1.0 INTRODUCTION *D53

This part of the Plan presents the principles, objectives and policies that are applicable throughout the City regardless of the land use designation, unless otherwise indicated. These principles, objectives and policies should be read in conjunction with the principles, objectives and policies contained in other parts of the Plan.

2.0 SUSTAINABILITY AND THE ENVIRONMENT *D53

In 1989, Burlington City Council declared the City a Sustainable Community. City Council also adopted a number of principles and objectives of Sustainable Development to guide future development. Sustainable Development is development that meets the needs of the present without compromising the ability of future generations to meet their needs. The foundation of Sustainable Development is the careful use and reuse of natural resources while providing for continued improvements to quality of life and economic development for future generations. This means that in Burlington it is necessary to ensure that environmental features and their functions are maintained and enhanced, such as but not limited to, the Niagara Escarpment, Environmentally Sensitive Areas and Burlington Bay. Sustainable Development also includes improving quality of life through providing economic development and fostering the social aspects of community development. The City will use a wide range of land use, energy conservation and transportation policies as well as strategic measures and education to achieve the goal of Sustainable Development.

This section of the Official Plan outlines the City's intention to continue to be a prosperous, liveable and healthy community through the process of Sustainable Development. The principles and objectives for Sustainable Development as adopted by City Council are included in this Plan as Appendix E to this Plan.

2.1 Principles *D53

a) The City will endeavour to ensure that City operations and new development are consistent with the goals and objectives of Sustainable Development.

b) Natural heritage features, and the interrelationships between them, that provide for vital resources such as clean water, clean air, wildlife habitat, forest resources and recreational opportunities, will be protected for future generations.

c) Watershed planning is the basis for effective protection of life and property from natural hazards.

d) The City of Burlington will assist in the efforts to de-list Hamilton Harbour as a Great Lakes Area of Concern.
PART II - FUNCTIONAL POLICIES

Healthy Communities  
e) The City will support and participate in the worldwide movement for Healthy Communities.

Development  
f) All development should provide a high level of environmental protection and maintenance of compatibility.

2.2 Objectives *D53

Natural Heritage System  
a) To identify and protect a Natural Heritage System and to maintain ecological integrity and function for the future area of a Natural Heritage System.

Long term policies  
b) To preserve air/water quality and maintain biodiversity in the long term.

City Operations  
c) To work to ensure that City operations follow leading technologies and act as examples of Sustainable Development for other sectors of the community.

Development Applications  
d) To use Sustainable Development criteria for review of applications for development, and to ensure that new development is compatible with existing land uses.

Watershed Plans  
e) To work co-operatively with Conservation Halton to maintain up-to-date watershed and sub-watershed plans in the City to protect life and property and maintain surface water quality.

Contaminated sites  
f) To promote the remediation of contaminated sites.

2.3 General Policies *D53

Environmental Suitability  
a) Development shall be limited to lands that are environmentally suited for the proposed use. Suitability shall be assessed within the context of the safety and health of the user, and should avoid negative effects on the natural and social environment.

New development and significant re-development shall generally be prohibited within natural heritage features unless it can be deemed suitable through the provisions of Part II, Section 2.5 of this Plan. New development and significant re-development is not permitted in areas of:

(i) significant habitat of endangered species and threatened species;

(ii) significant wetlands, significant woodlands or significant valleylands;

(iii) fish habitat, except in accordance with provincial and federal requirements;

(iv) areas that would be rendered inaccessible to people and vehicles during times of flooding hazards, erosion hazards and/or dynamic beach hazards, unless it has been demonstrated that the site has
safe access appropriate for the nature of the development and the natural hazard.

Citizens’ Advisory Committee

b) The City will maintain a citizens’ advisory committee to advise and assist Council and staff on the implementation of Principles and Objectives of Sustainable Development (see Appendix E), through the review of development applications and other matters of interest in accordance with the terms of reference adopted and periodically reviewed by Council.

Environmental Standards
c) Measures and guidelines that protect and enhance the environment shall be prepared and adopted by the City; these include but are not limited to:

(i) tree protection standards for site plans;

(ii) landscape plans for storm water management;

(iii) buffer and setback planting.

2.4 Natural Heritage *D53

Natural heritage features provide many benefits to the City including wildlife habitat, flood attenuation, recreational opportunities and renewable resource use such as forestry and recreational fishing. Protection of these natural heritage features in the City helps to maintain water quality and quantity, improve air quality and also contributes to improving quality of life.

2.4.1 The Natural Heritage System – General

The identification of a Natural Heritage System and appropriate policies and mapping related to it shall be incorporated into this Plan by separate amendment.
Agriculture

c) Existing agricultural operations within the Natural Heritage System will be recognized and can continue. In interpreting the extent of existing agricultural operations, the history of such operations will be taken into consideration as well as any role the natural heritage features or functions may play in complementing the farming activity. The intent of the Natural Heritage designation on an active farm is not meant to restrict the operation nor to reduce the economic viability of the normal farm operations. If requested by the owner, the City will, in consultation with the Region of Halton and the appropriate public agencies as necessary, undertake a site-specific evaluation of the effective boundaries of the Natural Heritage System on the property as they apply to the existing agricultural operation.

Respect for private lands

d) The identification of land as part of the Natural Heritage System will not imply that the lands are available or open to public use.

2.4.2 Securement of Natural Heritage Features

Importance of securing the Natural Heritage System

a) The City recognizes that securement of areas of significant natural heritage such as the Niagara Escarpment through public ownership or private stewardship is beneficial in ensuring their eventual enhancement and long-term protection. Where appropriate, these lands may also provide important recreational opportunities. A key prominent example of such an opportunity in the City is provided by the Bruce Trail.

Options for securement

b) The City will consider all options for the securement of the natural heritage features and the Bruce Trail. These options include but are not limited to:

(i) land dedication;

(ii) assistance from other orders of government, agencies and charitable foundations;

(iii) the community benefits provisions as outlined in Part VI, Section 2.3 of this Plan;

(iv) land exchange;

(v) long-term leases;

(vi) easement agreements; and/or

(vii) land trusts.

No obligation to purchase or compensate

c) The identification or designation of land as having Natural Heritage significance does not obligate the City to acquire, compensate or purchase any of these lands.
Severances permitted to allow securement

d) Notwithstanding the other policies of this Plan, severances for the purposes of securing areas which contain sensitive or significant natural features and/or the Bruce Trail will be permitted in all designations by public bodies or Council-approved conservation organizations provided that the severance is for the purposes of establishing a nature preserve, and that such a severance does not result in the creation of a new developable lot.

2.5 Environmental Evaluation *D53

Development Applications

a) Environmental Evaluation Reports shall be prepared by the proponent of a development and to the satisfaction of the City as part of the consideration of a development application (other than an individual consent or minor variance in the Rural Planning Area, or for a use permitted by the Official Plan and Zoning By-law in the Rural Planning Area), affecting lands found:

(i) within an area designated as:

i. Greenlands on Schedule B, Comprehensive Land Use Plan - Urban Planning Area; or

ii. Greenlands on Schedule C, Comprehensive Land Use Plan - Rural Planning Area; or

iii. Environmental Protection Area on Schedule D, Comprehensive Land Use Plan – North Aldershot Planning Area; and

iv. an Environmentally Sensitive Area on Schedule B, Comprehensive Land Use Plan - Urban Planning Area, on Schedule C, Comprehensive Land Use Plan - Rural Planning Area, or on Schedule D, Comprehensive Land Use Plan - North Aldershot Planning Area; and

v. Adjacent Lands as defined by this Plan;

(ii) Adjacent Lands of a natural heritage feature as defined by this Plan.

Other lands

b) An Environmental Evaluation report may be required for development proposals affecting lands other than those described in Part II, Section 2.5 a) where the City determines that the proposal has the potential to adversely affect the environment.

Regional EIA

c) The Environmental Evaluation report may also be required to fulfill the requirements of a Regional Environmental Impact Assessment.
Conservation Halton EIA  
d) For areas regulated by Conservation Halton, such as floodplains, wetlands, watercourses, the shoreline of Lake Ontario/Burlington Bay, or regulated valleylands, the Environmental Evaluation report may also be required to fulfill the requirements of the Conservation Authority’s Environmental Impact Assessment.

EER and EIA guidelines  
e) In the preparation of environmental evaluations, the City will utilize the Environmental Impact Assessment (EIA) Guidelines adopted by the Region of Halton, as well as its own policies and guidelines. These guidelines may be amended in the future based on consultation with the City, the public, and other public agencies. The City, Region and Conservation Halton will collaborate to determine the scope of required Environmental Evaluation reports to avoid duplication while reflecting each agency’s requirements.

Submission of report  
f) Where an Environmental Evaluation report is required by this Plan or at the discretion of City Council, a development application shall not be considered complete until the report has been submitted to the satisfaction of City Council.

Terms of Reference  
g) The terms of reference and scope for an Environmental Evaluation report will be determined through a pre-consultation process between the applicant, the City and partner agencies. The scope of the report will take into account a number of factors including, but not necessarily limited to:

(i) existing level of information;
(ii) the sensitivity and significance of natural features;
(iii) the development proposed; and
(iv) the range of land uses that would be permitted in the zoning by-law or Escarpment Plan designation.

Boundaries  
h) As part of a complete application, the boundaries of identified natural heritage features will be delineated on site by the applicant, corroborated by City staff and the surveyed boundaries shown on any plans submitted as part of a complete application.

Remedial Action Plan  
i) Within the Watershed of Burlington Bay, an Environmental Evaluation must address the goals, objectives and policies of the Hamilton Harbour Remedial Action Plan.

Implementation of Environmental Evaluation  
j) The recommendations of an approved Environmental Evaluation, including the placement of lot lines and structures, and buffers and development setbacks, will be implemented through zoning bylaws, site plan control and conditions of planning approval and/or regulations by another appropriate authority such as the Region, Province or Conservation Halton.
PART II - FUNCTIONAL POLICIES

North Aldershot & Rural Planning Areas

k) In the North Aldershot and Rural Planning Areas, the following additional policies shall apply:

(i) development and re-development will result in minimum damage to significant trees, wooded areas, and hedgerows, as identified by an Environmental Evaluation; and

(ii) development will be designed so as to preserve the existing open-space setting of the Niagara Escarpment face, as well as all creek and stream valleys in the area.

Conditions of approval

l) Conditions may be placed on any proposed development design to restore the natural character of degraded open space and environmental features.

2.6 Sustainable Development and City Operations

2.6.1 Objectives

Leadership

a) To ensure that the City is a leader in the community in implementing Sustainable Development in its operations as per the Council adopted principles and objectives of Sustainable Development.

City projects & programs

b) To ensure that the City’s projects and programs consider environmental effects.

Review of effects

c) To monitor the potential environmental effects of City operations and encourage alternative approaches that will benefit the environment and the community.

2.6.2 Policies

City Operations

a) The environmental effects of City operations shall be reviewed and alternative approaches will be encouraged that will benefit the environment and the community.

Best Management Practices

b) Best Management Practices for energy conservation and efficiency shall be utilized and regularly reviewed in all facilities built, owned and operated by the City.

Energy sources

c) Where feasible, alternative or innovative environmentally friendly energy sources will be utilized for City facilities.

Integrated Pest Management

d) The City will adopt an Integrated Pest Management approach wherever possible in its operations.

Capital Projects

e) Capital projects undertaken by the City will demonstrate compliance with the principles and objectives of Sustainable Development as adopted by Council.

Greenhouse gas emissions

f) Wherever possible, the City will reduce its greenhouse gas emissions.
Energy conservation

| g) | Energy conservation shall be encouraged through community and site planning, design, and the use of energy-efficient materials and landscaping. When development applications are reviewed, consideration shall be given to energy conservation measures such as the solar orientation of streets and buildings, increased densities, walkability and decreased automobile dependency, and the use of landscaping and building materials. |

### 2.7 Sustainable Design and Compatibility *D53*

#### 2.7.1 Principles

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<thead>
<tr>
<th>Compatibility</th>
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<td>a)</td>
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#### 2.7.2 Objectives

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<th>Consistency with Principles</th>
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<th>Public accessibility</th>
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#### 2.7.3 Policies

<table>
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<th>Recognizing interior and exterior needs</th>
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<th>Site Plan factors</th>
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<td>b)</td>
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(i) pedestrian movement within the site, to the street and to adjacent neighbourhoods;

(ii) access to public transit;

(iii) public safety;

(iv) public views of the escarpment or lake;

(v) energy efficiency;

(vi) reflected/waste light;

(vii) sensitivity to noise and vibration;

(viii) preservation of existing trees and other vegetation;

(ix) changes to topography and drainage patterns;

(x) development guidelines for healthy communities; and
Efficient urban form  
c) Development will be reviewed to ensure efficiency of land use in the urban community in terms of energy, travel time, intensity and diversity.

Compatibility  
d) Where appropriate, new development shall be designed to be compatible with and enhance existing natural features, such as the Lake Ontario and Burlington Bay waterfronts, the Niagara Escarpment, woodlots, watercourses and stream valleys.

Diversity  
e) The City will encourage development that provides choices in housing, shopping, employment, and transportation.

Energy conservation  
f) Energy conservation shall be encouraged through community and site planning, design, and the use of energy-efficient materials and landscaping. When development applications are reviewed, consideration shall be given to energy conservation measures such as the solar orientation of streets and buildings, increased densities, walkability and decreased automobile dependency, and the use of landscaping and building materials.

Renewable Energy Technologies  
g) The City will encourage proposals for renewable energy technologies, provided that compatibility is achieved with surrounding land uses and the environment, with respect to such matters as noise and vibration and visual impacts. Mitigation measures such as distance separations, screening and buffering, shall be encouraged.

Water conservation  
h) The City will encourage water conservation through the adoption of low irrigation landscaping and may discourage or prohibit the use of natural surface or ground water for non-agricultural irrigation.

Promote 3Rs  
i) The City shall support the Region of Halton in the implementation of programs aimed at educating consumers and businesses about the reduction, re-use and recycling of waste, and shall support opportunities to put them into practice.

Waste diversion  
j) The City shall support the Region of Halton in encouraging businesses to develop safe, cost-effective and new ways to deal with waste materials in order to divert these materials from landfill.

Transportation alternatives  
k) Transportation Demand Management strategies will be used to encourage increased transit ridership, walking and bicycling in the City.

Noise abatement  
l) Where noise abatement is required along roads, design features such as the orientation of buildings, vegetative buffers and other innovative methods shall be preferred over the use of acoustical walls.

Pollution reduction  
m) Practices that reduce the pollution of air, soil and water and that have beneficial effects on aquatic and terrestrial ecosystems, such as the
preservation and planting of trees, shall be encouraged.

Sensitive Land Uses

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.

Risk assessments

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.

Healthy Communities

p) The City shall develop and adopt, jointly with the Region of Halton, Development Guidelines for Healthy Communities.

2.8 Contaminated and Potentially Contaminated Sites

Some land may be contaminated as a result of past or present land uses or migration of off-site contaminants. Potentially contaminated sites are sites where the environmental condition of the property (soil and/or groundwater) may have potential for adverse effects on human or ecological health. In order to mitigate these adverse effects prior to permitting development on these sites, confirmation regarding the level of contamination is required to ensure that they are suitable or have been made suitable for the proposed use in accordance with government legislation, regulations, standards, objectives and guidelines.

In the following list are some examples of current or past activities that may have caused environmental contamination:

a) activities involved with the elimination of waste and other residues, including but not limited to, waste disposal sites and recycling facilities;

b) activities associated with potentially hazardous materials such as fuels, oils, detergents, chemicals, paints or solvents;

c) activities associated with refining and smelting of metals, or storage of batteries or other products containing lead, acid or other potentially hazardous substances; and

d) activities associated with transportation corridors.
The goal of the City is to utilize tools such as Phase I *Environmental site assessments*, Phase II *Environmental site assessments*, Records of Site Condition, and Risk Assessments in the planning application review process in order to:

a) help ensure that *development* takes place on sites where the environmental conditions are suitable for the proposed use of the site, and/or;

b) facilitate the remediation of the site where necessary to ensure conditions are suitable for *development* or *re-development*.

To accomplish this goal, the City will develop a strategy to address the identification of potentially *contaminated sites* as well as the decommissioning and *rehabilitation of contaminated sites* for adaptive reuse.

### 2.8.1 Objective

**Environmental due diligence**

- a) To establish a system of environmental due diligence in accordance with Provincial legislation, regulation and standards to ensure that the *development* and *re-development* of land avoids *adverse effects* on human and ecological health.

