



SUBJECT: Revised proposed new official plan recommended for adoption

TO: Planning and Development Committee

FROM: Department of City Building

Report Number: PB-04-18

Wards Affected: All

File Numbers: 505-08

Date to Committee: April 24, 2018

Date to Council: April 24, 2018

Recommendation:

Receive department of city building report PB-04-18 dated April 24, 2018; and

Adopt the proposed *Grow Bold: Burlington Official Plan* (April 2018), as contained in Appendix A to department of city building report PB-04-18; and

Approve the proposed Sustainable Building and Development Guidelines (April 2018), as contained in Appendix B to department of city building report PB-04-18; and

Adopt By-law XX-2018 related to the *Grow Bold: Burlington Official Plan*, as contained in Appendix C to department of city building report PB-04-18; and

Direct the City Clerk to submit to Halton Region for approval, the proposed *Grow Bold: Burlington Official Plan* (April 2018) including all related information and documentation required under the *Planning Act*; and

Endorse Appendix D – *Lands Recommended for Employment Conversion that are located on the Halton Region’s Employment Area overlay*” for consideration as part of the Halton Region Official Plan Review and Municipal Comprehensive Review processes; and

Endorse Appendix E – *Lands recommended for redesignation found within the Areas of Employment as defined by the City’s existing Official Plan that are not located on the Halton Region’s Employment Area overlay* so that they may be considered as part of the review and approval process of Burlington’s new Official Plan; and

Direct the Director of City Building to forward any Official Plan amendments to the existing in force and effect Official Plan that occur between Council adoption and

Regional approval to Halton Region so that the amendment can be added as a modification to *Grow Bold: Burlington's Official Plan (April 2018)*; and

Direct the Director of City Building to work with Halton Region through the approval process of the proposed *Grow Bold: Burlington's Official Plan (April 2018)* to ensure modifications are included to reflect any matters that the Province of Ontario identifies related to the new Provincial Plans; and

Direct the Director of City Building to bring forward a by-law to repeal the existing in-force and effect Burlington Official Plan, as amended, at such time that the Halton Region issues approval of the *Grow Bold: Burlington Official Plan*; and

Direct the Director of City Building to work with Halton Region through the approval process for the proposed *Grow Bold: Burlington's Official Plan* to incorporate any adopted area-specific plans for the City's mobility hubs; and

Endorse Appendix F – *Recommended Classification of Transportation Facilities* as Burlington's position to be conveyed to Halton Region for consideration as part of the Region's Official Plan Review and Regional Transportation Planning process(es); and

Direct the Directors of City Building, Transportation and Transit to work with Halton Region on identifying context sensitive road classifications and/or standards Regional Roads, through the: approval process for development applications; Municipal Class Environmental Assessments; approval process for the proposed *Grow Bold: Burlington's Official Plan (April 2018)*; and subsequent regional planning exercises.

Purpose:

The purpose of this staff report is to recommend that the proposed new official plan, titled, "*Grow Bold: Burlington Official Plan*", dated April 2018, be adopted by Burlington City Council and that it be forwarded to Halton Region for review and approval. The Official Plan project began in 2011 and has been informed by several technical studies, over 40 staff reports to Council, and over 120 public and stakeholder meetings, in addition to other forms of public consultation. This report provides a comprehensive summary of the various activities and analysis undertaken throughout the project, and provides discussion about the various considerations in bringing forward the new Official Plan, as laid out in the following sections:

- **[1.0: The Role of an Official Plan](#)**

This section provides a brief overview on the purpose and elements of an Official Plan.

- **[2.0: Summary of the Proposed New Official Plan](#)**

This section summarizes the key directions of the new Official Plan, and the various plans and elements that have informed the project.

- **3.0: Background on the Official Plan Project**

This section includes a general overview of the new Official Plan project and a project chronology, and includes a detailed summary of the research and analysis undertaken, including a summary of related staff reports and public consultation.

- **4.0: Planning Context: Provincial, Regional and City**

This section provides a discussion of the provincial, regional and city plans, including a detailed conformity analysis found in Appendices I-N.

- **5.0: The Downtown Precinct Plan**

This section includes a summary of the planning objectives for the downtown, the key changes between the existing Official Plan and the new Official Plan and a summary of the proposed new precinct plan, including a discussion of the planning considerations that formed the plan.

- **6.0: Key Changes between the February 2018 and April 2018 Versions**

This section summarizes the key changes between the February 2018 and April 2018 versions of the Official Plan.

- **7.0: Responses to Feedback Received**

This section refers to a detailed Appendix P that summarizes the feedback received on the February 2018 version of the plan, and staff's response to the feedback.

- **8.0: Responses and Staff Analysis of Council Motions**

This section provides a summary of the Council motions passed on the proposed new Official Plan and staff's response and analysis of the motions.

- **9.0: Sustainable Building and Development Guidelines for Approval**

This section includes a summary of the Sustainable Building and Development Guidelines that are recommended for approval alongside the adoption of the proposed new Official Plan.

- **10.0: Related Planning Matters**

This section includes a brief summary of the Mobility Hubs Area Specific Plans and the City's growth monitoring program.

This report addresses all Strategic Plan priorities:

A City that Grows

- Promoting Economic Growth
- Intensification
- Focused Population Growth

A City that Moves

- Increased Transportation Flows and Connectivity

A Healthy and Greener City

- Healthy Lifestyles
- Environmental and Energy Leadership

An Engaging City

- Good Governance
 - Community Building through Arts and Culture via Community Activities
-

Background and Discussion:

1.0 Role of an Official Plan

An official plan is a policy document that sets out a municipality's land use objectives and directions for growth, infrastructure and development. It identifies land uses, the locations and densities of those uses, as well as urban design, built form matters and development application evaluation criteria to be considered in the decision making process.

An official plan includes policy directions related to many aspects of a city including transportation, infrastructure, natural environment, housing, heritage, open space, the downtown, as well as important social, economic and other environmental considerations. One of the most important roles of an official plan is to help the municipality manage change and to meet various community commitments. The official plan also describes the tools and programs that will aid Council in the implementation of the document.

An official plan has legal status and derives authority from the *Planning Act* which outlines the base requirements of the document. The official plan is the key policy tool which permits a city to demonstrate regard to matters of provincial interest and align with the policies of an upper-tier municipality. All municipal public works and by-laws must conform to the official plan and an official plan of a lower-tier municipality such as Burlington, must conform with an official plan of an upper-tier municipality such as Halton Region as well as conform to provincial plans and policies.

An official plan is developed through planning analysis, research, interdisciplinary collaboration, dialogue within the city, with external stakeholders, and with the public.

2.0 Summary of the Proposed New Official Plan (April 2018 Version)

The City's proposed new official plan, titled "*Grow Bold: Burlington Official Plan*" (also referred to as "new OP" or "the Plan") has been developed in recognition of the opportunities and challenges ahead as the City continues to evolve. As the City evolves, it has expressed its interest to Grow Bold. This means that the City welcomes continued growth and will guide this growth to the right locations, integrating land use and infrastructure including transportation and transit service, and setting a culture of design excellence in city-building. The City will also continue its commitment to maintaining the urban boundary, protecting and strengthening the rural community and farm economy, and maintaining, restoring and enhancing a natural heritage system and ecological functions.

Burlington is located within the Greater Golden Horseshoe, which as a region, is experiencing significant growth. Land use, infrastructure and growth management are matters of provincial interest.

The new OP fuses the local community interests with regional and provincial policy direction, in alignment with the City's Strategic Plan, articulating Burlington's vision to 2031 and beyond.

Burlington's new OP communicates Council's vision and establishes strategic priorities for the City's growth management, land uses and infrastructure. The new OP 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.

The new OP is technically set to a planning horizon of 2031, with population and employment distribution, intensification and density targets that correspond to that timeframe. However, notwithstanding the technical timeframe, the new OP sets the foundation for growth management, land use development and infrastructure planning to 2041, and extends beyond towards a mature state. Although the updated Places to Grow Growth Plan is set to the planning horizon of 2041, Burlington is not in the position to include 2041 population and employment distributions, intensification and density targets, ahead of Halton Region completing its Official Plan Review/Municipal Comprehensive Review processes. Burlington is in the position to move forward in its planning to conform to the current Region's Official Plan set the planning horizon of 2031. Planning in a built up municipality requires what the City can plan from a statutory perspective, as well as the long term vision to set the path forward. Additional discussion regarding the growth monitoring to the 2031 targets is contained in Section 10.0 of this report.

The *Grow Bold: Burlington Official Plan* is the City's first new official plan since the introduction of the *Places to Grow: Growth Plan for the Greater Golden Horseshoe* into Ontario in 2006, and was further amended in 2017. This provincial plan fundamentally changed land use planning in Ontario, and the updated plan provides even greater requirements to achieving intensification density. Notwithstanding that the City is progressing well towards the achievement of growth targets, the new OP will support intensification within a built-up context by transitioning from a greenfield based Official Plan. This is consistent with the direction from the Province.

In addition, the new OP will support the transition of suburban to urban neighbourhoods, coordinating infrastructure and investment decisions such as transit service, and being clearer about growth management priorities. Burlington also needs the new OP to ensure that the City's local urban and rural vision is expressed to Halton Region and incorporated into the Region's OPR/MCR processes which are currently underway.

In summary the new OP:

- Updates the vision for the City's growth.
- Establishes a land use system for the City, including maintaining the current urban boundary, confirming the urban growth centre, and refinements to mixed use areas, residential, employment and commercial areas, transportation network, rural, natural heritage and open space areas.
- Makes refinements to the urban structure (hierarchy of land uses, categories of land uses) to align land uses to the City's vision.
- Articulates community building priorities and areas for protection.
- Assesses land budget needs to determine the type and quantity of land needed to accommodate growth.
- Coordinates the land use system with infrastructure requirements and phasing.
- Establishes evaluation criteria for certain processes such as employment conversions, site plan applications, and development applications.
- Incorporates policies to ensure conformity to senior levels of government while considering the local context.
- Encompasses broad public, agency and stakeholder consultation.
- Establishes the basis for the zoning by-law and the policy framework for other City plans (e.g. area specific plans, transportation plans, etc.).
- Defines key terms for consistent interpretation of policies.

In developing the new OP, several elements have been considered including:

- City's Strategic Plan;
- provincial plans;
- Region of Halton Official Plan;
- City's Intensification Study (2008);
- OP Review Mobility Hub Opportunity and Constraints Study;
- OP Review Commercial Strategy Study;
- Employment Lands Study (Phases 1 and 2);
- Character Area Studies;
- Downtown Precinct Plan;
- staff-led analysis and research; and
- community consultation and engagement.

These elements, woven together, enable staff to recommend a new official plan for Burlington that prepares the city for future growth and development.

3.0 Background of the new Official Plan Project

This section provides discussion on:

- i) General Overview of the New Official Plan Project
- ii) Recent Official Plan Project Chronology
- iii) Research and Analysis related to the following project elements: a) city-wide matters; b) ward-specific matters; c) technical policy; d) mapping; and downtown matters.
- iv) Consultation including: a) the public; b) agencies; and, c) internal City services and departments.

i) General Overview of the New Official Plan Project

On December 19, 2011, City Council considered staff report [PB-87-11](#) and commenced an Official Plan Review process in accordance with Section 26 of the *Planning Act*. Subsequently in 2012, Council held a special meeting, under Section 26 of the *Planning Act* (staff report [PB-38-12](#)), and approved the general project scope (staff report [PB-44-12](#)) and the OP Review work plan and engagement plan (staff report [PB-53-12](#)). The decision to update the existing OP was based on a review of internal and external issues at the time, which identified a project scope consisting of city-wide matters, ward-specific matters, conformity to senior plans, and a range of technical issues.

The scope of work was subsequently revised by Council in 2013 and 2016. In December 2, 2013, through staff report [PB-89-13](#), staff identified work plans that had either experienced some shift in project scope, or identified additional items that were not originally identified in the approved 2012 Comprehensive Work Plan. These matters included:

- direction to complete Phase 2 of the Employment Lands Study as directed by Council (July 18, 2011); and a change of the scope of the Phase 2 Employment Lands Study;
- a minor shift in scope of the Commercial Strategy Study to address motor vehicle sales, leasing and rental land uses as part of the Study;
- a shift in scope of the Mobility Hubs Opportunity and Constraints Study to facilitate the consideration of the Minutes of Settlement between the City and Paletta International Corporation (PIC) related to lands adjacent to Aldershot GO into the scope of the study;
- a minor shift in scope of the Character Study for Roseland and Indian Point to provide an opportunity for additional consultation with stakeholders;
- conducting a Preliminary Study of the Character and Heritage of the Mount Nemo Plateau; and
- a shift in scope of the work plan for the Rural and Natural Heritage topic area to complete a policy conformity exercise to ROPA 38.

