

**AMENDMENT NO. 107  
TO THE OFFICIAL PLAN OF THE BURLINGTON PLANNING AREA**

**CONSTITUTIONAL STATEMENT**

Part A: The Preamble provides general information regarding the amendment area and statements that provide the basis for the Official Plan Amendment. The Preamble does not constitute part of Amendment No. 107 to the Official Plan of the Burlington Planning Area, as amended.

Part B: The Amendment provides the details of the Official Plan Amendment. The details of the Amendment, as contained in Part B of this text, constitute Amendment No. 107 to the Official Plan of the Burlington Planning Area, as amended.

**PART A – PREAMBLE**

**1. PURPOSE OF THE AMENDMENT**

The purpose of this Amendment is to revise the policies and the schedules of the Official Plan of the Burlington Planning Area based on the preparation of a Secondary Plan for the Tremaine Dundas Community area. The Amendment is to redesignate the lands bound by Bronte Creek, Highway 407, Tremaine Road and Dundas Street from “Land Use Designation to be Determined” and “Greenlands” to “Residential – Medium Density”, “Mixed Use Corridor - General”, Mixed Use Corridor - Employment”, “Business Corridor”, “Major Parks and Open Space” and “Natural Heritage System”. Schedules are amended to establish land uses on “Schedule B Comprehensive Land Use Plan - Urban Planning Area” and revise “Schedule A - Settlement Pattern” accordingly and revise “Schedule J - Classification of Transportation Facilities South of No. 1 Side Road” to reflect the transportation network in the Secondary Plan area. The text changes of this amendment are made to recognize site specific development policy for the Tremaine Dundas Study Area.

**2. SITE AND LOCATION**

This Amendment applies to the lands bounded by Bronte Creek, Highway 407, Tremaine Road and Dundas Street in the northeastern quadrant of the urban planning area within the City of Burlington, as shown in Figure 1. The Tremaine Dundas Study area is comprised of 133 hectares although the Bronte Creek valleylands and natural heritage system encompass a significant portion of the overall area. The net developable area of the study area has been determined to be approximately 49 hectares with the remainder of the lands being comprised of the noted environmental features, Highway 407 right-of-way, a functional hydro corridor and CNR railway line.

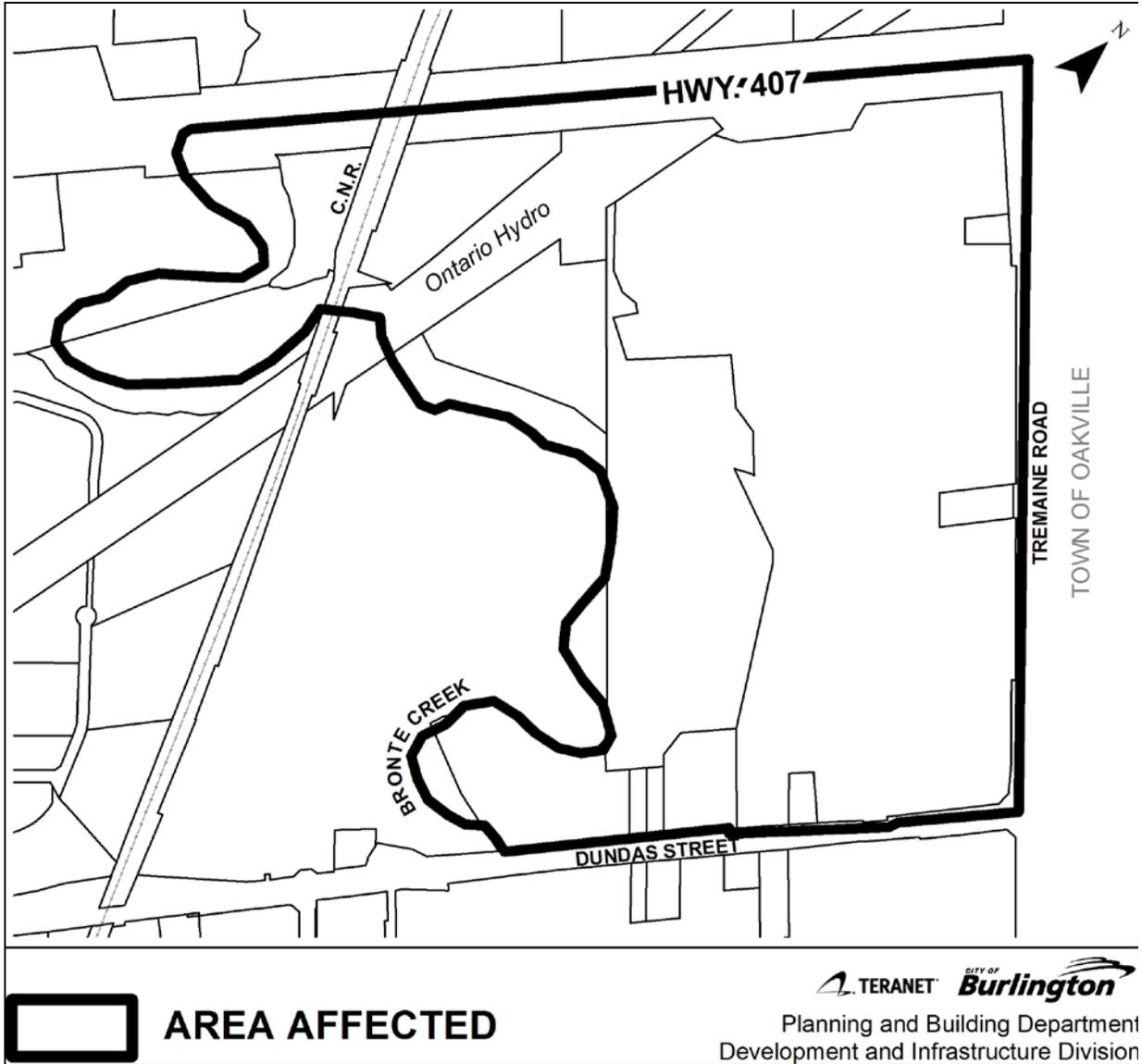


Figure 1 - Location Map

### 3. EXISTING LAND USES

The Secondary Plan area is comprised of Bronte Creek valleylands, a CNR railway line, an Ontario Hydro corridor, two residential uses, a bus depot and a large parcel with a residential use that includes significant woodlands, wetlands and water courses with the remainder of the lands being utilized for agricultural purposes.

The entire Tremaine Dundas Secondary Plan area is approximately 133 hectares although the Bronte Creek valleylands and Natural Heritage System encompass a significant portion of the overall secondary plan area. The future Tremaine Dundas Secondary Plan community is comprised of a developable area being approximately 49 hectares.

The existing uses located within the area include a school bus terminal on Dundas Street and three single detached residences (the Crook-Norton House, residence fronting Dundas Street and a residence fronting Tremaine Road), the existing Highway 407 right of way, a functional hydro corridor, CNR railway line as well as the extensive Bronte Creek valleylands that set the natural environment character for the remainder of the secondary plan area.

The Bronte Creek valleylands fall within the limits of the Provincial Greenbelt Plan Area and are protected as part of the Greenbelt Natural Heritage System. The lands are rolling in nature and incorporate other significant natural heritage features such as significant woodlands located outside of the Provincial Greenbelt Area which are protected as part of the Regional and City Natural Heritage System.

The surrounding uses include a mix of employment, residential and open space areas. The open space areas associated with the Bronte Creek valleylands form a natural link and interconnection with Bronte Creek Provincial Park on the south side of Dundas Street. The 682-hectare park is a significant natural heritage asset within the City and Region, extending from Dundas Street south to the Queen Elizabeth Way/Highway 403. Two existing residential dwelling units are located south of Dundas Street adjacent to the Bronte Creek Provincial Park.

Beyond the Bronte Creek *valleylands* to the west is a large industrial site that supports the operations of Meridian Brick Canada (Forterra). Further west is a large regional commercial area with a variety of commercial and retail uses. Further south and west are residential uses located within Orchard community (Dundas Street south to Upper Middle Road, between Appleby Line and the Bronte Creek). While the Orchard community is largely built-out with low-rise residential, a new mid-rise apartment complex is being developed along the south side of Dundas Street east of Sutton Drive.

Tremaine Road marks the shared municipal boundary with the Town of Oakville. The lands east of Tremaine Road are located within the Town of Oakville and are designated *employment* lands in the North Oakville West Secondary Plan. Currently, there is a single detached dwelling with the remainder of the lands being used for agricultural purposes.

