# DRAFT OFFICIAL PLAN AMENDMENT AMENDMENT NO. 119 TO THE OFFICIAL PLAN OF THE BURLINGTON PLANNING AREA

#### **CONSTITUTIONAL STATEMENT**

The details of the Amendment, as contained in Part B of this text, constitute Amendment No. 119 to the Official Plan of the Burlington Planning Area, as amended.

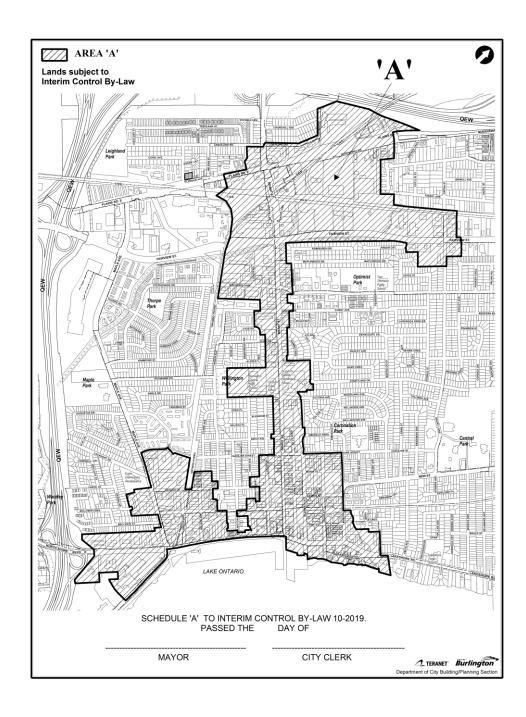
#### PART A - PREAMBLE

#### 1. PURPOSE OF THE AMENDMENT

The purpose of this Amendment is to implement the findings of the Interim Control Bylaw 10-2019 Land Use Study.

#### 2. SITE AND LOCATION

The policies apply city-wide and the area known as the Interim Control By-law study area. The lands in the study area include the Downtown Urban Growth Centre (UGC) in the southern portion and lands in proximity to the Burlington GO Station in the northern portion.



#### 3. BASIS FOR THE AMENDMENT

On March 5, 2019, the Council of the Corporation of the City of Burlington passed Interim Control By-Law 10-2019, pursuant to Section 38 of the Planning Act, R.S.O. 1990, c. P.13, as amended. (PB-36-19). The purpose of the Interim Control By-law 10-2019 was to temporarily restrict the development of lands in the study area for a period

of one year from the date of passing of the by-law, pending the completion of a land use study. Staff report PB-36-19 included a recommendation to implement an ICBL in response to two primary concerns:

- 1) Growth pressures that continue to emerge for the lands in the study area; and
- 2) The role and function of the John Street Bus Terminal as a Major Transit Station Area.

In Q2 2019, city staff initiated the ICBL Land Use Study to:

- Assess the role and function of the downtown bus terminal and the Burlington GO Station on Fairview Street as Major Transit Station Areas;
- Examine the planning structure, land use mix and intensity for the lands identified in the study area; and
- Update the Official Plan and Zoning By-law regulations as needed for the lands identified in the study area.

Through research and analysis, a series of Official Plan and Zoning amendments were prepared. The purpose of the amendments is to:

- Strengthen the integration between land use and transit by introducing policies related to transit-supportive development;
- Introduce the concept of Major Transit Station Areas and a policy framework;
- Introduce development criteria for development applications within the study area;
- Update or add definitions to the Official Plan to align with Provincial policy documents and/or assist in the interpretation of Official Plan policies; and,
- Introduce additional permitted uses and heights on lands in proximity to the Burlington GO Station.

#### **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 B - "Comprehensive Land Use Plan – Urban Planning Area," of the Official Plan is hereby amended as shown on Map 1 which constitutes part of this amendment.

- Map 1 identifies a revised Downtown Urban Growth Centre Boundary in accordance with Halton's Regional Official Plan and identifies the new Major Transit Station Area (MTSA) Special Planning Area.
- 1.1.2. Schedule E "Downtown Mixed Use Centre Land Use Plan," of the Official Plan is hereby amended as shown on Map 2 which constitutes part of this amendment.
  - Map 2 identifies a revised Downtown Urban Growth Centre Boundary in accordance with Halton's Regional Official Plan and identifies the new Major Transit Station Area (MTSA) Special Planning Area.
- 1.1.3. Schedule M "MTSA Special Planning Area Land Use Plan" is hereby added to the Official Plan as shown on Map 3 which constitutes part of this amendment.
- 1.1.4. Schedule M-1 "MTSA Special Planning Area Land Use Plan" is hereby added to the Official Plan as shown on Map 4 which constitutes part of this amendment.

#### 1.2 Text Change:

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

- 1.2.1 By adding the following new words "and transit-supportive development" to the second paragraph after the words "iii) the focusing of more intense land uses" in Part I, Section 4.3 (The Future Built Form and Natural Environment).
- By adding the following new words "to Major Transit Station Areas" to the fifth paragraph after the words "to certain mixed use corridors;" in Part I, Section 4.3 (The Future Built Form and Natural Environment).
- By adding a new paragraph in Part I, Section 4.3 The Future Built Form and Natural Environment, between the paragraph which addresses the Downtown Mixed Use Centre and the paragraph which addresses the Uptown Mixed Use Centre, as follows:

Station Areas

Major Transit Major Transit Station Areas (MTSAs) are an important component of the City's Urban Planning Area, and are intended to serve as city-wide destinations and focal points for the provision of transit. MTSAs will exhibit a wide variety of land uses and building types, and densities that will be oriented to

support and facilitate transit and *active transportation*. Located in key areas served by the regional and local transit networks, *MTSAs* are focal points for higher intensity and mixed-use, *transit-supportive development* that will accommodate a significant share of the city's future population and employment growth. It is anticipated that the majority of growth within the City's four *MTSAs* will occur in the three *MTSAs* located along higher order transit routes and with planned frequent transit service by way of Regional Express Rail.

In keeping with the policies of the Growth Plan, the final delineation of the *MTSAs* boundaries and the identification of minimum density targets, will be established by the Region of Halton through the Municipal Comprehensive Review and will be implemented through a future Official Plan Amendment.

