OFFICIAL PLAN
of the

BURLINGTON PLANNING AREA

City of Burlington
As approved by the Region of Halton, March 5, 1997
Office Consolidation July 31, 2026

EXPLANATORY NOTES

The Official Plan (1994) for the Burlington Planning Area was adopted by Council of the Corporation of the City of Burlington on July 11, l994 through By-law 78-l994. It was subsequently approved, with modifications, by the Regional Municipality of Halton on March 5, 1997. Certain parts of the Plan were referred by the Region to the Ontario Municipal Board for a decision, and certain parts were deferred for further consideration.

The former Official Plan for the City that was adopted by Council on July 14, 1969 and approved by the Minister of Municipal Affairs on June 16, 1971, was repealed by City Council on February 24, 1997 through By-law 15-1997, but only to the extent that the new Official Plan (1994), has otherwise been approved by the Region. In other words, for those parts of the new Plan that have been deferred or referred by the Region, relevant sections of the former Official Plan will continue to be in effect until such time the deferral or referral has been resolved.

This Office Consolidation of *The Official Plan (July 2026)* incorporates all modifications, subsequent approvals, and amendments to the Plan up to and including the date - referred to as the Consolidation Date - shown on the inside cover of this document.

Table A is a list of deferrals and referrals that are still outstanding as of the Consolidation Date. Those portions of the Plan that have been deferred or referred are indicated with an asterisk (*), followed by a reference notation.

Table B contains a list of amendments to *The Official Plan (1994)* considered by City Council and their status as of the Consolidation Date.

Office Consolidations are prepared for the purpose of convenience. For accurate reference, the reader should consult the legal documents as approved by the Region, which are the duplicate originals of *The Official Plan (1994)* and its amendments lodged in the Clerks Department of the City of Burlington, located at 426 Brant Street, Burlington, Ontario, L7R 3Z6.

These explanatory notes do not constitute part of the Official Plan under The Planning Act.

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Table A - Deferrals and Referrals

No.	Request From	Details	Status
D9	Region of Halton	• Designations of lands "D9" on Schedules B, C and D. • Part III and Part IV in their entirety, Part V, Section 7.0, and Part VI, Section 8.3, as they apply to the lands within the Parkway Belt West Plan Area (1978) save and except those areas removed from the Plan through Parkway Belt West Plan Amendments No. 95, 105, 108, 109, 120, 141 and 170, and save and except those lands added to the Niagara Escarpment Plan through the approval of the Greenbelt Act (NEPA 71 lands.)	Deferred on 97/03/05 Approved in part as modified on 98/04/30 99/06/17 00/08/16 01/10/15 05/02/24
D22	Paletta International Corporation	• For the lands shown as "D22" on Schedule C: (a) Designations of these lands Schedule C; (b) Part IV - Land Use Policies-Rural Planning Area, General Principles, Objectives and Policies, Sections 2.1.1 c), f) and g), 2.1.2 a), b), d) and e) and 2.1.3 c); (c) Part IV - Land Use Policies-Rural Planning Area, Section 2.2.2, insofar as it does not include recreational uses such as campgrounds, golf courses, country clubs and trail uses as permitted uses, provided that any detrimental impact of these uses on the natural environment is minimized; (d) Part IV - Land Use Policies-Rural Planning Area, Section 2.2, Agricultural Rural Area, and Section 2.3, Escarpment Rural Area; (e) Part VI - Implementation, Section 4.4 Consent policies, insofar as it excludes policies, which would allow the separation of farms if both the retained and severed parcels are viable farm operations.	Deferred on 97/03/05
D23	Paletta International Corporation	• For the lands shown as "D23" on Schedule C: (a) Part IV - Land Use Policies-Rural Planning Area, General Principles, Objectives and Policies, Sections 2.1.1 c), f) and g), 2.1.2 a), b), d) and e) and 2.1.3 c); (b) Part IV - Land Use Policies-Rural Planning Area, Agricultural Rural Area, Section 2.2.2, insofar as it does not include recreational uses such as campgrounds, golf courses, country clubs and trail uses as permitted uses, provided that any detrimental impact of these uses on the natural environment is minimized; (c) Part IV - Land Use Policies-Rural Planning Area, Section 2.2, Agricultural Rural Area; Section 2.3, Escarpment Rural Area, and Section 2.6, escarpment Protection Area; (d) Part IV-Land Use Policies-Rural Planning Area Greenlands (Non-Escarpment Plan Area, Section 2.4.1 c), insofar as it excludes recreational uses compatible with rural land uses and natural features; and (e) Part VI - Implementation, Section 4.4 Consent policies, insofar as it excludes policies, which would allow the separation of farms if both the retained and severed parcels are viable farm operations.	Deferred on 97/03/05

No.	Request From	Details	Status
D28	Leon's/Murlee Holdings	• The "Watercourse" designation shown as "D28" on Schedule B and the following policies as they apply to these lands: (a) Part II - Functional Policies, Storm Water Management, Section 9.0 (1997 Plan), in its entirety; and (b) Part III - Land Use Policies-Urban Planning Area, Natural Features-Watercourses, Section 6.4.	Deferred on 97/03/05
D31	Region of Halton	• Designations of lands shown as "D31" on Schedule A and Schedule B.	Deferred on 01/09/14
D32	Region of Halton	• Deletion of Part VI, Section 8.3, Alton Community Study Area, as it applies to lands "D32" on Schedule A and Schedule B.	Deferred on 01/09/14
D33	City of Burlington	• Part II, Subsection 2.12, Mineral Aggregate Resources, in its entirety.	Deferred on 08/01/04
D34	City of Burlington	• Part II, Section 3.0, Transportation, Subsection 3.3.2, clauses z), (i), (ii) and (vi). • The right of way width for Waterdown Road in Part VII, Table 2 – Road Allowance Widths. • The classification of the road segment of Waterdown Road between Highway 403 and the Burlington-Hamilton municipal boundary, as shown on Schedule J, Classification of Transportation Facilities South of No. 1 Side Road.	Deferred on 08/01/04
D36	City of Burlington	• The definition of "Significant Woodland" as it applies to lands shown as "D36" on Schedule C.	Deferred on 08/01/04
D40	Evergreen Community (Burlington) Ltd.	• For lands shown as "D40" on Schedule A: (a) the designation on Schedule A; (b) Part VI, Section 1.3 e), f), h) and i).	Deferred on 08/10/24
D42	Paletta International Corporation	• For lands shown as "D42" on Schedule B: (a) The policies of OPA 55 as they apply to these lands.	Deferred on 08/10/24
D47	Paletta International Corporation	• For lands shown as "D47" on Schedule B: (a) The policies of OPA 55 as they apply to these lands.	Deferred on 08/10/24
D48	Paletta International Corporation	• For lands shown as "D48" on Schedule D: (a) The policies of OPA 55 as they apply to these lands.	Deferred on 08/10/24
D53	Nelson Aggregate Co.	• (a) Part I, Sections 1.0, 3.0 (b), 4.2, 5.3; (b) Part II, Sections 1.0, 2.0, 2.1, 2.2, 2.3, 2.4, 2.5, 2.7, 2.10 & 2.11; (c) Part II, Sections 8.0, 8.2, 8.3, 8.4, 13.1, 13.3 a) & d); (d) Part IV, Sections 2.0, 2.1, 2.4, 2.5 & 2.8; (e) Part VI, Sections 1.3 f) and h); (f) Part VIII, compatible, environmental evaluation, interim land use, mineral aggregate resources.	Deferred on 08/10/24
D55	Paletta International Corporation	• For lands shown as "D55" on Schedule C: (a) Part VI, Section 4.4, Consent Policies, clause (c).	Deferred on 08/10/24

No.	Request From	Details	Status
R9	Dunburlton Developments Limited (now P & L Livestock Limited)	• For lands shown as "R9" on Schedule C: (a) the designations on Schedule C; (b) Part IV, Section 2.2 Agricultural Rural Area, in its entirety; (c) Part IV, Section 2.4 Greenlands (Non-Escarpment Area) in its entirety; (d) Part II, Section 3.4.2 a) Long Term Transit Network; (e) Part IV, Section 2.1.3 j); and (f) Part VII, Table 1, Function and Classification of Transportation Facilities.	Referred on 97/03/05
R16	Paletta International Corporation	• For lands shown as "R16" on Schedule B: (a) Part III, Section 3.0, Employment, Policy 3.2.2 e) (b) Part III, Section 5.0, Mixed Use Activity Area, Policy 5.3.1 b) (c) Part III, Section 5.0, Mixed Use Activity Area, Policy 5.3.2 a) iii (d) Part VIII, Definitions • "Higher Order Transit" • "Major Transit Station Area"	Referred on 06/11/01 OMB decision 08/03/27 Amended 08/03/31 OMB Order to be issued

Table B - Official Plan Amendments

No.	Detail	Date of Adoption by City Council	Date of Latest Approval
1	West Millcroft 2123 - 2261 Walker's Line	97/07/14	97/09/29
2	Espidito & Verticchio 2290 Queensway Drive	97/09/22	97/11/23
3	City Initiated - Alton Community Secondary Plan	01/07/04	Region 03/05/01 In Part O.M.B. Order 02/02/12 Order 02/06/25 Order 02/07/11 Order 09/10/23
4	Sutherland Development Group 1397 Walker's Line	98/03/02	98/06/02
5	Monarch Construction NW corner Upper Middle Rd. & Wm/ O'Connell Blvd. To permit office uses.	98/04/20	98/06/02
6	Holimont Homes North side of North Shore Blvd., West of LaSalle Park To permit street townhouses.	Refused 98/07/13	O.M.B. Order 99/08/06
7	City Initiated - Housekeeping Amendment Policies, corrections, confirmation of existing uses	99/01/18	99/03/18
8	The Hi-Rise Group 489 Maple Ave.	98/12/07	99/03/28
9	Cypress Hills Development Burloak Dr. south of Prince William Dr.	00/02/07	00/03/01
10	Motor Vehicle Land Use Study	00/02/07	00/05/05
11	Motor Vehicle Policies	00/02/07	00/03/23
12	Garden Trails Development (former Halton Ceramics site) Unsworth Ave.	00/05/29	00/06/28
13	James and Helle Fisher 6420 McNiven Road (Kilbride)	00/06/19	00/07/19
14	MUC Re-designation 107 Plains Rd. W. (Heck) 35 Plains Rd. E. (Cooke) 4031 & 4047 Fairview St. (Stetson) 4175 Fairview St (Sescolite) MUC Employment to MUC Retail Oriented (now MUC Commercial Corridor)	00/07/10	00/10/18
15	Paletta International 4415 Fairview St To permit retail uses	00/07/10	00/10/18
16	City Initiated To amend MUC Employment Oriented policies	00/09/18	00/10/18
17	West Appleby Creek Developments (Hallawell/Bucci) South side Upper Middle Rd, east of Appleby L. 'General Industrial' to 'Residential Medium & High Density'	01/01/15	01/04/19
18	873805 Ontario Inc. (Jannock) 1000 Gloucester Drive To 'Residential Low Density' & 'Watercourses'	01/01/15	02/05/22

No.	Detail	Date of Adoption by City Council	Date of Latest Approval
19	Sun Life 3106-3200 South Service Rd. To permit additional uses	00/09/18	00/10/13
20	Losani Homes 2171 Orchard Rd. Text change only to permit increased density for townhouses	00/12/04	00/12/28
21	Garden Trails Development S/W corner Unsworth Ave. & Highway 403 'Major Parks and Open Space' to 'Residential-Low Density'	01/01/15	O.M.B. Order 01/04/05
22	Sudone Holdings Inc. 735 Guelph Line Text change only to permit retail service commercial uses without associated residential uses	01/05/22	01/06/26
23	Emshih Developments Inc. 1326 Brant St., 1510 & 1515 N. Service Rd., 2200 & 2203 Industrial St. Text change only to permit a limited range of site specific commercial uses	01/07/03	01/07/27
24	National Trust Company (Trustee) 2477 Glenwood School Drive Text change only to permit a specific retail commercial use (sale of antiques and reproduction furniture)	01/08/07	01/08/31
25	PenRetail 1 Ltd. 3230 Fairview Street To permit freestanding retail and service commercial	01/11/26	01/12/21
26	Emshih Developments 2180 Itabashi Way To permit retail as a stand alone use	02/02/05	02/03/22
27	City of Burlington - Housekeeping Amendment Corporate Dr. east of Appleby L. 'Residential - Low Density' to 'Residential - Medium Density'	01/12/10	02/01/04
28	740717 Ontario Ltd. – Jetport 1195 Walker's Line To permit freestanding restaurants	02/02/25	02/03/22
29	2011979 Ontario Inc. SE corner Walker's Line & Upper Middle Rd. To permit a retirement community	02/03/18	02/04/12
30	Burlington Gateway North Inc. 3050 Davidson Ct. To permit certain retail home improvement uses in a General Industrial (now Employment Commercial) designation	02/04/29	02/05/24
31	City Initiated – Midtown Secondary Plan Review Area of Guelph Line & Fairview St. Revision of Midtown Mixed Use Centre	06/05/23	06/12/12
32	City initiated – 845 to 865 Laurentian Dr. To permit manufacturing and office uses consistent with revised Midtown Secondary Plan	02/09/30	02/10/25
33	Autopark Superstore 4315 North Service Rd. To permit a motor vehicle dealership	02/09/30	02/10/25

No.	Detail	Date of Adoption by City Council	Date of Latest Approval
34	Dettori Construction Ltd. 2251, 2261 Walker's L., Blks 59, 61 & 62 of Plan 20M-635 Amend 'Residential-Low Density' designation to 'Residential Medium Density'	03/05/20	03/06/17
35	O'Malley Enterprises Ltd. 1417 Leighland Rd. & rear of 1393 Leighland Rd. Amend 'Residential-Low Density' designation to 'Residential Medium Density'	02/10/21	02/11/15
36	1434175 Ontario Inc. (Craft Dev. Corp) 4524 New Street Amend 'Residential-Low Density' to 'Community Shopping Area' to permit freestanding drugstore	02/12/02	03/04/02
37	Millcroft Public School #2 4313 Clubview Drive To permit elementary school frontage on a local road	02/12/16	03/06/24
38	Gateway – Monarch Construction 2511 Boros Road Amend 'Neighbourhood Commercial' designation to 'Residential – Medium Density'	03/05/20	03/07/02
39	City Initiated – Aldershot Plaza 160 to 168 Plains Road West To require a minimum of 4,600 m^2 of at-grade retail development on the Aldershot Plaza site	Withdrawn	
40	City Initiated 4035 Harvester Road To permit one freestanding restaurant	04/11/15	04/12/10
41	Longboat Development Corp. 1417 – 1435 Plains Road East Amend 'Mixed Use Corridor General' to 'Mixed Use Corridor Retail'	04/05/03	04/05/28
42	Dr. B. Chiu 540 Guelph Line Amend from 'Neighbourhood Commercial' to 'Residential Medium Density'	04/08/11	04/10/13
43	City Initiated Relocation of an inter-regional transit commuter station in the Alton Community	04/09/20	O.M. B. Order 05/06/09
44	City Initiated – Alton Phasing Policies To amend the phasing of development policies for Alton Community	05/01/31	05/03/04
45	Bonnie Place 500 Claridge Road Amend from 'Residential - Medium Density' to 'Residential – High Density'	04/12/06	05/01/07
46	Paletta International (Imperial Oil) 1989 Appleby Line To permit automotive commercial uses		O.M.B. Order 01/12/11
47	City Initiated Parkland Dedication Policies To amend the policies regarding the medium and high density development cap	05/02/21	05/03/18

No.	Detail	Date of Adoption by City Council	Date of Latest Approval
48	City Initiated 2640 No. 8 Side Road To permit a Home Occupation use within a detached, accessory structure	05/03/21	06/12/11
49	Mattamy Richardson 4011 Dundas Street To amend 'Neighbourhood Commercial', 'Residential-High Density', 'Residential-Low Density', 'Mixed Use Corridor – General' and 'Mixed Use Corridor-Employment Oriented' in the Alton Community	05/04/11	05/05/06
50	Wal-Mart Canada Ltd. 2055, 2075 & 2085 Fairview St. & 915 Brant St. To amend 'Mixed Use Corridor' policies to permit a retail warehouse		O.M.B. Order 07/03/20
51	Hanson Brick 3488 Tremaine Road To re-designate from 'Parkway Belt West' to 'Mineral Resource Extraction Area'	05/12/12	07/06/26
52	Emery Investments 3204 Appleby Line Alton Community	06/04/10	06/05/04
53	City Initiated Alton Community To relocate collector roads	06/04/10	06/05/04
54	360 On Pearl 2047, 2051, 2059 Lakeshore Rd. & 384 Pearl St. To permit increased building height	06/04/10	06/05/04
55	City Initiated 5 Year Review Overall City-wide amendment	06/10/10	In Part O.M.B. Order 08/10/24 Order 09/09/28 Order 09/12/01
56	Thornwood Homes 1240 Guelph Line To re-designate from 'Residential – Medium Density' to 'Residential – High Density'	06/06/26	06/07/21
57	Fairview Nissan 4111 North Service Rd. To permit an automotive dealership	06/08/08	06/09/08
58	Oakbrook Homes 1491 Plains Rd. W., 789 Edgemoor Ave. To re-designate from 'Residential-Medium Density' & 'Land Use to be Determined' to 'North Aldershot Planning Area,' 'Infill Residential' & 'Cluster Residential'	06/10/10	06/10/20
59	City Initiated GO Station Land Intensification Study	06/10/10	O.M.B. Order 08/03/27 Amended 08/03/31

No.	Detail	Date of Adoption by City Council	Date of Latest Approval
60	Walker's Green Phase II 1800 Tobyn Drive To permit limited commercial and office use within a 'Residential-High Density' designation	07/04/30	07/05/25
61	City Initiated Adult Entertainment Study Policies and Regulations pertaining to adult entertainment uses	08//01/28	08/02/22
62	City Initiated Residential Rental Conversion Policy	07/06/11	07/08/22
63	LJM Developers Canada Inc. 1963 Appleby Line To permit an increased building height, floor area ratio and increased density	07/10/12	07/12/07
64	New Horizon Homes 4070 Dundas Street To re-designate from "Residential-Medium Density" to "Residential-High Density" to allow 23 townhouse units	11/05/24	11/06/16
65	Reichman Seniors Housing 1893 Appleby Line To permit an increased FAR within the Uptown Mixed Use Centre Area V designation	07/12/13	08/01/11
66	Mercedes-Benz 441 North Service Road To permit an auto dealership	07/12/03	08/01/03
67	Oakwood Retirement Communities 4100 Upper Middle Road To re-designate from 'Mixed Use Corridor-Retail Oriented' to 'Residential-High Density' and to increase the maximum number of units per net hectare	08/02/18	08/03/13
68	Mountain Equipment Co-op 1030 Brant Street To permit a retail development	08/02/06	08/02/29
69	City-Initiated Housing Intensification Policies	08/04/07	08/08/11
70	Shoppers' Drug Mart 502 Mary Street To re-designate from 'Residential-Low Density' to 'Mixed Use – General'	08/09/29	08/10/24
71	Molinaro Group 551 & 569 Maple Ave. To permit increased building height and density	08/12/15	O.M.B. Order 09/05/21
72	Nelson Aggregates s/s No. 2 Side Road, west of Guelph Line To re-designate from 'Greenlands (Escarpment Plan Area)' and ' Escarpment Rural Area' to 'Mineral Extraction Area'	Refused	O.M.B. Order 10/11/17
73	City-Initiated: Growth Plan Conformity	09/02/23	
74	City-Initiated: General Amendments	09/06/15	09/10/16

No.	Detail	Date of Adoption by City Council	Date of Latest Approval
75	Burlington Paving Co. Ltd Plains Road West, opposite Oakdale Avenue 1410 to 1424 Plains Road West To permit an increase in maximum permitted floor area ratio	09/06/15	09/07/10
76	Cumis Group 151 North Service Road (North-east corner of Waterdown Road and North Service Road) To permit an increase impervious coverage to 60%	09/08/08	09/10/02
77	City-initiated: Removal of Alton Transit Stations	09/11/09	09/12/04
78	Medica One John & Caroline Streets To permit office, parking and high density residential uses.	10/07/05	10/12/22
79	1345059 Ontario Limited 3091 Appleby Line Re-designation from “Mixed Use Corridor – Employment” to “Regional Commercial” to permit a range of retail and service commercial uses.		O.M.B. Order 10/03/24
80	City-Initiated: Downtown Major Institutional Precinct	10/06/14	10/07/07
81	City-Initiated: Back to Back Townhouse and Townhouse Policies	10/07/15	10/08/12
82	City-Initiated: Road Classifications and Road Widths	10/09/27	
83	City-Initiated: General Amendments	11/04/11	11/05/10
84	AMR Homes 2359, 2365, 2373 Glenwood School Drive Re-designation from “Residential-Low Density” to “Residential-Medium Density” to permit townhouses	11/05/03	O.M.B Order 12/04/26
85	Molinaro Group 470, 474, 476, 480 and 486 Brock Ave Text change – increase in density from 185 u/ha to 353 u/ha	11/07/18	11/08/18
86	New Horizon Homes 980 & 986 Falcon Blvd. To redesignate the two properties from Residential – Low Density to Mixed Use Corridor – General.	12/04/30	12/05/28
87	New Horizon Homes 3095 New Street To rezone the property from H-RM2 to RM2 with an exception to allow office and residential uses in a mixed use building	12/11/05	12/11/27
88	City-Initiated: Sustainable Building Guideline [DEFERRED]		
89	IKEA Properties Limited 3455 North Service Road Text amendment to Business Corridor policies to permit additional retail development at 3455 North Service Road	13/01/28	13/09/10

No.	Detail	Date of Adoption by City Council	Date of Latest Approval
90	ADI Development Group Inc. 1284 Guelph Line Site –specific Official Plan Amendment to permit a density of 230 units per net hectare	13/04/08	13/07/11
91	Mattwood Construction Ltd. 513 Pearl Street Site specific text change to permit a semi-detached dwelling at 513 Pearl Street	13/05/21	13/07/11
92	Maranatha Gardens 3260-3306 New Street Re-designation from "Residential-Medium Density" & "Residential-Low Density" to "Residential-High Density" to permit a six-storey apartment building	14/03/17	O.M.B. Order 14/12/23
93	1026046 Ontario Limited 561 Wedgewood Drive Designation change from 'Neighbourhood Commercial" to "Residential-Medium Density" to permit the development of 19 townhouse units	14/06/30	14/07/31
94	Jacan Investments Canada Inc. 5001 Corporate Drive To permit an increase of floor area ratio and density	14/03/17	14/04/10
95	Habitat for Humanity Halton Northeast corner of Plains Road East and Glendor Avenue Site specific text change to permit townhouses	14/06/09	14/07/09
96	ADI Development Group Inc. 5210, 5218, 5226 & 5236 Dundas Street and 2500 Burloak Drive Text amendment to permit an increase in height and density		O.M.B. Order 14/12/03
97	LJM Developments Canada Inc. 5001 Corporate Drive To permit an increase of floor area ratio and density	15/06/22	15/07/16
98	Starlight Investments 2051-2067 and 2071-2085 Prospect Street (rear of properties) Designation change from 'Residential-Medium Density' to 'Residential-High Density' and site specific policy to permit the development of 96 stacked townhouse units	16/07/18	16/08/11
99	ADI Development Group Inc. 4853 Thomas Alton Boulevard Site specific policy to permit a residential development consisting of apartment buildings and 21 townhouse units	Refused	LPAT Order 18/04/18
100	City Initiated: Official Plan Review-Part A [Not Required]		
101	City Initiated: Official Plan Review – Part B [Not Required]		

No.	Detail	Date of Adoption by City Council	Date of Latest Approval
102	Emery Homes 4880 Valera Road Designation change from 'Neighbourhood Commercial' to 'Residential-High Density' and site specific policy to require at grade commercial and building height transition from existing residential	16/10/03	OMB 16/11/29
103	Habitat for Humanity Halton 2384 Queensway Drive Designation change from 'Neighbourhood Commercial' to 'Residential-Medium Density to permit the development of 18 townhouse units.	17/06/12	17/07/06
104	City Initiated: Neighbourhood Character Area Policies – Roseland, Indian Point and Shoreacres	17/01/23	17/02/16
105	Aldershot Properties Inc. 35 Plains Road East Site specific policy to permit the development of a 9-storey mixed-use building.		LPAT Order 18/07/12
106	421 Brant Street Inc. 421, 425, 427, 429, and 431 Brant St. Site specific policy to permit the development of a 23-storey mixed-use building.	18/05/22	18/06/18
107	Penta Properties Inc./Paletta International Corp. Tremaine Dundas Community To revise the policies and the schedules of the Official Plan of the Burlington Planning Area based on the preparation of a Secondary Plan for the Tremaine Dundas Community area with changes on Schedules listed below: 1. Schedule A – Settlement Pattern: Designation change from "Employment Lands" to "Residential Areas", "Service Area", "Mixed Use Activity Areas" and "Natural Features/Open Spaces"; 2. Schedule B – Comprehensive Land Use Plan – Urban Planning Area: Designation change from "Land Use Designation to be Determined" to "Residential – Medium Density", "Mixed Use Corridor - General", Mixed Use Corridor - Employment", "Business Corridor", "Service Area", "Major Parks and Open Space" and "Natural Heritage System"; 3. Schedule J – Classification of Transportation Facilities – South of No.1 Side Road: Revising road network in the Tremaine Dundas Community area; 4. Adding Schedule M: Tremaine Dundas Secondary Plan Phasing Strategy.	18/09/24	19/06/20
108	The Molinaro Group 490, 492 Brock Ave. and 1298 Ontario St. Site specific policy to permit the development of a 22-storey mixed-use building.	18/09/24	18/10/18

No.	Detail	Date of Adoption by City Council	Date of Latest Approval
109	National Homes (Brant) Inc. 2100 Brant St. Designation change from "Residential – Low Density" to Residential – Medium Density", "Major Parks and Open Space" and "Greenlands" to permit the development of a residential subdivision with a maximum net density of 43 units per hectare. Site specific policy for portion of the lands that is designated "Greenlands".		LPAT Order 20/07/30
110	DiCarlo Homes Inc. 600 Maplehill Drive Designation change from 'Residential-Low Density' to 'Residential-Medium Density' to permit the development of 20 townhouse units.	18/06/18	LPAT Order 19/03/26
111	ADI Development Group Inc. 374 & 380 Martha Street Site specific policy to permit the development of a 27-storey mixed-use building.		LPAT Order 18/11/16
112	Saxony Developments Inc. 452-454 Locust St. and 1437-1445 Elgin St. Site specific policy to permit the development of a 7-storey mixed-use building.	18/05/22	18/06/14
113	Reserve Properties Inc. 401, 403, 405, 409, 411 & 413 Brant Street, 444, 448 & 450 John Street, 2002 and 2012 James Street Site specific policy to permit the development of an 18 storey building.	18/07/16	21/02/9
114	DVLP Property Group 1335-1355 Plains Road East Site specific policy to permit a townhouse development	19/04/25	19/05/16
115	Children's Financial Group 2087-2103 Prospect Street Designation change from "Residential – Medium Density" to "Residential – High Density". Site specific policy to permit development of stacked townhouses.	20/04/20	20/05/21
116	Chelten Developments Inc. 92 Plains Road East Designation change from 'Residential – Medium Density' to 'Mixed Use Corridor – General' and a site specific policy to permit the development of a 7-storey mixed-use building.		LPAT Order 19/12/31
117	TRG (New-Guelph) Inc. 2421-2431 New Street Designation change from "Neighborhood Commercial" to "Residential – High Density to permit the development of an 11-storey residential apartment building and an 11-storey retirement building. Site specific policy to require a community facility on the ground floor of the residential building and to permit maximum densities for the residential apartment and retirement home buildings.	19/12/16	20/01/9

No.	Detail	Date of Adoption by City Council	Date of Latest Approval
118	National Homes (Plains Rd) LP 484 and 490 Plains Road East Site specific policy to permit the development of two mixed-use buildings with a maximum building height of 9 storeys, and stacked townhouses.		LPAT Order 20/02/26
119	[Pending]		
120	1085 Clearview GP Inc. 1085 Clearview Avenue; 1082, 1086 and 1090 St. Matthew's Avenue Designation change from "Residential – Low Density" to "Residential – High Density. Site specific policy to permit a residential building with a maximum building height of 7 storeys.		LPAT Order 21/01/29
121	First Capital (Appleby) Corporation 5111 New Street Modification to Community Commercial policies to permit the development of three (3) multi unit residential buildings with a maximum of 9, 12 and 12 storeys.		OLT Order 22/11/23
122	Spruce Partners Inc. & Amico Properties Inc. 1157 - 1171 North Shore Boulevard East Site specific policy to permit the development of a retirement home.		LPAT Order 21/05/07
123	Mattamy James Street Limited Partnership 2082,2086,2090 James Street Designation change from "Downtown Residential – Medium and/or High Density Precincts" to "Watercourse". Site specific policy to permit the development of a 14 storey apartment building.		OLT Order 21/06/03
124	418 Waldemar Inc. 420 Guelph Line Site specific policy to permit the development of a mixed-use building with a maximum building height of 11 storeys.		OLT Order 21/12/16
125	Pine Street Burlington Corp. 2085 Pine Street Site specific policy to permit an apartment building with a maximum density of 365 units per hectare.		OLT Order 22/03/24
126	Core FSC Lakeshore GP Incorporated 2093, 2097, 2101 Old Lakeshore Rd. and 2096, 2100 Lakeshore Rd. Site specific policy to permit the development of a mixed-use building with a maximum building height of 27 storeys.		OLT Order 22/12/06
127	Waggy Inc. 2294 and 2300 Queensway Drive Site specific policy to permit a townhouse development with a maximum density of 68 units per net hectare.	22/05/17	22/06/09

No.	Detail	Date of Adoption by City Council	Date of Latest Approval
128	Lakeshore (Burlington) Inc. 2069-2079 Lakeshore Road, 383-385 Pearl Street Site specific policy to permit the development of a building with a maximum building height of 31 storeys, and require at-grade retail, service commercial, office, and live/work uses.		OLT Order 22/03/18
129	Better Life Retirement Residence 441 Maple Avenue Site specific policy to permit the development of a 12-storey apartment building.	23/03/21	23/04/13
130	Withdrawn		
131	P3 Veterinary Partners 3110 South Service Road Site specific policy to permit a veterinary clinic in a building with office and training facility uses.	22/12/13	23/01/05
132	284 Plains Road Development Inc. 276, 284 and 292 Plains Road East Designation change from "Residential – Medium Density" to "Mixed Use Corridor – General". Site specific policy to permit the development of a 7-storey residential apartment.	24/05/21	24/06/17
133	Infinity (Plains Road) Corporation and Infinity (Aldershot) Developments Inc. 40-70 Plains Road East Designation change from "Residential – Medium Density" to "Mixed Use Corridor – General". Site specific policy to permit the development of a 12-storey, mixed use building.		OLT Order 23/02/10
134	Better Life Retirement Residence 4103 Palladium Way Site specific policy to permit a 5 storey Long Term Care Facility and a 6 Storey Retirement Home with associated ancillary uses.	23/03/21	23/04/13
135	Elite 688 Brant Holdings Inc. 688, 694, and 698 Brant St. Site specific policy to permit the development of a mixed-use building with the maximum building height of 13 storeys.	23/07/11	23/08/03
136	Renimmob Properties Limited 535-551 Brant St. Site specific policy to permit the development of buildings with a maximum building height of 27 storeys, and require at-grade retail, service commercial and office uses.		OLT Order 23/07/19
137	[Pending]		
138	Landform Development Group Inc. and 2413350 Ontario Inc 401-417 Martha Street Site specific policy to permit the development of a 16-storey apartment building.		OLT Order 23/11/02

No.	Detail	Date of Adoption by City Council	Date of Latest Approval
139	1602211 Ontario Limited, Branthaven 735 Oval Inc. 1471681 Ontario Inc., S &G Consulting Inc., 5135 Fairview Holding Inc., and Branthaven Development Corporation. 720, 735, 740 Oval Ct. & 5135 and 5155 Fairview Street Designation change from "Mixed-Use Corridor – Employment" to "Mixed Use Corridor – General". Site specific policy to permit a mixed-use project including high density residential dwellings, daycare facilities, a library, seniors assisted living units, memory care units, and commercial uses including retail uses and office uses with a maximum building height of 34 storeys.		OLT Order 23/11/24
140	Traditions Seniors Housing LTD. 454 to 462 Cumberland Ave. and 3255, 3259, 3265 New St. Designation change from "Residential – Medium Density" to "Residential – High Density". Site specific policy to permit the development of a memory care home with a maximum density of 346 units per net hectare.	24/01/16	24/02/08
141	City Initiated - Housekeeping Amendment To address general matters of accuracy and clarity related to typographical errors.	24/03/19	24/04/11
142	Adi Developments (Masonry) Inc. 1120 Cooke Boulevard Site specific to permit a mixed-use development consisting of 3 residential towers with a maximum height of 30, 32 and 34 storeys, underground parking, and ground-related non-residential space.		OLT Order 24/11/14
143	Halton Standard Condominium Corporation No. 416 1026 Cooke Blvd. Designation change from "Mixed-Use Corridor – Employment" to "Mixed Use Corridor – General". Site specific policy to permit the development of a mixed use building with a maximum building height of 24 storeys.	24/03/19	24/04/11
144	Camarro Developments Inc. 1062 and 1074 Cooke Boulevard Designation change from "Mixed Use Corridor - Employment" to "Mixed Use Corridor – General". Site specific policy to permit a mixed-use development consisting of 2 residential towers with a maximum height of 30, 34 storeys with an 8 storey podium, park, two courtyards and retail uses.		OLT Order 24/10/23
145	Emshih Developments Inc. 800 Burloak Drive Designation change from "Employment Lands" to "Residential Areas" (on Schedule A) and "General Employment" to "Neighbourhood Commercial" (on Schedule B). Site specific policy to permit the development of a mixed use building with a maximum height of 4 storeys.		OLT Order 24/03/05

No.	Detail	Date of Adoption by City Council	Date of Latest Approval
146	335 Plains Holdings Inc. and 355 Plains Holdings Inc., o/a Coletara Development 1010 Downsview Drive and 355 Plains Road E. Site specific policy to permit a mixed-use development consisting of mid-rise buildings, grade related commercial uses, and townhouses.		OLT Order 24/02/13
147	Camarro Developments Inc. 789-795 Brant Street Site specific policy to permit a mixed-use building with a maximum height of 33 storeys with an 8-storey podium, consisting of residential tower, and at grade service commercial and retail uses.		OLT Order 24/05/06
148	1989 Appleby Latch Limited 1989 Appleby Line Site specific policy to permit the development of 22-Storey and 17 Storey mixed-use building connected by a 6-storey podium		OLT Order 24/03/27
149	Molinaro Group 784 Brant Street Site specific policy to permit a mixed-use development consisting of 2 building with a maximum height of 18 and 25 storeys, and commercial uses in ground floor.	24/07/16	24/08/13
150	Lockwood Auto Group Inc. 2362 Fairview Street Site specific policy to permit the development of a 13-storey mixed use building.	24/08/07	24/09/11
151	Millcroft Greens Corporation 4274 Dundas Street Designation change from “Major Parks and Open Space” to “Residential – Low Density” (for areas A, B, C and D) and from “Residential – Medium Density” to “Residential – High Density” (for area E). Site specific policy to permit a maximum density of 220 units per net hectare.		OLT Order 25/02/19
152	[Pending]		
153	875 Appleby Line Storage GP Corporation 5051 Harvester Road Site specific policy to permit the development of a 5-storey non-residential building.	24/12/10	25/01/10
154	2412947 Ontario Ltd., Dr. Laith Al-Dabbagh and 2381798 Ontario Ltd. 141, 147 and 153 Plains Road West Site specific policy to permit the development of a 12-storey mixed use building.	24/12/10	25/01/10
155	King Paving & Construction Ltd. 291 North Service Road Site specific policy to permit asphalt manufacturing and outdoor open storage of aggregates.	24/12/10	25/01/10

No.	Detail	Date of Adoption by City Council	Date of Latest Approval
156	Better Life Retirement Residence 4103 Palladium Way Site specific policy to permit the development of a 8-storey retirement home and long term care facility building, and associated ancillary uses.	25/03/18	25/04/10
157	Corbett Land Strategies Inc. 2169 and 2175 Ghent Avenue Designation change from "Residential - Low Density" to “Residential - Medium Density" to permit a three-storey residential building.	25/02/18	25/03/13
158	Acamar Dwelling Corporation 2072 Lakeshore Road Site specific policy to permit the development of a 23-storey mixed-use building.	25/09/16	25/10/09
159	1959025 Ontario Inc. 2076 Old Lakeshore Road Site specific policy to permit the development of a 25-storey mixed-use building.	26/01/06	26/02/05
160	Old Lakeshore Road Development Inc. 2083 Lakeshore Road Site specific policy to permit the development of a 27-storey mixed-use building.	25/06/17	25/07/10
161	Old Plains Road West Inc. 1497-1511 Old Plains Road West Site specific policy to permit the development of 82 three storey stacked townhomes.	25/06/17	25/07/10
162	2816544 Ontario Inc. 35 Plains Road East Site specific policy to permit the development of a 13-storey mixed-use building.	25/06/08	25/07/31
163	Calloway REIT (Burlington Appleby) Inc. 3011, 3019, 3023, 3027, 3035 3047, 3051 Appleby Line Site specific policy to permit supermarkets/grocery stores and department stores.	25/09/16	25/10/09
164	Miura Development Group Inc. 100 Plains Road (84, 92, 104 Plains Road East & 990 Glenwood Avenue) Site specific policy to permit the development of a 12-storey mixed-use building.	25/09/16	25/10/09

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TABLE OF CONTENTS

Preamble Page

1.0 Introduction i
1.1 Review Process i
1.2 Organization of the Official Plan i
2.0 Background Information and Trends iv
2.1 Location iv
2.2 Regional Setting iv
2.3 Population iv
2.4 Households/Housing v
2.5 Economy/Employment v
2.6 Settlement Pattern v

Part I Policy Framework Page

1.0 Mission Statement I-1
2.0 Planning Horizon I-1
3.0 Guiding Principles I-1
4.0 Land Use Vision I-4
4.1 Background I-4
4.2 The Present Built Form and Natural Environment I-4
4.3 The Future Built Form and Natural Environment I-5
5.0 Context of the Plan I-8
5.1 Overview I-8
5.2 Purpose I-9
5.3 Jurisdiction I-9

Part II Functional Policies Page

1.0 Introduction II-1
2.0 Sustainability and the Environment II-1
2.1 Principles II-1
2.2 Objectives II-2
2.3 General Policies II-2
2.4 Natural Heritage II-3
2.5 Environmental Evaluation II-5
2.6 Sustainable Development and City Operations II-7
2.7 Sustainable Design and Compatibility II-8
2.8 Contaminated and Potentially Contaminated Sites II-13
2.9 Waste Disposal Sites II-15
2.10 Watershed Management II-16
2.11 Storm Water Management II-19
2.12 Mineral Aggregate Resources II-25
2.13 Golf Courses II-28
3.0 Transportation II-30
3.1 Principles II-30
3.2 General II-30
3.3 Roads II-33
3.4 Transit Services II-41
3.5 Cycling II-43
3.6 Walking II-44
3.7 Rail and Air II-46
3.8 Truck and Commercial Traffic II-47
3.9 Travel Demand Management II-48

TABLE OF CONTENTS

	3.10	Transportation Infrastructure Management	II-49
4.0	Institutional Uses		II-50
	4.1	Principle	II-50
	4.2	Objectives	II-50
	4.3	Policies	II-50
5.0	Utilities		II-54
	5.1	Principle	II-54
	5.2	Objectives	II-54
	5.3	Policies	II-54
6.0	Design		II-58
	6.1	Principle	II-58
	6.2	Objectives	II-58
	6.3	Existing and New Communities Policies	II-59
	6.4	The Public Realm Policies	II-60
	6.5	Design Guidelines Policies	II-60
	6.6	Implementation Policies	II-62
7.0	Cultural Resources		II-63
	7.1	Principle	II-63
	7.2	Objectives	II-63
	7.3	General Policies	II-63
	7.4	Public Art Policies	II-64
8.0	Cultural Heritage Resources		II-65
	8.1	Principles	II-65
	8.2	Objectives	II-65
	8.3	General Policies	II-66
	8.4	Development/Re-Development Policies	II-69
9.0	Waterfront		II-72
	9.1	Principles	II-72
	9.2	Natural Environment	II-72
	9.3	Public Access and Use	II-74
	9.4	Development	II-76
10.0	Community Improvement		II-79
	10.1	Principles	II-79
	10.2	Objectives	II-79
	10.3	Policies	II-80
11.0	Phasing of Development		II-83
	11.1	Principle	II-83
	11.2	Objectives	II-83
	11.3	Policies	II-83
12.0	Financial Impact Analyses		II-86
	12.1	Principle	II-86
	12.2	Objectives	II-86
	12.3	Policies	II-86
13.0	Agriculture		II-88
	13.1	Principles	II-88
	13.2	Objectives	II-88
	13.3	Policies	II-88

Part III Land Use Policies-Urban Planning Area Page

1.0	Introduction		III-1
2.0	Residential Areas		III-1
	2.1	Principles	III-1
	2.2	General	III-1
	2.3	Housing Supply	III-9

TABLE OF CONTENTS

	2.4	Housing Affordability	III-11
	2.5	Housing Intensification	III-12
	2.6	Assisted and Special Needs Housing	III-17
	2.7	Home Occupations and Cottage Industries	III-18
	2.8	Day Care Centres	III-18
	2.9	Neighbourhood Parks	III-19
	2.10	Educational Facilities	III-20
	2.11	Offices	III-20
	2.12	[Section Number Not in Use]	III-20
3.0	Employment Lands		III-21
	3.1	Principles	III-21
	3.2	General	III-21
	3.3	General Employment Designation	III-24
	3.4	Business Corridor Designation	III-29
4.0	Major Retail Areas		III-38
	4.1	Principles	III-38
	4.2	General	III-38
	4.3	Regional Commercial Designation	III-41
	4.4	Community Commercial Designation	III-46
	4.5	Employment Commercial Designation	III-48
	4.6	Neighbourhood Commercial Designation	III-50
5.0	Mixed Use Activity Areas		III-54
	5.1	Principles	III-54
	5.2	General	III-54
	5.3	Mixed Use Corridors (General, Employment and Commercial Corridor)	III-57
	5.4	Mixed Use Centre	III-76
	5.5	Downtown Mixed Use Centre	III-79
	5.6	Uptown Mixed Use Centre	III-101
6.0	Natural Features and Open Space		III-118
	6.1	Principles	III-118
	6.2	Greenlands Designation	III-118
	6.3	Major Parks & Open Space Designation	III-121
	6.4	Watercourses	III-124
	6.5	Natural Heritage System -Tremaine Dundas Community	III-125

Part IV Land Use Policies-Rural Planning Area Page

1.0	Introduction		IV-1
2.0	Rural Lands		IV-1
	2.1	General	IV-1
	2.2	Agricultural Rural Area Designation	IV-7
	2.3	Escarpment Rural Designation	IV-9
	2.4	Greenlands (Non-Escarpment Plan Area) Designation	IV-11
	2.5	Greenlands (Escarpment Plan Area) Designation	IV-14
	2.6	Escarpment Protection Area Designation	IV-16
	2.7	Escarpment Urban Area Designation	IV-18
	2.8	Mineral Resource Extraction Area	IV-19
3.0	Rural Settlement Areas		IV-22
	3.1	Principles	IV-22
	3.2	Objectives	IV-22
	3.3	General Policies	IV-22
	3.4	Residential Land Use Policies	IV-24
	3.5	Commercial Land Use Policies	IV-24
	3.6	Institutional Land Use Policies	IV-25
	3.7	Parks, Greenlands and Open Space Land Use Policies	IV-25

TABLE OF CONTENTS

Part V Land Use Policies – North Aldershot Planning Area Page

1.0 Introduction V-1
2.0 North Aldershot General V-1
2.1 Principle V-2
2.2 Objectives V-2
2.3 General Policies V-3
2.4 Design Policies V-7
2.5 Growth Management Policies V-9
3.0 Residential Areas V-10
3.1 Infill Residential V-10
3.2 Detached Residential V-11
3.3 Cluster Residential V-11
4.0 North Aldershot Office V-12
5.0 Environmental Protection Area V-13
6.0 North Aldershot Commercial V-18
7.0 Parkway Belt West V-20
8.0 Mineral Resource Extraction V-21
9.0 Recreation/Open Space V-23
10.0 North Aldershot Special Study Area V-24
11.0 Sub-Area Policies V-26
11.1 Sub-Area Policies: Central Sector V-26
11.2 Sub-Area Policies: East Sector V-38
11.3 Sub-Area Policies: West Sector V-38
12.0 Niagara Escarpment Plan V-40

Part VI Implementation Page

1.0 Implementation Tools VI-1
1.1 Principle VI-1
1.2 General Objectives VI-1
1.3 General Policies VI-1
2.0 Land Use Controls and Implementation Tools VI-4
2.1 Zoning By-law VI-4
2.2 Holding Zones VI-5
2.3 Community Benefits Provisions VI-6
2.4 Interim Control By-laws VI-7
2.5 Site Plan Control VI-8
2.6 Maintenance and Occupancy Standards VI-10
2.7 Parkland Dedication VI-11
2.8 Niagara Escarpment Plan Area VI-12
2.9 Master Servicing Agreement VI-12
2.10 Servicing VI-13
3.0 Interpretation VI-14
3.1 Objective VI-14
3.2 Policies VI-14
4.0 Committee of Adjustment VI-16
4.1 Objectives VI-16
4.2 Minor Variance Policies VI-16
4.3 Legal Non-Conforming Use Policies VI-16
4.4 Consent Policies VI-17
5.0 Secondary and Tertiary/Neighbourhood Planning Process VI-20
5.1 Objective VI-20
5.2 Secondary and Tertiary/Neighbourhood Planning Policies VI-20
5.3 Other Studies Policies VI-21

TABLE OF CONTENTS

6.0 Monitoring VI-22
6.1 Objectives VI-22
6.2 Policies VI-22
6.3 Environmental Monitoring VI-23
7.0 Public and Agency Participation/Notification VI-24
7.1 Objectives VI-24
7.2 Policies VI-24
8.0 Land Use Designations to be Determined VI-27
8.1 Objectives VI-27
8.2 General Policies VI-27
8.3 Alton Community Study Area VI-27

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Part VII Schedules and Tables

List of Schedules

A Settlement Pattern
B Comprehensive Land Use - Urban Planning Area
C Comprehensive Land Use - Rural Planning Area
D Comprehensive Land Use – North Aldershot Planning Area
D-C North Aldershot Central Sector – Sub-Area Key Map
D-C1 North Aldershot Central Sector – Sub-Area 1
D-C2a North Aldershot Central Sector – Sub-Area 2a
D-C2b North Aldershot Central Sector – Sub-Area 2b
D-C3 North Aldershot Central Sector – Sub-Area 3
D-C4 North Aldershot Central Sector – Sub-Area 4
D-C5 North Aldershot Central Sector – Sub-Area 5
D-C6 North Aldershot Central Sector – Sub-Area 6
D-C7 North Aldershot Central Sector – Sub-Area 7
D-C8 North Aldershot Central Sector – Sub-Area 8
D-C9 North Aldershot Central Sector – Sub-Area 9
D-C10 North Aldershot Central Sector – Sub-Area 10
D-C11 North Aldershot Central Sector – Sub-Area 11
E Land Use - Downtown Mixed Use Centre
F Land Use - Uptown Mixed Use Centre
G Land Use - Kilbride Settlement Area
H Land Use - Lowville Settlement Area
I Land Use - Mount Nemo Settlement Area

J Classification of Transportation Facilities - South of No. 1 Side Road
K Classification of Transportation Facilities - Downtown
L Classification of Transportation Facilities - No. 1 Side Road to Derry Road
M Tremaine Dundas Secondary Plan Phasing Strategy

List of Tables

1 Function and Classification of Transportation Facilities
2 Road Allowance Widths

Part VIII Definitions

Part IX Appendices

A Schedule 1 - Long Term Transit Service Network
A Schedule 2 - Long Term Cycling Master Plan
B Council-approved Design Guidelines
C Council-approved Secondary Plans
D Approved Watershed Plans
E Sustainable Development Principles and Objectives
F Council-adopted Protocols for Development
G Regulatory Flood Plan Mapping

1.0 INTRODUCTION

1.1 Review Process

Policy framework

The City of Burlington initiated a review of its Official Plan to update policies and provide a long-range planning framework. The review process involved an assessment of relevant background information, the establishment of a community vision, and the development of principles, objectives and policies aimed at implementing the community vision.

Research, assessment and consultation

The vision for Burlington and the policy directions were initially established through research, assessment and consultation. Relevant social, economic and environmental matters and existing and emerging planning policies of the Regional, Provincial and Federal Governments were considered.

Community input

Input from the general public, community leaders, the business community, focus group participants and members of City Council was obtained and stated as principles or qualitative statements about the kind of urban and rural environment desired for Burlington. Background, issue and policy papers were prepared to define the future image of Burlington and the planning principles for managing *development* in the community.

Policy framework report and Policy Papers

A Policy Framework report established general guiding principles to be considered in preparing the principles, objectives and policies of the Plan. Policy papers outlining directions for areas such as housing, economic *development*, transportation, natural features, parks and open space were prepared. These papers were subject to public review and have formed the basis for the policies contained in the Plan.

Provincial policy statements and land use plans were also considered, as were the planning policies of the Region of Halton.

Five Year Review

A Five-Year Review of the Official Plan was initiated in March 2002. A series of background studies were prepared on various aspects of the Official Plan which resulted in a series of directions reports being released in early 2005, recommending a number of changes to the Plan. These directions were released for public consultation, and revised directions and recommended amendments to the Plan were approved by City Council in October 2006. The amendments were approved by the Region of Halton in January 2008 and by the Ontario Municipal Board in October 2008. OPA 55

1.2 Organization of the Official Plan

The Official Plan consists of a Preamble, eight Parts and Appendices. OPA 55

Preamble

The Preamble contains the introduction to the Plan and establishes the context under which it was prepared. The introduction section describes the purpose, review process and organization of the Plan. The background section outlines the main demographic, settlement and housing features of the City. The Preamble is presented for information purposes and is not considered part of the Official Plan.

Policy framework

Part I: Policy Framework provides the vision and overall context within which the principles, objectives and policies of the Official Plan have been prepared.

Functional Policies

Part II: Functional Policies presents principles, objectives and policies that apply regardless of land use designation, unless otherwise indicated. The functional policy areas included in this part are Sustainability and the Environment, Transportation, Institutional Uses, *Utilities*, Urban Design, Cultural Resources, *Cultural Heritage Resources*, Waterfront, Community Improvement, Phasing of *Development*, *Financial Impact Analysis* and *Agriculture*.

Urban Land Use Policies

Part III: Land Use Policies-Urban Planning Area relates directly to the major land use activity areas and land use designations shown on the Settlement Pattern Plan and Urban Planning Area Comprehensive Land Use Plan. Principles, objectives and policies are presented for Residential, Employment, Major Retail, Mixed Use Activity, and Natural Features and Open Space.

Rural Land Use Policies

Part IV: Land Use Policies-Rural Planning Area establishes principles, objectives and policies for major land use designations shown on the Settlement Pattern and Rural Planning Area Comprehensive Land Use Plan. Principles, objectives and policies are presented for Agricultural Rural Area, Greenlands, Escarpment Protection Area, Escarpment Urban Area, Mineral Resource Extraction Area, and Rural Settlement Area designations.

North Aldershot Land Use Policies

OPA 55

Part V: Land Use Policies – North Aldershot Policy Area establishes principles, objectives and policies for major land use designations shown on the Settlement Pattern and North Aldershot Policy Area Comprehensive Land Use Plan. Principles, objectives and policies are presented for Residential Area, Office Area, Environmental Protection Area, Commercial Area, Parkway Belt West Area, Mineral Resource Extraction Area, Recreation/Open Space, Special Study Area and Niagara Escarpment Plan designations.

Implementation

Part VI: Implementation establishes policies affecting the use and *development* of lands in the City under The Planning Act, and monitoring to achieve the stated vision for the City.

Land Use Schedules

Part VII: Schedules and Tables to the Plan includes a Settlement Pattern Plan showing major land use activity areas such as Mixed Use Activity, Residential, Employment, Major Retail, Natural Features and Open Space, Rural Lands and Rural Settlement Areas. Major Retail Areas shown on the Settlement Pattern Plan only include Regional and Community level commercial centres along with Employment Commercial areas. The Neighbourhood Commercial areas are included in the 'Residential Areas' designation on the Settlement Pattern Plan. This schedule shows, in broad terms, the spatial orientation and relationship of various major land use activity areas. Comprehensive Land Use Plans are presented for the Urban, Rural, and North Aldershot Planning Areas. These schedules show how lands within the major land use activity areas will be developed or maintained. Land use schedules that show the results of *secondary planning* studies are included for Rural Settlement Areas within the Rural Planning Area and for Mixed Use Centres within the Urban Planning Area. The City's roadway classification is shown on separate schedules. OPA 55

Transportation Tables

This part of the Plan also includes tables outlining the function and classification of transportation facilities and road allowance widths.

Definitions

Part VIII: Definitions contains a glossary of terms used throughout the Plan. These terms are indicated in *italic* type throughout the text of the Plan. OPA 55

Appendices

The Appendices contain additional information that is not part of the Plan but which *shall* be applied in implementing the Plan policies, such as the long-term transit network and long-term bikeway system for the City, list of approved *Secondary Plans*, *Design Guidelines* and *Watershed Plans*, and *Regulatory Floodplain* mapping. OPA 55

2.0 BACKGROUND INFORMATION AND TRENDS

2.1 Location

Golden Horseshoe

The City of Burlington is situated on the western shore of Lake Ontario, adjacent to the City of Hamilton and approximately 70 km west of the City of Toronto. Burlington is located in the urbanized area of Southern Ontario that extends from the cities of Niagara Falls to Oshawa, known as the "Greater Golden Horseshoe," and which forms the economic core of Ontario. OPA 55

Distinct Urban and Rural Areas

Burlington's planning area includes 177.4 sq. km of land and comprises distinct urban and rural areas. The Urban Planning Area is generally defined as the area south of Dundas Street and Highway 407 as shown on Schedule 'A' Settlement Pattern. The lands north of this area comprise the Rural Planning Area. An additional area of land in the westerly portion of the City, north of Highway 403, comprises the North Aldershot Planning Area.

Strategic and desirable location

Burlington's location is distinguished by its accessibility to major urban centres such as Toronto and Hamilton, its proximity to the United States and its natural features including the Lake Ontario and Burlington Bay waterfronts, the Niagara Escarpment and Bronte Creek. The combination of an economically strategic location and environmental and aesthetic factors have contributed to Burlington's desirability as a place to live and as a location for business.

2.2 Regional Setting

Within Halton Region and GTA

Burlington is one of four Area Municipalities within the Region of Halton. The Regional Municipality of Halton and the Regional Municipalities of Peel, York, and Durham and the City of Toronto form the Greater Toronto Area (GTA), established by the provincial government for planning purposes.

The City's location within the GTA and as part of the Greater Golden Horseshoe is expected to result in pressure on Burlington's urban lands to accommodate an increasing portion of future GTA population growth, given the continued westward expansion of the GTA and the City's strategic location in proximity to the US border.

2.3 Population

Demographic changes

The City's population totalled 150,800 in 2001. Burlington's population profile is aging, which is the result of an increasing elderly population and a decreasing birth rate. During the 1996 to 2001 period, the proportion of the City's population less than 50 years of age declined by 2.5% to 68.3% of the total population. During the same period, the population group 50 years of age or older increased by 2.4% to 31.6% of the City's population. Burlington's 2001 population was fairly evenly divided amongst the 0-24 year age group (31%), the 25-50 age group (38%) and the over 50 age group (31%). OPA 55

2.4 Households/Housing

Non-family households

OPA 55

In 2001, the total number of households in Burlington was 59,020. Of this total, approximately 25% of the dwellings were rented.

Predominantly single detached

Burlington's housing mix has remained relatively stable with single-detached housing as the main housing form. The existing supply of housing is relatively new, with only 20% over 40 years old and approximately 36% less than 20 years old.

2.5 Economy/Employment

OPA 55

The local economic base is very diversified. Food processing is among the leading employers, along with software development, advanced manufacturing, financial services, and steel and metal fabrication businesses. In 2001, employment in the City was 77,100. Approximately 43% (33,150) of these jobs were held by City residents.

Burlington's total labour force (City residents aged 15-64 who were in the job market) was about 85,300 persons in the 2001 census, with a male participation rate of 77% and a female participation rate of 65%. According to the census, manufacturing at 16% accounted for the largest single share of total employment, followed by retail trade at 12%, health care and social assistance at 8%, professional, scientific and technical services at 8% and wholesale trade at 7%.

2.6 Settlement Pattern

Historically, settlement in Burlington's planning area occurred in small communities along the Lake Ontario and Burlington Bay waterfront and in a few northern communities. The Town of Burlington, created in 1873 from the villages of Wellington Square and Port Nelson, developed as a prime residential area through the early 1900s. In 1958, Burlington, Aldershot and Nelson Township were amalgamated and in 1973 the present planning area boundaries were established through The Regional Municipality of Halton Act.

Period of rapid growth

Since the 1950s, Burlington has experienced constant growth and expansion of its urban area. The period from 1958 to 1979 comprised the most extensive period of *development*, with construction activities occurring north of the Queen Elizabeth Way. Burlington's growth during this period resulted primarily from Hamilton's suburban expansion. The period from 1980 to 1990 contained significant residential *development* in Burlington's northern communities of Brant Hills, Headon and Rose and some *infill development* in the South Aldershot, Maple and Tyandaga communities. Since 1991, significant growth has continued in north-east Burlington in the Tansley, Uptown, Rose (Millcroft) and Orchard communities.

Rural Area

OPA 55

The majority of urban *development* has occurred south of Dundas Street, maintaining the rural character of the northern half of Burlington's planning area with limited residential *development* along roads and in existing settlement areas. Alton Community, which is bounded by Highway 407, Dundas Street and the Bronte Creek valley, is currently under *development*. The Alton Community is the last major greenfield area within the City. The entire Rural Area is within the Niagara Escarpment Plan and Provincial Greenbelt Plan boundaries.

1.0 MISSION STATEMENT

Mission

The City is committed to attaining the highest standards of *Ecological Health*, Economic Growth and Community Development through implementation of the principles of *Sustainable Development.* ***D53** OPA 55

2.0 PLANNING HORIZON

Plan to 2021

The Plan will manage and direct the *development* and planning of land uses for a period extending to the year 2021. The Plan anticipates that the population of the City will not exceed approximately 182,000 people within approximately 73,600 households, by the end of the planning period. It is expected that the employment level in the City will be approximately 108,000 in the year 2021. OPA 55

Plan to be reviewed

It is the intent of the Plan to accommodate and to plan for the growth associated with the underlying housing, population and employment projections. The planning horizon serves as an appropriate measure of the duration of the Plan and should not be regarded as a specific completion date for its implementation. Furthermore, the Plan should not be regarded as a static or inflexible document that is resistant to the pressures of economic, social or environmental change during the planning period. The validity and relevance of the Plan will be maintained through a process of monitoring, review and modification, as required.

3.0 GUIDING PRINCIPLES

The urban and rural environment that is desired for the City of Burlington is summarized as follows:

Attractive and liveable

a) Provide a community plan and growth strategy aimed at creating an attractive, liveable community that offers a wide range of housing, employment, transportation, and leisure opportunities for all its citizens. OPA 55

The Plan enhances the quality of life for Burlington residents by providing a range of housing, job and leisure opportunities. Maintaining an attractive, liveable community involves a mix of land uses; innovative, functional community designs; integration of land uses to ensure ease of mobility; efficient delivery of services; preservation and enhancement of natural features; and accessibility to the City's public open spaces.

Sustainable Community

b) Support a healthy, clean and sustainable community based on an *ecosystem* approach and the implementation of the principles of *Sustainable Development*, by ensuring that environmental integrity and diversity, social and economic factors, and *compatibility* are considered in land use decisions. OPA 55

The Plan reflects the importance of maintaining and enhancing the City's natural features and resources such as Lake Ontario and Burlington Bay, the Escarpment, woodlots, creek valleys, *wetlands*, the Royal Botanical Gardens, public and private open spaces, and *agricultural* lands.

In its support of a sustainable community, the Plan serves to *preserve* and enhance the local economy, and the health and well-being of its citizens as well as the natural environment.

All *development shall* be undertaken in a manner that is consistent with the principles and objectives of *Sustainable Development* and protects the residents of the City from unacceptable social and environmental impacts. ***D53** OPA 55

Infrastructure

c) Ensure that the City's *infrastructure* and services are maintained or expanded at a level that is fair, realistic and affordable.

The Plan ensures that land use *development* is supported by appropriate services and *infrastructure* that are fair, realistic and affordable in terms of needs, environmental impact and municipal debt load.

The City's existing *infrastructure* will be reviewed as a resource that, subject to ongoing maintenance, is capable of providing for cost-effective *development* and *re-development*. OPA 55

Community identity

d) Foster a unique, vibrant and strong community identity.

The Plan contributes to the vision of Burlington as a "people place", offering an environment of managed *development*, an appealing downtown and an abundance of green space. The Plan will support the downtown as the *cultural* and *entertainment* centre of the City while fostering cultural activities throughout the community. OPA 55

Support existing and new business

e) Create a community *development* pattern that supports the existing business community and promotes new business development opportunities, by protecting critical areas of economic enterprise and promoting a variety of locations for economic activity.

A strong and diverse local economy is essential to maintain and enhance the quality of life enjoyed by Burlington residents. The Plan contributes to a healthy local economy by supporting existing businesses as well as providing opportunities for new business development.

Local economy

f) Support a vigorous local economy.

The Plan addresses the need to promote and foster new economic opportunities within the local community. This is based on an open economy, which is subject to internal and external influences. New opportunities must be created to maintain a desired level of economic prosperity and stability. The Plan recognizes the changing nature of businesses and jobs in the City and also recognizes the current restructuring of the local, provincial, national and international economies. As a result, an appropriate level of flexibility has been incorporated into the Plan to allow a range of economic activities and responses to changing circumstances.

Equitable access

g) Promote safety and health in the community as well as fair access to housing, municipal services, community facilities, education facilities and economic opportunity.

The Plan addresses the need for social fairness by ensuring that all Burlington residents have equal access to housing in different areas by offering transit service to many employment areas and by maintaining a wide range of *community facilities*. The Plan addresses land use and *infrastructure* issues in order to promote health and safety within the City.

Intensification

h) Promote the efficient use of land through *intensification* within appropriate areas of the City, in accordance with Provincial growth management objectives, while recognizing the need for balancing this objective with other planning considerations. OPA 55

The Plan addresses the need to promote the *intensification* of residential and other land uses in the Urban Planning Area, the Settlement Areas, the Central Sector of the North Aldershot Planning Area, and to a limited extent in the East and West Sectors of the North Aldershot Planning Area, to fulfill Provincial Growth management objectives. However, the Plan also recognizes that the extent and type of *intensification* must be evaluated in light of other important planning considerations, such as the protection of the natural environment, health and safety and the need for *compatibility* with existing *residential neighbourhoods.*

Downtown Urban Growth Centre

The boundary of the Downtown Urban Growth Centre, referred to in the "Places to Grow" - Growth Plan for the Greater Golden Horseshoe, 2006, has been identified on Schedule B and Schedule D of this Plan. It is anticipated that much of the residential and employment *intensification* will occur within this area. The boundary of the Downtown Urban Growth Centre and the associated policies, *may* be refined as the Province develops more detailed policies to implement the growth plan and as a result of a municipal conformity exercise. OPA 55

4.0 LAND USE VISION

4.1 Background

Enhance City's character

The land use vision considers both a view of the physical landscape of Burlington in the future and a view of how the City will be experienced in terms of its quality of life. The vision is based on the mission statement of directing growth in a manner that enhances the City's character while providing a broad range of opportunities for its residents and businesses. The eight guiding principles provide further direction on the image to be created for the City in the future.

4.2 The Present Built Form and Natural Environment *D53

Suburban community

The existing City structure is a typical suburban community. Burlington is composed mainly of *residential neighbourhoods* containing detached dwellings, separated from employment and shopping areas, and designed primarily around a transportation system based on automobile travel. Much of this *development* occurred in the 40 years following the end of the Second World War in a time of increasing average family size, increasing personal affluence and economic growth. This *development* reflected the belief that there were few limits to growth and reflected the abundant supply of developable land available at the time.

A Sustainable Development Community

OPA 55

A major shift has occurred in values and attitudes, demographics, and land use planning approaches, as the City approaches a mature state. Burlington residents are now more aware of environmental concerns, and limited resources. This awareness was apparent when the City was declared a "sustainable community" in 1989, with greater emphasis placed on quality of life issues and less on unlimited growth. Changes in demographic trends show an increasing number of smaller households and an aging population. In view of these changes, a different vision for the City has emerged. This vision anticipates that some aspects of the City structure will stay the same, however there will be changes in other areas, which are designed to increase opportunities for Burlington's residents and enhance their quality of life. As Burlington approaches a mature state, a significant amount of its future growth will be in the form of *intensification* and *re-development* within the existing urban boundary. With fixed urban boundaries as confirmed by the Provincial Greenbelt Plan, the challenge will be to accommodate the various demands for land while maintaining stability and *compatibility.*

4.3 The Future Built Form and Natural Environment

Stable neighbour-hoods, Downtown and green space

Structural features that are expected to stay the same over time include: maintaining a variety of stable *residential neighbourhoods*; an historic central downtown focused on the waterfront; *development* of employment areas along the Queen Elizabeth Way, Highway 403 and Highway 407 corridors; a variety of shopping areas to meet local and visitor needs; and an abundance of green space. OPA 3 OPA 7 OPA 55

Key changes

Changes that are encouraged by this Plan are: i) the *development* of a greater diversity of housing types to meet the changing needs of the population; ii) the *development* of a more self-contained city by encouraging a greater live-work relationship and supporting designation of lands for a wide variety of *employment uses*; iii) the focusing of more intense land uses into specified mixed use centres and along certain roads; iv) a move towards a more balanced transportation system; and v) a greater emphasis on the long term preservation and conservation of significant natural features with greater public access particularly to the waterfront and reasonable and responsible access to other areas. These changes, discussed in more detail below, will evolve gradually and will be designed to maintain the positive aspects of the City's neighbourhoods.

Significant growth anticipated

Demographic and economic trends project continued increases in both population and the number of employees over the next twenty years. The Plan addresses how and where this growth can be best fostered.

Shift in employment

The Plan also responds to the changes in the nature of the employment sector reflected by the addition to the traditional manufacturing and warehouse industrial sectors, of more information based technology, research and services. Future land use policies and designations aim to support existing businesses and provide opportunities for new jobs. This will promote the fiscal stability of the City and provide residents with an alternative to commuting beyond Burlington for work. Developing a strong live-work relationship is a key element of the land use vision.

Direct growth to specific locations

The Plan directs population growth towards underutilized or vacant parcels in existing communities; to the Alton community in northeast urban Burlington; to certain mixed use corridors; and to the two mixed use centres: the Downtown and the Uptown. OPA 31

Compact housing

To meet the needs of the changing population as shown by smaller households, an aging population, alternative family units and a broader range of income levels, and in response to greater environmental awareness and fiscal restraints, new residential growth will be mainly in the form of more compact housing. This *development* will be served by various *modes* of transportation and located in closer proximity to jobs, shopping and leisure areas.

Broader mix of housing

The Plan encourages a broader mix of residential dwellings in terms of type, size, cost and ownership. Most residential *development* will be in *low and medium density* land use designations with some sites designated for *high density development*. While *infill developments* will be encouraged on vacant and under-utilized lands in existing neighbourhoods, the Plan provides that preservation and enhancement of the quality of life features of neighbourhoods must be considered in the review of any new and/or *intensified development* proposals in these areas.

Transit and pedestrian oriented development

Provision of residential support services and amenities are a priority of the Plan. New residential *developments* will be planned considering all forms of travel and be supportive of safe pedestrian and vehicular movement with convenient connections to *employment areas*, neighbourhood shopping areas, public open spaces and recreational facilities, schools, churches and other institutional uses. The goal is to promote a sense of community identity that will continue to make Burlington a desirable place to live.

Commercial development

The City will also maintain a variety of commercial uses to meet the needs of its residents, businesses and visitors. Commercial *developments* will be designed to integrate with surrounding uses, with particular attention focused on the design of neighbourhood shopping areas to promote safety, convenience and accessibility. *Regional commercial* areas, large retail uses, *community commercial* areas, and specialized retail uses will be considered in certain locations where supported by market studies, adequate levels of service and land use *compatibility*. Commercial *development* will also be allowed in the Mixed Use Centre and Mixed Use Corridor locations.

Employment areas

Business growth will be concentrated along the Queen Elizabeth Way, Highway 403 and Highway 407 corridors, and in the two designated mixed use centres: Downtown and Uptown. OPA 7 OPA 31

Downtown Mixed Use Centre

Burlington's historic Downtown is to maintain its role as the city centre. Special attention will be focused on this area to revitalize it as a traditional "people place" Downtown. This will involve encouraging retail and office *development* along the core streets, particularly Brant Street, basing government activities in this area, maintaining good quality housing stock, encouraging residential *development*, *re-development* and *intensification* in areas where appropriate, and providing a stronger link to the waterfront.

Uptown Mixed Use Centre

The Uptown Mixed Use Centre recognizes the surrounding community, and will contain medium and high density, low rise *development*. Uptown is connected to other parts of the City by a Mixed Use Corridor running along Appleby Line. This Mixed Use Centre will contain a high proportion of residential land use, tied to commercial *development* at the intersection of Upper Middle Road and Appleby Line. Uptown will also provide office and industrial *employment uses.* It is expected that the Uptown Mixed Use Centre will have a total population of between 4,000 and 4,500 people. OPA 55

Orchard Community

The Orchard Community comprises several *residential neighbourhoods* developed with a full range of housing forms, community services and facilities and other complementary land uses. The Orchard Community is expected to have a total population of approximately 13,000 people. The overall number of dwelling units anticipated at full build-out is between 4,000 and 5,300. The overall housing mix anticipated is approximately 60 percent *low density*, 25 percent *medium density* and 15 percent *high density*. *Development shall* be guided by the Orchard Community *Secondary Plan*. OPA 55

Alton Community

The Alton Community is located north of Dundas Street, west of Bronte Creek and south and east of Highway No. 407. Alton is intended to be a mixed use community with *employment uses* concentrated along the south side of Highway No. 407, at the interchanges of Highway No. 407 with Dundas Street and Appleby Line, and along the railway corridor. The employment areas will provide opportunities for showcase and *gateway* type *development* as well as large land bases that will accommodate a wide range of office and industrial uses. Employment and residential uses *may* be located close to each other, with the guidance of urban design and land use *compatibility* standards. Mixed *residential neighbourhoods*, integrated with community uses and commercial *developments* are located predominantly in the central and western portion of the community. A transit corridor with higher density housing along each side will run through the centre of the residential area. The Alton Community is expected to have a total population of approximately 10,300 people and provide approximately 7,250 employment opportunities. *Development shall* be guided by the Alton Community *Secondary Plan*. OPA 3

Tremaine Dundas Community

The Tremaine Dundas Community is located north of Dundas Street, west of Tremaine Road, south of Highway No. 407 and east of Bronte Creek. The overall vision for the Tremaine Dundas Secondary Plan is to incorporate significant energy saving and renewable energy initiatives to be a leading edge, environmentally responsible mixed-use community that promotes a healthy, sustainable, green lifestyle through an integrated approach. The secondary plan includes a mix of land uses providing a range of opportunities for residential and *employment* development, in addition to parks and open space that maximize the *natural environment*. The *employment* area is provided along Tremaine Road and Dundas Street and will provide a range of opportunities including office, retail/commercial and light industrial uses that *encourage* live work proximity. The future *employment* uses along Tremaine Road will be planned and designed to achieve land use compatibility with future *employment* uses east of Tremaine Road within the Town of Oakville. *Employment* and residential uses *may* be located in close proximity to each other with guidance related to urban design and land use compatibility standards. The residential neighbourhoods are integrated with the mixed use corridor along Dundas Street and the natural heritage features of the Bronte Creek valley lands and the central and southern woodlands. The Tremaine Dundas Community is expected to accommodate approximately 1945 to 2030 new residents and provide approximately 816 to 900 new jobs upon full build out. OPA 107

Development shall be guided by the Tremaine Dundas Community Secondary Plan.

Preservation of natural features

Another change to the City is the increased emphasis placed on the protection, preservation and conservation of significant natural resource features and providing accessibility to public open space along the waterfront. The Plan's "Greenlands" designation, much of which is found primarily on privately owned lands, recognizes the importance of the long-term preservation of significant natural resource features.

Integrated transportation system

The City's transportation system will also gradually change. This Plan supports *development* of an integrated transportation system consisting of roads, public transit, pedestrian walkways and sidewalks and bikeways. While the automobile will remain the primary *mode* of transportation in the City, other forms of transportation will be encouraged to reduce congestion and improve environmental conditions. Land use decisions will coordinate transportation planning decisions so that higher density, mixed use and compact *developments* will be located where they can be well served by a safe, convenient and balanced transportation system.

Rural Area

This Plan supports previous planning approaches in terms of designating distinct urban and rural areas. *Development* in the Rural Planning Area will remain restricted to existing Rural Settlement Areas. Preservation of significant natural features, particularly the Niagara Escarpment, and promotion and protection of agricultural operations and aggregate resources and operations are supported by this Plan.

Agricultural operations

Existing agricultural operations are a permitted use in all land use designations outside of the Urban Planning Area. Within the Urban Planning Area, agricultural uses are encouraged and permitted as interim uses until the lands are required for the orderly phasing of urban *development*.

