The City of Burlington

4721 Palladium Way
Planning Justification Report

September 2017
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1 Introduction

The owner of the subject lands, Halton Islamic Association, has submitted applications to facilitate the development of a two-storey place of worship (mosque) complete with minaret, and a two-storey commercial office structure on lands municipally known as 4721 Palladium Way (hereinafter referred to as the subject lands). The subject lands have an approximate area of ±1.66 hectares and have approximately ±205.7 metres of frontage along the north side of Palladium Way in the community of Alton Village, Burlington.

The proposed development will be phased, with the first three phases consisting of Building A (Phase 1 – gymnasium, Phase 2 – prayer hall, Phase 3 – educational classes, banquet room, administrative offices) and the fourth phase consisting of Building B, the proposed two-storey office building to the west of the subject lands. Surface parking for the proposed development will also be phased, with 111 parking spaces incorporated in Phase 1, 135 spaces in Phase 2 & 3, and the remaining 15 spaces in Phase 4.

Places of worship are permitted within all land use designations, subject to a Zoning By-law Amendment [see Policies 4.3 (c) and 4.3 (d) within Part II of the City of Burlington Official Plan]. As such, the purpose of the Zoning By-law Amendment application is to obtain necessary permissions for the construction and use of the proposed development.

This Planning Justification Report forms part of the complete submission under the Planning Act, along with several supporting technical studies and reports which have been prepared to satisfy the requirements and direction established during the Pre-Consultation process.

Sections 2 and 3 of this report discuss the subject lands and the proposed development, while Section 4 outlines how this proposal relates to applicable provincial and local level land use planning policy instruments and applicable municipal zoning. Section 5 is intended to satisfy the requirements for a D6 Guideline Assessment and a Risk Assessment as identified within the Pre-Consultation Document. Section 6 describes the statutorily required Public Consultation Strategy. The report then concludes with a recommendation for the approval of the proposed Zoning By-law Amendment application within Section 7.

2 Description of Subject Lands & Surrounding Neighbourhood

The subject lands are relatively flat and have an approximate area of ±1.66 hectares and approximately ±205.7 metres of frontage along the north side of Palladium Way in the community of Alton Village, Burlington. The lands are currently vacant and are located 20-50 metres (depending on definition of right-of-way) south of Highway 407. The subject lands are located within the City of Burlington’s Urban Planning Area, just south of the City’s Urban Boundary. Although the lands are designated as “Business Corridor” on Schedule B – Comprehensive Land Use Plan – Urban Planning Area of the City of Burlington Official Plan, the surrounding lands are predominantly used for residential and institutional purposes. Please refer to Figure 1 and Figure 2 below for the extent of the subject lands and the surrounding neighbourhood.
Palladium Way is deemed a Collector Road on the City of Burlington Official Plan (BOP) Schedule J – Classification of Transportation Facilities; whereas, Appleby Line to the east of the subject lands is deemed a Major Arterial Road, and Walker’s Line is deemed a Minor Arterial on that same BOP Schedule. During the Pre-consultation process, it was determined that a road widening along Palladium Way is not required.
There is currently no transit service in the immediate vicinity of the subject lands. However, several transit routes run along Thomas Alton Boulevard, approximately ± 370 metres south of the subject lands. Other notable transportation infrastructure includes the 407 Express Toll Route, a restricted access highway approximately 60 metres to the north of the subject lands, which can be accessed via Appleby Line. It is also noteworthy that the Ontario Government, in cooperation with other agencies, is conducting an Environmental Assessment related to a potential bus rapid transit (BRT) corridor along the 407 right-of-way. This transitway has the potential to be converted in a light rail transit (LRT) line over time. Please see the concurrently submitted Transportation Impact Study; prepared by Paradigm Transportation Solutions, for a detailed review of how the proposed development impacts on surrounding transportation infrastructure. For more information please consult http://www.407transitway.com/.

The subject lands are well serviced by active transportation infrastructure. Palladium Way contains a multiuse path adjacent to the road on the south side, and a bike lane along the north side of the road.

There is a diversity of surrounding lands uses, including the following:

a) The lands abutting to the east are currently vacant, further east is Appleby Road.

b) The lands to the south are predominantly low density residential in the form of single detached homes; there is also St. Anne’s Catholic Elementary School to the southwest of the subject lands, and associated recreational facilities.

c) Abutting the subject lands to the west is St. George’s Anglican Church, further west there is a number of commercial and institutional uses along the north side of Palladium Way.

d) The lands abutting to the north are used for stormwater management purposes (channelized creek), and are also part of the Region’s Natural Heritage System. Further north is the 407 Express Toll Route, controlled access highway.

There are no natural heritage features identified as being on the subject lands on Map 1 – Regional Structure of the Halton Regional Official Plan (ROP). Abutting the lands to the north however, is a channelized creek that runs east/west, which forms part of the Regional Natural Heritage System. This feature is also regulated by Conservation Halton, per their online mapping tool.

3 Current Proposal

A Zoning By-law Amendment application is submitted, as follows:

1) To amend the City of Burlington Zoning By-law No. 2020 by rezoning the subject lands from the “BC1-319” (Business Corridor) Zone modified, to a site specific “BC1-XXX (Business Corridor) Zone, modified, that will permit the proposed uses, development regulations and lot standards.

The proposed development concept is a two storey place of worship (mosque) complete with minaret, which will also have a secondary function as a community centre. A second structure is also
proposed on the western portion of the subject lands that will predominantly be used for office purposes, but will also include limited retail and medical office uses.

The primary structure will contain a prayer hall, a gymnasium, several educational classrooms, a banquet hall, a library, associated common areas, accessory offices, and a proposed atrium in the centre of the structure. The ground floor area of this structure will be approximately ±2,364 square metres with a total GFA of approximately ±3,817 square metres (41,086 square feet).

The secondary structure will be predominantly used for office purposes, with accessory retail and medical office uses also incorporated on the ground floor, fronting onto Palladium Way. The ground floor area of this structure will be approximately ±969 square metres with a total GFA of approximately ±1,909 square metres (20,548 square feet).