### 2.8.2 Policies

**Contaminated Sites Protocol**

- a) Provincial legislation *shall* be referred to in the review of *development applications* to address matters related to known and potential site contamination. Where Provincial legislation does not apply, the *contaminated sites protocol* *shall* be referred to in the review of *development applications*. The *Contaminated Sites Protocol* is listed in Appendix F of this Plan and *may* be amended from time to time without amendment to this Plan.

**Determination of potential contamination**

- b) In order to screen for known or potential *site contamination*, applicants *shall* be required to document, to the satisfaction of the City, Region, Province and other approval authorities, previous uses and environmental information of:

  1. property or properties that are subject of a planning application; and/or
  2. properties that *may* be adversely impacting the property that is the subject of a planning application in order to assist in the determination of the potential for site *contamination*.

**Information exchange**

- c) The City *shall* coordinate its efforts with those of other orders of government to exchange information related to environmental background studies such as Phase I *Environmental site assessments*, Phase II *Environmental site assessments*, Risk Assessments and Records of Site Condition that have been submitted as part of *development applications*. 
| Phase I Environmental Site Assessments | d) | The City may require all applications for Official Plan amendment, zoning by-law amendment, plan of subdivision, site plan and consent, as specified in the Contaminated Sites Protocol, to be supported by a Phase I Environmental site assessment to be undertaken in accordance with Provincial legislation by a Qualified Person. |
| Phase 2 Environmental Site Assessments | e) | The City shall require a Phase II Environmental site assessment to be undertaken in accordance with Provincial legislation to support applications for sites where the Phase I Environmental site assessment reveals that the site may be contaminated. The Phase II Environmental site assessment shall include conclusions as to whether or not contamination is migrating off site. |
| Record of Site Condition | f) | The City may require the applicant to provide a Record of Site Condition in accordance with Provincial legislation, to be completed to the satisfaction of the City and the Ministry of the Environment, confirming that the site has been made suitable for the proposed use. |
| Record of Site Condition Audits | g) | The City may not consider a Record of Site Condition as acknowledged by the Province until a statement of third party reliance is provided and either: |
| | | (i) it has been confirmed that the Record of Site Condition will not be audited by the Ministry of the Environment; or |
| | | (ii) it has been confirmed that the Record of Site Condition has passed the Ministry of the Environment audit. |
| Third Party Reliance | h) | For all information requirements, as specified within Part II, Section 2.8 of the Plan such as Environmental Site Assessments and Records of Site Condition that are submitted as part of a development application, a Qualified Person may be required to extend third party reliance to the City. |
| Condition of approval, H symbol | i) | If site remediation works are required, the satisfactory completion of site remediation works will be a condition of approval. For rezoning applications, a Holding symbol may be placed on the zoning. A condition of lifting the Holding symbol will be the satisfactory remediation of the contaminated site which is supported by a Record of Site Condition. |
| Land deeded to City | j) | Where the City is deeded land for any purpose, the City may require, as a condition of transfer, a Record of Site Condition signed by a Qualified Person, or other information as required, to verify to the satisfaction of the City that the lands in question are suitable or have been made suitable for the proposed use. |
2.9 Waste Disposal Sites

a) The City of Burlington, in consultation with the Ministry of the Environment, may permit development on and within 500 m of areas identified as former Waste Disposal Sites on Schedules B and D, subject to the following policies:

   (i) written approval has been received from the Ministry of Environment that the development satisfies the provisions of The Environmental Protection Act;

   (ii) studies have been carried out to the satisfaction of the City and the Ministry of Environment to show that development is compatible and can safely take place;

   (iii) the City shall require the construction and phasing of all development to coincide with the control of any problems identified by the studies;

   (iv) the City shall be satisfied with the required studies with respect to any matter regarding structural stability, safety and integrity of any structure; and

   (v) notwithstanding the land use designations on Schedules B and D, development will not be allowed to proceed on lands identified by the study(ies) as containing waste until the requirements of the Ministry of Environment are met.

b) In the Orchard Community, all proposed development within 150 m of Dundas Street may be required to undertake, to the satisfaction of the City and the Ministry of the Environment, studies of the effects of methane gas, leachate and hydrology resulting from landfill activities existing north of the Orchard Community which demonstrate that the proposed development can take place.
2.10 Watershed Management *D53

Burlington is composed of a number of separate watersheds; each eventually draining to Lake Ontario or Burlington Bay. Without careful management, water traveling in these various watersheds has the potential to endanger lives, damage property and pollute receiving water bodies. Water is also a resource that provides life to aquatic and wetland habitats, drinking water to residents and recreational opportunities that are important to citizens.

The watershed is the basic unit for water management, natural heritage and natural hazard planning. Effective management of water resources is best completed through watershed planning.

2.10.1 Principles

**Watershed Planning**

a) The City of Burlington is committed to watershed planning and will ensure that all water management activities are consistent with adopted watershed plans.

**Watershed Plans**

b) The City shall require that watershed or sub-watershed plans be prepared and maintained as the basis for decision making relating to water management and the prevention of natural hazards, and to assist in the identification and protection of the Natural Heritage System.

**Protect from development or alteration**

c) In cooperation with Conservation Halton, the City will work to protect lands subject to flooding or erosion hazards from development or site alteration.

**Protect vital components**

d) The vital components of the hydrologic system in the City such as groundwater features, watercourses, wetlands, valleylands, floodplains, Lake Ontario and Burlington Bay shall be protected, improved and/or restored.

**De-Listing of Hamilton Harbour**

e) The City will assist in the goal of the de-listing of the Hamilton Harbour Area of Concern by 2015.

2.10.2 Objectives

**Watershed Planning**

a) To ensure that watershed planning and the implementation of watershed or sub-watershed plans is completed by the City and its partner agencies as a component of the planning process.

**Protection of life and property**

b) To ensure the protection of life and property from natural hazards.

**Protect habitat**

c) To protect, restore and enhance shoreline, creek, river and wetland habitat areas in the City.
### De-List Hamilton Harbour

d) To de-list Hamilton Harbour as an Area of Concern by 2015 through implementation of the Hamilton Harbour Remedial Action Plan.

### Improve water quality & quantity

e) To improve water quality and *preserve* or manage baseline quantity of water resources throughout the City.

## 2.10.3 Policies

<table>
<thead>
<tr>
<th>Update Watershed Plans</th>
<th>a) The City, in partnership with Conservation Halton, will update existing <em>watershed</em> and sub-<em>watershed</em> plans from time to time where appropriate. A list of <em>watershed</em> and sub-<em>watershed</em> plans is included in Appendix D.</th>
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<tbody>
<tr>
<td>Basis for other Plans</td>
<td>b) Council approved and adopted <em>watershed</em> or sub-<em>watershed</em> plans will be the basis for all sub-<em>watershed</em> and master drainage plans.</td>
</tr>
<tr>
<td>Use in land use policies</td>
<td>c) <em>Watershed</em> plans will be used in the preparation of land use policies in the City; and <em>watershed</em> or sub-<em>watershed</em> plans will be used in the preparation of land use policies in the Urban and North Aldershot Planning Areas as identified on Schedules B and D. Conservation Halton <em>shall</em> be the lead agency in the preparation of <em>watershed</em> plans in consultation with the City, Region and other agencies.</td>
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<tr>
<td>Contents of Watershed Plans</td>
<td>d) In partnership with Conservation Halton, and in consultation with other local municipalities and the Region of Halton in the respective <em>watersheds</em>, the <em>Watershed</em> Management Plans and their updates will include but are not limited to:</td>
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<td>(i) definition of water quality and quantity objectives;</td>
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<td>(ii) a general inventory of existing geology, hydrology, hydrogeology, limnology, <em>fish habitats</em> and other environmental data;</td>
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<td>(iii) recommendations for implementation of the Hamilton Harbour Remedial Action Plan (where applicable);</td>
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<td>(iv) identification of potential additions to the Greenlands System;</td>
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<td>(v) identification of opportunities for and constraints to <em>development</em>;</td>
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<td>(vi) the <em>cumulative impact of development</em> and the <em>carrying capacity</em> of the <em>watershed</em>;</td>
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<td>(vii) preparation of a <em>water budget</em> analysis;</td>
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<td>(viii) recommendation of implementation strategies;</td>
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<td></td>
<td>(ix) establishment of goals for enhancement to <em>watercourses</em>, <em>valleylands</em> and <em>wetlands</em>;</td>
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</table>
(x) development of monitoring programs necessary for implementation;

(xi) directions for the carrying out of sub-watershed studies and Environmental Evaluations;

(xii) criteria for minimum buffers or setbacks for development; and

(xiii) measures to facilitate the ongoing stewardship of watercourses and greenways.

Consultation e) All watershed and sub-watershed studies shall be completed with appropriate consultation with residents and property owners, Conservation Halton, the Region of Halton, the Ministry of Natural Resources and where appropriate, the Niagara Escarpment Commission. Appropriate recommendations of the watershed studies shall be incorporated by amendment into this Plan to:

(i) define water quality objectives;

(ii) identify potential Greenlands areas in accordance with the policies of this Plan;

(iii) identify opportunities for and constraints to development;

(iv) address the cumulative impact of development;

(v) estimate the development capacity of the watershed based on defined water quality objectives;

(vi) undertake a water budget analysis;

(vii) recommend implementation strategies; and

(viii) provide directions for the carrying out of sub-watershed studies.

Consultation f) Functional drainage designs, storm water management techniques and drainage facilities shall be completed with appropriate consultation with Conservation Halton, the Region of Halton, the Ministry of Natural Resources and where appropriate, the Niagara Escarpment Commission and other agencies.

Watercourses in natural state g) Watercourses, shorelines, valleylands and wetlands shall be kept in their natural state and restored wherever possible. The City may consider proposals for the relocation and reconstruction of existing watercourses where it is determined to be environmentally appropriate and if approved by the regulatory agencies. It is recognized that the use of watercourses for agricultural land drainage is a normal farming practice.
PART II - FUNCTIONAL POLICIES

<table>
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<tr>
<th>Protection of recharge and discharge</th>
<th>h) Areas of significant karst topography, groundwater recharge or groundwater discharge shall be protected from site alteration and development.</th>
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<tbody>
<tr>
<td>Wellhead Protection Zones</td>
<td>i) The City may, in co-operation with the Region of Halton, identify Wellhead Protection Zones within the City for municipal wells serving neighbouring municipalities, based on the migratory pattern of groundwater upstream for these active municipal wells.</td>
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</table>

2.11 Storm Water Management *D53

Effective Implementation of storm water management is required to provide protection against flooding and erosion; maintain groundwater recharge areas and maintain or improve storm water run-off quality; and provide sedimentation control. Storm water management requires a coordinated approach involving the construction of works and facilities by both the public and private sectors.

Preference shall be given to storm water management techniques that are naturalistic as opposed to man-made. The implementation of storm water management controls shall be directed towards the following principles, objectives and policies:

2.11.1 Principles

<table>
<thead>
<tr>
<th>Natural functions</th>
<th>a) The natural hydrologic and ecologic function of significant watercourses shall be maintained or restored.</th>
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<tbody>
<tr>
<td>Water Quality objectives</td>
<td>b) Storm water management practices shall be established that are compatible with the objective of improving the water quality in Lake Ontario and Burlington Bay.</td>
</tr>
</tbody>
</table>

2.11.2 Objectives

2.11.2.1 Flooding

<table>
<thead>
<tr>
<th>Reduce risk to property</th>
<th>a) To ensure that future development does not increase the risk of property damage and danger to life from flooding.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reduce flood potential</td>
<td>b) To reduce flood potential in areas that are flood-prone.</td>
</tr>
<tr>
<td>Maintain habitat</td>
<td>c) To manage flooding concerns in a way that maintains or enhances fish habitat and other natural resource features.</td>
</tr>
</tbody>
</table>
2.11.2.2 Erosion

Watercourse erosion  
a) To minimize the adverse impact of development on downstream watercourse erosion.

Stabilize stream banks  
b) To stabilize stream banks where ongoing erosion threatens existing buildings, roads, structures or private lands.

Limit development  
c) To limit future development along watercourses and the waterfront where ongoing erosion threatens top-of-bank stability.

Fish habitat  
d) To manage stream bank erosion in a way that maintains or enhances fish habitat and other natural resources.

Reduce risk to property  
e) To ensure that future development does not increase the risk of property damage and danger to life from erosion.

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2.11.2.3 Hydrogeology

Groundwater recharge  
a) To control future development in a way that maintains and/or enhances significant groundwater recharge and prevents undesirable groundwater level decline and reduction in base flow to watercourses.

Base flows  
b) To ensure base flow maintains permanent and seasonal fish habitat where it exists naturally.

Groundwater quality  
c) To minimize the possible negative effects on groundwater quality from land use practices and/or development.

Limit development  
d) To restrict or limit development in hydrogeologically sensitive areas such as significant groundwater recharge and discharge features.

2.11.2.4 Storm Water Quality

Control runoff  
a) To control the quality of storm water runoff from future developed surfaces so that the natural surface water and groundwater quality is maintained or restored.

2.11.2.5 Sedimentation

Construction activity  
a) To manage development and construction activity to prevent sediment loading to receiving watercourses, Burlington Bay and Lake Ontario.
2.11.3 Policies

SWM techniques in all new development a) Storm water management techniques shall be used in the design and construction of all new developments to control both the quantity and quality of storm water runoff. The degree of control and techniques used will depend on the conditions in the downstream receiving water bodies. The adverse effects of development on the downstream aquatic environment and adjacent lands shall be avoided or kept to a minimum.

Studies and Criteria Manual b) The provision of storm water drainage facilities shall be in accordance with existing master plans established through watershed and sub-watershed studies, the criteria established in the City's Storm Water Drainage Criteria Manual and the Region of Halton’s Guidelines for Pools, Ponds And Standing Water on Public Land. The City shall require, wherever possible, the consolidation of storm water management facilities in order to make efficient use of land and to minimize future maintenance costs to the City.

Enhanced quality control c) For those development sites draining into Burlington Bay or Lake Ontario, the City may request an enhanced level of storm water quality control, in order to assist with the de-listing of Hamilton Harbour as an Area of Concern and to maintain water quality in Lake Ontario.

Sub-watershed Master Plans d) Sub-watershed master plans, in accordance with Provincial policy requirements, shall be prepared in support of major development proposals at the Official Plan amendment or secondary planning stage in the Urban and North Aldershot Planning Areas to assess the methods and costs of providing and monitoring the required storm water management methods both on and off the site.

Functional Drainage Plans e) Functional drainage designs shall be prepared at the draft plan of subdivision or zoning stage in accordance with the requirements of the City’s Storm Drainage Criteria Manual.

Monitoring f) The City may undertake monitoring of storm water discharges from new development and re-development to ensure that water quality and quantity discharges are in accordance with approved drainage designs.
Limit development

As a condition of development approval, the City will normally require the dedication of the greater of the regulatory floodplain, or the valley through which the watercourse flows including a conservation setback from top of bank, regulatory floodplain, or meander belt width. Dedication of these lands shall not be considered part of parkland dedication requirements of The Planning Act, unless the dedicated lands provide needed public recreational opportunities as identified by the City. If any such land remains in private ownership, it will be protected by zoning, agreement or easement to protect the ecologic and floodplain function of such land.

Conservation setback

The conservation setback referred to in Part II, Subsection 2.11.3 g) shall be required in the Urban Planning Area, Rural Settlement Areas of the Rural Planning Area and the North Aldershot Planning Area, and shall be reviewed in the remainder of the Rural Planning Area on a case-by-case basis.

Consultation

All watershed and sub-watershed studies, functional drainage designs, storm water management techniques and drainage facilities shall be completed with appropriate consultation with residents and property owners, Conservation Halton, the Region of Halton, the Ministry of Natural Resources and where appropriate, the Niagara Escarpment Commission. These studies will consider: maintenance of natural watercourses, control of discharges to surface and groundwater, water quality and quantity targets and the identification and protection of significant hydrogeological areas.

Natural watercourses

Watercourses should be left in their natural state. The City may consider proposals to construct new watercourses, provided natural channel design is used and if such proposals are approved by the regulatory agencies. The enclosure of open watercourses is generally not permitted.

Restoration

Wherever feasible, watercourses that have been enclosed should be restored as an open watercourse.