- 1.2.4 By deleting the words "local traffic, transit services and emergency response" after the words "To provide adequate road capacity to meet the needs of" and replacing with the new words "pedestrians, cyclists, transit services, emergency response and local traffic," in Part II, Subsection 3.3.1 d) (Roads, Objectives).
- 1.2.5 By adding the following new words ", as well as safe and convenient *active transportation infrastructure*." to the end of Part II, Subsection 3.3.1 e) (Roads, Objectives).
- 1.2.6 By adding the following new words "and cycling-friendly" after the words "making them more pedestrian-oriented" in Part II, Subsection 3.3.2 I) (Roads, Policies).
- 1.2.7 By adding the following new words "Major Transit Station Areas" after the words "transportation plans in areas of development including" in Part II, Subsection 3.4.2 d) (Transit Services, Policies).
- 1.2.8 By adding the following new words ",as well as through Transit Priority Measures in accordance with Part II, Subsection 3.3.2 f) of this Plan." to the end of Part II, Subsection 3.4.2 g) (Transit Services, Policies).
- 1.2.9 By deleting Part II, Subsection 3.7.2 a) (Rail and Air, Policies) and replacing with the following:

### Integrate services

- a) The seamless integration of rail passenger transportation services, such as GO Transit and VIA Rail, with other transportation modes through connections such as pathways and complete streets shall be planned for through secondary plans.
- 1.2.10 By deleting the following word "shalf" and replacing with the word "will" in Part II, Subsection 3.7.2 b) (Rail and Air, Policies).
- 1.2.11 By adding the following new word "generally" after the words "Noise and vibration-sensitive land uses shall" and adding the new words ",or where appropriate, mitigated to the satisfaction of the City, Halton Region, Province and appropriate railway agency, as required." to the end of Part II, Subsection 3.7.2 c) (Rail and Air, Policies).
- 1.2.12 By deleting Part II, Subsection 3.7.2 d) (Rail and Air, Policies) and replacing with the following:

Noise and vibration and Air Quality studies near railways

- d) The proponent of land uses *sensitive* to noise and vibration adjacent or in proximity to railway lines or railways yards *shall* be required to undertake, prior to *development* approval, the following studies by a *qualified person* in accordance with Provincial polices, to the satisfaction of Halton Region, the City, and the Province, in consultation with the appropriate railway agency, and to implement the study recommendations as approved, including the restriction of new residential and other *sensitive land uses* and noise and vibration mitigation measures:
  - noise studies, if the development is within three hundred (300) m of the railway right-ofway or one thousand (1000) m of a railway yard;
  - ii. vibration studies, if the *development* is within seventy-five (75) m of the railway right-of-way or a railway yard; and
  - iii. air quality studies, if the *development* contains sensitive land uses and is within one thousand (1,000) m of a railway yard.
- 1.2.13 By adding the following new words "and cycling" after the words "create significant barriers to pedestrian" in Part II, Subsection 3.7.2 h) (Rail and Air, Policies).

1.2.14 By adding the following new subsection following Part II, Subsection 3.10 (Transportation Infrastructure Management):

#### 3.11 Transit-Supportive Development

#### 3.11.1 Objectives

### Land Use and Transit

a) To recognize the relationship between land use and transit and promote the elements that make development transitsupportive including built form, urban design, densities and mix of land uses.

#### Multi-Modal Access to Transit

b) To facilitate *transit-supportive development* and improve *multi-modal* access to transit facilities, while ensuring compatibility with the surrounding areas is achieved.

## Transportati on Alternatives

c) To encourage the use of public transit and *active transportation* modes to travel as an alternative to the automobile.

#### Mange Travel Demand

d) To manage travel demand through such *modes* as transit, walking, cycling, ride sharing, car sharing, bike sharing and other *Travel Demand Management* measures.

#### 3.11.2 Policies

#### Mixed-Use Developme nt

a) *Transit-supportive development shall* consist of compact, mixed-use *development* that has a high level of employment and residential densities to support transit service.

# Street Design Measures

b) Transit-supportive development should include street design measures that increase transit accessibility such as a gridoriented street network to create a continuous and highly permeable active transportation network, active transportation infrastructure to encourage walking and cycling to transit facilities and improved access between arterial roads and interior blocks.

#### Humanscale Built Form

c) Transit-supportive development should include a human-scale built-form at grade, reduced building setbacks from the street, where feasible, incorporate on-site connections to transit and incorporate minimal parking at grade through the provision of underground parking or by locating parking at the rear of buildings. Safe and Accessible Connection S

d) Transit-supportive development shall include safe and accessible active transportation infrastructure and connections to encourage walking and cycling and achieve multi-modal access to transit facilities.

Urban Design

High Quality e) Transit-supportive development shall achieve a high quality of urban design including a comfortable, safe and enjoyable public realm with street trees and street furniture, among other elements and encourage the inclusion of public art consistent with the policies of Part II, Subsection 7.4 Public Art Policies. Transit-supportive development shall be consistent with the policies contained in Part II. Subsection 6.0 of this Plan as well as have regard for Council approved Urban Design Guidelines.

1.2.15 By deleting Part II, Subsection 6.1 a) (Design, Principle), and replacing with the following:

Efficient and attractive urban form

a) The tangible elements of the urban form, consisting of a combination of the built environment, open space, public spaces and multi-modal transportation infrastructure that form the urban landscape, shall be designed in an efficient, attractive and compact manner to enhance the well-being of the residents of the community, enhance the public realm with elements such as street trees, street furniture and public art, and to reflect the vision of this Plan.

1.2.16 By deleting Part II, Subsection 6.3 e) (Design, Existing and New Communities Policies), and replacing with the following:

Compact development e) New community design should contain compact built forms of development that support higher densities, are pedestrian, cycling and transit oriented, particularly along transit and transportation corridors, support the achievement of *complete* communities with high-quality public realm elements and encourage increased use of public transit.

1.2.17 By adding the following new paragraph to the end of Part III, Subsection 1.0 (Introduction):

"For lands in the Major Transit Station Area (MTSA) Special Planning Area, as shown on Schedule M of this Plan, the principles, objectives and policies for each land use designation in this part of the Plan, should be read in conjunction with the principles, objectives and policies in Part III, Section 7.0."

1.2.18 By deleting the words "commuter rail" after the words "such as a GO transit" and by deleting the words "Subsection 5.3.3" after "Notwithstanding Part III," and replacing with the words "Subsection 5.3.3.2" and by adding the following new paragraph to the end of Part III, Subsection 5.3.2 a) iii) (Mixed Use Corridor, General Policies):

"In keeping with the policies of the Growth Plan, the final delineation of the *Major Transit Station Area* boundaries and the identification of minimum density targets, will be established by the Region of Halton through the Municipal Comprehensive Review and will be implemented through a future Official Plan Amendment."