#### **4. BASIS FOR THE AMENDMENT**

The Official Plan of the Burlington Planning Area was initiated in 1990, adopted by Burlington Council in 1994, and approved by the Region of Halton in 1997. These lands were designated, on both Schedules A and B, as "Land Use Designation to be Determined". The lands were deferred \*D40 as the Tremaine Road/Dundas Street Study Area. This area is located within the urban boundary and the ultimate use for the lands is to be determined through a secondary plan developed in conjunction with the Town of Oakville and the Region of Halton. Part VI - Implementation, Section 8.4 of the Official Plan provides policy direction for the completion of a secondary planning study and subsequent amendment to the Official Plan for adoption of a Secondary Plan. The Secondary Plan studies are to consider among other items environmental, social and

economic matters in determining a land use plan and policies for the provision of housing, employment, parks and commercial activity.

In 2009, the Region of Halton, Town of Oakville and City of Burlington undertook a number of studies in support of the Tremaine Dundas Secondary Plan that included a Background and Options Report, Land Needs Analysis, Water and Wastewater Servicing Assessment, a Subwatershed Study and an Inter-Municipal Transportation Study.

In 2011, Council received the Tremaine Dundas Secondary Plan Background and Options report and supported a mixed-use development concept for these lands. Council directed staff to prepare a Secondary Plan and “incorporate environmentally sustainable neighbourhood development and building policies as criteria for approval of residential subdivision, site plan and employment lands” within the area.

In 2012, Council directed staff to prepare a Secondary Plan for the Evergreen Community based on mixed use development concept in principle, and providing land use policies that can achieve between 816 and 980 jobs, according to the concept ultimately determined and supported by an assessment of the issues identified from consultation with departments, agencies and the public.

In 2013, an appeal of Region of Halton Official Plan amendment No. 38 to the OMB with respect to Natural Heritage System mapping and policies affecting the Tremaine Dundas Secondary Plan area deferred the preparation of the secondary plan until the appeal was resolved.

In 2016, with the resolution of the OMB ROPA 38 appeal, the secondary plan process resumed with meetings of the Technical Team that included City planning, engineering, parks and transportation staff as well as Town of Oakville, Halton Region and Conservation Halton staff. Due to significant changes in policy since the original studies in 2009, updates were completed to the Subwatershed Study and the Transportation Study.

As a result of the evaluation of these updated studies, a preferred land use concept plan was established.

## **PART B – THE AMENDMENT**

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

#### **1.1. Map Changes**

The following schedules of the Official Plan are hereby amended as follows:

- 1.1.1. Schedule A -“Settlement Pattern” of the Official Plan is hereby amended as shown on Map 1 which constitutes part of this amendment.
- 1.1.2. Schedule B - “Comprehensive Land Use Plan – Urban Planning Area,” of the Official Plan is hereby amended as shown on Map 2 which constitutes part of this amendment.
- 1.1.3. Schedule J - “Classification of Transportation Facilities-South of No. 1 Side Road” of the Official Plan is hereby amended as shown on Map 3 which constitutes part of this amendment.
- 1.1.4. Schedule M - Tremaine Dundas Secondary Plan Phasing Strategy is hereby added to the Official Plan as shown on Attachment #4 which constitutes part of this amendment.

#### **1.2. Text Change:**

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

- 1.2.1. By adding a new paragraph in Part I, Section 4.3 “The Future Built Form and Natural Environment”, between paragraph 14 which addresses the Alton Community and paragraph 15 which addresses Preservation of Natural Features, as follows:

Tremaine Dundas Community      The Tremaine Dundas Community is located north of Dundas Street, west of Tremaine Road, south of Highway No. 407 and east of Bronte Creek. The overall vision for the Tremaine Dundas Secondary Plan is to incorporate significant energy saving and renewable energy initiatives to be a leading edge, environmentally responsible mixed-use community that promotes a healthy, sustainable, green lifestyle through an integrated approach. The secondary plan includes a mix of land uses providing a range of opportunities for residential and *employment* development, in addition to parks and open space that maximize the *natural environment*. The *employment* area is provided along Tremaine Road and Dundas Street and will provide a range of opportunities including office, retail/commercial and light industrial uses that *encourage* live work proximity. The future *employment* uses along Tremaine Road will be planned and designed to achieve land use compatibility with future *employment* uses east of Tremaine Road within the Town of Oakville. *Employment* and residential uses *may* be located in close proximity to each other with guidance related to urban design and land use compatibility standards. The residential neighbourhoods are integrated with the mixed use corridor along Dundas Street and the natural heritage features of the Bronte Creek valleylands and the central and southern woodlands. The Tremaine Dundas Community is expected to accommodate approximately 1945 to 2030 new residents and provide approximately 816 to 900 new jobs upon full build out. *Development shall* be guided by the Tremaine Dundas Community Secondary Plan.

1.2.2. By adding the following new sub-sections following paragraph c) in Part II, Subsection 2.3 (Sustainability and the Environment - General Policies):

Tremaine Dundas Community      d) Notwithstanding Part II, Subsection 2.3 a), the objectives and policies in Part III, Subsection 6.5 *shall* apply to any *development* in the Tremaine Dundas Community.

1.2.3. By adding the following new sub-sections under paragraph b) in Part II, Subsection 2.4.1 (The Natural Heritage System - General):

- Tremaine Dundas Community (i) The Tremaine Dundas Secondary Plan amended this Plan to incorporate ~~Natural Heritage System~~ Natural Heritage System policies and mapping, identified in Part III, Subsection 6.5.

1.2.4. By adding the following new sub-sections after paragraph p) in Part II, Subsection 2.7.3 (Sustainable Design and Compatibility, Policies):

- Tremaine Dundas Community q) The following additional policies *shall* apply in the Tremaine Dundas Community:
- (i) Buildings *shall* incorporate minimum required sustainable design measures in accordance with the City's Sustainable Building and Development Guidelines and the Tremaine Dundas Community Urban Design Guidelines.
  - (ii) A target of 50% of all *development* within the Tremaine Dundas Community *shall* incorporate additional innovative design features promoting carbon reduction, energy efficiency, water conservation and environmental sustainability. These include *Low Impact Development*, "green" building technologies such as green or cool roofs, rainwater harvesting for re-use, grey water recycling, renewable energy sources, bioswales, permeable pavement, LEED design, Net-Zero ready buildings, etc.
  - (iii) The Business Corridor and Mixed Use – Employment area within the Tremaine Dundas Community is *encouraged* to incorporate *Eco-Industrial Development* practices, through the incorporation of measures such as locally generated and shared energy sources, sharing waste heat, etc.
  - (iv) *Development* in the Business Corridor area promotes the use of alternate modes of transportation: walking, cycling or transit and *encourages* transportation demand techniques such as electric vehicle charging stations, car-pooling, other forms of ride-sharing with incentives such as dedicated priority parking spaces for carpool, ride sharing, and ultra low emission vehicles through a minimum percentage of total parking spaces.
  - (v) New residential *development* will be *encouraged* to incorporate sustainable building and design measures,

such as renewable energy sources, front yard rain gardens, high reflectivity paving and roofing materials, permeable pavement, and on-site rainwater retention strategies.

- (vi) New residential *development* energy demand *should* achieve an EnerGuide 85 energy efficiency rating for residential buildings.
- (vii) To facilitate the establishment of a sustainable environment and discourage idling of vehicles, *accessory drive-throughs shall* not be permitted within the Tremaine Dundas Community.
- (viii) New *development* within the public and private realm *shall* incorporate generous landscaping and tree planting, with the intent of increasing the extent of the canopy cover, promoting interception of rainfall and maximizing evapotranspiration.
- (ix) Trees and shrubs *shall* be planted adjacent to buildings and in strategic areas to reduce energy consumption by providing shading, climate protection, and windbreaks.
- (x) Trees *shall* be integrated into parking lots and other impervious areas.
- (xi) Management plans for wooded features within the ~~Natural Heritage System~~ Natural Heritage System *should* be developed to contribute to the long term health and function of the system. Existing tree canopy and healthy, native trees in hedgerows outside the Natural Heritage System should also be preserved wherever feasible.
- (xii) *Development* proposals *should* preserve existing healthy trees, relocate healthy trees, where feasible, plant replacement trees using an aggregate-caliper formula, in accordance with a Tree Preservation Plan prepared to the satisfaction of the *City*, and incorporating the planting of additional trees where appropriate.