North Aldershot Planning Area

The following shall apply in the North Aldershot Planning Area:

(i) the City shall require as a condition of development approval, the dedication of the greater of the regulatory floodplain, or the valley through which the watercourse flows including a conservation setback from top-of-bank, regulatory floodplain, or meander belt width, to the satisfaction of the City and Conservation Halton. Dedication of these lands shall not be considered part of the parkland dedication requirements of The Planning Act;
(ii) the City may require as a condition of development approval, in consultation with Conservation Halton, either the restoration or a contribution to restoration and enhancement of degraded sites within any such dedication areas;

(iii) watercourses regulated by Conservation Halton should be left in their natural state, unless approval to alter the watercourse is obtained from Conservation Halton, and every effort should be made to keep other watercourses open and natural;

(iv) functional drainage designs shall be prepared at the draft plan of subdivision stage, outlining preliminary designs and costs;

(v) storm water management shall preserve to the maximum possible degree the existing hydrologic cycle and water quality by promoting infiltration and retention of storm water runoff at source;

(vi) storm water management shall preserve and utilize the natural drainage system where feasible. The use of natural swales to treat and convey storm water shall be used wherever appropriate and the use of storm sewers and storm water management ponds minimized;

(vii) the length of driveway culverts on the road allowance shall be minimized, to maximize the conveyance of storm water by open ditches on public roads; and

(viii) erosion and runoff siltation shall be minimized by preserving to the maximum possible degree existing topographic and natural features consistent with the permissions granted by the land use designations on Schedule D and the policies of this Plan.

South Aldershot Planning Area

Future re-development and intensification in the South Aldershot area may be restricted by limited storm sewer capacity and the potential for increased downstream flooding and/or erosion as a result of greater levels of storm water runoff due to development. The City may undertake one or more of the following measures to address this concern:

(i) discouraging the reconstruction of existing streets with no curbs or gutters to an urban standard (curbs, gutters and storm sewers);

(ii) where appropriate and feasible, requiring on-site storm water infiltration facilities and other storm water management techniques as part of the design of new development proposals;
### PART II - FUNCTIONAL POLICIES

(iii) limiting the density or intensity of proposals for *re-development* and *intensification* in this area if required.

#### 2.12 Mineral Aggregate Resources *D33*

#### 2.12.1 Objectives

| Consistent with Sustainable Development | a) | To ensure that aggregate extraction is undertaken in a manner that is consistent with the principles and objectives of *Sustainable Development* and protects the quality of life of residents in the City. |
| Protection of areas | b) | To ensure protection of the Niagara Escarpment, the *Natural Heritage system*, surface and groundwater resources and significant *wildlife habitat* in the City. |
| Long term after use | c) | To *encourage* aggregate extraction as a land use which is to be replaced by a long-term after use. |
| Incompatible uses | d) | To protect identified *mineral aggregate resources* from *incompatible* uses in accordance with the Provincial Policy Statement. |
| Provision for aggregate operations | e) | To provide for the potential expansion of existing licensed aggregate operations or establishment of new operations in areas identified as *High Potential Mineral Aggregate Resource Areas* by the Province through amendments to this Plan. |

#### 2.12.2 Policies

| Amendments required | a) | The City *shall* provide for the expansion of existing licensed aggregate operations or for the establishment of new operations through amendments to this Plan and the Niagara Escarpment Plan, in areas identified as *High Potential Mineral Aggregate Resource* by the Province through amendments to this Plan and the Niagara Escarpment Plan. |
| Protection from incompatible development | b) | In *High Potential Mineral Aggregate Resource Areas* identified by the Province, *development* that would be *incompatible* with aggregate extraction, *shall* not be permitted. |
| Permitted interim uses | c) | Within *High Potential Mineral Aggregate Resource Areas*, permitted *interim* uses *shall* be limited to: |

- (i) *agriculture*;
- (ii) *open space*;
- (iii) *public utilities*;
- (iv) *recreational* facilities, excluding major structures.
d) Development in proximity to High Potential Mineral Aggregate Resource Areas that would prevent future use or extraction will not be permitted unless it is demonstrated that:

(i) extraction of the resource is not feasible;

(ii) potential impacts to quality of life in the new development are addressed through appropriate mitigation;

(iii) health and safety of individuals in the new development would not be negatively impacted by resource extraction.

e) New pits or quarries or expansions to existing pits and quarries shall not be permitted in the Greenlands (Escarpment Plan Area) and Greenlands (Non-Escarpment Plan Area) designations on Schedule C, or the Environmental Protection Area of the North Aldershot Planning Area on Schedule D.

f) Where new Mineral Resource Extraction Areas are proposed in areas identified by the Province as High Potential Mineral Aggregate Resource Areas, an amendment to the Plan shall be required.

g) In accordance with applicable Provincial and Regional standards and guidelines, consideration of an application for a new or expanded aggregate operation, or for a new use within an area licenced for aggregate extraction that is not part of the aggregate operation, shall be subject to the submission of studies and plans, and may include, but shall not necessarily be limited to, the following:

(i) water budget and conservation plan;

(ii) Environmental Evaluation Study (as defined in Part II, Section 2.5 of this Plan);

(iii) storm water management plan (pursuant to Part II, Section 2.11 of this Plan);

(iv) draft site plans including but not necessarily limited to phasing, proposed grading, landscaping, erosion and sedimentation control and tree protection measures;

(v) Infrastructure Plan – illustrating offices, weigh stations, parking facilities, internal haul routes, crushing, sorting and stockpiling areas, sumps, wells and fuel and chemical storage locations;

(vi) where adjacent or abutting lands in the Greenlands system, a plan for enhancement to the natural lands;

(vii) Planning Justification Study;

(viii) Economic Impact Study;

(ix) Noise, Vibration, Dust and Air Quality Studies;
(x) transportation and haul route study;

(xi) a progressive rehabilitation plan;

(xii) evaluation of cumulative effects of aggregate extraction on the regional groundwater, surface water and natural heritage; and

(xiii) a quality of life mitigation and monitoring plan that includes:

   i. mitigation measures for sound attenuation;

   ii. mitigation measures for dust suppression;

   iii. mitigation measures for vibration attenuation;

   iv. a mediation process to hear and address the issues and concerns of residents during extraction;

   v. a plan for monitoring and reporting of noise, dust and vibration measures;

   vi. where mitigation of adjacent water levels is provided or proposed, a plan outlining the design and method of securing the long-term operation of the mitigation system shall be provided; and

   vii. reflects operational best practices.

The required studies for each proposal shall be established in the pre-consultation process between the applicant, the City, and the other affected agencies.

Operation of pits and quarries  h) Aggregate extraction and processing should incorporate best practices and should be designed and carried out in a manner that minimizes negative impact on surrounding land uses, the quality of life of residents and the natural environment of the City.

Uses limited to operation and maintenance  i) Uses such as snow storage, vehicle storage, offices or other workplaces, or outside storage of materials which are not accessory to the aggregate operation or which are not required for the safe and efficient operation and maintenance of the aggregate operation, will not be permitted.

2.13 Golf Courses

2.13.1 Objective

a) To ensure that new golf courses or expansions to golf courses are compatible with other uses, recognize limitations of the environment, do not impact the quantity or quality of water users and natural features, and take into consideration the impacts on water taking, fisheries and natural heritage.
2.13.2 Policies

Amendment necessary

a) An amendment to the plan shall be required to permit a new golf course or expansion to an existing course. Amendments shall also be required to permit the addition of uses on golf course lands that are not directly accessory to the golf course operation (e.g. banquet facilities, curling rink) in the Rural or North Aldershot Planning Areas. Associated low-intensity accessory recreational uses, such as hiking trails and cross country skiing, are permitted without amendment to the plan.

Not permitted

b) New golf courses or expansions to existing courses shall not be permitted in the Greenlands (Escarpment Plan Area), Escarpment Protection Area, and Greenlands (Non-Escarpment Plan Area) designations on Schedule C, or the Environmental Protection Area designation of the North Aldershot Planning Area on Schedule D.

Studies and plans required

c) Prior to an amendment being contemplated to permit a new or expanded golf course, including accessory uses to the golf course operation, supporting studies and plans shall be required. These studies shall include but shall not be limited to, the following:

(i) water quality, water budget and conservation plan;

(ii) Integrated Pest Management Plan (IPM);

(iii) draft site plans including cross sections;

(iv) where adjacent or abutting lands in the Natural Heritage or Greenlands system, a plan for enhancement to the natural lands;

(v) market evaluation and Planning Justification Study.

Best Management practices and standards

d) The City will partner with the Region of Halton, Niagara Escarpment Commission, Conservation Halton and the golf industry in preparing a comprehensive set of guidelines for approval by Council, which shall include Best Management Practices for golf course development and operations, as well as requirements and standards for studies to be submitted in support of new golf courses or expansions.

Existing golf courses

e) The City shall encourage existing golf courses to examine opportunities to enhance ecological functions, particularly with regard to water taking, wetland functions and fisheries.
3.0 TRANSPORTATION

The City's transportation system is an *essential* part of the plan for urban development, and influences both the land uses and the quality of life in the City. The transportation system includes the following: roads for use by automobiles, trucks, bicycles and buses; rail lines for the movement of goods and passengers; sidewalks, walkways and trails for pedestrians; and bikeways for cyclists.

The main intent of the transportation policies of the Plan is to provide an integrated, diverse transportation system for all residents and businesses that is safe, convenient, affordable, efficient and energy-conserving while minimizing environmental impacts. The primary role of the system is to provide for the movement of people and goods safely and efficiently within the City and to adjoining areas. The transportation system is the link between land uses in the City and, as such, is an *essential* part of Burlington's future urban and rural structure. Emphasis will be placed on providing *infrastructure* to allow the increased use of alternative transportation forms to the automobile.

The *development* and maintenance of the transportation system will be directed towards the following principles, objectives and policies:

### 3.1 Principles

**Multi-Modal System**

a) A multi-modal transportation system consisting of buses, automobile, truck, rail, walking and cycling *modes* and supporting *infrastructure* *shall* be provided.

**Integrate with Land Use Planning**

b) Transportation and land use planning *shall* be integrated due to the link between transportation and other land uses, and the inter-dependency of land use and transportation planning decisions in relation to environmental and economic sustainability, and urban design objectives.

**Cost effective**

c) Transportation planning decisions *shall* be based on the cost-effective management and expansion of transportation *infrastructure* and services, as well as an assessment of social and environmental costs.

**Efficient, accessible, safe**

d) The transportation system *shall* be planned, and operated so as to maximize efficiency, accessibility and safety of people and goods.

**Coordinated approach**

e) The City's transportation planning efforts *shall* be coordinated with Regional, Provincial and Federal transportation priorities and initiatives.
3.2 General

3.2.1 Objectives

Transportation System

a) To develop a transportation system consisting of local, Regional and Provincial roads, walkways/sidewalks, rail lines, local and Provincial transit services and private carriers that offers safe, convenient and efficient movement for people and goods within the City and to adjacent municipalities.

Complements development plans

b) To develop a transportation system that supports and complements the City's urban development plans and rural community and provides mobility alternatives for persons who do not or cannot use an automobile.

Accommodate future users

c) To provide facilities to serve existing and future pedestrians, cyclists, transit riders and automobile users.

Encourage alternative travel

d) To encourage alternative travel by creating an urban environment that encourages walking, cycling and transit use and increases opportunities to live close to work and satisfy day-to-day needs locally without relying on the automobile.

Infrastructure

e) To maximize existing infrastructure to ensure that optimal benefit is obtained from the transportation system.

Environmental factors

f) To consider all environmental factors in evaluating improvements to the transportation system with emphasis on public safety, quality of life, such as noise and air pollution levels, health effects, and the maintenance of the natural environment.

Co-ordinated approach

g) To maximize the effectiveness of City transportation plans and programs by co-ordinating local plans with Provincial and Regional initiatives and those of adjoining municipalities.

Context Sensitive Design

h) “Context Sensitive Design” is an emerging approach for the design of roadways so that mobility and safety issues are addressed while also assessing natural and human environmental issues. The concept of Context Sensitive Design may be considered for road and intersection designs, particularly where serious constraints, such as environmental impacts, property impacts and cost, require flexibility in design guidelines and creative design in order to achieve an optimal solution.
3.2.2 Policies

a) Major transportation facilities *shall* be developed to comply with the classification, function and general design requirements outlined in Table 1 - Function and Classification of Transportation Facilities. The location of major transportation facilities *shall* comply with Schedule J, Classification of Transportation Facilities - South of No. 1 Side Road; Schedule K, Classification of Transportation Facilities - Downtown Area; and Schedule L, Classification of Transportation Facilities - No. 1 Side Road to Derry Road.

b) Major public rights-of-way that become available *shall* be evaluated for their potential as transportation facilities.

c) In developing the transportation system, the City *shall* evaluate and provide *infrastructure* to allow for alternative travel *modes* based on its capabilities, cost-effectiveness, environmental impacts, health effects and energy consumption.

d) A transportation study to assess the impact of a proposed *development* on current travel patterns and/or future transportation requirements *may* be required before Official Plan amendments, subdivision approvals, rezonings, site plan approvals or other *development* proposals are allowed.

e) The City will *encourage* opportunities for developing *travel demand management (TDM)* measures to reduce single occupancy automobile use, especially during peak travel periods, such as car pooling programs, transit passes, preferential parking for carpool members, telecommuting, flex hours, intranet carpooling and fare incentives.

f) The expansion of the City's transportation system *shall* be carried out in a systematic, logical and timely fashion to maximize the use of new facilities and minimize associated costs and disruption.

g) The enhancement of roadways, sidewalks and transit facilities to maximize mobility and access for the physically challenged *shall* be required, including during construction and reconstruction projects.

h) The City *shall* actively provide input in the planning of Regional and Provincial transportation facilities and services.

i) The City *shall* take an active role in Provincial and/or Regional Transportation Advisory Committees and other similar forums dealing with Provincial and Regional transportation policies and plans affecting the Burlington area.

j) Reduced parking ratios and/or standards and/or on-street parking ratios and/or standards *may* be permitted subject to evaluation by the City of the appropriateness of such standards, and implemented through the approval of *development applications* or other City initiatives.
Shared parking  k) Opportunities for the sharing of parking in mixed use developments will be considered subject to an evaluation by the City.

3.3 Roads

3.3.1 Objectives

Access to all parts of City  a) To ensure the provision of well maintained roads that will permit efficient access to all parts of the City including existing and proposed mixed use corridors, mixed use centres, GO Rail Stations and major Provincial highways.

Protect rights-of-way  b) To protect adequate public road rights-of-way to meet future needs.

Existing rights-of-way  c) To maximize the use of existing roads and rights-of-way instead of acquiring new rights-of-way and/or building new roads.

Local traffic needs  d) To provide adequate road capacity to meet the needs of local traffic, transit services and emergency response, but not necessarily inter-municipal traffic demands, which should be met by Provincial and Regional transportation facilities and services.

Grid road network  e) Emphasis will be placed on implementing a more grid-oriented street network design wherever possible in the planning of new development areas and areas of urban growth, to distribute automobile and truck traffic more evenly and provide for more accessible and efficient transit services.

Pedestrian streetscape  f) To provide more pedestrian oriented streetscapes.

Reduce through-traffic  g) To discourage excessive through-traffic in residential neighbourhoods. OPA 55

Re-evaluate road standards  h) To re-evaluate width standards for traditional roadways and road rights-of-way and indicate the circumstances that reduced width standards shall be permitted.

Road extensions and widenings  i) To carry out road extensions and widenings in a timely and financially responsible manner to ensure a satisfactory level of service and operation of the transportation system.

Within Niagara Escarpment Plan Area  j) To encourage reductions in right-of-way and the use of context sensitive road design standards as much as possible within the Niagara Escarpment Plan Area to protect the natural, cultural, and scenic qualities of the Escarpment environment. OPA 55
### 3.3.2 Policies

**Identification of transportation facilities**

a) The rights-of-way identified in Schedule J, Classification of Transportation Facilities - South of No. 1 Side Road; Schedule K, Classification of Transportation Facilities - Downtown Area and Schedule L, Classification of Transportation Facilities - No. 1 Side Road to Derry Road and Table 2 - Road Allowance Widths shall be protected and secured through the development process of the approval for plans of subdivision and condominium, part-lot control applications, consents, rezonings, site plan agreements, minor variances, and Parkway Belt applications and Niagara Escarpment Plan Amendment applications. Further, any right-of-way identified in a detailed engineering study or class environmental assessment study shall be secured and protected in the same way through the development process.