Parking for both of the proposed structures will be provided through surface parking on-site. A total of 262 parking spaces are provided on the subject lands, including 10 barrier-free parking spaces (5 Type A and 5 Type B). The proposed development also provides 16 bicycle parking spaces. Parking will be further discussed herein when discussing zoning compliance. A 6 metre landscaped buffer has been incorporated along Palladium Way, and a 4 metre landscaped buffer is along the rear of the lands abutting the creek block to the north. A 4.5 metre landscaped buffer has been incorporated along western lot line in order to buffer against the existing development to the west. Further, a 3 metre landscaped buffer has been incorporated along the eastern lot line, between the surface parking and the property line, to help buffer against future development. For more detail, please refer to the Conceptual Site Plan attached hereto in Appendix A.

The primary functions of the mosque will be during non-business hours, in order to reduce potential conflict with other industrial or commercial uses that may be established along the north side of Palladium Way in the future. The proposed office building is a permitted employment use, and will complement the prestige type employment uses envisioned for the area.

4 Planning Policy Framework

The following land use planning policy and zoning instruments are considered in this Section:

- Provincial Policy Statement, 2014;
- Growth Plan for the Greater Golden Horseshoe, 2006 & 2017;
- Halton Regional Official Plan
- Burlington Official Plan
- City of Burlington Zoning By-law No. 2020

4.1 Provincial Policy Statement, 2014

The current Provincial Policy Statement (PPS) came into effect on April 30, 2014. The principles of the PPS are about managing change and promoting efficient, cost-effective development and land use patterns, which stimulate economic growth and protect the environment and public health. The intention of the submitted application and related plans, reports, studies, etc., is to implement a
form of mixed use development (commercial/institutional) for the subject lands which is consistent with the directions established within the PPS.

Section 1.1 of the PPS speaks to managing and directing land use to achieve efficient and resilient development and land use patterns. The following policies are related to managing and directing land use to achieve healthy, liveable and safe communities; and confirm the appropriateness of the proposed development:

Pol. 1.1.1 Healthy, liveable and safe communities are sustained by:

a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;

b) accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;

c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;

e) promoting cost-effective development patterns and standards to minimize land consumption and servicing costs;

f) improving accessibility for persons with disabilities and older persons by identifying, preventing and removing land use barriers which restrict their full participation in society;

The subject lands are within a settlement area as prescribed in the PPS. Lands that are within settlement areas shall be the focus of development and growth. The following PPS policies relate to development in settlement areas which are relevant to the proposed development and confirm its appropriateness:

Pol. 1.1.3.1 Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted

Pol. 1.1.3.2 Land use patterns within settlement areas shall be based on:

a) densities and a mix of land uses which:

1. efficiently use land and resources;
2. are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
3. minimize negative impacts to air quality and climate change, and promote energy efficiency;
4. support active transportation;

b) a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.
Pol.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for *intensification* and *redevelopment* where this can be accommodated taking into account existing building stock or areas, including *brownfield sites*, and the availability of suitable existing or planned *infrastructure* and *public service facilities* required to accommodate projected needs.

Pol.1.3.4 Appropriate development standards should be promoted which facilitate *intensification, redevelopment* and compact form, while avoiding or mitigating risks to public health and safety.

The proposed development will incorporate a commercial and institutional component that will create employment opportunities for neighbourhood residents and residents of the broader area; as the proposed development includes office, medical office and retail uses that will provide employment opportunities, while also including institutional uses (place of worship) that will also provide limited opportunities for employment.

Section 1.3 of the PPS contains Employment related policies; the following policies are applicable to the proposed development and confirm its appropriateness:

Pol. 1.3.1 Planning authorities shall promote economic development and competitiveness by:

a) providing for an appropriate mix and range of *employment* and *institutional uses* to meet long-term needs;

b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;

c) encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities.

The Burlington area is currently underserviced by mosque facilities, which becomes evident when examining attendance counts at nearby mosques. Per Policy 1.3.1 above, the proposed development contributes to proving an appropriate mix and supply of institutional uses (mosque) and employment opportunities in order to meet the long term needs of the surrounding community.

Section 1.6 of the PPS contains policies related to infrastructure and public service facilities. As demonstrated in the concurrently submitted Functional Servicing Report, the proposed development will be fully municipally serviced, and can be supported by existing municipal infrastructure, making it an efficient use of municipal services and infrastructure. The proposed development also includes elements that are supportive of active transportation, such as bicycle parking and end of trip amenities.

Pol. 1.6.3 Before consideration is given to developing new *infrastructure* and *public service facilities*:

a) the use of existing *infrastructure* and *public service facilities* should be optimized;
Pol. 1.6.6.1 Planning for sewage and water services shall:

a) direct and accommodate expected growth or development in a manner that promotes the efficient use and optimization of existing:

1. municipal sewage services and municipal water services;

b) ensure that these systems are provided in a manner that:

2. is feasible, financially viable and complies with all regulatory requirements;

d) integrate servicing and land use considerations at all stages of the planning process; and

e) be in accordance with the servicing hierarchy outlined through policies 1.6.6.2, 1.6.6.3, 1.6.6.4 and 1.6.6.5.

Pol. 1.6.6.2 Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas. Intensification and redevelopment within settlement areas on existing municipal sewage services and municipal water services should be promoted, wherever feasible.

Pol. 1.6.7.4 A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.

Section 1.8 of the PPS focuses on policies related to energy conservation, air quality and climate change. The proposed development supports alternative and active modes of transportation; which will help reduce the number of personal automobile trips.

Pol. 1.8.1 Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and climate change adaptation through land use and development patterns which:

a) promote compact form and a structure of nodes and corridors;

b) promote the use of active transportation and transit in and between residential, employment (including commercial and industrial) and institutional uses and other areas;

e) improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion;

The proposed development has been evaluated with respect to PPS Subsections 1.4 (Housing), 1.5 (Public Spaces, Recreation, Parks, Trails and Open Space), 1.7 (Long-Term Economic Prosperity), Section 2 (Wise Use and Management of Resources) and Section 3.0 (Protecting Public Health and Safety); however, these sections were not considered directly pertinent for the purposes of this report. The proposed development is an appropriate example of a mixed use infill development and is encouraged and supported by the policies of the PPS. The proposed development is consistent with the applicable policies of the Provincial Policy Statement (2014).
4.2 Growth Plan for the Greater Golden Horseshoe, 2006 & 2017

Growth Plan for the Greater Golden Horseshoe (hereinafter referred to as the Growth Plan) provides growth management policy direction on matters that affect how our communities develop, including transportation, infrastructure planning, land-use planning, urban form, housing, etc., in the interest of promoting economic prosperity and protecting the natural environment. Decisions on land use matters as they relate to the Growth Plan should be directed by its Guiding Principles and should emphasize creating complete communities that “are well designed, offer transportation choices, accommodate people at all stages of life, have the right mix of housing, a good range of jobs, and easy access to stores and services to meet daily needs” (Subsection 2.1 of the Growth Plan).