Land Use vision

The land use vision for the City of Burlington describes how the City will look and function in the future. It seeks to maintain a strong network of *residential neighbourhoods*, a diverse economic base, a sound *infrastructure* system and a community that is fiscally stable and environmentally sensitive to ensure an attractive, healthy and liveable environment for future generations. The Functional and Land Use policies that follow provide the means of implementing the future land use vision.

5.0 CONTEXT OF THE PLAN

5.1 Overview

Repeal and replace

This document constitutes the Official Plan (the "Plan") for the City of Burlington. This Plan amends the new Plan adopted by the City in 1994 and approved in 1997, as subsequently amended thereafter. The Plan has been prepared and enacted to comply with The Planning Act of Ontario. OPA 55

Implementation

Implementation of the Plan will be through means of the powers conferred upon the City by The Planning Act, The Municipal Act, The Town of Burlington Act and other Provincial statutes and regulations that may apply. These means include the enactment of by-laws, conditions of approval on *development*, the construction of public works and the acquisition of lands.

5.2 Purpose

Guide physical development

The Planning Act defines an Official Plan as a document containing objectives and policies established primarily to manage and direct the physical *development* of a municipality having regard for relevant social, economic and environmental matters.

Long-term vision

The purpose of the Plan is to outline a long-term vision of the community and quality of life for Burlington residents through statements of principles, objectives and policies. The Plan provides policy direction to the public and private sectors on land use, *development* and resource management matters to guide the future planning and *development* of the City of Burlington towards the desired community vision.

5.3 Jurisdiction *D53

Senior Government policies

Burlington's Official Plan must conform to Provincial land use plans and regulations and to the Region of Halton Official Plan and must also be consistent with Provincial Policy Statements and Guidelines. The Plan has been prepared to meet these requirements within the context of both existing and emerging planning policies and initiatives. Burlington's Official Plan policies reflect the City's individual community interests within the Provincial and Regional planning frameworks. In this manner the Plan *may* be more restrictive than the policies contained in Provincial and Regional Government planning documents but is not permitted to conflict with these documents.

External policies and plans that will be referred to in conjunction with any interpretation or amendment of the City of Burlington Official Plan are:

a) any Provincial Policy Statement issued by the Province of Ontario, as amended from time to time, subject to requirements under The Planning Act;

b) Provincial Land Use Plans, including specifically The Niagara Escarpment Plan, the Provincial Greenbelt Plan (2005), the "Places to Grow" Growth Plan for the Greater Golden Horseshoe (2006), the Parkway Belt West Plan, and any applicable amendments; OPA 55

c) the Region of Halton Official Plan, and any applicable amendments; and

d) other government agencies' policies and plans, where applicable.

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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:

OPA 7

(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

1.0 INTRODUCTION *D9

To be read with other parts of the Plan

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

2.0 RESIDENTIAL AREAS

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

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

2.1 Principles

Safe and secure

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

Supply

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

Range

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

Demand

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

2.2 General

2.2.1 Objectives

Intensification

a) To *encourage* new residential *development* and residential *intensification* within the Urban Planning Area in accordance with Provincial growth management objectives, while recognizing that the amount and form of *intensification* must be balanced with other planning considerations, such as *infrastructure* capacity, *compatibility* and integration with existing *residential neighbourhood*s. OPA 55

Consider natural environment

b) To provide housing opportunities that are *compatible* with the protection of the *natural environment*.

Encourage other forms of transportation

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

Variety of housing

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

Close to other uses

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

Integrate types of housing

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

Compatible with development

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

2.2.2 General Policies

Permitted uses

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

Density range

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

Low Density

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

Medium Density

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

High Density

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

Housing in other designations

f) Residential land uses are permitted in some other designations on Schedule B, Comprehensive Land Use Plan – Urban Planning Area. These residential land uses are subject to both the Residential land use policies of this Plan as well as the policies of the other land use designations in which they are permitted. OPA 55

Building form

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

Low Density

(i) detached and semi-detached homes *shall* be permitted in Residential-Low Density areas. Other forms of *ground oriented*, attached housing *may* be permitted, provided that these forms meet the density as specified in Part III, Subsection 2.2.2 c) for these areas and provided that these forms are *compatible* with the scale, urban design and community features of the neighbourhood; OPA 55

Medium Density

(ii) detached and semi-detached homes, townhouses, street townhouses and stacked townhouses, back to back townhouses, attached housing and walk-up apartments *shall* be permitted in Residential-Medium Density areas, provided that these forms meet the density as specified in Part III, Subsection 2.2.2 d), for these areas; and OPA 55 OPA 81

High Density

(iii) subject to the density requirements of Part III, Subsection 2.2.2 e), street townhouses and stacked townhouses, back to back townhouses, attached housing and apartments *shall* be permitted in Residential-High Density areas. OPA 7 OPA 81

2.2.3 Site Specific Policies

Orchard Community

a) Notwithstanding the policies of Part III, Subsection 2.2.2 a), c) and d) of this Plan, residential *development* in Orchard Community *shall* be subject to the following: OPA 7 OPA 20

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

(ii) in Residential-Low Density designations housing forms include predominantly single-detached and semi-detached units, townhouses and street townhouses, duplexes, three-plexes and four-plexes are also permitted;

(iii) in Residential-Low Density designations the housing mix *shall* not be exclusively single-detached and semi-detached forms of housing. Residential *development applications* will be evaluated

by the City to ensure the overall residential density and housing mix will be achieved;

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

Medium Density in Orchard Community

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

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

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

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

Queensway Drive

c) Notwithstanding the policies of Part III, Subsection 2.2.2 a) of this Plan, *development* on lands described as 2290 Queensway Drive *shall* be subject to the following: OPA 2

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

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

Unsworth Avenue at Sumach Drive

d) Notwithstanding the policies of Part III, Subsection 2.2.2 a), c) and d) of this Plan, *development* on the lands designated 'Residential-Medium Density' and 'Residential-Low Density' on the property, bounded by Unsworth Avenue on the east, the main Grindstone Creek Valley on the south, the tributary valley of the Grindstone Creek on the west, and the C.N.R. railway on the north, *shall* be subject to the following: OPA 12

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

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

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

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

e) Notwithstanding the policies of Part III, Subsection 2.2.2 a) to e) of this Plan, residential *development* on lands designated "Residential-Medium Density" south of Upper Middle Road, between Shoreacres Creek and the C.N.R. railway line, *shall* be subject to the following: OPA 17

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

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

Alton Community

f) Notwithstanding the policies of Part III, Subsection 2.2.2 a) to g) of this Plan, residential *development* in Alton Community *shall* be subject to the following additional policies: OPA 3

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

(ii) residential *development* along the north side of Dundas Street *shall* be subject to additional building setbacks and berm and buffering requirements to address noise and other impacts associated with Dundas Street;

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

4853 Thomas Alton Boulevard

(iv) notwithstanding the General Policies of Part III, Subsection 2.2.2 e) of this plan, a maximum density of 299.5 units per hectare *shall* be permitted on the property at 4853 Thomas Alton Boulevard; and OPA 99

(v) notwithstanding the Alton Community policies of Part III, Subsection 2.2.2 f) (iii) of this plan, a maximum height of 17 storeys *shall* be permitted on the property at 4853 Thomas Alton Boulevard. OPA 99

South-west quadrant of Guelph Line and Glenwood School Drive

g) In addition to the other policies of this Plan, the following policies *shall* apply to *development* in the south-west quadrant of Guelph Line and Glenwood School Drive: OPA 31

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

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

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

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

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

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

h) Notwithstanding the policies of Part III, Subsection 2.2.2 d) of this Plan, the lands designated "Residential Medium Density" on the south side of Plains Road, between Cooke Boulevard and Filmandale Road, *shall* be subject to site-specific zoning regulations designed to protect the existing character of this portion of Plains Road and provide *compatibility* with the abutting neighbourhood to the south. Any exterior alteration or addition to the property *shall* maintain the residential appearance and character of the property. OPA 55

North side of Upper Middle Road, east and west of William O'Connell Blvd.	i)	Notwithstanding the policies of Part III, Subsection 2.2.2 d) and Part III, Subsection 2.11 of this Plan, the lands designated "Residential-Medium Density" located on the north side of Upper Middle Road, east and west of William O'Connell Boulevard, and described as 4107, 4119, 4123, 4173, 4179 & 4187 Upper Middle Road, *may* also be used for offices, subject to land assembly and *compatibility* being provided with the abutting detached *residential neighbourhood* to the north.	OPA 55
Tobyn Drive and Upper Middle Road	j)	Notwithstanding the density provisions of this Plan, within the "Residential-High Density" designation located at 1800 Tobyn Drive, apartment buildings and at least one retirement home with a combined *floor area ratio* of 2.2:1 *may* be permitted. In addition, the two buildings adjacent to the western property line are permitted to have a limited range of ground floor retail, *service commercial* and office uses provided these uses are complementary to the seniors' residential complex.	OPA 60
Upper Middle Road and Itabashi Way	k)	Notwithstanding the density provisions of this Plan, within the Residential-High Density designation at 4100 Upper Middle Road, a retirement community consisting of a long term care facility, apartment buildings and retirement home units, with a combined *floor area ratio* of 1.9:1, may be permitted.	OPA 67
New Street and Claridge Road	l)	Notwithstanding the policies of Part III, Subsection 2.2.2 a) and g), of this Plan, on lands designated "Residential - Medium Density" and identified as 3095 New Street, a mixed use building with office and residential uses shall be permitted and the maximum building height shall be 3 storeys.	OPA 87
1284 Guelph Line	m)	Notwithstanding the policies of Part III, Subsection 2.2.2 a) and g), of this Plan, on the lands designated "Residential - High Density" and identified as 1284 Guelph Line, a four storey apartment building shall be permitted with a maximum density of 230 units per net hectare.	OPA 90
North of Prospect Street, 30 m east of Robinson Street	n)	Notwithstanding the policies of Part III, Subsection 2.2.2 e) of this Plan, on the northern portion of the lands designated "Residential-High Density" and identified as 2051-2067 and 2077-2085 Prospect Street, only *ground-oriented housing units shall* be permitted to ensure *compatibility* with the abutting detached residential neighbourhood to the north.	OPA 98
4880 Valera Road	o)	Notwithstanding the policies of Part III, Subsection 2.2.2 a) of this Plan, commercial land uses in the form of mixed used use or stand alone buildings *shall* be provided fronting on Thomas Alton Boulevard. Residential building height *shall* be transitioned to provide for a lower height fronting Valera Road and existing residential development to the south.	OPA 102

North of Prospect Street, 220 metres west of Pearson Street

p) Notwithstanding the policies of Part III, Section 2.0, Subsection 2.2.2 e) and g) iii) of this plan, on the northern portion of the lands designated "Residential – High Density" and identified as 2087-2103 Prospect Steet, only *ground-oriented housing units* in the form of stacked townhouses *shall* be permitted to ensure *compatibility* with the abutting detached residential neighbourhood to the north. OPA 115

North side of New Street, 75 metres west of Guelph Line

q) Notwithstanding the policies of Part III, Section 2.0, Subsection 2.2.2 a) and e) of this Plan, the subject lands *shall* be subject to the following: OPA 117

(i) A *community facility shall* be provided on the ground floor of the residential building

(ii) A maximum density of 234 units per hectare is permitted for *special needs housing* including *seniors' housing* in the retirement home building

(iii) A maximum density of 207 units per hectare is permitted for the residential apartment building

1085 Clearview Avenue; 1082, 1086 and 1090 St. Matthew's Avenue

r) for the lands located at 1085 Clearview Avenue and 1082, 1086 and 1090 St. Matthew's Avenue: OPA 120

(i) Notwithstanding the policies of Part III, Subsection 2.2.2 e) of this Plan, a residential building with a maximum density of 262 units per hectare and a maximum building height of 7 storeys *shall* be permitted;

(ii) Notwithstanding Policy 2.5.2 a) xiii), direct access shall be permitted from a local road.

2294 & 2300 Queensway Drive

s) Notwithstanding the policies of Part III, Subsection 2.2.2 d) of this Plan, on the lands designated "Residential-Medium Density" and identified as 2294 & 2300 Queensway Drive, a townhouse development consisting of townhouse development with a maximum density of 68 units per net hectare *shall* be permitted. OPA 127

454-462 Cumberland Avenue & 3255, 3259, and 3265 New Street

t) Notwithstanding the policies of Part III, Subsection 2.2.2 e), of this plan on the lands designated "Residential High Density" and identified as 454-462 Cumberland Avenue & 3255, 3259, and 3265 New Street, a maximum density of 346 units per net hectare *shall* be permitted OPA 140

Tremaine Dundas Community

u) Notwithstanding the policies of Part III, Subsection 2.2.2 d) and g)(ii), d), the following policies *shall* apply to the Tremaine Dundas Community: OPA 107

(i) In Residential - Medium Density areas, a density ranging between 26 and 75 units per net hectare *shall* be permitted.

(ii) In addition to 2.2.2. g)(ii), limited, small-scale retail uses that serve the day to day needs of residents within close proximity *may* be permitted at grade within a building containing residential uses in the

storeys above, subject to being *compatible* with the main residential use and respectful of the *physical character* of the neighbourhood. Such uses will be guided by appropriate standards in the Zoning By-law including, but not limited to parking, access and amenity areas.

(iii) *Development* in the Residential – Medium Density *shall* be a maximum of two storeys within 70 metres from an *employment* use to ensure adequate land use compatibility with the Business Corridor designation and lands located within the Town of Oakville. Any increase in height within the noted 70 metres from an *employment* use shall require a site specific Zoning By-law amendment and an air quality assessment to assess potential future industrial source characteristics and all industrial and traffic impacts from the surrounding areas.

(iv) Any new *sensitive land uses* within 70 meters of an *employment* designation *shall* submit a Land Use Compatibility Assessment to identify potential issues and prescribe appropriate mitigation measures. Mitigation measures could include but are not limited to a range of site layout and building design strategies, including such as building setbacks, orientation, landscaping and materiality, as well as acoustic barriers intended to attenuate noise, such as fencing, landscaping or vegetation. If required, environmental warning clauses can be issued and included in Offers of Purchase and Sale, lease/rental agreements or condominium declarations. Specific mitigation measures that *may* be required will be finalized through the site plan stage.

(v) An updated Noise and Vibration Study will be required as part of any proposed development application to assess all transportation and stationary noise sources in the vicinity of the application.

4274 Dundas Street

v) Notwithstanding the policies of Part III, Subsection 2.2.2 e) of this Plan, a maximum density of 220 units per *net* hectare *shall* be permitted. OPA 151

2.3 Housing Supply

2.3.1 Objective

Sufficient Supply

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

Rental Housing

b) To *encourage* the retention of existing rental housing and the construction of new rental housing. OPA 55

2.3.2 Policies

Short-term supply

a) To the extent to which land is available in the Urban Planning Area, City Council *shall* maintain its fair share of land within the *regional market area* with servicing capacity sufficient to provide a three year supply of residential units, available through lands suitably zoned to facilitate residential *intensification* and *re-development*, as well as land in draft approved and registered plans, in order to meet anticipated short term housing needs. OPA 55

Long-term supply

b) To the extent to which land is available in the Urban Planning Area, City Council *shall* maintain the ability to accommodate its fair share of residential growth within the *regional market area* for a minimum of 10 years through residential *intensification* and re-*development* and, if necessary, lands which are designated and available for residential *development*, in order to meet anticipated long term housing demands. OPA 55

Surplus lands

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

Municipal services

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

Needed for infrastructure

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

Conversion of rental properties

f) The demolition or conversion to freehold or condominium ownership of residential rental properties containing six or more units *should* not be permitted unless the following conditions are satisfied: OPA 62

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

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

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

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

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

Innovative housing tenure

g) City Council *shall* consider the provision of innovative forms of housing tenure, such as common element, phased and vacant land condominiums, as a means of increasing housing diversity, choice and supply in the City. OPA 55

Rental housing

h) The City *shall*, in co-operation with other orders of government, *encourage* the provision of a range of housing types, including rental housing, for individuals and families. OPA 55

2.4 Housing Affordability

2.4.1 Objective

Type and tenure

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

Affordability

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

2.4.2 Policies

Provincial Policy Statement

a) New residential *development shall* be required to satisfy the requirements of the Provincial Policy Statement relating to the provision of *affordable housing.* OPA 55

Designate affordable housing lands

b) As part of the *development* approval process, City Council *may* require the designation of lands for *affordable housing*. These lands *shall* either be retained and developed by a developer as *affordable housing* or made available to a cooperative or non-profit housing group.

Community Benefits By-Law

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

Processing priority

d) City Council *shall* give processing priority to *development applications* which will provide the type, size and tenure of housing required to meet the social and economic needs of the City's residents. OPA 55

Targets

e) City Council *shall*, in co-operation with the Region, update its Municipal Housing Statement to establish five-year housing targets by type to meet the housing needs identified in the joint Regional-Municipal Housing Statement. OPA 55

Development standards

f) City Council *shall* establish *development* standards for residential *intensification*, re-*development* and new residential *development* which minimize the cost of housing and facilitate compact urban form, while maintaining appropriate levels of public health and safety. OPA 55

Monitoring of conversion

g) City Council *shall* establish guidelines and monitor the conversion of existing rental housing to other uses to protect tenants and rental housing stock. OPA 55

Tremaine Dundas Community

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

(i) The *City encourages* the *development* of *affordable housing* by means of permitting secondary dwelling units as of right and innovative housing designs and residential *development* that consider such matters as more modest amenities, materials and finishes and an examination of innovative building design. The *City* also *encourages* housing designs that facilitate subsequent conversion to provide additional housing units that support achievement of *affordable housing* targets.

(ii) *Development* applications, greater than 100 residential units, *shall* be required to provide a Housing Impact Statement identifying a commitment to achieve the Region's housing targets of affordable, assisted and/or special needs housing units, identifying how estimated rents and/or initial sales prices of the *development* are at or below the *affordable housing* thresholds by type and information regarding the number of *affordable housing* units per phase of *development.*

(iii) A range and mix of housing types will be provided in each development phase.

2.5 Housing Intensification

2.5.1 Objectives

Increase housing stock

a) To *encourage* residential *intensification* as a means of increasing the amount of available housing stock including rooming, boarding and lodging houses, *accessory dwelling units*, *infill*, *re-development* and conversions within existing neighbourhoods, provided the additional

housing is *compatible* with the scale, urban design and community features of the neighbourhood.

Areas For intensification

b) To *encourage* the re-*development* of under-utilized residential lands where appropriate at the periphery of existing *residential neighbourhood*s for *non-ground-oriented* housing purposes. OPA 55

2.5.2 General Policies

Evaluation criteria

a) The following criteria *shall* be considered when evaluating proposals for housing *intensification* within established neighbourhoods:

(i) adequate municipal services to accommodate the increased demands are provided, including such services as water, wastewater and storm sewers, school accommodation and parkland;

(ii) off-street parking is adequate;

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

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

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

(vi) effects on existing vegetation are minimized, and appropriate compensation is provided for significant loss of vegetation, if necessary to assist in maintaining neighbourhood character; OPA 55

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

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

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

(x) where *intensification* potential exists on more than one adjacent property, any *re-development* proposals on an individual property *shall* demonstrate that future *re-development* on adjacent properties will not be compromised, and this *may* require the submission of a *tertiary plan*, where appropriate; OPA 55

(xi) natural and *cultural heritage* features and areas of natural hazard are protected; OPA 55

(xii) where applicable, there is consideration of the policies of Part II, Subsection 2.11.3, g) and m); and OPA 55

(xiii) proposals for non-ground oriented housing *intensification shall* be permitted only at the periphery of existing *residential neighbourhood*s on properties abutting, and having direct vehicular access to, major arterial, minor arterial or multi-purpose arterial roads and only provided that the built form, scale and profile of *development* is well integrated with the existing neighbourhood so that a transition between existing and proposed residential buildings is provided. OPA 55 OPA 83

Planning Justification

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

Expanded consultation

c) where a proposal for residential *intensification* is deemed to have potentially significant adverse impacts, Council *may* require an expanded public consultation process, including additional neighbourhood meeting(s). OPA 55

Height guidelines

d) Council *may* adopt guidelines for maximum building heights to be used in the consideration of applications for residential *intensification*, in order to ensure *compatibility* of proposed building heights with the height of existing buildings in the neighbourhood, giving consideration to existing City regulations and guidelines. OPA 55

Increased building height

e) The following criterion *shall* be considered when evaluating minor variance applications for increased height to detached and semi-detached dwellings in low density residential designations: OPA 69

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

OPA 55

2.5.3 Accessory Dwelling Units

Permit accessory units

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

Evaluation criteria

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

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

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

(iii) reasonable health and safety standards are met;

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

Tremaine Dundas Community

OPA 107

c) Notwithstanding the policies of Part III, Subsection 2.5.3 a), the following policies *shall* apply to the Tremaine Dundas Community:

(i) A maximum of one accessory/secondary dwelling unit is permitted in Residential - Medium Density designations within a detached dwelling unit, semi-detached dwelling units or a townhouse dwelling unit.

2.5.4 Infill Development

Ground oriented housing

a) *Ground-oriented* residential *infilling* within existing neighbourhoods *shall* be *encouraged*.

Compatibility with surrounding area

b) New *infill development shall* be *compatible* with the surrounding *development* in terms of height, scale, *massing*, siting, setbacks, coverage and amount of open space; and in the case of individual applications for consent, the additional policies of Part VI, Subsection 4.4 of this Plan apply. OPA 55

Compatibility with neigh-bourhood

c) The creation of new housing that is *compatible* with existing neighbourhoods, *shall* be *encouraged*.

Planning Justification

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

Expanded consultation

e) Where a proposal for residential *infill* is deemed to have potentially significant adverse impacts, Council *may* require an expanded public consultation process, including additional neighbourhood meeting(s). OPA 55

2.5.5 Garden Suites

Temporary use

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

Evaluation criteria

b) The following criteria *shall* be considered when evaluating proposals for *garden suite*s:

(i) the *lot* size and layout in terms of accommodating the *garden suite* without unreasonable loss of private outdoor *amenity area;*

(ii) the *compatibility* of the *garden suite* with adjacent residential properties and the surrounding *residential neighbourhood* in terms of *massing*, heights, visual appearance, privacy, open space *amenity areas*, *lot* size and *lot* coverage; OPA 55

(iii) adequacy of municipal services to accommodate the *garden suite*; and

(iv) adequacy of on-site parking.

(v) health and safety standards or criteria are met. OPA 55

Agreement required

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

2.6 Assisted and Special Needs Housing

2.6.1 Objective

Maintain supply

a) To maintain a supply and to integrate *assisted* and *special needs housing* in all neighbourhoods.

2.6.2 Policies

Non-Profit Housing Corporation

a) City Council *shall* generally support the Halton Community Housing Corporation and other providers of *assisted housing* in providing *assisted housing* in the City, and *shall* consider supporting their applications to the Province of Ontario and/or Government of Canada for funding under various non-profit housing programs. OPA 55

Designate sites for assisted and special needs housing

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

Standards and criteria

c) The provision of *assisted* and *special needs housing shall* be subject to planning standards and design criteria designed to maintain public health and safety, as set out in the implementing zoning by-law. OPA 55

Community Benefits By-Law

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

Supply

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

Group Homes

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

Seniors' housing

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

Density provisions

h) Notwithstanding the other provisions of this Plan, *assisted* and *special needs housing* containing *dwelling units* without full culinary and sanitary facilities *may* be excluded from the density provisions of the Plan. OPA 7

Processing priority

i) City Council *shall* give processing priority to *development applications* for *assisted* and *special needs housing*. OPA 55

2.7 Home Occupations and Cottage Industries

2.7.1 Objective

Home based work

a) To provide opportunities for limited, small-scale, home-based office and personal *service commercial* activity and *cottage industries* in residential areas, that are *compatible* with the main residential use and function of the area. OPA 7

2.7.2 Policies

Locations

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

Zoning regulations

b) Zoning By-law regulations relating to *home occupation*s and *cottage industries shall* be based on the following: OPA 7

(i) persons employed by the *home occupation* or *cottage industry shall* be limited to residents of the household from which the *home occupation* or *cottage industry* is conducted;

(ii) the *home occupation* or *cottage industry* use *shall* be *accessory* to the primary residential use of the *dwelling unit*, and the size of the area devoted to the *home occupation* and *cottage industry shall* be restricted to a percentage of the size of the *dwelling unit*;

(iii) outside storage and display *shall* be prohibited, and exterior signage restricted; and

(iv) the *home occupation* or *cottage industry shall* be limited to those that are *compatible* with adjacent residential uses with respect to noise, odour, traffic levels and parking.

2.8 Day Care Centres

2.8.1 Objective

Day care facilities

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

2.8.2 Policies

Locations

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

Zoning regulations

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

(i) the day care maintains a residential character *compatible* with the *residential neighbourhood* in terms of *massing*, height, visual appearance, and open space and *amenity areas*;

(ii) adequate parking, vehicular ingress/egress and drop-off, and adequate indoor and outdoor *amenity areas* for children's play are provided;

(iii) the impacts on the neighbourhood are acceptable in terms of noise, lighting, odours, security, removal of vegetation, sun-shadowing and privacy, or will be brought to acceptable levels; and

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

2.9 Neighbourhood Parks

2.9.1 Objective

Neighbour-hood Parks

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

2.9.2 Policies

Not shown on Land Use Schedule

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

Need/Location determined through development application

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

Parks zoning

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

Locations

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

2.10 Educational Facilities

2.10.1 Objective

Distribution

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

2.10.2 Policies

Consultation

a) The City *shall* consult with the local school boards prior to designating school sites during s*econdary planning.*

2.11 Offices

2.11.1 Objective

Offices

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

2.11.2 Policies

Locations

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

Zoning regulations

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

(i) vehicular access to the office *should* be directly from a multi-purpose arterial, minor arterial or major arterial road; OPA 55

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

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

(iv) the creation of the office results in a residential character that is *compatible* with the surrounding *residential neighbourhood* in terms of *massing*, heights, visual appearance, privacy, open space and *amenity areas;* OPA 55

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

(vi) adequate buffering is provided to adjacent residential properties. OPA 55

2.12 [Section Number Not in Use]

3.0 EMPLOYMENT LANDS

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

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

3.1 Principles

Strengthen employment and economic base

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

Jobs and assessment base

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

Balanced consideration

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

Compatibility with other uses

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

Full range of uses

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

Public transit

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

Sufficient supply of land

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

3.2 General

3.2.1 Objectives

Economic development strategy

a) To *encourage* an economic development strategy that is focused on maintaining and expanding the City's manufacturing base while also promoting the expansion of corporate and professional business offices.

Land supply to provide choice

b) To maintain a sufficient supply of land within the Urban Planning Area for *employment uses* in order to meet the anticipated needs, including an

OPA 55

adequate supply of serviced land and an allowance for choice in terms of location, size of property and servicing needs. It is the general intent of this Plan that this supply *shall* not be reduced through re-designation of *employment* lands to permit non-*employment uses*.

Site plan control, urban design

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

Employment uses

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

Retail and service uses

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

Access to infrastructure

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

3.2.2 Policies

Sufficient supply of Employment Land

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

Retail sales areas

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

Development abutting residential

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

Re-designation of Employment Lands

OPA 55

d) Proposals for the re-designation of lands designated for *employment uses* to non-*employment uses*, or to add a range of uses to an *employment* designation that are primarily permitted in a non-*employment* designation, *shall* be evaluated based on meeting the following criteria:

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

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

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

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

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

(vi) support studies as identified in Part VI, Section 1.3, clause f), General Policies, of the Plan are prepared; OPA 74

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

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

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

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

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

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

e) In keeping with the provisions of the Growth Plan for the Greater Golden Horseshoe, *development* or *re-development* of permitted uses on lands identified as 'Employment Lands' on Schedule A of the Official Plan within a *major transit station area* shall have a minimum *floor space index* of 0.5 and a minimum building height of 2 storeys. ***R16** OPA 59

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

3.3 General Employment Designation

3.3.1 Objectives

Broad range of uses

a) To provide locations in the City for a broad range of *employment* and office uses.

Separate uses

b) To separate General Employment areas from other *sensitive land uses,* particularly residential, due to potential negative effects.

Uses abutting residential

c) To provide some locations in the General Employment designation for low-intensity, *industrial* uses, and offices that have a limited effect on the surrounding environment and that are generally small-scale. These uses can usually be located close to other land uses, including residential land uses, without significant conflicts if appropriate site plan design features are used and if appropriate mitigation measures are incorporated.

Traditional industrial uses

d) To provide locations for existing, new and/or relocating manufacturing, assembly, distribution and service *industrial* uses.

3.3.2 General Policies

Permitted Uses

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

(i) *industrial* uses that involve assembling, fabricating, manufacturing, processing, warehousing and distribution uses, repair activities, communications, *utilities,* transportation, storage, service trades and construction uses; offices uses; research and information processing; *recreational uses*; *large scale motor vehicle dealerships*; and *adult entertainment* uses. OPA 10 OPA 61

(ii) a limited range of retail uses such as convenience stores, and a limited range of *service commercial* uses such as restaurants and banks, subject to the provisions of Part III, Subsection 3.3.2 d); OPA 55

(iii) in locations adjacent to residential areas, only uses that would have a limited impact on the surrounding area will be permitted; and

(iv) a residence for a watchman or caretaker.

Floor Area Ratio

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

Zoning of sites

c) The zoning of individual sites *may* not allow for the full range of permitted uses or the full extent of *development* intensity at every OPA 55

location based on site specific factors that *may* include, but not be limited to, traffic, land use *compatibility*, market impact, natural hazards and features, and environmental factors such as soil *contamination*.

Ancillary uses

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

(i) such uses *shall* be ancillary to, and primarily serve, uses, businesses and employees within the surrounding *employment* area; OPA 55

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

(iii) no more than 15 per cent of the total floor area of any one building *shall* be used for ancillary uses, except that a restaurant *may* occupy up to 100 per cent of the total floor area of any one building if the total floor area of all buildings on the site is greater than 3,000 sq. m., if the total floor area of all restaurants does not exceed 15 per cent of the total floor area of all buildings on the site, and if the site abuts and has vehicular access to a major arterial, multi-purpose arterial or minor arterial road; and OPA 55

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

Adult Entertainment

e) Regulations relating to the location of *adult entertainment* establishments shall be included in the Zoning By-law and shall be based on the following: OPA 61

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

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

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

Site Plan considerations

f) The design and *development* of General Employment areas *shall* ensure *compatibility* between the General Employment areas and adjacent land uses. The following site design and *development* factors *shall* be considered for new and/or expanding General *Employment uses*:

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

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

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

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

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

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

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

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

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

Re-designation-evaluation criteria

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

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

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

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

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

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

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

Existing industrial uses

h) The City will *encourage* the retention of existing *industrial* uses and permit a wide range of *industrial* uses at these locations.

3.3.3 Site Specific Policies

Existing shale quarry

a) Notwithstanding the other policies of this Plan, the existing shale *quarry* operation located in the Alton Community, *shall* be subject to the following: OPA 3

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

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

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

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

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

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

1195 Walker's Line

b) Notwithstanding Part III, Subsection 3.3.2 d), freestanding restaurant uses *shall* be permitted on property at 1195 Walker's Line. OPA 28

4045 Harvester Road

c) Notwithstanding Part III, Subsections 3.2.1 (f), 3.2.2 (b), and 3.3.2 (d), on the property at 4045 Harvester Road, one freestanding restaurant and one additional office or *industrial* building of a minimum 1,430 sq. m. in size, containing up to 30 per cent of a limited range of retail and *service commercial* uses, *shall* be permitted. OPA 40

5366 and 5900 Upper Middle Road – Driveway location from Mainway

d) One driveway *may* also be permitted through the woodlot fronting on the north side of Mainway only provided the following conditions are met: OPA 55

(i) it is demonstrated that it is integral to the function of and concept of the *development* of the abutting lands and that this function and

concept cannot be achieved by a driveway which does not affect the woodlot;

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

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

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

e) The following additional policies apply to those lands designated "General Employment" located south of Harvester Road, between Laurentian Drive and Cumberland Avenue: OPA 31

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

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

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

(iv) as part of the *re-development* of lands west of Roseland Creek, a pedestrian and bicycle path *shall* be provided along the Roseland Creek south from Harvester Road and a pedestrian crossing access over the Roseland Creek *may* be provided near the southern extent of Laurentian Drive, subject to the approval of Conservation Halton; OPA 55

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

Lands located west of King Road, south of Highway 403

f) Notwithstanding Part III, Section 3.3.2 a), the following additional policies apply to lands designated "General Employment" and located west of King Road, south of Highway 403, and described as 1200 King Road: OPA 55

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

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

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

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

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

3.4 Business Corridor Designation

3.4.1 Objectives

Prestige type uses

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

Range of uses

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

Design and development standards

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

3.4.2 General Policies

Permitted Uses

a) The following uses *may* be permitted within the Business Corridor designation: OPA 7

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

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

(iii) a residence for a watchman or caretaker.

Floor Area Ratio

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

Zoning of sites

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

Building heights, development intensities

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

Ancillary uses

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

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

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

(iii) no more than 15 per cent of the total floor area of any one building *shall* be used for ancillary uses, except that a restaurant my occupy up to 100 per cent of the total floor area of any one building if the total floor area of all buildings on the site is OPA 55

greater than 3,000 sq. m., if the total floor area of all restaurants does not exceed 15 per cent of the total floor area of all buildings on the site and if the site abuts and has vehicular access to a major arterial, multi-purpose arterial or minor arterial road; and

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

Site Plan considerations

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

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

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

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

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

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

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

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

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

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

Re-designation-evaluation criteria

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

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

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

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

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

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

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

(vii) the site is located in an area where there is visibility to the Queen Elizabeth Way**,** Highway 403 or Highway 407 or is adjacent to a freeway interchange. OPA 7

3.4.3 Site Specific Policies

North side of North Service Road

a) In addition to the other policies of this Plan, on the lands on the north side of the North Service Road, west of the hydro corridor east of King Road, lower intensity *development* will be permitted subject to the following: OPA 55

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

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

(iii) all uses except parking to be enclosed;

(iv) parking facilities to be landscaped and screened;

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

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

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

(viii) a brick manufacturing plant *shall* be permitted as an *accessory use* to a licensed mineral resource extraction use provided the plant is located within the licensed area;

(ix) notwithstanding the other policies of Subsection 6.2.3 q) (v) of the Parkway Belt West Plan, the outside storage of finished brick materials is permitted on approximately 7.5 hectares of land consisting of the southernmost 4.8 hectares of Part 1, Plan 20R-13159 and approximately the westernmost 2.7 hectares of Part 2, Plan 20R-13159; and

OPA 66

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

North side of North Service Road, west of King Road

OPA 55

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

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

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

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

291 North Service Road

OPA 155

(iv) Notwithstanding 3.4.2 a) and d) asphalt manufacturing with unenclosed equipment *shall* be permitted and a maximum building height of 20 metres for manufacturing equipment and 25 metres for silos *shall* be permitted.

Fraser Drive and The QEW

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

North Service Road & Champlain Ave. & 4315 North Service Road

OPA 11
OPA 33
OPA 57

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

South side of QEW, east of Guelph Line

OPA 19

e) In addition to the uses permitted in Part III, Subsection 3.4.2 a) and e) of this Plan, freestanding restaurants are permitted on those lands identified

as Lots 1, 2, 3 and 12 within Plan M-130, located on the south side of the Queen Elizabeth Way along South Service Road, east of Guelph Line.

Highway No. 407-Alton Community

f) In addition to the uses and policies in Part III, Subsection 3.4.2 a), b), e) and f) of this Plan, within the Alton Community: OPA 3

(i) lands within the vicinity of highway interchanges are permitted to have a higher intensity of *development* subject to the submission of a *travel demand management* plan; and

(ii) outdoor storage is prohibited in yards adjacent to Highway No. 407. Outdoor storage in other locations must be sited, fenced and screened so as not to detract from the character of the Business Corridor.

West side of Guelph Line, south of the QEW

g) In addition to the uses permitted in Part III, Subsection 3.4.2 a) and e) of this Plan, on those lands located on the west side of Guelph Line, between the Queen Elizabeth Way and Glenwood School Drive, the sale of antiques and reproduction furniture and decorative accessories is permitted. OPA 24

North-east Corner, Dundas Street and Palladium Way

h) In addition to the uses permitted in Part III, Subsection 3.4.2 a) and e) of this Plan, *development* of the lands at the north-east corner of Dundas Street and Palladium Way *shall* be subject to the following additional policies: OPA 3

(i) up to 0.9 hectare of the lands *may* be used for freestanding *service commercial* uses including restaurants and service stations and a freestanding convenience store, provided the total floor area of these uses does not exceed 1,400 sq. m, excluding a service station; and

(ii) the remainder of the lands *shall* only be used in accordance with the uses permitted in Part III, Subsection 3.4.2 a) (i).

West side of Cumberland, Avenue, south of South Service Road

i) Notwithstanding the policies of Part III, Subsection 3.4.2 e), a freestanding fitness and racquet club *may* be permitted on property located on the west side of Cumberland Avenue, south of South Service Road, and identified as 960 Cumberland Avenue. OPA 31

North side of Harvester Road, West of Cumberland Avenue

j) Notwithstanding the policies of Part III, Subsection 3.4.2 e), motor vehicle sales and leasing *may* be permitted on the north side of Harvester Road, west of Cumberland Avenue, subject to the provision of landscaping to screen views from the Queen Elizabeth Way, the use of low intensity lighting directed away from abutting properties and the provision of a pedestrian access to properties on the South Service Road. OPA 31

Intersection of Harvester Road and Guelph Line

k) In addition to the other policies of this Plan, the following policies apply to *development* within the north-east and south-east quadrants of the intersection of Harvester Road and Guelph Line: OPA 31

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

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

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

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

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

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

North-east corner of Appleby Line and northerly leg of Harrison Court

l) In addition to the other policies of this Plan, the lands located at the north-east corner of Appleby Line and the northerly leg of Harrison Court, shall be subject to the following policies: OPA 3

(i) banks and similar uses as identified through the zoning by-law, shall not be subject to the provisions of Part III, subsection 3.4.2 (e);

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

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

Northwest quadrant of Walker's Line and QEW

m) In addition to the uses permitted in Part III, Subsection 3.4.2 a) and e) of this Plan, the property at 3455 North Service Road shall permit a large furniture and appliance store provided it forms a component of a building that also includes office uses having a minimum floor area of 2,000 m^2. The retail portion of the subject building may occupy no more than 49% of the gross floor area and includes related store office and restaurant uses. A warehouse space component that is accessible to the public shall also be permitted and shall not be included in the retail calculations. OPA 89

3110 South Service Road

n) In addition to the uses permitted in Part 111, Subsection 3.4.2 a) and e) of this Plan, the property at 3110 South Service Road *may* permit a veterinary clinic provided it forms a component of a building that includes a minimum total floor area of 2,600 square metres for office and training facility uses. The veterinary clinic portion of the subject building *may* occupy no more than 30% of the total floor area. Notwithstanding Part 111, Subsection 3.4.2 b) of this Plan, a maximum of 0.65:1 *floor area ratio* may be permitted. OPA 131

4103 Palladium Way

o) In addition to the uses permitted in Part Ill, Subsection 3.4.2 a) and e) of this Plan, the property at 4103 Palladium Way *may* permit a *Long Term Care* Facility and Retirement Home uses with a maximum *floor area ratio* of 2.03:1. OPA 134 OPA 156

Tremaine Dundas Community

p) Notwithstanding the policies of Part III, Subsection 3.4.2 a), the following *shall* apply to the Tremaine Dundas Community: OPA 107

(i) A hotel, conference and convention use is not permitted.

In addition to the other policies of this Plan, the following policies apply to *development* within the Tremaine Dundas Community:

i. *Development* in the Business Corridor blocks along the west side of Tremaine Road *shall* achieve land use compatibility with future *employment* uses along the east side of Tremaine Road, as well as with residential, mixed uses and *Natural Heritage System* areas located to the west within the secondary plan area.

ii. The Business Corridor *shall* have a minimum of 70 - 90 m in depth (dependant on adjacent land use) to provide sufficient buffering between residential uses within the Tremaine Dundas Community and future potential industrial uses located within the Town of Oakville.

iii. With the exception of the stormwater management ponds along Tremaine Road, *development* within the Business Corridor *shall* create a continuous street frontage that complements the anticipated Town of Oakville Tremaine Road frontage and helps address potential noise compatibility concerns with future *employment* uses in the Town of Oakville.

iv. *Development* in the Business Corridor blocks along Tremaine Road *shall* be a minimum of two storeys in height (or the equivalent height) to provide screening and buffering for residential *development* to the west.

v. *Development* in the Business Corridor area that abuts residential areas will include adequate landscaping, fencing, noise abatement or other measures to achieve compatibility between uses.

vi. Loading, servicing and delivery functions in Business Corridor areas *shall* be consolidated to the extent practical, be generally located at the rear/side of buildings and be screened from public view.

vii. Lands within the Business Corridor area *may* be used for stormwater management, including *Low Impact Development* features and naturalization, and for enhancements to *Key Features* as part of the *Natural Heritage System*.

viii. Outside storage *may* be permitted provided adequate screening and buffering is established.

5051 Harvester Road

q) Notwithstanding the policies of Part Ill, Subsection 3.4.2(b) and (e) of this plan on the lands identified as 5051 Harvester Road and designated "Business Corridor", the following policies *shall* apply: OPA 153

The maximum floor *area ratio shall* be 2.5:1;

(i) *Service Commercial* uses are permitted as a standalone use;

(ii) There is no limit on the percentage of total floor area of anyone building used for ancillary uses, including restaurant uses.

4.0 MAJOR RETAIL AREAS

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

Retail and *service commercial* land uses are also permitted in Mixed Use Activity Areas as identified on Schedule A, Settlement Pattern. Provisions for the *development* of retail and *service commercial* uses in these designations are outlined in Part III, Section 5.0 of the Plan. Any one cluster of retail facilities that *may* be proposed through applications to re-designate lands to Mixed Use Corridor-Commercial Corridor, or to permit additional uses within a Mixed Use Corridor –Commercial Corridor designation, will not be permitted to approach the size or significance of a Regional or Community Commercial designation. OPA 55

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

4.1 Principles

Need For retail lands

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

Public Transit

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

4.2 General

4.2.1 Objectives

Designate a sufficient supply of land

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

Location and market

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

Traffic impacts

c) To minimize the impact of retail and other service *development* on adjacent lands uses and on the traffic *carrying capacity* of the local roads.

Direct uses to existing areas

d) To direct proposed retail facilities to existing and designated locations rather than re-designating lands from another land use.

4.2.2 Policies

Function

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

Regional Commercial

(i) *Regional Commercial areas shall* provide a wide range of retail and *service commercial* uses and *community facilities*. These commercial areas are considered major activity centres in terms of their size and use and are intended to serve all of the City as well as population in adjacent municipalities;

Community Commercial

(ii) *Community Commercial areas shall* provide a wide range of retail and *service commercial* uses, and *community facilities* not generally found within *neighbourhood commercial areas*. These commercial areas are smaller in size and function to a Regional Commercial and serve as a focal point for community activity for the surrounding residential and business areas;

Employment Commercial

(iii) Employment Commercial areas *shall* allow for a wide range of *employment uses* and also a limited range of retail commercial uses which have *employment* characteristics, such as: OPA 55

i. serving business uses to a large extent;

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

iii. often locating in or adjacent to *employment* areas;

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

Neighbourhood Commercial

(iv) *Neighbourhood Commercial areas* provide opportunities for local shopping that meet residents' day-to-day and weekly goods and service needs. OPA 55

Retail in other designations

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

Range of uses

c) *Regional Commercial areas* and *Community Commercial areas shall* be mainly developed for retail and *service commercial* uses, however, office and residential uses *may* also be permitted. Employment Commercial areas *shall* be developed for large-scale retail uses which cannot be easily accommodated in the other commercial areas and which also serve the business community. OPA 55

Re-designation evaluation criteria

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

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

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

(iii) there is a demonstrated need for the proposed re-designation, and the market impact of the proposal has been assessed on a City-wide basis in terms of its impact on the planned function of any existing or designated Commercial area or Mixed Use Centre; OPA 55

(iv) adequate municipal services are available;

(v) sufficient on-site parking is provided;

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

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

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

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

(x) the proposed re-designation is *compatible* with adjacent land uses and will not adversely affect the supply, desirability or viability of any existing or designated *employment use* or area. OPA 55

Consult with adjacent municipalities

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

Home occupations

f) *Home occupation*s and *cottage industries shall* be permitted in Regional Commercial and Community Commercial subject to the policies of Part III, Section 2.7. OPA 7

Market Impact study

g) In addition to the above, any proposal for additional retail uses which includes a *warehouse club*, *supermarket/grocery store* or *large department store*, or the sale of food in excess of 1,800 sq. m. in area, *shall* require the submission of a comprehensive market impact study which assesses the market impact of the proposal on existing and designated commercial areas throughout the City. OPA 55

4.3 Regional Commercial Designation

4.3.1 Objectives

Regional Scale Commercial

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

Jobs and housing

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

4.3.2 Policies

Permitted Uses

a) The following uses *may* be permitted within the Regional Commercial designation: all types of retail uses, *supermarkets/grocery stores*, *service commercial* and personal service uses; *department stores*, *warehouse club*s, home and auto supplies, and furniture stores; financial institutions and services; offices; *entertainment, recreation* and other *community facilities* such as day care centres; and *may* permit *medium and high density residential* uses to a maximum height of twelve storeys and subject to evaluation of site-specific criteria that *may* include, but not be limited to, traffic, land use *compatibility* and environmental factors. OPA 55

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

Form of development

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

Residential uses

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

Office uses

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

Site/Building size

OPA 55
OPA 3

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

Zoning of sites

OPA 55

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

Site plan considerations

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

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

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

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

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

(v) the site plan promotes public safety;

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

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

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

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

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

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

Public transit

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

3011,3019, 3023, 3027, 3035, 3047, 3051 Appleby Line

i) Notwithstanding the policies of Part Ill, Subsection 4.3.2 of this plan on the lands identified as 3011, 3019, 3023, 3027, 3035, 3047, 3051 Appleby Line and designated "Regional Commercial", the following policies shall apply: OPA 55 OPA 163

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

(ii) subject to the above, uses permitted in the Mixed Use Corridor-Employment designation shall also be permitted.

North-west corner of Appleby Line and Dundas Street

j) Notwithstanding the policies of Part III, Subsection 4.3.2 a) of this Plan, the lands at the north-west corner of Appleby Line and Dundas Street *shall* be subject to the following: OPA 3 OPA 55

(i) a maximum floor area of 12,000 sq. m. per retail use;

(ii) increases in the maximum floor area per retail use *may* be permitted provided the increase is substantiated by market studies.

2055, 2075 & 2085 Fairview Street

k) Notwithstanding the other policies of this Plan, the lands on the north side of Fairview Street, east of Rambo Creek (municipally known as 2055, 2075 and 2085 Fairview Street) *shall* be subject to the following: OPA 50

(i) notwithstanding Part III, Subsection 4.3.2 a), *warehouse club*s are not permitted, *medium and high-density residential* uses are permitted, and only those uses identified in Subsection 4.3.2 a) that are *transit supportive uses*, as defined in the Growth Plan for the Greater Golden Horseshoe (2006) are permitted. For purposes of clarification, of the uses permitted by Part III, Subsection 4.3.2 a) (as amplified in this policy), offices and *medium and high-density residential* uses are deemed to be *transit-supportive* uses. All permitted uses *shall* have a minimum *floor area ratio* of 0.5:1 and a minimum building height of two storeys;

(ii) notwithstanding clause (i) above, and Part III, Subsections 4.3.2 b) and e), a single-storey *department store*, not exceeding 12,000 sq. m. of gross floor area, is permitted, provided that no greater than 15 per cent (1,800 sq. m.) of the gross floor area within the *department store shall* be used for the sale of food products;

(iii) notwithstanding Part III, Subsection 4.3.2 a), the floor area devoted to freestanding residential and office uses *may* exceed half of the total floor area of the site; and

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

915 Brant Street and 2030 DePaul's Lane

l) Notwithstanding the other policies of this Plan, the lands on the north side of Fairview Street, west of Rambo Creek and east of Brant Street (municipally known as 915 Brant Street and 2030 DePaul's Lane), *shall* be subject to the following: OPA 50

(i) notwithstanding Part III, Subsection 4.3.2 a), *warehouse club*s are not permitted, *medium and high density residential* uses are permitted, and only those uses identified in Subsection 4.3.2 a) that are *transit supportive uses*, as defined in the Growth Plan for the Greater Golden Horseshoe (2006) are permitted. For the avoidance of doubt, of the uses permitted by Part III, Subsection 4.3.2 a) (as amplified in this policy), offices and *medium and high density residential* uses are deemed to be *transit-supportive* uses.

All permitted uses *shall* have a minimum *floor area ratio* of 0.5:1 and a minimum building height of two storeys;

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

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

East side of Appleby Line, south of Highway 407

m) On the lands designated "Regional Commercial" on the east side of Appleby Line, south of Highway 407, and described as 3251 Appleby Line, the following additional policies apply: OPA 3

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

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

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

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

3091 Appleby Line

n) On the lands designated "Regional Commercial" at the north-east corner of Appleby Line and the southerly leg of Harrison Court, described as 3091 Appleby Line, the following additional policies apply: OPA 79

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

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

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

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

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

4.4 Community Commercial Designation

4.4.1 Objectives

Community scale Commercial

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

Jobs and housing

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

4.4.2 Policies

Permitted uses

a) The following uses *may* be permitted within the Community Commercial designation: all types of retail uses, *supermarkets/grocery stores; service commercial* and personal service uses; *department stores*; financial institutions and services; offices; *entertainment, recreation* and other *community facilities* such as day care centres; and *medium and high density residential* uses to a maximum height of twelve storeys and subject to evaluation of site specific criteria that *may* include, but not be limited to, traffic, land use *compatibility* and environmental factors. OPA 55

Except for the lands designated Community Commercial on the south side of Plains Road, east of Daryl Drive, and at the northeast corner of New Street and Appleby Line, the floor area of a property designated OPA 121

Community Commercial that is devoted to freestanding residential, hospitality, *entertainment, recreation* and office uses, *shall* not exceed half of the total floor area on the property..

Form of development

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

Residential uses

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

Office uses

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

Site/Building size

e) A *Community Commercial area* or node *shall* be approximately 5 to 12 ha in size and have a maximum retail building area of approximately 45,000 sq. m. OPA 55

Zoning of sites

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

Larger retail uses

g) Retail uses between 1,800 sq. m. and 5,600 sq. m. in gross floor area where food products are not the principal goods retailed *shall* occupy no more than 30 per cent of the total floor area of any one site within a *Community Commercial area* or node. OPA 55

Site plan considerations

h) The design and *development* of *Community Commercial areas* or nodes *shall* promote *compatibility* between the *Community Commercial area* or node and adjacent land uses. The following factors *shall* be considered in reviewing proposals for new and/or expanding *Community Commercial* uses:

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

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

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

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

(v) the site plan promotes public safety;

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

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

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

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

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

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

Public transit

i) *Community Commercial areas* or nodes *shall* be fully served by public transit services.

4.5 Employment Commercial Designation

OPA 55

4.5.1 Objective

Provide locations

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

(i) serving business uses to a large extent;

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

(iii) locating in or adjacent to *employment areas*;

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

4.5.2 Policies

Permitted uses

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

(i) uses permitted within the General Employment designation;

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

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

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

Minimum floor area

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

Zoning regulations

c) The maximum *floor area ratio* of *development* at any site *shall* be 0.3:1, except for office uses which *shall* have a maximum *floor area ratio* of 0.5:1.

Zoning of sites

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

No additional land

e) It is the general intent of this Plan that the designation of additional lands for Employment Commercial purposes *shall* not be permitted.

Re-designation criteria

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

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

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

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

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

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

(vi) adequate municipal services are available;

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

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

North Service Road at Guelph Line

g) Notwithstanding the uses permitted by this designation, retail commercial uses and *warehouse clubs* are also permitted on the lands located on the north side of the Queen Elizabeth Way, east of Guelph Line, south of the CNR and west of the Ontario Hydro Utility Corridor. The additional permitted uses are those allowed under the zoning by-law in effect on the day of the adoption of the Official Plan, July 11, 1994. In addition, Part III, Subsection 4.5.2 b) of this Plan *shall* not apply for these lands.

4.6 Neighbourhood Commercial Designation

4.6.1 Objective

Neighbourhood needs

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

4.6.2 Policies

Designate on Land Use Schedule

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

Small-Scale

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

Large-Scale

(ii) large-scale *neighbourhood commercial areas* are intended to provide a limited range of retail and *service commercial* uses and

community facilities that serve the daily and weekly needs of the immediate neighbourhood and surrounding residential community. Large-scale *neighbourhood commercial areas* will have a site area of up to 5 ha and a maximum building area of approximately 12,500 sq. m.

Residential uses

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

Evaluation criteria

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

(i) there is a demonstrated need for the *development* in terms of existing and future market conditions;

(ii) the impacts of the proposal on adjacent residential *development* are acceptable with respect to noise, dust, vibration, lighting, odours, security, sun-shadowing, removal of vegetation and privacy, or the proposed *development* has the capability to mitigate any impacts to acceptable levels;

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

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

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

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

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

New or expanding Neighbourhood Commercial

d) The design and development of Neighbourhood Commercial areas shall promote compatibility between the Neighbourhood Commercial area and adjacent land uses. The factors to be considered in reviewing proposals for new and/or expanding Neighbourhood Commercial uses are outlined in Part III, Section 4.3.2, subsection g.). OPA 83

Queensway Drive

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

Orchard Community

f) The four small-scale Neighbourhood Commercial areas within the Orchard Community *shall* also permit medium and *high density residential* uses, financial and office uses and urban squares. These uses will be subject to the following: OPA 7

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

(ii) the maximum height of any building *shall* be five storeys; OPA 55

(iii) non-residential uses *shall* only be allowed on the ground floor of predominantly residential buildings, although offices *may* be allowed above the ground floor;

(iv) townhouses, street townhouses, stacked townhouses, duplexes, three-plexes, four-plexes and walk-up apartments housing forms *shall* only be permitted;

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

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

Upper Middle Road & William O'Connell Boulevard

g) Notwithstanding the policies of Part III, Subsection 4.6.2 a) and b) of this Plan, the small scale Neighbourhood Commercial area located on the land at the north-west corner of Upper Middle Road and William O'Connell Boulevard *shall* permit only office use. OPA 5

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

h) Notwithstanding the policies of Part III, Subsection 4.6.2 a) and b) of this Plan, the large scale Neighbourhood Commercial shopping area located at the north-west corner of Dundas Street and Walker's Line, *shall* be subject to the following: OPA 3

(i) a maximum *lot* area of 2.0 hectares;

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

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

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

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

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

South-east corner, Dundas Street and Sutton Drive

OPA 96

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

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

(ii) The maximum height of apartment buildings fronting on Dundas Street and Sutton Drive *shall* be 6 storeys.

420 Guelph Line

OPA 124

k) Notwithstanding Part III, Subsection 4.6.2 a)i) and b) of this Plan, for the lands identified as 420 Guelph Line, the following policies *shall* apply:

(i) a mixed-use building with 170 residential units *shall* be permitted;

(ii) the minimum non-residential gross floor area *shall* be 445 square metres;

(iii) the maximum building height *shall* be 11 storeys, plus a mechanical penthouse; and,

(iv) the maximum building area *shall* be in accordance with the Zoning By-law.

800 Burloak Drive

OPA 145

l) Notwithstanding the policies of Part III, Section 4.6, Subsections 4.6.2 a), b) and c) of this Plan, the subject lands *shall* be subject to the following:

(i) Retail and *service commercial* uses *shall* be permitted with a limited amount of *service commercial* uses at grade, *dwelling units shall* be permitted above the second storey of the building.

(ii) maximum building height of 4 storeys

(iii) be in accordance with a Class 4 Area as defined by the Ontario Ministry of the Environment Environmental Noise Guideline Publication NPC-300.

5.0 MIXED USE ACTIVITY A REA

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

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

5.1 Principles

Alternative to low density, suburban form

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

Special community identity

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

Address demand

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

5.2 General

5.2.1 Objectives

Integrate uses

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

Compact urban form, pedestrian /transit oriented

b) To ensure Mixed Use Activity Areas are developed in a compact urban form, are pedestrian-oriented and highly accessible by public transit, and foster community interaction.

Infrastructure and services

c) To direct the phasing and/or expansion of municipal *infrastructure* and services to ensure the timely and orderly *development* of Mixed Use Activity Areas.

5.2.2 Policies

City Structure Plan

a) Mixed Use Activity Areas identified on Schedule A, Settlement Pattern *shall* be designated as either Mixed Use Corridor-General, Mixed Use Corridor-Employment, Mixed Use Corridor-Commercial Corridor or Mixed Use Centre on Schedule B, Comprehensive Land Use Plan - Urban Planning Area. OPA 55

Mixed Use Corridors

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

Mixed Use Centres

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

Design and development

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

Municipal Services

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

Consult with Adjacent Municipalities

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

Home Occupations

g) *Home occupation*s and *cottage industries shall* be permitted in Mixed Use Corridors and Mixed Use Centres subject to the policies of Part III, Section 2.7. OPA 7

Priority locations

h) Mixed Use Activity Areas *shall* be priority locations for: OPA 55

(i) land assembly at strategic locations;

(ii) *infrastructure*/public facility improvements;

(iii) creation and application of financial, regulatory and other incentives;

(iv) new municipal facilities and services;

(v) creation and application of *brownfield re-development* strategies;

(vi) preparation of comprehensive traffic and parking studies and strategies;

(vii) provision of higher levels of transit service compared with other areas of the City.

Urban Design

i) It is the general intent of this Plan that Mixed Use Activity Areas *shall* be subject to a high quality of urban design. City Council *may* require the preparation of Urban *Design Guidelines* for specific Mixed Use Activity Areas or the preparation of site-specific Corridor Studies for Mixed Use Corridor Areas, which *may* include such *design guidelines* as a component of the Corridor Study. These guidelines *shall* be referenced in an appendix to this Plan and be used in the evaluation of all *development* proposals within the Mixed Use Activity or Corridor Area. OPA 55

Shared or on-street parking

j) In order to balance pedestrian and vehicular movements in a safe and efficient manner, various approaches *may* be considered, including shared parking facilities in central locations, and/or on-street parking where deemed appropriate by detailed studies. OPA 55

Integration with neighbourhoods

k) The City *may* ensure the proper integration of Mixed Use Activity Areas with surrounding neighbourhoods through measures such as pedestrian walkways, cycling paths and transit routes, and the protection of the *physical character* of these neighbourhoods through urban design. OPA 55

Reduced parking

l) The City *may* consider the use of reduced parking standards in Mixed Use Activity Areas in order to *encourage* greater reliance on non-automobile forms of transportation. OPA 55

Monitoring

m) The City *may*, in consultation with the Region, monitor the performance of Mixed Use Activity Areas in achieving the goals and objectives of this Plan. OPA 55

5.3 Mixed Use Corridors (General, Employment and Commercial Corridor)

5.3.1 Objectives

Integrate uses along Arterial Roads

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

Higher intensity development

b) To *encourage* higher intensity, *transit-supportive* and pedestrian-oriented mixed use *development,* including land in the vicinity of a *major transit station area,* such as a GO Transit station**,** in a compact urban form, while retaining *compatibility* with nearby land uses. ***R16** OPA 55 OPA 59

Mixed uses

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

5.3.2 General Policies *R16

Permitted uses

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

(i) a wide range of retail, *service commercial* and personal service uses; financial institutions and services; a broad range of office uses; *entertainment*, *recreation* and other *community facilities* such as day care centres; and *small scale motor vehicle dealerships*; OPA 10

(ii) *high density residential* uses and a full range of office uses. Townhouses *may* only be permitted as a component of an overall *development* of mixed residential or residential/commercial building forms, where the townhouse portion of the mixed development does not abut the multi-purpose arterial or major arterial road and where the *development* of the townhouse component does not compromise the long-term objectives for the Mixed Use Corridor designation with respect to such matters as mix of uses, building form and intensity; and OPA 55 OPA 81

(iii) *development* and *re-development* of lands within a *major transit station area*, such as a GO transit commuter rail station, shall achieve a higher intensity of *re-development* and consist of *transit* OPA 59

supportive uses, as called for and defined in the Growth Plan for the Greater Golden Horseshoe. Notwithstanding Part III, Subsection 5.3.3 b) and e), those lands designated Mixed Use Corridor subject to the Commercial Corridor Policies of Subsection 5.3.3 and located within a *major transit station area,* shall permit only *transit supportive uses*, as defined in the Growth Plan for the Greater Golden Horseshoe, have a minimum *floor space index* of 0.5 and a minimum building height of two storeys. *R16

Retail function

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

Commercial building form

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

Zoning regulations

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

(i) the maximum *floor area ratio* of *development* at any site *shall* be 1.5:1. City Council *may* consider a higher *floor area ratio* in conjunction with a site-specific rezoning or variance application, subject to the consideration of various factors such as adequacy of services and *infrastructure* and the provision of *compatibility* with adjacent uses through measures such as terracing, a high quality of building design, landscaping and streetscaping, and the provision of underground parking; OPA 55

(ii) the minimum building height *shall* be two storeys and the maximum building height *shall* be six storeys. Where required to ensure *compatibility*, four to six storey buildings *may* be required to be terraced back from adjacent residential areas and/or the street; OPA 55

(iii) the implementing zoning by-law *shall* identify a minimum portion of all buildings abutting the corridor street to be located in close proximity to the corridor street. These setbacks *may* be modified for specific corridors following the completion of Council-approved Corridor studies; OPA 55

(iv) all buildings *shall* be required to have a building entrance from the building façade closest to the corridor street; and OPA 55

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

(vi) notwithstanding subclause (b) (ii) above, no minimum building height is required for the following properties: OPA 55

i. east of King Road, south of Highway 403 (1200 King Road);
ii. east side of Waterdown Road, south of Highway 403 (101 Masonry Court);
iii. 4415 Fairview Street;
iv. south-west corner of Fairview Street and Appleby Line (4460 to 4490 Fairview Street and 666 to 676 Appleby Line), for buildings less than 1200 sq. m. in size.

Zoning of sites

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

Higher intensity sites

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

Site plan considerations

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

(i) buildings *should* be located so as to be in proximity to the street, to provide a sense of human comfort and pedestrian scale and interest, and *should* be in close proximity to transit services; OPA 55

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

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

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

(v) wherever possible, off-street parking *should* be located in the side and rear yards and away from adjacent residential uses. Off-street parking areas, loading areas and service areas *shall* be screened and landscaped and located to minimize adverse impacts on adjacent residential uses; OPA 55

(vi) the site plan promotes public safety;

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

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

Transit/ pedestrian supportive design

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

Encourage alternative forms of transportation

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

(i) buildings *should* be oriented to the street and transit services, and buildings *should* be located so as to be in proximity to, and face the street, to provide a sense of human comfort and pedestrian scale and interest; OPA 55

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

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

Re-designation-Evaluation Criteria

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

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

(ii) adequate municipal services are available;

(iii) sufficient on-site parking is provided;

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

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

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

Street level retail commercial

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

Infill existing areas

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

Corridor studies

m) It is recognized that certain segments of the Mixed Use Corridor designation differ in character from each other and City Council *may* require the preparation of Corridor Studies for all or part of various Mixed Use Corridors to provide specific guidance for their *re-development* and *intensification*. City Council *may* identify corridor segments on the basis of specific *physical characteristics*, identity and location, establish priority areas for which Corridor Studies will be undertaken, and outline specific items that Corridor Studies will address. The implementation of Council-approved Corridor Studies *may* require further amendments to this Plan or the Zoning By-law. Studies of this kind *may* also be required as part of an application for *development* or *re-development* along a Mixed Use Corridor. OPA 55

n) Notwithstanding the uses permitted in Part III, Subsection 5.3.2 a) of this Plan, *large scale motor vehicle dealership*s existing on the day of the adoption of this Plan *may* be expanded on the abutting property within the Mixed Use Corridor – General designation without an amendment to this Plan at the following locations: OPA 11

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

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

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

(iv) north side of Plains Road West, opposite Daryl Drive.

South-west corner of Brant Street and Leighland Road

o) Notwithstanding Part III, Subsections 5.3.2 b) and c) of this Plan, a two-storey retail *development* is permitted on land identified as 1030 Brant Street, and 1428 and 1430 Leighland Road. Permitted uses on these lands include retail only or a combination of retail, office and residential uses, with a minimum of two storeys. The retail function of the store may extend beyond the day to day and weekly shopping needs of residents within and adjacent to the Corridor. OPA 68

West side of Falcon Boulevard, 35 metres south of Plains Road East

p) Notwithstanding the policies of Part III, Subsections 5.3.2 a) and d) of this Plan, on the lands designated "Mixed Use Corridor-General" and identified as 980 and 986 Falcon Boulevard, only an apartment building shall be permitted and the maximum building height shall be 4 storeys.

North east corner of Plains Road East and Glendor Avenue

q) An infill townhouse project that is not part of a larger mixed use development *shall* be permitted at the north east corner of Plains Road East and Glendor Avenue. OPA 95

Northwest corner of Plains Road East and Helena Street

r) Notwithstanding policy a) ii) in Part III, Section 5.3.2 General Policies, an infill townhouse project that is not part of a larger mixed use development *shall* be permitted on the northwest corner of Plains Road East and Helena Street. OPA 114

84, 92 and 104 Plains Road East and 990 Glenwood Avenue

s) Notwithstanding the use, height, *floor area ratio* and design policies contained in Part Ill, Subsections 5.3.2 a), d) and g) of this Plan, for the properties identified as 84, 92 and 104 Plains Road East and 990 Glenwood Avenue, the following policies *shall* apply: OPA 116 OPA 164

a. a mixed use building consisting of residential and at-grade retail and *service commercial uses shall* be permitted;

b. the maximum building height *shall* be 12 storeys;

c. the maximum *floor area ratio shall* be 4.91 :1.

484 and 490 Plains Road East

t) Notwithstanding the policies of Part III, Subsections 5.3.2 a) ii) and d) ii) of this Plan, for the lands described as 484 and 490 Plains Road East, the following policies *shall* apply: OPA 118

(i) two mixed-use buildings with residential and at-grade office and commercial uses, with a maximum building height of 9 storeys *shall* be permitted;

(ii) stacked townhouse units *shall* be permitted; and,

(iii) a maximum density of 211 units per hectare *shall* be permitted.

40-70 Plains Road East

u) Notwithstanding the policies of Part III, Subsection 5.3.2 a) ii) and d) i), ii) of this Plan, for the lands described as 40-70 Plains Road East, a mixed use building consisting of at-grade commercial and residential apartment uses, with a maximum density of 580 units per hectare, a maximum floor area ratio of 4.41:1 and a maximum building height of 12 storeys *shall* be permitted. OPA 133

Notwithstanding policy of Part III, Subsection 5.3.2 c), retail, service commercial uses, and residential lobbies are to be located at the street level and along the street façade of the building. Residential uses are also permitted on the ground floor and away from the street facing façade.

688, 694, and 698 Brant Street

v) Notwithstanding the policies of Part III, Subsection 5.3.2 a) ii), 5.3.2 d) i), 5.3.2 d) ii), and 5.3.2 c) of this plan on the lands designated "Mixed Use Corridor – General" and identified as 688, 694, and 698 Brant Street, the following policies *shall* apply: OPA 135

(i) a mixed-use building, with a maximum density of 408 units per net hectare *shall* be permitted;

(ii) the maximum Floor Area Ratio *shall* be 4.11:1;

(iii) the maximum building height *shall* be 13 storeys; and

(iv) retail use on the second storey tied to the primary retail or service commercial use on the first storey *shall* be permitted.

720, 735 & 740 Oval Court and 5135 & 5155 Fairview Street

w) Notwithstanding the policies of Part lll, Subsection 3.7.2 d), 5.3.2 a) (i), 5.3.2 d) (i) and (ii), 5.3.2 j), and 5.3.4 k) of this Plan on the lands designated "Mixed Use Corridor – General" and identified as 720, 735 & 740 Oval Court and 5135 & 5155 Fairview Street, a mixed-use development *shall* be permitted with a maximum building height of 34 storeys, with a maximum floor area ratio of 6:1. Development on the subject lands *shall*: OPA 139

(i) not exceed 19 storeys for buildings that front onto Fairview Street.

(ii) small scale motor vehicle dealerships are prohibited.

(iii) demonstrate how applicable City design guidelines and the Oval Court Urban Design Guidelines are being achieved and be subject to review in accordance with guidance contained therein.

(iv) contribute to a walkable, accessible and attractive pedestrian environment, by incorporating in the proposal appropriate internal links, such as sidewalks and promenades with connections to Sherwood Park and Appleby Go Station.

(v) facilitate the provision of affordable housing through engagement with the non-profit sectors in the provision of affordable housing units.

(vi) retain space for a similar number of employment jobs to be accommodated to assist in the achievement of the employment targets for this area.

(vii) be in accordance with a Class 4 Area as defined by the Ontario Ministry of the Environment Environmental Noise Guideline Publication NPC-300.

(viii) incorporate measures to avoid or minimize and mitigate potential adverse effects to the development from noise and air emissions including odour.

(ix) incorporate measures to avoid or minimize and mitigate potential impacts on industrial, manufacturing or other uses, including reducing the risk of complaints, and to ensure the ability of major facilities to comply with environmental approvals, registrations, legislation, regulations and guidelines for both current and future operations.

(x) individual buildings on Schedule 'B' may exceed a floor area ratio of 6:1 provided the cumulative total maximum floor area ratio for all of the buildings on Schedule 'B' do not exceed 6:1.

(xi) *may* consider the following objectives:

I. To ensure particular attention will be given to the relationship between the public and private realms in the development of buildings, streets, and urban open spaces.

II. To provide pedestrian access, appropriate building and underground setbacks, proposed uses adjacent to existing park facilities and the preservation of the large existing row of trees along the property line and the interface with Sherwood Park.

III. To promote built form transitions for the existing residential development along Fairview Street and along Sherwood Park.

IV. To provide podium setbacks and stepbacks within the built form along Fairview Street.

V. To ensure appropriate tower setback from Fairview Street.

VI. To establish appropriate streetscape design for Fairview Street, Oval Court and the proposed promenade.

VII. To incorporate public/private spaces such as urban squares, parkettes, amenity space and café spaces as part of the design elements.

VIII. To ensure connectivity between the Appleby GO Station and Sherwood Park through the proposed promenade.

1026 Cooke Boulevard

x) Notwithstanding the policies of Part III, Section 5.3, Subsections 5.3.2 a) ii), d) i) and d) ii) of this Plan, a *Floor Area Ratio* of 11:1, and a maximum building height of 24 storeys *shall* be permitted. OPA 143

1062 and 1074 Cooke Boulevard

y) Notwithstanding the policies of Part III, Subsection 5.3.2 d) i), ii) of this plan the lands described as 1062 and 1074 Cooke Boulevard, mixed-use buildings containing residential units with a maximum floor area ratio of 9.3:1 and a maximum building height of 30 and 34 storeys (plus mechanical penthouse and rooftop amenity) shall be permitted. The lands described as 1062 and 1074 Cooke Boulevard are classified as a Class 4 area as defined by the Ontario Ministry of Environment, Conservation, and Parks NPC-300 Environmental Noise Guidelines. OPA 144

1010 Downsview Drive and 355 Plains Road East

z) Notwithstanding Part III, Subsection 5.3.2 d) (i) and (ii), and f) of this Plan, on the lands designated "Mixed Use Corridor – General" and identified as 1010 Downsview Drive and 355 Plains Road East, a mixed-use development consisting of mid-rise buildings *shall* be permitted subject to the following: OPA 146

(i) On the lands identified as 1010 Downsview Drive one 9-storey apartment building and 3 storey stacked townhouses, exclusive of mechanical penthouse/rooftop amenity and a maximum *floor area ratio* of 2.3:1 *shall* be permitted.

(ii) On the lands identified as 355 Plains Road East, two 11-storey apartment buildings connected by a 6-storey podium and 3 storey stacked townhouses, exclusive of mechanical penthouse/rooftop amenity and a maximum *floor area ratio* of 4.9:1 *shall* be permitted.

(iii) development on the lands shall:

I. address the interface with the existing residential neighbourhood located to the north along Dowland Crescent through the provision of appropriate building and underground setbacks and review tree preservation along the north property line.

II. provide appropriate stepbacks within the built form along Plains Road East and Downsview Drive.

III. provide appropriate stepbacks within the built form for the existing residential development along the west property line on 1010 Downsview Drive.

IV. establish an appropriate building setback from the east property line on 355 Plains Road East to allow adequate separation from the adjacent existing buildings as well as any proposed new adjacent buildings.

789-795 Brant Street

aa) Notwithstanding the policies of Part Ill, Subsection 5.3.2 a) ii), 5.3.2 d) i), and 5.3.2 d) ii), of this plan on the lands described as 789-795 Brant Street a mixed use building consisting of retail/*service commercial* uses at-grade and residential uses, with a maximum *Floor Area Ratio* of 12.2:1, a maximum density of 1408 units per *net* hectare and a maximum building height of 33-storeys shall be permitted. OPA 147

South side of Plains Road, east of Shadeland Avenue - 276, 284 and 292 Plains Road East

ab) Notwithstanding the policies of Part III, Subsections 5.3.2 d) i) and d) ii) of this Plan, a maximum *Floor Area Ratio* of 2.6: 1 and a maximum building height of 7 storeys *shall* be permitted. OPA 132

Tremaine Dundas Community

ac) Notwithstanding the policies of Part III, Subsection 5.3.2 a) (i), the following additional policy *shall* apply to the Tremaine Dundas Community: OPA 107

(i) Farmers market use is permitted.

