

The Corporation of the City of Burlington

City of Burlington By-law 38-2026

A by-law to adopt Official Plan Amendment No. 11 to the Burlington Official Plan 2020 to redesignate the lands at 5164, 5366, 5470 and 5900 Upper Middle Road and 5201 Mainway in accordance with the Schedules to this amendment delete and replace site specific policies within Official Plan Amendment 4 (Area Specific Plan) to clarify language and update housing targets and to correct a numbering error within a subsection of OPA4 to improve clarity and consistency.

File: 505-02/26 DGM-38-26

Whereas the Council of the Corporation of the City of Burlington, in accordance with the provisions of Section 22 of the Planning Act, 1990, as amended, approved the recommendation in Development and Growth Management report DGM-38-26 at its meeting held on June 23, 2026;

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

1. That Amendment No. 11 to the Burlington Official Plan, 2020 (OPA 11) consisting of the attached amendment 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 23rd day, of June, 2026.

Mayor Marianne Meed Ward _____

City Clerk Mike De Rond _____

AMENDMENT NO. 11 TO THE OFFICIAL PLAN OF THE CITY OF BURLINGTON PLANNING AREA

CONSTITUTIONAL STATEMENT

The details of the Amendment, as contained in Part B of this text, constitute Amendment No. 11 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 redesignate the lands at 5164, 5366, 5470 and 5900 Upper Middle Road and 5201 Mainway in accordance with the Schedules to this amendment and to delete and replace site specific policies within Official Plan Amendment 4 (Area Specific Plan) to clarify language and update housing targets and to correct a numbering error within a subsection of OPA4 to improve clarity and consistency.

2. SITE AND LOCATION

The subject lands are municipally known as 5164, 5366, 5470 and 5900 Upper Middle Road and 5201 Mainway and are located on the west side of Burloak Drive, south side of Upper Middle Road, and north side of Mainway. The lands are irregular in shape and have a total lot area of 123.7 hectares.

3. BASIS FOR THE AMENDMENT

On May 20, 2025, Burlington City Council voted unanimously to adopt OPA4 which sets out a planning framework and is a guide for future study, to support development and growth within Bronte Creek Meadows.

OPA4 established an Area Specific Plan for the Bronte Creek Meadows development and provides policies requirements and guidance specific to the area to guide how the community is development.

Since the approval of OPA4 and the use of the amendment in practice, four separate clauses have been identified as needing further amending in order for development to proceed in an orderly fashion. In addition, a housekeeping amendment is proposed to correct a numbering error within a subsection of the OPA4. This technical amendment is intended to improve readability, clarity, and consistency of the Official Plan and does not result in any substantive changes to the intent or application of the approved policies. The subject Official Plan Amendment will address these policies.

The proposed development supports the City's objective to broaden the range of housing forms and supply to meet City needs in a manner that is compatible with surrounding land uses. It also adds new employment opportunities that will help the City and Region achieve its economic development goals.

The applicant submitted technical studies and reports that provide adequate and appropriate information to support the development.

PART B – THE AMENDMENT

1. DETAILS OF THE AMENDMENT

Map Changes:

None

Text Change:

The text of the City of Burlington Official Plan, 2020, as amended, is hereby amended as follows:

Item No.	Section	Replacement Text
1	8.8.2 (5.2.2)	Modify policy 8.8.2(5.2.2) as follows: 8.8.2(5.2.2) Policies a) <i>Development shall</i> be planned to be <i>active transportation and transit supportive</i> with a pattern of streets and block that <i>encourages</i> pedestrian circulation. b) Development <i>shall</i> be oriented to the street and designed to promote a vibrant and safe street life and support transit. c) As part of a tertiary plan, an Urban Design Concept Plan informed by the Land Use and Built Form Strategy outlined in Section 8.8.2 (12.1) a) <i>shall</i> be completed for the Burloak Commons District to the satisfaction of the <i>City</i> and be reviewed by the City's Urban Design Advisory Panel. This Urban Design Concept <i>shall</i> include, but not be limited to, the following:

