

Planning Analysis

Provincial Planning Statement, 2024 (PPS, 2024)

The PPS, 2024 provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario's policy-led planning system, the PPS, 2024 sets the policy foundation for regulating the development and use of land province-wide, helping achieve the provincial goal of meeting the needs of a fast-growing province while enhancing the quality of life for all Ontarians. Subsection 3(5) of the Planning Act requires that decisions affecting planning matters shall be consistent with policy statements issued under the Act.

The proposed plan of VLC is consistent with the new PPS, 2024 since the proposal promotes development within a settlement area and provides for various housing types where adequate infrastructure can accommodate the proposal. The VLC is proposed to be located on vacant lands within a built-up residential area within the Park City development. This promotes efficient development as existing community amenities are located within walking distance of the proposed development. There are also existing community and commercial services in the area that can support the proposed residential development (Walkers Plaza). The proposed VLC will support the future intensification of the lands through subsequent planning applications, in accordance with the City's Official Plans and Zoning By-law by providing conveyable land units to facilitate developments.

Halton Region Official Plan, 2006 as amended (ROP)

The ROP outlines a long-term vision for the physical form and community character of Halton. All planning decisions must conform to the ROP.

The subject lands are designated as Urban Area within the ROP.

Lands within the Urban Area designation are locations where urban services (water and wastewater) are or will be made available to accommodate existing and future development. The ROP states that the range of permitted uses and creation of new lots within the Urban Area shall be in accordance with local Official Plans and Zoning By-laws and other policies of the ROP. Overall, the plan of VLC application will be consistent with the PPS and the ROP once conditions have been addressed.

City of Burlington Official Plan (2020)

The subject lands are located within the Urban Area boundary as identified on Schedule A – City System, and within the Urban Growth Centre as shown on Schedule A1 – City System – Provincial Land Use Plan and Designations. Under Schedule B – Urban Structure, the site is designated Residential Neighbourhood Areas and is further identified as an Established Neighbourhood Area on Schedule B1 – Growth Framework.

In accordance with Schedule C – Land Use (Urban Area), the lands are designated Residential – High-Rise Neighbourhoods. Policy 8.3.5(1) permits apartment buildings and a range of ground-oriented and non-ground-oriented residential forms within this designation,

while excluding single-detached and semi-detached dwellings. The maximum height of development is to be established through the implementing Zoning By-law.

Upper Middle Road is identified as a Major Arterial Road on Schedule O1 – Classification of Transportation Facilities – Urban Area and is also designated for a bike lane and boulevard trail on Schedule P – Long Term Cycling Master Plan.

A site-specific policy applies to 1800 Tobyn Drive (currently 4040, 4030 and 4050 Upper Middle Road), permitting a combined floor area ratio of 2.2:1 for apartment buildings and at least one retirement home, and allowing limited accessory ground-floor retail, service commercial, and office uses that support the seniors' residential complex (s. 8.3.5(2)(c)).

Zoning By-law 2020

The Subject Lands are zoned RH4-378, a high-density residential zone with site-specific exception 378. The current VLC application establishes three vacant land units but does not propose any new buildings or physical development.

Zoning staff have confirmed that the VLC application itself does not trigger zoning compliance issues, as it merely establishes a land-ownership framework. Full conformity with the RH4-378 zone will need to be assessed through future development applications, including the active Site Plan Amendment for unit 1 and any forthcoming Zoning By-law Amendment or Site Plan submissions for units 2 and 3