1.2.19 By deleting Part III, Subsection 5.3.3.1 a) (Mixed Use Corridor-Commercial Corridor, Objectives) and replacing with the following:

Recognition

- a) To recognize that the *development* of certain sections of the Mixed Use Corridors will occur over time and that the timing of *development* may vary from one segment to another, depending on and market conditions and community needs.
- 1.2.20 By deleting Part III, Subsection 5.3.3.1 b) (Mixed Use Corridor-Commercial Corridor, Objectives) and replacing with the following:

Re-development

- b) To *encourage* the *re-development*-of these sites in a more intensive, pedestrian and transit oriented manner, that is more consistent with the principles and objectives for Mixed Use Activity Areas.
- 1.2.21 By deleting Part III, Subsection 5.3.3.2 l) (Mixed Use Corridor-Commercial Corridor, Policies) and replacing with the following:

#### 2089 and 2095 Fairview Street

- I) Notwithstanding the use, height, floor area ratio and design policies contained in Part III, Subsections 5.3.2 a), d) and g); Part III, Subsections 5.3.3.2 b) and e); and the objectives and policies of Part III Section 7.0 of this Plan, for the properties identified as 2089 and 2095 Fairview Street, the following policies shall apply:
  - (i) townhouses shall be a permitted use;
  - (ii) the maximum building height shall be twentytwo (22) storeys. Additional height may be permitted if the proposed building is LEED certified (or equivalent to the satisfaction of the Director of Planning and Building).
  - (iii) there shall be a total site (at full build out) minimum floor space index of approximately 0.5:1 and the maximum 1.5:1 floor space index shall not apply;
  - (iv) any subsequent *re-development* of these properties, involving the demolition and replacement of previously constructed buildings *shall* permit only those uses contained in Part III, Subsections 5.3.2 a) and 5.3.3.2 b) of this Plan.
  - (v) The Zoning By-law *shall* establish the regulations to guide *development* on this site, consistent with the OMB approval (OMB Case #PL061117).
- 1.2.22 By deleting the words "Places to Grow" after the words "In keeping with the" and by deleting the word "2006" after the words "Growth Plan for the Greater Golden Horseshoe" and replacing with the words "and as depicted in the Regional Official Plan" in Part III, Subsection 5.5.1 a) (Downtown Mixed Use Centre, Principles).
- 1.2.23 By deleting the word "Provincial" after the words "in keeping with its role as" and replacing with the words "an Urban" in Part III, Subsection 5.5.1 h) (Downtown Mixed Use Centre, Principles).
- 1.2.24 By adding the following new section following Part III, Section 6.0 (Natural Features and Open Space):

#### 7.0 MAJOR TRANSIT STATION AREAS

Major Transit Station Areas (MTSAs) are an important component of the City's Urban Planning Area, and are intended to serve as city-wide destinations and focal points for the provision of transit. MTSAs will exhibit a wide variety of land uses and building types, and densities that will be oriented to support and facilitate transit and active transportation. Located in key areas served by the regional and local transit networks, MTSAs are focal points for higher intensity and mixed-use, transit-supportive development that will accommodate a significant share of the city's future population and employment growth.

As identified in the Regional Official Plan, the City has four *MTSAs* including Burlington GO, Appleby GO, Aldershot GO and Downtown Burlington. Each *MTSA* can be grouped according to a typology based on overall role and function from a local perspective given the transportation and infrastructure context and type of existing and planned transit service in each *MTSA*:

- 1. MTSAs on Regional Express Rail (RER)
  - a) The Burlington GO and Appleby GO *MTSAs* are both located on a Priority Transit Corridor, as identified in the Growth Plan. *MTSAs* on Priority Transit Corridors are important due to their relationship and position along a *higher order transit* route with planned *frequent transit* service by way of Regional Express Rail (RER) within the Greater Toronto and Hamilton Area.
  - b) The Aldershot GO *MTSA* is also located along a *higher order transit* route with planned *frequent transit* service by way of RER, however it is not identified on a Priority Transit Corridor in the Growth Plan.

It is anticipated that the majority of growth within the City's four *MTSAs* will occur in the three MTSAs located along *higher order transit* routes and with planned *frequent transit* service by way of RER. The

Region's Municipal Comprehensive Review will confirm specific growth targets and *MTSA* boundaries. Further, *secondary plans* will be prepared for these areas to establish a comprehensive vision for future *transit-supportive development* in each *MTSA* on the RER.

#### 2. MTSAs not on Regional Express Rail (RER)

The Downtown Burlington MTSA is not located on a Priority Transit Corridor nor is it supported by higher order transit, nor by frequent transit within a dedicated right of way. Within the downtown, there is a historic fine-grained grid street network which was established over a century ago. This street network supports the existing transit-supportive built form that contributes to a vibrant, walkable and cycling-friendly complete community.

The Downtown Burlington MTSA is anchored by the downtown Burlington bus terminal, which functions as an intercity bus transfer point. It currently does not function as a major bus depot and this is likely to continue into the future, unless improvements and/or enhancements are undertaken to strengthen its function as a major bus depot.

The residents and jobs associated with development in the Downtown Burlington MTSA will contribute towards meeting the Urban Growth Centre (UGC) density target of a minimum 200 residents and jobs combined per hectare, as identified in the Growth Plan. Given the limited function of the Downtown Bus Terminal, the *MTSA* is not expected to be a significant driver for *intensification* beyond that which is required by the Downtown UGC.

Building upon the work of Halton Region's Mobility Management Strategy and the Defining Major Transit Requirements in Halton

|  | Region study (2019) and in keeping with the policies of the Growth Plan, the final delineation of the <i>MTSAs</i> boundaries and the identification of minimum density targets, will be established by the Region of Halton through the Municipal Comprehensive Review and will be implemented through a future Official Plan Amendment. Through the Region's Municipal Comprehensive Review process, existing and proposed <i>MTSAs</i> in Halton may be reviewed based on their overall role, regional functionality, characteristics, and the opportunity to provide enhanced mobility and connectivity throughout the Region. |
|--|--|
|  | 7.1 General  |
| Future Studies                                   | <ul> <li>7.1.1 Objective</li> <li>a) To complete secondary plans and/or major planning studies that establish long term development policies for Major Transit Station Areas.</li> </ul>   |
|  | 7.1.2 Policies   |
| Further<br>planning for<br>future<br>development | a) The City <i>shall</i> complete <i>secondary plans</i> or major planning studies to ensure that all <i>Major Transit Station Areas</i> are planned to implement mixed use <i>transit-supportive development</i> including employment uses, while ensuring compatibility with surrounding areas is achieved.  |
| Prior to Future<br>Study                         | b) In advance of the completion of secondary plans or major planning studies and the approval of the implementing Official Plan amendments for the Major Transit Station Areas, the policies contained in the Part III, Subsection 7.2 Special Planning Area, shall apply to development applications in the Special Planning Area, as shown on Schedule M of this Plan.   |
|  | 7.2 Major Transit Station Area Special Planning Area   |
|  | The Major Transit Station Area (MTSA) Special Planning Area includes Burlington GO Major Transit Station Area and the Downtown Burlington Major Transit Station Area.  |
|  | The policies within this section of the Plan are applied to the MTSA Special Planning Area, as shown on Schedule M of this Plan.   |
|  | The policies in this section do not provide land use designations; rather this section will serve a transitional role to guide development applications which precede the development of secondary plans or a major planning study in the MTSA Special Planning Area.  |

