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**SUBJECT:** Supplemental Staff Memo for DGM-52-25 (Zoning By-law Amendment for 1510 and 1515 North Service Road and 2202-2208 Industrial Street)

**TO:** Council

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

Report Number: DGM-52-25

Wards Affected: 3

Date to Council: July 15, 2025

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### **Amended Recommendation:**

Approve the application for a Zoning By-law Amendment, as modified by staff in Report DGM-52-25 and the Supplemental Staff Memo, to add one Convenience/Specialty Food Store and add Recreational Establishments to the CE-33 and CE-34 zones, and add Restaurant Uses, Veterinary Services, and Motor Vehicle Parts & Accessory Sales to the CE-33 zone; and,

Approve Zoning By-law 2020.508 with modifications and a Holding provision, attached as Appendix A to the Supplemental Staff Memo for 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.

### **Background:**

On June 26, 2024, a pre-consultation meeting was held, where the proponents had presented a proposal to add convenience/specialty food store, recreational establishment, and veterinary service use permissions to the lands at 1510 – 1515 North Service Road and 2202-2208 Industrial Street. These uses were proposed within the existing buildings; however, no specific location was provided for these uses as the intent from the applicant was to gain further flexibility for future leasing. Staff provided feedback on the uses proposed at that time.

On September 16, 2024, the applicant requested to add motor vehicles sales, leasing, rental and service, motor vehicle parts & accessory sales, standard restaurant, fast food restaurant, and convenience restaurant to the proposal. Staff responded by outlining that the intent behind

the motor vehicles sales, leasing, rental and service and motor vehicle parts & accessory sales was for retailing, therefore, staff did not recommend a land use compatibility study.

On April 23, 2025, the applicant submitted a Zoning By-law Amendment application that requested the full suite of Automotive Uses be added to the CE-33 zone, inclusive of Car 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. Through the review of the application, Staff identified concerns that certain proposed Automotive Uses could negatively impact compatibility with existing sensitive land uses in proximity to the subject lands. The application, as submitted, did not contain the appropriate land use compatibility studies (i.e. air quality, noise and vibration) to demonstrate that the proposed uses would not have a negative impact on adjacent sensitive land uses, as outlined in DGM-52-25.

Staff Report DGM-52-25 was released publicly on June 27, 2025 and was presented to the Committee of the Whole on July 8, 2025. The report outlined staff's recommendation for a modified approval with a holding provision. The Committee referred DGM-52-25 to the July 15, 2025 Council meeting to allow for additional dialogue between staff and the applicant to seek resolution to matters related to the proposed Automotive Uses.

#### **Discussion:**

Subsequent to the July 8, 2025 Committee of the Whole meeting, Staff met with the applicant on July 9, 2025, and discussed the proposed Automotive Uses (Car 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) on the subject lands. Through conversation with the applicant, it was determined that the applicant would be satisfied with the addition of Motor Vehicle Parts & Accessory Sales to allow for the retailing of auto supplies, such as tires, batteries, parts, and accessories. The applicant identified in the meeting that a potential Motor Vehicle Parts & Accessory Sales business was interested in locating within the CE-33 zone (1510 and 1515 North Service Road). Staff have considered that the retailing and sales of motor vehicle parts and accessories would not create adverse effects to the surrounding sensitive land uses (i.e. residential uses and parkland) and are therefore supportive of permitting Motor Vehicle Parts & Accessory Sales. Staff have added Motor Vehicle Parts & Accessory Sales excluding servicing, repair, installation, painting, and wrecking to the permitted uses in By-law 2020.508 under CE-33. Staff are recommending approval of revised By-law 2020.508 (attached as Appendix A) which allows for the retailing of motor vehicle parts and accessories and ensures compatibility with existing sensitive land uses. Staff have confirmed with the applicant that there are no outstanding concerns.

#### **Conclusion:**

Subsequent to the July 8, 2025 Committee of the Whole meeting, Staff have connected with the applicants and reassessed the original recommendation. Staff are supportive of adding Motor

Vehicle Parts & Accessory Sales as a permitted use, and are recommending that the updated zoning by-law amendment, attached as Appendix A, be approved by Council.

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**Attachments:**

A. Revised Zoning By-law

**Memo Approval:**

Supplemental staff memos are reviewed and approved by the Commissioner.

