

**SUBJECT:** Statutory Public Meeting and Recommendation Report for a Zoning By-law Amendment for 1510 and 1515 North Service Road and 2202-2208 Industrial Street

**TO:** Committee of the Whole

**FROM:** Development and Growth Management  
Community Planning

Report Number: DGM-52-25

Wards Affected: Ward 3

Date to Committee: July 8, 2025

Date to Council: July 15, 2025

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## **Recommendation**

Approve the application for a Zoning By-law Amendment as modified by staff in development and growth management report DGM-52-25, to add one Convenience/Specialty Food Store and add Recreational Establishments to the CE-33 and CE-34 zones, and add Restaurant Uses and Veterinary Services to the CE-33 zone; and

Approve Zoning By-law 2020.508 attached as Appendix D to development and growth management report DGM-52-25, to amend the “CE-33” and “CE-34” zoning of the lands at 1510 and 1515 North Service Road and 2202-2208 Industrial Street; and

Deem that Zoning By-law 2020.508 conforms to the Halton Region Official Plan, the 1997 Official Plan of the City of Burlington and the 2020 Official Plan and that there are no applications to alter the Official Plans with respect to the subject lands.

## **Executive Summary**

Purpose of report:

- To provide a recommendation related to a Zoning By-law Amendment application to add one Convenience/Specialty Food Store with a maximum floor area of 1800 square metres to each zone; add Automotive Uses to the CE-33 zone; add Recreational Establishments

to the CE-33 and CE-34 zones; add Restaurant Uses to the CE-33 zone; and, Veterinary Services to the CE-33 zone. Staff are recommending modified approval of the Zoning By-law amendment application with a holding provision for the Recreation Establishment use. The modified approval also includes refusing to remove the Automotive Uses from the prohibited list in CE-33.

Key findings:

- The applicant has applied for Zoning By-law Amendments to add the following uses to the CE-33 and CE-34 zones:
  - To amend each zoning exception to permit one convenience/specialty food store with a maximum floor area of 1800m<sup>2</sup> in each zone
  - To remove Veterinary Services from the prohibited list in the CE-33 Zone
  - To remove Recreational Establishments from the prohibited list in the CE-33 and CE-34 Zone.
  - To remove Automotive uses from the prohibited list in the CE-33 Zone
  - To remove all restaurant uses (convenience, standard, fast food) from prohibited list in CE-33 zone
  - Implement a Holding to require a record of site condition for a Recreational Establishment use only.
- Staff are recommending approval with modifications and holding provision of the proposed Zoning By-law Amendments to add one Convenience/Specialty Food Store, Veterinary Services, Restaurants, and Recreational Establishments subject to a holding provision, and not allow Automotive Uses based on the following:
  - The proposed amendments are consistent with the Provincial Planning Statement (2024);
  - The proposed amendments conform with the Regional Official Plan (2009, as amended) and conform to the Burlington Official Plan (1997) and Burlington Official Plan (2020);
  - The proposed amendments maintain the general intent and purpose of Zoning By-law 2020;
  - Staff is of the opinion that the proposed amendments represent good planning.

# Recommendation Report

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## Background

On May 2, 2025, the City acknowledged that a complete application had been received for a Zoning By-law Amendment for the properties known municipally as 1510 and 1515 North Service Road and 2202-2208 Industrial Street. The City has accepted one application for the four sites as the rezoning is being considered comprehensively. The purpose of this application is to amend the existing site-specific CE-33 and CE-34 zoning to add the following uses to the CE-33 and CE-34 zones:

- To amend each zoning exception to permit one convenience/specialty food store with a maximum floor area of 1800m<sup>2</sup> in each zone.
- To remove Veterinary Services from the prohibited list in the CE-33 Zone
- To remove Recreational Establishments from the prohibited list in the CE-33 and CE-34 Zone.
- To remove Automotive uses from the prohibited list in the CE-33 Zone
- To remove all restaurant uses (convenience, standard, fast food) from prohibited list in CE-33 zoneImplement a Holding to require a record of site condition for a Recreational Establishment use only.

Planning Staff are recommending approval with modifications and holding provision of the proposed Zoning By-law Amendments to add one Convenience/Specialty Food Store, Veterinary Services, Restaurants, and Recreational Establishments subject to a holding provision, and not allow Automotive Uses.

