendment to the Zoning By-law, without the need for an amendment to this Plan.
- c) Notwithstanding the policies of Subsections 8.3.3(1) a) and b) of this Plan, permitted residential uses in *Neighbourhood Character Areas shall* be restricted to single-detached dwellings.

- d) Proposed *development should* respect the existing *neighbourhood character* by incorporating built form and design elements, architectural features, building separations, lot coverage, *scale, floor area ratio*, and landscape qualities and characteristics that are prevalent in the *Neighbourhood Character Area*.
- e) Healthy mature *trees* contribute to *neighbourhood character*. *Development shall* be consistent with the policies of Section 4.3, Urban Forestry, of this Plan.
- f) Neighbourhood Character Areas *shall* also be subject to the policies of Subsections 12.1.7(2) d) and 12.1.12(4.1) [de](#) [x](#) and [xi](#) of this Plan.

### 8.3.6(3) SITE-SPECIFIC POLICIES

- a) Indian Point is a distinct historic *Neighbourhood Character Area* characterized by its lakeside location; few streets; large and mature *tree* canopy; spacious properties separated by large open spaces between houses and a variety of architectural styles. New *development shall* protect and enhance these *neighbourhood character* elements.
- b) Roseland is a distinct *Neighbourhood Character Area* defined by its garden-like setting with large and mature *trees*, strong historic character, and homes with varied and unique architectural styles. Lots are spacious with dwellings that are well proportioned in relation to the property size and having a *scale* that is *compatible* with adjacent dwellings and which reinforces the open space character. Streets within the *Neighbourhood Character Area* contain wide landscaped boulevards and street lamps that complement the *neighbourhood character* of the private properties. New *development shall* protect and enhance these *neighbourhood character* elements.

### 8.3.7 HOME OCCUPATIONS AND COTTAGE INDUSTRIES

#### 8.3.7(1) OBJECTIVE

- a) To provide opportunities for limited, small-scale, home-based *office* and personal *service commercial* activity and *cottage industries* in residential areas, that are *compatible* with the main residential use and function of the area.

**8.3.7(2) POLICIES**

- a) Regulations relating to the location of *home occupations* and *cottage industries* shall be included in the Zoning By-law.
- b) Zoning By-law regulations relating to *home occupations* and *cottage industries* shall be based on the following:
  - (i) persons employed by the *home occupation* or *cottage industry* shall be limited to residents of the household from which the *home occupation* or *cottage industry* is conducted;
  - (ii) the *home occupation* or *cottage industry* use shall be accessory to the primary residential use of the *dwelling unit*, and the size of the area devoted to the *home occupation* or *cottage industry* shall be restricted to a percentage of the size of the *dwelling unit*;
  - (iii) outside storage and display shall be prohibited, and exterior signage restricted; and
  - (iv) the *home occupation* or *cottage industry* shall be limited to those that are *compatible* with surrounding residential area with respect to such considerations as noise, odour, traffic levels and parking.

**8.3.8 OFFICES**

**8.3.8(1) OBJECTIVE**

- a) To provide opportunities for limited conversions of existing detached dwellings to small-scale *offices* that serve the residential community and are *compatible* with the main residential use and function of the area.

**8.3.8(2) POLICIES**

- a) Regulations relating to the conversion of *existing* detached dwellings to *office* uses shall be included in the Zoning By-Law.
- b) Zoning regulations relating to *offices* in residential zones shall be based on the following:
  - (i) vehicular access to the *office* should be directly from:
    - a. a Major Arterial or Multi-Purpose Arterial Street, Urban Avenue, or Main Street, as identified on Schedule O-1: Classification of Transportation Facilities-Urban Area; and
    - b. an Urban Avenue, Main Street, or Neighbourhood Connector, as identified on Schedule O-3: Classification of Transportation Facilities, Downtown Urban Centre.



- (ii) signage for *offices shall* be restricted to be in keeping with the residential *character of* the area;
- ~~(iii) the creation of the *office* within an *existing* residential building shall be compatible with the surrounding area and respectful of the physical character of the neighbourhood; is respectful of the physical character of the surrounding residential area;~~
- (iii)
- (iv) where an *existing* building of *built heritage resource* value is converted to *office use*, limited, architecturally *compatible* additions *shall be permitted*, only provided they are complementary to the *physical character* of the *built heritage resource* and of the area;
- (v) adequate off-street parking is provided; and
- (vi) adequate buffering *is provided* to *adjacent* residential properties.

### 8.3.9 RETAIL AND SERVICE COMMERCIAL USES

#### 8.3.9(1) OBJECTIVE

- a) To provide opportunities for limited, small-scale retail and service commercial uses that serve the residential community and are *compatible* with the main residential use and function of the area.

#### 8.3.9(2) POLICIES

- a) Retail and/or service commercial uses *may* be permitted within proposed residential *development* in Residential – Medium Density and Residential – High Density designations subject to the following criteria:
  - (i) on lands designated Residential – Medium Density, the proposed *development shall* achieve a minimum density of fifty-one (51) units per *net* hectare;
  - (ii) the property *shall* be adjacent to a Major Arterial or Multi-Purpose Arterial Street, Urban Avenue, or Main Street, as identified on Schedule O-1: Classification of Transportation Facilities-Urban Area, of this Plan;
  - (iii) the retail and/or service commercial use *shall* be primarily intended to serve on-site residents and those located within immediate walking distance of the property;

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- (iv) the retail and/or *service commercial* use *shall* be *compatible* with the surrounding area and respectful of the *physical character* of the neighbourhood; and
  - (v) the retail and/or *service commercial* uses *shall* be located at grade level within a building containing residential uses.
- b) The Zoning By-law *shall* establish the total cumulative floor area of retail and/or *service commercial* uses that *may* be permitted.

### 8.3.10 DAY CARE CENTRES

- a) ~~a)~~ — Notwithstanding Subsection 3.2.2 b) of this Plan, day care centres in Residential Neighbourhood Areas are subject to the following additional policies:
- (i) regulations relating to day care centres *shall* be included in the Zoning By-law;
  - (ii) zoning regulations and site plan considerations relating to day care centres in Residential Neighbourhood Areas *shall* be based on the following:
    - a. within Residential-Low Density areas, the day care centre *shall* be small in *scale*. The Zoning By-law *shall* establish a maximum floor area for day care centres in this designation;
    - b. the day care centre *shall* be *compatible* with the surrounding area and respectful of the *physical character* of the neighbourhood;
    - c. adequate parking, vehicular ingress/egress and drop-off, and adequate indoor and outdoor *amenity areas* for children's play are provided;
    - d. the adverse impacts on the neighbourhood in terms of considerations such as traffic, noise, lighting, odours, security, removal of *trees*, sun shadowing and privacy, are minimized;
    - e. vehicular access to the day care centre *shall* be directly from a Major Arterial, Multi-Purpose Arterial, Urban Avenue, Main Street or Neighbourhood Connector, as outlined on Schedule O-1: Classification of Transportation Facilities-Urban Area, of this Plan.
  - (iii) ~~aA~~ day care centre facility located on a school site or within a school building *shall* not be subject to Subsections policies 8.3.10 a) ii) ~~a.)~~ and ~~e.)~~ of this Plan.

## 8.4 NATURAL HERITAGE SYSTEM, PARKS AND OPEN SPACE

The Natural Heritage System (NHS), designated on Schedule C: Land Use – Urban Area, of this Plan, is made up of *natural heritage features*, such as *woodlands* and *valleylands*, and the *linkages* and inter-relationships among them. The Natural Heritage System plays an important role in maintaining and enhancing the quality of life, environmental health and *sustainability* of the Urban Area.

The Natural Heritage System consists of the City’s Natural Heritage System and the Greenbelt Natural Heritage System. Section 4.2, Natural Heritage System, of this Plan, identifies the components of the Natural Heritage System in the city and sets out objectives and policies related to the Natural Heritage System that apply throughout the city, including the Urban Area. This section of the Plan contains additional objectives and policies that apply to the City’s Natural Heritage System, specifically within the Urban Area. The objectives and policies of this section *shall* be read in conjunction with the objectives and policies in Section 4.2, Natural Heritage System, of this Plan and the objectives and policies contained in Section 4.4, Water Resources, of this Plan.

In addition portions of the Greenbelt Natural Heritage System are located within the Urban Area as shown on Schedule M: The Natural Heritage System, of this Plan. The objectives and policies respecting the Greenbelt Natural Heritage System are contained in Section 4.2.3, Greenbelt Natural Heritage System, of this Plan.

Parks and Open Spaces are essential components of a healthy and sustainable urban area. The “Major Parks and Open Space” designation is intended for Community Parks and City Parks and other public and private open space lands.

### 8.4.1 CITY’S NATURAL HERITAGE SYSTEM DESIGNATION

#### 8.4.1(1) OBJECTIVES

- a) To maintain, restore and enhance the long-term ecological health, integrity and biodiversity of the Natural Heritage System in the Urban Area and its *ecological* and *hydrologic functions*.
- b) To maintain, restore and enhance *Key Natural Features*.
- c) To maintain, restore and enhance the continuity of *linkages* and functional interrelationships among *natural heritage features*, *ecological functions*, surface and groundwater features and *hydrologic functions*.
- d) To direct *development* to locations outside hazardous lands and hazardous sites.
- e) To avoid increased flooding, erosion and sedimentation.

- f) To protect and enhance the quality and quantity of ground and surface water and their related *hydrologic functions*.
- g) To preserve examples of the landscape that display significant earth science features and their associated processes.
- h) To enhance air quality.
- i) To provide opportunities for scientific study and education.
- j) To provide opportunities for *non-intensive recreation uses* within the *City's* Natural Heritage System, where appropriate.

#### 8.4.1(2) POLICIES

- a) The *City's* Natural Heritage System is designated on Schedule C: Land Use – Urban Area, of this Plan. The Natural Heritage System in the Urban Area is part of the broader, city-wide Natural Heritage System shown on Schedule M: The Natural Heritage System, of this Plan, which in turn is part of a much larger system extending far beyond the city's boundaries. The *Key Natural Features* that have been identified within the Natural Heritage System are shown on Schedule M: Natural Heritage System, of this Plan.
- b) Section 4.2, Natural Heritage System, of this Plan identifies the components of the Natural Heritage System and sets out objectives and policies related to the Natural Heritage System that apply throughout the city, including in the Urban Area. This section of the Plan contains additional policies that apply to the *City's* Natural Heritage System, specifically within the Urban Area. The policies of this section *shall* be read in conjunction with the objectives and policies in Section 4.2, Natural Heritage System, of this Plan, and with the objectives and policies contained in Section 4.4, Water Resources, of this Plan.
- c) The following uses *may* be permitted in the *City's* Natural Heritage System designation, subject to the other policies of this Plan and to the applicable policies of the Greenbelt Plan, except where the use involves *development* or *site alteration* prohibited under Subsection 4.2.2 [km](#)) (i) of this Plan:
  - (i) *existing uses*;
  - (ii) single-detached dwellings on existing *lots* created under The Planning Act;
  - (iii) *non-intensive recreation uses* such as nature viewing and pedestrian trails;
  - (iv) forest, wildlife and fisheries management;
  - (v) archaeological activities;

- (vi) *essential linear infrastructure* facilities;
- (vii) *accessory buildings, structures* and facilities and site modifications to accommodate them;
- (viii) *home occupations* and *cottage industries* with a floor area not exceeding one hundred (100) sq. m. or twenty-five (25) percent of the residential living area, whichever is lesser; and
- (ix) *essential watershed management* and flood and erosion control projects either carried out or supervised by a *public authority* or approved in this Plan. Stormwater management ponds are not permitted in *Key Natural Features* or in *buffers* to those features.

## 8.4.2 MAJOR PARKS AND OPEN SPACE DESIGNATION

### 8.4.2(1) OBJECTIVES

- a) To recognize parks and open space lands as valuable resources to the community that play an important role in defining the character and lifestyle of the city's residents.
- b) To ensure that an adequate and equitable supply of parks, open space and public gathering space, and a full range of leisure opportunities, is available throughout the city.
- c) To collaborate with other agencies such as the school boards, Conservation Halton and the Region of Halton in the planning and *development* of parks and other recreation and leisure facilities.
- d) To implement the park classification system established in the Parks, Recreation and Cultural Assets Master Plan, as amended from time to time, in order to effectively address the parks and recreational needs of city residents.

### 8.4.2(2) POLICIES

- a) Uses permitted within the Parks and Open Space designation *may* include:
  - (i) municipal parks and related *public service facilities*;
  - (ii) *golf courses* and related facilities; and
  - (iii) outdoor recreation uses and *non-intensive recreation uses*.
- b) New *golf courses* and golf driving ranges, and expansions to existing *golf courses* and driving ranges requiring additional land, *shall* not be permitted.
- c) All City Parks and Community Parks are designated as Major Parks and Open Space on Schedule C: Land Use - Urban Area, of this Plan. Parkettes,

Neighbourhood Parks and Special Resource Areas are not identified under a separate land use designation in the Urban Area.

- d) A proposal to re-designate lands within the Major Parks and Open Space designation to another land use designation *shall* only be considered by the *City* in conjunction with a statutory Official Plan Review.

### 8.4.2(3) SITE-SPECIFIC POLICY

- a) **2120 Itabashi Way:** Notwithstanding the other policies of this Plan, the lands designated “Major Parks and Open Space,” south of Upper Middle Road, between Shoreacres Creek and the rail line, north of and adjacent to the rail line, and identified as 2120 Itabashi Way, *shall* be subject to the following:
  - (i) the lands *shall* only be used as a private or public open space use separation buffer for residential *development* on the lands south of Upper Middle Road, between Walker’s Line and Appleby Line, and the adjoining industries located to the south of the rail line;
  - (ii) permitted uses within this designation *shall* be limited to only one public health care (Wellness House) building, provided that no overnight health care accommodation is permitted; private open space, stormwater management and erosion control facilities, walking trails, nature viewing and parking lots.





## 8.5 MINERAL RESOURCE EXTRACTION AREA

The Mineral Resource Extraction Area designation on Schedule C: Land Use –Urban Area, of this Plan, includes areas licenced pursuant to The Aggregate Resources Act. The objectives and policies contained in Section 4.10, Mineral Aggregate Resources, of this Plan, *shall* apply to the Mineral Resource Extraction Area designation in the Urban Area, except as follows:

- a) **5235 Dundas Street:** Notwithstanding the other policies of this Plan, the existing shale *quarry* operation located at 5235 Dundas Street *shall* be subject to the following:
  - (i) the *City shall* consider the shale *quarry* operation as *an interim land use* and *encourage* its progressive *rehabilitation* for an appropriate after-use; and
  - (ii) where *rehabilitation* is being undertaken by reforestation, the after use *shall* aim to re-establish a functioning *ecosystem* similar in condition to the natural *ecosystem* in the region.

~~(ii)~~ —

## 8.6 INFRASTRUCTURE AND TRANSPORTATION CORRIDORS

### 8.6.1(1) OBJECTIVE

- a) To identify existing *infrastructure* and transportation corridors.

### 8.6.1(2) POLICY

- a) The lands identified in this designation represent major existing corridors and *shall* be subject to the policies of Chapter 6: Infrastructure, Transportation and Utilities, of this Plan.

## 8.7 SPECIFIC USE POLICIES

### 8.7.1 ACCESSORY DRIVE THROUGHS

An *accessory drive-through* is an automobile-oriented amenity that provides a convenience to people travelling by private automobile. Although convenient, *accessory drive-throughs* present transportation management, planning and urban design challenges. The addition of an *accessory drive-through* to commercial uses, where permitted, need to ensure *compatibility* with the stated objectives for an area or designation, as they can have the potential to alter the form, function and *compatibility* of a principal use and compromise other city objectives including *intensification*, and transit and pedestrian-oriented *development*.

#### 8.7.1(1) OBJECTIVES

- a) To ensure that principal uses which include an *accessory drive-through*, adopt a form and function that responds to and supports the planned *development* of an area.
- b) To restrict new *accessory drive-throughs* in specific Mixed Use *Intensification Areas* which are intended to accommodate higher *intensity developments*, pedestrian and transit-oriented *development* and where a high level of *compatibility* among a wide range of uses, including *sensitive land uses* within a building, site or area will be required.
- c) To ensure that *developments containing accessory drive-throughs*, where permitted and appropriate, are developed with minimal adverse impacts on the functionality, *compatibility* and urban design of a site or area and will not compromise *intensification* of a site.

#### 8.7.1(2) POLICIES

- a) *Accessory drive-throughs* within the Urban Growth Centre and *Mobility Hubs*, as identified on Schedule B: Urban Structure, of this Plan, *shall* be prohibited.
- b) *Accessory drive-throughs* within the Uptown Urban Centre, as identified on Schedule B: Urban Structure, of this Plan, as well as lands designated Urban Corridor on Schedule C: Land Use – Urban Area, of this Plan, *may* be permitted through a site-specific Zoning By-Law amendment, subject to the fulfillment of 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;
  - (iii) the *accessory drive-through* does not conflict with the objectives and policies of the applicable land use designation and design policies of this Plan.
- c) Notwithstanding Subsection 8.7.1(2) b) of this Plan, an *accessory drive-through* *may* be permitted without a site-specific amendment to this Plan or the Zoning By-Law where:
  - (i) the *accessory drive-through* was *existing* or approved prior to the date of approval of this Plan; or
  - (ii) the *accessory drive-through* is associated with, and located within the same building as, a *motor vehicle service station*.
- d) *Accessory drive-throughs* are also subject to the policies of Subsection 7.3.3. a) of this Plan.

## 8.7.2 SECONDARY DWELLING UNITS

### 8.7.2(1) OBJECTIVE

- a) To support the creation of *secondary dwelling units* in *ground-oriented* building forms within all land use designations that permit residential uses, to increase the supply of *affordable housing* options in the city, subject to certain conditions and standards as outlined in this section, the Zoning By-law and other applicable regulations, including, but not limited to, the Ontario Building Code and Fire Code.

### 8.7.2(2) POLICIES

- a) *Secondary dwelling units, including garden suites, may be permitted within, or on the same property as, the following principal dwelling forms: a single-detached dwelling, semi-detached dwelling, townhouse unit or street townhouse unit within any land use designation that permits residential uses, in accordance with the implementing Zoning By-Law and The Planning Act.*
- b) *A property shall not contain more than one (1) secondary dwelling unit.*
- c) *A secondary dwelling unit may be located within or above an accessory building or structure where the building or structure also contains a garage or covered vehicle parking area associated with the principal residence on the same property.*
- d) *The maximum density provisions of this Plan and those contained in the implementing Zoning By-Law, shall not apply to the development of a secondary dwelling unit.*
- e) *A secondary dwelling unit shall not be permitted within hazardous lands and shall have flood-free access.*
- f) *Zoning Regulations relating to secondary dwelling units in residential zones shall be based on the following:*
  - (i) *the lot size and layout in terms of accommodating the unit without unreasonable loss of private outdoor amenity area;*
  - (ii) *the compatibility of the unit with adjacent residential properties and the surrounding residential neighbourhood in terms of physical character, massing, heights, visual appearance, privacy, open space amenity areas, lot size and lot coverage;*
  - (iii) *adequacy of ~~municipal~~ infrastructure to accommodate the unit;*
  - (iv) *adequacy of on-site parking; and*
  - (v) *health and safety standards and criteria are met.*
- g) *Garden suites shall also be subject to the policies of Subsection s 12.1.10(2) c), d) and e) of this Plan.*

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## LAND USE POLICIES - RURAL AREA

This chapter of the Plan contains the objectives and policies for the Rural Area and for its specific land use designations. The objectives and policies are to be read in conjunction with the objectives and policies in other parts of the Plan.

The Land Use Plan and designations for the Rural Area are set out in Schedule I: Land Use – Rural Area, of this Plan. Schedule I-1: Land Use-Kilbride Settlement Area, Schedule I-2: Land Use-Lowville Settlement Area, and Schedule I-3: Land Use-Mount Nemo Settlement Area, of this Plan set out the designations within the Rural Settlement Areas. Schedule A-1: Provincial Land Use Plans and Designations, Schedule J: Agricultural Land Base-Rural Area, Schedule M: The Natural Heritage System, and Schedule N: Identified Mineral Resources, of this Plan, contain additional information to be used in interpreting and applying the land use designations and policies.

### 9.1 THE RURAL COMMUNITY

Rural Burlington, located on the edge of a major urban area, faces significant pressures and challenges as a community, but also significant opportunities. The protection and strengthening of the rural community is the *City's* overarching goal in planning for the Rural Area. This means conserving the area's rural character and protecting and enhancing its *natural environment* while enabling the rural economy to evolve and change. The economic viability of *farming* is central to the future of the rural community.

The protection and strengthening of the rural community has been adopted as the policy framework guiding planning for the Rural Area and *shall* be applied in interpreting and applying the policies of this Plan in the Rural Area. It requires an integrated approach that addresses not only the individual elements that make up the rural community, such as *agriculture* or the *natural environment*, but also the inter-relationships among them.

#### 9.1.1 OBJECTIVES

- a) To maintain the open, rural landscape character of the Rural Area, with *agriculture* and natural heritage as *compatible* and complementary uses.
- b) To enable the *agricultural* industry to adapt and grow.
- c) To ensure that permitted land uses are *compatible* with, and do not adversely impact, surrounding land uses or *negatively impact* the *natural environment*.



- d) To protect, improve or restore the quality and quantity of *ground* and surface *water resources*.
- e) To conserve *cultural heritage resources* and ensure that *development* does not detract from the heritage character of the area.
- f) To provide opportunities for *non-intensive recreational uses compatible with agriculture*, natural heritage and the rural community.
- g) To permit *secondary dwelling units* in appropriate locations within the Rural Area, subject to certain conditions and standards, in order to increase the supply of housing options in the Rural Area.
- h) To ensure that *development*, including *infrastructure development*, is consistent with the protection and strengthening of the rural community.

### 9.1.2 GENERAL POLICIES

- a) Non-farm *development* in the Rural Area *shall* be directed to the Rural Settlement Areas of Kilbride, Lowville and Mount Nemo, as shown on Schedule I: Land Use-Rural Area, of this Plan, unless specifically permitted by the policies of this Plan.
- b) Outside the Rural Settlement Areas new lots *shall* only be created in accordance with Subsection 12.1.12(4.1) c) of this Plan.
- c) Where home occupations, cottage industries, bed and breakfast homes, animal ~~kennels~~, veterinary clinics, horticultural trade uses, agriculture-related uses ~~, or~~ on-farm diversified uses or non-intensive recreation uses are permitted in Subsections 4.10.2(2) c), 9.2.3 a) or 9.3.2 c) of this Plan, the use:
  - (i) *shall* not have unacceptable adverse impacts on adjacent *agricultural operations* or other surrounding land uses, on the rural character of the area, or on *infrastructure or traffic*, or *negative impacts* on the *natural environment*;
  - (ii) *should* be located within or adjacent to the existing *building cluster* and utilize existing driveways and parking areas;
  - (iii) *shall* be serviced by private on-site water and waste water systems that conform to Regional By-laws and standards, and to Provincial legislation, regulations and standards;
  - (iv) *shall* have adequate on-site parking located and ~~be~~ designed to be *compatible* with surrounding land uses and the rural character of the area; and

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- (v) *shall* adequately screen outdoor storage, parking areas, and loading/unloading zones from neighbouring properties and public roads.
- d) Where a single-detached dwelling is a permitted use on an existing *lot* outside the Rural Settlement Areas, the *development envelope* shall be located within one hundred and twenty (120) m of a municipal road and *shall* not exceed one (1) ha in area. The *development envelope* shall be located so as to minimize adverse impacts on the viability of the current and future *agricultural* use of the *lot* and on adjacent agricultural operations, and have no *negative impacts* on *natural features and areas* or their *ecological functions* or on *sensitive surface water features* or *sensitive groundwater features*.
- e) *Development* and *site alteration* in or near *sensitive* surface water features and *sensitive ground water features* shall be restricted in accordance with the policies of Subsection 4.4.2.(2) of this Plan, such that these features and their related *hydrologic functions* will be protected, improved or restored.
- f) All *development* shall be based on private, on-site, individual well water supply and private, on-site, individual waste water treatment systems s that conform to Regional By-laws and standards, and to Provincial legislation, regulations and standards.
- g) Notwithstanding the other policies of this Plan, a single *secondary dwelling unit* may be permitted on an existing *lot* containing a single-detached dwelling provided that:
  - (i) it is not located in the Escarpment Natural Area or the Escarpment Protection Area as identified in the Niagara Escarpment Plan, in the a Key Natural Feature in the Greenbelt Natural Heritage System , in a Key Natural Feature or in the City's Natural Heritage System, or in a Mineral Resource Extraction Area;
  - (ii) it is contained within the existing dwelling or an addition to it or within an existing accessory building or structure located within or adjacent to the existing building cluster on the lot;
  - (iii) it is not located within *hazardous lands* and there is flood-free access;
  - (iv) it will not have unacceptable adverse impacts on nearby *agricultural operations*, other surrounding land uses or or the rural character of the area, *or negative impacts* on the *natural environment*; and
  - (v) adequate parking will be provided on site and the *secondary dwelling unit* will be serviced by a private, individual on-site well water supply and a private, individual on-site waste water treatment system that

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conform to Regional By-laws and standards, and to Provincial legislation, regulations and standards.

- h) Where a *secondary dwelling unit* may be permitted on an existing *lot* under Subsection 9.1.2 [gf](#)) of this Plan:
  - (i) the gross floor area of the *secondary dwelling unit* shall be ~~less than or equal to~~ [subordinate](#) in size to the primary dwelling on the *lot*;
  - (ii) the *secondary dwelling unit* shall not be located in a *group home* or a single dwelling functioning as a *bed and breakfast home*; and
  - (iii) a *cottage industry, veterinary clinic, agriculture-related use* or *on-farm diversified use*, other than a *home occupation*, shall not be permitted within the *secondary dwelling unit*.
- i) Subject to the other policies of this Plan, an expansion to an *existing use* not permitted by this Plan and located outside the Rural Settlement Areas may be permitted without an amendment to this Plan, provided that the proposed expansion:
  - (i) takes place within the boundaries of the property on which the *existing use* is located;
  - (ii) is not located within a *Key Natural Feature*;
  - (iii) does not significantly increase the *intensity* of, or the area occupied by, buildings and *accessory* facilities existing prior to the expansion;
  - (iv) will be serviced by private on-site water and waste water systems that conform to Regional By-laws and standards, and to Provincial legislation, regulations and standards;
  - (v) will have adequate on-site parking;
  - (vi) will not have unacceptable adverse impacts, including, but not limited to: adverse impacts on adjacent *agricultural operations* or other surrounding land uses, the rural character of the area, *infrastructure* or traffic; unacceptable risks to public health, safety, or property; or *negative impacts* on the Natural Heritage System or water resources; and
  - (vii) if the use is located within the Greenbelt Plan Protected Countryside Area as shown on Schedule A-1: Provincial Land Use Plans and Designations, it will bring the use more into conformity with the Greenbelt Plan.
- j) New *infrastructure* and expansions and extensions to existing *infrastructure* shall be subject to the policies of Subsection 6.1.2 h) [of this Plan](#).

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- k) *Cultural heritage resources* will be identified and evaluated in accordance with the policies of Section 3.5, Cultural Heritage Resources, of this Plan. *Significant cultural heritage resources shall be conserved*, using the provisions of The Heritage Act, The Planning Act, The Environmental Assessment Act, The Funeral, Burial and Cremations Act and The Municipal Act.
- l) *Bruce Trail access points* may be permitted, subject to the other policies of this Plan, and provided that:
  - (i) they do not have an adverse impact on adjacent *agricultural operations* or other surrounding land uses;
  - (ii) they are not located within *Key Natural Features*; and
  - (iii) the applicable *City* and *Regional* road access requirements are met.
- m) *Development and site alteration* within the Rural Area *shall* be subject to the following Provincial Plans as well as the objectives and policies of this Plan:
  - (i) The Niagara Escarpment Plan;
  - (ii) The Greenbelt Plan; and
  - (iii) The Parkway Belt West Plan.

Schedule A-1: Provincial Land Use Plans and Designations, of this Plan, shows the boundaries of those Plans and their land use designations.
- n) New *golf courses* and golf driving ranges, and expansions to existing *golf courses* and driving ranges requiring additional land, are not permitted.
- o) To support *agriculture* and the rural community, short-term special events that bring people together to participate in activities, *may* be permitted on a *lot* subject to the other policies of this Plan, provided that the following criteria are met:
  - (i) the special events are related to and secondary to a *commercial farm operation*, an *agriculture-related use* or an *on-farm diversified use*;
  - (ii) the special events occur on a *lot* that is owned by and part of a *commercial farm operation*, and is located outside of a the Rural Settlement Area;
  - (iii) no more than six (6) special events are held per year;
  - (iv) sufficient and appropriate traffic management and on-site parking are provided;

- (v) adequate and appropriate on-site water and waste-water services that conform to Regional By-laws and standards, and to Provincial legislation, regulations and standards are provided;
  - (vi) the special events are *compatible* with surrounding land uses;
  - (vii) the special events are not held within the Escarpment Natural Area or within a *Key Natural Feature* or within thirty (30) m of a *Key Natural Feature*; and
  - (viii) the special events will be in compliance with *City* and other public agency approvals, as applicable.
- p) Notwithstanding Subsection 9.1.2 o) of this Plan, special events held for the primary purpose of supporting a registered charitable organization are permitted on a *lot* provided that the criteria in Subsections 9.1.2 o) iii) to viii) are met, to the satisfaction of the *City*.
- p)g) Public service facilities serving the Rural Area shall be located in the Rural Settlement Areas and should be co-located and integrated in community hubs, maintaining and adapting existing public service facilities where feasible.

### 9.1.3 SITE- SPECIFIC POLICIES

- a) Notwithstanding the general policies of Chapter 9, Land Use Policies – Rural Area, of this Plan, and subject to all applicable municipal by-laws, policies and site plan requirements, and the development development criteria of the Niagara Escarpment Plan, the following site-specific uses are permitted:
  - (i) **4449 Millborough Line:** the operation of a seasonal *campground* with a maximum of one hundred and fifty (150) campsites on lands located at 4449 Millborough Line;
  - (ii) **5100 Appleby Line:** the operation of a seasonal *campground* with a maximum of fifty-nine (59) seasonal cottages and one permanent single-detached dwelling in addition to related recreational facilities at "Camp Sidrabene", located at 5100- Appleby Line;
  - (iii) **Cedar Springs Community:** the operation of a private, self-sustaining *development* with a maximum of twelve (12) year-round residences and eighty-two (82) seasonal cottages at the Cedar Springs Community, located east of Cedar Springs Road and north of Britannia Road. The conversion of seasonal cottages to permanent year-round residences within the Cedar Springs Community *shall* not be permitted. For the purposes of this policy, the residency of a seasonal cottage for a period of greater than sixty (60) days between

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November 1 and May 1 *shall* be considered a conversion of a seasonal cottage to a permanent year-round residence;

- (iv) **4284 No. 2 Side Road:** the operation of an institutional *campground* by the Boy Scouts of Canada on lands located at 4284 No. 2 Side Road;
- (v) **5260-5342 Bell School Line:** the operation of an existing *airport* located on lands at 5260-5342 Bell School Line;
- (vi) **Beaufort Heights:** the *development* of the Beaufort Heights area south of Dundas Street and west of Brant Street mainly for single-detached dwellings with urban services. For the purposes of this policy, the Beaufort Heights subdivision *shall* be deemed to consist of Registered Plans 509, 1297 and 20M-151, and those lots municipally known as 1315, 1321, 1401 and 1405 Beaufort Drive, 1296 Dundas Street, and 1311 Harbour Court;
- (vii) **6621 Guelph Line:** the operation of an 18-hole *golf course* at 6621 Guelph Line, including *accessory* facilities related to the *golf course* use and *accessory ~~land~~ uses* existing as of October 1, 2006; and
- (viii) **2273 Dundas Street:** greenhouses, stockpiling and processing of soil, processing and sale of local farm products, sale of garden centre or landscaping products, sale and storage of bulk firewood and hay, cold storage and fruit packing operation, and *accessory* facilities necessary to support these uses, on approximately 7.1 ha of land described as 2273 Dundas Street; and
- (ix) **3488 Tremaine Road:** the use of lands located at 3488 Tremaine Road for mineral resource extraction, based on the provision of a private communal water system approved by the Region of Halton to properties identified by the Region of Halton having potential for well water interference from operation of a shale *quarry* at this location.

## 9.2 THE AGRICULTURAL SYSTEM

The health and prosperity of the *Agricultural System* is integral to maintaining and strengthening the rural Burlington community. The economic viability of *farming* is central to the future of ~~the rural community~~ rural Burlington. The stewardship activities of farmers protect the Agricultural Land Base while providing important environmental benefits, protecting natural heritage and water resources.

The *Agricultural System* includes: the Agricultural Land Base; *farm operations*; the *natural environment* (soils, climate and water) that farmers depend on; the network of businesses that provide the goods and services needed by farmers and that buy, store, package and process farm products; the *infrastructure* of roads and other services required by modern *farming*; government programs and regulations; and the inter-relationships among them.

The City's ~~Agricultural~~ agricultural Policies ~~policies~~ are designed to develop and maintain a permanently secure, economically viable *Agricultural System* while protecting the rural, open space character and landscape of the Rural Area.

### 9.2.1 OBJECTIVES

- a) To support and enhance the economic health and long term viability of the *Agricultural System* by:
  - (i) recognizing *agriculture* as a primary activity and land use within the *Prime Agricultural Areas*;
  - (ii) providing permanent protection for Burlington's *Prime Agricultural Areas*, as shown on Schedule J: Agricultural Land Base-Rural Area, of this Plan, for existing and future *agricultural use*;
  - (iii) reducing the fragmentation of the Agricultural Land Base, maintaining connectivity among the lands within the land base and providing for their consolidation;
  - (iv) protecting farms from activities and land uses that are not *compatible* with *agriculture* and would limit *agricultural* productivity or efficiency;
  - (v) protecting *normal farm practices* and the *right to farm*;
  - (vi) accommodating the development of a diverse, innovative and economically strong *agricultural* industry in the city;
  - (vii) providing flexibility for *agricultural operations* to adapt to economic and technological change and to adopt innovative new *agricultural* practices;

- (viii) permitting *agriculture-related uses* and *on-farm diversified uses* that are *compatible* with *agriculture* and enhance the economic viability of the *agricultural* industry;
  - (ix) accommodating *agriculture-related tourism uses* and direct sales of farm produce and *accessory* products to support the economic viability of the *agricultural* industry;
  - (x) increasing the city's resiliency to climate change through the production of local food and *agricultural products*; and
  - (xi) supporting the maintenance and development of a strong network of businesses and services needed to support and strengthen the ~~*Agricultural system*~~ *System* in the city.
- b) To recognize existing rural non-farm uses and allow for their continuation in a manner that is sensitive to, and does not limit, agricultural productivity or efficiency and that protects or enhances the *natural environment*.
  - c) To maintain the scenic values of lands in the vicinity of the Niagara Escarpment.
  - d) To provide a *buffer* for the more ecologically *sensitive* areas of the Niagara Escarpment.

### 9.2.2 GENERAL POLICIES

- a) The Agricultural Land Base is identified on Schedule J: Agricultural Land Base – Rural Area, of this Plan. It consists of:
  - (i) the Agricultural Area designated on Schedule I: Land Use – Rural Area, of this Plan; and
  - (ii) those parts of the *City's* Natural Heritage System (NHS) that are outside the *Key Natural Features* shown on Schedule M: The Natural Heritage System, of this Plan, or where the only *Key Natural Feature* is a significant earth science *area of natural and scientific interest*.
- b) While those parts of the Agricultural Land Base that are within the *City's* Natural Heritage System are subject to the relevant objectives and policies of this Plan respecting the Natural Heritage System, *agricultural operations* are *compatible* uses and are promoted and supported within these areas as part of the *Agricultural System*. *Agricultural uses, agriculture-related* and *on-farm diversified uses* are permitted in accordance with the policies of this Plan.
- c) The Agricultural Land Base includes lands identified as *Prime Agricultural Area* as shown on Schedule J: Agricultural Land Base-Rural Area, of this Plan.



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Those parts of the Agricultural Land Base identified as *Prime Agricultural Area* are also subject to the policies of Subsection 9.2.4 of this Plan.

- d) The Prime Agricultural Areas for the Growth Plan for the Greater Golden Horseshoe as identified by the Province are shown on Schedule J-1: Prime Agricultural Areas for the Greater Golden Horseshoe, of this Plan.
- e) Within the Prime Agricultural Areas for the Growth Plan for the Greater Golden Horseshoe, the policies of the applicable Provincial Plans as shown on Schedule A-1: City System - Provincial Land Use Plans and Designations shall apply as follows, in addition to the policies of this Plan:
  - (i) within the Greenbelt Plan Protected Countryside Area,- the policies of the Greenbelt Plan shall apply. This Plan may contain policies that are more stringent than the requirements of the Greenbelt Plan, but may not be more restrictive than Sections 3.1 and 4.3.2 of the Greenbelt Plan; and
  - (ii) within the Niagara Escarpment Plan Boundary, the policies of the Niagara Escarpment Plan shall apply. The P-olicies of this Plan may be more stringent than the requirements of the Niagara Escarpment Plan, provided that they do not conflict with the Niagara Escarpment Plan.

In the event of a conflict between provisions of this Plan and those of an applicable -Provincial Plan, -the provisions of the applicable Provincial Plan shall prevail; however, where the provisions of this Plan are more restrictive the provisions of this Plan shall apply, unless doing so would conflict with the Provincial Plan.

- e)f) Agriculture shall be recognized, encouraged and protected as an important industry in the city and as the primary long-term activity and land use throughout the Agricultural Land Base by:
  - (i) protecting the Agricultural Land Base shown on Schedule J: Agricultural Land Base – Rural Area, of this Plan, giving highest priority to *Prime Agricultural Areas*;
  - (ii) ensuring that new land uses and *development* do not limit the ability of farmers to employ *normal farm practices*;
  - (iii) applying the *Minimum Distance Separation (MDS) formulae* and other relevant Provincial regulations in accordance with the Livestock Facility guidelines adopted by Regional Council to ensure that *agricultural operations* are protected from activities and land uses that are not *compatible* with *agriculture* and would limit *agricultural* productivity or efficiency;

- (iv) requiring that new land uses, including the creation of *lots*, and new or expanding livestock facilities within the Agricultural Land Base comply with the provincially developed *MDS formulae*. The Region's Livestock Facility guidelines will be used to:
  - a. clarify the application of the *MDS formulae*;
  - b. provide further guidance to improve the co-existence of livestock facilities and non-farm uses; and
  - c. facilitate efficient and flexible *agricultural* practices that support and protect the *right to farm* where *agriculture* is permitted; and.
- (v) requiring the proponent of any proposed non-*agricultural* land use or *development* that *may* have adverse impacts on an adjacent *agricultural operation* or on the *Agricultural System* to carry out an Agricultural Impact Assessment (AIA) based on the guidelines adopted by Regional Council, but broadened in scope to address impacts on the *Agricultural System*.
- (v) where *agricultural uses* and non-*agricultural uses* interface, land use compatibility shall be achieved by avoiding or, where avoidance is not possible, minimizing and mitigating *adverse effects* on the *Agricultural System*. Where mitigation is required, measures should be incorporated as part of the non-*agricultural uses*, as appropriate, within the area being developed.

### 9.2.3 AGRICULTURAL AREA DESIGNATION

- a) Subject to the other policies of this Plan, the applicable policies of the Greenbelt Plan and Niagara Escarpment Plan, the following uses *may* be permitted within the Agricultural Area designation:
  - (i) all types, sizes and intensities of *agricultural operations*;
  - (ii) *normal farm practices*;
  - (iii) *existing uses*;
  - (iv) one single-detached dwellings on an existing *lots*, provided that the requirements of Subsection 9.1.2 de) of this Plan are met and that the *lot* is not zoned *Agricultural Purposes Only* in the *City's Zoning By-law* or identified as *Agricultural Purposes Only* in the Niagara Escarpment Plan;

- (v) notwithstanding Subsection 9.2.3 a) (iv) a ~~dwelling~~ dwelling unit accessory to a commercial agricultural operation, provided that the accessory dwelling:
- a. is required to house full-time *farm* help;
  - b. is located in or adjacent to the existing *farm building cluster* and utilizes the existing road access to the *farm building cluster*;
  - c. notwithstanding Subsection 9.1.2 ~~fe~~ of this Plan, is serviced by either a private, individual on-site well water supply system and a private, individual on-site waste water treatment system, or by private, on-site water and waste water systems shared with the primary dwelling on the property, that conform to Regional By-laws and standards, and to Provincial legislation, regulations and standards;
  - ~~c.d.~~ if located within the Niagara Escarpment Plan Area is temporary and is mobile or portable or is located within an existing *farm building or structure*; and
  - ~~d.e.~~ is not located on a lot zoned *Agricultural Purposes Only* in the City's Zoning By-law or identified as *Agricultural Purposes Only* in the Niagara Escarpment Plan.

