



**Application for Planning Document Amendment:
Official Plan and Zoning By-law**

Office Use Only

Date Received	File No(s)
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Application For:

<input checked="" type="checkbox"/>	City Official Plan
<input checked="" type="checkbox"/>	Zoning By-law

1.0 APPLICANT INFORMATION

1.1 Complete the information below and indicate one contact as the Prime Contact (PC). All communications will be directed to the Prime Contact.

NAME	ADDRESS	PHONE/FAX
Registered Owner(s)* SEE ATTACHED SUMMARY	C/O MOLINARO GROUP 472 BROCK AVENUE, UNIT 103 BURLINGTON ON L7S 1N1	Bus. 905.634.1128
		Fax
		E-Mail/www:
		Home
Applicant(s)		Bus.
		Fax
		E-Mail/www:
		Home
Agent (eg. Planning Consultant) ED FOTHERGILL FOTHERGILL PLANNING AND DEVELOPMENT INC.	62 DAFFODIL CRESCENT ANCASTER ON L9K 1E1	Bus. 905.577.1077
		Fax
		E-Mail/www: edf@nas.net
		Home
Solicitor SCOTT SNIDER TURKSTRA MAZZA	15 BOLD STREET HAMILTON ON L8P 1T3	Bus. 905.529.3476
		Fax
		E-Mail/www:
Other (Specify) (Architect) BARRY GRAZIANI GRAZIANI + CORAZZA	1320 SHAWSON DRIVE, SUITE 100 MISSISSAUGA ON L4W 1C3	Bus. 905.795.2601
		Fax
		E-Mail/www:

* if a numbered company, please give name and phone number(s) of principal owner (or president)

2.0 LOCATION OF PROPERTY

<i>Municipal Address</i> SEE PLANNING JUSTIFICATION REPORT - TABLE 1		
<i>Lot(s)/Block(s)</i>	<i>Concession</i>	<i>Registered Plan No.</i>
<i>Reference Plan No.</i>	<i>Part(s)</i>	<i>Parcel No.</i>
<i>Assessment Roll #:</i>		

2.1 Particulars of the Subject Land: (in metric units)

<i>Frontage</i> PLANNING JUSTIFICATION REPORT - TABLE 1	<i>Depth</i>	<i>Area</i>
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3.0 EXISTING AND PREVIOUS USES OF THE SUBJECT LANDS

- 3.1 *What is the existing use of the subject lands?* SEE PLANNING JUSTIFICATION REPORT
- 3.2 *What is the length of time the existing uses of the subject land have continued?* UNKNOWN
- 3.3 *What were the previous uses of the subject land, if known?* SEE PLANNING JUSTIFICATION REPORT

3.4 List any existing Buildings or Structures on the Property

<i>Buildings or Structures</i>	Yard Setbacks				<i>No. of Storeys</i>	<i>Building Height</i>	<i>*Ground Floor Area</i>
	<i>Front</i>	<i>Rear</i>	<i>Side</i>	<i>Side</i>			
SEE SCHEDULE 1 - PLANNING JUSTIFICATION REPORT							

3.5 Is the Subject Land (or Buildings) subject to a Demolition Control By-law or is it either Designated or identified for possible Designation under the Ontario Heritage Act?

YES _____ NO X

(If yes, it is possible that a Heritage Permit Application will be required. Please consult with Planning Staff.)

4.0 PROPOSED USE OF THE SUBJECT LANDS (please attach any additional information on a separate page)

4.1 What is the Proposed use of the Subject Lands? MIXED USE APARTMENT BUILDINGS

4.2 List any Proposed Buildings and Structures

Buildings or Structures	Yard Setbacks				No. of Storeys	Building Height	*Ground Floor Area
	Front	Rear	Side	Side			
SEE SCHEDULE 2 - PLANNING JUSTIFICATION REPORT							

4.3 Indicate Land Uses on Abutting Properties

North COMMERCIAL, RESIDENTIAL

South COMMERCIAL, RESIDENTIAL

East RESIDENTIAL

West RESIDENTIAL, EMPLOYMENT

4.4

Will the requested amendment or rezoning alter all or any part of the urban planning area boundary or the boundary of a rural settlement area?

YES _____ NO X

If YES, list the current Official Plan policies dealing with the alteration or establishment of an area of settlement.

4.5 Will the requested amendment or rezoning remove the subject land from an Employment Lands or Mixed Use Corridor –Employment Oriented designation, as outlined in the Official Plan?

YES _____ NO x

If YES, list the current Official Plan policies dealing with the removal of land from an area of employment.

5. TYPE OF PROPOSED AMENDMENT

Check the appropriate boxes and complete the section(s). Depending on the purpose of the proposed plan amendment, more than one box may need to be checked.