Approval of the proposed development will contribute to the implementation of the Guiding Principles of the Growth Plan as the proposed development will:

- Contribute to the ongoing development of a more compact, vibrant and complete community.
- Contribute to planning and managing growth to support a strong and competitive economy.
- Contribute to the protection of natural resources.
- Optimize the use of existing and new infrastructure to support growth in a compact, efficient form.

Section 2 of the Growth Plan provides direction for municipalities related to where and how to accommodate growth. The following policies are applicable:

Pol. 2.2.2.1 Population and employment growth will be accommodated by –

a) directing a significant portion of new growth to the built-up areas of the community through intensification

d) reducing dependence on the automobile through development of transit-supportive, pedestrian-friendly urban environments

f) ensuring the availability of sufficient land for employment to accommodate forecasted growth to support the GGH’s economic competitiveness

g) planning and investing for a balance of jobs and housing in communities across the GGH to reduce the need for long distance commuting and to increase the modal share for transit, walking and cycling

h) encouraging cities and towns to develop as complete communities with a diverse mix of land uses, a range and mix of employment and housing types, high quality public open space and easy access to local stores and services

i) directing development to settlement areas, except where necessary for development related to the management or use of resources, resource-based recreational activities, and rural land uses that cannot be located in settlement areas
j) directing major growth to settlement areas that offer municipal water and wastewater systems and limiting growth in settlement areas that are serviced by other forms of water and wastewater services

Section 2.2.6 of the Growth Plan contains policies related to Employment Lands. The subject lands are within Employment Lands, as identified in both the Local and Regional Official Plans. The proposed development consists of a mix of employment (commercial) and institutional uses. The following policies related to Employment Lands apply:

Pol.2.2.6.2 Municipalities will promote economic development and competitiveness by –

a) providing for an appropriate mix of employment uses including industrial, commercial and institutional uses to meet long-term needs.

b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses.

Pol.2.2.6.9. Municipalities are encouraged to designate and preserve lands within settlement areas in the vicinity of existing major highway interchanges, ports, rail yards and airports as areas for manufacturing, warehousing, and associated retail, office and ancillary facilities, where appropriate.

Sections 3 and 4 of the Growth Plan largely provide policy direction to planning authorities, including upper tier municipalities, conservation authorities, and relevant Provincial Ministries, in relation to infrastructure, and cultural and natural heritage. The proposed development has been evaluated in these respects in the studies and reports submitted in conjunction with the subject application, as required by the City through the Pre-consultation process. The proposed development conforms to the policies of the Growth Plan.

On July 1st 2017, the Province of Ontario implemented its New Growth Plan as a result of the coordinated review of the Growth Plan for the Greater Golden Horseshoe (The Proposed Growth Plan) and other Provincial Planning documents. The New Growth Plan builds on the previous Growth Plan in its direction to curb urban sprawl, promote transit-supportive densities, and reduce opportunities to expand settlement area boundaries. The New Growth Plan requires municipalities to identify and designate “prime employment areas” along major goods movement facilities and corridors. These lands will be differentiated from other employment lands. Sensitive land uses such as residential, institutional, retail etc. will be expressly prohibited in the “Prime Employment Areas”. At this juncture it is impossible to determine whether the subject lands would be classified as being within a “Prime Employment Area” per the New Growth Plan, as the Plan relies on municipalities to designate lands as a Prime Employment Area, which would usually take place through a conformity review of the municipal official plans. Accordingly, the proposed development does conform to the New Growth Plan, pending the establishment of Prime Employment Areas by the City of Burlington and Halton Region. It must be noted that based on the New Growth Plan’s definition of “Prime Employment Area” as being intended for land extensive uses with low employment densities, including manufacturing, warehousing, and logistics, and appropriate associated uses and ancillary facilities; it is unlikely that the subject lands would be considered a Prime Employment Area.
4.3 Halton Region Official Plan

The subject lands are identified as being within the “Urban Area” and the “Employment Area”, as indicated on Map 1 – Regional Structure of the Halton Region Official Plan (HROP).

The following Urban Area policies apply:

Pol. 72 The objectives of the Urban Area are:

72(10) To provide for an appropriate range and balance of employment uses including industrial, office and retail and institutional uses to meet long-term needs.

72(10.1) To direct where employment uses should be located and to protect areas designated for such uses.

Pol. 74 The Urban Area consists of areas so designated on Map 1 where urban services are or will be made available to accommodate existing and future urban development and amenities. Within the Urban Area, Employment Areas and Urban Growth Centres are identified on Map 1 as overlays on top of the Urban Area, for which specific policies apply.

As mentioned above, the subject lands are also under the Employment Area overlay, hence they are subject to the Employment Areas policies. The following Employment Lands policies are applicable:

Pol. 77.1 The objectives of the Employment Areas are:

77.1(2) To provide, in conjunction with those employment uses within the residential and mixed use areas of the communities, opportunities for a fully-diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses.

Pol. 77.4 It is the policy of the Region to:

77.4(1) Prohibit residential and other non-employment uses including major retail uses in the Employment Areas except:

a) to recognize uses permitted by specific policies of a Local Official Plan on December 16, 2009; or

b) for institutional uses identified in a Local Official Plan, as a result of a detailed study that sets limits and criteria on such uses based on the following principles:

[i] the use is of small scale and such uses collectively within an Employment Area shall not change the character of that Employment Area;

[ii] the location and design of the use meet the Land Use Compatibility Guidelines under Section 143(10) of this Plan;

[iii] the use is located at the periphery of the Employment Area; and
such uses do not collectively displace employment from the Employment Area to result in a shortfall in Employment Areas to meet the Local Municipality’s employment forecast in Table 1 and Table 2a.

