

The Corporation of the City of Burlington

City of Burlington By-law 54-2024

A by-law to adopt Official Plan Amendment No. 152 to introduce  
site-specific policies for 1393 Graham's Lane  
File: 520-04/24 (PL-64-24)

Whereas the Council of the Corporation of the City of Burlington in accordance with the provisions of Section 17 and 21 of the Planning Act, 1990, as amended, approved recommendation PL-64-24 at its meetings held on August 7, 2024.

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

1. That Amendment No.152 to the Official Plan (1994) of the Burlington Planning Area, as amended, consisting of the attached amendment and supporting documentation is hereby adopted.
2. That this by-law shall come into full force and take effect on the final day of passing thereof.

Enacted and passed this 7<sup>th</sup> day of August, 2024

Mayor Marianne Meed Ward \_\_\_\_\_

Deputy Clerk Lisa Palermo \_\_\_\_\_

# **AMENDMENT NO. 152 TO THE OFFICIAL PLAN OF THE CITY OF BURLINGTON, 1997**

## **CONSTITUTIONAL STATEMENT**

The details of the Amendment, as contained in Part “B” of this text, constitute Amendment No. 152 to the Official Plan of the City of Burlington, 1997, as amended.

## **PART A – PREAMBLE**

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

The purpose of the Amendment is to change the land use designation on the subject lands from Mixed-Use Corridor – Employment to Mixed-Use Corridor – General with site-specific policy to permit the development of a public park, one building with a height of 17 storeys containing residential and non-residential uses, one multi-unit residential building with maximum height of 21 storeys, and a possible additional multi-unit residential building with maximum height of 12 storeys (maximum heights include rooftop mechanical and amenity area). The proposal will provide up to 722 dwelling units and will have a maximum Floor Area Ratio of 5.4:1.

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

The subject property is comprised of one parcel of land located on the north side of Graham’s Lane with 128 metres of frontage on Graham’s Lane and 119 metres of frontage on the CN Rail corridor to the west. The property is L-shaped and has an area of 1.08 hectares.

To the north of the subject property is a surface parking lot supporting Royal Canadian Legion Branch 60 Burlington, and a one-storey multi-unit employment building at 850 Legion Road. Further north is the Rambo/Hager Creek diversion channel, which is regulated by Conservation Halton, and a section of Fairview Street that is elevated to pass over a CN rail corridor.

To the east are Royal Canadian Legion Branch 60 Burlington and a one-storey multi-unit plaza containing automotive, employment, and commercial uses. Further east, hydro infrastructure, employment, and automotive uses are located on the east side of Legion Road.

To the south across Graham’s Lane are employment and automotive uses in one-storey buildings; beyond these are mid-rise residential buildings on Ghent Ave.

To the west is a CN Rail corridor containing a rail spur line. Beyond this is a Hydro One transmission corridor, and beyond this is an established low-rise residential neighbourhood consisting of townhouses and detached houses. A multi-use trail called Maple Trail is located within the Hydro Corridor, extending from the terminus of Graham’s Lane south to Ontario Street in the vicinity of Spencer Smith Park and Burlington Beach.

Burlington Transit route 2 provides bus service on Brant Street, 220 metres to the east. At the corner of Brant Street and Fairview Street, a 520-metre walking distance from the subject property, is a bus stop served by numerous bus routes providing connections to Burlington GO Station, Downtown Burlington, and Downtown Hamilton.

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

The proposed development:

- a) Represents growth in a settlement area with a density and mix of uses that efficiently use land and resources and are appropriate for and efficiently use the planned and available infrastructure, subject to the implementation of necessary upgrades to sanitary sewers and hydro transmission infrastructure, consistent with the Provincial Policy Statement (PPS);
- b) Constitutes intensification of underutilized employment land within an Urban Growth Centre on a Priority Transit Corridor and a Major Transit Station Area, and will contribute to achieving the Growth Plan target of 200 residents and jobs combined per hectare by 2031, in conformity with A Place to Grow: Growth Plan for the Greater Golden Horseshoe (the Growth Plan);
- c) Provides up to 722 dwelling units in a Strategic Growth Area, which will contribute to the City achieving its 2031 Housing Pledge, consistent with the housing objectives of the PPS and in conformity with the housing objectives of the Growth Plan, Regional Official Plan, and City's Official Plan.
- d) Provides a mix of residential and non-residential uses that contribute to the achievement of Halton Region's target proportion of 65% residents and 35% jobs for the Burlington GO Major Transit Station Area;
- e) Requires the inclusion of a minimum 600 m<sup>2</sup> of floor area for non-residential uses, which will allow for the retention of a similar number of jobs relative to the existing employment use that will be redeveloped, in conformity with Growth Plan and Regional Official Plan policies that require retention of space for a similar number of jobs where employment lands outside an Employment Area are redeveloped;
- f) Provides for the dedication of parkland with frontage on and visibility from a public street in accordance with the City's Parks Provisioning Master Plan and Parkland Dedication By-law, consistent with the public realm, parks, open space, and complete community objectives of the PPS, Growth Plan, Regional Official Plan, and City Official Plan;
- g) Will achieve land use compatibility with surrounding uses, subject to additional land use compatibility analysis and noise and vibration analysis to be completed prior to a Holding Symbol being removed through an amending Zoning By-law and prior to development proceeding;
- h) provides for a publicly accessible mid-block pedestrian connection, generally in alignment with the new street that was envisioned by the City's Area-Specific Plan for the Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area, which contributes to achieving a highly connected active transportation network and facilitating active transportation;
- i) is located on lands with adequate transportation infrastructure, subject to the provision of a new publicly accessible mid-block active transportation connection, and subject to additional transportation impact analysis to be completed prior to removal of a Holding Symbol through an amending Zoning By-law, and implementation of transportation impact mitigation strategies through detailed design;