The accessory dwelling unit shall not ~~involve the creation of a *be severed to create a new lot* and *shall be mobile or portable if located within the Niagara Escarpment Plan Area*~~;

- (vi) archaeological activities;
- (vii) notwithstanding Subsection 9.2.3 a) (iv) a second single dwelling on an existing *lot* of record where there is an existing dwelling designated and an easement agreement registered under The Ontario Heritage Act for a dwelling of local *cultural heritage resource value* or interest or where the dwelling is considered to be of provincial or national heritage value or interest and:
- a. in the opinion of the *City*, the allowance of the second single dwelling is the only viable way to preserve the local, provincial or national heritage value or interest of the existing single dwelling on the *lot*;
  - b. the dwelling and accessory uses shall not be located within a *Key Natural Feature*; and
  - c. there is no conflict with other provisions of this Plan;

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~~(vii)~~(viii) essential linear infrastructure facilities, subject to Subsection 6.1.2 h) of this Plan;

~~(viii)~~(ix) accessory buildings or structures;

~~(ix)~~(x) home occupations and cottage industries with a gross floor area not exceeding one hundred (100) sq. m. or twenty-five (25) percent of the residential living area, whichever is lesser;

~~(x)~~(xi) bed and breakfast homes with three (3) or fewer guest bedrooms;

~~(xi)~~(xii) veterinary clinics, only if located on lands owned by and part of a *commercial agricultural operation*, secondary to the *agricultural operation*, and serving primarily the *agricultural community*;

~~(xii)~~(xiii) animal kennels, only if located on lands owned by and part of a *commercial agricultural operation*, *accessory* to the *agricultural operation*, and in conjunction with a single-detached dwelling;

~~(xiii)~~(xiv) non-intensive recreation uses such as nature viewing and pedestrian trail activities, only if the lands are publicly owned or are part of the Bruce Trail;

~~(xiv)~~(xv) uses permitted in an approved Niagara Escarpment Park and Open Space Master/Management Plan, if the subject land is located within the Niagara Escarpment Plan Area;

~~(xv)~~(xvi) watershed management and flood and erosion control projects carried out or supervised by a *public authority*. Stormwater management ponds are not permitted in *Key Natural Features* or in *buffers* to those features;

~~(xvi)~~(xvii) the following uses only if located on lands owned by and part of a *commercial agricultural operation* and secondary to the existing *agricultural operation*:

- a. *home industries* with a gross floor area not exceeding two hundred (200) sq. m.;
- b. *retail uses* with a gross floor area not exceeding five hundred (500) sq. m. and with the majority of the commodities for sale, measured by monetary value, produced or manufactured on the farm;
- c. *agriculture-related tourism uses* with a gross floor area not exceeding five hundred (500) sq. m.;
- d. *small-scale businesses* that provide supplementary income to the *agricultural operation* provided that:

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- i. their *scale* is minor and does not substantially alter the appearance of the *agricultural operation*;
  - ii. their adverse impacts such as noise, odour and traffic on surrounding land uses are not significant;
  - iii. they will not hinder or unacceptably adversely impact on surrounding *agricultural operations*; and
  - iv. they meet all Regional criteria as stated in the On-Farm Business Guidelines adopted by Regional Council.
- e. *horticultural trade* uses provided that:
  - i. the use meets all the criteria under Subsection 9.2.3 a) (xvii), d. of this Plan;
  - ii. the farm property accommodating the use is at least four (4) ha in size;
  - iii. at least seventy (70) percent of the arable area of the farm property accommodating the use is dedicated to the growing of horticultural plants;
  - iv. the use is located within the existing farm *building cluster*, with only minor rounding out of the farm *building cluster* permitted provided that there are no *tree* removals;
  - v. the gross floor area for the use does not exceed five hundred (500) sq. m;
  - vi. the outdoor storage area for the use does not exceed one thousand (1,000) sq. m; and
  - vii. the use meets the criteria set out in Subsection 9.1.2 b) of this Plan.

### 9.2.4 PRIME AGRICULTURAL AREAS

- a) *Prime Agricultural Areas* are identified on Schedule J: Agricultural Land Base - Rural Area, of this Plan. The purpose of Schedule J is to assist in interpreting and implementing the policies of this Plan.
- b) The *Prime Agricultural Areas* shown on Schedule J: Agricultural Land Base – Rural Area, of this Plan, include lands in the *City's* Agricultural Area and Natural Heritage System designations. Together these lands support and advance the goal to maintain a permanently secure, economically viable

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*agricultural industry* and to preserve the open space character and landscape of the Rural Area.

- c) Within the Greenbelt Plan Area, the re-designation of land within *Prime Agricultural Areas* to permit non-agricultural uses *shall* be prohibited, except where permitted by the Greenbelt Plan.
- d) Outside the Greenbelt Plan Area, the removal of land from *Prime Agricultural Areas* *shall* only be permitted where the following have been demonstrated through appropriate studies to the satisfaction of the *City* and the *Region*:
  - (i) the necessity within the planning horizon for additional land to be designated to accommodate the proposed uses;
  - (ii) the amount of land area needed for such uses;
  - (iii) the reasons for the choice of location;
  - (iv) no adverse impacts on the *Agricultural System* or to adjacent *agricultural operations*;
  - (v) no *negative impacts* on the *City's* Natural Heritage System or water resources;
  - (vi) alternative locations have been evaluated and demonstrated to be unsuitable;
  - (vii) there are no reasonable alternatives that avoid *Prime Agricultural Areas* as shown on Schedule J: Agricultural Land Base – Rural Area, of this Plan;
  - (viii) there are no reasonable alternative locations [on](#) lower capability *agricultural lands*; and
  - (ix) the land does not comprise a *specialty crop area*.
- e) Extraction of *mineral aggregate resources* *may* be permitted in *Prime Agricultural Areas* subject to Subsection 4.10, Mineral Aggregate Resource Extraction Area, of this Plan.

### 9.3 THE CITY'S NATURAL HERITAGE SYSTEM

The *City's* Natural Heritage System (NHS), which is designated on Schedule I: Land Use – Rural Area, of this Plan, is made up of natural features, such as *woodlands* and *valleylands*, and the *linkages* and inter-relationships among them. In many areas, the *City's* Natural Heritage System overlaps with the Agricultural Land Base, as shown on Schedule I: Land Use – Rural Area, of this Plan, and include lands in *agricultural use*. *Agricultural operations* are recognized and supported as compatible and complementary uses.

The Natural Heritage System plays an important role in maintaining and enhancing the quality of life, environmental health and *sustainability* of the Rural Area. The Natural Heritage System in the Rural Area is part of the broader, city-wide Natural Heritage System shown on Schedule M: The Natural Heritage System, of this Plan, which in turn is part of a much larger system extending far beyond the ~~city's~~ *City's* boundaries.

Section 4.2, Natural Heritage System, of this Plan, identifies the components of the Natural Heritage System in the city and sets out objectives and policies related to the Natural Heritage System that apply throughout the city, including in the Rural Area. This section of the Plan contains additional objectives and policies that apply to the *City's* Natural Heritage System, specifically within the Rural Area. The objectives and policies of this section also *shall* be read in conjunction with the objectives and policies in Section 4.2, Natural Heritage System, of this Plan and the objectives and policies contained in Section 4.4, Water Resources, of this Plan.

~~The Provincial Natural Heritage System for the Growth Plan for the Greater Golden Horseshoe includes lands within the Rural Area, as shown on Schedule M-1: Provincial Natural Heritage System for the Greater Golden Horseshoe, of this Plan. Within the Provincial Natural Heritage System, the policies of the applicable provincial plans shall apply in addition to the policies of this Plan, in accordance with Subsection 4.2.2 c) of this Plan. Portions of the Greenbelt Natural Heritage System are located within the Rural Area as shown on Schedule M: The Natural Heritage System, of this Plan. The objectives and policies respecting the Greenbelt Natural Heritage System are contained in Section 4.2.3, Greenbelt Natural Heritage System, of this Plan.~~

#### 9.3.1 OBJECTIVES

- a) To maintain, restore and enhance the long term ecological health and integrity of the *City's* Natural Heritage System and its *ecological* and *hydrologic functions*, while accommodating the economic growth and evolution of *agriculture*.

- b) To support *agriculture* as a complementary and compatible use in those parts of the *City's* Natural Heritage System outside the *Key Natural Features*.
- c) To recognize and support *agriculture* as a primary activity within *Prime Agricultural Areas* in the *City's* Natural Heritage System in accordance with Subsection 9.2.4 of this Plan.
- d) To maintain and enhance the landscape quality and open space character of the Niagara Escarpment.
- e) To provide a buffer to prominent Escarpment features and ecologically sensitive areas of the Escarpment.
- f) To maintain, restore and enhance *Key Natural Features*, without limiting the ability of existing *agricultural operations* to continue.
- g) To maintain, restore and enhance the continuity of *linkages* and functional inter-relationships among *natural heritage features and areas*, surface and *groundwater features and hydrologic functions*.
- h) To direct *development* to locations outside *hazardous lands and hazardous sites*.
- i) To avoid increased flooding, erosion and sedimentation.
- j) To protect and enhance the quality and quantity of ground and surface water and their related *hydrologic functions*.
- k) To preserve examples of the landscape that display *significant* earth science features and their associated processes.
- l) To enhance air quality.
- m) To provide opportunities for scientific study and education.
- n) To provide opportunities for outdoor *non-intensive recreation uses* within the *City's* Natural Heritage System, where appropriate.

### 9.3.2 POLICIES

- a) The *City's* Natural Heritage System consists of *Key Natural Features* and *Enhancements to the Key Features, Buffers and Linkages* as shown on Schedule M: The Natural Heritage System, of this Plan. The areas shown as *Enhancements to the Key Features, Buffers and Linkages* play an important role in maintaining and enhancing the health of the *City's* Natural Heritage System and of the *Key Natural Features* within it.
- b) Those parts of the *City's* Natural Heritage System outside the *Key Natural Features*, or where the only *Key Natural Feature* is a *significant* earth science *area of natural and scientific interest*, also are part of the *Agricultural*



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*System*. While these lands are subject to the goals and policies of the *City's* Natural Heritage System, *agricultural operations* are considered to be *compatible* and complementary uses and are supported.

- c) The following uses *may* be permitted within the *City's* Natural Heritage System, subject to other policies of this Plan and to the applicable policies of The Greenbelt Plan and The Niagara Escarpment Plan:
  - (i) existing *agricultural operations* within:
    - a. the Escarpment Natural Area; and
    - b. *Key Natural Features*.
  - (ii) all types, sizes and intensities of *agricultural operations* may be permitted elsewhere in the *City's* Natural Heritage System including, notwithstanding clause (i) above, in those parts of the *City's* Natural Heritage System where the only *Key Natural Feature* is a *significant* earth science *area of natural and scientific interest*;
  - (iii) *normal farm practices*;
  - (iv) *existing uses*;
  - (v) one single-detached dwellings on an existing lots created under The Planning Act provided that the *lot* is not zoned *Agricultural Purposes Only* in the *City's* Zoning By-law or identified as *Agricultural Purposes Only* in the Niagara Escarpment Plan;
  - ~~(vi) a single detached dwelling accessory to a commercial agricultural operation provided that the accessory dwelling:~~
    - ~~a. is required to house full-time farm help;~~
    - ~~b. is located in the existing farm building cluster;~~
    - ~~c. notwithstanding Subsection 9.1.2 fe) of this Plan, is serviced by either a private, individual on-site well water supply system and a private, individual on-site waste water treatment system, or by private, on-site water and waste water systems shared with the primary dwelling on the property, that conform to Regional By-laws and standards, and to Provincial legislation, regulations and standards; and~~
    - ~~d. will not be located on a lot zoned Agricultural Purposes Only in the City's Zoning By-law or identified as Agricultural Purposes Only in the Niagara Escarpment Plan.~~

~~The accessory dwelling shall not involve the creation of a new lot and shall be mobile or portable if located within the Niagara Escarpment Plan Area;~~

- ~~(vi)~~ notwithstanding Subsection 9.3.2 c) (v) a dwelling unit accessory to a commercial agricultural operation, provided that the accessory dwelling unit is not located within the Escarpment Natural Area and that the dwelling unit:
- a. is required to house full-time farm help;
  - b. is located in or adjacent to the existing farm building cluster and utilizes the existing road access to the building cluster;
  - c. notwithstanding Subsection 9.1.2 e) of this Plan, is serviced by either a private, individual on-site well water supply system and a private, individual on-site waste water treatment system, or by private, on-site water and waste water systems shared with the primary dwelling on the property, that conform to Regional By-laws and standards, and to Provincial legislation, regulations and standards;
  - d. if located within the Niagara Escarpment Plan Area is temporary and is mobile or portable or is located within an existing farm building or structure; and
  - e. is not located on a lot zoned Agricultural Purposes Only in the City's Zoning By-law or identified as Agricultural Purposes Only in the Niagara Escarpment Plan.

The accessory dwelling unit shall not be severed to create a new lot-;

- ~~(vii)~~ dwelling accessory to an agricultural operation are not permitted within the Escarpment Natural Area. Such dwellings located elsewhere in the Niagara Escarpment Plan Area shall be mobile or portable;
- ~~(viii)~~ (vii) home occupations and cottage industries with a gross floor area not exceeding one hundred (100) sq. m. or twenty-five (25) percent of the residential living area, whichever is lesser;
- ~~(ix)~~ (viii) accessory uses (and site modifications to accommodate them);
- ~~(x)~~ (ix) forest, wildlife and fisheries management;
- ~~(xi)~~ (x) archaeological activities;
- ~~(xii)~~ (xi) essential linear infrastructure facilities, subject to Subsection 6.1.2 h) of this Plan;

~~(xiii)~~(xii) *non-intensive recreation uses* such as nature viewing and pedestrian trail activities, only if the lands are publicly owned or are part of the Bruce Trail. *Non-intensive recreation uses* may be permitted only when natural heritage features are preserved to the maximum possible degree; all proposed buildings and structures are minor in scale; minimal parking areas are required; and unacceptable adverse impacts on adjacent *agricultural operations* are avoided;

~~(xiv)~~(xiii) uses permitted in an approved Niagara Escarpment Park and Open Space Master/Management Plan;

~~(xv)~~(xiv) nature preserves owned and managed by a *non-government conservation organization*;

~~(xvi)~~(xv) a second single dwelling on an existing *lot* of record where there is an existing dwelling designated and an easement agreement registered under The Ontario Heritage Act for a dwelling of local *cultural heritage resource* value or interest or where the dwelling is considered to be of provincial or national heritage value or interest and:

- a. in the opinion of the *City*, the allowance of the second single dwelling is the only viable way to preserve the local, provincial or national heritage value or interest of the existing single dwelling on the *lot*;
- b. the dwelling and *accessory uses* shall not be located within a *Key Natural Feature*; and
- c. there is no conflict with other provisions of this Plan;

~~(xvii)~~(xvi) *essential watershed* management and flood and erosion control projects carried out or supervised by a *public authority* or, approved in this Plan. Stormwater management ponds are not permitted in *Key Natural Features* or in *buffers* to those features;

~~(xviii)~~(xvii) within the *City's* Natural Heritage System, the following *agriculture-related uses* and *on-farm diversified* uses only if on lands owned by and part of a *commercial agricultural operation* and *accessory* to the *farming* operation and located outside the Escarpment Natural Area and outside the *Key Natural Features*, other than those areas where the only *Key Natural Feature* is a significant earth science *area of natural and scientific interest*:

- a. *home industries* with a gross floor area not exceeding two hundred (200) sq. m.;

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- b. retail uses with a gross floor area not exceeding five hundred (500) sq. m. and the majority of the commodities for sale, measured by monetary value, produced or manufactured on the farm;
- c. *agricultural-related tourism uses* with a gross floor area not exceeding five hundred (500) sq. m.;
- d. small-scale businesses that provide supplementary income to the *agricultural* operation, provided that:
  - i. their *scale* is minor and does not substantially alter the appearance of the *agricultural* operation;
  - ii. their adverse impacts such as noise, odour and traffic on surrounding land uses are minimal;
  - iii. they will not hinder or unacceptably impact on surrounding *agricultural operations*; and
  - iv. they meet all Regional criteria as stated in the On-Farm Business Guidelines adopted by Regional Council;
- e. *horticultural trade* uses provided that:
  - i. the use meets all the criteria under Subsection 9.3.2 (xviii) d. of this Plan;
  - ii. the farm property accommodating the use is at least four (4) ha in size;
  - iii. at least seventy (70) percent of the arable area of the farm property accommodating the use is dedicated to the growing of horticultural plants;
  - iv. the use is located within the existing farm *building cluster*, with only minor rounding out of the *building cluster* permitted provided that there are no *tree* removals;
  - v. the gross floor area for the use does not exceed five hundred (500) sq m.;
  - vi. the outdoor storage area for the use does not exceed one thousand (1,000) sq. m.;
  - vii. the use including buildings, outdoor storage, parking areas, and loading/unloading zones is adequately screened from neighbouring properties and public highways; and

- viii. the use can be accommodated by the private water supply and waste water treatment systems located on the property;
- f. *veterinary clinics* serving primarily the *agricultural* community;
- g. *animal kennels* in conjunction with a single-detached dwelling; and
- h. *bed and breakfast homes* with three (3) or less guest bedrooms.

## 9.4 MINERAL RESOURCE EXTRACTION AREA

The Mineral Resource Extraction Area designation on Schedule I: Land Use –Rural Area includes areas licenced pursuant to The Aggregate Resources Act. The objectives and policies of this Plan respecting the Mineral Aggregate Resource Extraction Area designation are contained in Section 4.10, Mineral Aggregate Resources, of this Plan.

## 9.5 RURAL SETTLEMENT AREAS

The Rural Settlement Area Boundaries are designated on Schedule I: Land Use - Rural Area, of this Plan. The lands within these Boundaries comprise the Rural Settlement Areas of Kilbride, Lowville and Mount Nemo and represent locations in the Rural Planning Area where residential, commercial and *institutional* development *may* be located. The lands within these Boundaries that are shown as Rural Settlement Area indicate the areas where *development may* be permitted in accordance with the land use designations and policies of this Plan. There is limited capacity for additional *development* within the Rural Settlement Areas.

### 9.5.1 OBJECTIVES

- a) To provide limited opportunities for rural, non-farm residences in identifiable rural communities.
- b) To accommodate other limited rural, non-farm uses serving *agriculture* and the rural community, including small-scale commercial and *industrial development* and small-scale *public service facilities* and *institutional uses*.
- c) To protect, improve or restore the *quality and quantity of water resources*.
- d) To maintain and enhance the *City's* Natural Heritage System within Rural Settlement Areas.

### 9.5.2 GENERAL POLICIES

- a) Land Use designations within the Rural Settlement Area lands are identified on Schedule I-1: Land Use-Kilbride Settlement Area; Schedule I-2: Land Use-Lowville Settlement Area; and Schedule I-3: Land Use-Mount Nemo Settlement Area of this Plan. Lands within these Rural Settlement Areas are subject to the policies of this Plan and the appropriate *development* criteria of The Niagara Escarpment Plan.
- b) All *development shall* be self-sustaining based on private, individual on-site well water supply and sewage disposal systems. The *City will encourage* the use of water conservation measures towards ensuring contained *sustainability* of services.
- c) The minimum *lot size shall* be 0.8 ha, or as determined by site-specific hydrogeological studies, whichever is the greater.
- d) The minimum *lot size* involving proposals for the creation of two (2) or more lots *shall* be determined based on a site-specific hydrogeological study to be submitted by the proponent and conducted in accordance with the Halton Region Guidelines for Hydrogeological Studies and Best Management

## CHAPTER 9 – LAND USE POLICIES – RURAL AREA

Practices for Groundwater Protection. Applications for the creation of two (2) or more lots *shall* require the submission of a plan of subdivision or condominium.

- e) The minimum *lot* size involving proposals for the creation of a *lot* by way of a land conveyance *shall* be determined based on detailed site analysis, including a hydrogeological study which addresses the impacts of the new *lots* on *ground* and *surface water features*.
- f) The minimum *lot* size findings of the hydrogeological Investigations prepared by the Region of Halton for each Settlement Area *shall* be used as a guideline when considering *development* proposals.
- g) A non-residential use within a Rural Settlement Area *should* not exceed a gross floor area of five hundred (500) sq. m. and *shall* require a hydrogeological study, if required by the Region of Halton.
- h) The design, location and construction of public and condominium roads *shall* comply with *City* standards.
- i) Proposals for plans of subdivision or condominium *shall* be accompanied by a functional storm water drainage plan and report that addresses internal and external drainage limits, as well as storm water drainage practices that are to be implemented. Where required by the *City*, a functional storm water drainage plan and report *shall* also be submitted in conjunction with an application for land conveyance.
- j) *Development* proposals *shall* ensure, to the maximum possible degree, the maintenance or enhancement of the *City's* Natural Heritage System, including wooded areas, *watercourses*, *groundwater recharge areas*, *valleylands* and existing hedgerows.
- k) Major rock cutting and blasting for road construction within Settlement Areas *shall* not be permitted. The regrading of the existing land for road construction *shall* be discouraged.
- l) The western section of the Kilbride Rural Settlement Area is imperfectly drained due to a shallow depth of overburden to bedrock or the groundwater table, numerous rock outcrops and level terrain. For lands on the west side of McNiven Road, an adequate outlet for storm water drainage is not possible without rock cutting or blasting, which could risk the water supply of existing homes in this area. Further *development* in this area *shall* be supported by technical studies.
- m) *Tree* planting is *encouraged* to reduce soil erosion and surface water runoff.

### 9.5.3 RESIDENTIAL LAND USE POLICIES

- a) Single-detached dwellings within plans of subdivision and condominium are the preferred forms of *development*. Subject to the policies of Subsection 9.5.2 of this Plan, the creation of new *lots* through land conveyances *may* be considered where it will not compromise the orderly *development* of land or the general public interest.
- b) Maximum dwelling sizes *may* be determined by the *City* and the Region of Halton, based on hydrogeological concerns, visual impact and *compatibility* with adjacent land uses and community character.
- c) Residential *lots* that are created *shall* meet the following standards:
  - (i) the *lot shall* be a minimum 0.8 ha in size or as determined by site-specific hydrogeological studies, whichever is the greater;
  - (ii) the minimum *lot width should* be sixty (60) m;
  - (iii) the minimum front yard setback *should* be ten (10) m; and
  - (iv) the minimum side yard setback *should* be five (5) m. For corner *lots* the minimum side yard setback for a yard abutting a street *should* be ten (10) m.
- d) *Home occupations* and *cottage industries* with a gross floor area not exceeding one hundred (100) sq. m. or twenty-five (25) percent of the residential living area, whichever is lesser, *may* be permitted as an *accessory* use to a single-detached dwelling, provided that the residential appearance of the property is maintained, and subject to the appropriate policies of Subsection 9.1.2 ~~cb~~ of this Plan.
- e) *Bed and breakfast homes* with three (3) or less guest bedrooms *may* be permitted, subject to the appropriate policies of Subsection 9.1.2 ~~cb~~ of this Plan.
- f) *Secondary dwelling units, including garden suites, may be permitted within, or on the same property as, a single-detached dwelling subject to the following provisions:*
  - (i) a property shall not contain more than one (1) secondary dwelling unit;-
  - (ii) a secondary dwelling unit may be located within or above an accessory building or structure where the building or structure also contains a garage or covered vehicle parking area associated with the principal residence on the same property;



- (iii) a secondary dwelling unit shall not be permitted within hazardous lands and shall have flood-free access;:-
- (iv) the secondary dwelling unit is compatible with adjacent residential properties and the surrounding residential neighbourhood in terms of physical character, massing, heights, visual appearance, privacy, open space amenity areas, lot size and lot coverage;
- (v) adequate parking will be provided on site and the secondary dwelling unit will be serviced by a private, individual on-site well water supply and a private, individual on-site waste water treatment system that conform to Regional By-laws and standards, and to Provincial legislation, regulations and standards; and
- (vi) health and safety standards and criteria are met.

#### 9.5.4 COMMERCIAL LAND USE POLICIES

- a) The Commercial designation provides that only uses that serve the daily retail and *service commercial* needs of the local community and the surrounding rural area are permitted. A *dwelling unit* or single-detached dwelling *may* also be permitted within this land use. Commercial uses serving the tourist trade *may* be permitted, provided their *scale* and *intensity* are *compatible* with surrounding land uses. *Service commercial* uses requiring outside manufacturing or processing with the use of machinery or equipment are not permitted.
- b) An amendment to this Plan *shall* be required to permit commercial *development* in other land use designations.
- c) New commercial uses will be *encouraged* to locate near existing commercial uses.
- d) Only commercial uses with a low level of water consumption and sewage generation, as approved by the Region of Halton, *may* be permitted.
- e) Commercial uses *shall* be required to provide sufficient off-street parking for associated traffic.
- f) Building design for commercial uses *shall* complement nearby *development* and the rural character of the Settlement Area. Suitable setbacks and buffers *shall* be required to ensure *compatibility* with other existing or proposed uses.

#### 9.5.5 INSTITUTIONAL LAND USE POLICIES

- a) In the Institutional designation, only low *intensity public service facilities* and *institutional uses* and small-scale commercial uses secondary to the principal use *may* be permitted. A *dwelling unit* or a single-detached dwelling *may* also be permitted within this land use.
- b) An amendment to this Plan *shall* be required to allow *public service facilities* and *institutional uses* in other land use designations.
- c) New *public service facilities* and *institutional uses* will be *encouraged* to locate near existing *public service facilities* and *institutional uses*. An amendment to this Plan *shall* be required for the expansion of an existing *public service facility* or *institutional use*.
- d) Only *public service facilities* and *institutional uses* with a low level of water consumption and sewage generation, as approved by the Region of Halton, *may* be permitted.
- e) *Public service facilities* and *institutional uses* *shall* be required to provide sufficient off-street parking for associated traffic.
- f) Building design for *public service facilities* and *institutional uses* *shall* complement nearby *development* and the rural character of the Settlement Area. Suitable setbacks and buffers *shall* be required to ensure *compatibility* with other existing or proposed uses.

#### 9.5.6 CITY'S NATURAL HERITAGE SYSTEM AND PARK POLICIES

- a) The lands designated as Park in the Rural Settlement Areas are intended to provide recreational opportunities for residents in each Settlement Area as well as other city residents. These lands *shall* be subject to the policies of Section 3.3, Parks, Recreation and Open Space, of this Plan.
- b) Uses permitted within the Parks designation *may* include:
  - (i) municipal parks and related *public service facilities*; and
  - (ii) outdoor recreation uses.
- c) *Development* and *site alteration* within the City's Natural Heritage System or within one hundred and twenty (120) m of that system *shall* be subject to the objectives and policies in Section 4.2, Natural Heritage System, of this Plan and the objectives and policies contained in Section 4.4, Water Resources, of this Plan.
- d) Within the City's Natural Heritage System designation, the following uses *may* be permitted, subject to the other policies of this Plan and to the applicable policies of the Niagara Escarpment Plan:
  - (i) *existing uses*;

- (ii) single-detached dwellings on existing *lots* created under The Planning Act;
- (iii) *non-intensive recreation uses* such as nature viewing and pedestrian trails only if the lands are publicly owned or are part of the Bruce Trail. *Non-intensive recreation uses* may be permitted only when *natural heritage features* are preserved to the maximum possible degree; all proposed buildings and structures are minor in scale; minimal parking areas are required; and unacceptable adverse impacts on adjacent land uses are avoided;
- (iv) nature preserves owned and managed by a *non-government conservation organization*;
- (v) *forest, wildlife and fisheries management*;
- (vi) archaeological activities;
- (vii) *essential linear infrastructure facilities*, subject to Subsection 6.1.2 h) of this Plan;
- (viii) *accessory buildings, structures and facilities, and site modifications to accommodate them*;
- (ix) *home occupations and cottage industries* with a gross floor area not exceeding one hundred (100) sq. m. or twenty-five (25) percent of the residential living area, whichever is lesser, *may* be permitted as an *accessory* use to a single-detached dwelling, provided that the residential appearance of the property is maintained, and subject to the appropriate policies of Subsection 9.1.2 cb) of this Plan; and
- (x) *essential watershed management and flood and erosion control projects either carried out or supervised by a public authority. Stormwater management ponds are not permitted in Key Natural Features or in buffers to those features.*

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## LAND USE POLICIES – NORTH ALDRESHOT

This part of the Plan presents the objectives and policies for the land use designations identified on the City System and the Land Use Plan for North Aldershot. The objectives and policies for each land use designation are to be read in conjunction with the objectives and policies in other parts of the Plan.

North Aldershot is identified in Schedule A: City System, of this Plan. This area is distinctive in that it contains natural features of high environmental significance, where natural features and human settlement co-exist in a finely integrated fashion. The area separates two urban areas and it is a place where people enjoy a non-urban lifestyle.

The North Aldershot boundary identifies these lands located north of Highway No. 403 and south of the City of Hamilton. The westerly limit is Highway No. 6 while the easterly limit is the Dundas-Burlington Ontario Hydro Transmission Line. North Aldershot is comprised of three sectors as outlined below.

The land use designations within North Aldershot are identified on Schedule K: Land Use - North Aldershot, of this Plan.

### 10.1 SECTORS

#### 10.1.1 CENTRAL SECTOR

Lands identified as the Central Sector comprise an area of approximately 304 ha where further *development* is permitted on the basis that the subject lands are outside of the city's Urban Area and that the location and *intensity of development* will be determined by *compatibility* with the existing character, landscape and environment.

The Central Sector is bounded on the south by Highway No. 403, on the west by the Grindstone Creek Valley, on the north by the boundary of the City of Burlington and the City of Hamilton, and on the east by Old Waterdown Road and the Sassafras Woods Environmentally Sensitive Area.

#### 10.1.2 EAST SECTOR

Lands identified as the East Sector comprise an area of approximately 488 ha where various technical studies identified in the North Aldershot Inter-Agency Review must be completed to confirm the *development* potential for the area and to identify possible areas for *development*, which are described as Sub-Areas.

The East Sector is bounded on the south by Highway No. 403, on the west by Old

Waterdown Road and the Sassafras Woods Environmentally Sensitive Area, on the north by the Dundas-Burlington Ontario Hydro Transmission Line, and on the east by the easterly boundary of the North Aldershot Planning District.

### 10.1.3 WEST SECTOR

Lands identified as the West Sector comprise an area of approximately 553 ha where various technical studies identified in the North Aldershot Inter-Agency Review must be completed to confirm the *development* potential for the area and to identify possible areas for *development*, which are described as Sub-Areas.

The West Sector is bounded on the south by Highway No. 403, on the west by Highway No. 6, on the north by the Dundas-Burlington Ontario Hydro Transmission Line and on the east by the Grindstone Creek Valley.

## 10.2 PROVINCIAL PLANS

Portions of North Aldershot are subject to the goals, objectives and policies of the following Provincial plans:

- Niagara Escarpment Plan;
- Parkway Belt West Plan; ~~and~~
- \_\_\_\_\_
- The Greenbelt Plan; and
- The Growth Plan.

The boundaries of these plans and the designations within them are shown on Schedule A-1: Provincial Land Use Plans and Designations. Subsection 2.2.3 of this Plan provides brief descriptions of these plans.

Lands located north of the Dundas – Burlington Transmission Line are subject to the Niagara Escarpment Plan and are not subject to the policies of Chapter 10: Land Use Policies - North Aldershot, except as set out in Section 10.6, Niagara Escarpment Plan, of this Plan.

The Provincial Natural Heritage System for the Growth Plan for the Greater Golden Horseshoe is shown on Schedule M-1: Provincial Natural Heritage System for the Greater Golden Horseshoe, of this Plan. Within the Provincial Natural Heritage System, the policies of the applicable Provincial plans as shown on Schedule A-1: City System - Provincial Land Use Plans and Designations, shall apply as follows, In addition to the policies of this Plan:-



- a) within the Niagara Escarpment Plan Boundary, the policies of the Niagara Escarpment Plan *shall* apply. The policies of this Plan *may* be more stringent than the requirements of the Niagara Escarpment Plan, provided that they do not conflict with the Niagara Escarpment Plan;
- b) within the Greenbelt Plan Protected Countryside Area, the policies of the Greenbelt Plan *shall* apply. This Plan *may* contain policies that are more stringent than the requirements of the Greenbelt Plan, unless they conflict with any of the policies or objectives of the Greenbelt Plan, but the policies in this Plan *may* not be more restrictive than Sections 3.1 and 4.3.2 of the Greenbelt Plan;
- c) the policies of the Growth Plan *shall* apply with respect to those lands outside the Niagara Escarpment Plan Boundary and the Greenbelt Protected Countryside Area as shown on Schedule A-1: City System - Provincial Land Use Plans and Designations.

In the event of a conflict between provisions of this Plan and those of the applicable Provincial Plan,- the provisions of the applicable Provincial Plan *shall* prevail; however, where the provisions of this Plan are more restrictive the provisions of this Plan *shall* apply, unless doing so would conflict with the Provincial Plan.-

## 10.3 NORTH ALDERSHOT - GENERAL

The purpose of this section is to establish objectives and policies to guide further *development* of North Aldershot, identified as “North Aldershot” on Schedule A: City System.

North Aldershot is a distinctive area - it contains natural features of high environmental significance, it separates two urban areas and it is a place where people enjoy a non-urban lifestyle. The two essential aspects of the area, its natural features and its human settlement, are not separate but co-exist in a finely integrated fashion. This Plan is based on recognition of this character of the area and that any new *development* must fit into and build upon the special characteristics. Accordingly, the Plan:

- a) identifies and protects *significant* environmental areas;
- b) ensures that these environmental areas are appropriately linked;
- c) maintains the general open space setting;
- d) ensures that existing roads retain their present character; and
- e) establishes policies to ensure that new *development* will be integrated with the existing topography and be *compatible* with the existing settlement character.

Further *development* may be permitted on the basis that the subject lands are outside of the City’s Urban Area and that the location and *intensity* of *development* shall be determined by *compatibility* with the existing character, landscape and environment.

### 10.3.1 OBJECTIVES

- a) To maintain the urban separator function between the Waterdown Urban Area of the City of Hamilton and the Urban Area of Burlington, performed by North Aldershot.
- b) To confirm the North Service Road as Burlington’s northern urban boundary in the west part of the city.
- c) To retain North Aldershot as a distinct, identifiable area in the context of the City of Burlington and the surrounding built-up area to the north and south.
- d) To ensure that *development* in North Aldershot retains and, where possible, enhances the special characteristics of the area and to ensure the preservation and enhancement of existing *significant* environmental and physical features.

- e) To permit *development* which is *compatible* with the predominant characteristics of North Aldershot such that the *scale* and character of the existing community is respected and regard is had to the rural character of the existing roads.
- f) To respect the topographical character of the area so that slopes are protected from major cutting, major filling and erosion.
- g) To recognize and reflect the *cultural heritage resources* of the area.
- h) To limit the construction of additional major roads and the upgrading of existing roads.
- i) To ensure that *development* has regard for wildlife corridors and *linkages* and minimizes *forest* fragmentation.
- j) To *preserve* the brow of the Niagara Escarpment as well as its visual and natural open space character.
- k) To *preserve* significant views of the *Escarpment brow* as well as from the Escarpment.
- l) To ensure that significant views of North Aldershot from outside the area reinforces its context as a distinct, identifiable area different from the surrounding urban area.
- m) To require that *development* pay for growth-related costs.

### 10.3.2 GENERAL POLICIES

A secondary planning study was completed for North Aldershot in 1994, known as the North Aldershot Inter-Agency Review. This study concluded further *development* potential exists in North Aldershot, provided the unique natural setting is preserved.

The Ontario Municipal Board approved land use policies for the Central Sector in 1996. These policies are reproduced in this Plan. Land use policies for the East and West Sectors are also found in the General Policies in this section. Lands identified as 'North Aldershot Special Study Area' require further study in order to determine more precise *development* potential.

- a) The policies in this section of the Plan are applicable throughout North Aldershot regardless of land use designation, unless otherwise indicated.
- b) *Development shall* be permitted in accordance with the land use designations shown on Schedule K: Land Use-North Aldershot, and Schedules L-1 to L-11: Sub-Areas, of this Plan, the maps applicable to the location of *development* and the policies of this Plan.

- c) The following uses *may* be permitted in all designations in North Aldershot, subject to other *policies* of this Plan and the Zoning By-law:
- (i) *agricultural* uses and a dwelling *accessory* to an *agricultural operation* on the same property;
  - (ii) *legally existing uses*;
  - (iii) single detached dwelling on an existing *lot*;
  - (iv) *forest, wildlife and fisheries management*;
  - (v) *non-intensive recreation uses* such as nature viewing and pedestrian trail activities, only if the lands are publicly owned;
  - (vi) archaeological activities;
  - (vii) transportation and *utility* facilities;
  - (viii) *accessory buildings, structures* and facilities and site modifications to accommodate them, provided the effects on the *natural environment* are minimal;
  - (ix) *accessory uses* and site modifications to accommodate them, provided the effects on the *natural environment* are minimal;
  - (x) *small scale public uses*;
  - (xi) *home occupations* and *cottage industries* with a gross floor area not exceeding one hundred (100) sq. m. or twenty-five (25) percent of the residential living area, whichever is less;
  - (xii) *bed and breakfast home accessory* to an existing dwelling or *agricultural operation* with a maximum of three guest bedrooms;
  - (xiii) *veterinary clinics* serving the *agricultural* community;
  - (xiv) *animal kennels* in conjunction with a single detached dwelling;
  - (xv) *watershed management* and flood erosion control projects carried out or supervised by a *public authority*;
  - (xvi) the following uses, only if located on a *commercial farm* and *accessory* to the *farming* operation:
    - a. *home industry* with a gross floor area not exceeding two hundred (200) sq. m.;
    - b. retail uses with a gross floor area not exceeding five hundred (500) sq. m. and the majority of the commodities for sale, measured by monetary value, are produced or manufactured on the farm;

- c. *agriculture*-related tourism uses with a gross floor area not exceeding two hundred and fifty (250) sq. m.;
- (xvii) on-farm businesses that *may* not be related to *agriculture* provided:
  - a. their scale is minor and does not change the appearance of the *farming* operation;
  - b. their adverse impacts such as noise, odour and traffic on surrounding land uses is minimal and will not hinder surrounding land uses;
  - c. they meet all Regional criteria as stated in the On-Farm Business Guidelines adopted by Regional Council.
- d) Schedule K: Land Use – North Aldershot, of this Plan, indicates the various land use designations in North Aldershot. The land use policies in this section *should* be read in conjunction with the general policies and with the design and *development* criteria contained elsewhere in this Plan.
- e) Density and location of *development* will be determined by such considerations as: the size and extent of the developable land, existing topography, *cultural heritage resources*, existing adjacent uses, visual impact, and the ability of the site to sustain the proposed *development*. Maximum land use *intensity* is subject to meeting all applicable policies and *may* not be attained in all circumstances.
- f) Zoning provisions will be calculated on a developable area that excludes the Environmental Protection Area designation with the exception that the calculation of the maximum impervious surface for any Sub-Area *shall* include the buffer areas that are immediately adjacent to that Sub-Area in Schedules L-1 to L-11. The allocation of this impervious area on individual *lots* or blocks *shall* be approved by the *City* prior to the registration of any plan of subdivision in which the *lots* and blocks are located.
- g) Impervious area *shall* mean an impermeable surface such as pavement or rooftop which prevents the infiltration of water into the soil, but excludes the wetted surface area of ponds or pools or those impermeable surfaces which are less than ten (10) sq. m. in area and separated hydraulically from any adjacent impermeable surfaces or drains by at least three (3) m.
- h) *Development* proposals *shall* provide such mitigative measures as required by *utility* agencies.
- i) North Aldershot is subject to subdivision control and part-lot control.
- j) North Aldershot – Central Sector *shall* develop on full municipal services. The West and East Sectors *shall* develop on private services (wells and septic

systems), with the exception of the Bridgeview Community at Plains Road and Highway 6.

- k) In North Aldershot, *institutional uses may* be permitted within all land use designations identified on Schedule K: Land Use– North Aldershot, with the exception of the Greenlands (Escarpment Plan Area), Environmental Protection Area and North Aldershot Special Study Area land use designations, subject to meeting to the maximum possible degree, the following conditions:
- (i) the proposed uses of land, buildings or structures secure the open space character of the area by low density *development*;
  - (ii) the Environmental Protection Area is preserved;
  - (iii) the uses permitted enhance the open space character by landscaping, tree planting, berms and screening;
  - (iv) the location and design of buildings and structures are such that the open space character of the area is secured;
  - (v) *non-intensive recreation uses accessory* to a school use *may* be permitted;
  - (vi) the provisions of the Niagara Escarpment Plan are satisfied, where applicable;
  - (vii) impervious cover *shall* be minimized;
  - (viii) maximum impervious surface *shall* not exceed forty (40) percent of the *net* developable area (lands within the site excluding the Environmental Protection Area and public roads);
  - (ix) notwithstanding the foregoing, any elementary school site located in Sub Area 2B, Schedule L-2b, is permitted a maximum impervious surface of sixty (60) percent. If an elementary school is not constructed, the forty (40) percent maximum impervious provision *shall* apply for all other building forms except for single-detached dwellings where the twenty (20) percent maximum impervious provision *shall* apply;
  - (x) maximum building height *shall* not exceed three (3) storeys and *shall* not extend above the tree canopy;
  - (xi) *massing* and roof-line of buildings *shall* be *encouraged* to be *compatible* with the existing settlement pattern;
  - (xii) the visual impact of internal roads and driveways *shall* be minimized by integrating their horizontal and vertical alignment with the existing

- topography;
- (xiii) parking areas *should* be screened with dense, hardy native plant material that creates an effective visual barrier. Within the parking lot, buffer islands *shall* be employed to screen more than four rows of cars;
  - (xiv) all plant material *shall* be protected and retained to the maximum extent possible;
  - (xv) landscape buffers along the perimeter of the property boundary and within the grounds *shall* be employed to screen the visual impact of facilities from adjacent residences. The landscape buffers *shall* create a visual screen and be *compatible* with the natural landscape setting;
  - (xvi) new planting in restoration areas *shall* be *encouraged* to be native plant species and be consistent with surrounding natural landscape character. Invasive non-native plant species *shall* be discouraged;
  - (xvii) the extent of mowed turf grass *shall* be minimized;
  - (xviii) *cemeteries* and associated uses and *structures* *shall* be screened from residential areas;
  - (xix) site lighting *shall* be low intensity, energy efficient fixtures. The illumination pattern *shall* not shine beyond the *lot* line, onto neighbouring properties or public roads; and
  - (xx) the policies of Subsection 10.3.3 of this Plan are satisfied.

