1.0 INTRODUCTION *D53

To be read with other parts of the Plan

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

2.0 SUSTAINABILITY AND THE ENVIRONMENT *D53

Sustainable Development

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

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

2.1 Principles *D53

City operations and development consistent

a) The City will endeavour to ensure that City operations and new *development* are consistent with the goals and objectives of *Sustainable Development*. OPA 55

Natural Heritage

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

Watershed Planning

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

Hamilton Harbour

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

Healthy Communities

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

Development

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

2.2 Objectives *D53

OPA 55

Natural Heritage System

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

Long term policies

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

City Operations

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

Development Applications

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

Watershed Plans

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

Contaminated sites

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

2.3 General Policies *D53

OPA 55

Environmental Suitability

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

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

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

(ii) significant *wetland*s, *significant woodland*s or significant *valleylands*;

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

(iv) areas that would be rendered inaccessible to people and vehicles during times of *flooding hazards*, *erosion hazards* and/or *dynamic beach hazards*, unless it has been demonstrated that the site has

safe access appropriate for the nature of the *development* and the natural hazard.

Citizens' Advisory Committee

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

Environmental Standards

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

(i) tree protection standards for site plans;

(ii) landscape plans for storm water management;

(iii) buffer and setback planting.

Tremaine Dundas Community

d) Notwithstanding Part II, Subsection 2.3 a), the objectives and policies in Part III, Subsection 6.5 *shall* apply to any *development* in the Tremaine Dundas Community OPA 107

2.4 Natural Heritage *D53 OPA 55

Preamble

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

2.4.1 The Natural Heritage System – General

A connected system of Natural Heritage

a) The City will undertake to identify a connected *Natural Heritage System* and develop appropriate policies associated with its protection. The City's *Natural Heritage System* will conform with and be complementary to the Halton Region Greenlands system of designated lands, the Niagara Escarpment Plan and the Provincial Greenbelt Plan. The *Natural Heritage System* will include connections between existing *natural heritage features*. Where specific connections of natural heritage do not currently exist, the City will define areas for future improvement to the system.

Natural Heritage System as an amendment

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

Tremaine Dundas Community

(i) The Tremaine Dundas Secondary Plan amended this Plan to incorporate *Natural Heritage System* policies and mapping, identified in Part III, Subsection 6.5. OPA 107

Agriculture

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

Respect for private lands

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

2.4.2 Securement of Natural Heritage Features

Importance of securing the Natural Heritage System

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

Options for securement

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

(i) land dedication;

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

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

(iv) land exchange;

(v) long-term leases;

(vi) easement agreements; and/or

(vii) land trusts.

No obligation to purchase or compensate

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

Severances permitted to allow

d) Notwithstanding the other policies of this Plan, severances for the purposes of securing areas which contain *sensitive* or significant natural features and/or the Bruce Trail will be permitted in all designations by

securement

public bodies or Council-approved conservation organizations provided that the severance is for the purposes of establishing a nature preserve, and that such a severance does not result in the creation of a new developable *lot*.

2.5 Environmental Evaluation *D53

OPA 55

Development Applications

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

(i) within an area designated as:

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

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

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

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

v. *Adjacent Lands* as defined by this Plan;

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

Other lands

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

Regional EIA

c) The *Environmental Evaluation* report *may* also be required to fulfill the requirements of a Regional Environmental Impact Assessment.

Conservation Halton EIA

d) For areas regulated by Conservation Halton, such as *floodplains, wetland*s, *watercourse*s, the shoreline of Lake Ontario/Burlington Bay, or regulated *valleylands*, the *Environmental Evaluation* report *may* also be required to fulfill the requirements of the Conservation Authority's Environmental Impact Assessment.

EER and EIA guidelines

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

Submission of report

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

Terms of Reference

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

(i) existing level of information;

(ii) the sensitivity and significance of natural features;

(iii) the *development* proposed; and

(iv) the range of land uses that would be permitted in the zoning by-law or Escarpment Plan designation.

Boundaries

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

Remedial Action Plan

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

Implementation of Environmental Evaluation

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

North Aldershot & Rural Planning Areas

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

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

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

Conditions of approval

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

2.6 Sustainable Development and City Operations

OPA 55

2.6.1 Objectives

Leadership

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

City projects & programs

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

Review of effects

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

2.6.2 Policies

City Operations

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

Best Management Practices

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

Energy sources

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

Integrated Pest Management

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

Capital Projects

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

Greenhouse gas emissions

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

Energy conservation

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

2.7 Sustainable Design and Compatibility *D53

OPA 55

2.7.1 Principles

Compatibility

a) To the greatest extent possible, proposed *development shall* be consistent with the goals and objectives of *Sustainable Development*.

2.7.2 Objectives

Consistency with Principles

a) To ensure through the site planning process that building layout and urban form is consistent with *Sustainable Development* principles so that new *development* is efficient, safe, accessible, affordable and energy efficient.

Public accessibility

b) To *encourage*, wherever possible, *development* to be accessible by pedestrians, cyclists and public transit.

2.7.3 Policies

Recognizing interior and exterior needs

a) At the site planning stage, building layout *shall* be reviewed for accommodating resource management and waste reduction activities for the use(s) that will be located in the building.

Site Plan factors

b) At the site planning stage, site plans will be reviewed for *Sustainable Development* considerations such as, but not limited to:

(i) pedestrian movement within the site, to the street and to adjacent neighbourhoods;

(ii) access to public transit;

(iii) public safety;

(iv) public views of the escarpment or lake;

(v) energy efficiency;

(vi) reflected/waste light;

(vii) sensitivity to noise and vibration;

(viii) preservation of existing trees and other vegetation;

(ix) changes to topography and drainage patterns;

(x) *development* guidelines for *healthy communities;* and

(xi) appropriate protection and stewardship measures for greenways and/or *watercourse*s as defined in adopted *watershed* and sub-*watershed* plans.

Efficient urban form

c) *Development* will be reviewed to ensure efficiency of land use in the urban community in terms of energy, travel time, intensity and diversity.

Compatibility

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

Diversity

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

Energy conservation

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

Renewable Energy Technologies

g) The City will *encourage* proposals for renewable energy technologies, provided that compatibility is achieved with surrounding land uses and the environment, with respect to such matters as noise and vibration and visual impacts. Mitigation measures such as distance separations, screening and buffering, shall be encouraged. OPA 83

Water conservation

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

Promote 3Rs

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

Waste diversion

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

Transportation alternatives

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

Noise abatement

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

Pollution reduction

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

Sensitive Land Uses

n) Exposure of residential and other land uses *sensitive* to vibration, noise, dust, odours or other effects caused by transportation or industrial facilities, and likewise, the encroachment of *sensitive land uses* on these facilities, *shall* be avoided through the use of separation distances, the placement of non-*sensitive land uses* in buffer areas, and/or other means.

Proponents *may* be required to submit studies and undertake necessary mitigating actions to address *compatibility* issues to the satisfaction of the City and Region. Provincial guidelines *shall* be referred to for direction in land use planning decisions.

Risk assessments

o) Proponents of Official Plan or zoning by-law amendments for residential *development* or other *sensitive land uses* within proximity to any existing or potential sources of man-made hazard, *may* be required to undertake a risk assessment using risk-based land use planning guidelines, to determine the potential level of risk and whether the risk can be reduced to acceptable levels. OPA 55

Healthy Communities

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

Tremaine Dundas Community

q) The following additional policies *shall* apply in the Tremaine Dundas Community: OPA 107

(i) Buildings *shall* incorporate minimum required sustainable design measures in accordance with the City's Sustainable Building and Development Guidelines and the Tremaine Dundas Community Urban Design Guidelines.

(ii) A target of 50% of all *development* within the Tremaine Dundas Community *shall* incorporate additional innovative design features promoting carbon reduction, energy efficiency, water conservation and environmental sustainability. These include *Low Impact Development*, "green" building technologies such as green or cool roofs, rainwater harvesting for re-use, grey water recycling, renewable energy sources, bioswales, permeable pavement, LEED design, Net-Zero ready buildings, etc.

(iii) The Business Corridor and Mixed Use – Employment area within the Tremaine Dundas Community is *encouraged* to incorporate *Eco-Industrial Development* practices, through the incorporation of measures such as locally generated and shared energy sources, sharing waste heat, etc.

(iv) *Development* in the Business Corridor area promotes the use of alternate modes of transportation: walking, cycling or transit and *encourages* transportation demand techniques such as electric vehicle charging stations, car-pooling, other forms of ride-sharing with incentives such as dedicated priority parking spaces for carpool, ride sharing, and ultra low emission vehicles through a minimum percentage of total parking spaces.

(v) New residential *development* will be *encouraged* to incorporate

sustainable building and design measures, such as renewable energy sources, front yard rain gardens, high reflectivity paving and roofing materials, permeable pavement, and on-site rainwater retention strategies.

(vi) New residential *development* energy demand *should* achieve an EnerGuide 85 energy efficiency rating for residential buildings.

(vii) To facilitate the establishment of a sustainable environment and discourage idling of vehicles, *accessory drive-throughs shall* not be permitted within the Tremaine Dundas Community.

(viii) New *development* within the public and private realm *shall* incorporate generous landscaping and tree planting, with the intent of increasing the extent of the canopy cover, promoting interception of rainfall and maximizing evapotranspiration.

(ix) Trees and shrubs *shall* be planted adjacent to buildings and in strategic areas to reduce energy consumption by providing shading, climate protection, and windbreaks.

(x) Trees *shall* be integrated into parking lots and other impervious areas.

(xi) Management plans for wooded features within the *Natural Heritage System should* be developed to contribute to the long term health and function of the system. Existing tree canopy and healthy, native trees in hedgerows outside the *Natural Heritage System should* also be preserved wherever feasible.

(xii) *Development* proposals *should* preserve existing healthy trees, relocate healthy trees, where feasible, plant replacement trees using an aggregate-caliper formula, in accordance with a Tree Preservation Plan prepared to the satisfaction of the *City*, and incorporating the planting of additional trees where appropriate.

(xiii) The *City shall* require the incorporation of appropriate tree planting during design of streetscapes, including considerations of diverse, non-invasive, drought tolerant, salt tolerant and low maintenance trees including the provision of adequate minimum soil volumes and soil composition.

(xiv) The *City encourages* increased energy efficiency of buildings, reduced stormwater run-off, use of green roofs and/or low albedo roofing materials and strategically placed *trees* to provide shade for buildings and to minimize the *urban heat island effect*.

(xv) The *City encourages* the protection and enhancement of *watercourses* and planting and reforestation of creek blocks, streams and valleylands and their buffer areas where appropriate.

(xvi) Incorporation of solar energy in the Business Corridor and Mixed Use – Employment uses of the Tremaine Dundas Community is *encouraged* to be located on the roofs of buildings to reduce lot coverage and improve the public realm. Excess energy produced through solar panels *may* be transmitted throughout the Tremaine Dundas Community to prevent the waste of energy and the reliance on other non-renewable energy sources.

(xvii) *Developments* in the Business Corridor are *encouraged* to incorporate visible *green infrastructure* technology into facades and signage, such as photovoltaic cells, recycled materials and green roofs.

(xviii) Sustainable building materials and design treatments are *encouraged* throughout the secondary plan area.

(xix) The use of residual heat or energy from business operations is *encouraged* to provide heating, cooling, and energy for other processes on the same lot, adjacent lots or to other areas within the Tremaine Dundas Secondary Plan community.

(xx) The use of permeable surfaces is *encouraged* to improve ground water recharge and reduce storm water runoff.

(xxi) The *City shall encourage* the efficient use of land by incorporating best practices and innovative stormwater management techniques throughout the design of the community to the greatest extent reasonably possible.