**Road extensions and widenings**

b) The planning, staging and land requirements of road extensions and widenings shall be based on Schedule J, Classification of Transportation Facilities - South of No. 1 Side Road; Schedule K, Classification of Transportation Facilities - Downtown Area; and Schedule L, Classification of Transportation Facilities - No. 1 Side Road to Derry Road; Table 1 - Function and Classification of Transportation Facilities; and Table 2 - Road Allowance Widths.

c) Existing roads shall be widened equally on both sides of the road, where feasible. It may be necessary for more than half of the widening to occur on one side of the road due to topography, existing or proposed development, utilities and other constraints. Road widenings may not be required for the full widths identified in Table 2 - Road Allowance Widths.

d) Upon receipt of a development application, the City will confirm whether a road widening is required as per the Official Plan and whether property for the widening has already been dedicated to the City.

e) Land requirements for daylight triangles, on routes under the City’s jurisdiction shall be based on the following:

- (i) 3 m x 3 m: Local Street to Local or Collector Street;
- (ii) 5 m x 5 m: Collector Street to Collector Street;
- (iii) 5 m x 5 m: Local Street to Minor Arterial or Multi-Purpose Arterial Road;

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(iv) 7 m x 7 m: Collector Street to Minor Arterial, Multi-Purpose Arterial Road;

(v) 15 m x 15 m: Minor Arterial, Multi-Purpose Arterial, or Major Arterial Road to Minor Arterial, Multi-Purpose Arterial or Major Arterial Road;

(vi) 10 m x 10 m: All road intersections identified on Schedule L, Classification of Transportation Facilities - No. 1 Side Road to Derry Road;

(vii) 15 m x 15 m: any City roadway intersecting with a Regional roadway;

(viii) daylight triangles having lesser dimensions than specified above would only be acquired if the reduced standard was proven to be acceptable to the City.

Transit Priority Measures

f) The primary purpose of Transit Priority Measures (TPM) is to permit transit vehicles to have priority over other traffic, thereby making transit travel times shorter and more consistent, which makes transit more attractive. Transit priority measures may include but are not limited to queue jump lanes, bus only lanes, green light signal priority, bus activated signals and exemptions to prohibit turns. When these transit priority measures are proposed, consideration shall be given to the reduction in road capacity available to other vehicles and the need to widen the street.

Transit roads to be built early


g) Roads serving as transit and primary response routes for emergency services shall be built early in the development process, so that transit service and primary emergency response can be provided at an early stage, subject to operational and financial feasibility.

Traffic management

h) Traffic flows shall be controlled within residential, shopping and employment areas through traffic management, traffic calming, design features and other techniques.

Infrastructure

i) Improved road construction and maintenance methods shall be regularly reviewed and implemented. The road asset management system, including a pavement management system, will be continuously updated to determine maintenance requirements and priorities.

Traffic operations

j) The City’s Computerized Traffic Control System which controls, monitors and co-ordinates traffic signals from a central location shall be enhanced on a regular basis to help maximize traffic flow, reduce vehicular delay, reduce vehicular emissions and to maximize safety.
### PART II - FUNCTIONAL POLICIES

<table>
<thead>
<tr>
<th>Section</th>
<th>Policy</th>
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<tbody>
<tr>
<td>Integrate with other networks</td>
<td>k) The integration of Provincial, Regional, and Local Traffic Management Plans shall be encouraged.</td>
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<tr>
<td>Pedestrian-oriented</td>
<td>l) The design standards for roads and streets shall be reviewed with the intent of making them more pedestrian-oriented, while recognizing traffic safety and emergency response considerations.</td>
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<tr>
<td>Review Design Standards</td>
<td>m) The design of arterial roads and collector streets shall consider transit service and operational needs including maximizing transit access and minimizing transit and emergency service vehicle travel times.</td>
</tr>
<tr>
<td>Rights-of-way needs</td>
<td>n) Roadway rights-of-way requirements shall take into consideration the needs of vehicular traffic, pedestrians, cyclists, transit, emergency response and urban design considerations including streetscape design and the provision of public vistas.</td>
</tr>
<tr>
<td>Use of laneways</td>
<td>o) The use of public and private laneways may be permitted subject to an evaluation by the City and Region of functional, operational, servicing and financial issues. Public water and wastewater services are generally prohibited by the Region in private laneways, except as permitted by the Region’s Urban and Rural Servicing Guidelines.</td>
</tr>
<tr>
<td>Transit Roads</td>
<td>p) Roads serving as transit routes should generally be spaced no more than 500 m to 700 m apart to ensure that users of the transit system have a maximum 500 m walking distance to transit.</td>
</tr>
<tr>
<td>Transit Roads</td>
<td>q) Streets intersecting with multi-purpose arterial and major arterial roads serviced by transit should be spaced no more than 200 m to 400 m apart to ensure convenient pedestrian access to these roads.</td>
</tr>
<tr>
<td>Noise studies within 50 m of Freeways, Highways, or Arterial Roads</td>
<td>r) The proponent of residential development and other sensitive land uses within 50 m of a provincial freeway, highway right-of-way, or major arterial, multi-purpose arterial or minor arterial road, or a greater distance at the discretion of the City or the Region of Halton, will be required to undertake noise studies by a qualified acoustical consultant in accordance with Provincial policy to the satisfaction of the City and any other authorized review authority and shall undertake appropriate measures to mitigate any adverse effects from the noise identified.</td>
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s) The proponent of residential development and other sensitive land uses within 300 m of a provincial freeway or highway right-of-way, or a greater distance at the discretion of the City or the Region of Halton, may be required to undertake noise studies by a qualified acoustical consultant in accordance with Provincial policy to the satisfaction of the City and any other authorized review authority and shall undertake appropriate measures to mitigate any adverse effects from the noise identified.

Noise studies - Alton Community

t) In addition to the other policies of this Plan, within the Alton Community the proponent of residential development and other sensitive land uses may be required to undertake noise studies by a qualified acoustical consultant in accordance with Provincial policy to the satisfaction of the City and any other authorized review authority and shall undertake appropriate measures to mitigate any adverse effects from the noise identified as follows:

(i) within 50 m of a Multi-Purpose Arterial Road;

(ii) within 150 m of a Major Arterial Road;

(iii) a greater distance at the discretion of the City or Region of Halton.

Alternative road designs

u) Turning circles, roundabouts or other similar roadway features may be permitted subject to an evaluation by the City and Region of functional, operational, servicing and financial issues associated with their use.

Niagara Escarpment Plan Area

v) All new and reconstructed transportation facilities within the Niagara Escarpment Plan Area shall be designed and located to minimize the impact on the Escarpment environment in accordance with the provisions of the Niagara Escarpment Plan.

Alton Community

w) Development in the Alton Community will be subject to the following additional policies:

(i) vehicular access between the residential neighbourhoods and the employment uses along Palladium Way will be strictly limited;

(ii) a transit/commuter station to serve the local and inter-regional transit needs of the City may be located on the north side of Dundas Street, east of Highway No. 407.
PART II - FUNCTIONAL POLICIES

Public vs. private roads  

x) Infill or intensification development proposals within the City shall be required to take place on public roads, unless it can be demonstrated by the proponent that a private road is equally desirable from the standpoints of functionality, community safety, efficiency, servicing, neighbourhood connectivity, ease of land assembly for future development, environmental impacts, adequacy of parking and financial impacts to the City.

Arterial Roads - Levels of Service  
y) Traffic flow on the City’s arterial roads is primarily constrained by intersection capacities and traffic signal operations. Generally, the target Levels of Service (LOS) will be LOS ‘E’ or better based on an analysis of overall intersection operation.

Capacity improvements at major intersections will be evaluated on a number of factors including critical movement volume-to-capacity ratios, pedestrian operations, streetscape and aesthetic impacts, property impacts and widening requirements, transit operations, operations during off-peak hours, and availability of other routes. At some locations, such as the Downtown Mixed Use Centre and Mixed Use Corridors, intersection widenings may not be practical or desirable and LOS ‘F’ may be deemed to be acceptable for peak hour conditions.

North Aldershot Planning Area  
z) The following additional policies shall apply in the North Aldershot Planning Area:

(i) measures will be considered on Waterdown Road to discourage increasing volumes of through traffic so as to strengthen its local road function; *D34

(ii) traffic calming measures will be considered on Waterdown Road; *D34

(iii) construction of major new roads and upgrading of existing roads will be limited;

(iv) new public roads will be built to rural standards;

(v) the crossing of lands designated Environmental Protection Areas by new roads will be restricted;

(vi) a Master Transportation Study Environmental Assessment will be undertaken to evaluate north-south and east-west traffic movements in the North Aldershot Planning Area, which may result in the need to further amend this Plan. *D34
3.4 Transit Services

3.4.1 Objectives

Cost effective service
a) To develop a cost-effective transit service so as to provide the traveling public with access to employment and educational opportunities, and community facilities and services.

Convenience to transit user
b) To maximize the convenience of transit users connecting with other transit services by continuing to encourage service and fare integration and coordination.

Promote transit use
c) To promote the use of transit, and to reduce traffic and parking demands traffic congestion and air pollution, by providing increased levels of service, encouraging transit-supportive land use planning and introducing appropriate "transit priority" and Travel Demand Management (TDM) measures.

3.4.2 Policies

Long-Term Transit Network
a) Municipal transit services and facilities shall be provided in accordance with Schedule 1, Long Term Transit Service Network in Appendix A of the Plan. This Schedule identifies the long-term location of anticipated local and inter-regional transit services including VIA and GO rail lines and stations, and other proposed inter-regional services such as a Primary Bus Service Network and a Secondary Bus Service Network. Primary Bus Services provide peak period service frequencies of 15 minutes or better, while Secondary Bus Services offer peak period frequencies greater than 15 minutes. *R9

The highest priority will be placed on improving transit service in the Mixed Use Corridors, especially the Fairview Street/Plains Road corridor and the Brant Street corridor connecting the Downtown Mixed Use Centre to the Burlington GO Transit Station.

Updates of transit service network
b) Schedule 1, Long Term Transit Services Network shall be updated as required by external factors, such as changes in Provincial or Regional Transit/Transportation Plans, or internal factors, such as the results of periodic reviews of the Burlington Transit Service Plan and these updates will not require an amendment to the Plan.
### Transit Ridership

c) **The City's transportation system and land use development are intended to achieve the following minimum transit modal shares when "mature-state" urban development is reached:**

   - (i) 15% of all trips within Burlington by transit;
   - (ii) 30% of all eastbound trips leaving the City by transit; and
   - (iii) 10% of all westbound trips leaving the City by transit.

### Transit supportive land use

d) **Council shall** promote the development of cost-effective transit services through transit-supportive land use and transportation plans in areas of development including mixed use corridors and mixed use centres.

### Review development applications

e) **Development applications shall** be reviewed to ensure that, where feasible, proposed land developments encourage the efficient and effective use of transit services.

### Service and fare integration

f) The City **shall** promote increased service coordination and integration, and improved fare integration between Burlington Transit and other transit operations.

### Increased transit usage

g) The City will promote increased transit usage through ongoing marketing, continuous operational improvements and fare incentives.

### 3.5 Cycling

#### 3.5.1 Objectives

- **City-Wide Bikeway System**

  a) To develop and maintain a continuous on-road or off-road bikeway system across the City, connecting to nearby municipalities, for recreational and transportation purposes.

- **Connect with open space links**

  b) To encourage the interconnections of bike routes and bike paths throughout the City with other open space linkages.

- **Integrate with transit**

  c) To encourage the integration of cycling and transit modes of travel.

#### 3.5.2 Policies

- **Long-Term Cycling Master Plan**

  a) Municipal cycling facilities shall be provided in accordance with Schedule 2, Long-Term Cycling Master Plan, in Appendix A of the Plan. This Schedule identifies the long-term location of bike routes and bike paths and connections to nearby communities.

- **Updates of Cycling Master Plan**

  b) Schedule 2, Long-Term Cycling Master Plan shall be updated periodically and these updates shall not require an amendment to the Plan.
Review Bikeway standards  
c) Further implementation of bikeway infrastructure shall be initiated to improve the viability of cycling as an alternative to automobile use. A review of the City's Cycling Master Plan and bikeway standards shall be undertaken to increase the transportation function served by cycling.

Connect with recreational lands  
d) The connection of bike routes and paths with recreational facilities shall be encouraged.

Safety and security  
e) Bicyclist and overall public safety and security shall be encouraged in the design and development of the bikeway network.

Integrate with transit  
f) The integration of cycling and transit modes shall be encouraged by requiring adequate and secure bicycle parking at major transit stops, bus terminals, GO Stations and commercial, employment and institutional developments, and the provision of bicycle racks on buses.

North Aldershot Planning Area  
g) The following additional policies apply within the North Aldershot Planning Area:

(i) the re-design of existing roads and the design of new roads will promote their safe use by cyclists and pedestrians; and

(ii) cycling and pedestrian links will be provided between public open spaces and/or community facilities.

3.6 Walking

3.6.1 Objectives

Pedestrian access  
a) To ensure that the design of new subdivisions provides convenient pedestrian access to schools, neighbourhood recreational facilities, shopping areas, employment areas and existing or planned transit routes.

Safety and security  
b) To recognize that public safety and security must be encouraged in the planning and design of sidewalks and walkways.

Design  
c) To ensure that the design of all transportation facilities including existing and new roads considers the need to provide safe, convenient and attractive sidewalks and walkways.

3.6.2 Policies

Pedestrian facilities  
a) Transportation facilities, including the reconstruction of existing roads and the construction of new roads, shall include safe, convenient and attractive pedestrian facilities such as sidewalks, multi-use pathways, corner ramps and pedestrian signals. On some low-volume roads, pedestrian facilities may not be needed.

Access to transit locations  
b) Roads, sidewalks and walkways shall be designed to provide more direct walking access from the interior of blocks to transit locations.
c) The development of streetscapes that are safe, convenient and attractive for pedestrians shall be encouraged through measures such as providing wide sidewalks, locating retailing and personal service uses at street level, encouraging building designs that provide shelter, and the providing of convenient and sheltered transit stops, street furniture, trees and other amenities.

d) The connection of sidewalks, multi-use pathways and walkways with recreational facilities shall be encouraged.

e) City consideration of development applications will include a determination of whether sidewalks shall be required on both sides of any street. In certain instances, approval may be given to requiring sidewalks on only one side of a street.

f) At the site plan application stage, proposed developments shall be required to provide direct, safe, convenient and attractive interior pedestrian access through the site.

3.7 Rail and Air

3.7.1 Objectives

a) To integrate rail and air services with other transportation system components.

b) To encourage the safe and convenient use and provision of rail and air service.

3.7.2 Policies

a) The integration of rail passenger transportation services with other transportation modes shall be encouraged.

b) The development of lands close to rail lines and rail spur line services shall be encouraged for employment uses.

c) Noise and vibration-sensitive land uses shall be discouraged next to rail lines.
Noise and vibration studies near railways
d) New residential development and other uses sensitive to noise and vibration shall not be permitted within 300 m of a railway yard. The proponent of land uses sensitive to noise and vibration adjacent or in proximity to railway lines or railway yards shall be required to undertake, prior to development approval, the following studies by qualified consultants in accordance with Provincial policies, to the satisfaction of the Region of Halton, the City, and the Ministry of the Environment, in consultation with the appropriate railway agency, and to implement the study recommendations as approved, including the restriction of new residential and other sensitive uses:

(i) noise studies, if the development is within 300 m of the railway right-of-way or 1000 m of a railway yard; and

(ii) vibration studies, if the development is within 75 m of the railway right-of-way or a railway yard.

Safety measures
e) The proponent of any development adjacent to railways shall ensure that appropriate safety measures such as setbacks, berms and security fencing are provided to the satisfaction of the City in consultation with the appropriate railways to mitigate the affects of their development on the railways.

Consultation
f) The City shall consult with the appropriate rail operator(s) to ensure that projected rail service and infrastructure improvements are identified, planned for and protected in any planning approvals.

Transfer points
g) The development of facilities for the transfer of goods between rail and truck modes shall be encouraged at appropriate locations.

Improvements to existing rail lines
h) The assistance of Federal, Provincial and other agencies shall be sought in identifying areas where existing rail lines create significant barriers to pedestrian access, or to the development of a continuous network of roads. Once identified these areas shall be examined for possible improvements including:

(i) developing additional grade-separated crossings for automobiles, transit, pedestrians and bicycles; and

(ii) developing level crossing controls with gates.

Rail movement of dangerous goods
i) The assistance of Federal, Provincial and other agencies will be sought to identify and implement necessary actions to improve the safety of the movement of dangerous goods by rail.

