APPLICATION FOR
AN OFFICIAL PLAN AMENDMENT and/or ZONING BY-LAW AMENDMENT
under Subsection 22(1) and/or 34 of the Planning Act
(A PRIVATELY INITIATED APPLICATION)

NOTE TO APPLICANTS:

This application form is to be used to request amendments to the land use designations (City Official Plan and/or zoning) for a specific property. It is also to be used for any proposal to amend existing approved Official Plan policy. In this form, the term "subject land" means the land that is the subject of the proposed amendment.

N.B. If this application is being made concurrently with a Draft Plan of Subdivision or Condominium, PLEASE ALSO COMPLETE AND SUBMIT THE SUBDIVISION/ CONDOMINIUM APPLICATION FORM which can be obtained from the City of Burlington.

SUBMISSION OF THE APPLICATION:

The Applicant must consult with City and Regional Planning staff at a Preconsultation Meeting prior to submitting an application for Official Plan Amendment or Zoning By-law Amendment.

If no Preconsultation Meeting has occurred, please contact the Community Planning Department at (905) 335-7642 to set up a formal Preconsultation meeting before completing this application form.

COMPLETENESS OF THE APPLICATION:

If the prescribed information and fee outlined in the Preconsultation Form and meeting notes are not provided, the City will return the application or refuse to further consider the application until the prescribed information and the fee are provided.

All applicable questions on this application form should be answered or identified as Not Applicable with an explanation as to why. In the absence of the required information, it may not be possible to do a complete review within the legislated time frame for making a decision. As a result the proposal may be denied.

CITY OF Burlington

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

Office Use Only

Date Received	File No(s)

Application For:

X	*City Official Plan*
X	*Zoning By-law*

1.0 APPLICANT INFORMATION

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

NAME	***ADDRESS***	***PHONE/FAX***
*Registered Owner(s)** Emshih Developments Inc.	895 Brant St, Suite 7 Burlington ON L7R 2J6	*Bus.* 905-639-9006 *Fax* *E-Mail/www:* *Home*
Applicant(s) Same as Owner		*Bus.* *Fax* *E-Mail/www:* *Home*
Agent (eg. Planning Consultant) Michael Barton c/o MB1 Development Consulting Inc.	1489 Abbeywood Drive Oakville, ON L6M 2M6	*Bus.* 905-599-9973 *Fax* *E-Mail/www:* michael@mb1consulting.com *Home*
Solicitor		*Bus.* *Fax* *E-Mail/www:*
Other (Specify)		*Bus.* *Fax* *E-Mail/www:*

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

2.0 LOCATION OF PROPERTY

Municipal Address 800 Burloak Drive	Block 73, 74, 75 and Part of Block 72 on 20M-582 and Part of Block 28 on 20M-280	
Lot(s)/Block(s)	*Concession*	*Registered Plan No.*
Reference Plan No.	*Part(s)*	*Parcel No.*
Assessment Roll #:		

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

Frontage 118 m	*Depth* variable	*Area* 2.03 ha

3.0 EXISTING AND PREVIOUS USES OF THE SUBJECT LANDS

3.1 What is the existing use of the subject lands? vacant

3.2 What is the length of time the existing uses of the subject land have continued? since creation

3.3 What were the previous uses of the subject land, if known? N/A

3.4 List any existing Buildings or Structures on the Property N/A

Buildings or Structures	**Yard Setbacks**				***No. of Storeys***	***Building Height***	****Ground Floor Area***
	Front	***Rear***	***Side***	***Side***			

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

YES _____ NO X

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

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

4.1 What is the Proposed use of the Subject Lands?

Two 8-storey mid-rise mixed-use buildings with a surface parking lot (total of 275 dwelling units (151 units in Building A and 124 units in Building B))

4.2 List any Proposed Buildings and Structures

Buildings or Structures	**Yard Setbacks**				***No. of Storeys***	***Building Height***	****Ground Floor Area***
	Front	***Rear***	***Side***	***Side***			
Mixed use building A		6 m	30 m	16.99 m	8	29.4 m	1,732.27 m2
Mixed use building B	3 m		30.92 m	6.46 m	8	29.4 m	1,516.35 m2

4.3 Indicate Land Uses on Abutting Properties

North CN Rail corridor

South Condominium townhouse development designated "Residential Medium Density" and zoned RM2; Commercial plaza designated "Neighbourhood Commercial" and zoned CN2

East Employment lands located within the Town of Oakville (zoned "Business Employment")

West Sherwood Forest Park

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

YES _____ *NO* x

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

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

*YES*_____ *NO*__x__

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

5. TYPE OF PROPOSED AMENDMENT

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

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

a) Describe the purpose of the proposed amendment

To permit a building height of 8 storeys and to permit dwelling units on all floors, including the ground floor

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

Part III, Section 4.6.2 (l) of 1997 Official Plan

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

Neighbourhood Commercial with site specific policy

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

Retail and service commercial uses, community facilities, dwelling units above first storey

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

Dwelling units on all floors (including the ground floor), retail and service commercial uses, community facilities

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

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

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

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

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

5.3 Justification

Provide justification for this application to amend the Official Plan and/or Zoning By-law. (Attach a separate report if necessary). *Attach the text of any requested Official Plan amendment and the amended Official Plan schedule as required.*
In the case of an Official Plan Amendment, the applicant is required to provide complete planning evidence outlining the justification for the amendment. This should address, but not be limited to, why the proposed change is desirable and how it relates to the overall goals and objectives of the Burlington Official Plan, Region of Halton Official Plan, Comprehensive Provincial Policy Statement and any applicable Provincial Plans. Further studies may be required by the applicant depending on the nature of the application.