On January 12, 2016, through staff report [PB-09-16](#), staff recommended bringing forward two OP amendments (Part A and Part B), in sequence, and a work plan process for Part A. The Part A amendment would focus on making refinements to the City's urban structure and intensification goals. The Part B amendment would focus on rural settlement, agricultural, natural heritage, sustainable development and aggregate policies.

On October 6, 2016, through staff report [PB-84-16](#), Council closed the OP Review process, concluding that the extent of changes that were necessary to the existing plan were such that it was appropriate to bring forward a new official plan. Reasons for changing approaches were based on:

- The new directions of the City's Strategic Plan to 2040 being: A City that Grows, A City that Moves, A Healthy and Greener City; and, An Engaging City.
- New growth management priorities of the City;
- Shifting policies in the existing Official Plan from policies focused on managing Greenfield growth to intensification growth;

- Significant policy changes as a result of conducting a policy conformity exercise to the Halton Region Official Plan (ROPA 38);
- Cumulatively, the extent of the changes were resulting in significant rewrites and restructuring of the plan.

Taken together, these considerations modified the context surrounding the OP Review project and led to staff's recommendation to close the OP Review process and to prepare a new official plan. It is important to note that the research, analysis and community consultation that occurred as part of the OP Review process was transferred as an input to the new Official Plan project process.

The scope of the new Official Plan project was further modified in 2017 when the planning that was occurring through the downtown area-specific planning was advanced to ensure that Official Plan level policies could be added to the new OP to address the downtown. Further detailed policies will be brought into the Official Plan through an Official Plan Amendment upon completion of the Area Specific Plan.

Recent Official Plan Project Chronology

- **April 2017:** After five years of research, analysis and community consultation as part of a series of planning studies and policy direction reports, staff brought forward the draft new Official Plan. On April 6, 2017, through staff report [PB-01-17](#), Council received the draft new Official Plan and directed staff to initiate community consultation on the document.
- **November 2017:** Based on the community and agency feedback on the April 2017 version of the new Official Plan, staff revised the document. Also, based on the research, analysis and community engagement on the Downtown Precinct Plan, staff prepared downtown-specific policies and merged them into the new OP.

On November 30, 2017, Committee considered the comprehensive document and heard delegations as part of a Statutory Public Meeting (staff report [PB-50-17](#)), and a series of four additional meetings, serving as continuations to the November 30th meeting were scheduled. These meetings allowed for additional time for deeper discussion on a variety of policy matters including: rural, natural heritage, growth management, employment, housing, and implementation and interpretation policies. Based on the community feedback received as part of the November 2017 statutory public meeting process, staff brought forward revised downtown policy directions and additional information for consideration at a January 23, 2018 Planning and Development Committee meeting. Council

received the report and passed 13 motions as summarized in staff report [PB-14-18](#).

- **February 2018:** A revised new Official Plan was released on February 7, 2018, and included revisions to respond to the Council motions and feedback received on the November 2017 draft. On February 27, 2018, Committee considered the February 2018 proposed new Official Plan and heard delegations as part of a second Statutory Public Meeting. No further Council motions were passed at the second Statutory Public Meeting, however at Council a further motion, related to Oval Court was passed. For further details please see Section 8.0 of this report.

ii) Research and Analysis

The new OP is based on a solid foundation of research and analysis on various components occurring between 2011 and 2018. Some of the studies occurred with consultant support, and other studies occurred as staff-led exercises.

Below is an outline of the key reports that serve to inform the new OP. The outline is grouped into categories in which the Official Plan project was originally scoped, as city-wide issues, ward-specific issues, and technical issues. Appendix G includes a complete summary of all staff reports related to the Official Plan Project.

The outline below also reflects the addition of the Downtown Precinct Plan being conducted as part of the Downtown Mobility Hub area-specific planning process. The Downtown Precinct Plan is being integrated into the new OP, while additional policies arising from the area-specific planning process will follow. These additional policies will either serve as modifications to the new OP as part of Halton Region review and approval process of the new OP, or will come forward as separate city-initiated Official Plan amendments depending on their timing.

a) City Wide Studies

The studies below considered matters of strategic importance to Burlington at a city-wide level.

Commercial Strategy Study

Purpose of this study was to:

- Conduct a land budgeting analysis, in addition to obtaining guidance on integrating commercial land use planning with neighbourhood planning and urban design to assist the transformation of commercial areas as the City approaches build-out; and

- Assess the current state of the downtown, its various functions, how it meets the needs of the city, the trends and factors that influence its future state and the role of land use planning policies in supporting its vibrancy.

Staff reports related to this study include:

- [PB-35-12](#): Proposed Terms of Reference for the Official Plan Review Commercial Strategy Study;
- [PB-13-13](#): Official Plan Review Commercial Strategy Study Phase I Background Reports (urbanMetrics/The Planning Partnership): - Commercial Market Supply and Demand Analysis Background Report; - Commercial Policy & Design Background Report; - Interim Commercial Strategy Discussion Paper: Downtown Burlington;
- [PB-09-14](#): Report providing information regarding the Official Plan Review Commercial Strategy Study: Transmittal of Phase 2 and Phase 3 reports; and
- [PB-09-15](#): Report recommending endorsement of Official Plan Review: Proposed Commercial Lands Policy Directions.

Consultation related to this study included: a telephone survey of Burlington Residents, an on-line survey of Burlington residents, in-person downtown interviews, an online forum, downtown and city-wide workshops, and other staff, stakeholder, public and Council consultation.

Employment Lands Study Phase 1

Purpose of this study was to:

- analyse the trends in employment uses in southern Ontario and the implications for demand for employment land;
- update the supply of vacant, developable employment land;
- calculate the demand for employment land to the planning horizon of 2031, having regard for the targets established under the Provincial Growth Plan; and
- assess strategies and options for the City to meet growth objectives.

The staff report related to this study is [PB-37-11](#): Employment Lands Study.

Consultation related to this study included two stakeholder sessions, and a Council workshop.

Employment Lands Study Phase 2

- Purpose of this study was to build on the understanding developed through the findings of the Employment Lands Study, 2011;
- develop a more detailed understanding of the vacant employment lands and their characteristics, including their availability for development;
- identify opportunities and issues for Employment Lands throughout the City; and
- provide Council with strategic directions to inform policy development for Employment Lands throughout the city.

Staff reports related to this study include:

- [PB-101-12](#): Draft Employment Lands Study, Phase 2;
- [PB-17-13](#): Official Plan Review: Directions Report on the Draft Employment Land Conversion Policies; and, Proposed Strategic Assessment of Vacant Employment Land Inventory;
- [PB-17-14](#): Report providing information on the Official Plan Review: Transmittal of Final Phase 2 Employment Lands Study;
- [PB-18-14](#): Official Plan Review: Proposed Employment Land Conversion Request Assessment Process and Strategic Vacant Land Assessment; and
- [PB-02-15](#): Report recommending endorsement of Official Plan Review: Proposed Employment Lands Policy Directions.

Consultation related to this study included targeted stakeholder sessions and other staff, and Council consultation.

An update memo titled [Update to Phase 2 Employment Lands Analysis](#) was prepared to determine whether the key findings, conclusions and recommendations of the Phase 2 Employment Lands Study remain valid. The analysis reviewed updated supply, demand and market trends identified in the 2014 study. The analysis determined that the key findings, conclusions and recommendations of the 2014 study are still valid.

Employment Lands Policy Recommendations and Conversion Analysis Report

Purpose of this study was to support the development of policy and identification of policy revisions relating to planning for employment lands including:

- Employment policy topics including analysis, discussion, and policy recommendations; and,
- Employment Land Conversion Assessments.

Staff report related to this study is [PB-30-16](#): Official Plan Project: Employment Land Conversion Preliminary Recommendations and Policy Directions.

This report recommended that a number of sites be converted while retaining the majority of employment lands. Further minor modifications to the recommendations within this report were affected by the establishment of the area-specific planning study area boundaries and, in response to feedback as documented in [PB-50-17](#), several site specific minor modifications.

Consultation related to this study included the release of the document, with the release of the staff report and opportunities to comment on the draft and proposed Official Plan.

Mobility Hub Opportunity and Constraints Study

Purpose of this study was to:

- use the Metrolinx Mobility Hub Guidelines (2011) to assess the opportunities and constraints at the two provincially-designated mobility hubs (Burlington GO and Downtown Burlington) and the City identified mobility hubs (Aldershot GO and Appleby GO), as well as the key transportation corridors that connect them; and
- inform the Official Plan Review Policy Directions Report to integrate mobility hubs into the Official Plan.

Staff report related to this study is [PB-54-14](#): Official Plan Review: Transmittal of Final Mobility Hubs Opportunities and Constraints Study.

Consultation related to this study included a Kick-Off Visioning Workshop, two public sessions, and Council consultation.

b) Ward Specific Studies

Roseland and Indian Point Character Area Studies

Purpose of these studies was to:

- identify and define the character area components of Roseland and Indian Point; and

- develop policy and implementation tools to manage neighbourhood change.

Staff reports related to these studies include:

- [PB-16-14](#): Feasibility of the Implementation of an Interim Control By-law in Roseland Community;
- [PB-03-16](#): Report recommending approval of changes to the Site Plan Control process;
- [PB-14-16](#): The Character Area Study for Indian Point and Roseland;
- [PB-15-16](#): Report providing information regarding the Shoreacres Character Study;
- [PB-70-16](#): Character Area Studies and Site Plan Approval for Low Density Residential Areas; and
- [PB-80-16](#): Character Studies and Low Density Residential Areas – Statutory Public Meeting

Consultation related to these studies included interview sessions with various homeowners in the community, realtors, and the building industry, a presentation to Burlington Housing and Development Liaison Committee (HDLC), and a series of public workshops and drop in open house meetings.

Highway 403 at Waterdown Road Policy Review

Purpose of this review was to assess land use and functional considerations of lands located in the vicinity of the Waterdown Road and Highway No. 403 interchange.

Consultation related to this review included public meetings and consultation with stakeholders including the Ministry of Transportation and city staff.

Uptown Urban Centre Policy Review

Purpose of this review was to:

- ensure current principles and objectives reflect Uptowns current build-out and future reliance on redevelopment to achieve the centre's long-term vision;
- establish an updated land use structure with a focus towards accommodating future redevelopment and intensification in an urban setting;

- review the findings of the city-wide Commercial Strategy Study as they relate to Uptown's commercial/mixed-use areas and incorporate new policies where appropriate; and
- encourage new developments and redevelopments which achieve a higher standard of design and adopt compact, mixed-use forms to support pedestrian, transit and public realm objectives.

The policy brief related to this review is the [Uptown Policy Brief](#) (Dec. 16, 2014).

Consultation related to this review included consultation with stakeholders including the Region of Halton and public consultation opportunities regarding the OP Review and the new Official Plan project.

Preliminary Study of the Character and Heritage of the Mount Nemo Plateau

Purpose of the study was to provide a preliminary examination of the character and heritage issues on the Mount Nemo Plateau.

Staff reports related to these studies include:

- [PB-07-14](#): Official Plan Review: Preliminary study of the heritage character of the Mount Nemo Plateau; and
- [PB-38-14](#): Official Plan Review: Mount Nemo Public Consultation and Next Steps.

Consultation related to this preliminary study included a public consultation event.

c) Technical Analysis

Many of the issues identified in the internal and external scans were technical issues related to the Official Plan. These issues were dealt with by staff and benefited from discussions with relevant city departments and agencies that ensured modifications assist in the implementation of the policy. The technical issues were organized into the following groupings:

- A policy that is not delivering the stated objectives.
- A missing policy set or element that contributes to the guiding principles or land use vision.
- An area of the plan which should be revised to respond to existing city practices or to general best practices.
- Policies to conform to senior plans and regulations.

Technical issues did not require separate work plans and were dealt with at the policy writing stage, or incorporated into a ward specific or city wide work plan.

Staff reports related to technical issues:

- [PB-43-13](#): Official Plan Review Old Lakeshore Road Precinct Study: Implementation Analysis of Official Plan Policies Regarding Public Waterfront Assets and Urban Design Objectives;
- [PB-59-13](#): Old Lakeshore Road Precinct Waterfront Study: Assessment of Official Plan Policies Related to Public Land Acquisition and Access;
- [PB-42-14](#): Official Plan Review: Bridgeview Area Policy and Servicing Review;
- [PB-10-15](#): Report recommending endorsement of Official Plan Review: Proposed Accessory Drive-Through Facilities Policy Directions;
- [PB-83-16](#): New Official Plan Review: Rural, Natural Heritage and Sustainability Policy Directions;
- [PB-29-16](#): Official Plan Review: Urban Structure and Intensification Policy Directions Report; and
- [Road Allowances Policy Brief](#) (Dec 22, 2014).