- j) is located on lands with adequate servicing infrastructure, subject to implementation of servicing infrastructure upgrades to occur prior to removal of a Holding Symbol through an amending Zoning By-law and hydro infrastructure upgrades to occur prior to issuance of permits;
- k) provides for appropriate separation of sensitive uses from a railway right-of-way, in accordance with the Guidelines for New Development in Proximity to a Railway Operation and consistent with the policies of the PPS, Growth Plan, and Regional Official Plan;
- l) provide for a Holding Symbol in the Zoning By-law to ensure that development does not proceed until it is confirmed that the lands are suitable for the proposed uses, consistent with the human-made hazard policies of the PPS and in conformity with the site contamination policies of the Regional Official Plan;
- m) supports climate change mitigation by directing growth to areas that will support achieving complete communities and intensification in close proximity to existing and planned transit and active transportation, and reducing dependence on private automobile trips, consistent with the climate change and sustainability policies of the PPS and in conformity with the climate change and sustainability policies of the Growth Plan, Regional Official Plan, and City's Official Plan;
- n) incorporates alternative development standards, as encouraged by the PPS, Growth Plan, and Regional Official Plan, in the form of reduced parking supply requirements for intensification within a Strategic Growth Area;
- o) Satisfies the criteria of the City of Burlington Official Plan to allow lands designated Mixed-Use Corridor – Employment to be redesignated to permit non-employment uses, in particular as the proposed conversion follows a municipal comprehensive review of the Halton Region Official Plan that allowed the conversion of these lands, and as the development of the land for non-employment uses will meet a public need for additional housing supply identified by City Council resolution;
- p) Satisfies the intensification criteria of the City of Burlington Official Plan;
- q) Represents development in an Urban Growth Centre and Major Transit Station Area with transit-supportive densities and mix of uses, and compact built form, consistent with the intent of the Council-adopted Area-Specific Plan for the Downtown Burlington Urban Growth Centre/Burlington GO Major Transit Station Area;
- r) Generally complies with the applicable design guidelines of the City of Burlington, including the Tall Building Guidelines, Design Guidelines for Mixed-use and Residential Mid-Rise Buildings, and Sustainable Building and Development Guidelines;
- s) Will comply with the City's Shadow Study Guidelines and Terms of Reference and Pedestrian-level Wind Study Guidelines and Terms of Reference, subject to additional analysis to occur prior to development proceeding to ensure avoidance of impacts and mitigation of impacts where avoidance is not possible.

## **PART B – THE AMENDMENT**

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

**Map Change:**

Comprehensive Land-Use Plan – Urban Planning Area, being Schedule B of the Official Plan of the Burlington Planning Area, as amended, is modified by the attached Map 1, which indicates the lands designated Mixed-Use Corridor – Employment will be amended to the Mixed-Use Corridor – General designation with site-specific provisions in Schedule B “Comprehensive Land-Use Plan – Urban Planning Area” of the Official Plan (1997, as amended).

**Text Change:**

The text of the City of Burlington Official Plan (1997), as amended, is hereby amended by adding the following site-specific policy (ah) to Part III, Subsection 5.3.2, as follows:





1393 Graham's Lane	<p>ah) On the lands at 1393 Graham's Lane, a mixed-use development <i>shall</i> be permitted subject to the following:</p> <ul style="list-style-type: none"><li>(i) Notwithstanding Part III, Subsection 5.3.2(d)(i) of this Plan, the maximum <i>Floor Area Ratio shall</i> be 5.4:1;</li><li>(ii) Notwithstanding Part III, Subsection 5.3.2(d)(ii) of this Plan,<ul style="list-style-type: none"><li>a. The minimum height <i>shall</i> be 4 storeys, except for <i>accessory buildings</i>, which <i>shall</i> not be subject to a minimum height;</li><li>b. One building containing residential uses and a minimum of 600m<sup>2</sup> of floor area for non-residential uses <i>shall</i> have a maximum height of 17 storeys including mechanical penthouse and rooftop amenity;</li><li>c. One single-use residential building <i>shall</i> have a maximum height of 21 storeys including mechanical penthouse and rooftop amenity; and</li><li>d. One additional single-use residential building <i>may</i> be permitted, subject to a maximum height of 12 storeys including mechanical penthouse and rooftop amenity.</li></ul></li><li>(iii) The City <i>may</i> take public-access easements on the subject property for the purpose of improving neighbourhood connectivity and walkability, and supporting and promoting active transportation on a neighbourhood scale as the lands in the vicinity of the subject property transition through incremental redevelopment from a mixed-use employment area to</li></ul>
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	<p>a complete community over the planning horizon of this Plan and beyond.</p> <p>(iv) Notwithstanding part VI, section 2.7.2(c) of this Plan, parkland dedication <i>shall</i> be calculated in accordance with the City's Parkland Dedication By-law and Parks Provisioning Master Plan.</p>
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AMENDMENT No. 152 TO THE OFFICIAL PLAN  
OF THE BURLINGTON PLANNING AREA

**Schedule 'B'**

File No. 505-01/24

- Legend**
-  MUC - General
  -  MUC - Employment
  -  Residential - Medium Density
  -  Residential - Low Density



Date: July 16, 2024  
Community Planning Department



Area 'A' to be amended from 'Mixed Use Corridor - Employment' to 'Mixed Use Corridor - General with site-specific policy.'