### 10.3.3 DESIGN POLICIES

- a) Consistent with the permissions granted by the land use designations on Schedule K: Land Use Policies – North Aldershot, Schedules L-1 to L-11: Sub-Areas, and the policies of this Plan, all *development* proposals will be *encouraged* to *preserve* existing significant *trees*, wooded areas and hedgerows, and plant additional *trees* in accordance with good *forestry* management practices.
- b) Buildings and *structures* *shall* be designed and located so as to maximize their *compatibility* with the existing natural landscape, minimize their effect on the open space character of the area and maintain to the maximum possible degree an uninterrupted sight line between Highway 403 and the Niagara Escarpment consistent with the permissions granted by the land use designations on Schedule K: Land Use Policies-North Aldershot, Schedules L-1 to L-11: Sub-Areas, and the policies of this Plan.

- c) Regard *shall* be had for the visual and physical harmony of the location of buildings and the design and location of roads with the existing natural features.
- d) Site design *shall* be compatible with and enhance the special setting provided by the Niagara Escarpment, Grindstone Creek and Sassafras Woods.
- e) Site layout *shall preserve* key viewsheds from existing roads, such as views to the brow of the Niagara Escarpment, Burlington Bay, Hamilton, and Lake Ontario.
- f) Views generally to the open landscape setting, including creek and stream valleys and associated vegetation, *shall* be provided.
- g) Site design and location of buildings *shall* permit views between buildings.
- h) *Intensification* along existing roads *shall* permit views into the open landscape setting.
- i) Site planning *shall encourage* and support the preservation, restoration and enhancement of existing *cultural heritage resources* such as identified homesteads and their associated landscapes.
- j) The *massing* and location of adjacent *development* *should be compatible* with *built heritage resources* in order to establish a sense of visual continuity and *compatible* building scale.
- k) Site design *shall be compatible* with both the open space character and the predominant settlement characteristics of the area.
- l) *Lots* *should* not be uniform in size and shape across North Aldershot.
- m) To ensure that valleys are protected, adjacent *development* *shall* be located in such a manner as to have adequate setbacks from the *lot* line.
- n) Existing degraded drainage channels, declining plantations and remnant vegetation areas are *encouraged* where possible to be *rehabilitated*.
- o) To ensure that passive storm water drainage techniques can be applied, the number of housing units that have *lot* lines bordering existing drainage channels, creeks and valleys *shall* be maximized.
- p) The density, *massing*, form, setback and layout of the new *development* *shall* be compatible with the surrounding *structures*.
- q) Building location *shall* integrate with the existing topography.
- r) Building materials *shall* blend and harmonize with the natural landscape setting. Where practical, earth tones and natural materials such as stone, wood siding and clay brick *shall be encouraged*.



- s) Except for *built heritage resources* pursuant to Subsection 10.3.3 i) of this Plan, and infill houses pursuant to Subsection 10.4.1(1) of this Plan, buildings *shall* face the road. Reverse frontage lotting patterns and the use of acoustical walls and fences *shall* not be permitted except when no other feasible alternative is available to meet Ministry of the Environment requirements for mitigating noise impacts from Highway 403.
- t) Buffering measures such as vegetation *shall* be employed to screen non-residential *development* adjacent to residential uses.
- u) The visual impact of site servicing, loading, air handling equipment and waste disposal *shall* not be visible from roadways or adjacent properties.
- v) The needs of persons with *disabilities shall* be considered in each *development*.
- w) Site signs *shall* be at ground level and integrated with the landscape. Hanging or projecting signs will not be permitted.
- x) *Significant trees*, wooded areas and hedgerows *shall* be retained wherever possible.
- y) New planting in restoration areas *shall* be *encouraged* to be native plant species and be consistent with surrounding natural landscape character. Invasive non-native plant species *shall* be discouraged.
- z) Consistent with the permissions granted by the land use designations on Schedule K: Land Use Policies-North Aldershot, Schedules L-1 to L-11: Sub-Areas, and the policies of this Plan, site design and *development shall* integrate with the existing topography to maximize the preservation of significant existing *trees*, steep slopes (greater than fifteen (15) percent), and existing drainage patterns.

#### 10.3.4 GROWTH MANAGEMENT POLICIES

- a) Additional *development* of all forms and densities and/or any *development* proposal which exceeds the provisions of this Plan *shall* be considered as an amendment to this Plan and *shall* be undertaken as a comprehensive process characterized by the following:
  - (i) a clear definition of the undertaking;
  - (ii) an effective public consultation program involving the general public and all stakeholders throughout the review process;
  - (iii) the selection of criteria prior to the development of alternatives that are to be applied consistently throughout the review process to evaluate the alternatives;

- (iv) a comprehensive assessment of the natural and human environment and the capacity of these environments to sustain *development*; and
- (v) a comprehensive servicing assessment.
- b) Consideration of an application for amendment to this Plan must take into account the need for the proposed use, the policies of the Parkway Belt West Plan, implications on *infrastructure*, and the natural and social environment, as well as fiscal impact.

### 10.3.5 ENVIRONMENT AND SUSTAINABILITY POLICIES

- a) *Development shall* result in minimum damage to significant *trees*, wooded areas, and hedgerows, as identified by an Environmental Impact Assessment (EIA).
- b) *Development shall* be designed so as to *preserve* the existing open-space setting of the Niagara Escarpment face, as well as all creek and stream valleys in the area.
- c) The *City shall* require as a condition of *development* approval, the dedication of the greater of the *flooding hazard*, or the valley through which the *watercourse* flows including a conservation setback from stable *top-of-bank*, *flooding hazard*, or *meander belt allowance*, to the satisfaction of the *City* and Conservation Halton. Dedication of these lands *shall* not be considered part of the parkland dedication requirements of The Planning Act.
- d) The *City may* require as a condition of *development* approval, in consultation with Conservation Halton, either the restoration or a contribution to restoration and enhancement of degraded sites within any such dedication areas.
- e) *Watercourses* regulated by Conservation Halton *should* be left in their natural state, unless approval to alter the *watercourse* is obtained from Conservation Halton, and every effort *should* be made to keep other *watercourses* open and natural.
- f) Functional drainage designs *shall* be prepared at the draft plan of subdivision stage, outlining preliminary designs and costs.
- g) Storm water management *shall preserve* to the maximum possible degree the existing hydrologic cycle and water quality by promoting infiltration and retention of storm water runoff at source.
- h) Storm water management *shall preserve* and utilize the natural drainage system where feasible. The use of natural swales to treat and convey storm water *shall* be used wherever appropriate and the use of storm sewers and storm water management ponds minimized.

- i) The length of driveway culverts on the road allowance *shall* be minimized, to maximize the conveyance of storm water by open ditches on public roads.
- j) Erosion and runoff siltation *shall* be minimized by preserving to the maximum possible degree existing topographic and natural features consistent with the permissions granted by the land use designations on Schedule K: Land Use– North Aldershot, and the policies of this Plan.

### 10.3.6 TRANSPORTATION POLICIES

- a) Construction of major new roads and upgrading of existing roads will be limited.
- b) New public roads will be built to rural standards.
- c) The crossing of lands designated Environmental Protection Area by new roads will be restricted.
- d) A Master Transportation Study Environmental Assessment will be undertaken to evaluate north-south and east-west traffic movements in North Aldershot, which *may* result in the need to further amend this Plan.
- e) The re-design of existing roads and the design of new roads will promote their safe use by cyclists and pedestrians.
- f) Cycling and pedestrian links will be provided between public open spaces and/or *public service facilities*.
- g) Each landowner in North Aldershot who develops an *office* use of greater than three thousand (3,000) sq. m. *shall* be required, prior to the occupancy and use of land, to establish with the City a ~~t~~*Transportation d*~~Demand~~ *m*~~Management~~ (TDM) Plan and implementation strategy for each *development*. Priority *shall* be given to measures that are not capital intensive (e.g. flexible working hours, priority parking spaces for car pool vehicles) and which are feasible given the scale, ultimate ownership and location of the *development*.

### 10.3.7 MUNICIPAL SERVICES AND UTILITY POLICIES

- a) Subject to the provisions of the Niagara Escarpment Plan, where applicable, private uses on lands zoned for transportation, *utility* or communication purposes that are *accessory* and *compatible* to their primary function *shall* be permitted without amendment to this Plan. These private *accessory* uses *may* include, but *shall* not be limited to, parking lots for purposes of providing parking over and above minimum by-law requirements, private rights-of-way and driveways, *agricultural* uses, *golf courses* and driving ranges, *community gardens*, the cultivation and storage of nursery stock in

association with *horticultural trade uses* and garden centres, indoor and outdoor storage, and private services and *utilities*.

- b) The private uses described above *shall* require an amendment to the Zoning By-law and *shall* be permitted only when the proposed use is *compatible* with the use of the land for a transportation, *utility* or communication function, visually and functionally *compatible* with existing and proposed uses on adjacent lands, and *compatible* with the policies of this Plan applying to the land use designations of the adjacent lands.

## 10.4 LAND USE DESIGNATIONS

### 10.4.1 RESIDENTIAL AREAS

#### 10.4.1(1) INFILL RESIDENTIAL

- a) Permitted Uses *shall* be: A single detached dwelling on a new *lot*, in association with existing settlement, subject to the following:
  - (i) the existing and proposed *lots* front on an existing public road;
  - (ii) the proponent of new *lots* proposed within the vicinity of lands designated “Mineral Resource Extraction Area” *shall* be required to demonstrate that the proposed *development* complies with Section 4.6, Land Use Compatibility, of this Plan.
- b) New *lots* with municipal water and sanitary services, as identified in the Region of Halton Official Plan, *shall* have a minimum *lot* area of 0.3 ha, except within the urban serviced area of the Bridgeview Community in the vicinity of Plains Road West and Highway 6, where smaller *lot* sizes *may* be considered where they are in character with existing *development*.
- c) The minimum *lot* size for the creation of a new *lot* without municipal water and sanitary services, as identified in the Region of Halton Official Plan, *shall* be determined based on a detailed site analysis submitted by the proponent, including a hydrogeological study conducted in accordance with the Halton Region Rural Servicing Guidelines and which addresses the impacts of the new *lot* on ground and surface water resources. The minimum *lot* size *shall* be 0.8 ha or as determined by site-specific hydrogeological studies, whichever is the greater.
- d) New buildings *shall* be required to be *compatible* with surrounding houses in terms of characteristics such as height, *massing* and roof lines.
- e) Additions to existing buildings *shall* be *compatible* with the existing homes.
- f) Front yard and side yard setbacks and *lot* coverage *shall* be generally *compatible* with that of the adjacent settled area.
- g) Rear yards of infill *lots* *shall* not abut a public road.
- h) Garages *shall* be permitted only at the side or rear of the house.
- i) Site regrading *shall* be limited to the immediate building area where feasible. Regrading *shall* be prohibited within three (3) m of the rear property boundary.

- j) Residential *development* on Gloucester Drive *shall* proceed on full municipal services and *shall* not exceed a maximum of six (6) units.

**10.4.1(2) DETACHED RESIDENTIAL**

- a) Permitted uses *shall* be: detached dwelling.
- b) New buildings *shall* be *encouraged* to be *compatible* with the surrounding settlement pattern in terms of formal characteristics such as height, *massing*, and roof lines.
- c) Principal buildings *shall* be oriented towards the street. Where possible, garage doors *shall* be *encouraged* to be oriented to the side yards. If oriented towards the front yard, they *shall* be recessed from the front wall of the building.
- d) The lotting pattern *shall* provide a diversity of *lot* sizes and configuration across North Aldershot.
- e) Regrading will be prohibited within three (3) m of the rear property boundary.

**10.4.1(3) CLUSTER RESIDENTIAL**

- a) In addition to the uses permitted in the Detached Residential designation, this designation permits cluster residential *development* which is defined as a group of *dwelling units* which *may* be free-standing or attached to other *dwelling units* to a maximum of six (6) attached units in any one building. The intent is to provide siting flexibility to maximize areas of open space and to take advantage of site conditions such as natural topography and existing vegetation, as well as to minimize obstruction of landscape views from public roads.
- b) Cluster residential *development shall* be subject to the policies in Subsections 10.3.2, 10.3.3 and 10.4.1(2), where applicable, of this Plan.
- c) New buildings *shall* be *encouraged* to be *compatible* with the surrounding settlement pattern in terms of the visual impact to the open landscape setting.
- d) To the maximum extent possible, garage doors oriented toward the front of the house *shall* have the same setback as the front wall of the building.
- e) Landscape buffers *shall* be maintained and enhanced to screen the visual impact from existing settled areas.
- f) Outdoor parking *shall* be screened with landscape buffers.

- g) Regrading *shall* be prohibited within three (3) m of the rear property boundary.
- h) The visual impact of internal roads and driveways *shall* be minimized by integrating their horizontal and vertical alignment with the existing topography.
- i) Site lighting *shall* be low intensity, energy efficient fixtures. The illumination pattern *shall* not shine beyond the *lot* line, onto neighbouring properties or public roads.

#### 10.4.2 NORTH ALDERSHOT OFFICE

- a) Permitted uses *shall* be *offices* and accessory uses to *offices*.
- b) Maximum impervious surface is not to exceed sixty (60) percent of gross developable area, excluding The Environmental Protection Area and public roads, and subject to Subsection 10.3.2 f) of this Plan.
- c) Maximum building height *shall* not exceed three storeys and *shall* not extend above the *tree* canopy.
- d) *Massing* and roof line of buildings *shall* be *encouraged* to be *compatible* with the existing settlement pattern and maximize views to Sassafras Woods.
- e) No outside storage of goods or materials is permitted.
- f) The setback along Waterdown Road *shall* be *compatible* with the existing settlement pattern.
- g) The visual impact of internal roads and driveways *shall* be minimized by integrating their horizontal and vertical alignment with the existing topography.
- h) Parking areas *should* be screened with dense, hardy native plant material that creates an effective visual barrier from existing homes and generally from Waterdown Road and the North Service Road. Within the parking lot, buffer islands *shall* be employed to screen more than four rows of cars.
- i) Site lighting *shall* be low intensity, energy efficient fixtures. The illumination pattern *shall* not shine beyond the *lot* line, onto neighbouring properties or public roads.

#### 10.4.2(1) AREA-SPECIFIC POLICY

- a) **1240, 1246, 1252, 1258, 1264 & 1270 Waterdown Road and 29 & 57 Panin Road:** The lands located on the west side of Waterdown Road, north of Highway No. 403 and south of the westbound Highway No. 403 on-ramp, and identified as 1240, 1246, 1252, 1258, 1264 & 1270 Waterdown Road and 29

& 57 Panin Road, are generally constrained by the configuration of the highway interchange. There are challenges with respect to the future *development* and *intensification* of these lands for residential uses in terms of *compatibility* and the functionality of the interchange. These lands are intended to transition from the primarily residential uses that are *existing* at the time of approval of this Plan, to limited low *intensity* and low traffic-generating *office* and *industrial* uses, and *shall* be subject to the following policies:

- (i) Notwithstanding Subsection 10.4.2 a) of this Plan, the following uses *may* be permitted:
  - a. *existing* single-detached *dwellings*, and minor additions to *existing* single-detached *dwellings*;
  - b. *accessory* buildings or structures to *existing* single-detached *dwellings*, excluding *secondary dwelling units*;
  - c. *office* and *service commercial* uses, excluding *medical offices*, within *existing* single-detached *dwellings*; and
  - d. limited *office* and *industrial* uses, excluding residential, retail and *service commercial* uses, and *medical offices*, *may* be permitted only through a site-specific Zoning By-law Amendment, and subject to the fulfilment of the following criteria:
    - i. complete assembly of the lands described as 1240, 1246, 1252, 1258, 1264 & 1270 Waterdown Road and 29 & 57 Panin Road, unless a partial assembly can occur without generating land use and functional impacts and without compromising the future assembly of all the lands;
    - ii. submission and implementation of a transportation study to the satisfaction of the *City* and the Province, addressing the co-ordination and consolidation of transportation access points; and demonstration that the proposed use(s) are sufficiently low traffic generating with respect to any potential impacts on the functionality of the interchange; and
    - iii. notwithstanding Subsection 10.4.2 c) of this Plan, a maximum building height of two (2) storeys is permitted; or alternatively, three (3) storeys *may* be permitted, subject to the submission and implementation of a viewshed study to the satisfaction of the *City*.





### 10.4.3 ENVIRONMENTAL PROTECTION AREA

- a) Lands designated on Schedule K: Land Use - North Aldershot, of this Plan as Environmental Protection Area *shall* meet one or more of the following criteria:
  - (i) Environmentally Sensitive Areas;
  - (ii) *significant creeks and streams* and their associated valleys including areas regulated by Conservation Halton pursuant to its Regulations, woodlots, hazard lands and areas of *wildlife habitat* which are identified as *significant* based on specific research and studies;
  - (iii) natural Escarpment features;
  - (iv) *Areas of Natural and Scientific Interest*;
  - (v) Provincially and Regionally *Significant wetlands*;
  - (vi) land below the staked top of bank or in ill-defined areas, as agreed to with the *City* and Conservation Halton;
  - (vii) land that is publicly owned and used for open space and/or conservation purposes;
  - (viii) *buffer* areas of seven and one-half (7.5) meters and Environmental Protection Area *buffers*; and
  - (ix) other areas of important natural and landscape interest.
- b) The following uses *may* be permitted in the Environmental Protection designation:
  - (i) existing *agricultural operations* within the Environmental Protection designation *shall* be recognized and can continue. In interpreting the extent of existing *agricultural operations*, the history of such operations will be taken into consideration as well as any role the Environmental Protection features or functions *may* play in complementing the *farming* activity. The intent of the Environmental Protection designation on an active farm is not meant to restrict the operation nor to reduce the economic viability of the operation. If requested by the owner, the *City shall*, in consultation with the Region of Halton and the appropriate *public authorities* as necessary, undertake a site specific evaluation of the effective boundaries of the Environmental Protection designation on the property as they apply to the existing *agricultural operation*;
  - (ii) legally *existing uses*;
  - (iii) single detached dwellings on existing *lots* created in accordance with

the provisions of Section 50 of The Planning Act;

- (iv) *non-intensive recreation uses* such as nature viewing and pedestrian trails, only on publicly owned land;
  - (v) *forest, wildlife and fisheries management*;
  - (vi) archaeological activities;
  - (vii) *essential* transportation and *utility* facilities;
  - (viii) *accessory buildings, structures* and facilities and site modifications to accommodate them, provided the effects on the *natural environment* are minimal;
  - (ix) *accessory uses* and site modifications to accommodate them, provided the *negative impacts* on the *natural environment* are minimal;
  - (x) *accessory* uses associated with an elementary school;
  - (xi) *essential watershed management* and flood control projects carried out or supervised by a *public authority*; and
  - (xii) *non-intensive recreation uses shall* be permitted only when natural features are *preserved* to the maximum possible degree; building and structures are minor in scale; and there is no or minimal parking provided on site.
- c) Notwithstanding the provisions of Subsection 10.4.3 b) of this Plan, no *development shall* be allowed within the portions of the Environmental Protection designation containing: *Provincially Significant Wetlands* as identified through the Ministry of Natural Resources in accordance with Provincial policy, or areas regulated by Conservation Halton, unless permission has been received by Conservation Halton.
- d) The proponent of any *development* of lands within the Environmental Protection designation *may* be required to prepare an Environmental Impact Assessment (EIA) subject to the Environmental Impact Assessment policies of Subsection 4.2.4 of this Plan, if the *development* would *negatively impact* the environment. Detached dwellings proposed for existing vacant *lots* and *agricultural* related uses such as barns and sheds would be exempt from this policy, although they *may* still be subject to the Regulations of Conservation Halton. An EIA is required for large-scale *agricultural* related uses such as secondary processing facilities.
- e) The precise boundaries of the Environmental Protection Area *shall* be determined in conjunction with Regional Official Plan policies. Specific policies for the Environmental Protection Area are:

- (i) the alteration of the physical and/or biological features *shall* be restricted;
  - (ii) with the exception of a detached dwelling or *agricultural* use, the proponent of any *development*, including public works, inside or within sixty (60) m of the Environmental Protection Area *shall* prepare an Environmental Impact Assessment (EIA); and
  - (iii) the alteration of any condition or land use that may affect the Environmental Protection Area *shall* be subject to approval of the appropriate authority, based on site plans submitted by, and agreements entered into, with the developer.
- f) Property owners and government and other agencies are *encouraged* to enter into voluntary agreements regarding the protection of natural features.
- g) The retention in private ownership of lands designated in Environmental Protection Areas which are not defined as creeks, associated valleys, *The* Environmental Protection Area and required *buffers* and which contain significant natural features *shall* be *encouraged* rather than the dedication of such lands to the *City* or the purchase of lands by the *City*.
- h) Where retention by private landowners is not feasible or desirable, the dedication of natural features to the municipality *shall* be *encouraged*. The dedication of these lands *shall* not be considered as a fulfilment of parkland dedication requirements unless they provide needed passive or trail recreational activities.
- i) The purchase of lands with significant natural features *shall* only take place in limited circumstances.
- j) The policies of this section are to be read in conjunction with the storm water management objectives and policies contained in Subsection 4.4.2(2) of this Plan.
- k) Private *development* on creek lands *shall* be prohibited except in accordance with the policies l) to u) below and only as approved by Conservation Halton.
- l) Uses permitted on creek lands and associated valleys *may* include: *non-intensive recreation uses; essential public utilities* and services, flood and erosion control facilities; and *watershed management* works.
- m) The precise limits of creeks, associated valleys and *buffers* *shall* be determined by the *City*, in conjunction with Conservation Halton.
- n) New *development* adjacent to creeks, associated valleys and *buffers* *shall* be subject to a setback from these features.

- o) The placement of fill and grading of lands in creeks and associated valleys *shall* be subject to the regulations administered by Conservation Halton.
- p) As part of the *development* approval process, the dedication of creeks, associated *valleylands* and fifteen (15) or seven and a half (7.5) m buffers to the *City* or Conservation Halton *shall* be required. Such dedication *shall* not be considered part of the parkland dedication requirements.
- q) In order to ensure *sustainable* environmental management, the *City* and/or Conservation Halton, in consultation with private landowners, *shall* develop a management plan for lands designated Environmental Protection Area with particular emphasis on the enhancement and restoration of degraded areas.
- r) A *buffer* area adjacent to the Grindstone Creek Valley Environmentally Sensitive Area and Sassafras Woods Environmentally Sensitive Area *shall* be established through Environmental Impact Assessments (EIAs). For those lands adjacent to an Environmentally Sensitive Area for which an EIA has not been completed, a minimum *buffer* area of fifteen (15) m *shall* apply.
- s) The Environmentally Sensitive Area *buffer shall* be dedicated to the *City* or Conservation Halton or else suitable arrangements *shall* be made for land stewardship under private ownership through a formal arrangement with an accredited agency. Precise *buffer* widths *shall* be established through the completion of an Environmental Impact Assessment (EIA).
- t) A minimum *buffer* width of fifteen (15) or seven and one half (7.5) m *shall* be dedicated to the *City* or Conservation Halton adjacent to staked tops of bank or in ill-defined areas, as agreed to with the *City* and Conservation Halton.
- u) A detailed Environmental Implementation Report to the satisfaction of the *City*, the Region of Halton, the Ministry of Natural Resources and Conservation Halton, *shall* be submitted prior to any *tree* removal, grading or construction and prior to the final approval of any *development application* in the North Aldershot Central Sector. The Environmental Implementation Report *shall* include the following components:
  - (i) a *tree* survey and preservation plan;
  - (ii) mitigation and restoration measures; and
  - (iii) overall grading plan and *lot* grading plans.

#### 10.4.4 NORTH ALDERSHOT COMMERCIAL

- a) Permitted uses *shall* consist of smaller scale retail, *service commercial* and personal service uses; financial institutions and services; *offices*; standard restaurants, *recreation, entertainment* and *public service facilities* such as libraries and day care centres. Residential use is not permitted.

- b) Zoning By-law regulations *shall* be based on the following factors:
  - (i) the maximum *floor area ratio of development* at any site *shall* be 0.3;
  - (ii) the maximum height of permanent *structures shall* be two storeys and eight (8) m, to ensure views into North Aldershot are not obstructed;
  - (iii) the zoning of individual sites *may* not allow for the full range of permitted uses or the full extent of *development intensity* at every location based on, but not restricted to, site-specific factors that *may* include traffic, land use *compatibility*, market impact, environmental and other factors.
- c) Building design *shall* provide a *gateway* appearance into North Aldershot that conveys an open space, lower density appearance.
- d) Building setback along Plains Road *shall* be *compatible* with the existing settlement pattern and front building elevations *shall* be oriented toward the street.
- e) *Massing* and building roof lines *shall* be *compatible* with the existing settlement pattern and maximize views to the Niagara Escarpment.
- f) Parking areas *shall* contain dense, hardy native plant material along *lot* lines to create an effective visual barrier.
- g) Site lighting *shall* be low intensity, energy efficient fixtures. The illumination pattern *shall* not shine beyond the *lot* line, onto neighbouring properties or public roads.
- h) The number and location of access points to Plains Road *shall* be limited to minimize disruption to traffic flows.
- i) Off-street parking areas, loading areas and service areas *shall* be screened and landscaped.
- j) Loading and service areas *shall* be located to avoid conflict between pedestrian and vehicular traffic and away from adjacent residential areas.
- k) Outdoor storage areas *shall* be fenced and/or screened.
- l) Commercial *development* in the Bridgeview Community *shall* occur on full urban services, as such services are determined by the Region of Halton Official Plan.
- m) **1410 to 1424 Plains Road West:** Notwithstanding Subsection 10.4.4 b) (i) of this Plan, for the properties located on the west side of Plains Road West opposite Oakdale Avenue, identified as 1410 to 1424 Plains Road West, a maximum *floor area ratio* of 0.45:1 *may* be permitted.

### 10.4.5 PARKWAY BELT WEST

- a) These lands are subject to the provisions of the Parkway Belt West Plan, 1978.
- b) The Parkway Belt West Plan designates the Grindstone Creek Valley, two Electric Power Facilities and two Utility Corridors as Public Use Area within North Aldershot. The purpose of the linear *utility* corridors is to provide for existing and future inter-regional linear facilities. One Utility Corridor, of approximately thirty (30) m in width, is located south of Flatt Road and adjacent and north of the Hydro Electric corridor (Mount Hope Transmission Line). The type of future *utilities* and the timing of their installation have not been determined. Until the Province makes a final determination of the use of this corridor, the policies of the Parkway Belt West Plan *shall* be used to guide land use activity in the area. No use of the corridor *shall* be permitted without the approval of the Ministry of Municipal Affairs and Housing or other authorized approving agencies. All of these lands remain subject to the Land Use Regulations of The Parkway Belt Planning and *Development* Act.
- c) All other lands in North Aldershot are subject to municipal zoning, brought into effect in 1995 and 2008.

## 10.4.6 MINERAL RESOURCE EXTRACTION AREA

The Mineral Resource Extraction Area designation on Schedule K: Land Use– North Aldershot includes areas licenced pursuant to The Aggregate Resources Act. The objectives and policies of this Plan respecting the Mineral Aggregate Resource Extraction Area designation are contained in Section 4.10, Mineral Aggregate Resources, of this Plan.

The following objectives and policies apply specifically to the Mineral Aggregate Extraction Area designation in North Aldershot. Where there is a conflict between the policies set out in this section of the Plan and the policies in Section 4.10 of this Plan, the policies in this subsection of the Plan *shall* prevail.

### 10.4.6(1) OBJECTIVES

- a) To protect legally existing *pits* and *quarries* and new or expanded licensed aggregate operations from incompatible land uses.
- b) To minimize the adverse impact of mineral resource extraction and abutting land uses.
- c) To ensure the progressive *rehabilitation* of *pits* and *quarries* to an appropriate after-use within the time frame of the license.

### 10.4.6(2) POLICIES

- a) The following uses *may* be permitted:
  - (i) *agricultural operations* including *accessory* buildings, structures and facilities;
  - (ii) *legally existing uses*;
  - (iii) *mineral aggregate operations* licensed pursuant to and in compliance with The Aggregate Resources Act;
  - (iv) forest, fisheries and wildlife management;
  - (v) archaeological activities;
  - (vi) *non-intensive recreation uses* such as nature viewing and pedestrian trail activities;
  - (vii) *essential utility* and transportation facilities;
  - (viii) *accessory buildings* and facilities normally associated with the *mineral aggregate operation*, such as small scale *offices*, or crushing and washing facilities; but excluding asphalt plants, concrete plants, brick manufacturing plants and other similar uses;
  - (ix) *accessory uses* and site modifications to accommodate them,



provided the *negative impact* on the *natural environment* is minimal;—

- (x) notwithstanding the other policies of this Plan, a brick manufacturing plant, provided the greater part of the materials used come from the licensed area.
- b) In conjunction with the Provincial and Regional regulations, the *City shall* regulate the operation of *pits* or *quarries* to minimize adverse impacts on surrounding land uses and the Escarpment environment.
- c) In conjunction with the Provincial and Regional regulations, the *City shall* regulate *pits* and *quarries* and *accessory* operations to ensure that environmental pollution is minimized, consistent with standards laid down in pertinent legislation and municipal regulations.
- d) The *City shall* support the undertaking of hydrogeological studies in accordance with Provincial legislation and policies of the Region of Halton and Conservation Halton to ensure that surface and ground water resources are protected from the *negative impacts* of mineral resource extraction.
- e) The *City shall* consider mineral resource extraction areas as an *interim land use* and require their progressive *rehabilitation* for an appropriate after-use.
- f) Where *rehabilitation* is being undertaken by reforestation, the after-use *shall* aim to re-establish a functioning *ecosystem* similar in condition to the natural *ecosystem* in the region.

#### 10.4.7 RECREATION/OPEN SPACE

- a) The following uses *may* be permitted in the Recreation/Open Space designation:
  - (i) parks and open space;
  - (ii) outdoor *non-intensive recreation uses*; and
  - (iii) *golf courses* and associated buildings and *structures*.
- b) Buildings and *structures* associated with recreational use *shall* be minor in scale and located in a manner that will secure the open space character of the surrounding area.
- c) Major *natural heritage features* such as streams, valleys, *tree* stands, hedgerows, and orchards *shall* be *preserved*.
- d) The impact of recreational uses on adjacent *agricultural uses* *shall* be kept to a minimum, through the preparation by the proponent of an Agricultural Impact Assessment (AIA) to the satisfaction of the Region of Halton.

- e) Only private water and waste water systems are allowed for any *recreation* use unless the site is within the area designated as “Eligible for Urban Services” in the Regional Official Plan. If a proposed *recreation use* involves significant taking of ground or surface water, the proponent must demonstrate, through a detailed study and to the satisfaction of the Region of Halton in accordance with the approved Regional Servicing Guidelines, the Ministry of the Environment, Conservation Halton and the Department of Fisheries and Oceans where appropriate, that the water resource in the general area will not be adversely affected.
- f) Prior to an amendment being contemplated to permit a new or expanded *golf course*, including *accessory uses* to the *golf course* operation, supporting studies and plans *shall* be required. These studies *shall* include, but *shall* not be limited to, the following:
  - (i) Planning Justification Study and market evaluation;
  - (ii) draft site plans including cross sections;
  - (iii) water quality, water budget and conservation plan;
  - (iv) where adjacent or abutting lands in the Environmental Protection Area, a plan for enhancement to the natural lands.

#### 10.4.8 NORTH ALDRESHOT SPECIAL STUDY AREA

- a) To define land that *shall* remain undeveloped until necessary studies and other municipal requirements are met.
- b) *Development* of North Aldershot Special Study areas *shall* not occur until the following steps have been completed:
  - (i) the following technical studies, as identified in the North Aldershot Inter-Agency Review Secondary Plan 1994, *shall* be completed for the area affected by the *development* proposal:
    - a. Environmental Evaluation;
    - b. Sub-watershed management Plan;
    - c. Financial Impact Analysis;
    - d. Private Water & Wastewater Serving Plan;
    - e. Transportation Study;
    - f. Community Services and Facilities Needs Assessment; and
    - g. Cultural heritage Conservation Study.
  - (ii) the proposed *development shall* be screened against the Planning

Principles and Evaluation Criteria outlined in the North Aldershot Inter-Agency Review Secondary Plan 1994;

- (iii) based on the outcomes of the technical studies, and evaluation in (i) and (ii) above, Sub-Area maps and policies *shall* be developed for the affected North Aldershot Special Study Area land. These maps and policies *shall*:
    - a. refine the boundaries of the Sub-Area;
    - b. identify landscape features, slopes, remnant vegetation, and significant views to be *preserved*;
    - c. describe the existing *development* and land form character of the Sub-Area;
    - d. specify the form and *intensity* of new *development* to be permitted; and
    - e. identify areas of site plan or building envelope control.
  - (iv) the new Sub-Area policies and mapping *shall* be incorporated within this Plan via an Official Plan Amendment;
  - (v) residential, *institutional* or *recreation* uses *may* be considered as future uses within areas designated North Aldershot Special Study Area, subject to adherence to the above policies and the policies contained in each designation;
  - (vi) the affected area *shall* be re-designated and zoned to the appropriate North Aldershot residential, open space or recreational Official Plan designation and zoning. *Cemeteries* *may* include related facilities and structures; however, *crematoria* are permitted only if they are located in accordance with Provincial Land Use Compatibility Guidelines.
- c) Notwithstanding Subsection 10.3.2 c) of this Plan, the *following interim land uses* *may* be permitted in the North Aldershot Special Study Area designation:
- (i) all *existing uses*, buildings or structures;
  - (ii) a *home occupation* in an existing single-detached dwelling; or
  - (iii) an *agricultural* or *farming* use.
- d) All land designated North Aldershot Special Study Area *shall* develop on private services (wells and septic systems), as specified in Subsection 10.7.3 of this Plan.

- e) The proponent of *development* proposed within the vicinity (as determined in consultation with Provincial guidelines) of lands designated “Mineral Resource Extraction Area” *shall* be required to undertake an analysis demonstrating *compatibility* with existing and proposed mineral resource extraction and processing activities by undertaking the appropriate studies in accordance with Provincial Land Use Compatibility guidelines, as identified by the *City* and the Region. The conclusions of this analysis *shall* be incorporated into the Sub-Area maps and policies identified in Subsection 10.4.8 b) (iii) above.

e) —

## 10.5 SUB-AREA POLICIES

### 10.5.1 AREA POLICIES – CENTRAL SECTOR

The purpose of this section is to establish goals, objectives and policies to guide further *development* of the Central Sector of North Aldershot.

The Central Sector is characterized by a rolling topography which slopes southerly from the Niagara Escarpment. The land is bisected by a number of valleys and associated streams which flow from north-west to south-east from the Escarpment to Burlington Bay. The largest of these *watercourses* is the Grindstone Creek located on the western edge of the subject lands. The creek occupies a valley which in some locations is up to fifty (50) m deep. The *valley lands* contain a significant amount of natural vegetation. Most land not located in valleys has been cleared in the past and used at one time or another for *agricultural* purposes. Some lands are still used for this purpose.

With the exception of two small subdivisions, settlement has occurred on roads of long standing on an individual *lot* basis over many decades. The *lot* pattern is irregular and *lot* sizes vary from one half acre in size to many acres.

The goal of the policies for the Central Sector of North Aldershot is to permit further *development* on the basis that the subject lands are outside of the city's Urban Area and that the location and *intensity of development shall* be determined by *compatibility* with the existing character, landscape and environment.

Various technical studies identified in the North Aldershot Inter-Agency Review were completed for the lands within the Central Sector. The studies confirmed the *development* potential for eleven areas within the Central Sector, which are described as Sub-Areas.

- a) The Sub-Areas are identified on Schedule L: North Aldershot Central Sector Sub-Area Key Map, which forms part of this Plan. Each map identifies the characteristics and features and proposed road locations which will influence the location, distribution and *intensity of development* on a particular Sub-Area. Each proposal for *development shall* integrate with the characteristics and features and proposed public and private road locations shown in the Sub-Area Maps and policies to the maximum extent possible. The following policies *should* be read in conjunction with Schedules L-1 to L-11, the Sub-Area maps, of this Plan. The natural features on Schedules L-1 to L-11 are shown for illustrative purposes only. The precise location, extent and

significance of the natural features will be determined in accordance with Subsection 10.4.3 of this Plan.

- b) Notwithstanding the above, road access from Flatt Road to Sub-Areas #9 and #10 is constrained by the Utility Corridor. Thus, the access and locations of roads within these Sub-Areas as shown on Schedule L-C9 and L-C10 are conceptual in nature. Prior to draft subdivision plan approval for any lands in these Sub-Areas, road access and locations southerly to Panin Road *may* be considered without amendments to this Plan. Such road proposals will provide an appropriate level of analysis to demonstrate that the policies of the Official Plan are met and that the roads will function in a safe and effective manner. Any use of the Utility Corridor is not permitted without the approval of the Ministry of Municipal Affairs and Housing or other authorized approving agencies. If any such approval is granted, it will not require an amendment to this Plan.
- c) A maximum number of units in addition to existing *dwelling units* is indicated in those Sub-Areas which permit detached dwellings and/or cluster dwellings.
- d) Maximum impervious surface for any residential Sub-Area cannot exceed twenty-five (25) percent.
- e) New *development should* not be evenly distributed across the Central Sector.
- f) Site design and *development shall* integrate with the existing topography to maximize the preservation of significant existing *trees*, steep slopes (greater than fifteen (15) percent) and existing drainage patterns.

#### **10.5.1(1) SUB-AREA #1 - HORNING ROAD (SCHEDULE L-1)**

This Sub-Area, which includes Horning Road, abuts the mature *forests* of the Grindstone Creek Valley at the northern end of the Central Sector. The Valley forms the western boundary of the Sub-Area, the north and east boundaries are defined by existing residential *development*. The southern edge generally follows *valley lands* included in the environmental protection area. Access is from Horning Road. The Sub-Area can be considered in two sections: north and south.

The northern section includes the existing Horning Road, a short residential street that branches off Waterdown Road. Horning Road is lined with modest single family homes on large *lots*. The homes are generally one to one and a half storeys in height, and are set in mature gardens under a canopy of *trees*. An historic homestead is nestled into the edge of the Grindstone Creek valley at the elbow of the road. From the north end of Horning Road and from the existing residences, there are prominent viewsheds to Hamilton and Burlington Bay.

The south section of the Sub-Area is separated from the northern section by a wooded valley and cleared *utility* corridors. The south and east sides of this sub-area are bordered by a mature wooded valley system. An existing trail along the rim of the Grindstone Creek Valley links the north and south portions of the Sub-Area. The south section is undeveloped consisting of a relatively flat plateau, incised with drainage corridors. The plateau is contained by steep slopes and remnant vegetation that include a scotch pine plantation, fruit *trees* and successional areas. Because the general gradient of the land drops to the south-west, there are prominent views to Burlington Bay, the Burlington Skyway Bridge and Lake Ontario. Views to the north-east and the brow of the Niagara Escarpment are also present.

- a) Detached residential to a maximum of forty-four (44) units is permitted.
- b) A servicing easement for water and wastewater service *may* be extended north to Sub-Area #1 from Sub-Area #6. The nature of these services *shall* minimize the disturbance to existing vegetation, slopes and drainage channels.
- c) Water and sewer service *may* be provided from Waterdown Road along the new Horning Road right-of-way.
- d) Road A on Schedule L-1 *shall* extend southward and *shall* observe the Environmental Protection Area buffer area along the Grindstone Creek Valley. The construction of this road *shall* be contingent upon the prevention of negative impacts on the adjacent Environmental Protection Area.
- e) The existing road will remain in its current location to provide access and minimize disturbance to the existing homes.
- f) Vehicular access *may* not connect to other Sub-Areas.
- g) Site design *should* be *encouraged* to minimize the visual impact of new *development* from surrounding residences.
- h) Remnant vegetation, including successional vegetation is *encouraged* to be protected to the maximum extent possible.
- i) The degraded valley feature between Sub-Areas 1 and 6 *should* be *rehabilitated*.
- j) Building Envelope Control *shall* be imposed on *lots* south of the TransCanada Pipeline Easement in order to facilitate key views and to provide some staggering of building setbacks to achieve an improved streetscape. Site Plan Control *shall* be imposed on two *lots* on the east side of this Sub-Area to protect the existing drainage feature.





**10.5.1(2) SUB-AREA #2A AND 2B - WATERDOWN ROAD CORRIDOR (NORTH OF FLATT ROAD) (SCHEDULES L-2A AND L-2B)**

Sub-Area #2 includes the Waterdown Road corridor north of Flatt Road. The steep winding roadway is lined by rural residential homes in an open landscape setting. This relationship is the *essential* character of the Central Sector experienced by most people.

In the south eastern section of the Sub-Area, the houses lining Waterdown Road are modest brick and wood *structures*, one to one and a half storeys in height and set on relatively narrow *lots* with mature *trees* and gardens. The housing sites are located on a narrow plateau between the edge of the Sassafras Woods and Waterdown Road. Mature *trees* and gardens are associated with the homes and views penetrate between the buildings to natural landscape beyond. The valley behind the houses is deeply incised.

The northern and eastern edges of the Sub-Area are developed with detached homes in a gently rolling landscape. Small cul-de-sac streets branching from Waterdown Road provide access to these internal clusters of houses. The Sub-Area extends north to Mountain Brow Road, where the dramatic rise in topography leads to the brow of the Niagara Escarpment.

In the south-western section of the Sub-Area, the south-sloping gradient provides dramatic views from Waterdown Road of the Burlington Bay, Lake Ontario and the natural setting; including the gently rolling fields, wooded valley features, and discrete clusters of houses.

