1.0 INTRODUCTION  *

This part of the Plan presents the principles, objectives and policies for the land use designations identified on the Settlement Pattern and the Comprehensive Land Use Plan for the Urban Planning Area. The principles, objectives and policies for each land use designation should be read in conjunction with the principles, objectives and policies in other parts of the Plan.

2.0 RESIDENTIAL AREAS

The lands identified as "Residential Areas" on Schedule A, Settlement Pattern provide for housing and other land uses that are part of a residential environment. Housing may take many forms ranging from detached homes to high-rise apartment structures. To provide opportunities for the broad range of residential uses that will satisfy the City's housing requirements, and provide for compatibility issues to be suitably addressed, three categories of residential land use have been identified on Schedule B, Comprehensive Land Use Plan - Urban Planning Area. These categories are based on the function, permitted uses, location, density and scale of development.

The following principles, objectives and policies provide a framework that will guide future development decisions for Residential Areas:

2.1 Principles

Safe and secure

a) Housing in Burlington shall be safe and secure for all residents.

Supply

b) To the extent to which land is available in the Urban Planning Area, a sufficient supply of owner occupied and rental housing shall be maintained to meet existing and future needs.

Range

c) To the extent to which land is available in the Urban Planning Area, a broad, diverse range of housing types shall be provided including housing which is affordable and accessible for all residents.

Demand

d) The City shall address new housing demands, through the best use of existing resources and community infrastructure, and through new community development.

2.2 General

2.2.1 Objectives

Intensification

a) To encourage new residential development and residential intensification within the Urban Planning Area in accordance with Provincial growth management objectives, while recognizing that the amount and form of intensification must be balanced with other planning considerations, such as infrastructure capacity, compatibility and integration with existing residential neighbourhoods.
Consider natural environment b) To provide housing opportunities that are compatible with the protection of the natural environment.

Encourage other forms of transportation c) To provide housing opportunities that encourage usage of public transit, pedestrian and bicycle transportation networks and decrease dependence on the car.

Variety of housing d) To encourage a strong live/work relationship in the City by providing a variety of housing that reflects the existing and future socio-economic and demographic characteristics of local residents and job opportunities.

Close to other uses e) To provide, where compatible, housing opportunities in proximity to employment areas and residential support uses such as shopping and recreational areas to create opportunities to reduce travel times.

Integrate types of housing f) To encourage the integration of a wide range of housing types and tenure and discourage large concentrations of higher density residential blocks.

Compatible with development g) To require new residential development to be compatible with surrounding properties.

2.2.2 General Policies

Permitted uses a) Within Residential Areas, a broad range of residential dwelling types shall be permitted, including assisted and special needs housing such as group homes, rest/retirement homes and long-term care facilities, as well as uses compatible with, complementary to and serving the primary residential use of the land, such as home occupations and cottage industries, neighbourhood parks, and offices.

Density range b) Land use in Residential Areas shall comply with the land use designations contained on Schedule B, Comprehensive Land Use Plan-Urban Planning Area.

Low Density c) In Residential-Low Density areas, single-detached and semi-detached housing units with a density to a maximum of 25 units per net hectare shall be permitted. In addition, other forms of ground oriented housing units with a density to a maximum of 25 units per net hectare may be permitted, provided that these forms are compatible with the scale, urban design and community features of the neighbourhood.

Medium Density d) In Residential-Medium Density areas, either ground or non-ground-oriented housing units with a density ranging between 26 and 50 units per net hectare shall be permitted.

High Density e) In Residential-High Density areas, either ground or non-ground-oriented housing units with a density ranging between 51 and 185 units per net hectare shall be permitted.
Housing in other designations

f) Residential land uses are permitted in some other designations on Schedule B, Comprehensive Land Use Plan – Urban Planning Area. These residential land uses are subject to both the Residential land use policies of this Plan as well as the policies of the other land use designations in which they are permitted.

Building form

g) The following building forms for residential development shall be permitted:

Low Density

(i) detached and semi-detached homes shall be permitted in Residential-Low Density areas. Other forms of ground oriented, attached housing may be permitted, provided that these forms meet the density as specified in Part III, Subsection 2.2.2 c) for these areas and provided that these forms are compatible with the scale, urban design and community features of the neighbourhood;

Medium Density

(ii) detached and semi-detached homes, townhouses, street townhouses and stacked townhouses, back to back townhouses, attached housing and walk-up apartments shall be permitted in Residential-Medium Density areas, provided that these forms meet the density as specified in Part III, Subsection 2.2.2 d), for these areas; and

High Density

(iii) subject to the density requirements of Part III, Subsection 2.2.2 e), street townhouses and stacked townhouses, back to back townhouses, attached housing and apartments shall be permitted in Residential-High Density areas.

2.2.3 Site Specific Policies

Orchard Community

a) Notwithstanding the policies of Part III, Subsection 2.2.2 a), c) and d) of this Plan, residential development in Orchard Community shall be subject to the following:

(i) in Residential-Low Density designations the maximum density of development shall be 30 units per net hectare. On the property located on the east side of Orchard Road, north of Upper Middle Road, described as 2171 Orchard Road, the maximum density of development shall be 35 units per hectare;

(ii) in Residential-Low Density designations housing forms include predominantly single-detached and semi-detached units, townhouses and street townhouses, duplexes, three-plexes and four-plexes are also permitted;
PART III – LAND USE POLICIES – URBAN PLANNING AREA

(iii) in Residential-Low Density designations the housing mix shall not be exclusively single-detached and semi-detached forms of housing. Residential development applications will be evaluated by the City to ensure the overall residential density and housing mix will be achieved;

(iv) in Residential-Medium Density designations housing forms include townhouses, street townhouses and stacked townhouses, semi-detached, duplexes, three-plexes and four-plexes. This designation also permits detached dwelling units up to a maximum of 15 percent of the total housing mix on each property.

Medium Density in Orchard Community

b) Notwithstanding the policies of Part III, Subsection 2.2.2 a), c) and d) of this Plan, in Orchard Community neighbourhood commercial centres, including offices may also be permitted on lands designated Residential - Medium Density. Such centres shall be subject to the following:

(i) a maximum non-residential floor area of 200 sq. m;

(ii) the predominant residential character of the transit corridor is maintained; and

(iii) the site is located adjacent to the intersection of two public roads or adjacent to a community facility.

Queensway Drive

c) Notwithstanding the policies of Part III, Subsection 2.2.2 a) of this Plan, development on lands described as 2290 Queensway Drive shall be subject to the following:

(i) in addition to the uses permitted in Part III, Subsection 2.2.2 a) of this Plan, additional specialized retail and personal service uses, as set out in the Zoning By-law, shall be permitted on the property described as 2290 Queensway Drive; and

(ii) the additional permitted retail and service commercial uses are permitted within the existing building only.

Unsworth Avenue at Sumach Drive
d) Notwithstanding the policies of Part III, Subsection 2.2.2 a), c) and d) of this Plan, development on the lands designated ‘Residential-Medium Density’ and ‘Residential-Low Density’ on the property, bounded by Unsworth Avenue on the east, the main Grindstone Creek Valley on the south, the tributary valley of the Grindstone Creek on the west, and the C.N.R. railway on the north, shall be subject to the following:
PART III – LAND USE POLICIES – URBAN PLANNING AREA

(i) notwithstanding the other policies of this Plan, a *neighbourhood commercial* centre, including offices, *may* also be permitted. Such a centre *shall* have a maximum non-residential floor area of approximately 400 sq. m;

(ii) any recommended upgrading of Sumach Drive and Unsworth Avenue *shall* be designed to respect, to the greatest extent possible, the existing character of these roads; and

(iii) the boundary between the “Residential-Medium Density” designation and the “Greenlands” and “Environmentally Sensitive Area” designations is the boundary of the Grindstone Creek Valley Environmentally Sensitive Area as approved by Halton Region.

South of Upper Middle Rd., west of C.N.R.

e) Notwithstanding the policies of Part III, Subsection 2.2.2 a) to e) of this Plan, residential development on lands designated “Residential-Medium Density” south of Upper Middle Road, between Shoreacres Creek and the C.N.R. railway line, *shall* be subject to the following:

(i) development of these lands *shall* be limited to a residential “alternative housing” community designed and oriented to special needs groups, containing features and components such as seniors-oriented recreation, health, retail and community services, and a continuum of residential units and care facilities, unless it can be demonstrated to the satisfaction of City Council that there is not sufficient market for such a community;

(ii) a maximum of approximately 525 *dwelling units shall* be permitted within an “alternative housing” community, including a maximum of 300 apartment units.

Alton Community

f) Notwithstanding the policies of Part III, Subsection 2.2.2 a) to g) of this Plan, residential development in Alton Community *shall* be subject to the following additional policies:

(i) in Residential-Low Density designations the maximum density of development *shall* be 30 units per net hectare;

(ii) residential development along the north side of Dundas Street *shall* be subject to additional building setbacks and berm and buffering requirements to address noise and other impacts associated with Dundas Street;
PART III – LAND USE POLICIES – URBAN PLANNING AREA

(iii) in Residential-High Density designations, housing forms include street townhouses and stacked townhouses, attached housing and apartments to a maximum height of 10 storeys;

(iv) notwithstanding the General Policies of Part III, Subsection 2.2.2 e) of this plan, a maximum density of 299.5 units per hectare shall be permitted on the property at 4853 Thomas Alton Boulevard; and

(v) notwithstanding the Alton Community policies of Part III, Subsection 2.2.2 f) (iii) of this plan, a maximum height of 17 storeys shall be permitted on the property at 4853 Thomas Alton Boulevard.

South-west quadrant of Guelph Line and Glenwood School Drive

g) In addition to the other policies of this Plan, the following policies shall apply to development in the south-west quadrant of Guelph Line and Glenwood School Drive:

(i) this intersection is identified as a gateway to the City and any development abutting the intersection shall be in a compact, urban form;

(ii) Council shall adopt Urban Design Guidelines which will guide the form and design of development abutting the intersection, prior to the approval of any development;

(iii) the lands will be developed with buildings that front and face the street, and building heights, massing, setbacks and landscape features will be designed to enhance the gateway function of this intersection;

(iv) an increase in floor area ratio to a maximum of 2.0:1 may be permitted, provided that the building height, massing, setbacks and landscaping features are designed to enhance the gateway function of the intersection in accordance with the approved Urban Design Guidelines;

(v) the Zoning By-law shall also contain provisions that facilitate the implementation of the approved design guidelines, including the reduction of building setbacks, increase in floor area ratios, and adjustments to landscaping requirements.

South side of Plains Road, between Cooke Boulevard and Filmandale Road

h) Notwithstanding the policies of Part III, Subsection 2.2.2 d) of this Plan, the lands designated “Residential Medium Density” on the south side of Plains Road, between Cooke Boulevard and Filmandale Road, shall be subject to site-specific zoning regulations designed to protect the existing character of this portion of Plains Road and provide compatibility with the abutting neighbourhood to the south. Any exterior alteration or addition to the property shall maintain the residential appearance and character of the property.
<table>
<thead>
<tr>
<th>Location</th>
<th>Exception</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>North side of Upper Middle Road, east and west of William O’Connell Blvd.</td>
<td>i)</td>
<td>Notwithstanding the policies of Part III, Subsection 2.2.2 d) and Part III, Subsection 2.11 of this Plan, the lands designated “Residential-Medium Density” located on the north side of Upper Middle Road, east and west of William O’Connell Boulevard, and described as 4107, 4119, 4123, 4173, 4179 &amp; 4187 Upper Middle Road, may also be used for offices, subject to land assembly and compatibility being provided with the abutting detached residential neighbourhood to the north.</td>
</tr>
<tr>
<td>Tobyn Drive and Upper Middle Road</td>
<td>j)</td>
<td>Notwithstanding the density provisions of this Plan, within the “Residential-High Density” designation located at 1800 Tobyn Drive, apartment buildings and at least one retirement home with a combined floor area ratio of 2.2:1 may be permitted. In addition, the two buildings adjacent to the western property line are permitted to have a limited range of ground floor retail, service commercial and office uses provided these uses are complementary to the seniors’ residential complex.</td>
</tr>
<tr>
<td>Upper Middle Road and Itabashi Way</td>
<td>k)</td>
<td>Notwithstanding the density provisions of this Plan, within the Residential-High Density designation at 4100 Upper Middle Road, a retirement community consisting of a long term care facility, apartment buildings and retirement home units, with a combined floor area ratio of 1.9:1, may be permitted.</td>
</tr>
<tr>
<td>New Street and Claridge Road</td>
<td>l)</td>
<td>Notwithstanding the policies of Part III, Subsection 2.2.2 a) and g), of this Plan, on lands designated “Residential - Medium Density” and identified as 3095 New Street, a mixed use building with office and residential uses shall be permitted and the maximum building height shall be 3 storeys.</td>
</tr>
<tr>
<td>1284 Guelph Line</td>
<td>m)</td>
<td>Notwithstanding the policies of Part III, Subsection 2.2.2 a) and g), of this Plan, on the lands designated “Residential - High Density” and identified as 1284 Guelph Line, a four storey apartment building shall be permitted with a maximum density of 230 units per net hectare.</td>
</tr>
<tr>
<td>North of Prospect Street, 30 m east of Robinson Street</td>
<td>n)</td>
<td>Notwithstanding the policies of Part III, Subsection 2.2.2 e) of this Plan, on the northern portion of the lands designated “Residential-High Density” and identified as 2051-2067 and 2077-2085 Prospect Street, only ground-oriented housing units shall be permitted to ensure compatibility with the abutting detached residential neighbourhood to the north.</td>
</tr>
<tr>
<td>4880 Valera Road</td>
<td>o)</td>
<td>Notwithstanding the policies of Part III, Subsection 2.2.2 a) of this Plan, commercial land uses in the form of mixed used use or stand alone buildings shall be provided fronting on Thomas Alton Boulevard. Residential building height shall be transitioned to provide for a lower height fronting Valera Road and existing residential development to the south.</td>
</tr>
</tbody>
</table>
2.3 Housing Supply

2.3.1 Objective

Sufficient Supply

a) To ensure that a sufficient supply of suitably designated and serviced residential land is maintained to meet existing and future housing needs.

Rental Housing

b) To encourage the retention of existing rental housing and the construction of new rental housing.

2.3.2 Policies

Short-term supply

a) To the extent to which land is available in the Urban Planning Area, City Council shall maintain its fair share of land within the regional market area with servicing capacity sufficient to provide a three year supply of residential units, available through lands suitably zoned to facilitate residential intensification and re-development, as well as land in draft approved and registered plans, in order to meet anticipated short term housing needs.

OPA 55

Long-term supply

b) To the extent to which land is available in the Urban Planning Area, City Council shall maintain the ability to accommodate its fair share of residential growth within the regional market area for a minimum of 10 years through residential intensification and re-development and, if necessary, lands which are designated and available for residential development, in order to meet anticipated long term housing demands.

OPA 55

Surplus lands

c) The use of surplus lands owned by the municipality and other government agencies for residential purposes, including affordable or assisted housing shall be considered before using them for other land uses.

Municipal services

d) City Council shall ensure an adequate level of local municipal services to meet the demands of residential development.

Needed for infrastructure

e) City Council shall advise the Region of Halton and the Provincial Government of the need for infrastructure and servicing funding associated with the provision of additional housing in the City.

Conversion of rental properties

f) The demolition or conversion to freehold or condominium ownership of residential rental properties containing six or more units should not be permitted unless the following conditions are satisfied:

OPA 62
(i) the rental vacancy rate by dwelling/structure type for the City of Burlington as defined and reported yearly through the C.M.H.C. Rental Market Survey has been at or above 3 per cent for the preceding two-year reporting period;

(ii) the building for which conversion is proposed meets the requirements of the property standards by-law, the Ontario Building Code, and any other applicable law, or will be upgraded in accordance with these standards and requirements;

(iii) where demolition occurs, replacement rental housing units are provided for those units that are demolished;

(iv) that negative economic and other impacts upon tenants are minimized; and

(v) the requirements of any applicable Provincial legislation or regulation, as amended, are met.

Innovative housing tenure  
g) City Council shall consider the provision of innovative forms of housing tenure, such as common element, phased and vacant land condominiums, as a means of increasing housing diversity, choice and supply in the City.

Rental housing  
h) The City shall, in co-operation with other orders of government, encourage the provision of a range of housing types, including rental housing, for individuals and families.

2.4 Housing Affordability

2.4.1 Objective

Type and tenure  
a) To ensure that a range of housing and tenure types are available to meet the various lifestyle and income group needs of the existing and future population.

Affordability  
b) To encourage the development of affordable housing throughout the City.

2.4.2 Policies

Provincial Policy Statement  
a) New residential development shall be required to satisfy the requirements of the Provincial Policy Statement relating to the provision of affordable housing.

Designate affordable housing lands  
b) As part of the development approval process, City Council may require the designation of lands for affordable housing. These lands shall either be retained and developed by a developer as affordable housing or made available to a cooperative or non-profit housing group.
### Part III – Land Use Policies – Urban Planning Area

#### Community Benefits By-Law

| c) | Community Benefits provisions may be implemented to encourage the creation of affordable housing. Such community benefits provisions shall be subject to Part VI, Section 2.3 and will include, but will not be limited to, an awareness of and regard for the cumulative impact of any increased height and/or density on the City's and Region’s ability to provide services and a requirement that any increased height and/or density be compatible with the surrounding area. |

#### Processing Priority

| d) | City Council shall give processing priority to development applications which will provide the type, size and tenure of housing required to meet the social and economic needs of the City’s residents. |

#### Targets

| e) | City Council shall, in co-operation with the Region, update its Municipal Housing Statement to establish five-year housing targets by type to meet the housing needs identified in the joint Regional-Municipal Housing Statement. |

#### Development Standards

| f) | City Council shall establish development standards for residential intensification, re-development and new residential development which minimize the cost of housing and facilitate compact urban form, while maintaining appropriate levels of public health and safety. |

#### Monitoring of Conversion

| g) | City Council shall establish guidelines and monitor the conversion of existing rental housing to other uses to protect tenants and rental housing stock. |

### 2.5 Housing Intensification

#### 2.5.1 Objectives

| a) | To encourage residential intensification as a means of increasing the amount of available housing stock including rooming, boarding and lodging houses, accessory dwelling units, infill, re-development and conversions within existing neighbourhoods, provided the additional housing is compatible with the scale, urban design and community features of the neighbourhood. |

| b) | To encourage the re-development of under-utilized residential lands where appropriate at the periphery of existing residential neighbourhoods for non-ground-oriented housing purposes. |

#### 2.5.2 General Policies

| a) | The following criteria shall be considered when evaluating proposals for housing intensification within established neighbourhoods: |
(i) adequate municipal services to accommodate the increased demands are provided, including such services as water, wastewater and storm sewers, school accommodation and parkland;

(ii) off-street parking is adequate;

(iii) the capacity of the municipal transportation system can accommodate any increased traffic flows, and the orientation of ingress and egress and potential increased traffic volumes to multi-purpose, minor and major arterial roads and collector streets rather than local residential streets;

(iv) the proposal is in proximity to existing or future transit facilities;

(v) compatibility is achieved with the existing neighbourhood character in terms of scale, massing, height, siting, setbacks, coverage, parking and amenity area so that a transition between existing and proposed buildings is provided;

(vi) effects on existing vegetation are minimized, and appropriate compensation is provided for significant loss of vegetation, if necessary to assist in maintaining neighbourhood character;

(vii) significant sun-shadowing for extended periods on adjacent properties, particularly outdoor amenity areas, is at an acceptable level;

(viii) accessibility exists to community services and other neighbourhood conveniences such as community centres, neighbourhood shopping centres and health care;

(ix) capability exists to provide adequate buffering and other measures to minimize any identified impacts;

(x) where intensification potential exists on more than one adjacent property, any re-development proposals on an individual property shall demonstrate that future re-development on adjacent properties will not be compromised, and this may require the submission of a tertiary plan, where appropriate;

(xi) natural and cultural heritage features and areas of natural hazard are protected;

(xii) where applicable, there is consideration of the policies of Part II, Subsection 2.11.3, g) and m); and
(xiii) proposals for non-ground oriented housing intensification shall be permitted only at the periphery of existing residential neighbourhoods on properties abutting, and having direct vehicular access to, major arterial, minor arterial or multi-purpose arterial roads and only provided that the built form, scale and profile of development is well integrated with the existing neighbourhood so that a transition between existing and proposed residential buildings is provided.

Planning Justification

b) where a proposal for residential intensification is deemed to have potentially significant adverse impacts, Council shall require a planning justification report by a Qualified Person, outlining how the proposed development will be compatible with the existing neighbourhood. The report shall include, but shall not be limited to the criteria listed in Part III, Subsection 2.5.2 a) above. The report shall determine whether these impacts can be reduced to acceptable levels and shall recommend any measures required to mitigate or reduce the adverse impacts to acceptable levels.

Expanded consultation

c) where a proposal for residential intensification is deemed to have potentially significant adverse impacts, Council may require an expanded public consultation process, including additional neighbourhood meeting(s).

Height guidelines
d) Council may adopt guidelines for maximum building heights to be used in the consideration of applications for residential intensification, in order to ensure compatibility of proposed building heights with the height of existing buildings in the neighbourhood, giving consideration to existing City regulations and guidelines.

Increased building height
e) The following criterion shall be considered when evaluating minor variance applications for increased height to detached and semi-detached dwellings in low density residential designations:

(i) the maximum building height should not exceed the average height of the highest points of the rooflines of existing residential buildings on the immediately adjoining properties sharing lot lines with the lands under application.

2.5.3 Accessory Dwelling Units
### Permit accessory units

a) The creation of *accessory dwelling units* in detached dwellings in the “Residential-Low Density” designation *shall* be permitted subject to certain conditions and standards as outlined in the Zoning By-law and other applicable regulations, such as the Ontario Building Code. In addition, Council *may* consider the registration of *accessory dwelling units* through a Registration By-law pursuant to The Municipal Act.

### Evaluation criteria

b) Zoning Regulations relating to *accessory dwelling units* in detached dwellings in residential zones *shall* be based on the following:

- (i) the property is of sufficient size to accommodate required parking for both the principal unit and the *accessory dwelling unit* without significant impacts to the *streetscape*;

- (ii) the creation of the *accessory dwelling unit* results in a residential character that is *compatible* with the surrounding *residential neighbourhood* in terms of *massing*, heights, visual appearance, privacy, open space and *amenity areas*;

- (iii) reasonable health and safety standards are met;

- (iv) the density provisions of Part III, Subsection 2.2.2 c), *shall* not apply to properties containing *accessory dwelling units* in accordance with Zoning By-law provisions.

### 2.5.4 Infill Development

<table>
<thead>
<tr>
<th>Ground oriented housing</th>
<th>Compatibility with surrounding area</th>
<th>Compatibility with neighbourhood</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) <em>Ground-oriented</em> residential <em>infilling</em> within existing neighbourhoods <em>shall be encouraged.</em></td>
<td>b) New <em>infill development</em> <em>shall be compatible</em> with the surrounding development in terms of height, scale, <em>massing</em>, siting, setbacks, coverage and amount of open space; and in the case of individual applications for consent, the additional policies of Part VI, Subsection 4.4 of this Plan apply.</td>
<td>c) The creation of new housing that is <em>compatible</em> with existing neighbourhoods, <em>shall be encouraged.</em></td>
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</table>

*OPA 55*
Where a proposal for residential infill is deemed to have potentially significant adverse impacts, Council may require a planning justification report by a Qualified Person, outlining how the proposed development will be compatible with the existing neighbourhood. This report shall include, but shall not be limited to, the criteria listed in Part III, Subsection 2.5.2 a), above. The report shall determine whether these impacts can be reduced to acceptable levels and shall recommend any measures required to mitigate the adverse impacts to acceptable levels.

Where a proposal for residential infill is deemed to have potentially significant adverse impacts, Council may require an expanded public consultation process, including additional neighbourhood meeting(s).

2.5.5 Garden Suites

Zoning By-laws may be enacted pursuant to The Planning Act to permit the use of self-contained, portable dwelling units within yards of existing dwellings (“garden suites”) as a form of temporary accommodation within residential neighbourhoods.

The following criteria shall be considered when evaluating proposals for garden suites:

1. the lot size and layout in terms of accommodating the garden suite without unreasonable loss of private outdoor amenity area;
2. the compatibility of the garden suite with adjacent residential properties and the surrounding residential neighbourhood in terms of massing, heights, visual appearance, privacy, open space amenity areas, lot size and lot coverage;
3. adequacy of municipal services to accommodate the garden suite; and
4. adequacy of on-site parking.
5. health and safety standards or criteria are met.

As a condition of approval of a garden suite, City Council shall require an agreement between the City and the owner and/or tenant, including, such matters as the installation, maintenance and removal of the suite; the period of occupancy of the suite; and the monetary or other form of security that City Council may require for actual or potential costs to the municipality related to the suite.

2.6 Assisted and Special Needs Housing

2.6.1 Objective

To maintain a supply and to integrate assisted and special needs housing in all neighbourhoods.
2.6.2 Policies

Non-Profit Housing Corporation

a) City Council shall generally support the Halton Community Housing Corporation and other providers of assisted housing in providing assisted housing in the City, and shall consider supporting their applications to the Province of Ontario and/or Government of Canada for funding under various non-profit housing programs.