(xxii) *Urban agriculture* is *encouraged* throughout the secondary plan area as part of the community's character and open space system. Intense forms of *urban agriculture may* also be considered within the Business Corridor allowing for locally grown foods.

(xxiii) Privately owned surface parking lots *should* incorporate *Low Impact Development* techniques.

(xxiv) Surface parking lots *should* incorporate *trees* and landscaping to mitigate *urban heat island effect*, provide shade and contribute to the quality of the *public realm.*

2.8 Contaminated and Potentially Contaminated Sites

OPA 55

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

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

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

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

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

d) activities associated with transportation corridors.

The goal of the City is to utilize tools such as Phase I *Environmental site assessment*s, Phase II *Environmental site assessment*s, Records of Site Condition, and Risk Assessments in the planning application review process in order to:

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

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

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

2.8.1 Objective

Environmental due diligence

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

2.8.2 Policies

Contaminated Sites Protocol

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

Determination of potential contamination

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

(i) property or properties that are subject of a planning application; and/or

(ii) properties that *may* be adversely impacting the property that is the subject of a planning application in order to assist in the determination of the potential for site *contamination.*

Information exchange

c) The City *shall* coordinate its efforts with those of other orders of government to exchange information related to environmental background studies such as Phase I *Environmental site assessment*s, Phase II *Environmental site assessment*s, Risk Assessments and Records of Site Condition that have been submitted as part of *development applications.*

Phase I Environmental Site Assessments

d) The City *may* require all applications for Official Plan amendment, zoning by-law amendment, plan of subdivision, site plan and consent, as specified in the C*ontaminated Sites* Protocol, to be supported by a Phase I *Environmental site assessment* to be undertaken in accordance with Provincial legislation by a *Qualified Person.*

Phase 2 Environmental Site Assessments

e) The City *shall* require a Phase II *Environmental site assessment* to be undertaken in accordance with Provincial legislation to support applications for sites where the Phase 1 *Environmental site assessment* reveals that the site *may* be *contaminated.* The Phase II *Environmental site assessment shall* include conclusions as to whether or not *contamination* is migrating off site.

Record of Site Condition

f) The City *may* require the applicant to provide a Record of Site Condition in accordance with Provincial legislation, to be completed to the satisfaction of the City and the Ministry of the Environment, confirming that the site has been made suitable for the proposed use.

Record of Site Condition Audits

g) The City *may* not consider a Record of Site Condition as acknowledged by the Province until a statement of third party reliance is provided and either:

(i) it has been confirmed that the Record of Site Condition will not be audited by the Ministry of the Environment; or

(ii) it has been confirmed that the Record of Site Condition has passed the Ministry of the Environment audit.

Third Party Reliance

h) For all information requirements, as specified within Part II, Section 2.8 of the Plan such as Environmental Site Assessments and Records of Site Condition that are submitted as part of a *development application,* a *Qualified Person may* be required to extend third party reliance to the City.

Condition of approval, H symbol

i) If site remediation works are required, the satisfactory completion of site remediation works will be a condition of approval. For rezoning applications, a Holding symbol *may* be placed on the zoning. A condition of lifting the Holding symbol will be the satisfactory remediation of the *contaminated site* which is supported by a Record of Site Condition.

Land deeded to City

j) Where the City is deeded land for any purpose, the City *may* require, as a condition of transfer, a Record of Site Condition signed by a *Qualified Person,* or other information as required, to verify to the satisfaction of the City that the lands in question are suitable or have been made suitable for the proposed use.

2.9 Waste Disposal Sites

Waste Disposal Sites

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

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

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

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

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

(v) notwithstanding the land use designations on Schedules B and D, *development* will not be allowed to proceed on lands identified by OPA 55

the study(ies) as containing waste until the requirements of the Ministry of Environment are met.

Orchard Community

b) In the Orchard Community, all proposed *development* within 150 m of Dundas Street *may* be required to undertake, to the satisfaction of the City and the Ministry of the Environment, studies of the effects of methane gas, leachate and hydrology resulting from landfill activities existing north of the Orchard Community which demonstrate that the proposed *development* can take place. OPA 7

2.10 Watershed Management *D53 OPA 55

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

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

2.10.1 Principles

Watershed Planning

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

Watershed Plans

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

Protect from development or alteration

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

Protect vital components

d) The vital components of the hydrologic system in the City such as *groundwater feature*s, *watercourse*s, *wetland*s, *valleylands*, *floodplains*, Lake Ontario and Burlington Bay *shall* be protected, improved and/or restored.

De-Listing of Hamilton Harbour

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

2.10.2 Objectives

Watershed Planning

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

Protection of life and property

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

Protect habitat

c) To protect, restore and enhance shoreline, creek, river and *wetland* habitat areas in the City.

De-List Hamilton Harbour

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

Improve water quality & quantity

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

2.10.3 Policies

Update Watershed Plans

a) The City, in partnership with Conservation Halton, will update existing *watershed* and sub-*watershed* plans from time to time where appropriate. A list of *watershed* and sub-*watershed* plans is included in Appendix D.

Basis for other Plans

b) Council approved and adopted *watershed* or sub-*watershed* plans will be the basis for all sub-*watershed* and master drainage plans.

Use in land use policies

c) *Watershed* plans will be used in the preparation of land use policies in the City; and *watershed* or sub-*watershed* plans will be used in the preparation of land use policies in the Urban and North Aldershot Planning Areas as identified on Schedules B and D. Conservation Halton *shall* be the lead agency in the preparation of *watershed* plans in consultation with the City, Region and other agencies.

Contents of Watershed Plans

d) In partnership with Conservation Halton, and in consultation with other local municipalities and the Region of Halton in the respective *watershed*s, the *Watershed* Management Plans and their updates will include but are not limited to:

(i) definition of water quality and quantity objectives;

(ii) a general inventory of existing geology, hydrology, hydrogeology, limnology, *fish habitat*s and other environmental data;

(iii) recommendations for implementation of the Hamilton Harbour Remedial Action Plan (where applicable);

(iv) identification of potential additions to the Greenlands System;

(v) identification of opportunities for and constraints to *development*;

(vi) the *cumulative impact* of *development* and the c*arrying capacity* of the *watershed*;

(vii) preparation of a *water budget* analysis;

(viii) recommendation of implementation strategies;

(ix) establishment of goals for enhancement to *watercourse*s, *valleylands* and *wetland*s;

(x) *development* of monitoring programs necessary for implementation;

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

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

(xiii) measures to facilitate the ongoing stewardship of *watercourse*s and greenways.

Consultation

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

(i) define water quality objectives;

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

(iii) identify opportunities for and constraints to *development*;

(iv) address the *cumulative impact* of *development*;

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

(vi) undertake a *water budget* analysis;

(vii) recommend implementation strategies; and

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

Consultation

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

Watercourses in natural state

g) *Watercourse*s, shorelines, *valleylands* and *wetland*s *shall* be kept in their natural state and restored wherever possible. The City *may* consider proposals for the relocation and reconstruction of existing *watercourse*s where it is determined to be environmentally appropriate and if approved by the regulatory agencies. It is recognized that the use of *watercourse*s for *agricultural* land drainage is a normal *farming* practice.

Protection of recharge and discharge

h) Areas of significant karst topography, *groundwater recharge* or groundwater discharge *shall* be protected from *site alteration* and *development*.

Wellhead Protection Zones

i) The City *may*, in co-operation with the Region of Halton, identify Wellhead Protection Zones within the City for municipal wells serving neighbouring municipalities, based on the migratory pattern of groundwater upstream for these active municipal wells.

2.11 Storm Water Management *D53

OPA 55

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

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

2.11.1 Principles

Natural functions

a) The natural hydrologic and ecologic function of significant *watercourse*s *shall* be maintained or restored.

Water Quality objectives

b) Storm water management practices *shall* be established that are *compatible* with the objective of improving the water quality in Lake Ontario and Burlington Bay.

2.11.2 Objectives

2.11.2.1 Flooding

Reduce risk to property

a) To ensure that future *development* does not increase the risk of property damage and danger to life from flooding.

Reduce flood potential

b) To reduce flood potential in areas that are flood-prone.

Maintain habitat

c) To manage flooding concerns in a way that maintains or enhances *fish habitat* and other natural resource features.

2.11.2.2 Erosion

Watercourse erosion

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

Stabilize stream banks

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

Limit development

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

Fish habitat

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

Reduce risk to property

e) To ensure that future *development* does not increase the risk of property damage and danger to life from erosion. OPA 55

Tremaine Dundas Community

f) New *development* adjacent to *watercourses shall* be subject to a setback from *stable top of bank*, the *flooding hazard* and *meander belt allowance* associated with the *watercourses*. The location of the stable top of bank, regulatory floodplain and meander belt width *shall* be determined by studies to the satisfaction of Conservation Halton in conjunction with the *City*. OPA 107

Protection of contributing Redside Dace habitat from potential impacts associated with site grading *shall* be in accordance with applicable Provincial and Federal regulations.

2.11.2.3 Hydrogeology

Groundwater recharge

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

Base flows

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

Groundwater quality

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

Limit development

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

2.11.2.4 Storm Water Quality

Control runoff

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

2.11.2.5 Sedimentation

Construction activity

a) To manage *development* and construction activity to prevent sediment loading to receiving *watercourse*s, Burlington Bay and Lake Ontario.

2.11.3 Policies

SWM techniques in all new development

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

Studies and Criteria Manual

b) The provision of storm water drainage facilities *shall* be in accordance with existing master plans established through *watershed* and sub-*watershed* studies, the criteria established in the City's Storm Water Drainage Criteria Manual and the Region of Halton's Guidelines for Pools, Ponds And Standing Water on Public Land. The City *shall* require, wherever possible, the consolidation of storm water management facilities in order to make efficient use of land and to minimize future maintenance costs to the City. OPA 55

Enhanced quality control

c) For those *development* sites draining into Burlington Bay or Lake Ontario, the City *may* request an enhanced level of storm water quality control, in order to assist with the de-listing of Hamilton Harbour as an Area of Concern and to maintain water quality in Lake Ontario. OPA 55

Sub-watershed Master Plans

d) Sub-*watershed* master plans, in accordance with Provincial policy requirements, *shall* be prepared in support of major *development* proposals at the Official Plan amendment or *secondary planning* stage in the Urban and North Aldershot Planning Areas to assess the methods and costs of providing and monitoring the required storm water management methods both on and off the site. OPA 55

Functional Drainage Plans

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

Monitoring

f) The City *may* undertake monitoring of storm water discharges from new *development* and re-development to ensure that water quality and quantity discharges are in accordance with approved drainage designs. OPA 55

Limit development

g) As a condition of *development* approval, the City will normally require the dedication of the greater of the *regulatory* f*loodplain*, or the valley through which the *watercourse* flows including a conservation setback from top of bank, *regulatory floodplain*, or meander belt width. Dedication of these lands *shall* not be considered part of parkland dedication requirements of The Planning Act*,* unless the dedicated lands provide needed public recreational opportunities as identified by the City. If any such land remains in private ownership, it will be protected by zoning, agreement or easement to protect the ecologic and *floodplain* function of such land. OPA 55

Conservation setback

h) The conservation setback referred to in Part II, Subsection 2.11.3 g) *shall* be required in the Urban Planning Area, Rural Settlement Areas of the Rural Planning Area and the North Aldershot Planning Area, and *shall* be reviewed in the remainder of the Rural Planning Area on a case-by-case basis. OPA 55

Consultation

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

Natural watercourses

j) *Watercourse*s *should* be left in their natural state. The City *may* consider proposals to construct new *watercourse*s, provided natural channel design is used and if such proposals are approved by the regulatory agencies. The enclosure of open *watercourse*s is generally not permitted. OPA 55

Restoration

k) Wherever feasible, *watercourse*s that have been enclosed *should* be restored as an open *watercourse*.