Other areas of research and analysis did not result in staff reports. These included: community infrastructure (now termed public service facilities), financial sustainability, urban design, cultural resources, secondary dwelling units, waterfront, parkland dedication, transportation, definitions, etc.

d) Mapping Matters

As part of the Official Plan review and Official Plan project staff undertook a complete review of all schedules and appendices that form part of the new plan. The purpose of this review was to:

- review and update the OP geographic database that constitute the basis to represent all maps;
- enhance the graphic quality of all maps;
- facilitate the interpretation of the Plan;
- integrate the urban area maps into a single polygon database to facilitate future mapping revisions; and

- ensure that the mapping in the OP is in conformity with Provincial land use plans and with the Region's Official Plan.

A new mapping structure and geographic database framework was created to:

- Introduce new maps describing the city system, establishing three broader elements (Rural Area, Urban Area and North Aldershot), and incorporating city-wide systems and Provincial land use plans and designations;
- Establish a new urban area land use designation schedule in geographic information system (GIS) based on the existing land use designation polygon configuration, and adjusting all polygons to align with property lines, zoning boundaries, street centerlines, or other features, where appropriate;
- Put in place new Urban Structure and Growth Framework schedules utilizing the same polygon system used to recreate the land use map for the urban area. This will increase reliability and coordination in the use and interpretation of these maps;
- Establish new land use designation schedules for the Downtown and Uptown Urban Centres adjusting all polygons to align with property lines, zoning boundaries, street centerlines, or other features, where appropriate;
- Establish a series of schedules describing the classification of transportation facilities in the Urban Area, Rural Area, North Aldershot and the Downtown and Uptown Urban Centres, and representing the frequent transit corridors;
- Put in place a new land use schedule for the Rural Area conforming with the land use designations in the Halton Region Official Plan;
- Incorporate agricultural, natural heritage and mineral resource mapping from the Halton Region Official Plan; and
- Include new Prime Agricultural Areas and Natural Heritage System mapping issued by the Province.

Schedule K, representing land use designations for North Aldershot, was not updated. The land use designations and mapping for North Aldershot will be addressed in conjunction with Halton Region's Municipal Comprehensive Review.

e) Downtown Precinct Plan

Policies contained within the new OP for the Downtown Urban Centre establish a new Official Plan level policy framework for the Downtown based upon extensive public and stakeholder engagement since April 2017. In addition, staff have utilized the summary findings of technical studies undertaken to-date through the Downtown Mobility Hub Area Specific Planning process to inform the development of Official Plan level policies. These have included:

- Downtown market analysis;
- Current and future Downtown traffic impact assessment;
- Population and employment projections;
- Early-stage natural systems assessment;
- Scoped stormwater management assessment; and
- Water and wastewater servicing considerations.

The summary finding of these studies was presented to the public and Council through report [PB-68-17](#) and have since been made available on the mobility hub project website. Other staff reports include:

- [PB-48-16](#): Burlington's Mobility Hubs: Work Plan for Area Specific Planning
- [PB-68-17](#): Downtown Mobility Hub draft New Precinct Plan and Policy Framework
- [PB-81-17](#): Proposed Downtown Mobility Hub Precinct Plan and Proposed Official Plan Policies
- [PB-11-18](#): Supplementary Information and Directions Regarding the Proposed Downtown Mobility Hub Precinct Plan and Proposed Official Plan Policies.

Consultation related to this plan included a series of public meetings, Drop-in Open Houses & Coffee Shop Consultations and Walking Tours, Online Surveys, mail and email notifications, social media posts, and consultation with stakeholder groups like the Burlington Downtown Business Association.

The Downtown policy structure put forward in the Official Plan also fulfills municipal planning requirements under the Province's Growth Plan for the Greater Golden Horseshoe (2017) regarding the City's Urban Growth Centre in terms of:

- Providing a planning framework and associated land use permissions that allow for the achievement of a minimum of 200 people and jobs per hectare by 2031;
- Identifying areas within the Urban Growth Centre as a focus area for public services through the Public Service Precinct as well as permitting a broad range of commercial, residential, recreational, cultural and entertainment uses;
- Establishing new transit supportive densities and identifying opportunities for future expansion of transit-supportive infrastructure and development requirements that will support future investment and expansion of inter and intra urban transit service for the Downtown in keeping with the Province's identification of Downtown Burlington as an Anchor Mobility Hub; and
- Creating a vision and associated use requirements for areas within the Urban Growth Centre which will serve to support the continued role of Downtown as a concentrated area of employment within the City.

Through the continuing work on the Downtown Mobility Hub Area Specific Plan, staff are presently undertaking additional detailed technical studies to inform the development of further policies befitting a level of detail required for an Area Specific Plan as per the requirements of the Region of Halton Official Plan policies. New or expanded studies currently underway as part of the Downtown Mobility Hub Area Specific Planning process include:

- Environmental Impact Study Report (Scoped Sub-Watershed Study);
- Functional Servicing Study;
- Fiscal Impact Analysis Report;
- Operational Transportation Review;
- Stage 1 Archaeological Assessment Report; and
- Cultural Heritage Assessment Report.

The outcome of these studies will inform the development of a final Downtown Area Specific Plan and future implementing Official Plan policies to be included in the new OP as a subsequent amendment.

Further background and analysis pertaining to the downtown precinct plan in the new OP is found in Section 5 below.

iii) Consultation

The following section discusses community, agency and internal consultation that occurred as part of the new Official Plan project.

a) Community Consultation

Extensive community consultation occurred as part the new Official Plan project and is summarized in Appendix H.

The new Official Plan project included an extensive public engagement and communications program which began in 2012 as part of the Official Plan Review (under Section 26 of the *Planning Act*), and continued as the project was transitioned to a new Official Plan in 2016 (under Section 17 of the *Planning Act*). The Official Plan Review started with two open houses on May 1 and May 3 of 2012, and a Special Meeting of Council on May 7, 2012 in accordance with Section 26 of the *Planning Act*. The engagement and communications plan for the Official Plan Review can be found in staff report [PB-53-12](#), Appendix O.

Since the broad initial scope discussions, public and stakeholder consultation occurred as part of the various sub-components within the review of the OP and informed the various directions reports endorsed by Council. Throughout 2012-2016, staff completed a series of background studies and policy directions reports which included a wide variety of public consultation activities. The individual staff reports supporting these various studies and policy directions includes a summary of the relevant public engagement. A high level summary of public engagement undertaken during this period can be found in the appendices of staff report [PB-29-16](#).

In October of 2016 the Official Plan Review was closed and the project transitioned to a new Official Plan project. The draft new Official Plan was subsequently released in April of 2017 and was followed by three months of public engagement, in conjunction with other Grow Bold projects such as the Mobility Hubs studies and the Transportation Plan. In alignment to the City's Strategic Plan, the engagement strategy was built on the principles of "A City that Grows", "A City that Moves", "A Healthy and Greener City", and "An Engaging City". A summary of these engagement activities and the feedback received from agencies, stakeholders, including citizen advisory committees, and members of the public is found in staff report [PB-47-17](#).

Through the Downtown Area Specific Planning process, a comprehensive public engagement and communications program for the Downtown Mobility Hub, which included multiple public meetings in April, June and September 2017. Community engagement began in April 2017 with a visioning workshop on April 20, 2017 to discuss the community's vision for the future of

Downtown Burlington. This formal workshop was then followed by a series of drop-in open houses and Coffee Shop Consultations.

In June 2017, consultation on “Draft Concepts” took place over the summer, where staff held a formal workshop on June 21, 2017 to present and consult on two draft Downtown Mobility Hub concepts exploring how and where future growth could take place in the downtown. This formal workshop was followed by a number of drop-in open houses.

In September 2017, community consultation on the draft new Precinct Plan took place, including a formal workshop on September 7th and a number of drop-in open houses. Workbooks were prepared and provided to all attendees, which outlined the objectives, intentions and key directions for each of the proposed precincts in the plan. The workbooks were available in hardcopy and online. A summary of these engagement activities is found in staff report [PB-68-17](#) and [PB-81-17](#). Summaries of community feedback received through each stage of engagement on the Downtown Mobility Hub is available on the Downtown Mobility Hub webpage.

Burlington's proposed new Official Plan (November 2017) was released on November 9, 2017, including the Downtown Precinct Plan. It contained revisions to the draft new Official Plan that was released in April 2017 made in response to the feedback received. Three Open Houses were held on November 16, 2017 (1 Open House) and November 20, 2017 (2 Open Houses), and a Statutory Public Meeting was held on November 30, 2017, in accordance with Section 17 of the *Planning Act*. Staff Report [PB-50-17](#) outlines the revisions made to the proposed new Official Plan (November 2017) to address feedback.

Further, at the Statutory Public Meeting, stakeholders and members of the public requested additional time to review the proposed new Official Plan and to allow further consultation, particularly on the Downtown Precinct Plan, prior to Council adoption of the plan. As a result a series of Council meetings was scheduled to discuss various elements of the plan on January 8, January 16, January 23, and February 6 of 2018. The feedback received from the public and from members of Council through various motions informed the revisions to the plan that were presented in the proposed new Official Plan (February 2018) version.

The February 2018 version was released to the public on February 7. Three Open Houses were held on February 12, 2018 (1 Open House) and February 15, 2018 (2 Open Houses), and a second Statutory Public Meeting was held on February 27, 2018.

In total there were 120 public and stakeholder meetings and workshops, 35 meetings with citizen advisory committees and over 2,000 forum and survey contacts, along with other consultation activities as summarized in Appendix H.

b) Agency Consultation

City-Wide OP

Throughout the Official Plan Project staff has consulted with various public agencies and service providers to ensure conformity and coordination amongst various plans. This includes consultation with the Region of Halton, Conservation Halton, Niagara Escarpment Commission, the Halton District School Board, the Halton Catholic District School Board, the Burlington Economic Development Corporation, and various provincial ministries and utility services.

Downtown Precinct Plan

Throughout the Downtown Mobility Hub Area Specific Planning process, staff consulted and have had discussions with various public agencies and service providers. This includes consultation with the Region of Halton, Conservation Halton, the Burlington Economic Development Corporation, the Halton District School Board and the Halton Catholic District School Board.

c) Internal Consultation

City wide OP

It is important to also note that communication and engagement occurred between the many services and departments of the City. This was to ensure two-way communication occurred about OP project matters that could impact other projects, or other projects that could impact the new OP.

There was also discussion about how the growth management objectives of the new OP will require careful consideration of how the City provides many of its services and makes its infrastructure investment decisions.

Downtown Precinct Plan

Through the Downtown Mobility Hub Area Specific Planning process, communication and engagement occurred between the many services and departments of the City to ensure two-way communication occurred about the Downtown Mobility Hub project matters that could impact other projects, or other projects that could impact the Downtown Mobility Hub project. A Project

Charter group, with members of staff from various departments in the city, was notified of progress throughout the study through email communications and meetings.

4.0 Planning Context

Land use planning in the Province of Ontario is complex given the various requirements to have regard for, to be consistent with, to not conflict with, and/or to conform to, various plans, policies, legislation and regulation. This is because the Province provides a strong top down direction with respect to land use planning.

Complexity is further added by virtue of the fact that the province released updated provincial plans just as Burlington was concluding its Official Plan project – a project that was initially set out to be a conformity exercise to its upper-tier official plan (Region of Halton Official Plan Amendment (ROPA) No. 38). Land use planning is particularly complex in a two-tier municipal government.

Understanding the importance of conformity to new provincial plans, it is also important to recognize the situation Burlington is in as a lower-tier municipality within Halton Region. While in most cases the new OP conforms to the Provincial Plans, Burlington is not in a position to bring its Official Plan entirely into conformity with the new provincial plans, prior to the Region conducting its conformity exercise to the provincial plans. In a two-tier municipality the upper tier municipality must undertake the conformity exercise first. The approach the City must take is to advance its new OP now with the understanding that further updates will be required as part of a future Official Plan Review, after the Region completes its municipal comprehensive review and full conformity exercise to the provincial plans. That future Official Plan review will ensure that Burlington's new OP is updated with any changes as a result of the Region's Official Plan Review and will achieve comprehensive conformity to provincial plans at that time. The province has afforded the upper-tier and single-tier municipalities a "conformity window". Upper and single-tier municipalities' conformity work is to be completed by 2022. Lower-tier municipalities are required to bring their official plans into conformity with the upper-tier within one year of the upper-tier's conformity exercise being finalized and taking effect. There is one exception to this approach, and it relates to the recent release of provincial mapping for natural heritage systems and agricultural systems on February 9, 2018. Further discussion on this can be found in Section 6 of this report.

Notwithstanding the conformity window afforded by the Province, city staff have reviewed relevant provincial plans, policies, legislation and regulation to assess whether the new OP conforms and/or is consistent with and/or does not conflict with these documents. This assessment can be found in Appendices I to N of PB-04-18.

Staff are satisfied that the new OP does not conflict with the provincial plans, and either conforms to the provincial legislation and policy or will achieve conformity following the Region's Official Plan Review/municipal comprehensive review. Further, staff are satisfied that the new OP conforms with the Halton Region Plan and that the Region's review and modification process is the appropriate avenue to refine any policies to achieve full conformity if required.