Designate sites for assisted and special needs housing

b) As part of the development approval process, City Council may require the designation of sites for assisted and special needs housing. These lands shall either be retained and developed by the developer or made available to providers of special needs housing.

Standards and criteria

c) The provision of assisted and special needs housing shall be subject to planning standards and design criteria designed to maintain public health and safety, as set out in the implementing zoning by-law.

Community Benefits By-Law

d) Community Benefits provisions may be implemented to encourage the creation of assisted or special needs housing. Such community benefits provisions shall be subject to Part VI, Section 2.3 and will include but will not be limited to, an awareness and regard for the cumulative impact of any increased height and/or density on the City’s ability to provide servicing and a requirement that any increased height and/or density be compatible with the scale of the surrounding area.

Supply

e) City Council shall encourage providers of special needs housing in maintaining the supply of special needs housing in the City.

Group Homes

f) Group homes have land use features that will require special regulations and locational considerations to be part of the Zoning By-law. These different group home types shall be defined in the Zoning By-law. To prevent the concentration of group homes in one area of the City, City Council shall establish a minimum distance between some group homes in the Zoning By-law.

Seniors’ housing

g) The supply and integration of seniors’ housing shall be encouraged throughout the City.

Density provisions

h) Notwithstanding the other provisions of this Plan, assisted and special needs housing containing dwelling units without full culinary and sanitary facilities may be excluded from the density provisions of the Plan.

Processing priority

i) City Council shall give processing priority to development applications for assisted and special needs housing.

2.7 Home Occupations and Cottage Industries

2.7.1 Objective
### 2.7.2 Policies

**Locations**

a) Regulations relating to the location of *home occupations* shall be included in the Zoning By-law.

**Zoning regulations**

b) Zoning By-law regulations relating to *home occupations* and *cottage industries* shall be based on the following:

1. Persons employed by the *home occupation* or *cottage industry* shall be limited to residents of the household from which the *home occupation* or *cottage industry* is conducted;
2. The *home occupation* or *cottage industry* use shall be accessory to the primary residential use of the *dwelling unit*, and the size of the area devoted to the *home occupation* and *cottage industry* shall be restricted to a percentage of the size of the *dwelling unit*;
3. Outside storage and display shall be prohibited, and exterior signage restricted; and
4. The *home occupation* or *cottage industry* shall be limited to those that are *compatible* with adjacent residential uses with respect to noise, odour, traffic levels and parking.

### 2.8 Day Care Centres

#### 2.8.1 Objective

**Day care facilities**

a) To provide opportunities for limited, small-scale, day care facilities for children or seniors that serve the residential community and are *compatible* with the main residential use and function of the area.

#### 2.8.2 Policies

**Locations**

a) Regulations relating to the location of day care centres *shall* be included in the Zoning By-law.

**Zoning regulations**

b) Zoning regulations and site plan considerations relating to day care centres in residential zones *shall* be based on the following:

1. The day care maintains a residential character *compatible* with the *residential neighbourhood* in terms of massing, height, visual appearance, and open space and *amenity areas*;
2. Adequate parking, vehicular ingress/egress and drop-off, and adequate indoor and outdoor *amenity areas* for children’s play are provided;
(iii) the impacts on the neighbourhood are acceptable in terms of noise, lighting, odours, security, removal of vegetation, sun-shadowing and privacy, or will be brought to acceptable levels; and

(iv) the site abuts a major arterial, multi-purpose arterial, minor arterial or collector road, and the local transportation system can accommodate any increased demands.

2.9 Neighbourhood Parks

2.9.1 Objective

Neighbourhood Parks

a) To provide opportunities for small-scale, neighbourhood parks within residential neighbourhoods to meet the local recreational and open space needs of the residents.

2.9.2 Policies

Not shown on Land Use Schedule

a) The location of neighbourhood parks will not be designated on Schedule B, Comprehensive Land Use Plan – Urban Planning Area.

Need/Location determined through development application

b) The need for and location of future neighbourhood park sites within residential areas shall be determined when considering rezoning or subdivision applications, based on local parkland needs, the need and ability to accommodate park and recreational facilities, accessibility to residents from the surrounding neighbourhood and compatibility with adjacent residential development.

c) Neighbourhood parks shall be included in a separate zoning category in the Zoning By-law.

d) Neighbourhood parks shall be encouraged to be located adjacent to school sites.

2.10 Educational Facilities

2.10.1 Objective

Distribution

a) To provide an equitable distribution of educational facilities in Residential Areas.

2.10.2 Policies

Consultation

a) The City shall consult with the local school boards prior to designating school sites during secondary planning.
2.11 Offices

2.11.1 Objective

a) To provide opportunities for limited, small-scale offices that serve the residential community and are compatible with the main residential use and function of the area.

2.11.2 Policies

Locations

a) Regulations relating to the location of offices shall be included in the Zoning By-Law.

Zoning regulations

b) Zoning regulations relating to offices in residential zones shall be based on the following:

(i) vehicular access to the office should be directly from a multi-purpose arterial, minor arterial or major arterial road;

(ii) signage for offices shall be restricted to be in keeping with the residential character of the area;

(iii) where an existing building of heritage value is converted to office use, limited, architecturally compatible additions shall be permitted, provided they are sensitive to the character of the area;

(iv) the creation of the office results in a residential character that is compatible with the surrounding residential neighbourhood in terms of massing, heights, visual appearance, privacy, open space and amenity areas;

(v) adequate off-street parking is provided; and

(vi) adequate buffering is provided to adjacent residential properties.

2.12 Neighbourhood Character Areas

Neighbourhood Character Areas play an important role in the City’s Urban Structure by defining specific neighbourhoods where only limited, compatible development is anticipated.

2.12.1 Objectives

(i) To maintain, protect and enhance neighbourhood character by ensuring that development and re-development within Neighbourhood Character Areas is compatible with and respectful of the neighbourhood character.

(ii) To manage change in Neighbourhood Character Areas through appropriate development applications.

(iii) To maintain and improve the urban forest in Neighbourhood Character Areas through the enhancement and/or replacement of trees.

2.12.2 General Policies
a) *Neighbourhood Character Areas shall* be identified in the City’s Zoning By-law.

b) City Council *may* add or delete *Neighbourhood Character Areas* or alter the boundaries of existing *Neighbourhood Character Areas* from time to time through further amendment to the Zoning By-law, without the need for an Official Plan Amendment.

c) Notwithstanding the policies of Part III, Subsection 2.2.2 b) and c) of this Plan, permitted residential uses *in Neighbourhood Character Areas shall* be restricted to single-detached dwellings.

d) Proposed *development should* respect the existing *neighbourhood character* by incorporating built form and design elements, architectural features, building separations, lot coverage, *scale, floor area ratio*, and landscape qualities and characteristics that are prevalent in the *Neighbourhood Character Area*.

e) All healthy mature trees should be preserved, and replanting should be required where loss of significant trees occurs.

### 2.12.3 Site Specific Policies

(i) Indian Point is a distinct historic *Neighbourhood Character Area* characterized by its lakeside location; few streets; large and mature tree canopy; spacious properties separated by large open spaces between houses and a variety of architectural styles. New *development shall* protect and enhance these *neighbourhood character elements*.

(ii) Roseland is a distinct *Neighbourhood Character Area* defined by its garden-like setting with large and mature trees, strong historic character, and homes with varied and unique architectural styles. Lots are spacious with dwellings that are well proportioned in relation to the property size and having a *scale* that is *compatible* with adjacent dwellings and which reinforces the open space character. Streets within the *Neighbourhood Character Area* contain wide landscaped boulevards and street lamps that complement the *neighbourhood character* of the private properties. New *development shall* protect and enhance these *neighbourhood character elements*. 
3.0 EMPLOYMENT LANDS

The lands identified as “Employment Lands” on Schedule A, Settlement Pattern are the main locations where office and industrial activities will occur. In order to recognize the needs of existing and future employment activities and to address concerns over land use compatibility and function, employment land uses are provided for under two land use designations on Schedule B, Comprehensive Land Use Plan – Urban Planning Area: General Employment and Business Corridor. These designations are based on range of permitted uses, the scale and intensity of the development allowed, the design standards that shall apply and the potential effects of these uses on adjacent uses.

The following principles, objectives and policies provide a framework that shall guide future development decisions for Employment Lands.

3.1 Principles

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

Jobs and assessment base
b) The economic strength of the City shall be improved by increasing job opportunities and expanding the assessment base through employment and economic development.

Balanced consideration
c) Economic development shall occur within the context of a balanced consideration of physical, social, economic and environmental demands and constraints.

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

Full range of uses
e) A full range of industrial/manufacturing and office uses and related services shall be permitted in Employment Lands.

Public transit
f) Employment activities that attract large numbers of employees shall be served by public transit.

Sufficient supply of land
g) A sufficient supply of lands for employment purposes shall be maintained to meet existing and future needs.

3.2 General

3.2.1 Objectives

Economic development strategy
a) To encourage an economic development strategy that is focused on maintaining and expanding the City’s manufacturing base while also promoting the expansion of corporate and professional business offices.
### Land Supply to Provide Choice

b) To maintain a sufficient supply of land within the Urban Planning Area for *employment uses* in order to meet the anticipated needs, including an adequate supply of serviced land and an allowance for choice in terms of location, size of property and servicing needs. It is the general intent of this Plan that this supply *shall* not be reduced through re-designation of *employment* lands to permit *non-employment uses*.

### Site Plan Control, Urban Design

c) To *encourage*, through the implementation of site plan control and urban design policies, aesthetically pleasing *development* in the City, especially along major roads.

### Employment Uses

d) To provide appropriate locations for *employment uses* that have features that are not *compatible* with other land uses.

### Retail and Service Uses

e) To limit the amount of retail and *service commercial* use floor space in areas designated for *employment* and *office developments* to maintain their long-term viability.

### Access to Infrastructure

f) To locate *industrial/manufacturing* uses so as to provide convenient access to *infrastructure* such as rail sidings, high voltage power lines, heavy truck roadbeds and truck routes.

### 3.2.2 Policies

**Sufficient Supply of Employment Land**

a) A sufficient supply of land designated for *employment uses* shall be maintained within the Urban Planning Area in order to meet anticipated short and long-term needs, including an adequate supply of serviced land and an allowance for choice in terms of location, size of property and servicing needs.

**Retail Sales Areas**

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

**Development Abutting Residential**

c) Where *development* abuts existing or future residential areas, landscaping and other site plan design elements *shall* be required in order to create an aesthetically pleasing environment for the residents.

**Re-designation of Employment Lands**

d) Proposals for the re-designation of lands designated for *employment uses* to *non-employment uses*, or to add a range of uses to an *employment* designation that are primarily permitted in a *non-employment* designation, *shall* be evaluated based on meeting the following criteria:
(i) the proposal shall only be considered in conjunction with the Comprehensive Review provisions identified in the Provincial Policy Statement and the policies of Provincial Plans;

(ii) the proposal shall not detrimentally affect the short and long term employment land needs of the City;

(iii) the intensity and characteristics of the proposed non-employment uses shall not detrimentally impact the viability, desirability, or the proper servicing of existing and future surrounding land uses;

(iv) the site’s physical and natural characteristics, development constraints and location shall justify the consideration of non-employment uses at the subject location;

(v) re-designation of lands abutting major transportation corridors including railways, highways and major arterial roads shall be discouraged;

(vi) support studies as identified in Part VI, Section 1.3, clause f), General Policies, of the Plan are prepared;

(vii) in addition to (i) through (vi) above, the re-designation shall also meet at least two of the following conditions:

i. the amount of land affected is minor in area based on the projected land requirements within the planning horizon of the Plan;

ii. the development of the site is not feasible for employment uses within the planning horizon of the Plan;

iii. there are no alternative sites, designated and approved for the proposed use elsewhere in the City;

iv. the proposal will have a beneficial impact on the surrounding uses and the broader community;

v. the development of the lands for non-employment uses will meet a public need identified by City Council resolution.

e) In keeping with the provisions of the Growth Plan for the Greater Golden Horseshoe, development or re-development of permitted uses on lands identified as ‘Employment Lands’ on Schedule A of the Official Plan within a major transit station area shall have a minimum floor space index of 0.5 and a minimum building height of 2 storeys. *R16

* as per Decisions of the OMB dated 08/03/27 and 08/03/31 (Case No. PL061117) Order yet to issue
3.3 General Employment Designation

3.3.1 Objectives

<table>
<thead>
<tr>
<th>Broad range of uses</th>
<th>a)</th>
<th>To provide locations in the City for a broad range of employment and office uses.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Separate uses</td>
<td>b)</td>
<td>To separate General Employment areas from other sensitive land uses, particularly residential, due to potential negative effects.</td>
</tr>
<tr>
<td>Uses abutting</td>
<td>c)</td>
<td>To provide some locations in the General Employment designation for low-intensity, industrial uses, and offices that have a limited effect on the surrounding environment and that are generally small-scale. These uses can usually be located close to other land uses, including residential land uses, without significant conflicts if appropriate site plan design features are used and if appropriate mitigation measures are incorporated.</td>
</tr>
<tr>
<td>Traditional</td>
<td>d)</td>
<td>To provide locations for existing, new and/or relocating manufacturing, assembly, distribution and service industrial uses.</td>
</tr>
<tr>
<td>industrial uses</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

3.3.2 General Policies

<table>
<thead>
<tr>
<th>Permitted Uses</th>
<th>a)</th>
<th>The following uses may be permitted within the General Employment designation:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(i)</td>
<td>industrial uses that involve assembling, fabricating, manufacturing, processing, warehousing and distribution uses, repair activities, communications, utilities, transportation, storage, service trades and construction uses; offices uses; research and information processing; recreational uses; large scale motor vehicle dealerships; and adult entertainment uses.</td>
</tr>
<tr>
<td></td>
<td>(ii)</td>
<td>a limited range of retail uses such as convenience stores, and a limited range of service commercial uses such as restaurants and banks, subject to the provisions of Part III, Subsection 3.3.2 d);</td>
</tr>
<tr>
<td></td>
<td>(iii)</td>
<td>in locations adjacent to residential areas, only uses that would have a limited impact on the surrounding area will be permitted; and</td>
</tr>
<tr>
<td></td>
<td>(iv)</td>
<td>a residence for a watchman or caretaker.</td>
</tr>
<tr>
<td>Floor Area Ratio</td>
<td>b)</td>
<td>Zoning By-law regulations affecting office uses on General Employment lands may permit a floor area ratio of development at any site of up to 0.5:1.</td>
</tr>
</tbody>
</table>
Zoning of sites  

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

Ancillary uses  


d) The retail and service commercial uses permitted under Part III, Subsection 3.3.2 a) (ii) shall be subject to the following:  

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

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

(iii) no more than 15 per cent of the total floor area of any one building shall be used for ancillary uses, except that a restaurant may occupy up to 100 per cent of the total floor area of any one building if the total floor area of all buildings on the site is greater than 3,000 sq. m., if the total floor area of all restaurants does not exceed 15 per cent of the total floor area of all buildings on the site, and if the site abuts and has vehicular access to a major arterial, multi-purpose arterial or minor arterial road; and  

(iv) automotive related uses such as gas stations and car washes are not subject to clauses (ii) and (iii).  

Adult Entertainment  


e) Regulations relating to the location of adult entertainment establishments shall be included in the Zoning By-law and shall be based on the following:  

(i) a separation distance of 400 m from land uses that are sensitive to adult entertainment uses, such as residential, schools, places of worship and assembly, retail commercial and day care centres;  

(ii) properties containing adult entertainment establishments shall not abut a Provincial highway or major arterial road;  

(iii) restrictions on the number and size of establishments and the establishment of a separation distance between them, which may be reduced when they are separated by a major barrier such as a Provincial highway.  

Site Plan considerations  

f) The design and development of General Employment areas shall ensure compatibility between the General Employment areas and adjacent land uses. The following site design and development factors shall be considered for new and/or expanding General Employment uses:
(i) off-street parking shall be located away from adjacent uses;

(ii) loading areas shall be located to avoid conflict between pedestrian and vehicular traffic away from adjacent residential areas and adjoining roads;

(iii) outdoor storage areas shall be fenced and/or screened;

(iv) the number and location of vehicular access points shall be limited to minimize disruption to traffic flows;

(v) lighting shall be directed to minimize impacts on adjacent residential uses;

(vi) the proposal provides convenient access to public transit services;

(vii) the proposal includes features to promote public safety;

(viii) off-street parking areas, loading areas and site service areas shall be screened and landscaped; and

(ix) urban design considerations contained in Part II, Section 6.0.

Re-designation—evaluation criteria

Proposals for the re-designation of lands to General Employment from another designation shall require an amendment to the Plan and shall be evaluated based on the following criteria:

(i) the area has access to and from a multi-purpose arterial or major arterial road;

(ii) full municipal services including sewer, water and utilities are available;

(iii) development of the site shall be compatible with existing and proposed uses in the surrounding area;

(iv) the site has direct access to roads that can accommodate the anticipated traffic generated by the proposed development;

(v) the anticipated traffic shall not result in through traffic in surrounding residential areas; and

(vi) efficient public transit service can be provided in the area.

Existing industrial uses

The City will encourage the retention of existing industrial uses and permit a wide range of industrial uses at these locations.
3.3.3 Site Specific Policies

**Existing shale quarry**

a) Notwithstanding the other policies of this Plan, the existing shale quarry operation located in the Alton Community, shall be subject to the following:

(i) *incompatible* land uses will be directed away from the licensed quarry operation;

(ii) in conjunction with the Provincial and Regional regulations the City shall regulate the operation of pits or quarries to minimize adverse impact on surrounding land uses;

(iii) in conjunction with the Provincial and Regional regulations the City shall regulate pits and quarries and accessory operations to ensure that environmental pollution is minimized, consistent with standards laid down in pertinent legislation and municipal regulations;

(iv) the City shall support the undertaking of hydrogeological studies in accordance with Provincial legislation and policies of the Region of Halton, Conservation Halton and other appropriate agencies to ensure that surface and ground water resources are protected from the adverse effects of mineral resource extraction;

(v) the City shall consider the shale quarry operation as an interim use and encourage its progressive rehabilitation for an appropriate after-use; and

(vi) where rehabilitation is being undertaken by reforestation, the after use shall aim to re-establish a functioning ecosystem similar in condition to the natural ecosystem in the region.

**1195 Walker’s Line**

b) Notwithstanding Part III, Subsection 3.3.2 d), freestanding restaurant uses shall be permitted on property at 1195 Walker’s Line.

**4045 Harvester Road**

c) Notwithstanding Part III, Subsections 3.2.1 (f), 3.2.2 (b), and 3.3.2 (d), on the property at 4045 Harvester Road, one freestanding restaurant and one additional office or industrial building of a minimum 1,430 sq. m. in size, containing up to 30 per cent of a limited range of retail and service commercial uses, shall be permitted.

**5366 and 5900 Upper Middle**

d) One driveway may also be permitted through the woodlot fronting on the north side of Mainway only provided the following conditions are met:
Road – Driveway location from Mainway

(i) it is demonstrated that it is integral to the function of and concept of the development of the abutting lands and that this function and concept cannot be achieved by a driveway which does not affect the woodlot;

(ii) it is demonstrated, through the submission of a detailed study and related plans, that the location, design, construction and maintenance of the driveway will maintain the integrity of the woodlot with respect to linkage functions and wildlife habitat and will minimize the impact of sunlight and wind patterns on edge vegetation along the driveway; and

(iii) upon receipt of a site plan indicating a driveway through the woodlot, City Council shall establish a process for public consultation to provide input on those matters referred to above, and prior to considering the site plan, City Council shall convene a public meeting in order to obtain public input regarding any proposed driveway through the woodlot.

Lands south of Harvester Road, between Laurentian Drive and Cumberland Avenue

The following additional policies apply to those lands designated “General Employment” located south of Harvester Road, between Laurentian Drive and Cumberland Avenue:

(i) notwithstanding Part III, Subsection 3.3.2 b), increased floor area ratios to a maximum of 0.65:1 may be permitted in response to the Master Servicing/Cost Sharing Agreement signed by the property owners which provides for enhanced streetscaping and design standards on these lands;

(ii) Council shall adopt Urban Design Guidelines which will guide the form and design of development in this area;

(iii) as part of the review of any development proposals, a north-south pedestrian connection may be provided across the Canadian National Railways tracks at Cumberland Avenue. The actual location and design details will be determined by the City and Canadian National Railways;

(iv) as part of the re-development of lands west of Roseland Creek, a pedestrian and bicycle path shall be provided along the Roseland Creek south from Harvester Road and a pedestrian crossing access over the Roseland Creek may be provided near the southern extent of Laurentian Drive, subject to the approval of Conservation Halton;

OPA 31

OPA 55
(v) development on land susceptible to flooding is only permitted if approved by Conservation Halton and all buildings in the spill area along the CNR tracks must be set at a height greater than the spill elevation while maintaining adequate flood storage.

Lands located west of King Road, south of Highway 403

f) Notwithstanding Part III, Section 3.3.2 a), the following additional policies apply to lands designated “General Employment” and located west of King Road, south of Highway 403, and described as 1200 King Road:

(i) recreation and entertainment uses, including a sports arena and/or stadium, shall be permitted only up to a maximum seating capacity of 9,000 persons. Any recreation or entertainment uses(s) with a seating capacity in excess of 9,000 persons shall require a further amendment to this Plan;

(ii) the Zoning By-law shall contain provisions relating to recreation and entertainment uses, placing a Holding (H) zone prefix on these lands which prohibit a sports arena and/or stadium with a maximum seating capacity of 9,000 persons, until the following is completed to the satisfaction of the City:

   i. the submission of a parking and access study which demonstrates that site access and parking will be adequate to meet the demands of the sports arena and/or stadium facility;

   ii. the proposed east-west service road extending from Waterdown Road to King Road has received all applicable approvals to permit its construction; and

   iii. adequate securities have been posted with the City to ensure that the construction of the entire east-west service road will be completed concurrent with the completion of the sports arena and/or stadium facility.

3.4 Business Corridor Designation

3.4.1 Objectives

Prestige type uses

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

Range of uses

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

Design and development standards

c) To establish high design and development standards for Business Corridor lands.
### 3.4.2 General Policies

#### Permitted Uses

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

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

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

(iii) a residence for a watchman or caretaker.

#### Floor Area Ratio

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

#### Zoning of sites

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

#### Building heights, development intensities

d) A range of building heights and *development intensities* shall be permitted within areas designated as Business Corridor.

#### Ancillary uses

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

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

(ii) such uses shall only be permitted on lands having one or more buildings with a total floor area greater than 3,000 sq. m;
(iii) no more than 15 per cent of the total floor area of any one building shall be used for ancillary uses, except that a restaurant may occupy up to 100 per cent of the total floor area of any one building if the total floor area of all buildings on the site is greater than 3,000 sq. m., if the total floor area of all restaurants does not exceed 15 per cent of the total floor area of all buildings on the site and if the site abuts and has vehicular access to a major arterial, multi-purpose arterial or minor arterial road; and

(iv) automotive related uses such as gas stations and car washes are not subject to clauses (ii) and (iii).

Site Plan considerations

The design and development of Business Corridor areas shall ensure a high degree of compatibility between new prestige industrial and office uses and adjacent non-industrial uses. The following site design and development factors shall be considered for new and/or expanding Business Corridor uses:

(i) off-street parking shall be located away from adjacent uses;

(ii) loading areas shall be located to avoid conflict between pedestrian and vehicular traffic away from adjacent uses and adjoining roads;

(iii) outdoor storage areas shall be fenced and/or screened;

(iv) the number and location of vehicular access points shall be limited to minimize disruption to traffic flows;

(v) lighting shall be directed to minimize impacts on adjacent uses;

(vi) the proposal provides convenient access to public transit services;

(vii) the proposal includes features to promote public safety;

(viii) off-street parking areas, loading areas and site service areas shall be screened and landscaped; and

(ix) urban design considerations contained in Part II, Section 6.0.

Re-designation-evaluation criteria

Proposals for the re-designation of lands to Business Corridor from another designation shall require an amendment to the Plan and shall be evaluated based on the following criteria:

(i) the area has access to and from a multi-purpose arterial or major arterial road;
(ii) full municipal services including sewer, water and utilities are available;

(iii) development of the site shall be compatible with existing and proposed uses in the surrounding area;

(iv) the site has direct access to roads that can accommodate the anticipated traffic generated by proposed development;

(v) the anticipated traffic shall not result in through traffic in surrounding residential areas;

(vi) efficient public transit service can be provided to the site; and

(vii) the site is located in an area where there is visibility to the Queen Elizabeth Way, Highway 403 or Highway 407 or is adjacent to a freeway interchange.