North Aldershot Planning Area

l) The following *shall* apply in the North Aldershot Planning Area: OPA 55

(i) the City *shall* require as a condition of *development* approval, the dedication of the greater of the *regulatory floodplain*, or the valley through which the *watercourse* flows including a conservation setback from top-of-bank, *regulatory floodplain*, or meander belt width, to the satisfaction of the City and Conservation Halton. Dedication of these lands *shall* not be considered part of the parkland dedication requirements of The Planning Act;

(ii) the City *may* require as a condition of *development* approval, in consultation with Conservation Halton, either the restoration or a contribution to restoration and enhancement of degraded sites within any such dedication areas;

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

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

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

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

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

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

South Aldershot Planning Area

m) Future *re-development* and *intensification* in the South Aldershot area *may* be restricted by limited storm sewer capacity and the potential for increased downstream flooding and/or erosion as a result of greater levels of storm water runoff due to *development*. The City *may* undertake one or more of the following measures to address this concern: OPA 55

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

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

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

Tremaine Dundas Community

n) The following additional policies *shall* apply in the Tremaine Dundas Community: OPA 107

(i) The stormwater management facilities *shall* be located to facilitate maximum benefit and performance of their essential functions in accordance with Halton Region's Urban Services Guidelines and will be subject to approval by Conservation Halton and the *City*.

(ii) Stormwater management ponds *shall* be designed as key focal/visual features within the community in addition to functional objectives related to water quantity and water quality control and *shall* be designed as part of the overall pedestrian and trail system with view points and interpretive signage.

(iii) The use of a number of on-site best management practices is anticipated within the Business and Mixed-Use Corridors. This includes the use of storage facilities to retain stormwater on-site via above and below ground techniques (ie. Parking lot storage, roof-top storage, cisterns and small storage ponds). Clean stormwater *may* be used for irrigation and process water purposes. Facilities that promote groundwater recharge such as permeable pavements, bio-retention areas and grassed swales are also anticipated to partially maintain the pre-*development* hydrology and to enhance the quality of stormwater discharges.

(iv) *Low impact development* strategies are strongly *encouraged* to promote green living and as an environmentally friendly and a responsible *development* practice. Selection of final LID strategies

shall consider minimizing ongoing maintenance costs to the *City*.

(v) The range of *low impact development* strategies considered *may* include strategies at the lot level by incorporating source control measures through draft plan of subdivision. Where appropriate, these strategies *may* include a variety of practices such as: reduced lot grades, increased topsoil depths, roof drainage control or storage, infiltration galleries, porous pavements, rain gardens and grassed swales, infiltration measures to improve groundwater recharge including infiltration basins and trenches, exfiltration pipes or porous pavement, and oil/grit separators as identified within the Tremaine Dundas Community Urban Design Guidelines.

(vi) Built form in the Tremaine Dundas Secondary Plan area *shall* minimize impervious surfaces, to the extent possible.

(vii) Enhanced landscaping and grading of stormwater management facilities located along Tremaine Road should be incorporated into the detailed design, subject to review and approval by Conservation Halton and the *City*.

(viii) Headwater Drainage Features considered to contribute to Redside Dace habitat are to be conveyed to occupied Redside Dace habitat downstream to the satisfaction of Conservation Halton.

(ix) Final locations, size and number of stormwater management facilities will be determined through a detailed analysis in the Environmental Implementation Report and Functional Service Study (EIR/FSS) and will be in accordance with Halton Region's Urban Services Guidelines.

2.12 Mineral Aggregate Resources *D33

OPA 55

2.12.1 Objectives

Consistent with Sustainable Development

a) To ensure that aggregate extraction is undertaken in a manner that is consistent with the principles and objectives of *Sustainable Development* and protects the quality of life of residents in the City.

Protection of areas

b) To ensure protection of the Niagara Escarpment, the *Natural Heritage system*, surface and groundwater resources and significant *wildlife habitat* in the City.

Long term after use

c) To *encourage* aggregate extraction as a land use which is to be replaced by a long-term after use.

Incompatible uses

d) To protect identified *mineral aggregate resources* from *incompatible* uses in accordance with the Provincial Policy Statement.

Provision for aggregate operations

e) To provide for the potential expansion of existing licensed aggregate operations or establishment of new operations in areas identified as *High Potential Mineral Aggregate Resource Areas* by the Province through amendments to this Plan.

2.12.2 Policies

Amendments required

a) The City *shall* provide for the expansion of existing licensed aggregate operations or for the establishment of new operations through amendments to this Plan and the Niagara Escarpment Plan, in areas identified as *High Potential Mineral Aggregate Resource* by the Province through amendments to this Plan and the Niagara Escarpment Plan.

Protection from incompatible development

b) In *High Potential Mineral Aggregate Resource Areas* identified by the Province, *development* that would be in*compatible* with aggregate extraction, *shall* not be permitted.

Permitted interim uses

c) Within *High Potential Mineral Aggregate Resource Areas*, permitted *interim* uses *shall* be limited to:

(i) *agriculture*;

(ii) *open* space;

(iii) public *utilities*;

(iv) recreational facilities, excluding major structures.

Development in proximity prohibited

d) *Development* in proximity to *High Potential Mineral Aggregate Resource Areas* that would prevent future use or extraction will not be permitted unless it is demonstrated that:

(i) extraction of the resource is not feasible;

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

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

Greenlands or Environmental Protection Areas

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

Amendments required

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

Studies and plans required for an OPA

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

(i) *water budget and conservation plan*;

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

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

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

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

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

(vii) Planning Justification Study;

(viii) *Economic* Impact Study;

(ix) Noise, Vibration, Dust and Air Quality Studies;

(x) transportation and haul route study;

(xi) a progressive *rehabilitation* plan;

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

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

i. mitigation measures for sound attenuation;

ii. mitigation measures for dust suppression;

iii. mitigation measures for vibration attenuation;

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

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

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

vii. reflects operational best practices.

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

Operation of pits and quarries

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

Uses limited to operation and maintenance

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

2.13 Golf Courses

OPA 55

2.13.1 Objective

Compatible and not impactive

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

2.13.2 Policies

Amendment necessary

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

Not permitted

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

Studies and plans required

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

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

(ii) *Integrated Pest Management Plan (IPM);*

(iii) draft site plans including cross sections;

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

(v) market evaluation and Planning Justification Study.

Best Management practices and standards

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

Existing golf courses

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

3.0 TRANSPORTATION

Roads, Rail, Sidewalks, Trails and Bikeways

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

Safe, convenient, affordable, efficient and energy conserving

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

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

3.1 Principles

Multi-Modal System

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

Integrate with Land Use Planning

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

Cost effective

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

Efficient, accessible, safe

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

Coordinated approach

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

3.2 General

3.2.1 Objectives

Transportation System

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

Complements development plans

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

Accommodate future users

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

Encourage alternative travel

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

Infrastructure

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

Environmental factors

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

Co-ordinated approach

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

Context Sensitive Design

h) "*Context Sensitive Design*" is an emerging approach for the design of roadways so that mobility and safety issues are addressed while also assessing natural and human environmental issues. The concept of *Context Sensitive Design may* be considered for road and intersection designs, particularly where serious constraints, such as environmental impacts, property impacts and cost, require flexibility in *design guidelines* and creative design in order to achieve an optimal solution. OPA 55

3.2.2 Policies

Road Classification

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

Evaluate rights-of-ways

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

Travel alternatives

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

Transportation studies

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

Travel Demand Management

e) The City will *encourage* opportunities for developing *travel demand management (TDM)* measures to reduce single occupancy automobile use, especially during peak travel periods, such as car pooling programs, transit passes, preferential parking for carpool members, telecommuting, flex hours, intranet carpooling and fare incentives. OPA 55

Expansion of transportation system

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

Physically challenged

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

Actively provide input

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

Advisory Committees

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

Reduced parking/on-street parking

j) Reduced parking ratios and/or standards and/or on-street parking ratios and/or standards *may* be permitted subject to evaluation by the City of the appropriateness of such standards, and implemented through the approval of *development applications* or other City initiatives.

Shared parking

k) Opportunities for the sharing of parking in mixed use *development*s will be considered subject to an evaluation by the City.

Tremaine Dundas Community

l) The Tremaine Dundas Community *shall* be subject to the following additional policies: OPA 107

(i) Extensive, single-use surface parking lots are discouraged in Mixed Use Corridor- General areas of the Tremaine Dundas Community. Limited, short-term convenience parking is permitted in the Mixed Use Corridor – General area to support the retail uses and is *encouraged* to be shared use parking where permitted.

(ii) Where surface parking lots are present in Business Corridor Areas of the Tremaine Dundas Community, parking is *encouraged* to be located at the rear of buildings, away from street frontages in order to improve the quality of the public realm and minimize visual impact.

(iii) In the Mixed Use Corridor-Employment area of the Tremaine

Dundas Community, parking *is encouraged* to be provided in the form of shared structured parking lots or underground parking garages.

(iv) Adequate vehicular and bicycle parking and storage facilities for residents, employees and visitors *shall* be provided in each of the land use areas to *encourage active transportation* and effective use of transit. Other transportation measures, such as electric vehicle charging stations, dedicated priority parking spaces for carpool, ride sharing and ultra low emission vehicles in parking areas of multi-storey residential, Mixed Use and Business Corridor *shall* be considered and incorporated into future *development* where feasible

3.3 Roads

3.3.1 Objectives

Access to all parts of City

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

Protect rights-of-way

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

Existing rights-of-way

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

Local traffic needs

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

Grid road network

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

Pedestrian streetscape

f) To provide more pedestrian oriented *streetscapes.*

Reduce through-traffic

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

Re-evaluate road standards

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

Road extensions and widenings

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

Within Niagara Escarpment Plan Area

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

3.3.2 Policies

Identification of transportation facilities

a) The rights-of-way identified in Schedule J, Classification of Transportation Facilities - South of No. 1 Side Road; Schedule K, Classification of Transportation Facilities - Downtown Area and Schedule L, Classification of Transportation Facilities - No. 1 Side Road to Derry Road and Table 2 - Road Allowance Widths *shall* be protected and secured through the *development* process of the approval for plans of subdivision and condominium, part-*lot* control applications, consents, rezonings, site plan agreements, minor variances, and Parkway Belt applications and Niagara Escarpment Plan Amendment applications. Further, any right-of-way identified in a detailed engineering study or class environmental assessment study *shall* be secured and protected in the same way through the *development* process. OPA 55

Road extensions and widenings

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

Road widenings

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

Extent of widening

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

Daylight Triangles

e) Land requirements for daylight triangles, on routes under the City's jurisdiction *shall* be based on the following: OPA 55

(i) 3 m x 3 m: Local Street to Local or Collector Street;

(ii) 5 m x 5 m: Collector Street to Collector Street;

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

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

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

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

(vii) 15 m x 15 m: any City roadway intersecting with a Regional roadway; OPA 3

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

Transit Priority Measures

f) The primary purpose of Transit Priority Measures (TPM) is to permit transit vehicles to have priority over other traffic, thereby making transit travel times shorter and more consistent, which makes transit more attractive. Transit priority measures *may* include but are not limited to queue jump lanes, bus only lanes, green light signal priority, bus activated signals and exemptions to prohibit turns. When these transit priority measures are proposed, consideration *shall* be given to the reduction in road capacity available to other vehicles and the need to widen the street. OPA 55

Transit roads to be built early

g) Roads serving as transit and primary response routes for emergency services *shall* be built early in the *development* process, so that transit service and primary emergency response can be provided at an early stage, subject to operational and financial feasibility. OPA 55