- (xiii) The *City shall* require the incorporation of appropriate tree planting during design of streetscapes, including considerations of diverse, non-invasive, drought tolerant, salt tolerant and low maintenance trees including the provision of adequate minimum soil volumes and soil composition.
- (xiv) The ~~City~~ *City encourages* increased energy efficiency of buildings, reduced stormwater run-off, use of green roofs and/or low albedo roofing materials and strategically placed *trees* to provide shade for buildings and to minimize the *urban heat island effect*.
- (xv) The *City encourages* the protection and enhancement of *watercourses* and planting and reforestation of creek blocks, streams and valleylands and their buffer areas where appropriate.
- (xvi) Incorporation of solar energy in the Business Corridor and Mixed Use – Employment uses of the Tremaine Dundas Community is *encouraged* to be located on the roofs of buildings to reduce lot coverage and improve the public realm. Excess energy produced through solar panels *may* be transmitted throughout the Tremaine Dundas Community to prevent the waste of energy and the reliance on other non-renewable energy sources.
- (xvii) *Developments* in the Business Corridor are *encouraged* to incorporate visible *green infrastructure* technology into facades and signage, such as photovoltaic cells, recycled materials and green roofs.
- (xviii) Sustainable building materials and design treatments are *encouraged* throughout the secondary plan area.
- (xix) The use of residual heat or energy from business operations is *encouraged* to provide heating, cooling, and energy for other processes on the same lot, adjacent lots or to other areas within the Tremaine Dundas Secondary Plan community.
- (xx) The use of permeable surfaces is *encouraged* to improve ground water recharge and reduce storm water runoff.

- (xxi) The *City shall encourage* the efficient use of land by incorporating best practices and innovative stormwater management techniques throughout the design of the community to the greatest extent reasonably possible.
- (xxii) *Urban agriculture is encouraged* throughout the secondary plan area as part of the community's character and open space system. Intense forms of *urban agriculture may* also be considered within the Business Corridor allowing for locally grown foods
- (xxiii) Privately owned surface parking lots *should* incorporate *Low Impact Development* techniques.
- (xxiv) Surface parking lots *should* incorporate *trees* and landscaping to mitigate *urban heat island effect*, provide shade and contribute to the quality of the *public realm*.

1.2.5.

By adding the following new sub-sections after paragraph e) in Part II, Subsection 2.11.2.2 (Erosion):

- Tremaine  
Dundas  
Community
- f) New *development* adjacent to *watercourses shall* be subject to a setback from *stable top of bank*, the *flooding hazard* and *meander belt allowance* associated with the *watercourses*. The location of the stable top of bank, regulatory floodplain and meander belt width *shall* be determined by studies to the satisfaction of Conservation Halton in conjunction with the *City*.  
  
Protection of contributing Redside Dace habitat from potential impacts associated with site grading *shall* be in accordance with applicable Provincial and Federal regulations.

1.2.6. By adding the following new sub-sections after paragraph m) in Part II, Subsection 2.11.3 (Storm Water Management, Policies):

- Tremaine  
Dundas  
Community
- n) The following additional policies *shall* apply in the Tremaine Dundas Community:
    - (i) The stormwater management facilities *shall* be located to facilitate maximum benefit and performance of their essential functions in accordance with Halton Region's Urban Services Guidelines and will be subject to approval by Conservation Halton and the *City*.

- (ii) Stormwater management ponds *shall* be designed as key focal/visual features within the community in addition to functional objectives related to water quantity and water quality control and *shall* be designed as part of the overall pedestrian and trail system with view points and interpretive signage.
- (iii) The use of a number of on-site best management practices is anticipated within the Business and Mixed-Use Corridors. This includes the use of storage facilities to retain stormwater on-site via above and below ground techniques (ie. Parking lot storage, roof-top storage, cisterns and small storage ponds). Clean stormwater *may* be used for irrigation and process water purposes. Facilities that promote groundwater recharge such as permeable pavements, bio-retention areas and grassed swales are also anticipated to partially maintain the pre-*development* hydrology and to enhance the quality of stormwater discharges.
- (iv) *Low impact development* strategies are strongly *encouraged* to promote green living and as an environmentally friendly and a responsible *development* practice. Selection of final LID strategies *shall* consider minimizing ongoing maintenance costs to the *City*.
- (v) The range of *low impact development* strategies considered *may* include strategies at the lot level by incorporating source control measures through draft plan of subdivision. Where appropriate, these strategies *may* include a variety of practices such as: reduced lot grades, increased topsoil depths, roof drainage control or storage, infiltration galleries, porous pavements, rain gardens and grassed swales, infiltration measures to improve groundwater recharge including infiltration basins and trenches, exfiltration pipes or porous pavement, and oil/grit separators as identified within the Tremaine Dundas Community Urban Design Guidelines.
- (vi) Built form in the Tremaine Dundas Secondary Plan area *shall* minimize impervious surfaces, to the extent possible.
- (vii) Enhanced landscaping and grading of stormwater management facilities located along Tremaine Road

should be incorporated into the detailed design, subject to review and approval by Conservation Halton and the ~~City~~ City.

(viii) Headwater Drainage Features considered to contribute to Redside Dace habitat are to be conveyed to occupied Redside Dace habitat downstream to the satisfaction of Conservation Halton.

(ix) Final locations, size and number of stormwater management facilities will be determined through ~~detailed design analysis~~ a detailed analysis in the Environmental Implementation Report and Functional Service Study (EIR/FSS) and will be in accordance with Halton Region's Urban Services Guidelines.

1.2.7. By adding the following new sub-sections following paragraph k) in Part II, Subsection 3.2.2 (Transportation - Policies):

Tremaine Dundas Community    l) The Tremaine Dundas Community *shall* be subject to the following additional policies:

(i) Extensive, single-use surface parking lots are discouraged in Mixed Use Corridor- General areas of the Tremaine Dundas Community. Limited, short-term convenience parking is permitted in the Mixed Use Corridor – General area to support the retail uses and is *encouraged* to be shared use parking where permitted.

(ii) Where surface parking lots are present in Business Corridor Areas of the Tremaine Dundas Community, parking is *encouraged* to be located at the rear of buildings, away from street frontages in order to improve the quality of the public realm and minimize visual impact.

(iii) In the Mixed Use Corridor-Employment area of the Tremaine Dundas Community, parking *is encouraged to* be provided in the form of shared structured parking lots or underground parking garages.

(iv) Adequate vehicular and bicycle parking and storage facilities for residents, employees and visitors *shall* be provided in each of the land use areas to *encourage active transportation* and effective use of transit. Other transportation measures, such as electric vehicle charging stations, dedicated priority parking spaces for

carpool, ride sharing and ultra low emission vehicles in parking areas of multi-storey residential, Mixed Use and Business Corridor *shall* be considered and incorporated into future *development* where feasible.

1.2.8. By adding the following new sub-sections following paragraph z) in Part II, Subsection 3.3.2 (Roads - Policies):

- Tremaine  
Dundas  
Community
- aa) The following additional policies *shall* apply to the Tremaine Dundas Community:
- (i) Street and pedestrian connections to Tremaine Road *shall* be designed to align with the North Oakville West Secondary Plan and approved by Halton Region in accordance with their applicable guidelines.
  - (ii) At least one street connection to Dundas Street *shall* be provided to provide access to the community from the south as approved by Halton Region in accordance with their applicable guidelines.
  - (iii) Any lands identified as required for future widening and/or realignment of Dundas Street, as identified in the Dundas Street Class EA Study/Dundas Street Detailed Design Study, *shall* be dedicated to Halton Region for the purpose of road right-of-way widening, realignment and future road improvements in accordance with their applicable guidelines.
  - (iv) Any lands within a 50m x 5m block from Tremaine Road westerly (at the northwest corner of Tremaine Road and Dundas Street) are required for a transit station/transit stop and have been identified as required for the future widening and/or realignment of Dundas Street, as identified in the Dundas Street Class EA Study/Dundas Street Detailed Design Study, *shall* be dedicated to Halton Region for the purpose of road right-of-way widening, realignment and future road improvements.
  - (v) A daylighting triangle measuring 15m along Dundas Street and 15m along Tremaine Road shall be dedicated to Halton Region for the purpose of road right-of-way widening and future road improvements.
  - (vi) ~~A daylighting~~ Daylighting triangles measuring 15m along Tremaine Road and all proposed intersections (full movement and right in/right out) *shall* be dedicated to

Halton Region along with any other lands required for the purpose of road right-of-way widening, realignment and future road improvements in accordance with their applicable guidelines.