### 3.4.3 Site Specific Policies

**North side of North Service Road**

a) In addition to the other policies of this Plan, on the lands on the north side of the North Service Road, west of the hydro corridor east of King Road, lower intensity development will be permitted subject to the following:

(i) the open-space character of the area is to be maintained to the maximum possible degree;

(ii) outside storage of goods and materials is prohibited;

(iii) all uses except parking to be enclosed;

(iv) parking facilities to be landscaped and screened;

(v) landscaping, tree planting and berms to be provided within landscape areas abutting North Service Road and King Road;

(vi) wooded areas, hedgerows and trees to be protected to the maximum possible degree;

(vii) a maximum impervious coverage of 40 per cent shall be provided for lots which generally front the North Service Road, save and except Block 2, Plan 20M-745, or as permitted in the zoning by-law;

(viii) a brick manufacturing plant shall be permitted as an accessory use to a licensed mineral resource extraction use provided the plant is located within the licensed area;
(ix) notwithstanding the other policies of Subsection 6.2.3 q) (v) of the Parkway Belt West Plan, the outside storage of finished brick materials is permitted on approximately 7.5 hectares of land consisting of the southernmost 4.8 hectares of Part 1, Plan 20R-13159 and approximately the westernmost 2.7 hectares of Part 2, Plan 20R-13159; and

(x) notwithstanding Part III, Subsection 3.4.2 a) of this Plan, a large-scale motor vehicle dealership is permitted on land identified as 441 North Service Road. A limited amount of outside storage of motor vehicles for retail use is permitted, provided the storage area is screened from the North Service Road with landscaping and decorative features. Waste and refuse containers are permitted provided they are screened from the North Service Road.

b) Development or re-development of lands designated “Business Corridor” on the north side of North Service Road west of King Road, will also be required to undertake the following:

(i) a site-specific Environmental Impact Assessment as described in Part II, Section 2.5 of this Plan to ensure that impacts on the natural environment are minimized through maximum impervious surface limits and setbacks from watercourses and natural features;

(ii) a viewshed study and calculate maximum building heights to ensure views to the escarpment are maintained to the maximum extent;

(iii) comply with the criteria of Part V, Section 2.4, Design, of this Plan.

c) In addition to the uses permitted in Part III, Subsection 3.4.2 a) and e) of this Plan, a retail furniture showroom in combination with a furniture warehouse is permitted on lands at the north-west corner of Fraser Drive and the Queen Elizabeth Way, provided the retail showroom does not exceed 50 per cent of the floor area of the building.

d) In addition to the uses permitted in Part III, Subsection 3.4.2 a) and e) of this Plan, a motor vehicle dealership is also permitted at the north-west corner of North Service Road and Champlain Avenue and at 4315 North Service Road.
### Part III – Land Use Policies – Urban Planning Area

<table>
<thead>
<tr>
<th>Location</th>
<th>Description</th>
<th>Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>South side of QEW, east of Guelph Line</td>
<td>e) In addition to the uses permitted in Part III, Subsection 3.4.2 a) and e) of this Plan, freestanding restaurants are permitted on those lands identified as Lots 1, 2, 3 and 12 within Plan M-130, located on the south side of the Queen Elizabeth Way along South Service Road, east of Guelph Line.</td>
<td>OPA 19</td>
</tr>
<tr>
<td>Highway No. 407-Alton Community</td>
<td>f) In addition to the uses and policies in Part III, Subsection 3.4.2 a), b), e) and f) of this Plan, within the Alton Community: (i) lands within the vicinity of highway interchanges are permitted to have a higher intensity of development subject to the submission of a travel demand management plan; and (ii) outdoor storage is prohibited in yards adjacent to Highway No. 407. Outdoor storage in other locations must be sited, fenced and screened so as not to detract from the character of the Business Corridor.</td>
<td>OPA 3</td>
</tr>
<tr>
<td>West side of Guelph Line, south of the QEW</td>
<td>g) In addition to the uses permitted in Part III, Subsection 3.4.2 a) and e) of this Plan, on those lands located on the west side of Guelph Line, between the Queen Elizabeth Way and Glenwood School Drive, the sale of antiques and reproduction furniture and decorative accessories is permitted.</td>
<td>OPA 24</td>
</tr>
<tr>
<td>North-east Corner, Dundas Street and Palladium Way</td>
<td>h) In addition to the uses permitted in Part III, Subsection 3.4.2 a) and e) of this Plan, development of the lands at the north-east corner of Dundas Street and Palladium Way shall be subject to the following additional policies: (i) up to 0.9 hectare of the lands may be used for freestanding service commercial uses including restaurants and service stations and a freestanding convenience store, provided the total floor area of these uses does not exceed 1,400 sq. m, excluding a service station; and (ii) the remainder of the lands shall only be used in accordance with the uses permitted in Part III, Subsection 3.4.2 a) (i).</td>
<td>OPA 3</td>
</tr>
<tr>
<td>West side of Cumberland Avenue, south of South Service Road</td>
<td>i) Notwithstanding the policies of Part III, Subsection 3.4.2 e), a freestanding fitness and racquet club may be permitted on property located on the west side of Cumberland Avenue, south of South Service Road, and identified as 960 Cumberland Avenue.</td>
<td>OPA 31</td>
</tr>
<tr>
<td>North side of Harvester Road, West of Cumberland Avenue</td>
<td>j) Notwithstanding the policies of Part III, Subsection 3.4.2 e), motor vehicle sales and leasing may be permitted on the north side of Harvester Road, west of Cumberland Avenue, subject to the provision of landscaping to screen views from the Queen Elizabeth Way, the use of low intensity lighting directed away from abutting properties and the provision of a pedestrian access to properties on the South Service Road.</td>
<td>OPA 31</td>
</tr>
</tbody>
</table>
k) In addition to the other policies of this Plan, the following policies apply to development within the north-east and south-east quadrants of the intersection of Harvester Road and Guelph Line:

(i) this intersection is identified as a gateway to the City and will consist of high quality, high rise office development fronting and facing Guelph Line and Harvester Road. An urban plaza located at the south-east corner will signal the entry into the corporate gateway;

(ii) Council shall adopt Urban Design Guidelines which will guide the form and design of development abutting the intersection, prior to the approval of any development. Building heights, massing, setbacks, streetscape and landscape features will be designed to enhance the gateway function of this intersection;

(iii) the Zoning By-law shall contain provisions which will permit the development of high quality, business corridor uses at an increased floor area ratio of up to 2.0:1 at the south-east corner of Guelph Line and Harvester Road, in order to act as visual landmarks and help establish the gateway to the City. The Zoning By-law shall also contain provisions that facilitate the implementation of the approved design guidelines, including the reduction of building setbacks, increase in floor area ratio, and adjustments to landscaping requirements;

(iv) pedestrian access shall be provided from lands east of Roseland Creek, over the creek and through to Guelph Line, as part of the re-development of lands west of Roseland Creek;

(v) the Zoning By-law shall contain provisions placing an “H” (Holding) zone on the lands bounded by the Roseland Creek, Guelph Line, the CNR tracks and Harvester Road, until such time as the property owners sign a Master Servicing/Cost Sharing Agreement for future creek, servicing, traffic and streetscaping improvements in the area;

(vi) all development within the lands bounded by the Roseland Creek, Guelph Line, the CNR tracks and Harvester Road, shall be evaluated within the context of a comprehensive site plan for the entire area that provides appropriate detail with respect to built form, land use mix, internal road pattern and pedestrian access.

l) In addition to the other policies of this Plan, the lands located at the north-east corner of Appleby Line and the northerly leg of Harrison Court, shall be subject to the following policies:
(i) banks and similar uses as identified through the zoning by-law, shall not be subject to the provisions of Part III, subsection 3.4.2 (e);

(ii) all parking areas are to be provided as surface parking. No above grade or below grade parking structures are permitted;

(iii) if a site plan application(s) is submitted on these lands that proposes any noise sensitive uses as defined in the Zoning By-law, such application shall be circulated for comment to the owners of 3087 Harrison Court and 5155 & 5235 Dundas Street.

m) In addition to the uses permitted in Part III, Subsection 3.4.2 a) and e) of this Plan, the property at 3455 North Service Road shall permit a large furniture and appliance store provided it forms a component of a building that also includes office uses having a minimum floor area of 2,000 m$^2$. The retail portion of the subject building may occupy no more than 49% of the gross floor area and includes related store office and restaurant uses. A warehouse space component that is accessible to the public shall also be permitted and shall not be included in the retail calculations.
4.0 MAJOR RETAIL AREAS

The lands identified as "Major Retail" on Schedule A, Settlement Pattern provide locations where the primary use of land involves the buying and selling of services and goods on a City-wide or community-wide basis. Additional *neighbourhood commercial* locations also exist and are included in the “Residential Areas” designation on Schedule A. To provide for the orderly *development* and distribution of retail and *service commercial* uses, four Commercial Area land use designations have been identified on Schedule B, Comprehensive Land Use Plan - Urban Planning Area. The Regional Commercial, Community Commercial, Employment Commercial and Neighbourhood Commercial categories are based on the function, permitted uses, location, intensity and scale of *development*.

Retail and *service commercial* land uses are also permitted in Mixed Use Activity Areas as identified on Schedule A, Settlement Pattern. Provisions for the *development* of retail and *service commercial* uses in these designations are outlined in Part III, Section 5.0 of the Plan. Any one cluster of retail facilities that may be proposed through applications to re-designate lands to Mixed Use Corridor-Commercial Corridor, or to permit additional uses within a Mixed Use Corridor –Commercial Corridor designation, will not be permitted to approach the size or significance of a Regional or Community Commercial designation.

The following principles, objectives and policies provide a framework that will guide future *development* decisions for Major Retail areas:

4.1 Principles

Need For retail lands

- a) *Encourage* the orderly distribution and development of retail and *service commercial* uses to satisfy the shopping and service needs of residents and shoppers.

Public Transit

- b) Shopping activities that attract large numbers of employees and shoppers *shall* be served by public transit.

4.2 General

4.2.1 Objectives

Designate a sufficient supply of land

- a) To designate sufficient lands within the Urban Planning Area to accommodate the anticipated growth in retail demand during the planning period, including an adequate supply of serviced land, choice of location and size of properties.

Location and market

- b) To direct major retail facilities and related services to shopping areas based on market needs and locational criteria for such uses.

Traffic impacts

- c) To minimize the impact of retail and other service *development* on adjacent lands uses and on the traffic *carrying capacity* of the local roads.
PART III – LAND USE POLICIES – URBAN PLANNING AREA

<table>
<thead>
<tr>
<th>Direct uses to existing areas</th>
<th>d)</th>
<th>To direct proposed retail facilities to existing and designated locations rather than re-designating lands from another land use.</th>
</tr>
</thead>
</table>

### 4.2.2 Policies

**Function**

- **a)** The orderly *development* and distribution of commercial areas shall be *encouraged* with the designation of Commercial Areas with the following functions:

<table>
<thead>
<tr>
<th>Regional Commercial</th>
<th>(i)</th>
<th><em>Regional Commercial areas shall</em> provide a wide range of retail and <em>service commercial</em> uses and <em>community facilities</em>. These commercial areas are considered major activity centres in terms of their size and use and are intended to serve all of the City as well as population in adjacent municipalities;</th>
</tr>
</thead>
<tbody>
<tr>
<td>Community Commercial</td>
<td>(ii)</td>
<td><em>Community Commercial areas shall</em> provide a wide range of retail and <em>service commercial</em> uses, and <em>community facilities</em> not generally found within <em>neighbourhood commercial areas</em>. These commercial areas are smaller in size and function to a Regional Commercial and serve as a focal point for community activity for the surrounding residential and business areas;</td>
</tr>
<tr>
<td>Employment Commercial</td>
<td>(iii)</td>
<td>Employment Commercial areas <em>shall</em> allow for a wide range of <em>employment uses</em> and also a limited range of retail commercial uses which have <em>employment</em> characteristics, such as:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>i. serving business uses to a large extent;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>ii. requiring expansive land areas which can not be easily accommodated in <em>community</em> and <em>regional commercial areas</em>;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>iii. often locating in or adjacent to <em>employment</em> areas;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>iv. are not intended to serve the regular daily and weekly shopping needs of the surrounding residential and business community;</td>
</tr>
<tr>
<td>Neighbourhood Commercial</td>
<td>(iv)</td>
<td><em>Neighbourhood Commercial areas</em> provide opportunities for local shopping that meet residents’ day-to-day and weekly goods and service needs.</td>
</tr>
</tbody>
</table>

- **b)** Additional lands for retail and *service commercial* uses are designated under Mixed Use Corridor and Mixed Use Centres land use designations on Schedule B, Comprehensive Land Use Plan - Urban Planning Area. Policies addressing the design and *development* of Mixed Use Corridor and Mixed Use Centre areas are subject to the objectives and policies of Part III, Section 5.0 of the Plan.
PART III – LAND USE POLICIES – URBAN PLANNING AREA

Range of uses

c) Regional Commercial areas and Community Commercial areas shall be mainly developed for retail and service commercial uses, however, office and residential uses may also be permitted. Employment Commercial areas shall be developed for large-scale retail uses which cannot be easily accommodated in the other commercial areas and which also serve the business community.

Re-designation evaluation criteria
d) Proposals for the re-designation of lands to Regional Commercial or Community Commercial from another designation shall require an amendment to the Plan and shall be evaluated based on meeting the following criteria:

(i) the site area and proposed building area comply with minimum and/or maximum requirements for commercial areas as outlined in Part III, Subsection 4.3.2 and Part III, Subsection 4.4.2 of the Plan, if applicable;

(ii) the proposal has a primary trade area population appropriate for the intended use;

(iii) there is a demonstrated need for the proposed re-designation, and the market impact of the proposal has been assessed on a City-wide basis in terms of its impact on the planned function of any existing or designated Commercial area or Mixed Use Centre;

(iv) adequate municipal services are available;

(v) sufficient on-site parking is provided;

(vi) the site is served by an adequate level of public transit;

(vii) the anticipated traffic will not result in through traffic in surrounding residential and business areas or detrimental impacts on local roads;

(viii) for a Community Commercial area, the site is located on at least two multi-purpose arterial or major arterial roads that can accommodate the anticipated traffic;

(ix) for a Regional Commercial area, the site is located on at least two multi-purpose arterial or major arterial roads, or a multi-purpose arterial or major arterial road and a Provincial freeway which can accommodate the anticipated traffic; and

(x) the proposed re-designation is compatible with adjacent land uses and will not adversely affect the supply, desirability or viability of any existing or designated employment use or area.

Consult with adjacent municipalities
e) The City shall consult with the Region of Halton and adjacent municipalities where Official Plan and rezoning applications for new retail development involve primary trade areas extending outside of the City.
### Home occupations

f) *Home occupations* and *cottage industries shall* be permitted in Regional Commercial and Community Commercial subject to the policies of Part III, Section 2.7.

### Market Impact study

g) In addition to the above, any proposal for additional retail uses which includes a *warehouse club, supermarket/grocery store* or *large department store*, or the sale of food in excess of 1,800 sq. m. in area, *shall* require the submission of a comprehensive market impact study which assesses the market impact of the proposal on existing and designated commercial areas throughout the City.

### 4.3 Regional Commercial Designation

#### 4.3.1 Objectives

Regional Scale Commercial  
a) To provide locations in the City for shopping areas that offer a wide range of retail and *service commercial* uses and *community facilities*. These commercial areas are considered major activity centres in terms of size and use and are intended to serve all of the City as well as the population in adjacent municipalities.

Jobs and housing  
b) To *encourage* job creation and residential land uses where appropriate at *Regional commercial areas*.

#### 4.3.2 Policies

Permitted Uses  
a) The following uses *may* be permitted within the Regional Commercial designation: all types of retail uses, *supermarkets/grocery stores, service commercial* and personal service uses; *department stores, warehouse clubs*, home and auto supplies, and furniture stores; financial institutions and services; offices; *entertainment, recreation* and other *community facilities* such as day care centres; and *may* permit *medium and high density residential* uses to a maximum height of twelve storeys and subject to evaluation of site-specific criteria that *may* include, but not be limited to, traffic, land use *compatibility* and environmental factors.

The floor area of a property designated Regional Commercial that is devoted to freestanding residential, hospitality, *entertainment, recreation* and office uses, *shall* not exceed half of the total floor area on the property.
Form of development

b) Development in a Regional Commercial Area or node shall be a commercial centre functioning primarily for Regional scale shopping, where a group of retail, service commercial or other uses function with some common parking and loading facilities, and egress and ingress, and may include lands on other quadrants of an intersection. Freestanding buildings shall be permitted on the site provided they do not adversely affect access or traffic circulation within the commercial area.

Residential uses
c) Residential uses shall be located in buildings exclusively used for residential use or in upper storeys of commercial buildings.

Office uses
d) Office uses shall be located in freestanding buildings, within the shopping centre building, or on upper storeys of commercial buildings.

Site/Building size
e) A Regional Commercial area or node shall be at least 20 ha in size and have a total retail building area of approximately 45,000 sq. m. or greater. Notwithstanding this policy, the lands designated “Regional Commercial” on the north side of Plains Road East, west of the Queen Elizabeth Way, may have a minimum size of 5 ha and a minimum retail building area of 20,000 sq. m. In addition, the lands designated “Regional Commercial” on the east side of Appleby Line, south of Highway 407, may have a minimum size of 8 ha and a minimum retail building area of 16,000 sq. m.

Zoning of sites

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

Site plan considerations
g) The design and development of Regional Commercial Areas or nodes shall promote compatibility between the Regional Commercial and adjacent land uses. The following factors shall be considered in reviewing proposals for new and/or expanding Regional Commercial uses:

(i) the site plan includes features that integrate the commercial area with surrounding uses;

(ii) the site plan promotes safe, convenient and barrier-free pedestrian travel within the site, between the site and adjacent uses, to and from transit stops;

(iii) the number and location of vehicular access points shall be limited to minimize disruption to traffic flows and to minimize the impact on local streets;
(iv) off-street parking areas, loading areas and service areas shall be screened and landscaped;

(v) the site plan promotes public safety;

(vi) the proposal promotes convenient access to public transit services;

(vii) off-street parking shall be located away from adjacent uses;

(viii) loading areas and service areas shall be located to avoid conflict between pedestrian and vehicular traffic, and away from adjacent residential areas;

(ix) outdoor storage areas shall be fenced and/or screened;

(x) lighting is directed to minimize impacts on adjacent residential uses; and

(xi) the major entrance(s) to the commercial centre building shall be located adjacent to the principal public transit stop(s) or a covered walkway shall be provided between the major entrance(s) to the shopping centre building and the principal transit stop(s).

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Public transit h) Regional commercial areas or nodes shall be fully served by public transit services.

North-east quadrant of Dundas Street & Appleby Line i) Notwithstanding the policies of Part III, Subsection 4.3.2 a), on the lands designated “Regional Commercial” in the north-east quadrant of Dundas Street and Appleby Line, the following policies shall apply:

(i) supermarkets/grocery stores and department stores shall not be permitted;

(ii) land uses sensitive to noise, vibration, dust, odours or other effects caused by transportation or industrial facilities, such as residential and certain institutional uses as outlined in Part II, Subsection 4.3 d), are not permitted;

(iii) subject to the above, uses permitted in the Mixed Use Corridor-Employment designation shall also be permitted.
PART III – LAND USE POLICIES – URBAN PLANNING AREA

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
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</thead>
<tbody>
<tr>
<td>j)</td>
<td>Notwithstanding the policies of Part III, Subsection 4.3.2 a) of this Plan, the lands at the north-west corner of Appleby Line and Dundas Street shall be subject to the following:</td>
</tr>
<tr>
<td></td>
<td>(i) a maximum floor area of 12,000 sq. m. per retail use;</td>
</tr>
<tr>
<td></td>
<td>(ii) increases in the maximum floor area per retail use may be permitted provided the increase is substantiated by market studies.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2055, 2075 &amp; 2085 Fairview Street k)</th>
<th>Notwithstanding the other policies of this Plan, the lands on the north side of Fairview Street, east of Rambo Creek (municipally known as 2055, 2075 and 2085 Fairview Street) shall be subject to the following:</th>
</tr>
</thead>
<tbody>
<tr>
<td>(i)</td>
<td>notwithstanding Part III, Subsection 4.3.2 a), warehouse clubs are not permitted, medium and high-density residential uses are permitted, and only those uses identified in Subsection 4.3.2 a) that are transit supportive uses, as defined in the Growth Plan for the Greater Golden Horseshoe (2006) are permitted. For purposes of clarification, of the uses permitted by Part III, Subsection 4.3.2 a) (as amplified in this policy), offices and medium and high-density residential uses are deemed to be transit-supportive uses. All permitted uses shall have a minimum floor area ratio of 0.5:1 and a minimum building height of two storeys;</td>
</tr>
<tr>
<td>(ii)</td>
<td>notwithstanding clause (i) above, and Part III, Subsections 4.3.2 b) and e), a single-storey department store, not exceeding 12,000 sq. m. of gross floor area, is permitted, provided that no greater than 15 per cent (1,800 sq. m.) of the gross floor area within the department store shall be used for the sale of food products;</td>
</tr>
<tr>
<td>(iii)</td>
<td>notwithstanding Part III, Subsection 4.3.2 a), the floor area devoted to freestanding residential and office uses may exceed half of the total floor area of the site; and</td>
</tr>
<tr>
<td>(iv)</td>
<td>Part III, Subsection 4.3.2 e), regarding site/building size does not apply.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>915 Brant Street and 2030 DePaul’s Lane l)</th>
<th>Notwithstanding the other policies of this Plan, the lands on the north side of Fairview Street, west of Rambo Creek and east of Brant Street (municipally known as 915 Brant Street and 2030 DePaul’s Lane), shall be subject to the following:</th>
</tr>
</thead>
</table>
(i) notwithstanding Part III, Subsection 4.3.2 a), \textit{warehouse clubs} are not permitted, \textit{medium and high density residential} uses are permitted, and only those uses identified in Subsection 4.3.2 a) that are \textit{transit supportive uses}, as defined in the Growth Plan for the Greater Golden Horseshoe (2006) are permitted. For the avoidance of doubt, of the uses permitted by Part III, Subsection 4.3.2 a) (as amplified in this policy), offices and \textit{medium and high density residential} uses are deemed to be \textit{transit-supportive} uses. All permitted uses \textit{shall} have a minimum \textit{floor area ratio} of 0.5:1 and a minimum building height of two storeys;

(ii) notwithstanding Part III, Subsection 4.3.2 a), the floor area devoted to freestanding residential and office uses \textit{may} exceed half of the total floor area of the site;

(iii) Part III, Subsection 4.3.2 e) regarding site/building size does not apply.

m) On the lands designated “Regional Commercial” on the east side of Appleby Line, south of Highway 407, and described as 3251 Appleby Line, the following additional policies apply:

(i) in addition to the uses permitted under Part III, Subsection 4.3.2 a), \textit{one large building supplies/garden store} use is permitted. Notwithstanding Part III, Subsection 4.3.2 a), residential uses, \textit{supermarkets/grocery stores, department stores, warehouse clubs}, and retailing of non-work related apparel are not permitted;

(ii) if a \textit{large building supplies/garden store} is not constructed on these lands, the total floor area of all buildings and structures on the lands shall not exceed 22,300 sq. m. If a \textit{large building supplies/garden store} with a minimum floor area of 13,000 sq. m is constructed on these lands, the total floor area of all buildings and structures on the lands shall not exceed 26,670 sq. m. If a \textit{large building supplies/garden store} with a minimum floor area of 13,940 sq. m is constructed on these lands, the total floor area of all buildings and structures on the lands shall not exceed 27,590 sq. m;

(iii) all parking areas are to be provided as surface parking. No above grade or below grade parking structures are permitted;

(iv) if a site plan application(s) is submitted on these lands that proposes any noise sensitive uses as defined in the Zoning By-law, such application shall be circulated for comment to the owners of 3087 Harrison Court and 5155 & 5235 Dundas Street.
n) On the lands designated “Regional Commercial” at the north-east corner of Appleby Line and the southerly leg of Harrison Court, described as 3091 Appleby Line, the following additional policies apply:

(i) in addition to the uses permitted under Part III, Subsection 4.3.2 a), one large building supplies/garden store use is permitted. Notwithstanding Part III, Subsection 4.3.2 a), residential uses, supermarkets/grocery stores, department stores, large furniture and appliance stores, large home and auto supply stores and warehouse clubs are not permitted;

(ii) land uses sensitive to noise, vibration, dust, odours or other effects caused by transportation or industrial facilities, such as certain institutional uses as outlined in Part II, Subsection 4.3 d), are not permitted;

(iii) if a large building supplies/garden store with a minimum floor area of 6,038 sq. m. is constructed on these lands, the total floor area of all buildings and structures on the lands shall not exceed 8,593 sq. m. for commercial uses and 557 sq. m. for office uses. If a large building supplies/garden store is not constructed on these lands, the total floor area of all buildings and structures on the lands shall not exceed 8,128 sq. m. for commercial uses and 557 sq. m. for office uses;

(iv) all parking areas are to be provided as surface parking. No above grade or below grade parking structures are permitted;

(v) if a site plan application(s) is submitted on these lands, such application shall be circulated for comment to the owners of 3087 Harrison Court and 5155 & 5235 Dundas Street.