Traffic management

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

Infrastructure

i) Improved road construction and maintenance methods *shall* be regularly reviewed and implemented. The road asset management system, including a pavement management system, will be continuously updated to determine maintenance requirements and priorities. OPA 55

Traffic operations	j)	The City's Computerized Traffic Control System which controls, monitors and co-ordinates traffic signals from a central location *shall* be enhanced on a regular basis to help maximize traffic flow, reduce vehicular delay, reduce vehicular emissions and to maximize safety.	OPA 55
Integrate with other networks	k)	The integration of Provincial, Regional, and Local Traffic Management Plans *shall* be *encourage*d.	
Pedestrian-oriented	l)	The design standards for roads and streets *shall* be reviewed with the intent of making them more pedestrian-oriented, while recognizing traffic safety and emergency response considerations.	
Review Design Standards	m)	The design of arterial roads and collector streets *shall* consider transit service and operational needs including maximizing transit access and minimizing transit and emergency service vehicle travel times.	
Rights-of-way needs	n)	Roadway rights-of-way requirements *shall* take into consideration the needs of vehicular traffic, pedestrians, cyclists, transit, emergency response and urban design considerations including *streetscape* design and the provision of public vistas.	OPA 55
Use of laneways	o)	The use of public and private laneways *may* be permitted subject to an evaluation by the City and Region of functional, operational, servicing and financial issues. Public water and wastewater services are generally prohibited by the Region in private laneways, except as permitted by the Region's Urban and Rural Servicing Guidelines.	
Transit Roads	p)	Roads serving as transit routes *should* generally be spaced no more than 500 m to 700 m apart to ensure that users of the transit system have a maximum 500 m walking distance to transit.	OPA 55
Transit Roads	q)	Streets intersecting with multi-purpose arterial and major arterial roads serviced by transit *should* be spaced no more than 200 m to 400 m apart to ensure convenient pedestrian access to these roads.	
Noise studies within 50 m of Freeways, Highways, or Arterial Roads	r)	The proponent of residential *development* and other *sensitive land uses* within 50 m of a provincial freeway, highway right-of-way, or major arterial, multi-purpose arterial or minor arterial road, or a greater distance at the discretion of the City or the Region of Halton, will be required to undertake noise studies by a qualified acoustical consultant in accordance with Provincial policy to the satisfaction of the City and any other authorized review authority and *shall* undertake appropriate measures to mitigate any *adverse effects* from the noise identified	OPA 55

Noise studies Within 300 m of Freeways or Highways

s) The proponent of residential *development* and other *sensitive land uses* within 300 m of a provincial freeway or highway right-of-way, or a greater distance at the discretion of the City or the Region of Halton, *may* be required to undertake noise studies by a qualified acoustical consultant in accordance with Provincial policy to the satisfaction of the City and any other authorized review authority and *shall* undertake appropriate measures to mitigate any *adverse effects* from the noise identified.

Noise studies - Alton Community

t) In addition to the other policies of this Plan, within the Alton Community the proponent of residential *development* and other *sensitive land uses may* be required to undertake noise studies by a qualified acoustical consultant in accordance with Provincial policy to the satisfaction of the City and any other authorized review authority and *shall* undertake appropriate measures to mitigate any *adverse effects* from the noise identified as follows: OPA 3

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

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

(iii) a greater distance at the discretion of the City or Region of Halton. OPA 55

Alternative road designs

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

Niagara Escarpment Plan Area

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

Alton Community

w) *Development* in the Alton Community will be subject to the following additional policies: OPA 3 OPA 83

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

(ii) a transit/commuter station to serve the local and inter-regional transit needs of the City may be located on the north side of Dundas Street, east of Highway No. 407. OPA 77

Public vs. private roads

x) *Infill* or *intensification development* proposals within the City *shall* be required to take place on public roads, unless it can be demonstrated by the proponent that a private road is equally desirable from the standpoints of functionality, community safety, efficiency, servicing, neighbourhood connectivity, ease of land assembly for future *development*, environmental impacts, adequacy of parking and financial impacts to the City. OPA 55

Arterial Roads- Levels of Service

y) Traffic flow on the City's arterial roads is primarily constrained by intersection capacities and traffic signal operations. Generally, the target Levels of Service (LOS) will be LOS 'E' or better based on an analysis of overall intersection operation. OPA 55

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

North Aldershot Planning Area

z) The following additional policies *shall* apply in the North Aldershot Planning Area: OPA 55

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

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

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

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

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

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

Tremaine Dundas Community

aa) The following additional policies *shall* apply to the Tremaine Dundas Community: OPA 107

(i) Street and pedestrian connections to Tremaine Road *shall* be designed to align with the North Oakville West Secondary Plan and approved by Halton Region in accordance with their applicable guidelines.

(ii) At least one street connection to Dundas Street *shall* be provided to provide access to the community from the south as approved by Halton Region in accordance with their applicable guidelines.

(iii) Any lands identified as required for future widening and/or realignment of Dundas Street and Tremaine Road, as identified in the Dundas Street Class EA Study/Dundas Street Detailed Design Study, *shall* be dedicated to Halton Region for the purpose of road right-of-way widening, realignment and future road improvements.

(iv) Any lands within a 50m x 5m block from Tremaine Road westerly (at the northwest corner of Tremaine Road and Dundas Street) are required for a transit station/transit stop and have been identified as required for the future widening and/or realignment of Dundas Street, as identified in the Dundas Street Class EA Study/Dundas Street Detailed Design Study, *shall* be dedicated to Halton Region for the purpose of road right-of-way widening, realignment and future road improvements.

(v) A daylighting triangle measuring 15m along Dundas Street and 15m along Tremaine Road shall be dedicated to Halton Region for the purpose of road right-of-way widening and future road improvements.

(vi) A daylighting triangle measuring 15m along Tremaine Road and all proposed intersections (full movement and right in/right out) *shall* be dedicated to Halton Region for the purpose of road right-of-way widening, realignment and future road improvements.

(vii) Minor modifications to the location, size and alignment of the conceptual streets may be permitted without amendment to the Official Plan provided that such modifications are approved by Halton Region in accordance with their applicable guidelines. The final location of the local street network *shall* be developed at the draft plan of subdivision stage and *may*

incorporate a *flex street* in proximity to the Mixed Use-General area. Any modifications to intersections with Regional roads will require Halton Region's approval in accordance with their applicable guidelines.

(viii) Sidewalks along local collector roads *shall* be designed to a minimum width of 1.8 metres wide on both sides of the street to accommodate pedestrian movement (exception *may* be made for design of "Special Street").

(ix) Sidewalks *shall* be 1.8 to 3.0 metres in width in high pedestrian generation areas particularly where retail is provided along the street in order to accommodate sidewalk cafes, kiosks and street vendors.

(x) Streets *shall* be designed to include space for *transportation facilities* and *transportation amenities* such as furniture, benches, bicycle locking and repair stations, bollards, shelters, banners and special decorative lighting throughout the community. Street furniture *shall* be coordinated and contribute positively the character of the community.

(xi) The "Special Street" *shall* be designed in accordance with the management strategy identified in the Tremaine Dundas Secondary Plan Subwatershed Study Update May, 2018, the Tremaine Dundas Community Urban *Design Guidelines* and future assessment of the following factors to design appropriate mitigation measures to achieve the best possible conditions for ongoing wildlife movement:

i. Road conditions such as width of roadway, traffic volume, traffic speed, road grade, road side slopes, road barriers and road lighting;

ii. Known movement patterns of wildlife daily and seasonally and species most likely to cross;

iii. Topography in the vicinity of the road crossing that *may* facilitate movement beneath the roadway via a constructed wildlife underpass, culvert or span bridge;

iv. Opportunities for traffic calming through road modifications such as reduced traffic speed, road narrowing at Natural Heritage System crossing, signage, road lighting and improved sightlines;

v. Temporary road closure if there are well known short-term movement patterns (ie. Amphibian crossings from upland to wetland for breeding);

vi. Provision of alternate basking sites away from road crossings for cold blooded reptiles, if required;

vii. Provision of appropriate nesting habitat for reptiles and amphibians away from road crossings, if required;

viii. Wildlife crossing structures that include the design and construction of funneling structures to lead animals into crossing structures. An ecopassage to facilitate safe movement of amphibians and small mammals.

(xii) A 60 m Protected Corridor for the Study Area of the 407 Transitway is required until such time that the preferred alignment for the 407 Transitway is determined. The 60 m Protected Corridor for the Study Area of the 407 Transitway EA *shall* remain in place until completion of the EA which will determine the ultimate location of the 407 Transitway.

(xiii) Any lands within 25m of the centre line of the original 66ft right-of-way of Dundas Street (Regional Road 5) that are part of the subject property shall be dedicated to the Regional Municipality of Halton for the purpose of road right-of-way widening and future road improvements.

3.4 Transit Services

3.4.1 Objectives

Cost effective service

a) To develop a cost-effective transit service so as to provide the traveling public with access to *employment* and educational opportunities, and *community facilities* and services. OPA 55

Convenience to transit user

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

Promote transit use

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

3.4.2 Policies

Long-Term Transit Network

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

The highest priority will be placed on improving transit service in the Mixed Use Corridors, especially the Fairview Street/Plains Road corridor and the Brant Street corridor connecting the Downtown Mixed Use Centre to the Burlington GO Transit Station. OPA 55

Updates of transit service network

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

Transit Ridership

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

(i) 15% of all trips within Burlington by transit; OPA 55

(ii) 30% of all eastbound trips leaving the City by transit; and

(iii) 10% of all westbound trips leaving the City by transit.

Transit supportive land use

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

Review development applications

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

Service and fare integration

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

Increased transit usage

g) The City will promote increased transit usage through ongoing marketing, continuous operational improvements and fare incentives. OPA 55

Tremaine Dundas Community

h) The following additional policy *shall* apply to the Tremaine Dundas Community: OPA 107

(i) Future Municipal transit service is to be accommodated within future *development applications* within the Tremaine Dundas Secondary Plan in order to provide mobility options for residents and employees and facilitate the achievement of Regional and *City* transit utilization targets.

(ii) Lands have been identified as Service Area to allow for provision of service and utility uses including the distribution of hydro uses, highway-related uses and uses related to the planned Highway 407 Transitway.

3.5 Cycling

3.5.1 Objectives

City-Wide Bikeway System

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

Connect with open space links

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

Integrate with transit

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

3.5.2 Policies

Long-Term Cycling Master Plan

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

Updates of Cycling Master Plan

b) Schedule 2, Long-Term Cycling Master Plan *shall* be updated periodically and these updates *shall* not require an amendment to the Plan.

Review Bikeway standards

c) Further implementation of bikeway *infrastructure shall* be initiated to improve the viability of cycling as an alternative to automobile use. A review of the City's Cycling Master Plan and bikeway standards *shall* be undertaken to increase the transportation function served by cycling.

Connect with recreational lands

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

Safety and security

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

Integrate with transit

f) The integration of cycling and transit *modes shall* be *encouraged* by requiring adequate and secure bicycle parking at major transit stops, bus terminals, GO Stations and commercial, employment and institutional *developments*, and the provision of bicycle racks on buses. OPA 7

North Aldershot Planning Area

g) The following additional policies apply within the North Aldershot Planning Area: OPA 55

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

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

3.6 Walking

3.6.1 Objectives

Pedestrian access

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

Safety and security

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

Design

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

3.6.2 Policies

Pedestrian facilities

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

Access to transit locations

b) Roads, sidewalks and walkways *shall* be designed to provide more direct walking access from the interior of blocks to transit locations.