## Site History:

The existing multi-unit commercial buildings were built on previously vacant land in 2003-4 after the following approvals were granted in 2001: Official Plan amendment (505-04/00), rezoning (520-22/00), and site plan (535-44/01). 1510 North Service Road was the first phase of a three-phase commercial development. 1515 North Service Road and 2200-2208 Industrial Street were developed in subsequent phases. Standard Restaurant was added as a use to the properties in 2016 through an additional rezoning (520-07/15).

## Site Description:

The proposal consists of 4 properties at the intersection of Industrial Street and North Service Road. 1510 North Service Road (1.617 ha) is located northwest of the intersection, 1515 North Service Road (1.11555 ha) is located southwest of the intersection and 2202-2208 Industrial Street (2.58 ha) is located northeast of the intersection.

Surrounding uses are as follows:

- North: Low-density residential neighbourhoods, primarily consisting of single-detached homes, organized in a suburban grid layout. Roly Bird Park, which serves as a key public recreational space.
- East: Employment lands, including warehouses, office spaces, commercial buildings and other employment businesses. Utility and rail corridors and stormwater management areas.
- South: The QEW (Queen Elizabeth Way), a major provincial highway that facilitates regional connectivity. Additional commercial and industrial uses, including large-scale retail plazas and some residential.
- West: Commercial plazas, including retail businesses, restaurants, and service-oriented establishments. Proximity to Brant Street, a key arterial road providing local access to Burlington's core.

Burlington GO Station is approximately 2.5 km away travelling along Brant Street. The closest bus routes (2, 12) are located at the intersection of Brant Street and North Service Road approximately 500 metres from 1510 and 1515 North Service Road.

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## **Analysis**

### **Policy Framework**

The proposed Zoning By-law Amendment application is subject to review in accordance with the Provincial Planning Statement (2024); Region of Halton Official Plan (2009, as amended); City of Burlington Official Plan (1997, as amended); City of Burlington Official Plan (2020, as amended); and City of Burlington Zoning By-law 2020, as summarized below and in greater detail within Appendix E.

Planning Staff are of the opinion that the proposed application as modified by staff is consistent with the Provincial Planning Statement (2024) conforms with the Region of Halton Official Plan (2009, as amended), and the City of Burlington Official Plans (1997 as amended & 2020 as amended).

### **Employment Commercial Function**

The proposal requests a Zoning By-law Amendment to add a maximum of one Convenience/Specialty Food Store and the Recreational Establishment into the CE-33 and CE-34 zones; and, add Automotive Uses, Restaurant Uses and Veterinary Services into the CE-33 zone. The applicant has not identified any future tenants for the additional uses to be added or the location of these uses. The intent of the application is to support additional flexibility in leasing the existing spaces on the subject lands to prevent vacancies. The Employment Commercial designation in the Official Plan (1997, as amended) allows for a wide range of employment uses and also a limited range of retail commercial uses which have employment characteristics such

as servicing business uses; requiring expansive land areas; locating in or adjacent to employment area; and are not intended to serve the regular daily or weekly shopping needs to the surrounding residential and business community. The subject property was previously subject to the Employment Area Overlay which has now been removed from the subject property and is only located within the Urban Area within the Halton Region Official Plan. The Official Plan (1997, as amended) does not explicitly state that recreation uses are permitted; however, the Zoning By-law that regulates the use of the property, lists a recreational establishment as a permitted use in the Employment Commercial zone. In this case, a recreation establishment is only prohibited due to the exception CE-33 and CE-34 zones. If the property was not subject to the exception zoning, recreation establishment would be permitted as-of-right on the subject property. Further, the Official Plan (2020) envisions recreation uses within the future Employment Commercial Centre designation. Additionally, Planning Staff are recommending a holding provision be implemented on the site to require a Phase 1 Environmental Site Assessment and Record of Site Condition to be completed prior to permitting a recreational establishment as it is a sensitive use. Planning Staff are confident that the holding provision will appropriately address any concerns related to permitting a recreational establishment.

Planning Staff have considered the impacts of permitting the retail and service commercial uses, automotive uses, and recreation establishment use on the properties and the ability for the employment function to be maintained. The intent of the Employment Commercial designation is to provide a wide range of employment uses and also a limited range of retail commercial uses which have employment characteristics. The subject lands currently contain large scale retail commercial uses, a fitness club/health spa, a daycare facility, and a convenience/specialty food store. The subject lands would continue to permit a range of employment uses across the sites while providing further flexibility for future retail and service commercial uses. Planning Staff have considered whether a recreation establishment use would limit the possibility for future employment uses but have considered that there is already a daycare facility and fitness club/health spa (yoga studio) located at 2202-2208 Industrial Street. Planning Staff do not anticipate any negative impacts with the introduction of retail and service commercial uses or recreational establishment uses when considering the existing uses across the sites.