4.4 Community Commercial Designation

4.4.1 Objectives

a) To provide locations in the City for shopping areas that offer a wide range of retail and service commercial uses, and community facilities not generally found within residential communities. These shopping areas are smaller in size and function to a Regional commercial area or node and serve as a focal point for community activity for the surrounding residential and business areas.

b) To encourage job creation and residential land uses at Community Commercial areas or nodes.
4.4.2 Policies

**Permitted uses**

a) The following uses may be permitted within the Community Commercial designation: all types of retail uses, supermarkets/grocery stores; service commercial and personal service uses; department stores; financial institutions and services; offices; entertainment, recreation and other community facilities such as day care centres; and medium and high density residential uses to a maximum height of twelve storeys and subject to evaluation of site specific criteria that may include, but not be limited to, traffic, land use compatibility and environmental factors.

Except for the lands designated Community Commercial on the south side of Plains Road, east of Daryl Drive, the floor area of a property designated Community Commercial that is devoted to freestanding residential, hospitality, entertainment, recreation and office uses, shall not exceed half of the total floor area on the property.

**Form of development**

b) Development in a Community Commercial area or node shall be a planned commercial centre as outlined in Part III, Subsection 4.2.2 and/or in a grouping of separate buildings, including lands on other quadrants of the intersection. Freestanding buildings shall be permitted provided they do not adversely affect access to or traffic circulation within the commercial area.

**Residential uses**

c) Residential uses shall be located in buildings exclusively used for residential use or in upper storeys of commercial buildings.

**Office uses**

d) Office uses shall be in freestanding buildings, within a shopping centre building or on upper storeys of commercial buildings.

**Site/Building size**

e) A Community Commercial area or node shall be approximately 5 to 12 ha in size and have a maximum retail building area of approximately 45,000 sq. m.

**Zoning of sites**

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

**Larger retail uses**

g) Retail uses between 1,800 sq. m. and 5,600 sq. m. in gross floor area where food products are not the principal goods retailed shall occupy no more than 30 per cent of the total floor area of any one site within a Community Commercial area or node.

**Site plan considerations**

h) The design and development of Community Commercial areas or nodes shall promote compatibility between the Community Commercial area or node and adjacent land uses. The following factors shall be considered in reviewing proposals for new and/or expanding Community Commercial uses:
(i) the site plan includes features that integrate the commercial area with surrounding uses;

(ii) the site plan promotes safe, convenient and barrier-free pedestrian travel within the site, between the site and adjacent uses and to and from transit stops;

(iii) the number and location of access points to an arterial road shall be limited to minimize disruption to traffic flows and to minimize the impact on local streets;

(iv) off-street parking areas, loading areas and service areas shall be screened and landscaped;

(v) the site plan promotes public safety;

(vi) the proposal promotes convenient access to public transit services;

(vii) off-street parking shall be located away from adjacent uses;

(viii) loading areas and service areas shall be located to avoid conflict between pedestrian and vehicular traffic and away from adjacent residential areas;

(ix) outdoor storage areas shall be fenced and/or screened;

(x) lighting is directed to minimize impacts on adjacent residential uses;

(xi) the major entrance(s) to the commercial centre building shall be located adjacent to the principal public transit stop(s) or a covered walkway shall be provided between the major entrance(s) to the shopping centre building and the principal transit stop(s).

Public transit i) Community Commercial areas or nodes shall be fully served by public transit services.
4.5 Employment Commercial Designation

4.5.1 Objective

Provide locations

a) To provide locations in the City for a wide range of employment uses, as well as retail uses which have employment characteristics, such as:

(i) serving business uses to a large extent;

(ii) requiring expansive land areas which can not be easily accommodated in community and regional commercial areas;

(iii) locating in or adjacent to employment areas;

(iv) are not intended to serve the regular daily and weekly shopping needs of the surrounding residential and business community.

4.5.2 Policies

Permitted uses

a) The following uses may be permitted within the Employment Commercial designation:

(i) uses permitted within the General Employment designation;

(ii) commercial sales and services to the business community or those that have a significant processing, wholesaling or warehousing component;

(iii) retail uses that require significant land areas, many with outdoor sales and storage and characterized as infrequent shopping destinations;

(iv) home improvement and home décor sales uses which require large building areas, some of which have significant warehousing components and which are infrequent shopping destinations.

Minimum floor area

b) Each individual retail store in an Employment Commercial designation shall have a minimum floor area of 1,000 sq. m., except that this provision shall not apply to those lands designated “Employment Commercial” along the North Service Road, east of Brant Street.

Zoning regulations

c) The maximum floor area ratio of development at any site shall be 0.3:1, except for office uses which shall have a maximum floor area ratio of 0.5:1.
Zoning of sites  
d) The zoning of individual sites may not allow for the full range of permitted uses or the full extent of development intensity at every location. This determination will be based on site-specific factors that may include, but not be limited to, market impact, traffic, land use compatibility, natural hazards and features, and environmental factors such as soil contamination.

No additional land  
e) It is the general intent of this Plan that the designation of additional lands for Employment Commercial purposes shall not be permitted.

Re-designation criteria  
f) Proposals for the re-designation of lands to Employment Commercial from another designation shall require an amendment to the Plan and shall be evaluated based on meeting the following criteria:

(i) the site has access to, and visibility from, at least one major arterial or multi-purpose arterial road that can accommodate the anticipated traffic;

(ii) the site is located on the periphery of an employment area with separation from predominant industrial traffic;

(iii) the traffic generated by the proposal will not have adverse impacts upon the local, Regional and Provincial road system and the interchange areas of Provincial highways;

(iv) there is a demonstrated need for the Employment Commercial use and the market impact of the proposal has been assessed in terms of its impact on the planned function of any existing or designated Regional, Community or Neighbourhood Commercial Area or Mixed Use Centre;

(v) the proposal is compatible with adjacent residential or employment land uses and will not adversely affect the supply, desirability or viability of any existing or designated employment use or area;

(vi) adequate municipal services are available;

(vii) sufficient on-site parking is provided; and

(viii) the anticipated traffic will not result in through traffic in surrounding residential and business areas or detrimental impacts on local roads.
g) Notwithstanding the uses permitted by this designation, retail commercial uses and warehouse clubs are also permitted on the lands located on the north side of the Queen Elizabeth Way, east of Guelph Line, south of the CNR and west of the Ontario Hydro Utility Corridor. The additional permitted uses are those allowed under the zoning by-law in effect on the day of the adoption of the Official Plan, July 11, 1994. In addition, Part III, Subsection 4.5.2 b) of this Plan shall not apply for these lands.

4.6 Neighbourhood Commercial Designation

4.6.1 Objective

a) To provide opportunities for limited neighbourhood commercial centres within and at the periphery of residential neighbourhoods in locations that meet residents’ day-to-day and weekly goods and service needs.

4.6.2 Policies

a) The orderly development and distribution of neighbourhood commercial areas shall be encouraged with the designation of neighbourhood commercial shopping areas on Schedule B, Comprehensive Land Use Plan - Urban Planning Area, with the following functions:

Small-Scale

(i) small-scale neighbourhood commercial areas are intended to provide a limited range of retail and service commercial uses and community facilities that serve the daily and weekly needs of the immediate neighbourhood. These shopping areas will have a site area of approximately 1.0 ha and maximum building area of approximately 2,500 sq. m;

Large-Scale

(ii) large-scale neighbourhood commercial areas are intended to provide a limited range of retail and service commercial uses and community facilities that serve the daily and weekly needs of the immediate neighbourhood and surrounding residential community. Large-scale neighbourhood commercial areas will have a site area of up to 5 ha and a maximum building area of approximately 12,500 sq. m.

b) Residential uses may be permitted in the second and/or third storey of retail/commercial buildings.

c) The following criteria shall be considered when evaluating applications for new or expanded neighbourhood commercial sites:

(i) there is a demonstrated need for the development in terms of existing and future market conditions;
(ii) the impacts of the proposal on adjacent residential development are acceptable with respect to noise, dust, vibration, lighting, odours, security, sun-shadowing, removal of vegetation and privacy, or the proposed development has the capability to mitigate any impacts to acceptable levels;

(iii) the proposal is compatible to the surrounding neighbourhood in terms of height, massing, setbacks, and landscape and buffer areas;

(iv) small-scale neighbourhood commercial uses are located on a collector street, minor arterial road, multi-purpose arterial road or major arterial road;

(v) large-scale neighbourhood commercial uses are located at the intersection of minor arterial, multi-purpose arterial or major arterial roads;

(vi) the effects of the proposal on the capacity of the transportation system and existing traffic levels are acceptable; and

(vii) on-site parking is adequate to accommodate the level of commercial development proposed.

The design and development of Neighbourhood Commercial areas shall promote compatibility between the Neighbourhood Commercial area and adjacent land uses. The factors to be considered in reviewing proposals for new and/or expanding Neighbourhood Commercial uses are outlined in Part III, Section 4.3.2, subsection g).

Notwithstanding the policies of Part III, Subsection 4.6.2 a) and b) of this Plan, the small scale Neighbourhood Commercial shopping area located on the lands on the south side of Queensway Drive, west of Guelph Line and east of Cleta Street shall also permit office, entertainment and hospitality uses such as hotels and restaurants.

The four small-scale Neighbourhood Commercial areas within the Orchard Community shall also permit medium and high density residential uses, financial and office uses and urban squares. These uses will be subject to the following:

(i) a maximum floor area of approximately 300 sq. m per non-residential establishment;

(ii) the maximum height of any building shall be five storeys;

(iii) non-residential uses shall only be allowed on the ground floor of predominantly residential buildings, although offices may be allowed above the ground floor;
(iv) townhouses, street townhouses, stacked townhouses, duplexes, three-plexes, four-plexes and walk-up apartments housing forms shall only be permitted;

(v) the combined, total floor area for office, retail and service commercial uses, excluding restaurant uses, within Neighbourhood Commercial areas in Orchard Community shall not exceed 7,000 sq. m; and

(vi) the approval of initial development shall allow for the ultimate re-development potential of the lands at the densities anticipated by this designation.

Upper Middle Road & William O’Connell Boulevard

g) Notwithstanding the policies of Part III, Subsection 4.6.2 a) and b) of this Plan, the small scale Neighbourhood Commercial area located on the land at the north-west corner of Upper Middle Road and William O’Connell Boulevard shall permit only office use.

North-west corner, Dundas Street and Walker’s Line

h) Notwithstanding the policies of Part III, Subsection 4.6.2 a) and b) of this Plan, the large scale Neighbourhood Commercial shopping area located at the north-west corner of Dundas Street and Walker’s Line, shall be subject to the following:

(i) a maximum lot area of 2.0 hectares;

(ii) supermarkets/grocery stores, to a maximum total floor area of 3,250 sq. m., shall only be permitted if substantiated by a market study to be completed at the time of zoning application.

South-east corner, Walker’s Line and Upper Middle Road

i) In the Neighbourhood Commercial Area at the south-east corner of Upper Middle Road and Walker’s Line, retail commercial floor area will be subject to the following:

(i) a Phase I maximum of 26,500 sq. m; and

(ii) in Phase II retail commercial floor area may exceed 26,500 sq. m, up to a maximum 25 per cent lot coverage, provided the increase is substantiated by market studies.

South-east corner, Dundas Street and Sutton Drive

j) Notwithstanding the policies of Part III, Subsections 2.2.2 e) and 4.6.2 f) (ii), (iv) and (vi) of this Plan, the Neighbourhood Commercial area at the south-east corner of Dundas Street and Sutton Drive, shall be subject to the following:

(i) Apartment buildings shall be permitted with a maximum density of 237 units per net hectare; and

(ii) The maximum height of apartment buildings fronting on Dundas Street and Sutton Drive shall be 6 storeys.
5.0 MIXED USE ACTIVITY AREA

The lands identified as "Mixed Use Activity Area" on Schedule A, Settlement Pattern provide locations where employment, shopping and residential uses will be developed. Employment, shopping and residential land uses will be integrated in a compact urban form, at higher development intensities and will be pedestrian-oriented and highly accessible by public transit. Mixed Use areas will foster community interaction by providing focus on community facilities. Mixed Use Activity Areas will occur in linear and nodal forms and are provided for under four land use designations on Schedule B, Comprehensive Land Use Plan - Urban Planning Area: Mixed Use Corridor-General, Mixed Use Corridor-Employment, Mixed Use Corridor-Commercial Corridor, and Mixed Use Centre. These designations are based on spatial distribution, the scale and intensity of the development allowed, the design standards that shall apply and the potential effects of these uses on adjacent uses.

The following principles, objectives and policies provide a framework that will guide future development decisions for all Mixed Use Activity Areas:

5.1 Principles

a) Mixed Use Activity Areas provide alternatives to low density, suburban development and encourage the efficient use of physical resources and municipal services.

b) The design and development of Mixed Use Activity Areas provide opportunities to create and/or maintain a special community identity and a focal point for a variety of City-wide, community and neighbourhood functions.

c) Mixed Use Activity Areas address the demand for higher intensity employment, shopping and residential areas within the City.

5.2 General

5.2.1 Objectives

a) To encourage comprehensively planned mixed use employment, shopping and residential areas that provide for the integration of uses such as retail stores, offices, hotels, institutional and entertainment uses with residential uses, community facilities, cultural facilities, institutions and open space in a compact urban form, while retaining compatibility with nearby land uses.
PART III – LAND USE POLICIES – URBAN PLANNING AREA

<table>
<thead>
<tr>
<th>Compact urban form, pedestrian / transit oriented</th>
<th>b) To ensure Mixed Use Activity Areas are developed in a compact urban form, are pedestrian-oriented and highly accessible by public transit, and foster community interaction.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Infrastructure and services</td>
<td>c) To direct the phasing and/or expansion of municipal infrastructure and services to ensure the timely and orderly development of Mixed Use Activity Areas.</td>
</tr>
</tbody>
</table>

### 5.2.2 Policies

**City Structure Plan**

| a) Mixed Use Activity Areas identified on Schedule A, Settlement Pattern shall be designated as either Mixed Use Corridor-General, Mixed Use Corridor-Employment, Mixed Use Corridor-Commercial Corridor or Mixed Use Centre on Schedule B, Comprehensive Land Use Plan - Urban Planning Area. |

**Mixed Use Corridors**

b) Lands designated as Mixed Use Corridor-General, Mixed Use Corridor-Employment, and Mixed Use Corridor - Commercial Corridor on Schedule B, Comprehensive Land Use Plan - Urban Planning Area shall be subject to the policies contained in Part III, Section 5.3.

c) Lands designated as Mixed Use Centre on Schedule B, Comprehensive Land Use Plan - Urban Planning Area shall be subject to the policies contained in Part III, Sections 5.4 to 5.6.

d) The design and development of Mixed Use Activity Areas shall promote these areas as focal points for community activities that are characterized by a compact form of development, pedestrian-orientation, greater accessibility to public transit and higher intensity development.

e) The construction and expansion of municipal services shall provide for the development of Mixed Use Activity Areas in an orderly and cost effective fashion.

**Consult with Adjacent Municipalities**

f) The City shall consult with the Region of Halton and adjacent municipalities where Official Plan and rezoning applications for new retail development involve primary trade areas extending outside of the City.

**Home Occupations**

g) Home occupations and cottage industries shall be permitted in Mixed Use Corridors and Mixed Use Centres subject to the policies of Part III, Section 2.7.
**PART III – LAND USE POLICIES – URBAN PLANNING AREA**

<table>
<thead>
<tr>
<th>Priority locations</th>
<th>h) Mixed Use Activity Areas <em>shall</em> be priority locations for:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(i) land assembly at strategic locations;</td>
</tr>
<tr>
<td></td>
<td>(ii) <em>infrastructure/public</em> facility improvements;</td>
</tr>
<tr>
<td></td>
<td>(iii) creation and application of financial, regulatory and other incentives;</td>
</tr>
<tr>
<td></td>
<td>(iv) new municipal facilities and services;</td>
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<tr>
<td></td>
<td>(v) creation and application of <em>brownfield re-development</em> strategies;</td>
</tr>
<tr>
<td></td>
<td>(vi) preparation of comprehensive traffic and parking studies and strategies;</td>
</tr>
<tr>
<td></td>
<td>(vii) provision of higher levels of transit service compared with other areas of the City.</td>
</tr>
</tbody>
</table>

| Urban Design       | i) It is the general intent of this Plan that Mixed Use Activity Areas *shall* be subject to a high quality of urban design. City Council *may* require the preparation of Urban *Design Guidelines* for specific Mixed Use Activity Areas or the preparation of site-specific Corridor Studies for Mixed Use Corridor Areas, which *may* include such *design guidelines* as a component of the Corridor Study. These guidelines *shall* be referenced in an appendix to this Plan and be used in the evaluation of all *development* proposals within the Mixed Use Activity or Corridor Area. |

| Shared or on-street parking | j) In order to balance pedestrian and vehicular movements in a safe and efficient manner, various approaches *may* be considered, including shared parking facilities in central locations, and/or on-street parking where deemed appropriate by detailed studies. |

| Integration with neighbourhoods | k) The City *may* ensure the proper integration of Mixed Use Activity Areas with surrounding neighbourhoods through measures such as pedestrian walkways, cycling paths and transit routes, and the protection of the *physical character* of these neighbourhoods through urban design. |

| Reduced parking | l) The City *may* consider the use of reduced parking standards in Mixed Use Activity Areas in order to *encourage* greater reliance on non-automobile forms of transportation. |

| Monitoring | m) The City *may*, in consultation with the Region, monitor the performance of Mixed Use Activity Areas in achieving the goals and objectives of this Plan. |
5.3 Mixed Use Corridors (General, Employment and Commercial Corridor)

5.3.1 Objectives

Integrate uses along Arterial Roads

a) To provide locations along multi-purpose arterial or major arterial roads that will serve as areas of concentration for mixed use developments with high density residential, retail, service commercial, office, entertainment, community facilities and institutions, and open space uses.

Higher intensity development

b) To encourage higher intensity, transit-supportive and pedestrian-oriented mixed use development, including land in the vicinity of a major transit station area, such as a GO Transit station, in a compact urban form, while retaining compatibility with nearby land uses. *R16

Mixed uses

c) To permit mixed use developments on individual sites where various combinations of residential, retail, office and other uses are located, or on different sites where residential, retail, office and other uses are located next to one another.

5.3.2 General Policies *R16

Permitted uses

a) The following uses may be permitted within the Mixed Use Corridor-General, Mixed Use Corridor-Employment and Mixed Use Corridor-Commercial Corridor designations:

(i) a wide range of retail, service commercial and personal service uses; financial institutions and services; a broad range of office uses; entertainment, recreation and other community facilities such as day care centres; and small scale motor vehicle dealerships;

(ii) high density residential uses and a full range of office uses. Townhouses may only be permitted as a component of an overall development of mixed residential or residential/commercial building forms, where the townhouse portion of the mixed development does not abut the multi-purpose arterial or major arterial road and where the development of the townhouse component does not compromise the long-term objectives for the Mixed Use Corridor designation with respect to such matters as mix of uses, building form and intensity; and
PART III – LAND USE POLICIES – URBAN PLANNING AREA

(iii) development and re-development of lands within a major transit station area, such as a GO transit commuter rail station, shall achieve a higher intensity of re-development and consist of transit supportive uses, as called for and defined in the Growth Plan for the Greater Golden Horseshoe. Notwithstanding Part III, Subsection 5.3.3 b) and e), those lands designated Mixed Use Corridor subject to the Commercial Corridor Policies of Subsection 5.3.3 and located within a major transit station area, shall permit only transit supportive uses, as defined in the Growth Plan for the Greater Golden Horseshoe, have a minimum floor space index of 0.5 and a minimum building height of two storeys.

Retail function

b) Mixed Use Corridor lands are intended to provide for the day-to-day and weekly shopping needs of residents within and in close proximity to the Corridor.

Commercial building form

c) Retail and service commercial uses are to be located at street level in office or residential buildings.

Zoning regulations

d) Zoning By-law regulations affecting Mixed Use Corridors shall be based on the following factors:

(i) the maximum floor area ratio of development at any site shall be 1.5:1. City Council may consider a higher floor area ratio in conjunction with a site-specific rezoning or variance application, subject to the consideration of various factors such as adequacy of services and infrastructure and the provision of compatibility with adjacent uses through measures such as terracing, a high quality of building design, landscaping and streetscaping, and the provision of underground parking;

(ii) the minimum building height shall be two storeys and the maximum building height shall be six storeys. Where required to ensure compatibility, four to six storey buildings may be required to be terraced back from adjacent residential areas and/or the street;

(iii) the implementing zoning by-law shall identify a minimum portion of all buildings abutting the corridor street to be located in close proximity to the corridor street. These setbacks may be modified for specific corridors following the completion of Council-approved Corridor studies;
(iv) all buildings shall be required to have a building entrance from the building façade closest to the corridor street; and  

(v) off-street parking needs may be reduced for sites with transit-supportive designs or shared parking arrangements.  

(vi) notwithstanding subclause (b) (ii) above, no minimum building height is required for the following properties:  

i. east of King Road, south of Highway 403 (1200 King Road);  

ii. east side of Waterdown Road, south of Highway 403 (101 Masonry Court);  

iii. 4415 Fairview Street;  

iv. south-west corner of Fairview Street and Appleby Line (4460 to 4490 Fairview Street and 666 to 676 Appleby Line), for buildings less than 1200 sq. m. in size.  

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

Higher density land uses and taller buildings shall be permitted at locations where Mixed Use Corridor areas intersect with multi-purpose arterial roads, major arterial roads or provincial freeways; or existing areas of development concentration, subject to the criteria outlined in Part III, Subsection 5.3.2, d) (i).

The design and development of Mixed Use Corridors shall ensure compatibility between the Mixed Use Corridor uses and adjacent land uses, particularly residential uses. The following factors shall be considered in reviewing proposals for new and/or expanding Mixed Use Corridor uses:

(i) buildings should be located so as to be in proximity to the street, to provide a sense of human comfort and pedestrian scale and interest, and should be in close proximity to transit services;  

(ii) the site plan includes features that integrate the development with surrounding uses;  

(iii) the site plan promotes safe, convenient and barrier-free pedestrian travel within the site, between the site and adjacent uses and to and from transit stops;
(iv) the number and location of vehicular access points shall be limited to minimize disruption to traffic flows and to minimize the impact on local streets;

(v) wherever possible, off-street parking should be located in the side and rear yards and away from adjacent residential uses. Off-street parking areas, loading areas and service areas shall be screened and landscaped and located to minimize adverse impacts on adjacent residential uses;

(vi) the site plan promotes public safety;

(vii) outdoor storage areas shall be fenced and/or screened;

(viii) lighting is directed to minimize impacts on adjacent residential uses.

Transit/pedestrian supportive design

h) Transit-supportive and pedestrian-oriented urban design shall be required in the development of Mixed Use Corridor sites.

Encourage alternative forms of transportation

i) The design and development of Mixed Use Corridors shall encourage the use of public transit, pedestrian and bicycle travel as an alternative to the automobile and shall maximize personal safety by encouraging site plan features such as:

(i) buildings should be oriented to the street and transit services, and buildings should be located so as to be in proximity to, and face the street, to provide a sense of human comfort and pedestrian scale and interest;

(ii) safe and convenient access shall be provided for pedestrians between buildings and transit stops, parking areas, and other buildings and facilities; and

(iii) roads shall be designed for automobile use, efficient transit service as well as pedestrian and bicycle travel.

Re-designation-Evaluation Criteria

j) Proposals for the re-designation of lands to Mixed Use Corridor from another designation shall require an amendment to the Plan and shall be evaluated based on the following criteria:

(i) the impact of the proposal on adjacent land uses, particularly residential;
PART III – LAND USE POLICIES – URBAN PLANNING AREA

(ii) adequate municipal services are available;

(iii) sufficient on-site parking is provided;

(iv) the site is served by efficient peak period public transit;

(v) vehicular access to and from the site does not adversely affect local streets; and

(vi) the site is located on a multi-purpose arterial or major arterial road that can accommodate the anticipated traffic.

Street level retail commercial k) Retail, service commercial and other pedestrian-oriented use shall be encouraged at the street level.

Infill existing areas l) Infilling of existing, linear Mixed Use Corridors shall be encouraged rather than the designation of new areas.

Corridor studies m) It is recognized that certain segments of the Mixed Use Corridor designation differ in character from each other and City Council may require the preparation of Corridor Studies for all or part of various Mixed Use Corridors to provide specific guidance for their re-development and intensification. City Council may identify corridor segments on the basis of specific physical characteristics, identity and location, establish priority areas for which Corridor Studies will be undertaken, and outline specific items that Corridor Studies will address. The implementation of Council-approved Corridor Studies may require further amendments to this Plan or the Zoning By-law. Studies of this kind may also be required as part of an application for development or redevelopment along a Mixed Use Corridor.

n) Notwithstanding the uses permitted in Part III, Subsection 5.3.2 a) of this Plan, large scale motor vehicle dealerships existing on the day of the adoption of this Plan may be expanded on the abutting property within the Mixed Use Corridor – General designation without an amendment to this Plan at the following locations:

(i) south-east corner of Fairview Street and Drury Lane;

(ii) south-west corner of Fairview Street and Brant Street;

(iii) north-west corner of Plains Road and Brant Street; and

(iv) north side of Plains Road West, opposite Daryl Drive.
### 5.3.3 Mixed Use Corridor-Commercial Corridor

#### 5.3.3.1 Objectives

**Recognition**

a) To recognize certain sections of the Mixed Use Corridors which have been largely developed for space-extensive, automobile-oriented large retail uses, and are not expected to re-develop significantly in the short-term.  