Streetscape design

c) The *development* of *streetscapes* that are safe, convenient and attractive for pedestrians *shall* be *encouraged* through measures such as providing wide sidewalks, locating retailing and personal service uses at street level, encouraging building designs that provide shelter, and the providing of convenient and sheltered transit stops, street furniture, trees and other amenities.

Connect with recreational lands

d) The connection of sidewalks, multi-use pathways and walkways with recreational facilities *shall* be *encouraged*. OPA 55

Location of sidewalks

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

Pedestrian access

f) At the site plan application stage, proposed *developments shall* be required to provide direct, safe, convenient and attractive interior pedestrian access through the site. OPA 55

Tremaine Dundas Community

g) The following additional policy *shall* apply to the Tremaine Dundas Community: OPA 107

(i) Streets and intersections *shall* incorporate design standards and features intended to facilitate walking, cycling and street life.

(ii) Landscaping is *encouraged* along Pedestrian linkages, to provide an increased *public realm*, shade, and protection from natural elements (i.e. wind, rain, sun, and snow).

(iii) Private pedestrian linkages *may* permit stormwater management *infrastructure* or underground parking to be incorporated below grade.

(iv) Buildings *shall* be located, where feasible and practical, to support existing or proposed linkages and natural connections to facilitate pedestrian use within the community.

(v) Crime Prevention Through Environmental Design (CPTED) measures *shall* be implemented on all pedestrian linkages to

create a safe and secure environment.

(vi) Pedestrian connections to the Crooks/Norton Farm House at 5463 Dundas Street should be provided to allow access to the site from the future road network and Dundas Street.

3.7 Rail and Air

3.7.1 Objectives

Integrate services

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

Safety and convenience

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

3.7.2 Policies

Integrate service

a) The integration of rail passenger transportation services with other transportation *modes shall* be *encourage*d.

Employment uses close to rail

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

Sensitive Uses

c) Noise and vibration-*sensitive land uses shall* be discouraged next to rail lines.

Noise and vibration studies near railways

d) New residential *development* and other uses *sensitive* to noise and vibration *shall* not be permitted within 300 m of a railway yard. The proponent of land uses *sensitive* to noise and vibration adjacent or in proximity to railway lines or railway yards *shall* be required to undertake, prior to *development* approval, the following studies by qualified consultants in accordance with Provincial policies, to the satisfaction of the Region of Halton, the City, and the Ministry of the Environment, in consultation with the appropriate railway agency, and to implement the study recommendations as approved, including the restriction of new residential and other *sensitive* uses: OPA 55

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

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

Safety measures

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

Consultation

f) The City *shall* consult with the appropriate rail operator(s) to ensure that projected rail service and *infrastructure* improvements are identified, planned for and protected in any planning approvals. OPA 55

Transfer points

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

Improvements to existing rail lines

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

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

(ii) developing level crossing controls with gates.

Rail movement of dangerous goods

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

Burlington Air Park

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

3.8 Truck and Commercial Traffic

3.8.1 Objectives

Commercial vehicles

a) To provide a network of roads that can allow easy access to commercial and employment areas by commercial vehicles.

Safe and efficient movement

b) To *encourage* safe and efficient truck and commercial traffic movement as part of the transportation system.

Minimize impacts on traffic

c) To minimize the impact of commercial vehicle operation on overall traffic operations and other activities on and adjacent to roads.

3.8.2 Policies

Designated Truck Routes

a) Heavy truck traffic *may* be restricted to designated truck routes to minimize the negative impact that this traffic will have on residential areas and on transit-oriented roads.

Building design

b) The design and location of buildings adjacent to truck routes *shall* consider means to mitigate any adverse impacts that truck and commercial traffic will have on the surrounding areas. For new *development* the City *may* require loading facilities and activities to be located off the road rights-of-way.

Pedestrian environment

c) Where heavy truck traffic occurs in non-employment areas, the impact on the pedestrian environment *may* be mitigated, by developing wider sidewalks, developing landscaping schemes to reduce noise and visual impacts within pedestrian areas and, in certain cases, allowing appropriate traffic calming measures to provide additional buffering. The adoption of such mitigation features *shall* require the consideration of the maintenance, traffic safety and air quality implications of these measures.

Highway movement of dangerous goods

d) The assistance of Federal, Provincial and other agencies will be sought to identify and implement necessary actions to improve the safety of the movement of dangerous goods by highway. OPA 55

3.9 Travel Demand Management

3.9.1 Objectives

Manage transportation demand

a) To manage transportation demand through the use of such means as transit, walking, cycling, carpooling, ride sharing and the implementation of flexible working hours.

Operations

b) To manage the transportation system through the use of such facilities as computerized traffic control systems, intersection improvements and the *development* of *High Occupancy Vehicle lanes* and Reserved Bus lanes.

3.9.2 Policies

Role of TDM

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

North Aldershot Planning Area

b) In the North Aldershot Planning Area, the City recognizes the role of *Travel Demand Management* in promoting the more efficient use of existing transportation *infrastructure* and minimizing the creation of impervious surface area. Each landowner in the North Aldershot Planning Area who develops an office use of greater than 3000 sq. m. *shall* be required, prior to the occupancy and use of land, to establish with the City a transportation demand management plan and implementation strategy for each *development*. Priority *shall* be given to measures that are not capital intensive (e.g. flexible working hours, priority parking spaces for car pool vehicles) and which are feasible given the scale, OPA 55

ultimate ownership and location of the *development*.

Community-wide/ Area-specific

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

Coordinated approach

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

Program results

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

3.10 Transportation Infrastructure Management

3.10.1 Objectives

Efficient and adaptable

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

Extend infrastructure life

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

3.10.2 Policies

Service level and facilities

a) A satisfactory level of service *shall* be maintained for transportation system facilities such as roads, sidewalks, transit and traffic signal systems and the life span of these facilities *shall* be maximized.

Monitor conditions

b) The physical condition of transportation *infrastructure shall* be monitored and financial analyses *shall* be prepared to minimize maintenance spending.

Infrastructure management

c) The City *shall* continue to develop and use effective *infrastructure* management techniques such as the Pavement Management System to maximize the effectiveness of road *infrastructure* maintenance and *rehabilitation* expenditures.

4.0 INSTITUTIONAL USES

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

4.1 Principle

Opportunities for Institutional uses

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

4.2 Objectives

Permit Institutional uses

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

Compatible development

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

4.3 Policies

Definition

a) Institutional uses are defined as uses with the primary purpose of serving the educational, health and social needs of the community and are further defined as the following: OPA 55

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

(ii) places of worship, monasteries and convents;

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

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

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

(vi) *cemeteries* and associated facilities and structures; including a *crematory* only if it is located in accordance with Provincial Land Use Compatibility Guidelines. A *crematory* which does not meet OPA 55

Provincial Guidelines shall be considered an industrial use and shall be subject to the Employment Lands policies of this Plan. In addition, notwithstanding any other policies of this Plan, a *crematory* is recognized as a permitted use on the property at 1756 Snake Road, with a minimum setback of 10 m from the easterly lot line;

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

Medical Clinic or Group Home

b) A private medical clinic or a *group home* is not defined as institutional use.

Locations in Urban Area

c) Institutional uses *shall* be permitted within all land use designations located on Schedule B, Comprehensive Land Use Plan - Urban Planning Area with the exception of the Greenlands and Watercourse land use designations. Regulations relating to the location of, and standards for, various types of institutional uses *shall* be included in the Zoning By-law. OPA 55

Employment Areas

d) Within Business Corridor, General Employment and Mixed Use-Employment designations, certain *sensitive* institutional uses such as educational facilities, *long-term care facilities*, day care centres and places of worship *shall* require an amendment to the Zoning By-law. Such an amendment will be considered only following the completion of a risk assessment to determine any existing or potential sources of hazard from existing *industrial* uses in the vicinity and whether the levels of risk can be reduced to acceptable levels, using risk-based land use planning guidelines, as well as an assessment of *compatibility* with existing *industrial* facilities in the area in terms of variables such as noise, vibration, odour and dust, using Provincial Land Use Compatibility guidelines. OPA 55

Minimum distance

e) Certain types of institutional uses such as some types of social service facilities and correctional facilities have land use features that will require special regulations and locational considerations to be part of the Zoning By-law. To prevent the concentration of these types of uses, City Council *may* establish a minimum distance between these facilities in the Zoning By-law. OPA 55

North Aldershot Planning Area

f) In the North Aldershot Planning Area, institutional uses *shall* be permitted within all land use designations, with the exception of the Environmental Protection and North Aldershot Special Study Area land use designations, subject to the policies of Part V, Section 2.4 of this plan, and subject to meeting to the maximum possible degree, the following conditions: OPA 55

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

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

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

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

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

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

Uses not restricted

g) Subject to Part II, Subsections 4.3 d) and e), institutional uses *shall* be permitted as "uses not restricted" in the Zoning By-law, subject to certain regulations as set out in the By-law, and provided such uses abut a Major Arterial, Multi-Purpose Arterial or Minor Arterial Road or Collector Street as identified on Schedule J and Schedule K, Classification of Transportation Facilities.

Existing schools

h) Notwithstanding the requirement of Part II, Subsection 4.3 g) that institutional uses *shall* abut a Major Arterial, Multi-Purpose Arterial or Minor Arterial Road or Collector Street, a secondary school *shall* be a permitted use at 1433 Baldwin Street and 50 Fairwood Place West, and an elementary school *shall* be a permitted use at the following locations: OPA 37 OPA 55

(i) 4313 Clubview Drive;

(ii) 3110 Parkgate Crescent;

(iii) 660 Greenwood Drive;

(iv) 5121 Meadowhill Road;

(v) 1522 Mountain Grove Avenue;

(vi) 1350 Headon Road;

(vii) 2227 Parkway Drive; and

(viii) 6611 Panton Street.

Rural Area applications

i) New institutional uses proposed within the Rural Planning Area *shall* only be permitted to locate within the Rural Settlement Area designation as shown on Schedule C, Comprehensive Land Use Plan - Rural Planning Area. OPA 7

Acquisition by City

j) Surplus institutional lands and/or buildings *may* be acquired by the City where such lands and/or buildings are required to fulfill a community need and are cost-effective, and where such acquisitions meet Ministry of Education and Training Procedures.

Reuse of Institutional lands

k) Where the acquisition by the City of surplus institutional lands and/or buildings is considered unnecessary or undesirable to fulfill a community need, City Council *shall* consider applications for the reuse or alternative use of these lands and/or buildings. Evaluation of applications by City Council *shall* involve considering whether the reuse or alternative use proposed is *compatible* with existing and proposed uses on adjacent lands, *compatible* with the policies of this Plan applying to the land use designations of the adjacent lands, and consistent with other policies of this Plan.