- (vii) Minor modifications to the location, size and alignment of the conceptual streets may be permitted without amendment to the Official Plan provided that such modifications are approved by Halton Region in accordance with their applicable guidelines. The final location of the local street network *shall* be developed at the draft plan of subdivision stage and *may* incorporate a *flex street* in proximity to the Mixed Use-General area. Any modifications to intersections with Regional roads will require Halton Region's approval in accordance with their applicable guidelines.
- (viii) Sidewalks along **local and** local collector roads *shall* be designed to a minimum width of 1.8 metres wide on both sides of the street to accommodate pedestrian movement (exception *may* be made for design of "Special Street").
- (ix) Sidewalks *shall* be 1.8 to 3.0 metres in width in high pedestrian generation areas particularly where retail is provided along the street in order to accommodate sidewalk cafes, kiosks and street vendors.
- (x) Streets *shall* be designed to include space for *transportation facilities* and *transportation amenities* such as furniture, benches, bicycle locking and repair stations, bollards, shelters, banners and special decorative lighting throughout the community. Street furniture *shall* be coordinated and contribute positively the character of the community.
- (xi) The "Special Street" *shall* be designed in accordance with the management strategy identified in the Tremaine Dundas Secondary Plan Subwatershed Study Update May, 2018, the Tremaine Dundas Community Urban *Design Guidelines* and future assessment of the following factors to design appropriate mitigation measures to achieve the best possible conditions for ongoing wildlife movement:

- i. Road conditions such as width of roadway, traffic volume, traffic speed, road grade, road side slopes, road barriers and road lighting;
- ii. Known movement patterns of wildlife daily and seasonally and species most likely to cross;
- iii. Topography in the vicinity of the road crossing that *may* facilitate movement beneath the roadway via a constructed wildlife underpass, culvert or span bridge;
- iv. Opportunities for traffic calming through road modifications such as reduced traffic speed, road narrowing at Natural Heritage System crossing, signage, road lighting and improved sightlines;
- v. Temporary road closure if there are well known short-term movement patterns (ie. Amphibian crossings from upland to wetland for breeding);
- vi. Provision of alternate basking sites away from road crossings for cold blooded reptiles, if required;
- vii. Provision of appropriate nesting habitat for reptiles and amphibians away from road crossings, if required;
- viii. Wildlife crossing structures that include the design and construction of funneling structures to lead animals into crossing structures. An ecopassage to facilitate safe movement of amphibians and small mammals.

(xii) A 60 m Protected Corridor for the Study Area of the 407 Transitway is required until such time that the preferred alignment for the 407 Transitway is determined. The 60 m Protected Corridor for the Study Area of the 407 Transitway EA shall remain in place until completion of the EA which will determine the ultimate location of the 407 Transitway.

(xiii) Any lands within 25m of the centre line of the original 66ft right-of-way of Dundas Street (Regional Road 5) that are part of the subject property shall be dedicated to the Regional Municipality of Halton for the purpose of

road right-of-way widening and future road improvements.

1.2.9. By adding the following new sub-sections following paragraph g) in Part II, Subsection 3.4.2 (Transit Services - Policies):

- Tremaine Dundas Community
- h) The following additional policy *shall* apply to the Tremaine Dundas Community:
- (i) Future Municipal transit service is to be accommodated within future *development applications* within the Tremaine Dundas Secondary Plan in order to provide mobility options for residents and employees and facilitate the achievement of Regional and *City* transit utilization targets.
  - (ii) Lands have been identified as Service Area to allow for provision of service and utility uses including the distribution of hydro uses, highway-related uses and uses related to the planned Highway 407 Transitway.

1.2.10. By adding the following new sub-sections following paragraph f) in Part II, Subsection 3.6.2 (Walking - Policies):

- Tremaine Dundas Community
- g) The following additional policies *shall* apply to the Tremaine Dundas Community:
- (i) Streets and intersections *shall* incorporate design standards and features intended to facilitate walking, cycling and street life.
  - (ii) Landscaping is *encouraged* along Pedestrian linkages, to provide an increased *public realm*, shade, and protection from natural elements (i.e. wind, rain, sun, and snow).
  - (iii) Private pedestrian linkages *may* permit stormwater management infrastructure or underground parking to be incorporated below grade.
  - (iv) Buildings *shall* be located, where feasible and practical, to support existing or proposed linkages and natural connections to facilitate pedestrian use within the community.
  - (v) Crime Prevention Through Environmental Design (CPTED) measures *shall* be implemented on all

pedestrian linkages to create a safe and secure environment.

- (vi) Pedestrian connections to the Crooks/Norton Farm House at 5463 Dundas Street should be provided to allow access to the site from the future road network and Dundas Street.

1.2.11. By adding the following new sub-sections following paragraph q) in Part II, Subsection 5.3 (Utilities - Policies):

- Tremaine Dundas Community
- r) The following additional policies *shall* apply to the Tremaine Dundas Community:
    - (i) All new electrical and telecommunication cabling within right-of-ways *shall* be located underground.
    - (ii) Utility boxes required within the right of way *shall* be well integrated with the design of the streetscape.

1.2.12. By adding the following new sub-sections following paragraph e) in Part II, Subsection 6.3 (Design -Existing and New Communities - Policies):

- Tremaine Dundas Community
- f) The following additional policies *shall* apply to the Tremaine Dundas Community:
    - (i) *Development* within the Tremaine Dundas Secondary Plan community *shall* create a sustainable, mixed-use community and will contribute towards the achievement of the *City's* Sustainability principles and objectives.
    - (ii) Tremaine Dundas Community Urban Design Guidelines *shall* be utilized to review form and pattern of *development* within the public and private realm in areas such as *low impact development*, sustainable design, built form, cultural heritage, streetscape and *active transportation*.

1.2.13. By adding the following new sub-sections following paragraph o) in Part II, Subsection 6.3.2 (Major Parks and Open Space - Policies):

- Tremaine Dundas Community
- p) Notwithstanding the other policies of this Plan, the following additional policies *shall* apply to the Tremaine Dundas Community:
    - ~~(iii)~~(i) **Parks** **Parks** within the Tremaine Dundas Secondary Plan community *shall* **be** provide active

and passive recreational opportunities and ensure residents are within 400 metres of parkland, open space or trails.

1.2.14. By adding the following new sub-sections following paragraph c) in Part II, Subsection 8.4.2 (Cultural Heritage Resources - Policies):

- Tremaine Dundas Community
- d) The following additional policies *shall* apply to 5463 Dundas Street in the Tremaine Dundas Community:
- (i) The Crooks/Norton Farm House *shall* be *conserved* and maintained consistent with a Conservation Plan prepared for the resource as part of a planning application.
  - (ii) A heritage easement agreement *shall* be secured to provide permanent protection of the Crooks/Norton Farm House.
  - (iii) The Crooks/Norton Farm House *shall* be designated under Part IV of the Ontario Heritage Act.
  - (iv) Adequate parking and access *shall* be provided to support any potential adaptive re-use of the Crooks/Norton Farm House, in accordance with the Zoning By-law. Any parking *shall* be sited and designed in a manner that does not detract from the heritage resource and provided it can be shown that there will be no *negative impact* on the adjacent ~~Natural Heritage System~~ Natural Heritage System.
  - (v) Landscape around the Crooks/Norton Farm House shall emphasize plantings appropriate to the history of the farm, retain significant trees and retain portions of the farm lane, where feasible.
  - (vi) The Crooks/Norton Farm House *shall* be commemorated through interpretive plaques.