		(i) A built form of varying heights including <i>low-rise</i> and <i>mid-rise buildings</i>. <i>Tall buildings</i> may be considered in accordance with 8.8.2 (5.2.2) e); (ii) consideration of shadow and wind impacts; (iii) appropriate transitions to the Natural Heritage System, the existing neighbourhood to the north of the district, as well as Bronte Creek Provincial Park on the east side of Burloak Drive; and, (iv) Burloak Commons District Urban Design Guidelines, if necessary. d) The Zoning By-law <i>shall</i> establish a minimum building height of two (2) storeys and the maximum building height <i>shall</i> not exceed eleven (11) storeys, unless otherwise permitted by the policies of this Plan. e) Notwithstanding the maximum height identified in 8.8.2 (5.2.2) d), <i>tall buildings</i> up to a maximum of twenty (20) storeys in locations identified as appropriate for the accommodation of <i>tall buildings</i> in the Land Use and Built Form Strategy, <i>may</i> be permitted, subject to the development of appropriate zoning standards, without the need for an amendment to this Plan, subject to the fulfillment of the following criteria: (i) the objectives and policies of the Burloak Commons District and this Plan are maintained; (ii) demonstrate consideration of Council-approved urban design guidelines; (iii) implement the findings of the Land Use and Built Form Strategy, including appropriate transitions to the Natural Heritage System, existing neighbourhoods, as well as Bronte Creek Provincial Park and other relevant guidance; and, (iv) the proponent submits and implements, to the satisfaction of the <i>City</i>, an urban design brief that demonstrates how the proposal's design achieves high quality of design and mitigates the adverse impacts of the increase in height on public sidewalks, public open spaces and adjacent uses. f) The City <i>shall</i> explore opportunities to partner in the provision of underground and/or structured parking spaces dedicated for public use. g) The following uses <i>may</i> be permitted in the Burloak Commons District: (i) residential uses with the exception of single-detached and semi-detached dwellings;
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		(ii) <i>additional residential units</i>, subject to the policies of Subsection 8.7.2 of this Plan; (iii) retail and <i>service commercial</i> uses; (iv) <i>office</i> uses, including research and development, and information processing uses; (v) <i>public service facilities</i>; (vi) <i>institutional uses</i>; (vii) hotel uses; (viii) <i>recreation</i> uses; (ix) <i>entertainment</i> uses; (x) light assembly and manufacturing uses compatible with <i>abutting</i> sensitive uses; and, (xi) day care centers. h) Notwithstanding Subsection 8.8.2(5.2.2) g) i) of this plan, limited single-detached and semi-detached dwellings <i>may</i> be permitted adjacent to the Natural Heritage System provided it can be demonstrated through the Burloak Commons Urban Design Concept Plan that additional 3-bedroom units can be accommodated and will not compromise the vision, objectives and policies of the District and of this Plan. i) The Land Use and Built Form Strategy outlined in Section 8.8.2 (12.1) a) <i>shall</i> identify locations and frontages in the Burloak Commons District which will require mixed uses and continuous active uses at grade. In these locations and frontages, <i>development shall</i> contain a minimum of two permitted uses, as identified in Subsection 8.8.2 (5.2.2) e) of this plan. <i>Institutional uses, public service facilities</i> and day care centers are permitted as standalone uses. j) The Zoning By-law <i>shall</i> establish a maximum floor area at grade per individual retail and <i>service commercial</i> unit, based on such considerations as planned commercial function, built form, and contribution to achieving vibrant, active and walkable built environments in the Burloak Commons District.
2	8.8.2(6.6)(j)	Amend policy 8.8.2(6.6)(j) by adding the underlined text: In accordance with long-term Official Plan direction as shown on Schedule O-1 and established in Table 2, of this Plan, a crossing over Sheldon Creek to facilitate the extension of Corporate Drive to Burloak Drive as shown on Schedule S shall be required <u>to be planned and secured</u> to the satisfaction of the City prior to approval of development occurring within the Burloak Commons District as shown on Schedule S of this Plan, with the exception of development

		for the purposes of stormwater management. <u>The facilitation of the crossing may include the execution of an agreement and/or posting of securities, construction timing considerations, and financial obligations, all to the satisfaction of the Director of Community Planning.</u>
3	8.8.2(6.6)(p)	Add policy 8.8.2(6.6)(p) with the following: Notwithstanding policy 8.8.2(6.6)(f) of this Plan, where a local street is adjacent to and runs parallel with a utility corridor, and is deemed by the <i>City</i> not to require sidewalks on both sides of the street, the local street <i>shall</i> have a minimum right-of-way width of 16 metres.
4	8.8.2(6.8)(c)	Add policy 8.8.2(6.8)(c) with the following: Notwithstanding policy 8.8.2(6.6)(f) of this Plan, where a laneway is proposed to be dedicated to the <i>City</i> as a public right-of-way, the laneway right-of-way width <i>shall</i> have a minimum width of 9 metres and <i>should</i> meet the design requirements of the <i>City</i> , including: (i) that the laneway be designed to accommodate emergency vehicles, winter maintenance vehicles, and waste collection vehicles; and (ii) the provision of adequate space for snow storage.
5	8.8.2 (12.3) e)	Add Policy 8.8.2 (12.3) e) with the following: In addition to Policy 8.8.2 (12.3) (b) and notwithstanding Policy 8.8.2(6.3) (c) of this Plan, applications for Zoning By-law Amendment and Draft Plan of Subdivision <i>may</i> be submitted to the <i>City</i> for the Meadows Neighbourhood District and the portion of the Mainway Institutional District located west of Sutton Drive, and lands within the Burloak Commons District for the purposes of stormwater management.

2. 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.

3. 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.