5.0 UTILITIES

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

5.1 Principle

Guide use of Utility lands

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

5.2 Objectives

Recognize Utility lands

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

Secondary uses

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

Minimize construction impact

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

Minimize disruption

d) To *encourage* early access and provision for a common *utility* trench to minimize disruption to municipal property and rights-of-way. OPA 55

Co-ordination of design

e) To promote co-ordinated public and private *utility* planning and *infrastructure* design. OPA 55

Alliances and partnerships

f) To promote opportunities for strategic alliances, collaborative relationships and/or partnerships with all *utility* service providers and the City. OPA 55

5.3 Policies

Zoning

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

Secondary uses

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

Additional Secondary Uses- Urban Planning Area

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

Additional Secondary Uses- Rural Planning Area

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

Additional Secondary Uses – North Aldershot Planning Area

e) In the North Aldershot Planning Area, subject to the provisions of the Niagara Escarpment Plan, where applicable, private uses on lands zoned for transportation, *utility* or communication purposes that are secondary and *compatible* to their primary function *shall* be permitted without amendment to this Plan. These private secondary uses *may* include, but *shall* not be limited to, parking lots for purposes of providing parking over and above minimum by-law requirements, private rights-of-way and driveways, *agricultural* uses, *golf course*s and driving ranges, allotment gardens, the cultivation and storage of nursery stock in commercial nurseries and garden centres, indoor and outdoor storage, and private services and *utilities*. OPA 55

North Aldershot Utility Policies

f) In the North Aldershot Planning Area, the private uses described above *shall* require an amendment to the Zoning By-law and *shall* be permitted only when the proposed use is *compatible* with the use of the land for a transportation, *utility* or communication function, visually and functionally *compatible* with existing and proposed uses on adjacent lands, and *compatible* with the policies of this Plan applying to the land use designations of the adjacent lands. OPA 55

Zoning amendment for private uses

g) With the exception of private rights-of-way and driveways, secondary uses described in Part II, Subsection 5.3 c) and d) *shall* require an amendment to the Zoning By-law.

Recreational use

h) The reuse of abandoned or surplus *utility* lands for public open space or recreational uses *shall* be *encourage*d.

Reuse of utility lands

i) Where abandoned or surplus *utility* lands are not required for public uses, City Council *may* consider applications for rezoning. Evaluation of applications *shall* consider whether the proposed use is *compatible* with existing and proposed uses on nearby lands, and *compatible* with the policies of this Plan.

Evaluate proposals

j) Proposals for the construction or expansion of new *utility* facilities *shall* be reviewed based on criterion such as:

(i) the impact of the proposal upon existing and planned communities;

(ii) the impact on identified areas of environmental significance, including the Niagara Escarpment, woodlots, *wetland*s, *watercourse*s and stream valleys; and

(iii) the impact on existing *agricultural* lands and operations and Mineral Resource Extraction Areas.

Environmental Evaluation

k) The proponents of proposals for the construction or expansion of *utility* facilities, except for *utility* companies authorized under The Environmental Assessment Act, *may* be required to prepare an *Environmental Evaluation* Report as described in Part II, Section 2.5 of this Plan.

Location of proposed facilities

l) Although electric power facilities are permitted in all land use designations, *utility* companies *shall* consult with the municipality and the public regarding the location of proposed facilities.

Setbacks from utilities

m) Setbacks for buildings and excavations abutting *utility* lands *shall* be specified by the City based on consultation with the appropriate *utility*. In some unique situations, modifications *may* be allowed, subject to detailed risk assessment. The City *shall* require early consultation with the affected *utility* for any *development* proposals in the vicinity of *utility* lands. OPA 55

Integration of planning and installation

n) All public and private *utilities*, approved for installation by the municipality, *shall* be planned for and installed on an integrated basis in order that joint trench(es) and concurrent installations be utilized. OPA 55

Minimize disruption

o) The design of public and private *utilities shall* be required early in the *development* approval process in order to minimize disruption to the community. OPA 55

Reduction of streetscape clutter

p) In order to reduce *streetscape* clutter where feasible, the City *shall encourage* that public and private above ground *infrastructure* be integrated, grouped or combined. OPA 55

Telecommunications Policies

q) Telecommunications *utilities shall* be installed as per Council-approved telecommunication policies. These policies *may* be amended from time to time in consultation with the telecommunications industry. OPA 55

Tremaine Dundas Community

r) The following additional policies *shall* apply to the Tremaine Dundas Community: OPA 107

(i) All new electrical and telecommunication cabling within right-of-ways *shall* be located underground.

(ii) Utility boxes required within the right of way *shall* be well integrated with the design of the streetscape.

6.0 DESIGN

OPA 55

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

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

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

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

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

6.1 Principle

Efficient and attractive urban form

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

6.2 Objectives

Natural features

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

Heritage features

b) To ensure that the design of the built environment enhances *heritage features.*

Neighbourhood character

c) To ensure that the design of the built environment strengthens and enhances the character of existing distinctive locations and neighbourhoods, and that proposals for *intensification* and *infill* within existing neighbourhoods are designed to be *compatible* and sympathetic to existing neighbourhood character. OPA 55

New communities

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

Public spaces

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

Diverse design

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

Decision-making

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

Sustainable Development

h) To ensure that the principles of *Sustainable Development* are considered in the design of the built environment. OPA 55

6.3 Existing and New Communities Policies

Enhance identity

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

Gateways

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

Landmark locations

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

Design Plans required

d) City Council *may* require the preparation of design plans in conjunction with *development* proposals. These plans *shall*, among other things, identify the *natural environment* system as the organizing framework for new community forms, define a physical organization that supports the goals of mixed land use, diversity and pedestrian orientation, define the *public realm* and the relationship of built form to the *public realm*, address issues of the physical integration of the community with surrounding areas, *encourage* the use of public transit and the creation of an environment for pedestrians and bicyclists, identify opportunities to integrate public art or other cultural elements into the community, and promote public safety. OPA 55

Compact development

e) Preference will be given to community design containing more compact forms of *development* that support higher densities, are pedestrian oriented and *encourage* increased use of public transit. OPA 55

Tremaine Dundas Community

f) The following additional policies *shall* apply to the Tremaine Dundas Community: OPA 107

(i) *Development* within the Tremaine Dundas Secondary Plan community *shall* create a sustainable, mixed-use community and will contribute towards the achievement of the *City*'s Sustainability principles and objectives.

(ii) Tremaine Dundas Community Urban Design Guidelines *shall* be utilized to review form and pattern of *development* within the public and private realm in areas such as *low impact development*, sustainable design, built form, cultural heritage, streetscape and *active transportation*.

6.4 The Public Realm Policies

Municipal projects

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

Streets

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

Traffic-Calming

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

Link public areas

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

Streetscapes

e) Improvements to existing *streetscapes shall* be *encouraged* when reconstruction occurs and *shall* be implemented in accordance with Council-approved Urban *Design Guidelines*, where such guidelines exist. OPA 55

Intersections

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

Safety

g) The design of all municipal undertakings *shall* promote adequate visibility of isolated areas from high traffic areas in order to promote public safety. OPA 55

6.5 Design Guidelines Policies

Compatibility

a) The density, form, bulk, height, setbacks, spacing and materials of *development* are to be *compatible* with its surrounding area. OPA 7

Buffering and landscaping

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

Scale, comfort and safety

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

Street level activity

d) The creation of a continuous and harmonious *streetscape* environment *shall* be *encourage*d with emphasis on maintaining the continuity of grade-related activity areas, both inside and outside of buildings.

Access to public transit

e) All *developments shall* be designed having regard for public transit accessibility in the Urban Planning Area, convenience and comfort, and access and parking for the physically challenged, and to ensure that the needs of persons with disabilities and other special needs groups are addressed.

Personal safety

f) City Council *shall* require that design plans promote public safety and security, with adequate visibility and lighting and the avoidance of secluded areas.

Parking areas

g) The location, amount, position and design of parking areas *shall* be reviewed to minimize their potential to erode the qualities of the public *streetscape*, and to lessen their visual impact. City Council *shall* require landscaped islands and screening in the design of large parking lots.

Buildings to road

h) The *streetscape* appearance of major, multi-purpose and minor arterial roads and collector streets *shall* be enhanced by encouraging buildings to present their main building facades to these roads or to enhance their treatment to avoid the appearance of blank buildings at service entrances.

Reverse frontages and side elevations

i) Reverse frontage lotting patterns and the use of acoustical walls next to major, multi-purpose and minor arterial and collector roads *should* be avoided. In addition, side and end elevations of buildings facing major, multi-purpose and minor arterial and collector roads *should* be designed with an upgraded level of architectural treatment for the purpose of avoiding the use of blank walls facing these roads. Building setbacks from the street are to be minimized along pedestrian and transit-oriented streets. OPA 55

Site services and facilities

j) The functional and visual impact of site servicing, loading, air conditioning and ventilation equipment and waste handling facilities *shall* be minimized, by integrating them into the building's main structure, by screening or by site design.

Lighting

k) The City *shall* review and adopt lighting standards for City streets and facilities in order to minimize sky-glow while not compromising public safety. The impact of lighting associated with new *development shall* also be reviewed during the site plan approval process to minimize the intrusion and impacts of unwanted lighting into adjacent properties and to minimize sky glow. OPA 55

Gated communities

l) *Residential neighbourhoods shall* be designed to allow freedom of public access and the *development* of 'gated' residential communities, which restrict public access and circulation through neighbourhoods by means of security gates, walls or similar barriers, *should* be avoided. OPA 55

Sustainable Development

m) All *development shall* be designed having regard for *Sustainable Development* considerations as set out in Part II, Subsection 2.7.3 of this Plan. OPA 55

6.6 Implementation Policies

Review Zoning By-Law

a) Zoning By-law regulations *shall* be reviewed from a design perspective and *shall encourage* innovations that achieve City design objectives.

Development standards

b) Existing municipal *development* engineering standards *shall* be reviewed from a design perspective and *shall encourage* innovations that achieve City design objectives.

Design Guidelines

c) The preparation of *design guidelines shall* be required as part of the consideration of major site- or area-specific *development* proposals, including secondary planning studies, in order to investigate and recommend solutions to issues such as *compatibility* with surrounding uses, transit use, micro-climate effects, pedestrian safety, noise abatement and issues of human scale and views. Any City Council-approved *design guidelines* are considered City policy and *shall* be implemented for all public and private *development* proposals. A list of Council-approved *Design Guidelines* is included for reference purposes in Appendix B of this Plan, and *may* be amended from time to time without requiring an amendment to this Plan. OPA 55

Review Committee

d) An interdisciplinary staff committee, an outside advisory body of design professionals or other means *may* be established by City Council to advise on issues of design.

Governments and utilities

e) Senior orders of government, public authorities and public *utilities shall* be *encouraged* to have regard for the design objectives contained in this Official Plan.

Universal physical access

f) The needs of persons with disabilities *shall* be considered in each *development*, and *universal physical access* features *should* be incorporated in all new buildings. OPA 55

7.0 CULTURAL RESOURCES

OPA 55

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

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

7.1 Principle

Benefits of Public Art

a) Art in public spaces, within our urban and rural parks, civic squares, *gateways,* open spaces and along our trails, bikeways and waterfront, will provide many benefits for residents and visitors of all ages. Benefits can include:

(i) enhanced civic pride and identity;

(ii) enhanced tourism and economic development opportunities;

(iii) site beautification;

(iv) enhanced cultural vibrancy;

(v) new opportunities for the local cultural community;

(vi) encouragement of community dialogue; and

(vii) a lasting legacy for future generations.

7.2 Objectives

Cultural Vibrancy

a) To manage *cultural resources* in a way that contributes to increased cultural vibrancy and diversity in the community.

Public Art

b) To increase the amount of publicly visible art throughout the City.

7.3 General Policies

Public Art

a) The City will manage a City-wide public art program that will make art more visible throughout the City, in accordance with the Art in Public Spaces Policy.

Cultural clusters

b) The City will consider the concept of establishing cultural clusters or districts that can create a critical mass of cultural activity in specific geographic areas.

7.4 Public Art Policies

Community involvement

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

Municipal funding

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

Inclusion in public capital developments

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

Inclusion in private capital developments

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

8.0 CULTURAL HERITAGE RESOURCES *D53

OPA 55

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

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

8.1 Principles

Identification and conservation

a) *Cultural heritage resources* of significant cultural heritage value *shall* be identified, and conserved.

Heritage conservation practice

b) Sound heritage conservation practice requires early identification of *cultural heritage resources*, ongoing maintenance and protection from inappropriate use, alteration and demolition.