## **BY-LAW NUMBER 2020.508, SCHEDULE 'A' AND EXPLANATORY NOTE**

### **THE CORPORATION OF THE CITY OF BURLINGTON**

#### **BY-LAW NUMBER 2020.508**

A By-law to amend By-law 2020, as amended; 1510 & 1515 North Service Road  
and 2202-2208 Industrial Street  
File No.: 520-08/25, DGM-52-2025

WHEREAS Section 34(1) of the Planning Act, R.S.O. 1990, c. P. 13, as amended, states that Zoning By-laws may be passed by the councils of local municipalities; and

WHEREAS the Council of the Corporation of the City of Burlington approved Recommendation DGM-52-2025 on July 15, 2025, to amend the City's existing Zoning By-law 2020, as amended, to add one Convenience/Specialty Food Store and add Recreational Establishments to the CE-33 and CE-34 zones, and add Automotive Uses, Restaurant Uses, and Veterinary Services to the CE-33 zone;

#### **THE COUNCIL OF THE CORPORATION OF THE CITY OF BURLINGTON HEREBY ENACTS AS FOLLOWS:**

1. Part 11 of By-law 2020, as amended, Holding Zone Provisions, is hereby amended by the addition of the following section to Appendix A:

**#103 and #104      H-CE-33 and H-CE-34      Map   15W   Resolution: XXX**

The Holding symbol shall allow for all permitted uses within Part 2 of H-CE-33 and CE-34 and Part 4, Commercial Zones, and only apply to the Recreational Establishment and be removed from the zone designation by way of an amending zoning by-law when the following has been completed:

- A. The submission of a Phase 1 ESA in accordance with O.reg 153/04 and a Record of Site Condition to address the Recreational Establishment Use to the satisfaction of the Director of Community Planning.
2. PART 14 of By-law 2020, as amended, Exceptions to Zone Designations, is amended by repealing and replacing Exception 33 and Exception 34 as it pertains to 1510 and 1515 North Service Road and 2202-2208 Industrial Street, with the following:

<b>Exception 33</b>	<b>Zone H-CE-33</b>	<b>Map 15W</b>	<b>Amendment 2020.90 2020.205 2020.293 (PL080169 and PL080632) 2020.365 2020.508</b>	<b>Enacted July 3/01 April 28/08 June 2/10  April 11, 2016</b>
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(1) Holding Provision:

Notwithstanding the regulations of Part 11, Section 1.1, where the zone designation includes an 'H' Holding symbol prefix, the following shall apply:

- a) Permitted uses prior to "H" (Holding) being lifted:
  - i. all permitted uses in the CE zone and CE-33 zone, except recreational establishments
- b) Additional permitted use following H being lifted:
  - i. Recreational establishment

(2) Additional Permitted Uses:

Caterer  
 Fitness Club/Health Spa  
 Hotel subject to footnote (e) of Part 3, Table 3.2.1

Retailing of:

Furniture  
 Billiard Tables  
 Garden, Patio Furniture & Accessories  
 Fitness Equipment  
 Home Appliances  
 Tools, Equipment, and Special Events Rental  
 Fireplaces  
 Designer and Landscape services  
 Fabrics, Upholstery and associated supplies and equipment  
 Motor Vehicle Parts & Accessory Sales, excluding servicing, repair, installation, painting, and wrecking  
 A maximum of one Convenience/Specialty Food Store on each parcel within lands zoned CE-33

(3) Prohibited Uses:

Pharmaceuticals and Medicines

Car Wash

Motor Vehicle Service Station

Motor Vehicle Sales, Leasing, Rental, and Service

Motor Vehicle Repair Garage

Retail Propane Facility

Convention/Conference Centre

Banquet Centre

Outdoor Patio

Night Club

Private Propane Facility

Machinery and Equipment

Night club, banquet, or conference facilities are prohibited as accessory uses to a hotel

(4) Regulations:

a) Building Height:

- i. North of North Service Road: Two storeys up to 8.8 metres maximum, plus an additional height of architectural parapet is permitted of 4.3 metres along a maximum of 40% of any building elevation.
- ii. Two storeys up to 13.5 m maximum south of North Service Road

b) Yard

- i. Yard abutting a street: 6 m
- ii. Yard abutting a P zone: 1.2 m
- iii. Yard abutting the Queen Elizabeth Way: 14 m
- iv. Landscape area abutting a P zone: 1.2 m
- v. Landscape area abutting the Queen Elizabeth Way: 6 m
- vi. Outside Storage: Prohibited

- c) One standard restaurant on each parcel within lands zoned CE-33 with a maximum gross floor area of 560 m<sup>2</sup> and one accessory outdoor patio are permitted in a multi-unit building on a property south of North Service Road.

d) Parking

- i. Off-street parking for all permitted uses shall be provided at the rate of 3.2

spaces per 100 m<sup>2</sup> gross floor area.