Burlington Air Park
j) The operation of the Burlington Air Park located on Bell School Line is recognized as an existing use providing air service to residents and businesses. Any expansion would be subject to necessary studies and public review and have regard for the surrounding area.
### 3.8 Truck and Commercial Traffic

#### 3.8.1 Objectives

<table>
<thead>
<tr>
<th>Commercial vehicles</th>
<th>a) To provide a network of roads that can allow easy access to commercial and employment areas by commercial vehicles.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Safe and efficient movement</td>
<td>b) To <em>encourage</em> safe and efficient truck and commercial traffic movement as part of the transportation system.</td>
</tr>
<tr>
<td>Minimize impacts on traffic</td>
<td>c) To minimize the impact of commercial vehicle operation on overall traffic operations and other activities on and adjacent to roads.</td>
</tr>
</tbody>
</table>

#### 3.8.2 Policies

<table>
<thead>
<tr>
<th>Designated Truck Routes</th>
<th>a) Heavy truck traffic <em>may</em> be restricted to designated truck routes to minimize the negative impact that this traffic will have on residential areas and on transit-oriented roads.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building design</td>
<td>b) The design and location of buildings adjacent to truck routes <em>shall</em> consider means to mitigate any adverse impacts that truck and commercial traffic will have on the surrounding areas. For new development the City <em>may</em> require loading facilities and activities to be located off the road rights-of-way.</td>
</tr>
<tr>
<td>Pedestrian environment</td>
<td>c) Where heavy truck traffic occurs in non-employment areas, the impact on the pedestrian environment <em>may</em> be mitigated, by developing wider sidewalks, developing landscaping schemes to reduce noise and visual impacts within pedestrian areas and, in certain cases, allowing appropriate traffic calming measures to provide additional buffering. The adoption of such mitigation features <em>shall</em> require the consideration of the maintenance, traffic safety and air quality implications of these measures.</td>
</tr>
<tr>
<td>Highway movement of dangerous goods</td>
<td>d) The assistance of Federal, Provincial and other agencies will be sought to identify and implement necessary actions to improve the safety of the movement of dangerous goods by highway.</td>
</tr>
</tbody>
</table>

### 3.9 Travel Demand Management

#### 3.9.1 Objectives

<table>
<thead>
<tr>
<th>Manage transportation demand</th>
<th>a) To manage transportation demand through the use of such means as transit, walking, cycling, carpooling, ride sharing and the implementation of flexible working hours.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Operations</td>
<td>b) To manage the transportation system through the use of such facilities as computerized traffic control systems, intersection improvements and the <em>development of High Occupancy Vehicle lanes</em> and Reserved Bus lanes.</td>
</tr>
</tbody>
</table>
3.9.2 Policies

Role of TDM

a) The City recognizes the role of Travel Demand Management (TDM) in promoting the more efficient use of existing transportation infrastructure, making automobile use more sustainable, and promoting increased transit use. The proponent of a major employment development may be required, prior to the occupancy and use of land, to establish with the City a transportation demand management plan and implementation strategy for the development. Priority shall be given to measures that are not capital intensive (e.g. flexible work hours, priority parking spaces for car pool vehicles) and which are feasible given the scale, ultimate ownership and location of the development.

North Aldershot Planning Area

b) In the North Aldershot Planning Area, the City recognizes the role of Travel Demand Management in promoting the more efficient use of existing transportation infrastructure and minimizing the creation of impervious surface area. Each landowner in the North Aldershot Planning Area who develops an office use of greater than 3000 sq. m. shall be required, prior to the occupancy and use of land, to establish with the City a transportation demand management plan and implementation strategy for each development. Priority shall be given to measures that are not capital intensive (e.g. flexible working hours, priority parking spaces for car pool vehicles) and which are feasible given the scale, ultimate ownership and location of the development.

Community-wide/Area-specific

c) The City shall encourage Community-Wide and area-specific travel demand management programs.

Coordinated approach

d) A coordinated approach shall be encouraged in the development, implementation and monitoring of Travel Demand Management activities.

Program results

e) Travel Demand Management may be used to make more efficient use of the capacity of the existing transportation infrastructure and to minimize peak period transportation demands.

3.10 Transportation Infrastructure Management

3.10.1 Objectives

Efficient and adaptable

a) To ensure continued efficiency and adaptability of the City's transportation system.

Extend infrastructure life

b) To make efficient use of the physical condition and economic life of the City's transportation infrastructure.
3.10.2 Policies

| Service level and facilities | a) A satisfactory level of service shall be maintained for transportation system facilities such as roads, sidewalks, transit and traffic signal systems and the life span of these facilities shall be maximized. |
| Monitor conditions           | b) The physical condition of transportation infrastructure shall be monitored and financial analyses shall be prepared to minimize maintenance spending. |
| Infrastructure management    | c) The City shall continue to develop and use effective infrastructure management techniques such as the Pavement Management System to maximize the effectiveness of road infrastructure maintenance and rehabilitation expenditures. |
4.0 INSTITUTIONAL USES

Institutional uses provide facilities that satisfy the health, education, religious, recreation and leisure needs of the community. These facilities take many forms, ranging in size from a large City-wide hospital to a small neighbourhood library or community centre. The development of institutional uses will be directed towards the following principles, objectives and policies:

4.1 Principle

Opportunities for Institutional uses

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.

4.2 Objectives

Permit Institutional uses

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

Compatible development

b) To ensure that the use of surplus institutional lands or buildings is compatible with adjacent uses.

4.3 Policies

Definition

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;

(iii) hospitals, and other public health care and social service facilities, such as family counselling centres and emergency shelters;

(iv) long-term care facilities and day care centres;

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

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(vi) cemeteries and associated facilities and structures; including a crematory only if it is located in accordance with Provincial Land Use Compatibility Guidelines. A crematory which does not meet Provincial Guidelines shall be considered an industrial use and shall be subject to the Employment Lands policies of this Plan. In addition, notwithstanding any other policies of this Plan, a crematory is recognized as a permitted use on the property at 1756 Snake Road, with a minimum setback of 10 m from the easterly lot line;

(vii) buildings and facilities owned by municipal, provincial and federal governments.

Medical Clinic or Group Home
b) A private medical clinic or a group home is not defined as institutional use.

Locations in Urban Area
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.

Employment Areas
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.

Minimum distance
e) Certain types of institutional uses such as some types of social service facilities and correctional facilities have land use features that will require special regulations and locational considerations to be part of the Zoning By-law. To prevent the concentration of these types of uses, City Council may establish a minimum distance between these facilities in the Zoning By-law.
In the North Aldershot Planning Area, institutional uses shall be permitted within all land use designations, with the exception of the Environmental Protection and North Aldershot Special Study Area land use designations, subject to the policies of Part V, Section 2.4 of this plan, and subject to meeting to the maximum possible degree, the following conditions:

(i) the proposed uses of land, buildings or structures secure the open space character of the area by low density development;

(ii) major natural features such as streams, valleys, tree stands, hedgerows, and orchards are preserved;

(iii) the uses permitted enhance the open space character by landscaping, tree planting, berms and screening;

(iv) the location and design of buildings and structures are such that the open-space character of the area is secured;

(v) non-intensive recreation uses ancillary to a school use may be permitted, subject to Part V, Section 2.4; and

(vi) the provisions of the Niagara Escarpment Plan are satisfied, where applicable.

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.

Notwithstanding the requirement of Part II, Subsection 4.3 g) that institutional uses shall abut a Major Arterial, Multi-Purpose Arterial or Minor Arterial Road or Collector Street, a secondary school shall be a permitted use at 1433 Baldwin Street and 50 Fairwood Place West, and an elementary school shall be a permitted use at the following locations:

(i) 4313 Clubview Drive;

(ii) 3110 Parkgate Crescent;

(iii) 660 Greenwood Drive;

(iv) 5121 Meadowhill Road;

(v) 1522 Mountain Grove Avenue;

(vi) 1350 Headon Road;
(vii) 2227 Parkway Drive; and

(viii) 6611 Panton Street.

<table>
<thead>
<tr>
<th>Rural Area applications</th>
<th>i) New institutional uses proposed within the Rural Planning Area shall only be permitted to locate within the Rural Settlement Area designation as shown on Schedule C, Comprehensive Land Use Plan - Rural Planning Area.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acquisition by City</td>
<td>j) Surplus institutional lands and/or buildings may be acquired by the City where such lands and/or buildings are required to fulfill a community need and are cost-effective, and where such acquisitions meet Ministry of Education and Training Procedures.</td>
</tr>
<tr>
<td>Reuse of Institutional lands</td>
<td>k) Where the acquisition by the City of surplus institutional lands and/or buildings is considered unnecessary or undesirable to fulfill a community need, City Council shall consider applications for the reuse or alternative use of these lands and/or buildings. Evaluation of applications by City Council shall involve considering whether the reuse or alternative use proposed is compatible with existing and proposed uses on adjacent lands, compatible with the policies of this Plan applying to the land use designations of the adjacent lands, and consistent with other policies of this Plan.</td>
</tr>
</tbody>
</table>
5.0 UTILITIES

Lands are required for public and private utility services such as hydro, water and sewage facilities, gas and oil pipelines and telecommunications infrastructure. The manner and location that these services are provided may have certain impacts on the surrounding area. The location, construction and re-use of utility facilities shall be directed towards the following principles, objectives and policies:

5.1 Principle

Guide use of Utility lands

a) The City shall guide the use of existing utility lands and provide the framework for consideration of future utility facilities and open space uses.

5.2 Objectives

Recognize Utility lands

a) To recognize major utility corridors and other lands required for utility purposes.

Secondary uses

b) To permit compatible secondary uses within utility lands and to ensure the compatible future use of abandoned or surplus utility lands.

c) To ensure that the construction of essential utility facilities or expansions to existing facilities occur in a compatible manner and with a minimum of social and environmental impact.

d) To encourage early access and provision for a common utility trench to minimize disruption to municipal property and rights-of-way.

Minimize construction impact

e) To promote co-ordinated public and private utility planning and infrastructure design.

Minimize disruption

Co-ordination of design

f) To promote opportunities for strategic alliances, collaborative relationships and/or partnerships with all utility service providers and the City.

Alliances and partnerships

5.3 Policies

Zoning

a) Lands that are under the ownership or jurisdiction of Federal, Provincial or municipal bodies or agencies and that are used for transportation, utility or communication purposes shall be appropriately zoned.

Secondary uses

b) Public open space and recreation uses, such as parks, linear bicycle and pedestrian path systems and playing fields shall be encouraged on lands zoned for transportation, utility or communication purposes in consultation with the affected transportation, utility or communications provider, where such uses are compatible with the main utility function of these lands and are compatible with existing surrounding uses and the permitted uses in the land use designations of the adjacent lands.
PART II - FUNCTIONAL POLICIES

Additional Secondary Uses - Urban Planning Area

c) In the Urban Planning Area, uses such as passive recreation and multi-use trails, parking lots, private rights-of-way and driveways, agricultural uses, golf courses and driving ranges, miniature golf, allotment gardens, the cultivation and storage of nursery stock in commercial nurseries and garden centres, indoor and outdoor storage, and private services and utilities may be permitted on lands zoned for transportation, utility or communication purposes in consultation with the affected transportation, utility or communications provider, where such uses are compatible with the main utility function of these lands and are compatible with existing surrounding uses and the permitted uses in the land use designations of the adjacent lands.

Additional Secondary Uses - Rural Planning Area
d) In the Rural Planning Area, uses such as parking lots, private rights-of-way and driveways, agricultural uses, allotment gardens, the cultivation and storage of nursery stock in commercial nurseries and garden centres, outdoor storage, and private services and utilities may be permitted on lands zoned for transportation, utility or communication purposes in consultation with the affected transportation, utility or communications provider, where such uses are compatible with the main utility function of these lands and compatible with existing surrounding uses and the permitted uses in the land use designations of the adjacent lands.

Additional Secondary Uses – North Aldershot Planning Area
e) In the North Aldershot Planning Area, subject to the provisions of the Niagara Escarpment Plan, where applicable, private uses on lands zoned for transportation, utility or communication purposes that are secondary and compatible to their primary function shall be permitted without amendment to this Plan. These private secondary uses may include, but shall not be limited to, parking lots for purposes of providing parking over and above minimum by-law requirements, private rights-of-way and driveways, agricultural uses, golf courses and driving ranges, allotment gardens, the cultivation and storage of nursery stock in commercial nurseries and garden centres, indoor and outdoor storage, and private services and utilities.

North Aldershot Utility Policies
f) In the North Aldershot Planning Area, the private uses described above shall require an amendment to the Zoning By-law and shall be permitted only when the proposed use is compatible with the use of the land for a transportation, utility or communication function, visually and functionally compatible with existing and proposed uses on adjacent lands, and compatible with the policies of this Plan applying to the land use designations of the adjacent lands.

Zoning amendment for private uses

g) With the exception of private rights-of-way and driveways, secondary uses described in Part II, Subsection 5.3 c) and d) shall require an amendment to the Zoning By-law.
<table>
<thead>
<tr>
<th>Recreational use</th>
<th>h) The reuse of abandoned or surplus utility lands for public open space or recreational uses shall be encouraged.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reuse of utility lands</td>
<td>i) Where abandoned or surplus utility lands are not required for public uses, City Council may consider applications for rezoning. Evaluation of applications shall consider whether the proposed use is compatible with existing and proposed uses on nearby lands, and compatible with the policies of this Plan.</td>
</tr>
<tr>
<td>Evaluate proposals</td>
<td>j) Proposals for the construction or expansion of new utility facilities shall be reviewed based on criterion such as:</td>
</tr>
<tr>
<td></td>
<td>(i) the impact of the proposal upon existing and planned communities;</td>
</tr>
<tr>
<td></td>
<td>(ii) the impact on identified areas of environmental significance, including the Niagara Escarpment, woodlots, wetlands, watercourses and stream valleys; and</td>
</tr>
<tr>
<td></td>
<td>(iii) the impact on existing agricultural lands and operations and Mineral Resource Extraction Areas.</td>
</tr>
<tr>
<td>Environmental Evaluation</td>
<td>k) The proponents of proposals for the construction or expansion of utility facilities, except for utility companies authorized under The Environmental Assessment Act, may be required to prepare an Environmental Evaluation Report as described in Part II, Section 2.5 of this Plan.</td>
</tr>
<tr>
<td>Location of proposed facilities</td>
<td>l) Although electric power facilities are permitted in all land use designations, utility companies shall consult with the municipality and the public regarding the location of proposed facilities.</td>
</tr>
<tr>
<td>Setbacks from utilities</td>
<td>m) Setbacks for buildings and excavations abutting utility lands shall be specified by the City based on consultation with the appropriate utility. In some unique situations, modifications may be allowed, subject to detailed risk assessment. The City shall require early consultation with the affected utility for any development proposals in the vicinity of utility lands.</td>
</tr>
<tr>
<td>Integration of planning and installation</td>
<td>n) All public and private utilities, approved for installation by the municipality, shall be planned for and installed on an integrated basis in order that joint trench(es) and concurrent installations be utilized.</td>
</tr>
<tr>
<td>Minimize disruption</td>
<td>o) The design of public and private utilities shall be required early in the development approval process in order to minimize disruption to the community.</td>
</tr>
<tr>
<td>Reduction of streetscape clutter</td>
<td>p) In order to reduce streetscape clutter where feasible, the City shall encourage that public and private above ground infrastructure be integrated, grouped or combined.</td>
</tr>
</tbody>
</table>

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q) Telecommunications utilities shall be installed as per Council-approved telecommunication policies. These policies may be amended from time to time in consultation with the telecommunications industry.
6.0 DESIGN

Design is an increasingly important part of the planning process. It refers to the organization and appearance of functional elements in three dimensions so as to achieve a coherent and aesthetically pleasing visual character and form.

In the past, planning documents have assumed that the visual character of development would be addressed by competent designers acting on behalf of responsible development proponents. With a more sophisticated and engaged public and as re-development and intensification become more prominent in urban life in Burlington, design takes on a more important feature of the approval process. The public expects a high standard of architecture and will pay more attention to visual coherence and integrity both in new development and in re-development that must be integrated within the existing urban fabric.

To this end, the City of Burlington is committed to a high standard of design and architecture and will bring this to the approval process for all land uses as a challenge to its development partners and through its regulatory jurisdiction.

As part of this commitment, the City of Burlington has prepared and will continue to prepare Design Guidelines for use within the Downtown and other neighbourhoods and planning districts of the City. These Guidelines are approved by City Council and listed in Appendix B to the Plan. Design Guidelines will be referred to during the development review process and there will be an expectation that the City and private development proponents and their design consultants will adhere to the Guidelines and that their proposals will be made to conform to the vision that the Guidelines seek to achieve.

The development of the City shall be directed towards the following design principle, objectives and policies:

6.1 Principle

Efficient and attractive urban form

a) The tangible elements of the urban form, consisting of a combination of the built environment and open space that form the urban landscape, shall be designed in an efficient, attractive and compact manner to enhance the well-being of the residents of the community and to reflect the vision of this Plan.

6.2 Objectives

Natural features

a) To ensure that the design of the built environment preserves, enhances and connects natural features and landscapes.

Heritage features

b) To ensure that the design of the built environment enhances heritage features.
Neighbourhood character c) To ensure that the design of the built environment strengthens and enhances the character of existing distinctive locations and neighbourhoods, and that proposals for intensification and infill within existing neighbourhoods are designed to be compatible and sympathetic to existing neighbourhood character.

New communities d) To ensure that the design of the built environment in new communities integrates with the natural setting and provides a diverse social setting that is well served by public transit, and by attractive and well-developed pedestrian environments.