Tremaine Dundas Community

ad) Notwithstanding the policies of Part III, Subsection 5.3.2 a) (ii), the following additional policies *shall* apply to the Tremaine Dundas Community: OPA 107

(ii) Residential uses *shall* not be permitted on the ground floor of buildings abutting a major arterial or abutting a local collector within 90 metres of Dundas Street.

(iii) Floor to ceiling height of the ground floor *shall* be a minimum of 4.5 metres to accommodate commercial uses within mixed use buildings.

(iv) Townhouse dwelling units *may* only be permitted as a component of an overall mixed-use development provided the long term objectives of the Mixed Use Corridor – General are not compromised in terms of function of the Mixed Use Corridor – General as a vibrant gathering and focal point within the community, mix of retail and service commercial uses, overall site design, building form or intensity.

Tremaine Dundas Community

ae) Notwithstanding the policies of Part III, Subsection 5.3.2 d) (i), the following additional policies *shall* apply to the Tremaine Dundas Community: OPA 107

(i) The maximum floor area ratio of *development shall* be 2.0:1. An increase to this floor area ratio may occur through a site-specific Zoning By-law amendment or minor variance application without the need for an amendment to this Plan provided that the

objectives of the Mixed Use Corridor-General designation are maintained.

(ii) Buildings fronting onto a major arterial street *should* be a minimum of three storeys. Buildings greater than four storeys *shall* require appropriate site specific air quality assessments at site plan stage.

(iii) An updated Noise and Vibration Study will be required as part of any proposed *development* application to assess all transportation and stationary noise sources in the vicinity of the application.

784 Brant Street

af) Notwithstanding the policies of Part 111, Subsection 5.3.2d(i), (ii) and (v) of this Plan, on the lands designated "Mixed-Use Corridor-General" and identified as 784 Brant Street, 2 mixed use buildings *shall* be permitted with ground floor commercial with a maximum density of 662.7 units per hectare and a maximum building height of 18 and 25 storeys for each tower. The building *abutting* Brant Street *shall* incorporate a setback above the third storey to provide a low-rise feel for pedestrians along Brant Street. OPA 149

2362 Fairview Street

ag) Notwithstanding the policies of Part Ill, Section 5.3, Subsection 5.3.2 d) i) and d) ii) of this Plan, a *Floor Area Ratio* of 4.1:1, and a maximum building height of 13 storeys including the mechanical penthouse *shall* be permitted. OPA 150

141, 147 and 153 Plains Road West

ai) Notwithstanding the policies of Part Ill, Section 5.3, Subsections 5.3.2 d) i) and d) ii) of this Plan, a *Floor Area Ratio* of 5:1, and a maximum building height of 12 storeys *shall* be permitted. OPA 154

5.3.3 Mixed Use Corridor-Commercial Corridor

5.3.3.1 Objectives

Recognition

a) To recognize certain sections of the Mixed Use Corridors which have been largely developed for space-extensive, automobile-oriented large retail uses, and are not expected to *re-develop* significantly in the short-term. OPA 55

Long-Term re-development

b) To *encourage* the eventual long-term *re-development* of these sites in a more intensive, pedestrian and transit oriented manner, that is more consistent with the principles and objectives for Mixed Use Activity Areas. OPA 55

5.3.3.2 Policies

Commercial Corridor locations

a) Notwithstanding the policies of Part III, Subsection 5.3.2, the following Mixed Use Corridor locations as shown on Schedule B are generally recognized for lower intensity, retail *development* than found in the Mixed Use Corridor-General designation as outlined in Part III, OPA 14 OPA 15 OPA 26 OPA 41

Subsection 5.3.2, and in accordance with the policies of Part III, Sections 5.1 and 5.2 of this Plan, and are subject to the policies of Part III, Subsection 5.3.3: OPA 55

(i) south side of Plains Road East, between the CNR at Glendor Avenue and Queensway Drive;

(ii) north side of Fairview Street, between the Queen Elizabeth Way and Drury Lane;

(iii) north side of Fairview Street, between the *Regional Commercial area* and Walker's Line, including the north-east corner of Fairview Street and Walker's Line; OPA 31

(iv) south side of Fairview Street, between the *Regional Commercial area* and Woodview Ave; OPA 31

(v) west side of Appleby Line, between Fairview Street and south to the Hydro Corridor;

(vi) north-east corner of Plains Road West and Howard Road; OPA 14

(vii) north-west corner of Plains Road East and Cooke Boulevard; OPA 14

(viii) the north-east corner of Fairview Street and Walker's Line; OPA 14

(ix) the 0.7 hectare property at 4175 Fairview Street; OPA 14

(x) the 6.5 hectare property at 4415 Fairview Street; OPA 15

(xi) the 0.56 hectare property located at the north-east corner of Plains Road East and Brant Street; OPA 41

(xii) 101 Masonry Court. OPA 55

Permitted uses

b) The following uses *may* be permitted within the Mixed Use Corridor-Commercial Corridor locations: OPA 10

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

(ii) *medium* and *high density residential* uses subject to the policies of Part III, Subsection 5.3.2 a) (ii); OPA 55

(iii) a limited number and range of large-scale retail and *service commercial* uses such as retail uses up to 5,600 sq. m. in gross floor area where food products are not the principal goods retailed, and retail commercial uses that require either multi-tenant or freestanding buildings on sites that have significant needs for on-site storage and parking, such as garden centres, *automotive commercial*, furniture and home furnishing uses and home improvement stores; and OPA 55

Retail function

c) Mixed Use Corridors- Commercial Corridor lands are intended to provide for the retail needs of the residents and businesses within the City and from adjacent areas. It is not the intent of this Plan that any one cluster of retail facilities that *may* be proposed through applications to re-designate lands to Mixed Use Corridor -Commercial Corridor, or to permit additional uses within a Mixed Use Corridor -Commercial Corridor designation, approach the size or significance of the Regional or Community Commercial designations. OPA 55

Prohibited uses

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

Zoning regulations

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

(i) the maximum *floor area ratio shall* be 1.5:1. City Council *may* consider a higher *floor area ratio* in conjunction with a site-specific rezoning or variance application, subject to the consideration of various factors such as adequacy of services and *infrastructure*; the provision of *compatibility* with adjacent uses through measures such as terracing; a high quality of building design, landscaping and streetscaping; and the provision of underground parking; OPA 55

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

Zoning of sites

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

Transit/ pedestrian supportive design

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

Re-designation-evaluation criteria

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

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

(ii) adequate municipal services are available;

(iii) sufficient on-site parking is provided;

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

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

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

(vii) there is a demonstrated need for the additional retail facilities; OPA 55

(viii) the criteria outlined in Part III, Subsection 5.3.3.2 f) are achieved; OPA 55

(ix) any application for additional retail within a Commercial Corridor *shall* be subject to a criterion that any retail node *shall* have a maximum retail floor area of 14,000 sq. m. (For the purposes of this policy, retail node is defined as a contiguous retail *development* or *developments* beside one another, on opposite corners of a street, or across a street, which *may* or *may* not share a joint access or function as a single or unified *development*.) OPA 55

Infill existing Areas

i) *Infilling* of existing, linear Mixed Use Corridors- Commercial Corridors *shall* be *encouraged* rather than the designation of new areas.

Prohibitions

j) Notwithstanding the uses permitted in Part III, Subsection 5.3.3.2 b) of this Plan, for properties identified in Part III, Subsection 5.3.3.2 a) (vi), (viii) and (ix), residential uses are prohibited, *supermarket/grocery store* uses are prohibited and individual retail uses are allowed to a maximum floor area of 3,000 sq. m. OPA 105

Prohibitions

k) Notwithstanding the uses permitted in Part III, Subsection 5.3.3.2 b) of this Plan, for the property identified in Part III, Subsection 5.3.3.2 a) (x), residential uses are prohibited, *supermarket/grocery store* uses are prohibited and individual retail uses are allowed to a maximum floor area of 3,000 sq. m. OPA 15

2089 and 2095 Fairview Street

l) Notwithstanding the use, height, *floor area ratio* and design policies contained in Part III, Subsections 5.3.2 a), d) and g), and Part III, Subsections 5.3.3.2 b) and e) of this Plan, for the properties identified as 2089 and 2095 Fairview Street, the following policies *shall* apply: OPA 59

(i) townhouses *shall* be a permitted use;

(ii) the maximum building height *shall* be 17 storeys. Additional height may be permitted if the proposed building is LEED certified (or equivalent to the satisfaction of the Director of Planning and Building).

(iii) there *shall* be a total site (at full build out) minimum *floor space index* of approximately 0.5:1 and the maximum 1.5:1 *floor space index shall* not apply;

(iv) any subsequent *re-development* of these properties, involving the demolition and replacement of previously constructed buildings, *shall* permit only those uses contained in Part III, Subsections 5.3.2 a) and 5.3.3.2 b) of this Plan.

35 Plains Road East

m) Notwithstanding the use, height, *floor area ratio* and design policies contained in Part III, Subsections 5.3.2 a), d) and g), and Part III, Subsections 5.3.3.2 b) and e) of this Plan, for the property identified as 35 Plains Road East, the following policies *shall* apply: OPA 105 OPA 162

(i) a mixed use building consisting of residential and at-grade retail or *service commercial shall* be permitted;

(ii) the maximum building height *shall* be 13 storeys;

(iii) the maximum *floor area ratio shall* be 6.9:1.

1120 Cooke Boulevard

n) *Development* on the lands described as 1120 Cooke Boulevard *shall* be in accordance with the following: OPA 142

(i) *Development shall* incorporate measures to avoid or minimize and mitigate potential adverse effects to the *development* from noise and air emissions including odour.

(ii) *Development shall* incorporate measures to avoid or minimize and mitigate potential impacts on industrial, manufacturing, or other uses, including reducing the risk of complaints, and to ensure the ability of major facilities to comply with environmental approvals, registrations, legislation, regulations, and guidelines for both current and future operations.

(iii) Notwithstanding the use, floor area ratio, height, and design policies contained in Part III, Subsections 5.3.2 c), d) (i) and (ii), and g) (i) and (v), and 5.3.3.2 c) and e) (i) and (ii), of this Plan, for the lands described as 1120 Cooke Boulevard, the following policies *shall* apply:

a. a mixed-use *development* comprising three buildings, with a combined maximum 1165 *dwelling units* and a combined maximum *Floor Area Ratio* of 9:1:1 *shall* be permitted;

b. a maximum building height of 34 storeys (plus mechanical)

shall be permitted;

c. non-residential uses *shall* be located at ground level in two of the three buildings;

d. surface parking spaces for residential visitors and/or non-residential uses may be provided.

5.3.4 Mixed Use Corridor-Employment

Employment Oriented locations

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

(i) Cooke Boulevard;

(ii) Waterdown Road;

(iii) north side of Plains Road West, between Howard Road and Cooke Boulevard, except the north-east corner of Plains Road West and Howard Road and the north-west corner of Plains Road East and Cooke Boulevard. OPA 14

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

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

(vi) north side of Fairview Street, between Walkers Line and Sherwood Forest Park, except the 0.7 hectare property at 4175 Fairview Street, the north-east corner of Fairview Street, and the north-east corner of Fairview Street and Walker's Line, and except the 6.5 hectare property at 4415 Fairview Street, and except 5135 & 5155 Fairview Street and 720, 735 & 740 Oval Court OPA 15 OPA 139

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

(viii) Legion Road and Grahams Lane;

(ix) west side of Appleby Line, between Thomas Alton Boulevard and Palladium Way; OPA 3 OPA 79

(x) the south-east corner of Walker's Line and Palladium Way and the north-east corner of Walker's Line and Dundas Street; OPA 3 OPA 49

(xi) south-west corner of Walker's Line and Palladium Way; and OPA 3

(xii) 920 to 932 Brant Street. OPA 55

Permitted uses

b) The following uses *may* be permitted within the Mixed Use Corridor-Employment locations: *industrial* uses; a broad range of office uses, a limited range of retail, *service commercial* and personal service uses OPA 10

which serve the day to day needs of employees; financial institutions and services; *entertainment*, *recreation* and other *community facilities* such as libraries and day care centres and motor vehicle dealerships.

Retail function

c) Mixed Use Corridors-Employment lands are intended to provide for the retail and *service commercial* needs of the *employment uses* and their employees within and immediately adjacent to the Corridor. In addition, retail uses related to home improvement *shall* be permitted. OPA 16

Prohibited uses

d) In Mixed Use Corridor-Employment locations, residential uses *shall* be prohibited. In addition, individual retail and *service commercial* uses *shall* be limited to a maximum size as set out in the Zoning By-law. OPA 55

Zoning regulations

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

(i) the maximum *floor area ratio* of development at any site *shall* be 1.0:1, except *industrial* uses, where the maximum *floor area ratio shall* be 0.5:1;

(ii) the maximum building height *shall* be six storeys, except for *industrial* uses, where the maximum building height *shall* be two storeys;

(iii) buildings *should* be located so as to front and face the street, to provide a sense of human comfort and pedestrian scale and interest, and in close proximity to the street and to transit services; and OPA 55

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

Zoning of sites

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

Transit/ pedestrian supportive design

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

Re-designation-evaluation criteria

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

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

(ii) adequate municipal services are available;

(iii) sufficient on-site parking is provided;

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

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

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

Infill existing areas

i) *Infill*ing of existing, linear Mixed Use Corridors-Employment *shall* be *encouraged* rather than the designation of new areas.

Lands located west of King Road, south of Highway 403

j) Notwithstanding Part III, Subsection 5.3.2, the following additional policy applies to lands designated "Mixed Use Corridor-Employment" and located west of King Road, south of Highway 403, and described as 1200 King Road: OPA 55

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

Re-designation from Mixed Use - Employment

k) Proposals for the re-designation of lands designated Mixed Use-Employment to allow non-*employment uses*, or to add a range of uses to the Mixed Use Corridor-Employment designation that are primarily permitted in a non-*employment* designation, *shall* be evaluated based on meeting the following criteria: OPA 55

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

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

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

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

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

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

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

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

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

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

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

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

Tremaine Dundas Community

l) Notwithstanding the policies of Part III, Subsection 5.3.4 b), the following additional policy *shall* apply to the Tremaine Dundas Community: OPA 107

(i) Prestige Industrial and Office uses are encouraged. Farmers market use is permitted.

(ii) In addition to the other policies of this Plan, the following policies apply to *development* within the Tremaine Dundas Community:

i. *Development* in the Mixed Use Corridor - Employment block along the west side of Tremaine Road *shall* achieve land use compatibility with future *employment* uses along the east side of Tremaine Road, as well as with residential uses located to the west.

ii. *Development* in the Mixed Use Corridor - Employment area *shall* be a minimum of two storeys and a maximum of 6 stories although buildings located in close proximity to the intersection of Tremaine Road and Dundas Street *should* be a minimum of three storeys. Any increase in maximum height *shall* require a site specific Zoning By-law amendment and an air quality assessment to assess potential existing and future industrial and traffic impacts from the surrounding areas.

iii. Outside storage *shall* not be permitted in the Mixed Use Corridor - Employment area.

iv. Loading, servicing and delivery functions in the Mixed Use

Corridor - Employment area areas *shall* be consolidated to the extent practical and *shall* generally be located to the rear of buildings and screened from public view.

v. Lands within the Mixed Use Corridor - Employment area *may* be used for stormwater management including *Low Impact Development* and naturalization with emphasis on creating more open/green space between buildings.

5.4 Mixed Use Centre

5.4.1 Objectives

Integrate uses at strategic locations

a) To provide locations centred at the intersection of selected major arterial roads, inter-municipal transit stations and the Downtown that will serve as areas for mixed use *developments* consisting of medium and *high density residential*, retail, *service commercial*, office, *industrial*, *entertainment*, *community facilities* and institutions, and open space uses. OPA 32

Higher intensity development

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

Mixed uses

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

Open Space system

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

Personal safety

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

Diverse Transportation system

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

5.4.2 Policies

Permitted uses

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

(i) a wide range of retail, *service commercial* and personal service uses; financial institutions and services; a broad range of office uses; *employment*, *entertainment*, *recreation* and other *community facilities* such as day care centres; and OPA 32

(ii) *medium* and *high density residential* uses, and to a limited extent, *low density residential* uses. OPA 74

Zoning Regulations

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

Development intensities

c) A range of *development* intensities *shall* be permitted.

Building heights

d) A range of building heights *shall* be permitted.

Open space and parkland requirements

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

Zoning of sites

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

Site plan considerations

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

(i) buildings *should* be located with their front face to the street, to provide a sense of human comfort and pedestrian scale and interest, and in close proximity to the street and transit services, wherever feasible; OPA 55

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

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

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

(v) the site plan promotes public safety;

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

(vii) off-street parking areas *shall* be located in the side and rear yards.

(viii) off-street parking *shall* be located away from adjacent residential uses; and

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

Transit/ pedestrian supportive design

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

(i) buildings *should* be located with their front face to the street, to provide a sense of human comfort and pedestrian scale and interest, and in close proximity to the street and transit services, wherever feasible; and OPA 55

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

Re-designation-evaluation criteria

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

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

(ii) adequate municipal services are available;

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

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

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

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

Street level retail commercial

j) Retail, *service commercial* and other pedestrian-oriented uses *shall* be required at the street level in the Downtown Core, Wellington Square and Old Lakeshore Road Mixed Use precincts in the Downtown Mixed Use Centre, and *shall* be *encouraged* to locate at street level in other designations. OPA 55

Residential intensification

k) Proposals for residential *intensification shall* be evaluated on the basis of the objectives and policies of Part III, Section 2.5.

Monitor open space

l) Development in Mixed Use Centres *shall* be monitored by the City to ensure that an appropriate amount of open space is provided taking into account the size and scale of each *lot* and the proposed *development,* and recognizing the amount of open space to be provided on public lands.

Reduced and shared parking

m) Reduced parking standards, shared parking formulae and/or on-street parking *may* be permitted on Mixed Use Centre lands to reflect the increased intensity of *development* and accessibility by transit and other *modes* of travel. Opportunities for the sharing of parking in mixed use developments *may* be considered subject to evaluation by the City.

5.5 Downtown Mixed Use Centre

5.5.1 Principles

Growth Centre

a) In keeping with the "Places to Grow" Growth Plan for the Greater Golden Horseshoe, 2006, the boundary for the Downtown Burlington Urban Growth Centre is shown on Schedule B, Comprehensive Land Use Plan – Urban Planning Area and Schedule E, Downtown Mixed Use Centre. This boundary includes various land use designations as outlined on Schedules B and E, and as such, development within this boundary is subject to the specific policies of the applicable land use designations. However, the principles of the Downtown Burlington Urban Growth Centre are as follows: OPA 55

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

(ii) this area *shall* accommodate high density *employment*.

Distinct identity

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

Vibrant people place

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

Centre for public activities

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

Mixed Use Centre

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

Entertainment and cultural activities

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

Urban design

g) New *development shall* be of high quality design to maintain and enhance the Downtown's image as an enjoyable, safe, pedestrian-oriented place, and designed and built to complement pedestrian activity and historical attributes as outlined in the Downtown Urban *Design Guidelines* referenced in Part III, Subsection 5.5.11 a) of this Plan. OPA 55

Re-development and parking

h) The Downtown *shall* be *re-developed* through the *infill*ing of existing surface parking lots, the *rehabilitation* of existing buildings and the *intensification* of under-utilized lands and buildings, in keeping with its role as Provincial Growth Centre, ensuring that such *development shall encourage* transit use and that an adequate supply of parking is provided. OPA 55

Function of Downtown

i) The Downtown Mixed Use Centre *shall* provide a municipal wide function for lifestyle and *entertainment uses* and a Community Commercial function for the surrounding residents. OPA 55

Waterfront

j) Protection and enhancement of public access to the waterfront and waterfront facilities will be a primary focus, which must be recognized in the consideration of *development* or *re-development* of properties. Reasonable protection of views to the lake from public areas such as streets and trails *shall* also be provided in the consideration of development or *re-development* proposals. OPA 55

Transportation

k) Cross-town travel through the Downtown for automobiles will be discouraged and some level of vehicular congestion in the Downtown will be expected and tolerated, especially during *peak period*s and downtown events. OPA 55

Inclusiveness

l) The City *shall* strive to make the Downtown an *inclusive* community. OPA 55

5.5.2 Objectives

Mixed use role

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

Minimum density targets

b) To establish minimum density targets for residents and jobs in accordance with the "Places to Grow" Growth Plan for the Greater Golden Horseshoe. OPA 55

Unique mixed use role

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

Pre-eminent role

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

Compact City core

e) To create a compact Downtown city core with a mix of residential, commercial and other uses, as an alternative to the car oriented shopping plazas, malls and business corridors.

Tourism	f)	To *encourage* tourism in the Downtown based on the significance of Spencer Smith Park, Beachway Park, the Joseph Brant Museum and the Burlington Art Centre, which are located adjacent to the Downtown.	
Residential Function	g)	To increase the resident population and provide a variety of housing types mainly at medium and high densities that will strengthen the *live/work relationship*, ensure the Downtown is used after business hours, and create a local market for convenience and service goods.	OPA 74
Local and specialized commercial	h)	To provide commercial activity that serves the general needs of Downtown residents as well as specialized functions for the entire community.	
Open space	i)	To ensure that buildings in the downtown are offset by a range of open space areas (that *may* include parkettes, urban plazas, and pedestrian networks) that *may* allow for both passive and active recreational and social activities.	OPA 55
Waterfront environment	j)	To create a unique waterfront area to accommodate recreational, cultural and leisure pursuits.	
Downtown Waterfront link	k)	To create a strong link between the Downtown and the waterfront, so that the waterfront becomes an integral part of the Downtown.	
Design excellence	l)	To establish the concept of design excellence in the Downtown to *encourage* long-term investment.	
Precincts	m)	To establish planning precincts within the Downtown, each with their own distinct character and specific planning policies.	OPA 55
Streetscape and environment	n)	To create a continuous, harmonious, safe and attractive environment through *streetscape*, building facade improvements and the design of new buildings.	
Compatible development	o)	To ensure that the density, form, bulk, height and spacing of development is *compatible* with the surrounding area.	
Transportation system	p)	To provide an efficient and safe transportation system for the movement of people and goods that is sensitive to other Downtown goals and objectives.	
Balance of transportation system	q)	To provide a balanced approach to transportation by increasing transit use and the pedestrian orientation and improving the pedestrian and bicycle linkages between the Downtown and other parts of the City.	
Provision of parking	r)	To provide adequate and safe parking in the Downtown.	
Inclusiveness	s)	To ensure that development in the downtown has regard for the principle of *inclusive*ness as defined in Part VIII, Definitions, of this Plan.	OPA 55

5.5.3 General Policies

Land Use Plan

a) *Development shall* be permitted in accordance with the land use designations of Schedule E, Land Use Plan - Downtown Mixed Use Centre.

Minimum density targets

b) Within the Urban Growth Centre Boundary as delineated on Schedule B, Comprehensive Land Use Plan – Urban Planning Area, and Schedule E, Downtown Mixed Use Centre, the target is established of a minimum gross density of 200 residents and jobs per hectare, in accordance with the "Places to Grow" Growth Plan for the Greater Golden Horseshoe, 2006. OPA 55

Density and community benefits

c) Higher densities and intensities will be *encouraged* within certain precincts of the Downtown Mixed Use Centre. The provision of community benefits *may* be considered for *developments* proposing residential and business *intensification*. OPA 74

City Owned land

d) The status of City-owned properties in the Downtown *shall* be reviewed periodically to determine if there is potential for *development* to enhance the function of the Downtown.

Holding zones

e) Holding Zones *may* be used to reduce processing times of *development applications* in areas where land assembly is a requirement of *development.*

Land banking

f) A City land banking program *may* be established for buying, selling or leasing property to meet public policy objectives or to assist private sector *re-development* under community improvement provisions of The Planning Act.

Cultural Heritage resources

g) The Downtown's *cultural heritage resources shall* be *preserved* and integrated into new *development*, where possible, and any *development* close to *cultural heritage resources shall* be sensitive to the historic context of the street and not just of the immediately adjacent buildings, to maintain the character of established areas.

Integration of uses

h) Retail stores, offices, hotels, institutional and *entertainment uses shall* be integrated with residential uses, *community facilities* and open space.

Major entertainment facility

i) The position of City Council is that major *entertainment* facilities *should* locate within the Downtown Mixed Use Centre unless it can be demonstrated that such a facility cannot be located within this area. OPA 55

Commercial attractions and services

j) Hotels, theatres, cafes, rooftop terraces, sidewalk patios, restaurants, cultural and recreational facilities and tourist-oriented attractions and services *shall* be directed to locate within the Downtown Core, Wellington Square Mixed Use and Old Lakeshore Road Mixed Use precincts. OPA 55

Inclusiveness

k) Proposals that have regard for the principle of *inclusiveness shall* be *encouraged*. OPA 55

5.5.4 The St. Luke's and Emerald Neighbourhood Precincts

OPA 55

Objective

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

Permitted uses

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

(i) *existing uses*;

(ii) detached dwellings to a maximum density of 25 units per *net* hectare and a maximum building height of 2 ½ storeys;

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

(iv) *group homes*;

(v) *home occupations* and *cottage industries;*

(vi) neighbourhood parks;

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

Caroline, Elizabeth, Maria and Pearl Street Block

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

Compatibility

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

Southeasterly corner of Caroline Street and Pearl Street

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

OPA 91

5.5.5 Downtown Residential Medium and/or High Density Precincts

OPA 55

Objective

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

Permitted uses

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

(i) *existing uses*;

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

(iii) *home occupations* and *cottage industries*;

(iv) neighbourhood parks;

(v) offices.

Compatibility

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

East side of Maple Avenue, south of Maple Crossing Boulevard

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

OPA 71

West side of Brock Avenue, north of Elgin Street

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

OPA 85

South-west corner of Brock Avenue and Ontario Street

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

OPA 108

Southwest corner of James Street and Martha Street

g) Notwithstanding Part III, Subsection 5.5.5 b) ii) of this Plan, within the Downtown Residential Medium and/or High Density Precincts designation located at 2082, 2086 and 2090 James Street, one 14 storey apartment building, inclusive of roof-top mechanical and amenity, with a maximum of 150 dwelling units is permitted

OPA 123

2085 Pine Street

h) Notwithstanding Part III, Subsection 5.5.5 b) ii) of this Plan, within the Downtown Residential Medium and/or High Density Precincts designation located at 2085 Pine Street, a maximum density of 365 units per hectare *shall* be permitted. OPA 125

North-east corner of North Shore Boulevard and the Q.E.W

i) Notwithstanding Part III, Subsection 5.5.5 b) of this Plan, for the lands described as 1157-1171 North Shore Boulevard, a maximum density of 280 units per net hectare is permitted for *special needs housing* including *seniors housing* in a retirement home. OPA 122

East side of Maple Avenue, north of Lakeshore Road

j) Notwithstanding Part III, Subsection 5.5.5 b) ii), within the Downtown Residential Medium and/or High Density Precincts designation located at 441 Maple Avenue, one 12 storey apartment building, including mechanical penthouse, having a maximum density of 500 units per hectare is permitted. OPA 129

401-417 Martha Street

k) Notwithstanding Part III, Subsection 5.5.5 b) of this plan, within the Downtown Residential - Medium and/or High Density Precincts designation located at 401-417 Martha Street, one 16-storey (including mezzanine and a mechanical penthouse/rooftop amenity) apartment building having a maximum density of 605 units per hectare *shall* be permitted. OPA 138

OPA 55

5.5.6 Waterfront West/Public Lands Precinct

5.5.6.1 Objectives

Public accessibility

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

Linkages

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

5.5.6.2 Policies

Permitted uses

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

(i) *existing uses;*

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

Leisure and recreational opportunities

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

Public and private lands

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

Open space function

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

Facilities and services

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

Complementary park uses

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

5.5.7 Old Lakeshore Road Mixed Use Precinct

OPA 55

5.5.7.1 Objectives

Objectives

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

Specialty uses

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

High standard of design

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

East, West & South Sectors

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

5.5.7.2 Policies

Permitted uses

a) The following uses *may* be permitted:

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

(ii) commercial activities including local service and retail uses, office and administration uses;

(iii) cultural uses of all types;

(iv) leisure, *recreation* and hospitality uses;

(v) *entertainment uses*;

(vi) *community facilities*.

Density and height

b) West Sector (Area 'A', Schedule E):

Development will be subject to the following criteria:

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

East Sector (Area 'B', Schedule E):

Development will be subject to the following criteria:

The minimum density of residential buildings *shall* be 51 units per *net* hectare. The minimum height of buildings *shall* be two storeys and the maximum height of buildings *shall* be 6 storeys and 19.5 m.

West Sector - special considerations

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

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

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

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

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

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

(vi) provision of enhanced public spaces;

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

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

East Sector - special considerations

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

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

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

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

South Sector

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

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

At-Grade commercial

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

Setbacks and parking

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

Cultural Heritage Resources

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

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

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

- 2084 Old Lakeshore Road (former Estaminet): A floor area of 1,500 sq. m. *may* be transferred to other lands in the West Sector once the building has been designated pursuant to Part IV of The Ontario Heritage Act and a conservation easement has been granted for the entire building in favour of the City by the owner of the property. OPA 83

Holding zones

i) A holding zone *may* be used to specify the conditions of *development* that must be completed to achieve the higher density *development* outlined in Part III, Subsections 5.5.7.2 c) and d).

Waterfront Trail – condition of development or re-development

j) Notwithstanding Part II, Subsection 9.4.2 m), the following policies *shall* apply for a waterfront trail in the Old Lakeshore Road Precinct in the West Sector:

Along the waterfront where the distance between the water and the public roadway will accommodate both the *development* and the Waterfront Trail, the proponent will be required to undertake the following as a condition of approval of a *development application* to the satisfaction of City Council:

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

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

(iii) carry out a survey, shoreline protection, and complete construction of the Waterfront Trail above the *stable top of bank;*

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

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

2107-2119 Old Lakeshore Road, and 2114 Lakeshore Road

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

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

(ii) Preservation or relocation of significant cultural heritage resources within the precinct;

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

2093, 2097, 2101 Old Lakeshore Road and 2100 Lakeshore Road

l) Notwithstanding Part III, Subsection 5.5.7.2 a)i), b), c), d) and f) of this Plan, for the lands identified as 2093, 2097, 2101 Old Lakeshore Road and 2096, 2100 Lakeshore Road, the following policies *shall* apply: OPA 126

(i) a mixed-use building with a maximum density of 940 units per hectare *shall* be permitted;

(ii) the maximum building height *shall* be 27 storeys, Plus rooftop mechanical equipment, and 88.4 metres; and,

(iii) The minimum non-residential gross floor area *shall* be 426 square metres.

2083 Lakeshore Road

m) Notwithstanding the policies of Part Ill, Subsection 5.5.7.2 of this plan on the lands identified as 2083 Lakeshore Road and designated "Old Lakeshore Road Mixed Use Precinct", the following policies *shall* apply: OPA 160

(i) The maximum *floor area ratio shall* be 11.6:1;

(ii) The maximum height shall be 28 storeys (inclusive of mechanical penthouse),

2072 Lakeshore Road

n) Notwithstanding Part Ill, Subsection 5.5.7.2 b) of this Plan, on the lands identified as 2072 Lakeshore Road and designated "Old Lakeshore Road Mixed Use Precinct", the following policies *shall* apply: OPA 158

(i) The maximum *floor area ratio shall* be 13.85:1;

(ii) The maximum building height *shall* be 23 storeys (excluding mechanical penthouse),

Notwithstanding Part II, Subsection 3.3.2 e) of this Plan, the following policies *shall* apply:

(i) A 4 m x 4 m daylight triangle with corner rounding shall be required at Lakeshore Road and Pearl Street

2076 Lakeshore Road

n) Notwithstanding the policies of Part Ill, Subsection 5.5.7.2 of this plan on the lands identified as 2076 Old Lakeshore Road and designated "Old Lakeshore Road Mixed Use Precinct", the following policies *shall* apply: OPA 159

(i) The maximum floor *area ratio shall* be 11.9:1;

(ii) The maximum height shall be 25 storeys (inclusive of mechanical penthouse and mezzanine).

Notwithstanding the policies of Part Ill, Subsection 5.5.7.2 j), and Notwithstanding Part II, Subsection 9.4.2 m), the following policies shall apply for a waterfront trail in the Old Lakeshore Road Precinct in the West Sector:

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

ii. dedicate free of charge to the City, the completed Waterfront Trail and associated land;

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

5.5.8 Downtown Core Precinct

OPA 55

5.5.8.1 Objectives

High Density

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

High standard of design

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

5.5.8.2 Policies

Permitted uses

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

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

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

(iii) cultural uses of all types;

(iv) *recreation* and hospitality uses;

(v) *entertainment uses*;

(vi) *community facilities*.

Height and density

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

Floor area ratios

c) The maximum *floor area ratio* for any individual site *shall* be 4.0:1, except that higher *floor area ratio*s *may* be permitted in conjunction with the provisions of clause b) above.

At-grade commercial

d) Retail or *service commercial* uses are required continuously at grade along public streets in residential or office buildings and in parking garages, except where bordering residential precincts.

Setbacks and parking

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

On-site parking

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

West side of Brant Street, between Baldwin Street and Caroline Street

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

West side of Locust Street between Elgin Street and Caroline Street

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

Angular plane studies

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

North-west Quadrant of Elgin Street and Locust Street

j) Notwithstanding Part III, Subsection 5.5.8.2 b), c) and d) of this Plan, *development* within the north-west quadrant of Elgin Street and Locust Street *shall* have a minimum height of two storeys and a maximum height of seven storeys with the use of terracing above the fourth storey abutting Blathwayte Lane and the north property line, and *shall* have a maximum *floor area ratio* of 4.6:1 for any individual site, and that retail or *service commercial* uses are required along Locust Street. OPA 112

Post-Secondary educational facility

k) Notwithstanding Part III, Subsections 5.5.8.2 b) and c) of this Plan, any building which contains a public post-secondary educational facility in over 50 per cent of its floor area is permitted a maximum height of ten storeys and a maximum *floor area ratio* of 5.0:1.

Block bounded by Caroline Street, Elizabeth Street, Maria Street and John Street	l)	Notwithstanding Part III, Subsections 5.5.8.2 b) and c) of this Plan, development located within the block bounded by Caroline Street, Elizabeth Street, Maria Street and John Street shall permit one 17 storey (55 m) apartment building on Maria Street, and a maximum floor area ratio of 6.7:1 for the entire site is permitted.	OPA 78
North-east corner of Brant Street and James Street	m)	Notwithstanding Part III, Subsection 5.5.8.2 b), c) and e) of this Plan, for the lands described as 421, 425, 427, 429 and 431 Brant Street, the maximum height of buildings *shall* be 23 storeys and 81 metres. The maximum *floor area ratio shall* be 9.45:1.	OPA 106
North-west corner of Lakeshore Road and Martha Street	n)	Notwithstanding Part III, Subsection 5.5.8.2 b) and c) of this Plan, for the lands described as 374 and 380 Martha Street, the maximum height of buildings *shall* be 27 storeys and 88.75 metres. The maximum *floor area ratio shall* be 13.3:1.	OPA 111
South-east corner of Brant Street and James Street	o)	Notwithstanding Part III, Subsection 5.5.8.2 b), c) and e) of this Plan, for the lands described as 401, 403, 405, 409, 411 & 413 Brant Street, 444, 448 & 450 John Street, 2002 and 2012 James Street, the maximum height of buildings shall be 18 storeys. The maximum floor area ratio shall be 8.4:1.	OPA 113
North-east corner of Lakeshore Road and Pearl Street	p)	Notwithstanding Part III, Subsection 5.5.8.2 b), c) and d) of this Plan, for the lands described as 383-385 Pearl Street, 2069 Lakeshore Road and 2079 Lakeshore Road, the maximum height of buildings *shall* be 31 storeys and 107 metres, including mechanical penthouse and elevator machine room. The maximum *floor area ratio shall* be 12.0:1. Retail, *service commercial*, office, live/work, and residential lobby are required continuously at grade along public streets in residential, mixed-use or office buildings.	OPA 128
535-551 Brant Street	q)	Notwithstanding Part III, Policies 5.5.8.2 b), c) and d) of this Plan, for the lands described as 535-551 Brant Street, the maximum height of buildings shall be 27 storeys, plus mechanical penthouse. The maximum *floor area ratio* shall be 11.5:1. Retail, *service commercial*, office, and residential lobbies are required continuously at grade along public streets in residential, mixed-use or office buildings.	OPA 136

5.5.9 Wellington Square Mixed Use Precinct

OPA 55

5.5.9.1 Objectives

High Density

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

High standard of design

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

5.5.9.2 Policies

Permitted uses

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

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

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

(iii) cultural uses of all types;

(iv) *recreation* and hospitality uses;

(v) *entertainment uses*;

(vi) *community facilities.*

Density and height

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

Floor area ratio

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

At-Grade commercial

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

Setbacks and parking

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

Parking

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

Views to lake

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

Downtown Waterfront East

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

No Re-designation

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

Angular plane studies

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

North-west corner of Lakeshore Road and Pearl Street

k) Notwithstanding Part III, Subsections 5.5.9.2 b) and c) of this Plan, within the Wellington Square Mixed Use Precinct at the north-west corner of Lakeshore Road and Pearl Street, one 17-storey building up to a maximum height of 53.5 m, having a maximum *floor area ratio* of 4.9:1 *may* be permitted. This policy is tied to the provision of certain community benefits. OPA 54

Foot of Brant Street

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

5.5.10 Downtown Major Institutional Precinct

OPA 80

5.5.10.1 Objectives

Identify for uses

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

5.5.10.2 Policies

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

Permitted uses

(i) public uses;

(ii) institutional uses;

(iii) community facilities and open space;

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

5.5.11 Watercourse

OPA 55

Permitted uses

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

(i) non-intensive outdoor *recreation use*s;

(ii) *essential* public *utilities* and services;

(iii) *flood* and erosion control facilities;

(iv) *watershed* management works.

Prohibit development

b) *Development* on lands designated Watercourse *shall* be prohibited.

Limits of watercourse

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

Rehabilitation and public access

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

Southwest corner of James Street and Martha Street

OPA 123

e) In addition to the other policies of this Plan, the portion of the lands known as 2082, 2086, and 2090 James Street that are designated Watercourse are subject to the Regional Natural Heritage System policies and the applicable definitions of the Regional Official Plan,

2009 which are hereby incorporated by reference into this Plan. In the case of a conflict, the more restrictive policies shall apply.

5.5.12 Urban Design

Design Guidelines

a) The City *shall* prepare and adopt Urban *Design Guidelines* for the Downtown which *shall* be specific to each neighbourhood and precinct, reflecting the vision and characteristics of that neighbourhood and precinct. These guidelines are referenced in Appendix B of this Plan and *shall* guide and be used in the evaluation of all *development* proposals in the Downtown. OPA 55

Establish pedestrian corridors

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

Grade-related activity

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

Pedestrian oriented

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

Preservation of views

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

Need for urban design studies

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

Use of water theme

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

Property standards

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

Street furniture

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

Utilities

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

Gateways

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

Streetscape

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

Outdoor public areas

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

Pedestrian corridor

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

Building facades

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

Parking garages

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

New development

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

Public Areas

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

Civic and festive areas

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

5.5.13 Waterfront

Waterfront promenade

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

Waterfront linkage

b) The master plans for Spencer Smith Park and Beachway Park *shall* consider establishing links with the Downtown and take into account the roles the former Brant Inn site and the foot of Brant Street can play in connecting Beachway Park, Spencer Smith Park and the Downtown. The master plans *shall* recognize the environmental sensitivity of Burlington Beach as a natural dynamic beach. OPA 55

Public lake access

c) Public access *shall* be provided to the Lake, where feasible.

View of the lake

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

5.5.14 Transportation and Parking

Movement of people

a) Sidewalks, bike paths and roads *shall* be designed for pedestrian, bicycle and car travel by using both the existing street grid and alternative walkways and bikeways.

Path system

b) A pedestrian and cycling path system *shall* be provided that links the Downtown with the waterfront and the rest of the City.

Transit focus

c) The Downtown will continue to be served by high levels of transit, linking it to all other parts of the Urban Planning Area.

Pedestrian oriented streets

d) Streets such as Lakeshore Road *shall* become more pedestrian-oriented through the use of traffic calming and other means.

Parking requirements

e) All *development shall* be required to provide parking in accordance with the Zoning By-law. Parking *may* be permitted on a reduced basis in combination with cash in lieu of parking and/or the establishment of a *Travel Demand Management Plan* as outlined in Part II, Section 3.9 of this Plan.

Accessible municipal parking

f) Municipal parking *shall* be provided in locations that are convenient and accessible to the Downtown and waterfront.

Provision of parking

g) Sufficient parking *shall* be provided to serve the needs of public and private uses in the Downtown, while considering the desire to increase transit modal split as well as other transportation alternatives to the car.

Multi-use parking lots

h) Parking lots *shall* be designed to allow the lot to be used for public purposes when parking demand is low or when special occasions are held in the Downtown and the waterfront.

Landscaping of parking areas

i) The visual impact of existing parking lots on streets *shall* be minimized through integrating landscape treatment.

Use of front yards

j) Existing front yards *shall* be *preserved* as landscaped open space rather than parking spots in those areas being *re-developed* in the St. Luke's and Emerald Neighbourhoods and the Residential Medium and High Density designations.

Parking garage function and design

k) Parking garages *shall* provide active commercial facilities at street levels where feasible, combine design elements emphasizing pedestrian orientation and safety, and include urban design principles that apply to all development in the Downtown.

New parking spaces

l) Municipal parking lots and structures in the Downtown *shall* be constructed when needed and when economically feasible.

5.5.15 Transit

Promote transit

a) The use of transit *shall* be promoted in the Downtown, in order to reduce traffic and parking demands and traffic congestion and air pollution, by providing increased levels of service, encouraging *transit-supportive* land use planning and introducing appropriate "transit priority" and *Travel Demand Management (TDM)* measures. OPA 55

Increased modal split

b) Council *shall* pursue various methods to *encourage* the achievement of a greater modal split for transit in the Downtown. OPA 55

Effective transit

c) *Development applications* in the Downtown *shall* be reviewed to ensure that proposed land *development* supports and *encourages* the efficient and effective use of transit services. OPA 55

Downtown hub

d) Council *shall* support the location of the Downtown as a hub of the City's Transit Network. OPA 55

Transit integration

e) By means of a transit service review, Council *shall* explore increased service coordination and integration within the Downtown, and between the Downtown transit station and other commuter rail stations, and improved fare integration between Burlington Transit and other transit operations. OPA 55

5.6 Uptown Mixed Use Centre

5.6.1 Principles

Intersection focus

a) The Uptown Mixed Use Centre will be an intersection-focused centre with the highest intensity of *development* immediately adjacent to the intersection of Appleby Line and Upper Middle Road. The intensity of *development* will decrease the further it is located from the intersection. However, there will also be spines of higher intensity uses along Appleby Line and Corporate Drive.

Focal point

b) The Uptown Mixed Use Centre is considered to be a secondary node to the Downtown and will be a focal point for north-east Burlington- a mixed use community with more urban, rather than suburban, attributes. OPA 55

Phased development

c) Development is likely to proceed over an extended period of time, as a result, *development* while meeting the City's objectives for the area, *may* initially occur at intensities which are less than the maximums permitted.

Urban nature

d) The highest quality urban design in both the private and public areas, including the design of Appleby Line, Upper Middle Road, Corporate Drive and hydro right-of-way, will be *essential* both to establish the urban nature of the area from the outset of *development,* and for the success of the *development* at all stages of its growth.

5.6.2 Objectives

Focal point

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

High quality

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

Phased development

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

Street edge

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

5.6.3 General Policies

Secondary Plan

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

Public lands

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

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

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

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

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

(v) ensure that common public design elements such as streetlights and street signs are consistent throughout the Uptown Mixed Use Centre.

Pedestrian system

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

Bicycle system

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

Parking areas

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

Pedestrian activity

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

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

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

(iii) specifying the type of landscaping on both private and public lands, to include urban features such as the use of low fences or hedges rather than berms or wide landscape strips to provide buffering for parking areas;

(iv) encouraging the location of residential garages on rear laneways or at the side or rear of dwellings, rather than in front of the dwelling;

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

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

Street edge

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

Residential uses

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

Relationship to transit

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

(i) the implementing zoning by-law *shall* identify a minimum portion of all buildings abutting the corridor street to be located in close proximity to the corridor street, and all buildings *should* be required to have a building entrance from the building façade closest to the corridor street; OPA 55

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

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

5.6.4 Uptown Commercial/Residential I

Permitted uses

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

(i) retail and *service commercial* uses including business, administration uses, and *automotive commercial* uses: OPA 46

(ii) *high density residential* uses;

(iii) office uses;

(iv) hotel, conference and convention uses; and

(v) *entertainment uses*.

Parking

b) Parking areas for buildings, structures or uses which are not located in the Uptown Commercial/Residential I designation *shall* be prohibited.

North-west Quadrant

c) In the Uptown Commercial/Residential I designation in the north-west quadrant of the intersection of Appleby Line and Upper Middle Road:

(i) residential *development* is to be located in the upper storeys of buildings containing other permitted uses; and

(ii) retail and *service commercial* uses *shall* be required at grade level in buildings or portions of buildings fronting on Appleby Line.

Retail Development-North-west quadrant

d) In the Uptown Commercial/Residential I designation in the north-west quadrant of the intersection of Appleby Line and Upper Middle Road and in combination with the Uptown Commercial/Residential II designation retail and *service commercial* floor area *shall* be subject to:

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

(ii) a maximum of 7,400 sq. m total floor area for individual retail uses in the Uptown Commercial/Residential I; and

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

South-east quadrant

e) In the Uptown Commercial/Residential I designation in the south-east quadrant of the intersection of Appleby Line and Upper Middle Road:

(i) residential *development* is to be located in the upper storeys of buildings containing other permitted uses; and

(ii) retail and *service commercial* uses *shall* be required at grade level in buildings or portions of buildings fronting on Appleby Line.

North-east quadrant

f) In the Uptown Commercial/Residential I designation in the north-east quadrant of the intersection of Appleby Line and Upper Middle Road:

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

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

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

Zoning regulations

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

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

(ii) a maximum building height of 35 m.

North-east corner of Appleby Line and Ironstone Drive

h) Notwithstanding Part III, Subsection 5.6.4 g), within the Uptown Commercial/Residential I designation located at 1963 Appleby Line, one 16-storey mixed-use residential building up to a maximum height of 53 metres, having a maximum *floor area ratio* of 3.7:1, and a maximum of 210 residential units is permitted. OPA 63

1989 Appleby Line

i) Notwithstanding Part III, Subsection 5.6.4 g), within the Uptown Commercial/Residential I designation located at 1989 Appleby Line, a mixed-use residential building with ground-level commercial uses, a maximum *floor area ratio* of 6.2:1, maximum 462 residential units, and a maximum building height of 78 m (including mechanical penthouses), shall be permitted OPA 148

1989 Appleby Line

j) Notwithstanding Part III, Subsection 5.6.15 b), surface parking for a mixed-use development with ground-floor retail or service commercial uses will be permitted within the portion of 1989 Appleby Line that forms part of the gas pipeline right-of-way OPA 148

5.6.5 Uptown Commercial/Residential II

Permitted uses

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

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

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

(iii) *high density residential* uses;

(iv) office uses; and

(v) *recreation* and *entertainment uses*.

Residential development

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

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

(ii) facilities are available to the residential *development* in the Uptown Commercial/Residential I and II designations, including open space and *recreation* facilities, to serve the needs of the residents.

Retail development

c) In the Uptown Commercial/Residential II designation and in combination with the Uptown Commercial/Residential I designation in the north-west quadrant of the intersection of Appleby Line and Upper Middle Road retail and *service commercial* floor area *shall* be subject to:

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

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

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

Zoning regulations

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

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

(ii) a maximum building height of 28 m.

5.6.6 Uptown Commercial

Permitted uses

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

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

(ii) office uses; and

(iii) *recreation* and *entertainment uses*.

Retail development

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

Zoning regulations

c) Zoning By-law regulations affecting Uptown Commercial locations *shall* be based on the following:

(i) a maximum *floor area ratio* of 0.5:1; and

(ii) a maximum building height of 12 m.

5.6.7 Uptown Employment

Permitted uses

a) The following uses *may* be permitted in the Uptown Employment designation:

(i) limited retail and *service commercial* uses including business and administration uses, but, excluding *automotive commercial* uses;

(ii) *industrial* uses;

(iii) office uses;

(iv) hotel, conference, convention and banquet facility uses; and

(v) *recreation* and *entertainment uses*.

Retail and service commercial uses

b) All retail and *service commercial* uses *shall* be located at grade or below grade level in buildings of 3,000 sq. m or greater containing the other permitted uses.

Zoning regulations

c) Zoning By-law regulations affecting Uptown Employment locations *shall* be based on the following:

(i) a maximum *floor area ratio* for *industrial* uses of 0.5:1;

(ii) a maximum *floor area ratio* for other permitted uses, including mixed use *developments* which incorporate *industrial* uses of 1.0:1, with the exception of the lands at the south-west corner of Appleby Line and Upper Middle Road where the maximum *floor area ratio shall* be 1.5:1; and

(iii) a maximum building height of 28 m.

5.6.8 Uptown Commercial/Residential III

Permitted uses

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

(i) retail and *service commercial* uses including business and administration uses, but, excluding *automotive commercial* uses:

(ii) *high density residential* uses;

(iii) office uses;

(iv) hotel, conference, convention and banquet facility uses;

(v) *automotive commercial* uses on lands fronting on Appleby Line, or as an *accessory use* to one major commercial operation located in the northerly 1.91 hectares of the designation, with the exception of the lands at the south-east corner of the intersection of Appleby Line and Ironstone Drive and the north-east corner of the intersection of Appleby Line and Corporate Drive; and

(vi) *recreation* and *entertainment uses*.

Zoning regulations

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

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

(ii) a maximum building height of 35 m.

South-east corner of Appleby and Ironstone

c) A retirement home with a maximum *floor area ratio* of 2.5:1 and a maximum density of 255 units per hectare *shall* be permitted at the south-east corner of Appleby Line and Ironstone Drive. OPA 65

Northeast corner of Appleby Line and Corporate Drive

d) A multi-unit residential building with a minimum of four storeys having a maximum *floor area ratio* of 4.15:1, and a maximum of 71 units *shall* be permiteed at the north east corner of Appleby Line and Corporate Drive. OPA 94 OPA 97

5.6.9 Uptown High Density Residential

Permitted uses

a) The following uses *may* be permitted in the Uptown High Density Residential designation:

(i) limited retail and *service commercial* uses including business uses and administration uses, but excluding *automotive commercial* uses;

(ii) office uses;

(iii) *high density residential* uses;

(iv) *recreation* and *entertainment uses*.

Residential development

b) Residential *development shall* be permitted as part of a mixed use development or in a freestanding building. Where residential uses form part of a mixed use *development,* such uses *shall*:

(i) be located in the upper storeys of mixed use buildings; and

(ii) be integrated with other permitted uses, with adequate on-site facilities provided for residents including landscape and open space areas, and amenity, parking and service facilities.

Corporate Drive development

c) All *development* along Corporate Drive, including freestanding residential buildings, *shall* be designed in a manner to *encourage* a business image for the *streetscape*. Consideration for building design details, the placement of structures, entrances, parking areas, service areas and *amenity areas,* including balconies, *shall* be included in the *design guidelines* established in accordance with Part III, Subsection 5.6.3 of this Plan.

Zoning regulations

d) Zoning By-law regulations affecting Uptown High Density Residential locations *shall* be based on the following:

(i) a maximum *floor area ratio* of 1.0:1; and

(ii) a maximum building height of 24 m, except in the case of residential *development*. Residential units, either in a freestanding building or contained within a building with other uses, *shall* be restricted in height in accordance with the terms and conditions contained in the executed subdivision agreement.

Retail and service commercial uses

e) All retail and *service commercial* uses *shall* be located at grade or below grade, in buildings containing other uses.

Residential density

f) Notwithstanding the definition of *high density residential* uses in Part VIII of this Plan, *high density residential* uses in the Uptown High Density Residential designation *shall* be limited to a maximum density of 100 units per *net* hectare.

5.6.10 Uptown Residential Areas

Permitted uses-Medium Density

a) The following uses *may* be permitted in the Uptown Medium Density Residential designation:

(i) *medium density residential* uses.

Building forms-Medium Density

b) Residential building forms in Uptown Medium Density Residential areas include townhouses, street townhouses, stacked townhouses, duplexes, three-plexes and walk-up apartments. OPA 7

Building heights

c) The Zoning By-Law regulations pertaining to building heights *shall* be based on the following: OPA 7

(i) a maximum building height of 12 m in Uptown Medium Density Residential areas; and

(ii) a maximum building height of 24 m in Uptown High Density Residential areas.

5.6.11 Uptown Watercourse Area

Permitted uses

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

(i) non-intensive outdoor *recreation use*s;

(ii) *essential* public utilities and services;

(iii) flood and erosion control facilities; and

(iv) *watershed* management works.

Prohibit development

b) *Development* on lands designated Uptown Watercourse Area *shall* be prohibited.

Limits of watercourse

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

Setbacks

d) New *development* adjacent to valleys *shall* be subject to a buffer strip setback from the *stable top of bank* associated with the valley. The location of the top of bank *shall* be determined by the City, in conjunction with Conservation Halton.

Development and alteration

e) *Development* or alteration of lands designated as Uptown Watercourse *shall* be subject to the Development, Interference with Wetlands and Alterations to Shorelines and Watercourses regulation administered by Conservation Halton. OPA 55

Dedication of buffer strip

f) Notwithstanding any other provisions of this Plan, as part of the *development* approval process, the owner *shall* dedicate to the City a strip of land beyond the *stable top of bank* for a width of up to a maximum of 5 m. This dedication *shall* be without cost to the City and *shall* not be accepted as parkland dedication or cash-in-lieu of parkland pursuant to The Planning Act. Except as specified below, this land *may* be used for the purpose of calculations permitted density, coverage and open space for development on developable parcels within the plan of subdivision from which the strip of land is being dedicated. This policy as it relates to the calculation of density, coverage and open space does not apply where the strip of land is located between a creek and a storm water detention facility.

5.6.12 Uptown Mixed Use Corridor- Employment Area

Permitted uses

a) The following uses *may* be permitted in the Uptown Mixed Use Corridor-Employment Area designation:

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

(ii) office uses;

(iii) research, development and information processing uses;

(iv) light assembly and manufacturing uses *compatible* with abutting residential uses in buildings containing other permitted uses;

(v) hotel, conference, convention and banquet facility use; and

(vi) cultural, leisure and *recreation use*s.

Zoning regulations

b) Zoning By-law regulations affecting Uptown Mixed Use Corridor-Employment locations *shall* be based on the following:

(i) a maximum *floor area ratio* of 1.0:1; and

(ii) a maximum building height of 24 m.

Special Heritage features

c) Consideration *shall* be given to the protection and integration of the *heritage features* found in the existing farm cluster into proposed developments at the north-east corner of Appleby Line and Mainway.

Retail and service commercial uses

d) All retail and *service commercial* use *shall* be located at grade or below grade level in buildings of 3,000 sq. m or greater in size containing the other permitted uses, provided that retail uses *shall* be limited to retail stores up to a maximum of 300 sq. m.

Re-designation from Uptown Mixed Use Corridor-Employment

e) Proposals for the re-designation of lands designated Uptown Mixed Use Corridor-Employment to allow non-*employment uses,* or to add a range of uses to the Uptown Mixed Use Corridor-Employment designation that are

OPA 55

primarily permitted in a non-*employment* designation*, shall* be evaluated based on meeting the following criteria:

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

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

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

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

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

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

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

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

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

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

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

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

5.6.13 Uptown Office/Business Park Area

Permitted uses

a) The following uses *may* be permitted in the Uptown Office/Business Park Area designation:

(i) office uses;

(ii) research, development and information processing uses;

(iii) light assembly and manufacturing uses *compatible* with abutting residential uses; and

(iv) *cultural*, leisure and *recreation use*s.

Zoning regulations

b) Zoning By-law regulations affecting Uptown Office/Business Park locations *shall* be based on the following:

(i) a maximum *floor area ratio* of 1.0:1; and

(ii) a maximum building height of 12 m.

Retail sales areas

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

Landscaping

d) A landscaping berm *shall* be provided where Uptown Office/Business Park uses on Mainway abut residential development.

5.6.14 Uptown General Employment Area

Objectives and policies

a) The objectives and policies for this designation are found in Part III, Section 3.3, General Employment, of this Plan.

1830 Ironstone Drive

b) Notwithstanding the permitted uses under Part III, Subsection 3.3.2 a) and d) of this Plan, on the property described as 1830 Ironstone Drive, the retail sales of building and construction materials *may* be permitted in one freestanding building with a maximum floor area of 12,000 sq. m. OPA 55

5.6.15 Open Space OPA 55

Open Space system

a) The open space system *shall* generally conform with the following:

(i) private and public open space systems *shall* be designed to ensure linkages both between open space areas in the Uptown Mixed Use Centre and open space areas adjacent to it. Linkages to major features such as the valley of the Main Sheldon Creek, Bronte Creek Provincial Park and the woodlot in the north-east quadrant of the intersection of Appleby Line and Upper Middle Road *should* be clearly defined;

(ii) establish an integrated, linked system of small urban open space areas including parkettes, squares, sitting areas and landscape features such as fountains, statues and planting areas throughout the mixed use areas, the majority of which *shall* be on private lands and form part of the pedestrian walkway system;

(iii) provide well defined linkages from the neighbourhood parks through the design of the public and private street system to other areas of the Uptown Mixed Use Centre, particularly the valley of the main branch of the Sheldon Creek; and

(iv) maximize public use of hydro right-of-way with landscaping, pedestrian and bicycle facilities.

Utility corridors

b) The hydro and gas pipe line right-of-ways on the south side of Upper Middle Road *shall* generally remain undeveloped except for associated electric power facilities and secondary land uses such as trail systems and landscaping features.

5.6.16 Transportation

Transportation guidelines

a) Transportation guidelines will assist in the achievement of the Uptown Mixed Use Centre policies and to provide criteria for the evaluation of specific *development applications*, including applications for site plan approval. These guidelines *may* be reviewed periodically and *may* be amended from time to time provided that any amendments *shall* conform with this Plan and *shall* be adopted by Council.

Road designs

b) Appleby Line and Upper Middle Road in the Uptown Mixed Use Centre will be designed to balance the conflicting demands created the regional travel demands and need for pedestrian friendly design. The City *shall* use a variety of traffic calming techniques including:

(i) reduced lane width;

(ii) provision for a landscaped centre median;

(iii) provision for some type of on-street parking adjacent to the intersection of Appleby Line and Upper Middle Road, notwithstanding the general prohibition on on-street parking in Part VII, Table 1 - Function and Classification of Transportation Facilities;

(iv) provision of transit priority measures including Reserved Bus Lanes (RBL) and traffic signal priority; and

(v) use of alternative road geometrics and materials at pedestrian crossing areas.

Collector Ring Road-Purpose

c) A collector ring road will link the four quadrants of the Appleby Line and Upper Middle Road intersection together, as shown schematically on Schedule J, Classification of Transportation Facilities - South of No. 1 Side Road. The purpose of the collector ring road is:

(i) provide an optional route to travel through the main intersection, thus reducing the demands on the intersection; and

(ii) provide direct connections between the quadrants, at intersections which *may* be signalized, for all *modes* of transportation.

Collector Ring Road-Design

d) The collector ring road *shall* be designed and implemented as follows:

(i) all roads *shall* generally have sidewalks on both sides;

(ii) all roads *shall* provide for bicycle travel, as well as use by public transit vehicles, if required;

(iii) reduced right-of-ways, reduced setbacks and other mechanisms to ensure the viability of the proposed collector ring road and adjacent uses; and

Sidewalks

e) Sidewalks *shall* generally be required on both sides of any road. Exceptions *may* be made for specific circumstances identified in the *design guidelines* for the Uptown Mixed Use Centre and for residential *development* projects, where sidewalks *may* only be required on one side of the street.

Travel Demand Management Plan

f) Each landowner in the Uptown Office/Business Park Area designation, and any *development* within the Uptown Commercial, Uptown Commercial/Residential, Uptown Employment and Uptown Mixed Use Corridor Employment Area designations which contains more than 3,000 sq. m of total floor area for office or *industrial* uses *may* be required, prior to the occupancy and use of land, to establish a *Travel Demand Management Plan* and Implementation Strategy, subject to the approval of the City. OPA 55

On-Street parking

g) On-street parking *may* be permitted on any street in the Uptown Mixed Use Centre.

5.6.17 Implementation

Regard for lands to the east

a) Any Master Servicing Agreement *shall* have regard for the *development* of the lands to the east bounded by Upper Middle Road, Burloak Drive, Mainway and the western edge of the valley of the main branch of Sheldon Creek.

Storm Water Agreement

b) A Storm Water Management Agreement as described in Part II, Subsection 2.11.3 of this Plan, signed by all the benefiting major

landowners in the south-east, north-east and north-west quadrants of the Uptown Mixed Use Centre, *shall* be required as a condition of approval of draft plan of subdivision or in the case where there is no plan of subdivision, as a condition of approval of a site plan.

6.0 NATURAL FEATURES AND OPEN SPACE

The most significant natural features in the City's Urban Planning Area are identified under three separate land use designations on Schedule B, Comprehensive Land Use Plan - Urban Planning Area. The "Greenlands" designation identifies those lands which together form a permanent natural resource base consisting of natural features and open space areas which are ecologically sensitive. This land use designation also applies to lands in the Rural Planning Area. The "Major Parks and Open Space" designation is intended for community- and city-wide parks and other public and private open space lands. The "Watercourse" designation pertains to the majority of creeks and drainage channels. The "*Natural Heritage System*" designation pertains to the natural heritage system identified through the Tremaine Dundas Community Secondary Plan.

The wise management and conservation of natural features, major park and open space lands, and *watercourses shall* be based on the following principles, objectives and policies:

6.1 Principles

Preservation and protection

a) The long-term preservation and protection of significant natural features is a responsibility of local residents, property owners, government agencies and the private sector.

Community character

b) Parks and open space lands are valuable resources to the community and play an important role in defining the character and lifestyle of the City's residents.

Watercourses

c) *Watercourses* with their associated valleys and *floodplain*s provide a source of natural habitat and wildlife corridors and are *essential* to the movement of storm water run-off.

6.2 Greenlands Designation

6.2.1 Objectives

Permanent resource base

a) To ensure the long-term preservation of lands that form a permanent natural resource base consisting of ecologically sensitive natural areas.

Importance of Natural Features

b) To recognize the importance of the *Environmentally Sensitive Areas*, *Areas of Natural and Scientific Interest, Provincially and Regionally Significant Wetlands*, the Niagara Escarpment, major creeks and associated *valleylands* and other significant natural features such as woodlots, hazard lands, Lake Ontario and Burlington Bay shorelines and areas of *wildlife habitat.*

Preserve and protect

c) To *preserve* and protect significant natural and *cultural heritage* features and landscapes; landforms performing important biological and ecological processes and functions; and areas providing non-intensive recreation opportunities.

Environmental evaluation

d) To require an Environmental Evaluation of all development proposals affecting significant natural resource features on lands designated Greenlands.

6.2.2 General Policies

Permitted uses

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

(i) existing agricultural operations including *accessory buildings, structures* and facilities; OPA 55

(ii) *existing uses*;

(iii) single-detached dwellings on existing *lots* created under The Planning Act*;*

(iv) non-intensive *recreational uses* such as nature viewing;

(v) forest, wildlife and fisheries management;

(vi) *archaeological* activities;

(vii) *essential* transportation and *utility* facilities;

(viii) *accessory buildings, structures* and facilities and site modifications to accommodate them, provided the effects on the *natural environment* are minimal;

(ix) incidental uses and site modifications to accommodate them, provided the effects on the *natural environment* are minimal; and

(x) *home occupations* and *cottage industries.*

Recreation uses

b) Non-intensive *recreation use*s *shall* be permitted only when natural features are *preserved* to the maximum possible degree; buildings and structures are minor in scale; and there is no or minimal parking provided on-site.

Prohibit development In wetlands, floodplains and regulated areas

c) Notwithstanding Part III, Subsection 6.2.2 a), no *development shall* be allowed within the portions of the Greenlands designation containing: *Provincially Significant Wetlands* as identified through the Ministry of Natural Resources in accordance with Provincial policy, regulatory *floodplains* as identified by Conservation Halton, areas regulated by Conservation Halton, unless permission has been received by Conservation Halton, and the edge of Lake Ontario and Burlington Bay between the shoreline and the top of bank. OPA 55

Environmental Evaluation

d) The proponent of any *development* of lands within the Greenlands designation *may* be required to prepare an *Environmental Evaluation* Report subject to the policies of Part II, Section 2.5 of this Plan, if the development would adversely affect the environment. Single-detached dwellings and agricultural related uses such as barns and sheds would be

exempt from this policy. An Evaluation is required for large-scale agricultural related uses such as secondary processing facilities.

ESAs

e) *Environmentally Sensitive Areas (ESAs*) are identified as an overlay on Schedule B, Comprehensive Land Use Plan - Urban Planning Area. The precise boundaries of these areas *shall* be determined in conjunction with the Region of Halton. Specific policies for *ESAs* are:

(i) the alteration of the physical and/or biological features *shall* be restricted;

(ii) subject to the requirements of Part III, Subsection 6.2.2 d), the proponent of any *development*, including public works, inside or within 50 m of an *ESA* must prepare an *Environmental Evaluation* Report as described in Part II, Section 2.5; and

(iii) the alteration of any condition or land use that *may* affect the *ESA shall* be subject to approval of the appropriate authority, based on site plans submitted by, and agreements entered into with the developer.

Agreements

f) Property owners and Government and other agencies are *encouraged* to enter into voluntary agreements regarding the protection of natural features.

Natural Feature inventory

g) The City *shall* prepare, and update on a periodic basis, an inventory of significant natural areas in the Urban Planning Area which are worthy of preservation through designation as Greenlands and/or acquisition by a public authority.

Direct development away from Greenlands

h) *Development* in Urban Areas and Rural Settlement Areas *shall* be directed away from Greenlands areas on those parcels of land that are partially within the Greenlands designation. The City *may* consider the transfer of *development* potential from areas inside Greenlands designations to areas outside Greenlands designations provided the other objectives of this Plan are achieved OPA 55

2100 Brant Street

i) Notwithstanding the other policies of this Plan, the portion of the lands, identified as 2100 Brant Street being the lands bounded by the Tyandaga Golf Course to the west, Havendale Boulevard to the north and Wellington Green to the south (2050-2057 Brant Street), that is designated Greenlands is subject to the Regional Natural Heritage System Policies and the applicable definitions of the Regional Official Plan which are hereby incorporated by reference into this Plan. OPA 109

6.2.3 Protection and Acquisition of Natural Features Policies

Land stewardship

a) The retention of lands designated Greenlands containing significant natural features by private land owners *shall* be *encouraged* rather than the dedication of these lands to the City or the purchase of lands by the City.

Dedication To City

b) Where retention by private landowners is not feasible or desirable, the dedication of natural features to the municipality *shall* be *encouraged*. The dedication of lands designated Greenlands *may* be accepted as parkland dedication only if they provide needed public recreational opportunities, as identified by the City.

Municipal purchase

c) The purchase of lands with significant natural features *shall* only take place if the land stewardship and dedication options outlined in Part III, Subsection 6.2.3 are not feasible, if the lands will provide a needed public recreation function and there are sufficient funds available to purchase the lands.

Community Benefits By-Law

d) When considering *development applications* involving significant natural features, community benefits provisions pursuant to Section 37 of The Planning Act *may* be implemented to *encourage* the retention or dedication of natural features. Such community benefits provisions *may* address increases in density and height of *development,* and *shall* be subject to Part VI, Section 2.3 of this Plan.

Other incentives

e) The City *may* consider other incentives to the retention and dedication of lands containing significant natural features such as density transfers and flexible *development* standards.

Early identification

f) Significant natural features that are worthy of preservation and protection and areas where *development should* not be permitted will be identified in the early planning stages, particularly during *secondary planning* studies.

6.3 Major Parks and Open Space Designation

6.3.1 Objectives

Valuable resources

a) To recognize parks and open space lands as valuable resources to the community that play an important role in defining the character and lifestyle of the City's residents.

Supply of parks

b) To ensure an adequate and equitable supply of parks and open space, and the full range of leisure opportunities are available throughout the City.

Joint Use of facilities

c) To *encourage* the joint use of parks and other recreation and leisure facilities with other agencies such as the school boards, Conservation Halton and the Region of Halton.

Park classification

d) To establish a park classification in order to effectively address the parks and recreational needs of City residents.

6.3.2 Policies

Park classification

a) The municipal parks system *shall* consist of Parkettes, Neighbourhood Parks, Community Parks, City Wide Parks and Special Resource Areas. The function of each type of park is defined in the Parks and Recreation Department Parks Master Plan, as amended from time to time. The main function of each park type is as follows:

(i) a Parkette consists of a small land area that is designed to provide a variety of passive and visual benefits for the surrounding area;

(ii) a Neighbourhood Park is designed and located to serve the recreational needs of a neighbourhood;

(iii) a Community Park is designed and located to serve several neighbourhoods;

(iv) a City Park is designed to serve the leisure needs of all the residents of the City; and

(v) a Special Resource Area is an area of parkland in its natural state used for conservation and/or preservation.

Land Use Schedules

b) All City Parks and Community Parks are designated as Major Parks and Open Space on Schedule B, Comprehensive Land use Plan - Urban Planning Area. Parkettes, Neighbourhood Parks and Special Resource Areas are not identified under a separate land use designation in the Urban Planning Area.

Rural & North Aldershot Parks

c) Policies pertaining to municipal parks in the Rural Planning Area are contained in Part IV of this Plan, and policies pertaining to parks and open space in the North Aldershot Planning Area are contained in Part V of this Plan. OPA 55

Permitted uses

d) Uses permitted within the Major Parks and Open Space designation *may* include: municipal parks and related *community facilities*, *golf courses* and related facilities, and outdoor *recreation use*s.

Supply of parks

e) The amount of parkland to be provided in the City, including the distribution of parkland by park type *shall* be defined in the Parks and Recreation Department Parks Master Plan, as amended from time to time. The majority of new parkland *shall* be acquired by the City through the development approval process as parkland dedication in accordance with Part VI, Section 2.7.

Connections to parks

f) Connections between neighbourhoods and parks, such as pedestrian and bicycle trails, *shall* be identified and secured during the development approval process. Provision for these connections *shall* be included in the design of the park.

Rights-of-way

g) The public acquisition and integration of *utility* corridors such as railway rights-of-ways and hydro rights-of-ways *shall* be *encouraged* for the purposes of expanding the City's walkway and bikeway systems.

Environmental Protection, safety

h) A high priority *shall* be placed on environmental protection, public safety, public access and increased visibility along streets during the detailed design and development of parks.

Design of parks

i) Parks *shall* be located, designed and maintained to enhance the local neighbourhood or community.

Areas deficient In Parkland

j) In areas of the City that are deficient in parkland, parkettes and small horticultural areas *may* be developed by the City to respond to this deficiency.

Surplus school sites

k) When school/park combinations are declared surplus for educational purpose, the City *shall* consider alternative ways to maintain the existing parkland levels in the immediate area.

Co-ordinate with other orders of Government

l) The City *shall* work with other orders of government to coordinate strategies and funding opportunities to acquire and *preserve* parks and open space, particularly along the waterfront.

Waterfront Park Master Plans

m) The design, development and use of Burloak Waterfront Park, Paletta Waterfront Park, LaSalle Park, Spencer Smith and Burlington Beach Waterfront Park *shall* be subject to Park Master Plans. Each master plan *shall* be prepared by the City, in conjunction with the Region of Halton and Conservation Halton.

Adjacent facilities

n) Consideration will be given to locating school sites and City or Community Parks adjacent to one another in order to achieve economies of scale and avoid duplication of services.

South of Upper Middle Road, between Shoreacres Creek and the CNR

o) Notwithstanding the other policies of this Plan, the lands designated "Major Parks and Open Space," south of Upper Middle Road, between Shoreacres Creek and the C.N.R. railway line, and north of and adjacent to the C.N.R. railway line, *shall* be subject to the following: OPA 17

(i) the lands *shall* only be used as a private or public open space use separation buffer for residential *development* on the lands south of Upper Middle Road, between Walker's Line and Appleby Line, and the adjoining industries located to the south of the C.N.R. railway line;

(ii) permitted uses within this designation *shall* be limited to only one public health care (Wellness House) building, provided that no overnight heath care accommodation is permitted, private open space, storm water management and erosion control facilities, walking trails, nature viewing and parking lots.

Tremaine Dundas Community

p) Notwithstanding the other policies of this Plan, the following additional policies *shall* apply to the Tremaine Dundas Community: OPA 107

(i) Parks within the Tremaine Dundas Secondary Plan community *shall* provide active and passive recreational opportunities and ensure residents are within 400 metres of parkland, open space or trails.

6.4 Watercourses *D28

6.4.1 Objectives

Protect life and property

a) To ensure the protection of life and property in the *floodplain* areas of *watercourses.*

Minimize threat

b) To minimize the threat of injury, loss of life, property damage and economic and social disruptions caused by flooding.

Fisheries

c) To promote the net gain of *fish habitat* as per applicable legislation.

6.4.2 Policies

Storm water policies

a) The policies of this section are to be read in conjunction with the Storm Water Management principles, objectives and policies of Part II, Section 2.11.

Prohibit development

b) Development on lands designated Watercourse on Schedule B, Comprehensive Land Use Plan - Urban Planning Area *shall* be prohibited.

Permitted uses

c) Uses permitted on lands designated Watercourse *may* include: non-intensive outdoor *recreation use*s; *essential* public *utilities* and services, flood and erosion control facilities; and watershed management works.