With regards to the above Employment Area polices, the proposed development consists of uses permitted by a specific policy of the Burlington Local Official Plan, on December 16th, 2009. In this instance, policy 4.3 c) of Part II of the Burlington Official Plan permits institutional uses within all land use designations located on Schedule B – Comprehensive Land Use Plan – Urban Planning Area. Policy 4.3 d) of Part II places further regulations on sensitive institutional uses being proposed within the Business Corridor Designation. Both of the above policies [Policy 4.3 c) & 4.3 d)] were incorporated as part of the Burlington Official Plan as part of Official Plan Amendment 55 (OPA 55). OPA 55 was approved by City Council on October 10th, 2006; prior to the December 16th, 2009 timeline established in subsection a) above. Institutional uses are therefore permitted within all land use designations in the City of Burlington, and by the policies of the Regional Official Plan via policies 4.3 c) and 4.3 d). The relevant policies of the City of Burlington Official Plan will be further discussed in the subsequent section.

Based on the above, the proposed development conforms to the applicable policies of the Halton Region Official Plan.

4.4 City of Burlington Official Plan

The subject lands are designated as “Employment Lands” on Schedule A – Settlement Pattern of the City of Burlington Official Plan (BOP), and more specifically, as “Business Corridor” on the Schedule B – Comprehensive Land Use Plan – Urban Planning Area of the BOP. Section 3.0 of Part III of the BOP provides the framework that guides development decisions for Employment Lands. The following policies are applicable:

Pol. Part III.3.1

a) Burlington’s employment and economic base shall be strengthened by providing a municipal environment that encourages the establishment, retention and expansion of businesses and institutions.

d) Employment activities shall develop and operate in a fashion that is compatible with other land uses, especially residential.

Pol. Part III.3.2

b) A maximum of 15 per cent of the total floor area of an industrial or office building in a General Employment or Business Corridor may be used for the purposes of the display and/or for the retail sale of products manufactured, processed, fabricated or assembled on the premises. In the case of industrial and office uses using less than 1,000 sq. m of total floor area, up to 25 per cent of the total floor area may be used for the display and/or for the retail sale of products manufactured, processed, fabricated or assembled on the premises.

As mentioned above, the subject lands are more specifically designated as “Business Corridor” on Schedule B – Comprehensive Land Use Plan – Urban Planning Area of the BOP. Section 3.4 of Part III of the BOP contains the policies than govern the “Business Corridor” designation; the following policies are applicable:
Pol. Part III 3.4.1

a) To provide locations in the City for prestige-type offices and industrial uses that require good access and high visibility along major transportation routes.

b) To permit a wide range of employment uses including office, industrial and related uses.

c) To establish high design and development standards for Business Corridor lands.

Pol. Part III 3.4.2

a) The following uses may be permitted within the Business Corridor designation:

   (i) a broad range of office uses; industrial uses that involve assembling, fabricating, manufacturing, processing, warehousing and distribution uses, research and information processing, communications, utilities and transportation uses, and service trades, provided these uses are located within an enclosed building and are unlikely to cause significant pollution or excessive noise; hotel, conference and convention uses;

   (ii) a limited range of retail commercial uses such as convenience stores, and a limited range of service commercial and recreation uses such as restaurants, banks and fitness centres, subject to the provisions of Part III, Subsection 3.4.2 e); and

   (iii) a residence for a watchman or caretaker.

b) Zoning By-law regulations affecting office uses on Business Corridor lands may permit a maximum floor area ratio of development at any site of up to 0.5:1.

c) The zoning of individual sites may not allow for the full range of permitted uses or the full extent of development intensity at every location, based on site specific factors that may include, but not be limited to, traffic, land use compatibility, market impact, natural hazards and features, and environmental factors such as soil contamination.

e) The retail, service commercial and recreation uses permitted under Part III, Subsection 3.4.2 a) (iii) shall be subject to the following:

   (i) such uses shall be ancillary to, and primarily serve, uses, businesses and employees within the surrounding employment area;

   (ii) such uses shall only be permitted on lands having one or more buildings with a total floor area greater than 3,000 sq. m;

   (iii) no more than 15 per cent of the total floor area of any one building shall be used for ancillary uses, except that a restaurant may occupy up to 100 per cent of the total floor area of any one building if the total floor area of all buildings on the site is greater than 3,000 sq. m., if the total floor area of all restaurants does not exceed 15 per cent of the total floor area of all buildings on the site and if the site abuts and has vehicular access to a major arterial, multi-purpose arterial or minor arterial road; and
The proposed development incorporates a retail commercial component in “Building B”. This retail component is ancillary to, and primarily serves, uses, businesses and employees within the surrounding employment area. The area of the buildings on site exceeds 3,000 square metres per subsection (ii) above, and the retail component is approximately ±12% of the total floor area of “Building B” in conformity with subsection (iii) above. The proposed development also incorporates a high standard of design and architectural detail in keeping with the prestige type development envisioned in the “Business Corridor” designation.

The predominant proposed use of the proposed development will be institutional uses in the form of a joint place of worship and community centre. As such, the applicable policies of the Institutional Uses of Part II Section 4.0 will also be included in the analysis. The following policies are applicable:

Part II 4.1

a) Encourage the educational, health and social well-being of residents of the City by providing opportunities for the development of institutional uses within the community.

Part II 4.2

a) to recognize and permit institutional land uses within the Plan, while considering the potential effects of these uses on adjacent uses

Part II 4.3

a) Institutional uses are defined as uses with the primary purpose of serving the educational, health and social needs of the community and are further defined as the following:

   (i) educational facilities such as universities, colleges, elementary and secondary schools, both public and private;

   (ii) places of worship, monasteries and convents;

   (v) public community facilities such as libraries and public auditoria, public community and recreational centres, fire and police stations;

   c) Institutional uses shall be permitted within all land use designations located on Schedule B, Comprehensive Land Use Plan - Urban Planning Area with the exception of the Greenlands and Watercourse land use designations. Regulations relating to the location of, and standards for, various types of institutional uses shall be included in the Zoning By-law.

   d) Within Business Corridor, General Employment and Mixed Use Employment designations, certain sensitive institutional uses such as educational facilities, long-term care facilities, day care centres and places of worship shall require an amendment to the Zoning By-law. Such an amendment will be considered only following the completion of a risk assessment to determine any existing or potential sources of hazard from existing industrial uses in the vicinity and whether the levels of risk can be reduced to acceptable levels, using risk-based land use planning guidelines, as well as an assessment of compatibility with existing industrial facilities in the area in terms of variables such as noise, vibration, odour and dust, using Provincial Land Use Compatibility guidelines.
g) Subject to Part II, Subsections 4.3 d) and e), institutional uses shall be permitted as "uses not restricted" in the Zoning By-law, subject to certain regulations as set out in the By-law, and provided such uses abut a Major Arterial, Multi-Purpose Arterial or Minor Arterial Road or Collector Street as identified on Schedule J and Schedule K, Classification of Transportation Facilities.