The western edge of this area is defined by a mature wooded valley feature. The Sub-Area ends at Flatt Road where Sassafras Woods is a dominant landscape feature.

- a) Infill residential and detached residential is permitted. Detached residential *shall* not exceed forty-two (42) units.
- b) On Schedule L-2b, Road C intersects with Waterdown Road in the southern section of the Sub-Area. Road D on Schedule L-2b intersects with Road C and provides access to the *development* area in the south-west corner of the Sub-Area.
- c) Road E on Schedule L-2a permits access from Waterdown Road to Sub-area 3. Access to the infill property (south of Ireson Road) *shall* be from Waterdown Road along the current driveway alignment for that property.
- d) Sub-Area #2 *shall* be fully serviced. A servicing easement *shall* link the Road D on Schedule L-2b easement to Flatt Road.
- e) Key viewsheds from Waterdown Road to Lake Ontario, Hamilton Harbour and the Brow of the Escarpment *shall* be *preserved*.

- f) Infill houses along Waterdown Road *shall* face Waterdown Road.
- g) The row of vegetation associated with the old farm laneway south of Road C and the drainage corridor to the south of Road C and west of Road D *shall* be *encouraged* to be *preserved*.
- h) The existing drainage feature east of Woodview School *shall* be *preserved* and the natural vegetation pattern restored.
- i) Remnant vegetation, including existing mature *trees* is *encouraged* to be *preserved*.
- j) Building Envelope Control *shall* be imposed on *lots* west of Road D to protect views by ensuring that buildings are placed to accommodate a larger side yard on every other *lot*.
- k) Site Plan Control *shall* be imposed on *lots* at the intersection of Road D and Road C, and on the infill *lots* along Waterdown Road to the east of Road D to protect views of the ravine areas to the west and existing landscape features including vegetation.

**10.5.1(3) SUB-AREA #3 - EAST OF WATERDOWN ROAD (SCHEDULE L-3)**

This Sub-Area consists primarily of an open hay field, sloping gradually from north to south. Views from the north extend over open fields to the *forested* areas of the Sassafras Woods and Burlington Bay. From both Waterdown Road and Old Waterdown Road there are filtered views into the site.

The north-western portion of the site is adjacent to Waterdown Road. A *tree*-lined lane provides access from Waterdown Road to two existing houses at the north end of the property, they include a one and a half storey brick dwelling set in a mature garden and a traditional two storey brick dwelling sited prominently on a rise of land at the northern end. Views from this location are uninterrupted, extending south across Sassafras Woods to Burlington Bay.

A third single-storey home is located at the south-west end of the Sub-Area. The eastern edge of the Sub-Area is defined by a deeply incised valley feature that links with the Sassafras Woods. The western edge of the Sub-Area is defined by the existing settlement pattern associated with Waterdown Road: a variety of housing styles, graciously spaced, and set amongst scattered mature *trees*.

- a) Detached residential to maximum of twenty (20) units is permitted.
- b) Road E from Waterdown Road *shall* follow the existing lane alignment; all houses within the Sub-Area *shall* be accessed by Road E on Schedule L-3.
- c) Sub-Area # 3 *shall* be fully serviced. A servicing easement *may* be required to link the Road E sewer to the Waterdown Road sewer.

- d) New houses *shall* be located along the edge of the wooded area to mitigate visual impacts from Old Waterdown Road and Waterdown Road.
- e) House sites *shall* be sensitively integrated with existing settlement pattern.
- f) The proposed house along Waterdown Road *shall* not impede the views from the north.
- g) The remnant mature *trees* within the Sub-Area *shall* be protected and *preserved*, including the hedgerow adjacent to the entrance lane.
- h) All of Sub-Area #3 *shall* be subject to Building Envelope Control to address views and streetscape issues.

**10.5.1(4) SUB-AREA #4 - OLD WATERDOWN ROAD (SCHEDULE L-4)**

The Sub-Area currently supports some ribbon *development* on the west side of Old Waterdown Road. The one and two storey wood and brick homes are discretely sited against the wooded valley edge. In the south end of the Sub-Area, Old Waterdown Road ends at Sassafras Woods. Views of the brow of the Niagara Escarpment and the houses on Rennick Road are visible from the north portion of Old Waterdown Road. Steep grades associated with a valley feature, and remnant vegetation, divide the Sub-Area in half. The east and south edges of the Sub-Area are defined by Sassafras Woods.

- a) Infill residential is permitted.
- b) The existing alignment of Old Waterdown Road *shall* provide access to all proposed houses.
- c) A decision regarding servicing is deferred pending a Local Improvement Area study by the Region of Halton.
- d) No new *development shall* be permitted west of Old Waterdown Road.
- e) The proposed houses and driveways must be constructed on the non-constrained areas of the site.
- f) Site design *should be encouraged* to minimize the visual impact of new *development* from surrounding residences.
- g) The existing remnant vegetation *shall be preserved* where possible.
- h) The existing drainage corridor *shall be preserved* and the natural vegetation patterns restored.
- i) The slopes associated with the adjacent valley features *shall be preserved* and naturalized.
- j) Those portions of Sub-Area #4 east of Old Waterdown Road *shall* be subject to Building Envelope Control to protect existing vegetation and slopes.

**10.5.1(5) SUB-AREA #5 - FLATT ROAD EXTENSION (SCHEDULE L-5)**

This Sub-Area is generally located along Flatt Road Extension with its western edge along the Grindstone Creek Valley. It is characterized by the rolling topography associated with numerous drainage corridors, open fields and successional plant communities. Views within the Sub-Area penetrate into adjacent areas due to the degraded nature of the valleys and drainage channels. Panoramic views from Flatt Road Extension are important: north-east to the Niagara Escarpment and south to Hamilton and to the industry across the bay.

Four distinct plateaux are located in the Sub-Area. The Flatt Road Extension plateau is defined on both the east and west sides of the road by degraded drainage features. Steep slopes and mature vegetation define the plateau. Flatt Road Extension has a rural cross-section, narrow pavement and is lined with hedgerows and bisects the plateau. Two existing homes face the road; both are modest, brick, one and a half and two storey dwellings. The south-west plateau is also narrow, defined by valleys on the east and west sides. An historic two storey red brick Georgian farmhouse with a garden dominates this area. The west plateau extends to the edge of the Grindstone Creek Valley. The plateau is scattered with remnant vegetation, linking it visually with the adjacent wooded areas to the north. The northern plateau contains a handsome well-*preserved* historic homestead, accessed by a tree-lined lane. Mature *trees*, a remnant pear orchard, extensive lawn area and small *wetland* comprise the garden setting.

- a) Detached residential to a maximum of fifty-two (52) units, and cluster residential to a maximum of thirty-six (36) units is permitted.
- b) Sub-Area #5 *shall* be fully serviced.
- c) Flatt Road Extension *shall* provide access to the proposed houses in the central plateau area. Road F on Schedule L-5 connects the west plateau area with Flatt Road Extension.
- d) The existing laneway accessing the Quinn farmstead *shall* provide access to the north plateau and the existing homestead.
- e) The *cultural heritage resources* designated pursuant to The Ontario Heritage Act *shall* be protected in accordance with that Act.
- f) The proposed houses *shall* be sensitively integrated with the existing homestead buildings.
- g) The remnant vegetation in the west plateau *shall* be *encouraged* to be *preserved*, restored, and integrated with the proposed houses.
- h) The tributary and associated valley feature bisecting the Sub-Area *shall* be *preserved* and restored.

- i) The significant *trees* and wooded areas *shall* be *encouraged* to be *preserved*.
- j) New *lots* in the northern portion of the Sub-Area *shall* be subject to Building Envelope Control to protect existing vegetation. *Lots* north of Road F on Schedule L-5 which front onto Road F *shall* be subject to Building Envelope Control to protect existing vegetation.
- k) Cluster units south of Road F *shall* be subject to Site Plan Control. One *lot* south of Road F on Schedule L-5 *shall* be subject to Site Plan Control to protect the existing drainage feature and facilitate compatible design with the existing heritage building.

**10.5.1(6) SUB-AREA #6 - CENTRAL AREA (SCHEDULE L-6)**

East of Flatt Road Extension, this Sub-Area is largely isolated from the existing settlement. Three of the four sides are defined by deeply incised wooded valley features. The valley on the west side has been degraded through *agricultural* activities. Views from Flatt Road Extension penetrate into this area. Most of the Sub-Area consists of a flat plateau. A mature hedgerow bisects the south portion of the Sub-Area and provides some screening of the plateau from the existing residences on Flatt Road Extension. The north section of the Sub-Area is characterized by small plateau areas bisected by steep slopes. Remnant vegetation dots the landscape. The north portion of the Sub-Area links the valley features to the east and west.

- a) Cluster residential *development* to a maximum of one hundred and thirty-two (132) units is permitted.
- b) Sub-Area #6 *shall* be fully serviced.
- c) Access into the Sub-Area *shall* be from the Flatt Road Extension on Road F on Schedule L-6. Road F *shall* cross the valley feature east of the Flatt Road Extension once.
- d) Housing clusters *shall* consist of two to six (2-6) units in accordance with the policies of Subsection 10.4.1(3) a) of this Plan.
- e) Common driveways *shall* be used to reduce the extent of impermeable surfaces.
- f) For cluster residential, landscape restoration areas *shall* be established between multi-unit buildings to integrate the *development* with the surrounding natural areas.
- g) The existing hedgerow, partially bisecting the Sub-Area in a north-south direction, *shall* be protected and enhanced.

- h) Mature *trees* north of Road F *shall* be *encouraged* to be protected and integrated with the proposed *development*.
- i) Sub-Area #6 *shall* be subject to Site Plan Control.

**10.5.1(7) SUB-AREA #7 - GRINDSTONE CREEK VALLEY/FLATT ROAD (SCHEDULE L-7)**

This Sub-Area is located north of Flatt Road where it meets the Grindstone Creek Valley. The topography in this Sub-Area steadily falls from north to south. The Sub-Area is defined on the west side by the wooded edge of the valley, and on the east by a wooded ravine. An area of remnant vegetation adjacent to the east valley edge extends into the Sub-Area, providing a subtle spatial division within the Sub-Area.

A prominent knoll at the north-west corner can be seen all the way from Waterdown Road and provides a promontory for views to Burlington Bay and the surrounding rural landscape. The top of the knoll is covered with remnant vegetation, linking it visually and physically to the Grindstone Creek Valley.

- a) Detached residential to a maximum of fifty-four (54) units is permitted.
- b) The Sub-Area *shall* be accessed by Road H on Schedule L-7 from Flatt Road. The access road *shall* wind through the centre of the Sub-Area avoiding steep slopes and remnant vegetation.
- c) Sub-Area #7 *shall* be fully serviced.
- d) Buildings and roads *shall* not be constructed on the steep slopes.
- e) The knoll at the north-west corner of Sub-Area *shall* be *preserved* as a prominent landscape feature. Buildings *shall* be constructed on the lower portions of the knoll because of its visual prominence.
- f) Existing significant *trees* and wooded areas adjacent to the Environmental Protection Area buffer area *shall* be maintained and enhanced. Existing mature *trees* in the Sub-Area *shall* be retained.
- g) The remnant vegetation on the top of the knoll *shall* be maintained. The remnant vegetation at the south-east corner of the Sub-Area *shall* be *preserved*.
- h) Site Plan Control *shall* be imposed on the *lot* that includes the knoll to the west of Road H on Schedule L-7 to protect the slope and existing vegetation. Site Plan Control *shall* also be imposed on the *lots* that include the remnant vegetation and drainage feature on the east side of Road H.
- i) Building Envelope Control *shall* be imposed on specified *lots* west of Road H on Schedule L-7 to facilitate key views and to provide some staggering of building setbacks to achieve an improved streetscape.

**10.5.1(8) SUB-AREA #8 - FLATT ROAD/FLATT ROAD EXTENSION INTERSECTION (SCHEDULE L-8)**

This small enclosed Sub-Area forms an intimate gateway feature at the intersection of the Flatt Road Extension and Flatt Road. The topography within the Sub-Area slopes to the south-west. The Sub-Area is defined on all but the south side by wooded valley features. The south edge of the Sub-Area is defined by Flatt Road with the existing one and two storey residences on the south side plus the landscape nursery and associated works yard. Flatt Road Extension bisects the Sub-Area.

- a) Detached residential to a maximum of fifteen (15) units is permitted.
- b) All access within the Sub-Area *shall* be from the existing roads including the Flatt Road Extension and Flatt Road.
- c) Sub-Area #8 *shall* be fully serviced.
- d) Proposed houses *shall* face Flatt Road Extension and Flatt Road and *shall* be compatible with the surrounding residential *development*. The orientation of the homes on the corner *lots shall* acknowledge both streets but must face Flatt Road.
- e) Existing drainage patterns and vegetation *shall* where feasible be maintained to the maximum extent possible.

**10.5.1(9) SUB-AREA #9 - SOUTH OF FLATT ROAD, WEST (SCHEDULE L-9)**

This Sub-Area is located south of Flatt Road, north of Panin Road, adjacent to the *forested* edge of the Grindstone Creek Valley. The land has a gentle steady slope from north to south. The northern edge is defined by the hydro corridor and the existing houses along Flatt Road. Two historic homes on the south side of Flatt Road are of special interest. And a very large home is located just south of the hydro corridor. The active nursery use dominates the visual character of the area. A north/south valley feature running through the nursery property has been lost due to filling and regrading. On the adjoining property to the south, the undisturbed portion of this ravine and *watercourse* continues through to Panin Road. Two gently sloping plateaux flank either side of the former valley. A wooded ravine and creek valley also forms the east edge of the Sub-Area. To the south-east, the Christian and Missionary Alliance building is set into the landscape. At the very south are existing homes with access from Panin Road, including a historic building.

- a) Detached residential to a maximum of forty-eight (48) units is permitted.
- b) Access shown on Schedule L-9, Sub-Area 9 to the north or the south, is conceptual only. Access is to be determined, as described in Subsection



10.5.1(9) b) of this Plan, prior to approval of any *development* applications in this Sub-Area.

- c) Provision of access will include the consideration of emergency access to Panin Road.
- d) Sub-Area #9 *shall* be fully serviced.
- e) The proposed *development* must be sensitively integrated with the existing settlement pattern north of the Hydro corridor.
- f) The degraded central ravine feature bisecting the Sub-Area, north south, *shall* be restored, the creek unearthed and the banks re-vegetated. The degraded zone in the valley to the east *shall* be restored.
- g) One road crossing of the degraded central ravine *shall* be permitted.

**10.5.1(10) SUB-AREA #10 - SOUTH OF FLATT ROAD, EAST (SCHEDULE L-10)**

The land in this Sub-Area slopes gradually and evenly from north to south. A small cluster of modest one and two storey wood and brick homes line Flatt Road. From the hydro corridor, south to the existing hedgerow, views are limited and the land is scattered with remnant pear *trees*. The Sub-Area is divided by a small *wetland* feature and *forested* edge between the Taylor and Castiglione properties. The east and west edges of the Sub-Area are defined by wooded valleys. There are views in from Sub-Area 11. Existing vegetation provides a natural buffer between Highway 403/Panin Road and the *development* area in the south portion of the pod.

- a) Detached residential to a maximum of sixty-two (62) units is permitted.
- b) The northern section of the Sub-Area is accessed from Flatt Road.
- c) Road access from Panin Road must be located to minimize regrading and disruption to the vegetation.
- d) Sub-Area #10 *shall* be fully serviced.
- e) A natural buffer exists between Highway 403, Panin Road and the *development* area in the south section of the Sub-Area. A visual separation *shall* be provided between the *development* and the transportation corridor.
- f) One infill property *shall* be permitted in the northern section of the Sub-Area.
- g) The Environmental Protection Area designation affecting the *lot* containing the existing home to the south of Flatt Road *shall* be taken as an easement for drainage purposes rather than a dedication.
- h) Regard *shall* be given to the existing remnant hedgerow in the northern section of the Sub-Area and Site Plan Control *shall* be imposed on *lots*



containing this hedgerow. The remnant pear *trees shall* be incorporated into the new *development* wherever possible.

- i) The wooded area feature separating the north and south sections of the Sub-Area, *shall be preserved* and restored wherever possible.
- j) Building Envelope Control *shall* be imposed on *lots* fronting on the south side of Road L on Schedule L-10 in order to protect existing vegetation.

**10.5.1(11) SUB-AREA #11 - WATERDOWN ROAD/NORTH SERVICE ROAD INTERSECTION (SCHEDULE L-11)**

Sub-Area #11 includes the Waterdown Road corridor south of Flatt Road. The Sub-Area is characterized by detached homes on moderate and large *lots* accessed directly or on short cul-de-sacs from Waterdown Road. The roads are lined with mature *trees* and landscape gardens. The eastern edge of the Sub-Area is enclosed by Sassafras Woods, views of which dominate the corner of the North Service Road and Waterdown Road, especially for people northbound from urban Burlington. The Sub-Area slopes toward the south. The western edge of the Sub-Area is defined by a wooded creek valley feature. The North Service Road and Highway 403 form the southern edge of the Sub-Area. Long views are possible south to Burlington Bay from Waterdown Road. Views of Sub-Area 10 are possible from Nevarc Drive.

- a) Infill residential use on the west side of Waterdown Road and North Aldershot Office use on the east side of Waterdown Road is permitted.
- b) Sub-Area #11 *shall* be fully serviced.
- c) Infill houses on realigned Panin Road or Nevarc Road must face the road.
- d) New houses must be compatible in character with the adjacent residences.
- e) The prestige *office* area *shall* incorporate areas of landscape restoration to screen parking and to reduce the visual impact on Waterdown Road and Panin Road.
- f) Site Plan Control *shall* apply to the *office development*.
- g) The proposed *office* buildings *shall* be located adjacent to the existing valley edge; a ten (10) m setback from the *buffer* edge *shall* be incorporated.
- h) A detailed visual assessment will be required for the prestige *office development* to determine the maximum geodetic elevations to protect views of the *Escarpment* brow and Sassafras Woods.
- i) The parking *shall* be screened from adjacent residences by a vegetated landscape buffer.

- j) The visual prominence of Sassafras Woods feature at the corner of the North Service Road and Waterdown Road *shall* be *preserved* as a gateway feature.
- k) The degraded valley feature along the west edge of the Sub-Area *shall* be restored.

### 10.5.2 SUB-AREA POLICIES – EAST SECTOR

The purpose of this section is to establish goals, objectives and policies to guide further *development* of the East Sector of North Aldershot.

Various technical studies identified in the North Aldershot Inter-Agency Review must be completed for the lands within the East Sector. The studies must confirm the *development* potential for the East Sector and *should* identify possible areas for *development* within the East Sector, which are described as Sub-Areas. These Sub-Areas will be incorporated into this Plan by future amendment.

### 10.5.3 SUB-AREA POLICIES – WEST SECTOR

The purpose of this section is to establish goals, objectives and policies to guide further *development* of the West Sector of North Aldershot.

Various technical studies identified in the North Aldershot Inter-Agency Review must be completed for the lands within the West Sector. The studies must confirm the *development* potential for the West Sector and *should* identify possible areas for *development* within the West Sector, which are described as Sub-Areas. These Sub-Areas will be incorporated into this Plan by future amendment.



## 10.6 NIAGARA ESCARPMENT PLAN

- a) Schedule K: Land Use – North Aldershot, of this Plan, identifies lands designated as Greenlands (Escarpment Plan Area), and Escarpment Protection Area. The lands designated as Greenlands (Escarpment Plan Area) are subject to the Niagara Escarpment Plan policies for the Escarpment Natural Area, and the lands designated as Escarpment Protection Area are subject to the Niagara Escarpment Plan policies for [the](#) Escarpment Protection Area. The lands within these designations are also subject to Niagara Escarpment Development Control.
- b) Notwithstanding Subsection 10.6 a) of this Plan, within the area identified as the North Aldershot Policy Area on Schedule K: Land Use - North Aldershot, of this Plan, *development may* only occur in accordance with Schedule L: North Aldershot Central Sector and related Sub-Area maps and policies of this Plan. These lands also are subject to Niagara Escarpment Development Control.
- [c\)](#) Subject to the Permitted Uses and the Development Criteria of the Niagara Escarpment Plan, new *lots may* be created in accordance with the Sub-Area Policies of Subsections 10.5.1, 10.5.2 and 10.5.3 of this Plan to the extent that these policies do not conflict with the Provincial Plans.



## 10.7 IMPLEMENTATION

### 10.7.1 HOLDING ZONES

- a) In North Aldershot, removal of an "H" (Holding) prefix *shall* depend on meeting the following:
  - (i) approval by the *City* of a subdivision or condominium plan in accordance with this Plan;
  - (ii) completion of a signed Site Plan Agreement if necessary;
  - (iii) signing of any other agreements with *public authorities*;
  - (iv) payment of any outstanding costs to *public authorities*;
  - (v) approval for access;
  - (vi) provision of adequate *infrastructure* and *community infrastructure* to the satisfaction of the City and the Region; and
  - (vii) completion of a signed Residential Development Agreement for cluster *development*.

### 10.7.2 SITE PLAN CONTROL

- a) The *City shall* require site plan approval for *development* in accordance with *City* policy, and in addition on specified lands including single detached dwelling *development* on individual *lots* in accordance with Section 41 of The Planning Act, and any other applicable legislation.
- b) Site plan control *shall* be used to protect landscape features, slopes, remnant vegetation or significant views. Lands affected by such site plan control are shown on Schedules L-1 to L-11. The *lots* and blocks subject to site plan control as generally indicated on the aforementioned maps will be identified at the time of draft approval. The *City shall* use the policies of this plan in assessing proposals for *development*.
- c) The *City shall* require Building Envelope Control for *development* on specified lands. *Lots* subject to Building Envelope Control are identified in Schedules L-1 to L-11. Proposals for *development* on *lots* subject to building envelope control will be circulated to Conservation Halton for comment.
- d) On those *lots* subject to Building Envelope Control, the building envelope and driveways will be located so as to avoid steep slopes and vegetation features identified in the Environmental Impact Assessment, and/or to provide view

access and/or reduce visual impact of *dwelling units* on the *streetscape*. The specific use of Building Envelope Control will be as described in the Official Plan Sub-Area policies outlined in Section 10.5, Sub-Area Policies, of this Plan. Building Envelope Control does not exempt *lots* or buildings from conforming to the Zoning by-Law.

### 10.7.3 INFRASTRUCTURE

- a) In North Aldershot, *infrastructure* for any *development* shall be provided only in accordance with the Water and Wastewater Treatment policies of the Region of Halton and in particular those policies which prohibit private connections to existing and future trunk watermains, wastewater mains and water reservoirs situated outside the Urban Planning Area, except those which comply with relevant legislation or legally executed or binding agreements existing at the time of the adoption of the Region of Halton Official Plan.
- b) In North Aldershot, the *development* pattern established in this Plan is based on the fact that the Region of Halton has determined that it is prudent and feasible to provide water and wastewater *infrastructure* to portions of the subject area as defined in the Regional Official Plan.

#### 10.7.4 PLANS OF SUBDIVISION AND CONSENTS

- a) In North Aldershot, subdivision of land *should* take place by plan of subdivision. Consents *shall* be permitted:
  - (i) for technical or legal purposes; or,
  - (ii) where the *City* is satisfied that the consent will not prejudice implementation of the Sub-Area plans outlined in Section 10.5 of this Plan and/or the ultimate subdivision of land; and
  - (iii) where the factors as set out in Subsection 12.1.12(4.1) e) of this Plan are met.
- b) For lands subject to the Niagara Escarpment Plan and Development Control, *lot* creation is also subject to the policies of the applicable designations of the Niagara Escarpment Plan.

# PUBLIC PARTICIPATION AND ENGAGEMENT

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## PUBLIC PARTICIPATION AND ENGAGEMENT

The *City* has identified the critical importance of public involvement. In 2013 the *City* established an Engagement Charter and a Charter Action Plan with the aim of making public involvement a part of everyday practice within the City of Burlington.

The Burlington Community Engagement Charter is an agreement between and among Burlington *City* Council and the citizens of Burlington concerning citizen engagement with *City* government that establishes the commitments, responsibilities, and fundamental concepts of this relationship.

At the core of democratic government are two pillars that also form the basis of effective citizen engagement:

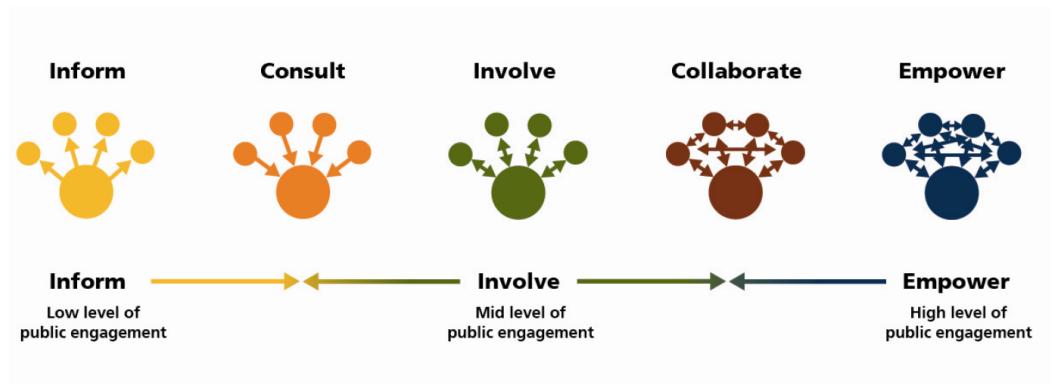
1. That government belongs to the citizens within its political boundaries; and
2. That the inhabitants of a city are citizens with the rights and responsibilities of citizenship based on justice, human rights, fundamental freedoms and rule of law.

Engaging people on issues that affect their lives and their city is a key component of democratic society. Public involvement encourages participation, actions and personal responsibility. One of the goals of community engagement is to lead to more informed and, therefore, better decision-making.

The Engagement Charter's over-arching objective is to enhance communications and access to information for citizens, and to facilitate and enable meaningful engagement.

The Strategic Plan 2015-2040 identified as one of its four strategic directions that the *City* will be an Engaging City. This means that community members are engaged, empowered, welcomed and well served by their *City*. This commitment to engagement is part of the daily activities at the *City* and in particular, is important in the planning and decision-making process.

The planning process is a cycle of policy and plan making, implementation and monitoring. Public engagement throughout this cycle is fundamental to decision making as a means of demonstrating accountability. The role of the public in any given planning process will depend upon the goals, timeframe, resources, audience, level of concern and the scale of the issue. The International Association for Public Participation (IAP2) Spectrum of Participation will be used in the *City's* community engagement activities.



Graphic 11-1. IAP2 Spectrum of Public Engagement.

The spectrum shows the increasing level of public impact progressing through the spectrum beginning with inform through to empower. The *City's* Engagement Charter makes commitments to support and provide active and meaningful engagement in the *City* using all elements of the spectrum, as appropriate. Mutual respect for citizens, staff and members of *City* Council is the basis for the development of constructive relationships and successful citizen engagement. The *City's* Engagement Charter provides more detailed information on the spectrum of public participation and a list of actions the city will implement to support citizen engagement.

## 11.1 PUBLIC AND AGENCY PARTICIPATION

The *City* will ensure that community members are engaged, welcomed and well-served by their *City*. The *City's* Strategic Plan 2015-2040 identifies actions to support sound decision-making processes. The *City* actively encourages and welcomes collaboration with residents and stakeholders in the decision-making process.

### 11.1.1 OBJECTIVES

- To actively seek input of individuals, community and special interest groups, public boards, commissions and *public authorities* on planning and related matters.
- To inform, consult, involve, collaborate, or empower, as appropriate, through effective consultation and engagement processes.
- To ensure that the community goals are reflected in land use planning decision making, by encouraging public participation.

- d) To explore, pilot and implement innovative tools and processes for engagement.
- e) To demonstrate a commitment to accountable and transparent government by making data freely available to the public, helping ensure that the citizens, agencies and other stakeholders of the city are informed and engaged in an open and accessible government.
- f) To commit to public consultation in keeping with the established and evolving legislative frameworks for land use decision making.

### 11.2.1 GENERAL POLICIES

- a) The *City* will provide opportunities for public, agency and stakeholder input during:
  - (i) the review of this Plan, and the development of new policies;
  - (ii) monitoring of the effectiveness of the policies of this Plan;
  - (iii) the review of by-laws and the development of new regulations;
  - (iv) *development application* review processes, where applicable;
  - (v) the preparation and/or review of *area-specific planning* studies, *Community Improvement Project Plans* and other planning studies; and
  - (vi) any other planning or *development* situation where the *City* desires public involvement.
- b) Opportunities for public, agency and stakeholder participation *shall* be in accordance with this Plan, The Planning Act, The Environmental Assessment Act, The Accessibility for Ontarians with Disabilities Act and other relevant legislation, policy and regulations.
- c) The *City* will engage, consult and partner, as appropriate, with indigenous communities when considering planning matters and *development applications* that may affect their interests.
- d) Consultation will take place in a timely manner to ensure an accountable and transparent decision-making process on land use planning matters.
- e) When preparing materials for public consumption, the *City* will ensure that graphics, legibility and presentation mediums *shall* be consistent with the *City's* standards and the standards of The Accessibility for Ontarians with Disabilities Act.
- f) The *City* is committed to communication in plain language on land use planning matters.

## CHAPTER 11 – PUBLIC PARTICIPATION AND ENGAGEMENT

- g) The *City* will provide responses to feedback received, including how feedback has been incorporated into the matter being addressed.
- h) The *City* will engage in and support activities to improve community awareness on various matters addressed by the Official Plan.
- i) The *City* will use community based participation to identify and incorporate community values into the planning and design of the public realm to create sociable places that attract people.
- j) *City Council shall* establish a Committee of Council to conduct public meetings pursuant to The Planning Act.
- k) When a public open house or community meeting is required, the *City* will carefully consider venues for these events. The locations *shall* be consistent with the standards of The Accessibility for Ontarians with Disabilities Act and will include places that are accessible to a broad cross section of stakeholders including, but not limited to:
  - (i) gathering places such as community centres, libraries, galleries or other cultural facilities and recreational facilities such as arenas, pools or parks;
  - (ii) places of commerce such as malls and Downtown Burlington;
  - (iii) special events where people congregate, such as festivals, cultural events and *farmers markets*; and
  - (iv) where possible, geographically appropriate and convenient to the area of the city most impacted by the land use planning matter under consideration.
- l) The *City* will employ appropriate tools and techniques that are consistent with the intended consultation and engagement goals of a given land use planning matter. Where the goal of the engagement is to:
  - (i) **INFORM:** the *City* will provide the public with balanced and objective information. Suitable tools and techniques include, but are not limited to, fact sheets, websites and open houses;
  - (ii) **CONSULT:** the *City* will obtain public feedback on analysis, alternatives and/or recommendations. Suitable tools and techniques include, but are not limited to, public comment sheets, surveys, focus groups and public meetings;
  - (iii) **INVOLVE:** the *City* will work directly with the public throughout the process to ensure public concerns and aspirations are consistently understood and considered. Tools and techniques suitable for

involving the public include, but are not limited to, workshops, digital engagement tools and deliberate polling;

- (iv) **COLLABORATE:** the *City* will partner with the public and stakeholders in the decision making process, including the development of alternatives and the identification of the preferred solution. Tools and techniques suitable for collaborating with the public include, but are not limited to, citizen advisory committees, participatory decision making or consensus building processes;
- (v) **EMPOWER:** the *City* will place final decision making power in the hands of the public, through utilizing tools and techniques suitable for empowering the public including, but not limited to, citizen juries, ballots, and Council delegated decisions. [Decisions made under The Planning Act shall be made by the approval authority identified in the Act.](#)

### 11.3.1 PROCEDURES

- a) The procedure to inform and obtain public and agency input regarding a *development application*, where applicable, *shall* include the following steps:
  - (i) for a site-specific amendment to the Official Plan or Zoning By-law, a plan of subdivision or a consent, a sign *shall* be placed on the subject property by the applicant, indicating the basic details of the application. A site-specific amendment *may* involve a map designation change and/or policy change which applies to a block of land. The wording, design and placement of the sign is to be approved by the *City*;
  - (ii) the *City's* webpage *shall* contain details of the application, technical supporting materials, and meeting details. This page will be updated throughout the process;
  - (iii) a preliminary notification of the application for amendment(s) to the Official Plan or Zoning By-law and/or a plan of subdivision, including basic details, *may* be given at least thirty (30) days prior to the Council meeting to consider approval of the proposed amendment(s) and/or subdivision. For site specific amendments and subdivisions, the preliminary notification *shall* be sent by prepaid first class mail or personal service or email to every owner of land within one hundred and twenty (120) m of the subject area within the Urban Area as outlined on Schedule C: Land Use - Urban Area, of this Plan, within three hundred (300) m of the subject area within the Rural Area as outlined on Schedule I: Land Use – Rural Area, of this Plan, and within

## CHAPTER 11 – PUBLIC PARTICIPATION AND ENGAGEMENT

three hundred (300) m of the subject area within North Aldershot as outlined on Schedule K: Land Use– North Aldershot, of this Plan, and *may* be sent to every tenant. For amendments that generally apply to the city, a notice *shall* be placed in a local newspaper approved by the City Clerk, that has a general circulation in the area;

- (iv) the details of the *development application shall* be circulated for comments to all boards, commissions, agencies, advisory committees and associations that are considered to have an interest in the matter and a reasonable period given for comments;
- (v) a neighbourhood information meeting *may* be held to inform the community about the *development application* and answer questions about the technical supporting materials provided by the applicant;
- (vi) a statutory public meeting *shall* be held by the appropriate committee of *City Council* established to conduct public meetings. Notice of the statutory public meeting to inform and obtain comments from the public *shall* be given at least fourteen (14) days prior to the date of the meeting, when a preliminary public notification has been given. When this preliminary public notification has not been given, notice of the public meeting *shall* be given at least thirty (30) days prior to the date of the meeting. For an Official Plan or Zoning By-law amendment that applies generally to the City, notice of the public meeting *shall* be placed in the local newspaper;
- (vii) for a site specific amendment or a plan of subdivision, notice of the statutory public meeting *shall* be placed in a local newspaper and/or sent by mail or personal service to every owner of land within one hundred and twenty (120) m of the subject area within the area outlined on Schedule C: Land Use – Urban Area, of this Plan, within three hundred (300) m of the subject area within the area outlined on Schedule I: Land Use – Rural Area, of this Plan, and within three hundred (300) m of the subject area within the area outlined on Schedule K: Land Use – North Aldershot, of this Plan, and *may* be sent to every tenant and to any parties who have requested notification of any meetings on this particular matter, provided the request is received before notices are issued;
- (viii) notice of a public meeting *shall* include, where applicable, information regarding the power of the Ontario Municipal Board and/or the Local Planning Appeal Tribunal to dismiss an appeal if an appellant has not provided Council with oral submissions at a public meeting or written submissions before a plan is adopted or a by-law is passed;

## CHAPTER 11 – PUBLIC PARTICIPATION AND ENGAGEMENT

- (ix) in the case of an Official Plan amendment, adequate time *should* be allowed after the statutory public meeting for staff to analyze all public comments before the staff report and the proposed amendment is dealt with by Council, except in the case of a housekeeping amendment or an amendment for which there is no public interest. In the case of a Zoning By-law amendment and/or plan of subdivision, or where it is determined that adequate time has been provided for analysis of the comments on an Official Plan Amendment, a decision and recommendation to Council on the approval of the application *may* be made by the Committee at the meeting, if appropriate;
- (x) notification of the Council decision regarding the proposed amendment and/or the plan of subdivision *shall* be given to the applicant and persons who expressed an interest in the matter, by the *City Clerk*;
- (xi) where a *development application* is deemed to have a potentially significant impact, the *City may* require an expanded public consultation process, including additional neighbourhood meetings; and
- (xii) when *development applications* for amendments to both the *City* and Regional Official Plans are made to permit *development* on the same property, *City Council may* hold a joint public meeting with the Region of Halton to consider both applications concurrently, in order to eliminate duplication of processing and to streamline and simplify public consultation.



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## IMPLEMENTATION AND INTERPRETATION

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## IMPLEMENTATION AND INTERPRETATION

Meeting the objectives of this Plan will require an ongoing commitment to implementation. This commitment is reflected in the employment of tools and the development of a budget that responds to the objectives of this Plan.

Traditional planning tools such as Official Plans and Official Plan Amendments, Zoning By-laws, Plans of Subdivision, Plans of Condominium and Part Lot Control, *area-specific planning*, minor variances and consents and other tools are described.

This section also provides guidance in understanding and making clear the intent and application of the policies and schedules of this Plan.

Implementation of this Plan will be through means of the powers conferred upon the City by The Planning Act, The Municipal Act, The Town of Burlington Act and other Provincial statutes and regulations that may apply. These means include the enactment of by-laws, conditions of approval on *development*, including entering into *development* agreements; the construction of public works; and the acquisition of lands.

### 12.1 IMPLEMENTATION

#### 12.1.1 GENERAL

##### 12.1.1(1) OBJECTIVES

- a) To provide for the use of a full range of regulatory mechanisms for the purpose of implementing the land use, growth management and *infrastructure* objectives and policies of this Plan.
- b) To co-ordinate the City's capital works [program, long term Asset Management Plan, this Plan](#) and [the](#) budget to maximize benefits to the city's physical, natural, economic and social environment and financial sustainability.
- c) To support other strategic initiatives of the City.

##### 12.1.1(2) POLICIES

- a) This Plan *shall* be implemented by both public and private *development* in accordance with the policies of this Plan and other regulatory mechanisms. Municipal by-laws, including zoning by-laws, public works and public undertakings *shall* conform to this Plan.

- b) All *development* and *infrastructure* is subject to the provisions of this Plan, the Regional Official Plan and all applicable Provincial Plans. In the event of any conflict between this Plan and the provisions of the Regional Official Plan or any applicable Provincial Plan, the provisions of the Regional Official Plan or the applicable Provincial Plan *shall* prevail; however, where the provisions of this Plan ~~that are more restrictive~~ the provisions of this Plan *shall* apply, unless doing so would conflict with the Provincial Plan or the Regional Official Plan.
- b)c) The decisions and actions of the *City*, including public investment in services, service delivery and *infrastructure*, will be guided by this Plan. The policies of the plan will inform the *City* capital budget process. This Plan acknowledges that a number of critical city building services are provided to the *City* by other levels of government.
- e)d) The *City* has approved a Development Charges By-law based on a detailed background study. The Development Charges By-law will be amended as required to ensure that the by-law responds to forecasted growth, that the services and capital facilities and *infrastructure* required to support the forecasted growth are considered, and that growth pays for growth to the fullest extent of the Development Charges Act, as amended.
- e)e) Development charges will assist in providing the public *infrastructure* investments required by future *development*.
- e)f) Land *may* be acquired and/or held by the *City* for the purposes of implementing any part of the Plan.
- f)g) The *City* will ensure that any public works, public or private *development* and agreements regarding land division, condominiums, site plans and building conform with this Plan.
- g)h) The *City shall* complete *area-specific planning* studies for specific areas or to address a specific planning issue. These planning studies *shall* be approved by resolution of *City Council* and *shall* be incorporated by way of an amendment to this Plan.

### 12.1.1(3) OFFICIAL PLAN

- a) ~~In the event of any conflict between this Plan and any Provincial Plan, the provisions of the applicable Provincial Plan *shall* prevail; however, the provisions of this Plan that are more restrictive *shall* apply, unless doing so would conflict with the Provincial Plan.~~
- a) The *City* will make amendments to this Plan at any time, or revise it and/or incorporate new objectives, policies and specific designations, as required.