Limits of watercourse

d) The precise limits of the Watercourse designation *shall* be determined by the City, in conjunction with Conservation Halton, based on mapping of the Regulatory *Floodplain*s as prepared by Conservation Halton, where applicable. OPA 55

Where Regulatory *Floodplain* mapping exists for *watercourses* in the City, mapping showing the extent of the regulatory *floodplain*s is contained in Appendix G to this Plan. This mapping is provided for information and advisory purposes only and is subject to change from

time to time without requiring a further amendment to this Plan. It is noted that all *watercourses* have a natural *floodplain* associated with them; however, certain *watercourses* do not have *floodplain* mapping completed at this time. Any works within or near a *watercourse shall* be reviewed by the City and Conservation Halton for *floodplain* implications. Landowners are advised to contact Conservation Halton for more accurate determination of the precise limits of the areas subject to the Development, Interference with Wetlands and Alterations to Shorelines and Watercourses regulations and for more detailed information concerning the administration of these regulations.

Setbacks

e) New *development* adjacent to *watercourses shall* be subject to a setback from the *stable top of bank*, the *regulatory floodplain* and meander belt width (whichever is the greater) that are associated with the *watercourse.* The location of the *stable top of bank*, *regulatory floodplain* and meander belt width *shall* be determined by the City, in conjunction with Conservation Halton. OPA 55

Development and alteration

f) *Development* or alteration of lands designated as Watercourse *shall* be subject to the Development, Interference with Wetlands and Alterations to Shorelines and Watercourses regulation administered by Conservation Halton. OPA 55

Zoning of land

g) As part of the *development* approval process, the zoning of Watercourse lands to an appropriate open space zoning category *shall* be required. OPA 55

Dedication of land

h) As part of the *development* approval process, the dedication of Watercourse lands to the City *shall* be required in accordance with the requirements of Part II, Subsection 2.11.3 g).

Private ownership

i) It is not intended that all lands designated Watercourse *shall* be acquired by the City, if the policies of this Plan can be achieved by other means.

Tremaine Dundas Community

6.5 Natural Heritage System -Tremaine Dundas Community OPA 107

6.5.1 Objectives

a) To provide a framework for maintaining, restoring and enhancing the *Natural Heritage System* of the Tremaine Dundas Community.

6.5.2 Policies

a) The *Natural Heritage System* in the Tremaine Dundas Secondary Plan is comprised of the Greenbelt Natural Heritage System and the Regional Natural Heritage System.

(i) The Natural Heritage System represents a systems approach to protecting and enhancing natural and ecological features and functions.

(ii) The Greenbelt NHS in the secondary plan area is comprised of

Key Features and Vegetation Protection Zones that have been identified in accordance with the Greenbelt Plan policies and applicable Regional Official Plan policies. The Greenbelt Natural Heritage System consists of the *Key Features* within the Regional Natural Heritage System and the following *Key Features*:

1. sand barrens, savannahs and tall grass prairies,
2. permanent and intermittent streams,
3. lakes,
4. seepage areas and springs,
5. alvars and,
6. *significant* habitat of special concern species.

(iii) The Regional *Natural Heritage System* within the secondary plan area is scientifically structured on the basis of the following components:

1. *Key Features*, which include:
    a. *habitat of endangered and threatened* species;
    b. *significant wetlands*;
    c. *significant coastal wetlands*;
    d. *significant woodlands*;
    e. *significant valleylands*;
    f. *significant wildlife habitat*;
    g. *significant areas of natural and scientific interest*; and
    h. *fish habitat*;
2. *enhancements* to the *Key Features*;
3. *linkages*;
4. *buffers*;
5. *watercourses* that are within a Conservation Halton Regulation Limit or that provide a *linkage* to a *wetland* or a *significant woodland*; and
6. *wetlands* other than those considered *significant* under Subsection 6.5.2 (iii) of this Plan.
7. *Key Features* that have been identified are shown on Schedule B of the Tremaine Dundas Secondary Plan which is listed at

Part IX, Appendix C, C6 of this Plan.

b) No *development* is permitted within the *Natural Heritage System* not referenced in Section 6.5.2 d) unless it has been demonstrated through an Environmental Implementation Report (EIR) or equivalent study that there will be no *negative impacts* on the *Natural Heritage System* or its *ecological functions* or *hydrologic functions*.

c) The following uses be permitted in the *Natural Heritage System* designation:

(i) Existing uses;

(ii) Non-intensive recreation uses such as nature viewing and pedestrian trails;

(iii) Forest, wildlife and fisheries management;

(iv) Archaeological activities;

(v) *Essential* transportation and utility facilities;

(vi) *Essential* watershed management and flood and erosion control projects either carried out or supervised by a *public authority*.

d) No *development* and *site alteration* is permitted within *significant wetlands, significant habitat of endangered and threatened species* and *fish habitat* except in accordance with Provincial and Federal legislation or regulations.

e) No *development* is permitted within Hazard Lands and other areas regulated by Conservation Halton unless permission has been issued by Conservation Halton.

f) The following uses *may* be permitted within *linkages* and *enhancements* to the key natural features:

(i) Trails consistent with the *City's* Community Trails Strategy as reviewed and approved by the *City*, which *shall*;

i. not be located within *hazardous lands*;

ii. use native species to naturalize trail edges;

iii. be the minimum width required;

iv. be designed with suitable surfacing material compatible with their surroundings, as per the *City*'s Community Trails Strategy; and

v. be designed and located to help to manage access to the *Natural Heritage System* by minimizing impacts to *Key Features*;

vi. be consistent with a Trail Management Plan undertaken as part of the completion of the Environmental Implementation Report and Functional Servicing Study (EIR/FSS);

vii. be on publicly owned lands; and

viii. be designed such that the trails and associated activities do not impact negatively on ecologically sensitive areas or resource uses such as agricultural operations.

(ii) Compatible *Low Impact Development infrastructure* (i.e. vegetated swales) that is *essential* to provide conveyance functions, as reviewed and approved by the *City*, the Region of Halton and Conservation Halton;

(iii) A "Special Street" reviewed and designed in consultation with the *City*, Conservation Halton and Halton Region to facilitate safe movement of wildlife between the central woodlands and Bronte Creek valleylands.

g) The following uses may be permitted within buffers:

(i) Trails, as reviewed and approved by the *City*, the Region of Halton and Conservation Halton where it can be demonstrated that these elements do not result in a *negative impact* on the *Natural Heritage System*;

(ii) Compatible *Low Impact Development infrastructure* (i.e. vegetated swales) that is essential to provide conveyance functions, as reviewed and approved by the *City*, the Region of Halton and Conservation Halton

h) The boundaries of the *Natural Heritage System* as identified in the Tremaine Dundas Secondary Plan Subwatershed Study Update, May 2018, *may* be refined with additions, deletions and/or boundary adjustments through a future Environmental Impact Assessment (EIA) or similar study completed to the satisfaction of the *City*, Region and where appropriate Conservation Halton. Once such refinements have been approved through an approval process under The Planning Act, these refinements *shall* be in effect on the date of such approval. The Region and *City* will maintain mapping showing such refinements and incorporate them as part of the *City*'s statutory review of the Official Plan.

i) *Buffer* refinements for the Tremaine Dundas Secondary Plan are to be implemented using a science-based approach by:

(i) recognizing the *buffers* applied to Key Natural Features applied at the Regional scale in the Regional Official Plan and as carried

forward through the Subwatershed Study Update (May, 2018);

(ii) following an approach that is consistent with the policies of the *City*, Region of Halton, Conservation Authority and Province, and the findings of the Ontario Municipal Board in its decision dated April 6, 2016, PL111358 and consistent with the risk-based approach and steps described in the Region's Buffer Refinement Framework to be used as the foundation for the refinement process;

(iii) recognizing *Key Feature* and *watercourse* sensitivity and significance and their contribution to the long term *ecological functions* of the Regional Natural Heritage System;

(iv) considering the nature and scope of the proposed adjacent land use, and any measures intended to improve and enhance *buffer* function.

j) *Enhancements* to the *Key Features* are either ecologically supporting areas adjacent to individual *Key Features* or measures internal to individual *Key Features* that increase the ecological resilience and function of those *Key Features*.

(i) Potential opportunities for enhancements within *Key Features*, *buffers* and *linkages* have been suggested in the Tremaine and Dundas Secondary Plan Subwatershed Study, May 2018 Update.

(ii) Such opportunities are to be further explored through the Environmental Implementation Report and Functional Servicing Study (EIR/FSS), including potential additional opportunities for enhancements, both within and adjacent to *Key Features*.

(iii) The final enhancements, as identified through the Environmental Implementation Report and Functional Servicing Study (EIR/FSS), are to be identified and described in a Restoration and Enhancement Plan prepared in consultation with the *City*, Halton Region and Conservation Halton and implemented through the plan of subdivision.

k) The *Natural Heritage System may* also support trails provided it can be demonstrated that these elements do not result in a *negative impact* on the *Natural Heritage System*.

l) The hedgerow located on the westerly side of the central woodland connecting to the Bronte Creek valleylands have been identified by the Ministry of Natural Resources and Forestry (MNRF) as potential species at risk habitat for endangered bats that will require further study through the Environmental Implementation Report and Functional Servicing Study (EIR/FSS). The hedgerow has been identified on Schedule B as an "Area for Future Study". The "Area of Future Study" can be removed

without amendment to this Plan upon approval of the completed EIR/FSS to reflect the results of the Study.

m) The designation of land as part of the *Natural Heritage System* does not imply that those lands are available or open to public use.

n) Where *buffers* are not already naturally vegetated, trees *shall* be planted in *buffers* (in conjunction with other naturalization plantings) to contribute to the protection of *Key Features* and their functions from some of the impacts associated with adjacent land uses in accordance with landscape plans approved by the *City*, Halton Region and Conservation Halton.

o) Trees *may* also be planted (in conjunction with other naturalization plantings) in *linkages* and *enhancements* to the *key features* (in conjunction with other naturalization plantings) where opportunities are identified to improve *ecosystem* functions.

p) Preservation and / or replacement of Endangered Butternut trees *shall* be in accordance with applicable regulations under the Endangered Species Act as enforced by the Ministry of Natural Resources and Forestry.

q) The *watercourse* located at the southeast corner of the Tremaine Dundas Secondary Plan area *may* be relocated provided its ecological and *hydrologic functions* are maintained within a natural channel design, an appropriate buffer is provided to the *watercourse* (as per the Tremaine and Dundas Secondary Plan Subwatershed Study Update, May 2018), and the required permits and approvals are obtained from Federal government, Provincial government and Conservation Halton. Should the watercourse be relocated, the adjacent land use designation *shall* be deemed to apply.

r) If a *development application* involves lands in or adjacent to the *Natural Heritage System* and/or *hazardous lands*, the *City shall* seek, through the *development* approval process, the dedication of those lands and associated *buffer* lands to the *City*, Conservation Halton, another *public authority* or a private conservation organization. These lands *shall* not be considered for the purpose of parkland dedication.

s) An Environmental Monitoring Plan, based on the framework to be provided in the Environmental Implementation Report and Functional Servicing Study (EIR/FSS) *shall* be prepared in consultation with the *City*, Region of Halton and Conservation Halton, as a condition of draft plan of subdivision approval.

t) Trails *may* be permitted within *Key Features* where:

(i) Use of the existing informal trail along the westerly side of the central woodland and use of this route is determined to result in fewer impacts on the *Key Feature* than the creation of a new trail;

or

(ii) A trail connection is required to facilitate appropriate access and no alternative route is feasible.

u) Trails will be designed to safely accommodate all trail users according to a hierarchy that is consistent with the *City*'s Community Trails Strategy.

v) Trails, where within or adjacent to *Key Features*, will be located and designed to minimize impacts and encourage appropriate forms of access and use in accordance with Conservation Halton policies

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1.0 INTRODUCTION *D9

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

2.0 RURAL LANDS *D53

Long-term preservation and protection

The lands identified as "Rural Lands" on Schedule A, Settlement Pattern comprise the majority of the Rural Planning Area of the City of Burlington. To provide for the long-term preservation of natural features and the protection of the rural community as an *agricultural* area, seven categories of land use have been identified on Schedule C, Comprehensive Land Use Plan - Rural Planning Area for "Rural Lands": The Agricultural Rural Area and Greenlands (Non-Escarpment Plan Area) designations are found on lands outside the Niagara Escarpment Plan Area. The Greenlands (Escarpment Plan Area), Escarpment Protection Area, Escarpment Rural Area and Escarpment Urban Area designations are found on lands within the Niagara Escarpment Plan Area. Mineral Resource Extraction Areas are found both within and outside of the Niagara Escarpment Plan Area. Each of these designations are based on the range of uses, the scale and intensity of the *development* allowed, and the degree of preservation of natural features and resources.

The following principles, objectives and policies provide a framework that will guide future *development* and conservation decisions for the "Rural Lands".

2.1 General *D53

2.1.1 Principles

Rural Area character

a) Rural Lands have a distinct character consisting of productive farmlands and other resource industries, characterized by limited residential settlement and natural areas including the Niagara Escarpment and Bronte Creek.

Priority to farming

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

Self-sustaining development

c) *Development* on Rural Lands *shall* be self-sustaining in terms of well water supply and sewage disposal. ***D22, D23**

Protect and preserve

d) Significant natural and *cultural heritage feature*s and *landscapes shall* be *preserved* and protected.

Restrict alteration of wetlands

e) The importance of *wetland* areas *shall* be recognized, with policies that restrict the alteration of the physical and/or biological features present.

Residential to Urban Area

f) New residential *development shall* be directed to the Urban Planning Area, except in those Rural Settlement Areas where limited residential growth can be accommodated. ***D22, D23** OPA 55

Protect agricultural lands

g) *Agricultural* lands *shall* be protected. ***D22, D23**

Provide for Mineral Resource Extraction

h) The designation of new Mineral Resource Extraction areas or a new licence under The Aggregate Resources Act *shall* be provided for, where they can be accommodated in accordance with the policies of this Plan and by amendment to the Niagara Escarpment Plan, Regional Official Plan and this Plan. OPA 55

2.1.2 Objectives

Protect agricultural lands

a) To *encourage* the use and protection of prime *agricultural* areas for *farming* purposes. ***D22, D23**

Non-agricultural development

b) To direct non-*agriculture* related *development* in the Rural Planning Area to Rural Settlement Areas or to the Urban Planning Area, except uses directly related to *agriculture* that need to be close to the *agricultural* community. ***D22, D23**

ESAs and Greenlands

c) To recognize *Environmentally Sensitive Area*s (ESAs) and Greenlands as identified by the Region of Halton and restrict the alteration of physical and/or biological features.

New lots

d) To restrict *lot* creation for residential purposes outside of Rural Settlement Areas. ***D22, D23**

Recreation uses

e) To allow only passive recreational uses that are *compatible* with rural land uses and the preservation of natural features and prime *agricultural* areas. ***D22, D23**

Pits and quarries

f) To recognize existing *pits* and *quarries* that are licensed under the applicable legislation, and to provide for the designation of new Mineral Resource Extraction Areas or a new licence under The Aggregate Resources Act, which can be accommodated in accordance with the policies of this Plan. OPA 55

Self-sustaining

g) To require new *development* to be self-sustaining in terms of well water supply and sewage disposal.

2.1.3 Policies

Self-sustaining development

a) All *development*, unless specifically identified, *shall* be based on self-sustaining well water supply and sewage disposal.

Servicing requirements

b) All *development shall* be required to meet the servicing requirements of the Region of Halton and the Ministry of the Environment.

Settlement Area development

c) Residential *development* in the Rural Planning Area *shall* be directed towards the Rural Settlement Areas of Kilbride, Lowville and Mount Nemo. ***D22, D23**

Agricultural operations

d) Existing *agricultural operation* is a permitted use in all land use designations outside of the Urban Planning Area.

Evaluation criteria

e) Land use *development* proposals *shall* be evaluated using the following criteria, as well as all other applicable policies in Parts II, IV and VI of this Plan: OPA 55

(i) all *development* within the Niagara Escarpment Plan Area *shall* be subject to The Niagara Escarpment Planning and Development Act, the Niagara Escarpment Plan, and the policies of the Region of Halton and City of Burlington Official Plans. In the event of conflicts between policies, the more restrictive *shall* apply;

(ii) all *development* within the Provincial Greenbelt Plan *shall* be subject to The Greenbelt Act, the policies of the Greenbelt Plan, and the policies of the Region of Halton and City of Burlington Official Plans. In the event of conflicts between policies, the more restrictive *shall* apply; OPA 55

(iii) all development within the Parkway Belt West Planning Area *shall* be subject to The Parkway Belt Planning and Development Act, applicable Provincial Land Use Regulations, the Parkway Belt West Plan, and the policies of the Region of Halton and City of Burlington Official Plans. In the event of conflicts between policies, the more restrictive *shall* apply;

(iv) the site is not hazardous to life or property in terms of soil *contamination*, unstable ground or soil, or possible flooding;

(v) the proposed *development* meets all Federal, Provincial, Regional and City requirements;

(vi) the site supports the use with minimal adverse affects on water quality, natural vegetation, soil, and wildlife population of the site;

(vii) all d*evelopment* is to be designed and located having regard for the preservation of the natural and visual features of the area;

(viii) all *development* within areas regulated by Conservation Halton will be subject to the Development, Interference with Wetlands and Alterations to Watercourses and Shorelines Regulation, where applicable; OPA 55

(ix) any new roads, road improvements or service corridors *should* be determined with consideration of environmental features;

(x) the groundwater impacts of the *development* are evaluated; and

(xi) *development* and *re-development* will result in minimum damage to significant trees, wooded areas, and hedgerows, as identified by an *Environmental Evaluation. Development* will also 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. OPA 55

Home Occupations and Cottage Industries

f) The provision of *home occupation*s and *cottage industries shall* be based on the following: OPA 55

(i) in the Greenlands-Escarpment Plan Area designation, *home occupation*s and *cottage industries shall* be confined to the single dwelling or an addition to the dwelling;

(ii) in the other Rural land use designations, *home occupation*s and *cottage industries* as a first option *shall* be *encouraged* to locate in the single dwelling or in an addition to the dwelling, but *may* be conducted in an *accessory building* where the need for the use of a separate building can be justified. The justification for a separate building *shall* demonstrate the following:

i. why the *home occupation* or *cottage industry* cannot be established within the existing single dwelling or in an addition to the dwelling;

ii. that the *home occupation* or *cottage industry* will not result in applications for severance;

iii. that the building size and design will result in minimal visual impact and not alter the rural character of the property;

iv. that wells and septic systems can accommodate the use with minimal impact;

v. that any access and parking requirements can meet engineering and safety standards;

vi. that municipal transportation networks will not be unreasonably affected;

vii. that the *home occupation* or *cottage industry* will retain the existing rural and *agricultural* character of the area and remain incidental and secondary to the principal residential or farm use on the property;

viii. why the *home occupation* or *cottage industry* cannot be appropriately located in a designated Rural Settlement Area.

(iii) *home occupations* or *cottage industries* shall be limited to one *home occupation* or *cottage industry* per lot;

(iv) where the *home occupation* or *cottage industry* is located within the single dwelling or in an addition to the dwelling, not more than 25 per cent of the total floor area including any addition to the dwelling shall be devoted to the use to a maximum of 100 sq. m.;

(v) where the *home occupation* or *cottage industry* is located within an *accessory building*, not more than 100 sq. m. of the building *shall* be devoted to the use;

(vi) where the *home occupation* or *cottage industry* is located in an *accessory building*, the following *shall* apply:

i. the building *shall* be sited in the residential cluster which *shall* generally mean a distance of not more than 30 m from the single dwelling;

ii. the use of a common driveway;

iii. the use of shared residential services where possible (e.g. septic system for domestic waste only, well, parking);

(vii) the *home occupation* or *cottage industry shall* be operated by residents of the household on the *lot*;

(viii) goods or products offered as part of a *home occupation* or *cottage industry* must be produced on the *lot* and not be imported to the property;

(ix) where goods or services are offered, only limited public retail sales from the property *shall* be permitted;

(x) the production, storage or disposal of waste, toxic or hazardous materials is prohibited;

(xi) outdoor storage or display of goods, materials or products *shall* be prohibited;

(xii) the *home occupation* or *cottage industry shall* not interfere with television and radio reception; and

(xiii) only one unlit sign having a maximum size of 0.4 sq. m. identifying the *home occupation* or *cottage industry shall* be permitted on the *lot*.

New/or expanded pits and quarries

g) An amendment to the Plan *shall* be required to allow a new or expanded mineral resource extraction use under The Aggregate Resources Act. Applications for new or expanded mineral resource extraction uses *shall* be subject to the policies of Part II, Section 2.12 of this Plan. OPA 55

Transportation and utilities

h) Transportation and *utility* facilities *shall* be permitted subject to an assessment of the potential effects on existing and future surrounding land uses; other existing and potential future City transportation and *utility* facilities; identified areas of environmental significance, including Escarpment features, stream valleys, hazard land areas, *environmentally sensitive area*s and *wetland*s; and surrounding *agricultural* lands and operations. In the Greenlands (Niagara Escarpment Plan Area) designation, only *essential* transportation and *utility* facilities are permitted. Waste disposal and landfill sites are prohibited in the Niagara Escarpment Plan Area. OPA 55

Recognize specific land uses

i) Notwithstanding the general policies of the Plan, and subject to all applicable municipal by-laws, policies and site plan requirements and *development* criteria of the Niagara Escarpment Plan, the following are permitted:

(i) the operation of a seasonal *campground* with a maximum of 150 campsites on lands located in the northerly half of Lot 24, Concession 2, N.D.S;

(ii) the operation of a seasonal *campground* with a maximum of 59 seasonal cottages and one permanent single-detached dwelling in addition to related recreational facilities at "Camp Sidrabene", located on Appleby Line at the Bronte Creek;

(iii) the operation of a private, self-sustaining *development* with a maximum of 12 year-round residences and 82 seasonal cottages at the Cedar Springs Community located on Cedar Springs Road. The conversion of seasonal residential dwellings to permanent residences within the Cedar Springs Community *shall* not be permitted;

(iv) the operation of an institutional *campground* by the Boy Scouts of Canada on lands located at 4284 No. 2 Side Road;

(v) the operation of an existing *airport* located on lands at Bell School Line;

(vi) the *development* of the Beaufort Heights area mainly for single-detached dwellings with urban services; and

(vii) the operation of an 18-hole *golf course* at 6621 Guelph Line, including accessory facilities related to the *golf course* use and *accessory land uses* existing as of October 1, 2006. OPA 55

2.2 Agricultural Rural Area Designation *D22, D23, R9

2.2.1 Objectives

Agriculture primary activity

a) To recognize *agriculture* as the primary activity and land use in the Agricultural Rural Area designation.

Long-term preservation

b) To ensure the long-term preservation of *agricultural* use of land as well as the open space character of land in a rural area.

Preserve and maintain

c) To *preserve* productive *agricultural* soils and maintain these lands for existing and future farm use.

Environmental degradation

d) To ensure that rural lands and waters can sustain permitted uses without environmental degradation.

Rural living

e) To *encourage* rural living that is sensitive to the ecological balance, the protection of farmland and the *farming* community.

Prohibit ribbon development

f) To prohibit further ribbon development along all roads outside the Urban Planning Area.

Mineral Resource Extraction

g) To provide for the designation of new Mineral Resource Extraction Areas, which can be accommodated in accordance with the policies of this Plan and by amendment to this Plan. OPA 55

2.2.2 Policies *D22, D23

Basis for designation

a) Lands designated Agricultural Rural Area include areas having rural open space landscape character, and containing *agricultural* lands.

Permitted uses

b) The following uses *may* be permitted within the Agricultural Rural Area:

(i) *agricultural operations* including *accessory buildings, structures*, facilities and dwellings;

(ii) *existing uses*;

(iii) single-detached dwellings on existing *lots* created under The Planning Act*;*

(iv) dwellings accessory to an *agricultural operation* provided: the farm is operated by a *commercial farmer*; the accessory dwelling is required to house farm help or a retiring farmer; and the accessory dwelling is sited as part of the cluster of existing farm buildings. The accessory dwelling *may* be a mobile or portable home.

(v) forest, wildlife and fisheries management;

(vi) archaeological activities;

(vii) transportation and *utility* facilities;

(viii) *accessory buildings, structures* and facilities (e.g., a garage or farm pond) and site modifications to accommodate them;

(ix) incidental uses (e.g., swimming pools, tennis courts and ponds) and site modifications to accommodate them, provided the impact on the *natural environment* is minimal;

(x) wayside *pits* and *quarries* and portable asphalt plants for the purposes of public road construction;

(xi) businesses that *may* not be related to *agriculture*, provided that: OPA 55

i. their scale is minor and does not change the appearance of the *farming* operation;

ii. their impact such as noise, odour and traffic on surrounding land uses is minimal and will not hinder surrounding *agricultural* uses;

iii. they meet all Regional criteria as stated in the On-Farm Business Guidelines adopted by Regional Council;

(xii) *home occupation*s and *cottage industries* with a gross floor area not exceeding 100 sq. m. or 25 per cent of the residential living area, whichever is lesser; OPA 55

(xiii) *home industries* with a gross floor area not exceeding 200 sq. m; and located on a *commercial farm* and secondary to the *farming* operation; OPA 55

(xiv) retail uses with a gross floor area not exceeding 500 sq. m. if located on a *commercial farm* and secondary to the *farming* operation, and the majority of the commodities for sale, measured by monetary value, produced or manufactured on the farm; OPA 55

(xv) *agricultural*-related tourism uses with a gross floor area not exceeding 250 sq. m. and if located on a *commercial farm* and secondary to the *farming* operation; OPA 55

(xvi) *bed and breakfast* uses with 3 or less guest bedrooms;

(xvii) veterinary clinics serving the *agricultural* community;

(xviii) animal kennels in conjunction with a single-detached dwelling;

(xix) small-scale recycling depots for paper, glass and cans, etc., serving the local community;

(xx) the Bruce Trail;

(xxi) *watershed* management and flood and erosion control projects carried out or supervised by a public agency. OPA 55

Prohibit subdivisions

c) Residential plans of subdivision or condominium *shall* not be permitted.

Prohibit recreational uses

d) *Recreation uses*, except for the Bruce Trail, *shall* not be permitted.

Accessory dwellings

e) Notwithstanding the other policies of this Plan, the maximum number of *dwelling unit*s on a farm *shall* be three.

2.3 Escarpment Rural Area Designation *D22, D23

2.3.1 Objectives

Basis for designation

a) The objectives for this designation include those found in Part IV, Subsection 2.2.1 and the following:

(i) to maintain the scenic values of lands in the vicinity of the Escarpment;

(ii) to maintain the *open landscape character* by encouraging the conservation of the traditional *cultural landscape* and *cultural heritage feature*s;

(iii) to *encourage agriculture* and *forestry* and to provide for *compatible* rural land uses;

(iv) to provide a buffer for the more ecologically sensitive areas of the Escarpment; and

(v) to provide for the designation of new Mineral Resource Extraction Areas which can be accommodated by an amendment to the Niagara Escarpment Plan.

2.3.2 Policies

a) The lands designated Escarpment Rural Area include *minor Escarpment slope*s and landforms and/or lands in the vicinity of the Escarpment necessary to provide an open landscape, and/or are of ecologic importance to the environment of the Escarpment. OPA 55

Policies

b) The policies for this designation include those found in Part IV, Subsection 2.2.2 with the exception of 2.2.2 b) (iv), (vii), (x), (xi), (xiii), (xiv), (xv) and (xix), and the following: OPA 55

Additional permitted uses

c) Additional uses permitted in the Escarpment Rural Area include: OPA 48

(i) mobile or portable dwellings accessory to an *agricultural operation* subject to the development criteria of the Niagara Escarpment Plan;

(ii) wayside *pits* and *quarries* for the purposes of public road construction; and

(iii) linear transportation and *utility* facilities;

(iv) a second single dwelling on an existing *lot* of record where there is an existing dwelling designated and an easement agreement registered under The Ontario Heritage Act for a dwelling of local *cultural heritage* value or interest or where the dwelling is considered to be of provincial or national heritage value or interest and, in the opinion of City Council the allowance of the second single dwelling is the only viable way to *preserve* the local, provincial or national heritage value or interest of the existing single dwelling on the *lot*, and where there is no conflict with all other provisions of this Plan; OPA 55

(v) retail uses with a gross floor area not exceeding 500 sq. m., if located on a *commercial farm* and secondary to the *farming* operation, and provided the majority of the commodities for sale, measured by monetary value, are produced or manufactured on the farm. OPA 55 OPA 74

2.4 Greenlands (Non-Escarpment Plan Area) Designation *R9, D53

2.4.1 Objectives

Long-term preservation and protection

a) To ensure the long-term preservation of lands that form a permanent natural resource base consisting of ecologically sensitive natural areas and open space areas. These lands include most non-Escarpment related natural features, stream valleys, hazard land areas, significant woodlots, *environmentally sensitive area*s, *wetland*s, related significant natural areas and associated *cultural heritage feature*s.

Compatible land uses

b) To maintain and enhance the landscape qualities of non-Escarpment related natural features, stream valleys, hazard land areas, woodlots, *environmentally sensitive area*s, *wetland*s, related significant natural areas and associated *cultural heritage feature*s.

Recreation & conservation

c) To allow only passive recreation and conservation activities which are *compatible* with the Greenlands (Non-Escarpment Plan Area) designation as well as *agricultural* activity. ***D23**

Regional Greenlands

d) To identify lands that comprise the Greenlands System of interconnected open space and natural areas as identified in the Region of Halton's Official Plan.

Protect private lands

e) To protect private lands from public trespass by requiring clear identification of public lands where public access *shall* be *encouraged*.

Restrict access

f) To indicate that the Greenlands (Non-Escarpment Plan Area) designation does not imply or authorize that there *should* be public access or use of private lands.

2.4.2 Policies

Basis for designation

a) Lands designated as Greenlands (Non-Escarpment Plan Area) *shall* meet one or more of the following criteria:

(i) *Areas of Natural and Scientific Interest;*

(ii) significant stream valleys, *wetland*s, woodlots, hazard lands and areas of *wildlife habitat* which are identified as significant based on specific research and studies;

(iii) *Environmentally Sensitive Area*s; and

(iv) *Provincially and Regionally Significant wetland*s.

Permitted uses

b) Uses permitted in the Greenlands (Non-Escarpment Plan Area) designation *may* include:

(i) existing *agricultural operations* within the Greenlands (Non-Escarpment Plan Area) designation 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 Greenlands features or functions *may* play in complementing the *farming* activity. The intent of the Greenlands (Non-Escarpment Plan Area) designation on an active farm is not meant to restrict the operation nor to reduce the economic viability of the operation. 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 Greenlands (Non-Escarpment Plan Area) on the property as they apply to the existing *agricultural operation*; OPA 55

(ii) existing uses;

(iii) single-detached dwellings on existing lots created under The Planning Act;

(iv) non-intensive recreation uses such as nature viewing and trail activities except motorized vehicle trails or the use of motorized trail vehicles; OPA 55

(v) forest, wildlife and fisheries management;

(vi) archaeological activities;

(vii) *essential* transportation and utility facilities;

(viii) accessory buildings, structures and facilities (e.g., a garage or farm pond) and site modifications to accommodate them;

(ix) incidental uses (e.g., swimming pools, tennis courts) and site modifications to accommodate them, provided the effects on the natural environment are minimal;

(x) *home occupations* and *cottage industries* with a gross floor area not exceeding 100 sq. m or 25 per cent of the residential living area, whichever is lesser; OPA 55

(xi) the Bruce Trail; and

(xii) *essential watershed* management and flood and erosion control projects carried out or supervised by a public authority. OPA 55

Recreation use

c) Non-intensive *recreation uses shall* be permitted only when natural features are *preserved* to the maximum possible degree; all proposed buildings and structures are minor in scale; there are no or minimal parking areas required; and adverse effects on adjacent *agricultural operations* are minimized.

Prohibit subdivisions

d) Residential plans of subdivision or condominium *shall* not be permitted.

Building area

e) Property owners *shall* be *encouraged* to locate *development* outside of the portions of their lands designated as Greenlands (Non-Escarpment Plan Area).

Wetlands and floodplains

f) Notwithstanding Part IV, Subsection 2.4.2 b), no *development shall* be allowed within the portions of the Greenlands (Non-Escarpment Plan Area) designation containing *Provincially Significant Wetland*s as identified through the Ministry of Natural Resources in accordance with Provincial policy, *regulatory floodplains* as identified by Conservation Halton, and areas regulated by Conservation Halton, unless permission has been received by Conservation Halton. OPA 55

Environmental Evaluations

g) The proponent of a *development may* be required to prepare an *Environmental Evaluation* Report for lands in the Greenlands (Non-Escarpment Plan Area) subject to the policies of Part II, Section 2.5 of this Plan, if the *development* would adversely affect the environment. Single-detached dwellings and *agricultural* related uses such as barns and sheds would be exempt from this policy.

Environmentally Sensitive Areas

h) *Environmentally Sensitive Area*s *(ESAs)* are identified as an overlay on Schedule C, Comprehensive Land Use Plan: Rural Planning Area. The precise boundaries of these areas *shall* be determined by the Region of Halton. Specific policies for *ESA*s are:

(i) the alteration of physical and/or biological features *shall* be restricted;

(ii) subject to the requirements of Part IV, Subsection 2.4.2 g) the proponent of any *development*, including public works, inside of or within 60 m of an *ESA* must carry out an *Environmental Evaluation*; and

(iii) the alteration of any condition or land use that *may* affect the *ESA shall* be subject to approval of the appropriate authority, based on site plans submitted by, and agreements entered into with the developer.

Agreements with property owners

i) Property owners and Government and other agencies are *encouraged* to enter into voluntary agreements regarding the protection of natural features.

Identification of public lands

j) The City *shall* request public agencies to provide clear identification of public lands where public access is to be *encouraged*. The protection of private lands from public trespass *shall* be promoted.

2.5 Greenlands (Escarpment Plan Area) Designation *D53

2.5.1 Objectives

OPA 55

Long-term preservation and protection

a) To ensure the long-term preservation of lands that form a permanent natural resource base consisting of ecologically sensitive natural areas and open space areas. These lands include the most natural Escarpment features, stream valleys, hazard land areas, significant woodlots, *environmentally sensitive area*s, *wetland*s, related significant natural areas and associated *cultural heritage feature*s.

Compatible land uses

b) To maintain and enhance the landscape qualities of Escarpment features, stream valleys, hazard land areas, woodlots, *environmentally sensitive area*s, *wetland*s, related significant natural areas and associated *cultural heritage feature*s.

Recreation and conservation

c) To allow only passive *recreation* and conservation activities which are *compatible* with the Greenlands (Escarpment Plan Area) designation as well as *agricultural* activity.

Regional Greenlands

d) To identify lands that comprise the Greenlands System of interconnected open space and natural areas as identified in the Region of Halton's Official Plan.

Protect private lands

e) To protect private lands from public trespass by requiring clear identification of public lands where public access *shall* be *encouraged*.

Restrict access

f) To indicate that the Greenlands (Escarpment Plan Area) designation does not imply or authorize that there *should* be public access or use of private lands.

2.5.2 Policies

Basis for designation

a) Lands designated as Greenlands (Escarpment Plan Area) *shall* meet one or more of the following criteria: OPA 55

(i) escarpment slopes and related landforms associated with the underlying bedrock which is in a relatively natural state;

(ii) where forest lands abut the Escarpment, lands extending 300 m back from the brow of the Escarpment slope;

(iii) *Areas of Natural and Scientific Interest;*

(iv) significant stream valleys, *wetland*s, woodlots, hazard lands and areas of *wildlife habitat* which are identified as significant based on specific research and studies;

(v) *Environmentally Sensitive Area*s; and

(vi) *Provincially and Regionally Significant wetland*s.

Policies

b) The policies for this designation are found in Part IV, Subsection 2.4.2, except as follows. OPA 55

Niagara Escarpment Parks Plan

c) Uses permitted in Park or Open Space Master/Management Plans are also permitted, provided they are not in conflict with the Niagara Escarpment Plan. OPA 55 OPA 74

Second dwelling unit

d) Notwithstanding subsection a) above, a second single dwelling is permitted on an existing *lot* of record provided the following conditions are met: OPA 55

(i) there is no other designation on the *lot* where the dwelling can be sited;

(ii) there is an existing dwelling designated and an easement agreement registered under The Ontario Heritage Act for a dwelling of local *cultural heritage* value or interest or where the dwelling is considered to be of provincial or national *cultural heritage* value or interest;

(iii) in the opinion of City Council, the allowance of the second single dwelling is the only viable way to *preserve* the local, provincial or national *cultural heritage* value or interest of the existing single dwelling on the *lot*;

(iv) there is no conflict with all other provisions of this Plan; and

(v) within areas regulated by Conservation Halton, permission has been received by Conservation Halton.

More than one designation

e) Where a *lot* is located in more than one designation, *development shall* be located on that portion of the *lot* located in the least restrictive designation, except where it is evident that the impact of *development* on the Escarpment environment would be reduced by locating the *development* on a portion of the *lot* located in a more restrictive designation.

2.6 Escarpment Protection Area Designation *D23

2.6.1 Objectives

Open landscape

a) To maintain and enhance the *open landscape character* of Escarpment features.

Buffer Escarpment

b) To provide a buffer to prominent Escarpment features.

Maintain natural areas

c) To maintain natural and *cultural heritage* areas and features of local and regional significance.

Encourage uses

d) To *encourage agriculture* and *forestry*.

2.6.2 Policies

Basis for designation

a) Lands designated as Escarpment Protection Area meet one or more of the following criteria:

(i) escarpment slopes and related landforms where existing land uses have significantly altered the *natural environment* (e.g., *agricultural* lands or residential development);

(ii) areas that are close to Escarpment slopes and related landforms which are visually part of the landscape; and

(iii) Regionally Significant *Areas of Natural and Scientific Interest.*

Permitted uses

b) The following uses *may* be permitted in the Escarpment Protection Area:

(i) *agricultural operations* including *accessory buildings, structures*, facilities;

(ii) *existing uses*;

(iii) single-detached dwellings on existing *lots* created under The Planning Act;

(iv) mobile or portable dwellings accessory to an *agricultural operation* will be subject to the development criteria of the Niagara Escarpment Plan;

(v) forest, wildlife and fisheries management;

(vi) archaeological activities;

(vii) transportation and *utility* facilities;

(viii) *accessory buildings, structures* and facilities (e.g., a garage or farm pond) and site modifications to accommodate them;

(ix) incidental uses (e.g., swimming pools, tennis courts and ponds) and site modifications to accommodate them, provided the impact on the *natural environment* is minimal;

(x) uses permitted in Park or Open Space Master/Management Plans which are not in conflict with the Niagara Escarpment Plan; OPA 74

(xi) *home occupation*s and *cottage industries* with a gross floor area not exceeding 100 sq. m. in a *dwelling unit* or in an addition to a *dwelling unit*, to a maximum of 25 per cent of the residential living area, whichever is the lesser, and 125 sq. m. if the use is located in an *accessory building* to the dwelling; OPA 55

(xii) *home industries* with a gross floor area not exceeding 200 sq. m. and located on a *commercial farm*; OPA 55

(xiii) veterinary clinics serving the *agricultural* community;

(xiv) animal kennels in conjunction with a single-detached dwelling;

(xv) small-scale recycling depots for paper, glass and cans, etc., serving the local community;

(xvi) the Bruce Trail;

(xvii) commercial uses that meet all of the following criteria: the use is *accessory* to and located on a *commercial farm* and secondary to the *farming* operation; the retail component has a gross floor area not exceeding 250 sq. m; and the majority of the goods for sale, measured by monetary value, were produced or manufactured on the farm; and the buildings, structures and facilities are designed and located to minimize the impact on the *agricultural* use, adjacent land use and the rural *open landscape character*; OPA 55

(xviii) *bed and breakfast* uses with three or less guest bedrooms; OPA 7

(xix) a second single dwelling on an existing *lot* of record where there is an existing dwelling designated and an easement agreement registered under The Ontario Heritage Act for a dwelling of local *cultural heritage* value or interest or where the dwelling is considered to be of provincial or national *cultural heritage* value or interest and, in the opinion of City Council the allowance of the second single dwelling is the only viable way to *preserve* the local, provincial or national *cultural heritage* value or interest of the existing single dwelling on the *lot*, and where there is no conflict with all other provisions of this Plan; OPA 55

(xx) *watershed* management and flood and erosion control projects carried out or supervised by a public agency; OPA 55

(xxi) nature preserves owned and managed by an approved conservation agency; OPA 55

(xxii) greenhouses, stockpiling and processing of soil, processing and sale of local farm products, sale of garden centre or landscaping products, sale and storage of bulk firewood and hay, cold storage and fruit packing operation, and incidental facilities necessary to support these uses on approximately 7.1 hectares of land described as Parts 1, 2 and 3, Plan 20R-15247 located on Part 18, Concession 1, North of Dundas Street. OPA 55

Prohibit subdivisions

c) Residential plans of subdivision or condominium *shall* not be allowed.

Accessory dwellings

d) Notwithstanding the other policies of this Plan, the maximum number of *dwelling unit*s on a farm *shall* be three.

Comments on Park Plans

e) The City of Burlington will provide comments to the Niagara Escarpment Commission and the appropriate management agency regarding permitted uses proposed in Park or Open Space Master or Management Plans for lands within the Niagara Escarpment Park and Open Space System.

2.7 Escarpment Urban Area Designation OPA 55

2.7.1 Objective

Objective

a) To minimize the impact and further encroachment of urban growth on the Escarpment environment.

2.7.2 Policies

Residential policies

a) The policies of Part III, Section 2.0, Residential Areas, of this Plan *shall* apply, as well as the following additional policies.

Development criteria

b) Proposed uses and the creation of new *lots may* be permitted subject to conformity with Part 2, Development Criteria, of the Niagara Escarpment Plan.

Urban design

c) All *development should* be of an urban design *compatible* with the visual and *natural environment* of the Escarpment. Where appropriate, provision for adequate setbacks and screening *should* be required to minimize the visual impact of urban development on the Escarpment landscape.

New development

d) New *development shall* not encroach into the Greenlands (Escarpment Plan Area) or Escarpment Protection Areas.

New Lots

e) New *lots shall* not be created to include the Greenlands (Escarpment Plan Area) or Escarpment Protection Areas.

New Lots

f) New *lots may* include the Greenlands (Escarpment Plan Area) or Escarpment Protection Areas designation under the following circumstances:

(i) correcting conveyances;

(ii) where the land is in the Greenlands (Escarpment Plan Area) or Escarpment Protection Area has, or is to be, acquired by a public body or an approved conservation organization;

(iii) enlarging existing *lots* provided that no further fragmentation of the Greenlands (Escarpment Plan Area) or Escarpment Protection Area would result and provided there is sufficient area in the Escarpment Urban Area to accommodate the proposed development.

Public access

g) Adequate public access to the Escarpment *should* be provided by such means as parking areas, walkways or pedestrian trails (e.g. the Bruce Trail).

Compatibility

h) *Development* proposals *should* be *compatible* with and provide for the protection or restoration of historic features or areas, archaeological sites and structures of architectural significance in accordance with Part 2.12 of the Niagara Escarpment Plan.

Compatibility

i) Growth *should* be *compatible* with and provide for the protection of unique ecologic areas, *wildlife habitat*s, streams and water supplies and other *environmentally sensitive area*s both inside and adjacent to the Escarpment Urban Area.

2.8 Mineral Resource Extraction Area *D53

2.8.1 Objectives

Existing licensed areas

a) To protect legally existing *pits* and *quarries* licensed under The Aggregate Resources Act from *incompatible* land uses.

Minimize impacts

b) To minimize the potential for *incompatibilities* between impact of mineral resource extraction and the rural community.

Rehabilitation

c) To ensure the progressive *rehabilitation* of *pits* and *quarries* to an appropriate after-use that is *compatible* with the applicable Plan designation, the surrounding environment and *existing uses*.

Escarpment environment

d) To minimize the impact of mineral extraction operations on the Escarpment environment.

Open space and agricultural

e) To *encourage* the *rehabilitation* of *pits* and *quarries* to an *agricultural* after-use if the lands are located in an *agricultural* area or to be integrated into the Niagara Escarpment Parks and Open Space System, where appropriate.

Non-permanent land use

f) To recognize that Aggregate Extraction is a non-permanent land use that will, in the long term, be replaced by another appropriate land use. OPA 55

2.8.2 Policies

Permitted uses

a) The following uses *may* be permitted within the Mineral Resource Extraction Area:

(i) *agricultural operations* including *accessory buildings, structures* and facilities;

(ii) *existing uses*;

(iii) mineral aggregate extraction operations *licensed* under The Aggregate Resources Act;

(iv) forest, fisheries and wildlife management;

(v) archaeological activities;

(vi) *recreation uses* subject to the requirements of Part IV, Subsection 2.8.2 d);

(vii) *essential utility* and transportation facilities;

(viii) *accessory buildings* and facilities normally associated with the mineral resource extraction operation, such as small scale offices, or crushing and washing facilities, but excluding asphalt plants; concrete plants, brick manufacturing plants and other similar uses;

(ix) incidental uses and site modifications to accommodate them, provided the impact on the *natural environment* is minimal;

(x) uses permitted in a Park or Open Space Master or Management Plan which are not in conflict with the Niagara Escarpment Plan, if the land is located within the Niagara Escarpment Parks and Open Space System;

(xi) *watershed* management, and flood and erosion control projects carried out or supervised by a public authority;

(xii) notwithstanding the other policies of this Plan, a brick manufacturing plant provided: the greater part of the materials used come from the licensed area; and the lands are located outside of the Niagara Escarpment Plan Area or if the lands are located within the Niagara Escarpment Plan Area and an amendment has been made to the Niagara Escarpment Plan to permit the use; and

(xiii) the Bruce Trail.

Hydrogeo-logical studies

b) The City *shall* support the undertaking of hydrogeological studies in accordance with Provincial legislation and policies of the Region of Halton and Conservation Halton to ensure that surface and ground water resources are protected from the adverse effects of mineral resource extraction.

Rehabilitation

c) The City *shall* require the progressive *rehabilitation* of mineral resource extraction areas for an appropriate after-use. OPA 55

Recreation use

d) *Recreation uses shall* be permitted only when buildings and structures are minor in scale, and are located to *preserve* an open-space character in the area; landscaping and berms are provided to maintain an open-space character of the area; if the use involves significant taking of ground or surface waters, the proponent must demonstrate, through a detailed study and to the satisfaction to the City, that the water resources in the general area will not be adversely affected and the impact on adjacent *agricultural operations* is minimized, through the preparation of an Agricultural Impact Assessment to the satisfaction of the Region of Halton.

Natural ecosystem

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

Agricultural after use

f) Where *rehabilitation* is being undertaken to *agriculture*, substantially the same acreage and average soil capability for *agriculture shall* be restored.

3488 Tremaine Road

g) Notwithstanding Part IV, Subsections 2.1.1 (c) and 2.1.2 (g), the use of lands located at Part of Lots 1 and 2, Concession 1, N.D.S., (3488 Tremaine Road) for mineral resource extraction shall be permitted based on the provision of a private communal water system approved by the Region of Halton to properties identified by the Region of Halton having potential for well water interference from operation of a shale quarry at this location. OPA 51

3.0 RURAL SETTLEMENT AREAS

The lands identified as "Rural Settlement Area" on Schedule A, City Structure Land Use Plan have also been identified on Schedule C, Comprehensive Land Use Plan - Rural Planning Area. These lands comprise the areas of Kilbride, Lowville and Mount Nemo and represent locations in the Rural Planning Area where residential, commercial and institutional development *shall* be located. The population capacity for each of these Rural Settlement Areas is estimated to be approximately: Kilbride, 900 persons, Mount Nemo, 300 persons and Lowville, 325 persons.

The following principles, objectives and policies provide a framework that *shall* guide future development for Rural Settlement Areas:

3.1 Principles

Compatible with surroundings

a) Growth and development within Rural Settlement Areas *shall* be *compatible* with and provide protection for the *natural environment* and have regard for existing settlement patterns.

Areas for limited development

b) Rural Settlement Areas *shall* provide limited opportunities for rural, non-farm residences, commercial and institutional uses within the Rural Planning Area.

No expansion

c) Expansion of the Rural Settlement Areas *shall* not be permitted.

3.2 Objectives

Limited residential growth

a) To provide limited opportunities for rural, non-farm residences in certain rural communities where most future residential growth will take place.

Non-farm uses

b) To direct rural, non-farm uses, including small-scale commercial and *industrial development* servicing *agriculture* and the rural community, as well as small-scale public uses such as postal outlets, maintenance buildings, and small meeting halls, to Settlement Areas. OPA 55

Groundwater impacts

c) To ensure the impacts on groundwater supplies of Rural Settlement Area *development* are evaluated and considered.

3.3 General Policies

Land Use Plans

a) Settlement Area lands are identified on Schedule G: Kilbride Settlement Area Land Use Plan; Schedule H: Lowville Settlement Area Land Use Plan; and Schedule I: Mount Nemo Settlement Area Land Use Plan. Lands within these areas are subject to policies of the Plan and the appropriate development criteria of The Niagara Escarpment Plan.

Self-sustaining development

b) All development *shall* be self-sustaining with individual well water supply and sewage disposal systems. The City *shall encourage* the use of water conservation measures towards ensuring contained sustainability of services.

Minimum lot size

c) The minimum *lot* size *shall* be 0.8 ha or as determined by site-specific hydrogeological studies, whichever is the greater. OPA 55

Minimum lot size-plan of subdivision

d) The minimum *lot* size involving proposals for the creation of two or more *lots shall* be determined based on a site-specific hydrogeological study to be submitted by the proponent and conducted in accordance with the Halton Region Rural Servicing Guidelines. Applications for the creation of two or more *lots shall* require the submission of plan of subdivision or condominium.

Minimum lot size-consent

e) The minimum *lot* size involving proposals for the creation of a *lot* by way of a land conveyance *shall* be determined based on detailed site analysis including a hydrogeological study which addresses the impacts of the new *lots* on ground and surface water resources.

Hydrogeo-logical studies

f) The minimum *lot* size findings of the Hydrogeological Investigations prepared by the Region of Halton for each Settlement Area *shall* be used as a guideline when considering *development* proposals.

Non-residential uses

g) A non-residential use within a Settlement Area is not to exceed a gross floor area of 500 sq. m and *shall* need a hydrogeological study, if required by the Region of Halton.

Road standards

h) The design, location and construction of public and condominium roads *shall* comply with City standards.

Storm water drainage

i) Proposals for plans of subdivision or condominium are to be accompanied by a functional storm water drainage plan and report that addresses internal and external drainage limits as well as storm water drainage practices that are to be implemented. Where required by the City, the need for a functional storm water drainage plan and report *shall* also be requested in conjunction with applications for land conveyance.

Preserve natural features

j) *Development* proposals *shall* ensure to the maximum possible degree the preservation of significant natural features including wooded areas, *watercourse*s, *groundwater recharge areas, valley lands* and existing hedgerows.

Road construction

k) Major rock cutting and blasting for road construction within Settlement Areas *shall* not be permitted. The regrading of the existing land for road construction *shall* be discouraged.

Kilbride storm water drainage

l) Within the Kilbride Settlement Area, the western section of the Settlement Area is imperfectly drained due to a *shall*ow depth of overburden to bedrock or the groundwater table, numerous rock outcrops and level terrain. For lands on the west side of McNiven Road, an adequate outlet for storm water drainage is not possible without rock cutting or blasting, which would risk the water supply of existing homes in this location. Further *development* in this area must be supported by technical studies.

Tree planting

m) Tree planting is *encouraged* to reduce soil erosion and surface water runoff.

3.4 Residential Land Use Policies

Single-detached development

a) Single-detached dwellings within plans of subdivision and condominium is the preferred form of *development.* The creation of new *lots* through land conveyances *may* be considered when a plan of subdivision or condominium is not in the public interest.

Dwelling size

b) Maximum dwelling sizes *may* be determined by City Council based on hydrogeological concerns and consideration of land use *compatibility* and other factors.

Lot size and setbacks

c) The minimum *lot* width is 60 m. The minimum front yard setback is 10 m. The minimum side yard setback *shall* be 5 m. For corner *lots* a yard abutting a street *shall* be at least of 10 m.

Setback from Mineral Extraction Areas

d) Dwellings on lands next to a Mineral Resources Extraction Area *shall* be located no closer than 50 m from the Mineral Resources Extraction Area property. Dwellings on lands separated by an existing road from a Mineral Resources Extraction Area *shall* be located no closer than 15 m from the deemed road width.

Home Occupations and Cottage Industries

e) *Home occupation*s and *cottage industries* are permitted as an *accessory use* to a single-detached dwelling, provided the residential appearance of the property is maintained and subject to the policies of Part IV, Subsection 2.1.3 f). OPA 55

Bed and Breakfast uses

f) *Bed and Breakfast homes shall* be permitted.

3.5 Commercial Land Use Policies

Basis of designation

a) The Commercial land use designation provides that only uses that serve the daily shopping and *service commercial* needs of the local community and the surrounding rural area are *encouraged*. A *dwelling unit* or a single-detached dwelling *may* also be permitted within this land use. Commercial uses serving the tourist trade are permitted, provided their scale and intensity is *compatible* with surrounding land uses. *Service commercial* uses requiring outside manufacturing or processing with the use of machinery or equipment are not permitted.

New commercial areas

b) An amendment to the Plan *shall* be required to allow Commercial *development* at new locations.

Commercial locations

c) New Commercial uses *shall* be *encouraged* to locate near existing Commercial uses.

Servicing requirements

d) Only Commercial uses with a low level of water consumption and sewage generation as approved by the Region of Halton *shall* be permitted.

Off-street parking

e) Commercial uses are required to provide sufficient off-street parking for associated traffic.

Design requirements

f) Building design for Commercial uses must complement nearby development and the rural character of the Settlement Area. Suitable setbacks and buffers *shall* be required to ensure *compatibility* with other existing or proposed uses.

3.6 Institutional Land Use Policies

Basis of designation

a) The Institutional land use designation provides that only low-intensity public and private uses related to health, welfare, educational, religious and governmental activities are permitted. A *dwelling unit* or a single-detached dwelling *may* also be permitted within this land use.

New institutional uses

b) An amendment to the Plan is required to allow institutional *development* at new locations.

Institutional locations

c) New institutional uses are *encouraged* to locate near existing Institutional uses. An amendment *may* be required for the expansion of an existing institutional use.

Servicing requirements

d) Only institutional uses with a low level of water consumption and sewage generation as approved by the Region of Halton *shall* be permitted.

Off-street parking

e) Institutional uses are required to provide sufficient off-street parking for associated traffic.

Design requirements

f) Building design for institutional uses must complement nearby *development* and the rural character of the Settlement Area. Suitable setbacks and buffers *shall* be required to ensure *compatibility* with other existing or proposed uses.

3.7 Parks, Greenlands and Open Space Land Use Policies

Settlement Area and City Parks

a) Kilbride and Lowville Parks are intended to provide open space areas for residents in each Settlement Area as well as other City residents.

Kilbride Park

b) The expansion of Kilbride Park to include adjacent Bronte Creek lands *shall* be *encouraged*.

Additional open space

c) Additional open space areas within each Settlement Area *shall* be *encouraged* where natural features are found that would provide new open space areas.

Basis of designation

d) The Open Space designation applies to lands that are flood-susceptible, are within defined creek valleys, have rock outcrops or wooded areas, or are imperfectly drained due to *shall*ow depth of overburden.

Basis of designation

e) The Greenlands designation applies to lands that are designated "Escarpment Natural Area" in the Niagara Escarpment Plan. Expansions of *existing uses* in the Greenlands designation *shall* be subject to Part II, Development Criteria, Section 2.3, Existing Uses, of the Niagara Escarpment Plan. OPA 55

Encroachment

f) There *shall* be no encroachment of *development* or major landscape alteration on Open Space and Greenlands lands.

Public ownership

g) Lands in the Open Space and Greenlands designations *shall* not necessarily be acquired in public ownership. Where new *development* is proposed, lands within this designation *shall* not normally be accepted as part of required parkland dedication for park purposes as permitted under The Planning Act.

Permitted uses

h) Uses permitted in the Parks, Greenlands and Open Space designations *shall* be the same as uses permitted in Part IV, Section 2.5 of this Plan.

1.0 INTRODUCTION

OPA 55

To be read with other parts of the Plan

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

2.0 NORTH ALDERSHOT GENERAL

Location

The lands identified as "North Aldershot Planning Area" on Schedule A, Settlement Pattern.

North Aldershot is located north of Highway No. 403 and south of the City of Hamilton. The westerly limit is Highway No. 6 while the easterly limit is the Dundas-Burlington Ontario Hydro Transmission Line.

Lands located north of the Dundas – Burlington Transmission Line have been transferred from the Parkway Belt West Plan to the Niagara Escarpment Plan and are not subject to the policies in Part V, except as set out in Section 12.0.

Three Sectors

North Aldershot is comprised of three sectors: the East Sector, the Central Sector and the West Sector. Detailed planning was completed for the Central Sector in 1996, as approved by the Ontario Municipal Board, and is reproduced in this Section.

The East Sector is bounded on the south by Highway No. 403, on the west by Old Waterdown Road and the Sassafras Woods *Environmentally Sensitive Area*, on the north by the Dundas-Burlington Ontario Hydro Transmission Line, and on the east by the easterly boundary of the North Aldershot Planning District. The East Sector has an area of approximately 488 hectares.

The Central Sector is bounded on the south by Highway No. 403, on the west by the Grindstone Creek Valley, on the north by the boundary of the City of Burlington and the City of Hamilton, and on the east by Old Waterdown Road and the Sassafras Woods *Environmentally Sensitive Area*. The Central Sector has an area of approximately 304 hectares.

The West Sector is bounded on the south by Highway No. 403, on the west by Highway No. 6, on the north by the Dundas-Burlington Ontario Hydro Transmission Line and on the east by the Grindstone Creek Valley. The West Sector has an area of approximately 553 hectares.

Purpose of Part V, Section 2.0

The purpose of this section is to establish goals, objectives and policies to guide further *development* of North Aldershot.

North Aldershot is a distinctive area - it contains natural features of high environmental significance, it separates two urban areas and it is a place where people enjoy a non-urban lifestyle. The two essential aspects of the area, its natural features and its human settlement, are not separate but co-exist in a finely integrated fashion. This Plan is based on a recognition of this character of the area and that any new development must fit into and build upon the special characteristics. Accordingly, the Plan:

(i) identifies and protects significant environmental areas;

(ii) ensures that these environmental areas are appropriately linked;

(iii) maintains the general open space setting;

(iv) ensures that existing roads retain their present character, and

(v) establishes policies to ensure that new *development* will be integrated with the existing topography and be *compatible* with the existing settlement character.

2.1 Principle

Further compatible development

a) To permit further *development* on the basis that the subject lands are outside of the City's urban area and that the location and intensity of *development shall* be determined by *compatibility* with the existing character, landscape and environment.

2.2 Objectives

Urban Separator function

a) To maintain the urban separator function between the Waterdown urban area of the City of Hamilton and the urban area of Burlington, performed by North Aldershot.

Urban Boundary

b) To confirm the North Service Road as Burlington's northern urban boundary in the west part of the City.

Distinct area

c) To retain North Aldershot as a distinct, identifiable area in the context of the City of Burlington and the surrounding built-up area to the north and south.

Retain special characteristics

d) To ensure that *development* and *re-development* in North Aldershot retains and, where possible, enhances the special characteristics of the area and to ensure the preservation and enhancement of existing significant environmental and physical features.

Existing character

e) To permit *development* and *re-development* which is *compatible* with the predominant characteristics of North Aldershot such that the scale and character of the existing community is respected and regard is had to the rural character of the existing roads.

Topography

f) To respect the topographical character of the area so that slopes are protected from major cutting, major filling and erosion.

Cultural Heritage

g) To recognize and reflect the *cultural heritage* of the area.

Roads

h) To limit the construction of additional major roads and the upgrading of existing roads.

Wildlife

i) To ensure that *development* and *re-development* have regard for wildlife corridors and linkages and minimize forest fragmentation.

Niagara Escarpment

j) To *preserve* the brow of the Niagara Escarpment as well as its visual and natural open space character.

Escarpment views

k) To *preserve* significant views of the *Escarpment brow* as well as from the Escarpment.

Other views

l) To ensure that significant views of North Aldershot from outside the area reinforces its context as a distinct, identifiable area different from the surrounding urban area.

Costs of development

m) To require that *development* pay for growth-related costs.

2.3 General Policies

Background

A secondary planning study was completed for North Aldershot in 1994, known as the North Aldershot Inter-Agency Review. This study concluded further *development* potential exists in North Aldershot, provided the unique natural setting is *preserved*.

The Ontario Municipal Board approved land use policies for the Central Sector in 1996. These policies are reproduced in this Plan. Land use policies for the East and West Sectors are also found in the General Policies below. Lands identified as 'North Aldershot Special Study Area' require further study in order to determine more precise *development* potential.

Applicable areas

a) The policies in this section of the Plan are applicable throughout North Aldershot regardless of land use designation, unless otherwise indicated.

Permitted development

b) *Development* or *re-development shall* be permitted in accordance with the land use designations shown on Schedules D and D-C1 to D-C11, the maps applicable to the location of *development* or *re-development* and the policies of this Plan.

Permitted uses

c) The following uses *may* be permitted in all designations in North Aldershot, subject to other policies of this Plan and applicable zoning by-laws:

(i) *agricultural* uses and a dwelling accessory to an *agricultural operation* on the same property;

(ii) legally *existing uses*;

(iii) single detached dwelling on an existing *lot*;

(iv) forest, wildlife and fisheries management;

(v) non-intensive *recreational* uses such as nature viewing and pedestrian trail activities, only if the lands are publicly owned;

(vi) archaeological activities;

(vii) transportation and *utility* facilities;

(viii) *accessory buildings, structures* and facilities and site modifications to accommodate them, provided the effects on the *natural environment* are minimal;

(ix) incidental uses and site modifications to accommodate them, provided the effects on the *natural environment* are minimal;

(x) small scale public uses;

(xi) *home occupation* and *cottage industries* with a gross floor area not exceeding 100 sq. m. or 25 per cent of the residential living area, whichever is less;

(xii) *cottage industry* establishment accessory to an existing dwelling or *agricultural operation* with a maximum of three guest bedrooms;

(xiii) veterinary clinics serving the *agricultural* community;

(xiv) animal kennels in conjunction with a single detached dwelling;

(xv) *watershed* management and flood erosion control projects carried out or supervised by a public agency;

(xvi) the following uses, only if located on a *commercial farm* and secondary to the *farming* operation:

i. *home industry* with a gross floor area not exceeding 200 sq. m.;

ii. retail uses with a gross floor area not exceeding 500 sq. m. and the majority of the commodities for sale, measured by monetary value, are produced or manufactured on the farm;

iii. *agriculture*-related tourism uses with a gross floor area not exceeding 250 sq. m.;

(xvii) on farm businesses that *may* not be related to *agriculture* provided:

i. their scale is minor and does not change the appearance of the *farming* operation;

ii. their impact such as noise, odour and traffic on surrounding land uses is minimal and will not hinder surrounding land uses;

iii. they meet all Regional criteria as stated in the On-Farm Business Guidelines adopted by Regional Council.

Designations

d) Schedule D indicates the various land use designations in North Aldershot. The land use policies in this section *should* be read in conjunction with the general policies and with the design and *development* criteria contained elsewhere in this Plan.

Land use - intensity

e) Density and location of *development* will be determined by such considerations as: the size and extent of the developable land, existing topography, *cultural heritage feature*s, existing adjacent uses, visual impact, and the ability of the site to sustain the proposed *development.* Maximum land use intensity is subject to meeting all applicable policies and *may* not be attained in all circumstances.

Impervious area definition

f) Zoning provisions will be calculated on a developable area that excludes the Environmental Protection Area designation with the exception that the calculation of the maximum impervious surface for any Sub-Area *shall* include the buffer areas that are immediately adjacent to that Sub-Area in Schedules D-C1 to D-C11. The allocation of this impervious area on individual *lots* or blocks *shall* be approved by the Director of Engineering prior to the registration of any plan of subdivision in which the *lots* and blocks are located.

Impervious surface

g) Impervious area *shall* mean an impermeable surface such as pavement or rooftop which prevents the infiltration of water into the soil, but excludes the wetted surface area of ponds or pools or those impermeable surfaces which are less than 10 sq. m. in area and separated hydraulically from any adjacent impermeable surfaces or drains by at least 3 m.

Utilities

h) *Development* proposals *shall* provide such mitigative measures as required by *utility* agencies.

Subdivision control

i) North Aldershot is subject to subdivision control and part-lot control.

Servicing

j) North Aldershot – Central Sector *shall* develop on full municipal services. The West and East Sectors *shall* develop on private services (wells and septic systems), with the exception of the Bridgeview Community at Plains Road and Highway 6.

Institutional uses

k) Institutional uses in the North Aldershot Planning Area are defined in Part II, Subsection 4.3 a) of this Plan and are subject to the following policies:

(i) a private medical clinic or *group home* is not defined as an institutional use;

(ii) impervious cover *shall* be minimized;

(iii) maximum impervious surface is not to exceed 40 per cent of the net developable area (lands within the site excluding Environmental Protection Areas and public roads);

(iv) notwithstanding the foregoing, any elementary school site located in sub area 2B, Schedule D-C2b, is permitted a maximum impervious surface of 60 per cent. If an elementary school is not constructed, the 40 per cent maximum impervious provision *shall* apply for all other building forms except for detached dwellings where the 20 per cent maximum impervious provision *shall* apply;

(v) maximum building height *shall* not exceed three storeys and *shall* not extend above the tree canopy;

(vi) *massing* and roof-line of buildings *shall* be *encouraged* to be *compatible* with the existing settlement pattern;

(vii) the visual impact of internal roads and driveways *shall* be minimized by integrating their horizontal and vertical alignment with the existing topography;

(viii) parking areas *should* be screened with dense, hardy native plant material that creates an effective visual barrier. Within the parking lot, buffer islands *shall* be employed to screen more than four rows of cars;

(ix) all plant material *shall* be protected and retained to the maximum extent possible;

(x) landscape buffers along the perimeter of the property boundary and within the grounds *shall* be employed to screen the visual impact of facilities from adjacent residences. The landscape buffers *shall* create a visual screen and be *compatible* with the natural landscape setting;

(xi) new planting in restoration areas *shall* be *encouraged* to be native plant species and be consistent with surrounding natural landscape character. Invasive non-native plant species *shall* be discouraged;

(xii) the extent of mowed turf grass *shall* be minimized;

(xiii) *cemeteries* and associated uses and structures *shall* be screened from residential areas; and

(xiv) site lighting *shall* be low intensity, energy efficient fixtures. The illumination pattern *shall* not shine beyond the *lot* line, onto neighbouring properties or public roads.

2.4 Design Policies

Significant trees

a) Consistent with the permissions granted by the land use designations on Schedules D and D-C1 to D-C11 and the policies of this Plan, *encourage* all *development* proposals, to *preserve* existing significant trees, wooded areas and hedgerows, and plant additional trees in accordance with good *forestry* management practices.

Building design and location

b) Buildings and structures *shall* be designed and located so as to maximize their *compatibility* with the existing natural landscape, minimize their effect on the open-space character of the area and maintain to the maximum possible degree an uninterrupted sight line between Highway 403 and the Niagara Escarpment consistent with the permissions granted by the land use designations on Schedules D and DC-1 to DC-11 and the policies of this Plan.

Building and road location

c) Regard *shall* be had for the visual and physical harmony of the location of buildings and the design and location of roads with the existing natural features.

Setting

d) Site design *shall* be *compatible* with and enhance the special setting provided by the Niagara Escarpment, Grindstone Creek and Sassafras Woods.

Key viewsheds

e) Site layout *shall preserve* key viewsheds from existing roads, such as views to the brow of the Niagara Escarpment, Burlington Bay, Hamilton, and Lake Ontario.

Views of open landscape setting	f)	Views generally to the open landscape setting, including creek and stream valleys and associated vegetation, *shall* be provided.
Views between buildings	g)	Site design and location of buildings *shall* permit views between buildings.
Infill views	h)	*Infill* along existing roads *shall* permit views into the open landscape setting.
Cultural Heritage features	i)	Site planning *shall encourage* and support the preservation, restoration and enhancement of existing *cultural heritage resources* such as identified homesteads and their associated landscapes.
Compatible adjacent development	j)	In the North Aldershot Planning Area, the *massing* and location of adjacent development *should* be *compatible* with *cultural heritage* buildings and structures in order to establish a sense of visual continuity and *compatible* building scale.
Compatible design	k)	Site design *shall* be *compatible* with both the open space character and the predominant settlement characteristics of the area.
Lot size and shape	l)	*Lots should* not be uniform in size and shape across North Aldershot.
Setbacks	m)	To ensure that valleys are protected, adjacent *development shall* be located in such a manner as to have adequate setbacks from the *lot* line.
Rehabilitation	n)	Existing degraded drainage channels, declining plantations and remnant vegetation areas are *encouraged* where possible to be *rehabilitated*.
Passive storm water design	o)	To ensure that passive storm water drainage techniques can be applied, the number of housing units that have *lot* lines bordering existing drainage channels, creeks and valleys *shall* be maximized.
Compatible development	p)	The density, *massing*, form, setback and layout of the new development *shall* be *compatible* with the surrounding structures.
Topography	q)	Building location *shall* integrate with the existing topography.
Building materials	r)	Building materials *shall* blend and harmonize with the natural landscape setting. Where practical, earth tones and natural materials such as stone, wood siding and clay brick *shall* be *encouraged*.
Reverse lot frontages	s)	Except for *cultural heritage resources* pursuant to Part V, Subsection 2.4 i), and *infill* houses pursuant to Part V, Subsection 3.1, buildings *shall* face the road. Reverse frontage lotting patterns and the use of acoustical walls and fences *shall* not be permitted except when no other feasible alternative is available to meet Ministry of the Environment requirements for mitigating noise impacts from Highway 403.
Buffering	t)	Buffering measures such as vegetation *shall* be employed to screen non-residential *development* adjacent to residential uses.

Visual impact

u) The visual impact of site servicing, loading, air handling equipment and waste disposal *shall* not be visible from roadways or adjacent properties.

Physically challenged

v) The needs of the physically challenged *shall* be considered in each *development.*

Signage

w) Site signs *shall* be at ground level and integrated with the landscape. Hanging or projecting signs will not be permitted.

Significant vegetation

x) Significant trees, wooded areas and hedgerows *shall* be retained wherever possible.

Native plant species

y) New planting in restoration areas *shall* be *encouraged* to be native plant species and be consistent with surrounding natural landscape character. Invasive non-native plant species *shall* be discouraged.

Steep slopes

z) Consistent with the permissions granted by the land use designations on Schedules D and D-C1 to D-C11 and the policies of this Plan, site design and development *shall* integrate with the existing topography to maximize the preservation of significant existing trees, steep slopes (greater than 15 per cent), and existing drainage patterns.

2.5 Growth Management Policies

Additional development

a) Additional *development* of all forms and densities and/or any *re-development* proposal which exceeds the provisions of this Plan *shall* be considered as an amendment to this plan and *shall* be undertaken as a comprehensive process characterized by the following:

(i) a clear definition of the undertaking;

(ii) an effective public consultation program involving the general public and all stakeholders throughout the review process;

(iii) the selection of criteria prior to the development of alternatives that are to be applied consistently throughout the review process to evaluate the alternatives;

(iv) a comprehensive assessment of the natural and human environment and the capacity of these environments to sustain *development*; and

(v) a comprehensive servicing assessment.

Official Plan Amendments

b) Consideration of an application for amendment to this Plan must take into account the need for the proposed use, the policies of the Parkway Belt West Plan, implications on *infrastructure*, community services, and the natural and social environment, as well as fiscal impact.

3.0 RESIDENTIAL AREAS

3.1 Infill Residential

Permitted use

a) A single detached dwelling on a new *lot*, in association with existing settlement, subject to the following:

(i) the existing and proposed *lots* front on an existing public road;

(ii) the proponent of new *lots* proposed within the vicinity of lands designated "Mineral Resource Extraction Area" *shall* be required to demonstrate *compatibility* with existing and proposed extraction and processing activities in terms of noise, vibration, odour and dust, in accordance with Provincial guidelines.

Density

b) (i) New *lots* with municipal water and sanitary services, as identified in the Region of Halton Official Plan, *shall* have a minimum *lot* area of 0.3 ha, except within the urban serviced area of the Bridgeview Community in the vicinity of Plains Road West and Highway 6, where smaller *lot* sizes may be considered where they are in character with existing *development.* OPA 74

(ii) The minimum *lot* size for the creation of a new *lot* without municipal water and sanitary services, as identified in the Region of Halton Official Plan, *shall* be determined based on a detailed site analysis submitted by the proponent, including a hydrogeological study conducted in accordance with the Halton Region Rural Servicing Guidelines and which addresses the impacts of the new *lot* on ground and surface water resources. The minimum *lot* size *shall* be 0.8 ha or as determined by site-specific hydrogeological studies, whichever is the greater.

Built Form

c) New buildings *shall* be required to be *compatible* with surrounding houses in terms of characteristics such as height, *massing* and roof lines.

Building Additions

d) Additions to existing buildings *shall* be *compatible* with the existing homes.

Siting

e) Front yard and side yard setbacks and *lot* coverage *shall* be generally *compatible* with that of the adjacent settled area.

Rear yards

f) Rear yards of *infill lots shall* not abut a public road.

Parking

g) Garages *shall* be permitted only at the side or rear of the house.

Regrading

h) Site regrading *shall* be limited to the immediate building area where feasible. Regrading *shall* be prohibited within 3 m of the rear property boundary.