**Long-Term re-development**

b) To encourage the eventual long-term re-development of these sites in a more intensive, pedestrian and transit oriented manner, that is more consistent with the principles and objectives for Mixed Use Activity Areas.

#### 5.3.3.2 Policies
### Commercial Corridor locations

**a)** Notwithstanding the policies of Part III, Subsection 5.3.2, the following Mixed Use Corridor locations as shown on Schedule B are generally recognized for lower intensity, retail development than found in the Mixed Use Corridor-General designation as outlined in Part III, Subsection 5.3.2, and in accordance with the policies of Part III, Sections 5.1 and 5.2 of this Plan, and are subject to the policies of Part III, Subsection 5.3.3:

<table>
<thead>
<tr>
<th>Location</th>
<th>Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>(i) south side of Plains Road East, between the CNR at Glendor Avenue and Queensway Drive;</td>
<td></td>
</tr>
<tr>
<td>(ii) north side of Fairview Street, between the Queen Elizabeth Way and Drury Lane;</td>
<td></td>
</tr>
<tr>
<td>(iii) north side of Fairview Street, between the Regional Commercial area and Walker’s Line, including the north-east corner of Fairview Street and Walker’s Line;</td>
<td></td>
</tr>
<tr>
<td>(iv) south side of Fairview Street, between the Regional Commercial area and Woodview Ave;</td>
<td></td>
</tr>
<tr>
<td>(v) west side of Appleby Line, between Fairview Street and south to the Hydro Corridor;</td>
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<tr>
<td>(vi) north-east corner of Plains Road West and Howard Road;</td>
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<tr>
<td>(vii) north-west corner of Plains Road East and Cooke Boulevard;</td>
<td></td>
</tr>
<tr>
<td>(viii) the north-east corner of Fairview Street and Walker’s Line;</td>
<td></td>
</tr>
<tr>
<td>(ix) the 0.7 hectare property at 4175 Fairview Street;</td>
<td></td>
</tr>
<tr>
<td>(x) the 6.5 hectare property at 4415 Fairview Street;</td>
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</tr>
<tr>
<td>(xi) the 0.56 hectare property located at the north-east corner of Plains Road East and Brant Street;</td>
<td></td>
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<tr>
<td>(xii) 101 Masonry Court.</td>
<td></td>
</tr>
</tbody>
</table>

**Permitted uses**

**b)** The following uses may be permitted within the Mixed Use Corridor-Commercial Corridor locations:

<table>
<thead>
<tr>
<th>Use</th>
<th>Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>(i) a range of retail, service commercial and personal service uses; financial institutions and services, a broad range of office uses; entertainment, recreation and other community facilities such as day care centres and motor vehicle dealerships;</td>
<td></td>
</tr>
</tbody>
</table>

Last Update: (December 2019)  Burlington Official Plan  Part III, Page 61
(ii) *medium* and *high density residential* uses subject to the policies of Part III, Subsection 5.3.2 a) (ii);

(iii) a limited number and range of large-scale retail and *service commercial* uses such as retail uses up to 5,600 sq. m. in gross floor area where food products are not the principal goods retailed, and retail commercial uses that require either multi-tenant or freestanding buildings on sites that have significant needs for on-site storage and parking, such as garden centres, *automotive commercial*, furniture and home furnishing uses and home improvement stores; and

**Retail function**

(c) Mixed Use Corridors- Commercial Corridor lands are intended to provide for the retail needs of the residents and businesses within the City and from adjacent areas. It is not the intent of this Plan that any one cluster of retail facilities that *may* be proposed through applications to re-designate lands to Mixed Use Corridor -Commercial Corridor, or to permit additional uses within a Mixed Use Corridor -Commercial Corridor designation, approach the size or significance of the Regional or Community Commercial designations.

**Prohibited uses**

(d) *Industrial* uses *shall* not be permitted in Mixed Use Corridor-Commercial Corridor locations.

**Zoning regulations**

(e) Zoning By-law regulations affecting Mixed Use Corridor- Commercial Corridor locations *shall* be based on the following factors:

(i) the maximum *floor area ratio* *shall* be 1.5:1. City Council *may* consider a higher *floor area ratio* in conjunction with a site-specific rezoning or variance application, subject to the consideration of various factors such as adequacy of services and *infrastructure*; the provision of *compatibility* with adjacent uses through measures such as terracing; a high quality of building design, landscaping and streetscaping; and the provision of underground parking;

(ii) the maximum building height *shall* be three storeys, except office and residential uses where the maximum building height *shall* be six storeys.

**Zoning of sites**

(f) The zoning of individual sites *may* not allow for the full range of permitted uses or the full extent of *development* intensity at every location based on site specific factors that *may* include, but not be limited to, traffic, land use *compatibility*, market impact, natural hazards and features, and environmental factors such as soil *contamination*. 
**PART III – LAND USE POLICIES – URBAN PLANNING AREA**

<table>
<thead>
<tr>
<th>Transit/ pedestrian supportive design</th>
<th>g)</th>
<th><em>Transit-supportive</em> and pedestrian-oriented urban design <em>shall</em> be required in the development of Mixed Use Corridor - Commercial Corridor sites.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Re-designation-evaluation criteria</td>
<td>h)</td>
<td>Proposals for the re-designation of lands to Mixed Use Corridor-Commercial Corridor from another designation <em>shall</em> require an amendment to the Plan and <em>shall</em> be evaluated based on the following criteria:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(i) the impact of the proposal on adjacent land uses, particularly residential;</td>
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<tr>
<td></td>
<td></td>
<td>(ii) adequate municipal services are available;</td>
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<tr>
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<td></td>
<td>(iii) sufficient on-site parking is provided;</td>
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<td></td>
<td></td>
<td>(iv) the site is served by efficient <em>peak period</em> public transit;</td>
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<td>(v) vehicular access to and from the site does not adversely affect local streets; and</td>
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<tr>
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<td>(vi) the site is located on a multi-purpose arterial or major arterial road that can accommodate the anticipated traffic;</td>
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<td>(vii) there is a demonstrated need for the additional retail facilities;</td>
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<td>(viii) the criteria outlined in Part III, Subsection 5.3.3.2 f) are achieved;</td>
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<tr>
<td></td>
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<td>(ix) any application for additional retail within a Commercial Corridor <em>shall</em> be subject to a criterion that any retail node <em>shall</em> have a maximum retail floor area of 14,000 sq. m. (For the purposes of this policy, retail node is defined as a contiguous retail development or developments beside one another, on opposite corners of a street, or across a street, which may or may not share a joint access or function as a single or unified development.)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Infill existing Areas i)</th>
<th><em>Infilling</em> of existing, linear Mixed Use Corridors- Commercial Corridors <em>shall be encouraged</em> rather than the designation of new areas.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prohibitions</td>
<td>j) Notwithstanding the uses permitted in Part III, Subsection 5.3.3.2 b) of this Plan, for properties identified in Part III, Subsection 5.3.3.2 a) (vi), (viii) and (ix), residential uses are prohibited, <em>supermarket/grocery store</em> uses are prohibited and individual retail uses are allowed to a maximum floor area of 3,000 sq. m.</td>
</tr>
</tbody>
</table>
PART III – LAND USE POLICIES – URBAN PLANNING AREA

Prohibitions

k) Notwithstanding the uses permitted in Part III, Subsection 5.3.3.2 b) of this Plan, for the property identified in Part III, Subsection 5.3.3.2 a) (x), residential uses are prohibited, supermarket/grocery store uses are prohibited and individual retail uses are allowed to a maximum floor area of 3,000 sq. m.

OPA 15

2089 and 2095 Fairview Street

l) Notwithstanding the use, height, floor area ratio and design policies contained in Part III, Subsections 5.3.2 a), d) and g), and Part III, Subsections 5.3.3.2 b) and e) of this Plan, for the properties identified as 2089 and 2095 Fairview Street, the following policies shall apply:

(i) townhouses shall be a permitted use;
(ii) the maximum building height shall be 17 storeys. Additional height may be permitted if the proposed building is LEED certified (or equivalent to the satisfaction of the Director of Planning and Building).
(iii) there shall be a total site (at full build out) minimum floor space index of approximately 0.5:1 and the maximum 1.5:1 floor space index shall not apply;
(iv) any subsequent re-development of these properties, involving the demolition and replacement of previously constructed buildings, shall permit only those uses contained in Part III, Subsections 5.3.2 a) and 5.3.3.2 b) of this Plan.

OPA 59

35 Plains Road East

m) Notwithstanding the use, height, floor area ratio and design policies contained in Part III, Subsections 5.3.2 a), d) and g), and Part III, Subsections 5.3.3.2 b) and e) of this Plan, for the property identified as 35 Plains Road East, the following policies shall apply:

(i) a mixed use building consisting of residential and at-grade retail or service commercial shall be permitted;
(ii) the maximum building height shall be 9 storeys;
(iii) the maximum floor area ratio shall be 4.4:1.

OPA 105

5.3.4 Mixed Use Corridor-Employment

a) Notwithstanding the policies of Part III, Subsection 5.3.2, the following Mixed Use Corridor locations as shown on Schedule B are primarily intended for higher intensity, transit and pedestrian oriented employment development and are subject to the policies of Part III, Subsection 5.3.4:

(i) Cooke Boulevard;
(ii) Waterdown Road;
(iii) north side of Plains Road West, between Howard Road and Cooke Boulevard, except the north-east corner of Plains Road West and Howard Road and the north-west corner of Plains Road East and Cooke Boulevard.  

(iv) Plains Road East, between the Queen Elizabeth Way and the CNR at Glendor Avenue;  

(v) north side of Fairview Street, between Drury Lane and Guelph Line;  

(vi) north side of Fairview Street, between Walker’s Line and Sherwood Forest Park, except the 0.7 hectare property at 4175 Fairview Street, and the north-east corner of Fairview Street and Walker’s Line and except the 6.5 hectare property at 4415 Fairview Street;  

(vii) Appleby Line, between the Queen Elizabeth Way and Mainway;  

(viii) Legion Road and Grahams Lane;  

(ix) west side of Appleby Line, between Thomas Alton Boulevard and Palladium Way;  

(x) the south-east corner of Walker’s Line and Palladium Way and the north-east corner of Walker’s Line and Dundas Street;  

(xi) south-west corner of Walker’s Line and Palladium Way; and  

(xii) 920 to 932 Brant Street.

Permitted uses

b) The following uses may be permitted within the Mixed Use Corridor-Employment locations: industrial uses; a broad range of office uses, a limited range of retail, service commercial and personal service uses which serve the day to day needs of employees; financial institutions and services; entertainment, recreation and other community facilities such as libraries and day care centres and motor vehicle dealerships.

Retail function

c) Mixed Use Corridors-Employment lands are intended to provide for the retail and service commercial needs of the employment uses and their employees within and immediately adjacent to the Corridor. In addition, retail uses related to home improvement shall be permitted.

Prohibited uses

d) In Mixed Use Corridor-Employment locations, residential uses shall be prohibited. In addition, individual retail and service commercial uses shall be limited to a maximum size as set out in the Zoning By-law.

Zoning regulations

e) Zoning By-law regulations affecting Mixed Use Corridor-Employment locations shall be based on the following factors:

(i) the maximum floor area ratio of development at any site shall be 1.0:1, except industrial uses, where the maximum floor area ratio shall be 0.5:1;
(ii) the maximum building height shall be six storeys, except for industrial uses, where the maximum building height shall be two storeys;

(iii) buildings should be located so as to front and face the street, to provide a sense of human comfort and pedestrian scale and interest, and in close proximity to the street and to transit services; and

(iv) off-street parking needs may be reduced for sites with transit-supportive designs or shared parking arrangements; OPA 55

The zoning of individual sites may not allow for the full range of permitted uses or the full extent of development intensity at every location based on site specific factors that may include, but not be limited to, traffic, land use compatibility, market impact, natural hazards and features, and environmental factors such as soil contamination. OPA 55

Transit-supportive and pedestrian-oriented urban design shall be required in the development of Mixed Use Corridor-Employment sites.

Proposals for the re-designation of lands to Mixed Use Corridor-Employment from another designation shall require an amendment to the Plan and shall be evaluated based on the following criteria:

(i) the impact of the proposal on adjacent land uses, particularly residential;

(ii) adequate municipal services are available;

(iii) sufficient on-site parking is provided;

(iv) the site is served by efficient peak period public transit;

(v) vehicular access to and from the site does not adversely affect local streets; and

(vi) the site is located on a multi-purpose arterial or major arterial road that can accommodate the anticipated traffic.

Infilling of existing, linear Mixed Use Corridors-Employment shall be encouraged rather than the designation of new areas.

Notwithstanding Part III, Subsection 5.3.2, the following additional policy applies to lands designated “Mixed Use Corridor-Employment” and located west of King Road, south of Highway 403, and described as 1200 King Road:

OPA 55
(i) should the sports arena and/or stadium facility referenced in Part III, Subsection 3.3.3, clause f), be constructed on the “General Employment” lands located to the south, additional retail and service commercial uses related to the sports arena and/or stadium facility and permitted in the Mixed Use Corridor-Commercial Corridor designation shall be permitted. These uses shall consist of those uses permitted in the MXC zone, with the exception of residential uses, supermarket/grocery store and large building supply store.

Re-designation from Mixed Use - Employment

k) Proposals for the re-designation of lands designated Mixed Use-Employment to allow non-employment uses, or to add a range of uses to the Mixed Use Corridor-Employment designation that are primarily permitted in a non-employment designation, shall be evaluated based on meeting the following criteria:

(i) the proposal shall only be considered in conjunction with the Comprehensive Review provisions identified in the Provincial Policy Statement and the policies of Provincial Plans;

(ii) the proposal shall not detrimentally affect the short and long-term employment land needs of the City;

(iii) the intensity and characteristics of the proposed non-employment uses shall not detrimentally impact the viability, desirability, or the proper servicing of existing and future surrounding land uses;

(iv) the site’s physical and natural characteristics, development constraints and location shall justify the consideration of non-employment uses at the subject location;

(v) re-designation of lands abutting major transportation corridors including railways, highways and major arterial roads shall be discouraged;

(vi) support studies as identified in Part VI, Section 5.3, Other Studies Policies of the Plan are prepared;

(vii) in addition to (i) through (vi) above, the re-designation shall also meet at least two of the following conditions:

i. the amount of land affected is minor in area based on the projected land requirements within the planning horizon of the Plan;

ii. the development of the site is not feasible for employment uses within the planning horizon of the Plan;

iii. there are no alternative sites, designated and approved for the proposed use elsewhere in the City;
iv. the proposal will have a beneficial impact on the surrounding uses and the broader community;

v. the development of the land for non-employment uses will meet a public need identified by City Council resolution.

5.4 Mixed Use Centre

5.4.1 Objectives

Integrate uses at strategic locations a) To provide locations centred at the intersection of selected major arterial roads, inter-municipal transit stations and the Downtown that will serve as areas for mixed use developments consisting of medium and high density residential, retail, service commercial, office, industrial, entertainment, community facilities and institutions, and open space uses.

Higher intensity development b) To encourage higher intensity, transit-supportive and pedestrian-oriented development within Mixed Use Centres while retaining compatibility with nearby land uses.

Mixed uses c) To permit mixed use developments on individual sites where residential, retail, office and other uses are located, or on different sites where residential, retail, office and other uses are located next to one another.

Open Space system d) To create an open space system incorporating both public and private lands which provides linkages to adjacent major open space areas and ensures that the development in the Mixed Use Centres is well landscaped and balanced with open space areas, such as squares and parkettes, appropriate for an urban setting.

Personal safety e) To ensure that the development, both on a comprehensive and a site-specific basis, is designed to promote personal safety.

Diverse Transportation system f) To promote a more diversified transportation system which serves private vehicular and public transit traffic, as well as pedestrians and cyclists.

5.4.2 Policies

Permitted uses a) The following uses may be permitted in Mixed Use Centres:

(i) a wide range of retail, service commercial and personal service uses; financial institutions and services; a broad range of office uses; employment, entertainment, recreation and other community facilities such as day care centres; and

(ii) medium and high density residential uses, and to a limited extent, low density residential uses.
## Zoning Regulations

### b) Zoning By-law regulations affecting Mixed Use Centres

Zoning By-law regulations affecting Mixed Use Centres shall be based on the general policies for Mixed Use Centres contained in Part III, Section 5.4 and the specific policies for individual Mixed Use Centres, prepared as part of the secondary planning study for each Mixed Use Centre and contained in Part III, Sections 5.5 and 5.6. [OPA 31](#)

### Development Intensities

### c) A range of development intensities

A range of development intensities shall be permitted. [OPA 31](#)

### Building Heights

### d) A range of building heights

A range of building heights shall be permitted. [OPA 31](#)

### Open Space and Parkland Requirements

### e) Open space and parkland

Open space and parkland shall be provided in Mixed Use Centres. The open space and parkland should integrate the Mixed Use Centre with the surrounding area. Lands considered as open space comprise publicly owned and publicly accessible private resources, including community and neighbourhood parks, hydro right-of-ways, any private landscaped open space accessible to the public, storm water management facilities, creek blocks, pedestrian walkways and related open space amenities and centre medians/ boulevards within public road allowances. [OPA 31](#)

### Zoning of Sites

### f) The zoning of individual sites

The zoning of individual sites may not allow for the full range of permitted uses or the full extent of development intensity at every location based on site specific factors that may include, but are not limited to, traffic, land use compatibility, market impact, natural hazards and features, and environmental factors such as soil contamination. [OPA 55](#)

### Site Plan Considerations

### g) The design and development of Mixed Use Centres

The design and development of Mixed Use Centres shall ensure compatibility between the Mixed Use Centre uses and adjacent uses. The following factors shall be considered in reviewing proposals for new and/or expanding Mixed Use Centre uses:

(i) buildings should be located with their front face to the street, to provide a sense of human comfort and pedestrian scale and interest, and in close proximity to the street and transit services, wherever feasible;

(ii) the site plan for individual sites includes features to integrate the new development with surrounding uses;

(iii) the site plan promotes safe, convenient and barrier-free pedestrian travel within the site, between the site and adjacent uses, and to and from transit stops;

(iv) off-street parking areas, loading areas and service areas shall be screened and landscaped;

(v) the site plan promotes public safety;

(vi) the site plan promotes convenient access to public transit services;

(vii) off-street parking areas shall be located in the side and rear yards.
(viii) off-street parking shall be located away from adjacent residential uses; and

(ix) loading areas and service areas are located to avoid conflict between pedestrian and vehicular traffic, and away from adjacent residential areas.

h) The design and development of Mixed Use Centres shall encourage the use of public transit, pedestrian and bicycle travel as an alternative to the car and shall maximize personal safety by incorporating features such as:

(i) buildings should be located with their front face to the street, to provide a sense of human comfort and pedestrian scale and interest, and in close proximity to the street and transit services, wherever feasible; and

(ii) safe and convenient access shall be provided for pedestrians between buildings and transit stops, parking areas and other buildings and facilities.

i) Proposals for the re-designation of lands to Mixed Use Centre shall require an amendment to the Plan and shall be evaluated based on the following criteria:

(i) the impact of the proposal on adjacent land uses, particularly adjacent residential;

(ii) adequate municipal services are available;

(iii) sufficient on-site parking shall be provided;

(iv) the site is served by efficient public transit;

(v) vehicular access to and from the site does not adversely affect local streets; and

(vi) the site is located at the intersection of two multi-purpose arterial or major arterial roads and/or an inter-municipal transit station that can accommodate the anticipated traffic.

j) Retail, service commercial and other pedestrian-oriented uses shall be required at the street level in the Downtown Core, Wellington Square and Old Lakeshore Road Mixed Use precincts in the Downtown Mixed Use Centre, and shall be encouraged to locate at street level in other designations.

k) Proposals for residential intensification shall be evaluated on the basis of the objectives and policies of Part III, Section 2.5.
| Monitor open space | l) Development in Mixed Use Centres shall be monitored by the City to ensure that an appropriate amount of open space is provided taking into account the size and scale of each lot and the proposed development, and recognizing the amount of open space to be provided on public lands. |
| Reduced and shared parking | m) Reduced parking standards, shared parking formulae and/or on-street parking may be permitted on Mixed Use Centre lands to reflect the increased intensity of development and accessibility by transit and other modes of travel. Opportunities for the sharing of parking in mixed use developments may be considered subject to evaluation by the City. |

### 5.5 Downtown Mixed Use Centre

#### 5.5.1 Principles

**Growth Centre**

a) In keeping with the “Places to Grow” Growth Plan for the Greater Golden Horseshoe, 2006, the boundary for the Downtown Burlington Urban Growth Centre is shown on Schedule B, Comprehensive Land Use Plan – Urban Planning Area and Schedule E, Downtown Mixed Use Centre. This boundary includes various land use designations as outlined on Schedules B and E, and as such, development within this boundary is subject to the specific policies of the applicable land use designations. However, the principles of the Downtown Burlington Urban Growth Centre are as follows:

(i) this area shall accommodate a significant share of population and employment growth within the City; and

(ii) this area shall accommodate high density employment.

**Distinct identity**

b) As a Mixed Use Centre the Downtown shall take advantage of the unique qualities that set it apart from all other areas of the City and contribute to a distinct identity. These qualities include the waterfront location and related activities, historic buildings, streetscapes and development pattern, cultural activities, pedestrian orientation, and recognition as a centre of business and civic activity.

**Vibrant people place**

c) The Downtown is a lively, vibrant "people place" with a wide variety of employment, shopping, leisure, residential and tourism opportunities.

**Centre for public activities**

d) The Downtown shall be the City's centre for public gatherings, festive and civic occasions, and social interaction.

**Mixed Use Centre**

e) Specialty retail, community retail, and government and institutional, service and other business office development, as well as residential uses should be located in the Downtown.

**Entertainment and cultural activities**

f) Public and private entertainment and cultural facilities such as restaurants, outdoor patios, galleries and theatres shall be directed to certain precincts in the Downtown, providing day and evening activity seven days of the week, year-round.
### Urban Design

**g) New development shall** be of high quality design to maintain and enhance the Downtown's image as an enjoyable, safe, pedestrian-oriented place, and designed and built to complement pedestrian activity and historical attributes as outlined in the Downtown Urban Design Guidelines referenced in Part III, Subsection 5.5.11 a) of this Plan.

### Re-development and parking

**h) The Downtown shall be re-developed** through the infilling of existing surface parking lots, the rehabilitation of existing buildings and the intensification of under-utilized lands and buildings, in keeping with its role as Provincial Growth Centre, ensuring that such development shall encourage transit use and that an adequate supply of parking is provided.

### Function of Downtown

**i) The Downtown Mixed Use Centre shall** provide a municipal wide function for lifestyle and entertainment uses and a Community Commercial function for the surrounding residents.

### Waterfront

**j) Protection and enhancement** of public access to the waterfront and waterfront facilities will be a primary focus, which must be recognized in the consideration of development or re-development of properties. Reasonable protection of views to the lake from public areas such as streets and trails shall also be provided in the consideration of development or re-development proposals.

### Transportation

**k) Cross-town travel through the Downtown for automobiles will be discouraged** and some level of vehicular congestion in the Downtown will be expected and tolerated, especially during peak periods and downtown events.

### Inclusiveness

**l) The City shall** strive to make the Downtown an inclusive community.

### 5.5.2 Objectives

#### Mixed use role

**a) To establish the Downtown as a Mixed Use Centre** composed of retail, service, office, public and residential uses while providing a focus and source of identity in the context of the City as a whole.

#### Minimum density targets

**b) To establish minimum density targets for residents and jobs** in accordance with the “Places to Grow” Growth Plan for the Greater Golden Horseshoe.

#### Unique mixed use role

**c) To establish a unique role for the Downtown so that it provides for certain uses such as offices, and residential, as well as unique opportunities such as independent, specialty retail activities and waterfront recreational opportunities.

#### Pre-eminent role

**d) To establish and maintain the Downtown's primary role** as the City centre for cultural, governmental, civic and waterfront activities.