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- b) Requests for Official Plan Amendments *shall* not be accepted by the *City* for the period of 2 (two) years from the date of approval of any part of this Plan, unless council has declared by resolution, in accordance with The Planning Act, that such a request is permitted.
- c) The *City* will review the Plan as a whole to ensure that it is responding to the needs of the community, in accordance with the requirements of The Planning Act.
- d) Urban boundary expansions and employment land conversions will only be considered as part of a *municipal comprehensive review*.
- e) The statutory Official Plan Review is the only time the *City* will consider modifications to the Urban Structure as shown on Schedule B: Urban Structure, of this Plan.
- f) Notwithstanding Subsection 12.1.1(3) fg) of this Plan, minor modifications to the Urban Structure, as shown on Schedule B: Urban Structure, of this Plan, *may* be considered in the context of a site-specific Official Plan Amendment outside of an Official Plan Review.
- g) The *City* will monitor the implementation of the Growth Framework policies of this Plan and will determine if a review of the policies and schedule is required.
- h) An Official Plan Amendment *shall* be required where a *development application* does not conform with the established land use designation and/or the policies or schedules of this Plan.
- i) When considering a site-specific Official Plan Amendment, at the earliest point the *City* will determine if the application *should* be considered within the immediate planning context or whether an area specific policy, an *area-specific plan* or a general policy change *may* be required.
- j) Any privately or *City*-initiated Official Plan Amendment *shall* be assessed against the following criteria to the satisfaction of the *City*:
  - a.(i) consistency with the intent of the Urban Structure ~~and the Growth Framework~~, as outlined in Section 2.3, The Urban Structure, ~~and Section 2.4, Growth Framework~~, of this Plan;
  - b.(ii) in the case of a site-specific Official Plan Amendment, consideration of the relevant principles, objectives and policies of this Plan, including the Growth Framework as outlined in Section 2.4, the Development Criteria contained in Subsection 12.1.2(2.2) c) of this Plan, and, where applicable, the land use designation established on the site;

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- ~~e.~~(iii) conformity or lack of conflict with Provincial and Regional Plans, policies and legislation;
- ~~d.~~(iv) consistency with the Provincial Policy Statement;
- ~~e.~~(v) *compatibility* with the surrounding area and proper integration with the surrounding neighbourhood or approved *area-specific plan*;
- ~~f.~~(vi) in the case of a site-specific Official Plan Amendment, existing *infrastructure* and *public service facilities* such as parks, are available and can accommodate the proposed use without costly expansion, upgrading or public investment that would require the deferral of other planned improvements to *infrastructure* and *public service facilities*, to the satisfaction of both the *City* and the Region;
- ~~g.~~(vii) in the case of a site-specific Official Plan Amendment, consideration of the relationship of the subject site to the *multi-modal* transportation system;
- ~~h.~~(viii) whether the amendment, if approved, would establish an undesirable precedent;
- ~~i.~~(ix) whether the amendment, if approved, would remove a significant barrier to *development* that would otherwise render the site undevelopable and/or underutilized;
- ~~j.~~(x) financial *sustainability*, in accordance with Section 6.5, Financial Sustainability, of this Plan;
- ~~k.~~(xi) in the case of an Official Plan Amendment proposing residential uses in either the Secondary Growth Area, or Established Neighbourhood Area, or the Primary Growth Area where an area-specific plan is not underway as identified on Schedule B-1: Growth Framework, of this Plan, the proposed *development shall* provide the following city building objectives consistent with the *City's* Strategic Plan, to the satisfaction of the *City* with any required agreements, and appropriate phasing in the case of a major comprehensive *development*:
  - ~~k.)~~a. affordable, rental *housing* with rents equal to or less than the Local Municipal Average Market Rent (AMR) as per the CMHC annual rental report; or,
  - ~~l.)~~b. -deliver a portion of units with three (3) or more bedrooms; or,
  - ~~m.)~~c. the co-location of community space, or the location of *public service facilities* which includes parks; or,
  - ~~n.)~~d. residential units provided in partnership with a municipal

## CHAPTER 12 - IMPLEMENTATION AND INTERPRETATION

housing provider or a charitable not for profit organization, including but not limited to *affordable, assisted or special needs housing*; and

*e.* additional *sustainable* building design measures that contribute significantly towards the goals of the *City's* Strategic Plan and/or the Community Energy Plan.



## 12.1.2 PLANNING PROCESS: DEVELOPMENT APPLICATIONS

### 12.1.2(1) COMPLETE APPLICATIONS

*Development* proponents *shall* be required to meet with *City* staff to discuss requirements related to *development applications* in advance of their submission.

#### 12.1.2(1.1) OBJECTIVE

- a) To establish pre-consultation requirements and complete application policies to provide direction to support the *City* in requesting all information or material required to process *development applications*.

#### 12.1.2(1.2) POLICIES

- a) The *City shall* require that adequate pre-consultation with the *City* occurs prior to the submission of a *development application*, and will *encourage* pre-consultation with other affected agencies such as the Region of Halton and Conservation Halton, where appropriate. Within areas subject to the Niagara Escarpment Plan and Development Control, proponents will be *encouraged* to contact the Niagara Escarpment Commission to discuss permitted uses and *development* criteria.

b) The *City* encourages public consultation in advance of a formal *development application* at the discretion of the applicant.

b)c) For an application for Official Plan Amendment, Zoning By-law Amendment, plan of subdivision, or consent (other than those consent applications made for the purposes outlined in Subsection 12.1.12(4.1) c) (i) to (iv) of this Plan), the *City* will require the provision of additional supporting information or material required to allow full consideration of the application. The scope of the information or material required for each application *shall* be determined by the *City* and Region of Halton as part of the pre-consultation process. This information *may* include, but *shall* not be limited to, the following:

- (i) Planning justification report, including *employment* or residential needs analysis, where required;

+(ii) land assembly documents;

+.(iii) survey and severance sketch, prepared by an Ontario Land Surveyor;

+.(iv) land use *compatibility* study, in accordance with Subsection 4.6.2 of this Plan;

+(v) retail and service commercial needs assessment, in accordance with Chapter 8 of this Plan;

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- ~~p.~~(vi) financial impact study, in accordance with Subsection 6.5.2 of this Plan;
- ~~q.~~(vii) housing impact statement, in accordance with Subsection 3.1.1(2) i of this Plan;
- ~~r.~~(viii) park concept plan, in accordance with Subsection 3.3.2 of this Plan;
- ~~s.~~(ix) *agricultural* impact assessment (AIA), in accordance with Subsection 9.2.2 (d) of this Plan;
- ~~t.~~(x) *social impact assessment*, in accordance with Subsection 6.1.2 h) of this Plan;
- ~~u.~~(xi) archaeological report, in accordance with Subsection 3.5.2(5.2) of this Plan;
- ~~v.~~(xii) Heritage Impact Study, in accordance with Subsection 3.5.2(5) of this Plan;
- ~~w.~~ *cultural heritage landscape* impact assessment, in accordance with Subsection 3.5.2(5.1) of this Plan;
- ~~x.~~(xiii) ~~Burlington Urban Design Advisory Panel (BUD) comments;~~
- ~~y.~~(xiv) urban design brief, in accordance with Subsection 7.1.2~~Chapter 8~~ of this Plan;
- ~~z.~~(xv) conceptual site plan layout;
- ~~aa.~~(xvi) architectural plans;
- (xvii) 3-D model of proposed buildings;
- ~~bb.~~(xviii) Burlington Urban Design Advisory Panel (BUD) comments;
- ~~cc.~~ \_\_\_\_\_
- ~~dd.~~(xix) height survey of adjacent buildings, in accordance with Subsection 8.3.3(1) e) of this Plan;
- ~~ee.~~(xx) angular plane study;
- ~~ff.~~(xxi) shadow analysis plan, in accordance with Subsection 7.3.2 of this Plan;
- ~~gg.~~(xxii) wind impact study, in accordance with Subsection 7.3.2 of this Plan;
- ~~hh.~~(xxiii) arborist's report, in accordance with Subsection 4.3.2 of this Plan;
- ~~ii.~~(xxiv) *tree* inventory and preservation plan, in accordance with Subsection 4.3.2 of this Plan;
- ~~jj.~~(xxv) landscaping plan, in accordance with Subsection s 4.3.2 and

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7.3.2~~Chapter 8~~ of this Plan;

~~kk.~~(xxvi) water & waste water functional servicing report, in accordance with Regional requirements;

~~ll.~~(xxvii) hydrogeology study/water budget & hydrology study, in accordance with Subsections 9.1.2 and 9.5.2 of this Plan;

~~mm.~~(xxviii) source protection disclosure report, in accordance with Subsections 4.4.2(2) n) and o) of this Plan;

~~nn.~~(xxix) noise feasibility study/vibration study, in accordance with Section 4.6 and Subsection 6.2.5(2) of this Plan;

~~oo.~~(xxx) transportation impact study, in accordance with Subsection 6.2.10(2) d) of this Plan;

~~pp.~~(xxxi) *Transportation Demand Management* Plan and implementation strategy, in accordance with Subsection 6.2.10(2) of this Plan;

~~qq.~~(xxxii) parking justification report;

~~rr.~~(xxxiii) storm water management report/functional drainage report, storm services plan and *flood plain* delineation and/or grading and drainage plans, in accordance with Subsection 4.4.2(2) of this Plan;

~~ss.~~(xxxiv) *environmental* impact assessment (EIA), in accordance with Subsection 4.2.4 of this Plan;

~~tt.~~(xxxv) top-of-bank demarcation/ slope stability assessment/ creek erosion assessment/ geomorphic study, in accordance with Subsection 4.4.2(3) of this Plan;

~~uu.~~(xxxvi) *shoreline hazardous lands* studies, in accordance with Subsection 4.5.1-(2) of this Plan;

~~vv.~~(xxxvii) geotechnical report, in accordance with Subsection 4.4.2(2) of this Plan;

~~ww.~~(xxxviii) Phase I Environmental Assessment, in accordance with Subsection 4.7.2 of this Plan;

~~xx.~~(xxxix) Phase II Environmental Assessment/Record of Site Condition, in accordance with Subsection 4.7.2 of this Plan;

~~yy.~~(xl) landfill assessment, in accordance with Subsection 4.8.2 of this Plan;

~~zz.~~(xli) Sustainable Building and Development Guidelines Checklist, in accordance with Subsection 7.4.1 of this Plan;

(xlii) phasing strategy for *development* of retail and *service commercial* uses, in accordance with Chapter 8 of this Plan; and/or

~~aaa-(xliii) Public Consultation Strategy, and/or~~

~~Sustainable Building and Development Guidelines Checklist, in accordance with Subsection 7.4.1 of this Plan.~~

- ~~e)d)~~ All required reports and technical studies *shall* be carried out by *qualified persons* retained by and at the expense of the applicant. Where appropriate, the *City* will require a peer review of any report or study by an appropriate *public authority* or a *qualified person* retained by the *City* at the applicant's expense. In addition to *City* requirements, the applicant *shall* ensure that all additional requirements as set out in the Region of Halton Official Plan are addressed.
- ~~e)e)~~ An application for an Official Plan Amendment, Zoning By-law amendment, plan of subdivision or consent *shall* be considered complete under The Planning Act only when the items as determined by the *City* and Region, as listed in clause b) above, have been provided, ~~and when the required notice sign referenced in Subsection 11.3.1. a) (i) of this Plan has been erected on the property.~~
- ~~e)f)~~ In the absence of pre-submission consultation between an applicant and the *City*, and/or the absence of adequate supporting information or material required to consider a *development application*, the *City shall* deem an application incomplete and *may* refuse the *development application*.

## 12.1.2(2) DEVELOPMENT CRITERIA

Future *development* in the city will occur primarily through *intensification*. In considering all *development applications*, the *City* will ensure that *development* is *compatible* with the existing pattern and character of adjacent and proximate *development*, by satisfying the criteria outlined in this section of the Plan, in addition to the relevant policies of the Plan, including the underlying land use designations.

### 12.1.2(2.1) OBJECTIVES

- a) To establish a set of criteria against which all *development applications shall* be evaluated, to be administered according to the context of the planning matter under consideration, and in proportion to the complexity and *scale* of the planning matter being considered. These criteria *shall* be reviewed in accordance with the policies of this Plan, any other relevant City policies and Provincial Policies, as well as policies of other agencies such as the Region of Halton and Conservation Halton.

- b) To ensure *development applications* are consistent with the Provincial Policy Statement, [and conform to applicable](#) Provincial Plans and the Regional Official Plan.
- c) To ensure that appropriate technical analysis is undertaken.

#### 12.1.2(2.2) POLICIES

- a) The population and employment growth distributions established in the Regional Official Plan and contained in Subsection 2.2.4 of this Plan, are intended to apply at a city-wide level and cannot be applied on a site-specific basis as a rationale for approving or refusing *development applications* for *development* that would otherwise conform with all of the policies of this Plan, and the policies of the Provincial Growth Plan, as amended.
- b) Any population and job targets established by this Plan *shall* not be applied [on a](#) site-specific basis, and *shall* only be applied to the entire geography to which the targets apply.
- c) The following criteria *shall* be satisfied when evaluating all *development applications*, where applicable:
  - (i) the *development shall* be consistent with the land use compatibility policies contained in Section 4.6, Land Use Compatibility, of this Plan;
  - (ii) the *development* achieves built form *compatibility*;
  - (iii) the *development shall* be consistent with the intent of the Urban Structure ~~and the Growth Framework~~, as outlined in Section 2.3, Urban Structure ~~and Section 2.4, Growth Framework~~, of this Plan and maintains the land use vision established in the land use designations of this Plan;
  - (iv) the *development* achieves high quality of urban design and is consistent with the policies contained in Chapter 7: Design Excellence, of this Plan;
  - (v) the *development*, where located outside the Established Neighbourhood Area as identified on Schedule B-1: Growth Framework, constitutes *intensification*;
  - (vi) the *development* can be supported by available *infrastructure* and *public service facilities* including, but not limited to, such services as water, wastewater, stormwater and parks;
  - (vii) the *development* preserves and protects *trees*, consistent with the policies contained in Section 4.3, Urban Forestry, of this Plan;

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- (viii) the *development* provides adequate buffering and other measures to minimize any identified impacts to an acceptable level;
- (ix) the *development shall*:
  - a. demonstrate that future *development* on the adjacent property(ies) will not be compromised by the proposal;
  - b. be designed to facilitate future pedestrian, cycling and/or private street connections across one or more adjacent properties, where such opportunities exist, as determined by the *City*; and
  - c. demonstrate, to the satisfaction of the *City*, the appropriate phasing of *development* where existing retail and *service commercial* uses are being re-developed, to minimize adverse impacts on the provision of goods and services to support the surrounding areas;
- (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;
- (xi) the *development*, where ~~for~~ residential uses are proposed ~~demonstrates~~, 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;
- ~~(xi)~~(xii) The *development* addresses *multi-modal* transportation considerations and is consistent with the policies in Section 6.2: Multi-modal Transportation, including but not limited to:
  - ~~d)~~f. the *development shall* mitigate potential impacts on the municipal transportation system to an acceptable level with regard to transportation flow and capacity;
  - ~~e)~~g. the *development* accommodates sufficient off-street parking and *transportation demand management* measures in accordance with the policies in Subsection 6.2.10 of this Plan;
- ~~(xii)~~(xiii) the *development* conserves *cultural heritage resources*, where applicable, in accordance with the policies in Section 3.5, Cultural Heritage Resources, of this Plan;
- ~~(xiii)~~(xiv) the *development* provides stormwater management in accordance with the policies of Subsection 4.4.2(2) of this Plan;
- ~~(xiv)~~(xv) the *development* addresses *hazardous lands* and *hazardous sites*

*in accordance with Subsection 4.4.2(3) of this Plan;*

~~(xv)~~(xvi) the development considers the relationship ~~of the development~~ to existing or planned transit facilities including a *frequent transit corridor, higher order transit*, bus routes and/or transit shelters;

(xvii) the development complements and connects with the *public realm*, including walking and cycling facilities;

(xviii) the development shall be consistent with the contaminated sites policies contained in Section 4.7, Contaminated Sites, of this Plan;  
and;

~~(xvi)~~(xix) the development shall consider all other relevant principles, objectives and policies of this Plan.

~~f)d)~~ Consent applications *shall be* subject to the additional policies of Subsection 12.1.12(4) of this Plan.

~~g)e)~~ Where deemed by the *City* to be necessary and appropriate, the development of an *area-specific plan* will be required in accordance with Subsection 12.1.3 of this Plan, to ensure the orderly and efficient *development* of any property or group of properties.

### 12.1.3 PLANNING PROCESS: AREA SPECIFIC PLANNING

#### 12.1.3(1) OBJECTIVES

- a) To undertake *area-specific planning* studies to allow the orderly and planned *development* of areas, communities or neighbourhoods.
- b) To ensure that the community vision, growth management and *infrastructure* objectives of this Plan are considered in the *area-specific planning* process.
- c) To define the range of supporting studies that *may* be required.

#### 12.1.3(2) AREA-SPECIFIC PLANNING POLICIES

- a) The policies of this Plan identify areas of the city where *area-specific plans* are required to appropriately guide *development*. *Area-specific plans shall be* prepared for vacant *designated greenfield areas*, Innovation Districts, and existing and future *major transit station areas* where the *City* has an interest in guiding major change in the city.
- b) *Area-specific plans* will be adopted through amendments to this Plan. Following adoption by the *City* of an Official Plan Amendment as a result of an *area-specific plan*, *development shall be* guided by both the general

policies of this Plan and the policies that apply specifically to the *area-specific plan*.

- c) *Area-specific plans* will be prepared by the *City*.
- d) Council *may*, by resolution, require the preparation of other future *area-specific plans* including, but not limited to, the following areas:
  - (i) Primary Growth Areas, as identified on Schedule B-1: Growth Framework, of this Plan;
  - ~~bbb.~~(ii) large areas of vacant or under-utilized lands;
  - ~~ccc.~~(iii) select mixed use Nodes and Intensification Corridors within Secondary Growth Areas, as identified on Schedule B-1: Growth Framework, of this Plan, and as outlined in Subsection 2.4.2(2) of this Plan; and
  - ~~ddd.~~(iv) any location in the city that requires comprehensive planning to enable suitable *development*.
- e) An *area-specific plan* will contain policies for the *development* of communities. In addition to communities with a mix of different uses, the *area-specific plan may* contain solely *employment* lands without residential uses or *may* contain solely an *Intensification Area* as identified by the Urban Structure of this Plan.
- f) An *area-specific plan* must demonstrate how the community vision, growth management and *infrastructure* objectives of this Plan are being met and will include, but is not limited to, the following, subject to the satisfaction of the *City*, and Region and Conservation Halton where applicable:
  - (i) a statement of objectives for the intended character and physical *development* of the planning area that *shall* include environmental, social and economic matters;
  - ~~eee.~~(ii) boundaries of the area or community;
  - ~~fff.~~(iii) policies for the protection of the *City's* Natural Heritage System and for the protection of public health and safety within *hazardous lands* and *hazardous sites*;
  - ~~sss.~~(iv) capacity targets of population, housing units and employment, including targets for *affordable housing*;
  - ~~hhh.~~(v) policies for the provision of housing to achieve a range and mix of unit types, *employment* and commercial land uses, including local facilities for social, cultural, *recreational*, educational and religious purposes which should be located in community hubs and integrated



to promote cost effectiveness. *Development shall achieve land use patterns that promote mixed use, compact, transit-supportive, walkable communities;*

- ~~iii~~-(vi) location, types and density of all types of uses that contribute to creating *healthy communities*, having regard for the Region's Healthy Communities Guidelines, through:
  - a. urban design;
  - ~~g~~)b. diversity of land uses;
  - ~~h~~)c. appropriate mix and densities of housing;
  - ~~i~~)d. provision of local parks and open space;
  - ~~j~~)e. strengthening live-work relationship through a proper balance of residential and *employment* land uses; and
  - ~~k~~)f. promoting active transportation and public transit use.
- ~~b~~-(vii) consideration for land use *compatibility* in accordance with Regional and Provincial guidelines;
- ~~e~~-(viii) overall *development* density for the area or community and, if it is located within the *Designated Greenfield Area*, how this density will contribute towards achieving the minimum overall *development* density for *Designated Greenfield Areas* in the city as set out in Subsection 2.2.3 of this Plan and the Regional phasing as set out in Table 2A of the Regional Plan;
- ~~d~~-(ix) policies to establish a *multi-modal* transportation network that promotes public transit and *active transportation*, including a strategy for early introduction of transit services;
- ~~e~~-(x) policies for the maintenance, upgrading and *rehabilitation* of utility services;
- ~~f~~-(xi) identification of *infrastructure* and *public service facilities* requirements in terms of full life cycle~~long and short term~~ costs for consideration in relation to the capital budget and the long term asset management funding plan;
- ~~g~~-(xii) direction regarding cultural heritage resource conservation;
- ~~h~~-(xiii) direction regarding area-specific urban design and *sustainable* design policies to create attractive and vibrant places;
- ~~i~~-(xiv) strategies for the implementation and monitoring of the above-noted matters; and

~~j~~-(xv) assessment of the phasing of *development* based on the *City's* Development Phasing Strategy and financial capabilities of the *City* and Region to provide *infrastructure* and *public service facilities* for the proposed *development*.

~~h~~g) In addition to the requirements of Subsection 12.1.3(2) ~~fg~~ of this Plan, the *area-specific plan* studies and subsequent amendments for *Intensification Areas* as identified by the *City's* Growth Framework will be designed to address the criteria below. The *area-specific plan* will identify specific density targets consistent with planned transit service levels, and any *transit-supportive* land-use guidelines established by the Province. The *area-specific plan* studies will achieve the following:

- (i) cumulatively attract a significant portion of population and employment *growth*;
- ~~k~~-(ii) achieve increased residential and *employment* densities that support and ensure the viability of existing and planned transit service levels;
- ~~l~~-(iii) generally achieve higher densities than the surrounding areas; and
- ~~m~~-(iv) achieve an appropriate transition of built form to adjacent areas.

~~m~~h) In addition to the requirements of Subsections 12.1.3(2) ~~fg~~ and ~~gh~~ of this Plan, *area-specific plans* undertaken for *mobility hubs* will also be subject to the objectives of Subsection 8.1.2 and the policies of Subsection 12.1.3(4) of this Plan.

~~n~~i) The specific contents and support studies of the *area-specific plan* will be scoped in proportion to the context, complexity and size of the area being considered, subject to the satisfaction of the *City*, in consultation with the Region of Halton, Conservation Halton and other agencies as required.

### 12.1.3(3) OTHER SUPPORTING STUDIES

- a) Support studies will be required as part of the *area-specific planning* process, and will be completed to the satisfaction of the *City*, in consultation with the Region of Halton, Conservation Halton and/or the Province, as appropriate. The support studies *may* include, but are not limited to, the following:
  - (i) land use scenarios and final *area-specific plans*, associated analysis and policies;
  - ~~n~~-(ii) *multi-modal* Transportation Impact Studies and Parking Analysis, including an area-specific *Transportation Demand Management Plan*;
  - ~~o~~-(iii) Market Impact Study;
  - ~~p~~-(iv) Financial Impact ~~Analysis~~Study;

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- ~~g.~~(v) Urban Design and *Sustainability* Guidelines;
- ~~f.~~(vi) Servicing and Public *Utility* Study and water and waste water servicing plans;
- ~~s.~~(vii) storm water management report or, if the scale of *development* justifies, a sub-watershed study in accordance with Subsection 4.4.2(1) of this Plan;
- ~~t.~~(viii) Environmental Impact Assessments, if any part of the *City's* Natural Heritage System is affected in an area not covered by a sub-watershed study;
- ~~u.~~(ix) studies to delineate *hazardous lands* (e.g. slope stability study, meander belt assessment) if an area has not been addressed by a sub-watershed study;
- ~~v.~~(x) environmental *compatibility* assessment;
- ~~w.~~(xi) Air Quality Impact Assessment;
- ~~x.~~(xii) Public Service Facilities Plan;
- ~~y.~~(xiii) Agricultural Impact Assessment;
- ~~z.~~(xiv) Housing Impact Statement, in accordance with Subsection 3.1.1(2) ~~ih~~ of this Plan;
- ~~aa.~~(xv) Archaeological Assessment Report;
- ~~bb.~~(xvi) Cultural Heritage Evaluation Report;
- ~~cc.~~(xvii) Phasing and Implementation Plan;
- ~~dd.~~(xviii) evaluation of implementation tools including, but not limited to:
  - a. Community Planning Permit System;
  - ~~b.)~~b. form-based zoning;
  - ~~c.)~~c. Community Improvement Plans and other incentives;
  - ~~d.)~~d. community benefits provisions;
  - ~~e.)~~e. *infrastructure* and *public service facility* funding strategies;
  - ~~f.)~~f. monitoring;
- ~~b.~~(xix) identification of other *City* requirements, including, but not limited to:
  - a. priority list of *City* investments; and
  - ~~s.)~~b. required updates to other *City* processes and standards.

### 12.1.3(4) MOBILITY HUB AREA-SPECIFIC PLANS GUIDING POLICIES

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- a) The *City* will prepare and adopt *area-specific plans* for lands within *Mobility Hubs* identified on Schedule B, Urban Structure, of this Plan, in accordance with policies contained in this section and in Subsections 12.1.3(2) and 12.1.3(3) of this Plan. These *area-specific plans* will be adopted by amendment to this Plan.
- b) The *mobility hub* boundaries identified on Schedules [B](#), D, F, G and H of this Plan, will be further refined and delineated, as appropriate, through the *area-specific planning* process.
- c) The Province *may* consider a new GO station in the vicinity of Walker's Line and Cumberland Avenue. Any new GO Station will be designated a *mobility hub* by the *City*, and the *City* will prepare and adopt an *area-specific plan* for the new GO station lands, in accordance with policies contained in this section and in Subsection 8.1.2, Mobility Hubs, of this Plan.
- d) Each *mobility hub* planned to be served by Metrolinx's Regional Express Rail (RER), [and identified as a Commuter Rail Corridor/Transit Priority Corridor on Schedule B-2: Growth Framework and Long Term Frequent Transit Corridors](#), *should* be planned to higher order transit supportive densities. An overall density target of three hundred (300) residents and jobs combined per ha will be considered as part of the *area-specific planning* process.
- e) The *area-specific plan* will plan for a range of densities with the greatest concentration located in the Mobility Hub Primary Zone, as identified by the Mobility Hubs Opportunities and Constraints Study. Optimal heights, densities and *floor area ratios* on individual sites will be assessed and identified through the detailed *mobility hub area-specific planning* process.
- f) The *area-specific plan* will include a transportation analysis and establish policy that supports the achievement of the Region of Halton's targeted modal split of twenty-eight (28) percent within each *mobility hub*, in accordance with Halton Region's Transportation Master Plan.
- g) The *area-specific plan* will include a transportation plan and associated policies that give priority to transit, pedestrian and bicycle access over other *modes* of transportation, and will consider opportunities to provide improved walking and cycling connections both within the *mobility hub* and to adjacent neighbourhoods.
- h) The *area-specific plan* will include policies to support efficient and accessible transit within each *mobility hub*. The *area-specific plan* will include policies that support pedestrian movements and a well-designed and *human-scale* private and *public realm*.

- i) The *area-specific plan* will evaluate and provide recommendations on reduced vehicle parking requirements, shared parking, and the use of surface and structured parking both above and below grade, in conjunction with *transportation demand management* measures. The *area-specific plan* will evaluate and provide recommendations for bicycle parking requirements and standards for weather protected storage facilities and bike share facilities.
- j) The *area-specific plan* will evaluate the role of *mobility hub* connectors, as outlined in Subsection 6.2.9 of this Plan, and provide recommendations on any works required along connectors to support individual hub objectives and to achieve *transit supportive land uses* and improved design standards on primary and secondary connectors.
- k) Requirements for *sustainable* building, site and neighbourhood design measures including, but not limited to, innovative *sustainable* energy, water, landscape and waste management practices, will be identified through the *area-specific plan*.
- l) The enhancement of existing *watercourses* and diversion channels will be explored through the *area-specific plan*. The lands adjacent to these areas will be considered for pedestrian and cycling connections.
- m) The *area-specific plan* will consider opportunities to provide safe and easy crossings of the rail corridor. The locations for rail crossings *should* support direct, continuous, and barrier free circulation.
- n) The *area-specific plan* will establish policy to support the retention and continued development of *employment* uses within mobility hubs that are appropriate in proximity to *sensitive land uses* and will establish for each mobility hub a targeted ratio of people to jobs. Tools will be developed to ensure the incremental and comprehensive achievement of such targets including the development of strategies to attract *employment* uses to *mobility hubs*.
- o) Updates to existing *City* standards and processes needed to achieve the vision for the *mobility hub* will be reviewed as part of the *area-specific planning* process.

### 12.1.4 PLANNING PROCESS: SPECIAL URBAN STUDY AREAS

#### 12.1.4(1) OBJECTIVES

- a) To identify other areas of the city which have been identified as being, or planned to be, subject to an *area-specific plan* or other planning exercise initiated by the *City*.

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- b) To identify the general location as well as challenges and opportunities that *shall* be examined through further study.
- c) To provide, where necessary, interim direction for special study areas.

**12.1.4(2) TREMAINE ROAD SPECIAL PLANNING AREA**

- a) The Tremaine Road Special Planning Area is bounded on the north by Highway 407, the south by Dundas Street, on the west by Bronte Creek and on the east by the municipal boundary between the City of Burlington and Town of Oakville, as indicated on Schedule B: Urban Structure, of this Plan.
- b) The overall *development* concept for the Tremaine Road Special Planning Area will be established as part of an *area-specific planning* study to be completed by the *City* in consultation with the Town of Oakville and the Region of Halton.
- c) Land use policies within the Tremaine Road Special Planning Area will be directed by the findings of the *area-specific planning* study (ies) and the subsequent adoption of the *area-specific plan* by amendment to this Plan. The planning study referred to in Subsection 12.1.4(2) b) of this Plan will be used as the basis for the *area-specific plan*.
- d) The area-specific study (ies) referred to in Subsection 12.1.4(2) be of this Plan will be conducted in accordance with Subsection 12.1.3 of this Plan.
- e) Until the studies and amendments referred to in Subsection 12.1.4(2) b) and c) of this Plan are completed and approved, the *development* of lands within the Tremaine Road Special Planning Area will be directed as follows:
  - (i) *existing uses, agricultural uses*, uses permitted under the Zoning By-law and the Parkway Belt West Plan are permitted; and
  - b-(ii) the provisions of the Parkway Belt West Plan, where applicable.

**12.1.4(3) DOWNTOWN WATERFRONT HOTEL PLANNING STUDY**

- a) The Downtown Waterfront Hotel Planning Study is identified as 2020 Lakeshore Road, as outlined on Schedule D: Land Use-Downtown Urban Centre, of this Plan.
- b) A planning study will consider the existing and planned context and will guide the *development* of this site, which represents a significant opportunity for mixed use *development* linking the downtown with the waterfront. Located next to Spencer Smith Park and the Brant Street Pier, any further *development shall* provide a high quality of urban design reflecting the landmark nature of this site. Input from residents will be required to ensure the new *development* reflects a high quality of urban design that enhances the community's access to the waterfront and the downtown.
- c) Until the study is completed and approved, only the uses *existing* as of the date of approval of this Plan, are permitted.

### 12.1.5 ZONING BY-LAW

Section 34 of The Planning Act enables the development of Zoning By-laws to regulate land use. Where the Official Plan provides high level direction on land use, built form and density ranges, the Zoning By-law provides specific direction on location, orientation and form of buildings, as well as density, height, parking requirements and coverage, among other considerations. The full range of uses permitted in the Plan *may* not be permitted in a given zone. This Plan and the Zoning By-law will be used in conjunction with each other.

#### 12.1.5(1) OBJECTIVES

- a) To define the uses permitted in specific locations within the city and the specific *development* regulations relating to those uses.



**12.1.5(2) POLICIES**

- a) The *City* will complete a comprehensive review of the City's Zoning By-law, within three years of the adoption of this Plan or any future Official Plan Review. The existing Zoning By-laws *shall* remain in effect during the review period. Any amendments to the by-laws during the review period *shall* be required to conform with this Plan.
- b) The Zoning By-law *shall* establish:
  - (i) zoning regulations that apply to all lands within the city;
  - ~~e.~~(ii) land use zones, their permitted uses and their geographic extent;
  - ~~d.~~(iii) *development* standards relative to *City*-wide regulations and specific zones; and
  - ~~e.~~(iv) any other regulations required to implement the Plan.
- c) Where there are land uses that do not conform to the Plan, the *City* will amend the zoning where appropriate to permit either the *existing uses* or new uses that represent a shift or transition in use toward the use designated in the Plan.
- d) The Zoning By-law may include detailed maps that define the location, size and shape of the land, the location and dimensions of areas occupied by buildings or structures, the yard, parking and loading areas, the access to the land and other similar siting arrangements.
- e) Some areas designated for urban uses will remain undeveloped until municipal *infrastructure* becomes available and other municipal requirements are met. During this interim period, these undeveloped areas *may* be zoned for *agriculture* or open space uses to *preserve* them for their designated urban uses. These zones will be referred to as Development Zones.
- f) Where appropriate, the *City* will, in conjunction with a Zoning By-law passed pursuant to The Planning Act, impose one or more prescribed conditions on the use, erection or location of buildings or structures and require an owner of land to which the by-law applies to enter into an agreement with the *City* relating to the condition(s). This agreement may be registered against the lands to which it applies and the *City* may enforce the agreement against the owner and any and all subsequent owners of the land.
- g) The *City* will consider the use of form-based zoning to implement the objectives and policies of this Plan.

## 12.1.6 HOLDING ZONES

The Planning Act allows municipalities to specify the use to which lands, buildings and structures may be put at such time in the future as the holding symbol is removed. The placement of a Holding or H zone is subject to a formal public process; however, once the specified conditions are met, the process requires only that the owner request that the H be lifted. There is no public process, nor means to appeal, except by the property owner.

### 12.1.6(1) OBJECTIVE

- a) To identify the uses that are ultimately intended for specific lands, but to delay their actual *development* until a future date when certain conditions are met.

### 12.1.6(2) POLICIES

- a) The *City may* designate a holding zone with the prefix H, and specify the future uses of these lands that, at the present time, are considered premature or inappropriate for *development* and require the demonstration of resolution of conditions related to any one or more of the following reasons:
  - (i) *infrastructure and public service facilities* such as sanitary sewers, storm water management facilities, water supply, and parks are insufficient to serve the proposed *development*;
  - ~~f.~~(ii) transportation facilities are inadequate or inappropriate based on anticipated traffic;
  - ~~g.~~(iii) the number and location of access points to the site are inadequate and incapable of functioning safely and efficiently;
  - ~~h.~~(iv) where *development* relies upon other matters occurring first, such as the consolidation of land ownership to ensure the orderly *development* of the project and to secure funding for *infrastructure*, services or outstanding *development application* processing costs;
  - ~~i.~~(v) supporting studies are required on matters related to traffic, soils, protection of any site features, environmental constraints or design features prior to *development* approval;
  - ~~j.~~(vi) the presence of known site *contamination*; and
  - ~~k.~~(vii) *development* agreements are required to guide the appropriate *development* of the site and their relevant conditions have been, or will be, met.

- b) Removal of the "H" prefix will depend on meeting the specific *City* conditions identified by the Holding Zone By-law.
- c) Where a holding zone is in effect, no building or structure may be built on the site, unless permitted by the *City*, or until the holding zone designation is removed.
- d) The Zoning By-law will identify lands subject to holding provisions and specify the land uses permitted and any regulations applying in the interim. The following uses *may* be permitted while a holding provision is in effect:
  - (i) all *existing uses*, buildings or structures;
  - ~~1.~~(ii) a *home occupation* in an existing single-detached dwelling;
  - ~~m.~~(iii) a public or private park, provided no permanent buildings or structures are built; and
  - ~~n.~~(iv) an agricultural or farming use.

### 12.1.7 MINOR VARIANCES

The Planning Act establishes the ability to set up a Committee of Adjustment. The Committee will consider applications for minor variances to the Zoning By-law.

#### 12.1.7(1) OBJECTIVE

- a) To ensure that proposed *development* that involves adjustment(s) to by-laws, conforms to the general intent of the Official Plan and Zoning By-law.

#### 12.1.7(2) POLICIES

- a) The Committee of Adjustment, in granting an application for minor variance from the Zoning By-Law, *shall* be satisfied that the variance:
  - (i) is minor in nature;
  - ~~e.~~(ii) is desirable for the appropriate *development* or use of land;
  - ~~p.~~(iii) maintains the general intent and purpose of this Plan;
  - ~~q.~~(iv) maintains the general intent and purpose of the Zoning By-law;
  - ~~r.~~(v) meets any additional criteria prescribed by the Province; and
  - ~~s.~~(vi) meets any additional criteria established by the *City*, including any applicable Council-approved *design guidelines*.
- b) In commenting to the Committee of Adjustment on a proposal requiring multiple minor variances from the Zoning By-law, if the *City* determines that the *cumulative impact* of the proposed variances is not considered to be

minor, it will be recommended that the proposal should be processed by way of rezoning.

- c) The *City may* require the submission of additional information or material in order to allow an evaluation of minor variance applications.
- d) For lands in *Neighbourhood Character Areas*, minor variance applications for *development* of a single detached dwelling *shall* be evaluated based on the following additional criteria:
  - (i) compatibility with the neighbourhood character area;
  - ~~+~~(ii) on properties that are located at the end of a terminating street, dwellings *should* be designed and located to reinforce a framed focal point; and
  - ~~+~~(iii) dwellings located on corner lots *should* create a strong connection to both *streetscapes* through attractive facades and landscaping facing each street.

### 12.1.8 COMMUNITY BENEFITS

Community benefits are an integral part of community and city building in an intensifying city. Section 37 of The Planning Act provides the *City* with the opportunity to secure facilities, services or matters that are either new features or that represent an enhanced level of service. These support quality of life of new and existing residents and provide services and facilities that the *City* would otherwise be unable to provide.

This tool is one way the *City* can contribute to meeting its city building objectives including growth through *intensification*, while mitigating the costs to existing tax payers when increased service levels are required to support the community. It also provides an opportunity for the community to tangibly share in the benefits that landowners accrue from achieving increased height, *density* and/or *intensity* permissions on their lands.

Community benefits provisions pursuant to Section 37 may be used by the *City* to authorize increases in height, *density* and/or *intensity* of *development* otherwise permitted by the by-law. In return the landowner will provide, or contribute to facilities, services, or matters of public benefit.

The community benefit will be greater than the *City* would typically achieve through standard requirements and must demonstrate a reasonable, proportional relationship to the increase in height, *density* and/or *intensity*.

**12.1.8(1) OBJECTIVE**

- a) To consider permitting increases in height, *density* and/or *intensity* otherwise permitted in this Plan, or as contained in a Zoning By-Law, in return for the provision of facilities, services or other matters as indicated in this Plan to achieve public benefits beyond the statutory requirements of The Planning Act or this Plan.

**12.1.8(2) POLICIES**

- a) *City Council may* authorize an increase in the building height, *density* and/or *intensity* of *development* otherwise permitted by the Plan or in a Zoning By-Law in return for community benefits in the form of facilities, services or matters provided that:
  - (i) the *development* proposal constitutes good planning, ~~and~~ in that it is consistent with the intent of the policies of this Plan;
  - ~~v.~~ (ii) the community benefits bear a reasonable planning relationship to the increase in building height, *density* and/or *intensity* of the proposed *development*; and
  - ~~w.~~ (iii) there is adequate *infrastructure* to support the increase in building height, *density* and/or *intensity*.
- b) The *City may* require the use of community benefits provisions with regard to the following matters, in the form of facilities or contributions, which *shall* be greater than that which would be achieved through the requirements of this Plan, other *City* standards, The Planning Act or The Development Charges Act:
  - (i) provision of *special needs, assisted and affordable housing*, in the form of land, residential units and/or cash contributions, to be transferred to the appropriate housing provider as determined by the *City*;
  - ~~x.~~ (ii) provision of parks, trails and open space;
  - ~~y.~~ (iii) protection, restoration, enhancement and/or dedication of the Natural Heritage System and/or other natural heritage features such as *woodlots*;
  - ~~z.~~ (iv) provision of improved pedestrian and cycling access to public transit and enhanced public transit *infrastructure*, facilities and services;
  - ~~aa.~~ (v) provision of public areas, crosswalks and walkways and connections to external public walkways/trail systems;
  - ~~bb.~~ (vi) provision of new, and/or enhancements to, existing *public service*

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*facilities* and open space facilities such as parks and community, cultural and *recreational* facilities;

~~ee.~~(vii) *conservation* of *cultural heritage resources* or contributions to community heritage initiatives;

~~dd.~~(viii) provision of public art and/or contribution to the *City's* public art reserve fund;

~~ee.~~(ix) provision of *sustainable* building and *development* measures;

~~ff.~~(x) provision of public *streetscape* improvements including the enhanced ability to accommodate *active transportation*, to support more trees and *tree* viability and bury *utilities*;

~~gg.~~(xi) provision of land, or contribution to a strategic land reserve fund; and/or

~~hh.~~(xii) other community benefits that may be identified in *area-specific plans*, *community improvement plans*, or other community improvements that may be identified through the *development* approval process.

- c) Recognizing that the type of community benefit may vary throughout the city, the determination of the specific community benefit *should* be considered in the context of the neighbourhood setting, including the consideration of local community needs, an approved *area-specific plan*, or any other strategic initiatives or priorities.
- d) The *City* will consider developing community benefit policies applicable to specific areas of the city.
- e) Where more specific policies related to the approach to considering community benefits are developed as part of an *area-specific plan*, the more specific policies *shall* apply.
- f) Priority *should* be given to community benefits projects within the vicinity of the location of the increased density or height.
- g) In a Primary Growth Area as identified on Schedule B-1: Growth Framework, of this Plan, where possible, community benefits *should* be retained within the same Primary Growth Area.
- h) The increase in the building height, density and/or *intensity* of *development*, unless otherwise specified, *should* be assessed against the in force and effect zoning of the subject site.

- i) One or more agreements *shall* be required between the landowner and the *City* relating to the increased height, *density* and/or *intensity* in exchange for the community benefits provisions.
- j) The *City* will consider developing a Community Benefits Strategy to set priorities.

## **12.1.9 INTERIM CONTROL BY-LAWS**

### **12.1.9(1) OBJECTIVE**

- a) To prohibit the use of lands, buildings or structures except for certain defined purposes until a review or study is undertaken in respect of land use planning policies in the area defined by the interim control by-law.

### **12.1.9(2) POLICIES**

- b) Where the *City* has directed that a review or study be undertaken in respect of land use planning policies in the city or in any defined area of the city, the *City may* pass an interim control by-law to be in effect for a time period which *shall* not exceed one (1) year from the date of passing. This by-law *shall* prohibit the use of land, buildings or structures within the city or within the defined area except for such purposes as set out in the interim control by-law.
- c) Notice, as required by The Planning Act, *shall* be provided within thirty (30) days of the passing of the interim control by law.
- d) The *City may* amend the interim control by-law to extend the period of time during which it will be in effect, provided the total period of time does not exceed two (2) years from the date of the passing of the interim control by-law.
- e) Where an interim control by-law ceases to be in effect, the *City may* not for a period of three (3) years pass a further interim control by-law that applies to any lands to which the original interim control by-law applied.

## **12.1.10 TEMPORARY USE BY-LAWS**

### **12.1.10(1) OBJECTIVE**

- a) To authorize the temporary use of land, buildings or structures for any purpose that would otherwise be prohibited, where it can be demonstrated that the objectives of the plan are maintained.