Gloucester Drive	i)	Residential *development* on Gloucester Drive *shall* proceed on full municipal services and *shall* not exceed a maximum of 6 units.	OPA 18

3.2 Detached Residential

Permitted Uses	a)	Detached dwelling
Built form	b)	New buildings *shall* be *encouraged* to be *compatible* with the surrounding settlement pattern in terms of formal characteristics such as height, *massing*, and roof lines.
Siting	c)	Principal buildings *shall* be oriented towards the street. Where possible, garage doors *shall* be *encouraged* to be oriented to the side yards. If oriented towards the front yard, they *shall* be recessed from the front wall of the building.
Lotting pattern	d)	The lotting pattern *shall* provide a diversity of *lot* sizes and configuration across North Aldershot.
Regrading	e)	Regrading will be prohibited within 3 m of the rear property boundary.

3.3 Cluster Residential

Permitted uses	a)	In addition to the uses permitted in the Detached Residential designation, this designation permits cluster residential *development* which is defined as a group of *dwelling unit*s which *may* be free-standing or attached to other *dwelling unit*s to a maximum of six attached units in any one building. The intent is to provide siting flexibility to maximize areas of open space and to take advantage of site conditions such as natural topography and existing vegetation, as well as to minimize obstruction of landscape views from public roads.
Additional policies	b)	Cluster residential *development shall* be subject to the policies in Part V, Sections 2.3, 2.4 and 3.2, where applicable, of this Plan.
Built form	c)	New buildings *shall* be *encouraged* to be *compatible* with the surrounding settlement pattern in terms of the visual impact to the open landscape setting.
Siting	d)	To the maximum extent possible, garage doors oriented toward the front of the house *shall* have the same setback as the front wall of the building.
Landscape buffers	e)	Landscape buffers *shall* be maintained and enhanced to screen the visual impact from existing settled areas.
Parking	f)	Outdoor parking *shall* be screened with landscape buffers.

Regrading	g)	Regrading *shall* be prohibited within 3 m of the rear property boundary.	
Roads	h)	The visual impact of internal roads and driveways *shall* be minimized by integrating their horizontal and vertical alignment with the existing topography.	
Servicing	i)	Site lighting *shall* be low intensity, energy efficient fixtures. The illumination pattern *shall* not shine beyond the *lot* line, onto neighbouring properties or public roads.	

4.0 NORTH ALDERSHOT OFFICE

Permitted uses	a)	Permitted uses *shall* be offices and ancillary uses to offices.	
Built form	b)	Maximum impervious surface is not to exceed 60 per cent of gross developable area, excluding Environmental Protection Areas and public roads, and subject to Part V, Subsection 2.3 f) of this Plan.	OPA 76
Building height	c)	Maximum building height *shall* not exceed three storeys and *shall* not extend above the tree canopy.	
Massing and roof line	d)	*Massing* and roof line of buildings *shall* be *encouraged* to be *compatible* with the existing settlement pattern and maximize views to Sassafras Woods.	
Outside storage	e)	No outside storage of goods or materials is permitted.	
Siting	f)	The setback along Waterdown Road *shall* be *compatible* with the existing settlement pattern.	
Roads	g)	The visual impact of internal roads and driveways *shall* be minimized by integrating their horizontal and vertical alignment with the existing topography.	
Parking	h)	Parking areas *should* be screened with dense, hardy native plant material that creates an effective visual barrier from existing homes and generally from Waterdown Road and the North Service Road. Within the parking lot, buffer islands *shall* be employed to screen more than four rows of cars.	
Servicing	i)	Site lighting *shall* be low intensity, energy efficient fixtures. The illumination pattern *shall* not shine beyond the *lot* line, onto neighbouring properties or public roads.	

5.0 ENVIRONMENTAL PROTECTION AREA

Definition

a) Lands designated on Schedule D as Environmental Protection Area *shall* meet one or more of the following criteria:

(i) *Environmentally Sensitive Area*s;

(ii) significant creeks and streams and their associated valleys including areas regulated by Conservation Halton pursuant to the Development, Interference with Wetlands and Alterations to Watercourses and Shorelines Regulation identified by Conservation Halton, woodlots, hazard lands and areas of *wildlife habitat* which are identified as significant based on specific research and studies;

(iii) natural Escarpment features;

(iv) *Areas of Natural and Scientific Interest*;

(v) *Provincially and Regionally Significant wetland*s;

(vi) land below the staked top of bank or in ill-defined areas, as agreed to with the City and Conservation Halton;

(vii) land that is publicly owned and used for open space and/or conservation purposes;

(viii) buffer areas of 7.5 meters and ESA buffers; and

(ix) other areas of important natural and landscape interest.

Permitted uses

b) The following uses *may* be permitted in the Environmental Protection designation:

(i) existing *agricultural operations* within the Environmental Protection designation *shall* 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 Environmental Protection features or functions *may* play in complementing the *farming* activity. The intent of the Environmental Protection designation on an active farm is not meant to restrict the operation nor to reduce the economic viability of the operation. If requested by the owner, the City *shall,* 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

Environmental Protection designation on the property as they apply to the existing *agricultural operation*;

(ii) legally *existing uses*;

(iii) single detached dwellings on existing *lots* created in accordance with the provisions of Section 50 of The Planning Act;

(iv) non-intensive *recreational* uses such as nature viewing and pedestrian trails, only on publicly owned land;

(v) forest, wildlife and fisheries management;

(vi) archaeological activities;

(vii) *essential* transportation and *utility* facilities;

(viii) *accessory buildings*, s*tructures* and facilities and site modifications to accommodate them, provided the effects on the *natural environment* are minimal;

(ix) incidental uses and site modifications to accommodate them, provided the effects on the *natural environment* are minimal;

(x) ancillary uses associated with an elementary school;

(xi) *essential watershed* management and flood control projects carried out or supervised by a public authority; and

(xii) non-intensive *recreation uses shall* be permitted only when natural features are *preserved* to the maximum possible degree; building and structures are minor in scale; and there is no or minimal parking provided on site.

Provincially Significant wetlands

c) Notwithstanding the provisions of Part V, Subsection 5.0 b), no *development shall* be allowed within the portions of the Environmental Protection designation containing: *Provincially Significant Wetland*s as identified through the Ministry of Natural Resources in accordance with Provincial policy, or areas regulated by Conservation Halton, unless permission has been received by Conservation Halton.

Environmental Evaluation

d) The proponent of any *development* of lands within the Environmental Protection designation *may* be required to prepare an *Environmental Evaluation* Report subject to the *Environmental Evaluation* policies of this Plan, if the *development* would adversely affect the environment. Detached dwellings proposed for existing vacant *lots* and *agricultural* related uses such as barns and sheds would be exempt from this policy, although they *may* still be subject to the Development,

Interference with Wetlands and Alterations to Watercourses and Shorelines Regulation of Conservation Halton. An Evaluation is required for large-scale *agricultural* related uses such as secondary processing facilities.

Environmentally Sensitive Areas

e) The precise boundaries of *Environmentally Sensitive Area*s *(ESAs) shall* be determined in conjunction with Regional Official Plan policies. Specific policies for *Environmentally Sensitive Area*s are:

(i) the alteration of the physical and/or biological features *shall* be restricted;

(ii) with the exception of a detached dwelling or *agricultural* use, the proponent of any development, including public works, inside or within 60 m of an *Environmentally Sensitive Area* must prepare an *Environmental Evaluation* Report; and

(iii) the alteration of any condition or land use that *may* affect the *Environmentally Sensitive Area shall* be subject to approval of the appropriate authority, based on site plans submitted by, and agreements entered into with the developer.

Stewardship

f) Property owners and Government and other agencies are *encouraged* to enter into voluntary agreements regarding the protection of natural features.

Private ownership

g) The retention in private ownership of lands designated in Environmental Protection Areas which are not defined as creeks, associated valleys, *Environmentally Sensitive Area*s and required buffers and which contain significant natural features *shall* be *encouraged* rather than the dedication of such lands to the City or the purchase of lands by the City.

Dedication

h) Where retention by private landowners is not feasible or desirable, the dedication of natural features to the municipality *shall* be *encouraged*. The dedication of these lands *shall* not be considered as a fulfilment of parkland dedication requirements unless they provide needed passive or trail recreational activities.

Purchase

i) The purchase of lands with significant natural features *shall* only take place in limited circumstances.

Storm water management

j) The policies of this section are to be read in conjunction with the storm water management principles, objectives and policies contained in Part II, Section 2.11 of this Plan.

Private development on creek lands

k) Private *development* on creek lands *shall* be prohibited except in accordance with the policies l) to u) below and only as approved by Conservation Halton.

Permitted uses on creek lands	l)	Uses permitted on creek lands and associated valleys *may* include: non-intensive outdoor *recreation uses*; *essential* public *utilities* and services, flood and erosion control facilities; and *watershed* management works.
Limits of creek lands	m)	The precise limits of creeks, associated valleys and buffers *shall* be determined by the City, in conjunction with Conservation Halton.
Development setback	n)	New *development* adjacent to creeks, associated valleys and buffers *shall* be subject to a setback from these features.
Fill & grading	o)	The placement of fill and grading of lands in creeks and associated valleys *shall* be subject to the Development, Interference with Wetlands and Alterations to Watercourses regulations administered by Conservation Halton.
Dedication	p)	As part of the *development* approval process, the dedication of creeks, associated *valleylands* and 15 or 7.5 metre buffers to the City or Conservation Halton *shall* be required. Such dedication *shall* not be considered part of the parkland dedication requirements.
Environmental management plan	q)	In order to ensure sustainable environmental management, the City and/or Conservation Halton, in consultation with private landowners, *shall* develop a management plan for lands designated Environmental Protection Area with particular emphasis on the enhancement and restoration of degraded areas.
ESA buffer	r)	A buffer area adjacent to the Grindstone Creek Valley ESA and Sassafras Woods ESA *shall* be established through Environmental Impact Assessments. For those lands adjacent to an ESA for which an Environmental Impact Assessment has not been completed, a minimum buffer area of 15 m *shall* apply.
Dedication of ESA buffer	s)	The ESA buffer *shall* be dedicated to the City or Conservation Halton or else suitable arrangements *shall* be made for land stewardship under private ownership through a formal arrangement with an accredited agency. Precise buffer widths *shall* be established through the completion of an Environmental Impact Assessment.
Creek buffer	t)	A minimum buffer width of 15 or 7.5 m *shall* be dedicated to the City or Conservation Halton adjacent to staked tops of bank or in ill-defined areas, as agreed to with the City and Conservation Halton.
Environmental Implementation Report	u)	A detailed Environmental Implementation Report to the satisfaction of the City, the Region of Halton, the Ministry of Natural Resources and Conservation Halton, *shall* be submitted prior to any tree removal, grading or construction and prior to the final approval of any *development application* in the North Aldershot Central Sector. The Environmental Implementation Report must include the following components:

(i) a tree survey and preservation plan;

(ii) mitigation and restoration measures; and

(iii) overall grading plan and *lot* grading plans.

6.0 NORTH ALDERSHOT COMMERCIAL

Permitted uses

a) Permitted uses *shall* consist of smaller scale retail, *service commercial* and personal uses; financial institutions and services; offices; standard restaurants, *recreation, entertainment* and *community facilities* such as libraries and day care centres. Residential use is not permitted.

Zoning By-law regulations

b) Zoning By-law regulations *shall* be based on the following factors:

(i) the maximum *floor area ratio* of development at any site *shall* be 0.3;

(ii) the maximum height of permanent structures *shall* be two storeys, and 8 m, to ensure views into North Aldershot are not obstructed;

(iii) the zoning of individual sites *may* not allow for the full range of permitted uses or the full extent of *development* intensity at every location based on, but not restricted to, site specific factors that *may* include traffic, land use *compatibility*, market impact, environmental and other factors.

Built form

c) Building design *shall* provide a *gateway* appearance into North Aldershot that conveys an open space, lower density appearance.

Siting

d) Building setback along Plains Road *shall* be *compatible* with the existing settlement pattern and front building elevations *shall* be oriented toward the street.

Massing and roof line

e) *Massing* and building roof lines *shall* be *compatible* with the existing settlement pattern and maximize views to the Niagara Escarpment.

Parking

f) Parking areas *shall* contain dense, hardy native plant material along *lot* lines to create an effective visual barrier.

Servicing

g) Site lighting *shall* be low intensity, energy efficient fixtures. The illumination pattern *shall* not shine beyond the *lot* line, onto neighbouring properties or public roads.

Access points

h) The number and location of access points to Plains Road *shall* be limited to minimize disruption to traffic flows.

Screening

i) Off-street parking areas, loading areas and service areas *shall* be screened and landscaped.

Loading areas

j) Loading and service areas *shall* be located to avoid conflict between pedestrian and vehicular traffic and away from adjacent residential areas.

Outdoor storage

k) Outdoor storage areas *shall* be fenced and/or screened.

Urban Services	l)	Commercial *development* in the Bridgeview Community *shall* occur on full urban services, as such services are determined by the Region of Halton Official Plan.	OPA 83
West side of Plains Road West, opposite Oakdale Avenue	m)	Notwithstanding Part V, Section 6.0 b), subclause (i), for the properties located on the west side of Plains Road West opposite Oakdale Avenue, specifically the properties municipally known as 1410 to 1424 Plains Road West, a maximum *floor area ratio* of 0.45:1 *may* be permitted.	OPA 75
1497-1511 Old Plains Road West	n)	Notwithstanding the policies of Part V, Subsection 6 of this plan on the lands identified as 1497-1511 Old Plains Road West and designated "North Aldershot Commercial", the following policies *shall* apply: (i) Stacked townhouses and townhouses shall be a permitted use; (ii) development may be permitted to a maximum height of: a. three (3) storeys for ground-oriented dwellings (not including rooftop amenity / outdoor areas)	OPA 161

7.0 PARKWAY BELT WEST *D9

Applicable policy

a) These lands are subject to the provisions of the Parkway Belt West Plan, 1978.

Future utility corridor

b) The Parkway Belt West Plan designates the Grindstone Creek Valley, two Electric Power Facilities and two *Utility* Corridors as Public Use Area within North Aldershot. The purpose of the linear *utility* corridors is to provide for existing and future inter-regional linear facilities. One *Utility* Corridor, of approximately 30 m in width, is located south of Flatt Road and adjacent and north of the Hydro Electric corridor (Mount Hope Transmission Line). The type of future *utilities* and the timing of their installation have not been determined. Until the Province makes a final determination of the use of this corridor, the policies of the Parkway Belt West Plan *shall* be used to guide land use activity in the area. No use of the corridor *shall* be permitted without the approval of the Ministry of Municipal Affairs and Housing or other authorized approving agencies.

Applicable regulations

c) Lands in the East and West Sector, south of the transmission line, remain subject to the Land Use Regulations of The Parkway Belt Planning and Development Act. Lands in the Central Sector, south of the transmission line, with the exception of those lands described in Part V, Subsection 7.0 b) above, are subject to municipal zoning brought into effect in 1995.

8.0 MINERAL RESOURCE EXTRACTION

8.1 Objectives

Licensed areas

a) To protect legally existing *pits* and *quarries* and new or expanded licensed aggregate operations from *incompatible* land uses.

Minimize impacts

b) To minimize the impact of mineral resource extraction and abutting land uses.

Rehabilitation

c) To ensure the progressive *rehabilitation* of *pits* and *quarries* to an appropriate after-use within the time frame of the license.

8.2 Policies

Permitted uses

a) The following uses *may* be permitted:

(i) *agricultural operations* including *accessory buildings, structures* and facilities;

(ii) legally *existing uses*;

(iii) mineral aggregate extraction operations licensed pursuant to and in compliance with The Aggregate Resources Act;

(iv) forest, fisheries and wildlife management;

(v) archaeological activities;

(vi) non-intensive *recreation uses* such as nature viewing and pedestrian trail activities;

(vii) *essential utility* and transportation facilities;

(viii) *accessory buildings* and facilities normally associated with the mineral resource extraction operation, such as small scale offices, or crushing and washing facilities, but excluding asphalt plants; concrete plants, brick manufacturing plants and other similar uses;

(ix) incidental uses and site modifications to accommodate them, provided the impact on the *natural environment* is minimal;

(x) notwithstanding the other policies of this Plan, a brick manufacturing plant, provided the greater part of the materials used come from the licensed area.

Land Use impacts

b) In conjunction with the Provincial and Regional regulations, the City *shall* regulate the operation of *pits* or *quarries* to minimize adverse impact on surrounding land uses and the Escarpment environment.

Environmental impacts

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

Hydrogeological studies

d) The City *shall* support the undertaking of hydrogeological studies in accordance with Provincial legislation and policies of the Region of Halton and Conservation Halton to ensure that surface and ground water resources are protected from the *adverse effects* of mineral resource extraction.

Rehabilitation

e) The City *shall* consider mineral resource extraction areas as a non – permanent use and require their progressive *rehabilitation* for an appropriate after-use.

Natural ecosystem

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

9.0 RECREATION/OPEN SPACE

Definition

a) The following uses *may* be permitted in the Recreation/Open Space designation:

(i) parks & open space;

(ii) low intensity outdoor *recreational uses*; and

(iii) *golf course*s and associated buildings and structures;

(iv) notwithstanding Part II, Subsection 4.3 a), clause (vi), and the 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.

Buildings and structures

b) Buildings and structures associated with *recreational use shall* be minor in scale and located in a manner that will secure the open space character of the surrounding area.

Natural features

c) Major natural features such as streams, valleys, tree stands, hedgerows, and orchards *shall* be *preserved.*

Adjacent agriculture

d) The impact of *recreational uses* on adjacent *agricultural shall* be kept to a minimum, through the preparation by the proponent of an Agricultural Impact Assessment to the satisfaction of the Region of Halton.

Water taking

e) Only private water and waste water systems are allowed for any recreational use unless the site is within the area designated as "Eligible for Urban Services" in the Regional Official Plan. If a proposed *recreational use* involves significant taking of ground or surface water, the proponent must demonstrate, through a detailed study and to the satisfaction of the Region of Halton in accordance with the approved Regional Servicing Guidelines, the Ministry of the Environment, Conservation Halton and the Department of Fisheries and Oceans where appropriate, that the water resource in the general area will not be adversely affected; and

Golf courses

f) Proposed new *golf course*s *shall* also be subject to the policies of Part II, Section 2.13.

10.0 NORTH ALDERSHOT SPECIAL STUDY AREA

Purpose

a) To define land that *shall* remain undeveloped until necessary studies and other municipal requirements are met.

Requirements for development

b) *Development* of North Aldershot Special Study areas *shall* not occur until the following steps have been completed:

(i) the following technical studies, as identified in the North Aldershot Inter-Agency Review Secondary Plan 1994, *shall* be completed for the area affected by the development proposal:

i. *Environmental Evaluation*;

ii. Sub-*watershed* Management Plan;

iii. *Financial Impact Analysis*;

iv. Private Water & Wastewater Serving Plan;

v. Transportation Study;

vi. Community Services and Facilities Needs Assessment; and

vii. *Cultural Heritage* Conservation Study.

(ii) the proposed *development shall* be screened against the Planning Principles and Evaluation Criteria outlined in the North Aldershot Inter-Agency Review Secondary Plan 1994;

(iii) based on the outcomes of the technical studies, and evaluation in (i) and (ii) above, Sub-Area maps and policies *shall* be developed for the affected North Aldershot Special Study Area land. These maps and policies *shall*:

i. refine the boundaries of the Sub-Area;

ii. identify landscape features, slopes, remnant vegetation, and significant views to be *preserved*;

iii. describe the existing *development* and land form character of the Sub-Area;

iv. specify the form and intensity of new *development* to be permitted; and

v. identify areas of site plan or building envelope control.

(iv) the new Sub-Area policies and mapping *shall* be incorporated within the Official Plan via an Official Plan Amendment;

(v) residential, institutional or *recreational uses may* be considered as future uses within areas designated North Aldershot Special Study Area, subject to adherence to the above policies and the policies contained in each designation;

(vi) the affected area shall be re-designated and zoned to the appropriate North Aldershot residential, open space or recreational Official Plan designation and zoning. *Cemeteries* may include related facilities and structures, however, *crematoria* are permitted only if they are located in accordance with Provincial Land Use Compatibility Guidelines.

Interim uses

c) Notwithstanding Part V, Subsection 2.3 c) of this Plan, the following *interim* uses *may* be permitted in the North Aldershot Special Study Area designation:

(i) all *existing uses*, buildings or structures;

(ii) a *home occupation* in an existing single-detached dwelling; or

(iii) an *agricultural* or *farming* use.

Servicing

d) All land designated North Aldershot Special Study Area *shall* develop on private services (wells and septic systems), as specified in Part VI, Section 2.10 of this Plan.

Mineral Resource Extraction Area

e) the proponent of *development* proposed within the vicinity (as determined in consultation with the Ministry of the Environment D-6 guidelines) of lands designated "Mineral Resource Extraction Area" *shall* be required to undertake an analysis demonstrating *compatibility* with existing and proposed extraction and processing activities by undertaking the appropriate studies in accordance with Provincial guidelines, as identified by the City and the Region. The conclusions of this analysis *shall* be incorporated into the Sub-Area maps and policies identified in Part V, Subsection 10 b) (iii) above.

11.0 SUB-AREA POLICIES

11.1 AREA POLICIES – CENTRAL SECTOR

The purpose of this section is to establish goals, objectives and policies to guide further development of the Central Sector of North Aldershot.

The Central Sector is characterized by a rolling topography which slopes southerly from the Niagara Escarpment. The land is bisected by a number of valleys and associated streams which flow from north-west to south-east from the Escarpment to Burlington Bay. The largest of these *watercourse*s is the Grindstone Creek located on the western edge of the subject lands. The creek occupies a valley which in some locations is up to 50 m deep. The *valley lands* contain a significant amount of natural vegetation. Most land not located in valleys has been cleared in the past and used at one time or another for *agricultural* purposes. Some lands are still used for this purpose.

With the exception of two small subdivisions, settlement has occurred on roads of long standing on an individual *lot* basis over many decades. The *lot* pattern is irregular and *lot* sizes vary from one half acre in size to many acres.

The goal of the policies for the Central Sector of North Aldershot is to permit further development on the basis that the subject lands are outside of the City's urban area and that the location and intensity of *development shall* be determined by *compatibility* with the existing character, landscape and environment.

Various technical studies identified in the North Aldershot Inter-Agency Review were completed for the lands within the Central Sector. The studies confirmed the *development* potential for eleven areas within the Central Sector, which are described as Sub-Areas.

Schedule DC

a) The Sub-Areas are identified on Schedule DC which forms part of this Plan. Each map identifies the characteristics and features and proposed road locations which will influence the location, distribution and intensity of *development* or *re-development* on a particular Sub-Area. Each proposal for *development* and *re-development shall* integrate with the characteristics and features and proposed public and private road locations shown in the Sub-Area Maps and policies to the maximum extent possible. The following policies *should* be read in conjunction with Schedules D-C1 to D-C11, the Sub-Area maps. The natural features on Schedules D-C1 to D-C11 are shown for illustrative purposes only. The precise location, extent and significance of the natural features will be determined in accordance with Part V, Section 5.0.

Future utility corridor

b) Notwithstanding the above, road access from Flatt Road to Sub-Areas #9 and #10 is constrained by the *Utility* Corridor. Thus, the access and locations of roads within these Sub-Areas as shown on Schedule D-C9

and D-C10 are conceptual in nature. Prior to draft subdivision plan approval for any lands in these Sub-Areas, road access and locations southerly to Panin Road *may* be considered without amendments to this Plan. Such road proposals will provide an appropriate level of analysis to demonstrate that the policies of the Official Plan are met and that the roads will function in a safe and effective manner. Any use of the Utility Corridor is not permitted without the approval of the Ministry of Municipal Affairs and Housing or other authorized approving agencies. If any such approval is granted, it will not require an amendment to this Plan.

Maximum units per sub area

c) A maximum number of units in addition to existing *dwelling unit*s is indicated in those Sub-Areas which permit detached dwellings and/or cluster dwellings.

Maximum impervious surface

d) Maximum impervious surface for any residential Sub-Area cannot exceed 25 per cent.

Distribution

e) New *development should* not be evenly distributed across the Central Sector.

Integrate with topography

f) Site design and *development shall* integrate with the existing topography to maximize the preservation of significant existing trees, steep slopes (greater than 15 per cent) and existing drainage patterns.

11.1.1 Sub-Area #1 -Horning Road (Schedule D-C1)

Location

This Sub-Area, which includes Horning Road, abuts the mature forests of the Grindstone Creek Valley at the northern end of the Central Sector. The Valley forms the western boundary of the Sub-Area, the north and east boundaries are defined by existing residential *development*. The southern edge generally follows *valley lands* included in the environmental protection area. Access is from Horning Road. The Sub-Area can be considered in two sections: north and south.

Description: Northern Section

The northern section includes the existing Horning Road, a short residential street that branches off Waterdown Road. Horning Road is lined with modest single family homes on large *lots.* The homes are generally one to one and a half storeys in height, and are set in mature gardens under a canopy of trees. An historic homestead is nestled into the edge of the Grindstone Creek valley at the elbow of the road. From the north end of Horning Road and from the existing residences, there are prominent viewsheds to Hamilton and Burlington Bay.

Description: Southern Section

The south section of the Sub-Area is separated from the northern section by a wooded valley and cleared *utility* corridors. The south and east sides of this sub-area are bordered by a mature wooded valley system. An existing trail along the rim of the Grindstone Creek Valley links the north and south portions

of the Sub-Area. The south section is undeveloped consisting of a relatively flat plateau, incised with drainage corridors. The plateau is contained by steep slopes and remnant vegetation that include a scotch pine plantation, fruit trees and successional areas. Because the general gradient of the land drops to the south-west, there are prominent views to Burlington Bay, the Burlington Skyway Bridge and Lake Ontario. Views to the north-east and the brow of the Niagara Escarpment are also present.

Permitted uses

a) Detached residential to a maximum of 44 units is permitted.

Servicing easement

b) A servicing easement for water and wastewater service *may* be extended north to Sub-Area #1 from Sub-Area #6. The nature of these services *shall* minimize the disturbance to existing vegetation, slopes and drainage channels.

Servicing access

c) Water and sewer service *may* be provided from Waterdown Road along the new Horning Road right-of-way.

Access

d) Road A on Schedule D-C1 *shall* extend southward and *shall* observe the ESA buffer area along the Grindstone Creek Valley. The construction of this road *shall* be contingent upon the prevention of negative impacts on the adjacent Environmental Protection Area.

Horning Road

e) The existing road will remain in its current location to provide access and minimize disturbance to the existing homes.

Access to other sub-areas

f) Vehicular access *may* not connect to other Sub-Areas.

Site planning

g) Site design *should* be *encouraged* to minimize the visual impact of new *development* from surrounding residences.

Terrain & settlement pattern

h) Remnant vegetation, including successional vegetation is *encouraged* to be protected to the maximum extent possible.

Rehabilitation

i) The degraded valley feature between Sub-Areas 1 and 6 *should* be *rehabilitated*.

Building Envelope control

j) Building Envelope Control *shall* be imposed on *lots* south of the TransCanada Pipeline Easement in order to facilitate key views and to provide some staggering of building setbacks to achieve an improved *streetscape*. Site Plan Control *shall* be imposed on two *lots* on the east side of this Sub-Area to protect the existing drainage feature.

11.1.2 Sub-Area #2a and 2b -Waterdown Road Corridor (North of Flatt Road) (Schedules D-C2a and D-C2b)

Location

Sub-Area #2 includes the Waterdown Road corridor north of Flatt Road. The steep winding roadway is lined by rural residential homes in an open landscape setting. This relationship is the essential character of the Central Sector experienced by most people.

Description

In the south eastern section of the Sub-Area, the houses lining Waterdown Road are modest brick and wood structures, one to one and a half storeys in height and set on relatively narrow *lots* with mature trees and gardens. The housing sites are located on a narrow plateau between the edge of the Sassafras Woods and Waterdown Road. Mature trees and gardens are associated with the homes and views penetrate between the buildings to natural landscape beyond. The valley behind the houses is deeply incised.

The northern and eastern edges of the Sub-Area are developed with detached homes in a gently rolling landscape. Small cul-de-sac streets branching from Waterdown Road provide access to these internal clusters of houses. The Sub-Area extends north to Mountain Brow Road, where the dramatic rise in topography leads to the brow of the Niagara Escarpment.

In the south-western section of the Sub-Area, the south-sloping gradient provides dramatic views from Waterdown Road of the Burlington Bay, Lake Ontario and the natural setting; including the gently rolling fields, wooded valley features, and discrete clusters of houses.

The western edge of this area is defined by a mature wooded valley feature. The Sub-Area ends at Flatt Road where Sassafras Woods is a dominant landscape feature.

Permitted uses

a) *Infill* residential and detached residential is permitted. Detached residential *shall* not exceed 42 units.

Access – Southern Portion

b) On Schedule D-C2b, Road C intersects with Waterdown Road in the southern section of the Sub-Area. Road D on Schedule D-C2b intersects with Road C and provides access to the *development* area in the south-west corner of the Sub-Area.

Access – Northern Portion

c) Road E on Schedule D-C2a permits access from Waterdown Road to Sub-area 3. Access to the *infill* property (south of Ireson Road) *shall* be from Waterdown Road along the current driveway alignment for that property.

Servicing easement

d) Sub-Area #2 *shall* be fully serviced. A servicing easement *shall* link the Road D on Schedule D-C2b easement to Flatt Road.

Viewsheds

e) Key viewsheds from Waterdown Road to Lake Ontario, Hamilton Harbour and the Brow of the Escarpment *shall* be *preserved*.

Reverse lot frontage

f) *Infill* houses along Waterdown Road *shall* face Waterdown Road.

Terrain

g) The row of vegetation associated with the old farm laneway south of Road C and the drainage corridor to the south of Road C and west of Road D *shall* be *encouraged* to be *preserved*.

Existing drainage

h) The existing drainage feature east of Woodview School *shall* be *preserved* and the natural vegetation pattern restored.

Remnant vegetation

i) Remnant vegetation, including existing mature trees is *encouraged* to be *preserved.*

Building Envelope control

j) Building Envelope Control *shall* be imposed on *lots* west of Road D to protect views by ensuring that buildings are placed to accommodate a larger side yard on every other *lot*.

Site Plan control

k) Site Plan Control *shall* be imposed on *lots* at the intersection of Road D and Road C, and on the *infill lots* along Waterdown Road to the east of Road D to protect views of the ravine areas to the west and existing landscape features including vegetation.

11.1.3 Sub-Area #3 -East of Waterdown Road (Schedule D-C3)

Description

This Sub-Area consists primarily of an open hay field, sloping gradually from north to south. Views from the north extend over open fields to the forested areas of the Sassafras Woods and Burlington Bay. From both Waterdown Road and Old Waterdown Road there are filtered views into the site.

Description

The north-western portion of the site is adjacent to Waterdown Road. A tree-lined lane provides access from Waterdown Road to two existing houses at the north end of the property, they include a one and a half storey brick dwelling set in a mature garden and a traditional two storey brick dwelling sited prominently on a rise of land at the northern end. Views from this location are uninterrupted, extending south across Sassafras Woods to Burlington Bay.

A third single-storey home is located at the south-west end of the Sub-Area. The eastern edge of the Sub-Area is defined by a deeply incised valley feature that links with the Sassafras Woods. The western edge of the Sub-Area is defined by the existing settlement pattern associated with Waterdown Road: a variety of housing styles, graciously spaced, and set amongst scattered mature trees.

Permitted uses

a) Detached residential to maximum of 20 units is permitted.

Access

b) Road E from Waterdown Road *shall* follow the existing lane alignment; all houses within the Sub-Area *shall* be accessed by Road E on Schedule D-C3.

Servicing easement

c) Sub-Area # 3 *shall* be fully serviced. A servicing easement *may* be required to link the Road E sewer to the Waterdown Road sewer.

Site planning

d) New houses *shall* be located along the edge of the wooded area to mitigate visual impacts from Old Waterdown Road and Waterdown Road.

Integration of new homes

e) House sites *shall* be sensitively integrated with existing settlement pattern.

Views

f) The proposed house along Waterdown Road *shall* not impede the views from the north.

Remnant vegetation

g) The remnant mature trees within the Sub-Area *shall* be protected and *preserved*, including the hedgerow adjacent to the entrance lane.

Building Envelope control

h) All of Sub-Area #3 *shall* be subject to Building Envelope Control to address views and *streetscape* issues.

11.1.4 Sub-Area #4 -Old Waterdown Road (Schedule D-C4)

Location and description

The Sub-Area currently supports some ribbon *development* on the west side of Old Waterdown Road. The one and two storey wood and brick homes are discretely sited against the wooded valley edge. In the south end of the Sub-Area, Old Waterdown Road ends at Sassafras Woods. Views of the brow of the Niagara Escarpment and the houses on Rennick Road are visible from the north portion of Old Waterdown Road. Steep grades associated with a valley feature, and remnant vegetation, divide the Sub-Area in half. The east and south edges of the Sub-Area are defined by Sassafras Woods.

Permitted uses

a) *Infill* residential is permitted.

Access

b) The existing alignment of Old Waterdown Road *shall* provide access to all proposed houses.

Servicing

c) A decision regarding servicing is deferred pending a Local Improvement Area study by the Region of Halton.

Site planning

d) No new *development shall* be permitted west of Old Waterdown Road.

Development constraints

e) The proposed houses and driveways must be constructed on the non-constrained areas of the site.

Visual impact

f) Site design *should* be *encouraged* to minimize the visual impact of new *development* from surrounding residences.

Remnant vegetation

g) The existing remnant vegetation *shall* be *preserved* where possible.

Existing drainage

h) The existing drainage corridor *shall* be *preserved* and the natural vegetation patterns restored.

Slopes

i) The slopes associated with the adjacent valley features *shall* be *preserved* and naturalised.

Building Envelope control

j) Those portions of Sub-Area #4 east of Old Waterdown Road *shall* be subject to Building Envelope Control to protect existing vegetation and slopes.

11.1.5 Sub-Area #5 Flatt Road Extension (Schedule D-C5)

Location

This Sub-Area is generally located along Flatt Road Extension with its western edge along the Grindstone Creek Valley. It is characterized by the rolling topography associated with numerous drainage corridors, open fields and successional plant communities. Views within the Sub-Area penetrate into adjacent areas due to the degraded nature of the valleys and drainage channels. Panoramic views from Flatt Road Extension are important: north-east to the Niagara Escarpment and south to Hamilton and to the industry across the bay.

Description

Four distinct plateaux are located in the Sub-Area. The Flatt Road Extension plateau is defined on both the east and west sides of the road by degraded drainage features. Steep slopes and mature vegetation define the plateau. Flatt Road Extension has a rural cross-section, narrow pavement and is lined with hedgerows and bisects the plateau. Two existing homes face the road, both are modest, brick, one and a half and two storey dwellings. The south-west plateau is also narrow, defined by valleys on the east and west sides. An historic two storey red brick Georgian farmhouse with a garden dominates this area. The west plateau extends to the edge of the Grindstone Creek Valley. The plateau is scattered with remnant vegetation, linking it visually with the adjacent wooded areas to the north. The northern plateau contains a handsome well-*preserved* historic homestead, accessed by a tree-lined lane. Mature trees, a remnant pear orchard, extensive lawn area and small *wetland* comprise the garden setting.

Permitted uses

a) Detached residential to a maximum of 52 units, and cluster residential to a maximum of 36 units is permitted.

Servicing

b) Sub-Area #5 *shall* be fully serviced.

Road access

c) Flatt Road Extension *shall* provide access to the proposed houses in the central plateau area. Road F on Schedule D-C5 connects the west plateau area with Flatt Road Extension.

Existing laneway

d) The existing laneway accessing the Quinn farmstead *shall* provide access to the north plateau and the existing homestead.

Cultural Heritage structures

e) The historic houses and structures designated pursuant to The Ontario Heritage Act *shall* be protected in accordance with that Act.

Integration of new development

f) The proposed houses *shall* be sensitively integrated with the existing homestead buildings.

Remnant vegetation

g) The remnant vegetation in the west plateau *shall* be *encouraged* to be *preserved*, restored, and integrated with the proposed houses.

Existing drainage

h) The tributary and associated valley feature bisecting the Sub-Area *shall* be *preserved* and restored.

Significant trees

i) The significant trees and wooded areas *shall* be *encouraged* to be *preserved.*

Building Envelope control

j) New *lots* in the northern portion of the Sub-Area *shall* be subject to Building Envelope Control to protect existing vegetation. *Lots* north of Road F on Schedule D-C5 which front onto Road F *shall* be subject to Building Envelope Control to protect existing vegetation.

Site Plan control

k) Cluster units south of Road F *shall* be subject to Site Plan Control. One *lot* south of Road F on Schedule D-C5 *shall* be subject to Site Plan Control to protect the existing drainage feature and facilitate *compatible* design with the existing heritage building.

11.1.6 Sub-Area #6 -Central Area (Schedule D-C6)

Location and description

East of Flatt Road Extension, this Sub-Area is largely isolated from the existing settlement. Three of the four sides are defined by deeply incised wooded valley features. The valley on the west side has been degraded through *agricultural* activities. Views from Flatt Road Extension penetrate into this area. Most of the Sub-Area consists of a flat plateau. A mature hedgerow bisects the south portion of the Sub-Area and provides some screening of the plateau from the existing residences on Flatt Road Extension. The north section of the Sub-Area is characterized by small plateau areas bisected by steep slopes. Remnant vegetation dots the landscape. The north portion of the Sub-Area links the valley features to the east and west.

Permitted uses

a) Cluster residential *development* to a maximum of 132 units is permitted.

Servicing

b) Sub-Area #6 *shall* be fully serviced.

Access

c) Access into the Sub-Area *shall* be from the Flatt Road Extension on Road F on Schedule D-C6. Road F *shall* cross the valley feature east of the Flatt Road Extension once.

Units per cluster

d) Housing clusters *shall* consist of 2-6 units in accordance with the policies of Part V, Subsection 3.3 a).

Driveways	e)	Common driveways *shall* be used to reduce the extent of impermeable surfaces.
Landscape restoration	f)	For cluster residential, landscape restoration areas *shall* be established between multi-unit buildings to integrate the *development* with the surrounding natural areas.
Existing hedgerow	g)	The existing hedgerow, partially bisecting the Sub-Area in a north-south direction, *shall* be protected and enhanced.
Existing trees	h)	Mature trees north of Road F *shall* be *encouraged* to be protected and integrated with the proposed *development*.
Site Plan control	i)	Sub-Area #6 *shall* be subject to Site Plan Control.

11.1.7 Sub-Area #7 -Grindstone Creek Valley/Flatt Road (Schedule D-C7)

Location

This Sub-Area is located north of Flatt Road where it meets the Grindstone Creek Valley. The topography in this Sub-Area steadily falls from north to south. The Sub-Area is defined on the west side by the wooded edge of the valley, and on the east by a wooded ravine. An area of remnant vegetation adjacent to the east valley edge extends into the Sub-Area, providing a subtle spatial division within the Sub-Area.

Description

A prominent knoll at the north-west corner can be seen all the way from Waterdown Road and provides a promontory for views to Burlington Bay and the surrounding rural landscape. The top of the knoll is covered with remnant vegetation, linking it visually and physically to the Grindstone Creek Valley.

Permitted uses	a)	Detached residential to a maximum of 54 units is permitted.
Access	b)	The Sub-Area *shall* be accessed by Road H on Schedule D-C7 from Flatt Road. The access road *shall* wind through the centre of the Sub-Area avoiding steep slopes and remnant vegetation.
Servicing	c)	Sub-Area #7 *shall* be fully serviced.
Steep slopes	d)	Buildings and roads *shall* not be constructed on the steep slopes.
Existing knoll	e)	The knoll at the north-west corner of Sub-Area *shall* be *preserved* as a prominent landscape feature. Buildings *shall* be constructed on the lower portions of the knoll because of its visual prominence.
Existing significant trees	f)	Existing significant trees and wooded areas adjacent to the ESA buffer area *shall* be maintained and enhanced. Existing mature trees in the Sub-Area *shall* be retained.

Remnant vegetation

g) The remnant vegetation on the top of the knoll *shall* be maintained. The remnant vegetation at the south-east corner of the Sub-Area *shall* be *preserved.*

Site Plan control

h) Site Plan Control *shall* be imposed on the *lot* that includes the knoll to the west of Road H on Schedule D-C7 to protect the slope and existing vegetation. Site Plan Control *shall* also be imposed on the *lots* that include the remnant vegetation and drainage feature on the east side of Road H.

Building Envelope control

i) Building Envelope Control *shall* be imposed on specified *lots* west of Road H on Schedule D-C7 to facilitate key views and to provide some staggering of building setbacks to achieve an improved *streetscape*.

11.1.8 Sub-Area #8 -Flatt Road/Flatt Road Extension Intersection (Schedule D-C8)

Location and description

This small enclosed Sub-Area forms an intimate gateway feature at the intersection of the Flatt Road Extension and Flatt Road. The topography within the Sub-Area slopes to the south-west. The Sub-Area is defined on all but the south side by wooded valley features. The south edge of the Sub-Area is defined by Flatt Road with the existing one and two storey residences on the south side plus the landscape nursery and associated works yard. Flatt Road Extension bisects the Sub-Area.

Permitted uses

a) Detached residential to a maximum of 15 units is permitted.

Access

b) All access within the Sub-Area *shall* be from the existing roads including the Flatt Road Extension and Flatt Road.

Servicing

c) Sub-Area #8 *shall* be fully serviced.

Building orientation

d) Proposed houses *shall* face Flatt Road Extension and Flatt Road and *shall* be *compatible* with the surrounding residential *development*. The orientation of the homes on the corner *lots shall* acknowledge both streets but must face Flatt Road.

Existing drainage and vegetation

e) Existing drainage patterns and vegetation *shall* where feasible be maintained to the maximum extent possible.

11.1.9 Sub-Area #9 -South of Flatt Road, West (Schedule D-C9)

Location and description

This Sub-Area is located south of Flatt Road, north of Panin Road, adjacent the forested edge of the Grindstone Creek Valley. The land has a gentle steady slope from north to south. The northern edge is defined by the hydro corridor and the existing houses along Flatt Road. Two historic homes on the south side of Flatt Road are of special interest. And a very large home is located just south of the hydro corridor. The active nursery use dominates the visual character of the area. A north/south valley feature running through the nursery property has

been lost due to filling and regrading. On the adjoining property to the south, the undisturbed portion of this ravine and *watercourse* continues through to Panin Road. Two gently sloping plateaux flank either side of the former valley. A wooded ravine and creek valley also forms the east edge of the Sub-Area. To the south-east, the Christian and Missionary Alliance building is set into the landscape. At the very south are existing homes with access from Panin Road, including an historic building.

Permitted uses

a) Detached residential to a maximum of 48 units is permitted.

Access

b) Access shown on Schedule D-C9, Sub-Area 9 to the north or the south, is conceptual only. Access is to be determined, as described in the second paragraph of Part V, Subsection 11.1 b), prior to approval of any *development application*s in this Sub-Area.

Emergency access

c) Provision of access will include the consideration of emergency access to Panin Road.

Servicing

d) Sub-Area #9 *shall* be fully serviced.

Site planning

e) The proposed *development* must be sensitively integrated with the existing settlement pattern north of the Hydro corridor.

Restoration of existing drainage

f) The degraded central ravine feature bisecting the Sub-Area, north south, *shall* be restored, the creek unearthed and the banks re-vegetated. The degraded zone in the valley to the east *shall* be restored.

Road crossing

g) One road crossing of the degraded central ravine *shall* be permitted.

11.1.10 Sub-Area #10 -South of Flatt Road, East (Schedule D-C10)

Location and description

The land in this Sub-Area slopes gradually and evenly from north to south. A small cluster of modest one and two storey wood and brick homes line Flatt Road. From the hydro corridor, south to the existing hedgerow, views are limited and the land is scattered with remnant pear trees. The Sub-Area is divided by a small *wetland* feature and forested edge between the Taylor and Castiglione properties. The east and west edges of the Sub-Area are defined by wooded valleys. There are views in from Sub-Area 11. Existing vegetation provides a natural buffer between Highway 403/Panin Road and the *development* area in the south portion of the pod.

Permitted uses

a) Detached residential to a maximum of 62 units is permitted.

Northern access

b) The northern section of the Sub-Area is accessed from Flatt Road.

Southern access

c) Road access from Panin Road must be located to minimize regrading and disruption to the vegetation.

Servicing

d) Sub-Area #10 *shall* be fully serviced.

Natural buffer

e) A natural buffer exists between Highway 403, Panin Road and the *development* area in the south section of the Sub-Area. A visual separation *shall* be provided between the *development* and the transportation corridor.

Infill development

f) One *infill* property *shall* be permitted in the northern section of the Sub-Area.

Drainage easement

g) The Environmental Protection Area designation affecting the *lot* containing the existing home to the south of Flatt Road *shall* be taken as an easement for drainage purposes rather than a dedication.

Remnant vegetation

h) Regard *shall* be given to the existing remnant hedgerow in the northern section of the Sub-Area and Site Plan Control *shall* be imposed on *lots* containing this hedgerow. The remnant pear trees *shall* be incorporated into the new *development* wherever possible.

Existing trees

i) The wooded area feature separating the north and south sections of the Sub-Area, *shall* be *preserved* and restored wherever possible.

Building Envelope control

j) Building Envelope Control *shall* be imposed on *lots* fronting on the south side of Road L on Schedule D-C10 in order to protect existing vegetation.

11.1.11 Sub-Area #11 -Waterdown Road/North Service Road Intersection (Schedule D-C11)

Location and description

Sub-Area #11 includes the Waterdown Road corridor south of Flatt Road. The Sub-Area is characterized by detached homes on moderate and large *lots* accessed directly or on short cul-de-sacs from Waterdown Road. The roads are lined with mature trees and landscape gardens. The eastern edge of the Sub-Area is enclosed by Sassafras Woods, views of which dominate the corner of the North Service Road and Waterdown Road, especially for people northbound from urban Burlington. The Sub-Area slopes toward the south. The western edge of the Sub-Area is defined by a wooded creek valley feature. The North Service Road and Highway 403 form the southern edge of the Sub-Area. Long views are possible south to Burlington Bay from Waterdown Road. Views of Sub-Area 10 are possible from Nevarc Drive.

Permitted uses

a) *Infill* residential use on the west side of Waterdown Road and North Aldershot Office use on the east side of Waterdown Road is permitted.

Highway 403 interchange

b) In the area of the proposed Panin Road / Waterdown Road interchange, provisions *shall* be made to accommodate a new Waterdown Road / Highway 403 interchange.

Servicing

c) Sub-Area #11 *shall* be fully serviced.

Reverse lot frontages

d) *Infill* houses on realigned Panin Road or Nevarc Road must face the road.

Compatibility with existing homes

e) New houses must be *compatible* in character with the adjacent residences.

Visual impact of office use

f) The prestige office area *shall* incorporate areas of landscape restoration to screen parking and to reduce the visual impact on Waterdown Road and Panin Road.

Site Plan control

g) Site Plan Control *shall* apply to the office *development*.

Valley setback

h) The proposed office buildings *shall* be located adjacent to the existing valley edge; a 10 metre setback from the buffer edge *shall* be incorporated.

Visual assessment

i) A detailed visual assessment will be required for the prestige office *development* to determine the maximum geodetic elevations to protect views of the *Escarpment brow* and Sassafras Woods.

Landscape buffer

j) The parking *shall* be screened from adjacent residences by a vegetated landscape buffer.

Sassafras Woods

k) The visual prominence of Sassafras Woods feature at the corner of the North Service Road and Waterdown Road *shall* be *preserved* as a gateway feature.

Existing drainage

l) The degraded valley feature along the west edge of the Sub-Area *shall* be restored.

11.2 SUB-AREA POLICIES – EAST SECTOR

Purpose

The purpose of this section is to establish goals, objectives and policies to guide further *development* of the East Sector of North Aldershot.

Sub-areas

Various technical studies identified in the North Aldershot Inter-Agency Review must be completed for the lands within the East Sector. The studies must confirm the *development* potential for the East Sector and *should* identify possible areas for *development* within the East Sector, which are described as Sub-Areas. These Sub-Areas will be incorporated into this Plan by future amendment.

11.3 SUB-AREA POLICIES – WEST SECTOR

Purpose

The purpose of this section is to establish goals, objectives and policies to guide further *development* of the West Sector of North Aldershot.

Sub-areas

Various technical studies identified in the North Aldershot Inter-Agency Review must be completed for the lands within the West Sector. The studies must confirm the *development* potential for the West Sector and *should* identify possible areas for *development* within the West Sector, which are described as Sub-Areas. These Sub-Areas will be incorporated into this Plan by future amendment.

12.0 NIAGARA ESCARPMENT PLAN

North Aldershot Policy Area

a) Within the area identified as the North Aldershot Policy Area on Schedule D, the lands are subject to the policies governing the North Aldershot Policy Area in the Niagara Escarpment Plan. These lands are subject to Niagara Escarpment Development Control.

Niagara Escarpment Plan – new lots

b) Subject to the Permitted Uses and the Development Criteria of the Niagara Escarpment Plan, and the policies governing the North Aldershot Policy Area in the Niagara Escarpment Plan, new *lots may* be created in accordance with Sub-Area Policies 11.1, 11.1.1 and 11.1.2 to the extent that these policies do not conflict with the Provincial Plans.

12.1 Greenlands (Escarpment Plan Area)

12.1.1 Objectives

Objectives

a) The objectives for this designation are found in Part IV, Subsection 2.5.1.

12.1.2 Policies

Policies

a) The policies for this designation are found in Part IV, Subsection 2.5.2.

12.2 Escarpment Protection Area

12.2.1 Objectives

Objectives

a) The objectives for this designation are found in Part IV, Subsection 2.6.1.

12.2.2 Policies

Policies

a) The policies for this designation are found in Part IV, Subsection 2.6.2.

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1.0 IMPLEMENTATION TOOLS

1.1 Principle

Efficient and effective implementation

a) Efficient and effective regulatory and decision-making procedures *shall* be used to guide the development and management of the City's physical environment to achieve the community vision outlined in Part I - Policy Framework and the principles, objectives and policies of the Plan.

1.2 General Objectives

Full range

a) To provide for the use of a full range of regulatory mechanisms for the purpose of implementing the principles, objectives and policies of the Official Plan.

Capital works

b) To coordinate the City's capital works to maximize benefits to the City's physical, economic and social environment.

1.3 General Policies

Implementation

a) The Plan *shall* be implemented by both public and private *development* in accordance with policies of this Plan and other regulatory mechanisms. All applicable municipal by-laws and capital works programs *shall* implement the Plan.

Land acquisition

b) Land *may* be acquired and/or held by the City for the purposes of implementing any part of the Plan.

Conformity to Plan

c) City Council *shall* ensure that *development* and agreements regarding subdivision, condominiums, site plans and building conform with the Plan.

Secondary/ Tertiary Plans

d) City Council *may* undertake *secondary or tertiary*/neighbourhood planning studies for specific areas or to address a specific planning issue. These planning studies *shall* be approved by resolution of City Council and *shall* be incorporated by way of an amendment to the Plan.

Pre-consultation

e) City Council *shall* require that adequate pre-consultation with the City occurs prior to the submission of an application for *development*, and *shall encourage* pre-consultation with other affected agencies such as the Region of Halton and Conservation Halton, where appropriate. Within areas subject to the Niagara Escarpment Plan and within areas of Development Control, proponents *shall* be *encouraged* to contact the Niagara Escarpment Commission to discuss permitted uses and *development* criteria. ***D40** OPA 55

Additional Information

f) For an application for Official Plan Amendment, Zoning By-law Amendment, plan of subdivision, or consent (other than those consent applications made for the purposes outlined in Part VI, Subsection 4.4 c) of this Plan), City Council *may* require the provision of additional supporting information or material required to allow full consideration of the application. The scope of the information or material required for each application *shall* be determined by the City and Region of Halton as part of the pre-consultation process. This information *may* include, but *shall* not be limited to, the following: OPA 55

(i) Planning justification report for Official Plan Amendment and rezoning applications only (including a Land Use or Major Policy change rationale for Official Plan Amendment applications); OPA 74

(ii) conceptual site plan layout;

(iii) storm water/Functional Drainage Report or storm services plan and *flood plain* delineation;

(iv) water & waste water service report;

(v) tree inventory and preservation study;

(vi) traffic/transportation impact and/or parking study;

(vii) hydrogeology study/ water budget & hydrology study;

(viii) *agricultural* impact assessment report;

(ix) market impact study;

(x) *financial impact* study;

(xi) top-of-bank demarcation/geotechnical report to identify the *stable top of bank;*

(xii) *environmental evaluation* report;

(xiii) noise and vibration study;

(xiv) shadow analysis plan;

(xv) park concept plan;

(xvi) Phase I Environmental Assessment;

(xvii) Phase II Environmental Assessment/Record of Site Condition;

(xviii) land assembly documents;

(xix) height survey of adjacent buildings;

(xx) hydro corridor land use application;

(xxi) *sensitive land use* report;

(xxii) landfill impact study;

(xxiii) employment/residential needs analysis;

(xxiv) archaeological report;

(xxv) risk study;

(xxvi) *utility* and telecommunications service report;

(xxvii) heritage impact study. ***D40, D53**

Qualified Persons and Peer Reviews

g) All required reports and technical studies *shall* be carried out by *Qualified Persons* retained by and at the expense of the applicant. The City *may* require a peer review of any report or study by an appropriate public agency or a professional consultant retained by the City at the applicant's expense. In addition to City requirements, the applicant *shall* ensure that all additional requirements as set out in the Region of Halton Official Plan are addressed. OPA 55

Complete applications

h) An application for an Official Plan Amendment, Zoning By-law amendment, plan of subdivision or consent will be considered complete under The Planning Act only when the items as determined by the City and Region, as listed in clause f), have been provided, and when the required notice sign referenced in Part VI, Section 7.2 of this Plan has been erected on the property. ***D40, D53** OPA 55

Incomplete applications

i) In the absence of pre-submission consultation between an applicant and the City, and the submission of adequate supporting information or material with an application, City Council *may* deem an application incomplete and *may* refuse the application. ***D40** OPA 55

2.0 LAND USE CONTROLS AND IMPLEMENTATION TOOLS

2.1. Zoning By-Law

2.1.1 Objectives

Permitted Uses regulations

a) To define the uses permitted in specific locations within the City and the specific *development* regulations relating to those uses.

Non-Development zone

b) To define a non-development zone where the ultimate use of lands is undetermined.

2.1.2 Policies

Zoning By-law Review

a) City Council *shall* undertake a comprehensive review of the City's Zoning By-laws, following the adoption of the Plan. The existing Zoning By-laws *shall* remain in effect during the review period. Any amendments to the by-laws during the review period *shall* be required to conform with the Plan.

Lands not in conformity

b) Where there are land uses that do not conform to the Plan, Council *may* amend the zoning to permit either the *existing uses* or new uses that represent a shift or transition in use toward the use designated in the Plan.

Detailed maps and regulations

c) The Zoning By-laws *may* include detailed maps that define the location, size and shape of the land, the location and dimensions of areas occupied by buildings or structures, the yard, parking and loading areas, the access to the land and other similar siting arrangements.

Government lands

d) The Zoning By-law *shall* designate lands other than school sites and hospitals that are the responsibility of Federal, Provincial or municipal government or agencies and are used for transportation, *utility*, communication or other purposes.

Development zones

e) Some areas designated for urban uses *shall* remain undeveloped until municipal services become available and other municipal requirements are met. During this interim period, these undeveloped areas *shall* be zoned for *agriculture* or open space uses to *preserve* them for their designated urban uses. These zones *shall* be referred to as Development Zones.

Conditions of Zoning By-laws

f) City Council *may*, in conjunction with a zoning by-law passed pursuant to Section 34 of The Planning Act, impose one or more prescribed conditions on the use, erection or location of buildings or structures and *may* require an owner of land to which the by-law applies to enter into an agreement with the City relating to the condition(s). This agreement *may* be registered against the lands to which it applies and the City *may* enforce the agreement against the owner and any and all subsequent owners of the land. OPA 55

2.2 Holding Zones

2.2.1 Objective

Identify future use

a) To identify the uses that are ultimately intended for specific lands, but to delay their actual *development* until a future date when certain conditions are met.

2.2.2 Policies

Holding "H" zones

a) City Council *may* designate a holding zone with the prefix "H", and specify the future uses of these lands that, at the present time, are considered premature or inappropriate for *development* for any one or more of the following reasons:

(i) community services and facilities such as sanitary sewers, storm water management facilities, water supply, and parks are insufficient to serve the proposed *development*;

(ii) transportation facilities are inadequate or inappropriate based on anticipated traffic;

(iii) the number and location of access points to the site are inadequate and incapable of functioning safely and efficiently;

(iv) where *development* relies upon other matters occurring first, such as the consolidation of land ownership to ensure the orderly *development* of the project and to secure funding for *infrastructure*, services or outstanding application processing costs;

(v) supporting studies are required on matters related to traffic, soils, protection of any site features, environmental constraints, design features or market impact analysis prior to *development* approval; and

(vi) the presence of known site *contamination.* OPA 55

"H" Removal

b) Removal of the "H" prefix *shall* depend on meeting the specific City conditions identified by the Holding Zone By-law.

No new buildings

c) Where a holding zone is in effect, no building or structure *may* be built on the site, unless permitted by City Council, or until the holding zone designation is removed.

Permitted uses

d) The Zoning By-law *shall* identify lands subject to holding provisions and specify the land uses permitted and any regulations applying in the interim. The following uses *may* be permitted:

(i) all *existing uses*, buildings or structures;

(ii) a *home occupation* in an existing single-detached dwelling;

(iii) a public or private park, provided no permanent buildings or structures are built; and

(iv) an *agricultural* or *farming* use.

North Aldershot Planning Area

e) In the North Aldershot Planning Area, removal of the "H" prefix *shall* depend on meeting the following: OPA 55

(i) approval by Council of a subdivision or condominium plan in accordance with this Plan;

(ii) completion of a signed Site Plan Agreement if necessary;

(iii) signing of any other agreements with public agencies;

(iv) payment of any outstanding costs to public agencies;

(v) approval for access;

(vi) provision of adequate services to the satisfaction of the City and the Region; and

(vii) completion of a signed Residential Development Agreement for cluster *development*.

2.3 Community Benefits Provisions

2.3.1 Objective

Height/Density increases

a) To permit increases in height and density in return for the provision of facilities, services or other matters as indicated in the Plan.

2.3.2 Policies

Community Benefits-considerations

a) Community Benefits provisions pursuant to Section 37 of The Planning Act *may* be used by the City in the Zoning By-law to allow increases in height and density of *development* beyond those permitted by the Zoning By-law in exchange for facilities, services, or matters of public benefit as are set out in the Community Benefits section of the implementing Zoning By-law. The City *may encourage* the use of community benefits provisions with regard to the following matters: OPA 55

(i) provision of a wide range of housing types including *special needs*, *assisted* or other low-income housing;

(ii) provision of parkland dedication beyond the requirements of the Plan;

(iii) protection of natural features such as woodlots, beyond the parkland dedication requirements of the Plan;

(iv) improved access to public transit or implementation of a *Travel Demand Management* Plan;

(v) provision of public areas, crosswalks and walkways and connections to external public walkways/trail systems;

(vi) provision of public parking;

(vii) provision of community and open space facilities such as small parks, day care centres, schools, community centres and recreational facilities, cultural facilities, and other municipal facilities such as firehalls and libraries;

(viii) conservation of *cultural heritage feature*s;

(ix) protection or enhancement of significant views;

(x) provision of *affordable housing*, beyond the basic Provincial requirements;

(xi) provision of public art; OPA 55

(xii) provision of green technology and sustainable architecture, such as '*green roofs*;' OPA 55

(xiii) provision of *streetscape* improvements in accordance with Council approved *design guidelines*; and OPA 55

(xiv) other local improvements identified in community design plans, *community improvement plans,* capital budgets or other implementing plans or studies. OPA 55

Conforms to Official Plan

b) Community benefits provisions *shall* be considered where the increased density and height conforms with the intent of the Plan and the increase in height and density is *compatible* with adjacent existing or proposed *development*.

Agreement

c) An agreement *shall* be required between the landowner and the City relating to the community benefits provisions.

2.4 Interim Control By-laws OPA 55

2.4.1 Objective

Prohibit uses until study undertaken

a) To prohibit the use of lands, buildings or structures except for certain defined purposes until a review or study is undertaken in respect of land use planning policies in the area defined by the interim control by-law.

2.4.2 Policies

Enactment of Interim Control By-law

a) Where City Council has directed that a review or study be undertaken in respect of land use planning policies in the City or in any defined area of the City, Council *may* pass an interim control by-law to be in effect for a time period which *shall* not exceed one year from the date of passing. This by-law *shall* prohibit the use of land, buildings or structures within the City or within the defined area except for such purposes as set out in the by-law.

Extension of By-law

b) City Council *may* amend the interim control by-law to extend the period of time during which it will be in effect, provided the total period of time does not exceed two years from the date of the passing of the interim control by-law.

Prohibition of further By-laws

c) Where an interim control by-law ceases to be in effect, City Council *may* not for a period of three years pass a further interim control by-law that applies to any lands to which the original interim control by-law applied.

2.5 Site Plan Control

2.5.1 Objective

Site Plan Control

a) To ensure safe, functional and orderly *development* having high standards of design and efficiency of land use and servicing particularly with respect to site function.

2.5.2 Policies

Area affected

a) The entire area within the City of Burlington is designated as a Site Plan Control Area. A Site Plan Control By-law *may* be enacted by City Council and *may* affect all or part of the Site Plan Control Area.

Exemptions

b) City Council *may* deem certain types of *development* exempt from Site Plan Control.

Plans and drawings

c) An application for Site Plan Control approval *shall* include the submission of plans and drawings showing the location of all buildings and structures to be built and all facilities to be provided as part of the proposed *development*, as well as matters relating to exterior design, including without limitation, the character, scale, appearance and design features of buildings, and their sustainable design, as well as matters relating to: OPA 55

(i) exterior design, including, without limitation, the character, scale, appearance and design features of buildings, and their sustainable design;

(ii) the sustainable design elements on any adjoining highway under the City or Region's jurisdiction, including, without limitation, trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers and bicycle parking facilities;

(iii) facilities designed to have regard for accessibility for persons with disabilities.

Site Plan considerations

d) Where an application for Site Plan Control approval is made, City Council *shall* review the submission based on the provisions for Site Plan Control in The Planning Act and the Site Plan Control By-law and include such criteria as:

(i) *compatibility* with adjacent uses;

(ii) urban design standards;

(iii) function and efficiency;

(iv) safety and access;

(v) adequacy of servicing;

(vi) grading and drainage; and

(vii) landscaping and lighting.

Less than 25 dwelling units

e) In situations of a residential building of less than twenty-five (25) units, unless otherwise exempted from Site Plan Control and specifically defined in the Site Plan Control By-law, City Council *may* require the applicant to submit drawings showing plan elevations and cross-sectional views, in order to assess the appropriateness of the proposal. These drawings will be required for such *development* in the North Aldershot Planning Area as specified in subdivision agreements.

Agreement

f) City Council *may* require the fulfillment of conditions and an agreement for site plans, based on the provisions for Site Plan Control as specified in The Planning Act.

North Aldershot Planning Area

g) In the North Aldershot Planning Area, the following additional policies *shall* apply: OPA 55

(i) The City *shall* require site plan approval for *development* and *re-development* in accordance with City policy, and in addition on specified lands including detached dwelling *development* on individual *lots* in accordance with Section 41 of The Planning Act, and any other applicable legislation;

(ii) Site plan control will be used to protect landscape features, slopes, remnant vegetation or significant views. Lands affected by such site plan control are shown on Schedules D-C1 to D-C11. The *lots* and blocks subject to site plan control as generally indicated on the aforementioned maps will be identified at the time of draft approval. Council *shall* use the policies of this plan in assessing proposals for *development* and *re-development;*

(iii) The City *shall* require Building Envelope Control for *development* and *re-development* on specified lands. *Lots* subject to Building Envelope Control are identified in Schedules D-C1 to D-C11. Proposals for *development* or *re-development* on *lots* subject to building envelope control will be circulated to the Conservation Halton for comment; and

(iv) On those *lots* subject to Building Envelope Control, the building envelope and driveways will be located so as to avoid steep slopes and vegetation features identified in the Environmental Implementation Report, and/or to provide view access and/or reduce visual impact of *dwelling unit*s on the *streetscape*. The specific use of Building Envelope Control will be as described in the Official Plan Sub-Area policies outlined in Part V, Section 11.0 of this Plan. Building Envelope Control does not exempt *lots* or buildings from conforming to the Zoning by-Law.

2.6 Maintenance and Occupancy Standards

2.6.1 Objective

Comprehensive program

a) To administer a comprehensive program for standards for maintenance and occupancy within the City.

2.6.2 Policies

Maintenance and Occupancy Program

a) City Council *shall* administer a program regarding standards for maintenance and occupancy for all or any part of the City. The program *shall* contain requirements for the maintenance of both residential and non-residential buildings, yards and *accessory buildings*, adequacy of sewage and drainage facilities, and the maintenance of walks, passages, fences and garbage disposal facilities. OPA 55

By-Law

b) Standards of maintenance and occupancy *shall* be implemented by City Council through the Property Maintenance and Occupancy Standards By-law(s) applicable to all or any part of the City. City Council *shall* ensure that the by-law(s) complies with the Plan provisions regarding property maintenance and occupancy standards.

All properties to conform

c) City Council *shall* require that all properties affected by by-law(s) conform to the Property Maintenance and Occupancy Standards.

Property Standards Officer

d) By-laws and amendments respecting standards for maintenance and occupancy of property *shall* be administered and enforced by Property Standards Officer(s).

Property Standards Committee

e) Appeals and reviews of orders issued under the by-laws respecting standards for the maintenance and occupancy of property *shall* be the responsibility of the Property Standards Committee.

Further studies

f) City Council *shall* undertake further studies with respect to conditions of residential, non-residential and vacant *lots* ensuring City-wide application of the program.

Official Plan conformity

g) City Council *shall* ensure that all elements of the property standards program conform to the Plan.

2.7 Parkland Dedication

2.7.1 Objective

Acquire parkland

a) To acquire lands for park purposes that are beneficial to the entire community.

2.7.2 Policies

Condition of development

a) Parkland dedication from residential *development shall* be required as a condition of *development*. The amount of land or the amount of money paid in lieu of land, *shall* be determined on the following basis: OPA 47

Residential-Low Density

(i) for *low density residential development*, with a proposed density of less than 15 units per net hectare, parkland *shall* be dedicated at the rate of 5 per cent of the land area;

Residential-Low and Medium Density

(ii) for *low or medium density residential development*, with a proposed density of 15 to 50 units per net hectare, parkland *shall* be dedicated at the rate of 1 hectare per 300 units; and OPA 7 OPA 47

Residential-High Density

(iii) for *high density residential development*, with a proposed density greater than 50 units per net hectare, parkland *shall* be dedicated at the rate of 1 hectare per 300 units. OPA 47

Commercial, industrial and institutional

b) Parkland dedication from new commercial, *industrial* and office *development* and certain institutional *development* defined by by-law, *shall* be based on a rate of 2 per cent of the land area.

Mixed use

c) Parkland dedication from mixed use *development shall* be determined as follows: for the residential component of the *development*, park dedication *shall* be on the basis of Part VI, Subsection 2.7.2 a); for the commercial, *industrial* and institutional component of the *development*, parkland dedication *shall* be 2 per cent of the land area for the percentage of the total floor area used for non-residential uses. OPA 7

Cash-in-lieu

d) The payment of money equal to the value of the land otherwise required to be conveyed for parks *may* be required. OPA 7

Flood, valley lands

e) Lands required for drainage and shoreline protection purposes, lands susceptible to flooding, steep valley slopes, hazard lands and other lands unsuitable for *development*, *shall* not be accepted as parkland conveyance.

Waterfront Trail

f) Dedication of waterfront lands for park purposes *shall* also be subject to the policies of Part II, Subsection 9.4.2.

2.8 Niagara Escarpment Plan Area

2.8.1 Objectives

Development Control

a) To ensure new *development* within the Niagara Escarpment Plan Area complies with the Niagara Escarpment Plan, Niagara Escarpment Planning and Development Act and the development control requirements of the City of Burlington, as applicable.

Policies

b) To permit land uses subject to the policies of the Plan, and where applicable, the appropriate policies and detailed *development* criteria of the Niagara Escarpment Plan.

2.8.2 Policies

Development Permit

a) All *development* within the Niagara Escarpment Plan Area must meet the *development* criteria of the Niagara Escarpment Plan. In addition, a *development* permit must be obtained prior to any *development* occurring or any other permit being issued, unless the *development* is exempt through the Development Control regulation.

Zoning and Holding By-laws

b) If the use of a Zoning By-Law or Holding Zone is proposed within the Niagara Escarpment Plan Area, the related permitted uses must conform to this Plan and the Niagara Escarpment Plan.

2.9 Master Servicing Agreement

2.9.1 Objective

a) To ensure the costs of new *infrastructure* and servicing are shared equitably among the benefiting parties.

2.9.2 Policies

Master Servicing Agreement

a) A Master Servicing Agreement, signed by the benefiting major parties involved in *development may* be required to be submitted and approved by the City as a condition of zoning and or subdivision approval. Such an agreement *shall* be based on the findings of the Site Servicing Master Plan, the Comprehensive Storm Water Management Plan and any other studies deemed necessary by the City. Such agreement will ensure that the necessary approvals and the required contributions of funds and lands and commitments for services will be in place and operative prior to or, coincident with, occupancy and use of land, for the following services:

(i) open spaces;

(ii) water;

(iii) sanitary sewers;

(iv) storm water management;

(v) road *infrastructure* and widenings; and

(vi) other *utilities*.

Execution of Agreement

b) If difficulties or undue delays are encountered with respect to the preparation and/or signature of Master Site Servicing and/or Master Storm Water Management Agreements described in Part VI, Subsection 2.9 a), the City *may* be requested to attempt to resolve such difficulties or delays. Where resolution of such problems is not deemed feasible by the City or is not possible even with the City's intervention, the City *may* approve alternative mechanisms to satisfy the intent of the applicable policy.

2.10 Servicing

North Aldershot Planning Area

a) In the North Aldershot Planning Area, servicing of any *development shall* be provided only in accordance with the Water and Wastewater Treatment policies of the Region of Halton and in particular those policies which prohibit private connections to existing and future trunk watermains, wastewater mains and water reservoirs situated outside the Urban Planning Area, except those which comply with relevant legislation or legally executed or binding agreements existing at the time of the adoption of the Region of Halton Official Plan. OPA 55

Provide services

b) In the North Aldershot Planning Area, the *development* pattern established in this Plan is based on the fact that the Region of Halton has determined that it is prudent and feasible to provide water and wastewater services to portions of the subject area as defined in the Regional Official Plan. OPA 55

3.0 INTERPRETATION

3.1 Objective

Guide interpretation

a) To provide guidance in the interpretation of the principles, objectives, policies and schedules of the Plan.

3.2 Policies

Functional policies

a) The principles, objectives and policies presented in Part II of the Plan, unless otherwise specified, apply to all of the lands in the City of Burlington regardless of the land use designation shown on the City Structure and Land Use schedules.

Land Use policies

b) The principles, objectives and policies presented in Parts III, IV and V of the Plan, unless otherwise specified, apply only to the lands so designated on the Settlement Pattern and the Comprehensive Land Use Plan schedules.

Boundaries

c) The designations identified on Schedules A to I of the Plan are intended to show general use areas. The boundaries are flexible and are subject to interpretation at the time of implementation of the Plan, provided the intent of the Plan is maintained, except for those boundaries established by well defined features such as railways, highways and roads or where specifically defined in the Plan.

Permitted uses

d) Where lists or examples of permitted uses are provided in Parts III, IV and V of the Plan, they are intended to indicate the possible range and type of uses that are to be considered. Specific uses that are not listed, but are considered by City Council to be similar to the listed uses and to conform to the general intent the applicable land use designation, *may* be recognized as a permitted use.

Numerical requirements

e) Minor variations from numerical requirements in the Plan *may* be permitted without a Plan amendment, provided the general intent of the Plan is maintained.

Certified true copy

f) For an accurate reference to the City of Burlington Official Plan and/or subsequent amendments thereto, the Certified True Copy lodged with the City Clerk *should* be consulted.

Provincial and Regional Land Use Plans

g) In cases where there is a conflict between the Official Plan and the applicable Provincial Land Use Plan or Regional Official Plan, the Provincial Land Use Plan and Regional Official Plan prevail unless the Official Plan is more restrictive.

Site specific and general policies

h) In cases where there is a conflict between site specific and general policies, the site specific policies *shall* prevail.

One parcel two designations

i) Although the land use designations of this Plan are intended to be conceptual in nature, in cases where a parcel of land contains two separate land use designations, the policies of each designation *shall* apply only to the portion of the property so designated.

4.0 COMMITTEE OF ADJUSTMENT

4.1 Objectives

Conform to purpose & intent

a) To ensure that proposed *development* and specific uses of lands that involve adjustment(s) to by-laws, conform to the general intent and purpose of the Plan and Zoning By-law.

New lots

b) To ensure that the creation of new *lots* maintains the orderly *development* of lands.

4.2 Minor Variance Policies

Four Tests

a) The Committee of Adjustment, in granting an application for minor variance from the Zoning By-Law, *shall* be satisfied that the variance:

(i) is minor in nature;

(ii) is desirable for the appropriate *development* or use of land;

(iii) maintains the general intent and purpose of the Plan; and

(iv) maintains the general intent and purpose of the Zoning By-law.