Public spaces e) To achieve a high quality of design within the public realm.

Diverse design f) To ensure consistency, compatibility and quality in the built environment while allowing for a diverse design expression.

Decision-making g) To integrate urban design into the full range of decision-making activities to assist in achieving the design objectives of this Plan.

Sustainable Development h) To ensure that the principles of Sustainable Development are considered in the design of the built environment.

6.3 Existing and New Communities Policies

Enhance identity a) Neighbourhoods or communities with distinctive designs may be identified by City Council and design measures may be required in these areas to maintain their identity.

Gateways b) City Council may identify certain locations as gateways into the City or into parts of the City, and shall require distinctive design forms at these locations.

Landmark locations c) City Council may identify locations, particularly at entrances into established communities, as having landmark significance and shall ensure that these are retained through design measures.

Design Plans required d) City Council may require the preparation of design plans in conjunction with development proposals. These plans shall, among other things, identify the natural environment system as the organizing framework for new community forms, define a physical organization that supports the goals of mixed land use, diversity and pedestrian orientation, define the public realm and the relationship of built form to the public realm, address issues of the physical integration of the community with surrounding areas, encourage the use of public transit and the creation of an environment for pedestrians and bicyclists, identify opportunities to integrate public art or other cultural elements into the community, and promote public safety.

Compact development e) Preference will be given to community design containing more compact forms of development that support higher densities, are pedestrian oriented and encourage increased use of public transit.
### 6.4 The Public Realm Policies

**Municipal projects**

a) Design opportunities to enhance the quality of the public realm shall be encouraged as a part of the design of all municipal undertakings, including public parks and buildings, public streets, natural areas and all municipal engineering projects related to public spaces.

**Streets**

b) Existing streets shall be examined for their qualities as pedestrian spaces and visual links as well as carriers of traffic, and guidelines may be adopted to enhance these qualities.

**Traffic-Calming**

c) "Traffic-calming" measures shall be implemented in certain areas to enhance the potential for pedestrian activity, through methods such as reduced speeds and road widths and on-street parking.

**Link public areas**

d) Design opportunities to introduce or improve links where existing areas are inadequately connected to each other or between important public areas shall be encouraged.

**Streetscapes**

e) Improvements to existing streetscapes shall be encouraged when reconstruction occurs and shall be implemented in accordance with Council-approved Urban Design Guidelines, where such guidelines exist.

**Intersections**

f) City Council shall place particular emphasis on the design of intersections of major roads in the City as marking major entrances into nearby neighbourhoods, and may require design measures that define these intersections.

**Safety**

g) The design of all municipal undertakings shall promote adequate visibility of isolated areas from high traffic areas in order to promote public safety.

### 6.5 Design Guidelines Policies

**Compatibility**

a) The density, form, bulk, height, setbacks, spacing and materials of development are to be compatible with its surrounding area.

**Buffering and landscaping**

b) The compatibility of adjacent residential and non-residential development shall be encouraged through site design and buffering measures, including landscape screening and fencing.

**Scale, comfort and safety**

c) The design of all buildings must recognize pedestrian scale, safety and the perception of safety and access and the preservation of public vistas and views.

**Street level activity**

d) The creation of a continuous and harmonious streetscape environment shall be encouraged with emphasis on maintaining the continuity of grade-related activity areas, both inside and outside of buildings.
### PART II - FUNCTIONAL POLICIES

| Access to public transit | e) All developments shall be designed having regard for public transit accessibility in the Urban Planning Area, convenience and comfort, and access and parking for the physically challenged, and to ensure that the needs of persons with disabilities and other special needs groups are addressed. |
| Personal safety | f) City Council shall require that design plans promote public safety and security, with adequate visibility and lighting and the avoidance of secluded areas. |
| Parking areas | g) The location, amount, position and design of parking areas shall be reviewed to minimize their potential to erode the qualities of the public streetscape, and to lessen their visual impact. City Council shall require landscaped islands and screening in the design of large parking lots. |
| Buildings to road | h) The streetscape appearance of major, multi-purpose and minor arterial roads and collector streets shall be enhanced by encouraging buildings to present their main building facades to these roads or to enhance their treatment to avoid the appearance of blank buildings at service entrances. |
| Reverse frontages and side elevations | i) Reverse frontage lotting patterns and the use of acoustical walls next to major, multi-purpose and minor arterial and collector roads should be avoided. In addition, side and end elevations of buildings facing major, multi-purpose and minor arterial and collector roads should be designed with an upgraded level of architectural treatment for the purpose of avoiding the use of blank walls facing these roads. Building setbacks from the street are to be minimized along pedestrian and transit-oriented streets. |
| Site services and facilities | j) The functional and visual impact of site servicing, loading, air conditioning and ventilation equipment and waste handling facilities shall be minimized, by integrating them into the building’s main structure, by screening or by site design. |
| Lighting | k) The City shall review and adopt lighting standards for City streets and facilities in order to minimize sky-glow while not compromising public safety. The impact of lighting associated with new development shall also be reviewed during the site plan approval process to minimize the intrusion and impacts of unwanted lighting into adjacent properties and to minimize sky glow. |
| Gated communities | l) Residential neighbourhoods shall be designed to allow freedom of public access and the development of “gated” residential communities, which restrict public access and circulation through neighbourhoods by means of security gates, walls or similar barriers, should be avoided. |
| Sustainable Development | m) All development shall be designed having regard for Sustainable Development considerations as set out in Part II, Subsection 2.7.3 of this Plan. |
PART II - FUNCTIONAL POLICIES

6.6 Implementation Policies

<table>
<thead>
<tr>
<th>Policy Area</th>
<th>Policy Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Review Zoning By-Law</td>
<td>a) Zoning By-law regulations shall be reviewed from a design perspective and shall encourage innovations that achieve City design objectives.</td>
</tr>
<tr>
<td>Development standards</td>
<td>b) Existing municipal development engineering standards shall be reviewed from a design perspective and shall encourage innovations that achieve City design objectives.</td>
</tr>
<tr>
<td>Design Guidelines</td>
<td>c) The preparation of design guidelines shall be required as part of the consideration of major site- or area-specific development proposals, including secondary planning studies, in order to investigate and recommend solutions to issues such as compatibility with surrounding uses, transit use, micro-climate effects, pedestrian safety, noise abatement and issues of human scale and views. Any City Council-approved design guidelines are considered City policy and shall be implemented for all public and private development proposals. A list of Council-approved Design Guidelines is included for reference purposes in Appendix B of this Plan, and may be amended from time to time without requiring an amendment to this Plan.</td>
</tr>
<tr>
<td>Review Committee</td>
<td>d) An interdisciplinary staff committee, an outside advisory body of design professionals or other means may be established by City Council to advise on issues of design.</td>
</tr>
<tr>
<td>Governments and utilities</td>
<td>e) Senior orders of government, public authorities and public utilities shall be encouraged to have regard for the design objectives contained in this Official Plan.</td>
</tr>
<tr>
<td>Universal physical access</td>
<td>f) The needs of persons with disabilities shall be considered in each development, and universal physical access features should be incorporated in all new buildings.</td>
</tr>
</tbody>
</table>

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7.0 CULTURAL RESOURCES

_Cultural resources_ include community assets that pertain to material and living or expressive culture. _Cultural Heritage Resources_, which are a specific subset of _Cultural Resources_, are considered in detail in Part II, Section 8.0 of this Plan.

The City will develop and implement a comprehensive _cultural resource_ policy which will be implemented through a variety of methods. From a planning and urban design perspective, this will affect the provision of public art.

7.1 Principle

<table>
<thead>
<tr>
<th>Benefits of Public Art</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Art in public spaces, within our urban and rural parks, civic squares, gateways, open spaces and along our trails, bikeways and waterfront, will provide many benefits for residents and visitors of all ages. Benefits can include:</td>
</tr>
<tr>
<td>(i) enhanced civic pride and identity;</td>
</tr>
<tr>
<td>(ii) enhanced tourism and economic development opportunities;</td>
</tr>
<tr>
<td>(iii) site beautification;</td>
</tr>
<tr>
<td>(iv) enhanced cultural vibrancy;</td>
</tr>
<tr>
<td>(v) new opportunities for the local cultural community;</td>
</tr>
<tr>
<td>(vi) encouragement of community dialogue; and</td>
</tr>
<tr>
<td>(vii) a lasting legacy for future generations.</td>
</tr>
</tbody>
</table>

7.2 Objectives

<table>
<thead>
<tr>
<th>Cultural Vibrancy</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) To manage <em>cultural resources</em> in a way that contributes to increased cultural vibrancy and diversity in the community.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Public Art</th>
</tr>
</thead>
<tbody>
<tr>
<td>b) To increase the amount of publicly visible art throughout the City.</td>
</tr>
</tbody>
</table>

7.3 General Policies

<table>
<thead>
<tr>
<th>Public Art</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) The City will manage a City-wide public art program that will make art more visible throughout the City, in accordance with the Art in Public Spaces Policy.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Cultural clusters</th>
</tr>
</thead>
<tbody>
<tr>
<td>b) The City will consider the concept of establishing cultural clusters or districts that can create a critical mass of cultural activity in specific geographic areas.</td>
</tr>
</tbody>
</table>
7.4 Public Art Policies

Community involvement
a) A citizens’ advisory committee shall advise and assist the City in the development of the public art program, including guidelines for the acquisition and siting of public art.

Municipal funding
b) Council may consider the implementation of a percentage-for-art capital-based funding program for public art.

Inclusion in public capital developments
c) The City will encourage the inclusion of public art on properties under the jurisdiction of the city, its agencies, boards and commissions. Council may require a public art component in specific types of municipal capital projects.

Inclusion in private capital developments
d) The City will encourage the inclusion of public art in all significant private sector development across the City, using applicable planning tools and processes. Private sector developers will be encouraged to follow the best practices established by the City for the acquisition and selection of public art. The City will provide assistance in the application of these practices.
8.0 CULTURAL HERITAGE RESOURCES  *D53

*Cultural heritage resources* include buildings, structures, monuments, *cultural heritage landscapes*, natural features (including those that have been modified by humans, such as parks, gardens, rows of trees, etc.) or remains, either individually or in groups, which are considered by City Council to be of architectural and/or historical significance. Archaeological and historical sites *may* also be considered heritage resources. Within the City, *cultural heritage resources* provide physical and cultural links to the identity of the City. They assist in instilling civic pride, and contribute to quality of life and community liveability. Investments in the conservation of *cultural heritage resources* benefit the local economy by attracting visitors to the City, and favourably influence the decisions of those contemplating new investment or residence in the City. The conservation of *cultural heritage resources* also contributes to the overall sustainability of the City.

*Cultural heritage resources* are irreplaceable and *shall* be conserved based on the following principles, objectives and policies:

8.1 Principles

| Identification and conservation | a) | *Cultural heritage resources* of significant cultural heritage value *shall* be identified, and conserved. |
| Heritage conservation practice | b) | Sound heritage conservation practice requires early identification of *cultural heritage resources*, ongoing maintenance and protection from inappropriate use, alteration and demolition. |
| Public awareness | c) | Heritage conservation depends on broad-based understanding and appreciation of *cultural heritage resources* that is achieved through public education, awareness, participation and involvement in the conservation of *cultural heritage resources*. |
| Historical associations | d) | *Cultural heritage resources* *shall* be valued not only for their physical or material elements, but also for their historical associations. |

8.2 Objectives  *D53*

| Destruction and demolition | a) | To control the demolition, destruction, deterioration, and inappropriate alteration and/or use of *cultural heritage resources* in accordance with legislative authority. |
| Identification and reference | b) | To identify cultural heritage conservation issues early in the land use planning process, and make reference to cultural heritage conservation issues throughout the planning decision-making process. |
| Heritage character | c) | To ensure that *re-development* and/or new *development* in an historic area does not detract from the overall heritage character of the area. |
Heritage landscapes
d) To identify areas of cultural heritage landscape in the City containing heritage buildings, structures, streets, vegetation, and open spaces of architectural or historic significance, whose arrangement represents one or more distinctive cultural processes in the historical use of land.

Public education and advice
e) To encourage public education initiatives and foster public awareness of the value of the cultural heritage resources and of cultural heritage conservation principles, and to provide practical advice to owners of cultural heritage properties about the means of protecting and maintaining cultural heritage resources.

Citizen participation
f) To encourage the involvement of citizens, property owners, citizen groups and the municipal heritage committee (Heritage Burlington) in the land use planning process for City-wide, neighbourhood and specific heritage plans and programs.

Co-ordination of plans and programs
g) To co-ordinate municipal heritage plans and programs with other municipal programs, as well as those offered by individual groups, agencies, and senior orders of government to advance the cultural heritage conservation principles of this Plan.

Financial support
h) To encourage and develop private and public financial support for the conservation of cultural heritage resources.

Provincial and Regional Government
i) To encourage other orders of government, including the Region of Halton, Provincial ministries, and Conservation Halton, to take actions to preserve, improve and use the City's cultural heritage resources.

8.3 General Policies *D53

8.3.1 Use and Treatment of Cultural Heritage Resources

Municipal leadership
a) The City shall protect, improve and manage its cultural heritage resources in a manner that furthers the heritage objectives of this Plan and sets an example of leadership for the community in the conservation of cultural heritage resources. Cultural heritage conservation planning shall be an integral part of the land use planning process in the City of Burlington.

Heritage Burlington
b) Council shall consult its municipal heritage committee (Heritage Burlington) with regard to the use and treatment of cultural heritage resources.

Landscapes, cemeteries & views
c) Cultural heritage landscapes, historic cemeteries and significant views associated with a cultural heritage resource shall be inventoried and conserved.
PART II - FUNCTIONAL POLICIES

Archaeological Master Plan

d) The City recognizes the role of the Regional Municipality of Halton in maintaining and implementing the Archaeological Master Plan. The Archaeological Master Plan shall be referenced as an important planning tool and implemented within the boundaries of the City of Burlington.

Cultural Heritage Conservation Strategy

e) The City may develop and implement a cultural heritage conservation strategy that will further the cultural heritage objectives of this Plan and may involve the implementation of a range of conservation tools to complement land use planning initiatives. City Council may use government and/or non-government funding, including the Burlington Community Heritage Fund, to assist in the implementation of heritage conservation objectives.

8.3.2 Public Participation

Consultation

a) Cultural heritage resources shall be conserved through actions that are determined in consultation with the municipal heritage committee (Heritage Burlington), local residents, property owners, special interest groups and government agencies. These actions include identifying, protecting, interpreting and using cultural heritage resources in responsible and sustainable ways.

Municipal Heritage Committee

b) The municipal heritage committee (Heritage Burlington) shall advise and assist City Council on cultural heritage resource conservation matters and shall promote heritage conservation within Burlington and provide advice to property owners regarding heritage conservation practice.

8.3.3 Implementation

Inventory of Heritage Resources

a) An inventory of buildings, structures and cultural heritage landscapes designated under The Ontario Heritage Act or worthy of designation, and buildings, structures and cultural heritage landscapes of architectural, historical and contextual interest shall be maintained in consultation with the municipal heritage committee (Heritage Burlington).

Acquisition, assembly, joint ventures, incentives

b) City Council may participate in the conservation and development of cultural heritage resources through a range of actions which may include acquisition, assembly, resale, joint venture, tax incentives, loan programs or other forms of involvement that will result in the sensitive preservation, restoration or rehabilitation of those resources.

By-laws

c) Pursuant to The Ontario Heritage Act, The Planning Act, The Building Code Act, or any other relevant legislation, the City may pass by-laws or adopt other measures for cultural heritage resource conservation and management.
Adaptive re-use d) The City shall encourage, where appropriate, the adaptive re-use of a built heritage resource in a manner that is not destructive to the character-defining elements of the resource.

Heritage Conservation easements e) Pursuant to the provisions of The Ontario Heritage Act, the City may enter into heritage conservation easement agreements with private property owners to ensure the long-term maintenance and conservation of cultural heritage resources.

Heritage Zoning overlay f) The City may develop provisions within the City’s comprehensive zoning by-law to ensure that the development of cultural heritage resources, and the development of properties adjacent to cultural heritage resources is compatible with the existing heritage character streetscape of the area with regard to height and lot line setbacks.