**12.1.10(2) POLICIES**

- a) The *City may* pass a by-law under The Planning Act to authorize the temporary use of land, buildings or structures, provided:
  - (i) the use is demonstrated to be temporary in nature;
  - ~~ii.~~(ii) the use *shall* be consistent with the general intent of this Plan;
  - ~~jj.~~(iii) the use is *compatible* with adjacent uses;
  - ~~kk.~~(iv) an agreement is entered into with the *City* related to the *development* of the temporary use; and
  - ~~ll.~~(v) an agreement is entered into with the *City* agreeing to terminate the use upon expiry of the temporary use by-law.
- b) This by-law *shall* define the area to which it applies and *shall* specify the period of time for which the authorization *shall* be in effect, which *shall* not exceed three (3) years from the day of passing of the by-law.
- c) The *City may* by by-law authorize the temporary use of a *garden suite*. This by-law *shall* define the area to which it applies and *shall* specify the period of time for which the authorization shall be in effect, which *shall* not exceed twenty (20) years from the date of passing of the by-law.
- d) The *City may* by by-law grant further periods of not more than three (3) years each during which the temporary use is authorized.
- e) Upon the expiry of the by-law, the temporary use *shall* be terminated.

**12.1.11 LEGAL NON-CONFORMING USES**

**12.1.11(1) OBJECTIVE**

- a) To recognize legal non-conforming uses, while recognizing that these uses *should* eventually cease.

**12.1.11(2) POLICIES**

- a) Legal non-conforming uses, buildings or structures throughout the city *should* eventually cease, so that the land affected *shall* revert to a use, building or structure that conforms with the intent of the Plan and the Zoning By-law. In special circumstances, however, it *may* be appropriate to consider the extension or enlargement of a non-conforming use, building or structure.
- b) The Committee of Adjustment, in granting an application for the extension or enlargement of non-conforming land, buildings or structures, or uses *shall* be satisfied that:



- (i) the proposed extension or enlargement does not represent an unreasonable increase to the size and *intensity* of the legal non-conforming use;
- ~~mm.~~(ii) adequate measures are provided to protect surrounding uses through landscaping, buffering or screening; appropriate setbacks for buildings and structures are provided; and/or devices and measures for reducing nuisance(s) caused by matters such as noise, outside storage, lighting and advertising;
- ~~nn.~~(iii) the features of the existing non-conforming use and proposed extension and/or enlargement are considered to be *compatible* with adjacent uses;
- ~~oo.~~(iv) there are or will be adequate municipal *infrastructure* to meet the additional needs resulting from the expansion or extension of the use;
- ~~pp.~~(v) there are adequate off-street parking areas, loading facilities and on-site screening;
- ~~qq.~~(vi) traffic and parking conditions in the area *shall* not be unacceptably affected and traffic hazards *shall* be minimized by appropriate design of access points to and from the site, and improvement of site conditions, especially close to intersections;
- ~~rr.~~(vii) the objectives and policies of this Plan and standards established in the Zoning By-law are upheld; and
- ~~ss.~~(viii) the proposed use is not within *hazardous lands*, except where specifically exempted by Conservation Halton or identified as a Special Policy Area in this Plan.

## 12.1.12 DIVISION OF LAND

### 12.1.12(1) SUBDIVISION, CONDOMINIUM AND PART LOT CONTROL

Section 50 of The Planning Act provides the ability to create, through the subdivision approval process, new, separate *lots* of record.

Condominium approval is authorized by The Condominium Act.

Section 51 of The Planning Act provides guidance related to the creation of all new *lots* created through plan of subdivision and all new units and common elements created through plan of condominium.

**12.1.12(2) OBJECTIVE**

- a) To ensure the orderly *development* of new *lots* and blocks in the city with regard to, among other things, health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality.

**12.1.12(3) POLICIES**

- a) The entire Plan area *shall* be subject to subdivision control and part lot control, pursuant to The Planning Act. The provisions of The Planning Act *shall* be employed to ensure conformity with the policies of this Plan, and that a high standard of design is maintained in all *development*.
- b) Subdivision agreements *shall* establish the conditions of approval of a plan of subdivision to ensure that the provision of funds, services, facilities, and other matters are to the satisfaction of the *City*, the Region and other agencies. The applicant *shall* be required to post securities with the *City* to ensure the conditions of the subdivision agreement are fulfilled.
- c) A plan of subdivision *shall* be required where the number of lots created is greater than four (4) lots or where the extension or the creation of a public road allowance or municipal *infrastructure* is required, at the discretion of the Region and *City*.
- d) The *City may*, by by-law designate any plan of subdivision, or part thereof, that has been registered for eight (8) years or more, not to be a registered plan of subdivision.
- e) The *City shall* include a lapsing date in accordance with The Planning Act.
- f) The *City may* by by-law, exempt all or parts of a registered plan of subdivision from part lot control to permit the conveyance of portions of lots or blocks. By-laws to exempt lands from part lot control *shall* be limited to a period of not more than three (3) years.

**12.1.12(4) CONSENTS**

The Planning Act provides the municipality the authority to delegate the granting of consents to sever land to the Committee of Adjustment.

#### 12.1.12(4.1) POLICIES

- a) A plan of subdivision *shall* be considered as the main method of providing *lots* in the city. Consent for land conveyances *shall* only be granted where they will not compromise the orderly *development* of land or the general public interest.
- b) *Development* which proposes the creation of *lots* requiring the construction of a new public road, the execution of a *development* agreement, or which proposes the creation of more than four (4) new *lots*, *shall* not proceed by way of consent. The creation of *lots* within the Rural Settlement Areas also *shall* be subject to the policies of Subsection 9.5.2 of this Plan.
- c) Subject to the other policies of this Plan, and the policies of the applicable Provincial Plans, in the Rural Area, outside the Rural Settlement Areas, new *lots* *may* be created only for the following purposes:
  - (i) for the purpose of acquisition by a *public authority*;
  - ~~tt.~~(ii) for the purpose of consolidating *lots*;
  - ~~uu.~~(iii) for adjusting *lot* lines in *Prime Agricultural Areas* provided that:
    - a. the adjustment is minor and for legal or technical reasons such as easements, corrections of deeds and quit claims; and
    - ~~d)b.~~ the proposal does not result in additional building *lots*;
  - ~~b.~~(iv) for the purpose of creating a new *lot* for conservation purposes in accordance with Subsection 4.2.5 e) of this Plan; and
  - ~~e.~~(v) for the severance of an existing dwelling that is demonstrated, to the satisfaction of the *City*, to be surplus to a *commercial agricultural operation* as the result of a *farm consolidation*, provided that:
    - a. the *lots* that make up the *commercial agricultural operation* are located within the Agricultural System identified in the Halton Region Official Plan;
    - ~~e)b.~~ a minimum of one (1) dwelling is maintained on a farm *lot* owned by and part of the consolidated *agricultural operation* applying for the severance;
    - ~~f)c.~~ the applicant has owned and operated the *commercial agricultural operation* for a minimum of three (3) years at the date of application for the severance, as demonstrated through Land Title and Farm Registration Number;

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- ~~g)~~d. the surplus dwelling has been built and occupied since December 16, 2004;
- ~~h)~~e. the surplus dwelling is habitable on the date of application for the severance and is determined by the City's Chief Building Official to meet the City's standards for occupancy without substantial demolition and/or new construction;
- ~~i)~~f. the surplus dwelling is not mobile, portable or temporary and is not a *secondary dwelling unit* or a *dwelling accessory* to a *commercial agricultural operation* to house full-time *farm* help;
- ~~j)~~g. the new *lot* created for the surplus dwelling *shall*:
- i. front onto an existing public road that is of a reasonable standard of construction and is generally maintained all year round;
  - ii. be limited in size to the minimum area needed to accommodate the surplus dwelling plus private, on-site, individual well water supply and waste treatment systems that conform to the Region's by-laws and standards and to Provincial, legislation, regulations and standards; and
  - iii. be in compliance with the Minimum Distance Separation (MDS) Formulae;
- ~~k)~~h. a *lot* retained for *agricultural use* that is not to be merged with an *abutting* farm lot *shall* be a minimum twenty (20) hectares in size; and
- ~~l)~~i. if the dwelling on the surplus *lot* is expanded or replaced, the footprint of the expanded or new dwelling *shall* not be more than twenty-five (25) percent greater than the footprint of the dwelling that existed on the *lot* on the lot at the time of the severance
- ~~m)~~j. as a condition of the severance, the *lot* retained for *agricultural use shall* be either:
- i. merged on title with an *abutting* farm lot owned by and part of the consolidated *agricultural operation*; or
  - ii. zoned to *Agricultural Purposes Only* (APO) to prohibit new dwellings in perpetuity;
- ~~n)~~k. notwithstanding the policies of Subsections 12.1.12(4.1) c)(v) c., d., and j) ii) of this Plan, ~~for lands in within~~ the Niagara

Escarpment Plan Area ~~outside of the Escarpment Natural Area and Mineral Resource Extraction Area~~, lot creation for a residence surplus to a farming operation may only be permitted outside of the Escarpment Natural Area and Mineral Resource Extraction Area ~~shall be~~ subject to the following:

- i. the application for severance of the surplus residence must occur within two (2) years of the date that the lands were acquired as part of a *farm consolidation*;
- ii. lot creation is to be undertaken in accordance with the policies of the Niagara Escarpment Plan;
- iii. the proposed surplus residence has been built and occupied for not less than ten (10) years, at the time of the application; and
- iv. as a condition of the severance, if the severance does not result in the merger of abutting lots, the *lot* retained for *agricultural use* is listed as *Agricultural Purposes Only* in the Niagara Escarpment Plan and an appropriate legal restriction is registered on title in accordance with the Niagara Escarpment Plan.

~~e)d)~~ Subject to other policies of this Plan, new *lots* may be created by way of consent within the "Rural Settlement Areas" designation shown on Schedule A: City System, and all designations shown on Schedule C: Land Use - Urban Area, of this Plan. In commenting to the Committee of Adjustment, the *City* shall ensure the following factors are considered:

- (i) the policies contained in Subsection 12.1.2(2.2), Development Criteria, of this Plan;
- ~~b.~~(ii) the size, configuration and location of the proposed consent *should* be appropriate for the use proposed considering the *infrastructure* available; or where municipal *infrastructure* is not available, the adequacy of potable water supply and the suitability of the soil for septic tanks;
- ~~c.~~(iii) the *lot* size and proposed use of the proposed consent *should* conform to the provisions of the Zoning By-Law, where applicable;
- ~~d.~~(iv) the *lot* *should* have a *compatible* width and area with *lots* in the immediate vicinity;
- ~~e.~~(v) any new *lots* intended for building *should* front on an existing public or common element street or road;

- ~~f.~~(vi) a traffic hazard *shall* not be created by access to a street or road with limited sight lines on curves or grades;
- ~~g.~~(vii) provision *shall* be made for future streets, and *lot* creation and *development shall* not preclude or inhibit the future *development* of surrounding lands, where applicable;
- ~~h.~~(viii) the proposed consent *should* not fragment the ownership of *hazardous lands* and *key natural features*, or unacceptably affect drainage patterns;
- ~~i.~~(ix) the frontage of new *lots* intended for building *should* generally not be less than approximately forty (40) percent of the *lot* depth;
- ~~j.~~(x) within Neighbourhood Character Areas, the proposed development shall achieve consistency with neighbourhood character;
- ~~k.~~(xi) within *Neighbourhood Character Areas*, the minimum *lot* widths and areas of proposed new *lots* in *Neighbourhood Character Areas shall* meet or exceed the average *lot* width and *lot* area of single detached residential *lots* fronting on both sides of the same street within one hundred and twenty (120) m of the subject property;
- ~~l.~~(xii) consents within lands designated Business Corridor or General Employment, including flag *lots* or other arrangements, are *encouraged* if it can be demonstrated that the *lot* functions adequately and no access or traffic issues are created; and
- ~~m.~~(xiii) for lands subject to the Niagara Escarpment Plan and Development Control or within the Greenbelt Plan, *lot* creation is also subject to the policies of the applicable designations of the Niagara Escarpment Plan and Greenbelt Plan, respectively.

### 12.1.13 SITE PLAN CONTROL

#### 12.1.13(1) OBJECTIVE

- a) To ensure safe, functional and orderly *development* having high standards of design and efficiency of land use and *infrastructure*, particularly with respect to site function.

#### 12.1.13(2) POLICIES

- a) The entire area within the City of Burlington is designated as a Site Plan Control Area. A Site Plan Control By-law *may* be enacted by the *City* and *may* affect all or part of the Site Plan Control Area.

- b) The *City may* deem certain types of *development* exempt from Site Plan Control.
- c) An application for Site Plan Control approval *shall* include the submission of plans and drawings showing the location of all buildings and structures to be built and all facilities to be provided as part of the proposed *development*, as well as matters relating:
  - (i) exterior design, including, without limitation, the character, *scale*, appearance and design features of buildings, and their *sustainable* design;
  - ~~n.~~(ii) the *sustainable* design elements on any adjoining highway under the *City* or Region's jurisdiction, including, without limitation, *trees*, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers and bicycle parking facilities;
  - ~~e.~~(iii) facilities designed to have regard for accessibility for persons with *disabilities*.
- d) Where an application for site plan control approval is made, the *City shall* review the submission based on the provisions for Site Plan Control in The Planning Act and the Site Plan Control By-law and the *development* criteria in Subsection 12.1.2(2) of this Plan, and include such criteria as:
  - (i) *compatibility* with the surrounding area;
  - ~~p.~~(ii) urban design standards;
  - ~~q.~~(iii) function and efficiency;
  - ~~r.~~(iv) safety and access;
  - ~~s.~~(v) adequacy of infrastructure;
  - ~~t.~~(vi) grading and drainage; and
  - ~~u.~~(vii) landscaping and lighting.
- e) The *City may* require the fulfillment of conditions and an agreement for site plans, based on the provisions for Site Plan Control as specified in The Planning Act.

## 12.1.14 COMMUNITY PLANNING PERMIT SYSTEMS

### 12.1.14(1) OBJECTIVES

- a) To provide for an alternative land use regulatory framework that implements the objectives and policies of this Plan.

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- b) To establish a comprehensive planning framework that facilitates and shapes *development* that is consistent with the planned vision for an area.
- c) To provide a means of expediting *development* approvals by establishing principles to facilitate desired *development* and by combining the zoning, site plan approval and minor variance processes into one review and approval process for *development* proposals in a defined area.



### 12.1.14(2) POLICIES

- a) The *City* may implement a community planning permit system in accordance with The Planning Act.
- b) Policies *may* be adopted as part of this Plan with respect to the passing of a Community Planning Permit By-law to establish a community planning permit system.
- c) Prior to adopting a Community Planning Permit By-law, the *City shall* identify one or more areas as Community Planning Permit Areas by way of an amendment to this Plan. The amendment *shall*:
  - (i) identify the proposed community planning permit area(s);
  - ~~v~~-(ii) contain a statement of the *City's* goals, objectives and policies in proposing a community planning permit system for the area(s);
  - ~~w~~-(iii) include types of conditions within a community planning permit area, as provided in the applicable Ontario Regulation;
  - ~~\*~~-(iv) set out the types of criteria that *may* be included in the community planning permit by-law, and determining whether any class of *development* or any use of land *may* be permitted by the proposed community planning permit; and
  - ~~y~~-(v) set out the scope of the authority that may be delegated and any limitations on the designation, if *City Council* intends to delegate any authority under the community planning permit by-law.

### 12.1.15 COMMUNITY IMPROVEMENT

The Planning Act enables municipalities to prepare, adopt and implement *Community Improvement Plans* (CIPs) to support their strategic and planning objectives in designated *Community Improvement Project Areas*. These objectives may include: community *intensification* and renewal; improvements to the quality of living and working environments; energy efficiency and conservation and reduction in greenhouse gas emissions; protection and restoration of *cultural heritage resources*; economic development and adaptation; and environmental consideration or other justification.

Once a *Community Improvement Plan* has been adopted, the *City* may offer incentives to *encourage* private sector investment in support of the *City's* community improvement objectives. The *City* may also undertake a wide range of actions for the purpose of carrying out the *Community Improvement Plan*.

**12.1.15(1) OBJECTIVES**

- a) To facilitate the planning or re-planning, design or re-design, subdivision, clearance, *development*, reconstruction and *rehabilitation* of lands and/or buildings.
- b) To facilitate the preservation, restoration, adaptive reuse and improvement of *built heritage resources* and *cultural heritage landscapes*.
- c) To facilitate the restoration, maintenance, enhancement and protection of the Natural Heritage System, parks, open space and recreational amenities.
- d) To facilitate the construction of a range of housing types and the construction of accessible, *assisted*, *special needs* or *affordable housing*.
- e) To upgrade and improve municipal *infrastructure* such as sanitary sewers, storm sewers, watermains, roads and sidewalks.
- f) To enhance the *public realm*.
- g) To improve pedestrian and bicycle circulation and accessibility for all persons.
- h) To facilitate *transit supportive land uses* and improve the quality of, and accessibility to, transit facilities.
- i) To facilitate the ongoing viability, revitalization and *development* of growth areas as identified by the *City*, and other areas that *may* require community improvement.
- j) To foster the long term economic viability of the Agricultural System and of individual *agricultural operations* through the development of *agricultural*, *agriculture-related* and *on-farm diversified uses*.
- k) To minimize or mitigate land use conflicts, and to protect *normal farm practices* and the *right to farm*.
- l) To facilitate the revitalization of Rural Settlement Areas.
- m) To improve environmental and energy consumption conditions.
- n) To facilitate and promote economic and cultural development.

**12.1.15(2) POLICIES**

- a) *Community Improvement Project Area(s)* will be designated by by-law where the boundary of which *may* be all or part of the City of Burlington.
- b) *Community Improvement Plan(s)* may be prepared, adopted and implemented within a designated *Community Improvement Project Area(s)*, pursuant to The Planning Act and the Community Improvement policies set

out in this Plan. The *City* and the Region of Halton will participate in the preparation and implementation of community improvement programs.

- c) *Community Improvement Plans* may include programs to facilitate municipal and private sector improvements that address identified objectives of *Community Improvement Project Areas*.
- d) Criteria for designation of *Community Improvement Project Areas* will be based on one or more of the following conditions being present:
  - (i) vacant *lots* and underutilized properties and buildings which have potential for *intensification* or expansion to better utilize the land base or the public *infrastructure*;
  - ~~z.~~(ii) high commercial vacancy rates;
  - ~~aa.~~(iii) known or perceived environmental *contamination*;
  - ~~bb.~~(iv) other barriers to the repair, *rehabilitation* or *development* of underutilized land and/or buildings;
  - ~~cc.~~(v) buildings, building facades, and/or property, including buildings, structures and lands of heritage and/or architectural significance, in need of preservation, restoration, repair, *rehabilitation*, energy efficiency, renewable energy and/or *sustainability* improvements, or *development*;
  - ~~dd.~~(vi) absence of an adequate mix of uses;
  - ~~ee.~~(vii) deficiencies in physical *infrastructure* including but not limited to the sanitary sewer system, storm sewer system, and/or watermain system, *streetscapes* and/or street lighting, municipal parking facilities, sidewalks, and other pedestrian facilities, cycling facilities, transit facilities, curbs, or road state of repair;
  - ~~ff.~~(viii) poor overall quality of the *public realm*, including but not limited to, *streetscapes* and urban design, street furniture, signage, parks and open space and/or overhead wiring;
  - ~~gg.~~(ix) Rural Settlement Areas with the potential for revitalization and the *development* of uses supportive of the Agricultural System and agri-tourism;
  - ~~hh.~~(x) lands within the Agricultural Land Base;
  - ~~ii.~~(xi) a concentration of obsolete or aging low-density land uses, vacant *lots*, surface parking lots and/or abandoned buildings;
  - ~~jj.~~(xii) deficiencies in *infrastructure* and *public service facilities* including but not limited to, public open space, municipal parks, *neighbourhood*

- parks, and indoor/outdoor recreational facilities;
- ~~kk.~~(xiii) opportunities to improve the mix of housing types; and/or
- ~~ll.~~(xiv) any other environmental, *sustainability*, energy efficiency or community development reason.
- e) Priority for the designation of *Community Improvement Project Areas* and the preparation and adoption of *Community Improvement Plans* will be given to:
- (i) those areas targeted for growth and *intensification*, in particular, Primary and Secondary Growth Areas;
- ~~mm.~~(ii) Employment Growth Areas and identified Innovation Districts;
- ~~nn.~~(iii) the Rural Planning Area;
- ~~oo.~~(iv) those areas where the greatest number of conditions (as established in Subsection 12.1.15(2) d) of this Plan are present;
- ~~pp.~~(v) those areas where one or more of the conditions (as established in Subsection 12.1.15(2) d) is particularly acute; and/or,
- ~~qq.~~(vi) where one or more of the conditions (as established in Subsection 12.1.15(2) d) of this Plan) exists on a number of sites in the City.
- f) In order to implement a *Community Improvement Plan* within a designated *Community Improvement Project Area*, the *City* will consider undertaking a range of actions pursuant to The Planning Act, including actions such as:
- (i) offering financial incentives to encourage private sector investments supporting the objectives of the *Community Improvement Plan*;
- ~~rr.~~(ii) improvements to the *public realm* and public facilities;
- ~~ss.~~(iii) integration with other public works and/or Municipal, Regional, Provincial or Federal programs or initiatives;
- ~~tt.~~(iv) utilization of the community benefit provisions of The Planning Act, as a way of assisting in the achievement of Community Improvement objectives;
- ~~uu.~~(v) establishment of a Demolition Control Area By-Law; and/or
- ~~vv.~~(vi) preparation of urban *design guidelines* and property standards by-laws.
- g) In the preparation of a *Community Improvement Plan*, and any subsequent amendments, the *City* will solicit the input of public bodies and agencies, residents, property owners and other stakeholders pursuant to The Planning Act.

- h) All initiatives undertaken as part of *Community Improvement Plans* will conform with the policies contained in this Plan, all other relevant legislation, regulations and other related municipal policies and by-laws.
- i) The *City* will be satisfied that its participation in community improvement activities will be within the financial capabilities of the *City*.

## 12.1.16 PARKLAND DEDICATION

### 12.1.16(1) OBJECTIVE

- a) To acquire lands for park purposes that are beneficial to the entire community.

### 12.1.16(2) POLICIES

- a) Parkland dedication from residential *development shall* be required as a condition of *development*. The amount of land *shall* be determined on the following basis:
  - (i) for *low density residential development*, with a proposed *density* of less than fifteen (15) units per *net* ha, parkland *shall* be dedicated at the rate of five (5) percent of the land area;
  - ~~www.~~(ii) for *low or medium density residential development*, with a proposed *density* of fifteen (15) to fifty (50) units per *net* ha, parkland *shall* be dedicated at the rate of one (1) ha per three hundred (300) units; and
  - ~~xx.~~(iii) for *high density residential development*, with a proposed *density* greater than fifty (50) units per *net* ha, parkland *shall* be dedicated at the rate of one (1) ha per three hundred (300) units.
- b) Parkland dedication from new commercial, *industrial* and office *development* and certain *institutional development* defined by by-law, *shall* be based on a rate of two (2) percent of the land area.
- c) Parkland dedication from mixed use *development shall* be determined as follows: for the residential component of the *development*, park dedication *shall* be on the basis of Subsection 12.1.16(2) a) of this Plan; for the commercial, *industrial* and *institutional* component of the *development*, parkland dedication *shall* be two (2) percent of the land area for the percentage of the *total floor area* used for non-residential uses.
- d) The payment of money equal to the value of the land otherwise required to be conveyed for parks *may* be required at the discretion of the *City*, in accordance with the Park Dedication Bylaws in effect.

- e) Lands required for drainage and shoreline protection purposes, Natural Heritage System protection, *hazardous lands*, *hazardous sites* and other lands unsuitable for *development*, *shall* not be accepted as parkland conveyance.
- f) Dedication of waterfront lands for park purposes *shall* also be subject to the policies of Subsection 4.5.3(2) e) of this Plan.

### **12.1.17 CASH-IN-LIEU OF PARKING**

#### **12.1.17(1) OBJECTIVE**

- a) To enable cash-in-lieu of parking that is beneficial to the entire community and supports alternative modes of travel.

#### **12.1.17(2) POLICIES**

- a) Where a proponent is required, under the Zoning By-law, to provide and/or maintain parking facilities, the *City may* require a cash payment in lieu of all or part of the parking requirements. Such funds *may* be used to support facilities for parking, transit, bicycling and walking in the surrounding area as deemed appropriate by the *City*.

### **12.1.18 MAINTENANCE AND OCCUPANCY STANDARDS**

#### **12.1.18(1) OBJECTIVE**

- a) To administer a comprehensive program for standards for maintenance and occupancy within the city.

#### **12.1.18(2) POLICIES**

- a) The *City* will administer a program regarding standards for maintenance and occupancy for all or any part of the city. The program will contain requirements for the maintenance of both residential and non-residential buildings, yards and *accessory* buildings, adequacy of sewage and drainage facilities, and the maintenance of walks, passages, fences and garbage disposal facilities.
- b) Standards of maintenance and occupancy will be implemented by the *City* through the Property Maintenance and Occupancy Standards By-law(s), as amended, applicable to all or any part of the city. The *City* will ensure that the by-law(s) complies with the Plan provisions regarding property maintenance and occupancy standards.

- c) The *City* will require that all properties affected by by-law(s) conform to the Property Maintenance and Occupancy Standards.
- d) By-laws and amendments respecting standards for maintenance and occupancy of property will be administered and enforced by Property Standards Officer(s).
- e) Appeals and reviews of orders issued under the by-laws respecting standards for the maintenance and occupancy of property will be the responsibility of the Property Standards Committee.
- f) The *City* will undertake further studies with respect to conditions of residential, non-residential and vacant *lots* ensuring city-wide application of the program.

### **12.1.19 NIAGARA ESCARPMENT PLAN AREA**

#### **12.1.19(1) OBJECTIVES**

- a) To ensure new ~~development~~ ~~development~~ within the Niagara Escarpment Plan Area complies with the Niagara Escarpment Plan, The Niagara Escarpment Planning and Development Act and the requirements of the *City*, as applicable.
- b) To permit land uses subject to the policies of the Plan, and where applicable, the appropriate policies and detailed Development Criteria of the Niagara Escarpment Plan.

#### **12.1.19(2) POLICIES**

- a) All ~~development~~ ~~development~~ within the Niagara Escarpment Plan Area *shall* meet the Development Criteria of the Niagara Escarpment Plan. In addition, a ~~development~~ ~~development~~ permit *shall* be obtained prior to any *development* occurring or any other permit being issued, unless the *development* is exempt through the Development Control regulation.
- b) If the use of a Zoning By-Law or Holding Zone is proposed within the Niagara Escarpment Plan Area, the related permitted uses *shall* conform to this Plan and the Niagara Escarpment Plan.

### **12.1.20 INFRASTRUCTURE AND DEVELOPMENT AGREEMENTS**

#### **12.1.20(1) OBJECTIVE**

- a) To ensure the costs of new *infrastructure* are shared equitably among the benefiting parties.

**12.1.20(2) POLICIES**

- a) A Master Servicing Agreement, signed by the benefiting major parties involved in *development* may be required to be submitted and approved by the *City* and the Region of Halton as a condition of zoning and or subdivision approval. Such an agreement *shall* be based on the findings of a Site Servicing Master Plan, the Comprehensive Storm Water Management Plan and any other studies deemed necessary by the *City*. Such agreement will ensure that the necessary approvals and the required contributions of funds and lands and commitments for *infrastructure* and *public service facilities* will be in place and operative prior to or, coincident with, occupancy and use of land, for the following:
- (i) *public service facilities*, including public open spaces;
  - ~~yy.~~(ii) water;
  - ~~zz.~~(iii) waste water;
  - ~~aaa.~~(iv) storm water management;
  - ~~bbb.~~(v) road *infrastructure* and widenings; and
  - ~~ccc.~~(vi) other utilities.
- b) If difficulties or undue delays are encountered with respect to the preparation and/or signature of Master Site Servicing and/or Master Storm Water Management Agreements described in Subsection 12.1.[2019](#)(2) a) of this Plan, the *City* may be requested to attempt to resolve such difficulties or delays. Where resolution of such problems is not deemed feasible by the *City* or is not possible even with the *City's* intervention, the *City* may approve alternative mechanisms to satisfy the intent of the applicable policy.

**12.1.21 STRATEGIC INVESTMENT AREAS**

**12.1.21(1) OBJECTIVES**

- a) To establish an approach for addressing identified barriers or constraints to *intensification* or to facilitate population and employment growth in accordance with the *City's* strategic priorities.

**12.1.21(2) POLICIES**

- a) In cases where existing or planned *infrastructure* and public service capacity is deficient, the *City*, by resolution of Council, may identify one or more Strategic Investment Areas within the city.



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- b) Strategic Investment Areas *may* be identified within the Primary, Secondary or Employment Growth Areas identified in Schedule B-1: Growth Framework, of this Plan.
- c) A Strategic Investment Area will be the focus for the use of innovative financial, economic development or planning tools available to the *City* in order to assist with overcoming identified barriers or constraints to *intensification*.
- d) A Strategic Investment Area may include, but will not be limited to, the following tools:
  - (i) differential development charges;
  - ~~ddd.~~(ii) Community Improvement Plans;
  - ~~eee.~~(iii) community benefits;
  - ~~fff.~~(iv) public/private *infrastructure* agreements, including front-ending agreements;
  - ~~ggg.~~(v) area-specific plans;
  - ~~hhh.~~(vi) *City*-initiated land acquisition/*development*;
  - ~~iii.~~(vii) *City*-initiated Official Plan and/or Zoning By-Law amendments;
  - ~~jjj.~~(viii) community planning permit systems; and/or
  - ~~kkk.~~(ix) economic development strategies.

## 12.2 INTERPRETATION

The Official Plan represents the policy of the *City* with respect to land use and related matters. This Plan is to be read in its entirety and all policies are to be considered and balanced in its implementation.

The Plan includes both numbered policies and explanatory text. The explanatory text provides clarity and intent to the numbered policies. The Plan also includes illustrative figures and statutory schedules. Illustrative figures are provided to guide the interpretation of this Plan, whereas schedules form part of the policy of this Plan.

### 12.2.1 OBJECTIVE

- a) To provide guidance in the interpretation of the objectives, policies, illustrative figures and schedules of the Plan.

### 12.2.2 POLICIES

- a) The Official Plan *shall* be read in its entirety and all relevant policies *shall* be considered and balanced when implementing this Plan.
- b) The objectives are part of this Plan and assist in understanding the intent of the policies. In the event of ambiguity or conflict in the policies of this Plan for specific circumstances, the preamble *shall* provide interpretative guidance.
- c) The objectives and policies presented in Chapters 1 to 7 inclusive and Chapters 11 and 12 of this Plan, unless otherwise specified, apply to the entire Plan area.
- d) The objectives and policies presented in Chapters 8, 9 and 10 of this Plan, unless otherwise specified, apply only to the lands so designated on the City System, Urban Structure and the Land Use Plan schedules.
- e) The designations and other areas identified on Schedules A to N of the Plan are intended to show general areas. The boundaries are approximate and are subject to interpretation at the time of implementation of the Plan, except for those boundaries established by well-defined features such as railways, highways and roads, *utility* corridors, property boundaries or where specifically defined in an *area-specific plan* or in this Plan.
- e)f) The boundaries in Schedule J-1: Provincial Prime Agricultural Areas for the Greater Golden Horseshoe and Schedule M-1: Provincial Natural Heritage System for the Greater Golden Horseshoe will be refined through the next municipal comprehensive review. Prior to the municipal comprehensive

review, the City will consult Schedule J: Agricultural Land Base – Rural Area and Schedule M: The Natural Heritage System to inform the interpretation of Schedule J-1: Provincial Prime Agricultural Areas for the Greater Golden Horseshoe and Schedule M-1: Provincial Natural Heritage System for the Greater Golden Horseshoe.

~~f)g)~~ Notwithstanding Subsection 12.2.2 e) of this Plan, the Growth Framework area boundaries, as identified on Schedule B-1: Growth Framework, of this Plan, are static. However, boundaries *may* be subject to interpretation by the City where a proposed *development* or *lot* consolidation crosses more than one Growth Area. In such instances, where the proposed *development* or *lot* consolidation involves a property immediately adjacent to a Major Arterial, Multi-Purpose Arterial, Urban Avenue, Main Street or Industrial Connector Street, as shown on Schedule O-1: Classification of Transportation Facilities – Urban Area, Schedule O-3: Classification of Transportation Facilities – Downtown Urban Centre, or Schedule O-4: Classification of Transportation Facilities – Uptown Urban Centre, of this Plan, the City *may* extend the most *intensification* permissive area to the entire site(s).

~~g)h)~~ The text of this Plan *shall* be used to interpret and clarify the schedules. In the case of a discrepancy between the policies and the related schedule, the policies will take precedence.

~~h)i)~~ Where the intent of this Plan is maintained, minor boundary adjustments will not require amendment to this Plan, unless more specific direction is provided by this Plan. Consideration of such an adjustment will include a review of:

(i) the existing Zoning By-law;

~~iii.~~(ii) prevailing *lot* depths;

~~mm.~~(iii) lotting pattern and orientation and natural features, such as *watercourses*; and

~~nn.~~(iv) land use patterns.

In cases where more certainty is required, the City *may* require the development of area-specific mapping, adopted through amendment to this Plan.

~~i)j)~~ Permitted uses listed for each land use designation are only permitted subject to the following:

(i) the site is not considered *hazardous lands* or a *hazardous site* or subject to soil *contamination*;

~~ooo.~~(ii) adequate supply of water and treatment of wastewater for the

## CHAPTER 12 - IMPLEMENTATION AND INTERPRETATION

proposed use has been secured to the satisfaction of the Region; and

~~ppp.~~(iii) *development* meets all applicable statutory requirements, including regulations, policies of the Regional Official Plan, this Plan, zoning by-laws and municipal by-laws.

~~j)~~k) Where lists or examples of permitted uses are provided in Chapters 8, 9 and 10 of the Plan, they are intended to indicate the possible range and type of uses that *may* be considered. Specific uses that are not listed, but are considered by the *City* to be similar to the listed uses and to conform to the general intent of the applicable land use designation, *may* be recognized as a permitted use.

~~k)~~l) The zoning of individual sites *may* not allow for the full range of permitted uses or the full extent of *development* density or *intensity* at every location, based on site-specific factors that *may* include, but not be limited to, *compatibility, physical character and urban design considerations*, traffic, land use compatibility, *negative impacts* on the Natural Heritage System, environmental factors such as soil *contamination*, *hazardous lands*, *hazardous sites* or any other site constraints.

~~l)~~m) Minor variations from numerical requirements in the Plan *may* be permitted without a Plan amendment, provided the general intent of the Plan is maintained.

~~m)~~n) An amendment to this Plan is not required and changes may be made by the *City* during office consolidations for:

(i) altering the numbering, arrangement and cross-referencing of provisions in this Plan;

~~qqq.~~(ii) correcting clerical, grammatical, and spelling errors;

~~rrr.~~(iii) updates to address references;

~~sss.~~(iv) adding technical information to maps or schedules; and/or

~~ttt.~~(v) changing format or presentation.

~~n)~~o) For an accurate reference to the City of Burlington Official Plan and/or subsequent amendments thereto, the Certified True Copy lodged with the *City* Clerk should be consulted.

~~e)~~ In cases where there is a conflict between this Plan and the applicable Provincial Land Use Plan or Regional Official Plan, the Provincial Land Use Plan and Regional Official Plan prevail, unless this Plan is more restrictive.

## CHAPTER 12 - IMPLEMENTATION AND INTERPRETATION

- p) In cases where there is a conflict between site-specific or *area-specific plan policies* and general policies, the site-specific or *area-specific plan policies* shall prevail.
- q) Although the land use designations of this Plan are intended to be conceptual in nature, in cases where a parcel of land contains two separate land use designations, the policies of each designation *shall* apply only to the portion of the property so designated.
- r) Illustrative figures such as graphics and photos are not part of this Plan, but are included only for the purpose of illustration.
- s) Certain words throughout the Plan have been *italicized*. Words have been *italicized* because they either have been defined through one of the schedules to this Plan or are more precisely defined in Chapter 13: Definitions, of this Plan. For all other words found in this Plan, the standard meaning is implied.
- t) The appendices to this Plan contain additional information and do not constitute part of this Plan; however, they are applicable in implementing the Plan policies. These appendices may be amended from time to time by the *City* without requiring a formal amendment to this Plan.
- u) Both the appendices to this Plan and other guidelines and policies as adopted by the Province, Region or *City* from time to time, which are not specifically referenced in the appendices to this Plan, *may* be used as part of the consideration of *development* proposals.

## 12.3 MONITORING

The *City* recognizes the importance of information to support sound and effective decision making and priority setting. Monitoring is essential to the implementation of this Plan and will help measure the success of the Plan, allow the *City* to respond to new trends and to continuously improve the effectiveness of the Plan.

### 12.3.1 GENERAL OBJECTIVES

- a) To evaluate the effectiveness of this Plan's policies over time and ensure that its objectives remain valid or respond to changing circumstances, as appropriate.
- b) To develop a series of indicators to provide an effective means of monitoring the policies and objectives of this Plan.
- c) To establish and maintain a growth management monitoring program to assess the adequacy of the policies of this Plan and to measure their success in managing population and employment growth.
- d) To monitor housing in the city to assess the effectiveness of the policies of this Plan in addressing local housing needs.
- e) To monitor the state of the environment of the city to assess the effectiveness of policies on *sustainable development* and environmental protection, as well as meeting the Hamilton Harbour Remedial Action Plan targets.
- f) To provide consultation on the effectiveness of policies and the early identification of new issues.
- g) To analyze the effectiveness of the policies within the Plan with other plans adopted by the *City*, including, but not limited to, the Strategic Plan and Transportation Plan.

### 12.3.2 GENERAL POLICIES

- a) At least once every ten (10) years the *City* will review the Plan, which will include a public meeting required under The Planning Act. This review will determine if:
  - (i) the policies and targets of the Plan are being met;
  - ~~and~~ (ii) the objectives and policies of the Plan remain valid and realistic in view of changing social, economic, environmental and technological circumstances;

~~www.~~(iii) the policies of the Plan are adequate for the achievement of its strategic directions and objectives; and

~~www.~~(iv) policy components that will require further research and amendment will be considered, as required.

### 12.3.2(1) GROWTH MONITORING

#### 12.3.2(1.1) POLICIES

- a) In conjunction with the Region of Halton, the *City* will regularly monitor the type and distribution of growth occurring in the city to assist with *infrastructure*, transit, growth management and land use decision making.
- b) A framework will be developed for monitoring growth to measure progress towards achieving the policies outlined in this Plan to include, among other things:
  - (i) population and employment growth;
  - ~~xxx.~~(ii) population and employment densities;
  - ~~yyy.~~(iii) residential and employment *intensification*;
  - ~~zzz.~~(iv) employment and housing mix; and
  - ~~aaa.~~(v) residential and non-residential *development* activity.

### 12.3.2(2) HOUSING MONITORING

#### 12.3.2(2.1) POLICIES

- a) The *City* will regularly monitor housing in the city to assess the effectiveness of this Plan's housing policies in addressing local housing needs.
- b) In conjunction with the Region of Halton, the *City* will monitor new housing units by density type as well as *assisted* and *affordable housing*, based on targets established in the Regional Official Plan.

### 12.3.2(3) ENVIRONMENTAL MONITORING

#### 12.3.2(3.1) POLICIES

- a) Once each Council term, the *City* will prepare a State of the Environment Report to serve as background information for the comprehensive review of the Strategic Plan and *may* engage a citizens' advisory committee for this purpose.

- b) The State of the Environment report will include, but is not necessarily limited to, Environment, Economy and Social indicators of *Sustainable Development*.

**12.3.2(4) MONITORING REPORT**

- a) In support of this Plan's strategic directions and guiding principles, an Official Plan monitoring report will be prepared for Council on an annual basis which, at a minimum, will report on growth, *development* activity and housing in the city.



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## CHAPTER 13 - DEFINITIONS

**Abutting** – For the purposes of Subsection 12.1.12(4.1) c) (v) of this Plan only, a property that physically touches or shares a common boundary with the subject property.

**Accessory Building or Structure** – A detached building or structure the use of which is naturally and normally incidental to, subordinate to, or exclusively devoted to a principal use or building and located on the same lot.

**Accessory Drive-Through** – An amenity to a primary use whereby goods or services are provided, either wholly or in part, to customers located within a motor vehicle.

**Accessory Use** – The use of any land, building or structure which is normally incidental to, subordinate to, or exclusively devoted to, the principal use located on the same *lot*.

**Active Transportation** – Human-powered travel, including but not limited to, walking, cycling, inline skating and travel with the use of mobility aids, including motorized wheelchairs and other power-assisted devices moving at a comparable speed.

**Adaptive Management Plan** – An approach to managing complex natural systems by continually improving management policies and practices based on learning from the outcomes of operational programs that include monitoring and evaluation.

**Adult Entertainment** – Any premises or part thereof in or on which is provided in pursuance of a trade, calling, business or occupation, or to which an admittance or other fee is required, service of an employee, entertainer or other person who exposes to view any portion of the nipple or areola of the female breast or any portion of his or her pubic hair, anus, cleft of the buttocks, penis, vulva or genitals, or any other service designed to appeal to erotic or sexual appetites or inclinations.

**Adverse Effects** – One or more of the following:

1. Impairment in the quality of the natural environment for any use that can be made of it;
2. Injury or damage to property or plant or animal life;
3. Harm or material discomfort to any person;
4. Any adverse effect on the health of any person;
5. Impairment of the safety of any person;
6. Rendering any property or plant or animal life unfit for human use;
7. Loss of enjoyment of normal use of property; and
8. Interference with normal conduct of business.