Part II Section 2.7 of the City’s Official Plan contains policies that relate to the design and compatibility of new development with regards safety, accessibility, affordability and energy efficiency. The following policies are applicable to the proposed development:

Part II Pol. 2.7.3

n) Exposure of residential and other land uses sensitive to vibration, noise, dust, odours or other effects caused by transportation or industrial facilities, and likewise, the encroachment of sensitive land uses on these facilities, shall be avoided through the use of separation distances, the placement of non-sensitive land uses in buffer areas, and/or other means. Proponents may be required to submit studies and undertake necessary mitigating actions to address compatibility issues to the satisfaction of the City and Region. Provincial guidelines shall be referred to for direction in land use planning decisions.

o) Proponents of Official Plan or zoning by-law amendments for residential development or other sensitive land uses within proximity to any existing or potential sources of man-made hazard, may be required to undertake a risk assessment using risk-based land use planning guidelines, to determine the potential level of risk and whether the risk can be reduced to acceptable levels.

Per the applicable policies above that relate to compatibility of sensitive land uses in proximity to any existing or potential source of man-made hazard, as part of this Planning Justification Report, a Sensitive Land Use Analysis is included in order to address these compatibility issues. In addition, an Environmental Noise Assessment has been prepared by Novus Environmental that addresses land use compatibility matters with respect to noise and vibration in particular.

The proposed development conforms to the City of Burlington Official Plan as institutional uses, including a place of worship is a permitted within all designations (including “Business Corridor”), per Policy 4.3 c) of Part II of the BOP. Per Official Plan Policy [Part II 4.3 d) this report contains a risk assessment highlighting any existing or potential sources of hazards from existing industrial uses in the vicinity and determines that the levels of risk can be reduced to acceptable levels, using risk-based land use planning guidelines, this analysis also includes an assessment of compatibility with existing industrial facilities in the area in terms of variables such as noise, vibration, odour and dust, using Provincial Land Use Compatibility guidelines. Further, the proposed institutional use is located along a Collector Road as identified on Schedule J and Schedule K, Classification of Transportation Facilities, in conformity with Part II Section 4.3 g); and therefore should be considered a “uses not restricted” use under the Zoning By-law.

The proposed place of worship/community centre (Building A) and office building with accessory retail (Building B) are both permitted uses within the “Business Corridor” designation. The proposed development will also incorporate a high standard for architectural and urban design, in keeping the prestige type development intended for this area [Part III Policy 3.4.1 a]]. The proposed development conforms to the policies of the City of Burlington Official Plan.
4.5 City of Burlington Zoning By-law No. 2020

The subject lands are zoned BC1 (Business Corridor) under the City of Burlington Zoning By-law No. 2020 and are subject to site-specific exception 319, which has the following regulations:

1. Yard abutting a street: 6 metres minimum, 9 metres maximum
2. Minimum Lot Area for Block 89, Plan 20M-1035: 0.4 ha
3. A hydro transformer or switch station shall be permitted in the landscape area or buffer.

The BC1 (Business Corridor) Zone permits a variety prestige type industrial and commercial uses. A place of worship and community centre are not considered permitted uses; however, office uses and accessory retail and service commercial uses are permitted (subject to regulations). As such, an amendment is necessary in order to enable the applicants to implement the proposed institutional component of the proposed development, which is consistent with policies 4.3 c) & d) of Part II of the City of Burlington Official Plan. Further, through correspondence with City Staff, it has been confirmed that the proposed Medical Office is a permitted use within the BC1 Zone as all office uses are permitted.

An amendment will also be sought to permit an accessory retail component in Building 'B' of up to 15% of the GFA of that building, which is in keeping with Official Plan policy under Part III, Subsection 3.4.2 a) ii). This is necessary as the BC1 Zone stipulates that retail is permitted, but only in conjunction with manufacturing, fabricating, processing, assembling or warehousing uses; none of which are applicable to the proposed development. This retail commercial component is very minor in nature (230 square metres) and will not detract from the overall employment function of the area.

The proposed Zoning By-law Amendment (ZBLA) is also consistent with other successful ZBLAs in the area, such as the nearby property to the west (4209 Palladium Way, New Apostolic Church of Canada), and the land abutting to the west which successfully obtained a ZBLA in order to permit an institutional use (4691 Palladium Way, St. George’s Anglican Church) within the BC1 Zone.

The submitted Zoning By-law amendment also includes minor amendments to site specific lot standards and regulations, such as setbacks, in order to facilitate the proposed site layout. Included in this, is an increase in the permitted size of parking areas to 261 spaces, without the requirement of a landscaped area to separate the parking area [4.9 c)]. The proposed parking area does include several barriers and landscaped area that help break up the parking. Enhanced landscaping, such as trees and shrubbery can be incorporated into the parking area at the Site Plan stage in order to break up the hardscape and soften the aesthetic.

Please refer to the Draft Zoning By-law in Appendix B, which includes the necessary site-specific amendments to the Business Corridor (BC1) Zone.

5 Sensitivity Land Use Risk Assessment

A Sensitive Land Use Risk Assessment is required as part of a complete application, where the application proposes sensitive land uses (such as institutional) in proximity to existing industrial uses, or proposes industrial uses in proximity to sensitive uses. The former applies in this instance.
This is in accordance with Municipal [BOP Part II 2.7.3 n) & o); Part II 4.3 d)], Regional [HROP Part Iv 146-147], and Provincial [MOE D-6 Series Guidelines] policy guidance. This section, along with the relevant technical studies submitted concurrently, forms the analysis and justification of the proposed sensitive land use (institutional) being located within an employment area where future industrial uses may be located. The proposed development would consist of the introduction of a mosque into an Employment Area, which has the potential to expose the mosque to adverse impacts such as vibration, noise, dust, odours etc.