Cumulative impact

b) In commenting to the Committee of Adjustment on a proposal requiring applications for multiple minor variances from the Zoning By-law, the City *shall* ensure that the *cumulative impact* of the proposed variances is considered, and if the *cumulative impact* of the proposed variances is not considered to be minor, it will be recommended that the proposal *should* proceed by way of rezoning. OPA 55

Neighbourhood Character Areas

c) For lands within *Neighbourhood Character Areas*, minor variance applications for *development and re-development* of a single detached dwelling *shall* be evaluated based on the following additional criteria: OPA 104

(i) consistency with *neighbourhood character*;

(ii) on properties that are located at the end of a terminating street, dwellings *should* be designed and located to reinforce a framed focal point; and

(iii) dwellings located on corner lots *should* create a strong connection to both *streetscapes* through attractive facades and landscaping facing each street.

4.3 Legal Non-Conforming Use Policies

Extensions and enlargements

a) Legal non-conforming uses, buildings or structures throughout the City *should* eventually cease, so that the land affected *shall* revert to a use, building or structure that conforms with the intent of the Plan and the Zoning By-law. In special circumstances, however, it *may* be appropriate to consider the extension or enlargement of a non-conforming use, building or structure. OPA 7

Considerations

b) The Committee of Adjustment, in granting an application for the extension or enlargement of non-conforming land, buildings or structures, or uses *shall* be satisfied that:

(i) the proposed extension or enlargement does not represent an unreasonable increase to the size and intensity of the legal non-conforming use;

(ii) adequate measures are provided to protect other uses through landscaping, buffering or screening; appropriate setbacks for buildings and structures are provided; and/or devices and measures for reducing nuisance(s) caused by matters such as outside storage, lighting and advertising;

(iii) the features of the existing non-conforming use and proposed extension and/or enlargement are considered to be *compatible* with adjacent uses;

(iv) there are or will be adequate municipal services to meet the additional needs resulting from the expansion or extension of use;

(v) there are adequate off-street parking areas, loading facilities and on-site screening;

(vi) traffic and parking conditions in the area *shall* not be adversely affected and traffic hazards *shall* be minimized by appropriate design of access points to and from the site, and improvement of site conditions, especially close to intersections; and

(vii) the intent of the Plan and standards established in the Zoning By-law are upheld.

4.4 Consent Policies *D22, D23

Orderly development

a) The plan of subdivision *shall* be considered as the main method of providing *lots* in the City. Consent for land conveyances *shall* only be granted where they will not compromise the orderly *development* of land or the general public interest.

Consent not appropriate

b) *Development* which proposes the creation of *lots* requiring the construction of a new public road, the execution of a *development* agreement, or which proposes the creation of more than two new *lots, should* not proceed by way of consent. OPA 55

Restricted on Rural Lands

c) Subject to other policies of this Plan, new *lots shall* only be created by way of consent within the Rural Lands designated on Schedule A, Settlement Pattern, for the following purposes:

(i) to correct conveyances, enlarge existing *lots* or through acquisition by a public body or a non-profit entity for natural heritage conservation, provided no separate buildable *lot* is created; or

(ii) for the purpose of consolidating *lots* or re-configuring *lot* lines that would result in no new additional building *lots*. ***D55**

Rural Settlement Areas and Urban Planning Area

d) Subject to other policies of this Plan, new *lots may* be created by way of consent within the "Rural Settlement Areas" designation shown on Schedule A, Settlement Pattern and all designations shown on Schedule B, Comprehensive Land Use Plan - Urban Planning Area.

Matters to consider

e) In commenting to the Committee of Adjustment, the City will ensure the following factors are considered: OPA 55

(i) where applicable, the policies for *infill development* contained in Part III, Subsection 2.5.4 of this Plan;

(ii) the size, configuration and location of the proposed consent *should* be appropriate for the use proposed considering the municipal services available; or where municipal services are not available, the adequacy of potable water supply and the suitability of the soil for septic tanks;

(iii) the *lot* size and proposed use of the proposed consent *should* conform to the provisions of the Zoning By-Law, where applicable;

(iv) the *lot should* have a *compatible* width and area with *lots* in the immediate vicinity;

(v) any new *lots* intended for building must front on an existing public or common element road;

(vi) a traffic hazard *shall* not be created by access to a road with limited sight lines on curves or grades;

(vii) provision *shall* be made for future streets, and *lot* creation and *development shall* not preclude or inhibit the future *development* of surrounding lands, where applicable;

(viii) the proposed consent *should* not extend into areas susceptible to flooding or erosion, or adversely affect drainage patterns; and

(ix) the frontage of new *lots* intended for building *should* generally not be less than approximately 40 per cent of the *lot* depth.

(x) within *Neighbourhood Character Areas,* the proposed *development shall* achieve consistency with *neighbourhood character*; and OPA 104

(xi) within *Neighbourhood Character Areas*, the minimum lot widths and areas of proposed new lots in *Neighbourhood Character Areas shall* meet or exceed the average lot width and lot area of single detached residential lots fronting on both sides of the same street within 120 m of the subject property. OPA 104

North Aldershot Planning Area

f) In the North Aldershot Planning Area designated on Schedule D, subdivision of land *shall* generally take place by plan of subdivision. Consents *shall* be permitted: OPA 55

(i) for technical or legal purposes; or,

(ii) where the municipality is satisfied that the consent will not prejudice implementation of the Sub-Area plans outlined in Part V, Section 11.0 of this Plan and/or the ultimate subdivision of land; and

(iii) where the factors as set out in Part VI, Subsection 4.4 e) are met.

Niagara Escarpment Planning Area

g) For lands subject to the Niagara Escarpment Plan and Development Control, *lot* creation is also subject to the policies of the applicable designations of the Niagara Escarpment Plan. OPA 55

5.0 SECONDARY and TERTIARY/NEIGHBOURHOOD PLANNING PROCESS

5.1 Objective

Orderly development

a) To undertake *Secondary or Tertiary*/Neighbourhood Plan studies to allow the orderly and planned *development* of areas, communities or neighbourhoods.

Other studies

b) To undertake other supporting studies that are required.

5.2 Secondary and Tertiary/Neighbourhood Planning Policies

Amendment to Plan

OPA 55

a) *Secondary Plans* and *Tertiary/*Neighbourhood Plans *may* be prepared by the City. *Secondary Plans shall* be adopted through amendments to the Plan, while *Tertiary/*Neighbourhood Plans *may* be adopted by Council as policy without requiring an amendment to the Plan. Following adoption by City Council of a *Secondary Plan* or *Tertiary*/Neighbourhood Plan and any implementing amendment, *development shall* be guided by both the *Secondary and/or Tertiary*/Neighbourhood Plan and the implementing amendment if applicable.

Matters to consider

b) *Secondary and Tertiary*/Neighbourhood Plans *shall* address issues at a level of detail sufficient to guide *development* within the area affected, and *may* include, but are not limited to the following:

(i) a statement of objectives for the physical *development* of the planning area that *shall* include environmental, social and economic matters;

(ii) policies for the provision of housing, employment, schools, institutional and commercial or other land use matters, including the location, form and intensity of *development* for such uses;

(iii) policies addressing the transportation network as it relates to the study area, the community's needs and overall transportation objectives;

(iv) policies for the maintenance, upgrading and *rehabilitation* of *utility* services;

(v) policies for local leisure needs;

(vi) policies for unique environmental areas and natural features;

(vii) direction regarding heritage conservation and area-specific urban design policies;

(viii) strategies for the implementation and monitoring of the above-noted matters; and

(ix) assessment of the phasing of *development* based on the City's Development Phasing Strategy and financial capabilities of the City and Region to provide municipal services and *infrastructure* for the proposed *development.*

List of Secondary Plans

c) A list of approved *Secondary Plans* is included for reference in Appendix C of this Plan. OPA 55

5.3 Other Studies Policies

Studies required

a) Support studies *may* be required as part of the *secondary or tertiary*/neighbourhood planning process to ensure the feasibility of conceptual plans. The support studies *may* include, but are not limited to Site *Development* Analysis, Sanitary and Storm Sewer Study, Storm Water Management Study, Transportation Study, Market Feasibility and Impact Study, *Environmental Evaluations* and *Financial Impact Analysis.* OPA 7

Urban Design plans

b) Urban design plans *shall* be prepared in accordance with the policies of Part II, Section 6.0.

Technical studies

c) Technical studies are to be completed by the developer to the satisfaction of the City of Burlington.

6.0 MONITORING

6.1 Objectives

Effectiveness of Plan

a) To evaluate the effectiveness of the Plan's policies over time and ensure that its objectives respond to changing circumstances.

Monitoring

b) To provide an effective means of monitoring the policies and objectives of the Plan through quality of life indicators as well as other factors.

Housing

c) To establish and maintain a comprehensive monitoring program for housing to improve the City's ability to respond to housing issues and to assess the strengths and weaknesses of its existing policies.

Sustainable Development

d) To monitor progress in *Sustainable Development* within the City. OPA 55

Consultation

e) To provide consultation on the effectiveness of policies and the early identification of new issues. OPA 55

De-Listing of Hamilton Harbour

f) To document progress on the de-listing of Hamilton Harbour through the Hamilton Harbour Remedial Action Plan. OPA 55

6.2 Policies

Five Year Review

a) At least once every five years City Council *shall* evaluate the need to review the Plan, which *shall* include a public meeting required under The Planning Act. This review *shall* determine if:

(i) the principles, objectives and policies of the Plan remain valid and realistic in view of changing circumstances; and

(ii) the policies of the Plan are adequate to achieve the principles and objectives.

Number of Amendments

b) Ongoing monitoring of the number of amendments that have been processed and/or the frequency of challenge faced in dealing with proposals to change the Plan *shall* be used to review its effectiveness.

Further research

c) Policy components that *may* require further research and amendment *may* be considered, as required.

Property Standards

d) Once each Council term, City Council *shall* review the Property Standards By-law(s) to ensure their effectiveness and identify buildings that require by-law enforcement. OPA 55

Housing database

e) A housing related database *shall* be maintained on an ongoing basis. The information collected *shall* be available to the public, private *development* industry, community groups and other interested parties on a regular basis.

Local housing market

f) City Council *shall* annually monitor the local housing market and review the effectiveness of the City's housing policies in addressing local housing needs.

Monitoring of targets

g) In conjunction with the Region of Halton, the City *shall* regularly monitor the attainment of population and employment targets contained in the Regional and City Official Plans by considering measures such as the current overall municipal employment-to-population ratio, amount of *infill development*, and prevailing residential and employment densities of developing areas as compared with those stated in the respective *Secondary Plans.* OPA 55

Housing inventory

h) An inventory of existing vacant and potential residential lands *shall* be maintained, including potential sites for *affordable housing*.

Assisted and Special Needs Housing

i) An inventory of potential *assisted* and *special needs housing* sites *shall* be maintained and forwarded to the Halton Community Housing Corporation and other providers of *assisted housing.*

6.3 Environmental Monitoring

Objective

In order to ensure the continuing effectiveness of policies for *Sustainable Development* and environmental protection as well as to meet Remedial Action Plan targets it is necessary to monitor the environment over an extended period of time. OPA 55

State of Environment Report

a) Once each Council term, the City *shall* prepare a State of the Environment Report to serve as background information for the comprehensive review of the strategic plan and *may* utilize a citizens' advisory committee for this purpose.

Indicators

b) The State of the Environment report *may* include, but is not necessarily limited to, Environment, Economy and Social indicators of *Sustainable Development.*

De-listing of Hamilton Harbour

c) The City will assist in the efforts to ensure that Hamilton Harbour is de-listed as an Area of Concern by 2015.

7.0 PUBLIC AND AGENCY PARTICIPATION/NOTIFICATION

7.1 Objectives

Seek Input

a) To actively seek input of individuals, community and special interest groups, and public boards, commissions and agencies on planning and related matters.

Public participation

b) To ensure that the community goals are reflected in plans for *development* by encouraging public participation in the planning and decision-making process.

7.2 Policies

a) City Council *shall* seek to inform and obtain public and agency input during:

All Planning Stages

(i) the review of the Plan, by-laws and land *development* approval processes;

Special studies

(ii) the preparation and/or review of *Secondary Planning* studies, *Community Improvement Project Plans* and other planning studies; and

Other issues

(iii) for any other planning or *development* situation where Council desires public involvement.

Committee to hold Public Meetings

b) City Council *shall* establish a Committee of Council to conduct public meetings pursuant to The Planning Act.

c) The procedure to inform and obtain public and agency input *shall* include the following steps:

Erect sign

(i) a sign *shall* be placed on the subject property by the applicant, indicating the basic details of the application for a site-specific amendment to the Official Plan or Zoning By-law and/or a plan of subdivision. A site-specific amendment *may* involve a map designation change and/or policy change which applies to a block of land. The wording, design and placement of the sign is to be approved by the City;

Preliminary notification

(ii) a preliminary notification of the application for amendment(s) to the Official Plan or Zoning By-law and/or a plan of subdivision, including basic details, *may* be given at least 30 days prior to the Council meeting to consider approval of the proposed amendment(s) and/or subdivision. For site specific amendments and subdivisions the preliminary notification *shall* be sent by prepaid first class mail or personal service to every owner of land within 120 m of the subject area, within the Urban Planning Area boundary as outlined on Schedule B, and within 300 m of the subject area within the Rural Planning Area boundary as outlined

OPA 7
OPA 55

on Schedule C and the North Aldershot Planning Area as outlined on Schedule D, and *may* be sent to every tenant. For amendments that generally apply to the City, a notice *shall* be placed in a local newspaper approved by the City Clerk, that has a general circulation in the area;

Agency circulation

(iii) the details of the proposed amendment(s) to the Official Plan or Zoning By-law and/or a plan of subdivision *shall* be circulated for comments to all boards, commissions and agencies that are considered to have an interest in the matter and a reasonable period given for comments;

Notice of Public Meeting

(iv) notice of a public meeting to inform and obtain comments from the public *shall* be given at least 14 days prior to the date of the meeting, when a preliminary public notification has been given. When this preliminary public notification has not been given, notice of the public meeting *shall* be given at least 30 days prior to the date of the meeting. For an Official Plan or Zoning By-law amendment that applies generally to the City, notice of the public meeting *shall* be placed in the local newspaper. OPA 7 OPA 55

For a site specific amendment or a plan of subdivision, notice of this public meeting *shall* be placed in a local newspaper and/or sent by mail or personal service to every owner of land within 120 m of the subject area, within the Urban Planning Area boundary as outlined on Schedule B, and within 300 m of the subject area within the Rural Planning Area boundary as outlined on Schedule C and the North Aldershot Planning Area as outlined on Schedule D, and *may* be sent to every tenant and to any parties who have requested notification of any meetings on this particular matter, provided the request is received before notices are issued.

Notice of a public meeting *shall* include, where applicable, information regarding the power of the Ontario Municipal Board to dismiss an appeal if an appellant has not provided Council with oral submissions at a public meeting or written submissions before a plan is adopted or a by-law is passed

At least one Public Meeting

(v) at least one public meeting *shall* be held by the Committee of Council to inform and obtain comments from the public. In the case of a Plan amendment, adequate time *may* be allowed after the public meeting for staff to analyze all public comments before the staff report and the proposed amendment is dealt with by Council, except in the case of a housekeeping amendment or an amendment for which there is no public interest. No public interest *shall* be interpreted when no written objections to the proposed amendment are received prior to the public meeting and no verbal objections to the proposed amendment are made at the public meeting. In the case of a Zoning By-law amendment and/or plan of subdivision, or OPA 55

where it is determined that adequate time has been provided for analysis of the comments on an Official Plan Amendment, a decision and recommendation to Council on the approval of the application *may* be made by the Committee at the meeting, if appropriate;

Information to City Council

(vi) following a public meeting of the Committee, the recommendation of the Committee *shall* be presented to Council. Any person *may* also appear as a delegation before Council regarding a proposed amendment to the Plan or Zoning By-law and/or the plan of subdivision, providing he or she registers with the City Clerk prior to the Council meeting; OPA 55

Notification of decision

(vii) notification of the Council decision regarding the proposed amendment and/or the plan of subdivision *shall* be given to the applicant and persons who expressed an interest in the matter, by the City Clerk; and

Joint Public Meetings

(viii) when applications for amendments to both the City and Regional Official Plans are made to permit *development* on the same property, City Council *may* hold a joint public meeting with the Region of Halton to consider both applications concurrently, in order to eliminate duplication of processing and to streamline and simplify public consultation. OPA 55

8.0 LAND USE DESIGNATIONS TO BE DETERMINED

8.1 Objectives

Identify areas

a) To indicate those lands for which the final land use designations and policies are awaiting the outcome of planning studies.

Long term policies

b) To conduct *secondary planning* and/or major planning studies that establish long term *development* policies for areas designated as "Land Use Designations To Be Determined" on Schedule A, Settlement Pattern and/or Schedule B, Comprehensive Land Use Plan - Urban Planning Area.

Interim development policies

c) To establish interim *development* policies for areas designated as "Land Use Designations To Be Determined" on Schedule A, Settlement Pattern and/or Schedule B, Comprehensive Land Use Plan - Urban Planning Area.

Study requirements

d) To identify the requirements for the *secondary planning* and major planning studies.

8.2 General Policies

Secondary Plans and Major Studies

a) *Secondary planning* studies or major planning studies *shall* be conducted for areas designated as "Land Use Designations To Be Determined" on Schedule A, Settlement Pattern, and/or Schedule B, Comprehensive Land Use Plan - Urban Planning Area.

Matters to consider

b) The studies referred to in Part VI, Subsection 8.2 a) *shall* be conducted in accordance with Part VI, Section 5.0.

Amendment to Plan

c) The findings of the studies referred to in Part VI, Subsection 8.2 a) *shall* be implemented through an amendment to this Plan.

8.3 Alton Community Study Area *D9, *D32

Location

a) The Alton Community is bounded on the north and west by Highway 407, the south by Dundas Street and the east by Bronte Creek. OPA 3

Interim development

b) Until the remaining unapproved portions of the Alton Community Secondary Plan and Official Plan Amendment 3 are approved, the *development* of lands within these portions of the Alton Community *shall* be directed as follows: OPA 3

(i) *existing uses*, *agricultural* uses, uses permitted under the Zoning By-law and the Parkway Belt West Plan are permitted; and

(ii) the provisions of the Parkway Belt West Plan, where applicable.

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TABLE 1 - FUNCTION AND CLASSIFICATION OF TRANSPORTATION FACILITIES *R9

FACILITY TYPE	ACCESS CONTROL	FUNCTION [1]	GENERAL DESIGN GUIDELINE [2]	RANGE OF [3] DAILY TRAFFIC
Provincial Freeways	Full	. Serve mainly inter-regional travel demands and long distance traffic . Accommodate inter-regional high-order transit services . Connect major centres in different regions . Accommodate truck traffic . Carry high volumes of traffic	. Full control of access . Minimum 4 travel lanes . Busways, bus-only lanes or high occupancy vehicle lanes within the right-of-way . Noise-sensitive land uses to be discouraged along right-of-way . Geometric and access control under the jurisdiction of the Ministry of Transportation	typically over 50,000
Provincial Highways	Partial	. Serve mainly regional (i.e. inter-municipal) travel demands . Accommodate regional or high order transit services . Connect major centres in different regions . Accommodate truck traffic . Carry high volumes of traffic	. *May* contain busways and/or additional lanes for transit vehicles and high occupancy vehicle lanes. . Transit-supportive land uses to be encouraged along right of way in Urban Area . Geometric and access control under the jurisdiction of the Ministry of Transportation	Up to 50,000
Major Arterials	Partial	. Serve mainly inter-regional and regional travel demands . Accommodate truck traffic . Accommodate rapid transit services and high occupancy vehicle lanes . Connect urban areas or Nodes in different municipalities . Carry high volumes of traffic . Distribute traffic to and from Provincial Freeways and Highways	. High degree of access control . Transit-supportive land uses to be encouraged along right-of-way within urban areas . Right of way requirements up to 50 m . Geometric and access control under the jurisdiction of the Region of Halton.	
Multi-Purpose Arterials	Partial	. Serve a mix of functions of Major Arterials and Minor Arterials . Typically connects Major Arterials through urban areas or Nodes	. *May* contain bus-only lanes or high occupancy vehicle lanes or other transit priority operational measures . Transit-supportive land uses to be encouraged along right-of-way in Urban Area . On-street parking generally prohibited . Right-of-way width up to 50 m unless specifically identified	Up to 40,000
Minor Arterials	Partial	. Serve mainly local travel demands; *may* have inter-municipal function . Accommodate major local and inter-municipal bus routes . Connect communities and inter-connect Major and Multi-Purpose Arterials . Carry moderate to high volumes of traffic . Accommodate truck traffic	. *May* contain bus-only lanes or high occupancy vehicle lanes or other transit priority operational measures . Transit-supportive land uses to be encouraged along right-of-way in Urban Area . Consolidated access points where possible . On-street parking generally prohibited . Right-of-way width generally up to 35 m unless specifically identified	Up to 35,000

TABLE 1 - FUNCTION AND CLASSIFICATION OF TRANSPORTATION FACILITIES *R9				
Collectors	Generally Not Required	. Connect neighbourhoods . Distribute traffic to and from arterials . Provide convenient local transit routes . Provide access to adjacent land uses	. 2 to 4 travel lanes . On-street parking generally permitted, usually on one side only . Right-of-way width from 20 to 30 m unless specifically identified	Up to 12,000
Local Streets	Not Required	. Provide access to adjacent land uses . *May* accommodate local transit connections	. 2 travel lanes . Spacing and alignment to be designed to distribute traffic as evenly as possible . Convenient linkages to collector roads and arterial roads to provide transit route access . Parking generally allowed on both sides depending on pavement width . Right-of-way generally 20 m unless specific development proposal warrants reduced standards and/or unless specifically identified [4]	Up to 3,000
Bikeways	N/A	. Serve both local transportation and recreational travel demands . Connect communities and activity areas throughout the City	. Bike Paths *may* be located off-street or within road right-of-way and separated from vehicular traffic . Bike Routes *may* be located within road right-of-way in traffic	N/A
Rapid Transit Corridors	N/A	. Serve inter-municipal and inter-regional travel demands by public transit . Accommodate rapid transit services . Connect Nodes	. Exclusive right-of-way for transit vehicles where possible . Transit-supportive land uses to be encouraged around stations	
Rail Lines	N/A	. Serve all types of people and goods movements by rail at the regional or national scale . Accommodate commuter rail movement to major urban centres in the Greater Toronto Area and surrounding region	. Grade separations at intersections with highways and arterial roads . Noise or vibration-sensitive land uses to be discouraged along right-of-way . Transit-supportive land uses to be encouraged around commuter rail stations	
[1] All roads other than Provincial Freeways are to be designed to facilitate safe & convenient pedestrian & cyclist movement. [2] Right-of-way widths indicated are approximate. In some cases, the right-of-way *may* need to be wider to accommodate noise walls, additional turning lanes, bus bays, separated bike paths, utilities & road cuts & embankment slopes. Final right-of-way requirements along roads will be determined through functional designs, subdivision approval, etc.			[3] Vehicles per day. These totals are intended for general guidance only and are not to limit or preclude the outcome of a future Environmental Assessment. [4] In view of emerging land-use designs aimed at intensification and at reduced infrastructure costs, the City will consider local street right-of-way widths to as low as 16 m and the introduction of laneways (public or private) to as low as 9 m width subject to individual subdivision approval.	

TABLE 2 - ROAD ALLOWANCE WIDTHS[1]

STREET	FROM	TO	ROAD ALLOWANCE WIDTH (metres)[2]
Alexan Crescent	Entire Length		16
Angus Court	Entire Length		18
Appleby Line	Lakeshore Road	New Street	30
	New Street	Fairview Street	36
	Fairview Street	QEW	40
	QEW	Derry Road	R *
Applegarth Drive	Entire Length		14
Atkinson Drive	Entire Length		18
Auckland Drive	Entire Length		14
Austin Court	Blue Spruce Avenue	50m East	22
	50m East	Limit	14
Autumn Harvest Way	Entire Length		14
Avalon Drive	Entire Length		14
Baker Drive	Upper Middle Road	Sunmill Crescent	16
	Sunmill Crescent	Limit	14
Bayswater Avenue	Entire Length		15
Bell School Line	Entire Length		26
Bellhaven Crescent	Entire Length		15
Bellwood Avenue	Emerald Street	Wellington Street	18
Birch Avenue	Entire Length		17
Birchleaf Lane	Entire Length		12.5
Bird Boulevard	Entire Length		14
Blathwayte Lane	Entire Length		10
Blenheim Street	Brant Street	Hurd Avenue	16
Blue Spruce Avenue	Dryden Avenue	Thorn Lane	18
	Thorn Lane	Upper Middle Road	22

Bluegrass Lane	Entire Length		14.5
Bonnieview Avenue	Spring Garden Road	Parkhill Avenue	15
Brada Crescent	West Limit	Bluegrass Lane	14.5
	Bluegrass Lane	North Limit	18
Braeswood Lane	Entire Length		14
Brant Street	Lakeshore Road	Caroline Street	18
	Caroline Street	Olga Drive	26
	Olga Drive	Maplewood Avenue	30
	Maplewood Avenue	QEW	36
	QEW	Dundas Street	R *
Britannia Road	Entire Length		30
Brock Avenue	Lakeshore Road	Ontario Street	18
Broadleaf Crescent	Entire Length		14
Brookdale Street	Entire Length		14
Brookfield Avenue	Lakeshore Road	Pomona Avenue	15
Bruce Street	140 m west of Seneca Avenue	137 m east of Delaware Avenue	18
Bunton Crescent	Entire Length		14
Burloak Drive	Lakeshore Road	400 m north of New Street (realigned)	30
	400 m north of New Street	Queen Elizabeth Way	42
	Queen Elizabeth Way	Upper Middle Road	R *
Bushberry Lane	Entire Length		12.5
Bushtrail Court	Entire Length		15
Carns Court	Entire Length		18
Casselman Court	Entire Length		14
Cachet Crescent	Entire Length		14
Cedar Springs Road	Entire Length		30[(3)]
Chapman Court	Entire Length		18
Chercover Court	Blue Spruce Avenue	50m North	22
	50m North	Limit	14
Clark Avenue	Birch Avenue	Caroline Street	16
	Caroline Street	Cul-de-sac	18
Coaldale Drive	Entire Length		18

Coldwater Street	Entire Length		14
Cornerstone Drive	(in front of public school)		19
Corporate Drive	Appleby Line	600 m east of Appleby Line	26
	600 m east of Appleby Line	Burloak Drive	26[(4)]
Crosby Avenue	New Street	Caroline Street	18
Crosswinds Court	Entire Length		18
Cumberland Avenue	Fairview Street	New Street	26
Curtis Road	Entire Length		14
Danielle Drive	Entire Length		14
Debeir Street	Entire Length		14
Deer Place	Entire Length		18
Delaware Avenue	Lakeshore Road	New Street	17.5
Derry Road	Entire Length		R *
Dryden Avenue	Entire Length		26
Duchess Court	Entire Length		14
Dundas Street	Kerns Road	Tremaine Road	R *
Dunmore Avenue	Entire Length		14
Easton Road	Pathfinder Drive	Orchard Road	15.5
	Orchard Road	Sutton Drive	18
Edgewood Place	Entire Length		16
Elmside Crescent	Entire Length		14
Emerald Street	Caroline Street	North of Emerald Crescent	17
	North of Emerald Crescent	Wellington Avenue	18
	Victoria Avenue	North of Woodland Avenue	18
Emerson Drive	Entire Length		15.5
Empire Crescent	Entire Length		14
English Crescent	Entire Length		14
Eveningstar Drive	Entire Length		14
Fairview Street	Queen Elizabeth Way	GO Station	40
	GO Station	150 m west of Guelph Line	36

	150 m west of Guelph Line	200 m east of Guelph Line	40
	200 m east of Guelph Line	150 west of Walker's Line	36
	150 m west of Walker's Line	150 m east of Walker's Line	40
	150 m east of Walker's Line	150 m west of Appleby Line	36
	150 m west of Appleby Line	150 m east of Appleby Line	40
	150 m east of Appleby Line	Harvester Road	36
Fernbrook Court	Entire Length		16
Forest Grove Crescent	Entire Length		14
Fruitland Avenue	Lakeshore Road	Lake Ontario	15
Garland Crescent	Entire Length		14
Georgina Court	Entire Length		14
Glenhaven Avenue	Entire Length		15
Green Street	S. of Lakeshore Road		17
Greening Lane	Entire Length		14
Greer Drive	Entire Length		14
Guelph Line	Lakeshore Road	New Street	24
	New Street	Prospect Street	35
	Prospect Street	Fairview Street	40
	Fairview Street	QEW	42
	QEW	Dundas Street	R *
	Dundas Street	Derry Road	R *
Hager Avenue	Ontario Street	Birch Avenue	16.5
Haldimand Crescent	Entire Length		14
Halton Place	Entire Length		18
Hampton Court	Entire Length		18
Harrison Court	South intersection of Appleby Line	Hydro Right-of-Way	20 to 25
	Hydro Right-of-Way	180 m easterly of north intersection of Appleby Line	18
	180 m easterly of north intersection of Appleby Line	North intersection of Appleby Line	22 to 26
Harvester Road	Guelph Line	Appleby Line	32
	Appleby Line	Burloak Drive	36
Haswell Lane	Entire Length		12.5
Heslop Street	Entire Length		14
Heritage Road	North Service Road	Mainway	26

Holtby Avenue	New Street	Caroline Street	18
Hurd Avenue	Birch Avenue	Ontario Street	16
Industrial Street	Mountainside Drive	Stanley Drive	26
Irving Street	Entire Length		14
Jacada Road	Entire Length		14
Jameson Crescent	Entire Length		14
Jardine Crescent	Blue Spruce Avenue	Redstone Street	22
	Redstone Street	Redstone Street	14
Jarvis Crescent	Entire Length		16
Joshua Drive	Entire Length		14
Kempling Lane	Entire Length		14
Kenneth Crescent	Entire Length		14
Kevin Crescent	Entire Length		18
Kilbride Street	Town Line	McNiven Road	30
	McNiven Road	Carriage Trail	26
	Carriage Trail	Twiss Road	30
Kindos Street	Entire Length		14
King Road	North Shore Boulevard	CNR	30
	CNR	North Service Road	35
	North Service Road	Northerly Limit	30 (3)
Lakeland Crescent	Lakeshore Road	Fruitland Avenue	15
Lakeshore Road	Entire Length		30
Langford Road	Entire Length		14
Little Street	Entire Length		14
Mainway	Guelph Line	Burloak Drive	30
Maple Avenue	North Shore Blvd.	Ontario Street	26
	Ontario Street	Rambo-Hager Div. Ch.	30
	Rambo-Hager Div. Ch.	Fairview Street	35
	Fairview Street	Plains Road	30
Maria Street	Brant Street	Martha Street	15
Marjan Lane	Entire Length		12.5

Mackay Court	Entire Length		18
McCormack Drive	Entire Length		14
McNiven Road	Cedar Springs Road	Derry Road	26
Medland Drive	Entire Length		18
Millborough Line	Derry Road	Kilbride Street	R *
Kilbride Street	Southerly Limit	26	
Mill Street (Kilbride)	Entire Length		15
Mountainside Drive	Industrial Street	Guelph Line	26
Nelson Avenue	Lakeshore Road	Ontario Street	18
New Street	Martha Street	Beverly Drive	30
	Beverly Drive	Burloak Drive	35
Newell Crescent	Quinte Street	50m East	22
	50m East	Limit	14
No. 1 Side Road	Milborough Line	Guelph Line	26
	Guelph Line	Appleby Line	30
No. 2 Side Road	Cedar Springs Road	Guelph Line	30
	Walker's Line	Bell School Line	26
No. 4 Side Road	Entire Length		26
No. 8 Side Road	Cedar Springs Road	Twiss Road	26
	Twiss Road	Guelph Line	26
North Service Road	Waterdown Road	500 m east of Guelph Line	30
	500 m east of Guelph Line	Burloak Drive	22
Norland Drive	Entire Length		14
North Shore Blvd.	Maple Avenue	Indian Road	35
	Indian Road	King Road	26
Nova Crescent	Quinte Street	50m West	22
	50m West	Limit	14
Novis Way	Entire Length		14
Oakley Drive	Entire Length		14
Oak Grove Place	Entire Length		14
Old York Road	No. 6 Highway	Snake Road	30
	Snake Road	York Road	26

Omaha Street	Entire Length		10
Page Crescent	Blue Spruce Avenue	50m South	22
	50m South	Limit	14.5
Palladium Way	Entire Length		26
Panton Street	South of Kilbride Street		15
Parkhill Avenue	Entire Length		15
Pathfinder Drive	Entire Length		18
Paula Court	Entire Length		18
Penman Lane	Entire Length		12.5
Picketts Way	Entire Length		14
Pinecove Road	New Street	145 m north of Lakeshore Rd.	15
Pine Street	Brant Street	Martha Street	14
Pinemeadow Court	Headon Forest Drive	Westerly limit	18
Plains Road	Highway 6	South side of Hwy. No.403	30
	South side of Hwy. 403	Queen Elizabeth Way	36
	130 m north of Fairview Street	Brenda Crescent	30
Player Court	Entire Length		18
Pomona Avenue	Lakeshore Road	146 m north of Lakeshore Road	15
Prescott Place	Entire Length		12.5
Price Court	Entire Length		18
Prospect Street	Guelph Line	Cumberland Avenue	30
Queensway Drive	Brenda Crescent	Guelph Line	30
Quinte Street	Upper Middle Road	Blue Spruce Avenue	18
	Blue Spruce Avenue	Redstone Street	22
Ravine Crescent	Entire Length		14
Redstone Street	Entire Length		14
Ridgewell Road	Entire Length		14
Robjen Road	Entire Length		14
Rome Crescent	Quinte Street	50m West	22

	50m West	Limit	14
Rosaline Road	Entire Length		14
Roseland Crescent	Entire Length		18
Roseville Court	Entire Length		14
Russet Crescent	Entire Length		14
Scotia Crescent	Quinte Street	English Street	22
	English Street	Limit	14
Seneca Avenue	Lakeshore Road	New Street	18
Seton Crescent	Entire Length		14
Shadetree Avenue	Entire Length		14
Simcoe Drive	Entire Length		18
Snake Road	Entire Length		30 (3)
South Service Road	Waterdown Road	King Road	26
Spence Lane	Entire Length		14
Stokes Lane	Entire Length		14
Stonehaven Drive	Entire Length		14
Sundial Road	Entire Length		14
Sunmill Crescent	Entire Length		14
Susan Court	Entire Length		18
Sutton Drive	Mainway	Upper Middle Road	30(4)
	Upper Middle Road	Russet Crescent	26
	Russet Crescent	Trans Canada Pipeline	31
	Trans Canada Pipeline	Dundas Street	26
Thomas Alton Boulevard	Entire Length		26
Thorn Lane	Entire Length		14
Torrance Street	Lakeshore Road	Northerly limit	18
Tremaine Road	Dundas Street	No. 1 Side Road	R *
Twelve Mile Trail	Valleyhigh Drive	90m East	14
	90m East	Northerly Limit	26
Twiss Road	No. 8 Side Road	Derry Road	30

Tydman Way	Entire Length		14
Upper Middle Road	Westerly limit	Highway 407	35
	Highway 407	Guelph Line	40
	Guelph Line	Appleby Line	40
	Appleby Line	Burloak Drive	R *
Valleyhigh Drive	Entire Length		14
Vanessa Drive	Entire Length		14
Viking Crescent	Entire Length		14
Walker's Line	Lakeshore Road	New Street	30
	New Street	Dundas Street	35
	Dundas Street	Highway 407	35
	Highway 407	Derry Road	30(3)
Waterdown Road	Plains Road	Northerly limit	30 ***D34**
Waterloo Street	North of Woodland Avenue		18
Wellington Avenue	Victoria Avenue	Woodland Avenue	18
Whitehorn Drive	Entire Length		14
Willow Avenue	Entire Length		10
Wood Crescent	Entire Length		14
Woodglen Crescent	Entire Length		14
Woodland Avenue	New Street	Emerald Street	18
Woodsmere Court	Entire Length		16
York Boulevard	Boundary of City of Hamilton	Plains Road	35
York Road	Entire Length		26

NOTES:

(1) The road allowance width of all other streets and roads are deemed to be 20 m. For streets having a road allowance width of less than 20 metres in metric plans of subdivision, the road allowance width *shall* be the actual width as it existed on the date of the registration of the plan of subdivision.

(2) Proposed road allowance widths are approximate measurements. In certain cases widening of existing roads to the ultimate road allowance width shown *may* not be required. Rights-of-way wider than those identified above *may* be required where noise walls, additional turning lanes at intersections, landscaped medians, separated bicycle paths or wide roadway cuts or embankments are anticipated. The need for noise walls and detailed land requirements will be determined upon submissions of applications for subdivisions, rezonings, severances, minor variances and site plans.

(3) Road widths to be required for sections of this road within an Escarpment Natural Area designation will be reduced where possible based on detailed road design in recognition of the natural resources present at these locations and the rural character of the area.

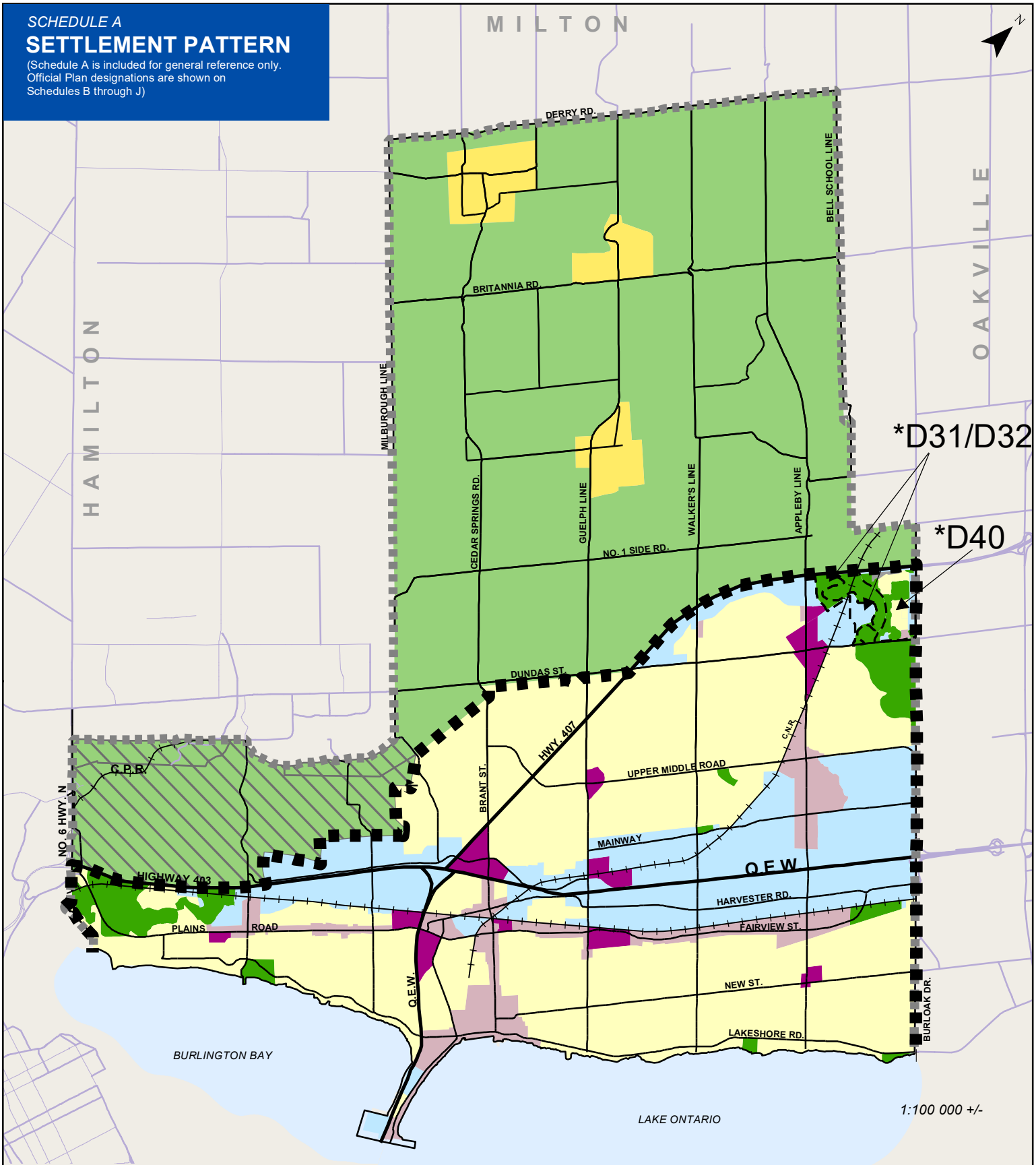
(4) The final road allowance width will be determined as part of secondary planning studies, and subdivision approvals.

(R*) Regional Road – Refer to the Regional Official Plan.

SCHEDULE A

SETTLEMENT PATTERN

(Schedule A is included for general reference only. Official Plan designations are shown on Schedules B through J)



Legend

- Residential Areas
- Employment Lands
- Major Retail Areas
- Service Area *(Refer to Part II, Subsection 3.4.2 h) (ii) - For use only in relation to lands which form the area of the Tremaine Dundas Secondary Plan)*
- Mixed Use Activity Areas
- Natural Features/Open Space
- Rural Lands
- Rural Settlement Area
- North Aldershot Planning Area
- Urban Planning Area Boundary

*NOTE: For information on Deferrals and Referrals (*D or *R), please see the Explanatory Notes of the Official Plan.*

JULY 2024

City of Burlington

Schedule B

COMPREHENSIVE LAND USE PLAN- URBAN PLANNING AREA

Legend

- Residential - Low Density
- Residential - Medium Density
- Residential - High Density
- General Employment
- Business Corridor
- Regional Commercial
- Community Commercial
- Employment Commercial
- Neighbourhood Commercial
- Mixed Use Centre
- Mixed Use Corridor - General
- Mixed Use Corridor - Commercial Corridor
- Mixed Use Corridor - Employment
- Area for future study
- Downtown Urban Growth Centre Boundary
- Greenlands
- Major Parks and Open Space
- Natural Heritage System (Refer to Part III, Section 6.5 - For use only in relation to lands which form the area of the Tremaine Dundas Secondary Plan)
- Environmentally Sensitive Area (Note: Boundaries based on Map 1 of the Region of Halton Official Plan (2006)
- Service Area (Refer to Part II, Subsection 3.4.2 h) (ii) - For use only in relation to lands which form the area of the Tremaine Dundas Secondary Plan)
- *Parkway Belt Plan Area (Note: All lands within Parkway Belt West Plan Area Subject to Deferral *9)*
- Urban Planning Area Boundary
- Watercourses - Conceptual only, refer to Part lll, Section 6.4.2 d
- Former Waste Disposal Site

RURAL PLANNING AREA

NORTH ALDERSHOT PLANNING AREA

HAMILTON

OAKVILLE

BURLINGTON BAY

LAKE ONTARIO

*D31/*D32

*D42

*D47

*R16

*D28

HWY 407

HWY 403

Q.E.W.

C.N.R.

C.P.R.

DUNDAS ST.

CEDAR SPRINGS RD.

GUELPH LINE

APPLEBY LINE

TREMAINE RD.

PALLADIUM WAY

THOMAS ALTON BLVD.

DRYDEN AVE

SUTTON RD.

HEADON RD.

HEADON FOREST DR.

CAVENDISH DR.

UPPER MIDDLE ROAD

WALKER'S LINE

BERWICK DR.

MILLCROFT PARK DR.

UPPER MIDDLE RD.

BRANT ST.

MOUNTAINSIDE DR.

KERNS RD.

FISHER AVE.

MAINWAY

CORPORATE DR.

BURLOAK DR.

NORTH SERVICE RD.

SOUTH SERVICE RD.

HARVESTER RD.

LEIGHLAND RD.

OLD YORK RD.

HWY 6

WATERDOWN RD.

PLAINS RD. W.

PLAINS RD. E

TOWNSEND AVE.

KING RD.

MAPLE AVE.

HAGER AVE.

NORTHSHORE BLVD. E

LAKESHORE RD.

EASTPORT DR.

DRURY LANE

SENECA AVE.

CUMBERLAND AVE

PINECOVE RD.

BELVENIA ROAD

FAIRVIEW ST.

NEW ST.

SPRUCE AVE

HEATH RD.

HAMPTON

REBECCA ST.

1:50 000 +/-

NOTE: For information on Deferrals and Referrals (*D or *R), please see the Explanatory Notes of the Official Plan.

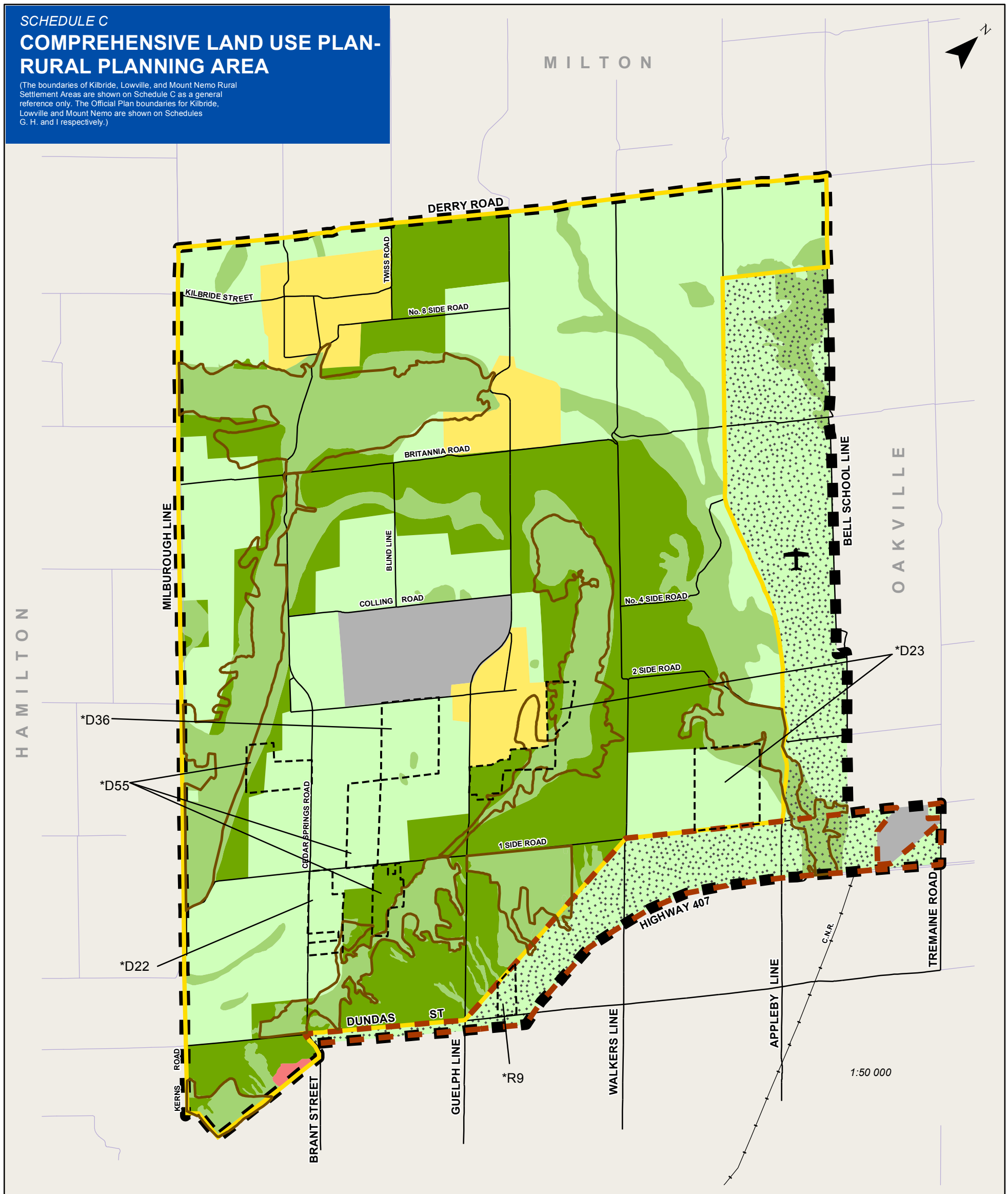
JULY 2026

City of Burlington

SCHEDULE C

COMPREHENSIVE LAND USE PLAN- RURAL PLANNING AREA

(The boundaries of Kilbride, Lowville, and Mount Nemo Rural Settlement Areas are shown on Schedule C as a general reference only. The Official Plan boundaries for Kilbride, Lowville and Mount Nemo are shown on Schedules G. H. and I respectively.)



Legend

- Niagara Escarpment Plan Area
- Greenlands (Escarpment Plan Area)
- Greenlands (Non-Escarpment Plan Area)
- Escarpment Protection Area
- Escarpment Rural Area
- Escarpment Urban Area
- Agricultural Rural Area
- Mineral Resource Extraction Area
- Rural Settlement Area
- Rural Planning Area
- Environmentally Sensitive Area (Note: Boundaries based on Map 1 of the Region of Halton Official Plan (2006))
- Parkway Belt Plan Area (Note: All lands within Parkway Belt West Plan Area subject to Deferral *D9)
- Airport

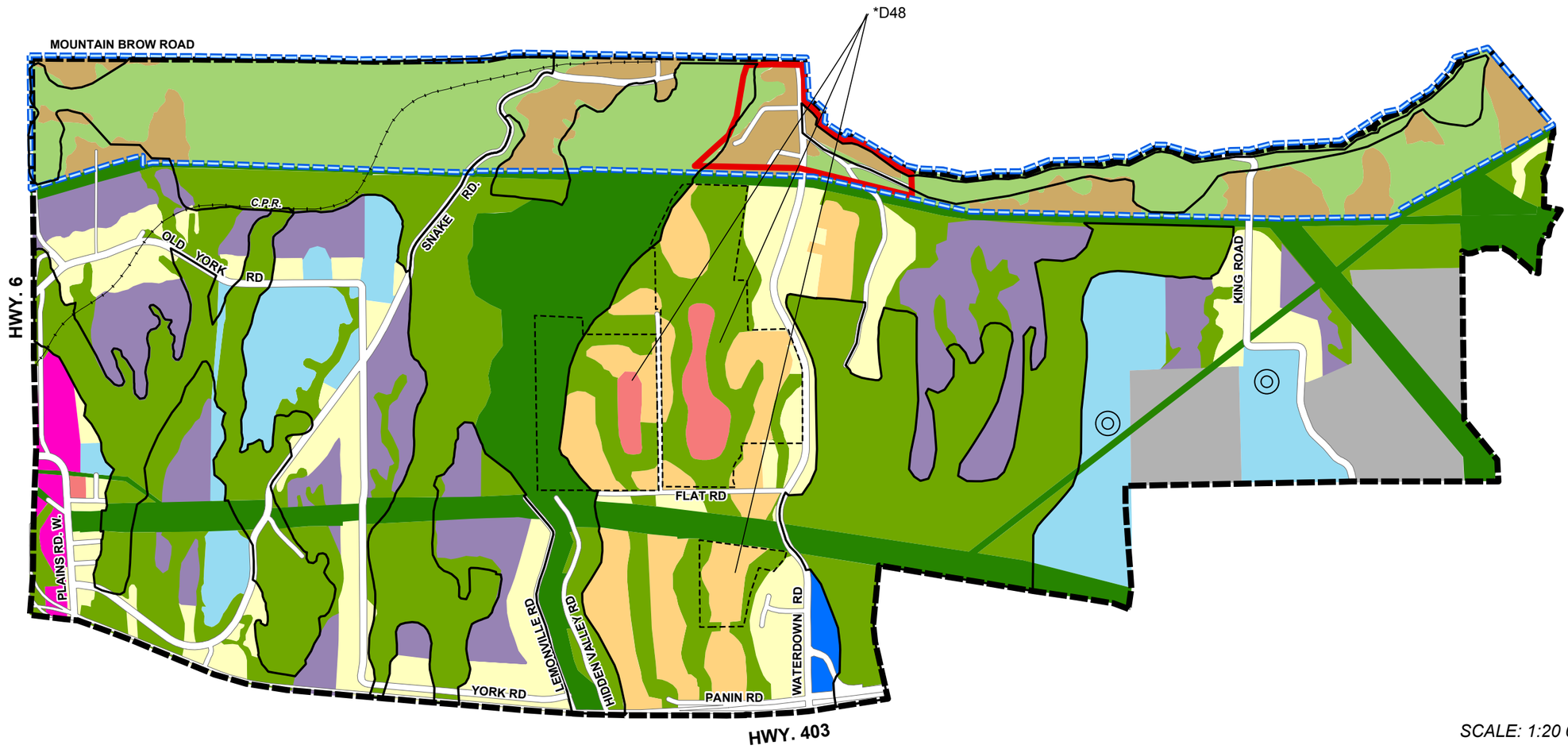
*NOTE: For information on Deferrals and Referrals (*D or *R), please see the Explanatory Notes of the Official Plan.*

OCTOBER 2017

CITY OF Burlington

SCHEDULE D

COMPREHENSIVE LAND USE PLAN- NORTH ALDERSHOT PLANNING AREA



SCALE: 1:20 000

Legend

- Infill Residential
- Detached Residential
- Cluster Residential
- North Aldershot Office
- Environmental Protection Area
- North Aldershot Commercial
- Parkway Belt West (Note: All lands within Parkway Belt West Plan Area subject to Deferral D9.)
- Mineral Resource Extraction
- Recreation / Open Space
- North Aldershot Special Study Area
- Greenlands (Escarpment Plan Area)
- Escarpment Protection Area
- Niagara Escarpment Plan Area
- North Aldershot Policy Area
- North Aldershot Planning Area Boundary
- Environmentally Sensitive Area (Note: Boundaries based on Map 1 of the Region of Halton Official Plan (2006))
- Former Waste Disposal Site

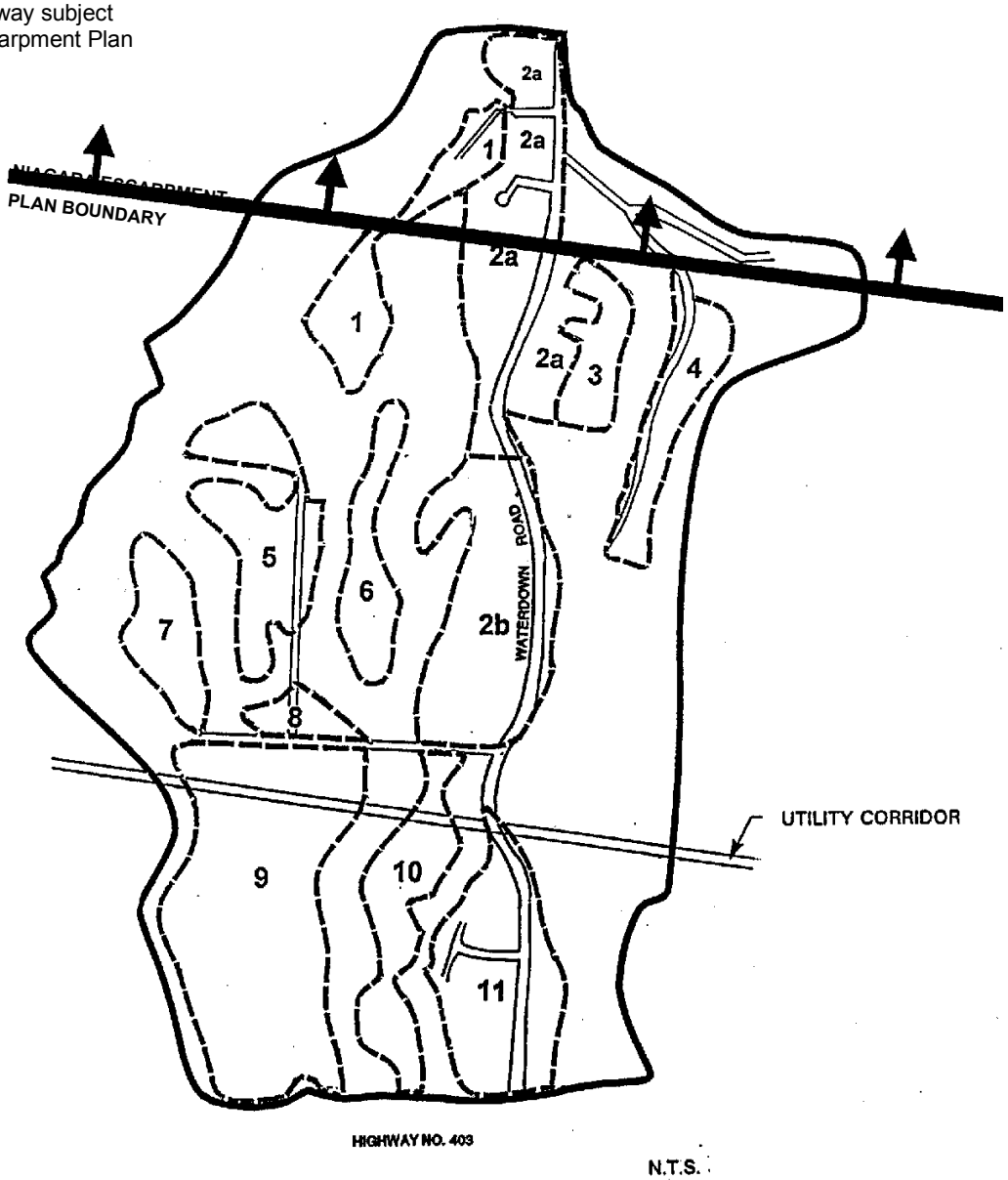
*NOTE: For information on Deferrals and Referrals (*D or *R), please see the Explanatory Notes of the Official Plan.*

JUNE 2011

SCHEDULE D-C

NORTH ALDERSHOT
CENTRAL SECTOR
Sub-Area Key Map

Note:
Lands located north of
Hydro right-of-way subject
to Niagara Escarpment Plan

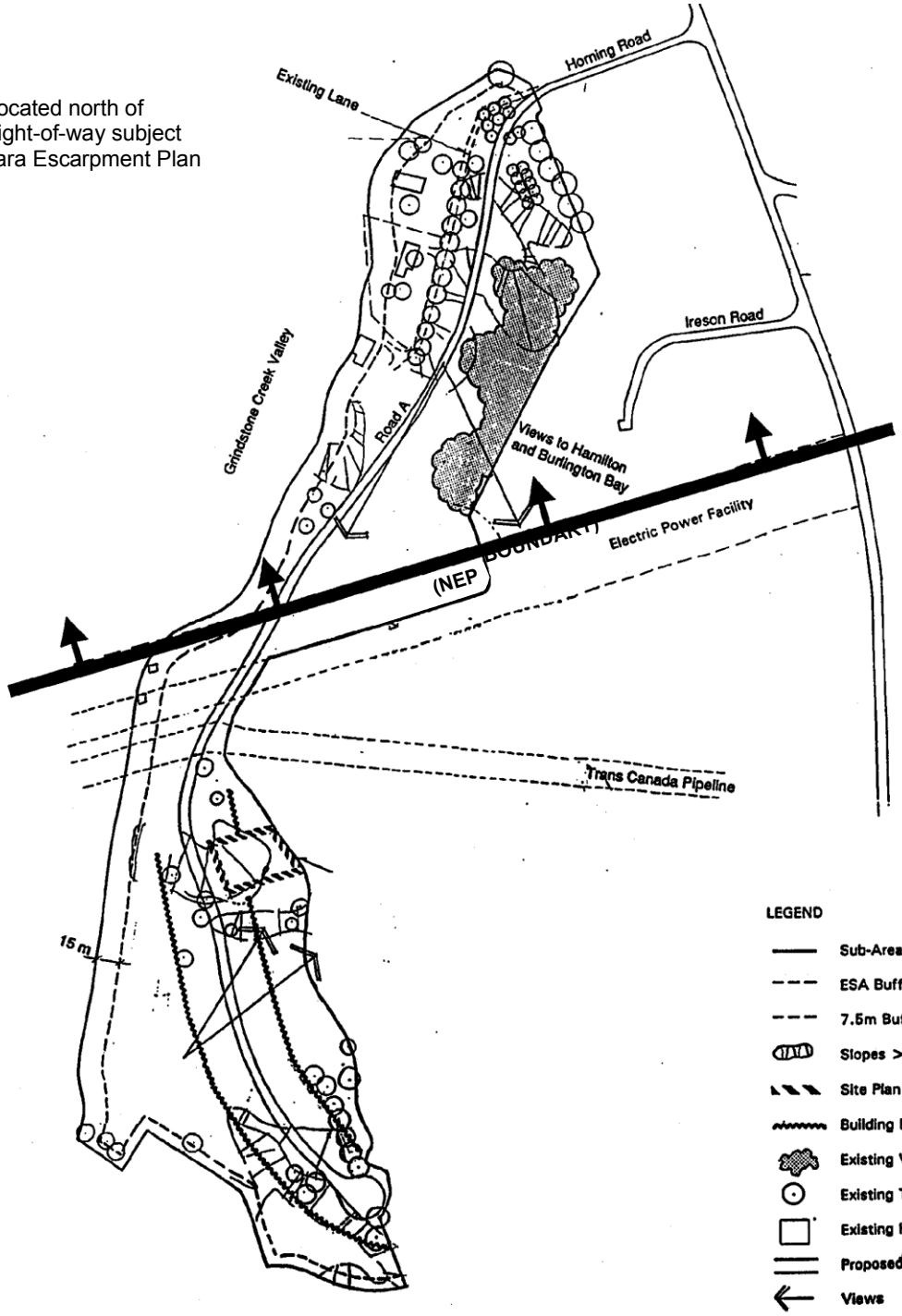


N.T.S.

SCHEDULE D-C1

NORTH ALDERSHOT CENTRAL SECTOR Sub-Area 1

Note:
Lands located north of
Hydro right-of-way subject
to Niagara Escarpment Plan

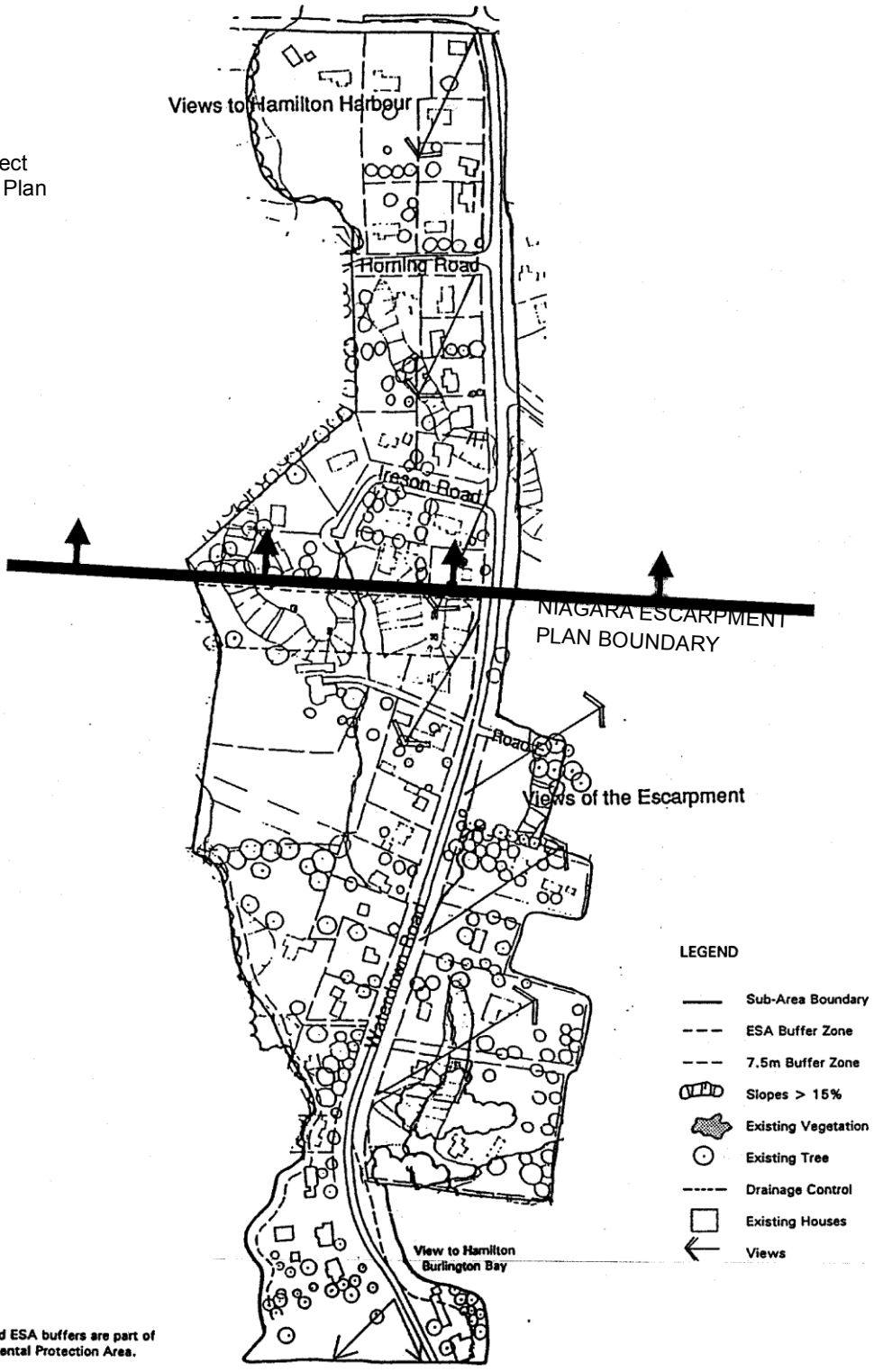


The 7.5m and ESA buffers are part of the Environmental Protection Area.

SCHEDULE D-C2a

NORTH ALDERSHOT CENTRAL SECTOR Sub-Area 2a

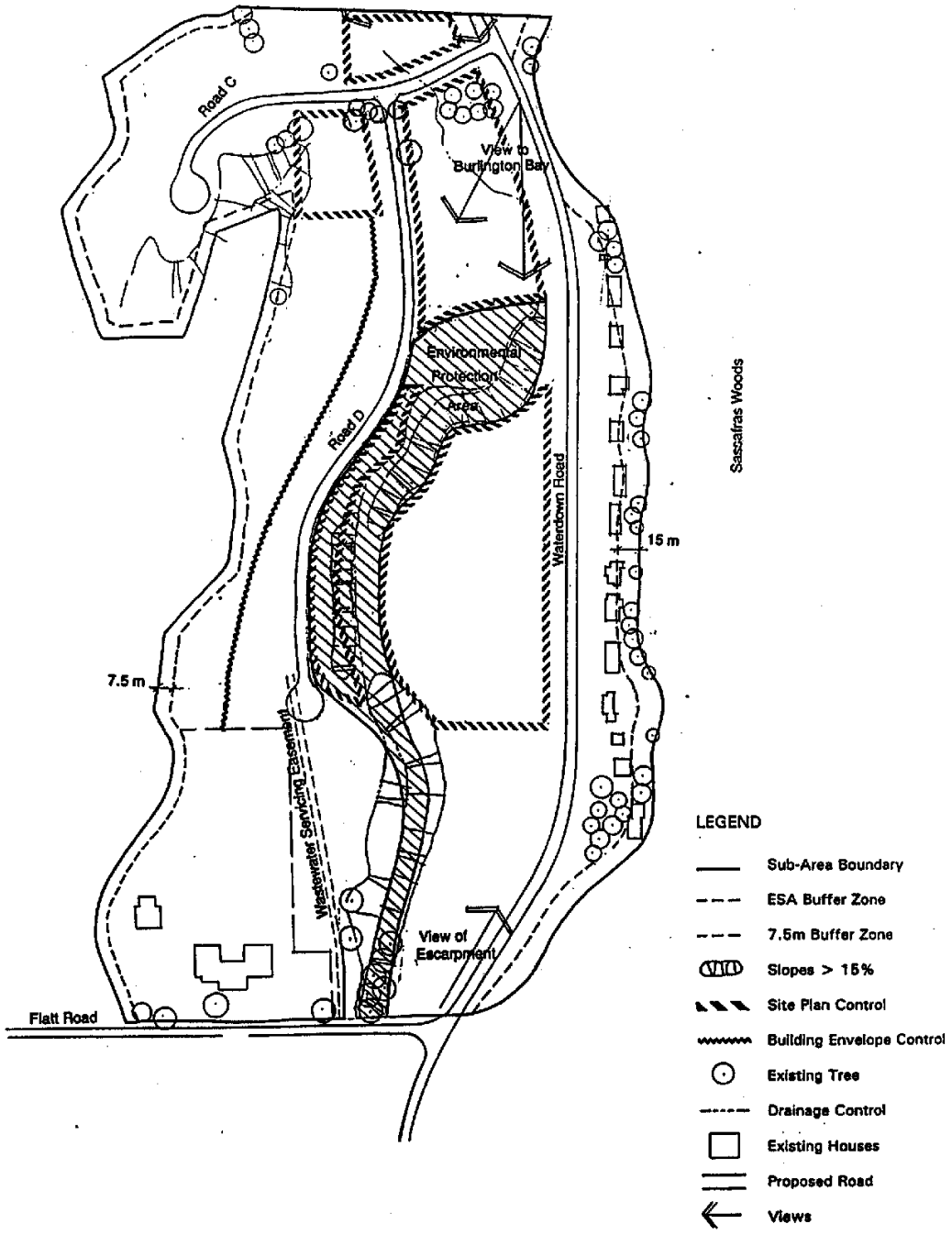
Note:
Lands located north of
Hydro right-of-way subject
to Niagara Escarpment Plan



The 7.5m and ESA buffers are part of the Environmental Protection Area.

SCHEDULE D-C2b

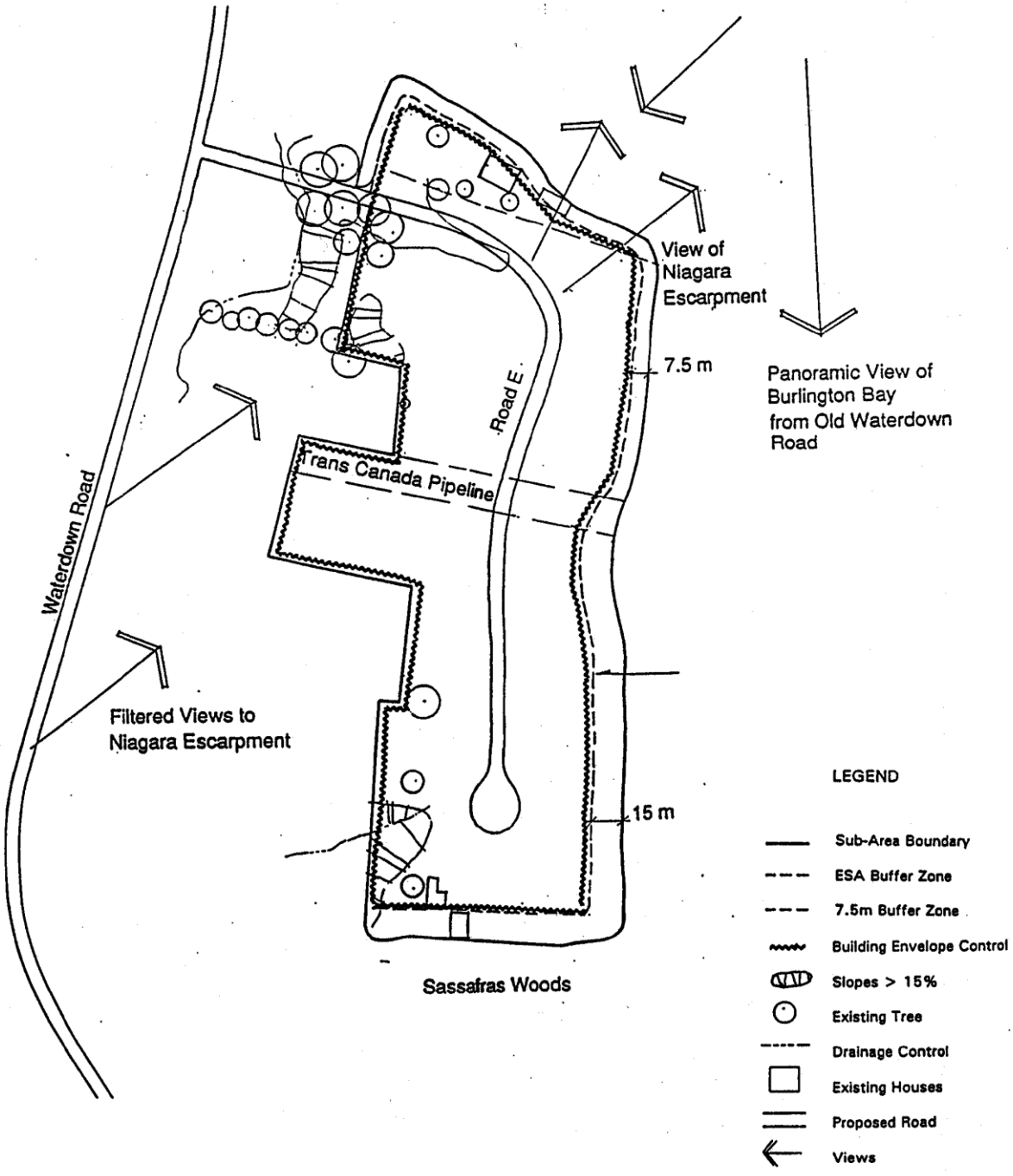
NORTH ALDERSHOT
CENTRAL SECTOR
Sub-Area 2b



The 7.5m and ESA buffers are part of the Environmental Protection Area.