**Affordable Housing** – Housing with a market price or rent that is affordable to households of low and moderate income spending no more than thirty (30) percent of their gross household income.

1. Affordable rental housing *should* meet the demand of households at the low end, as described in the Region of Halton’s annual State of Housing Report. Such households would be able to afford at least three out of ten rental units on the market.
2. Affordable ownership housing *should* meet the demand of households at the high end, as identified in the Region of Halton’s annual State of Housing Report. Such households would have sufficient income left, after housing expenses, to sustain the basic standard of living.

**Agricultural Purposes Only** – a zone in the City’s Zoning-By-Law, or a legal restriction or listing pursuant to the Niagara Escarpment Plan, that prohibits a dwelling on a remnant agricultural lot created through the severance of a *residence surplus to a farm operation* as a result of *farm consolidation*.

**Agricultural System** – The inter-connected elements that collectively create a viable and prosperous agricultural sector and the interrelationships among them. The *agricultural system* includes: the Agricultural Land Base; farms and farmers; the natural environment; a farm labour force; businesses and services supplying inputs to agriculture; markets and transportation; *infrastructure*; non-profit organizations such as agricultural associations; and community support.

**Agriculture or Agricultural Operation or Agricultural Use or Farm or Farming** – The growing of crops, including nursery and horticultural crops (but not *horticultural trade use*); raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storages, value-retaining facilities, and accommodation for full-time labour when the size and nature of the operation requires additional employment.

**Agriculture-Related Uses** – Those farm-related commercial and farm-related *industrial* uses that are small *scale* and directly related to the farm operation and are required in close proximity to the farm operation.

**Agriculture-Related Tourism Uses** – Those farm-related tourism uses, including limited accommodation such as a *bed and breakfast home*, that promote the enjoyment, education or activities related to the farm operation.

**Alternative Energy System** – A system that uses sources of energy or energy conservation processes to produce power, heat and/or cooling that significantly

reduces the amount of harmful emissions to the environment (air, earth and water) when compared to conventional energy systems.

**Amenity Area** – An interior area within a residential building or an outdoor area exterior to the residential building which is designed and intended primarily for the leisure and recreation of the occupants of the building.

**Anchor Hub** – *A major transit station area within an Urban Growth Centre.*

**Ancillary Employment Use** – The use of any land, building or structure which is subordinate to uses in the surrounding ~~Area of Employment~~ Area and primarily provides its service to the uses, businesses and employees- in the surrounding ~~Area of Employment~~ Area. An ancillary employment use could include accessory retail and service commercial uses as defined in subsection 8.2.2 c), recreational uses as defined in subsection 8.2.2 d) and 8.2.2 e), as well as public service facilities and institutional uses such as emergency service facilities, trade schools, other adult education facilities and post-secondary education facilities.

**Animal Kennel** – A building, structure or premises used for the raising or boarding of dogs, cats, or other household pets.

**Archaeological Resource** – Includes artifacts, archaeological sites and marine archaeological sites, as defined under The Ontario Heritage Act. The identification and evaluation of such resources are based upon archaeological fieldwork undertaken in accordance with The Ontario Heritage Act.

**Areas of Archaeological Potential** – Areas with the likelihood to contain *archaeological resources*. Methods to identify archaeological potential are established by the Province, but municipal approaches which achieve the same objectives *may* also be used. The Ontario Heritage Act requires archaeological potential to be confirmed through archaeological fieldwork.

~~Area of Employment – An area of land designated for clusters of business and economic uses, including, without limitation:~~

- ~~1. Manufacturing uses;~~
- ~~2. Warehousing uses;~~
- ~~3. Office uses; and~~
- ~~4. Retail uses that are associated with, and accessory to, the uses mentioned in clauses (1) to (3) above.~~

~~For the purposes of this Plan, the lands considered to be Area of Employment are shown on Schedule B: Urban Structure, of this Plan as “Areas of Employment Overlay.”~~

**Areas of Natural and Scientific Interest** – Areas of land and water containing natural landscapes or features that have been identified by the Province as having provincially *significant* life science or earth science values related to protection, scientific study or education.

**Area-Specific Plan** – A plan applying to a specific geographic area. An *area-specific plan* can include a variety of studies and contains specific policies to guide future *development* which can form the basis of an amendment to an Official Plan. Secondary Plans, Tertiary Plans and Neighbourhood Plans are all types of *area-specific plans*. For the purposes of The Planning Act an area-specific plan shall constitute a secondary plan.

**Assisted Housing** – Housing that is available to low and moderate income households for rent or purchase where part of the housing cost is subsidized through a government program.

**Automotive Commercial** – Uses involving the sale of automobiles and the repair and maintenance of automobiles and the sale of gasoline or similar products and shall include *small and large scale motor vehicle dealerships*, motor vehicle repair garages, car washes and service stations.

**Bed and Breakfast Home** – A single detached dwelling that is the principal residence of the proprietor and offers short-term lodging for compensation to the travelling and vacationing public. Guest rooms or suites *shall* be limited to a maximum of three, and *may* include a private bath but *shall* not include cooking facilities. Breakfast and other meals, services, facilities or amenities *may* be offered exclusively to guests.

**Bluefield** – Previously developed property that is not contaminated. *Bluefields* are usually, but not exclusively, former *institutional uses* or *public service facilities* that *may* be underutilized, derelict or vacant.

**Brownfield Site** – An undeveloped or previously developed property that *may* be *contaminated*. *Brownfield sites* are usually, but not exclusively, former industrial or commercial properties that *may* be underutilized, derelict or vacant.

**Bruce Trail Access Point** – Land managed and/or acquired by a *public authority* or a *non-government conservation organization* for the purpose of providing public access to the Bruce Trail, including parking areas.

**Buffer** – An area of land located adjacent to *Key Natural Features* or *watercourses* and usually bordering lands that are subject to *development* or *site alteration*. The purpose of the *buffer* is to protect the features and ecological functions of the Natural Heritage System by mitigating impacts of the proposed *development* or *site alteration*. The extent of the buffer and activities that *may* be permitted within it shall be based on the sensitivity and significance of the *Key Natural Features* and

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*watercourses* and their contribution to the long term ecological functions of the Natural Heritage System as determined through a Sub-Watershed Study, an Environmental Impact Assessment or similar studies that examine a sufficiently large area.

**Building Cluster** - A group of inter-related buildings that are located in close proximity on a property and that includes a dwelling.

**Built Heritage Resource** - A building, structure, monument, installation or any manufactured remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an Aboriginal community. *Built heritage resources* are generally located on property that has been designated under Parts IV or V of The Ontario Heritage Act, or included on local, provincial and/or federal registers.

**Campground** - An area used for a range of overnight accommodation, from tenting to serviced trailer sites, including *accessory* facilities which support the use, such as administration offices, laundry facilities, washrooms, support recreational facilities, but not including the use of mobile homes, trailers or other forms of moveable shelter on a permanent year-round basis.

**Cemetery** - Land that has been established as a *cemetery* under The Funeral, Burial and Cremation Services Act or under a predecessor or successor of that Act, and in respect of which a certificate of consent issued by the registrar is registered in the land registry office; or land that is otherwise set aside to be used either for the interment of human and/or animal remains, or for both of these purposes, but does not include a *crematory*.

**Centre for Biodiversity** - An area identified through a Regional Official Plan Amendment that encompasses existing *natural heritage features* and associated *enhancements to the Key Natural Features* and is of sufficient size, quality and diversity that it can support a wide range of native species and ecological functions, accommodate periodic local extinctions, natural patterns of disturbance and renewal and those species that are area sensitive, and provide sufficient habitat to support populations of native plants and animals in perpetuity. Any such amendment would be initiated by the Region of Halton after the day of adoption of the Regional Plan (December 16, 2009) and *shall* include a detailed and precise justification supporting the identification of the area, based on current principles of conservation biology.

**City** - The Council of the Corporation of the City of Burlington; or alternatively, where an approval power has been delegated by the City of Burlington Council, the delegated approval authority, or the administration of the Corporation of the City of Burlington.

**Coastal Wetland** - (1) Any *wetland* that is located on one of the Great Lakes or their connecting channels (Lake St. Clair, St. Mary's, St. Clair, Detroit, Niagara and St. Lawrence Rivers); or (2) Any other *wetland* that is on a tributary to any of the above-specified water bodies and lies, either wholly or in part, downstream of a line located two (2) km upstream of the 1:100 year floodline (plus wave run-up) of the large water body to which the tributary is connected.

**Commercial Agricultural Operation** - An agricultural operation which is deemed to be viable and which normally produces sufficient income from *agricultural operations* to support a farm family.

**Community Garden** - A piece of land operated by the *City*, an individual or a group of people which is used collectively by a group of people for the growing of produce through individual or shared plots.

**Community Improvement Plan** - A plan adopted and approved under Section 28 of The Planning Act for community improvement of a *community improvement project area*.

**Community Improvement Project Area** - A municipality or an area within a municipality, the community improvement of which, in the opinion of the *City*, is desirable because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic development reason.

**Compact Built Form** - A land use pattern that encourages efficient use of land, walkable neighbourhoods, mixed land uses (residential, retail, workplace and *institutional*) all within one neighbourhood, proximity to transit and reduced need for *infrastructure*. *Compact built form* can include detached and semi-detached houses on small lots as well as townhouses and walk-up apartments, multi-storey commercial developments, and apartments or *offices* above retail.

**Compatible or Compatibility** - *Development* which *may* not necessarily be the same as or similar to existing or planned development in the vicinity, but nonetheless can co-exist without causing unacceptable impacts to the surrounding area.

**Complete Communities** - Places such as mixed-use neighbourhoods or other areas within cities, towns, and *settlement areas* that offer and support opportunities for people of all ages and abilities to conveniently access most of the necessities for daily living, including an appropriate mix of jobs, local stores, and services, a full range of housing, transportation options and *public service facilities*. *Complete communities* are age-friendly and *may* take different shapes and forms appropriate to their contexts.

**Complete Street** - A street planned to balance the needs of all street users, including pedestrians, cyclists, transit-users, and motorists.. *Complete streets*



improve mobility for all ages and abilities and foster livability while enhancing the *public realm* and encouraging *sustainable* growth patterns.

**Conservation or Conserve** - The identification, protection, management and use of *built heritage resources, cultural heritage landscapes* and *archaeological resources* in a manner that ensures their cultural heritage value or interest is retained under The Ontario Heritage Act. This *may* be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/ or cultural heritage impact assessment or *cultural heritage landscape* impact assessment. Mitigative measures and/or alternative *development* approaches can be included in these plans and assessments.

**Contaminated Site** - A site at which hazardous substances occur at concentrations above background levels and where assessment shows it poses, or is likely to pose, immediate or long-term *adverse effects* to human health or the natural environment.

**Context Sensitive Design** - An approach for the design of the public right-of-way to respond to the needs of all users, the neighbouring communities, and the environment. It integrates projects into the context or setting through careful planning, considering different perspectives through collaboration, and ensuring flexibility in design so that transportation projects consider the natural, social, economic, and cultural environment.

**Cottage Industry** - In the Rural Area, an activity conducted as an *accessory use* within a single detached dwelling or in an addition to the dwelling or an *accessory* building not further than thirty (30) m from the dwelling and serviced by the same private water and wastewater systems, performed by one or more residents of the household on the same property. In the Urban Area, an activity conducted as an accessory use within a *dwelling unit* or an *accessory building*. A *cottage industry* may include activities such as dressmaking, upholstering, weaving, baking, ceramic-making, painting, sculpting and the repair of personal effects.

**Creative Cultural Industries** - Retail, service commercial, industrial, entertainment or *institutional uses* involved in the creation, production, manufacturing and distribution of cultural goods or services. This includes everything from theatrical costume making to creative software design.

**Crematory** - A building fitted with appliances for the purpose of cremating human remains that has been approved or consented to as a crematorium in accordance with The Funeral, Burial and Cremation Service Act or of a predecessor or successor of that Act that related to *cemeteries*, and includes everything necessarily *accessory* thereto.

**Culture** - A set of distinctive spiritual, material, intellectual and emotional features of society or a social group, and it encompasses, in addition to arts and literature, lifestyles, ways of living together, value systems, traditions and beliefs.

**Cultural Heritage Landscape** - A defined geographical area that *may* have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Aboriginal community. The area *may* involve features such as structures, spaces, archaeological sites or natural elements that are valued together for their inter-relationship, meaning or association. Examples *may* include, but are not limited to, heritage conservation districts designated under The Ontario Heritage Act; villages, parks, gardens, battlefields, main streets and neighbourhoods, cemeteries, trailways, viewsheds, natural areas and industrial complexes of heritage significance; and areas recognized by federal or international designation authorities (e.g. a National Historic Site or District designation, or a UNESCO World Heritage Site).

**Cultural Heritage Resources** - *Built heritage resources, cultural heritage landscapes and archaeological resources* that have been determined to have cultural heritage value or interest for the important contribution they make to our understanding of the history of a place, an event, or a people. While some *cultural heritage resources* may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation.

**Cultural Resources** - Human or material assets that contribute to or participate in the creation, documentation, and/or dissemination of cultural activities or products.

**Cumulative Impact** - The combined direct and indirect effects resulting from the incremental activities of *development and site alteration* over a period of time and over an area. All past, present and foreseeable future activities are to be considered in assessing *cumulative impact*.

**Daylight Triangle** - Areas providing clear visibility for safe vehicular movement between streets, driveways, and other intersections. Daylight triangles also present an opportunity for enhancing the street and integrating several modes of transportation safely.

**Delineated Built Boundary** - The limits of the developed urban area as defined by the Minister of Infrastructure in consultation with affected municipalities for the purpose of measuring the minimum intensification targets in this Plan.

**Delineated Built-Up Area** - All land within the *delineated built boundary*.

**Department Store** - A retail establishment more than four thousand seven hundred and fifty (4,750) sq. m. in area, primarily engaged in retailing a wide range of products, with each merchandise category or product group constituting a separate

department within the store. Some departments *may* be operated on a concession basis.

**Design Guidelines** – A set of design statements to guide land *development* to achieve a desired level of design quality for the elements of the physical environment.

**Designated Greenfield Area** – The area within a *settlement area* that is not *built-up area*.

**Development** – The creation of a new *lot*, a change in land use, or the construction of buildings and structures, any of which requires approval under The Planning Act, or that are subject to The Environmental Assessment Act, but does not include:

1. activities that create or maintain *infrastructure* authorized under an environmental assessment process;
2. works subject to The Drainage Act; or
3. within the Greenbelt Plan Area, the carrying out of *agricultural* practices on land that was being used for *agricultural uses* on the date the Greenbelt Plan 2005 came into effect.

**Development Application** – Formal request to the City of Burlington and/or Region of Halton, for an Official Plan amendment, zoning by-law amendment, site plan approval, land conveyance, minor variance approval, plan of subdivision, plan of condominium, part-lot control application, Niagara Escarpment development permit application, or Parkway Belt regulation application.

**Development Capacity** – The capacity of a *watershed* to support use or change in use without *negative impact* on the Greenbelt and Natural Heritage Systems.

**Development Envelope** – In the Rural Area outside Rural Settlement Areas, the area occupied by a single-detached dwelling and associated *amenity area*, *accessory uses*, on-site services, vehicular access and parking.

**Dwelling Unit** – A self-contained room or suite of rooms located in a building or structure that is operated as a housekeeping unit and is used or intended for use as residential premises by one household and which contains kitchen and bathroom facilities that are intended for the exclusive use of that household, except in the case of an *institutional* residential use, in which case a *dwelling unit shall* mean a room or suite of rooms used or intended for use as residential premises with or without exclusive kitchen and/or bathroom facilities. *Long-term care facilities* are excluded from this definition.

**Dynamic Beach Hazard** – Areas of inherently unstable accumulations of shoreline sediments along the Great Lakes–St. Lawrence River System and large inland lakes, as identified by provincial standards, as amended from time to time. The *dynamic*

*beach hazard* limit consists of the *flooding hazard* limit plus a dynamic beach allowance.

**Ecological Functions** - The natural processes, products or services that living and non-living environments provide or perform within or between species, ecosystems and landscapes. These *may* include biological, physical and socio-economic interactions.

**Ecological Health** - The ability of the *natural environment* to withstand or buffer impact from human derived impacts such as air pollution, loss of biodiversity and nutrient loading. Measures of *ecological health* *may* include indicators such as pollution levels, prevalence of exotic species, water quality, forest age classes and species heterogeneity. Collectively, *ecological health* *may* also be referred to as the *carrying capacity* or overall integrity of a natural system.

**Ecosystem** - Systems of plants, animals, and micro-organisms, together with the non-living components of their environment and related ecological processes, essential for the functioning of the biosphere in all its diversity.

**Employment Area** – Areas designated in an official plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices and associated retail and ancillary facilities.

**Employment** - The use of lands for business and economic activities, including, but not limited to, manufacturing, warehousing, offices and *ancillary employment uses*, but does not include retail and *service commercial* uses unless they are an *ancillary employment use*.

**Encourage** - Reasonable efforts are made to accommodate the desired result.

**Endangered species** - A species that is listed or categorized as an “Endangered Species” under The Endangered Species Act of the Province of Ontario or under the Federal Species at Risk Act.

**Enhancements to the Key Features , Buffers and Linkages** - Ecologically supporting areas adjacent to *Key Natural Features* and/or measures internal to the *Key Natural Features* that increase the ecological resilience and function of individual *Key Natural Features* or groups of *Key Natural Features* or of the Natural Heritage System.

**Entertainment Use** - Any place devoted to the presentation of live entertainment and performances or for the commercial showing of films, including such facilities as movie theatre, dinner theatre, supper club or cabaret, but *shall* not include a night club, *adult entertainment* establishment, gaming establishment, or video game & pinball machine arcade.

**Environmental Site Assessment** - The evaluation of a property for contamination or environmental hazards. Generally, Environmental Site Assessments are conducted in two phases as outlined by The Environmental Protection Act:

1. Phase One Environmental Site Assessment means an assessment of property for potential contamination or environmental hazards to determine the likelihood that one or more contaminants have affected all or part of the property;
2. Phase Two Environmental Site Assessment means an assessment of property by or under the supervision of a qualified person to determine the location and concentration of one or more contaminants in the natural environment.

**Erosion Hazard** - The loss of land, due to human or natural processes, that poses a threat to life and property. The *erosion hazard* limit is determined using considerations that include the one hundred (100)-year erosion rate (the average annual rate of recession extended over a one hundred (100) year time span), an allowance for slope stability, and an erosion/erosion access allowance.

**Escarpment Brow** - The uppermost point of the Escarpment slope or face. It *may* be the top of a rock cliff, or where the bedrock is buried, the most obvious break in slope associated with the underlying bedrock.

**Escarpment environment: The physical and natural heritage features, cultural heritage resources, and scenic resources associated with the Escarpment landscape.**

**Essential** - That which is deemed necessary to the public interest after all alternatives have been considered and, where applicable, as determined through the Environmental Assessment process.

**Essential Emergency Service** – Services which would be impaired during an emergency as a result of flooding, the failure of floodproofing measures and/or protection works, and/or erosion.

**Existing Use** - The use of any land, building or structure legally existing, or approved under a Parkway Belt land use regulation, on the day of adoption of this Plan or the amendment to this Plan giving effect to the subject section by the *City*, or, in the case of the Niagara Escarpment Plan Area, the day of approval of the Niagara Escarpment Plan or an amendment to that Plan or, in the case of the Greenbelt Plan, a use which lawfully existed on December 15, 2004. An *existing use*, building or structure *may* expand or be replaced in the same location and of the same use in accordance with the Zoning By-law. For the purpose of *horticultural trade uses*, they are considered *existing uses* provided that they are recognized as legal uses under the Zoning By-law or through the issuance of a development permit by the Niagara Escarpment Commission; such a process must commence within one year and be completed within five years of *City Council* adoption of the Amendment introducing such uses in the Halton Region Official Plan.

**Farm or Farming** - See *Agriculture*.

**Farm consolidation** - The acquisition of additional *farm lots* to be operated as one *farm operation*.

**Farmers Market** - A retail establishment consisting of multiple vendors engaged in the retailing of primarily food and plant products, a portion of which are locally grown and/or prepared.

**Fisheries Management** - The management of *fish habitat* and fish population for the purpose of sustaining and improving the quality and quantity of fish.

**Fish Habitat** - As defined in The Fisheries Act, c. F-14, means spawning grounds and any other areas, including nursery, rearing, food supply, and migration areas on which fish depend directly or indirectly in order to carry out their life processes.

**Flex Street** - Those portions of a public-right-of-way used primarily for vehicular activities which are designed so as to function either wholly or partially, as desired, for vehicular-centric activities and/or pedestrian, public gathering and/or public event functions through the use of design elements including, but not limited to, bollards, flexible on-street parking configurations, pavement materials, enhanced streetscapes and/or modified curbs.

**Flooding Hazard** - The inundation, under the conditions specified below, of areas adjacent to a shoreline or a river or stream system and not ordinarily covered by water:

1. Along the shoreline of Lake Ontario, the flooding hazard limit is based on the one hundred year flood level plus an allowance for *wave uprush* and other water-related hazards;
2. Along river, stream and small inland lake systems, the flooding hazard limit is the greater of:
  - i. the flood resulting from the rainfall actually experienced during a major storm such as the Hurricane Hazel storm (1954) transposed over a specific watershed and combined with the local conditions, where evidence suggests that the storm event could have potentially occurred over *watersheds* in the general area;
  - ii. the one hundred (100) year flood; and
  - iii. a flood which is greater than 1. or 2. which was actually experienced in a particular *watershed* or portion thereof as a result of ice jams and which has been approved as the standard for that specific area by the Minister of Natural Resources;

(except where the use of the one hundred (100) year flood or the actually experienced event has been approved by the Minister of Natural Resources as the standard for a specific *watershed* where the past history of flooding supports the lowering of the standard.)

**Floor Area Ratio - (FAR)** - The ratio of the total floor area of a building or buildings to the net area of the *lot* on which the building or buildings are located. For example, a floor area ratio (FAR) of 2.0 would indicate that the total floor area of a building could be up to two (2) times the net area of the *lot* on which it is located.

**Forest Management or Forestry** - The wise use and management of forests for the production of wood and wood products; to provide outdoor recreation; to maintain, restore, or enhance the ecological health and integrity of the forest; and for the protection and production of water supplies.

**Frequent Transit Corridors** - A priority component of the city-wide transit network. Transit service on *frequent transit corridors* runs every fifteen (15) minutes in both directions, typically seven (7) days per week during the day and early evening, with variations on service depending on local conditions. The long-term *frequent transit corridors* consist of the following two components, as identified on Schedule B-2: Growth Framework and Long Term Frequent Transit Corridors, of this Plan:

1. *Frequent Transit Corridors* have existing and/or planned land uses, and street design conditions to enable a frequent service.
2. Candidate *Frequent Transit Corridors* have some of the existing and/or planned land uses and street design conditions which *may* enable a frequent service in the future.

**Garden Suite** - A temporary one (1)-unit detached residential structure containing bathroom and kitchen facilities that is *accessory* to an existing residential structure and that is designed to be portable.

**Gateway Hub** - *Major transit station areas* at the interchange of two or more current or planned regional rapid transit lines at which four thousand five hundred (4,500) or more people are expected to board or alight from transit vehicles during morning peak periods in 2031.

**Golf Course** - A public or private area laid out, operated or used for the purpose of playing or practicing the game of golf, including a golf driving range, and *accessory* uses.

**Greyfield** - Previously developed property that is not *contaminated*. *Greyfields* are usually, but not exclusively, former commercial properties that *may* be underutilized, derelict or vacant.



**Green Infrastructure** - Natural and human-made elements that provide ecological and hydrological functions and processes. *Green infrastructure* can include components such as *natural heritage features* and systems, parklands, storm water management systems, street *trees*, urban forests, natural channels, permeable surfaces and green roofs.

**Ground- oriented Dwelling** - A *dwelling unit* which is designed to be accessible by direct access from the ground or by means of stairways. Buildings containing *ground oriented housing units* usually do not exceed three storeys in height.

**Groundwater Features** - Water-related features in the earth's subsurface, including recharge/discharge areas, water tables, aquifers and unsaturated zones that can be defined by surface and subsurface hydrogeologic investigations.

**Groundwater Recharge Area** - An area from which there is significant addition of water to the groundwater system.

**Group Home** - A single housekeeping unit supervised by staff on a daily basis which provides special care and treatment to persons for physical or mental deficiency, physical handicap or other such cause. A *Group Home* shall be funded, licensed, approved, or supervised by the Province of Ontario under a general or specific Act.

**Habitat of Endangered Species and Threatened Species -**

1. With respect to a species listed as an endangered or threatened species under The Endangered Species Act, the area prescribed as the habitat of that species under The Endangered Species Act; or
2. With respect to any other species listed as an endangered or threatened species under The Endangered Species Act of the Province of Ontario or under the Federal Species at Risk Act., an area on which the species depends, directly or indirectly, to carry on its life processes, including life processes such as reproduction, rearing, hibernation, migration or feeding, as approved by the Province; and
3. Places in the areas described in clause (1) or (2), whichever is applicable, that are used by members of the species as dens, nests, hibernacula or other residences.

**Hazardous Lands** - Property or lands that could be unsafe for *development* due to naturally occurring processes. Along the shorelines of the Great Lakes - St. Lawrence River System, this means the land, including that covered by water, between the international boundary, where applicable, and the furthest landward limit of the *flooding hazard*, *erosion hazard* or *dynamic beach hazard* limits. Along river, stream and small inland lake systems, this means the land, including that covered by water, to the furthest landward limit of the *flooding hazard* or *erosion hazard* limits.



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**Hazardous Sites** – Property or lands that could be unsafe for *development* and *site alteration* due to naturally occurring hazards. These *may* include unstable soils (sensitive marine clays [leda], organic soils) or unstable bedrock (karst topography.)

**Hazardous Substances** – Substances which, individually, or in combination with other substances, are normally considered to pose a danger to public health, safety and the environment. These substances generally include a wide array of materials that are toxic, ignitable, corrosive, reactive, radioactive or pathological.

**Healthy Communities** – Communities: (1) that foster among their residents a state of physical, mental, social and economic well-being; (2) where residents take part in, and have a sense of control over, decisions that affect them; (3) that are physically designed to minimize the stress of daily living and meet the life-long needs of their residents; and (4) where employment, social, health, educational, and recreational and cultural opportunities are accessible to all segments of the community.

**Heritage Attributes** – The principal features or elements that contribute to a *protected heritage property's* cultural heritage value or interest, and *may* include the property's built or manufactured elements, as well as natural landforms, vegetation, water features, and its visual setting (including significant views or vistas to or from a *protected heritage property*).

**Higher Order Transit** – Transit that generally operates in partially or completely dedicated right-of-way, outside of mixed traffic, and therefore can achieve levels of speed and reliability greater than mixed-traffic transit. *Higher Order Transit* can include heavy rail (such as subways and inter-city rail), light rail (such as streetcars) and buses in dedicated rights-of-way.

**Home Industry** – A small *scale* use providing a service primarily to the rural *farming* community and which is *accessory* to a single detached dwelling or *agricultural* operation, performed by one or more residents of the household on the same property. A *home industry* *may* be conducted in whole or in part in an *accessory* building and *may* include a carpentry shop, a metal working shop, a welding shop, an electrical shop, or blacksmith's shop, etc. but does not include an auto repair or paint shop or furniture stripping.

**Home Occupation** – In the Rural Area, an activity that provides a service as an *accessory* use within a single detached dwelling or in an addition to the dwelling or in an *accessory* building not further than thirty (30) m away from the dwelling and serviced by the same private water and wastewater systems, performed by one or more residents of the household on the same property. In the Urban Area, an activity that provides a service as an *accessory use* within a *dwelling unit* or in an *accessory building*. Such activities *may* include services performed by an accountant, architect, auditor, dentist, medical practitioner, engineer, insurance

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agent, land surveyor, lawyer, realtor, planner, hairdresser, desk top publisher or word processor, computer processing provider, teacher or day care provider.

**Horticultural Trade Use** - A non-farm business associated with the sale, supply, delivery, storage, distribution, installation, and/or maintenance of horticultural plants and products used in landscaping, but does not include uses associated with the principal *agricultural operation*.

**Housing Impact Statement** ~~— A consideration of~~will consider, the details established in the policies of Subsection 3.1.1(2) i) of this Plan ~~which~~and will be used to encourage and monitor the diversity of housing stock and support the development of a city-wide housing strategy, but will not be used to evaluate whether a *development application* is approved or not.

**Human Scale** - The proportional relationship of the physical environment to human dimensions, acceptable to public perception and comprehension in terms of the size, height, bulk, and/or *massing* of buildings or other features of the built environment.

**Hydrologic function** - The functions of the hydrological cycle that include the occurrence, circulation, distribution and chemical and physical properties of water on the surface of the land, in the soil and underlying rocks, and in the atmosphere, and water's interaction with the environment, including its relation to living things.

**Industrial** - Assembling, fabricating, manufacturing, processing, warehousing and distribution uses, repair activities, communications, *utilities*, transportation, storage, service trades and construction uses.

**Infrastructure** - Physical structures (facilities and corridors) that form the foundation for *development*. *Infrastructure* includes: sewage and water systems, septage treatment systems, stormwater management systems, waste management systems, electric power generation and transmission, communications/telecommunications, transit and transportation corridors and facilities, oil and gas pipelines and associated facilities.

**Institutional Uses** - For the purposes of Subsection 4.4.2(3) c) of this Plan only, are land uses where there is a threat to the safe evacuation of vulnerable populations such as older persons, persons with disabilities, and those who are sick or young, during an emergency as a result of flooding, failure of floodproofing measures or protection works, or erosion.

For the remainder of the Plan, are private services and/or facilities which provide a public health, education, recreation and/or social service related function to residents and which can be appropriately accommodated in most areas of the city. *Institutional uses may include, but shall not be limited to, places of worship, cemeteries, private educational facilities, private day cares or long term care*

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*facilities, but shall not include group homes, private medical clinics or public service facilities.*

**Intensification** - The *development* of a property, site or area at a higher density (people and/or jobs) than currently exists through:

1. Redevelopment, include the reuse of *brownfields*;
2. The *development* of vacant and/or under-utilized lots within previously developed areas;
3. Infill *development*; or
4. The expansion or conversion of existing buildings.

**Intensification Area** - Lands identified within the Urban Area of this Plan that are intended to be the focus for accommodating growth through *intensification*.

**Intensification Corridor** - *Intensification Areas* identified along major roads, arterials or *higher order transit* corridors that have the potential to provide a focus for higher *intensity* mixed-use *development* consistent with planned transit service levels.

**Intensity** - A measure of the degree of *development* on a site, usually measured as the *floor area ratio*.

**Interim Land Use** - Generally considered to be a use that is shorter in duration than the time horizon of this Plan. It involves limited investment in buildings and structures in order not to deter potential *development* for more long term uses.

**Key Hydrologic Areas** – Include significant groundwater recharge areas, highly vulnerable aquifers and significant surface water contribution areas.

**Key Hydrologic Features** – Include permanent and intermittent streams, lakes and their littoral zones, seepage areas and springs and wetlands.

**Key Natural Feature** - Features which are important for their environmental and social values as a legacy of the natural landscapes of an area, and which are described in Subsections 4.2.2 and 4.2.3 of this Plan.

**Large Building Supplies/Garden Store** - A retail establishment with a minimum floor area of five thousand six hundred (5,600) sq. m., primarily engaged in the retailing of building and/or garden materials, and which *may* include the outside storage of goods and materials.

**Large Furniture & Appliance Store** - A retail establishment with a minimum floor area of five thousand six hundred (5,600) sq. m., primarily engaged in the retailing of new home furniture and/or appliances and home accessories, and which does not include outside storage of goods and materials.

**Large Home and Auto Supply Store** – A retail establishment with a minimum floor area of five thousand six hundred (5,600) sq. m., primarily engaged in retailing a general line of auto supplies, such as tires, batteries, parts and accessories, in combination with a general line of home supplies, such as hardware, housewares, small appliances, sporting goods and lawn and garden equipment and supplies.

**Large Scale Motor Vehicle Dealership** – A motor vehicle dealership greater than 0.2 ha in size which contains significant outside storage and a large proportion of associated automobile repair and service facilities.

**Linkage** – An area providing connectivity or intended to provide connectivity within the Natural Heritage System, supporting a range of community and ecosystem processes enabling plants and animals to move between *Key Natural Features* over multiple generations. *Linkages* are preferably associated with the presence of existing natural areas and functions and they are to be established where they will provide an important contribution to the long term *sustainability* of the Natural Heritage System. They are not meant to interfere with *normal farm practice*. The extent and location of the *linkages* can be assessed in the context of both the scale of the proposed *development or site alteration*, and the ecological functions they contribute to the Natural Heritage System.

**Long Term Care Facility** – A residence which provides care to meet the physical, emotional, social, spiritual and personal needs of persons. *Long Term Facilities* include any facilities licensed by the Province of Ontario under The Long-Term Care Homes Act, 2007 (LTCHA).

**Lot** – A parcel of land under one ownership which is established as a separate parcel of land in accordance with the lot creation sections of The Planning Act, including a parcel acquired from Her Majesty in right of Canada, Her Majesty in right of Ontario, the Regional Municipality of Halton, or the Corporation of the City of Burlington, appropriated for the exclusive use of a building or a group of buildings comprising one undertaking or enterprise, and which abuts a public street, except if it has been created as a parcel of tied land, in which case, it *may* abut a common element condominium road.

**Low and Moderate Income Households** – Those households defined through the Region of Halton’s annual State of Housing Report, pursuant to the Region of Halton Official Plan, and in accordance with the definitions of *Affordable and Assisted Housing* under the Region of Halton Official Plan. The income thresholds for low and moderate income households *should* not be more than those as defined in the Provincial Policy Statement.

**Low Impact Development** – An approach to storm water management that seeks to manage rain and other precipitation as close as possible to where it falls, in order to mitigate the impacts of increased runoff and storm water pollution. It comprises a

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set of site design strategies and distributed, small scale, structural practices to mimic the natural hydrology to the greatest extent possible through infiltration, evapotranspiration, harvesting, filtration and detention of storm water. *Low impact development* can include: bio-swales, permeable pavement, rain gardens, green roofs and exfiltration systems. *Low impact development* often employs vegetation and soil in its design; however, that does not always have to be the case.

**Low Rise Building** - A building four (4) storeys in height or less.

**Major Creek or Certain Headwater Creek** - As it applies to the “Significant Woodlands” definition of this Plan, all *watercourses* within a Conservation Authority Regulation Limit as of the date of the adoption of this Plan and those portions of a *watercourse* that extend beyond the limit of the Conservation Authority Regulation Limit to connect a *woodland* considered *significant* based on criteria (1) (2) or (3) of the “Significant Woodland” definition of this Plan and/or *wetland* feature within the Regional Natural Heritage System. The extent and location of *major creeks* or *certain headwater creeks* will be updated from time to time by the Conservation Authority and as a result *may* lead to refinements to the boundaries of *significant woodlands*.

**Major Office** - Freestanding *office* buildings of approximately four thousand (4,000 ) sq. m of floor space or greater, or with approximately two hundred (200) jobs or more.

**Major Place of Worship** - A building with a worship area of five hundred (500) sq. m or greater, where people assemble for religious or spiritual purposes, and *may* include *accessory* uses including administrative *offices*, child care facilities, a kitchen and food preparation area for the users of the assembly area, and a maximum of one *accessory* dwelling unit intended for persons employed by the *major place of worship*, provided that this *accessory use* is located within the same building and is subordinate to the primary use of the building as a worship area. An *accessory* community/multi-use hall used for public recreational, social, community and charitable activities *shall* be permitted within a *major place of worship*.

**Major Retail** - [Large-scale or large-format stand-alone retail stores or retail centres that have the primary purpose of commercial activities.](#)

**Major Transit Station Area** - The area including and around any existing or planned *higher order transit* station (such as GO Transit commuter rail stations), or the area including and around a major bus depot in an urban core. Station areas generally are defined as the area within an approximate five hundred (500) m radius of a *higher order transit* station, representing about a ten (10)-minute walk.

**Market Housing** – Private housing for rent or sale, where price is set through supplies and demands in the open market.

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**Massing** – The overall bulk, size, physical volume, or magnitude of a structure or project.

**May** – There is discretion and flexibility or that criteria are to be satisfied in the application of an Official Plan policy.

**Meander Belt Allowance** – The setback that keeps *development* from being affected by river and stream meandering (this includes the allowance for the one hundred (100)-year erosion rate.)

**Mid-Rise Building** – A building five (5) to eleven (11) storeys in height.

### **Mineral Aggregate Operation –**

1. Lands under license or permit, other than for *wayside pits and quarries*, issued in accordance with The Aggregate Resources Act, or successors thereto;
2. For lands not designated under The Aggregate Resources Act, established *pits and quarries* that are not in contravention of municipal zoning by-laws and including adjacent land under agreement with or owned by the operator, to permit continuation of the operation; and
3. Associated facilities used in extraction, transport, beneficiation, processing or recycling of *mineral aggregate resources* and derived products such as asphalt and concrete, or the production of secondary products, but subject to the limitations under Section 109 (4) of the Region of Halton Official Plan.

### **Mineral aggregate resource conservation-**

1. The recovery and recycling of manufactured materials derived from mineral aggregates (e.g. glass, porcelain, brick, concrete, asphalt, slag, etc.), for re-use in construction, manufacturing, industrial or maintenance projects as a substitute for new mineral aggregates; and
2. The wise use of mineral aggregates including utilization or extraction of on-site *mineral aggregate resources* prior to development occurring.

**Mineral Aggregate Resources** – Gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under The Aggregate Resources Act suitable for construction, industrial, manufacturing and maintenance purposes but does not include metallic ores, asbestos, graphite, kyanite, mica, nephelin, syenite, salt, talc, wollastonite, mine tailings or other material prescribed under The Mining Act.

**Minimum Distance Separation (MDS) Formulae** – Formulae and guidelines developed by the Province, as amended from time to time, to separate uses so as to reduce *incompatibility* concerns about odour from livestock facilities.

**Minor Place of Worship** - A building with a worship area of less than five hundred (500) sq. m, where people assemble for religious or spiritual purposes, and *may* include *accessory uses* including administrative *offices*, meeting and school rooms, child care facilities, a kitchen and food preparation area for the users of the assembly area, and a maximum of one *accessory* dwelling unit intended for persons employed by the place of worship, provided that this *accessory* use is located within the same building and is subordinate to the primary use of the building as a worship area. An *accessory* community/multi-use hall used for public recreational, social, community and charitable activities *shall* not be permitted within a *minor place of worship*.

**Mobility Hub** - A *major transit station* area, as defined in the Provincial Growth Plan for the Greater Golden Horseshoe, that is particularly significant given the level of transit service that is planned for it and the *development* potential around it. They are places of connectivity where different *modes* of transportation come together seamlessly. *Anchor mobility hubs* have strategic importance due to their relationship with urban growth centres.

**Mobility Hub Primary Connector** - A major street that has the ability to provide direct connections between *mobility hub* areas, as well as being a strong pedestrian destination on its own.

**Mobility Hub Primary Zone** - A zone including a transit station and associated facilities as well as the immediate surrounding area, in approximately a two hundred and fifty (250) m radius. The highest *intensity*, greatest mix of uses and greatest potential for change are expected within this study zone.

**Mobility Hub Secondary Connector** - An important street that provides a viable alternative for linking *mobility hubs* and has the potential to become a strong active transportation and transit corridor in the future.

**Mobility Hub Tertiary Connector** - Pedestrian trails and bike paths that connect *mobility hub* areas.

**Modal Share** - The percentage of person-trips or of freight movements made by one travel mode, relative to the total number of such trips made by all *modes*.

**Modes** - Different types of travel such as public transit, automobile, commuter rail, cycling, or walking.

**Motor Vehicle Service Station** - A building or place where the principal use is the storage and sale of gasoline, propane, or other motor vehicle fuels, kerosene or motor oil and lubricants or grease (for the operation of motor vehicles) directly to the public on the premises, and *may* include the sale of minor accessory parts for motor vehicles and the provision of minor or running repairs for motor vehicles and



not more than one towing vehicle. A *motor vehicle service station* shall include a gas bar.

**Multi-Modal** - The availability or use of more than one form of transportation, such as automobiles, walking, cycling, buses, rapid transit, rail (such as commuter and freight), trucks, air, and marine, and the interconnection between *modes*.

**Municipal Comprehensive Review** - A new Official Plan, or an Official Plan Amendment, initiated by an upper or single-tier municipality under Section 26 of The Planning Act that comprehensively applies the policies and schedules of the Provincial Growth Plan, 2017.

**Natural Environment** - The land, air, water, plant and animal life and the interrelationships among them.

**Natural Heritage Features and Areas** - Features and areas, including significant *wetlands*, significant *coastal wetlands*, other coastal wetlands, *habitat of endangered species and threatened species*, significant *wildlife habitat*, and significant *areas of natural and scientific interest*, which are important for their environmental and social values as a legacy of the natural landscapes of an area.

**Natural self-sustaining vegetation** - Vegetation dominated by native plant species that can grow and persist without direct human management, protection, or tending.

**Negative Impact** -

1. With regard to individual private on-site water or sewage services, degradation to the *quality and quantity of water*, *sensitive surface water features* and *sensitive ground water features*, and their related hydrologic functions, due to single, multiple or successive *development*. *Negative impacts* should be assessed through environmental studies, including hydrogeological or water quality impact assessments, in accordance with Provincial standards;
2. With regard to water resources, degradation to the *quality and quantity of water*, *sensitive surface water features* and *sensitive ground water features*, and their related *hydrologic functions*, due to single, multiple or successive *development or site alteration* activities;
3. With regard to *fish habitat*, any permanent alteration to, or destruction of *fish habitat*, except where, in conjunction with the appropriate authorities, it has been authorized under The Fisheries Act;
4. With regard to other *natural heritage features and areas* other than *Significant Earth Science Areas of Natural and Scientific Interest (ANSIs)*, degradation that threatens the health and integrity of the natural features or *ecological functions*



for which an area is identified due to single, multiple or successive *development* or *site alteration* activities; and

5. With regard to *Significant Earth Science Areas of Natural and Scientific Interest* (ANSIs), degradation of the earth science features or values for which the area was identified, or of *natural heritage features* or *ecological functions* related to the ANSI.