|  | 7.2.1 Objectives  |
|--|---|
| Development Applications in advance of Secondary Plans | a) To provide policy guidance for <i>development applications</i> in advance of the completion of <i>secondary plans</i> or major planning studies and the approval of the implementing Official Plan amendments for <i>Major Transit Station Areas</i> .                               |
| Major Transit<br>Station<br>Typology                   | b) To direct an appropriate scale and intensity of <i>transit-supportive</i> development at each MTSA consistent with the MTSA typology in Part III, Subsections 7.0, 7.2.3 and 7.2.4, and in accordance with the Province's Transit Supportive Guidelines and Mobility Hub Guidelines. |
| Compatibility  | c) To encourage <i>transit-supportive</i> , pedestrian-oriented and cycling-friendly <i>development</i> in a <i>compact built form</i> , while ensuring compatibility with the surrounding areas is achieved.   |
| Appropriate<br>Transition                              | d) To ensure that there is appropriate transition in scale, intensity, height, massing and spacing of <i>development</i> including appropriate transitions between various land uses and built forms.   |
| High-quality<br>Public Realm                           | e) To ensure <i>development</i> establishes a high-quality <i>public realm</i> featuring a network of new and existing public squares, parks and open space that incorporate street trees, landscaping and vegetation.  |
| Complete<br>Streets                                    | f) To provide a network of <i>complete streets</i> which provide for the efficient, accessible and safe movement of people and goods and which prioritizes seamless connectivity for transit and <i>active transportation</i> throughout the MTSA Special Planning Area.                |
| Employment   | g) To support the retention and expansion of existing employment functions and encourage new employment functions and employment uses which are compatible with other uses and serve to make each MTSA an employment destination within the city.                                       |
| Design<br>Excellence                                   | h) To achieve design excellence that will <i>encourage</i> long-term investment and the creation of high quality and sustainable built forms in the <i>public</i> and private <i>realm</i> .  |

| Sustainability   | i) To prioritize and implement innovative sustainable practices and<br>infrastructure related to energy, water, landscape and waste<br>management that together assist with adapting to the impacts of<br>climate change.   |
|--|---|
| Complete<br>Communities                                | j) To require a mix of uses within <i>development</i> and throughout the MTSA Special Planning Area, that will strengthen the live/work/shop relationship and support the creation of <i>complete communities</i> .   |
| Establish<br>Development<br>Criteria                   | k) To establish a set of criteria against which all <i>development</i> applications in the MTSA Special Planning Area <i>shall</i> be evaluated, to be administered according to the context of the planning matter under consideration, and in proportion to the complexity and scale of the planning matter being considered. These criteria <i>shall</i> be reviewed in accordance with the policies of this Plan, any other relevant City policies and Provincial Policies, as well as policies of other agencies such as the Region of Halton and Conservation Halton. |
| Housing  | To promote the accommodation of a diverse range and mix of household sizes, household incomes and housing tenure.   |
| Public Service<br>Facilities                           | m) To plan for and provide <i>public service facilities</i> that support future population and job growth.  |
|  | 7.2.2 Policies  |
| Consistency<br>with MTSA<br>Typology                   | a) Development applications shall be consistent with the overall role and function of the MTSA in which they are located, in accordance with the typology identified in Part III Subsections 7.0, 7.2.3 and 7.2.4.  |
| Development Applications in advance of Secondary Plans | b) Development applications preceding the completion of a secondary plan or major planning study and the approval of the implementing Official Plan amendments shall have regard for the Province's Mobility Hubs and Transit-Supportive Guidelines, shall implement Regional and Provincial major transit station area policies and shall be consistent with the goals and objectives of the existing land use designation as contained in this Plan.  |
| Development<br>Considerations                          | c) Development in MTSAs should be planned to achieve transit-<br>supportive densities in accordance with the Province's Transit<br>Supportive Guidelines and the existing and planned level and<br>type of transit service. The full extent of maximum development<br>permissions on lands located in the MTSA Special Planning Area  |

|  | may not be achievable on every site, due to site-specific factors  |
|--|--|
|  | including, but not limited to, compatibility, environmental impacts, hazard lands, transportation issues, cultural heritage resources and/or <i>infrastructure</i> capacity.   |
| Major Transit<br>Station Areas<br>as Activity<br>Centres | d) The design and <i>development</i> of MTSAs <i>shall</i> promote these areas as multi-functional activity centres and focal points for a variety of activities that are characterized by a mixed use and <i>compact built form</i> of development, pedestrian-orientation, greater accessibility to public transit and higher intensity <i>development</i> .   |
| Compatibility<br>with<br>Surrounding<br>Areas            | e) Development shall contain a mix of land uses and transit supportive development that supports the achievement of complete communities through a more compact built form, while ensuring compatibility with surrounding areas is achieved.   |
| Priorities for<br>Major Transit<br>Station Areas         | f) MTSAs will be priority locations for the following, but not limited to:  (i) land assembly; (ii) infrastructure and public service facilities improvements; (iii) creation and application of financial, regulatory and other investments; (iv) new public service facilities; (v) creation and application of brownfield and greyfield development strategies; (vi) preparation of comprehensive traffic, travel demand management and parking studies and strategies. |
| Multi-unit<br>Residential<br>Development                 | g) Multi-unit residential <i>developments should</i> incorporate a mix of unit sizes and types to accommodate a diverse range of household sizes and incomes.  |
| Travel<br>Demand<br>Management<br>Measures               | h) Travel demand management (TDM) measures shall be addressed, and form part of the City's evaluation of opportunities for reduced parking standards in proposed development, subject to the policies of Part II, Subsection 3.9 Travel Demand Management.   |
| Minimizing<br>Surface<br>Parking                         | i) Development applications shall incorporate minimal parking at grade or above grade through the provision of underground parking, except in areas immediately adjacent to a rail line or other areas where a buffer is required, where applicable.   |