SCHEDULE D-C3

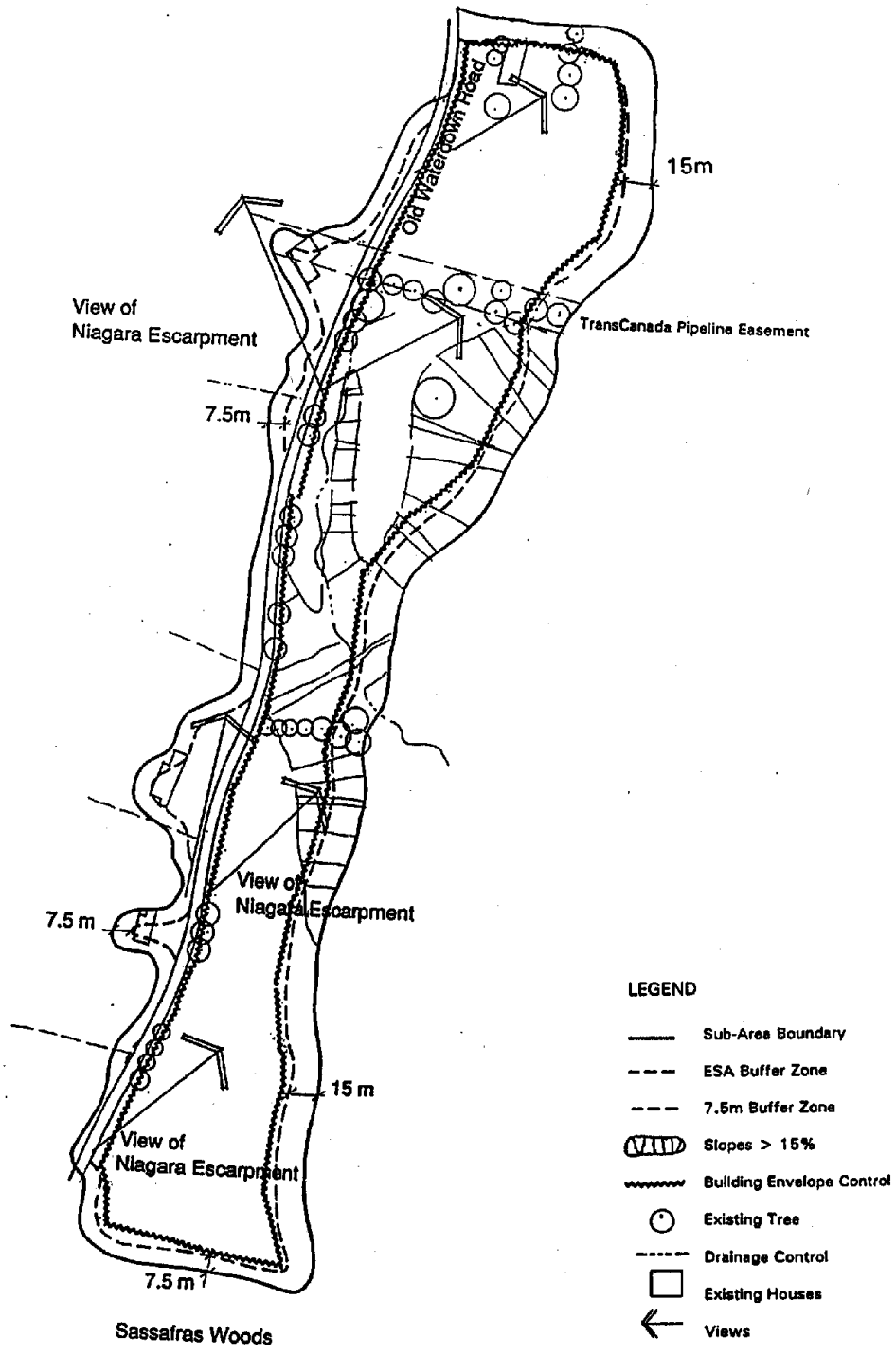
NORTH ALDERSHOT
CENTRAL SECTOR
Sub-Area 3



The 7.5m and ESA buffers are part of the Environmental Protection Area.

SCHEDULE D-C4

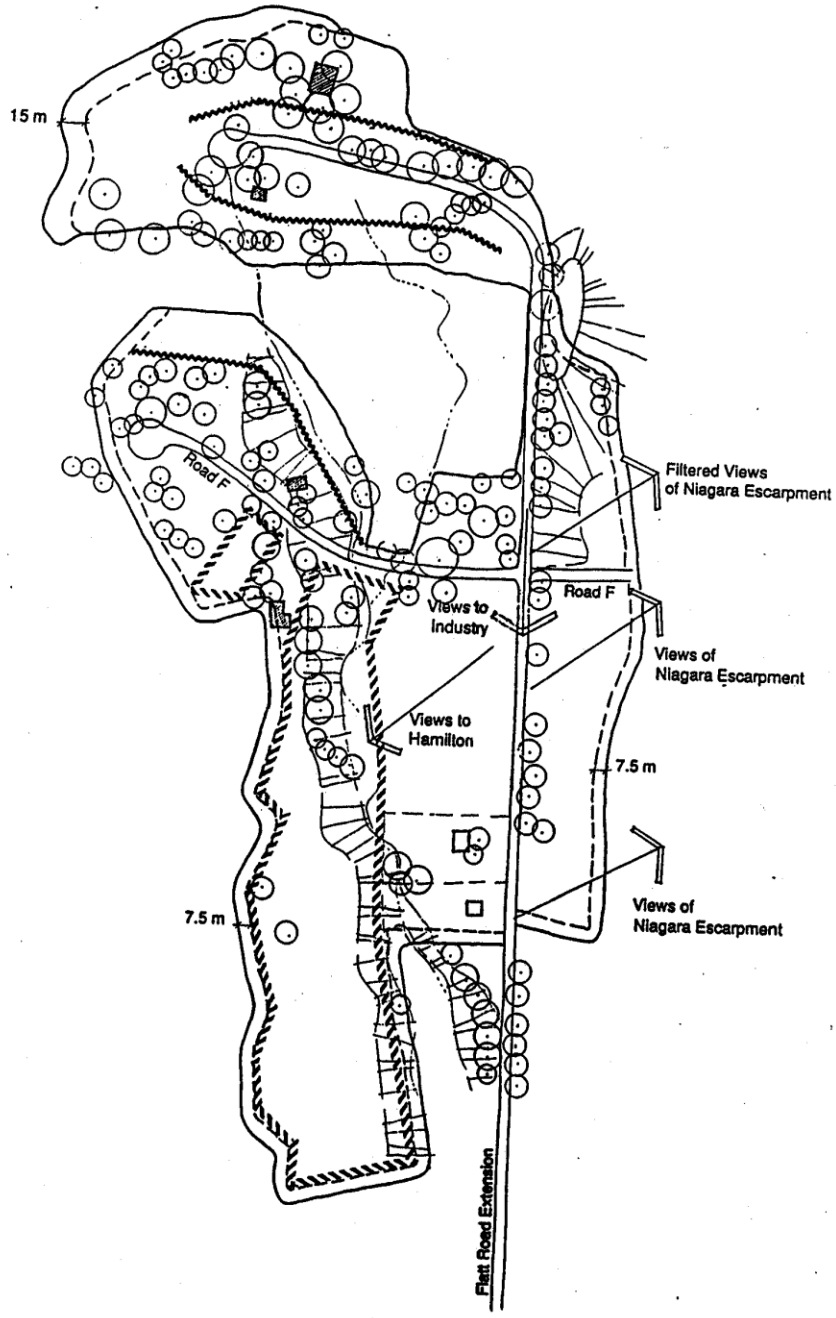
NORTH ALDERSHOT
CENTRAL SECTOR
Sub-Area 4



The 7.5m and ESA buffers are part of the Environmental Protection Area.

SCHEDULE D-C5

NORTH ALDERSHOT
CENTRAL SECTOR
Sub-Area 5



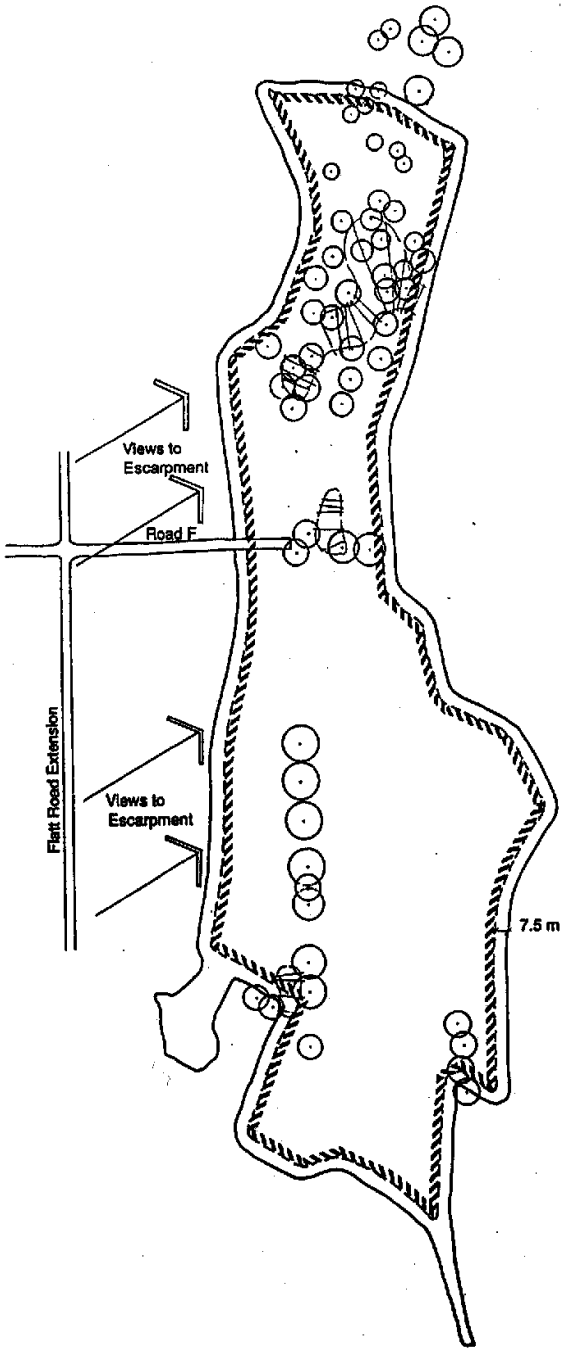
LEGEND

- Sub-Area Boundary
- ESA Buffer Zone
- 7.5m Buffer Zone
- Slopes > 15%
- Site Plan Control
- Building Envelope Control
- Existing Tree
- Drainage Control
- Existing Houses
- Heritage Feature
- Proposed Road
- Views

The 7.5m and ESA buffers are part of the Environmental Protection Area.

SCHEDULE D-C6

NORTH ALDERSHOT
CENTRAL SECTOR
Sub-Area 6



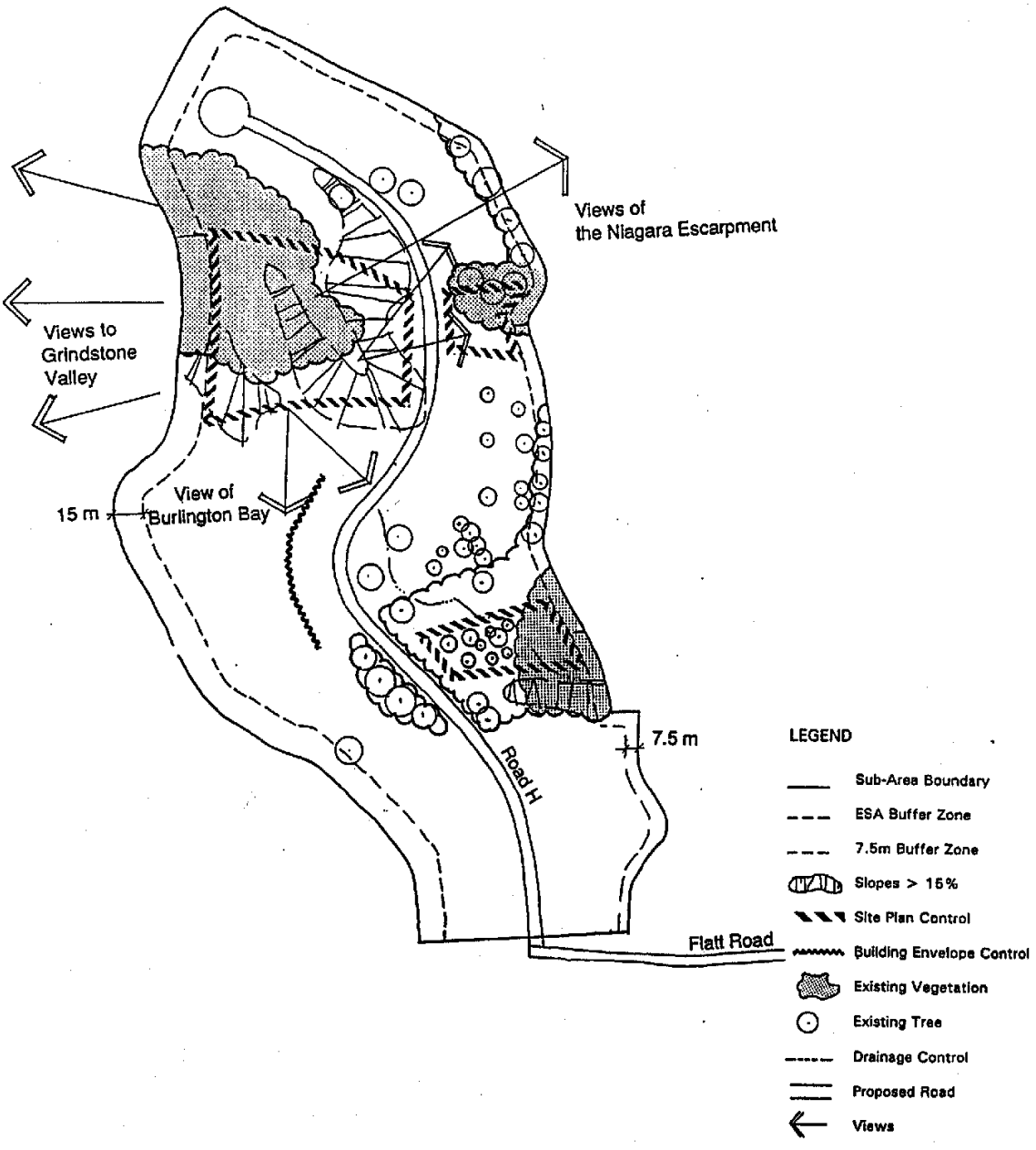
LEGEND

- Sub-Area Boundary
- 7.5m Buffer Zone
- Slopes > 15%
- Site Plan Control
- Existing Tree
- Drainage Control
- Proposed Road
- Views

The 7.5m and ESA buffers are part of the Environmental Protection Area.

SCHEDULE D-C7

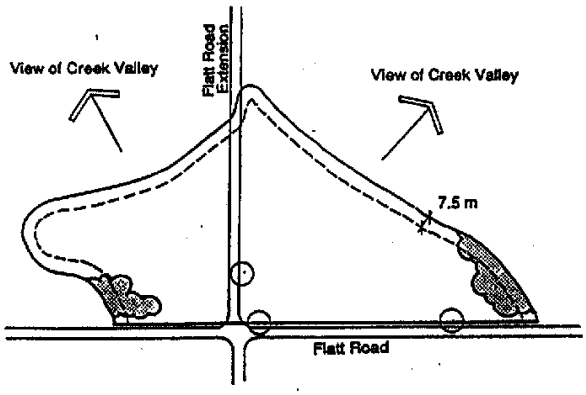
NORTH ALDERSHOT
CENTRAL SECTOR
Sub-Area 7



The 7.5m and ESA buffers are part of the Environmental Protection Area.

SCHEDULE D-C8

NORTH ALDERSHOT
CENTRAL SECTOR
Sub-Area 8



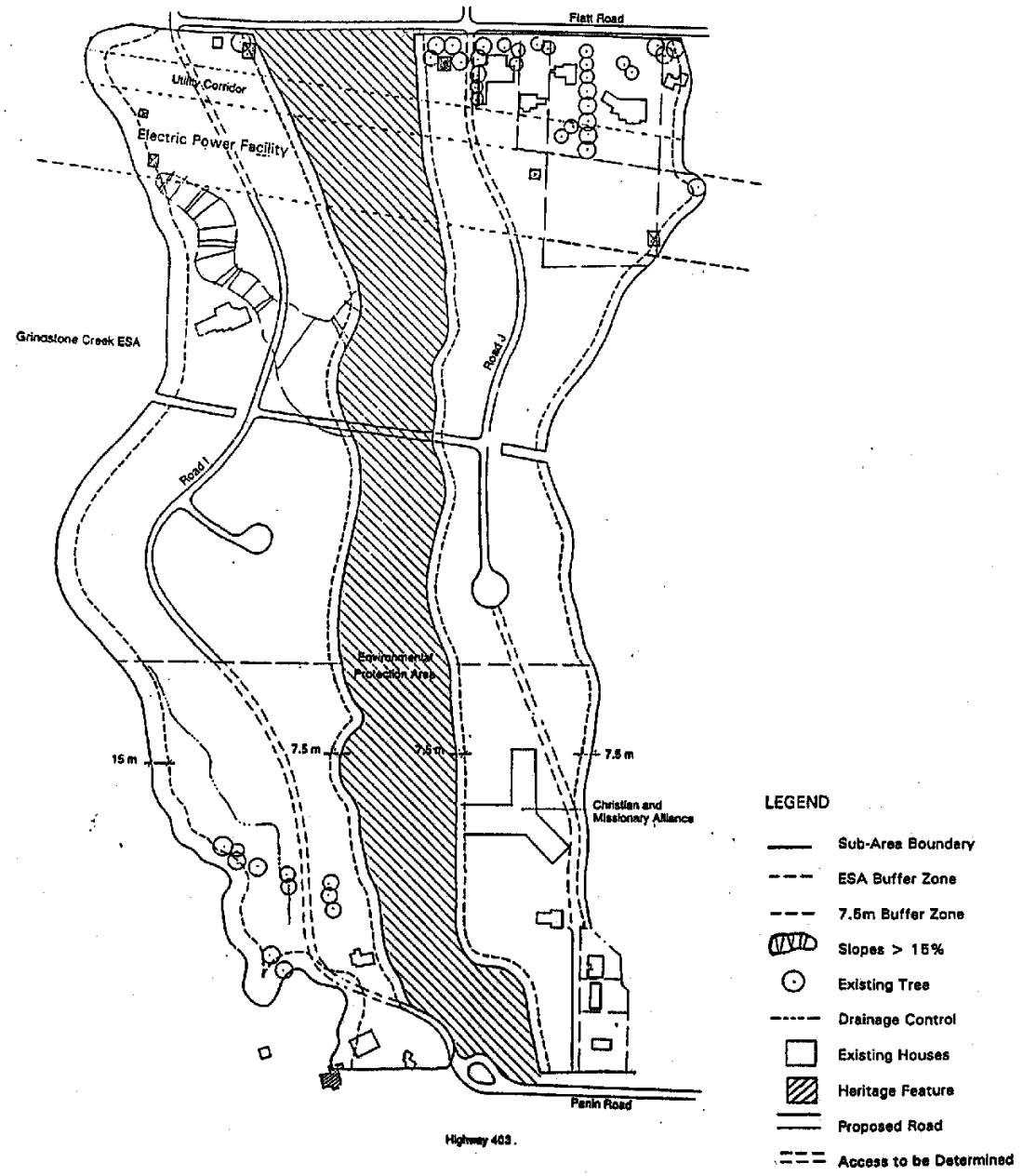
LEGEND

- Sub-Area Boundary
- 7.5m Buffer Zone
- Existing Vegetation
- Existing Tree
- Views

The 7.5m and ESA buffers are part of the Environmental Protection Area.

SCHEDULE D-C9

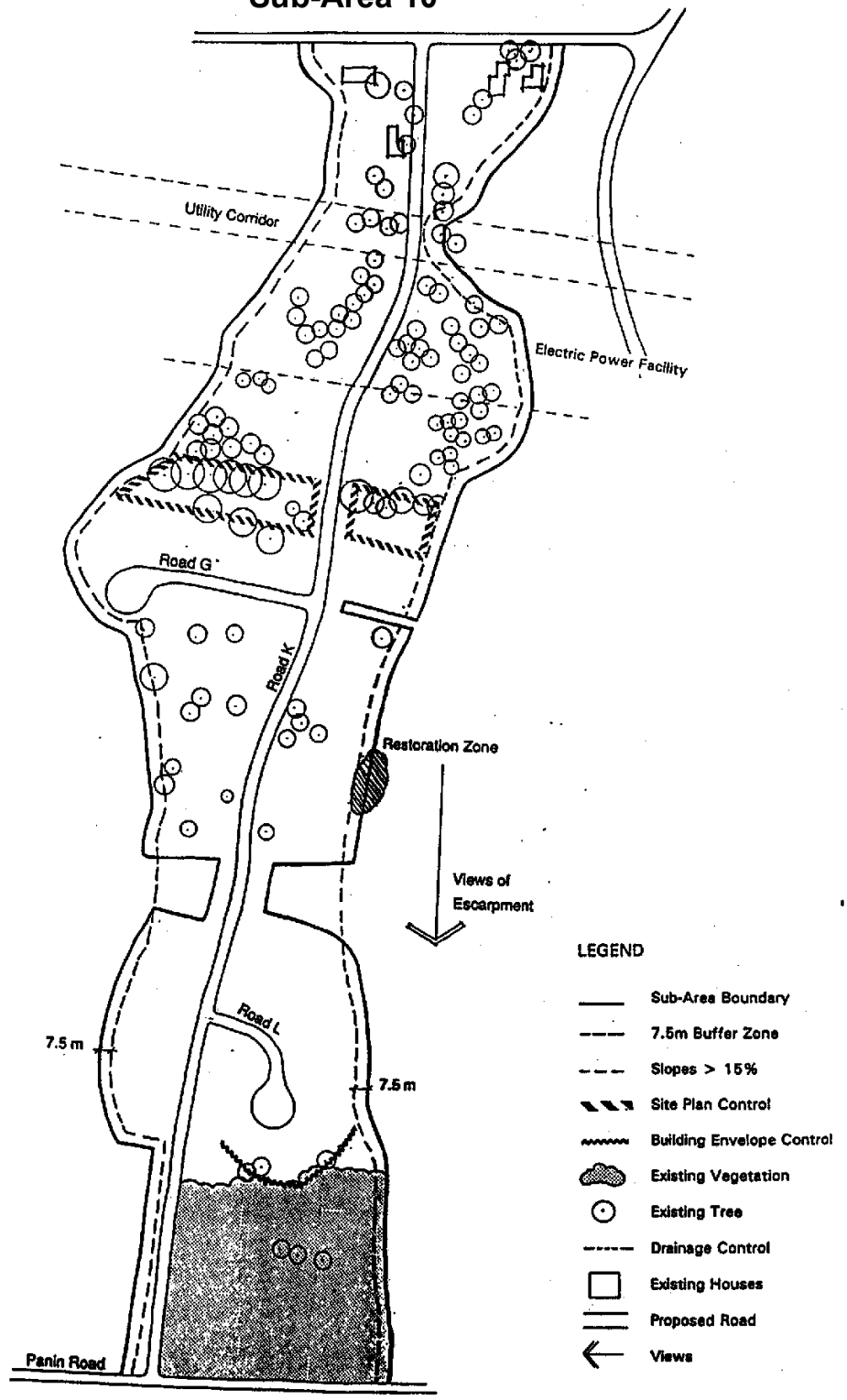
NORTH ALDERSHOT CENTRAL SECTOR Sub-Area 9



The 7.5m and ESA buffers are part of the Environmental Protection Area.

SCHEDULE D-C10

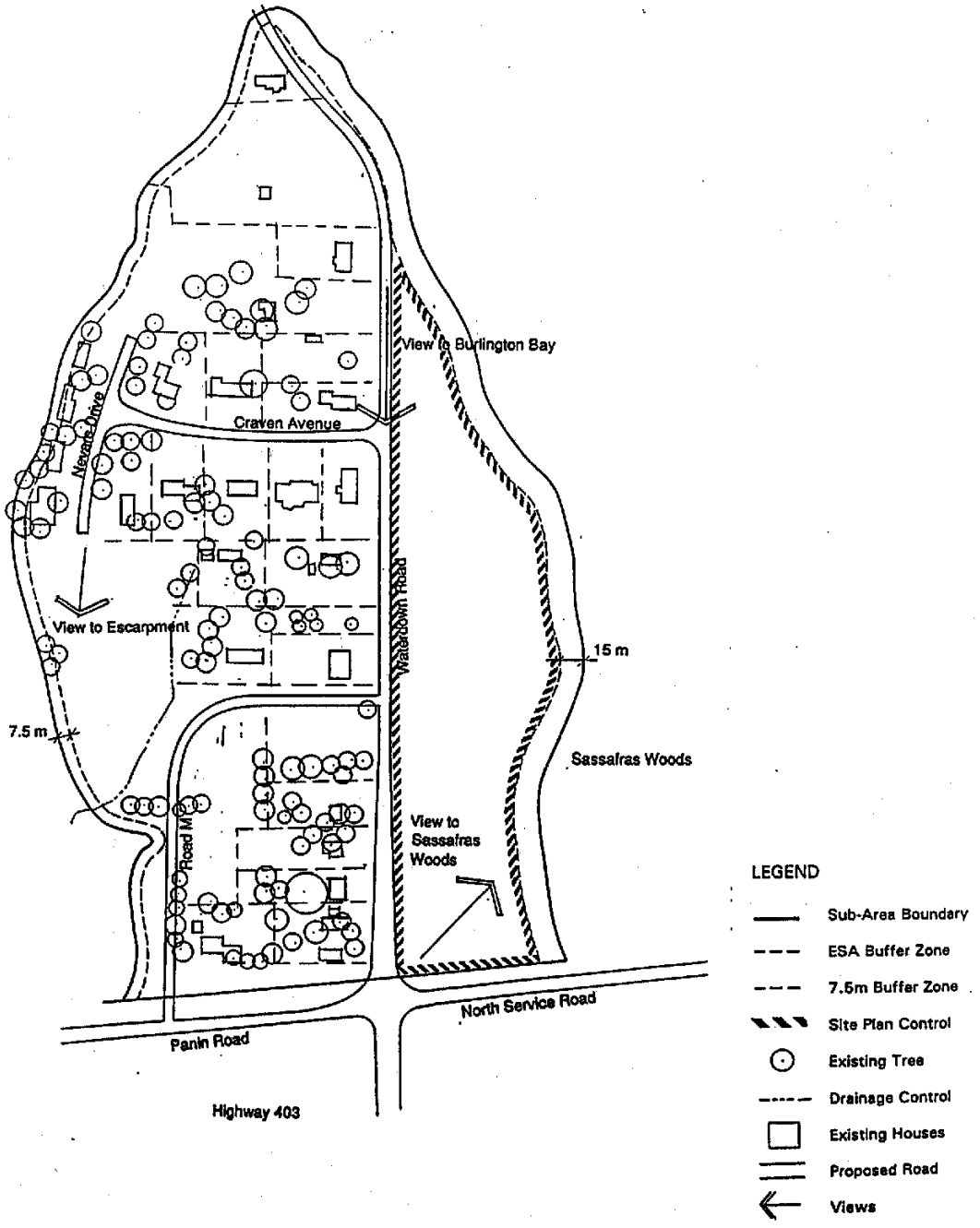
NORTH ALDERSHOT CENTRAL SECTOR Sub-Area 10



The 7.5m and ESA buffers are part of the Environmental Protection Area.

SCHEDULE D-C11

NORTH ALDERSHOT CENTRAL SECTOR Sub-Area 11

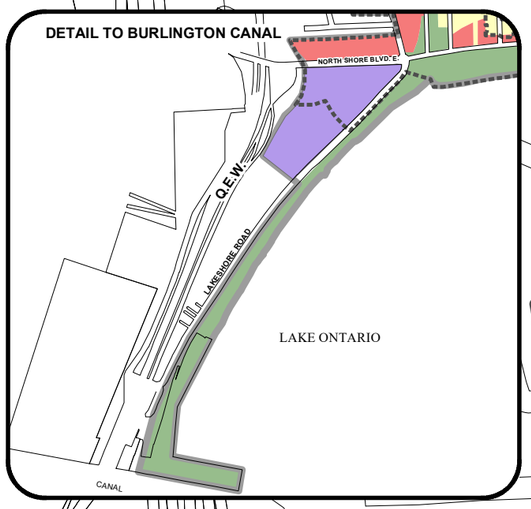


The 7.5m and ESA buffers are part of the Environmental Protection Area.

SCHEDULE E

DOWNTOWN MIXED USE CENTRE
Land Use Plan

Note: For lands outside of the Downtown Mixed Use Centre, refer to Schedule B.



SABLE DR.
FREEMAN ST.
MAPLE CROSSING BLVD.
BALDWIN ST.
EDEN PL.
HALIFAX PL.
LOCUST ST.
VICTORIA AVE.
BELLWOOD AVE.
WELLINGTON AVE.
EMERALD CRES.
EMERALD ST.
BIRCH AVE.
CLARK AVE.
HAGER AVE.
HURD AVE.
MARIA ST.
HOLTBY AVE.
CROSBY AVE.
WOODLAND AVE.
LORNE ST.
NEW ST.
ONTARIO ST.
BURLINGTON AVE.
JOHN ST.
ELIZABETH ST.
JAMES ST.
SMITH AVE.
ELGIN ST.
PEARL ST.
MARTHA ST.
HARRIS CRES.
BELLVIEW ST.
BROCK AVE.
NELSON AVE.
PINE ST.
STRATHEDEN DR.
NORTH SHORE BLVD. E
A
B
C
OLD LAKESHORE RD.
LAKE ONTARIO
Q.E.W.
LAKESHORE RD.
SEE INSET MAP FOR DETAILS TO BURLINGTON CANAL

*NOTE: For information on Deferrals and Referrals (*D or *R), please see the Explanatory Notes of the Official Plan.*

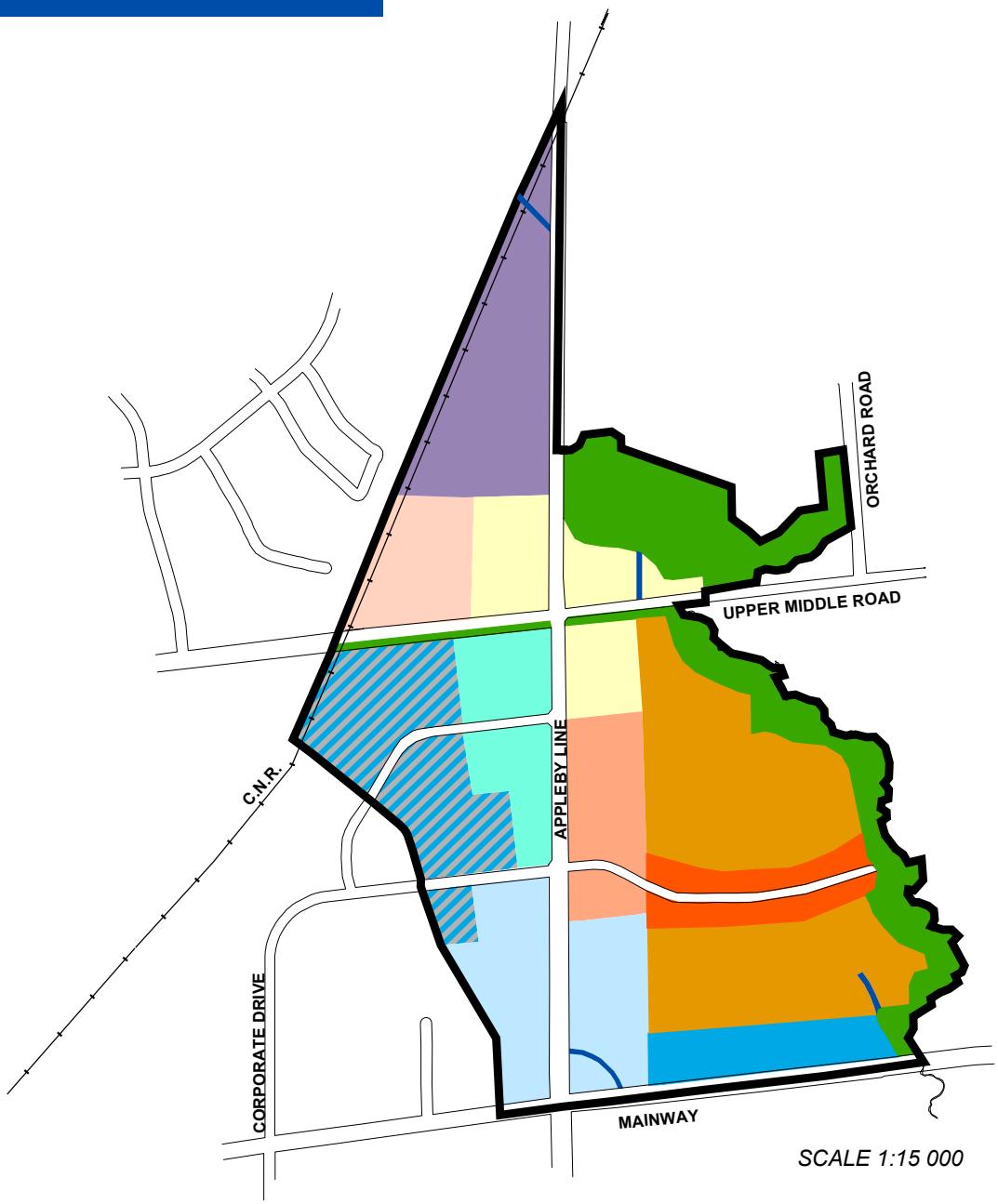
Legend

- St. Luke's Neighbourhood Precinct
- Emerald Neighbourhood Precinct
- Downtown Residential - Medium and/or High Density Precincts
- Waterfront West / Public Lands Precinct
- Old Lakeshore Road Mixed Use Precinct
- Downtown Core Precinct
- Wellington Square Mixed Use Precinct
- Downtown Major Institutional
- Watercourse
- Boundary of Downtown Mixed Use Centre
- Downtown Urban Growth Centre Boundary (Within the Downtown Mixed Use Centre)

JULY 2024

SCHEDULE F

UPTOWN MIXED USE CENTRE
Land Use Plan



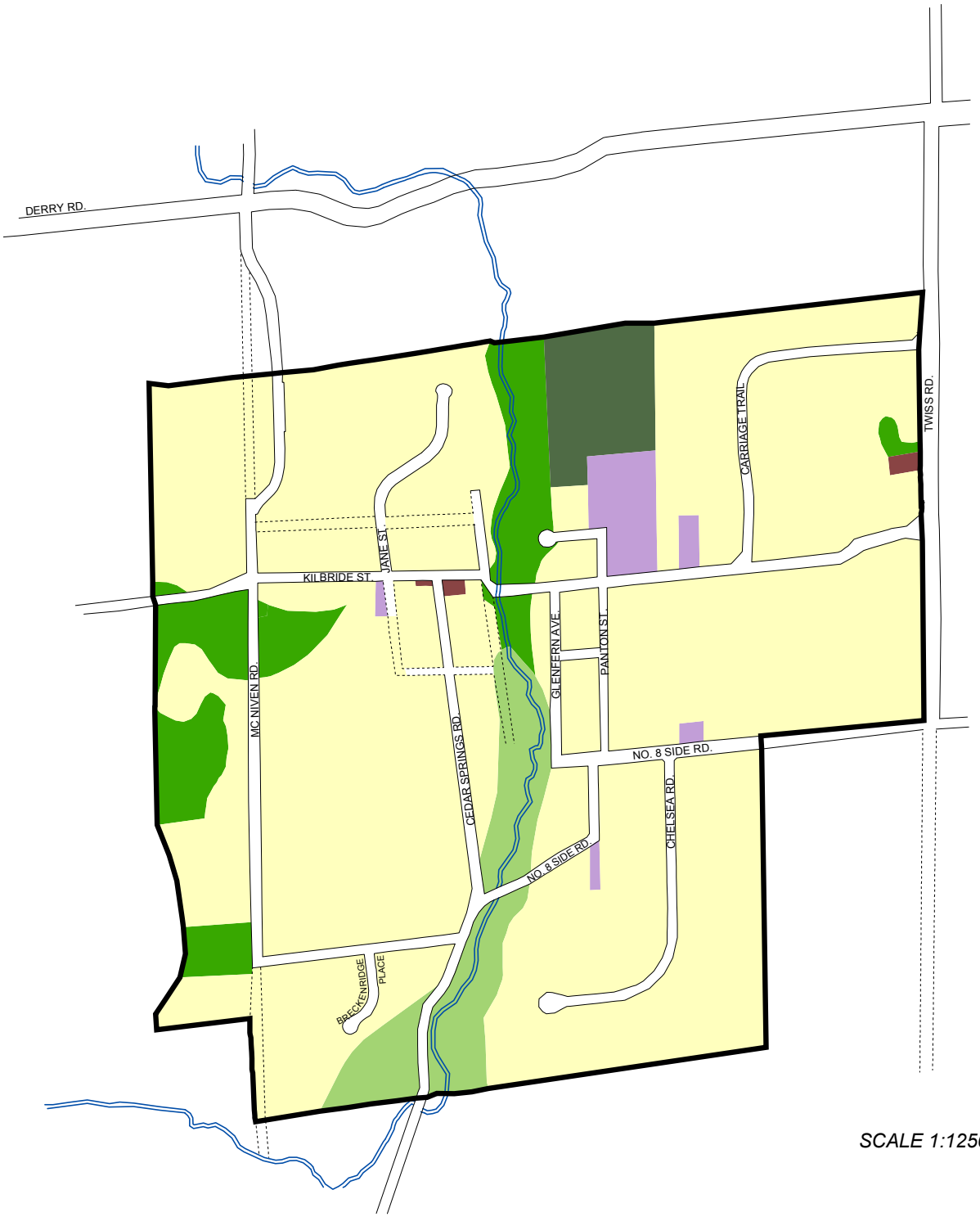
Legend

- Mixed Use Centre Planning Area
- Uptown Commercial / Residential I
- Uptown Commercial / Residential II
- Uptown Commercial / Residential III
- Uptown Medium Density Residential
- Uptown High Density Residential
- Watercourse
- Uptown Commercial
- Uptown Employment
- Uptown General Employment
- Uptown Office Business Park
- Uptown Mixed Use Corridor Employment
- Open Space

JUNE 2011

SCHEDULE G

KILBRIDE SETTLEMENT AREA
Land Use Plan



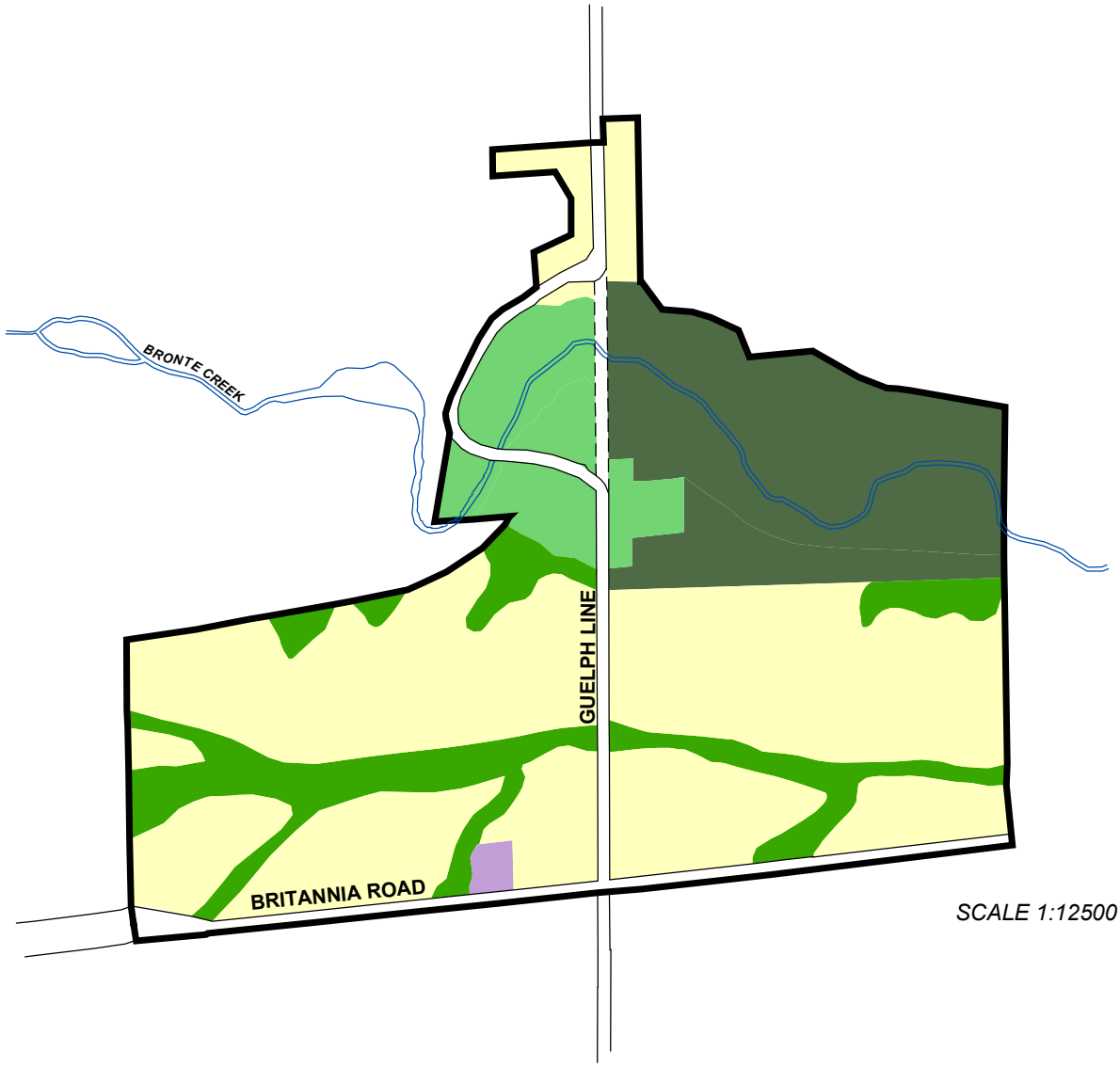
Legend

- Settlement Area Boundary
- Residential
- Commercial
- Institutional
- Park
- Open Space
- Greenlands

JUNE 2011

SCHEDULE H

LOWVILLE SETTLEMENT AREA
Land Use Plan



SCALE 1:12500

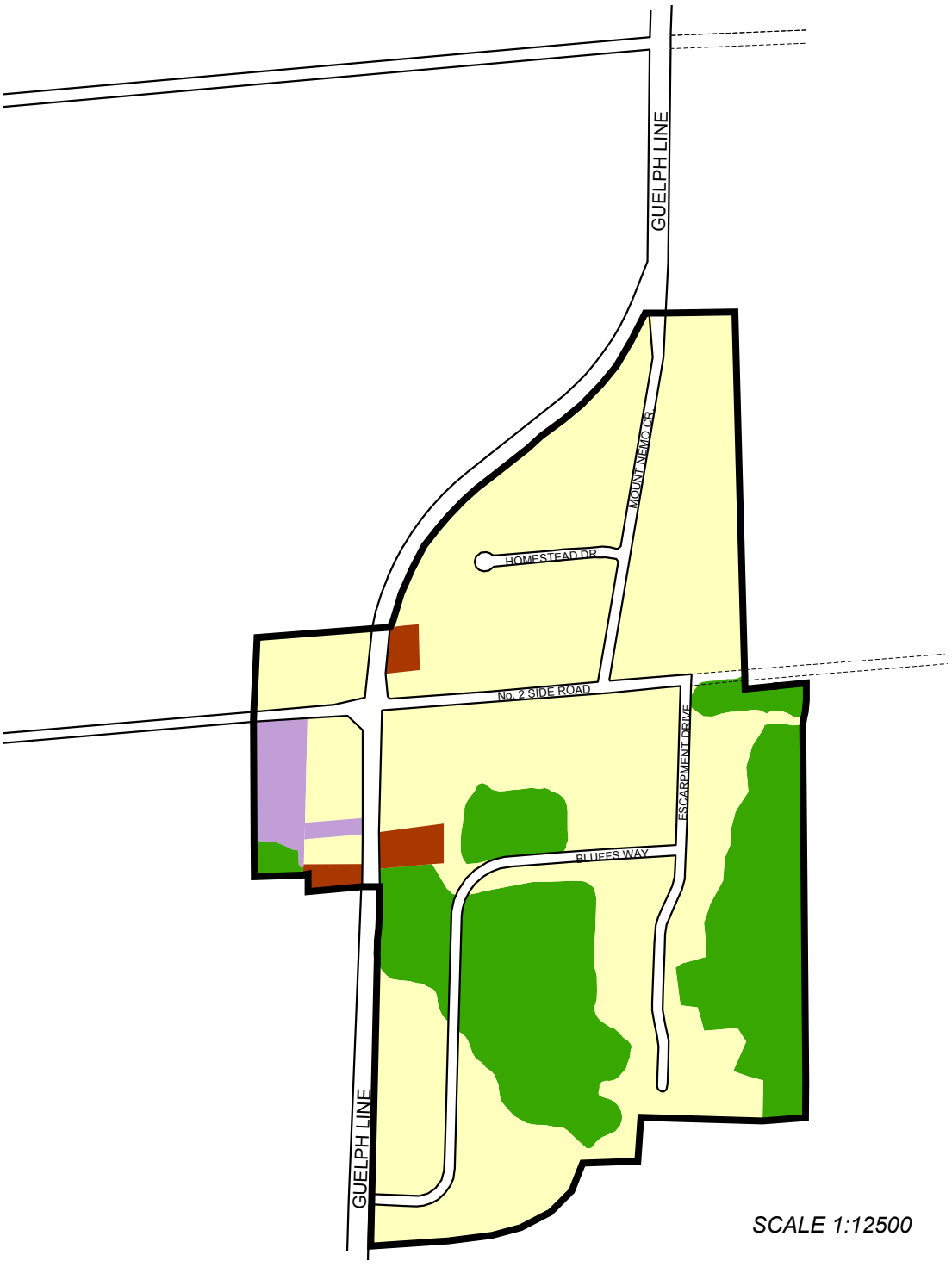
Legend

- Settlement Boundary Area
- Residential
- Greenlands
- Institutional
- Open Space
- Park

JUNE 2011

SCHEDULE I

MOUNT NEMO SETTLEMENT AREA
Land Use Plan



SCALE 1:12500

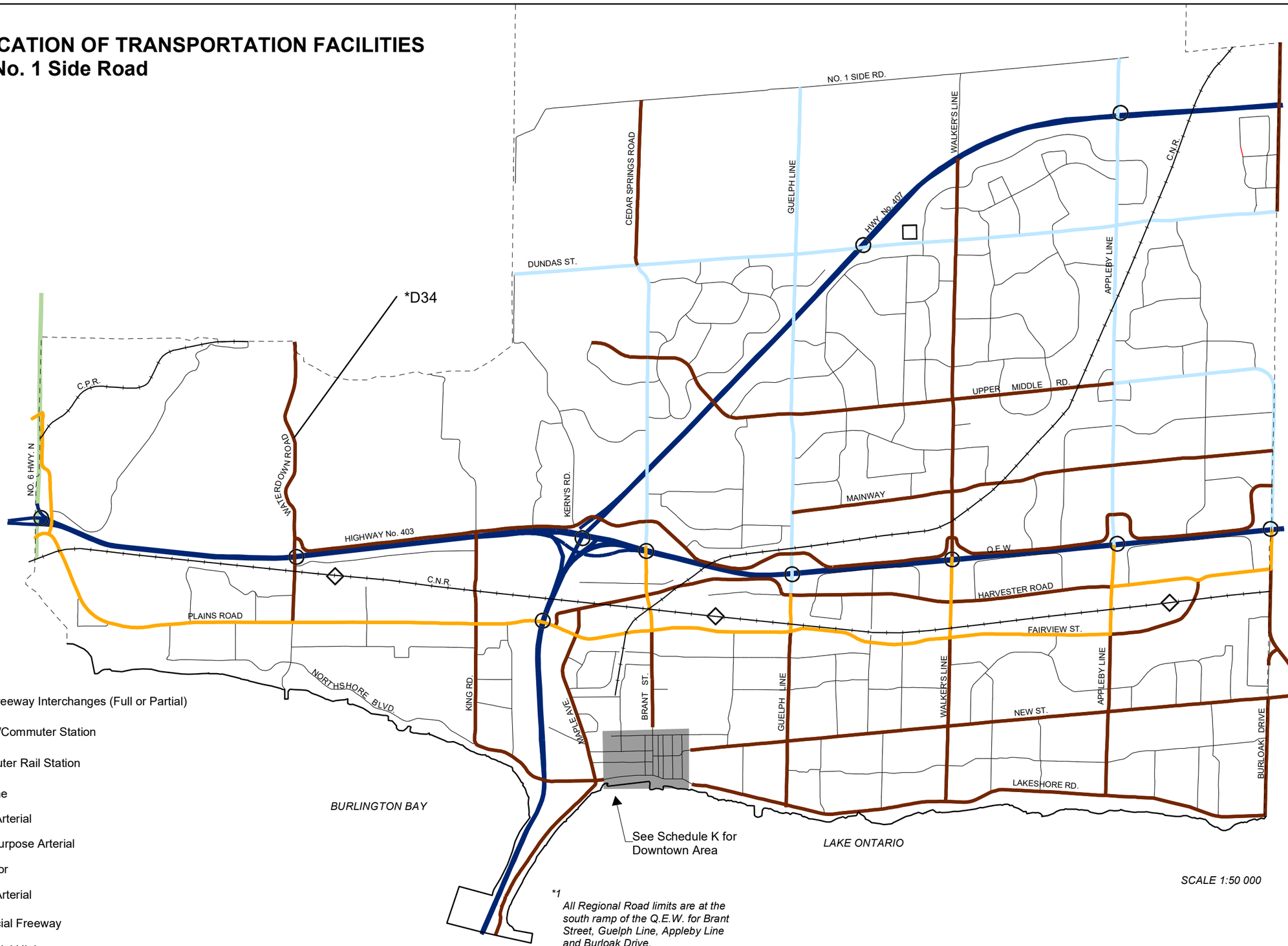
Legend

- Settlement Area Boundary
- Residential
- Open Space
- Commercial
- Institutional

JUNE 2011

Schedule J

CLASSIFICATION OF TRANSPORTATION FACILITIES
South of No. 1 Side Road



Legend

- Prov Freeway Interchanges (Full or Partial)
- Transit/Commuter Station
- Commuter Rail Station
- Rail Line
- Minor Arterial
- Multi-Purpose Arterial
- Collector
- Major Arterial
- Provincial Freeway
- Provincial Highway
- Special Street (Tremaine Dundas Community)

SCALE 1:50 000

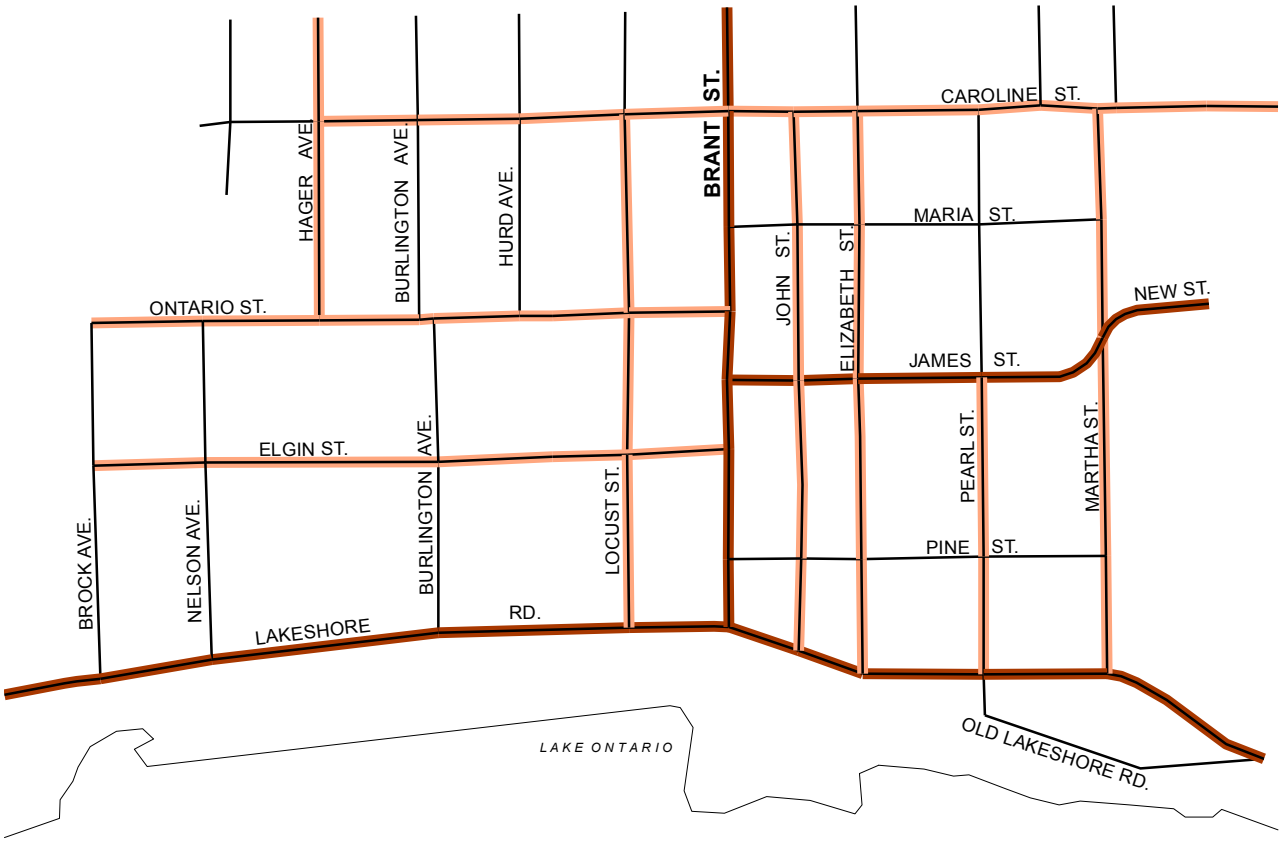
**1 All Regional Road limits are at the south ramp of the Q.E.W. for Brant Street, Guelph Line, Appleby Line and Burloak Drive.*

N

JULY 2024

SCHEDULE K

CLASSIFICATION OF TRANSPORTATION FACILITIES
Downtown Area



SCALE 1: 7500

Legend

Minor Arterial

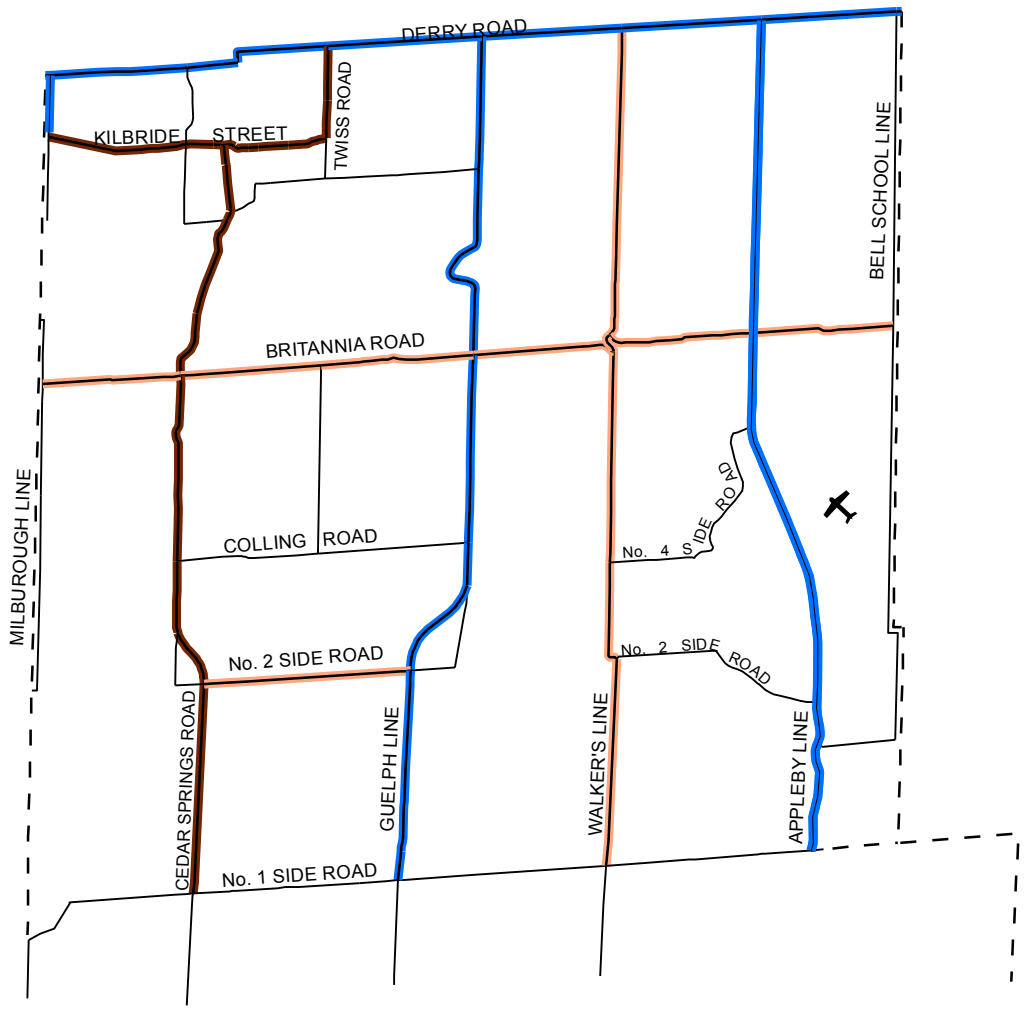
Collector

Other roads are classified as local roads

DATE: OCTOBER 2006

SCHEDULE L

CLASSIFICATION OF TRANSPORTATION FACILITIES
No. 1 Side Road to Derry Road



SCALE 1: 75000

Legend

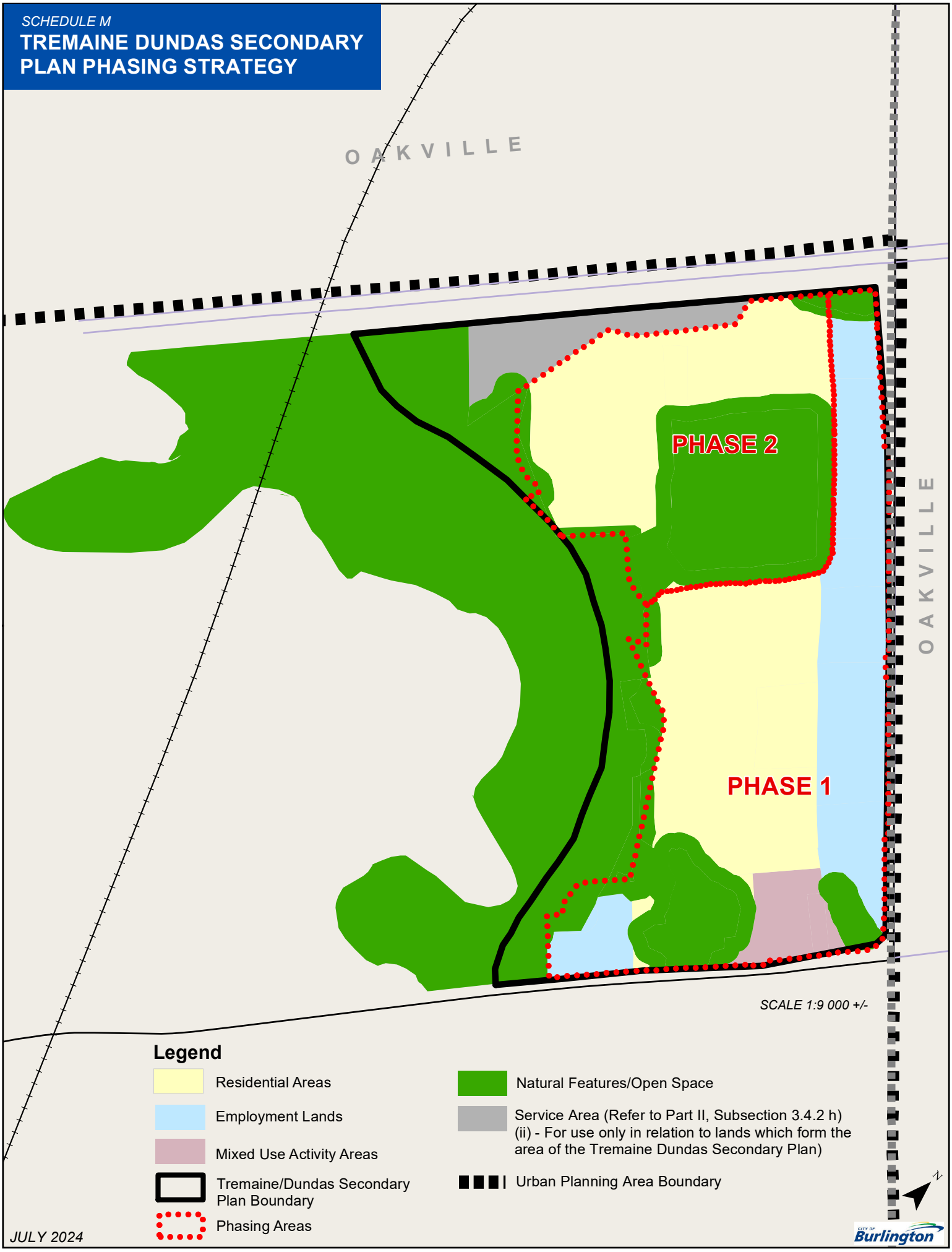
- Major Arterial
- Minor Arterial
- Collector
- Air Park

Other roads are classified as local roads

OCTOBER 2006

SCHEDULE M

TREMAINE DUNDAS SECONDARY PLAN PHASING STRATEGY



Accessory Drive-Through - An amenity to a primary use whereby goods or services are provided, either wholly or in part, to customers located within a motor vehicle. OPA 107

Accessory Dwelling Unit - A self-contained second *dwelling unit* created through converting part of or adding on to an existing detached *dwelling unit*. OPA 55

Accessory Building or Structure - A detached building or structure, the use of which is naturally and normally incidental to, subordinate to, or exclusively devoted to a principal use or building and located on the same *lot* and that is not used for human habitation.

Accessory Use - The use of any land, building or structure which is subordinate to and exclusively devoted to the principal use located on the same *lot*.

Active Transportation- Human-powered travel, including but not limited to, walking, cycling, inline skating and travel with the use of mobility aids, including motorized wheelchairs and other power-assisted devices moving at a comparable speed. OPA 107

Adjacent Lands OPA 55

(a) For the purposes of Part II, Section 2.0, Sustainability and the Environment, those lands contiguous to a specific *natural heritage feature or area* where it is likely that *development* or *site alteration* would have a negative impact on the feature or area. Adjacent lands are deemed to be those lands that are:

- Within 120 m of a *Provincially Significant Wetland* as identified by the Ministry of Natural Resources;
- Within 50 m of a Greenlands or Watercourse designation on Schedule B, Comprehensive Land Use Plan – Urban Planning Area;
- Within 50 m of a Greenlands designation on Schedule C, Comprehensive Land Use Plan – Rural Planning Area;
- Within 50 m of an Environmental Protection designation on Schedule D, Comprehensive Land Use Plan – North Aldershot Planning Area;
- Within 50 m of a *Regionally Significant Wetland*;
- Within 50 m of an area designated as an *Environmentally Sensitive Area*;
- Within 50 m of a *Significant Woodland;* or,
- Within 50 m of the significant portions of the habitat of *endangered and threatened species*, as determined by the Ministry of Natural Resources and refined from time to time.

(b) For the purposes of Part II, Section 8.0, Cultural Heritage Resources, those lands contiguous to a property protected under The Ontario Heritage Act.

Adult Entertainment – Any premise or part thereof in or on which is provided in pursuance of a trade, calling, business or occupation, or to which an admittance or other fee is required, service of an employee, entertainer or other person who exposes to view any portion of the nipple or areola of the female breast or any portion of his or her public hair, anus, cleft of the buttocks, penis, vulva or genitals, or any other service designed to appeal to erotic or sexual appetites or inclinations. OPA 61

Adverse Effects – One or more of the following: OPA 55

1) Impairment in the quality of the natural environment for any use that can be made of it;
2) Injury or damage to property or plant or animal life;
3) Harm or material discomfort to any person;
4) Any adverse effect on the health of any person;
5) Impairment of the safety of any person;
6) Rendering any property or plant or animal life unfit for human use;
7) Loss of enjoyment of normal use of property;
8) Interference with normal conduct of business.

Affordable Housing - Housing with market price or rent that is affordable to households of low and moderate income spending 30 percent of their gross household income without government subsidies. Such households would be able to afford, at the low end, at least three out of ten rental properties on the market and, at the high end, ownership housing with sufficient income left, after housing expenses, to sustain a basic standard of living. OPA 55

Agriculture or Agricultural Industry or Agricultural Operation or Farming - Animal husbandry, horticulture, beekeeping, dairying, field crops, fruit farming, fur farming, market gardening, pasturage, poultry keeping, mushroom farming, aquaculture, agro-forestry or any other farming activity and *may* include growing, raising, small scale packing and storing of produce on the premises, woodlot management and other similar activities customarily carried out in the field of general agriculture.

Airport – A complex of runways and buildings for the take-off, landing and maintenance of civil aircraft, with facilities for passengers. OPA 55

Amenity Area - An interior area within a residential building or an outdoor area exterior to the residential building which is designed and intended primarily for the leisure and recreation of the occupants of the dwelling.

Archaeological Resource - Includes artifacts, archaeological sites and marine archaeological sites. The identification and evaluation of such resources are based upon archaeological fieldwork undertaken in accordance with The Ontario Heritage Act. OPA 55

Area of Employment – An area of land designated for clusters of business and economic uses, including, without limitation: OPA 55

(1) manufacturing uses;

(2) warehousing uses;

(3) office uses;

(4) retail uses that are associated with, and *accessory* to, the uses mentioned in clauses (a) to (c) above. For the purposes of this Plan, the lands designated Business Corridor, General Employment, Mixed Use Corridor – Employment, Uptown Employment, Uptown General Employment and Uptown Office Business Park are considered to be Areas of Employment.

Areas of Natural and Scientific Interest - Areas of land and water containing natural landscapes or features that have been identified by the Ministry of Natural Resources, Conservation Halton, Region of Halton or City of Burlington as having provincially or regionally significant life science or earth science values related to protection, scientific study or education. OPA 55

Assisted Housing - Housing that is available to low and moderate income households for rent or purchase where part of the housing cost is subsidized through a government program.

Automotive Commercial – Means retail uses involving the sale of automobiles and *service commercial* uses involving the repair and maintenance of automobiles and the sale of gasoline or similar products and *shall* include motor vehicle dealerships, repair garages, car washes and service stations.

Bed and Breakfast Home – An owner-occupied detached dwelling offering short-term lodging for compensation to the traveling and vacationing public. Guest rooms or suites *shall* be limited to a maximum of three, and *may* include a private bath but *shall* not include cooking facilities. Breakfast and other meals, services, facilities or amenities *may* be offered exclusively to guests. OPA 55

Brownfield Site – An undeveloped or previously developed property that *may* be *contaminated*. Brownfield sites are usually, but not exclusively, former industrial or commercial properties that *may* be underutilized, derelict or vacant. OPA 55

Buffer– For use only in relation to lands which form the area of the Tremaine Dundas Secondary Plan: OPA 107
An area of land located adjacent to *Key Features* or *watercourses* and usually bordering lands that are subject to *development* or *site alteration*. The purpose of the *buffer* is to protect the features and *ecological functions* of the *Natural Heritage System* by mitigating impacts of the proposed *development* or *site alteration*. The extent of the *buffer* and activities that *may* be permitted within it *shall* be based on the sensitivity and significance of the *Key Features* and *watercourses* and their contribution to the long term ecological functions of the *Natural Heritage System* Natural Heritage System as determined through a Sub-Watershed Study, and Environmental Impact Assessment or similar studies that examine a sufficiently large area.

Built Heritage Resources – One or more significant buildings, structures, monuments, installations or remains associated with architectural, cultural, social, political, economic or military history and identified as being important to a community. These resources *may* be identified through designation or heritage conservation easement under The Ontario Heritage Act, or listed by local, provincial or federal jurisdictions. OPA 55

Campground - An area used for a range of overnight accommodation, from tenting to serviced trailer sites, including *accessory* facilities which support the use, such as administration offices, laundry facilities, washrooms, support recreational facilities, but not including the use of mobile homes, trailers or other forms of moveable shelter on a permanent year-round basis.

Carrying Capacity - The maximum population of a particular species an area of land can support without hindering future generations' ability to maintain the same population. OPA 55

Cemetery – Land that has been established as a cemetery under The Funeral, Burial and Cremation Services Act or under a predecessor or successor of that Act, and in respect of which a certificate of consent issued by the registrar is registered in the land registry office; or land that is otherwise set aside to be used either for the interment of human and/or animal remains, or for both of these purposes, but does not include a *crematory.* OPA 55

City – The Council of the Corporation of the City of Burlington; or alternatively where an approval power has been delegated by the City of Burlington Council, the delegated approval authority or the administration of the Corporation of the City of Burlington. OPA 107

Commercial Farm - A farm which is deemed to be a viable farm operation and which normally produces sufficient income to support a farm family.

Community Commercial Area – A commercial centre that offers a wide range of retail and *service commercial* uses, and *community facilities* not generally found within residential communities. These commercial areas are smaller in size and function to a Regional Commercial Centre and serve as a focal point for community activity for the surrounding residential and business areas. OPA 55

Community Facility – A facility provided by a service agency, service club, church or non-profit organization for social, cultural, religious, welfare, athletic or *recreational* purposes. OPA 55

Community Improvement Plan - A plan adopted and approved under Section 28 of The Planning Act for community improvement of a *community improvement project area.*

Community Improvement Project Area - A municipality or an area within a municipality, the community improvement of which, in the opinion of the City, is desirable because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic development reason. OPA 55

Compatible – *Development* or *re-development* that is capable of co-existing in harmony with, and that will not have an undue physical (including form) or functional adverse impact on, existing or proposed *development* in the area or pose an unacceptable risk to environmental and/or human health. Compatibility *should* be evaluated in accordance with measurable/objective standards where they exist, based on criteria such as aesthetics, noise, vibration, dust, odours, traffic, safety and sun-shadowing, and the potential for serious adverse health impacts on humans or animals. ***D53** OPA 55

Contaminated Site - A site at which hazardous substances occur at concentrations above background levels and where assessment shows it poses, or is likely to pose, immediate or long-term adverse effects to human health or the natural environment. OPA 55

Context Sensitive Design - Roadway standards and *development* practices that are flexible and sensitive to community values, which allows roadway design decisions to better balance economic, social and environmental objectives. OPA 55

Convenience/ Specialty Food Store – A retail establishment with a maximum size of 1,800 sq. m., selling various convenience and food items, such as meat, fish and seafood, fruit and vegetables, bakery items, candy/nuts, health food, etc. OPA 55

Conservation or Conserve - The identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained under The Ontario Heritage Act. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/ or cultural heritage impact assessment or cultural heritage landscape impact assessment. Mitigative measures and/or alternative *development* approaches can be included in these plans and assessments. OPA 107

Cottage Industry - An activity conducted as an *accessory use* within a single detached dwelling or in an addition to the dwelling or an accessory building not further than 30 m from the dwelling and serviced by the same private water and wastewater systems, performed by one or more residents of the household on the same property. A cottage industry *may* include activities such as dressmaking, upholstering, weaving, baking, ceramic-making, painting, sculpting and the repair of personal effects. OPA 55

Crematory – A building fitted with appliances for the purpose of cremating human remains that has been approved or consented to as a crematorium in accordance with The Funeral, Burial and Cremation Service Act or of a predecessor or successor of that Act that related to *cemeteries*, and includes everything necessarily incidental and ancillary thereto. OPA 55

Culture - A broad term that includes both material and experiential forms of creative expression or production. It includes the arts, heritage, festivals and events, and cultural services and industries. OPA 55

Cultural Heritage Landscape – A defined geographical area of heritage significance, which has been modified by human activities and is valued by a community. It involves a grouping(s) of individual heritage features such as structures, spaces, archaeological sites and natural elements, which together form a significant type of heritage form, distinctive from that of its constituent elements or parts. Examples *may* include, but are not limited to, heritage conservation districts designated under The Ontario Heritage Act, and villages, parks, gardens, battlefields, main streets and neighbourhoods, cemeteries, trailways and industrial complexes of cultural heritage value. OPA 55

Cultural Heritage Resource – A building, structure, monument, natural feature (including those that have been modified by humans, such as parks, gardens, rows of trees, etc.), an archaeological and historical site, or remains, either individually or in groups, which is considered to be of architectural and/or historical significance. OPA 55

Cultural Resources - Human or material assets that contribute to or participate in the creation, documentation, and/or dissemination of cultural activities or products. OPA 55

Cumulative Impact - The combined effects or potential effects of one or more *development* activity(s) in a specified area over a particular time period which *may* occur simultaneously, sequentially, or in an interactive manner.

Daylighting – The redirection into an above-ground channel of a segment of a creek or stream that was previously diverted into a culvert, pipe, or drainage system. OPA 55

Design Guidelines - A set of discretionary statements to guide land *development* to achieve a desired level of quality for the physical environment.

Development – (1) The creation of a new *lot*; (2) the making of an addition or alteration to a building or structure; (3) the construction, erection or placing of a building or structure; or (4) the change in use or intensity of use of any building, structure or premises, requiring approval under The Planning Act, but does not include: (1) activities that create or maintain infrastructure authorized under an environmental assessment process; (2) works subject to The Drainage Act; or (3) for the purposes of Section 41 of The Planning Act, the placement of a portable classroom on a school site of a district school board if the school site was in existence on January 1, 2007. OPA 55

Development Application - Formal request to the City of Burlington or Region of Halton for an Official Plan amendment, change in zoning, site plan approval, land conveyance, minor variance approval or plan of subdivision.