#### Compact City core

**e) To create a compact Downtown city core with a mix of residential, commercial and other uses, as an alternative to the car oriented shopping plazas, malls and business corridors.**
<table>
<thead>
<tr>
<th>Tourism</th>
<th>f) To encourage tourism in the Downtown based on the significance of Spencer Smith Park, Beachway Park, the Joseph Brant Museum and the Burlington Art Centre, which are located adjacent to the Downtown.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential Function</td>
<td>g) To increase the resident population and provide a variety of housing types mainly at medium and high densities that will strengthen the live/work relationship, ensure the Downtown is used after business hours, and create a local market for convenience and service goods.</td>
</tr>
<tr>
<td>Local and specialized</td>
<td>h) To provide commercial activity that serves the general needs of Downtown residents as well as specialized functions for the entire community.</td>
</tr>
<tr>
<td>commercial</td>
<td></td>
</tr>
<tr>
<td>Open space</td>
<td>i) To ensure that buildings in the downtown are offset by a range of open space areas (that may include parkettes, urban plazas, and pedestrian networks) that may allow for both passive and active recreational and social activities.</td>
</tr>
<tr>
<td>Waterfront environment</td>
<td>j) To create a unique waterfront area to accommodate recreational, cultural and leisure pursuits.</td>
</tr>
<tr>
<td>Downtown Waterfront link</td>
<td>k) To create a strong link between the Downtown and the waterfront, so that the waterfront becomes an integral part of the Downtown.</td>
</tr>
<tr>
<td>Design excellence</td>
<td>l) To establish the concept of design excellence in the Downtown to encourage long-term investment.</td>
</tr>
<tr>
<td>Precincts</td>
<td>m) To establish planning precincts within the Downtown, each with their own distinct character and specific planning policies.</td>
</tr>
<tr>
<td>Streetscape and environment</td>
<td>n) To create a continuous, harmonious, safe and attractive environment through streetscape, building facade improvements and the design of new buildings.</td>
</tr>
<tr>
<td>Compatible development</td>
<td>o) To ensure that the density, form, bulk, height and spacing of development is compatible with the surrounding area.</td>
</tr>
<tr>
<td>Transportation system</td>
<td>p) To provide an efficient and safe transportation system for the movement of people and goods that is sensitive to other Downtown goals and objectives.</td>
</tr>
<tr>
<td>Balance of transportation</td>
<td>q) To provide a balanced approach to transportation by increasing transit use and the pedestrian orientation and improving the pedestrian and bicycle linkages between the Downtown and other parts of the City.</td>
</tr>
<tr>
<td>system</td>
<td></td>
</tr>
<tr>
<td>Provision of parking</td>
<td>r) To provide adequate and safe parking in the Downtown.</td>
</tr>
<tr>
<td>Inclusiveness</td>
<td>s) To ensure that development in the downtown has regard for the principle of inclusiveness as defined in Part VIII, Definitions, of this Plan.</td>
</tr>
</tbody>
</table>

**5.5.3 General Policies**
<table>
<thead>
<tr>
<th>Land Use Plan</th>
<th>a) Development shall be permitted in accordance with the land use designations of Schedule E, Land Use Plan - Downtown Mixed Use Centre.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum density targets</td>
<td>b) Within the Urban Growth Centre Boundary as delineated on Schedule B, Comprehensive Land Use Plan – Urban Planning Area, and Schedule E, Downtown Mixed Use Centre, the target is established of a minimum gross density of 200 residents and jobs per hectare, in accordance with the “Places to Grow” Growth Plan for the Greater Golden Horseshoe, 2006.</td>
</tr>
<tr>
<td>Density and community benefits</td>
<td>c) Higher densities and intensities will be encouraged within certain precincts of the Downtown Mixed Use Centre. The provision of community benefits may be considered for developments proposing residential and business intensification.</td>
</tr>
<tr>
<td>City Owned land</td>
<td>d) The status of City-owned properties in the Downtown shall be reviewed periodically to determine if there is potential for development to enhance the function of the Downtown.</td>
</tr>
<tr>
<td>Holding zones</td>
<td>e) Holding Zones may be used to reduce processing times of development applications in areas where land assembly is a requirement of development.</td>
</tr>
<tr>
<td>Land banking</td>
<td>f) A City land banking program may be established for buying, selling or leasing property to meet public policy objectives or to assist private sector re-development under community improvement provisions of The Planning Act.</td>
</tr>
<tr>
<td>Cultural Heritage resources</td>
<td>g) The Downtown's cultural heritage resources shall be preserved and integrated into new development, where possible, and any development close to cultural heritage resources shall be sensitive to the historic context of the street and not just of the immediately adjacent buildings, to maintain the character of established areas.</td>
</tr>
<tr>
<td>Integration of uses</td>
<td>h) Retail stores, offices, hotels, institutional and entertainment uses shall be integrated with residential uses, community facilities and open space.</td>
</tr>
<tr>
<td>Major entertainment facility</td>
<td>i) The position of City Council is that major entertainment facilities should locate within the Downtown Mixed Use Centre unless it can be demonstrated that such a facility cannot be located within this area.</td>
</tr>
<tr>
<td>Commercial attractions and services</td>
<td>j) Hotels, theatres, cafes, rooftop terraces, sidewalk patios, restaurants, cultural and recreational facilities and tourist-oriented attractions and services shall be directed to locate within the Downtown Core, Wellington Square Mixed Use and Old Lakeshore Road Mixed Use precincts.</td>
</tr>
<tr>
<td>Inclusiveness</td>
<td>k) Proposals that have regard for the principle of inclusiveness shall be encouraged.</td>
</tr>
</tbody>
</table>
5.5.4 The St. Luke’s and Emerald Neighbourhood Precincts

Objective

a) To preserve the stable residential and heritage character of these neighbourhoods, and to ensure that any re-development is compatible with the existing character of the neighbourhoods.

Permitted uses

b) The following uses may be permitted in the St. Luke’s and Emerald Neighbourhood Precincts:

   (i) existing uses;

   (ii) detached dwellings to a maximum density of 25 units per net hectare and a maximum building height of 2½ storeys;

   (iii) accessory dwelling units subject to Part III, Subsection 2.5.3;

   (iv) group homes;

   (v) home occupations and cottage industries;

   (vi) neighbourhood parks;

   (vii) offices in existing buildings subject to Part III, Section 2.11.

Caroline, Elizabeth, Maria and Pearl Street Block

c) Notwithstanding Part III, Subsection 5.5.4 b) above, medium density residential development with a maximum height of three storeys may be permitted in the Emerald Neighbourhood within the block bounded by Caroline, Elizabeth, Maria and Pearl Streets, provided such development is compatible with the existing detached residential character of the Emerald Neighbourhood. Additional density greater than 50 units per net hectare and additional building height to a maximum of five storeys, in the westerly areas of this block along Elizabeth Street, may be considered without amendment to this Plan, subject to the provision of community benefits and the preparation of detailed plans demonstrating land use compatibility and transitional building form with the existing detached dwellings to the north and east.

Compatibility

d) All development and re-development shall be compatible with the existing character of these neighbourhoods with respect to such matters as heights, setbacks, massing, design and community features.

Southeasterly corner of Caroline Street and Pearl Street

e) Notwithstanding the policies of Part III, Subsection 5.5.4 b) above, a semi-detached dwelling is permitted on the property at the southeasterly corner of Caroline Street and Pearl Street.

5.5.5 Downtown Residential Medium and/or High Density Precincts
PART III – LAND USE POLICIES – URBAN PLANNING AREA

Objective

a) To recognize the variety of the existing residential medium and/or high density development that currently exists within these precincts and to provide for future medium or high density residential development or re-development which is compatible with the existing development.

Permitted uses

b) The following uses may be permitted in the Downtown Residential Medium and/or High Density precincts:

(i) existing uses;

(ii) ground or non-ground oriented housing units ranging between 26 and 185 units per net hectare, including assisted and special needs housing such as group homes, retirement homes and long-term care facilities;

(iii) home occupations and cottage industries;

(iv) neighbourhood parks;

(v) offices.

Compatibility

c) All development and re-development shall be compatible with the existing character of these precincts and the neighbouring precincts with respect to such matters as heights, setbacks, massing, design and community features.

d) Notwithstanding Part III, Subsection 5.5.5 b) (ii), within the Downtown Residential Medium and/or High Density Precincts designation located at 561 and 569 Maple Avenue, one 21 storey apartment building having a maximum density of 321 units per hectare is permitted.

e) Notwithstanding Part III, Subsection 5.5.5 b) ii), within the Downtown Residential Medium and/or High Density Precincts designation located at the northwest corner of Elgin Street and Brock Avenue, one 14 story apartment building having a maximum density of 353 units per hectare is permitted.

f) Notwithstanding Part III, Subsection 5.5.5. b) ii), within the Downtown Residential Medium and/or High Density Precincts designation located at the south-west corner of Brock Avenue and Ontario Street, a maximum density of 751 units per hectare is permitted.

5.5.6 Waterfront West/Public Lands Precinct

5.5.6.1 Objectives

a) To maintain and attempt to increase public accessibility to the Lake Ontario waterfront.
Linkages

b) To integrate and provide linkages between the waterfront and other designations within the Downtown Mixed Use Centre.

5.5.6.2 Policies

Permitted uses

a) The following uses may be permitted in the Waterfront West/Public Lands precinct:

(i) existing uses;

(ii) government and institutional uses, including hospitals and long-term care facilities.

Leisure and recreational opportunities

b) Land designated for parks and open space uses shall provide recreational opportunities that may include festive, cultural and ceremonial activities.

Public and private lands
c) Lands within this designation include both publicly and privately owned properties. The designation of privately owned properties does not imply that these lands are available or open to public use. It is the long-term intent of this Plan that those areas of privately owned properties adjacent to the Lake Ontario waterfront shall come into public ownership through applications for re-development, in accordance with the policies of Part II, Subsection 9.4.2 of this Plan.

Open space function
d) Private and public open space shall be provided at street level in the design of new development, recognizing the importance of creating gathering and passive leisure spots, and encouraging pedestrian movement.

Facilities and services
e) Facilities and services shall be designed to assist programming and special events in Spencer Smith Park.

Complementary park uses
f) On the former Brant Inn site and lands at the western limit of Spencer Smith Park, complementary cultural, commercial and recreational ventures may be developed.

5.5.7 Old Lakeshore Road Mixed Use Precinct

5.5.7.1 Objectives

a) To provide an area in the Downtown for high intensity, mixed use development that is pedestrian-oriented and transit-supportive, which helps meet Provincial Growth objectives and provides for a transition from the highest density mixed-use area (Wellington Square Mixed Use Precinct) to the more residential areas to the east.
### Specialty uses

b) To provide an area that is intended for mixed use development consisting primarily of residential uses in conjunction with specialty retail and service commercial uses and entertainment uses to serve the Downtown residents, employees and visitors.

### High standard of design

c) To require a high standard of design that has a sense of pedestrian scale and comfort that is compatible with existing development and reflects the unique history and character of the precinct.

### East, West & South Sectors
d) To establish East, West & South Sectors that will be subject to specific land use policies. Schedule E identifies the general limits of the Sectors with Area ‘A’ being the West Sector, Area ‘B’ being the East Sector and Area ‘C’ being the South Sector.

#### 5.5.7.2 Policies

### Permitted uses

a) The following uses may be permitted:

1. high-density apartment residential uses, including the residential use of upper storeys of commercial buildings;
2. commercial activities including local service and retail uses, office and administration uses;
3. cultural uses of all types;
4. leisure, recreation and hospitality uses;
5. entertainment uses;
6. community facilities.

### Density and height

b) West Sector (Area ‘A’, Schedule E):

Development will be subject to the following criteria:

The minimum density of residential buildings shall be 51 units per net hectare. The minimum height of buildings shall be two storeys and the maximum height of buildings shall be 10 storeys and 31.5 m.

East Sector (Area ‘B’, Schedule E):

Development will be subject to the following criteria:

The minimum density of residential buildings shall be 51 units per net hectare. The minimum height of buildings shall be two storeys and the maximum height of buildings shall be 6 storeys and 19.5 m.
PART III – LAND USE POLICIES – URBAN PLANNING AREA

West Sector - special considerations

c) Taller buildings may be permitted in the West Sector, up to a maximum height of 15 storeys and 47 m, where they provide compatibility with surrounding land uses and a sense of pedestrian scale by the use of building design incorporating a ground level, street-oriented podium, and subject to the community benefits provisions of Part VI, Section 2.3 of this Plan and the following details to the satisfaction of City Council:

(i) assembly of lands from the Martha Street alignment to Waterfront East consisting of lands within Area ‘A’, including the Old Lakeshore Road road allowance, and the westerly portion of Area ‘C’;

(ii) continuation of the Martha Street alignment to meet Old Lakeshore Road;

(iii) construction of and dedication to a public authority, a public waterfront access that provides a connection between the Pearl Street extension and Lakeshore Road in the vicinity of a Martha Street extension, in accordance with Part III, Subsection 5.5.7.2 (i);

(iv) closure of a portion of Old Lakeshore Road to achieve re-development and intensification;

(v) provision of a view corridor from Martha Street to Lake Ontario;

(vi) provision of enhanced public spaces;

(vii) preservation or relocation of significant cultural heritage resources within the precinct;

(viii) submission of an angular plane study, identifying visual, sun shadowing and wind impacts, and demonstrating how such impacts can be mitigated to acceptable levels.

East Sector - special considerations

d) Taller buildings may be permitted in the East Sector, up to a maximum height of 8 storeys and 29 m, where they provide compatibility with surrounding land uses and a sense of pedestrian scale by the use of building design incorporating ground level, street-oriented podium, and subject to the community benefits provisions of Part VI, Subsection 2.3 of this Plan and the following details to the satisfaction of City Council:

(i) Old Lakeshore Road is retained in the East Sector and realigned to form an intersection at Martha Street and Lakeshore Road;

(ii) preservation or relocation of significant cultural heritage resources within the precinct;
PART III – LAND USE POLICIES – URBAN PLANNING AREA

(iii) submission of an angular plane study, identifying visual, sun shadowing and wind impacts, and demonstrating how such impacts can be mitigated to acceptable levels.

South Sector e) The South Sector is comprised of lands located on the south side of Old Lakeshore Road. Development of these lands is constrained due to waterfront setback legislation that is administered by Conservation Halton. Existing buildings may be maintained, renovated, or repaired if damaged, but may not be expanded.

Notwithstanding the above policy, should shoreline studies be completed to the satisfaction of City Council and Conservation Halton that demonstrate lands within the South Sector are developable, lands located east of the Martha Street extension shall be subject to the East Sector policies contained in Part III, Subsection 5.5.7.2 above, while lands located west of the Martha Street extension shall be subject to the West Sector policies contained in Part III, Subsection 5.5.7.2 above.

At-Grade commercial f) Retail or service commercial uses are required continuously at grade along public streets in residential or office buildings.

Setbacks and parking g) Buildings shall be constructed close to the street line with no surface parking permitted, except for loading and emergency vehicles. Existing surface parking is recognized for properties located in the South Sector, abutting Lake Ontario.

Cultural Heritage Resources h) Significant cultural heritage resources should be preserved and integrated into new development. The relocation of cultural heritage buildings within the precinct will be considered, including within a conservation authority setback from Lake Ontario, as an alternative to removal of such buildings.

The transfer of development rights to other lands within the Old Lakeshore Road Precinct is permitted for the following properties, subject to approval of such plans by City Council, as a means of preserving in perpetuity the buildings identified below:

- 2101 Old Lakeshore Road (The Chrysler Carriage House): A floor area of 320 sq. m. may be transferred to other lands in the East Sector once the building has been designated pursuant to Part IV of The Ontario Heritage Act and a conservation easement has been granted for the entire building, in favour of the City by the owner of the property; OPA 83

- 2084 Old Lakeshore Road (former Estaminet): A floor area of 1,500 sq. m. may be transferred to other lands in the West Sector once the building has been designated pursuant to Part IV of The Ontario Heritage Act and a conservation easement has been granted for the entire building in favour of the City by the owner of the property. OPA 83
Holding zones  
i) A holding zone may be used to specify the conditions of development that must be completed to achieve the higher density development outlined in Part III, Subsections 5.5.7.2 c) and d).

Waterfront Trail – condition of development or re-development  
j) Notwithstanding Part II, Subsection 9.4.2 m), the following policies shall apply for a waterfront trail in the Old Lakeshore Road Precinct in the West Sector:

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 undertake the following as a condition of approval of a development application to the satisfaction of City Council:

(i) dedicate free of charge to the City, lands below the stable top of bank;

(ii) dedicate to the City as part of parkland dedication, a minimum 15 metre wide strip of land above the stable top of bank. Should the value of this dedication exceed normal parkland 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) carry out a survey, shoreline protection, and complete construction of the Waterfront Trail above the stable top of bank;

(iv) dedicate free of charge to the City, the completed Waterfront Trail and associated land;

(v) dedicate free of charge to the City, any required links to adjacent public open space, roadways and other properties.

2107-2119 Old Lakeshore Road, and 2114 Lakeshore Road  
k) Notwithstanding Part III, Subsection 5.5.7.2 b) and d) of this Plan, for the lands described as 2107-2119 Old Lakeshore Road, and 2114 Lakeshore Road, the maximum height of buildings shall be 10 storeys and 31.5 metres. Taller buildings may be permitted, up to a maximum height of 12 storeys and 37 metres, where they provide compatibility with surrounding land uses and a sense of pedestrian scale by use of building design incorporating a ground level, street-oriented podium, and subject to the community benefits provisions of Part VI, Subsection 2.3 of this Plan and the following details to the satisfaction of City Council;

(i) Old Lakeshore Road is retained in the East Sector and realigned to form an intersection at Martha Street and Lakeshore Road;
(ii) Preservation or relocation of significant cultural heritage resources within the precinct;

(iii) Submission of an angular plane study, identifying visual, sun shadowing and wind impacts, and demonstrating how such impacts can be mitigated to acceptable levels.

5.5.8 Downtown Core Precinct

5.5.8.1 Objectives

High Density  
a) To designate the inner core area of the Downtown for higher density development consistent with the role of Brant Street as a major spine of the Downtown Mixed Use Centre, to meet Provincial Growth objectives and to help support increased transit use.

High standard of design  
b) To require a high standard of design for new buildings in order to provide a sense of place, compatibility with existing development and a sense of pedestrian scale and comfort.

5.5.8.2 Policies

Permitted uses  
a) The following uses may be permitted in the Downtown Core precinct:

(i) commercial activities including local service and retail uses to office and administration uses;

(ii) high-density residential apartment uses, including the residential use of upper storeys of commercial buildings;

(iii) cultural uses of all types;

(iv) recreation and hospitality uses;

(v) entertainment uses;

(vi) community facilities.

Height and density  
b) The minimum density of residential buildings shall be 51 units per net hectare. The minimum height of buildings shall be two storeys. The maximum height of buildings shall be four storeys. Taller buildings up to a maximum height of eight storeys and 29 m may be permitted where they provide compatibility with surrounding land uses and a sense of pedestrian scale by the use of terracing above the second floor, and subject to the community benefits provisions of Part VI, Subsection 2.3 of this Plan.

Floor area ratios  
c) The maximum floor area ratio for any individual site shall be 4.0:1, except that higher floor area ratios may be permitted in conjunction with the provisions of clause b) above.
At-grade commercial  
d) Retail or service commercial uses are required continuously at grade along public streets in residential or office buildings and in parking garages, except where bordering residential precincts.

Setbacks and parking  
e) Buildings shall be required to be constructed to the street line with no surface parking permitted, except for loading and emergency vehicles.

On-site parking  
f) On-site parking is not required for non-residential uses.

West side of Brant Street, between Baldwin Street and Caroline Street  
g) Notwithstanding the above policies, the lands on the west side of Brant Street, between Baldwin Street and Caroline Street, shall be subject to site-specific zoning regulations designed to preserve the existing low-rise, residential appearance and character of this area and to ensure compatibility with the abutting residential neighbourhood to the west.

West side of Locust Street between Elgin Street and Caroline Street  
h) Notwithstanding the above policies, the lands on the west side of Locust Street, between Caroline Street and Ontario Street, and the properties on the west side of Locust Street south of Ontario Street, described as 458 to 472 Locust Street inclusive, shall be subject to site-specific zoning regulations designed to preserve the existing low-rise, residential appearance and character of this area and to ensure compatibility with the abutting residential neighbourhood to the west, and permitted uses shall be limited to residential, office and service commercial uses.

Angular plane studies  
i) Applications for increased building heights for mid to high rise buildings in the Downtown Core Precinct may be required to provide an angular plane study, identifying visual, sun shadowing and wind impacts, and demonstrating how such impacts can be mitigated to acceptable levels.

North-west Quadrant of Elgin Street and Locust Street  
j) Notwithstanding Part III, Subsection 5.5.8.2 b), c) and d) of this Plan, development within the north-west quadrant of Elgin Street and Locust Street shall have a minimum height of two storeys and a maximum height of seven storeys with the use of terracing above the fourth storey abutting Blathwayte Lane and the north property line, and shall have a maximum floor area ratio of 4.6:1 for any individual site, and that retail or service commercial uses are required along Locust Street.

Post-Secondary educational facility  
k) Notwithstanding Part III, Subsections 5.5.8.2 b) and c) of this Plan, any building which contains a public post-secondary educational facility in over 50 per cent of its floor area is permitted a maximum height of ten storeys and a maximum floor area ratio of 5.0:1.
l) Notwithstanding Part III, Subsections 5.5.8.2 b) and c) of this Plan, development located within the block bounded by Caroline Street, Elizabeth Street, Maria Street and John Street shall permit one 17 storey (55 m) apartment building on Maria Street, and a maximum floor area ratio of 6.7:1 for the entire site is permitted.

m) Notwithstanding Part III, Subsection 5.5.8.2 b), c) and e) of this Plan, for the lands described as 421, 425, 427, 429 and 431 Brant Street, the maximum height of buildings shall be 23 storeys and 81 metres. The maximum floor area ratio shall be 9.45:1.

n) Notwithstanding Part III, Subsection 5.5.8.2 b) and c) of this Plan, for the lands described as 374 and 380 Martha Street, the maximum height of buildings shall be 27 storeys and 88.75 metres. The maximum floor area ratio shall be 13.3:1.

5.5.9 Wellington Square Mixed Use Precinct

5.5.9.1 Objectives

a) To designate a limited, concentrated area within the Downtown for taller, high density development in order to help meet Provincial Growth objectives and to support greater transit use, but to prevent unlimited spread of higher density throughout the Downtown.

b) To require a high standard of design for new buildings in order to provide a sense of place, compatibility with existing development and a sense of pedestrian scale and comfort.

5.5.9.2 Policies

a) The following uses may be permitted in the Wellington Square Mixed Use precinct:

(i) commercial activities including local service and retail uses to office and administration uses;

(ii) high-density residential apartment uses, including the residential use of upper storeys of commercial buildings;

(iii) cultural uses of all types;

(iv) recreation and hospitality uses;

(v) entertainment uses;

(vi) community facilities.
Density and height

b) The minimum density of residential buildings shall be 51 units per net hectare. The minimum height of buildings shall be two storeys. The maximum height of buildings shall be eight storeys and up to 29 m with terracing required above the second floor. Taller buildings up to a maximum of fourteen storeys may be permitted where they provide compatibility with surrounding land uses and a sense of pedestrian scale by the use of terracing above the second floor, and subject to the community benefits provisions of Part VI, Subsection 2.3 of this Plan.

Floor area ratio

c) The maximum floor area ratio for any individual site shall be 5.0:1, except that higher floor area ratios may be permitted in conjunction with the provisions of clause b) above.

At-Grade commercial
d) Retail or service commercial uses are required continuously at grade along public streets in residential or office buildings and in parking garages.

Setbacks and parking
e) Buildings shall be required to be constructed to the street line with no surface parking permitted, except for loading and emergency vehicles.

Parking

f) On-site parking is not required for non-residential uses.

Views to lake
g) In order to maintain as many public view corridors to the lake as possible, properties on the south side of Lakeshore Road shall maintain a certain amount of their road frontage to remain unoccupied by buildings. The exact amount and location of these view corridors shall be determined through the preparation of detailed Design Guidelines.

Downtown Waterfront East

h) Notwithstanding the provisions of Part III, Subsection 5.5.9.2 b), within the property located south of Lakeshore Road, between Elizabeth Street and Pearl Street, one taller building may be permitted, provided the floor area of a typical floor in the building is not greater than 600 sq. m. and a study of the wind, shadow and sun impacts is completed.

No Re-designation

i) It is the intent of this Plan that there shall be no re-designation of additional lands to be added to the Wellington Square Mixed Use precinct.

Angular plane studies

j) Applications for increased building heights for mid to high rise buildings in the Wellington Square Mixed Use Precinct may be required to provide an angular plane study, identifying visual, sun shadowing and wind impacts, and demonstrating how such impacts can be mitigated to acceptable levels.

North-west corner of Lakeshore Road and Pearl Street

k) Notwithstanding Part III, Subsections 5.5.9.2 b) and c) of this Plan, within the Wellington Square Mixed Use Precinct at the north-west corner of Lakeshore Road and Pearl Street, one 17-storey building up to a maximum height of 53.5 m, having a maximum floor area ratio of 4.9:1 may be permitted. This policy is tied to the provision of certain community benefits.

OPA 54
l) Notwithstanding the above policies, the lands along the Lake Ontario shoreline, at the foot of Brant Street, (known as the Travelodge lands), represent a significant opportunity for mixed use development linking the Downtown with the waterfront. Any further development on these lands shall provide a high quality of urban design reflecting the landmark nature of this site and shall be contingent upon the completion of a master plan to the satisfaction of City Council. This master plan shall address the integration of these lands with the publicly owned lands to the south and west and the private development to the east, and shall address other matters such as preservation of lake views and enhancements to the public realm.

5.5.10 Downtown Major Institutional Precinct

5.5.10.1 Objectives

a) To identify an area of the Downtown Mixed Use Centre for major public, institutional, open space and related uses.

5.5.10.2 Policies

a) The following uses may be permitted in the Downtown Major Institutional Precinct:

(i) public uses;

(ii) institutional uses;

(iii) community facilities and open space;

(iv) the properties identified as 1205 Lakeshore Road and 1230 North Shore Boulevard may be developed in accordance with the “Business Corridor” policies of Part III of this Plan, except that recreation and conference centre/hotel uses are also permitted.