With respect to existing industrial uses in close proximity to the subject lands, the lands are surrounded by a number of other sensitive land uses. Abutting the lands to the west, is St. George’s Anglican Church, Burlington, which obtained a Zoning By-law Amendment to permit a place of worship and for certain site specific setback and buffering requirements, similar to the subject proposal. To the south of the subject lands is the Alton Village Neighbourhood, which is predominantly single detached homes, with some townhomes to the east, in relation to the subject lands. As it exists on the date of writing this report, there are not currently any industrial uses directly abutting the subject lands.

The lands abutting the subject lands to the east are currently vacant, and are designated as Employment Lands in the City’s Official Plan. The lands are however, zoned “D” Development, which permits “uses permitted in all Zones” per Part 1 Section 2.21 of the Zoning By-law in addition to a single detached dwelling. This zone effectively freezes development of lands by severely limiting the number of permitted uses, pending redevelopment of the lands through a rezoning application and approval of same. Redevelopment of these lands will, however, need to be in conformity with the Business Corridor OP designation. The proposed development incorporates a ±25 metre setback and a ±3 metre landscape buffer between the prayer hall and the eastern property line, which will help mitigate any adverse impacts created by the development of the lands abutting to the east.

Further east, at the northwest corner of the intersection of Palladium Way and Appleby Line (4853 Palladium Way), there is another vacant parcel with potential for future development. This parcel is zoned as BC1-448, as a result of Zoning By-law Amendment No.2020.342 and is approximately ±140 metres from the subject lands. This Zone permits a variety of prestige industrial and commercial uses, similar to those permitted on the subject lands. This zone is also subject to site specific exception 448, which permits an increased floor area for office uses. This indicates that the intention of the approved Zoning By-law Amendment was to facilitate a large scale office commercial development. Office uses are not typically known to generate excessive vibration, dust, odours or other externalities that may adversely affect the proposed place of worship.

To the north of the subject lands is Highway 407, a 6-8 lane controlled access highway. Compatibility concerns with major highways predominantly focus on noise generation and its impact on adjacent development. The northern property line is ±18 metres from the existing highway right-of-way and ±80 metres from the travelled portion of the highway. Building A, which contains the sensitive land use(s) in question, is also set back ±33 metres from the northerly lot line, providing an additional buffer against any potential adverse impacts. Nevertheless, through the pre-consultation process it was requested that a Noise Study be submitted as part of a complete rezoning application. This Noise Study was completed by Novus Environmental and is concurrently submitted. The findings of the Noise Study included recommendations to require both the proposed place of worship and the office building to install air conditioning systems to enable windows to stay closed. The Study also did not identify any Class I – III industries within the area of influence of the proposed development, and identified the HVAC systems on the adjacent church as the most significant
source of stationary noise. The recommendations of the Noise Study will be included into the building design and inserted as a warning clause on all agreements of purchase/sale, rent/lease. The concurrently submitted Noise Study is supportive of this sensitivity analysis and does not identify any significant adverse noise impacts as a result of neighbouring land uses. Those which have been identified can either be mitigated through the provided separation distance, or through the provision of air conditioning in the proposed buildings.

It is also important to note that the subject lands are in close proximity to an established residential subdivision. The vacant Employment Lands to the east of the subject lands are also in close proximity to the residential uses to the south (±30-50 metres). As such, any prestige industrial uses that are to locate on the parcels to the east of the subject lands, or on any portion of the employment lands north of Palladium Way will need to be compatible with the established residential uses, which are a more sensitive use than the proposed place of worship. Consequently, the range of industrial uses permitted on the neighbouring parcels to the east is already constrained to uses that are compatible with the adjacent residential uses to the south. This will help to ensure that future industrial development is compatible with the proposed development. Accordingly, the proposed development is not likely to further constrain the permitted uses on the vacant employment lands to the east.

Future development to the east of the subject lands will need to demonstrate compatibility with the existing sensitive land uses to the south and the proposed development, and will also need to comply with the D6 Guidelines. As a result of these sensitive land uses to the south, development that has established itself north of Palladium Way has generally consisted of uses that do not adversely impact the residential properties on the south side of Palladium Way. Residential uses are considered more sensitive than a place of worship; and therefore the number of compatible uses suitable for the Employment Lands to the north of Palladium Way are already constrained by their proximity to an established residential use.

The Business Corridor designation already restricts certain prestige industrial uses to those that are within enclosed buildings and are unlikely to cause significant pollution or excessive noise. Further, the BC1 Zone is considered a prestige industrial zone, and is designed to exclude noxious industrial uses that may impose adverse impacts on the surrounding area. Due to this, and the above analysis, existing and future industrial development is not likely to adversely impact the proposed place of worship and accessory uses.

5.1 D6 Guideline Assessment

A D6 Guideline Assessment and a Risk Assessment were deemed requirements of the complete Planning Act application through the Pre-Consultation. The D-6 Guideline Assessment is a Ministry of Environment and Climate Change tool “…intended to be applied in the land use planning process to prevent or minimize future land use problems due to the encroachment of sensitive land uses and industrial land uses on one another.” (Synopsis, pg 5, Guideline D-6). Please refer to the below table which contains the Areas of Influence and associated Minimum Separation Distances, for each class of industrial operation. These Minimum Separations Distances are based on Ministry studies and historical complaint data.
Table 1: D-6 Guidelines Potential Influence Areas and Minimum Distance Separation

<table>
<thead>
<tr>
<th>Industry Classification</th>
<th>Area of Influence</th>
<th>Recommended Minimum Separation Distance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Class I – Light Industrial</td>
<td>70 m</td>
<td>20 m</td>
</tr>
<tr>
<td>Class II – Medium Industrial</td>
<td>300 m</td>
<td>70 m</td>
</tr>
<tr>
<td>Class III – Heavy Industrial</td>
<td>1000 m</td>
<td>300 m</td>
</tr>
</tbody>
</table>

Existing Industrial Development

In accordance with Section 1.2.1 of the Guideline, the mosque facility can be considered a Sensitive Land Use. The existing Industrial land uses on the north side of Palladium Way are generally Class I or Class II industrial facilities, as they must be compatible with the existing residential development to the south of Palladium Way. Under the D-6 Guidelines, the Potential Area of Influence for Class I and Class II industrial facilities is 70 metres and 300 metres respectively. Currently there are no Class I or Class II industrial facilities within that Area of Influence; therefore a Minimum Separation Distance is not applicable, as no adverse impacts are foreseen.