Below is a brief discussion of each of the relevant planning documents, and provides references to supporting appendices to this report which contain staff's conformity assessment for a number of these planning documents, as noted below.

As a general note, the conformity assessment tables referenced in the following sections and identified as Appendices I through N are organized in a similar fashion. The tables provide the key sections of the subject planning document in the left hand column and the corresponding policy within the new OP (April 2018) in the right hand column, unless otherwise noted. The new OP sections identified within the conformity assessment tables are the primary sections that address the subject planning documents; however, there may be other policies in the new OP that further address conformity and/or consistency with the subject planning document.

i) Planning Act

It is important to note that it is one of the requirements of the *Planning Act* to conduct an Official Plan Review every five years so that the municipality has a planning tool available for appropriate decision making. This is why the City commenced the OP project as an Official Plan Review in 2011 to review its 2008 Official Plan. That plan sits on a set of principles established in 1994. As noted earlier in the report, the Official Plan Review process was concluded in 2016, and the project instead transitioned to a new Official Plan project.

Now, seven years since the OP project first started, 10 years since the last Official Plan was approved and 24 years since a new plan has been prepared for the city, it is important to conclude the process. This is so that Burlington can fulfill its initial obligation under the *Planning Act* which is to have a modern planning tool to guide its growth, land use and infrastructure decision making.

Municipalities, when dealing with their responsibilities under the *Planning Act*, shall have regard to a wide range of matters of provincial interest including: protecting ecological systems, agricultural resources, financial and economic well-being and public health and safety; conserving resources such as natural, cultural and historical; ensuring orderly development and appropriate location for growth and development: providing public service facilities, range of housing, employment opportunities; promoting development that is well designed, sustainable, supportive of public transit

and oriented to pedestrians. Appendix I provides an outline of the various sections of the new OP that address these responsibilities.

The *Planning Act* sets out the ground rules for land use planning in Ontario and describes how land uses may be controlled and who may control them. The *Planning Act* provides the basis for such matters as consideration of provincial interests; the preparation of Official Plans to guide future development; regulating and controlling land uses through zoning bylaws; the establishment of a streamlined planning process with an emphasis on local autonomy and ensuring the rights of citizens to be notified of planning proposals and to give their views to council and where permitted, rights to appeal.

Recent changes to the *Planning Act* include Bill 73 (Smart Growth for Our Communities Act) and Bill 139 (Building Better Communities and Conserving Watersheds Act). Bill 73 received Royal Assent on December 3, 2015, with the majority of changes to the *Planning Act* coming into force on July 1, 2016. The Act made changes to the *Planning Act* to give residents a greater, more meaningful say in how their communities grow; to protect and promote greenspaces; to make the planning appeals process more predictable and give municipalities more independence and make it easier to resolve disputes.

Bill 139 received Royal Assent on December 12, 2017, with the changes coming into force on April 3, 2018. The Act makes transformative changes to the land use planning and appeal system with the creation of the Local Planning Appeal Tribunal to replace the Ontario Municipal Board. The Act also changes the *Planning Act* to give more weight to local and provincial decisions by changing the standard of review – major land use planning matters may only be appealed on the grounds that they do not conform or are not consistent with provincial/municipal plans/policies. Other changes include giving municipal elected officials greater control over local planning by exempting a broader range of municipal land use decisions from appeal; giving planning authorities more time to assess planning applications by extending the decision timelines and requiring climate change policies in Official Plans to support government priorities.

ii) Provincial Policy Statement

On February 24, 2014 the Province released the *Provincial Policy Statement, 2014* (PPS, 2014) which came into effect on April 30, 2014. The PPS recognizes that Official Plans are the most important vehicle for the implementation of the PPS. As noted above Council decisions affecting planning matters “shall be consistent with” policy statements issues under the Act.

The vision states that land use must be carefully managed to accommodate appropriate development to meet the full range of current and future needs, while achieving efficient

development patterns and avoiding significant or sensitive resources and areas which may pose a risk to public health and safety.

The PPS includes direction for building strong communities, wise use and management of resources, and protecting public health and safety. Appendix J provides an outline of the various sections of the new OP that address these directions.

iii) Places to Grow

In July 2017, the updated *Places to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan)* came into effect. The Growth Plan includes a wide ranging set of policies intended to assist in managing growth in the Greater Golden Horseshoe to 2041.

The *Growth Plan* is intended to guide decisions on how land is developed, resources are managed and protected and public dollars invested and is based on the following guiding principles:

- Supporting the achievement of complete communities that are designed to support healthy and active living and meet people's needs for daily living throughout an entire lifetime.
- Prioritize intensification and higher densities to make efficient use of land and infrastructure and support transit viability.
- Provide flexibility to capitalize on new economic and employment opportunities as they emerge, while providing certainty for traditional industries, including resource-based sectors.
- Support a range and mix of housing options, including second units and affordable housing, to serve all sizes, incomes, and ages of households.
- Improve the integration of land use planning with planning and investment in infrastructure and public service facilities, including integrated service delivery through community hubs, by all levels of government.
- Provide for different approaches to manage growth that recognize the diversity of communities in the Greater Golden Horseshoe.
- Protect and enhance natural heritage, hydrologic, and landform systems, features and functions, including the identification of a provincial Natural Heritage System.
- Support and enhance the long-term viability and productivity of agriculture by protecting prime agricultural areas and the agri-food network, including the identification of a provincial Agricultural System.

- Conserve and promote cultural heritage resources to support the social, economic and cultural well-being of all communities including First Nations and Métis communities.
- Integrate climate change considerations into planning and managing growth such as planning for more resilient communities and infrastructure-that are adaptive to the impacts of a changing climate- and moving towards low-carbon communities, with the long-term goal of net-zero communities, by incorporating approaches to reduce greenhouse gas emissions.

Appendix K provides an outline of the various sections of the new OP that address these directions.

iv) Greenbelt Plan

In July 2017 the updated *Greenbelt Plan* came into effect as well. The Greenbelt Plan provides permanent protection for agricultural lands and the natural environment surrounding the urban areas that are the core of the Greater Golden Horseshoe and in the Niagara Peninsula while supporting the rural social and economic activities including agriculture, recreation and tourism. In doing so it identifies where urban expansion should not occur.

The Protected Countryside identified in the Greenbelt Plan includes lands within Burlington's Rural Area as well as lands in North Aldershot. The Greenbelt Plan includes policies to:

- Protect prime agricultural areas, increasing the certainty that the agricultural sector needs to make long term investments and manage the agricultural land base.
- Provide the flexibility to allow for the development of *agricultural, agriculture-related and on-farm diversified uses, normal farm practices* and an evolving agricultural and rural economy.
- Enhance the strengths of the *Agricultural System, including the agricultural support network*.
- Protect, maintain and enhance the natural heritage and water resource systems.
- Identify, conserve, use and wisely manage *cultural heritage resources*.
- Provide for a range of suitable recreational activities.
- Sustain the character of the countryside and rural communities.
- Support the development of complete communities.

- Provide for settlement areas to accommodate the social, economic and service functions required for a strong rural community, including the development of community hubs.
- Support infrastructure development that achieves the social and economic aims of the *Greenbelt Plan* and the *Growth Plan*, and improves integration with land use planning.
- Protects natural resources such as mineral aggregates and provides for the sustainable use of those resources.
- Integrate climate change considerations into planning in the Greenbelt.

Municipal official plans are required to conform with the Greenbelt Plan and to include maps showing the boundaries of the Greenbelt Plan Area, the Protected Countryside, the Natural Heritage System and the Agricultural Land Base of the Agricultural System.

Appendix L provides an outline of the various sections of the new OP that address these directions.

v) Niagara Escarpment Plan

The updated Niagara Escarpment Plan came into effect on June 1, 2017. The purpose of the Plan is to provide for the maintenance of the Niagara Escarpment and land in its vicinity substantially as a continuous natural environment, and to ensure only development occurs that is compatible with that natural environment. The Niagara Escarpment Plan Area includes most of Burlington's Rural Area plus lands along the northern boundary of North Aldershot.

The Plan includes the following designations, which are shown on maps included in the Plan:

- Escarpment Natural Area - *Escarpment* features that are in a relatively natural state and associated *valleylands*, *wetlands* and *woodlands* that are relatively undisturbed;
- Escarpment Protection Area - areas of importance because of their visual prominence and their environmental significance;
- Escarpment Rural Area - an essential component of the *Escarpment* corridor, providing a buffer to the more ecologically sensitive areas of the *Escarpment*;
- Minor Urban Centres – existing rural settlements, villages and hamlets within the Niagara Escarpment Plan area;
- Urban Area - Urban Areas in which the *Escarpment* and closely related lands are located;

- Escarpment Recreation Area - areas of existing or potential *recreational development* associated with the *Escarpment*; and
- Mineral Resource Extraction Areas - *mineral aggregate operations* licensed to permit mineral aggregate resource extraction under the *Aggregate Resources Act*.

New Mineral Resource Extraction Areas may only be designated in the Escarpment Rural Area and only by amendment to the Plan.

The Plan also includes development criteria to be applied to proposed development within the Niagara Escarpment Plan Area and to assess the conformity of local official plans, secondary plans and, where applicable, zoning by-laws and site plan control. The Plan includes general development criteria dealing with matters such as home occupations and home industries and secondary dwelling units plus detailed criteria dealing with:

- Existing uses;
- Lot creation;
- Development affecting steep slopes and ravines, water resources and natural heritage;
- Agriculture;
- Mineral resource extraction;
- Cultural heritage;
- Recreation; Infrastructure;
- Scenic resources and landform conservation; and
- The Bruce Trail.

Local official plans are required to conform to the Niagara Escarpment Plan but may include more stringent requirements than the Escarpment Plan unless they conflict with it.

Appendix M provides an outline of the various sections of the new OP that address these directions.

vi) Parkway Belt Plan

The Parkway Belt West Plan (PBWP) was put in place to create a multi-purpose utility corridor, urban separator and linked open space system. Today, the primary effect of the plan is to designate and protect land needed for linear regional infrastructure such

as transit, utility and electric power facility corridors. The Plan includes lands in Burlington within North Aldershot and the Urban and Rural Areas.

In 2017 the Ministry of Municipal Affairs contacted the City seeking feedback on proposed mapping amendments to the Parkway Belt West Plan. The Ministry subsequently advised that this amendment was being deferred.

vii) Metrolinx: The Big Move

The *Big Move* is the third piece in a three-part approach by the provincial government to prepare the Greater Toronto Hamilton Area (GTHA) for growth and sustainability. It builds on the Greenbelt Plan, which protects more than 1.8 million acres of environmentally sensitive and agricultural land in the heart of the region, and the Growth Plan for the Greater Golden Horseshoe (Places to Grow), which manages population and job growth, and curbs urban sprawl. Together these three initiatives will lead to the development of more compact and complete communities that make walking, cycling and transit part of everyday life.

The development of the *Big Move* (also referred to as the Regional Transportation Plan, RTP) was intended to create a long term strategic plan for an integrated, multi-modal, regional transportation system. The Big Move was completed after Places to Grow, recognizing that transportation plans completed to implement land use plans.

The Big Move includes a list of nine strategies called “big moves”. Strategy # 7, titled “*Build Communities that are Pedestrian, Cycling and Transit-Supportive*” focuses on Mobility Hubs.

The Big Move created a system of connected Mobility Hubs including Anchor Hubs and Gateway Hubs, at key intersections in the regional rapid transit network that provide travelers with access to the system, support high density development, and demonstrate excellence in customer service.

Section 7.15 of the Big Move directs Municipalities, in consultation with transit agencies, landowners, major stakeholders, and public agencies and institutions, to prepare detailed master plans (also referred to as Area Specific Plans) for each Mobility Hub. Where appropriate, master plans should also be prepared for Major Transit Station Areas and unique destinations that have been identified in accordance with Policy 7.14.

The policies also set out minimum requirements for the development of Mobility Hub Master Plans, which are further discussed in the *Metrolinx Mobility Hub Guidelines*.

The city completed a Mobility Hubs Opportunities and Constraints Study in 2014. This study was used to identify Mobility Hubs as key components of Burlington’s new Urban Structure, and to identify the need to complete further study of these lands through an Area Specific Planning Process.

Over the last three years, Metrolinx has been working with municipal partners across the region to complete a ten-year review and update to the 2008 Regional Transportation Plan.

A Draft 2041 Regional Transportation Plan was released in September 2017 and a final round of public consultation was undertaken through the fall of 2017. The Draft Plan was revised and strengthened to reflect feedback received from municipal partners, stakeholders and the general public, resulting in a Draft Final 2041 Regional Transportation Plan, which was approved on March 8, 2018.

viii) Halton Region Official Plan

Status of the Official Plan

The Halton Region Official Plan is based on The Regional Plan [1995], which was adopted by Council of Halton Region on March 30, 1994. It was approved by the Province in November, 1995. It has subsequently been reviewed and updated, most recently through the planning exercise called Sustainable Halton. The planning exercise resulted in the adoption of the Regional Official Plan Amendment 38 by Regional Council in 2009. At time of preparation of this report, the most recent Office Consolidation is dated September 28, 2015.