5.5.11 Watercourse

Permitted uses

a) The following uses may be permitted in the Watercourse designation:

(i) non-intensive outdoor recreation uses;

(ii) essential public utilities and services;

(iii) flood and erosion control facilities;

(iv) watershed management works.

Prohibit development

b) Development on lands designated Watercourse shall be prohibited.
### Limits of watercourse

**c)** The precise limits of the Watercourse designation shall be determined by the City, in conjunction with Conservation Halton.

### Rehabilitation and public access

**d)** As part of the development or re-development approval process, the City may require rehabilitation of degraded watercourse areas and seek opportunities for provision of improved public access to the watercourse area.

## 5.5.12 Urban Design

**a)** The City shall prepare and adopt Urban Design Guidelines for the Downtown which shall be specific to each neighbourhood and precinct, reflecting the vision and characteristics of that neighbourhood and precinct. These guidelines are referenced in Appendix B of this Plan and shall guide and be used in the evaluation of all development proposals in the Downtown.

**b)** Continuous pedestrian walkways shall be established between retail areas in the Downtown, e.g., Brant Street, Lakeshore Road, Village Square and Pearl Street, and between the commercial areas and the waterfront.

**c)** The continuity of grade-related activity areas both inside and outside of buildings shall be maintained.

**d)** Buildings and public areas shall be designed to consider pedestrian scale, comfort, safety and access.

**e)** The design of new buildings shall ensure views to the lake are preserved and orientation of the building is toward the Lake, where feasible.

**f)** Site-specific urban design studies may be required as part of a development proposal to investigate and recommend a design for compatibility with surrounding uses, micro-climate effects, pedestrian safety, and issues of human scale and views.

**g)** The decorative use of water shall be encouraged throughout the Downtown in order to strengthen the link between the waterfront and the Downtown.

**h)** Standards shall be outlined and enforced for the maintenance and occupancy of property in order to preserve the quality of buildings in the area and the character of the Downtown.

**i)** Street furniture, such as garbage bins, bike racks, benches, street lamps, tree lighting, banners and flower treatments, and sidewalks, crosswalks and bike paths shall be designed and located to link the Downtown and the waterfront.
Utilities  

j) Local utility companies shall be encouraged to locate all utilities underground or in locations that do not visually detract from the Downtown.

Gateways  

k) Gateways shall be established at the west, north, north-east and east entrances to the Downtown through distinctive designs to alert people that they are entering a distinct place.

Streetscape  

l) Methods of improving the appearance of the streetscape and buildings along Brant Street shall be investigated and implemented.

Outdoor public areas  

m) Outdoor public areas shall be designed to complement the interior uses of local buildings.

Pedestrian corridor  

n) All development along pedestrian walkways shall encourage pedestrian activity including designing attractive store fronts, open space and parking lots.

Building facades  

o) Property owners shall be encouraged to improve their building facades so that these improvements relate to and are sensitive to nearby historical features, blend with the facades of adjacent buildings and complement streetscape improvements in the area.

Parking garages  

p) Prior to the development of any public parking structure, consideration shall be given to the location, scale, design and massing, so that the structure is compatible with the area.

New development  

q) The construction of new buildings compatible with cultural heritage resources shall be encouraged in the Downtown to blend new development with existing streetscapes and add to the area's character.

Public Areas  

r) Indoor and outdoor public spaces shall be planned that have symbolic meaning and ceremonial and cultural purposes.

Civic and festive areas  

s) Suitable locations shall be provided for civic and festive programs.

5.5.13 Waterfront  

Waterfront promenade  

a) A continuous waterfront walkway shall be developed along the entire Lake Ontario frontage in the Downtown Mixed Use Centre. The promenade may be achieved in conjunction with the necessary shoreline protection.

Waterfront linkage  

b) The master plans for Spencer Smith Park and Beachway Park shall consider establishing links with the Downtown and take into account the roles the former Brant Inn site and the foot of Brant Street can play in connecting Beachway Park, Spencer Smith Park and the Downtown. The master plans shall recognize the environmental sensitivity of Burlington Beach as a natural dynamic beach.

Public lake access  

c) Public access shall be provided to the Lake, where feasible.
View of the lake  

- d) All waterfront development will be appropriately terraced to preserve and frame views of Lake Ontario and Burlington Bay.

### 5.5.14 Transportation and Parking

<table>
<thead>
<tr>
<th>Movement of people</th>
<th>a) Sidewalks, bike paths and roads shall be designed for pedestrian, bicycle and car travel by using both the existing street grid and alternative walkways and bikeways.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Path system</td>
<td>b) A pedestrian and cycling path system shall be provided that links the Downtown with the waterfront and the rest of the City.</td>
</tr>
<tr>
<td>Transit focus</td>
<td>c) The Downtown will continue to be served by high levels of transit, linking it to all other parts of the Urban Planning Area.</td>
</tr>
<tr>
<td>Pedestrian oriented streets</td>
<td>d) Streets such as Lakeshore Road shall become more pedestrian-oriented through the use of traffic calming and other means.</td>
</tr>
<tr>
<td>Parking requirements</td>
<td>e) All development shall be required to provide parking in accordance with the Zoning By-law. Parking may be permitted on a reduced basis in combination with cash in lieu of parking and/or the establishment of a Travel Demand Management Plan as outlined in Part II, Section 3.9 of this Plan.</td>
</tr>
<tr>
<td>Accessible municipal parking</td>
<td>f) Municipal parking shall be provided in locations that are convenient and accessible to the Downtown and waterfront.</td>
</tr>
<tr>
<td>Provision of parking</td>
<td>g) Sufficient parking shall be provided to serve the needs of public and private uses in the Downtown, while considering the desire to increase transit modal split as well as other transportation alternatives to the car.</td>
</tr>
<tr>
<td>Multi-use parking lots</td>
<td>h) Parking lots shall be designed to allow the lot to be used for public purposes when parking demand is low or when special occasions are held in the Downtown and the waterfront.</td>
</tr>
<tr>
<td>Landscaping of parking areas</td>
<td>i) The visual impact of existing parking lots on streets shall be minimized through integrating landscape treatment.</td>
</tr>
<tr>
<td>Use of front yards</td>
<td>j) Existing front yards shall be preserved as landscaped open space rather than parking spots in those areas being re-developed in the St. Luke’s and Emerald Neighbourhoods and the Residential Medium and High Density designations.</td>
</tr>
<tr>
<td>Parking garage function and design</td>
<td>k) Parking garages shall provide active commercial facilities at street levels where feasible, combine design elements emphasizing pedestrian orientation and safety, and include urban design principles that apply to all development in the Downtown.</td>
</tr>
<tr>
<td>New parking spaces</td>
<td>l) Municipal parking lots and structures in the Downtown shall be constructed when needed and when economically feasible.</td>
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### 5.5.15 Transit
PART III – LAND USE POLICIES – URBAN PLANNING AREA

Promote transit

<table>
<thead>
<tr>
<th>Description</th>
<th>Action</th>
<th>Reference</th>
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<tbody>
<tr>
<td>a) The use of transit shall be promoted in the Downtown, in order to reduce traffic and parking demands and traffic congestion and air pollution, by providing increased levels of service, encouraging transit-supportive land use planning and introducing appropriate &quot;transit priority&quot; and Travel Demand Management (TDM) measures.</td>
<td></td>
<td>OPA 55</td>
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Increased modal split

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<tr>
<th>Description</th>
<th>Action</th>
<th>Reference</th>
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<tbody>
<tr>
<td>b) Council shall pursue various methods to encourage the achievement of a greater modal split for transit in the Downtown.</td>
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<td>OPA 55</td>
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Effective transit

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<tr>
<th>Description</th>
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<th>Reference</th>
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<tbody>
<tr>
<td>c) Development applications in the Downtown shall be reviewed to ensure that proposed land development supports and encourages the efficient and effective use of transit services.</td>
<td></td>
<td>OPA 55</td>
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</table>

Downtown hub

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<th>Description</th>
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<th>Reference</th>
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<tbody>
<tr>
<td>d) Council shall support the location of the Downtown as a hub of the City’s Transit Network.</td>
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<td>OPA 55</td>
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Transit integration

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<th>Description</th>
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<th>Reference</th>
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<tbody>
<tr>
<td>e) By means of a transit service review, Council shall explore increased service coordination and integration within the Downtown, and between the Downtown transit station and other commuter rail stations, and improved fare integration between Burlington Transit and other transit operations.</td>
<td></td>
<td>OPA 55</td>
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5.6 Uptown Mixed Use Centre

5.6.1 Principles

Intersection focus

<table>
<thead>
<tr>
<th>Description</th>
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<th>Reference</th>
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<tr>
<td>a) The Uptown Mixed Use Centre will be an intersection-focused centre with the highest intensity of development immediately adjacent to the intersection of Appleby Line and Upper Middle Road. The intensity of development will decrease the further it is located from the intersection. However, there will also be spines of higher intensity uses along Appleby Line and Corporate Drive.</td>
<td></td>
<td>OPA 55</td>
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Focal point

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<th>Description</th>
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<th>Reference</th>
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<tr>
<td>b) The Uptown Mixed Use Centre is considered to be a secondary node to the Downtown and will be a focal point for north-east Burlington- a mixed use community with more urban, rather than suburban, attributes.</td>
<td></td>
<td>OPA 55</td>
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Phased development

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<th>Reference</th>
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<tbody>
<tr>
<td>c) Development is likely to proceed over an extended period of time, as a result, development while meeting the City's objectives for the area, may initially occur at intensities which are less than the maximums permitted.</td>
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<td>OPA 55</td>
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</table>

Urban nature

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<tr>
<th>Description</th>
<th>Action</th>
<th>Reference</th>
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<tbody>
<tr>
<td>d) The highest quality urban design in both the private and public areas, including the design of Appleby Line, Upper Middle Road, Corporate Drive and hydro right-of-way, will be essential both to establish the urban nature of the area from the outset of development, and for the success of the development at all stages of its growth.</td>
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<td>OPA 55</td>
</tr>
</tbody>
</table>

5.6.2 Objectives
### Focal point

a) To establish the Uptown Mixed Use Centre as a mixed use community which also provides a focal point for north-east Burlington.

### High quality

b) To achieve a high quality urban level of design on both private and public lands, particularly along Appleby Line, Upper Middle Road, and Corporate Drive at all stages of development.

### Phased development

c) To recognize the long-term nature of the development and provide the flexibility in the design approach to any specific project, provided the City's objectives for the area achieved.

### Street edge

d) To create a definable street edge along Appleby Line and Upper Middle Road, particularly adjacent to the intersection of the two roads.

#### 5.6.3 General Policies

**Secondary Plan**

a) The overall development of lands within the Uptown Mixed Use Centre shall be subject to the land use designations of Schedule F, Land Use Plan - Uptown Mixed Use Centre.

**Public lands**

b) The design of all lands in public ownership, particularly the road allowances of Appleby Line and Upper Middle Road and hydro right-of-ways will:

   (i) maximize the attractiveness of the roadways to pedestrians through features such as the provision of a centre median and wider sidewalks on Appleby Line, sidewalks generally provided on most streets, bicycle routes and landscaping;

   (ii) identify the area as a focal point for north-east Burlington through the introduction of unique design and features at the intersection of Appleby Line and Upper Middle Road and the boundaries of the area and along the Appleby Line corridor;

   (iii) ensure that the hydro corridor immediately adjacent to the intersection of Appleby Line and Upper Middle Road is landscaped in a manner which recognizes the urban context of the area and the need to encourage pedestrian use of the intersection;

   (iv) ensure that the design of parks and other public open space features recognizes the ultimate urban character of the area and appeals to the wide range of people who will be using the facilities;

   (v) ensure that common public design elements such as streetlights and street signs are consistent throughout the Uptown Mixed Use Centre.
A well-defined pedestrian walkway system shall be required linking each lot or block within the Mixed Use Centre Area designations and the Mixed Use Corridor Area designation. The system will provide linkages between buildings, adjacent sites, surrounding areas, public streets, particularly those with transit routes and the general pedestrian system in other areas of the Uptown Mixed Use Centre. The system may take a variety of forms, but does not need to be capital intensive and can include approaches such as changes in paving material.

Provision will be made for bicyclists in all development in the various Mixed Use Centre Area designations and the Mixed Use Corridor Area designation, as appropriate for the size and scale of the lot and the proposed development. Where such facilities include a bikeway it may be designed to be integrated with the general pedestrian system and will also link with the general bikeway system in other areas of the Uptown Mixed Use Centre. Such facilities may take a variety of forms, but, do not need to be capital intensive and can include approaches such as changes in paving material, the use of painted lines on roads and the provision of bicycle parking areas.

Parking areas shall be well landscaped in accordance with the approved design guidelines for the area. They shall include pedestrian walkways which link buildings with adjacent sites. Wherever possible parking lots on properties in different ownership will be encouraged to have joint access points and will be integrated to minimize barriers to vehicular travel within the Uptown Mixed Use Centre.

The City shall encourage the design of all development in the Uptown Mixed Use Centre to provide a safe, functional and attractive pedestrian environment. This is a particular concern for properties along Appleby Line and the north side of Upper Middle Road, as well as the public road allowances. The urban nature of the area shall be recognized through the inclusion of a combination of features including:

(i) minimizing the visual impact of parking areas by controlling the amount of parking permitted in the front of buildings and providing breaks in parking areas through the use of landscaping and the positioning of buildings to create smaller areas, while still ensuring the creation of functional areas;

(ii) specifying the type of use located at grade level on the major roads;

(iii) specifying the type of landscaping on both private and public lands, to include urban features such as the use of low fences or hedges rather than berms or wide landscape strips to provide buffering for parking areas;
(iv) encouraging the location of residential garages on rear laneways or at the side or rear of dwellings, rather than in front of the dwelling;

(v) designing buildings with facade articulation to achieve a scale of development which is attractive to pedestrians; and

(vi) introducing features in the road allowance including wider sidewalks on major roads, sidewalks generally provided on most streets including private roads, the utilization of street furniture including sitting areas, transit shelters and on-street parking.

Street edge

g) Building areas and other design features are to be located in very close proximity to the Appleby Line and Upper Middle Road road allowances for any property located between the intersection and the proposed collector ring road. In other areas, buildings shall be setback no more than 16 m from the road allowance on Appleby Line, except for any automotive commercial uses, or uses in the Uptown Commercial designation.

Residential uses

h) Where high density residential or mixed use development is located adjacent to medium density residential uses, design should assist in mitigating any incompatibilities through such approaches as the incorporation of architectural features and setbacks, placement of service facilities such as loading bays so that they are screened and the location of major entrances so that traffic will be directed away from medium density residential development.

Relationship to transit

i) Development should be designed to promote the use of public transportation by incorporating site plan features such as:

(i) the implementing zoning by-law shall identify a minimum portion of all buildings abutting the corridor street to be located in close proximity to the corridor street, and all buildings should be required to have a building entrance from the building façade closest to the corridor street;

(ii) safe and convenient access will be provided for pedestrians between buildings and transit stops, parking areas, and other buildings and facilities; and

(iii) roads will be designed for efficient transit service as well as pedestrian and bicycle travel.

5.6.4 Uptown Commercial/Residential I

Permitted uses

a) The following uses may be permitted in the Uptown Commercial/Residential I designation:

(i) retail and service commercial uses including business, administration uses, and automotive commercial uses;

(ii) high density residential uses;
(iii) office uses;  
(iv) hotel, conference and convention uses; and  
(v) *entertainment uses.*

<table>
<thead>
<tr>
<th>Parking</th>
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<tbody>
<tr>
<td>b) Parking areas for buildings, structures or uses which are not located in the Uptown Commercial/Residential I designation shall be prohibited.</td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>North-west Quadrant</th>
</tr>
</thead>
</table>
| c) In the Uptown Commercial/Residential I designation in the north-west quadrant of the intersection of Appleby Line and Upper Middle Road:  
  (i) residential *development* is to be located in the upper storeys of buildings containing other permitted uses; and  
  (ii) retail and *service commercial* uses shall be required at grade level in buildings or portions of buildings fronting on Appleby Line. |

<table>
<thead>
<tr>
<th>Retail Development-North-west quadrant</th>
</tr>
</thead>
</table>
| d) In the Uptown Commercial/Residential I designation in the north-west quadrant of the intersection of Appleby Line and Upper Middle Road and in combination with the Uptown Commercial/Residential II designation retail and *service commercial* floor area shall be subject to:  
  (i) a Phase I maximum of 26,500 sq. m. The amount of retail and *service commercial* floor area may exceed the Phase I retail cap to a maximum of 25 per cent *lot coverage*, provided that market studies substantiating the increase are submitted at the time of application. The market studies must have regard for the existing and potential retail and *service commercial* needs of the City, and in particular the north-east urban area, and any other conditions a future Council may impose at the time an application to exceed the Phase I maximum is made;  
  (ii) a maximum of 7,400 sq. m total floor area for individual retail uses in the Uptown Commercial/Residential I; and  
  (iii) a minimum of four principal uses contained wholly in the Uptown Commercial/Residential I and II designations. |

<table>
<thead>
<tr>
<th>South-east quadrant</th>
</tr>
</thead>
</table>
| e) In the Uptown Commercial/Residential I designation in the south-east quadrant of the intersection of Appleby Line and Upper Middle Road:  
  (i) residential *development* is to be located in the upper storeys of buildings containing other permitted uses; and  
  (ii) retail and *service commercial* uses shall be required at grade level in buildings or portions of buildings fronting on Appleby Line. |

<table>
<thead>
<tr>
<th>North-east quadrant</th>
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</thead>
<tbody>
<tr>
<td>f) In the Uptown Commercial/Residential I designation in the north-east quadrant of the intersection of Appleby Line and Upper Middle Road:</td>
</tr>
</tbody>
</table>
PART III – LAND USE POLICIES – URBAN PLANNING AREA

(i) *development shall* be predominantly residential or office uses, including buildings which *may* be used entirely for residential or office purposes;

(ii) any retail and *service commercial* uses *shall* be limited to grade or below grade locations in buildings containing the other permitted uses; and

(iii) notwithstanding the limitation to *high density residential* uses, *medium density residential* uses *may* be permitted in the narrow eastern portion of this area.

**Zoning regulations**

**g)** Zoning By-law regulations affecting Uptown Commercial/Residential I locations *shall* be based on the following factors:

(i) a maximum *floor area ratio* of 2.5:1; and

(ii) a maximum building height of 35 m.

**North-east corner of Appleby Line and Ironstone Drive**

**h)** Notwithstanding Part III, Subsection 5.6.4 g), within the Uptown Commercial/Residential I designation located at 1963 Appleby Line, one 16-storey mixed-use residential building up to a maximum height of 53 metres, having a maximum *floor area ratio* of 3.7:1, and a maximum of 210 residential units is permitted.

**5.6.5 Uptown Commercial/Residential II**

**Permitted uses**

**a)** The following uses *may* be permitted in the Uptown Commercial/Residential II designation:

(i) *retail and service commercial* uses including business and administration uses;

(ii) *automotive commercial* uses on lands fronting on Appleby Line, or as an *accessory use* to one major commercial operation;

(iii) *high density residential* uses;

(iv) *office uses*; and

(v) *recreation and entertainment uses*.

**Residential development**

**b)** Residential *development shall* only be permitted as part of a mixed use development or in a freestanding building provided:

(i) the residential use can be integrated with any other existing or proposed *development* on the site and the surrounding area through the submission of a detailed concept plan for the site and surrounding lands and other related information; and

(ii) facilities are available to the residential *development* in the Uptown Commercial/Residential I and II designations, including open space and *recreation* facilities, to serve the needs of the residents.
Retail development
c) In the Uptown Commercial/Residential II designation and in combination with the Uptown Commercial/Residential I designation in the north-west quadrant of the intersection of Appleby Line and Upper Middle Road retail and service commercial floor area shall be subject to:

(i) a Phase I maximum of 26,500 sq. m. The amount of retail and commercial floor area may exceed the Phase I retail cap to a maximum of 25 per cent lot coverage, provided that market studies substantiating the increase are submitted at the time of application. The market studies must have regard for the existing and potential retail and service commercial needs of the City, and in particular the north-east urban area, and any other conditions a future Council may impose at the time an application to exceed the Phase I maximum is made;

(ii) a maximum of 10,200 sq. m total floor area for individual retail uses in the Uptown Commercial/Residential II; and

(iii) a minimum of four principal uses contained wholly in the Uptown Commercial/Residential I and II designations.

Zoning regulations
d) Zoning By-law regulations affecting Uptown Commercial/Residential II locations shall be based on the following:

(i) a maximum floor area ratio of 1.5:1; and

(ii) a maximum building height of 28 m.

5.6.6 Uptown Commercial

Permitted uses
a) The following uses may be permitted in the Uptown Commercial designation:

(i) retail and service commercial uses which primarily serve the automobile and the tourist and which rely heavily upon the traveling public for their economic existence and uses predominantly related to surrounding urban development or supplementary to a major commercial centre;

(ii) office uses; and

(iii) recreation and entertainment uses.

Retail development
b) Individual retail uses will be permitted to a maximum total floor area of 10,200 sq. m.

Zoning regulations
c) Zoning By-law regulations affecting Uptown Commercial locations shall be based on the following:

(i) a maximum floor area ratio of 0.5:1; and

(ii) a maximum building height of 12 m.
### PART III – LAND USE POLICIES – URBAN PLANNING AREA

#### 5.6.7 Uptown Employment

<table>
<thead>
<tr>
<th>Permitted uses</th>
<th>a)</th>
<th>The following uses may be permitted in the Uptown Employment designation:</th>
</tr>
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<tbody>
<tr>
<td></td>
<td></td>
<td>(i) limited retail and service commercial uses including business and administration uses, but, excluding automotive commercial uses;</td>
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<tr>
<td></td>
<td></td>
<td>(ii) industrial uses;</td>
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<tr>
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<td></td>
<td>(iii) office uses;</td>
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<td></td>
<td></td>
<td>(iv) hotel, conference, convention and banquet facility uses; and</td>
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<tr>
<td></td>
<td></td>
<td>(v) recreation and entertainment uses.</td>
</tr>
</tbody>
</table>

| Retail and service commercial uses | b) | All retail and service commercial uses shall be located at grade or below grade level in buildings of 3,000 sq. m or greater containing the other permitted uses. |

<table>
<thead>
<tr>
<th>Zoning regulations</th>
<th>c)</th>
<th>Zoning By-law regulations affecting Uptown Employment locations shall be based on the following:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>(i) a maximum floor area ratio for industrial uses of 0.5:1;</td>
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<tr>
<td></td>
<td></td>
<td>(ii) a maximum floor area ratio for other permitted uses, including mixed use developments which incorporate industrial uses of 1.0:1, with the exception of the lands at the south-west corner of Appleby Line and Upper Middle Road where the maximum floor area ratio shall be 1.5:1; and</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(iii) a maximum building height of 28 m.</td>
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</tbody>
</table>

#### 5.6.8 Uptown Commercial/Residential III

<table>
<thead>
<tr>
<th>Permitted uses</th>
<th>a)</th>
<th>The following uses may be permitted in the Uptown Commercial/Residential III designation:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>(i) retail and service commercial uses including business and administration uses, but, excluding automotive commercial uses:</td>
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<tr>
<td></td>
<td></td>
<td>(ii) high density residential uses;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(iii) office uses;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(iv) hotel, conference, convention and banquet facility uses;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(v) automotive commercial uses on lands fronting on Appleby Line, or as an accessory use to one major commercial operation located in the northerly 1.91 hectares of the designation, with the exception of the lands at the south-east corner of the intersection of Appleby Line and Ironstone Drive and the north-east corner of the intersection of Appleby Line and Corporate Drive; and</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(vi) recreation and entertainment uses.</td>
</tr>
</tbody>
</table>
Zoning regulations  

b) Zoning By-law regulations affecting Uptown Commercial/Residential III locations shall be based on the following:

(i) a maximum floor area ratio of 1.5:1; and

(ii) a maximum building height of 35 m.

South-east corner of Appleby and Ironstone  

c) A retirement home with a maximum floor area ratio of 2.5:1 and a maximum density of 255 units per hectare shall be permitted at the south-east corner of Appleby Line and Ironstone Drive.  

Northeast corner of Appleby Line and Corporate Drive  

d) A multi-unit residential building with a minimum of four storeys having a maximum floor area ratio of 4.15:1, and a maximum of 71 units shall be permitted at the north east corner of Appleby Line and Corporate Drive.  

5.6.9 Uptown High Density Residential  

Permitted uses  

a) The following uses may be permitted in the Uptown High Density Residential designation:

(i) limited retail and service commercial uses including business uses and administration uses, but excluding automotive commercial uses;

(ii) office uses;

(iii) high density residential uses;

(iv) recreation and entertainment uses.

Residential development  

b) Residential development shall be permitted as part of a mixed use development or in a freestanding building. Where residential uses form part of a mixed use development, such uses shall:

(i) be located in the upper storeys of mixed use buildings; and

(ii) be integrated with other permitted uses, with adequate on-site facilities provided for residents including landscape and open space areas, and amenity, parking and service facilities.

Corporate Drive development  

c) All development along Corporate Drive, including freestanding residential buildings, shall be designed in a manner to encourage a business image for the streetscape. Consideration for building design details, the placement of structures, entrances, parking areas, service areas and amenity areas, including balconies, shall be included in the design guidelines established in accordance with Part III, Subsection 5.6.3 of this Plan.