### **Land Use Compatibility**

The proposal request to add a wide range of Automotive Uses as listed in Part 4, Table 4.2.1 of the Zoning By-law which is considered a new industrial use in the D-Series Guidelines. These include Cash Wash, Motor Vehicle Service Station, Motor Vehicle Sales, Leasing, Rental, and Service, Motor Vehicle Repair Garage, Motor Vehicle Parts & Accessory Sales, and Retail Propane Facility. These uses are defined in Part 16 of the Zoning By-law. Currently, Automotive Uses are permitted in CE-34 which is 2202-2208 Industrial Street. There is also an existing Tire Installation use at 1225 Brant Street zoned CR-35 (Regional Commercial) and Automotive Use at 2235 Industrial Street zoned CN2 (Neighbourhood Commercial). The proposal is to add Automotive Uses to the CE-33 zone which is 1510 and 1515 North Service Road. Planning Staff have considered that there are residential properties along Mountainside Road and Dequincy

Crescent to the north as well as parkland (Roly Bird Park). The parkland is located on lands owned by City of Burlington and the Hydro One Corridor. The width of this area is approximately 70 metres. For a Class 1 use to residential uses the area of influence is 70 metres and the minimum separation distance is 20 metres. For a Class 2 use to residential uses the area of influence is 300 metres and the minimum separation distance is 70 metres. The applicant has not submitted a Land Use Compatibility Study to confirm that there will be no impacts to the existing sensitive uses. As mentioned, there is an existing Tire Installation use at 1225 Brant Street immediately adjacent to 1510 North Service Road. In reviewing CR-35 which permits the Tire Installation use, the use is only permitted facing the highway at the opposite side of the lot than the residential use. The remainder of the building is a large scale retail/warehousing use which is an added buffer to the residential use. The existing building at 1510 North Service Road faces the residential use and would need to be assessed for land use compatibility. Further, 1515 North Service Road directly abuts the parkland (Roly Bird Park) and the residential properties. Planning Staff are recommending that the request for Automotive Uses being refused and continue to be included in the prohibited uses of the CE-33 zone.

### **Zoning By-law**

The subject properties are currently zoned Employment Commercial (CE-33 and CE-34). The applicant has requested to add a maximum of one Convenience/Specialty Food Store and the Recreational Establishment into the CE-33 and CE-34 zones; and, add Automotive Uses, Restaurant Uses and Veterinary Services into the CE-33 zone.

As per the analysis provided of the Zoning By-law 2020 under Appendix E – Detailed Policy Analysis, staff is of the opinion that the proposed amendments as modified by staff are consistent with Provincial directions, conform to the Regional Plan and maintain the general intent of the Local Official Plans and are appropriate for the subject lands.

### **Technical Review**

The application was circulated to internal staff and external agencies on May 2, 2025, for review. The following are summaries of the comments received:

**City of Burlington – Finance** – requests as a condition of development that, “taxes must be paid on parcels associated with this file. This includes all outstanding balances plus current year taxes that have been billed but not yet due.”

**City of Burlington – Urban Forestry and Landscaping** – no comment.

**City of Burlington – Parks and Open Space** – No concerns with the proposed development.

**City of Burlington – Transportation Planning** – Transportation Planning support the Zoning By-Law Amendment to permit additional uses. The application has no impacts on the transportation network and Transportation Planning has no concerns at this time. The parking supply will need to be re-reviewed and confirmed with any future application for automotive uses,

where a Parking Justification Report may be required at that time if a parking reduction is being proposed.

**City of Burlington – Zoning** – Amendments required to the Zoning By-law have been identified and included as part of the draft by-law to reflect the proposed development.

**City of Burlington – Development Engineering** – If the development proposes a change of property use to a more sensitive use and therefore, in accordance with Ontario Regulation 153/04, as amended, a Record of Site Condition will be required. If there are any proposed grading or servicing alterations, then the supporting Engineering Plans and Report must be provided prior to Site Plan Application.