| New Green<br>Spaces                                     | j) New green spaces such as trees and landscape areas, parks and open spaces <i>shall</i> be provided as part of <i>development applications</i> , which may include, but are not limited to, dedication of parkland, Privately-Owned Publicly Accessible Spaces (POPS) and/or trees and landscape areas located between a public right-of-way and a building, to be provided to the satisfaction of the City.   |
|---|--|
| Privately-<br>Owned<br>Publicly<br>Accessible<br>Spaces | k) Privately-Owned Publicly Accessible Spaces (POPS) <i>may</i> be used to augment public space but <i>shall</i> not be used as a replacement to public parkland dedication.   |
| Major Office,<br>Cultural and<br>Institutional<br>Uses  | Major office, cultural and institutional uses should be located within the MTSA Special Planning Area.   |
| Encourage<br>Food Stores                                | m) The City will <i>encourage</i> the <i>development</i> of food stores in <i>MTSAs</i> , which are essential to serve the day-to-day shopping needs of current and future residents and employees and support the long-term success of the MTSAs as <i>complete communities</i> .   |
| Transit Priority<br>Measures                            | n) In addition to the policies contained in Part II, Subsection 3.4 Transit Services, the city will consider strengthening the connection and supporting increased transit use between the Burlington GO MTSA and the Downtown Burlington MTSA, through the following measures/opportunities:  (i) Providing transit signal priority on Brant Street north of the Downtown to improve transit reliability and travel times;  (ii) Exploring the potential for dedicated HOV and queue jump lanes, when approaching the Burlington GO station along Fairview Street; and,  (iii) Introducing additional transit and comfort shelters. |
| Application of Target to entire geography               | o) The population and employment growth distributions established in the Regional Official Plan are intended to apply at a city-wide level and cannot be applied on a site-specific basis as a rationale for approving or refusing development application for development that would otherwise conform with all of the policies of this Plan, and the policies of the Provincial Growth Plan, as amended. Any targets established by this Plan shall  |

|  | not be applied on a site-specific basis, and <i>shall</i> only be applied to the entire geography to which the targets apply.  |
|--|--|
|  |  |
| Clarity on<br>Optimization of<br>Land  | p) Development patterns shall have regard for optimization of land, resources and public investment in infrastructure and public services. For clarity, the concept of optimization shall be applied to development patterns over the entirety of the MTSAs.   |
| Development<br>Application<br>Criteria | q) The following development criteria shall be satisfied when evaluating all development applications within the MTSA Special Planning Area:  (i) the development shall be compatible with adjacent land uses by mitigating adverse effects to sensitive land uses from human-made hazards and environmental land use compatibility concerns such as noise, vibration, odour, dust and air pollution;  (ii) the development achieves built form compatibility;  (iii) the development shall be consistent with the vision and intent of the MTSA typology and policies contained in Part III, Section 7 and maintain the land use vision established in the land use designations of this Plan;  (iv) the development achieves a high quality of urban design and is consistent with the policies contained in Part II Section 6.0 of this Plan as well as have regard for Council approved Urban Design Guidelines;  (v) the development can be supported by available infrastructure and public service facilities including but not limited to, such services as water, wastewater, stormwater and parks;  (vi) the development preserves and protects trees, through the following measures:  i. In order of priority, all development proposals should:  1. Preserve existing healthy trees. The location of existing healthy trees shall be considered when establishing the location and building envelope of a proposed development;  2. Relocate healthy trees where feasible; 3. Plant replacement trees where trees are removed. Replacement planting |
|  | requirements shall be established using an aggregate-caliper formula, to the satisfaction of the City. If replacement  |

- trees cannot be accommodated on-site, off-site compensation *may* be considered to maintain and enhance the neighbourhood canopy; and
- 4. Incorporate the planting of additional trees where appropriate.
- ii. Replacement and compensation plantings requirements *should* consider on-site tree removals that occurred prior to and after the submission of a *development application*
- (vii) the *development* provides adequate buffering and other measures to minimize any identified impacts to an acceptable level;
- (viii) The development shall:
  - i. demonstrate that future development on the adjacent property(ies) will not be compromised by the proposal;
  - ii. be designed to facilitate future pedestrian, cycling and/or private street connections across one or more adjacent properties, where such opportunities exist, as determined by the City; and
  - iii. demonstrate, to the satisfaction of the City, the appropriate phasing of *development* where existing retail and service commercial uses are being re-developed, to minimize adverse impacts on the provision of goods and services to support the surrounding areas;
- (ix) the *development shall* protect and enhance the Natural Heritage System in keeping with the Regional Official Plan:
- (x) the development, where residential uses are proposed, demonstrates the degree to which public service facilities and other neighbourhood conveniences, such as community centres, recreation, neighbourhood shopping centres and healthcare are located within walking distance or assessible by transit;
- (xi) the *development* addresses *multi-modal* transportation considerations, including but not limited to:
  - i. the development shall mitigate potential impacts on the municipal transportation system to an acceptable level with regard to transportation flow and capacity;
  - ii. the *development* accommodates sufficient offstreet parking and *travel demand management*

|  | measures in accordance with the policies in Part II Subsection 3.9 Travel Demand Management, of this Plan;  iii. the development shall implement a range of travel demand management strategies to reduce single-occupancy vehicles trips, to encourage more frequent travel by sustainable modes and outside of peak periods;  iv. the development shall consider opportunities for the sharing of parking between compatible uses where feasible, subject to an evaluation by the City;  (xii) the development conserves cultural heritage resources, where applicable, in accordance with the policies in Part II, Section 8 Cultural Heritage Resources, of this Plan;  (xiii) the development provides stormwater management and addresses natural hazards in accordance with the policies of Part II, Subsection 2.11 Storm Water Management, of this Plan;  (xiv) the development considers the relationship to existing or planned transit facilities including higher order transit, bus routes and/or transit shelters;  (xv) the development complements and connects with the public realm, including walking and cycling facilities  (xvi) the development shall be consistent with the contaminated sites policies contained in Part II, Subsection 2.8 Contaminated and Potentially Contaminated Sites, of this Plan;  (xvii) the development shall consider all other relevant principles, objectives and policies of this Plan. |
|--|--|
| Official Plan<br>Amendment<br>Criteria | r) In the case of an Official Plan Amendment proposing residential uses in the MTSA Special Planning Area, in addition to the criteria in Part III, Subsection 7.2.2 q), the proposed development shall provide the following community planning objectives consistent with the City's Strategic Plan, to the satisfaction of the City with any required agreements, and appropriate phasing in the case of major comprehensive development:  (i) affordable, rental housing with rents equal to or less than the Local Municipal Average Market Rent (AMR) as per the CMHC annual rental report; or  (ii) residential units provided in partnership with a municipal housing provider or a charitable not for   |

- profit organization, including but not limited to, affordable, assisted or special needs housing; or
- (iii) the co-location of community space or *public service* facilities; and additional sustainable building design measures that contribute significantly towards the goals of the City's Strategic Plan and/or climate change and energy plans.