5.1 An official plan amendment that proposes to add new policy or to change, delete, or replace an approved Official Plan policy

a) Describe the purpose of the proposed amendment

b) Identify the policy to be changed, replaced or deleted

c) What is the current official plan land use designation on the subject land?

d) What land uses are permitted by the current official plan designation on the subject land?

e) What land uses would be permitted by the proposed official plan amendment on the subject land?

5.2 An official plan amendment that proposes to change or replace the approved Official Plan land use designation on the subject land.

a) What is the current official plan designation of the subject land?

MIXED USE

b) What land uses are permitted by the current designation on the subject land?

MIXED USE

c) What is the proposed designation on the subject land?

URBAN CENTRE - UPPER BRANT PRECINCT

d) What land uses will be permitted by the proposed designation on the subject land?

MIXED USE

5.3 Justification

Provide justification for this application to amend the Official Plan and/or Zoning By-law. (Attach a separate report if necessary). *Attach the text of any requested Official Plan amendment and the amended Official Plan schedule as required.*

In the case of an Official Plan Amendment, the applicant is required to provide complete planning evidence outlining the justification for the amendment. This should address, but not be limited to, why the proposed change is desirable and how it relates to the overall goals and objectives of the Burlington Official Plan, Region of Halton Official Plan, Comprehensive Provincial Policy Statement and any applicable Provincial Plans. Further studies may be required by the applicant depending on the nature of the application.

SEE PLANNING JUSTIFICATION REPORT

6.0 ZONING DESIGNATION

***This Section MUST be completed when applying for Zoning By-law Amendment**

6.1 What is the existing Zoning designation on the subject lands? HMXG, MXG-8

6.2 What is the proposed Zoning designation on the subject lands? MXG - MODIFIED

6.3 What land uses will be permitted in the proposed designation? NO CHANGE

6.4 What is the reason for the proposed rezoning? TO CONFORM TO OP POLICIES AND TO ACCOMMODATE
DESIGN ELEMENTS OF PROPOSED BUILDINGS

6.5 What is the minimum and maximum density requirement in the existing zoning?
SEE PLANNING JUSTIFICATION REPORT

6.6 What is the minimum and maximum height requirement in the existing zoning?
SEE PLANNING JUSTIFICATION REPORT

6.7 Is the subject land within an area where zoning with conditions applies? Is so, explain how the application conforms to the Official Plan policies relating to zoning with conditions.
SEE PLANNING JUSTIFICATION REPORT

- 6.8 Include with your application a concept plan showing, in metric units:
- a) The boundaries and dimensions of the subject land;
 - b) The location, size and type of all existing and proposed buildings and structures on the subject land, indicating their distance from the front lot line, rear lot line and side lot lines;
 - c) The approximate location of all natural and artificial features (for example, buildings, railways, roads, watercourses, drainage ditches, banks of creeks, wetlands, wooded areas, wells and septic tanks) that are located on the subject land or on land that is adjacent to it, and in the applicant's opinion may affect the application;
 - d) The current uses of land that is adjacent to the subject land;
 - e) The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way; and
 - f) The location of any easements affecting the subject land.

7.0 STATUS OF OTHER PLANNING APPLICATIONS

7.1 Are there any existing, or have there been previous application made under the Planning Act or the Planning and Development Act, such as for approval of an official plan amendment, zoning by-law, plan of subdivision, a minor variance, a Minister's zoning order amendment or a site plan or for a consent that involves the land:

a) that is the subject land? YES _____ NO _____

b) that is within 120 metres of the subject land? YES _____ NO _____ UNKNOWN

c) If YES to a) or b), list below or attach on a separate page:

The type of application(s) and the file number(s) _____

The legal description of the land that is the subject of the application(s) _____

The purpose of the application(s) and the effect of the application(s) on the proposed official plan amendment, _____

The status of the application(s) _____

7.2 Has the subject land ever been the subject of a Minister's Zoning Order? If so, please note the

Ontario Regulation number of that order: NO _____

8.0 REGIONAL OFFICIAL PLAN

8.1 What is the current designation of the subject land in the Regional Official Plan?

URBAN AREA

8.2 Explain how the proposed City Official Plan amendment conforms to the above plan, if applicable.

SEE PLANNING JUSTIFICATION REPORT

8.3 Has a Regional Official Plan Amendment been applied for? YES _____ NO _____

9.0 PROVINCIAL PLANS AND POLICIES

9.1 Is the subject land within an area designated under any of the following Provincial Plan(s)?

Greenbelt Plan _____ Niagara Escarpment Plan _____

Growth Plan for the Greater Golden Horseshoe Parkway Belt West Plan _____

9.2 Explain how the requested amendment or rezoning conforms to or does not conflict with the applicable Provincial Plan(s) (Incorporate as part of Planning Justification Report if possible)

SEE PLANNING JUSTIFICATION REPORT

9.3 Explain how the requested amendment or rezoning is consistent with the Comprehensive Provincial Policy Statement. (Incorporate as part of Planning Justification Report if possible)