Official Plan Vision

The Regional Official Plan (ROP) is Halton's guiding document for land use planning. It contains goals, objectives, and policies that manage growth and direct physical change and its effects on the social, economic and natural environment of the Region to the planning horizon of 2031. The ROP provides clear direction as to how physical development should take place in Halton to meet the current and future needs of its people.

The ROP outlines a long term vision for Halton's physical form and community character, setting out goals, objectives and policies, and this vision relates to three principle categories:

1. Settlement areas with identifiable communities;
2. A rural countryside where agriculture is the preferred and predominant activity, and
3. A natural heritage system that is integrated within settlement areas and the rural countryside, to preserve and enhance the biological diversity and ecological functions of Halton.

The ROP balances the following factors: protecting the natural environment, preserving Prime Agricultural Areas, enhancing its economic competitiveness,

and fostering a healthy, equitable society. The Region will use the concept of sustainable development and principles of sustainability to guide its land use decisions in achieving its planning vision through land stewardship and healthy communities.

The ROP sets out the Regional Structure and identifies Burlington as a component of that structure. The ROP also distributes population and employment, along with intensification and density targets, to Burlington and the other local municipalities, Oakville, Milton and Halton Hills.

The ROP is comprised of seven parts as follows:

- Part I: Introduction which provides discussion on the purpose, approach, legal status, review and amendments, uses and guide to the Plan.
- Part II: Basic Position which provides discussion on Halton's planning vision, planning horizon, Halton's relationship with province, surrounding region, local municipalities, and regional structure.
- Part III: Land Stewardship Policies relating to development criteria, land use designations and constraints to development.
- Part IV: Healthy Communities Policies relating to environmental quality, human services, cultural heritage resources, economic development, transportation, and energy and utilities.
- Part V: Implementation which provides direction on plans and the planning process, guidelines and advisory committees, implementation of special projects, monitoring, governance and fiscal measures.
- Part VI: Definitions
- Maps
- Part VII: Appendix

The new OP has been prepared with careful consideration of all aspects of the ROP in order to achieve conformity. Appendix N provides staff's assessment of how the new OP conforms to the Halton Region Plan.

5.0 Downtown Precinct Plan

The following section includes a summary of the planning objectives for the downtown, a summary of the key changes between the existing in force and effect Official Plan and the new OP, and a summary of the new proposed precinct plan including a discussion of the planning considerations that formed the plan.

Building upon significant public engagement work done for the Downtown since April 2017 and the significant contributions to the Downtown Mobility Hub Area Specific Planning process from stakeholders, residents and key internal and external agencies in addition to the summary findings of technical studies undertaken to-date, a set of new Official Plan level policies have been developed for the downtown which include an updated Downtown Precinct Plan, which is found as Schedule D: Land Use Downtown Urban Centre, in the new OP.

i) Downtown Urban Centre Planning Objectives

The precinct plan and associated Downtown Official Plan policies have been developed based on the following objectives for the Downtown which were established through the Area Specific Planning process:

- To establish the Downtown as a major centre for office, retail, service commercial, residential, cultural, 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;
- To establish minimum density targets for the Downtown Urban Growth Centre in terms of residents and jobs, in accordance with the "Places to Grow" Growth Plan for the Greater Golden Horseshoe;
- 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;
- To ensure development incorporates effective transitions with adjacent development and surrounding areas;
- To protect significant public view corridors to Lake Ontario, the Brant Street Pier, City Hall/Civic Square and other landmarks;
- 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;
- 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;
- To recognize the Lake Ontario waterfront as a major asset and local and regional destination within the Downtown for recreational, cultural and leisure activities;

- To expand public access to parks, open spaces and the Lake Ontario waterfront within the Downtown, where possible;
- To conserve cultural heritage resources and maintain character defining areas significant to the Downtown and the city;
- 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;
- 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;
- To require a mix of uses within developments and throughout the Downtown which reinforce the Downtown's role as a complete community;
- 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;
- 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;
- To mitigate future traffic congestion associated with growth through transportation demand management (TDM) measures and the provision of frequent transit corridors;
- To support the creation of new and expanded pedestrian priority and cycling corridors with adjacent active and supporting uses at grade within the Downtown;
- 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;
- To provide for development that can achieve heights and densities that will create a population and employment base to attract new businesses, services and amenities to the Downtown; and
- Where possible, establishing maximum building heights which are consistent with existing development precedent.

ii) Downtown Urban Centre Policy Structure (Existing vs. Proposed Official Plan)

The following is an overview of the key similarities and differences of the Downtown Urban Centre policy structure between the existing in force and effect Official Plan and the proposed Official Plan:

- The proposed Downtown plan recognizes more lands for park/open space and public use purposes to support future residential and employment growth in the Downtown;
- The current and proposed plans both utilize a precinct system to recognize and plan for discreet areas within the Downtown;
- The proposed Downtown plan increases the number of precincts from 9 to 11 in order to:
 - better recognize and protect unique areas of the Downtown such as the Brant Main Street (Brant Main Street Precinct) and areas with a concentration of historic character (Bates Precinct); and
 - direct the highest intensity developments away from the lakefront and Downtown core area and towards appropriate sites with the closest proximity to the Burlington GO station (Upper Brant Precinct);
- The current plan accommodates growth in the Downtown to 2031 while the proposed plan establishes a framework to accommodate the full build-out of the Downtown to a planning horizon that will extend beyond 2031;
- The current and proposed plans protect the character and scale of development existing in the established low-density St. Luke's and Emerald residential neighbourhoods;
- The proposed plan establishes maximum building heights in the Downtown which are to be read as inclusive of any and all community (section 37) benefits which will be required of developments in those precincts where community benefits will be required to support the planned height and/or density of development. This approach has been taken to improve predictability and transparency for the public and development community with respect to the ultimate building heights which may be contemplated by the City in the Downtown Urban Centre;
- The new plan introduces Special Planning Areas which may be located within specific areas of any precinct within the Downtown Urban Centre. These SPA's are intended to address a highly specific condition where greater policy direction is required to achieve a city building objective for the Downtown or address a matter of compatibility which is not otherwise addressed by the base precinct, but for which no other base precinct exists to achieve the planned outcome; and

- The new plan includes more detailed design policies for tall buildings which are intended to achieve a higher standard of urban design and ensure tall buildings are more compatible with the existing Downtown environment and reflect valued aspects of the existing Downtown by the community.

iii) Downtown Urban Centre Precinct Plan

The following section provides a description and intent for each of the planned Downtown Urban Centre precincts as well as a summary of key attributes or changes in each precinct and associated planning considerations which resulted in the proposed precincts and policies.

a) Downtown Parks and Promenades Precinct

The Parks and Promenades Precinct is an updated precinct that builds upon the existing Official Plan's Waterfront West/Public Lands Precinct.

The Downtown Parks and Promenades Precinct identifies current and future public parks, promenades and green spaces within the Downtown, including key linkages between parks as well as new or expanded opportunities for public access to nature, the waterfront and trails. 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.

Key changes to this precinct include:

- the identification of existing public spaces not previously recognized in the Official Plan such as Burlington War Memorial, Brock Park and Appledoorn Park;
- The identification of a new future pedestrian promenade along an existing open area extending south from St. Luke's Anglican Church to Lakeshore Road;
- A future multi-use pathway in west Downtown along the existing hydro corridor to provide a key active transportation connection to the Burlington GO Station and broader Mobility Hub; and
- The identification of a new planned public park and east-west pedestrian connection between Brant and John Streets in order to provide green/open space access for areas with significant population and employment growth planned north of Caroline Street.

b) Downtown Public Service Precinct

The Downtown Public Service Precinct is an updated precinct that builds upon the existing Downtown Major Institutional Precinct.

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 in order to support employment growth and provide opportunities for expanded public services which will be required to support existing and future planned population and employment growth in the Downtown.

Key changes to this precinct include:

- The expansion of the precinct's scope to include the identification of sites for future public services in response to Provincial planning direction for public service facility planning and Region of Halton Official Plan guidelines with respect to planning for community infrastructure/public service facilities as part of an Area Specific Plan;
- The identification of the City owned parking lot at 421 John Street (also referred to as 'Lot 4') as the preferred location for an expanded Downtown Transit Terminal to accommodate future expansion of Downtown transit service in response to the Downtown's status as a Provincially identified Anchor Mobility Hub and to serve planned population and employment growth; and
- Providing opportunities for new public/private partnerships.

c) St. Luke's/Emerald Neighbourhood Precinct

The St. Luke's/Emerald Neighbourhood Precinct is an updated precinct that merges and builds upon the existing St. Luke's Neighbourhood Precinct and Emerald Neighbourhood Precinct.

The St. Luke's/Emerald Neighbourhood Precinct will maintain the existing established residential and historic character of these neighbourhoods. The policies in this precinct are intended to ensure that the limited development opportunities which exist within the precinct will be compatible with the surrounding neighbourhood area and respectful of the existing physical character. Enhanced cycling and pedestrian connections within the precinct will allow for non-vehicle oriented travel to key destinations within the Downtown.

Key changes to this precinct include:

- The introduction of semi-detached dwellings as a potential built-form option within the precinct that is generally consistent with the existing scale of existing development in the neighbourhoods and consistent with the built-form options permitted in the Official Plan for other residential-low density neighbourhoods of the city.

d) Bates Precinct

The Bates Precinct is a new precinct.

This precinct formally recognizes existing policy in the current Official Plan to retain and improve the existing character of the low-rise areas located on the west side of Brant Street, between Baldwin Street and Caroline Street and the west side of Locust Street between Caroline Street and Elgin Street. The creation of the Bates Precinct is a response to public feedback which identified a strong desire to further protect the existing historic character in these areas of the downtown and serves as a transition to the adjacent St Luke's neighbourhood.

Key attributes of this precinct include:

- Establishing a new maximum building height of three storeys generally consistent with the existing built-form in these areas;
- Recognizing and conserving the historic character of Downtown along those sections of Brant and Locust Streets, including the area's buildings, streetscapes and parcel fabric;
- Promoting adaptive re-use of existing buildings;
- Establishing design requirements for new buildings to ensure they 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; and
- The inclusion of a Special Planning Area for the area at the north-west corner of Locust and Elgin Streets to accommodate an approved and under-construction development with a height not otherwise permitted by the base precinct.

e) Brant Main Street Precinct

The Brant Main Street is a new precinct.

This precinct has been developed in response to significant public feedback about the need to better recognize the unique main street function and character of Brant Street within the Downtown and the broader city. The

precinct identifies the key characteristics of the main street valued by the community and maintains those characteristics through opportunities for future development that support the continuing investment in, and success of, the Brant Main Street.

Key attributes of this precinct include:

- Requiring developments to provide a podium no greater than three storeys in order to maintain the existing main street built form and public realm;
- Requiring retail uses at grade to reflect and maintain the street's unique retail function within the Downtown and the broader city;
- Requiring developments to terrace floors away from Brant Street above the third storey in order to minimize the impact of additional height on the street's main street character and present built form. Building terracing is to adhere to a 45 degree angular plane as measured from the centre of the Brant Street public right-of-way to recognize the desire for a main street pedestrian experience that anticipates the future function of Brant Street as a pedestrian-oriented flex street;
- Increasing building height to the maximum allowable height for a mid-rise building within the new OP of 11 storeys; an increase from the currently permitted 8 storeys to allow for the reallocation of potential floor area currently permitted which may be lost as a result of the new requirements for building terracing; and
- The inclusion of a Special Planning Area at the north-east and south-east corners of the intersection at Brant Street and James Street to recognize this intersection as a civic node and to potentially permit a building height of up to 17 storeys not otherwise permitted by the base precinct, only where a development:
 - provides new public squares immediately adjacent to the intersection to complement and expand the existing Civic Square; and
 - achieves a built form which will establish view corridors to Civic Square, the City Hall tower and the Burlington War Memorial from James Street.

f) Downtown Mid-Rise Residential Precinct and Downtown Tall Residential Precinct

The Downtown Mid-Rise Residential and Downtown Tall Residential Precincts are two separate precincts which have been created out of the existing Downtown Medium and/or High Density Residential Precinct.

These precincts continue to primarily apply to areas with significant concentrations of existing residential developments with a common built form in predominantly residential areas of the Downtown.