The lands to the west of the subject lands (4585 Palladium Way approximately ±340 metres from subject lands) is currently being redeveloped as “Argo Self Storage Corporation”, which will consist of 1-2 storey and 3 single storey storage buildings. Self-Storage is considered “Storage and Warehousing” under the City’s Zoning By-law, which is an industrial use. This use would be considered a Class I industrial facility, given its low probability of fugitive emissions and adverse noise/dust/odour impacts. The proposed development is located well outside the self-storage facility’s Potential Area of influence, under the D-6 Guidelines.

Further, according to the City’s online interactive mapping, the balance of the lands to the west of the subject lands, and west City owned creek block, municipally known as 4671, 4645 & 4631 Palladium Way have all been issued building permits. All of these building permits are for commercial developments, consisting of an office building, a medical office, and a commercial/personal service development. The D-6 Guidelines do not apply to commercial development and therefore no compatibility issues will arise from the development of the lands to the west.

Potential Future Industrial Development

The only potential for future land use compatibility issues would arise through the development of the lands to the east of the proposed development. As previously mentioned, the proposed development incorporated a ±25 metre setback from the easterly lot line. This setback more than accounts for the separation distance requirement under the D-6 Guidelines should a Class I industrial facility locate on the lands to the east. In the very unlikely event that a Class II industrial facility is able to locate itself on the lands abutting to the west, a minimum separation distance of ±70 metres would apply. When considering the proposed setback of the prayer hall from the property line, an additional ±45 metres of separation distance would be required; which could easily be accommodated on-site to the east, given the size of those lands. Further, as previously mentioned, the development of a Class II or Class III industrial facility on the lands to the east is
already considerably constrained by the existing residential development directly to the south. Future development will need to comply with the MOE’s D-Series Guidelines, as such, no foreseeable land use compatibility issues are evident, nor does the property unduly constrain the permitted industrial uses on the lands to the east.

Halton Region has produced Land Use Compatibility Guidelines which seek to provide guidance on the implementation of the Region’s land use compatibility policies. These guidelines were consulted when conducting the D-6 Guidelines and Sensitive Land Use Risk Assessment. Table 3.2.1 of these guidelines demonstrates the typical assessment process for Local Municipalities when establishing a new sensitive land use in an area that has potential for conflicts with industrial land uses. “Step 2” of these guidelines state that if the proposed development does not fall within a potential area of influence of an existing source, then no further assessment of land use compatibility is required. The proposed development does not fall within an influence area, and therefore no further technical studies to evaluate compatibility are warranted. Please refer to Table 3.2.1 attached hereto in Appendix C.

6 Public Consultation Strategy

In accordance with Section 31.1 within Schedule A of recently amended Ontario Regulation 545/06 Zoning By-laws, Holding By-laws and Interim Control By-laws, “a proposed strategy for consulting with the public with respect to the application” is considered “prescribed information” to be provided as part of applications to amend a Zoning By-law. It should be noted that this regulation came into effect after the pre-consultation meeting. The following discusses the Public Consultation Strategy for this application.

A neighbourhood meeting will be organized to provide information to the public and to generate valuable feedback from stakeholders in accordance with the pre-consultation held with City Staff on March 16th, 2016. The applicant or agent will liaise with the City after the rezoning application is submitted in order to organize the neighbourhood meeting. The City of Burlington is responsible for securing the appropriate venue and mailing out invitations to the meeting; the applicant and the applicant’s agents will be present in order to answer any questions and provide technical clarifications to stakeholders. All feedback and materials received from the public will be submitted to the City.

Further, in accordance with Ontario Regulations 545/06 and 543/06 and Sections 22 and 34 of the Planning Act, land owners within 120 metres of the subject lands will receive notice that a Zoning By-law Amendment application has been received by the City and to inform them that the required public meeting has been scheduled. These notices will advise those circulated that information and materials relating to the proposed development is available for their review and will invite them to make comments and present their views prior to, and at the public hearing.

We trust this Public Consultation Strategy is adequate and will satisfy the requisite Public Consultation Strategy submission for the proposed development. We look forward to further discussing the details within the Public Consultation Strategy with City Staff at the appropriate juncture.
7 Conclusions & Planning Opinion

The proposed development generally complies with, conforms to, and is consistent with the applicable planning documents, including the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe (2006 & 2017), The Halton Region Official Plan, and the City of Burlington Official Plan. Further, given the location of the subject lands, the implementation of the proposed sensitive use in an employment area will not result in any land use compatibility issues, nor will it further constrain the range of permitted uses on lands designated for the development of future employment uses. However, it is acknowledged that an amendment to the City of Burlington Zoning By-law No. 2020 will be required in order to permit the proposed institutional use within a BC1 Zone.

The policy discussion above, when considered jointly with the findings of the various technical studies submitted concurrently, confirms that the approval of the proposed amendment to the City of Burlington Zoning By-law No. 2020 implements the general intent of the relevant Provincial land use policy structure and of the City of Burlington Official Plan. The proposal represents good planning and should be approved.

Sincerely,

[Signature]

Stephen Fraser, MCIP, RPP,
A. J. Clarke and Associates Ltd.
Appendix A       Conceptual Site Plan, Floor Plans, and Elevations
PROPOSED ISLAMIC PLACE OF WORSHIP
HALTON MOSQUE
& ZONING DATA

PROPOSED SITE PLAN

PROPOSED PARKING PHASES

FALLADUM WAY STREET VIEW

ZONING DATA

AS NOTED

JOB

HALTON MOSQUE
PROPOSED ISLAMIC PLACE OF WORSHIP
4721, PALLADIUM WAY, BURLINGTON, ON

OF ARCHITECTS
ONTARIO ASSOCIATION
PHONE - 905.331.4480
NOTE:
THE CONTRACTOR WILL CHECK AND VERIFY DIMENSIONS AND SITE CONDITIONS ON THE PROJECT AND REPORT ANY DISCREPANCY TO THE ARCHITECT PRIOR TO THE COMMENCEMENT OF CONSTRUCTION. THIS DRAWING MUST NOT BE USED FOR CONSTRUCTION PURPOSES UNLESS SIGNED BY THE ARCHITECT. ALL DRAWINGS ARE THE PROPERTY OF THE ARCHITECT AND MAY NOT BE COPIED, REPRODUCED OR ALTERED WITHOUT WRITTEN PERMISSION FROM THE ARCHITECT. DO NOT SCALE THE DRAWING.
HALTON MOSQUE
PROPOSED ISLAMIC PLACE OF WORSHIP
AND OFFICES
4721, PALLADIUM WAY, BURLINGTON, ON
ONTARIO ASSOCIATION
OF ARCHITECTS
CYNTHIA ZAHORUK
Architect Inc.
PHONE - 905.331.4480
NOTE:
The contractor will check and verify dimensions and site conditions on the project and report any discrepancy to the architect prior to the commencement of construction. This drawing must not be used for construction purposes unless signed by the architect. All drawings are the property of the architect and may not be copied, reproduced or altered without written permission from the architect. Do not scale the drawing.