Public awareness

c) Heritage conservation depends on broad-based understanding and appreciation of *cultural heritage resources* that is achieved through public education, awareness, participation and involvement in the conservation of *cultural heritage resources*.

Historical associations

d) *Cultural heritage resources shall* be valued not only for their physical or material elements, but also for their historical associations.

8.2 Objectives *D53

Destruction and demolition

a) To control the demolition, destruction, deterioration, and inappropriate alteration and/or use of *cultural heritage resources* in accordance with legislative authority.

Identification and reference

b) To identify cultural heritage conservation issues early in the land use planning process, and make reference to cultural heritage conservation issues throughout the planning decision-making process.

Heritage character

c) To ensure that *re-development* and/or new *development* in an historic area does not detract from the overall heritage character of the area.

Heritage landscapes

d) To identify areas of *cultural heritage landscape* in the City containing heritage buildings, structures, streets, vegetation, and open spaces of architectural or historic significance, whose arrangement represents one or more distinctive cultural processes in the historical use of land.

Public education and advice

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

Citizen participation

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

Co-ordination of plans and programs

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

Financial support

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

Provincial and Regional Government

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

8.3 General Policies *D53

8.3.1 Use and Treatment of Cultural Heritage Resources

Municipal leadership

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

Heritage Burlington

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

Landscapes, cemeteries & views

c) *Cultural heritage landscapes*, historic *cemeteries* and significant views associated with a *cultural heritage resource shall* be inventoried and conserved.

Archaeological Master Plan

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

Cultural Heritage Conservation Strategy

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

8.3.2 Public Participation

Consultation

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

Municipal Heritage Committee

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

8.3.3 Implementation

Inventory of Heritage Resources

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

Acquisition, assembly, joint ventures, incentives

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

By-laws

c) Pursuant to The Ontario Heritage Act, The Planning Act, The Building Code Act, or any other relevant legislation, the City *may* pass by-laws or adopt other measures for *cultural heritage resource* conservation and management.

Adaptive re-use

d) The City *shall encourage*, where appropriate, the adaptive re-use of a *built heritage resource* in a manner that is not destructive to the character-defining elements of the resource.

Heritage Conservation easements

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

Heritage Zoning overlay

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

8.3.4 Heritage Conservation Designation

Heritage Designation

a) The designation of individual cultural heritage properties and *cultural heritage landscapes* under the provisions of The Ontario Heritage Act *shall* be pursued to implement the cultural heritage conservation objectives and policies of this Plan.

Reason for Designation statement

b) The "Reason for Designation" statement *shall* outline the heritage attributes that define the heritage value of the *cultural heritage resource*.

Heritage Conservation Districts

c) *Cultural Heritage landscape*s *may* be conserved through designation as Heritage Conservation Districts under The Ontario Heritage Act where some or all of the following features have been identified:

(i) the District contains buildings that reflect an aspect of local history by nature of location and historical significance of setting;
(ii) the District contains buildings that are of a style of architecture or method of construction which is historically or architecturally significant to the City, Region or Province;
(iii) the District contains other important physical, environmental or aesthetic features that, are not sufficient for designation, but lend support in evaluating the criteria for designation; and
(iv) the District is in an area of special association that is distinctive within the City and, as a result, adds to the character of the entire community.

Designation procedures

d) Prior to the designation of a Heritage Conservation District, City Council *shall*:

(i) consult with its municipal heritage committee (Heritage Burlington);

(ii) pass a by-law of intent to define and investigate an area;

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

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

Permit required

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

Alterations to designated buildings

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

Individual basis

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

8.4 Development/Re-development Policies *D53

8.4.1 Use and Treatment

Development plans

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

Heritage Impact Statement

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

(i) an assessment of the cultural heritage value of the resource;

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

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

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

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

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

Conditions of approval

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

Record for archives

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

Utilities

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

8.4.2 Implementation

Land Use studies

a) Secondary planning or similar land use studies and *community improvement plans* and programs, including the provision of *infrastructure*, *shall* identify *cultural heritage resources* that exist in the area under study and propose ways to integrate, protect and enhance any significant *cultural heritage resources*.

Archaeological Studies

b) Approval of *development* on lands with *archaeological resources may* be conditional on the conservation of the resources. In consultation with the Provincial and Regional governments, the need for the study and preservation of significant archaeological sites *shall* be determined during the review of *development* proposals. An archaeological survey and the preservation or rescue excavation of significant *archaeological resources*, that *may* be affected by the *development may* be required. Archaeological assessments and mitigation must be done by an archaeological consultant licensed by the appropriate Provincial Ministry.

Landmark trees and vegetation

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

Tremaine Dundas Community

d) The following additional policies *shall* apply to 5463 Dundas Street in the Tremaine Dundas Community: OPA 107

(i) The Crooks/Norton Farm House *shall* be *conserved* and maintained consistent with a Conservation Plan prepared for the resource as part of a planning application.

(ii) A heritage easement agreement *shall* be secured to provide permanent protection of the Crooks/Norton Farm House.

(iii) The Crooks/Norton Farm House *shall* be designated under Part IV of the Ontario Heritage Act.

(iv) Adequate parking and access *shall* be provided to support any potential adaptive re-use of the Crooks/Norton Farm House, in accordance with the Zoning By-law. Any parking *shall* be sited and designed in a manner that does not detract from the heritage resource and provided it can be shown that there will be no *negative impact* on the adjacent *Natural Heritage System*.

(v) Landscape around the Crooks/Norton Farm House shall emphasize plantings appropriate to the history of the farm, retain significant trees and retain portions of the farm lane, where feasible.

(vi) The Crooks/Norton Farm House *shall* be commemorated through interpretive plaques.

9.0 WATERFRONT

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

The health of Burlington Bay and its waterfront is directly affected by the actions of the City of Burlington and the City of Hamilton. Policies in this section and in Part II, Section 2.0 are designed to facilitate recovery of Burlington Bay, resulting in its de-listing as an area of concern. OPA 55

9.1 Principles

Public accessibility

a) Publicly accessible waterfront areas, such as Regional and local parks, trails and Windows-to-the Lake/Bay are important to provide Burlington citizens with opportunities to participate in a variety of waterfront activities.

Unique valuable resource

b) The waterfront *shall* become a major source of community pride through promotion of the merits of the waterfront as a unique and valuable resource that plays a major role in defining the City in a natural setting.

Healthy and sustainable

c) All activities and future *development* surrounding the waterfront *should* be clean, open, connected, green, accessible, useable, diverse, attractive, affordable and environmentally sustainable.

Remedial Action Plan

d) *Development* and activities along the Burlington Bay waterfront will address the Remedial Action Plan to de-list Hamilton Harbour as an Area of Concern. OPA 55

Waterfront environment

e) The waterfront environment and *ecosystem should* be protected and enhanced. OPA 55

9.2 Natural Environment

9.2.1 Objectives

Preserve waterfront features

a) To *preserve* waterfront areas of significant ecological value and to recognize that public and private use of or access to these areas *shall* be limited due to their *sensitive* nature.

Permanent landform

b) To maintain the shore and banks along the waterfront as a permanent, stable landform in a manner that maintains the natural appearance of the waterfront in appropriate areas, and by methods other than lakefill that is consistent with Federal, Provincial and Conservation Halton requirements. OPA 55

Fish and wildlife habitat

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

Hazard lands

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

De-Listing

e) To have the Hamilton Harbour/Burlington Bay de-listed as an Area of Concern by 2015. OPA 55

9.2.2 Policies

Preservation

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

Top of Bank

b) *Development* within hazardous lands associated with the shoreline *shall* only be permitted subject to a permit from Conservation Halton and, if City Council considers the *development* to be consistent with the waterfront objectives and policies of this Plan. OPA 55

Setback from Top of Bank

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

Water quality

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

Lakefill

e) Lakefill *may* be necessary for reasons of public safety, security or access. The cumulative effects of proposed public and private lakefill projects on erosion, transport and deposition patterns and *fish habitat*s in Lake Ontario and Burlington Bay *should* be examined in conjunction with the Ministry of Natural Resources and Conservation Halton and necessary mitigation action taken so that the lakefill project contributes to the shoreline regeneration in accordance with Federal and Provincial policies and guidelines.

Shoreline protection

f) Shoreline protection measures *shall* be designed to visually complement the waterfront and to be undertaken in a manner that will have minimum adverse affect on the environment. Where shoreline protection works are undertaken by the City of Burlington, Region of Halton, Conservation Halton or any other public agency, the City of Burlington will consider opportunities to incorporate a Waterfront Trail as part of the overall design of the shoreline protection works.

Landscape Plans

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

Federal and Provincial programs

h) The efforts of the Federal and Provincial Governments to reduce erosion, and improve water quality and fish and *wildlife habitat shall* be *encourage*d.

Development guidelines

i) Guidelines relating to Great Lakes Areas of Concern and the Hamilton Harbour Remedial Action Plan designed to improve water quality, natural heritage values and aesthetics will be used in the review of all *development applications* along the Burlington Bay waterfront. OPA 55

9.3 Public Access and Use

9.3.1 Objectives

Public accessibility

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

Land acquisition

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

Pedestrian-oriented

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

9.3.2 Policies

Parks

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

Compatible use

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

Expand Windows-to-the-Lake

c) The acquisition of land to create new or to add to existing Windows-to-the-Lake and Windows-to-the-Bay *shall* be *encourage*d by City Council, as a means to increase public access to the waterfront.

Separate public and private uses

d) Regional and local waterfront parks and related facilities *shall* be designed to provide safe, attractive and inviting places for public use and to visually separate private and public open spaces. Landscape plans that enhance the attractiveness of the waterfront and add significantly to the experience, enjoyment and appreciation of the waterfront *shall* be implemented. These plans will *preserve* vegetation, *wildlife habitat* and landforms, reflect the planned uses of the specific waterfront areas and provide provision for colourful floral gardens and restful vistas.

Pier and dock facilities

e) Public access from the water to the shoreline, in areas of public ownership, *shall* be *encourage*d where feasible, through pier or dock facilities for the use of recreational boaters, consistent with Conservation Halton, Provincial and Federal requirements.

Parking areas

f) Parking areas in the vicinity of the waterfront *shall* be designed, located and landscaped to complement the waterfront environment and to maximize the recreational and cultural open space uses of waterfront property.

Transportation network

g) A balanced transportation network for pedestrians, cyclists, motorists and transit travel *shall* be planned for the waterfront.

Connections To Waterfront

h) The connection of transit routes and north-south transportation routes such as pedestrian/cyclist trails with waterfront public open space, parks and the Waterfront Trail *shall* be *encourage*d.

Waterfront Trail

i) A continuous Waterfront Trail will be implemented through *development* and/or *re-development* along Lake Ontario and Burlington Bay where there is sufficient land between the water and a public or private road. This trail *may* be comprised of two components: (i) a shoreline trail immediately abutting the Lake or Bay and (ii) a near shoreline trail located in the general vicinity of the Lake or Bay. The Waterfront Trail will be connected to existing waterfront public open spaces and where appropriate, other points of interest in the general vicinity of the waterfront.

Trail guidelines

j) The City will develop specific guidelines and a marketing program for the Waterfront Trail that will include, but *may* not be limited to, landscaping, fencing, lighting, signage, parking, construction materials and trail furniture, in consultation with the public, Region of Halton, Conservation Halton and other public agencies.