Key changes to this precinct include:

- A change from classifying developments within these areas based on density to classifying the precincts based on built form which can more accurately capture the existing building stock and built form expectations within these areas of the Downtown where limited redevelopment opportunities may exist;
- Introducing Official Plan minimum and maximum height permissions for these areas including:
 - In the Downtown Mid-Rise Residential Precinct, a minimum height of 5 storeys and a maximum of 11 storeys which is generally consistent with existing built form in these areas and which establish consistency with the Official Plan's definition of a mid-rise building; and
 - In the Downtown Tall Residential Precinct, a minimum height of 12 storeys, to be consistent with the Official Plan's definition of a tall building and a maximum height of 21 storeys to reflect the maximum height of the tallest existing building in this precinct area.
- Providing new opportunities for ground-oriented housing on the same property as a mid-rise or tall building to provide new infill opportunities and allow for additional built form options which can allow for more compatible interactions when located adjacent to established low density residential neighbourhoods; and
- The inclusion of a Special Planning Area (SPA) within the Downtown Mid-Rise Residential Precinct for the area at the north-west and north-east corners of the intersection at Lakeshore Road and Burlington Avenue. The SPA establishes additional design requirements and reduces the permitted maximum building height otherwise permitted by the base precinct from 11 storeys to 6 storeys to achieve a high-degree of compatibility with the adjacent established residential and historic streetscape of Burlington Avenue.

g) Old Lakeshore Road Precinct

The Old Lakeshore Road Precinct is an existing precinct.

Given the detailed planning exercise previously undertaken for this small area of the Downtown and the highly detailed development requirements resulting

from that review, no changes to the current policy framework for this precinct have been undertaken. However, given the complexity of this area (Conservation Halton setback requirements, the proposed closure of Old Lakeshore Road and land assembly requirements) combined with the City's recent approval of new tall building guidelines and the potential these sites represent to achieve significant city building objectives, including expanded public access to the waterfront, a future dedicated Area Specific Plan (ASP) for this area should be undertaken.

Key changes to this precinct include:

- Adding a policy to recognize the need for a future Area Specific Plan for this area that would include the review of permitted heights and densities as well as identify key city-building objectives for this area to be achieved through an ASP including, but not limited to: new pedestrian connections and park spaces along the waterfront; the creation of a new view corridor from Martha Street and Lakeshore Road to the Lake; and a detailed study of the shoreline and its impacts on development in consultation with Conservation Halton; and
- Various minor housekeeping changes to policy text to ensure the policies are consistent with new definitions and terminology within the new OP.

h) Downtown Core Precinct

The Downtown Core precinct is an updated precinct that merges and builds upon the existing Downtown Core Precinct and Wellington Square Mixed-Use Precinct.

The Downtown Core precinct establishes a new, focused vision for future development in this area of Downtown that better reflects the importance of this area to the long-term success of Downtown Burlington and its integral role in achieving key Provincial planning policy requirements under the Places to Grow Growth Plan (2017) with respect to the City's Urban Growth Centre. To that end, the Downtown Core Precinct is planned to serve as the pre-eminent destination for office uses and post-secondary educational and other learning facilities in the downtown while also continuing to provide for significant residential opportunities within mixed-use developments. Retail and service commercial uses, including food stores, are to be the predominant uses at grade in order to serve the day-to-day needs of Downtown residents and employees as well as be the focus area for the provision of public use parking to support retail and other commercial businesses, including offices, throughout the Downtown. The Downtown Core precinct has also been updated to respond to the evolving development

precedents which have occurred within this area of the Downtown since the original precincts were first created.

Key changes to this precinct include:

- Allowing buildings within the former Downtown Core and Wellington Square Precincts to increase their maximum height from 8 storeys and 14 storeys, respectively, to a new height ranging between 12 and 17 storeys in order to:
 - acknowledge past development approvals for 17 storey buildings which have established a height precedent within the area since the original precinct system was created in 2006;
 - introduce new requirements for the provision of office space and public parking facilities in developments which have been made more feasible as a result of increased height permissions;
 - allow a built form which provides more flexibility at grade for the provision of public squares, greenspaces and/or the retention of heritage buildings as part of a new development; and
 - provide greater opportunities to achieve transit supportive densities that support future investment in, and expansion of, transit service in the downtown.

i) The Cannery Precinct

The Cannery Precinct is a new precinct.

This precinct is primarily intended to recognize a past approval of a singular 'landmark' site and southern height peak in the Downtown specifically on the property located at 2060 Lakeshore Road.

The key attribute of this precinct includes:

- A maximum height of 22 storeys to reflect prior approval of the approved development currently under construction on this property, referred to as the "Bridgewater" development.

j) Upper Brant Precinct

The Upper Brant Precinct is a new precinct that covers an area that is located within the Urban Growth Centre but was previously located outside of the existing Downtown Mixed-Use Centre area and designated Mixed-Use Corridor – General under the current Official Plan.

The Upper Brant precinct establishes a new vision in this area of Downtown that provides opportunities for a variety of building heights which are proportional to parcel sizes which vary greatly along this section of Brant Street between Prospect Street and Blairholm Avenue. The precinct accommodates the highest intensity and tallest developments within the Downtown in the area north of Ghent Avenue which take advantage of existing conditions that support the development of high intensity developments that will achieve key objectives for the Downtown and which will serve to achieve key Provincial planning policy requirements under the Places to Grow Growth Plan (2017) with respect to the City's Urban Growth Centre.

Key attributes of this precinct include:

- Increasing the maximum building height from the existing 6 storeys to maximum heights ranging from 7 to 25 storeys where the maximum height is proportional to parcel depth to ensure compatibility where adjacent to low density residential areas.
- Permitting the highest intensity and tallest developments in the Downtown, to a maximum of 25 storeys, in the area north of Ghent Avenue to reflect:
 - the area's location within walking distance to existing higher-order transit at the Burlington GO station;
 - significant parcel sizes and the absence of low density residential areas adjacent to the precinct in this area which create conditions where significant density and building height can be accommodated with minimal or no compatibility concerns;
 - significant public feedback regarding the need to accommodate the highest intensity and tallest developments in close proximity to the Burlington GO Station and away from the southern portion of Downtown;
 - increased availability of transportation capacity along this section of Brant Street to accommodate significant density increases;
 - the prospect for this area, based on market studies undertaken as part of the Downtown Area Specific Planning process, to accommodate more affordable residential units, on a per square foot basis, due to the area's increased distance from the waterfront.
- A requirement for developments to adhere to a 45 degree angular plane measured from a property line shared with a property designated

Residential – Low Density, in areas of the precinct south of Ghent Avenue, to ensure new development is compatible.

6.0 Key Changes between the February 2018 and April 2018 Versions of the New Official Plan

Upon release of the proposed new Official Plan in February 2018, staff received feedback from the public, agencies and stakeholders between February 7 (the release of the plan) and March 7 (the writing of this report). Staff have assessed this feedback (See Section 8 below), and further revised several policies of the plan. The Official Plan proposed for adoption also includes revisions to further address provincial and regional conformity, and additional technical revisions to improve the clarity of policies for implementation.

Appendix O of this staff report (PB-04-18) contains a tracked changes version of the new OP to assist in identifying the policy changes that occurred between the February 2018 and April 2018 versions. This document has been prepared to assist the public in understanding the scope of changes to the revised proposed Official Plan. Please note it does not include notations to describe edits to mapping. While staff have tried to present a complete record of changes to the text in the tracked changes version, please refer to the new OP (April 2018) version and the proposed new Official Plan (February 2018) version for a complete record.

The key changes made to the new OP (April 2018) are:

i) Conformity to the Region's Area of Employment

The purpose of this section is to describe a change in the way staff are *expressing* the employment land conversion recommendations related to lands within the Region of Halton's Employment Area in the maps and policies of the Official Plan, while maintaining the intent of the recommendations that were previously considered by Council. The change to mapping and policy is to address recent feedback from Halton Region and the Province to avoid conflict with the Halton Region Official Plan.

Throughout the Official Plan project it was acknowledged that no Burlington City Council decision could be made on lands within the Region's Employment Area until the Region completed its municipal comprehensive review. Further it was acknowledged that the City's analysis was to be forwarded to the Region to be considered through that process. The proposed new Official Plan (February 2018) was prepared based on the assumption that the Region could, through the review and approval of the City's Official Plan, treat recommendations for conversions differently. Specifically, that decisions on the recommendations for employment conversions related to the City's designated employment lands could proceed through the standard approval process, while the

recommendations related to employment conversions within the Region of Halton's Employment Area would be deferred to the conclusion of the Region's Municipal Comprehensive Review. It was clarified through further discussions that the *Planning Act* does not provide the flexibility to defer any part of the Region's decision on the Official Plan. This shift resulted in refinements to schedules, policies and the addition of a new appendix to the new OP. The key changes are identified on page 48, and the specifics of the conversion recommendations for lands within the Region's Employment Area are supported by Appendix D of PB-04-18.

Appendix A: Urban Structure Vision of the Official Plan, is a 'non-operative' schedule to the OP which describes the employment conversion recommendations that are found within the Region of Halton Employment Area. In acknowledgement of the municipal comprehensive review to be undertaken by the Region, Appendix A of the Official Plan identifies the future Urban Structure element for lands included in the Region's Employment Area overlay which are recommended for conversion.

Further, this staff report (PB-04-18) contains a recommendation that Council endorse the 'conversions' as contained in Appendix D: *Lands Recommended for Employment Conversion that are located on the Halton Region's Official Plan "Area of Employment"*. This is so that Burlington's position is clear on the refinements necessary to achieve its 'city building' objectives.

The report recommendation also requests that Halton Region consider Appendix D, and related background materials, as part of its *municipal comprehensive review*. The purpose of Appendix D of PB-04-18 is to provide guidance to the Region in understanding the City's local vision for conversion on lands within the Region's Employment Area overlay.

This approach maintains a means of describing the City's long term urban structure needs given its context as a built out municipality while acknowledging the role of the Region in completing its municipal comprehensive review.

The Official Plan continues to recommend city identified employment lands recommended for conversion. Where located within a Mobility Hub Study area, these lands will retain the existing employment-oriented land use designation on Schedule C of the proposed Official Plan until such time as the respective area-specific plans are approved. Where these lands are not within a Mobility Hub Study area a new land use designation has been established in either Schedule C: Land Use – Urban Area or Schedule E: Land Use – Uptown Urban Centre. Please see Appendix E of PB-04-18: *Lands recommended for redesignation found within the Areas of Employment as defined by the City's existing Official Plan that are not located on the Halton Region's Employment Area overlay*, for more details. The purpose of this appendix is to provide a record of the lands proposed to be redesignated within the existing Area of

Employment, as defined in the City's existing Official Plan, that are not located within the Region's Employment Area overlay.

Below is a summary of changes to maps and policies related to Employment, organized by Schedule Name and Policy Chapter.

Changes to Maps and Policies related to Employment

1. Schedule B: Urban Structure

- Removed the Area of Employment Overlay and replaced with the Region of Halton Employment Area overlay.
- Changed certain lands identified as Mixed Use Nodes and Intensification Corridors to Employment Lands where they were within the Region of Halton Employment Area overlay.
- Added areas to be added to Region of Halton Employment Area overlay within Employment Lands, Mixed Use Nodes and Intensification Corridors and within Urban Centres.

2. Schedule C: Land Use – Urban Area

- Changed land use designations for sites which are recommended for conversion outside of the Mobility Hub Study Areas, within the Region of Halton Employment Area to the employment land use designations from the existing in force and effect Official Plan. For details please review Appendix D to PB-04-18.
- No changes were made to land use designations of sites which were not considered employment land designations, but were included in the Region of Halton's Employment Area in conformity with Regional Official Plan policy 77.4(1) a). For details please review Appendix D to PB-04-18.

3. Chapter 2: Sustainable Growth

- Changed the Urban Structure policies to identify employment within the Region of Halton Employment Area overlay, the associated Regional policies and Employment Lands (refer to Section 2.3.2 and 2.3.3).
- Added a new policy which identifies lands recommended to be added to the Region of Halton's Employment Area in conformity with Regional Official Plan policy 77.2 (refer to Section 2.3.3 c).
- Added a new policy related to the Regional Official Plan Review / Municipal Comprehensive Review connecting the process to Appendix A: Urban Structure Vision to the new OP. Appendix A provides local context and provides three categories of recommendations for employment conversions to support the City of Burlington in developing a new

approach to meeting employment and intensification objectives in a built up municipality.

4. Chapter 5: Economic Activity

- Changed to identify that the lands within the Region of Halton's Employment Area overlay, and the lands "To be added to the Region of Halton Employment Area" overlay, are subject to employment conversion policies, among other modifications.

ii) Conformity to Provincial Natural Heritage and Agriculture System Mapping

The Provincial Growth Plan provides for the identification and protection of the Agricultural System and Natural Heritage System in the Greater Golden Horseshoe. The Agricultural System is comprised of two elements:

1. An agricultural land base consisting of prime agricultural areas, including specialty crop areas, and rural lands that together create a continuous productive land base for agriculture; and
2. An agri-food network which includes infrastructure, services, and assets important to the viability of the agri-food sector. The Natural Heritage System is comprised of a number of different natural heritage features and areas and linkages intended to provide connectivity and support natural processes.