Please refer to the Planning Justification Report prepared by MB1 Development Consulting Inc. and included as part of the complete application package.

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

6.1 What is the existing Zoning designation on the subject lands? Neighbourhood Commercial One - Site Exception 48 (H-CN1-48)

6.2 What is the proposed Zoning designation on the subject lands? Neighbourhood Commercial One - Site Exception XXX (H-CN1-XXX)

6.3 What land uses will be permitted in the proposed designation? Range of retail, service commercial, office, community, automotive, entertainment & recreation on ground floor, dwelling units on all floors

6.4 What is the reason for the proposed rezoning? To amend current zoning to permit a maximum height of 8 storeys and 30 metres, to permit dwelling units on all floors (including the ground floor), to permit front yard of 3 metres, to permit residential site parking of 229 spaces and to permit visitor and commercial site parking of 56 spaces.

6.5 What is the minimum and maximum density requirement in the existing zoning?

N/A

6.6 What is the minimum and maximum height requirement in the existing zoning?

No minimum height requirement; maximum of 4 storeys not including the mechanical penthouse

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

Subject to holding provision and exception 48; please refer to Planning Justification Report

6.8 Include with your application a concept plan showing, in metric units:

a) The boundaries and dimensions of the subject land;

b) The location, size and type of all existing and proposed buildings and structures on the subject land, indicating their distance from the front lot line, rear lot line and side lot lines;

c) The approximate location of all natural and artificial features (for example, buildings, railways, roads, watercourses, drainage ditches, banks of creeks, wetlands, wooded areas, wells and septic tanks) that are located on the subject land or on land that is adjacent to it, and in the applicant's opinion may affect the application;

d) The current uses of land that is adjacent to the subject land;

e) The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way; and

f) The location of any easements affecting the subject land.

7.0 STATUS OF OTHER PLANNING APPLICATIONS

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

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

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

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

The type of application(s) and the file number(s) OPA (505-06/04); ZBA (520-11/04)

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

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

Please refer to the Planning Justification Report

The status of the application(s) Approved through OLT under file OLT-21-001738

7.2 Has the subject land ever been the subject of a Minister's Zoning Order? If so, please note the Ontario Regulation number of that order: N/A

8.0 REGIONAL OFFICIAL PLAN

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

Urban Area

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

Please refer to the Planning Justification Report

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

9.0 PROVINCIAL PLANS AND POLICIES

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

Greenbelt Plan _____ Niagara Escarpment Plan_____

Growth Plan for the Greater Golden Horseshoe_____ Parkway Belt West Plan_____

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

N/A

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

Please refer to the Planning Justification Report

10.0 SERVICING

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

10.2 Indicate the proposed servicing type for the subject land.

a. Water Supply

☒ *Piped Water* ☐ *Private Well* ☐ *Other, Specify* _____

b. Sewage Disposal

☒ *Sanitary Sewer* ☐ *Septic Tank* ☐ *Other, Specify* _____

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

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

10.3 Road Access and/or Frontage

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

Open municipal road

Name of Road Burloak Drive

10.4 Storm Drainage

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

Sewers (FSR and SWM report included in complete application)

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

YES _x_ NO _____

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

YES _x_ NO _____

CITY OF BURLINGTON

DECLARATION

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

I, Michael Shih *(name of applicant)* *of the* City of Burlington *(name of City, Town, Township, etc.)*

in the Region/County/District of Halton *do solemnly declare that all of the*

statements contained in the application 800 Burloak to permit two 8-storey mid-rise buildings

(description)

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

Declared before me at:
Region of Halton. *in the*
Region/County/District of (municipality)
City of Burlington *this* 8 *day of*
June, 2026

Debra Ann Hordyk, a Commissioner, etc., Province of Ontario, for The Corporation of the City of Burlington. Expires October 25, 2027.

Commissioner of Oaths

Signature of Applicant
Michael Shih
Please Print Name of Applicant

OWNER'S AUTHORIZATION ***(If the Owner is NOT the Applicant)***

(If Multiple Owners, An Authorization Letter From Each Owner Is Required)

PLEASE PRINT

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

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

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

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

_____ _____
Signature *Day* *Month* *Year*

OWNER'S PERMISSION TO ENTER SITE

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

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



Owner's Signature

21/05/2026

Day *Month* *Year*

COMPLETE APPLICATION REQUIREMENTS

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

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



Applicant's Signature

21/05/2026

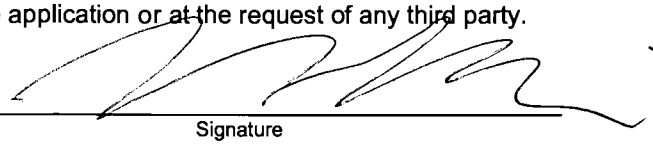
Day Month Year

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

APPLICANT'S CONSENT

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

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



Signature

21/05/2026

Day Month Year

AUTHORIZATION FROM THE OWNER OF THE SUBSURFACE RIGHTS

if different from the Owner above

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

_____ _____

(signature) (date)

_____

(address)

_____

_____

_____ _____

Telephone Number Facsimile Number

THIS APPLICATION PACKAGE MUST BE SUBMITTED TO:

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

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