#### 7.2.3 Burlington GO Major Transit Station Area

The Burlington GO Major Transit Station Area (MTSA) is centered around the Burlington GO transit station and located on a Priority Transit Corridor, as identified in the Growth Plan. The Burlington GO MTSA is positioned along a *higher order transit* route with planned *frequent transit* service by way of Regional Express Rail (RER). It is a primary focus for *transit-supportive development* and *intensification* in the City given its central and strategic location connected by rail, local and regional transit, provincial highways and major arterials.

The Burlington GO MTSA is currently comprised of low density commercial and employment uses, and limited residential development, however there are opportunities to introduce a full mix of uses within the mixed use and commercial designations of the plan to enable the Burlington GO MTSA to function as a *complete community*. This area should continue to serve an important employment function for the City, recognizing the ongoing operations of some existing industrial sites.

The policies within this section of the Plan are applied to the lands outside of the Urban Growth Centre boundary of the MTSA Special Planning Area, as shown on Schedule M of this Plan.

In keeping with the policies of the Growth Plan, the final delineation of the MTSA boundaries and the identification of minimum density targets, will be established by the Region of Halton through the Municipal Comprehensive Review and will be implemented through a future Official Plan Amendment.

The policies in this section provide guidance to *development* applications that are received prior to the completion of the Region's Municipal Comprehensive Review and preceding the completion of the *secondary plan* for the Burlington GO MTSA and

|  | approval of the implementing Official Plan amendments, in addition to the underlying land use designation.   |
|--|--|
|  | The lands bounded by Brant Street, Fairview Street, Drury Lane and the Rail corridor which are located closest to the GO Station and permit mixed use development, present a significant opportunity to deliver <i>transit-supportive development</i> and the objectives of a <i>complete community</i> . These lands have been divided into three areas, as shown on Schedule M-1 of this Plan. |
|  | <ol> <li>Area A includes the GO station lands and immediate vicinity,<br/>with the station building as the centre point of the Area,<br/>bounded by the existing development at 2089 &amp; 2095<br/>Fairview Street to the west and Rambo Hager Diversion<br/>Channel to the east.</li> </ol>  |
|  | <ol> <li>Area B includes the lands to the east and west of Area A.         This area is further defined into Area B-1 located west of Area A, with Brant Street forming its western limit and Area B-2 located east of Area A with Drury Lane forming its eastern limit.     </li> </ol>   |
|  | The following policies for these areas are intended to guide development in advance of the completion of a secondary plan for the Burlington GO MTSA.  |
|  | 7.2.3.1 Objectives   |
| Multi-Modal<br>Access to the<br>GO Station | a) To facilitate <i>transit supportive development</i> in the Burlington GO MTSA to achieve <i>multi-modal</i> access to the GO Station and connections to nearby <i>major trip generators</i> .   |
| Grid-oriented network                      | b) To establish a grid-oriented network of transportation connections throughout the Burlington GO MTSA.   |
|  | 7.2.3.2 Policies   |
| Pedestrian<br>and Cycling<br>Connections   | a) In addition to the policies contained in Part II, Subsection 6.3 d), design plans for <i>development applications</i> located in the Burlington GO MTSA <i>shall</i> identify <i>active transportation</i> connections to the Burlington GO Station.  |
| Variety of Built<br>Forms                  | b) Development applications shall incorporate a variety of built forms, including mid-rise, and building podiums to provide a human scale experience at the street level.  |

| Mix of Land<br>Uses to<br>Support a<br>Complete<br>Community              | c) | Development in the Burlington GO MTSA shall support the achievement of a complete community through a more compact built form that is supported by mix of uses, parks, green spaces, public service facilities, offices, other employment uses, including existing industrial, and institutions.  |
|---|----|---|
| Permeable<br>Active<br>Transportation<br>Network                          | d) | Development in the Burlington GO MTSA shall incorporate private pathways and complete streets elements that make development more accessible for pedestrians, cyclists and transit users and includes a fine grained, grid-oriented and permeable active transportation network with multi-modal access to the GO Station.  |
| Large-Scale<br>Stand-Alone<br>Retail and<br>Service<br>Commercial         | e) | Notwithstanding Part III Subsection 5.3.3.2 b) iii) Mixed Use Corridor - Commercial Corridor Designation, large-scale standalone retail and service commercial buildings <i>shall</i> not be permitted within the Burlington GO MTSA.   |
| Ancillary Retail<br>and Service<br>Commercial                             | f) | Notwithstanding the policies contained in Part III, 3.3.2 d) ii) General Employment Designation, ancillary retail and service commercial uses <i>shall</i> be permitted in multi-storey office buildings.   |
| Policies for Development Applications Submitted Prior to a Secondary Plan | g) | In addition to Part III, Subsections 4.3.2 k) & I) and 5.3.2 a) iii), development applications submitted prior to completion of a secondary plan and approval of the implementing Official Plan amendment for sites located on the north side of Fairview Street and south of the Rail corridor, between Brant Street and Drury Lane, as depicted on Schedule M-1 of this Plan, shall be subject to the following policies: |
|   |    | <ul> <li>(i) The Public Open Space network and street network shall<br/>be designed to create direct, multi-modal access to the<br/>GO Station;</li> </ul>  |
|   |    | <ul> <li>(ii) Tall buildings should provide a minimum separation<br/>distance of thirty metres (30m) from another tall building,<br/>measured above the podium and excluding balconies;</li> </ul>  |
|   |    | (iii) Tall buildings should not exceed a maximum floor plate of 750 square metres above the podium, excluding balconies;  |

- (iv) Development applications comprising of more than one tall building shall incorporate height variations amongst the tall buildings. Tall buildings shall be arranged so as to provide an appropriate transition in height within the site area and to adjacent areas.
- (v) New public parks and open spaces *shall* be provided in each Area, including A, B-1 and B-2;
- (vi) Public parks and open spaces shall be framed by lowrise buildings or podiums to minimize shadowing and create inviting human scale and pedestrian-friendly spaces;
- (vii) *Development applications* containing residential uses *should* include a portion of units with three (3) or more bedrooms:
- (viii) Development shall contain a minimum of two permitted uses as directed by the underlying land use designation and should contain three permitted uses, one of which should be office, where feasible;
- (ix) Retail and service commercial uses *should* be located at street level in office or residential buildings;
- (x) Infill or intensification development applications should provide on-site transportation connections that contribute to the achievement of a continuous mid-block transportation connection between Brant Street and Drury Lane as generally depicted on Schedule M-1, without impacting the functionality of the Burlington GO Station. Transportation connections wherever possible should be unencumbered public rights-of-way in accordance with Part II, Subsection 3.3.2 x) of this Plan.
- (xi) Development adjacent to the new mid block transportation connection as generally depicted on Schedule M-1 shall provide a maximum podium height of 80% of the width of the adjacent mid-block transportation connection with a minimum three (3) metre step back for all portions of a building fronting the new mid block transportation connection;

- (xii) In addition to the policy in Part III, Subsection 5.3.2 d)
   v), the zoning by-law shall require a minimum number of bicycle parking spaces for residential development;
- xiii) Within the first 10m from the Fairview Street, Brant Street and Drury Lane road allowances, the maximum building height *shall* be six (6) storeys.
- xiv) The re-development of the Burlington GO station site located in "Area A", to incorporate residential uses *should* include a public square/transit plaza component;

#### 7.2.4 Downtown MTSA

The Downtown Burlington MTSA is not located on a Priority Transit Corridor nor is it supported by *higher order transit*, nor by *frequent transit* within a dedicated right of way. Within the downtown, there is a historic fine-grained grid street network which was established over a century ago. This street network supports the existing *transit-supportive* built form that contributes to a vibrant, walkable and cycling-friendly *complete community*.