1.2.15. By adding the following new sub-sections following paragraph a) in Part II, Subsection 11.3 (Phasing of Development - Policies):

- Tremaine Dundas Community
- b) Within the Tremaine Dundas Community, *development* may proceed in two phases, as shown on Schedule M, with phasing proceeding based on the following:

- (i) Phase 1 will generally comprise the lands to the south and east of the Central Woodland, including the lands designated as Residential – Medium Density, Mixed Use Corridor - General, Mixed Use Corridor - Employment, and Business Corridor. Phase 1 *shall* include a maximum of 400 residential dwelling units.
- (ii) Phase 2 will generally comprise the lands to the north and west of the Central Woodland, including lands designated as Residential – Medium Density.
- (iii) Progression of *development* is contingent on the availability of public infrastructure and services. The timing and availability of infrastructure shall be in accordance with the Region's current Official Plan and Master Plans.
- (iv) The City, in consultation with the Region, may permit ~~Minor~~ adjustments to the phasing boundaries ~~are permitted~~ without an Official Plan amendment where such adjustments are made in accordance with the general purpose and intent of this Secondary Plan and if it is demonstrated that there are no negative impacts on the City or Region, including from land use planning, Natural Heritage System, infrastructure, financial impact perspectives, and the Regional Allocation Program.
- (v) Approval of *development and site alteration* *shall* be contingent on the submission of an Environmental Implementation Report/Functional Servicing Study (EIR/FSS) submitted as part of a draft plan application, to the satisfaction of the City, Conservation Halton and the Region of Halton.
- (vi) A holding zone (H) may shall be utilized for subsequent phases Phase 2 lands until such time as Regional servicing approval is obtained for the additional phases additional growth has been identified by the Region to ensure orderly development.

Development in Phase 2 lands is contingent on the additional growth as identified by the Region. If the additional growth would allow for greater density than permitted in Phase 1 or Phase 2 lands, an Official

Plan Amendment shall be required to adjust the density of residential units.

- (vii) Draft approved plans of subdivision *shall* not be registered prior to the availability of sanitary sewage and water system capacity, as determined by the City City and the Region of Halton and for the lands affected by the 60 m Protected Corridor for the Study Area of the 407 Transitway EA, resolution of the 407 Transitway EA.
- (viii) The development development of employment areas within the Tremaine Dundas Secondary Plan will be encouraged to occur concurrently with the development development of nearby residential lands. If residential uses within 70 metres of an *employment* designation are developed prior to the *employment* uses within the Business Corridor blocks, appropriate interim noise mitigation measures and buffering *shall* be implemented to ensure compatibility with potential *employment* uses on the Town of Oakville lands in accordance with the recommendations of a Land Use Compatibility Assessment and Detailed Noise Study.
- (ix) A 60 m Protected Corridor for the Study Area of the 407 Transitway EA is required until such time that the preferred alignment for the 407 Transitway is determined. The 60 m Protected Corridor for the Study Area of the 407 Transitway EA shall remain in place until completion of the EA which will determine the ultimate location of the 407 Transitway.

1.2.16. By adding the following new sub-sections following paragraph m) in Part III, Subsection 2.2.3 (Residential - Site Specific Policies):

- Tremaine Dundas Community
- n) Notwithstanding the policies of Part III, Subsection 2.2.2 d) and g)(ii), d), the following policies *shall* apply to the Tremaine Dundas Community:
    - (i) In Residential - Medium Density areas, a density ranging between 26 and 75 units per net hectare *shall* be permitted.
    - (ii) In addition to 2.2.2. g)(ii), limited, small-scale retail uses that serve the day to day needs of residents within close proximity *may* be permitted at grade

within a building containing residential uses in the storeys above, subject to being *compatible* with the main residential use and respectful of the *physical character* of the neighbourhood. Such uses will be guided by appropriate standards in the Zoning By-law including, but not limited to parking, access and amenity areas.

- (iii) Dwelling units Development in the Residential – Medium Density shall be a maximum of two storeys within 70 metres from an *employment* use to ensure adequate land use compatibility with the Business Corridor designation and lands located within the Town of Oakville. Any increase in height within the noted 70 metres from an *employment* use shall require a site specific Zoning By-law amendment and an air quality assessment to assess potential future industrial source characteristics and all industrial and traffic impacts from the surrounding areas.
- (iv) Any new *sensitive land uses* within 70 meters of an *employment* designation shall submit a Land Use Compatibility Assessment to identify potential issues and prescribe appropriate mitigation measures. Mitigation measures could include but are not limited to a range of site layout and building design strategies, including such as building setbacks, orientation, landscaping and materiality, as well as acoustic barriers intended to attenuate noise, such as fencing, landscaping or vegetation. If required, environmental warning clauses can be issued and included in Offers of Purchase and Sale, lease/rental agreements or condominium declarations. Specific mitigation measures that *may* be required will be finalized through the site plan stage.
- (v) An updated Noise and Vibration Study will be required as part of any proposed development application to assess all transportation and stationary noise sources in the vicinity of the application.

1.2.17. By adding the following new sub-sections following paragraph g) in Part III, Subsection 2.4.2 (Housing Affordability - Policies):

- Tremaine Dundas Community
- h) The following additional policies *shall* apply to the Tremaine Dundas Community:
- (i) The *City encourages* the *development* of *affordable housing* by means of permitting secondary dwelling units as of right and innovative housing designs and residential *development* that consider such matters as more modest amenities, materials and finishes and an examination of innovative building design. The *City* also *encourages* housing designs that facilitate subsequent conversion to provide additional housing units that support achievement of *affordable housing* targets.
  - (ii) *Development* applications, greater than 100 residential units, *shall* be required to provide a Housing Impact Statement identifying a commitment to achieve the Region's housing targets of affordable, assisted and/or special needs housing units, identifying how estimated rents and/or initial sales prices of the *development* are at or below the *affordable housing* thresholds by type and information regarding the number of *affordable housing* units per phase of *development*.
  - (iii) A range and mix of housing types will be provided in each development phase.

1.2.18. By adding the following new sub-sections following paragraph b) in Part III, Subsection 2.5.3 (Accessory Dwelling Units - Site Specific Policies):

- Tremaine Dundas Community
- c) Notwithstanding the policies of Part III, Subsection 2.5.3 a), the following policies *shall* apply to the Tremaine Dundas Community:
- (i) A maximum of one accessory/secondary dwelling unit is permitted in Residential - Medium Density designations within a detached dwelling unit, semi-detached dwelling units or a townhouse dwelling unit.

1.2.19. By adding the following new sub-sections following paragraph m) in Part III, Subsection 3.4.3 (Business Corridor Designation - Site Specific Policies):

- Tremaine Dundas Community
- n) Notwithstanding the policies of Part III, Subsection 3.4.2 a), the following *shall* apply to the Tremaine Dundas Community:
- (i) A hotel, conference and convention use is not permitted.

In addition to the other policies of this Plan, the following policies apply to *development* within the Tremaine Dundas Community:

- i. *Development* in the Business Corridor blocks along the west side of Tremaine Road *shall* achieve land use compatibility with future *employment* uses along the east side of Tremaine Road, as well as with residential, mixed uses and ~~Natural Heritage System~~ Natural Heritage System areas located to the west within the secondary plan area.
- ii. The Business Corridor *shall* have a minimum of 70 - 90 m in depth (dependant on adjacent land use) to provide sufficient buffering between residential uses within the Tremaine Dundas Community and future potential industrial uses located within the Town of Oakville.
- iii. With the exception of the stormwater management ponds along Tremaine Road, *development* within the Business Corridor *shall* create a continuous street frontage that complements the anticipated Town of Oakville Tremaine Road frontage and helps address potential noise compatibility concerns with future *employment* uses in the Town of Oakville.
- iv. *Development* in the Business Corridor blocks along Tremaine Road *shall* be a minimum of two storeys in height (or the equivalent height) to provide screening and buffering for residential *development* to the west.
- v. *Development* in the Business Corridor area that abuts residential areas will include adequate landscaping, fencing, noise abatement or other measures to achieve compatibility between uses.
- vi. Loading, servicing and delivery functions in Business Corridor areas *shall* be consolidated to the extent practical, be generally located at the rear/side of buildings and be screened from public view.
- vii. Lands within the Business Corridor area *may* be used for stormwater management, including *Low Impact Development* features and naturalization, and for enhancements to Key ~~Natural~~ Natural Features as part of the NHS Natural Heritage System.

- viii. Outside storage *may* be permitted provided adequate screening and buffering is established.