SEE PLANNING JUSTIFICATION REPORT

10.0 SERVICING

10.1 Does the proposed amendment(s) conform to the approved servicing and phasing policies or servicing schedule in the Local and Regional official plans? YES NO

10.2 Indicate the proposed servicing type for the subject land.

a. Water Supply

Piped Water Private Well Other, Specify _____

b. Sewage Disposal

Sanitary Sewer Septic Tank Other, Specify _____

If the application would permit development on privately owned and operated individual or communal septic systems, and more than 4500 litres of effluent would be produced per day as a result of the development being completed, include with this application:

- a. a servicing options report; and
- b. a hydrological report

10.3 Road Access and/or Frontage

Please Specify Road Type (eg. Open Municipal Road, Regional Road, Provincial Highway, Private Road)

MUNICIPAL ROADS

Name of Road BRANT STREET, GHENT AVE

10.4 Storm Drainage

Indicate the proposed Storm Drainage System (eg. sewers, ditches, swales)

SEWERS

10.5 Is the proposed plan amendment consistent with the recommendations of the watershed plan, if any?

YES _____ NO _____ UNKNOWN

10.6 Does the proposed plan amendment conform to the master drainage, sub-watershed or shoreline management plan, if any?

YES _____ NO _____ UNKNOWN

CITY OF BURLINGTON

DECLARATION

This must be completed by the Applicant for the proposed development site.

I, ED FOTHERGILL of the CITY OF HAMILTON
(name of applicant) (name of City, Town, Township, etc.)

in the Region/County/District of PROVINCE OF ONTARIO do solemnly declare that all of the
statements contained in the application FOR OFFICIAL PLAN AMENDMENT AND REZONING


(description)


and all supporting documents are true and complete, and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of the "Canada Evidence Act":

Declared before me at:

_____ in the
Region/County/District of
(municipality)

_____ this _____ day of
_____, 20


Anna Tzoumanianis, Lawyer
Commissioner of Oaths


Signature of Applicant Agent
ED FOTHERGILL
Please Print Name of Applicant

OWNER'S AUTHORIZATION (If the Owner is NOT the Applicant)
(If Multiple Owners, An Authorization Letter From Each Owner Is Required)

PLEASE PRINT

If an agent is employed, the owner(s) must complete the following (or provide similar authorization on the face of the draft plan):

I, (we) VINCE MOLINARO
being the _____
(name(s) of owner, individuals or company)

registered owner(s) of the subject lands, hereby authorize ED FOTHERGILL
(name of agent)

to prepare and submit an Official Plan Amendment and/or rezoning (if applicable) for approval.

 Signature _____
Day 30 Month March Year 2021

OWNER'S PERMISSION TO ENTER SITE

I, VINCE MOLINARO (print owner's name), being the registered property owner of the above noted property, hereby irrevocably authorize and consent to the City of Burlington staff to enter upon the above noted property at any reasonable time for the purpose of evaluating the merits of this application.

I have the authority to bind the Corporation, if applicable.



Owner's Signature

30 March 2021
Day Month Year

COMPLETE APPLICATION REQUIREMENTS

I, VINCE MOLINARO (name of applicant), declare that all of the following information specified has been submitted with this application.

- Pre-consultation Form completed in conjunction with appropriate Planning staff
- 8 copies of the completed application form (including 1 with original signatures)
- All required information/reports and number of copies specified on the Pre-Consultation Form including USB drives containing accessible PDF versions of all information/reports
- All digital files shall be named using the file naming protocol as specified on the Pre-Consultation Form.



Applicant's Signature


30 March 2021
Day Month Year

This information will be used to consult with various interested agencies. Where the scale or nature of the land use changes appear to require a large number of agencies to be consulted, additional copies of the application may be required.

APPLICANT'S CONSENT

In accordance with the provisions of the Planning Act, it is the policy of the City of Burlington to provide public access to all development applications and supporting documentation.

VINCE MOLINARO (print name of applicant or agent) agrees and acknowledges that this application and any supporting material, including studies and drawings, filed with the application is public information, and forms part of the public record. As public information, Vince Molinaro (the applicant or agent) hereby consents to the City photocopying and releasing the application and supporting materials for either its own use in the processing of the application or at the request of any third party.



Signature

30 Day March Month 2021 Year

AUTHORIZATION FROM THE OWNER OF THE SUBSURFACE RIGHTS

if different from the Owner above

I, _____, owner of the subsurface rights for the subject property, am aware of this application and consent to it.

(signature)

(date)

(address)

Telephone Number

Facsimile Number

THIS APPLICATION PACKAGE MUST BE SUBMITTED TO:

**City of Burlington
Community Planning Department
426 Brant Street, Second Level
P.O. Box 5013
Burlington, Ontario
L7R 3Z6**

**Telephone Number: (905) 335-7642
Facsimile Number: (905) 335-7880
Internet Address: www.burlington.ca**