### 8.3.4 Heritage Conservation Designation

<table>
<thead>
<tr>
<th>Heritage Designation</th>
<th>a) The designation of individual cultural heritage properties and cultural heritage landscapes under the provisions of The Ontario Heritage Act shall be pursued to implement the cultural heritage conservation objectives and policies of this Plan.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reason for Designation statement</td>
<td>b) The “Reason for Designation” statement shall outline the heritage attributes that define the heritage value of the cultural heritage resource.</td>
</tr>
<tr>
<td>Heritage Conservation Districts</td>
<td>c) Cultural Heritage landscapes may be conserved through designation as Heritage Conservation Districts under The Ontario Heritage Act where some or all of the following features have been identified:</td>
</tr>
<tr>
<td></td>
<td>(i) the District contains buildings that reflect an aspect of local history by nature of location and historical significance of setting;</td>
</tr>
<tr>
<td></td>
<td>(ii) the District contains buildings that are of a style of architecture or method of construction which is historically or architecturally significant to the City, Region or Province;</td>
</tr>
<tr>
<td></td>
<td>(iii) the District contains other important physical, environmental or aesthetic features that, are not sufficient for designation, but lend support in evaluating the criteria for designation; and</td>
</tr>
<tr>
<td></td>
<td>(iv) the District is in an area of special association that is distinctive within the City and, as a result, adds to the character of the entire community.</td>
</tr>
<tr>
<td>Designation procedures</td>
<td>d) Prior to the designation of a Heritage Conservation District, City Council shall:</td>
</tr>
<tr>
<td></td>
<td>(i) consult with its municipal heritage committee (Heritage Burlington);</td>
</tr>
</tbody>
</table>
(ii) pass a by-law of intent to define and investigate an area;

(iii) prepare and adopt a Heritage Conservation District Plan that will contain policies and guidelines and incentives to *encourage* conservation of the area’s character and heritage attributes and establish criteria for controlling demolition and regulating design; and

(iv) pass a by-law designating the area as a Heritage Conservation District.

### Permit required

e) Erection, demolition, alteration or removal of any building or structure, or alteration of external portions in a Heritage Conservation District *shall* require a heritage permit from the City.

### Alterations to designated buildings

f) Alterations to buildings and structures designated under *The Ontario Heritage Act* that are likely to affect the heritage attributes, and the demolition or removal of buildings and structures on designated property *shall* require the written consent of Council and *shall* require the submission of a Heritage Impact Statement prepared by a qualified heritage professional.

### Individual basis

* Individual basis
g) Any alteration to an existing building and/or new construction within a Heritage Conservation District under *The Ontario Heritage Act* *shall* be considered on the property’s assessed heritage value and contribution to the character of the district as determined by the district guidelines.

### 8.4 Development/Re-development Policies *D53*

#### 8.4.1 Use and Treatment

a) All *development* *shall* consider *cultural heritage resources* and wherever feasible, incorporate these resources into any *development* plans in a way that conserves the character-defining elements of the *cultural heritage resource*.

b) Completion of a heritage impact statement *shall* be required prior to any approvals for proposed *development* where the City foresees potential adverse impacts on the cultural heritage attributes (including important vistas and *streetscape*) of a property designated pursuant to *The Ontario Heritage Act*, or on a property worthy of designation. Completion of a heritage impact statement *may* be required prior to any approvals for proposed *development* where the City foresees potential adverse impacts on the cultural heritage attributes of any other property identified on the City’s Inventory of *Cultural Heritage Resources*. The content of a heritage impact statement *may* include, but is not limited to, the following:

(i) an assessment of the cultural heritage value of the resource;
PART II - FUNCTIONAL POLICIES

(ii) a description of the proposal, including a location map showing proposed buildings, existing land uses and buildings, and existing cultural heritage landscape features;

(iii) the physical condition of the resource (including that of any adjacent resource that may be directly or indirectly affected by the proposal);

(iv) a description of the impacts that may be reasonably caused to the cultural heritage resource;

(v) identification of several conservation options taking into consideration the significance of the cultural heritage resource itself, the context of the resource and all applicable municipal, provincial or federal heritage conservation principles. The advantages and disadvantages of each option will be identified, as will a preferred option;

(vi) a description of the actions necessary to prevent, change, mitigate or remedy any expected impacts upon the cultural heritage resource.

Conditions of approval

c) Approval of development on lands with significant cultural heritage resources may be subject to conservation of the cultural heritage resources. Should Council, in consultation with its municipal heritage committee (Heritage Burlington), determine that the proposal to alter, demolish or erect a structure that would detract from, or indirectly impair the character, quality, heritage attributes or stability of a cultural heritage resource, the proposal shall be subject to the recommendations of a heritage impact statement.

Record for archives

d) Cultural heritage resources that are to be significantly altered, removed or demolished shall be recorded for archival purposes with a history, photographic record and measured drawings before alteration, removal or demolition.

Utilities

e) Local utility companies shall be encouraged to locate equipment and devices so that they do not detract from the visual character of built heritage resources.

8.4.2 Implementation

Land Use studies

a) Secondary planning or similar land use studies and community improvement plans and programs, including the provision of infrastructure, shall identify cultural heritage resources that exist in the area under study and propose ways to integrate, protect and enhance any significant cultural heritage resources.
b) Approval of development on lands with archaeological resources may be conditional on the conservation of the resources. In consultation with the Provincial and Regional governments, the need for the study and preservation of significant archaeological sites shall be determined during the review of development proposals. An archaeological survey and the preservation or rescue excavation of significant archaeological resources, that may be affected by the development may be required. Archaeological assessments and mitigation must be done by an archaeological consultant licensed by the appropriate Provincial Ministry.

c) In all areas, care will be taken to preserve landmark trees and other vegetation of heritage significance and/or scenic value. The inclusion of landmark trees and tree and hedge lines shall be considered in the design of any development. Where removal of a landmark tree(s) and/or other vegetation of heritage significance and/or scenic value is proposed, the applicant may be required to revise the site layout such that significant vegetative features are retained.
9.0 WATERFRONT

The shoreline is a unique natural feature, part of a sensitive and complex ecosystem, which adds significantly to the identity, character, setting and well being of the City and its citizens. Waterfront policies relate to property immediately adjacent to the Lake Ontario/Burlington Bay shoreline, including parks and open space. In planning for uses of the waterfront, the effects of human activities on the natural environment must be considered to maintain the future integrity of the waterfront.

The health of Burlington Bay and its waterfront is directly affected by the actions of the City of Burlington and the City of Hamilton. Policies in this section and in Part II, Section 2.0 are designed to facilitate recovery of Burlington Bay, resulting in its de-listing as an area of concern.

9.1 Principles

| Public accessibility | a) Publicly accessible waterfront areas, such as Regional and local parks, trails and Windows-to-the Lake/Bay are important to provide Burlington citizens with opportunities to participate in a variety of waterfront activities. |
| Unique valuable resource | b) The waterfront shall become a major source of community pride through promotion of the merits of the waterfront as a unique and valuable resource that plays a major role in defining the City in a natural setting. |
| Healthy and sustainable | c) All activities and future development surrounding the waterfront should be clean, open, connected, green, accessible, useable, diverse, attractive, affordable and environmentally sustainable. |
| Remedial Action Plan | d) Development and activities along the Burlington Bay waterfront will address the Remedial Action Plan to de-list Hamilton Harbour as an Area of Concern. |
| Waterfront environment | e) The waterfront environment and ecosystem should be protected and enhanced. |

9.2 Natural Environment

9.2.1 Objectives

| Preserve waterfront features | a) To preserve waterfront areas of significant ecological value and to recognize that public and private use of or access to these areas shall be limited due to their sensitive nature. |
## Part II - Functional Policies

**Permanent landform**  
b) To maintain the shore and banks along the waterfront as a permanent, stable landform in a manner that maintains the natural appearance of the waterfront in appropriate areas, and by methods other than lakefill that is consistent with Federal, Provincial and Conservation Halton requirements.

**Fish and wildlife habitat**  
c) To maintain or enhance fish and *wildlife habitat*, including the water quality of Burlington Bay and Lake Ontario.

**Hazard lands**  
d) To protect *development* on or near the Lake Ontario/Burlington Bay shoreline from potential hazardous conditions related to flooding erosion and storm susceptibility.

**De-Listing**  
e) To have the Hamilton Harbour/Burlington Bay de-listed as an Area of Concern by 2015.

### 9.2.2 Policies

**Preservation**  
a) Significant physical and biological features along the waterfront *shall* be preserved by preventing *development* in these areas or through the incorporation of these features into plans for waterfront parks and open space.

**Top of Bank**  
b) *Development* within hazardous lands associated with the shoreline *shall* only be permitted subject to a permit from Conservation Halton and, if City Council considers the *development* to be consistent with the waterfront objectives and policies of this Plan.

**Setback from Top of Bank**  
c) *Development shall* be set back from the *stable top of bank*, at a distance which is acceptable to the Conservation Halton and the City of Burlington.

**Water quality**  
d) The use of storm water management practices and other pollution control measures *shall* be used to protect and enhance water quality in Lake Ontario and Burlington Bay and to allow continued use of the Burlington Beach for safe public swimming.

**Lakefill**  
e) Lakefill *may* be necessary for reasons of public safety, security or access. The cumulative effects of proposed public and private lakefill projects on erosion, transport and deposition patterns and *fish habitats* in Lake Ontario and Burlington Bay *should* be examined in conjunction with the Ministry of Natural Resources and Conservation Halton and necessary mitigation action taken so that the lakefill project contributes to the shoreline regeneration in accordance with Federal and Provincial policies and guidelines.
Shoreline protection measures shall be designed to visually complement the waterfront and to be undertaken in a manner that will have minimum adverse effect on the environment. Where shoreline protection works are undertaken by the City of Burlington, Region of Halton, Conservation Halton or any other public agency, the City of Burlington will consider opportunities to incorporate a Waterfront Trail as part of the overall design of the shoreline protection works.

Landscape Plans

Landscaping plans for publicly owned waterfront open space shall encourage the restoration or enhancement of natural habitat by means such as the use of native plants.

Federal and Provincial programs

The efforts of the Federal and Provincial Governments to reduce erosion, and improve water quality and fish and wildlife habitat shall be encouraged.

Development guidelines

Guidelines relating to Great Lakes Areas of Concern and the Hamilton Harbour Remedial Action Plan designed to improve water quality, natural heritage values and aesthetics will be used in the review of all development applications along the Burlington Bay waterfront.

9.3 Public Access and Use

9.3.1 Objectives

Public accessibility

To provide a visible, inter-connected and publicly accessible waterfront for the widest range of public activities, while maintaining natural waterfront features in an environmentally responsible manner.

Land acquisition

To establish, in a sustainable manner, more areas of publicly accessible waterfront through the acquisition of key access points and the development of waterfront parks.

Pedestrian-oriented

To improve access to the waterfront by all means of transportation while maintaining a pedestrian-oriented atmosphere.

9.3.2 Policies

Parks

Regional and local waterfront parks shall be planned and managed to provide for a variety of seasonal recreational uses and cultural activities.

Compatible use

Planning for public use of and access to the shoreline shall recognize areas of ecological sensitivity, existing private uses and the ownership of the shoreline and shall incorporate ways to ensure these uses are compatible.

Expand Windows-to-the-Lake

The acquisition of land to create new or to add to existing Windows-to-the-Lake and Windows-to-the-Bay shall be encouraged by City Council, as a means to increase public access to the waterfront.
<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Separate public and private uses</td>
<td>d) Regional and local waterfront parks and related facilities <em>shall</em> be designed to provide safe, attractive and inviting places for public use and to visually separate private and public open spaces. Landscape plans that enhance the attractiveness of the waterfront and add significantly to the experience, enjoyment and appreciation of the waterfront <em>shall</em> be implemented. These plans will <em>preserve</em> vegetation, <em>wildlife habitat</em> and landforms, reflect the planned uses of the specific waterfront areas and provide provision for colourful floral gardens and restful vistas.</td>
</tr>
<tr>
<td>Pier and dock facilities</td>
<td>e) Public access from the water to the shoreline, in areas of public ownership, <em>shall</em> be <em>encouraged</em> where feasible, through pier or dock facilities for the use of recreational boaters, consistent with Conservation Halton, Provincial and Federal requirements.</td>
</tr>
<tr>
<td>Parking areas</td>
<td>f) Parking areas in the vicinity of the waterfront <em>shall</em> be designed, located and landscaped to complement the waterfront environment and to maximize the recreational and cultural open space uses of waterfront property.</td>
</tr>
<tr>
<td>Transportation network</td>
<td>g) A balanced transportation network for pedestrians, cyclists, motorists and transit travel <em>shall</em> be planned for the waterfront.</td>
</tr>
<tr>
<td>Connections To Waterfront</td>
<td>h) The connection of transit routes and north-south transportation routes such as pedestrian/cyclist trails with waterfront public open space, parks and the Waterfront Trail <em>shall</em> be <em>encouraged</em>.</td>
</tr>
<tr>
<td>Waterfront Trail</td>
<td>i) A continuous Waterfront Trail will be implemented through <em>development</em> and/or <em>re-development</em> along Lake Ontario and Burlington Bay where there is sufficient land between the water and a public or private road. This trail <em>may</em> be comprised of two components: (i) a shoreline trail immediately abutting the Lake or Bay and (ii) a near shoreline trail located in the general vicinity of the Lake or Bay. The Waterfront Trail will be connected to existing waterfront public open spaces and where appropriate, other points of interest in the general vicinity of the waterfront.</td>
</tr>
<tr>
<td>Trail guidelines</td>
<td>j) The City will develop specific guidelines and a marketing program for the Waterfront Trail that will include, but <em>may</em> not be limited to, landscaping, fencing, lighting, signage, parking, construction materials and trail furniture, in consultation with the public, Region of Halton, Conservation Halton and other public agencies.</td>
</tr>
<tr>
<td>Design excellence</td>
<td>k) Regional and local waterfront parks and facilities <em>shall</em> achieve a high level of design excellence, in both landscape and architectural built form.</td>
</tr>
</tbody>
</table>
9.4 Development

9.4.1 Objectives

Mix of land uses

a) To encourage a balanced mix of land uses, parks, facilities and open spaces which are responsive to the existing cultural, heritage, and unique environmental features along the waterfront.

Compatibility

b) To ensure that development is compatible with the waterfront in terms of land use, intensity and scale, and is carried out in a manner that protects and enhances historic and natural heritage environments, and ensures pedestrian friendliness and user accessibility.

Open space

c) To enhance public accessibility to the waterfront by obtaining waterfront open space, parkland and trails when considering development applications along the waterfront.

9.4.2 Policies

Public open space

a) Development proposals along the waterfront shall provide for public open space and Waterfront Trail use, where feasible.

Views to lake and bay

b) Development along the waterfront shall preserve or complement public views of Lake Ontario or Burlington Bay from public streets and trails.

Lot areas and densities

c) The hazardous lands associated with the Lake Ontario and Burlington Bay shorelines and lands proposed for public open space use of the waterfront, including the Waterfront Trail, shall not be considered in calculating lot areas or densities in plans for development and re-development.

Parkland dedication

d) A minimum 15 m wide strip of land from the stable top of bank along the shoreline and where appropriate, near shoreline links will be dedicated to the City as part of the fulfillment of parkland dedication.

Community Benefits By-law

e) Notwithstanding Part II, Subsection 9.4.2 (c), when considering development applications along the waterfront, community benefits provisions under Section 37 of The Planning Act may be implemented to encourage the creation of waterfront public open space which shall include such features as the Waterfront Trail. Such community benefits provisions may address increases in density and height, and shall be subject to Part VI, Section 2.3 of this Plan.

Waterfront theme

f) The design of waterfront development to include the imagery of water, through fountains, sculpture and colour, and create a thematic link between the waterfront and adjacent development shall be encouraged.

Cultural elements

g) Development proposals along the waterfront shall identify opportunities to integrate public art or other cultural elements.

Park Master Plans

h) Development of publicly owned waterfront open space will be in accordance with Council approved Park Master Plans.
PART II - FUNCTIONAL POLICIES

Trail ownership, maintenance and liability
i) The City will hold land title of the Waterfront Trail and will be responsible for liability and maintenance of the Waterfront Trail, consistent with Conservation Halton, Provincial and Federal requirements.

Trail design and construction
j) The proponent will carry out a survey and undertake the basic grading of the Waterfront Trail including required shoreline protection to the satisfaction of the City and Conservation Halton. The City will be responsible for detailed trail design and finished construction.

Funding partnerships
k) Public and private funding partnerships or sponsorships shall be encouraged for the development of waterfront parks, trails and related facilities and activities and for the acquisition of waterfront property.

Partnership Agreement
l) A Waterfront Partnership Agreement shall be formed with Burlington, the Region of Halton, Conservation Halton, the Province of Ontario and other agencies to implement various waterfront initiatives. Burlington recognizes Halton Region as the main coordinating agency for this initiative.