Zoning regulations  

d) Zoning By-law regulations affecting Uptown High Density Residential locations shall be based on the following:

(i) a maximum floor area ratio of 1.0:1; and
(ii) a maximum building height of 24 m, except in the case of residential development. Residential units, either in a freestanding building or contained within a building with other uses, shall be restricted in height in accordance with the terms and conditions contained in the executed subdivision agreement.

Retail and service commercial uses e) All retail and service commercial uses shall be located at grade or below grade, in buildings containing other uses.

Residential density f) Notwithstanding the definition of high density residential uses in Part VIII of this Plan, high density residential uses in the Uptown High Density Residential designation shall be limited to a maximum density of 100 units per net hectare.

5.6.10 Uptown Residential Areas

Permitted uses-Medium Density a) The following uses may be permitted in the Uptown Medium Density Residential designation:

(i) medium density residential uses.

Building forms-Medium Density b) Residential building forms in Uptown Medium Density Residential areas include townhouses, street townhouses, stacked townhouses, duplexes, three-plexes and walk-up apartments.

Building heights c) The Zoning By-Law regulations pertaining to building heights shall be based on the following:

(i) a maximum building height of 12 m in Uptown Medium Density Residential areas; and

(ii) a maximum building height of 24 m in Uptown High Density Residential areas.

5.6.11 Uptown Watercourse Area

Permitted uses a) The following uses may be permitted in the Uptown Watercourse Area designation:

(i) non-intensive outdoor recreation uses;

(ii) essential public utilities and services;

(iii) flood and erosion control facilities; and

(iv) watershed management works.

Prohibit development b) Development on lands designated Uptown Watercourse Area shall be prohibited.

Limits of watercourse c) The precise limits of the Uptown Watercourse Area designation shall be determined by the City, in conjunction with Conservation Halton.
Setbacks  

d) New development adjacent to valleys shall be subject to a buffer strip setback from the stable top of bank associated with the valley. The location of the top of bank shall be determined by the City, in conjunction with Conservation Halton.

Development and alteration  
e) Development or alteration of lands designated as Uptown Watercourse shall be subject to the Development, Interference with Wetlands and Alterations to Shorelines and Watercourses regulation administered by Conservation Halton.

Dedication of buffer strip  
f) Notwithstanding any other provisions of this Plan, as part of the development approval process, the owner shall dedicate to the City a strip of land beyond the stable top of bank for a width of up to a maximum of 5 m. This dedication shall be without cost to the City and shall not be accepted as parkland dedication or cash-in-lieu of parkland pursuant to The Planning Act. Except as specified below, this land may be used for the purpose of calculations permitted density, coverage and open space for development on developable parcels within the plan of subdivision from which the strip of land is being dedicated. This policy as it relates to the calculation of density, coverage and open space does not apply where the strip of land is located between a creek and a storm water detention facility.

5.6.12 Uptown Mixed Use Corridor- Employment Area  

Permitted uses  
a) The following uses may be permitted in the Uptown Mixed Use Corridor-Employment Area designation:

(i) retail and service commercial uses including business and administration uses, but, excluding automotive commercial uses;
(ii) office uses;
(iii) research, development and information processing uses;
(iv) light assembly and manufacturing uses compatible with abutting residential uses in buildings containing other permitted uses;
(v) hotel, conference, convention and banquet facility use; and
(vi) cultural, leisure and recreation uses.

Zoning regulations  
b) Zoning By-law regulations affecting Uptown Mixed Use Corridor-Employment locations shall be based on the following:

(i) a maximum floor area ratio of 1.0:1; and
(ii) a maximum building height of 24 m.

Special Heritage features  
c) Consideration shall be given to the protection and integration of the heritage features found in the existing farm cluster into proposed developments at the north-east corner of Appleby Line and Mainway.
Retail and service commercial uses d) All retail and service commercial use shall be located at grade or below grade level in buildings of 3,000 sq. m or greater in size containing the other permitted uses, provided that retail uses shall be limited to retail stores up to a maximum of 300 sq. m.

Re-designation from Uptown Mixed Use Corridor-Employment e) Proposals for the re-designation of lands designated Uptown Mixed Use Corridor-Employment to allow non-employment uses, or to add a range of uses to the Uptown Mixed Use Corridor-Employment designation that are primarily permitted in a non-employment designation, shall be evaluated based on meeting the following criteria:

(i) the proposal shall only be considered in conjunction with the Comprehensive Review provisions identified in the Provincial Policy Statement and the policies of Provincial Plans;

(ii) the proposal shall not detrimentally affect the short and long-term employment land needs of the City;

(iii) the intensity and characteristics of the proposed non-employment uses shall not detrimentally impact the viability, desirability, or the proper servicing of existing and future surrounding land uses;

(iv) the site’s physical and natural characteristics, development constraints and location shall justify the consideration of non-employment uses at the subject location;

(v) re-designation of lands abutting major transportation corridors including railways, highways and major arterial roads shall be discouraged;

(vi) support studies as identified in Part VI, Section 5.3, Other Studies Policies of the Plan are prepared;

(vii) in addition to (i) through (vi) above, the re-designation shall also meet at least two of the following conditions:

i. the amount of land affected is minor in area based on the projected land requirements within the planning horizon of the Plan;

ii. the development of the site is not feasible for employment uses within the planning horizon of the Plan;

iii. there are no alternative sites, designated and approved for the proposed use elsewhere in the City;

iv. the proposal will have a beneficial impact on the surrounding uses and the broader community; and

v. the development of the land for non-employment uses will meet a public need identified by City Council resolution.

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5.6.13 Uptown Office/Business Park Area

Permitted uses

- The following uses may be permitted in the Uptown Office/Business Park Area designation:
  - office uses;
  - research, development and information processing uses;
  - light assembly and manufacturing uses compatible with abutting residential uses; and
  - cultural, leisure and recreation uses.

Zoning regulations

- Zoning By-law regulations affecting Uptown Office/Business Park locations shall be based on the following:
  - a maximum floor area ratio of 1.0:1; and
  - a maximum building height of 12 m.

Retail sales areas

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

Landscaping

- A landscaping berm shall be provided where Uptown Office/Business Park uses on Mainway abut residential development.

5.6.14 Uptown General Employment Area

Objectives and policies

- The objectives and policies for this designation are found in Part III, Section 3.3, General Employment, of this Plan.

1830 Ironstone Drive

- Notwithstanding the permitted uses under Part III, Subsection 3.3.2 a) and d) of this Plan, on the property described as 1830 Ironstone Drive, the retail sales of building and construction materials may be permitted in one freestanding building with a maximum floor area of 12,000 sq. m.

5.6.15 Open Space

Open Space system

- The open space system shall generally conform with the following:
(i) private and public open space systems shall be designed to ensure linkages both between open space areas in the Uptown Mixed Use Centre and open space areas adjacent to it. Linkages to major features such as the valley of the Main Sheldon Creek, Bronte Creek Provincial Park and the woodlot in the north-east quadrant of the intersection of Appleby Line and Upper Middle Road should be clearly defined;

(ii) establish an integrated, linked system of small urban open space areas including parkettes, squares, sitting areas and landscape features such as fountains, statues and planting areas throughout the mixed use areas, the majority of which shall be on private lands and form part of the pedestrian walkway system;

(iii) provide well defined linkages from the neighbourhood parks through the design of the public and private street system to other areas of the Uptown Mixed Use Centre, particularly the valley of the main branch of the Sheldon Creek; and

(iv) maximize public use of hydro right-of-way with landscaping, pedestrian and bicycle facilities.

Utility corridors

b) The hydro and gas pipe line right-of-ways on the south side of Upper Middle Road shall generally remain undeveloped except for associated electric power facilities and secondary land uses such as trail systems and landscaping features.

5.6.16 Transportation

Transportation guidelines

a) Transportation guidelines will assist in the achievement of the Uptown Mixed Use Centre policies and to provide criteria for the evaluation of specific development applications, including applications for site plan approval. These guidelines may be reviewed periodically and may be amended from time to time provided that any amendments shall conform with this Plan and shall be adopted by Council.

Road designs

b) Appleby Line and Upper Middle Road in the Uptown Mixed Use Centre will be designed to balance the conflicting demands created the regional travel demands and need for pedestrian friendly design. The City shall use a variety of traffic calming techniques including:

(i) reduced lane width;

(ii) provision for a landscaped centre median;

(iii) provision for some type of on-street parking adjacent to the intersection of Appleby Line and Upper Middle Road, notwithstanding the general prohibition on on-street parking in Part VII, Table 1 - Function and Classification of Transportation Facilities;
(iv) provision of transit priority measures including Reserved Bus Lanes (RBL) and traffic signal priority; and

(v) use of alternative road geometrics and materials at pedestrian crossing areas.

Collector Ring Road-Purpose c) A collector ring road will link the four quadrants of the Appleby Line and Upper Middle Road intersection together, as shown schematically on Schedule J, Classification of Transportation Facilities - South of No. 1 Side Road. The purpose of the collector ring road is:

(i) provide an optional route to travel through the main intersection, thus reducing the demands on the intersection; and

(ii) provide direct connections between the quadrants, at intersections which may be signalized, for all modes of transportation.

Collector Ring Road-Design d) The collector ring road shall be designed and implemented as follows:

(i) all roads shall generally have sidewalks on both sides;

(ii) all roads shall provide for bicycle travel, as well as use by public transit vehicles, if required;

(iii) reduced right-of-ways, reduced setbacks and other mechanisms to ensure the viability of the proposed collector ring road and adjacent uses; and

Sidewalks e) Sidewalks shall generally be required on both sides of any road. Exceptions may be made for specific circumstances identified in the design guidelines for the Uptown Mixed Use Centre and for residential development projects, where sidewalks may only be required on one side of the street.

Travel Demand Management Plan f) Each landowner in the Uptown Office/Business Park Area designation, and any development within the Uptown Commercial, Uptown Commercial/Residential, Uptown Employment and Uptown Mixed Use Corridor Employment Area designations which contains more than 3,000 sq. m of total floor area for office or industrial uses may be required, prior to the occupancy and use of land, to establish a Travel Demand Management Plan and Implementation Strategy, subject to the approval of the City.

On-Street parking g) On-street parking may be permitted on any street in the Uptown Mixed Use Centre.
### 5.6.17 Implementation

**Regard for lands to the east**

a) Any Master Servicing Agreement *shall* have regard for the *development* of the lands to the east bounded by Upper Middle Road, Burloak Drive, Mainway and the western edge of the valley of the main branch of Sheldon Creek.

**Storm Water Agreement**

b) A Storm Water Management Agreement as described in Part II, Subsection 2.11.3 of this Plan, signed by all the benefiting major landowners in the south-east, north-east and north-west quadrants of the Uptown Mixed Use Centre, *shall* be required as a condition of approval of draft plan of subdivision or in the case where there is no plan of subdivision, as a condition of approval of a site plan.
6.0 NATURAL FEATURES AND OPEN SPACE

The most significant natural features in the City's Urban Planning Area are identified under three separate land use designations on Schedule B, Comprehensive Land Use Plan - Urban Planning Area. The "Greenlands" designation identifies those lands which together form a permanent natural resource base consisting of natural features and open space areas which are ecologically sensitive. This land use designation also applies to lands in the Rural Planning Area. The "Major Parks and Open Space" designation is intended for community- and city-wide parks and other public and private open space lands. The "Watercourse" designation pertains to the majority of creeks and drainage channels.

The wise management and conservation of natural features, major park and open space lands, and watercourses shall be based on the following principles, objectives and policies:

6.1 Principles

| Preservation and protection | a) The long-term preservation and protection of significant natural features is a responsibility of local residents, property owners, government agencies and the private sector. |
| Community character | b) Parks and open space lands are valuable resources to the community and play an important role in defining the character and lifestyle of the City's residents. |
| Watercourses | c) Watercourses with their associated valleys and floodplains provide a source of natural habitat and wildlife corridors and are essential to the movement of storm water run-off. |

6.2 Greenlands Designation

6.2.1 Objectives

| Permanent resource base | a) To ensure the long-term preservation of lands that form a permanent natural resource base consisting of ecologically sensitive natural areas. |
| Importance of Natural Features | b) To recognize the importance of the Environmentally Sensitive Areas, Areas of Natural and Scientific Interest, Provincially and Regionally Significant Wetlands, the Niagara Escarpment, major creeks and associated valleylands and other significant natural features such as woodlots, hazard lands, Lake Ontario and Burlington Bay shorelines and areas of wildlife habitat. |
| Preserve and protect | c) To preserve and protect significant natural and cultural heritage features and landscapes; landforms performing important biological and ecological processes and functions; and areas providing non-intensive recreation opportunities. |
### Environmental Evaluation

d) To require an Environmental Evaluation of all development proposals affecting significant natural resource features on lands designated Greenlands.

### 6.2.2 General Policies

#### Permitted uses

a) The following uses *may* be permitted in the Greenlands designation:

1. **existing agricultural operations including accessory buildings, structures and facilities**
2. **existing uses**
3. **single-detached dwellings on existing lots created under The Planning Act**
4. **non-intensive recreational uses** such as nature viewing;
5. **forest, wildlife and fisheries management**;
6. **archaeological activities**;
7. **essential transportation and utility facilities**;
8. **accessory buildings, structures and facilities and site modifications to accommodate them, provided the effects on the natural environment are minimal**;
9. **incidental uses and site modifications to accommodate them, provided the effects on the natural environment are minimal**; and
10. **home occupations and cottage industries**.

#### Recreation uses

b) Non-intensive *recreation uses shall* be permitted only when natural features are *preserved* to the maximum possible degree; buildings and structures are minor in scale; and there is no or minimal parking provided on-site.

#### Prohibit development In wetlands, floodplains and regulated areas

c) Notwithstanding Part III, Subsection 6.2.2 a), no *development shall* be allowed within the portions of the Greenlands designation containing: *Provincially Significant Wetlands* as identified through the Ministry of Natural Resources in accordance with Provincial policy, regulatory *floodplains* as identified by Conservation Halton, areas regulated by Conservation Halton, unless permission has been received by Conservation Halton, and the edge of Lake Ontario and Burlington Bay between the shoreline and the top of bank.
Environmental Evaluation  

**d)** The proponent of any development of lands within the Greenlands designation may be required to prepare an *Environmental Evaluation* Report subject to the policies of Part II, Section 2.5 of this Plan, if the development would adversely affect the environment. Single-detached dwellings and agricultural related uses such as barns and sheds would be exempt from this policy. An Evaluation is required for large-scale agricultural related uses such as secondary processing facilities.

ESAs  

**e)** *Environmentally Sensitive Areas (ESAs)* are identified as an overlay on Schedule B, Comprehensive Land Use Plan - Urban Planning Area. The precise boundaries of these areas shall be determined in conjunction with the Region of Halton. Specific policies for ESAs are:

(i) the alteration of the physical and/or biological features shall be restricted;

(ii) subject to the requirements of Part III, Subsection 6.2.2 d), the proponent of any development, including public works, inside or within 50 m of an ESA must prepare an *Environmental Evaluation* Report as described in Part II, Section 2.5; and

(iii) the alteration of any condition or land use that may affect the ESA shall be subject to approval of the appropriate authority, based on site plans submitted by, and agreements entered into with the developer.

Agreements  

**f)** Property owners and Government and other agencies are *encouraged* to enter into voluntary agreements regarding the protection of natural features.

Natural Feature inventory  

**g)** The City shall prepare, and update on a periodic basis, an inventory of significant natural areas in the Urban Planning Area which are worthy of preservation through designation as Greenlands and/or acquisition by a public authority.

Direct development away from Greenlands  

**h)** *Development* in Urban Areas and Rural Settlement Areas shall be directed away from Greenlands areas on those parcels of land that are partially within the Greenlands designation. The City may consider the transfer of development potential from areas inside Greenlands designations to areas outside Greenlands designations provided the other objectives of this Plan are achieved.

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6.2.3 Protection and Acquisition of Natural Features Policies

Land stewardship

a) The retention of lands designated Greenlands containing significant natural features by private land owners shall be encouraged rather than the dedication of these lands to the City or the purchase of lands by the City.

Dedication To City

b) Where retention by private landowners is not feasible or desirable, the dedication of natural features to the municipality shall be encouraged. The dedication of lands designated Greenlands may be accepted as parkland dedication only if they provide needed public recreational opportunities, as identified by the City.

Municipal purchase

c) The purchase of lands with significant natural features shall only take place if the land stewardship and dedication options outlined in Part III, Subsection 6.2.3 are not feasible, if the lands will provide a needed public recreation function and there are sufficient funds available to purchase the lands.

Community Benefits By-Law

d) When considering development applications involving significant natural features, community benefits provisions pursuant to Section 37 of The Planning Act may be implemented to encourage the retention or dedication of natural features. Such community benefits provisions may address increases in density and height of development, and shall be subject to Part VI, Section 2.3 of this Plan.

Other incentives

e) The City may consider other incentives to the retention and dedication of lands containing significant natural features such as density transfers and flexible development standards.

Early identification

f) Significant natural features that are worthy of preservation and protection and areas where development should not be permitted will be identified in the early planning stages, particularly during secondary planning studies.

6.3 Major Parks and Open Space Designation

6.3.1 Objectives

Valuable resources

a) To recognize parks and open space lands as valuable resources to the community that play an important role in defining the character and lifestyle of the City’s residents.

Supply of parks

b) To ensure an adequate and equitable supply of parks and open space, and the full range of leisure opportunities are available throughout the City.

Joint Use of facilities

c) To encourage the joint use of parks and other recreation and leisure facilities with other agencies such as the school boards, Conservation Halton and the Region of Halton.

Park classification

d) To establish a park classification in order to effectively address the parks and recreational needs of City residents.
6.3.2 Policies

Park classification

a) The municipal parks system shall consist of Parkettes, Neighbourhood Parks, Community Parks, City Wide Parks and Special Resource Areas. The function of each type of park is defined in the Parks and Recreation Department Parks Master Plan, as amended from time to time. The main function of each park type is as follows:

(i) a Parkette consists of a small land area that is designed to provide a variety of passive and visual benefits for the surrounding area;

(ii) a Neighbourhood Park is designed and located to serve the recreational needs of a neighbourhood;

(iii) a Community Park is designed and located to serve several neighbourhoods;

(iv) a City Park is designed to serve the leisure needs of all the residents of the City; and

(v) a Special Resource Area is an area of parkland in its natural state used for conservation and/or preservation.

Land Use Schedules

b) All City Parks and Community Parks are designated as Major Parks and Open Space on Schedule B, Comprehensive Land use Plan - Urban Planning Area. Parkettes, Neighbourhood Parks and Special Resource Areas are not identified under a separate land use designation in the Urban Planning Area.

Rural & North Aldershot Parks

c) Policies pertaining to municipal parks in the Rural Planning Area are contained in Part IV of this Plan, and policies pertaining to parks and open space in the North Aldershot Planning Area are contained in Part V of this Plan.

Permitted uses

d) Uses permitted within the Major Parks and Open Space designation may include: municipal parks and related community facilities, golf courses and related facilities, and outdoor recreation uses.

Supply of parks

e) The amount of parkland to be provided in the City, including the distribution of parkland by park type shall be defined in the Parks and Recreation Department Parks Master Plan, as amended from time to time. The majority of new parkland shall be acquired by the City through the development approval process as parkland dedication in accordance with Part VI, Section 2.7.

Connections to parks

f) Connections between neighbourhoods and parks, such as pedestrian and bicycle trails, shall be identified and secured during the development approval process. Provision for these connections shall be included in the design of the park.
**PART III – LAND USE POLICIES – URBAN PLANNING AREA**

<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
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<tbody>
<tr>
<td>Rights-of-way</td>
<td>g) The public acquisition and integration of utility corridors such as railway rights-of-ways and hydro rights-of-ways shall be encouraged for the purposes of expanding the City's walkway and bikeway systems.</td>
</tr>
<tr>
<td>Environmental Protection, safety</td>
<td>h) A high priority shall be placed on environmental protection, public safety, public access and increased visibility along streets during the detailed design and development of parks.</td>
</tr>
<tr>
<td>Design of parks</td>
<td>i) Parks shall be located, designed and maintained to enhance the local neighbourhood or community.</td>
</tr>
<tr>
<td>Areas deficient In Parkland</td>
<td>j) In areas of the City that are deficient in parkland, parkettes and small horticultural areas may be developed by the City to respond to this deficiency.</td>
</tr>
<tr>
<td>Surplus school sites</td>
<td>k) When school/park combinations are declared surplus for educational purpose, the City shall consider alternative ways to maintain the existing parkland levels in the immediate area.</td>
</tr>
<tr>
<td>Co-ordinate with other orders of Government</td>
<td>l) The City shall work with other orders of government to coordinate strategies and funding opportunities to acquire and preserve parks and open space, particularly along the waterfront.</td>
</tr>
<tr>
<td>Waterfront Park Master Plans</td>
<td>m) The design, development and use of Burloak Waterfront Park, Paletta Waterfront Park, LaSalle Park, Spencer Smith and Burlington Beach Waterfront Park shall be subject to Park Master Plans. Each master plan shall be prepared by the City, in conjunction with the Region of Halton and Conservation Halton.</td>
</tr>
<tr>
<td>Adjacent facilities</td>
<td>n) Consideration will be given to locating school sites and City or Community Parks adjacent to one another in order to achieve economies of scale and avoid duplication of services.</td>
</tr>
<tr>
<td>South of Upper Middle Road, between Shoreacres Creek and the CNR</td>
<td>o) Notwithstanding the other policies of this Plan, the lands designated “Major Parks and Open Space,” south of Upper Middle Road, between Shoreacres Creek and the C.N.R. railway line, and north of and adjacent to the C.N.R. railway line, shall be subject to the following:</td>
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<tr>
<td></td>
<td>(i) the lands shall only be used as a private or public open space use separation buffer for residential development on the lands south of Upper Middle Road, between Walker’s Line and Appleby Line, and the adjoining industries located to the south of the C.N.R. railway line;</td>
</tr>
<tr>
<td></td>
<td>(ii) permitted uses within this designation shall be limited to only one public health care (Wellness House) building, provided that no overnight health care accommodation is permitted, private open space, storm water management and erosion control facilities, walking trails, nature viewing and parking lots.</td>
</tr>
</tbody>
</table>
6.4 Watercourses *D28

6.4.1 Objectives

Protect life and property

a) To ensure the protection of life and property in the floodplain areas of watercourses.

Minimize threat

b) To minimize the threat of injury, loss of life, property damage and economic and social disruptions caused by flooding.

Fisheries

c) To promote the net gain of fish habitat as per applicable legislation.

6.4.2 Policies

Storm water policies

a) The policies of this section are to be read in conjunction with the Storm Water Management principles, objectives and policies of Part II, Section 2.11.

Prohibit development

b) Development on lands designated Watercourse on Schedule B, Comprehensive Land Use Plan - Urban Planning Area shall be prohibited.

Permitted uses

c) Uses permitted on lands designated Watercourse may include: non-intensive outdoor recreation uses; essential public utilities and services, flood and erosion control facilities; and watershed management works.

Limits of watercourse

d) The precise limits of the Watercourse designation shall be determined by the City, in conjunction with Conservation Halton, based on mapping of the Regulatory Floodplains as prepared by Conservation Halton, where applicable.

Where Regulatory Floodplain mapping exists for watercourses in the City, mapping showing the extent of the regulatory floodplains is contained in Appendix G to this Plan. This mapping is provided for information and advisory purposes only and is subject to change from time to time without requiring a further amendment to this Plan. It is noted that all watercourses have a natural floodplain associated with them; however, certain watercourses do not have floodplain mapping completed at this time. Any works within or near a watercourse shall be reviewed by the City and Conservation Halton for floodplain implications. Landowners are advised to contact Conservation Halton for more accurate determination of the precise limits of the areas subject to the Development, Interference with Wetlands and Alterations to Shorelines and Watercourses regulations and for more detailed information concerning the administration of these regulations.

Setbacks

e) New development adjacent to watercourses shall be subject to a setback from the stable top of bank, the regulatory floodplain and meander belt width (whichever is the greater) that are associated with the watercourse. The location of the stable top of bank, regulatory floodplain and meander belt width shall be determined by the City, in conjunction with Conservation Halton.
<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
<th>Reference</th>
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<tr>
<td>Development and alteration</td>
<td>Development or alteration of lands designated as Watercourse shall be subject to the Development, Interference with Wetlands and Alterations to Shorelines and Watercourses regulation administered by Conservation Halton.</td>
<td>OPA 55</td>
</tr>
<tr>
<td>Zoning of land</td>
<td>As part of the development approval process, the zoning of Watercourse lands to an appropriate open space zoning category shall be required.</td>
<td>OPA 55</td>
</tr>
<tr>
<td>Dedication of land</td>
<td>As part of the development approval process, the dedication of Watercourse lands to the City shall be required in accordance with the requirements of Part II, Subsection 2.11.3 g).</td>
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<tr>
<td>Private ownership</td>
<td>It is not intended that all lands designated Watercourse shall be acquired by the City, if the policies of this Plan can be achieved by other means.</td>
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