1.2.20. By adding the following new sub-sections following paragraph q) in Part III, Subsection 5.3.2 (Mixed Use Corridor - General Policies):

- Tremaine  
Dundas  
Community
- r) Notwithstanding the policies of Part III, Subsection 5.3.2 a)(i), the following additional policy *shall* apply to the Tremaine Dundas Community:
    - (i) Farmers market use is permitted.
  - s) Notwithstanding the policies of Part III, Subsection 5.3.2 a)(ii), the following additional policies *shall* apply to the Tremaine Dundas Community:
    - (i) Residential uses *shall* not be permitted on the ground floor of buildings abutting a major arterial or abutting a local collector within 90 metres of Dundas Street.
    - (ii) Floor to ceiling height of the ground floor *shall* be a minimum of 4.5 metres to accommodate commercial uses within mixed use buildings.
    - (iii) Townhouse dwelling units *may* only be permitted as a component of an overall mixed-use development provided the long term objectives of the Mixed Use Corridor – General are not compromised in terms of function of the Mixed Use Corridor – General as a vibrant gathering and focal point within the community, mix of retail and service commercial uses, overall site design, building form or intensity.
  - t) Notwithstanding the policies of Part III, Subsection 5.3.2 d)(i), the following additional policies *shall* apply to the Tremaine Dundas Community:
    - (i) The maximum floor area ratio of *development shall* be 2.0:1. An increase to this floor area ratio may occur through a site-specific Zoning By-law amendment or minor variance application without the need for an amendment to this Plan provided that the objectives of the Mixed Use Corridor-General designation are maintained.

- (ii) Buildings fronting onto a major arterial street *should* be a minimum of three storeys. Buildings greater than four storeys *shall* require appropriate site specific air quality assessments at site plan stage.

(iii) An updated Noise and Vibration Study will be required as part of any proposed development application to assess all transportation and stationary noise sources in the vicinity of the application.

1.2.21. By adding the following new sub-section following paragraph l) in Part III, Subsection 5.3.4 (Mixed Use Corridor - Employment Policies):

Tremaine  
Dundas  
Community

- m) Notwithstanding the policies of Part III, Subsection 5.3.4 b), the following additional policy *shall* apply to the Tremaine Dundas Community:

- (i) Prestige Industrial and Office uses are encouraged. Farmers market use is permitted.

- (ii) In addition to the other policies of this Plan, the following policies apply to *development* within the Tremaine Dundas Community:

- i. *Development* in the Mixed Use Corridor - Employment block along the west side of Tremaine Road *shall* achieve land use compatibility with future *employment* uses along the east side of Tremaine Road, as well as with residential uses located to the west.

- ii. *Development* in the Mixed Use Corridor - Employment area *shall* be a minimum of two storeys and a maximum of 6 stories although buildings located in close proximity to the intersection of Tremaine Road and Dundas Street *should* be a minimum of three storeys. Any increase in maximum height *shall* require a site specific Zoning By-law amendment and an air quality assessment to assess potential existing and future industrial and traffic impacts from the surrounding areas.

- iii. Outside storage *shall* not be permitted in the Mixed Use Corridor - Employment area.

- iv. Loading, servicing and delivery functions in the Mixed Use Corridor - Employment area areas *shall* be consolidated to the extent practical and *shall* generally



2. permanent and intermittent streams,
3. lakes,
4. seepage areas and springs,
5. alvars and,
6. significant habitat of special concern species.

(iii) The Regional ~~City~~ NHS Natural Heritage System within the secondary plan area is scientifically structured on the basis of the following components:

1. Key Natural Features, which include:
  - a. *habitat of endangered and threatened species;*
  - b. *significant wetlands;*
  - c. *significant coastal wetlands;*
  - d. *significant woodlands;*
  - e. *significant valleylands;*
  - f. *significant wildlife habitat;*
  - g. *significant areas of natural and scientific interest; and*
  - h. *fish habitat;*
2. *enhancements to the Key Natural Features;*
3. *linkages;*
4. *buffers;*
5. *watercourses that are within a Conservation Halton Regulation Limit or that provide a linkage to a wetland or a significant woodland; and*
6. *wetlands other than those considered significant under Subsection 6.5.2 (iii) of this Plan.*

7. Key Features that have been identified are shown on Schedule B of the Tremaine Dundas Secondary Plan which is listed at Part IX, Appendix C, C6 of this Plan.

- b) No *development* is permitted within the NHS *Natural Heritage System* not referenced in Section 6.5.2 d) unless it has been demonstrated through an

Environmental ~~Impact Assessment~~ Implementation Report (EIR) or equivalent study that there will be no *negative impacts* on the ~~Natural Heritage System~~ Natural Heritage System or its *ecological functions* or *hydrologic functions*.

c) The following uses *may* be permitted in the ~~Natural Heritage System~~ Natural Heritage System designation:

- (i) Existing uses;
- (ii) Non-intensive recreation uses such as nature viewing and pedestrian trails;
- (iii) Forest, wildlife and fisheries management;
- (iv) Archaeological activities;
- (v) ~~Essential~~ Essential transportation and utility facilities;
- (vi) ~~Essential~~ Essential watershed management and flood and erosion control projects either carried out or supervised by a *public authority*.

d) No *development* and *site alteration* is permitted within *significant wetlands*, *significant habitat of endangered and threatened species* and *fish habitat* except in accordance with Provincial and Federal legislation or regulations.

e) No *development* is permitted within Hazard Lands and other areas regulated by Conservation Halton unless permission has been issued by Conservation Halton.

f) The following uses *may* be permitted within *linkages* and *enhancements to the key natural features*:

- (i) Trails consistent with the *City's Community Trails Strategy* as reviewed and approved by the *City*, which *shall*;
  - i. not be located within *hazardous lands*;
  - ii. use native species to naturalize trail edges;
  - iii. be the minimum width required;
  - iv. be designed with suitable surfacing material compatible with their surroundings, as per the *City's Community Trails Strategy*; and

- v. be designed and located to help to manage access to the NHS Natural Heritage System by minimizing impacts to ~~key features~~ Key Features;
  - vi. be consistent with a Trail Management Plan undertaken as part of the completion of the Environmental Implementation Report and Functional Servicing Study (EIR/FSS);
  - vii. be on publicly owned lands; and
  - viii. be designed such that the trails and associated activities do not impact negatively on ecologically sensitive areas or resource uses such as agricultural operations.
- (ii) Compatible *Low Impact Development infrastructure necessary* (i.e. vegetated swales) that is *essential* to provide conveyance functions ~~convey flows~~, as reviewed and approved by the *City*, the Region of Halton and Conservation Halton;
- (iii) A “Special Street” reviewed and designed in consultation with the *City*, Conservation Halton and Halton Region to facilitate safe movement of wildlife between the central woodlands and Bronte Creek valleylands.
- g) The following uses *may* be permitted within *buffers*:
- (i) Trails, as reviewed and approved by the *City*, the Region of Halton and Conservation Halton where it can be demonstrated that these elements do not result in a ~~negative impact~~ negative impact on the ~~Natural Heritage System~~ Natural Heritage System;
  - (ii) Compatible *Low Impact Development infrastructure necessary* (i.e. vegetated swales) that is *essential* to ~~convey flows~~, provide conveyance functions, as reviewed and approved by the *City*, the Region of Halton and Conservation Halton.
- h) The boundaries of the NHS Natural Heritage System as identified in the Tremaine Dundas Secondary Plan Subwatershed Study Update, May 2018, *may* be refined with additions, deletions and/or boundary adjustments through a future Environmental Impact Assessment (EIA) or similar study completed to the satisfaction of the *City*, Region and where appropriate Conservation Halton.

Once such refinements have been approved through an approval process under The Planning Act, these refinements *shall* be in effect on the date of such approval. The Region and *City* will maintain mapping showing such refinements and incorporate them as part of the *City's* statutory review of the Official Plan.

- i) *Buffer* refinements for the Tremaine Dundas Secondary Plan are to be implemented using a science-based approach by:
- (i) recognizing the *buffers* applied to *Key Natural Features* applied at the Regional scale in the Regional Official Plan and as carried forward through the Subwatershed Study Update (May, 2018);
  - (ii) following an approach that is consistent with the policies of the City, Region of Halton, Conservation Authority and Province, Regional Official Plan (s. 116.1) and and the findings of the Ontario Municipal Board in its decision dated April 6, 2016, PL111358 and consistent with the risk-based approach and steps described ~~as described~~ in the Region's Buffer Refinement Framework to be used as the foundation for the refinement process;
  - (iii) recognizing *Key Natural Feature* and *watercourse* sensitivity and significance and their contribution to the long term *ecological functions* of the Regional ~~City~~ Natural Heritage System;
  - (iv) considering the nature and scope of the proposed adjacent land use, and any measures intended to improve and enhance *buffer* function.
- j) *Enhancements to the Key Natural Features* are either ecologically supporting areas adjacent to individual *Key Natural Features* or measures internal to individual *Key Natural Features* that increase the ecological resilience and function of those *Key Natural Features*.