Waterfront Trail - Condition of development or re-development
m) Along the waterfront where the distance between the water and the public roadway will accommodate both the development and the Waterfront Trail, the proponent will be required to:

(i) dedicate to the City the lands below the stable top of bank, as a condition of development or re-development;

(ii) dedicate to the City as part of parkland dedication, a minimum 15 m wide strip of land above the stable top of bank. Should the value of this dedication exceed normal park land dedication, the proponent would receive compensation for the difference (i.e. either payment or provision of community benefits) as a condition of approval of an Official Plan or Zoning Amendment or plan of subdivision;

(iii) dedicate to the City as part of parkland dedication, where appropriate, links to adjacent public open space, roadways and other properties. Should the value of this dedication exceed the normal park dedication, the proponent would receive compensation for the difference (i.e. either payment or provision of community benefits) as a condition of approval of an Official Plan or Zoning Amendment or plan of subdivision; and

(iv) carry out a survey, shoreline protection, and basic grading of the Waterfront Trail and any required fencing as a condition of approval of an Official Plan or Zoning Amendment or plan of subdivision.
n) Where the siting or size of a development warrants, a proponent of an application for Official Plan or Zoning Amendment or plan of subdivision may be required to minimize any adverse effect the development will have on on-shore lake breezes.
10.0 COMMUNITY IMPROVEMENT

The community improvement provisions of The Planning Act allow municipalities to prepare Community Improvement Plans for designated Community Improvement Project Areas that require community improvement as the result of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or other justification.

Once a Community Improvement Plan has been adopted by a municipality, approved by the Province, and is in effect, the municipality may offer incentives to encourage private sector investment. The municipality may also undertake a wide range of actions for the purpose of carrying out the Community Improvement Plan.

Community improvement programs shall be based on the following principles, objectives and policies:

10.1 Principles

| Improvement, maintenance and rehabilitation | a) The planning or re-planning, design or redesign, subdivision, clearance, development or re-development, reconstruction and/or rehabilitation of lands and/or buildings may be necessary in order to enhance the quality of living and working environments within these areas and to ensure the efficient use of existing or required municipal services and/or infrastructure, and land. |
| Community Improvement Plans | b) Community Improvement Plans shall be prepared and adopted to stimulate private investment and to ensure the effectiveness of public expenditure. |

10.2 Objectives

<p>| Improvement of lands and/or buildings | a) To facilitate the planning or re-planning, design or redesign, subdivision, clearance, development or re-development, reconstruction and rehabilitation of lands and/or buildings. |
| Heritage significance | b) To facilitate the preservation, restoration, adaptive reuse and improvement of buildings with historical, architectural or other heritage significance. |
| Parks and recreation | c) To facilitate the restoration, maintenance, improvement and protection of natural habitat, parks, open space and recreational amenities. |
| Intensification | d) To facilitate residential and other types of infill and intensification. |
| Housing | e) To facilitate the construction of a range of housing types and the construction of affordable housing. |</p>
<table>
<thead>
<tr>
<th>Services and Utilities</th>
<th>f) To upgrade and improve municipal services and public utilities such as sanitary sewers, storm sewers, watermains, roads and sidewalks.</th>
</tr>
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<tbody>
<tr>
<td>Circulation</td>
<td>g) To improve pedestrian and bicycle circulation and accessibility for all persons.</td>
</tr>
<tr>
<td>Transit</td>
<td>h) To facilitate public <em>transit supportive land uses</em> and improve the quality of, and accessibility to, transit facilities.</td>
</tr>
<tr>
<td>Revitalization</td>
<td>i) To facilitate the ongoing viability, revitalization and <em>development</em> of Mixed Use Activity Areas, and other areas that <em>may</em> require community improvement.</td>
</tr>
<tr>
<td>Environment and energy</td>
<td>j) To improve environmental and energy consumption conditions.</td>
</tr>
<tr>
<td>Economic and cultural development</td>
<td>k) To facilitate and promote economic and cultural development.</td>
</tr>
</tbody>
</table>

### 10.3 Policies

**Project Areas**

a) *Community Improvement Project Area(s) shall* be designated by by-law where the boundary of which *may* be all or part of the urban area of the City of Burlington, and/or all or part of one or more of the rural settlement areas as defined in this Plan, and as amended from time to time.

**Community Improvement Plans**

b) *Community Improvement Plan(s) may* be prepared, adopted and implemented within a designated *Community Improvement Project Area(s)*, pursuant to *The Planning Act* and the Community Improvement policies set out in this Plan. The City and the Region of Halton *may* participate in the preparation and implementation of community improvement programs.

**Establish programs**

c) *Community Improvement Plans may* include programs to facilitate municipal and private sector improvements that address identified objectives of *Community Improvement Project Areas*.

**Criteria for designation**

d) Criteria for designation of *Community Improvement Project Areas shall* be based on one or more of the following conditions being present:

(i) vacant *lots* and underutilized properties and buildings which have potential for *infill, re-development* or expansion to better utilize the land base or the public *infrastructure*;

(ii) high commercial vacancy rates;
(iii) known or perceived environmental contamination;

(iv) other barriers to the repair, rehabilitation or re-development of underutilized land and/or buildings;

(v) buildings, building facades, and/or property, including buildings, structures and lands of heritage and/or architectural significance, in need of preservation, restoration, repair, rehabilitation, energy efficiency or renewable energy improvements, or re-development;

(vi) absence of an adequate mix of uses;

(vii) deficiencies in physical infrastructure including but not limited to the sanitary sewer system, storm sewer system, and/or watermain system, streetscapes and/or street lighting, municipal parking facilities, sidewalks, curbs, or road state of repair;

(viii) poor overall visual quality, including but not limited to, streetscapes and urban design and/or overhead wiring;

(ix) a concentration of obsolete or aging low-density land uses, vacant lots, surface parking lots and/or abandoned buildings;

(x) deficiencies in community and social services including but not limited to public open space, municipal parks, neighbourhood parks, and indoor/outdoor recreational facilities;

(xi) opportunities to improve the mix of housing types;

(xii) any other environmental, energy efficiency or community development reasons.

Priority areas e) Priority for the designation of Community Improvement Project Areas and the preparation and adoption of Community Improvement Plans shall be given to those areas:

(i) targeted for growth and intensification, in particular, Mixed Use Activity Areas; and/or

(ii) where the greatest number of conditions (as established in subsection d) are present; and/or,

(iii) where one or more of the conditions (as established in subsection d) is particularly acute; and/or,
(iv) where one or more of the conditions (as established in subsection d) exists on a number of sites in the City.

Range of actions

f) In order to implement a Community Improvement Plan within a designated Community Improvement Project Area, the City may undertake a range of actions pursuant to The Planning Act and may include actions such as:

(i) integration with other public works and/or Municipal, Regional, Provincial or Federal programs or initiatives;

(ii) utilization of the community benefit provisions of the Act, as a way of assisting in the achievement of Community Improvement objectives;

(iii) establishment of Business Improvement Areas (BIAs) and other appropriate organizational frameworks shall be encouraged; and

(iv) preparation of urban design guidelines and property standard by-laws.

Public input
g) In the preparation of a Community Improvement Plan, and any subsequent amendments, Council will solicit the input of public bodies and agencies, residents, property owners and other stakeholders pursuant to The Planning Act.

Other considerations
h) All initiatives undertaken as part of Community Improvement Plans shall conform with the policies contained in this Plan, all other relevant legislation, regulation and other related municipal policies and by-laws.

Financial capabilities of the City
i) The City shall be satisfied that its participation in community improvement activities will be within the financial capabilities of the City.
11.0 PHASING OF DEVELOPMENT

The development of the Urban Planning Area is directly related to the availability of the necessary urban services and infrastructure and the processing of required development applications. The development of the Urban Planning Area shall be directed toward the following phasing principles, objectives and policies:

11.1 Principle

| Municipal Services |  
|--------------------|---
| a) The provision of municipal services shall be phased to achieve the City's development objectives in an economically and environmentally sustainable manner. |

<table>
<thead>
<tr>
<th>Logical extension</th>
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<tbody>
<tr>
<td>b) The rate and sequence of growth shall be phased in a manner as to ensure the logical extension of adequate services, such as schools and parks, to accommodate growth.</td>
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</tbody>
</table>

11.2 Objectives

<table>
<thead>
<tr>
<th>Services in Urban Area</th>
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<tbody>
<tr>
<td>a) To provide urban municipal services in conjunction with the Region only within the Urban Planning Area, unless otherwise permitted by specific policies of this Plan.</td>
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</table>

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<thead>
<tr>
<th>Satisfactory levels</th>
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<tr>
<td>b) To provide municipal services and infrastructure in the Urban Planning Area to meet existing and future needs efficiently and economically.</td>
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<tr>
<th>Phase development</th>
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<tr>
<td>c) To phase development within each community in the Urban Planning Area based on the financial capability of the City and Region to provide municipal services and infrastructure.</td>
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</table>

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<thead>
<tr>
<th>Coordinate with Halton</th>
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<tbody>
<tr>
<td>d) To coordinate the provision of infrastructure with the Region of Halton in accordance with the Region’s Infrastructure Staging Plan.</td>
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</table>

11.3 Policies

<table>
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<tr>
<th>Alton Community</th>
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<tr>
<td>a) Within the Alton Community development phasing shall be based on the following:</td>
</tr>
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</table>

(i) development west of Walker’s Line shall only commence in accordance with a functional design services co-ordination study, master cost sharing agreement and master utilities plan to the satisfaction of the City of Burlington;

(ii) residential development south of the residential collector street (Street ‘G’) shall not commence until the Palladium Way right-of-way across the Ontario Realty Corporation (ORC) lands is secured in favour of the City and Palladium Way is constructed across the ORC lands with a contiguous connection to the development;
(iii) residential development north of the residential collector street (Street ‘G’) shall not commence until the Palladium Way right-of-way across the Ontario Realty Corporation (ORC) lands is secured in favour of the City and Palladium Way is constructed across the ORC lands with a contiguous connection to Walker’s Line;

(iv) development east of Appleby Line shall only commence in accordance with a functional design services co-ordination study, master cost sharing agreement and master utilities plan to the satisfaction of the City of Burlington;
12.0 FINANCIAL IMPACT ANALYSES

Land use development has a direct impact on the City's and Region’s tax base. Some forms of development provide a net benefit to the municipal tax base, while other forms of development result in a net deficit. The evaluation of the financial impact of development on the municipal tax base shall be considered for major planning proposals.

Financial impact analysis of land use development proposals and secondary planning studies shall be based on the following principle, objectives and policies:

12.1 Principle

An evaluation factor

a) The impact of new land use development on the City's and Region’s current and capital budgets is an important consideration in the overall evaluation of major development proposals and secondary planning studies.

12.2 Objectives

Acceptable assessment ratio

a) To maintain an acceptable balance between commercial/industrial and residential assessment to minimize property taxes of Burlington taxpayers.

Investigate impacts

b) To investigate the impact of new land use development on the City's and Region’s current and capital budgets, to ensure that new development pays for itself and that the City's and Region’s finances are responsibly managed.

Require studies

c) To require the preparation of financial impact analyses to assist in the assessment of major land use development proposals and secondary planning studies.

12.3 Policies

Evaluation factor

a) Financial impact analyses shall be used as an evaluation factor when considering major land use development proposals.

Secondary Plans

b) A financial impact analysis shall be required for all major secondary planning studies that involve at least one of the following:

(i) a proposal to re-designate lands on Schedule A, Settlement Pattern;

(ii) the land area affected is greater than 40 ha;

(iii) the amount of retail or employment floor space is greater than 50,000 sq. m; or

(iv) the number of dwelling units is greater than 500.
### PART II - FUNCTIONAL POLICIES

<table>
<thead>
<tr>
<th>Other applications</th>
<th>c) A financial impact analysis may be required on other development applications as determined necessary by City Council.</th>
</tr>
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<tbody>
<tr>
<td>Generic studies</td>
<td>d) A general review of the cost/revenue relationships between and among different types of land uses may be undertaken, periodically by the City.</td>
</tr>
<tr>
<td>Connected infrastructure</td>
<td>e) The City may negotiate development charges from other municipalities where appropriate for the provision of connected infrastructure.</td>
</tr>
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</table>
13.0 AGRICULTURE

Agricultural lands found in the Rural Planning Area are used for a variety of farming practices. The retention of these lands for future agricultural production is an important goal, ensuring the continued importance of the agricultural industry in the City of Burlington and the Region of Halton. The following principles, objectives, and policies recognize and protect agricultural lands:

13.1 Principles *D53

a) Prime agricultural areas shall be protected and used for farming purposes.

b) A secure and sustainable agricultural industry shall be maintained as the major economic activity in the Rural Planning Area.

13.2 Objectives

a) To recognize agriculture as the primary activity and land use in the Rural Planning Area, and as an interim activity and land use in the Urban and North Aldershot Planning Areas.

b) To reduce fragmentation of lands suitable for agriculture and provide for their consolidation.

c) To encourage environmentally sensitive and sustainable farm practices.

d) To protect farms from incompatible land uses which would limit agricultural productivity and efficiency.

e) To encourage agriculture related tourism as a means of economic diversification for the farming community.

f) To encourage the development of value added production and such secondary agricultural industry as will enhance the economic viability of the agricultural industry.

g) To promote the rental of unused agricultural lands for farming purposes.

h) To retain or increase tree cover for harvest, soil erosion protection and buffering.

13.3 Policies

a) The present and future use of productive agricultural lands in the Rural Planning Area for farming shall be given priority through the policies of this Plan. *D53
### PART II - FUNCTIONAL POLICIES

| Protect farm operations | b) The City shall apply the Minimum Distance Separation Formulae and other relevant Provincial regulations in accordance with Livestock Facility Guidelines adopted by Regional Council, to ensure that farm operations are protected from incompatible activities and land uses that would limit agricultural productivity or efficiency. The City shall discourage complaints from non-farm uses concerning normal farming practices. | OPA 55 |
| Natural environment | c) Farmers shall be encouraged to adopt farm practices that will sustain the long term productivity of the land and minimize any adverse impacts on the natural environment. | |
| Provincial Policies/ Guidelines | d) Provincial Plans, statutes, guidelines and policies dealing with the preservation and protection of agricultural lands and operations as an important natural resource shall be supported and upheld by the City of Burlington. In accordance with Provincial Plans and policy, mineral resource extraction is permitted in prime agricultural areas, provided that the site is rehabilitated. *D53 | OPA 55 |
| Agricultural Impact Assessment | e) The City and the Region of Halton shall require the proponent of a non-farm development to carry out an Agricultural Impact Assessment based on guidelines adopted by Regional Council. | |
| Non-farm uses | f) Non-farm land uses shall be directed to the Urban Planning Area and Rural Settlement Areas. Uses that produce value added products from the farm operation or are secondary to the farm operation shall be allowed on the farm property, subject to the requirements of the applicable land use designation, and in accordance with On-Farm Business Guidelines adopted by Regional Council. | OPA 55 |
| Trespassing | g) The City will support programs to reduce trespassing on agricultural operations and discourage the location of public trails near agricultural operations that could have a negative impact on farming activities. | |
| Tourism | h) Home occupations, cottage industries, and home industries shall be permitted on farms to encourage agriculture related tourism. | |
| Secondary industries | i) Major secondary agricultural processing, manufacturing, wholesaling and retailing operations shall be required to locate within the Urban Planning Area. | |
| Rural forums | j) The City will support the establishment of a rural/agricultural forum to monitor, investigate and periodically report on the problems, trends and means to maintain the competitiveness of the agricultural community and other rural issues. | |
| Sludge utilization | k) The City will support the Region of Halton's sludge utilization program, subject to compliance with Regional and Provincial environmental protection guidelines. | |

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PART II - FUNCTIONAL POLICIES

<table>
<thead>
<tr>
<th>Weed control</th>
<th>l) The City will enforce weed control by-laws as a means of assisting <em>agricultural</em> protection.</th>
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<tbody>
<tr>
<td>Provincial initiatives</td>
<td>m) The City will <em>encourage</em> the Provincial Government to:</td>
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<tr>
<td>(i) lease provincially owned lands to farmers on a long term basis for <em>agricultural</em> use; and</td>
<td></td>
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<tr>
<td>(ii) maintain a property tax that <em>encourages farming</em> and the true value of productive farm land.</td>
<td></td>
</tr>
<tr>
<td>Conservation Halton lands</td>
<td>n) The City will <em>encourage</em> Conservation Halton to lease their productive <em>agricultural</em> lands to farmers on a long-term basis for <em>agricultural</em> use.</td>
</tr>
<tr>
<td>National agricultural policy</td>
<td>o) The City will <em>encourage</em> the Federal Government to pursue a national <em>agricultural</em> policy that provides incentives to farmers and <em>agricultural operations</em>, and supports the <em>agricultural industry</em> in global markets.</td>
</tr>
<tr>
<td>Allotment gardens</td>
<td>p) Allotment gardens will be permitted as an <em>interim</em> or permitted use in all land use designations.</td>
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OPA 55