The Downtown Burlington MTSA is anchored by the downtown Burlington bus terminal, which functions as an intercity bus transfer point. It currently does not function as a major bus depot and this is likely to continue into the future, unless improvements and/or enhancements are undertaken to strengthen its function as a major bus depot.

The residents and jobs associated with development in the Downtown Burlington MTSA will contribute towards meeting the Urban Growth Centre (UGC) density target of a minimum 200 residents and jobs combined per hectare, as identified in the Growth Plan. Given the limited function of the Downtown Bus Terminal, the *MTSA* is not expected to be a significant driver for *intensification* beyond that which is required by the Downtown UGC.

|  | Downtown Burlington is recognized as a Mobility Hub in the Halton Region Official Plan and an <i>MTSA</i> in the Halton Region Official Plan and guidance materials provided by the Province.  The policies within this section of the Plan are applied to the lands within the Urban Growth Centre boundary of the MTSA Special Planning Area as shown on Schedules B and M of this Plan.  In keeping with the policies of the Growth Plan, the final delineation of the <i>MTSAs</i> boundaries and the identification of minimum density targets, will be established by the Region of Halton through the Municipal Comprehensive Review and will be implemented through a future Official Plan Amendment. |
|--|---|
|  | 7.2.4.1 Objective   |
| Transit-supportive development in UGC  | a) To provide policy guidance for <i>transit-supportive development</i> in the Downtown Urban Growth Centre.  |
|  | 7.2.4.2 Policies  |
| Major Planning<br>Study  | a) The City <i>shall</i> undertake a major planning study to ensure that the Downtown Burlington MTSA is planned to implement mixed use <i>transit-supportive development</i> over the long term, while ensuring compatibility with surrounding areas is achieved.  |
| Application of<br>Targets to Entire<br>Geography                               | b) The Urban Growth Centre target of a minimum 200 people and jobs per hectare <i>shall</i> not be applied on a site-specific basis, and <i>shall</i> only be applied to the entire geography to which the target applies.  |
| Relationship of<br>Major Transit<br>Station Area and<br>Urban Growth<br>Centre | c) The residents and jobs associated with <i>development</i> in the Downtown Burlington MTSA <i>shall</i> contribute towards meeting the minimum density target of the Urban Growth Centre.   |

#### 1.2.25 By deleting the following under Part VIII, Definitions:

"Higher Order Transit - Transit that generally operates in its own dedicated right-of-way, outside of mixed traffic, and therefore can achieve a frequency of service greater than mixed-traffic transit. Higher order transit includes heavy rail (such as commuter rail) and buses in dedicated rights-of-way. \*R16"

And replacing it with:

"Higher Order Transit - Transit that generally operates in partially or completely dedicated rights-of-way, outside of mixed traffic, and therefore can achieve levels of speed and reliability greater than mixed-traffic transit. Higher order transit includes heavy rail (such as subways and inter-city rail), light rail, and buses in dedicated rights-of-way. \*R16"

#### 1.2.26 By deleting the following under Part VIII, Definitions:

"Major Transit Station Area - The area including and around any existing or planned *higher order transit* station (such as GO Transit commuter rail stations), or the area including and around a major bus depot in an urban core. Station areas generally are defined as the area within an approximate 500m radius of a *higher order transit* station, representing about a 10-minute walk.\*R16"

#### And replacing it with:

"Major Transit Station Area – The area including and around any existing or planned *higher order transit* station or stop within a settlement area; or the area including and around a major bus depot in an urban core. *Major transit station areas* generally are defined as the area within an approximate five hundred (500) m to eight hundred (800) m radius of a transit station, representing about a ten (10)-minute walk.

In keeping with the policies of the Growth Plan, the final delineation of the *Major Transit Station Area* boundaries and the identification of minimum density targets, will be established by the Region of Halton through the Municipal Comprehensive Review and will be implemented through a future Official Plan Amendment. \*R16"

#### 1.2.27 By deleting the following under Part VIII, Definitions:

"Transit-supportive Land Use - Planning and development practices which make transit viable and improve the quality of the experience of using transit. When used in reference to development, it generally refers to compact, mixed use development that has a high level of employment and residential densities to support frequent transit service. When used in reference to urban design, it generally refers to design principles that make development more accessible for transit users, such as roads laid out in a grid network

rather than a discontinuous network; pedestrian-friendly built environment along roads to encourage walking to transit; reduced setbacks and placing parking at the sides/rear of buildings; and improved access between arterial roads and interior blocks in residential Areas."

#### And replacing it with:

"Transit-Supportive or Transit-Supportive Land Use - Relating to development that makes transit viable and improves the quality of the experience of using transit. It often refers to compact, mixed-use *development* that has a high level of employment and residential densities. *Transit-supportive* development will be consistent with Ontario's Transit Supportive Guidelines."

#### 1.2.28 By adding the following to Definitions under Part VIII, Definitions:

**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.

Compact Built Form – A land use pattern that encourages efficient use of land, walkable neighbourhoods, mixed land uses (residential, retail, workplace and *institutional*) all within one neighbourhood, proximity to transit and reduced need for *infrastructure*. Compact built form can include detached and semi–detached houses on small lots as well as townhouses and walk-up apartments, multi-storey commercial developments, and apartments or offices above retail. Walkable neighbourhoods can be characterized by roads laid out in a well-connected network, destinations that are easily accessible by transit and active transportation, sidewalks with minimal interruptions for vehicle access, and a pedestrian-friendly environment along roads to encourage active transportation.

**Complete Communities** – Places such as mixed-use neighbourhoods or other areas within cities, towns, and settlement areas that offer and support opportunities for people of all ages and abilities to conveniently access most of the necessities for daily living, including an appropriate mix of jobs, local stores, and services, a full range of housing, transportation options and *public service facilities*. *Complete communities* 

are age-friendly and *may* take different shapes and forms appropriate to their contexts.