Design excellence

k) Regional and local waterfront parks and facilities *shall* achieve a high level of design excellence, in both landscape and architectural built form. OPA 55

9.4 Development

9.4.1 Objectives

Mix of land uses

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

Compatibility

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

Open space

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

9.4.2 Policies

Public open space

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

Views to lake and bay

b) *Development* along the waterfront *shall preserve* or complement public views of Lake Ontario or Burlington Bay from public streets and trails. OPA 55

Lot areas and densities

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

Parkland dedication

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

Community Benefits By-law

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

Waterfront theme

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

Cultural elements

g) *Development* proposals along the waterfront *shall* identify opportunities to integrate public art or other cultural elements. OPA 55

Park Master Plans

h) *Development* of publicly owned waterfront open space will be in accordance with Council approved Park Master Plans.

Trail ownership, maintenance and liability

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

Trail design and construction

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

Funding partnerships

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

Partnership Agreement

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

Waterfront Trail - Condition of development or re-development

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

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

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

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

(iv) carry out a survey, shoreline protection, and basic grading of the Waterfront Trail and any required fencing as a condition of approval of an Official Plan or Zoning Amendment or plan of subdivision.

On-Shore lake breezes

n) Where the siting or size of a *development* warrants, a proponent of an application for Official Plan or Zoning Amendment or plan of subdivision *may* be required to minimize any adverse effect the *development* will have on on-shore lake breezes. OPA 55

10.0 COMMUNITY IMPROVEMENT

OPA 55

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

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

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

10.1 Principles

Improvement, maintenance and rehabilitation

a) The planning or re-planning, design or redesign, subdivision, clearance, *development* or *re-development*, reconstruction and/or *rehabilitation* of lands and/or buildings *may* be necessary in order to enhance the quality of living and working environments within these areas and to ensure the efficient use of existing or required municipal services and/or *infrastructure*, and land.

Community Improvement Plans

b) *Community Improvement Plans shall* be prepared and adopted to stimulate private investment and to ensure the effectiveness of public expenditure.

10.2 Objectives

Improvement of lands and/or buildings

a) To facilitate the planning or re-planning, design or redesign, subdivision, clearance, *development* or *re-development*, reconstruction and *rehabilitation* of lands and/or buildings.

Heritage significance

b) To facilitate the preservation, restoration, adaptive reuse and improvement of buildings with historical, architectural or other heritage significance.

Parks and recreation

c) To facilitate the restoration, maintenance, improvement and protection of natural habitat, parks, open space and recreational amenities.

Intensification

d) To facilitate residential and other types of *infill* and *intensification*.

Housing

e) To facilitate the construction of a range of housing types and the construction of *affordable housing*.

Services and Utilities

f) To upgrade and improve municipal services and public *utilities* such as sanitary sewers, storm sewers, watermains, roads and sidewalks.

Circulation

g) To improve pedestrian and bicycle circulation and accessibility for all persons.

Transit

h) To facilitate public *transit supportive land uses* and improve the quality of, and accessibility to, transit facilities.

Revitalization

i) To facilitate the ongoing viability, revitalization and *development* of Mixed Use Activity Areas, and other areas that *may* require community improvement.

Environment and energy

j) To improve environmental and energy consumption conditions.

Economic and cultural development

k) To facilitate and promote economic and cultural development.

10.3 Policies

Project Areas

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

Community Improvement Plans

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

Establish programs

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

Criteria for designation

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

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

(ii) high commercial vacancy rates;

(iii) known or perceived environmental *contamination;*

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

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

(vi) absence of an adequate mix of uses;

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

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

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

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

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

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

Priority areas

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

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

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

(iii) where one or more of the conditions (as established in subsection d) is particularly acute; and/or,

(iv) where one or more of the conditions (as established in subsection d) exists on a number of sites in the City.

Range of actions

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

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

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

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

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

Public input

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

Other considerations

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

Financial capabilities of the City

i) The City *shall* be satisfied that its participation in community improvement activities will be within the financial capabilities of the City.

11.0 PHASING OF DEVELOPMENT

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

11.1 Principle

Municipal Services

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

Logical extension

b) The rate and sequence of growth *shall* be phased in a manner as to ensure the logical extension of adequate services, such as schools and parks, to accommodate growth.

11.2 Objectives

Services in Urban Area

a) To provide urban municipal services in conjunction with the Region only within the Urban Planning Area, unless otherwise permitted by specific policies of this Plan.

Satisfactory levels

b) To provide municipal services and *infrastructure* in the Urban Planning Area to meet existing and future needs efficiently and economically.

Phase development

c) To phase *development* within each community in the Urban Planning Area based on the financial capability of the City and Region to provide municipal services and *infrastructure*.

Coordinate with Halton

d) To coordinate the provision of *infrastructure* with the Region of Halton in accordance with the Region's *Infrastructure* Staging Plan.

11.3 Policies

Alton Community

a) Within the Alton Community *development* phasing *shall* be based on the following: OPA 3 OPA 44 OPA 83

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

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

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

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

Tremaine Dundas Community

b) Within the Tremaine Dundas Community, *development* may proceed in two phases, as shown on Schedule M, with phasing proceeding based on the following: OPA 107

(i) Phase 1 will generally comprise the lands to the south and east of the Central Woodland, including the lands designated as Residential – Medium Density, Mixed Use Corridor - General, Mixed Use Corridor - Employment, and Business Corridor. Phase 1 *shall* include a maximum of 400 residential dwelling units.

(ii) Phase 2 will generally comprise the lands to the north and west of the Central Woodland, including lands designated as Residential – Medium Density.

(iii) Progression of *development* is contingent on the availability of public infrastructure and services. The timing and availability of infrastructure shall be in accordance with the Region's current Official Plan and Master Plans.

(iv) The *City*, in consultation with the Region, may permit minor adjustments to the phasing boundaries without an Official Plan amendment where such adjustments are made in accordance with the general purpose and intent of this Secondary Plan and if it is demonstrated that there are no negative impacts on the Town or Region, including from land use planning, *Natural Heritage System*, *infrastructure*, financial impact perspectives, and the Regional Allocation Program.

(v) Approval of *development* and site alteration *shall* be contingent on the submission of an Environmental Implementation Report/Functional Servicing Study (EIR/FSS) as part of a draft plan application, to the satisfaction of the *City*, Conservation Halton and the Region of Halton.

(vi) A holding zone (H) *shall* be utilized for Phase 2 lands until such time as additional growth has been identified by the Region to ensure orderly *development*.

Development in Phase 2 lands is contingent on the additional growth as identified by the Region. If the additional growth would allow for greater density than permitted in Phase 1 or Phase 2

lands, an Official Plan Amendment shall be required to adjust the density of residential units.

(vii) Draft approved plans of subdivision *shall* not be registered prior to the availability of sanitary sewage and water system capacity, as determined by the City and the Region of Halton and for the lands affected by the 60 m Protected Corridor for the Study Area of the 407 Transitway EA, resolution of the 407 Transitway EA.

(viii) The *development* of employment areas within the Tremaine Dundas Secondary Plan will be encouraged to occur concurrently with the *development* of nearby residential lands. If residential uses within 70 metres of an *employment* designation are developed prior to the *employment* uses within the Business Corridor blocks, appropriate interim noise mitigation measures and buffering *shall* be implemented to ensure compatibility with potential *employment* uses on the Town of Oakville lands in accordance with the recommendations of a Land Use Compatibility Assessment and Detailed Noise Study.

(ix) A 60 m Protected Corridor for the Study Area of the 407 Transitway EA is required until such time that the preferred alignment for the 407 Transitway is determined. The 60 m Protected Corridor for the Study Area of the 407 Transitway EA shall remain in place until completion of the EA which will determine the ultimate location of the 407 Transitway.

12.0 FINANCIAL IMPACT ANALYSES

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

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

12.1 Principle

An evaluation factor

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

12.2 Objectives

Acceptable assessment ratio

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

Investigate impacts

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

Require studies

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

12.3 Policies

Evaluation factor

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

Secondary Plans

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

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

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

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

(iv) the number of dwelling units is greater than 500.

Other applications

c) A *financial impact analysis may* be required on other *development applications* as determined necessary by City Council.

Generic studies

d) A general review of the cost/revenue relationships between and among different types of land uses *may* be undertaken, periodically by the City.

Connected infrastructure

e) The City *may* negotiate *development* charges from other municipalities where appropriate for the provision of connected *infrastructure*. OPA 55

13.0 AGRICULTURE

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

13.1 Principles *D53

Protect agricultural lands

a) *Prime agricultural area*s *shall* be protected and used for *farming* purposes.

Maintain agricultural industry

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

13.2 Objectives

Recognize use

a) To recognize *agriculture* as the primary activity and land use in the Rural Planning Area, and as an *interim* activity and land use in the Urban and North Aldershot Planning Areas. OPA 55

Restrict lot creation

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

Environmental issues

c) To *encourage* environmentally sensitive and sustainable farm practices.

Incompatible land use

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

Tourism

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

Secondary industry

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

Rental lands

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

Tree cover

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

13.3 Policies

Agricultural lands

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

Protect farm operations

b) The City *shall* apply the Minimum Distance Separation Formulae and other relevant Provincial regulations in accordance with Livestock Facility Guidelines adopted by Regional Council, to ensure that farm operations are protected from in*compatible* activities and land uses that would limit *agricultural* productivity or efficiency. The City *shall* discourage complaints from non-farm uses concerning normal *farming* practices. OPA 55

Natural environment

c) Farmers *shall* be *encourage*d to adopt farm practices that will sustain the long term productivity of the land and minimize any adverse impacts on the *natural environment*.

Provincial Policies/ Guidelines

d) Provincial Plans, statutes, guidelines and policies dealing with the preservation and protection of *agricultural* lands and operations as an important natural resource *shall* be supported and upheld by the City of Burlington. In accordance with Provincial Plans and policy, mineral resource extraction is permitted in *prime agricultural area*s, provided that the site is *rehabilitated.* ***D53** OPA 55

Agricultural Impact Assessment

e) The City and the Region of Halton *shall* require the proponent of a non-farm *development* to carry out an Agricultural Impact Assessment based on guidelines adopted by Regional Council.

Non-farm uses

f) Non-farm land uses *shall* be directed to the Urban Planning Area and Rural Settlement Areas. Uses that produce value added products from the farm operation or are secondary to the farm operation *shall* be allowed on the farm property, subject to the requirements of the applicable land use designation, and in accordance with On-Farm Business Guidelines adopted by Regional Council. OPA 55

Trespassing

g) The City will support programs to reduce trespassing on *agricultural operations* and discourage the location of public trails near *agricultural operations* that could have a negative impact on *farming* activities.

Tourism

h) *Home occupations, cottage industries*, and *home industries shall* be permitted on farms to *encourage agriculture* related tourism.

Secondary industries

i) Major secondary *agricultural* processing, manufacturing, wholesaling and retailing operations *shall* be required to locate within the Urban Planning Area.

Rural forums

j) The City will support the establishment of a rural/*agricultural* forum to monitor, investigate and periodically report on the problems, trends and means to maintain the competitiveness of the *agricultural c*ommunity and other rural issues.

Sludge utilization

k) The City will support the Region of Halton's sludge utilization program, subject to compliance with Regional and Provincial environmental protection guidelines.

Weed control

l) The City will enforce weed control by-laws as a means of assisting *agricultural* protection.

Provincial initiatives

m) The City will *encourage* the Provincial Government to:

(i) lease provincially owned lands to farmers on a long term basis for *agricultural* use; and

(ii) maintain a property tax that *encourages farming* and the true value of productive farm land.

Conservation Halton lands

n) The City will *encourage* Conservation Halton to lease their productive *agricultural* lands to farmers on a long-term basis for *agricultural* use.

National agricultural policy

o) The City will *encourage* the Federal Government to pursue a national *agricultural* policy that provides incentives to farmers and *agricultural operations*, and supports the *agricultural industry* in global markets.

Allotment gardens

p) Allotment gardens will be permitted as an *interim* or permitted use in all land use designations. OPA 55