**Neighbourhood Character** – The collective *physical character* which is prevalent in a *Neighbourhood Character Area* that contributes to its distinct identity.

**Neighbourhood Character Area** – A residential neighbourhood identified in the Zoning By-law, which shares physical qualities and characteristics that collectively provide a distinct and recognizable character that is different from surrounding areas.

**Net** – The overall area of a site excluding public roads and widenings, public parks, school sites and similar public land areas, and the Natural Heritage System.

**Non-government conservation organization** – A non-government conservation body that includes a land trust, conservancy or similar not-for-profit agency governed by a charter, articles of incorporation or letters patent, and with by-laws and objectives that support the protection of the *natural environment*. Such an organization must have registered charitable status.

**Non-ground oriented Dwelling** – A *dwelling unit* which is designed to be accessible primarily by indirect access through an elevator. Buildings containing *non-ground oriented housing units* usually exceed three (3) storeys in height.

**Non-Intensive Recreation Use** – Recreational and open space *development* and uses, including related facilities, operations and programs, which involve a relatively low degree of human activity, maintenance or management and which are *compatible* with, and have been determined to not *negatively impact*, the form, function or integrity of the Natural Heritage System or the Agricultural System, when assessed either individually or cumulatively. It includes such uses as trails, trail heads and nature viewing.

**Normal Farm Practice** – A practice that:

1. Is conducted in a manner consistent with proper and acceptable customs and standards as established and followed by similar *agricultural operations* under similar circumstances, or
2. Makes use of innovative technology in a manner consistent with proper advanced farm management practices.

If required, the determination of whether a farm practice is a *normal farm practice* shall be in accordance with the provision of the Farming and Food Production

Protection Act, including the final arbitration on normal farm practices by the Farm Practices Protection Board under the Act. *Normal farm practices* shall be consistent with the Nutrient Management Act, 2002 and regulations made under that Act.

**Office** - A building or part of a building where administrative and clerical functions are carried out in the management of a business, profession, organization or public administration.

**On-Farm Diversified Uses** - uses that are secondary to the principal *agricultural use* of the property, and are limited in area. *On-farm diversified uses* include, but are not limited to, *home occupations, home industries, agriculture-related tourism uses*, and uses that produce value-added *agricultural* products.

**Open Landscape Character** - The system of rural features, both natural and man-made, which makes up the rural environment, including forests, slopes, streams and stream valleys, hedgerows, *agricultural* fields, etc.

**Peak Period** - The time periods during the day with the greatest travel volumes, generally the two-or three-hour periods during a weekday specifically defined by the *City* from time to time.

**Physical Character** - The distinctive qualities within a physical area which are defined by elements such as: *scale, massing, vegetation, topography, lotting pattern, colour, texture, material* and the relation between structures, spaces and landforms.

**Pit** - Land or land under water from which unconsolidated aggregate is being or has been extracted, and that has not been rehabilitated, but does not mean land or land under water excavated for a building or other work on the excavation site or in relation to which an order has been made under Subsection 1 (3) of The Aggregate Resources Act.

**Podium** - The lower portion of a tall building, which is clearly differentiated from the spaces above, designed to define and support adjacent streets, parks, and open space at an appropriate *scale*, that integrates with adjacent buildings, assists to achieve transition and contributes to the pedestrian experience.

**Preserve** - To maintain the quality or condition of a resource in its current form, and to retard the deterioration of the resource.

**Primary Public Entrance** - An entrance to all uses within a building that is located at grade and used by customers, employees, residents, tenants and other people, that *may* include doors to individual shops and businesses, lobby entrances or entrances to pedestrian-oriented plazas or publicly accessible open spaces between a building or a public right-of-way.

**Prime Agricultural Area** - Areas where *prime agricultural lands* predominate. *Prime Agricultural Areas* have been identified by Halton Region through an agricultural

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evaluation system approved by the Province and are identified on Schedule J: Agricultural Land Base-Rural Area, of this Plan.

**Prime Agricultural Lands** – Land that includes *specialty crop* lands and/or Canada Land Inventory classes 1, 2, and 3 *agricultural* lands, as amended from time to time, in this order of priority for protection.

**Protected Heritage Property** – Property designated under Parts IV, V or VI of The Ontario Heritage Act; property subject to a heritage conservation easement under Parts II or IV of The Ontario Heritage Act; property identified by the Province and prescribed public bodies as provincial heritage property under the Standards and Guidelines for Conservation of Provincial Heritage Properties; property protected under federal legislation, and UNESCO World Heritage Sites.

**Provincially Significant Wetlands** – *Wetlands* so classified by the Province based on the Ontario Wetland Evaluation System 2013 Southern Manual, as amended from time to time.

**Public Authority** – Any federal, provincial, regional, county or municipal agency including any commission, board, authority or department established by such agency exercising any power or authority under a Statute of Canada or Ontario.

**Public Consultation Strategy** – [A proposed strategy for consulting with the public designed in relation to an individual development application. The specific requirements of the public consultation strategy shall be determined by the City on a case by case basis.](#)

**Public Realm** – All spaces to which the public has unrestricted access, such as streets, parks and sidewalks.

**Public Service Facilities** – Land, buildings and structures for the provision of programs and services provided or subsidized by a government or other public body, such as social assistance, recreation, police and fire protection, health and educational programs, and cultural services. Public service facilities do not include *infrastructure*.

**Qualified Person** – An individual with qualifications and/or credentials related to a field of study and who is therefore appropriate for conducting a study and/or providing an expert opinion that has been required by the *City*. The *Qualified Person* must be to the satisfaction of the *City* or, where appropriate, be defined by relevant legislation, regulation and [or](#) standards.

**Quarry** – Land or land under water from which consolidated aggregate is being or has been excavated, and that has not been rehabilitated, but does not mean land or land under water excavated for a building or other work on the excavation site or in

relation to which an order has been made under Subsection 1 (3) of The Aggregate Resources Act.

**Recreation Use** - A place designed and equipped for the consumer to actively participate in the conduct of sports, fitness and other leisure time activities, undertaken in built or natural settings for purposes of physical activity, health benefits, sport participation and skill development, personal enjoyment, positive social interaction and the achievement of human potential; but does not include a night club, *adult entertainment* use, video game & pinball machine arcade, gaming establishment or public auditorium, community or recreational centre.

**Regional Market Area** - An area that has a high degree of social and economic interaction, defined for the purposes of this Plan as the Regional Municipality of Halton.

**Rehabilitation** - The treatment of land, buildings or structures so that their use or condition is restored to its former use or condition, or *may* be changed to another use or condition that is or will be *compatible* with adjacent land uses.

**Retirement Home** - A building or part of a building that is a *retirement home* as defined in the Retirement Homes Act, 2010.

**Reverse Lotting** - *Lots* located adjacent to a multi-purpose arterial, major arterial or connector street which front onto an internal street, while the rear yard faces onto the arterial or connector street. Landscaping and privacy fences are usually located adjacent to the arterial or collector street and access onto the arterial or connector street is strictly limited.

**Right to Farm** - The right of a farmer to lawfully pursue *agriculture* in areas where *agriculture* is permitted by this Plan. This definition includes the right to move farm equipment in the pursuit of *agriculture*.

**Scale** - The proportion of a building or building element created by the placement and size of the building or element in comparison with adjacent buildings or building elements and to human dimension.

**Secondary Dwelling Unit** - A self-contained second *dwelling unit* located within, or on the same site as, a single-detached dwelling, semi-detached dwelling, townhouse unit or street townhouse unit.

**Securement** - The acquisition of an interest in land to secure the long term protection of *natural heritage features*, ecological functions and attributes. *Securement* may be achieved by means of fee simple ownership or conservation easements through purchases, donations, bequests, or land dedications.

**Seniors' Housing** - Housing designed to primarily serve the needs of senior citizens and the elderly.

**Sensitive** - With regard to *surface water features and ground water features* only, means areas that are particularly susceptible to impacts from activities or events including, but not limited to, water withdrawals, and additions of pollutants.

**Sensitive Land Uses** - Buildings, *amenity areas*, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more *adverse effects* from contaminant discharges generated by a nearby major facility. *Sensitive land uses* may be a part of the natural or built environment. Examples may include, but are not limited to: residences, day care centres, and educational and health facilities.

**Service Commercial** - Non-retail commercial uses, but excluding *automotive commercial* uses.

**Settlement Area** - Urban areas and rural settlement areas within the city where:

1. *Development* is concentrated and which have a mix of land uses; and
2. Lands have been designated in the Official Plan for *development* over the long term planning horizon provided for in the Provincial Policy Statement, as amended. Where there are no lands that have been designated over the long-term, the *settlement area* may be no larger than the area where *development* is concentrated.

**Shall** -The policy is mandatory or it is required to comply with an Official Plan policy.

**Shoreline Hazardous Lands** - Includes the *flooding hazard, erosion hazard* and *dynamic beach hazards* and the associated regulated allowances of the Lake Ontario and Burlington Bay shoreline, as defined, delineated and regulated by Conservation Halton.

**Should** -The policy is directive and a convincing planning reason is required in order not to fully comply with an Official Plan policy.

**Significant** -

1. With regard to *wetlands*, an area as defined as “*significant wetland*” in this Plan
2. With regard to *coastal wetlands* and *areas of natural and scientific interest*, an area identified as provincially significant by the Ontario Ministry of Natural Resources using evaluation procedures established by the Province, as amended from time to time;
3. With regard to *woodlands*, an area as defined as “*significant woodland*” in this Plan;
4. With regard to other components of the Natural Heritage System, ecologically important in terms of features, functions, representation or amount, and

contributing to the quality and diversity of an identifiable geographic area or Natural Heritage System; and

5. With regard to *cultural heritage resources*, resources that have been determined to have cultural heritage value or interest for the important contribution they make to our understanding of the history of a place, an event, or a people.

### **Significant Wetland -**

1. for lands within the Niagara Escarpment Plan Area, *Provincially Significant Wetlands* and wetlands as defined in the Niagara Escarpment Plan that make an important ecological contribution to the Regional Natural Heritage System;
2. for lands within the Greenbelt Plan Area but outside the Niagara Escarpment Area, *Provincially Significant Wetlands* and wetlands as defined in the Greenbelt Plan;
3. *for lands* within the Regional Natural Heritage System but outside the Greenbelt Plan Area, *Provincially Significant Wetlands* and *wetlands* that make an important ecological contribution to the Regional Natural Heritage System; and
4. outside the City's Natural Heritage System, *Provincially Significant Wetlands*.

**Significant Woodland** - A *woodland* 0.5 ha or larger, determined through a watershed management plan, a sub-watershed study or a site-specific Environmental Impact Assessment to meet one or more of the four following criteria:

1. The *woodland* contains forest patches over ninety-nine (99) years old;
2. The patch size of the *woodland* is two (2) ha or larger if it is located in the Urban Planning Area or four (4) ha or larger if it is located outside the Urban Area but below the Escarpment Brow; or ten (10) ha or larger if it is located outside the Urban Area but above the Escarpment Brow;
3. The *woodland* has an interior core area of four (4) ha or larger, measured one hundred (100) m from the edge; or
4. The *woodland* is wholly or partially within fifty (50) m of a *major creek* or *certain headwater creek* or within one hundred and fifty (150) m of the Escarpment brow.

**Site Alteration** - Activities such as grading, excavation and the placement of fill, that would change the landform and natural vegetative characteristics of a site, but does not include *normal farm practices* unless such practices involve the removal of fill off the property or the introduction of fill from off-site locations.

**Small Scale Motor Vehicle Dealership** – A motor vehicle dealership of less than 0.2 ha in size in which the principal activity is the retail sale of vehicles.

**Social Impact Assessment** – The analysis, monitoring and management of the intended and unintended social consequences, both positive and negative, of a *development* proposal, an *infrastructure* project, a policy or project and of any social change processes invoked by those interventions.

**Special Needs Housing** – Any housing, including dedicated facilities, in whole or in part, that is designed to accommodate individuals with specific needs beyond economic needs, and includes, but is not limited to, needs such as mobility requirements or support functions required for daily living. Examples *may* include, but are not limited to, housing for persons with disabilities such as physical, sensory or mental health disabilities, *seniors' housing*, *group homes*, emergency shelters, housing for the homeless, and independent permanent living arrangements, where support services such as meal preparation, grocery shopping, laundry, housekeeping, respite care and attendant services are provided. It does not include households that receive community-based support services in their own home.

**Specialty Crop Area** – An area designated using evaluation procedures established by the Province, as amended from time to time, where specialty crops such as tender fruits, grapes, other fruit crops, vegetable crops, greenhouse crops, and crops from agriculturally developed organic soil lands are predominantly grown, usually resulting from:

1. Soils that have suitability to produce specialty crops, or lands that are subject to special climatic conditions, or a combination of both; and/or
2. Farmers skilled in the production of specialty crops; and/or
3. A long-term investment of capital in areas such as crops, drainage, *infrastructure* and related facilities and services to produce, store, or process specialty crops.

**Stable Top of Bank** – As it pertains to *valleylands*: (a) the physical top of bank where the existing slope is stable and not impacted by toe erosion; or, (b) is defined by the toe erosion allowance plus the stable slope allowance where the existing slope is unstable and/or is impacted by toe erosion.

**Streetscape** – The visual appearance of a street formed by the location of physical features such as buildings, pedestrian, cycling, transit and vehicular facilities and landscaping.

**Supermarket/Grocery Store** – A retail establishment with a minimum floor area of 1,800 sq. m., engaged primarily in the sale of a general line of food, such as canned, dry and frozen foods; fresh fruits and vegetables; fresh and prepared meats, fish, poultry, dairy products, baked products, and snack foods; and which also retails a



range of non-food products, such as household paper products, toiletries and non-prescription drugs, and in which a minimum of fifty-one (51) percent of the total sales floor area of the establishment is devoted to the sale of food.

**Surface Water Feature** – Water-related features on the earth’s surface, including headwaters, rivers, stream channels, inland lakes, seepage areas, recharge/discharge areas, springs, *wetlands*, and associated riparian lands that can be defined by their soil moisture, soil type, vegetation or topographic characteristics.

**Sustainable and Sustainability and/or Sustainable Development** – A systems based approach to growth and *development* where economic, social and environmental factors are jointly considered and harmonized. *Development* must meet the needs of the present without compromising the ability of future generations to meet their own needs.

**Tall Building** – A building twelve (12) storeys or higher.

**Threatened Species** – A species that is listed or categorized as a “Threatened Species” under The Endangered Species Act of the Province of Ontario or under the Federal Species at Risk Act.

**Total Floor Area** – The sum total of the floor space in a building excluding those portions used for vehicular parking.

**Transit Priority Measures (TPM)** – Measures to permit transit vehicles to have priority over other vehicular traffic, thereby making transit travel times shorter and more consistent, which makes transit more attractive. *Transit priority measures may* include, but are not limited to, queue jump lanes, bus only lanes, green light signal priority, bus activated signals, and exemptions to prohibit turns and limiting or reducing on-street parking during part of the day.

**Transit-Supportive Land Use** – Planning and *development* practices which make transit viable and improve the quality of the experience of using transit. When used in reference to *development*, it generally refers to compact, mixed use *development* that has a high level of employment and residential densities. *Transit-supportive development* will be consistent with Ontario's Transit Supportive Guidelines.

**Transportation Demand Management (TDM)** – A set of strategies that result in more efficient use of the transportation system by influencing travel behavior by *mode*, time of day, frequency, trip length, regulation, route or cost.

**Transportation Facilities** – Includes roads, bike lanes, sidewalks and multi-use paths.

**Tree** – Any species of woody perennial plant, including its root system, which has reached or can reach a height of at least four and a half (4.5) m above ground at physiological maturity.



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**Universal Design** – The design of products and environments to be usable by all people, to the greatest extent possible, without the need for adaptation or specialized design. The principles of Universal Design are contained in the City’s Accessibility Design Standards.

**Urban Agriculture** – The growing of vegetables, fruits, flowers and/or native plants produced through *agricultural* activity, *community gardens* and/or rooftop gardens, excluding animal *agriculture*, within the Urban Area and North Aldershot.

**Urban Design Brief** – A report prepared by a *qualified person* that analyzes and demonstrates how a proposed *development* meets the urban design objectives and policies of this Plan and any relevant approved Council-adopted *design guidelines* and provides a description of the overall architectural expression; building relationship to streetscape and adjacent properties; pedestrian, cycling, and transit connections; integration of public art; *sustainable* building elements; and other urban design features that ensure design excellence. The specific requirements of the *urban design brief shall* be reflective of individual *development applications* and [its scope shall be](#) determined by the *City* on a case by case basis.

**Urban Forest** – All *trees* and associated woody vegetation (e.g. shrubs), within the city. This includes *trees* in natural areas, as well as *trees* in more manicured settings such as parks, yards and boulevards. In the City of Burlington, the urban forest encompasses *trees* in the Urban and Rural Areas and in North Aldershot, but is called the “urban” forest because this is the convention that has developed.

**Urban Heat Island Effect** – Occurs when heat from solar radiation is absorbed by man-made surfaces such as rooftops and pavement and then released into the air, increasing the temperature of the area.

**Utility** – A water supply, storm water or wastewater system, gas or oil pipeline, the generation, transmission and distribution of electric power including renewable energy systems and district energy systems for electricity, heating and/or cooling, the generation, transmission and distribution of steam or hot water, towers, communication or telecommunication facilities and other cabled services, a public transit or transportation system, licensed broadcasting receiving and transmitting facilities, or any other similar works or systems necessary to the public interest, but does not include a new sanitary landfill site, incineration facilities or large-scale packer and/or recycling plants or similar uses.

**Valleyland** – A natural area that occurs in a valley or other landform depression that has water flowing through or standing for some period of the year.

**Vegetation Protection Zone** – As it applies within the Greenbelt Plan Area, a vegetated buffer area surrounding a *Key Natural Feature*.

## CHAPTER 13 - DEFINITIONS

**Veterinary Clinic** - The office of a veterinary surgeon and premises for the treatment of animals.

**Warehouse Club** - A retail establishment with a minimum floor area of nine thousand three hundred (9,300) sq. m., engaged in retailing to club members primarily a general line of food related products in large formats, in combination with a wide range of non-food items and services.

**Water Resource System** - A system consisting of ground water features and areas and surface water features (including shoreline areas), and hydrologic functions, which provide the water resources necessary to sustain healthy aquatic and terrestrial ecosystems and human water consumption. The water resource system will comprise key hydrologic features and key hydrologic areas.

**Watercourse** - An identifiable depression in the ground in which a flow of water regularly or continuously occurs.

**Watershed** - An area that is drained by a river and its tributaries.

**Wave Uprush** - The rush of water up onto a shoreline or structure following the breaking of a wave; the limit of wave uprush is the point of furthest landward rush of water onto the shoreline.

**Wayside Pit or Quarry** - A temporary *pit* or *quarry* opened and used by or for a *public authority* solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.

**Wetlands** - Lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or water tolerant plants. The four major types of *wetlands* are swamps, marshes, bogs and fens.

Periodically soaked or wet lands being used for *agricultural* purposes which no longer exhibit *wetland* characteristics are not considered to be *wetlands* for the purposes of this definition.

Within the Greenbelt Plan Area, *wetlands* include only those that have been identified by the Province or by any other person, according to evaluation procedures established by the Province, as amended from time to time.

**Wildlife Habitat** - Areas where plants, animals and other organisms live, and find adequate amounts of food, water, shelter and space needed to sustain their populations. Specific wildlife habitats of concern *may* include areas where species concentrate at a vulnerable point in their annual or life cycle; and areas which are important to migratory or non-migratory species.

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**Wildlife Management** - Management of *wildlife habitats* for the purposes of sustaining the quantity and quality of wildlife.

**Woodland** - Land with at least: one thousand (1000) *trees* of any size per ha, or seven hundred and fifty (750) *trees* over five (5) cm in diameter per ha, or five hundred (500) *trees* over twelve (12) cm in diameter per ha, or two hundred and fifty (250) *trees* over twenty (20) cm in diameter per ha, but does not include an active cultivated fruit or nut orchard, a Christmas *tree* plantation, a plantation certified by the Region of Halton, a *tree* nursery, or a narrow linear strip of *trees* that defines a laneway or a boundary between fields. For the purposes of this definition, all measurements of the *trees* are to be taken at 1.37 m from the ground and *trees* in regenerating fields must have achieved that height to be counted.

**TABLE 1. CLASSIFICATION OF TRANSPORTATION FACILITIES**  
City of Burlington

<b>1. Provincial Freeways and Highways</b>
Provincial Freeways and Highways are provincially managed, limited access freeways that accommodate a high volume of inter-regional travel demands, support goods movement and higher order transit, but are not accessible for pedestrian and bicycle use.
<b>2. Urban Arterial Streets</b>
Urban Arterial Streets form the grid that provides the overall structure to the city's street network. There are four types of arterial streets in Burlington: Major Arterials, Multi-Purpose Arterials, Urban Avenues and Main Streets. Major Arterials <del>and some Multi-Purpose Arterials are managed by</del> <u>are under the jurisdiction of</u> Halton Region. <del>The remaining</del> Multi-Purpose Arterials, Urban Avenues and Main Streets are under the jurisdiction of the City. Improvements to urban arterial street types will be primarily made to provide better conditions for pedestrian, bicycle and transit use.
<p><b>2.1. Major Arterials:</b></p> <ul style="list-style-type: none"> <li>• Serve inter-regional and regional travel demands;</li> <li>• Carry large volumes of traffic over the longest distances at higher speeds;</li> <li>• Support high density, transit-supportive mixed use development often found at key mixed use nodes;</li> <li>• Function as a major infrastructure corridors accommodating auto and truck traffic, higher order transit, high occupancy vehicle lanes and active transportation facilities; and</li> <li>• Accommodate a high degree of people-moving capacity.</li> </ul>
<p><b>2.2. Multi-Purpose Arterials:</b></p> <ul style="list-style-type: none"> <li>• Serve regional and intercommunity travel;</li> <li>• Serve as central corridors often as intensification corridors, or as a connection to other mixed use mixed use intensification areas via Urban Avenues and Main Streets;</li> <li>• Function as important transit service and goods delivery corridors, that also prioritize safe pedestrian and cycling facilities, such as cycling facilities separated from the vehicular traffic; and</li> <li>• Accommodate a high degree of people-moving capacity.</li> </ul>

### 2.3. Urban Avenues:

- Serve regional and intercommunity travel;
- Often connect mixed use intensification areas, and provide a streetscape lined with street trees, landscaping and pedestrian amenities;
- Function as high priority streets for safe transit, walking and cycling facilities, such as cycling facilities separated from the vehicular traffic; and
- Accommodate a moderate to high degree of people-moving capacity.

### 2.4. Main Streets:

- Serve the Downtown Urban Centre and the urban corridor that connects the Downtown Mobility Hub to the Burlington GO Mobility Hub;
- Support mixed use places that contain a pedestrian-oriented public realm and street-oriented buildings;
- Accommodate high levels of pedestrian and cycling activity and transit service, and moderate levels of vehicular traffic, typically within narrower rights of way; and
- Accommodate a moderate to high degree of people-moving capacity.

## 3. **Urban Collector Streets**

Urban Collector Streets provide important connections with urban arterial streets. There are two types of Urban Collector Streets in Burlington: Industrial Connectors and Neighbourhood Connectors.

### 3.1. Industrial Connectors:

- Serve inter-regional goods movement demands, linking arterial and industrial streets;
- Provide access to employment lands, including industrial, office and commercial uses;
- Accommodate a goods movement network and high levels of truck traffic, and moderate levels of vehicular traffic with higher volumes during peak periods. Transit and safe pedestrian connections from transit stops are prioritized to serve employment uses; and
- Accommodate a moderate degree of people-moving capacity.

### 3.2. Neighbourhood Connectors

- Serve inter-community travel demands, linking urban arterial and urban local streets;
- Support land use that is primarily residential, including related uses such as public service facilities;
- Accommodate a high level of pedestrian and cycling activity and a moderate

<p>level of vehicular traffic; and</p> <ul style="list-style-type: none"> <li>• Accommodate a moderate degree of people moving capacity.</li> </ul>
<h4>4. Urban Local Streets</h4>
<p>Urban Local Streets have low traffic volume, and accommodate pedestrians and cyclists. Burlington has two types of Local Streets: Industrial Streets and Local Streets.</p>
<p>4.1. <u>Industrial Streets:</u></p> <ul style="list-style-type: none"> <li>• Serve local movement needs including goods movement, are not intended to play a major role in serving city-wide traffic movement, and link to industrial connectors;</li> <li>• Provide access to employment lands, including industrial, office and commercial uses;</li> <li>• Function is primarily related to property access;</li> <li>• Accommodate a low degree of people-moving capacity; and</li> <li>• Are not shown on Schedule P1: Classification of Transportation Facilities – Urban Area.</li> </ul>
<p>4.2. <u>Local Streets:</u></p> <ul style="list-style-type: none"> <li>• Serve low speed local movement needs and are not intended to play a major role in serving city-wide traffic movement, and link to neighbourhood connectors;</li> <li>• Support land use that is primarily residential including related uses such as public service facilities, and often serve as space for neighbourhood gatherings, children playing and other informal social interactions;</li> <li>• Accommodate low volumes of vehicular traffic providing property access, with a high priority on safe pedestrian and cycling movement, and include a sidewalk on at least one side of the street;</li> <li>• Accommodate a low degree of people-moving capacity and</li> <li>• Are not shown on Schedule P1: Classification of Transportation Facilities – Urban Area.</li> </ul>
<h4>5. Rural Roads</h4>
<p>Rural Roads service the Rural Area and North Aldershot Area of the city. The city has four different types of Rural Roads: Rural Major Arterial, Rural Connector, Rural Main Street, and Rural Local. <a href="#">Rural Major Arterials are under the jurisdiction of Halton Region. Rural Connector, Rural Main Street, and Rural Local streets are under the jurisdiction of the City.</a></p>
<p>5.1. <u>Rural Major Arterials:</u></p> <ul style="list-style-type: none"> <li>• Serve inter-regional travel demands;</li> </ul>

- Often provide access to agricultural and residential land uses, and are found in proximity to scenic landscapes and the natural heritage system;
- Prioritize movement of traffic, goods and farm vehicles and equipment, and accommodate few pedestrians and limited cycling activity often as part of group rides;
- Support no transit service and basic active transportation infrastructure, such as paved shoulders; and
- Accommodate a moderate degree of people-moving capacity.

#### 5.2. Rural Connectors:

- Serve mainly inter-community travel and linkages between Rural Major Arterials;
- Often provide access to agricultural and residential land uses, and are found in proximity to scenic landscapes and the natural heritage system;
- Movement of traffic is given equal consideration as property access. Often accommodate farm vehicles and equipment, moderate vehicular traffic and low levels of pedestrian and cycling activity; and
- Accommodate a low degree of people-moving capacity.

#### 5.3. Rural Main Streets:

- Serve the centre of a rural settlement area, often a smaller segment of a Rural Major Arterial or a Rural Connector;
- Often provide access to retail and commercial uses and public service facilities;
- Accommodate vehicular traffic and goods movement, but with lower travel speeds, street-oriented buildings and pedestrian-oriented design features; and
- Accommodate a low degree of people-moving capacity.

#### 5.4. Rural Locals:

- Serve local access needs;
- Serve residential land uses, primarily in Rural Settlement Areas;
- Accommodate low speed local vehicular traffic and limited pedestrian use; and
- Accommodate a low degree of people-moving capacity.

**TABLE 2. PUBLIC RIGHT-OF-WAY WIDTHS <sup>(1)</sup>**  
City of Burlington

The following Table *shall* be read in conjunction with the Public Right-of-Way policies contained in Chapter 6: Infrastructure, Transportation and Utilities.

STREET	FROM	TO	PUBLIC RIGHT-OF-WAY WIDTH (metres)
Alexan Crescent	Entire Length		16
Angus Court	Entire Length		18
Appleby Line	Lakeshore Road	New Street	30
	New Street	Fairview Street	36
	Fairview Street	300m south of Dundas St	R*
	300m south of Dundas St	Derry Road	R *
Applegarth Drive	Entire Length		14
Atkinson Drive	Entire Length		18
Auckland Drive	Entire Length		14
Austin Court	Blue Spruce Avenue	50m East	22
	50m East	Limit	14
Autumn Harvest Way	Entire Length		14
Avalon Drive	Entire Length		14
Baker Drive	Upper Middle Road	Sunmill Crescent	16
	Sunmill Crescent	Limit	14
Bayswater Avenue	Entire Length		15
Bell School Line	Entire Length		26
Bellhaven Crescent	Entire Length		15
Bellwood Avenue	Emerald Street	Wellington Street	18
Birch Avenue	Entire Length		16.5
Birchleaf Lane	Entire Length		12.5
Bird Boulevard	Entire Length		14
Blathwayte Lane	Entire Length		10
Blenheim Street	Brant Street	Hurd Avenue	16
Blue Spruce Avenue	Dryden Avenue	Thorn Lane	18
	Thorn Lane	Upper Middle Road	22
Bluegrass Lane	Entire Length		14.5
Bonnieview Avenue	Spring Garden Road	Parkhill Avenue	15
Brada Crescent	West Limit	Bluegrass Lane	14.5
	Bluegrass Lane	North Limit	18
Braeswood Lane	Entire Length		14
Brant Street	Lakeshore Road	Caroline Street	18



	Caroline Street	Maplewood Avenue	As Is
	Maplewood Avenue	Fairview St	36
	Fairview St	Dundas Street	R*
Britannia Road	Entire Length		30
Brock Avenue	Lakeshore Road	Ontario Street	18
Broadleaf Crescent	Entire Length		14
Brookdale Street	Entire Length		14
Brookfield Avenue	Lakeshore Road	Pomona Avenue	15
Bruce Street	140 m west of Seneca Avenue	137 m east of Delaware Avenue	18
Bunton Crescent	Entire Length		14
Burloak Drive	Lakeshore Road	400 m north of New Street (realigned)	30
	400 m north of New Street	Harvester Rd	42
	Harvester Rd	Upper Middle Road	R*
Bushberry Lane	Entire Length		12.5
Bushtrail Court	Entire Length		15
Carns Court	Entire Length		18
Casselman Court	Entire Length		14
Cachet Crescent	Entire Length		14
Cedar Springs Road	Entire Length		30 <sup>(2)</sup>
Chapman Court	Entire Length		18
Chercover Court	Blue Spruce Avenue	50m North	22
	50m North	Limit	14
Clark Avenue	Birch Avenue	Caroline Street	16
	Caroline Street	Cul-de-sac	18
Coaldale Drive	Entire Length		18
Coldwater Street	Entire Length		14
Cornerstone Drive	(in front of public school)		19
Corporate Drive	Appleby Line	600 m east of Appleby Line	26
	600 m east of Appleby Line	Burloak Drive	26 <sup>(3)</sup>
Crosby Avenue	New Street	Caroline Street	18
Crosswinds Court	Entire Length		18
Cumberland Avenue	Fairview Street	New Street	26
Curtis Road	Entire Length		14
Danielle Drive	Entire Length		14
Debeir Street	Entire Length		14
Deer Place	Entire Length		18
Delaware Avenue	Lakeshore Road	New Street	17.5
Derry Road	<del>Entire Length</del> <a href="#">Milburough Line</a>		
	<a href="#">Bell School Line</a>		R*
Dryden Avenue	Entire Length		26
Duchess Court	Entire Length		14

Dundas Street	Kerns Road	Tremaine Road	R*
Dunmore Avenue	Entire Length		14
Easton Road	Pathfinder Drive	Orchard Road	15.5
	Orchard Road	Sutton Drive	18
Edgewood Place	Entire Length		16
Elmside Crescent	Entire Length		14
Emerald Street	Caroline Street	North of Emerald Crescent	17
	North of Emerald Crescent	Wellington Avenue	18
	Wellington Ave	Victoria Avenue	9 (each side)
	Victoria Avenue	North of Woodland Avenue	18
Emerson Drive	Entire Length		15.5
Empire Crescent	Entire Length		14
English Crescent	Entire Length		14
Eveningstar Drive	Entire Length		14
Fairview Street	Queen Elizabeth Way	GO Station	40
	GO Station	150 m west of Guelph Line	36
	150 m west of Guelph Line	200 m east of Guelph Line	40
	200 m east of Guelph Line	150 west of Walker's Line	36
	150 m west of Walker's Line	150 m east of Walker's Line	40
	150 m east of Walker's Line	150 m west of Appleby Line	36
	150 m west of Appleby Line	150 m east of Appleby Line	40
	150 m east of Appleby Line	Harvester Road	36
Fernbrook Court	Entire Length		16
Forest Grove Crescent	Entire Length		14
Fruitland Avenue	Lakeshore Road	Lake Ontario	15
Garland Crescent	Entire Length		14
Georgina Court	Entire Length		14
Glenhaven Avenue	Entire Length		15
Green Street	South of Lakeshore Road		17
Greening Lane	Entire Length		14
Greer Drive	Entire Length		14
Guelph Line	Lakeshore Road	New Street	24
	New Street	Prospect Street	35
	Prospect Street	Fairview Street	40
	Fairview St	Derry Road	R*
Hager Avenue	Ontario Street	Birch Avenue	16.5
Haldimand Crescent	Entire Length		14
Halton Place	Entire Length		18
Hampton Court	Entire Length		18
Harrison Court	South intersection of Appleby Line	Hydro Right-of-Way	20 to 25
	Hydro Right-of-Way	180 m easterly of north intersection of Appleby Line	18
	180 m easterly of north intersection of Appleby Line	North intersection of Appleby Line	22 to 26

Harvester Road	Guelph Line	Appleby Line	32
	Appleby Line	Burloak Drive	36
Haswell Lane	Entire Length		12.5
Heslop Street	Entire Length		14
Heritage Road	North Service Road	Mainway	26
Holtby Avenue	New Street	Caroline Street	18
Hurd Avenue	Birch Avenue	Ontario Street	16
Industrial Street	Mountainside Drive	Stanley Drive	26
	Stanley Drive	North Service Road	20
Irving Street	Entire Length		14
Jacada Road	Entire Length		14
Jameson Crescent	Entire Length		14
Jardine Crescent	Blue Spruce Avenue	Redstone Street	22
	Redstone Street	Redstone Street	14
Jarvis Crescent	Entire Length		16
Joshua Drive	Entire Length		14
Kempling Lane	Entire Length		14
Kenneth Crescent	Entire Length		14
Kevin Crescent	Entire Length		18
Kilbride Street	Town Line	McNiven Road	30
	McNiven Road	Carriage Trail	26
	Carriage Trail	Twiss Road	30
Kindos Street	Entire Length		14
King Road	North Shore Boulevard	CNR	30
	CNR	North Service Road	35
	North Service Road	Northerly Limit	30 <sup>(2)</sup>
Lakeland Crescent	Lakeshore Road	Fruitland Avenue	15
Lakeshore Road	Entire Length		30
Langford Road	Entire Length		14
Little Street	Entire Length		14
Mainway	Guelph Line	Burloak Drive	30
Maple Avenue	North Shore Blvd.	Ontario Street	26
	Ontario Street	Rambo-Hager Div. Ch.	30
	Rambo-Hager Div. Ch.	Fairview Street	35
	Fairview Street	Plains Road	30
Maria Street	Brant Street	Martha Street	15
Marjan Lane	Entire Length		12.5
Mackay Court	Entire Length		18
McCormack Drive	Entire Length		14
McNiven Road	Cedar Springs Road	Derry Road	26

Medland Drive	Entire Length		18
Milborough Line	Derry Road	Kilbride Street	R*
	Kilbride Street	Southerly Limit	26
Mill Street (Kilbride)	Entire Length		15
Mountainside Drive	Industrial Street	Guelph Line	26
Nelson Avenue	Lakeshore Road	Ontario Street	18
New Street	Martha Street	Beverly Drive	30
	Beverly Drive	Burloak Drive	35
Newell Crescent	Quinte Street	50m East	22
	50m East	Limit	14
No. 1 Side Road	Milborough Line	Guelph Line	26
	Guelph Line	Appleby Line	30
No. 2 Side Road	Cedar Springs Road	Guelph Line	30
	Walker's Line	Bell School Line	26
No. 4 Side Road	Entire Length		26
No. 8 Side Road	Cedar Springs Road	Twiss Road	26
	Twiss Road	Guelph Line	26
North Service Road	Waterdown Road	500 m east of Guelph Line	30
	500 m east of Guelph Line	Burloak Drive	22
Norland Drive	Entire Length		14
North Shore Blvd.	Maple Avenue	Indian Road	35
	Indian Road	King Road	26
Nova Crescent	Quinte Street	50m West	22
	50m West	Limit	14
Novis Way	Entire Length		14
Oakley Drive	Entire Length		14
Oak Grove Place	Entire Length		14
Old York Road	No. 6 Highway	Snake Road	26
	Snake Road	York Road	26
Omaha Street	Entire Length		10
Page Crescent	Blue Spruce Avenue	50m South	22
	50m South	Limit	14.5
Palladium Way	Entire Length		26
Panton Street	South of Kilbride Street		As Is
Parkhill Avenue	Entire Length		15
Pathfinder Drive	Entire Length		18
Paula Court	Entire Length		18
Penman Lane	Entire Length		12.5
Picketts Way	Entire Length		14
Pine Street	Brant Street	Martha Street	14
Plains Road	Highway 6	South side of Hwy. No.403	26
	South side of Hwy. 403	Queen Elizabeth Way	36

	130 m north of Fairview Street	Brenda Crescent	30
Player Court	Entire Length		18
Pomona Avenue	Lakeshore Road	146 m north of Lakeshore Road	15
Prescott Place	Entire Length		12.5
Price Court	Entire Length		18
Prospect Street	Guelph Line	Cumberland Avenue	30
Queensway Drive	Brenda Crescent	Guelph Line	30
Quinte Street	Upper Middle Road	Blue Spruce Avenue	18
	Blue Spruce Avenue	Redstone Street	22
Ravine Crescent	Entire Length		14
Redstone Street	Entire Length		14
Ridgewell Road	Entire Length		14
Robjen Road	Entire Length		14
Rome Crescent	Quinte Street	50m West	22
	50m West	Limit	14
Rosaline Road	Entire Length		14
Roseland Crescent	Entire Length		18
Roseville Court	Entire Length		14
Russet Crescent	Entire Length		14
Scotia Crescent	Quinte Street	English Street	22
	English Street	Limit	14
Seneca Avenue	Lakeshore Road	New Street	18
Seton Crescent	Entire Length		14
Shadetree Avenue	Entire Length		14
Simcoe Drive	Entire Length		18
Snake Road	Entire Length		30 <sup>(2)</sup>
South Service Road	Waterdown Road	King Road	26
Spence Lane	Entire Length		14
Stokes Lane	Entire Length		14
Stonehaven Drive	Entire Length		14
Sundial Road	Entire Length		14
Sunmill Crescent	Entire Length		14
Susan Court	Entire Length		18
Sutton Drive	Mainway	Upper Middle Road	30 <sup>(3)</sup>
	Upper Middle Road	Russet Crescent	26
	Russet Crescent	Trans Canada Pipeline	31
	Trans Canada Pipeline	Dundas Street	26
Thomas Alton Boulevard	Entire Length		26
Thorn Lane	Entire Length		14
Tremaine Road	Dundas Street	No. 1 Side Road	R*
Twelve Mile Trail	Valleyhigh Drive	90m east	14
	90m north-east	145m north-west	26

Twiss Road	No. 8 Side Road	Derry Road	30
Tydmann Way	Entire Length		14
Upper Middle Road	Westerly limit	Highway 407	35
	Highway 407	Guelph Line	40
	Guelph Line	Appleby Line	R*
	Appleby Line	Burloak Drive	R*
Valleyhigh Drive	Entire Length		14
Vanessa Drive	Entire Length		14
Viking Crescent	Entire Length		14
Walker's Line	Lakeshore Road	New Street	30
	New Street	Fairview Street	30
	Fairview Street	Highway 407	35
	Highway 407	Derry Road	30 <sup>(2)</sup>
Waterdown Road	Plains Road	Hwy 403 westerly on-ramp	As Is
	Hwy 403 westerly on-ramp	Northerly limit	30 <sup>(2)(3)</sup>
Waterloo Street	North of Woodland Avenue		18
Wellington Avenue	Victoria Avenue	Woodland Avenue	18
Whitehorn Drive	Entire Length		14
Willow Avenue	Entire Length		10
Wood Crescent	Entire Length		14
Woodglen Crescent	Entire Length		14
Woodland Avenue	New Street	Emerald Street	18
Woodsmere Court	Entire Length		16
York Boulevard	Boundary of City of Hamilton	Plains Road	35
York Road	Entire Length		26

#### NOTES:

- (1) The public right-of-way width of all other streets or portions of streets not identified in Table 2 *shall* be the actual width as it existed on the date of the registration of the plan of subdivision or the date of the coming into force of this amendment.
- (2) Public right-of-way widths to be required for sections located within an Escarpment Natural Area designation will be reduced where possible based on detailed designs in recognition of the natural features present at these locations and the rural character of the area.
- (3) The final public right-of-way width will be determined as part of future studies including area specific planning studies, and/or subdivision approvals.
- (R\*) Regional Road – Refer to the Regional Official Plan.