**Complete Street** – A street designed, built and operated to enable safe access for all users, in that pedestrians, cyclists, transit-users and motorists of all ages and abilities are able to safely move along and across the right of way. *Complete streets* foster livability while enhancing the *public realm* and encouraging sustainable growth patterns.

**Frequent Transit** - A public transit service that runs at least every 15 minutes in both directions throughout the day and into the evening every day of the week.

**Major Trip Generator** - Origins and destinations with high population densities or concentrated activities which generate many trips (e.g., urban growth centres and other downtowns, major office and office parks, major retail, employment areas, community hubs, large parks and recreational destinations, post-secondary institutions and other *public service facilities*, and other mixed-use areas).

**Mid–Rise Building** – A building five (5) to eleven (11) storeys in height.

**Multi–Modal** – The availability or use of more than one form of transportation, such as automobiles, walking, cycling, buses, rapid transit, rail (such as commuter and freight), trucks, air, and marine, and the interconnection between *modes*.

**Public Service Facilities –** Land, buildings and structures for the provision of programs and services provided or subsidized by a government or other body, such as social assistance, recreation, police and fire protection, health and educational programs, and cultural services. *Public service facilities* do not include *infrastructure*.

**Tall Building** – A building twelve (12) storeys or higher.

**Urban Design Brief** – A report prepared by a *qualified person* that analyzes and demonstrates how a proposed *development* meets the urban design objectives and policies of this Plan and any relevant approved Council-adopted *design guidelines* and provides a description of the overall architectural expression; relationship to planned and established context; building relationship to streetscape and adjacent properties; pedestrian, cycling, and transit connections; integration of public art; sustainable building elements; and other urban design

features that ensure design excellence. The specific requirements of the *urban design brief shall* be reflective of individual *development* applications and its scope *shall* be determined by the *City* on a case by case basis.

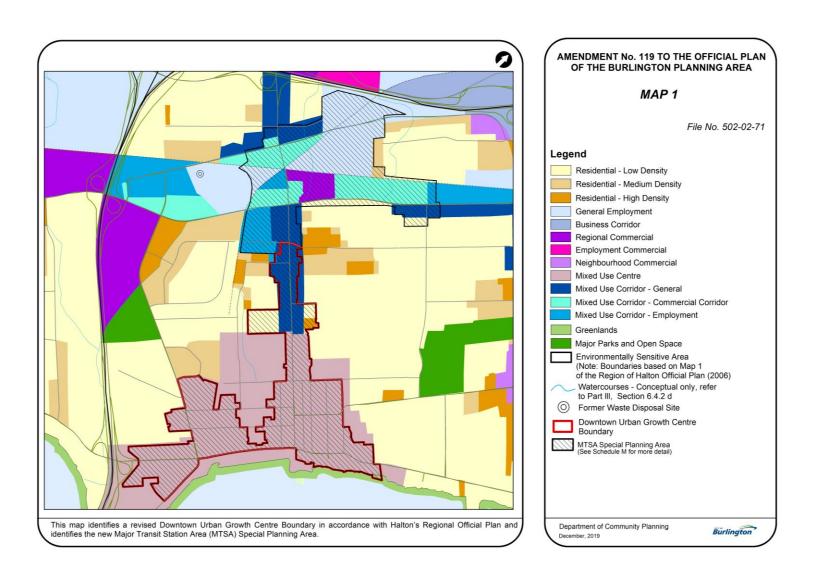
#### e) INTERPRETATION

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.

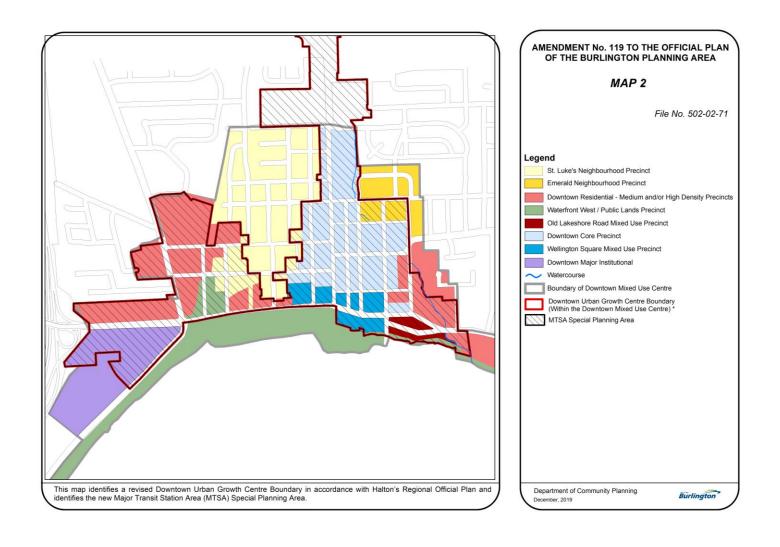
#### f) IMPLEMENTATION

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.

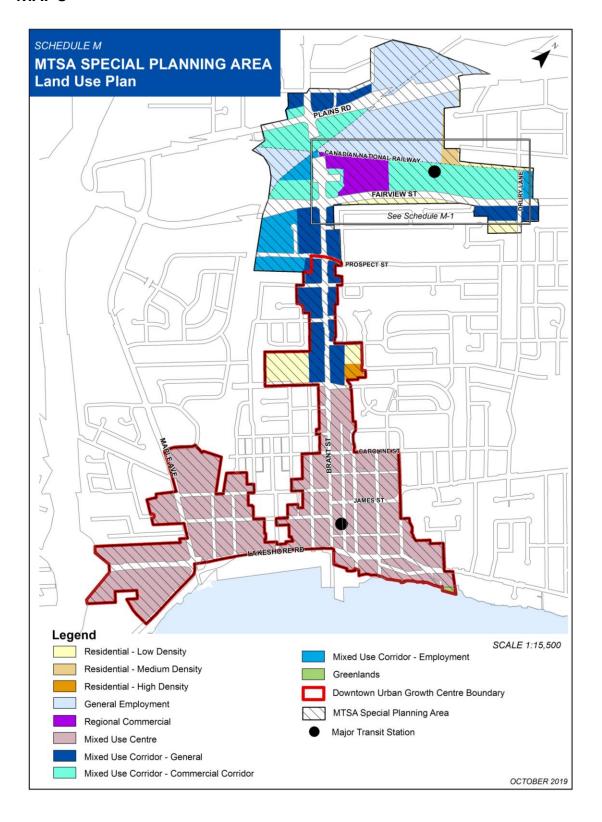
#### MAP 1



#### MAP 2



#### MAP 3



#### Map 4