On February 9, 2018 the Provincial government issued new Agricultural Land Base and Natural Heritage System (NHS) mapping for the Greater Golden Horseshoe. The Agricultural Land Base mapping identifies prime agricultural areas. The mapping is now in full force and effect, effective the date of its release. It therefore applies in the consideration of all planning matters, including development applications, within municipalities in the GGH, including the City of Burlington. As a result, Burlington's new Official Plan must incorporate the mapping in order to conform to the Growth Plan.

In Burlington, this mapping applies in the Rural Area and in North Aldershot but not within the Urban Area or the Rural Settlement Areas. The new Provincial mapping was developed at a Regional scale and differs from the Agricultural and Natural System mapping in the Region's Official Plan and in the City's new OP.

The Provincial Growth Plan permits municipalities to refine this new Provincial mapping through a Municipal Comprehensive Review (i.e. the Region's Official Plan review). The Province has indicated, though, if a local municipality is updating its Official Plan to conform with an existing upper-tier plan where the upper-tier has not yet completed its Municipal Comprehensive Review, the lower-tier municipality is to designate prime agricultural areas in accordance with the unrefined provincial agricultural land base mapping and to incorporate the NHS mapping as an overlay. (Note: Unrefined mapping

is a term used to refer to the map layers developed by the Province that apply across the Greater Golden Horseshoe. Lower tier municipalities cannot refine the mapping until the municipal comprehensive review is conducted by Halton Region. Through the municipal comprehensive review this Provincial mapping may be refined or augmented in a manner that is consistent with Provincial plans and methodologies. These refinements might, for example, address more detailed local information.)

As a result, the new OP has incorporated the new Provincial mapping by:

1. Adding two new Schedules containing the unrefined Provincial mapping:
 - Schedule J-1 identifying the Provincial Agricultural Land Base in Burlington
 - Schedule M-1 identifying the Provincial Natural Heritage System.
2. Adding new policies indicating that:
 - Within the areas shown on these Schedules the policies of the applicable Provincial plans shall apply in addition to the policies of the City's Official Plan;
 - Under specific circumstances the City's Official Plan policies may set more restrictive requirements than the applicable Provincial plans, except as it pertains to the Agriculture System and Non-Renewable Resource policies of the Greenbelt Plan;
 - The Provincial Natural Heritage System functions as an overlay with respect to the Provincial Prime Agricultural Areas;
 - 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; and
 - Refinements to the Natural Heritage System and Agriculture Land Base mapping will occur through the Region's Municipal Comprehensive Review.

The City will work with the Region, in consultation with the Agriculture Committee and other stakeholders, to refine the provincial mapping through the Region's municipal comprehensive review. The refinement process will address mapping errors and inconsistencies.

iii) Downtown Precinct Plan

Key changes to the Downtown Precinct Plan and associated mapping and policies, not directed through Council motions, have been undertaken. These modifications are either in response to public feedback, as a result of continuing internal and external

stakeholder engagement and/or to address a technical wording matters. These modifications include the following:

- Modification of policies for the Downtown Mid-Rise Residential and Downtown Tall Residential Precincts to remove the requirement that new ground-oriented infill housing be physically connected to a mid-rise or tall building on the same site. This modification provides more flexibility to accommodate infill ground-oriented housing on sites containing an existing development and allows for such forms of housing which could serve as a buffer between taller buildings and adjacent established residential areas, where applicable;
- Addition of a new policy in the Upper Brant Precinct that provides direction for the Zoning By-Law to establish a new rear yard set back requirement in Sector 2 which takes into account the varying proximity of potential new development to existing dwellings located along Rambo Crescent due to the streets curvature relative to Brant Street. This modification is in response to resident concerns about potential shadowing impacts of development on Brant Street onto established residential areas on the west side of Rambo Crescent;
- A technical wording modification by staff in the St. Luke's and Emerald Neighbourhood Precinct to clarify that the maximum building height of 2.5 storeys is a precinct wide maximum and not only applicable to single and semi-detached dwellings;
- Relocation of a policy regarding the establishment of a mid-block connection between Brant Street and John Street at the terminus of Ontario Street to the Downtown Transportation, Transit and Parking section of the plan to better reflect the broader transportation and mobility objective of this policy to the broader Downtown. In addition, the policy has been reworded to remove references to specific addresses which may be subject to the requirement, in response to stakeholder feedback, as well as wording modifications to clarify that such a connection would be required as part of a Privately Owned Publicly Accessible Space (POPS) and/or as part of the fulfillment of a parkland dedication requirement under The *Planning Act* through a comprehensive redevelopment;
- Addition of a new policy in the Downtown Urban Design section to require the mitigation of issues related to building overlook and privacy from developments located adjacent to established low-density residential areas to respond to concerns arising from past developments, particularly in areas adjacent to the Bates Precinct; and
- Modified site-specific policies regarding the 'Village Square' property as a result of additional internal consultation as follows:

- recognize the need for the retention and incorporation of defining elements of the existing development to be addressed through the development review process at such time as an application for a comprehensive redevelopment of the property has occurred. These elements include the presence of existing heritage properties and their integration into broader character defining building facades along street frontages as well as the presence of an internal open space for use by occupants and visitors to the site; and
- identify the need to retain buildings on the property which are listed on the City's Municipal Heritage Register as part of any future comprehensive redevelopment without the requirement to designate such properties. This modification is required to recognize limitations of the Official Plan to require such a designation.

iv) Transportation Schedules

The new OP contains policies and schedules that translate the City's local vision for transportation and transit planning. The Region in its comments on the new draft Official Plan identified areas of concern related to identification of jurisdiction on transportation schedules to the Official Plan, and related to alignment issues between the Regional Transit Mobility Strategy and Burlington's local transit strategy.

Staff has revised all transportation schedules to ensure conformity with the Region's Official Plan, however it is staff's recommendation that the City continue to pursue context sensitive design and road standards for Regional Roads throughout the City, with a particular emphasis on mixed use intensification areas and Frequent Transit Corridors (as defined by the Official Plan) to better integrate land uses, and to support pedestrians, cyclists and transit (i.e. Appleby Line connecting Uptown and the Appleby Mobility Hub, and Brant Street in the Burlington Mobility Hub). Staff would also like to pursue a Rural Main Street designation for the segment of Guelph Line that runs through Lowville. Further, it is staff's recommendation that Burlington's local transit strategy, including the Frequent Transit Corridor policies in the new OP, be reflected in the Region's mobility management strategy and the Region's Official Plan.

City staff have acknowledged this circumstance to Regional staff and have requested that:

- Burlington's vision be incorporated into the Region's Official Plan Review, the Region's Transportation Plan, and other transportation planning processes, including ongoing development applications and Municipal Class Environmental Assessments that are processed prior to the completion of the Region's Official Plan and Transportation Plan Review; and that,

- further discussion occurs through the Region's approval process of Burlington's new Official Plan to identify context sensitive approaches for the streets identified above that would satisfy conformity to the Region's plan and advance Burlington's vision.

7.0 Responses to Feedback

Previously in staff report [PB-50-17](#) and [PB-14-18](#), staff presented summarized community feedback and staff responses for all submissions received on the draft new Official Plan (April 2017) and proposed new Official Plan (November 2017). Please refer to these summaries for feedback on previous versions of the plan.

Staff has received additional feedback on the proposed new Official Plan (February 2018) through delegations at the February 27 Statutory Public Meeting of the Planning and Development Committee, and in written submissions received before and after the meetings. All written submissions have been transmitted to Council in the Planning and Development Committee minutes for the February 27 Statutory Public Meeting, and all feedback has been reviewed and considered.

Appendix P of this report provides staff response to the key themes and site specific issues raised through various submissions and at the February 27 meeting. Staff responses contained within Appendix P are high level summaries. The staff responses are intended to provide clarity as to whether a change was made as a result of the community comment, and at times, the responses are expanded with brief commentary on why the policy was modified or maintained. In addition to the summary provided in Appendix P, staff has held several meetings and has provided further written responses directly to some stakeholders as required.

8.0 Responses and Analysis of Council Motions

The following table provides a summary of the Council motions passed on the new OP, staff's response and analysis of the motions.

Table 1: Council Motions and Staff Response

	Motion	Staff Response and Analysis
1.	Direct the Director of City Building to add the downtown, uptown, mobility hubs and other mixed use intensification areas as separate items to the Strategic Employment Areas (Section 5.4).	<p>Policies in Section 5.4 have been modified accordingly, and staff are recommending the revised policies be adopted as part of PB-04-18.</p> <p>The November draft included revisions that identified these areas as an amalgamated section that considered these individual areas more broadly as Existing and Emerging Mixed Use Intensification Areas. Staff support the identification of each unique area as it allows for the identification of challenges and opportunities specific to these areas of the City.</p>
2.	Direct the Director of City Building to modify the block shown at the northeast corner of Brant Street and Lakeshore located in the Cannery Precinct to the Downtown Core Precinct with a maximum building height of 17 storeys including community benefits obtained through Section 37 agreements.	<p>Policies in Section 8.1.1(3.13) and the related mapping have been modified accordingly, and staff are recommending the revised mapping be adopted as part of PB-04-18.</p> <p>The reduction of potential height at this location does not impact the broader policies and objectives of the Downtown Urban Centre.</p>
3.	<p>Direct the Director of City Building to modify the building height permissions of the Downtown Core Precinct so that development shall:</p> <ul style="list-style-type: none"> i) have a maximum height of 12 storeys; or ii) have a maximum height which shall not exceed 17 storeys, subject to a site-specific Zoning By-Law Amendment, with additional storeys above that permitted in the 	<p>Policies in Section 8.1.1(3.12) have been modified accordingly, and staff are recommending the revised policies be adopted as part of PB-04-18.</p> <p>Prior to the Council motion the proposed Downtown Core precinct required office space in all developments. Modifications made through the Council motion provide increased flexibility and transparency by providing the opportunity to develop at a height less than the maximum where a portion or no amount of such space is wished to be</p>

	Motion	Staff Response and Analysis
	<p>Downtown Core Precinct being provided in accordance with the following:</p> <ul style="list-style-type: none"> • one additional storey for every 150 sq m of dedicated office and/or employment floor space; or • one additional storey for every 8 publicly accessible parking spaces provided in an underground parking structure. 	<p>provided and also allowing for the potential to achieve a broader range of building heights within the precinct.</p> <p>The change also adds the provision of public parking as an option for achieving additional height reflecting the precinct’s planned function for this amenity to support the broader downtown.</p>
<p>4.</p>	<p>Direct the Director of City Building to incorporate within the new OP an increased minimum tower separation requirement for tall buildings within the Downtown Mobility Hub of 30 metres.</p>	<p>Policies in Section 8.1.1(3.14) have been modified accordingly, and staff are recommending the revised policies be adopted as part of PB-04-18.</p> <p>The increased tower separation of 30 m reflects the need to secure additional separation between towers to preserve availability and access to sunlight and privacy in an area planned to have a higher concentration of tall buildings than other parts of the City for which the broader City-wide guideline of 25 m may be more appropriate.</p>
<p>5.</p>	<p>Direct the Director of City Building to include policies to allow additional density in developments that preserve heritage buildings, as a factor of square footage preserved.</p>	<p>A new Downtown Cultural Heritage Section 8.1.1(3.18) has been created to incorporate this direction, and staff are recommending the added policies be adopted as part of PB-04-18.</p> <p>This is an existing incentive provided within the Old Lakeshore Road precinct and has the potential to incentivize other areas of the Downtown with heritage buildings. A review of this incentive will be further explored through the Area Specific Planning process with proposed modifications arising as needed to ensure it is achieving its</p>

	Motion	Staff Response and Analysis
		intended objective.
6.	Direct the Director of City Building to include policy encouraging consideration of public-private parking partnerships in the Official Plan.	Policies in Section 8.1.1(3.17) have been modified accordingly, and staff are recommending the added policies be adopted as part of PB-04-18. This policy is a formalization of an existing practice.
7.	Direct the Director of City Building to prepare mid-rise buildings guidelines by end of the third quarter of 2018.	This has been added to the city's work plan.
8.	Refer policies in the Official Plan regarding semi-detached homes to the Zoning By-law review process.	This motion was reconsidered at the February 20, 2018 Council meeting and lost. As a result, policies related to semi-detached dwellings remain in the new OP, as originally proposed by staff. Through the Zoning By-law Review, the regulations and performance standards for semi-detached units in established areas will be prepared. As a note, until new zoning regulations are prepared, all development proposals considering semi-detached housing would be required to obtain approval through a rezoning application.
9.	Direct the Director of City Building to incorporate an Official Plan policy that assigns a minimum target % (TBD) of residential dwellings contained within mid-rise and tall buildings to be configured with 2 & 3 bedrooms with at least 10% of the building containing 3 bedrooms to accommodate families with children.	There is no research or analysis currently available to inform the selection of an appropriate target. Staff recommend that the City commence with a City-wide housing strategy by 2019. This Strategy will support the Region's Comprehensive Housing Strategy and will: <ul style="list-style-type: none"> • Describe the current range and mix of housing in the city;

	Motion	Staff Response and Analysis
		<ul style="list-style-type: none"> • Establish city-wide housing objectives; • Consider the housing policies from this Plan and the area-specific plans; • Develop: <ul style="list-style-type: none"> ○ Minimum targets in support of achieving the Region’s housing mix and <i>affordable</i> and <i>assisted</i> housing targets; ○ Minimum targets within mid-rise and tall buildings for <i>affordable</i>, <i>assisted</i> and/or <i>special needs housing</i>; and, ○ Minimum targets for 2 and 3 bedroom units for residential development applications, including minimum targets for 3 or more bedroom units. • Recommend any required amendments to this Plan to implement the findings of the city-wide housing strategy. <p>Conducting a housing strategy, in conjunction with the City and Regional work on Burlington’s new growth allocation to 2041, along with additional demographic analysis, will enable staff to develop targets that are based on analysis of the City’s future needs. Until that analysis is complete, staff are not recommending that targets be developed. Further, Area Specific Plans will develop housing policies to address a specific area’s context and support the broader objectives of a city-wide strategy.</p>
10.	Direct the Director of City Building to delete Chapter 3 Section 3.1.1 (2) (i) in the Official Plan “more than 200 dwelling units” and add a target	Policies in Section 3.1.1(2) h) have been modified to a lower threshold of 100 units, and staff are recommending the modified policies be adopted as part of PB-04-18.