ELEVATIONS

1:200

A2.1
NOTE:

THE CONTRACTOR WILL CHECK AND VERIFY DIMENSIONS AND SITE CONDITIONS ON THE PROJECT AND REPORT ANY DISCREPANCY TO THE ARCHITECT PRIOR TO THE COMMENCEMENT OF CONSTRUCTION. THIS DRAWING MUST NOT BE USED FOR CONSTRUCTION PURPOSES UNLESS SIGNED BY THE ARCHITECT. ALL DRAWINGS ARE THE PROPERTY OF THE ARCHITECT AND MAY NOT BE COPIED, REPRODUCED OR ALTERED WITHOUT WRITTEN PERMISSION FROM THE ARCHITECT. DO NOT SCALE THE DRAWING.

DD/MM/YY REVISION

JOB NO.

DRAWN BY:

SCALE:

PRINT DATE:
Appendix B    Draft Amending Zoning By-law
The Corporation of the City of Burlington Zoning By-law Amendment 2020.XXX

City of Burlington By-law 2020.XXX

Description

A by-law to amend By-law 2020, as amended, to permit a place of worship and accessory uses at 4721 Palladium Way. File No.: XXX-XX-XX
(PB-XX-XX)

Preamble

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 PB-XX-XX on XXXX, 2018, to amend the City’s existing Zoning By-law 2020, to re-zone the lands at 4721 Palladium Way from BC1-319 to BC1-XXX to permit a place of worship and accessory uses as per subsection 2.e of this By-law.

The Council of the Corporation of the City of Burlington hereby enacts as follows:

Content

1. Zoning Map Number XX of Part XX of By-law 2020, as amended, is hereby amended as shown on Schedule “A” attached to the By-law.

   The land designated as “A” on Schedule “A” attached hereto are hereby rezoned from BC1-319 to BC1-XXX.

2. Part 14 of By-law 2020, as amended, Exceptions to Zone Classifications, is amended by adding Exception XXX as follows:

   “Exception XXX:
   a. Yard Abutting a street, 6m minimum, and 13m maximum
   b. Minimum Lot Area for Block 89, Plan 20M-1035: 0.4 hectares
   c. A hydro transformer or switch station shall be permitted in the landscape area or buffer.
   d. Parking areas shall contain a maximum of 261 spaces. Any parking area of 261 spaces or less shall not be required to be separated by a landscaped area.
   e. Additional Permitted Use:
      - Place of Worship
      - Uses accessory thereto, including educational classrooms, a library, a gymnasium, a banquet room, and accessory office uses.
      - Retail sales to a maximum total floor area equal or less than 15% of the total GFA
of Building ‘B’.

f. Emergency residential shelters, Day Care Centres and an attached or detached manse or an accessory dwelling unit for a watchman and any other associates residential building are not permitted in conjunction with a Place of Worship.

g. Notwithstanding Part I, Section 2.21 (d), the following regulations for Places of Worship and for accessory uses as per subsection 2.e of this by-law apply:

- Minimum setback from any streetline: 6 metres
- Maximum setback from any streetline: 13 metres
- Minimum setback from the westerly lot line: 4 metres
- Minimum setback from the easterly lot line: 20 metres
- Minimum setback from the northerly lot line: 7.5 metres
- Landscape area abutting a creek block along the northerly property line: 4 metres
- Landscape area abutting a street having a deemed width of 26m or greater: 6 metres, exclusive of areas of ingress and egress for vehicles and pedestrians.

h. Attached or detached manse or accessory dwelling unit for a watchman and any other associated building in conjunction with a Place of Worship are not permitted.

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.SO. 1990, C.P.13, as amended, this By-law shall be deemed to have come into force on the day it was passed.

(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 Municipal Board this by-law shall be deemed to have come into force on the day it was passed.

Enactment

Enacted and passes this XX day of XXXXX, 201.

Mayor Rick Goldring ________________________________

Deputy Clerk Deb Caughlin ________________________________

Online Version of this Document does not contain signatures. Please contact City Clerk to obtain a copy of the signed original.
Area A
To be rezoned from BC1-319 to BC1-XXX

SCHEDULE 'A' TO BY-LAW 2020.XXX AMENDING MAP NO. XX PART XX, BY-LAW 2020 AS AMENDED.
PASSED THE DAY OF

__________________________  ____________________________
MAYOR                      CITY CLERK
Explanation of Purpose and Effect of By-law 2020.XXX

By-law 2020.XXX re-zones the lands at 4721 Palladium Way from BC1-319 to BC1-XXX to permit a place of worship with accessory uses with site specific zoning regulations.

For further information regarding By-law 2020.XXX, please contact Planner of the City of Burlington Planning & Building Department at (905) 335-7600, extension XXXX.
Appendix C     Decision Tree for Local Municipalities
3.2.1 Example of Official Plan/Zoning By-law Amendment Decision Tree for Local Municipalities (New Sensitive Land Use)

**Step 1.**
Determine the nature of the development

- If proposed development is a sensitive land use
  - **Step 2.**
  Identify potential land use compatibility conflicts
    - If proposed development falls within potential areas of influence of existing sources
      - **Step 3.**
      Carry out studies to determine actual land use compatibility conflicts
        - If proposed development falls within actual area of influence of existing sources
          - **Step 4.**
          Assess potential approaches to mitigation

**No Further Assessment of Land Use Compatibility Required**

- If proposed development is not a sensitive land use or industrial, transportation or utility source
  - If proposed development does not fall within potential areas of influence of existing sources
    - If proposed development does not fall within actual areas of influence of existing sources