- (i) Potential opportunities for enhancements within Key **Natural** Features, buffers and linkages have been suggested in the Tremaine and Dundas Secondary Plan Subwatershed Study, May 2018 Update.
  - (ii) Such opportunities are to be further explored through the **EIR/FSS** Environmental Implementation Report and Functional Servicing Study (EIR/FSS), including potential additional opportunities for enhancements, both within and adjacent to Key **Natural** Features.
  - (iii) The final enhancements, as identified through the **EIR/FSS** Environmental Implementation Report and Functional Servicing Study (EIR/FSS), are to be identified and described in a Restoration and Enhancement Plan prepared in consultation with the City, Halton Region and Conservation Halton and implemented through the plan of subdivision.
- k) The **Natural Heritage System** Natural Heritage System may also support trails provided it can be demonstrated that these elements do not result in a *negative impact* on the **Natural Heritage System** Natural Heritage System.
- l) The hedgerow located on the westerly side of the central woodland connecting to the Bronte Creek valleylands have been identified by the Ministry of Natural Resources and Forestry (MNRF) as potential species at risk habitat for endangered bats that will require further study through the **EIR/FSS** Environmental Implementation Report and Functional Servicing Study (EIR/FSS). The hedgerow has been identified on Schedule B as an “Area for Future Study”. The “Area of Future Study” can be removed without amendment to this Plan upon approval of the completed EIR/FSS to reflect the results of the Study.
- m) The designation of land as part of the **Natural Heritage System** Natural Heritage System does not imply that those lands are available or open to public use.

- n) Where *buffers* are not already naturally vegetated, trees *shall* be planted in *buffers* (in conjunction with other naturalization plantings) to contribute to the protection of Key ~~Natural~~ *Features* and their functions from some of the impacts associated with adjacent land uses in accordance with landscape plans approved by the *City*, Halton Region and Conservation Halton.
- o) Trees *may* also be planted (in conjunction with other naturalization plantings) in *linkages* and *enhancements to the key natural features* (in conjunction with other naturalization plantings) where opportunities are identified to improve *ecosystem* functions.
- p) Preservation and / or replacement of Endangered Butternut trees *shall* be in accordance with applicable regulations under the Endangered Species Act as enforced by the Ministry of Natural Resources and Forestry.
- q) The *watercourse* located at the southeast corner of the Tremaine Dundas Secondary Plan area *may* be relocated provided its ecological and *hydrologic functions* are maintained within a natural channel design, an appropriate buffer is provided to the *watercourse* (as per the Tremaine and Dundas Secondary Plan Subwatershed Study Update, May 2018), and the required permits and approvals are obtained from Federal government, Provincial government and Conservation Halton. Should the *watercourse* be relocated, the adjacent land use designation *shall* be deemed to apply.
- r) If a *development application* involves lands in or adjacent to the ~~Natural Heritage System~~ *Natural Heritage System* and/or *hazardous lands*, the *City shall* seek, through the *development* approval process, the dedication of those lands and associated *buffer* lands to the *City*, Conservation Halton, another *public authority* or a private conservation organization. These lands

*shall* not be considered for the purpose of parkland dedication.

- s) An Environmental Monitoring Plan, based on the framework to be provided in the EIR/FSS Environmental Implementation Report and Functional Servicing Study (EIR/FSS) *shall* be prepared in consultation with the City, Region of Halton and Conservation Halton, as a condition of draft plan of subdivision approval.
- t) Trails *may* be permitted within Key Natural Features where:
  - (i) Use of the existing informal trail along the westerly side of the central woodland and use of this route is determined to result in fewer impacts on the Key Natural Feature than the creation of a new trail; or
  - (ii) A trail connection is required to facilitate appropriate access and no alternative route is feasible.
- v) Trails will be designed to safely accommodate all trail users according to a hierarchy that is consistent with the City's Community Trails Strategy.
- w) Trails, where within or adjacent to Key Natural Features Key Features, will be located and designed to minimize impacts and encourage appropriate forms of access and use in accordance with Conservation Halton policies.

4.2.24 1.2.24 By deleting Part VI, Section 8.4, Tremaine Road/Dundas Street Study Area.

4.2.22 1.2.25 By adding the following to Definitions under Part VIII, Definitions:

**Accessory Drive-Through**– An amenity to a primary use whereby goods or services are provided, either wholly or in part, to customers located within a motor vehicle.

**Active Transportation** – Human-powered travel, including but not limited to, walking, cycling, inline skating and travel with the use of mobility aids, including motorized wheelchairs and other power-assisted devices moving at a comparable speed.

**Affordable Housing** — Housing with a market price or rent that is affordable to households of low and moderate income spending no more than 30 percent of their gross household income.

1. Affordable rental housing *should* meet the demand of households at the low end, as described in the Region of Halton's annual State of Housing Report. Such households would be able to afford at least three out of ten rental units on the market.
2. Affordable ownership housing *should* meet the demand of households at the high end, as identified in the Region of Halton's annual State of Housing Report. Such households would have sufficient income left, after housing expenses, to sustain the basic standard of living.

**Buffer** – For use only in relation to lands which form the area of the Tremaine Dundas Secondary Plan:

An area of land located adjacent to Key **Natural** Features or watercourses and usually bordering lands that are subject to *development* or *site alteration*. The purpose of the *buffer* is to protect the features and *ecological functions* of the **Natural Heritage System** Natural Heritage System by mitigating impacts of the proposed *development* or *site alteration*. The extent of the *buffer* and activities that *may* be permitted within it *shall* be based on the sensitivity and significance of the Key **Natural** Features and watercourses and their contribution to the long term ecological functions of the **Natural Heritage System** Natural Heritage System as determined through a Sub-Watershed Study, and Environmental Impact Assessment or similar studies that examine a sufficiently large area.

**City** – The Council of the Corporation of the City of Burlington; or alternatively where an approval power has been delegated by the City of Burlington Council, the delegated approval authority or the administration of the Corporation of the City of Burlington.

**Conservation or Conserve** – The identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained under The Ontario Heritage Act. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/ or cultural heritage impact assessment or cultural heritage landscape impact assessment. Mitigative measures and/or

alternative *development* approaches can be included in these plans and assessments.

**Development** – (1) The creation of a new lot; (2) the making of an addition or alteration to a building or structure; (3) the construction, erection or placing of a building or structure; or (4) the change in use or intensity of use of any building, structure or premises, requiring approval under The Planning Act, but does not include: (1) activities that create or maintain infrastructure authorized under an environmental assessment process; (2) works subject to The Drainage Act; or (3) for the purposes of Section 41 of The Planning Act, the placement of a portable classroom on a school site of a district school board if the school site was in existence on January 1, 2007.

As it pertains to the Tremaine Dundas Secondary Plan, Development means the creation of a new lot, a change in land use, or the construction of buildings and structures, any of which requires approval under the Planning Act, or that are subject to the Environmental Assessment Act, but does not include:

(1) activities that create or maintain infrastructure authorized under an environmental assessment process,

(2) works subject to the Drainage Act, or

(3) within the Greenbelt Plan Area, the carrying out of agricultural practices on land that was being used for agricultural uses on the date the Greenbelt Plan 2005 came into effect.

**Ecological Functions** – The natural processes, products or services that living and non-living environments provide or perform within or between species, *ecosystems* and landscapes. These may include biological, physical and socio-economic interactions.

**Eco-Industrial Development** - Where a "green" approach has been taken towards infrastructure and *development* of the site that enhances environmental, economic, and social performance through collaborative strategies such as coordination of energy and water exchange between users, shared utilities (waste management, energy supply, water supply), shared logistics and shipping & receiving facilities, shared parking, use of innovative green technologies, green buildings and site design and district energy systems.

**Ecosystem** – Systems of plants, animals, and micro-organisms, together with the non-living components of their environment and related ecological processes, essential for the functioning of the biosphere in all its diversity.

**Employment** –The use of lands for business and economic activities, including, but not limited to, manufacturing, warehousing, offices and ancillary *employment* uses, but does not include retail and service commercial uses unless they are an ancillary *employment* use.

**Enhancements to the Key Natural Features** – For use only in relation to lands which form the area of the Tremaine Dundas Secondary Plan: Ecologically supporting areas adjacent to Key Natural Features and/or measures internal to the Key Natural Features that increase the ecological resilience and function of individual Key Natural Features or groups of Key Natural Features or of the Natural Heritage System Natural Heritage System.