- e) Garbage facilities, loading, parking, driveways and docks for loading or unloading are not permitted between any building and the boundary of a P zone.
- f) Part 4, Commercial Zones, Section 5, CE Zone Regulations, Subsection 5.5, Floor Area, shall not apply.
- g) On lots or blocks located north of the North Service Road, garbage facilities, vehicles for loading, driveways and docks for loading or unloading are permitted along 25% of the total building elevation facing North Service Road and Industrial Street.
- h) Garbage facilities, loading and docks for loading or unloading are only permitted along the southerly, easterly, and westerly building elevations of lots or blocks abutting the Queen Elizabeth Way, provided that the docks and doors are screened from view from the Queen Elizabeth Way.
- i) An exterior wall facing a residential zone may have a maximum length of 110 m.
- j) The total floor area of the following “additional permitted uses” and those uses listed in footnote (c) of Part 4, Table 4.2.1, located on all lands zoned CE-33 and CE-34, shall not exceed 15,800 m<sup>2</sup>:
  - i. Furniture
  - ii. Garden, Patio Furniture & Accessories
  - iii. Home Appliances
- k) Banks, Trust Companies, and Credit Unions shall not be subject to footnote (h) to Part 4, Table 4.2.1
- l) Notwithstanding footnote (h) to Part 4, Table 4.2.1, the total floor area of “Other Service Commercial Uses” shall not exceed 15% of the floor area of all buildings on the lot.

Except as amended herein, all other provisions of the By-law, as amended, shall apply.

<b>Exception 34</b>	<b>Zone H-CE-34</b>	<b>Map 15W</b>	<b>Amendment 2020.90 2020.205 2020.293 (PL080169 and PL080632) 2020.306 2020.508</b>	<b>Enacted July 3/01 April 28/08 June 2/10  October 4/11</b>
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(1) Holding Provision:

Notwithstanding the regulations of Part 11, Section 1.1, where the zone designation includes an 'H' Holding symbol prefix, the following shall apply:

- a) Permitted uses prior to "H" (Holding) being lifted:
  - i. all permitted uses in the CE zone and CE-34 zone, except recreational establishments
- b) Additional permitted use following H being lifted:
  - i. Recreational establishment

(2) Additional Permitted Uses:

Hotel subject to footnote (e) of Part 3, Table 3.2.1  
 Caterer  
 Fitness Club/Health Spa

Retailing of:

Furniture  
 Garden, Patio Furniture, and Accessories  
 Home Appliances  
 Fireplaces  
 Fabrics, Upholstery, and associated supplies and equipment  
 Designer and Landscape services  
 Billiard Tables  
 Fitness Equipment  
 Tools, Equipment, and Special Events Rentals  
 Sporting Goods  
 A maximum of one Convenience/Specialty Food Store on each parcel within lands zoned CE-34

(3) Prohibited Uses:



Convention/Conference Centre

Banquet Centre

Night Club

Night club, banquet, or conference facilities are prohibited as accessory uses to a hotel

(4) Regulations:

a) Yards

- i. Yard abutting Industrial Street and the North Service Road: 6 m
- ii. Yard abutting the Queen Elizabeth Way: 14 m
- iii. Landscape Area abutting Industrial Street: 6 m
- iv. Landscape Area abutting the southerly property boundary: 6 m
- v. Building Height: 2 storeys up to 13.5 m maximum
- vi. Outdoor Storage: Prohibited
- vii. Maximum floor area ratio: 0.33:1

b) One standard restaurant one each parcel within lands zoned CE-34 with a maximum floor area of 560 m<sup>2</sup> and one accessory outdoor patio is permitted, subject to the following:

- i. Setback from Industrial Street to a restaurant use: 50 m
- ii. Setback from the easterly property line to a restaurant use: 100 m
- iii. Setback from a residential zone to an outdoor patio use: 220 m

c) Garbage facilities are not permitted in any building elevation facing a street. These facilities are permitted along other elevations, only provided that they are screened from view of a street.

d) Notwithstanding the above, one garbage compactor with one attached garbage bin may be permitted in a building elevation facing Industrial Street and North Service Road without screening, provided it is set back a minimum of 80 m from the property line abutting Industrial Street and a minimum of 30 m from the south property line.

e) Parking for all permitted uses shall be provided at the rate of 3.2 spaces per 100 m<sup>2</sup> gross floor area. Except that parking for a sporting goods store shall be provided at the rate of 4 spaces per 100 m<sup>2</sup> gross floor area.

f) The total floor area of the following "additional permitted uses" and those uses listed

in footnote (c) of Part 4, Table 4.2.1, located on all lands zoned CE-33 and CE-34, shall not exceed 15,800 m<sup>2</sup>:

- i. Furniture
  - ii. Garden, Patio Furniture & Accessories
  - iii. Home Appliances
- g) Banks, Trust Companies, and Credit Unions shall not be subject to footnote (h) to Part 4, Table 4.2.1.
- h) Notwithstanding footnote (h) to Part 4, Table 4.2.1, the total floor area of "Other Service Commercial Uses" shall not exceed 15% of the floor area of all buildings on the lot.
- i) Part 4, Commercial Zones, Section 5, CE Zone regulations, Subsection 5.5, Floor Area, shall not apply.
- j) Notwithstanding Part 4, subsection 5.7 (a), a loading/unloading dock is permitted on a building elevation facing Industrial Street, provided the loading/unloading dock is set back a minimum of 80 m from the property line abutting Industrial Street.