**City of Burlington – Heritage** – No comments.

**Halton Region** – Regional staff have no objection to the approval of the proposed ZBA.

**Halton Police** - No concerns with this proposal as it doesn't interfere with our line-of-sight radio system.

**Imperial Infrastructure** – No infrastructure in the area.

**Rogers Communications** – No comments.

**Sun-Canadian Pipe Line** - Does not operate any facilities near the property.

**Rogers Communications** – No comments.

**Metrolinx** – No comments.

**Ministry of Transportation** – No comments. The properties are located within the Ministry's Permit Control Area for the QEW which may require MTO permits.

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## Recommendation Details

- The proposed amendments are consistent with the Provincial Planning Statement (2024);
- The proposed amendments conform with the Regional Official Plan (2009, as amended);
- The proposed amendments conform to the Burlington Official Plan (1997) and have regard for Burlington Official Plan (2020);
- The proposed development maintains the general intent of Zoning By-law 2020.

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## Key Dates & Milestones

- Application submitted: April 23, 2025
- Application deemed complete: May 2, 2025
- Statutory public meeting: July 8, 2025

- Council meeting: July 15, 2025
  - Statutory deadline: July 22, 2025
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## **Implications**

### **Financial**

All application fees have been received in accordance with the Development Application Fee Schedule.

### **Climate Implications**

In February 2020, City Council approved the City of Burlington Climate Action Plan to support the City's path towards a low-carbon future, focusing on mitigating greenhouse gases and reducing energy consumption. The Plan identifies seven implementation programs, including, programs to enhance energy performance for new and existing buildings; increase transit and active transportation mode shares; encourage the adoption of electric mobility and equipment through personal and commercial vehicles and other currently gas-powered equipment; and support waste reduction and diversion.

No new development or site alteration is proposed through the submitted Zoning By-law Amendment. The application to add additional uses will provide further flexibility across the Employment Commercial site allowing for the full use of the units which have been vacant.

### **Engagement Matters**

Notice signs were posted on the subject lands on May 27, 2025. A public notice of the Zoning By-law Amendment application was mailed to 54 addresses, which includes all property owners and tenants within 120 metres of the subject land.

A webpage was created on the City of Burlington website, accessible at [www.burlington.ca/1510northservice](http://www.burlington.ca/1510northservice). This webpage provides information about the subject application including dates of public meetings, links to supporting studies, and contact information for the applicant's representative and Community Planning Department.

As of the time of writing this report, 1 written public comment has been received by staff with respect to the subject application in support of the proposal. The public comment received to date has been included in Appendix C – Public Comments.

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## **References**



- 1510 North Service Road Phase 1 ESA prepared by S2S Environmental Inc dated April 6, 2017;
- 1515 North Service Road Phase 1 ESA prepared by S2S Environmental Inc dated March 15, 2023;
- 2200-2210 Phase 1 ESA prepared by S2S Environmental Inc dated October 16, 2016;
- Cover Letter prepared by The Biglieri Group dated April 8, 2025;
- Draft Zoning By-law Amendment prepared by The Biglieri Group dated April 2025;
- Planning Rationale Report prepared by The Biglieri Group dated April 2025;
- Site Screening Questionnaire dated January 20, 2025;
- 1510 Site Plan prepared by Fabiani Architect dated January 15, 2002;
- 1515 Site Plan prepared by Fabiani Architect dated October 27, 2006;
- 2202-2208 Site Plan prepared by Fabiani Architect dated November 4, 2014;
- Sanitary and Water Servicing Letter prepared by Crozier dated April 23, 2025; and,
- Application Form dated April 8, 2025.

A full list of submitted studies and reports can be found at [www.burlington.ca/1510northservice](http://www.burlington.ca/1510northservice)

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### **Strategic Alignment**

(Select all that apply)

- Designing and delivering complete communities
  - Providing the best services and experiences
  - Protecting and improving the natural environment and taking action on climate change
  - Driving organizational performance
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### **Appendices:**

- A. Existing Zoning
- B. Concept Plan
- C. Public Comments
- D. Draft Zoning By-law Amendment
- E. Detail Policy Analysis

**Draft By-laws for Approval at Council:**

- The By-law will be brought to City Council on July 15, 2025.

**Notifications:**

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**Report Approval:**

All reports are reviewed and approved by the Commissioner, Head of Corporate Affairs, Chief Financial Officer, and Commissioner of Legal and Legislative Services/City Solicitor.