**Flex Street** - Those portions of a public-right-of-way used primarily for vehicular activities which are designed so as to function either wholly or partially, as desired, for vehicular-centric activities and/or pedestrian, public gathering and/or public event functions through the use of design elements including, but not limited to, bollards, flexible on-street parking configurations, pavement materials, enhanced streetscapes and/or modified curbs.

**Green Infrastructure** – Natural and human-made elements that provide ecological and hydrological functions and processes. *Green infrastructure* can include components such as natural heritage features and systems, parklands, storm water management systems, street trees, urban forests, natural channels, permeable surfaces and green roofs.

**Habitat of Endangered Species and Threatened Species –**

1. With respect to a species listed on the Species at Risk in Ontario List as an endangered or threatened species for which a regulation made under The Endangered Species Act, 2007 is in force, the area prescribed by that regulation as the habitat of the species; or
2. With respect to any other species listed on the Species at Risk in Ontario List as an endangered or threatened species, an area on which the species depends, directly or indirectly, to carry on its life processes, including life processes such as reproduction, rearing, hibernation, migration or feeding, as approved by the Province; and
3. Places in the areas described in clause (1) or (2), whichever is applicable, that are used by members of the species as dens, nests, hibernacula or other residences.

**Hydrologic function** – The functions of the hydrological cycle that include the occurrence, circulation, distribution and chemical and physical properties of water on the surface of the land, in the soil and underlying rocks, and in

the atmosphere, and water's interaction with the environment, including its relation to living things.

**Infrastructure** – Physical structures (facilities and corridors) that form the foundation for *development*. Infrastructure includes: sewage and water systems, septic treatment systems, waste management systems, electric power generation and transmission, communications/telecommunications, transit and transportation corridors and facilities, oil and gas pipelines and associated facilities.

As it pertains to the Tremaine Dundas Secondary Plan, Infrastructure means the collection of public capital facilities including highways, transit terminals and rolling stock, bicycle lanes, sidewalks and multi-use paths, municipal water and wastewater systems, solid waste management facilities, storm water systems, schools, hospitals, libraries, community and recreation centres, other public service facilities and any other public projects involving substantial capital investment. It includes not only the provision of new facilities but also the maintenance and rehabilitation of existing ones.

**Key Natural Feature** – ~~Features which are important for their environmental and social values as a legacy of the natural landscapes of an area, which include habitat of endangered and threatened species, significant wetlands, significant woodlands, significant valleylands, significant wildlife habitat, and fish habitat.~~ For use only in relation to lands which form the area of the Tremaine Dundas Secondary Plan: Key natural heritage and hydrological features described in Sections 6.5.2(a)(ii) and 6.5.2(a)(iii) of this Plan.

**Linkage** – For use only in relation to lands which form the area of the Tremaine Dundas Secondary Plan: An area providing connectivity or intended to provide connectivity within the ~~Natural Heritage System~~ Natural Heritage System, supporting a range of community and ecosystem processes enabling plants and animals to move between ~~Key Natural Features~~ Key Natural Features over multiple generations. Linkages are preferably associated with the presence of existing natural areas and functions and they are to be established where they will provide an important contribution to the long term sustainability of the ~~Natural Heritage System~~ Natural Heritage System. The extent and location of the linkages can be assessed in the context of both the scale of the proposed *development* or *site alteration*, and the *ecological functions* they contribute to the ~~Natural Heritage System~~ Natural Heritage System.

**Low Impact Development** – An approach to storm water management that seeks to manage rain and other precipitation as close as possible to where it falls, in order to mitigate the impacts of increased runoff and storm water pollution. It comprises a set of site design strategies and distributed, small scale, structural practices to mimic the natural hydrology to the greatest extent possible through infiltration, evapotranspiration, harvesting, filtration and detention of storm water. *Low impact development* can include: bio-swales, permeable pavement, rain gardens, green roofs and exfiltration systems. *Low impact development* often employs vegetation and soil in its design; however, that does not always have to be the case.

**Meander Belt Allowance** – The setback that keeps *development* from being affected by river and stream meandering (this includes the allowance for the one hundred (100) year erosion rate.).

**Natural Heritage Features and Areas** – Features and areas, including significant *wetlands*, significant coastal *wetlands*, *fish habitat*, *significant woodlands*, significant *valleylands*, significant habitat of *endangered species* and *threatened species*, significant *wildlife habitat*, and significant *areas of natural and scientific interest*, which are important for their environmental and social values as a legacy of the natural landscapes of an area.

As it pertains to the Tremaine Dundas Secondary Plan, Natural Heritage Features and Areas means features and/or areas which are important for their environmental and social values as a legacy of the natural landscapes of an area.

**Natural Heritage System** – A system made up of *natural heritage features and areas*, linked by natural corridors which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species and ecosystems. These systems can include lands that have been restored and areas with the potential to be restored to a natural state.

As it pertains to the Tremaine Dundas Secondary Plan, the Natural Heritage System is defined in Section 6.5.2 (a) of this plan and as identified on Schedule B. It is comprised of *natural heritage features and areas*, and linkages intended to provide connectivity (at the regional or site level) and support natural processes which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species, and ecosystems. The system can include key natural heritage features, key hydrologic features, federal and provincial parks and conservation reserves, other *natural heritage features and areas*, lands that have been restored or have the potential to be restored to a natural state, associated areas that support *hydrologic functions*, and working landscapes that enable *ecological functions* to continue.

**Negative Impact** – For use only in relation to lands which form the area of the Tremaine Dundas Secondary Plan: With regard to water resources, degradation to the quality and quantity of water, sensitive *surface water features* and sensitive ground water features, and their related *hydrologic functions*, due to single, multiple or successive *development* or site alteration activities; in regard to fish habitat, any permanent alteration to, or destruction of fish habitat, except where, in conjunction with the appropriate authorities, it has been authorized under The Fisheries Act; and in regard to other natural heritage features and areas, degradation that threatens the health and integrity of the natural features or *ecological functions* for which an area is identified due to single, multiple or successive *development* or *site alteration* activities.

**Protected Heritage Property** – Property designated under Parts IV, V or VI of The Ontario Heritage Act; property subject to a heritage *conservation* easement under Parts II or IV of The Ontario Heritage Act; property identified by the Province and prescribed public bodies as provincial heritage property under the Standards and Guidelines for Conservation of Provincial Heritage Properties; property protected under federal legislation, and UNESCO World Heritage Sites.

**Public Authority** – Any federal, provincial, regional, county or municipal agency including any commission, board, authority or department established by such agency exercising any power or authority under a Statute of Canada or Ontario.

**Significant** – For use only in relation to lands which form the area of the Tremaine Dundas Secondary Plan:

1. In regard to wetlands, an area identified as provincially *significant* by the Ontario Ministry of Natural Resources using evaluation procedures established by the Province, as amended from time to time;
2. With regard to woodlands, an area as defined by the “*significant woodlands*” definition of this Plan;
3. With regard to other components of the ~~Natural Heritage System~~ Natural Heritage System, ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or ~~Natural Heritage System~~ Natural Heritage System; and

4. With regard to cultural heritage resources, resources that have been determined to have cultural heritage value or interest for the important contribution they make to our understanding of the history of a place, an event, or a people.

**Surface Water Feature** – Water-related features on the earth’s surface, including headwaters, rivers, stream channels, inland lakes, seepage areas, recharge/discharge areas, springs, wetlands, and associated riparian lands that can be defined by their soil moisture, soil type, vegetation or topographic characteristics.

**Transportation Amenities** – Include transit facilities and shelters, benches, street trees, bicycle locking and repair stations and other streetscape elements.

**Urban Agriculture** - The growing of vegetables, fruits, flowers and/or native plants produced through *agricultural* activity, *community gardens* and/or rooftop gardens, excluding animal *agriculture within the Urban Area*.

- 4.2.23 1.2.26 By adding the following to Appendix B under Part ~~XI~~ IX, Council-approved Design Guidelines:

B18. Tremaine Dundas Community Urban Design Guidelines

- 4.2.24 1.2.27 By adding the following to Appendix C under Part ~~XI~~ IX, Council-approved Secondary Plans:

C6. Tremaine Dundas Community Secondary Plan

#### e) INTERPRETATION

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

#### f) IMPLEMENTATION

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