Except as amended herein, all other provisions of the By-law, as amended, shall apply.

3 a) When no notice of appeal is filed pursuant to the provisions of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, this By-law shall be deemed to have come into force on the day it was passed;

3 b) If one or more appeals are filed pursuant to the provisions of the *Planning Act*, as amended, this By-law does not come into force until all appeals have been finally disposed of, and except for such parts as are repealed or amended in accordance with an order of the Ontario Land Tribunal this By-law shall be deemed to have come into force on the day it was passed.

**ENACTED AND PASSED** this .....day of ..... 2025.

\_\_\_\_\_ MAYOR

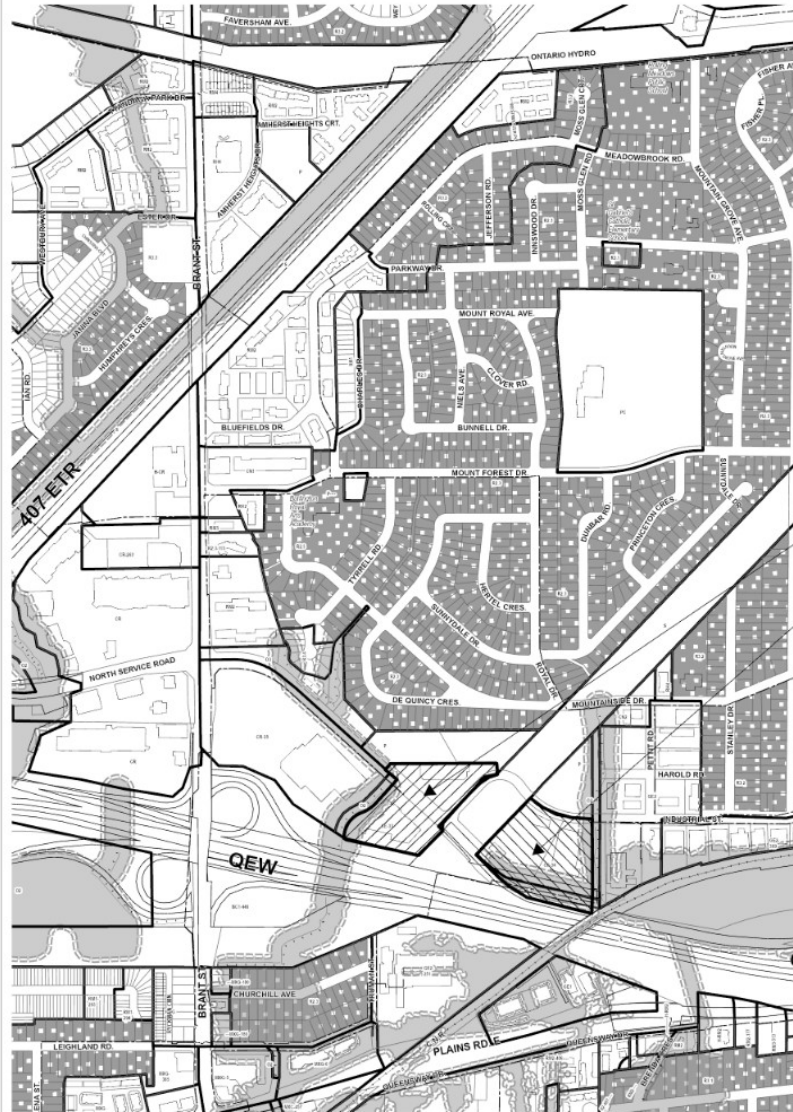
\_\_\_\_\_ CITY CLERK

## EXPLANATION OF PURPOSE AND EFFECT OF BY-LAW 2020.508

By-law 2020.508 rezones lands on 1510 & 1515 North Service Road and 2202-2208 Industrial Street, to add additional permitted uses into the existing CE-33 and CE-34 zones on the subject lands.

For further information regarding By-law 2020.508, please contact Jaclyn Schneider of the Burlington Community Planning Department at (905) 335-7600, extension 7326.

# SCHEDULE "A"



 Area 'A'

Area 'A' to be rezoned from CE-33 to H-CE-33

 Area 'B'

Area 'B' to be rezoned from CE-34 to H-CE-34

Area 'A'

Area 'B'

SCHEDULE 'A' TO BY-LAW 2020.508 AMENDING MAP NO. 15W PART 15. BY-LAW 2020 AS AMENDED. PASSED THE 15th day of July, 2025

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MAYOR

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CITY CLERK