	Motion	Staff Response and Analysis
	<p>percent of new mid-rise and high-rise units to achieve affordable, assisted, and special needs housing, as defined in Halton Region’s Annual State of Housing report.</p>	<p>The policy in the proposed Official Plan was modeled after the Town of Markham policy which uses 500 units as the appropriate threshold in that Town’s context which contains significant greenfield development opportunities. The threshold of 200 was established in the proposed Official Plan as an appropriate “major development” in an intensification and redevelopment focused context.</p> <p>The modified OP policies will support ongoing monitoring and will provide an important input to the City’s emerging Housing Strategy. The OP proposed for adoption will contain this change.</p>
<p>11.</p>	<p>Direct the Director of City Building to add the North-West corner of Burlington Avenue and Lakeshore Road to the special planning area to match the north east corner.</p>	<p>Mapping has been modified accordingly, and staff are recommending the added policies be adopted as part of PB-04-18.</p> <p>This modification establishes a consistent and effective approach to achieving compatibility and appropriate building transitions from Lakeshore Road to the adjacent low-density St. Luke’s neighbourhood along Burlington Avenue.</p>
<p>12.</p>	<p>Refer discussion of the whole Upper Brant Precinct to the Planning and Development Committee meeting of February 6, 2018.</p>	<p>Policies in Section 8.1.1(3.14) and associated mapping have been modified to:</p> <ul style="list-style-type: none"> • further delineate the Upper Brant Precinct into three different sectors with varying maximum heights reflective of available parcel depth and adjacency to low density residential areas; and • provide direction to the Zoning-By-Law to establish new rear yard set back requirements in Sector 2 that better address compatibility with the adjacent residential

	Motion	Staff Response and Analysis
		<p>buildings on Rambo Crescent.</p> <p>Staff are recommending these modified policies be adopted as part of PB-04-18.</p>
13.	<p>Direct the Director of City Building to work with the Region of Halton to review the Downtown Urban Growth Centre boundaries, and consider restoring original boundaries with the exception of Spencer Smith Park.</p>	<p>This will be addressed as part of the City’s participation in the Regional Official Plan Review.</p>
14.	<p>Direct the Director of City Building to amend the proposed Official Plan to designate the lands municipally known as 720, 735, and 740 Oval Court and 5135 and 5155 Fairview Street as Urban Corridor on Schedule C of the City of Burlington Official Plan and to direct that the Appleby GO Mobility Hub Area Specific Plan consider and develop appropriate policies for these lands to allow the employment function to be retained, in conjunction with other uses.</p>	<p>Mapping has been modified to:</p> <ul style="list-style-type: none"> • Apply to 720, 735, and 740 Oval Court, and 5135, 5155 and 5115 Fairview Street. • Remove the overlay indicating that these lands should be added to the Region’s Employment Area, but will retain the existing land use designation (Urban Corridor – Employment). <p>While staff did not recommend conversion of these lands as part of the new Official Plan project, staff have implemented the Council Motion by modifying the mapping as part of the new OP for adoption. As part of implementing the changes, staff included 5111 Fairview because otherwise, the GO station lands would be an isolated ‘employment area’ within a larger ‘non-employment’ area. This is problematic, because the intent of an ‘employment area’ is that there is a contiguous area of land to support employment uses.</p> <p>Also, as part of implementing the Council Motion, staff have retained the existing Urban Corridor - Employment land use designation. This is because the lands are within the</p>

	Motion	Staff Response and Analysis
		<p>Appleby Mobility Hub and an appropriate land use designation will be determined through the Appleby Mobility Hub Area Specific Plan process, which may or may not be titled "Urban Corridor". This approach is consistent with the practice of all proposed conversions within a Mobility Hub Study Area, as detailed in response 4, Appendix E of PB-14-18.</p>

9.0 Sustainable Building and Development Guidelines

Staff is recommending approval of the proposed Sustainable Building and Development Guidelines (April 2018) included in Appendix B of the subject report. The Sustainable Design policies in Section 7.4 of the new OP enable the implementation of the Guidelines. The guidelines will apply to all new development applications submitted after the approval of the Sustainable Design policies of the new OP. Prior to Regional approval of the plan, the guidelines will be used as an informative tool.

Please note no changes were made to the February 2018 version of the guidelines.

The Sustainable Building and Development Guidelines implement direction from the Strategic Plan 2015-2040. Please refer to staff report [PB-83-16](#) for background and policy direction related to the Sustainable Design Policies in the new OP and the Sustainable Building and Development Guidelines. Staff consulted with the Housing and Development Liaison Committee/Hamilton Halton Homebuilders Association and the Sustainable Development Committee on several versions of the draft guidelines, as outlined in staff reports [PB-83-16](#) and [PB-50-17](#).

The Guidelines serve as a supportive tool in evaluating development applications, and identify which of the Guidelines are required and which are voluntary. The required Guidelines are in alignment with existing City by-law regulations or standards. The voluntary Guidelines provide an opportunity for the proponent of a development application to advance the sustainability of the development, and in so doing, be recognized through the City's awards program for commitment to progressive measures.

10.0 Related Planning Matters

i) Mobility Hub Area Specific Plans

Official Plan level policies for the downtown have been incorporated into the new OP. Once the new OP is adopted, the Area Specific Plan for the downtown and three other Mobility Hubs will continue to advance the development of more detailed policies which are not otherwise developed at an Official Plan level of detail. These include, but are not limited to:

- Site-specific constraints;
- Detailed heritage analysis;
- Phasing of development;
- Infrastructure capacity;

- Stormwater management including floodplains;
- Feasibility of future transportation connections;
- Additional sustainability measures;
- Area-focused community engagement;
- Implementation and incentive tools; and,
- Further area-specific design requirements.

Changes to land use designations and building heights in the Aldershot, Burlington and Appleby GO Mobility Hubs are not included in the Official Plan recommended for adoption. These changes will be addressed in the Area Specific Plans and be incorporated as a future amendment to the Official Plan at such time as the Area Specific Plans are completed by the City and approved by City Council and the Region of Halton.

While these area-specific plans are underway but not complete the Official Plan still constitutes a comprehensive Plan for a built out municipality. With few remaining areas in the City's designated greenfield area, in order to plan for redeveloping key areas of the City within the built up area requires that first the Official Plan provide the organizing framework. The development and implementation of those area specific plans occur with broader direction from the Official Plan, much like plans for designated greenfield areas. All staff reports related to the Mobility Hubs work and their attachments are included in Appendix G for reference.

ii) Burlington's Growth Monitoring Program: Housing, Population and Jobs

As part of the City's growth monitoring program, staff have released recent memos that track: City-wide population; Built-Up area residential unit growth; population and job density within the Urban Growth Centre (Refer to: [Burlington's Urban Growth Centre Density Analysis](#) (September 8, 2017)); and [City-wide Population and Built-Up Residential Unit Growth Analysis](#) (September 15, 2017). Further, as part of employment monitoring, a technical memo was prepared by Dillon Consulting and Waston & Associates (Refer to: [Update to Phase 2 Employment Lands Analysis](#) (Date January 26, 2018)). Together, these assessments demonstrate how development occurring within the City is contributing to the achievement of the 2031 growth distribution targets. The analysis completed to date continues to evolve as new information becomes available and staff are continually monitoring new data. Periodic reports on the City's progress will be provided in the future.

Strategy/process

Regional Approval

Upon Council adoption, the new OP will be forwarded to the Region of Halton for approval.

As the delegated approval authority for lower-tier municipal official plans (as per Section 17(2) of the *Planning Act* and Ontario Regulation 176/97), Halton Region will assess and comment on the applicability and compliance of the Burlington Official Plan to the matters of Provincial interest set out in Section 2 of the *Planning Act*, the applicable policy statements adopted under Section 3 of the *Planning Act* and Provincial interests as set out in provincial plans. Upon completion of its review, the Region will issue a Notice of Decision including an explanation of the purpose and effect of the proposed Official Plan, and a statement that the Region has made a decision to approve, modify and approve or refuse the proposed Official Plan, as the case may be. If a decision is made to refuse the proposed Official Plan, a written explanation for the refusal will be provided.

The Region's proposed modifications to the Official Plan will be provided to Burlington Council for endorsement at a Planning and Development Committee Meeting prior to Regional approval.

Transition Practices for Development Applications

Upon Council adoption of the new OP, the following will apply to the processing of development applications:

- Complete development applications submitted after Burlington Council adoption, but prior to Regional Council approval, will continue to be processed under the in force and effect Official Plan (1994, as amended), but during the review of the application, staff will be referring to the new OP, and encouraging the applicant to consider the objectives and policies of the new OP.
- Complete development applications submitted after Regional approval must conform to the new OP, with exception of any policies that are under appeal.

In addition, any Official Plan Amendments that are approved by Council under the current Official Plan (1994, as amended) prior to Regional approval of the new OP will be submitted to the Region for approval as a modification to the new Official Plan. This includes all amendments resulting from Ontario Municipal Board (OMB)/Local Planning Appeal Tribunal (LPAT) decisions in this time period.

Options considered

N/A

Financial Matters:

New Official Plan Project

There is currently \$135,000 remaining which is sufficient in staff's assessment to complete the new OP. Any remaining funds will be used to supplement funding the new Zoning By-law and community engagement for other Grow Bold plans and initiatives, such as the Mobility Hubs Studies and Transportation Master Plan.

Connections:

See Section 10.0: Related Planning Matters.

Public Engagement Matters:

A full summary of engagement and consultation activities throughout the project is found in Appendix H and described in Section 3.0.

Conclusion:

Grow Bold: Burlington Official Plan establishes goals, objectives and policies to guide the City in its land use planning decisions to 2031. It is recommended that Council adopt PB-04-18 and direct staff to forward the new proposed Official Plan to Halton Region for approval.

Respectfully submitted,

Andrea Smith, MCIP, RPP
Manager, Policy and Research

Rosa Bustamante, MCIP, RPP
Manager, Policy – Mobility Hubs

Appendices:

- A. Revised Proposed New Official Plan for Adoption (April 2018)
- B. Sustainable Building and Development Guidelines for Approval (April 2018)

- C. By-law to adopt Grow Bold: Burlington's Official Plan
- D. Lands Recommended for Employment Conversion that are located on the Halton Region's Employment Area overlay Lands Recommended to be removed from the City's Employment Area
- E. Lands recommended for redesignation found within the Areas of Employment as defined by the City's existing Official Plan that are not located on the Halton Region's Employment Area overlay
- F. Recommended Classification of Transportation Facilities
- G. Summary of OP Project Staff Reports
- H. Public Engagement Summary
- I. Planning Act: Conformity Assessment
- J. Provincial Policy Statement: Conformity Assessment
- K. Places to Grow: Conformity Assessment
- L. Greenbelt Plan: Conformity Assessment
- M. Niagara Escarpment Plan: Conformity Assessment
- N. Halton Region Official Plan: Conformity Assessment
- O. Revised Proposed New Official Plan – Tracked Changes Version
- P. Feedback Received and staff response

Notifications:

Curt Benson, Region of Halton

Dan Tovey, Region of Halton

Niagara Escarpment Commission

Conservation Halton

New OP Project Mailing List

Report Approval:

All reports are reviewed and/or approved by Department Director, Director of Finance and Director of Legal. Final approval is by the City Manager.