Development Capacity - The capacity of a site to support use without substantial negative impact on environmental features such as water quality, natural vegetation, soil, wildlife population and visual attractiveness.

Dwelling Unit – A self-contained room or suite of rooms located in a building or structure that is operated as a housekeeping unit and is used or intended for use as residential premises by one household and which contains kitchen and bathroom facilities that are intended for the exclusive use of that household, except in the case of an institutional residential use, in which case a *dwelling unit shall* mean a room or suite of rooms used or intended for use as residential premises with or without exclusive kitchen and/or bathroom facilities. *Long-term care facilities* are excluded from this definition. OPA 55

Dynamic Beach Hazard - Areas of inherently unstable accumulations of shoreline sediments along the Great Lakes-St. Lawrence River System and large inland lakes, as identified by provincial standards, as amended from time to time. The dynamic beach hazard limit consists of the *flooding hazard* limit plus a dynamic beach allowance. OPA 55

Ecological Functions - The natural processes, products or services that living and non-living environments provide or perform within or between species, *ecosystems* and landscapes. These may include biological, physical and socio-economic interactions. OPA 107

Ecological Health - The ability of the natural environment to withstand or buffer impact from human derived impacts such as air pollution, loss of biodiversity and nutrient loading. Measures of ecological health *may* include indicators such as pollution levels, prevalence of exotic species, water quality, forest age classes and species heterogeneity. Collectively, ecological health *may* also be referred to as the carrying capacity or overall integrity of a natural system. OPA 55

Eco-Industrial Development- Where a "green" approach has been taken towards infrastructure and *development* of the site that enhances environmental, economic, and social performance through collaborative strategies such as coordination of energy and water exchange between users, shared utilities (waste management, energy supply, water supply), shared logistics and shipping & receiving facilities, shared parking, use of innovative green technologies, green buildings and site design and district energy systems. OPA 107

Economic Impact Study- A study measuring how much economic activity will be triggered by a certain *development* or investment (public or private). OPA 55

Ecosystem - Systems of plants, animals, and micro-organisms, together with the non-living components of their environment and related ecological processes, essential for the functioning of the biosphere in all its diversity. OPA 107

Emergency Shelter – A facility that provides supervised temporary lodging, board and/or personal support services to homeless individuals round the clock. OPA 55

Employment - The use of lands for business and economic activities, including, but not limited to, manufacturing, warehousing, offices and ancillary *employment* uses, but does not include retail and service commercial uses unless they are an ancillary *employment* use. OPA 107

Employment Use – The use of lands within a designated Employment, Employment Commercial or Mixed Use Corridor-Employment Area for business and economic activities, including, but not limited to, manufacturing, warehousing, offices and *accessory* retail and ancillary facilities, but does not include retail and *service commercial* uses unless they are *accessory* to *employment uses*. OPA 55

Encourage – Reasonable efforts are made to accommodate the desired result. OPA 55

Endangered Species - A species that is listed or categorized as an “Endangered Species” on the Ontario Ministry of Natural Resources’ official species at risk list, as updated and amended from time to time. OPA 55

Enhancements to the Key Features - For use only in relation to lands which form the area of the Tremaine Dundas Secondary Plan: Ecologically supporting areas adjacent to *Key Features* and/or measures internal to the *Key Features* that increase the ecological resilience and function of individual *Key Features* or groups of *Key Features* or of the *Natural Heritage System*. OPA 107

Entertainment Use – Any place devoted to the presentation of live entertainment and performances or for the commercial showing of films, including such facilities as movie theatre, dinner theatre, supper club or cabaret, but *shall* not include a night club, *adult entertainment* parlour, gaming establishment, or video game & pinball machine arcade. OPA 55

Environmental Evaluation – A report prepared in accordance with established procedures by the proponent of *development* to identify and assess the potential impacts of *development* on a specified ecosystem's form, function, quality and integrity. The purpose of the environmental evaluation is to ensure that the environmental impacts of a proposed *development* are fully understood prior to a decision being made by Council. OPA 55

The Environmental Evaluation Report may include, but is not necessarily limited to, the following:

(1) a complete multi-season inventory and description of the natural heritage, wildlife habitats and their critical function zones, as well as the geologic and hydrologic environment that may be affected, directly or indirectly;

(2) detailed evaluation and mapping of the boundary of designated features and an assessment of their boundaries;

(3) evaluation of landscape features for potential addition to existing designated features, such as an addition to a designated *wetland* complex;

(4) an investigation and impact assessment of habitat for rare species as noted in The Species at Risk Act*;*

(5) an inventory and description of the social/cultural uses of the area that *may* be affected, directly or indirectly;

(6) a description of the *development* proposal, including the purpose, location, land area and proposed use;

(7) an assessment of the expected effects on the environment by the *development* proposal including factors, such as, habitat loss, noise, vibration, dust, air quality, water quality and water quantity;

(8) a listing of assumptions and references used in the assessment;

(9) recommendations regarding the actions necessary to prevent, mitigate or remedy the effects on the environment of the *development* proposal and estimated timelines for *rehabilitation*;

(10) recommendations regarding the actions necessary to prevent, mitigate or remedy potential incompatibility;

(11) recommendations for conditions of *development* that include measures to implement *Sustainable Development* principles. ***D53**

Environmentally Sensitive Area – Land and water areas containing natural features or ecological functions of such significance as to warrant their protection in the best long term interests of the public and the environment, as identified in the Halton Region Official Plan [2006] in accordance with criteria contained in the Regional Plan. OPA 55

Environmental Site Assessment - The evaluation of a property for contamination or environmental hazards. Generally, Environmental Site Assessments are conducted in two phases as outlined by The Environmental Protection Act: OPA 55

- Phase One Environmental Site Assessment means an assessment of property for potential contamination or environmental hazards to determine the likelihood that one or more contaminants have affected all or part of the property;
- Phase Two Environmental Site Assessment means an assessment of property by or under the supervision of a qualified person to determine the location and concentration of one or more contaminants in the natural environment.

Erosion Hazard - The loss of land, due to human or natural processes, that poses a threat to life and property. The erosion hazard limit is determined using considerations that include the 100-year erosion rate (the average annual rate of recession extended over a one hundred year time span), an allowance for slope stability, and an erosion/erosion access allowance. OPA 55

Escarpment Brow - The uppermost point of the Escarpment slope or face. It *may* be the top of a rock cliff, or where the bedrock is buried, the most obvious break in slope associated with the underlying bedrock.

Essential - That which is deemed necessary to the public interest after all alternatives have been considered.

Existing Use - The use of any land, building or structure legally existing on the day of adoption of the appropriate local or Regional Official Plan or in the case of the Parkway Belt West Plan or the Niagara Escarpment Plan Areas, the day of approval of the respective Plans; including any use approved under a Parkway Belt land use regulation.

Farmers Market – A retail establishment consisting of multiple vendors engaged in the retailing of primarily food and plant products, a portion of which are locally grown and/or prepared. OPA 55

Financial Impact Analysis - An evaluation of the marginal and/or average operating costs and revenues to the municipality which are directly associated with residential and/or non-residential *development*.

Fish Habitat – As defined in The Fisheries Act, c. F-14, means spawning grounds and nursery, rearing, food supply, and migration areas on which fish depend directly or indirectly in order to carry out their life processes. OPA 55

Flea Market – A retail establishment consisting of multiple vendors engaged in the retailing of primarily used merchandise, such as furniture, glassware and jewellery**.** OPA 55

Flex Street – Those portions of a public-right-of-way used primarily for vehicular activities which are designed so as to function either wholly or partially, as desired, for vehicular-centric activities and/or pedestrian, public gathering and/or public event functions through the use of design elements including, but not limited to, bollards, flexible on-street parking configurations, pavement materials, enhanced streetscapes and/or modified curbs. OPA 107

Flood Fringe - For river, stream and small inland lake systems, the outer portion of the *floodplain* between the floodway and the flooding hazard limit. Depths and velocities of flooding are generally less severe in the flood fringe than those experienced in the floodway.

Flooding Hazard – The inundation, under the conditions specified below, of areas adjacent to a shoreline or a river or stream system and not ordinarily covered by water: OPA 55

(a) along the shoreline of Lake Ontario, the flooding hazard limit is based on the one hundred year flood level plus an allowance for wave uprush and other water-related hazards;

(b) along river, stream and small inland lake systems, the flooding hazard limit is the greater of:

- the flood resulting from the rainfall actually experienced during a major storm such as the Hurricane Hazel storm (1954) or the Timmins storm (1961) transposed over a specific watershed and combined with the local conditions, where evidence suggests that the storm event could have potentially occurred over *watersheds* in the general area;
- the one hundred year flood; and
- a flood which is greater than 1. or 2. which was actually experienced in a particular *watershed* or portion thereof as a result of ice jams and which has been approved as the standard for that specific area by the Minister of Natural Resources;

(except where the use of the one hundred flood or the actually experienced event has been approved by the Minister of Natural Resources as the standard for a specific *watershed* where the past history of flooding supports the lowering of the standard.)

Floodplain - The area, usually low lands, adjoining a *watercourse*, which has been or *may* be subject to *flooding hazards*.

Floor Area Ratio - FAR - see Floor Space Index.

Floor Space Index – FSI – The ratio of the total floor area of a building or buildings to the net area of the *lot* on which the building or buildings are located. For example, a floor space index (FSI) of 2.0 would indicate that the total floor area of a building could be up to 2 times the net area of the *lot* on which it is located. OPA 55

Forestry - Use and management of forests for the production of wood and wood products, to provide passive recreation, to maintain, restore, or enhance environmental conditions for wildlife, and for the protection and production of water supplies.

Garden Suite - A one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable. OPA 55

Gateway – A location or area (which *may* include a structure), that serves as an entrance or a means of access to another location or area. OPA 55

Gateways into the City - Entrances into the City or parts of the City along major transportation corridors which provide strategic opportunities for projecting a positive City image.

Golf Course - A public or private area laid out, operated or used for the purpose of playing or practicing the game of golf, including a golf driving range, and does not include uses on golf course lands that are not directly *accessory* to the golf course operation (e.g. banquet facilities, curling rink). OPA 55

Green Infrastructure - Natural and human–made elements that provide ecological and hydrological functions and processes. *Green infrastructure* can include components such as natural heritage features and systems, parklands, storm water management systems, street trees, urban forests, natural channels, permeable surfaces and green roofs. OPA 107

Green Roof - An extension of the existing roof that allows plants, trees and shrubs to grow in a light-weight growing medium. Generally green roofs are on top of a human-made structure and can be located below, at or above grade. OPA 55

Ground oriented housing unit - A *dwelling unit* which is designed to be accessible by direct access from the ground or by means of stairways. Buildings containing ground oriented housing units usually do not exceed three storeys in height.

Groundwater Features – Water-related features in the earth's subsurface, including recharge/discharge areas, water tables, aquifers and unsaturated zones that can be defined by surface and subsurface hydrogeologic investigations. OPA 55

Groundwater Recharge Area - An area from which there is significant addition of water to the groundwater system.

Group Home – A single housekeeping unit supervised by staff on a daily basis which provides special care and treatment to persons for physical or mental deficiency, physical handicap or other such cause. A Group Home *shall* be funded, licensed, approved, or supervised by the Province of Ontario under a general or specific Act, for the accommodation of not less than 6 and not more than 8 residents, exclusive of staff. Where a Group Home is located outside the Urban Planning Area boundary as indicated on Schedule B, the maximum number of residents permitted, exclusive of staff, is 10. A Group Home *may* contain an office provided that the office is used only for the administration of the Group Home in which it is located. OPA 55

Habitat of Endangered Species and Threatened Species – OPA 107

(1) With respect to a species listed on the Species at Risk in Ontario List as an endangered or threatened species for which a regulation made under The Endangered Species Act, 2007 is in force, the area prescribed by that regulation as the habitat of the species; or

(2) With respect to any other species listed on the Species at Risk in Ontario List as an endangered or threatened species, an area on which the species depends, directly or indirectly, to carry on its life processes, including life processes such as reproduction, rearing, hibernation, migration or feeding, as approved by the Province; and

(3) Places in the areas described in clause (1) or (2), whichever is applicable, that are used by members of the species as dens, nests, hibernacula or other residences.

Hazardous Lands – Property or lands that could be unsafe for *development* due to naturally occurring processes. Along the shorelines of the Great Lakes – St. Lawrence River System, this means the land, including that covered by water, between the international boundary, where applicable, and the furthest landward limit of the *flooding hazard, erosion hazard* or *dynamic beach hazard* limits. Along river, stream and small inland lake systems, this means the land, including that covered by water, to the furthest landward limit of the *flooding hazard* or *erosion hazard* limits. OPA 55

Hazardous Sites – Property or lands that could be unsafe for *development* and *site alteration* due to naturally occurring hazards. These *may* include unstable soils (sensitive marine clays [leda], organic soils) or unstable bedrock (karst topography.)

Healthy Communities – Are communities: (1) that foster among their residents a state of physical, mental, social and economic well-being; (2) where residents take part in, and have a sense of control over, decisions that affect them; (3) that is physically designed to minimize the stress of daily living and meet the life-long needs of its residents; and (4) where *employment*, social, health, educational, and *recreational* and cultural opportunities are accessible to all segments of the community. OPA 55

Heritage Feature - A feature of the landscape which, by itself, or together with its associated environment, is unique or representative of past human activities or events. Such a feature *may* include a site or area of archaeological or historical value and it *may* include a building or structure of architectural and/or historical importance.

High density residential uses - Housing uses with a density ranging between 51 and 185 units per net hectare.

Higher Order Transit - Transit that generally operates in its own dedicated right-of-way, outside of mixed traffic, and therefore can achieve a frequency of service greater than mixed-traffic transit. Higher order transit includes heavy rail (such as commuter rail) and buses in dedicated rights-of-way. ***R16** OPA 59

High Occupancy Vehicles (HOV) Lanes - Special lanes designated for the exclusive or near exclusive use of High Occupancy Vehicles. HOV lanes *may* be located in the median or curb lanes of the street, where roadways are sufficiently wide; existing lanes can be designated as HOV lanes on a full time basis, or *may* be limited to peak travel periods of the day. Bicycles *may* also be permitted on HOV lanes in some instances.

High Potential Mineral Aggregate Resource Areas - Mineral Aggregate Resource Areas, as defined by the Province of Ontario as selected bedrock resource areas and primary and secondary sand and gravel areas, that are close to market, of high quality, and not constrained by existing *incompatible developments* and not designated Greenlands A or Greenlands B as defined by the Regional Official Plan or within the Niagara Escarpment Plan Natural Area designation. OPA 55

Home Industry – A small scale use providing a service primarily to the rural farming community and which is *accessory* to a single detached dwelling or agricultural operation, performed by one or more residents of the household on the same property. A home industry *may* be conducted in whole or in part in an accessory building and *may* include a carpentry shop, a metal working shop, a welding shop, an electrical shop, or blacksmith's shop, etc. but does not include an auto repair or paint shop or furniture stripping. OPA 55

Homelessness – The state of immediately lacking housing, or having no access to safe, stable housing, or living in extremely sub-standard housing, or being at risk of losing existing housing. OPA 55

Home Occupation - An office or personal service use conducted from a residential *dwelling unit* by a person or persons residing in the *dwelling unit*, which is secondary to the primarily residential use of the dwelling. In the Rural Planning Area and the North Aldershot Planning Area, a home occupation means an activity that provides a service as an *accessory use* within a single detached dwelling or in an addition to the dwelling or in an accessory building not further than 30 m away from the dwelling and serviced by the same private water and wastewater systems, performed by one or more residents of the household on the same property. OPA 55

Human Scale - The proportional relationship of the physical environment to human dimensions, acceptable to public perception and comprehension in terms of the size, height, bulk, and/or massing of buildings or other features of the built environment.

Hydrologic function - The functions of the hydrological cycle that include the occurrence, circulation, distribution and chemical and physical properties of water on the surface of the land, in the soil and underlying rocks, and in the atmosphere, and water's interaction with the environment, including its relation to living things. OPA 107

Inclusive – Social inclusiveness is both a process and an outcome. As a process, social inclusion promotes the open, welcome and supported participation of all people in social planning and decision-making affecting their lives. As an outcome, an inclusive city is one that provides opportunities for the optimal well-being and healthy development of all children, youth and adults. Dimensions of Social Inclusion are diversity, human development, civic engagement, living conditions and community services. OPA 55

Industrial – Assembling, fabricating, manufacturing, processing, warehousing and distribution uses, repair activities, communications, *utilities,* transportation, storage, service trades and construction uses. OPA 55

Infill – *Development* or *re-development* within an existing developed area which is proposed to be undertaken in conformity with the existing zoning, and which *may* include *development* on vacant lands, the addition of *dwelling unit*s, or the creation of new *lots*. OPA 55

Infrastructure – Physical structures (facilities and corridors) that form the foundation for *development*. Infrastructure includes: sewage and water systems, septic treatment systems, waste management systems, electric power generation and transmission, communications/telecommunications, transit and transportation corridors and facilities, oil and gas pipelines and associated facilities. OPA 55

As it pertains to the Tremaine Dundas Secondary Plan, Infrastructure means the collection of public capital facilities including highways, transit terminals and rolling stock, bicycle lanes, sidewalks and multi-use paths, municipal water and wastewater systems, solid waste management facilities, storm water systems, schools, hospitals, libraries, community and recreation centres, other public service facilities and any other public projects involving substantial capital investment. It includes not only the provision of new facilities but also the maintenance and rehabilitation of existing ones. OPA 107

Integrated Pest Management (IPM) – A pest control strategy that uses monitoring and an array of complementary methods; natural predators and parasites, pest-resistant varieties of vegetation, cultural practices, biological controls, various physical techniques and, pesticides as a last resort. OPA 55

Intensification – *Development* or *re-development* of a property or site within an existing developed area which is proposed to be undertaken at a higher density or intensity than permitted under the existing zoning, and which *may* include *re-development,* (including the re-use of *brownfield* sites), *development* on vacant and/or underutilized lands, expansion or conversion of existing buildings, addition of *dwelling unit*s, or creation of new *lots*. OPA 55

Interim Land Use – Generally considered to be a use that is shorter in duration than the time horizon of the Official Plan. It involves limited investment in buildings and structures in order not to deter potential *re-development* for more long term uses. ***D53** OPA 55

Key Feature – For use only in relation to lands which form the area of the Tremaine Dundas Secondary Plan: Key natural heritage and hydrological features described in Sections 6.5.2(a)(ii) and 6.5.2(a)(iii) of this Plan. OPA 107

Landmark – A natural feature or man-made structure used as a point of orientation in locating other natural features or man-made structures, or a structure of noteworthy aesthetic interest. OPA 55

Large Building Supplies/Garden Store - A retail establishment with a minimum floor area of 5,600 sq. m., primarily engaged in the retailing of building and/or garden materials, and which *may* include the outside storage of goods and materials. OPA 55

Large Department Store - A retail establishment greater than 4,750 sq. m. in area, which is engaged in retailing a wide range of products, with each merchandise category or product group constituting a separate department within the store. Some departments *may* be operated on a concession basis. OPA 55

Large Furniture & Appliance Store – A retail establishment with a minimum floor area of 5,600 sq. m., primarily engaged in the retailing of new home furniture and/or appliances and home accessories, and which does not include outside storage of goods and materials. OPA 55

Large Home and Auto Supplies Store – A retail establishment with a minimum floor area of 5,600 sq. m., primarily engaged in retailing a general line of auto supplies, such as tires, batteries, parts and accessories, in combination with a general line of home supplies, such as hardware, housewares, small appliances, sporting goods and lawn and garden equipment and supplies. OPA 55

Large Scale Motor Vehicle Dealership – A motor vehicle dealership greater than 0.2 ha in size which contains significant outside storage and a large proportion of associated automobile repair and service facilities. OPA 55

Linkage – For use only in relation to lands which form the area of the Tremaine Dundas Secondary Plan: An area providing connectivity or intended to provide connectivity within the *Natural Heritage System*, supporting a range of community and ecosystem processes enabling plants and animals to move between *Key Features* over multiple generations. Linkages are preferably associated with the presence of existing natural areas and functions and they are to be established where they will provide an important contribution to the long term sustainability of the *Natural Heritage System*. The extent and location of the linkages can be assessed in the context of both the scale of the proposed *development* or *site alteration*, and the *ecological functions* they contribute to the *Natural Heritage System*. OPA 107

Live-Work Relationship - A term used to refer to the place of residence relative to the place of *employment*.

Long Term Care Facility – A residence which provides care to meet the physical, emotional, social, spiritual and personal needs of persons. Long Term Facilities include homes for the aged established under The Homes for the Aged and Rest Homes Act, nursing homes licensed under The Nursing Homes Act, as amended, and chronic care facilities. OPA 55

Lot – A parcel of land under one ownership which is established as a separate parcel of land in accordance with the lot creation sections of The Planning Act, including a parcel acquired from Her Majesty in right of Canada, Her Majesty in right of Ontario, the Regional Municipality of Halton, or the Corporation of the City of Burlington, appropriated for the exclusive use of a building or a group of buildings comprising one undertaking or enterprise, and which abuts a public street, except if it has been created as a parcel of tied land, in which case, it *may* abut a common element condominium road. OPA 55

Low Density Residential Uses - Housing uses with a density to a maximum of 25 units per net hectare.

Low Impact Development- An approach to storm water management that seeks to manage rain and other precipitation as close as possible to where it falls, in order to mitigate the impacts of increased runoff and storm water pollution. It comprises a set of site design strategies and distributed, small scale, structural practices to mimic the natural hydrology to the greatest extent possible through infiltration, evapotranspiration, harvesting, filtration and detention of storm water. *Low impact development* can include: bio–swales, permeable pavement, rain gardens, green roofs and exfiltration systems. *Low impact development* often employs vegetation and soil in its design; however, that does not always have to be the case. OPA 107

Major Transit Station Area - The area including and around any existing or planned *higher order transit* station (such as GO Transit commuter rail stations), or the area including and around a major bus depot in an urban core. Station areas generally are defined as the area within an approximate 500m radius of a *higher order transit* station, representing about a 10-minute walk.***R16** OPA 59

Massing - The overall bulk, size, physical volume, or magnitude of a structure or project.

May – There is some discretion in interpretation of, and/or flexibility in the application of this Official Plan policy. OPA 55

Meander Belt Allowance- The setback that keeps *development* from being affected by river and stream meandering (this includes the allowance for the one hundred (100) year erosion rate.). OPA 107

Medium density residential uses - housing uses with a density ranging between 26 and 50 units per net hectare.

Mineral Aggregate Resources – Means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under The Aggregate Resources Act suitable for construction, industrial, manufacturing and maintenance purposes but does not include metallic ores, asbestos, graphite, kyanite, mica, nephelin, syenite, salt, talc, wollastonite, mine tailings or other material prescribed under The Mining Act. ***D53** OPA 55

Minor Escarpment Slope - The area between the brow and toe of the Escarpment, where the rise occurs in the form of a gentle gradient.

Modal Share - The percentage of trips using a given mode of travel.

Modes - Different types of travel such as public transit, automobile, commuter rail, cycling, or walking.

Natural Environment - The land, air or water or any combination or part thereof.

Natural Heritage Features and Areas - Features and areas, including significant *wetlands*, significant coastal *wetlands, fish habitat*, *significant woodlands*, significant *valleylands*, significant habitat of *endangered species* and *threatened species*, significant *wildlife habitat*, and significant *areas of natural and scientific interest,* which are important for their environmental and social values as a legacy of the natural landscapes of an area. OPA 55

For use only in relation to lands which form the area of the Tremaine Dundas Secondary Plan: Features and/or areas which are important for their environmental and social values as a legacy of the natural landscapes of an area. OPA 107

Natural Heritage System – A system made up of *natural heritage features and areas*, linked by natural corridors which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species and ecosystems. These systems can include lands that have been restored and areas with the potential to be restored to a natural state. OPA 55

As it pertains to the Tremaine Dundas Secondary Plan, the Natural Heritage System is defined in Section 6.5.2 (a) of this plan and as identified on Schedule B. It is comprised of *natural heritage features and areas*, and linkages intended to provide connectivity (at the regional or site level) and support natural processes which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species, and ecosystems. The system can include key natural heritage features, key hydrologic features, federal and provincial parks and conservation reserves, other natural *heritage features and areas*, lands that have been restored or have the potential to be restored to a natural state, associated areas that support *hydrologic functions*, and working landscapes that enable *ecological functions* to continue.

Negative Impact – For use only in relation to lands which form the area of the Tremaine Dundas Secondary Plan: With regard to water resources, degradation to the quality and quantity of water, sensitive *surface water features* and sensitive ground water features, and their related *hydrologic functions*, due to single, multiple or successive *development* or site alteration activities; in regard to fish habitat, any permanent alteration to, or destruction of fish habitat, except where, in conjunction with the appropriate authorities, it has been authorized under The Fisheries Act; and in regard to other natural heritage features and areas, degradation that threatens the health and integrity of the natural features or *ecological functions* for which an area is identified due to single, multiple or successive *development* or *site alteration* activities. OPA 107

Neighbourhood Character – The collective physical qualities and characteristics which are prevalent in a *Neighborhood Character Area* and which define its distinct identity, and includes a range of built form and design elements which coexist without adverse impact within the *Neighbourhood Character Area*. OPA 104

Neighbourhood Character Area – A residential neighbourhood indentified in the Zoning By-law, which shares physical qualities and characteristics that collectively provide a distinct and recognizable character that is different from neighbouring areas. OPA 104

Neighbourhood Commercial Area – A commercial centre within or at the periphery of *residential neighbourhoods* in locations that meet residents' day-to-day and weekly goods and service needs. OPA 55

Net Density - The overall density of a site excluding public roads and widenings, public parks, creek blocks, school sites and similar public land areas.

Non-ground oriented housing unit - A *dwelling unit* which is designed to be accessible primarily by indirect access through an elevator. Buildings containing non-ground oriented housing units usually exceed three storeys in height.

Open Landscape Character - The system of rural features, both natural and man-made which makes up the rural environment, including forests, slopes, streams and stream valleys, hedgerows, agricultural fields, etc.

Peak Period - The time periods during the day with the greatest travel volumes, generally the two- or three-hour periods during a weekday specifically defined by Council from time to time.

People with Special Needs - People requiring special facilities or services in order to attain a level of self sufficiency and to function equitably in their community.

Percentage-for-art capital-based funding program for public art - Programs involving the allocation of a percentage of parts of a municipality's capital budget towards the *development* of public art projects. These funds can be tied to specific capital projects, or can be allocated to a reserve fund to be used for other public art priorities. OPA 55

Physical Character - The distinctive qualities within a physical area which are defined by elements such as: scale, form, colour, texture, material and the relation between structures, spaces and landforms.

Pit – Land or land under water from which unconsolidated aggregate is being or has been extracted, and that has not been rehabilitated, but does not mean land or land under water excavated for a building or other work on the excavation site or in relation to which an order has been made under Subsection 1 (3) of The Aggregate Resources Act. OPA 55

Preserve - To maintain the quality or condition of a resource in its current form, and to retard the deterioration of the resource.

Prime Agricultural Area – Areas where prime agricultural lands predominate. This includes: areas of prime agricultural lands and associated Canada Land Inventory Class 4-7 soils; and additional areas where there is a local concentration of farms which exhibit characteristics of ongoing agriculture. Prime agricultural areas *may* be identified by the Ontario Ministry of Agriculture and Food using evaluation procedures established by the Province as amended from time to time, or *may* also be identified through an alternative agricultural land evaluation system approved by the Province. OPA 55

Prime Agricultural Lands - Land that includes specialty crop lands and/or Canada Land Inventory classes 1, 2, 3 and 4 agricultural soils.

Protected Heritage Property - Property designated under Parts IV, V or VI of The Ontario Heritage Act; property subject to a heritage conservation easement under Parts II or IV of The Ontario Heritage Act; property identified by the Province and prescribed public bodies as provincial heritage property under the Standards and Guidelines for Conservation of Provincial Heritage Properties; property protected under federal legislation, and UNESCO World Heritage Sites. OPA 107

Provincially Significant Areas of Natural and Scientific Interest – Areas of land and water containing natural features which have been identified by the Ministry of Natural Resources as having values related to protection, natural heritage appreciation, scientific study, or education. OPA 55

Provincially Significant Wetlands – Wetlands identified as provincially significant by the Ontario Ministry of Natural Resources using the evaluation procedures established by the Province as amended from time to time. OPA 55

Public Authority - Any federal, provincial, regional, county or municipal agency including any commission, board, authority or department established by such agency exercising any power or authority under a Statute of Canada or Ontario. OPA 107

Public Realm - Publicly owned streets, sidewalks, rights-of-ways, parks and other publicly accessible open spaces, and public and civic buildings and facilities.

Qualified Person – An individual with qualifications and/or credentials related to a field of study and who is therefore appropriate for conducting a study and/or providing an expert opinion that has been required by the City. The Qualified Person must be to the satisfaction of the City or where appropriate, is defined by relevant legislation, regulation and standards. OPA 55

Quarry - Land or land under water from which consolidated aggregate is being or has been excavated, and that has not been rehabilitated, but does not mean land or land under water excavated for a building or other work on the excavation site or in relation to which an order has been made under Subsection 1 (3) of The Aggregate Resources Act. OPA 55

Recreation Use – A place designed and equipped for the consumer to actively participate in the conduct of sports, fitness and other leisure time activities, but does not include a night club, *adult entertainment* parlour, video game & pinball machine arcade, gaming establishment or public auditorium, community or recreational centre. OPA 55

Re-development – The creation of new units, uses or *lots* on previously developed land in existing communities, including *brownfield* sites.

Regional Market Area – An area generally broader than a local municipality that has a high degree of social and economic interaction, defined for the purposes of this Plan as the Regional Municipality of Halton. OPA 55

Regional Scale Shopping - Retail activity which serves the entire population of the City and also population from adjacent municipalities. Regional scale shopping can occur in different forms including a Regional Shopping Centre and freestanding *developments*.

Regional Commercial Area – A large commercial area providing a wide range of retail and service commercial uses and *community facilities*, considered major activity centres in terms of their size and use and intended to serve all of the City as well as population in adjacent municipalities. OPA 55

Regional Storm - The rainfall event and soil conditions existing during Hurricane Hazel that occurred within the Humber River *watershed* in Toronto in 1954, transposed over a specific *watershed* and combined with local conditions. OPA 55

Regionally Significant Wetlands - Wetlands classified as "Other Wetlands" by the Ministry of Natural Resources based on the Ontario Wetland Evaluation System 1994 Southern Manual, as amended from time to time. OPA 55

Regulatory Flood - The approved standard(s), being the greater of the *Regional Storm* flood or the one-in-one-hundred-year flood, used in a particular *watershed* to define the limit of the *flood plain* for regulatory purposes. OPA 55

Regulatory Flood Plain - The approved standard used in a particular *watershed* to define the lands subject to flooding during a *regulatory flood*. OPA 55

Rehabilitate - To treat land, buildings or structures so that their use or condition is restored to its former use or condition, or *may* be changed to another use or condition that is or will be *compatible* with adjacent land uses.

Related Land Forms - The physical features of the land associated with the Escarpment and created by erosion, sedimentation and glaciation, often including such features as moraines, lakes, river valleys, beach ridges, drumlins and kames.

Residential Neighbourhood - A residential area sharing similar characteristics, which is defined by identifiable boundaries, such as arterial or collector roads, hydro corridors, creeks or an area of non-residential uses. OPA 55

Reverse Lotting - *Lots* located adjacent to a multi-purpose arterial, major arterial or collector road which front onto an internal street, while the rear yard faces onto the arterial or collector road. Landscaping and privacy fences are usually located adjacent to the arterial or collector road and access onto the arterial or collector is strictly limited.

Scale – The proportion of a building or building element created by the placement and size of the building or element in comparison with adjacent buildings or building elements and to human dimension. OPA 104

Secondary Plan - A plan for a specific geographic area containing specific policies to guide future *development* which can form the basis of an amendment to an Official Plan.

Securement - The protection of key natural heritage and Greenlands properties throughout the City by a range or suite of tools including, but not limited to: OPA 55

(1) land dedication;

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

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

(4) land exchange;

(5) long-term leases;

(6) easement agreements; and/or

(7) land trusts.

Seniors' Housing - Housing designed to primarily serve the needs of senior citizens and the elderly.

Sensitive – In regard to surface water features and ground water features, means areas that are particularly susceptible to impacts from activities or events including, but not limited to, water withdrawals, and additions of pollutants. OPA 55

Sensitive Land Uses – Buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby major facility. *Sensitive land uses may* be a part of the natural or built environment. Examples *may* include, but are not limited to: residences, day care centres, and educational and health facilities. OPA 55

Service Commercial - Non-retail commercial uses including financial institutions, professional/business offices and service stations, car washes and other automobile related uses.

Should – A convincing reason is required in order not to fully comply with an Official Plan policy. OPA 55

Shall – It is mandatory or required to comply with an Official Plan policy. OPA 55

Significant – For use only in relation to lands which form the area of the Tremaine Dundas Secondary Plan**:** OPA 107

(1) In regard to wetlands, an area identified as provincially *significant* by the Ontario Ministry of Natural Resources using evaluation procedures established by the Province, as amended from time to time;

(2) With regard to woodlands, an area as defined by the "*significant woodlands*" definition of this Plan;

(3) With regard to other components of the *Natural Heritage System*, ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or *Natural Heritage System*; and

(4) With regard to cultural heritage resources, resources that have been determined to have cultural heritage value or interest for the important contribution they make to our understanding of the history of a place, an event, or a people.

Significant Coastal Wetlands – Coastal wetlands identified as provincially significant by the Ontario Ministry of Natural Resources using evaluation procedures established by the Province, as amended from time to time. OPA 55

Significant Woodland - A Woodland 0.5 ha or larger, determined through a *Watershed* Management Plan, a Sub-*watershed* Study or a site-specific Environmental Impact Assessment to meet one or more of the four following criteria: OPA 55

(1) the Woodland contains forest patches over 99 years old;

(2) the patch size of the Woodland is 2 ha or larger if it is located in the Urban Planning Area or 4 ha or larger if it is located outside the Urban Planning Area but below the Escarpment Brow; or 10 ha or larger if it is located outside the Urban Planning Area but above the Escarpment Brow;

(3) the Woodland has an interior core area of 4 ha or larger, measured 100 m from the edge; or

(4) the Woodland is wholly or partially within 50 m of a major creek or certain headwater creek or within 150 m of the Escarpment brow. ***D36**

Site Alteration – Activities, such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site.

Small Department Store - A retail establishment of less than 4,750 sq. m. in area, which is engaged in retailing a wide range of products, with each merchandise category or product group constituting a separate department within the store. Some departments *may* be operated on a concession basis. OPA 55

Small Scale Motor Vehicle Dealership – A motor vehicle dealership of less than 0.2 ha in size in which the principal activity is the retail sale of vehicles. OPA 55

Special Needs Housing – Any housing, including dedicated facilities, in whole or in part, that is designed to accommodate individuals with specific needs beyond economic needs, and includes, but is not limited to, needs such as mobility requirements or support functions required for daily living. Examples *may* include, but are not limited to, housing for persons with disabilities such as physical, sensory or mental health disabilities, housing for the elderly, *group homes*, emergency shelters, housing for the homeless, and independent permanent living arrangements, where support services such as meal preparation, grocery shopping, laundry, housekeeping, respite care and attendant services are provided. It does not include households that receive community-based support services in their own home. OPA 55

Stable Top of Bank - As it pertains to *valleylands*: (a) the physical top of bank where the existing slope is stable and not impacted by toe erosion; or, (b) is defined by the toe erosion allowance plus the *stable slope* allowance where the existing slope is unstable and/or is impacted by toe erosion. OPA 55
As it pertains to shorelines: A horizontal allowance measured landward from the toe of the bank equivalent to 3 times the height of the bank (e.g., difference in elevation between the top of the first lakeward break in slope and the toe of the bank, which *may* not be above or below the water level).

Stable Slope - The stable angle a slope would achieve when toe erosion is absent.

Streetscape - The visual appearance of a roadway formed by the location of physical features such as buildings, pedestrian, cycling and vehicular facilities and landscaping.

Supermarket/Grocery Store – A retail establishment with a minimum floor area of 1,800 sq. m., engaged primarily in the sale of a general line of food, such as canned, dry and frozen foods; fresh fruits and vegetables; fresh and prepared meats, fish, poultry, dairy products, baked products, and snack foods; and which also retails a range of non-food products, such as household paper products, toiletries and non-prescription drugs, and in which a minimum of 51 per cent of the total sales floor area of the establishment is devoted to the sale of food. OPA 55

Surface Water Feature – Water-related features on the earth's surface, including headwaters, rivers, stream channels, inland lakes, seepage areas, recharge/discharge areas, springs, wetlands, and associated riparian lands that can be defined by their soil moisture, soil type, vegetation or topographic characteristics. OPA 107

Sustainable Development - *Development* that meets the needs of the present without compromising the ability of future generations to meet their own needs.

Tertiary Plan - A plan for a smaller, more specific geographic area than a *Secondary Plan*, usually at a neighbourhood scale, containing detailed, specific policies to guide future *development* and which *may* form the basis of an amendment to an Official Plan. OPA 55

Threatened Species – A species that is listed or categorized as a "Threatened Species" on the Ontario Ministry of Natural Resources' official species at risk list, as updated and amended from time to time. OPA 55

Total Floor Area - The sum total of the floor space in a building excluding those portions used for vehicular parking.

Transit-Supportive Land Use - Planning and *development* practices which make transit viable and improve the quality of the experience of using transit. When used in reference to *development*, it generally refers to compact, mixed use *development* that has a high level of *employment* and residential densities to support frequent transit service. When used in reference to urban design, it generally refers to design principles that make *development* more accessible for transit users, such as roads laid out in a grid network rather than a discontinuous network; pedestrian-friendly built environment along roads to encourage walking to transit; reduced setbacks and placing parking at the sides/rear of buildings; and improved access between arterial roads and interior blocks in residential areas. OPA 55

Transportation Amenities - Include transit facilities and shelters, benches, street trees, bicycle locking and repair stations and other streetscape elements. OPA 107

Travel Demand Management (TDM) - Actions or programs designed to reduce or modify the demand for travel to make optimum use of existing and future transportation facilities and services such as ride-sharing, encouragement to walk, cycle, or use transit, and encouragement to travel outside peak travel periods.

Universal Physical Access – Housing designs that incorporate the following principles and features: OPA 55

(1) Universality – same means for all users;

(2) Flexibility – providing choice in methods of use and adaptable to the need of the user;

(3) Low physical effort – usable with a minimum of effort and fatigue;

(4) Accessibility – providing for adequate sight lines, reach, hand grip and use of helpful devices;

(5) Safety – minimal consequences of errors with fail-safe features;

(6) Simplicity – minimal complexity and accommodating a wide range of skills and abilities; and

(7) Perceptible information – communicating necessary information effectively and in various ways.

Urban Agriculture - The growing of vegetables, fruits, flowers and/or native plants produced through *agricultural* activity, *community gardens* and/or rooftop gardens, excluding animal *agriculture* within the *Urban Area*.

Utility - A water supply, storm or sanitary sewage, gas or oil pipeline, the generation, transmission and distribution of electric power, steam or hot water, towers, telecommunications *infrastructure* and other cabled services, a public transportation system, licensed broadcasting receiving and transmitting facilities, or any other similar works or systems necessary to the public interest.

Valleyland - A natural area that occurs in a valley or other landform depression that has water flowing through or standing for some period of the year. OPA 55

Warehouse Club – A retail establishment with a minimum floor area of 9,300 sq. m., engaged in retailing to club members primarily a general line of food related products in large formats, in combination with a wide range of non-food items and services. OPA 55

Water Budget and Conservation Plan - A document that outlines in detail the hydrologic cycle through a computer model as it affects an area and provides extensive description of measures for conservation of water resources and mitigation and operational techniques to prevent impact to the wildlife, natural areas and nearby water users. OPA 55

A water budget and conservation plan *shall*, as a minimum:

(1) quantify the components of the water balance equation, including precipitation, evapo-transpiration, groundwater inflow and outflow, surface water inflow and outflow, change in storage, water withdrawals and water returns;

(2) characterize groundwater and surface water flow systems by means of modeling;

(3) identify:

a. targets to meet the water needs of affected *natural heritage system* components;

b. the availability, quantity and quality of water sources;

c. measures necessary for during periods of water scarcity; and

d. potential impact on nearby water;

(4) develop a water-use profile and forecast;

(5) evaluate plans for water facilities such as ponds and reservoirs;

(6) identify and evaluate water conservation measures such as training of staff, the use of drought tolerant vegetation species, water reuse and recycling, and efficient use of irrigation equipment;

(7) provide for monitoring of the water budget and water conservation plan for effectiveness and compliance to the approved plan.

Watercourse – An identifiable depression in the ground in which a flow of water regularly or continuously occurs. OPA 55

Watershed – an area that is drained by a river and its tributaries. OPA 55

Wayside Pit or Quarry – Lands from which consolidated or unconsolidated aggregate is temporarily excavated solely for use in a project of a public authority or its agent and that is worked outside the limits of the right-of-way of a highway, but does not include a licensed *pit* or *quarry.* OPA 55

Wetland Functions - The biological, physical and socio-economic interactions that occur in an environment because of the properties of the *wetlands* that are present, including, but not limited to: *groundwater recharge* and discharge, flood damage reduction, shoreline stabilization, sediment trapping, nutrient retention and removal, food chain support, habitat for fish and wildlife, and attendant social and economic benefits.

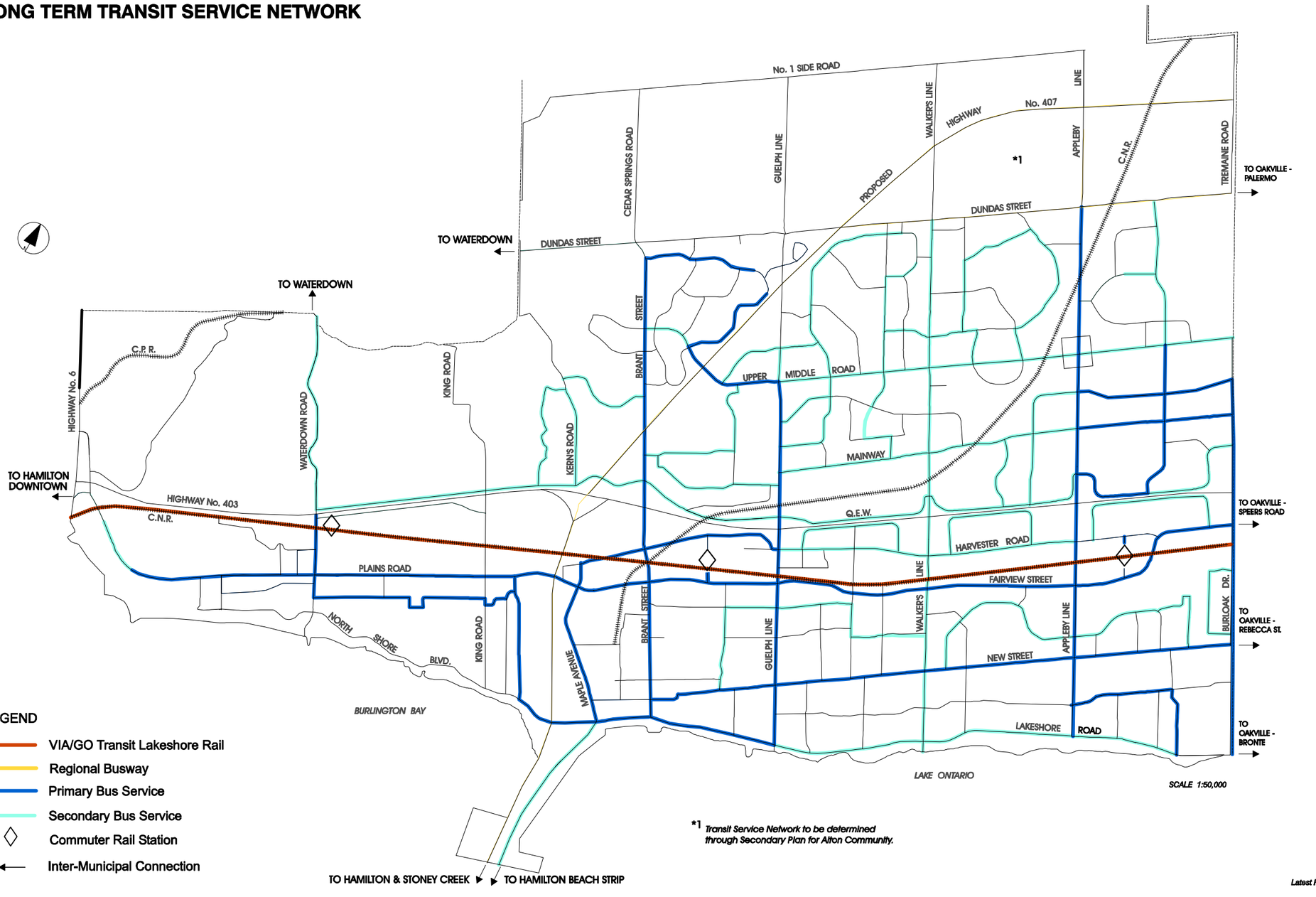
Wetlands - Lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fens. Periodically soaked or wet lands being used for agricultural purposes which no longer exhibit wetland characteristics are not considered to be wetlands for the purposes of this definition. OPA 55

Wildlife Habitat – Areas where plants, animals and other organisms live, and find adequate amounts of food, water, shelter and space needed to sustain their populations. Specific wildlife habitats of concern *may* include areas where species concentrate at a vulnerable point in their annual or life cycle; and areas which are important to migratory or non-migratory species. OPA 55

Woodland - Land with at least: 1000 trees of any size per ha, or 750 trees over 5 cm in diameter per ha, or 500 trees over 12 cm in diameter per ha, or 250 trees over 20 cm in diameter per ha but does not include an active cultivated fruit or nut orchard, a Christmas tree plantation, a plantation certified by the Region, a tree nursery, or a narrow linear strip of trees that defines a laneway or a boundary between fields. For the purposes of this definition, all measurements of the trees are to be taken at 1.37 m from the ground and trees in regenerating fields must have achieved that height to be counted. OPA 55

APPENDIX A
SCHEDULE 1

LONG TERM TRANSIT SERVICE NETWORK

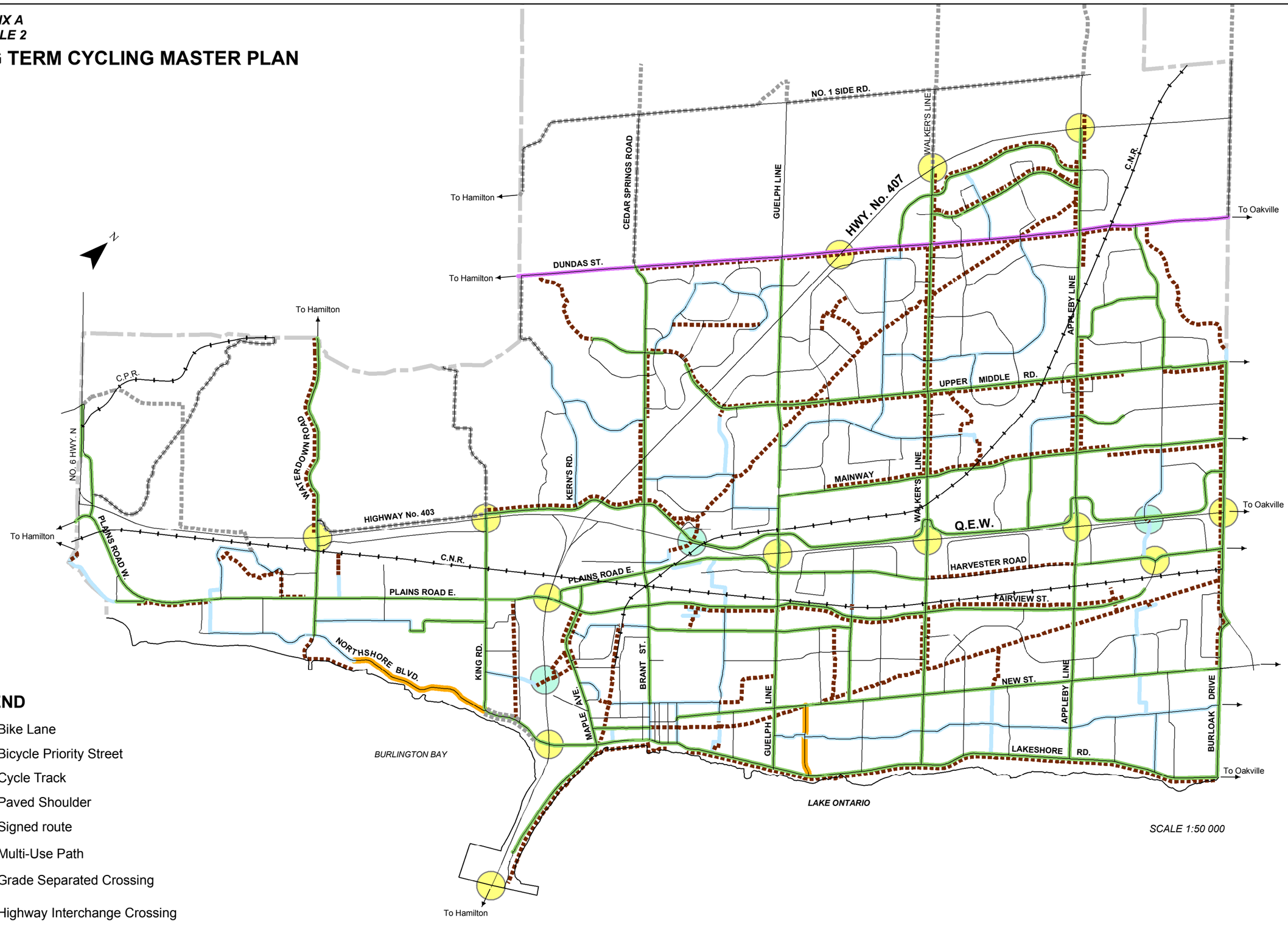


*1 *Transit Service Network to be determined through Secondary Plan for Alton Community.*

Latest Revision: DEC. 31, 2006

APPENDIX A
SCHEDULE 2

LONG TERM CYCLING MASTER PLAN



April 2010

APPENDIX B
Council-approved Design Guidelines
(list for reference purposes only, and does not form part of the Plan)

B1. Headon Community Design Guidelines, 1990

B2. Tansley Triangles Secondary Plan Background Study: Part Nine, Urban Design, April 1992

B3. Tansley Community Urban Design Guidelines, 1994

B4. Uptown Mixed Use Centre Urban Design Guidelines, 1994

B5. North Aldershot Inter-Agency Review, Final Report, May 1994, Land Use Concept, Section E-Permitted Uses, Densities and Design Guidelines

B6. Burloak Office Park Urban Design Guidelines

B7. Orchard Community: Secondary Planning Study Report: Final Report, February 1995, Section 11.0, Urban Design Guidelines for Transit Corridors

B8. Alton West Planning Area: Urban Design Study and Guidelines, August 2003

B9. Alton Central East Community: Urban Design Study and Guidelines, March 2004

B10. City of Burlington Downtown Urban Design Guidelines, 2006 (includes Old Lakeshore Road Precinct Urban Design Guidelines, 2009)

B11. Plains Road Corridor Urban Design Guidelines, 2006

B12. Heritage-Based Urban Design Guidelines for Downtown Burlington, 2006

B13. City of Burlington Guidelines for Outdoor Lighting, 2008

B14. Design Guidelines for Detached Private Garages, 2009

B15. Design Guidelines for Low Density Residential Zones and North Aldershot, 2009

B16. Tall Building Guidelines, 2017

B17. Sustainable Building and Development Guidelines, 2021

B18. Mid-Rise Design Guidelines, 2019

B19. Downtown Streetscape Guidelines, 2019

B20. Tremaine Dundas Community Urban Design Guidelines, 2018

APPENDIX C
Council-approved Secondary Plans
(list for reference purposes only and does not form part of the Plan)

C1. Howard Road/Waterdown Road Secondary Plan

C2. Leighland Community Secondary Plan

C3. Uptown Secondary Plan

C4. Alton Community Secondary Plan

C5. Orchard Community Secondary Plan

C6. Tremaine Dundas Community Secondary Plan

APPENDIX D
APPROVED WATERSHED PLANS
(list for reference purposes only and does not form part of the Plan)

D1. Our Legacy to Value: The Grindstone Creek [Watershed Study], June 1998

D2. Hager and Rambo Creeks Flood Control Pre-Design Study, November 1984

D3. Rambo-Hager Creek Watershed Study, January 1979

D4. Tuck, Shoreacres, Appleby and Sheldon Creeks Watershed Study, June 1985

D5. Sheldon Creek Watershed Master Plan, October 1993

D6. Bronte Creek Watershed Study, March 2002

D7. North Shore Watershed Study, August 2004

Subwatershed Studies:

D7. Clappison's Corners Industrial Business Park Master Drainage Plan, December 1991

D8. Alton Community Secondary Plan Subwatershed Impact Study, July 1997

D9. Orchard Community Secondary Plan Sheldon Creek Subwatershed Impact Study, September 1995

D10. Grindstone Creek Subwatershed Study, January 1995 (Grindstone Settlement Area)

D11. Addendum to the Grindstone Creek Subwatershed Study, February 1996

D12. Falcon Creek Hydrology and Hydraulics Study, December 2012

APPENDIX E
Sustainable Development Principles and Objectives
(for reference purposes only and does not form part of the Plan)

The goal of Sustainable Development is to create the built form and systems that support the kinds of communities and connections that provide social, economic and environmental well-being now and in the future. The City of Burlington has adopted the following Principles and Objectives to guide the citizens and leadership of the City in their discussions about how to achieve sustainable development. Note that these Principles and Objectives were first endorsed by Council in 1994 and this is the second edition.

Principles

- **Principle 1:** Recognize the interdependence of humans and the rest of nature in a common ecosystem; seek to prevent and reverse degradation of the earth, air, water, plants and animals by human activity.
- **Principle 2:** Recognize the urgency of climate change and take measures to reduce greenhouse gas emissions and to adapt.
- **Principle 3:** Promote conservation, stewardship and responsible use of resources. Discourage processes and practices that result in natural resources being consumed at a rate faster than they can be replenished.
- **Principle 4:** Discourage the production and use of persistent and harmful substances. Reinforce proper disposal practices for such substances.
- **Principle 5:** Affirm and promote practices that provide a safe and healthy environment and build resilience, and engage our community in not only meeting the economic and social needs of all citizens but enhancing quality of life.

Objectives

1. **Leadership:** Take a leadership position on sustainability issues both within and outside of the City of Burlington. Recognize that our local actions can have global implications.
2. **Protection and Enhancement of Natural Features:** Protect and enhance Burlington's natural features to ensure that shorelines, natural water courses, wetlands, flood plains, woodlands and forestry tracts, as well as notable landmarks such as the Niagara Escarpment, are preserved for future generations. Improve the connectivity of natural features to enhance the natural heritage system. Preserve habitat to maintain and increase biodiversity and protect species at risk.
3. **Protection of Natural Resources:** Sustainably manage and protect natural resources such as water, minerals and fertile lands. Reverse degradation of natural resources when feasible.

4. **Responsible Use of Natural Resources:** Reduce the consumption of natural resources and ensure users are responsible for the full local costs of services such as water, electricity and sanitary sewers. Provide educational programs to encourage conservation of natural resources and increase awareness of the full costs of services.
5. **Waste Reduction**: Reduce waste generation and increase resource recovery. Minimize waste in designing, building, operating, renovating, demolishing and re-purposing buildings.
6. **Greening of the City:** Promote the preservation, management and planting of trees and other vegetation on private and public property within the City. Encourage the use of native, non-invasive and diverse species.
7. **Natural Features and Green Space:** Ensure natural features and greenspace are fundamental components of the City including new developments and redevelopments.
8. **Superior Neighbourhood Design:** Make land-use decisions considering the natural features, site characteristics and location relative to employment, transportation and amenities. Apply an ecosystem approach to assess the impacts of development and to ensure environmental integrity, diversity and resiliency. Create vibrant, equitable communities that are healthy, walkable and transit supportive.
9. **Sense of Community:** Create sustainable and appropriate forms of development that reflect the human scale, promote a sense of community, and connect and integrate urban development and natural surroundings.
10. **Neighbourhood Connectivity:** Promote community development where residents can easily access necessities and amenities, such as housing, employment, locally produced food, retail, green spaces, education, recreation, and arts and culture through active transportation or transit.
11. **Sustainable Transportation System:** Prioritize walking, cycling and transit and make the best use of the existing road system for the safe movement of goods and people. Support multi-modal connectivity within the City and with neighbouring municipalities.
12. **Efficient Urban Design:** Increase the efficiency of land use in the urban community with the goal of reducing greenhouse gas and other air emissions and provide efficient, well connected routes for active transportation and transit. Promote urban intensification and development policies, rather than suburban policies that generate sprawl.
13. **Natural Storm Water Management:** Protect water courses in their natural state and encourage the restoration of water courses that have been degraded. Encourage low impact development design and use of best practices to improve storm water quality and reduce the quantity of storm water sent to traditional storm water infrastructure.
14. **Energy Conservation, Efficiency and Generation:** Promote net zero carbon energy generation and usage. Increase energy conservation through efficient land use planning and building design. Encourage sustainable local thermal and electrical energy generation and the supporting distribution network. Adopt low emission forms of transportation.

Take all opportunities to switch from fossil fuel to renewable and electricity-based technologies.

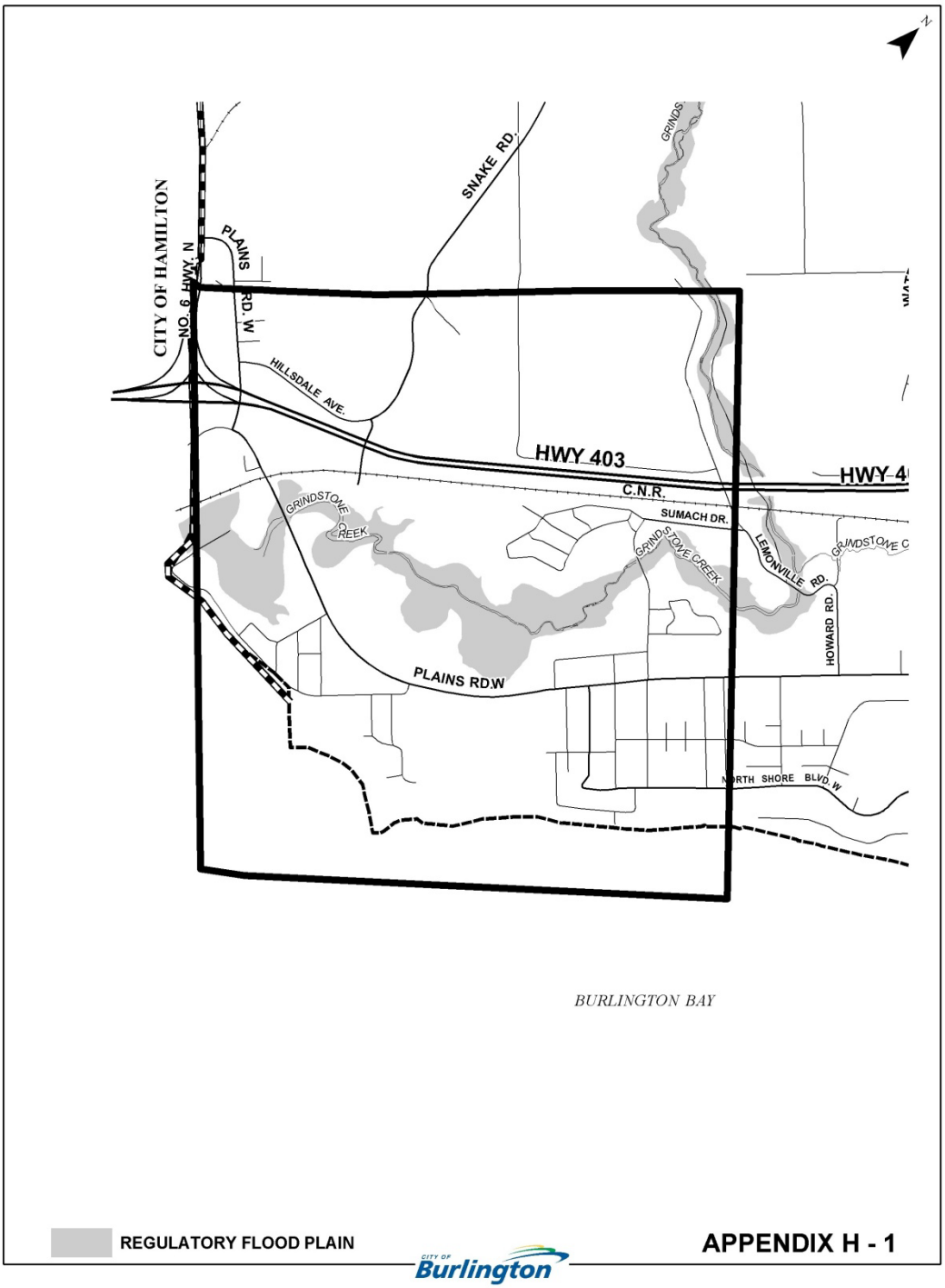
15. **Agriculture and Food:** Promote policies that improve long-term food security with sustainable local agriculture in urban and rural communities. Increase the supply of local, accessible, affordable, culturally diverse and nutritious food. Protect agricultural land from loss and fragmentation.
16. **Healthy Lifestyles:** Promote and support healthy and active lifestyles through the development of complete neighbourhoods, active transportation infrastructure, recreational facilities and parks.
17. **Community Engagement:** Seek and encourage public participation and education, and consider public input in city decision-making. The economic, environmental and social aspects of proposed developments should be considered. Decisions should address all aspects and build consensus among stakeholders.
18. **Evaluation of Development:** Continuously monitor and evaluate community development to assess its sustainability in relation to social, environmental or economic impacts.
19. **Sustainability Assessment:** To assess progress towards sustainability, the City of Burlington should prepare a performance review of the entire municipality at regular intervals and develop and implement an action plan based on the findings.

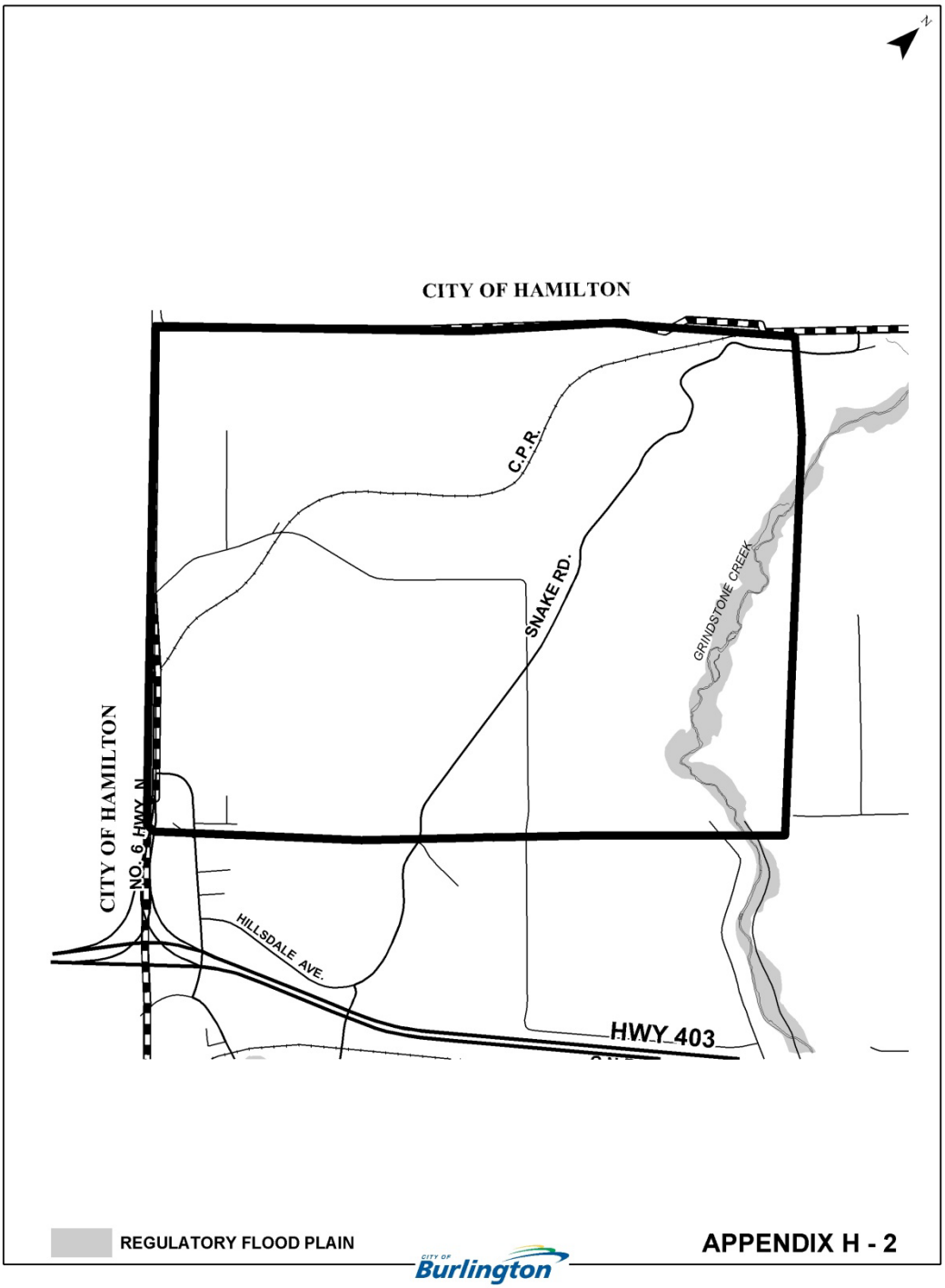
APPENDIX F
Council-adopted Protocols for Development
(for reference purposes only and does not form part of the Plan)

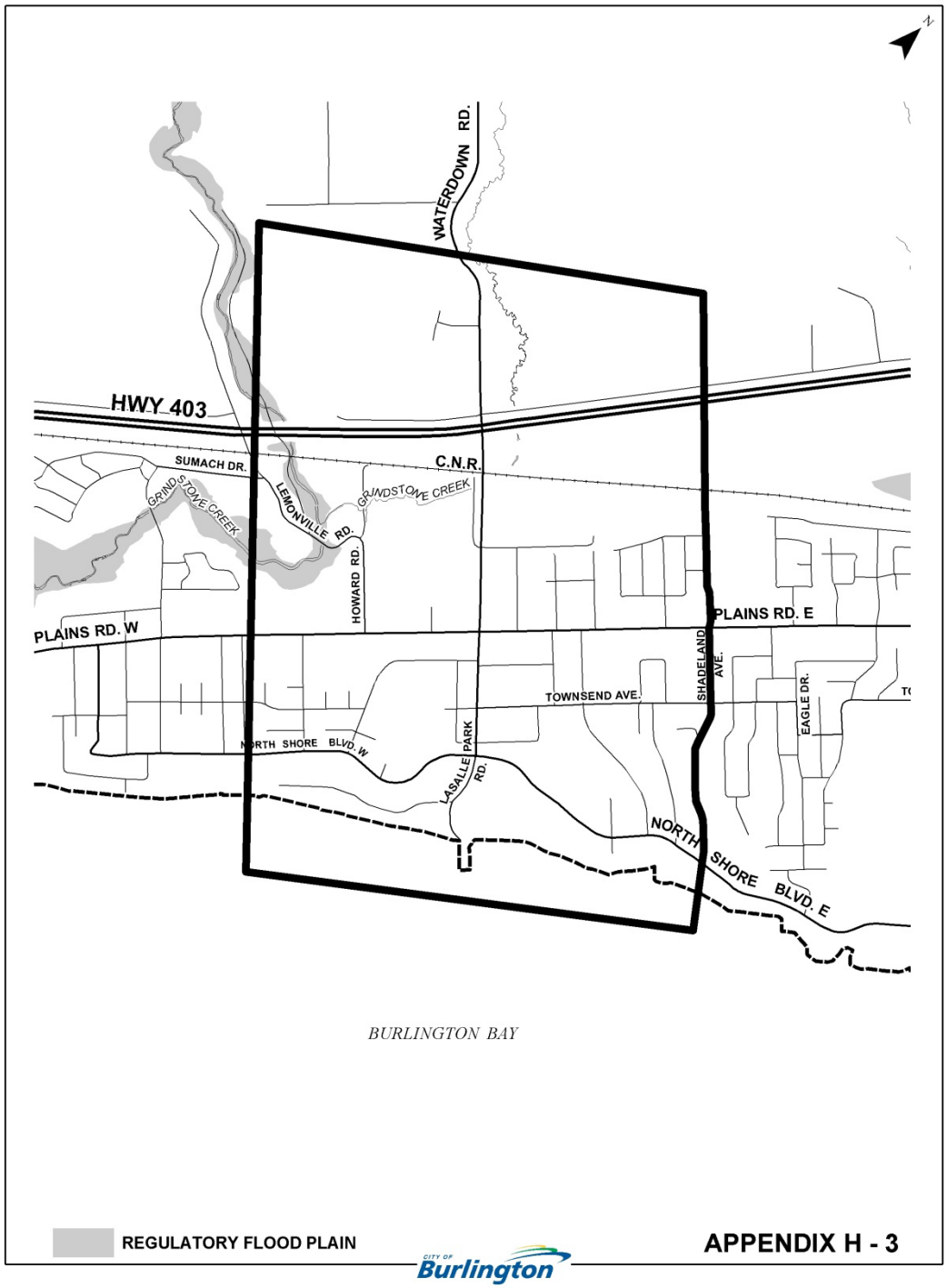
F-1. Protocol for Reviewing Development Applications with Respect to Contaminated and Potentially Contaminated Sites (May 2011)

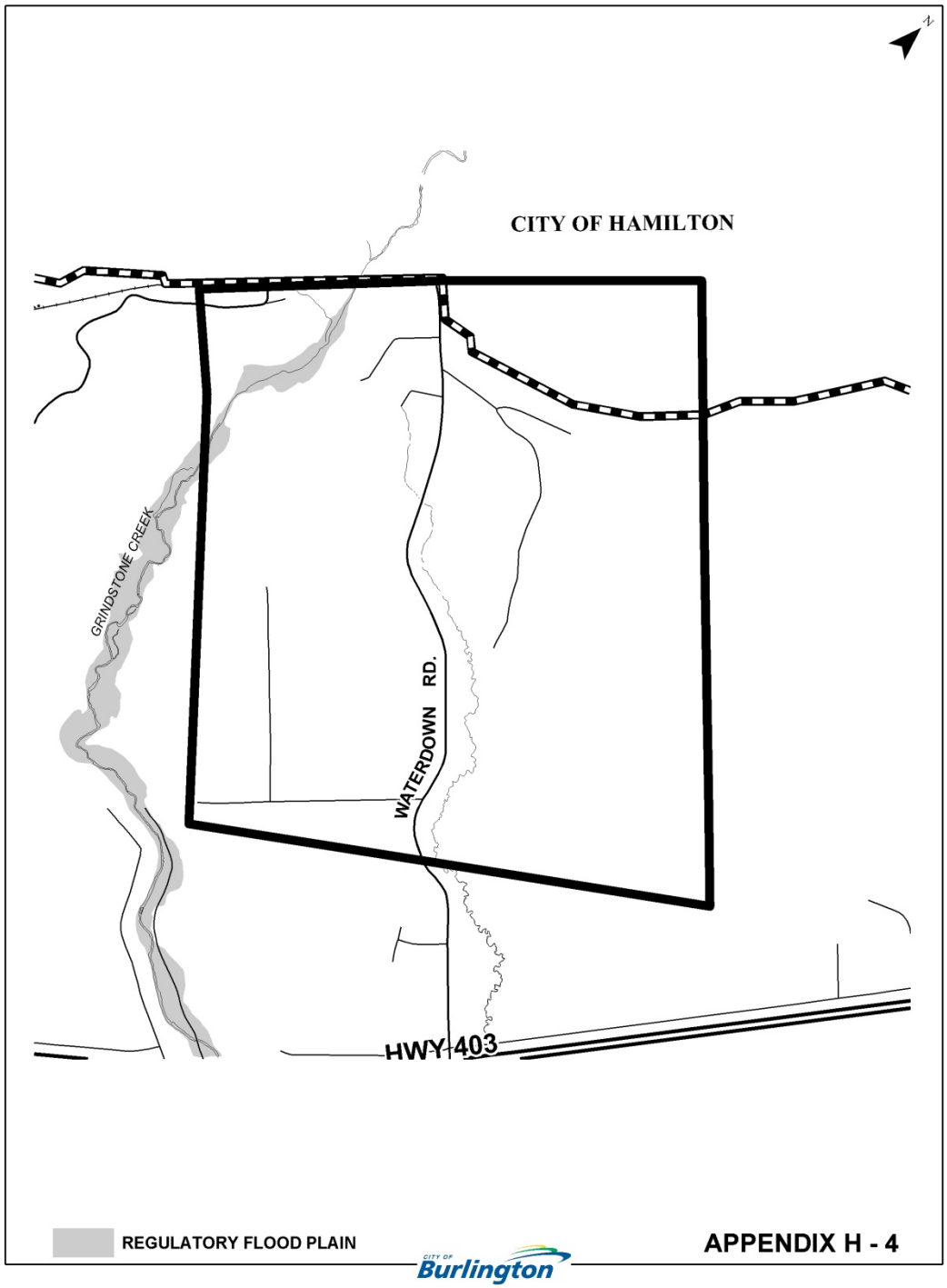
APPENDIX G
Regulatory Flood Plain Mapping
(for reference purposes only and does not form part of the Plan)

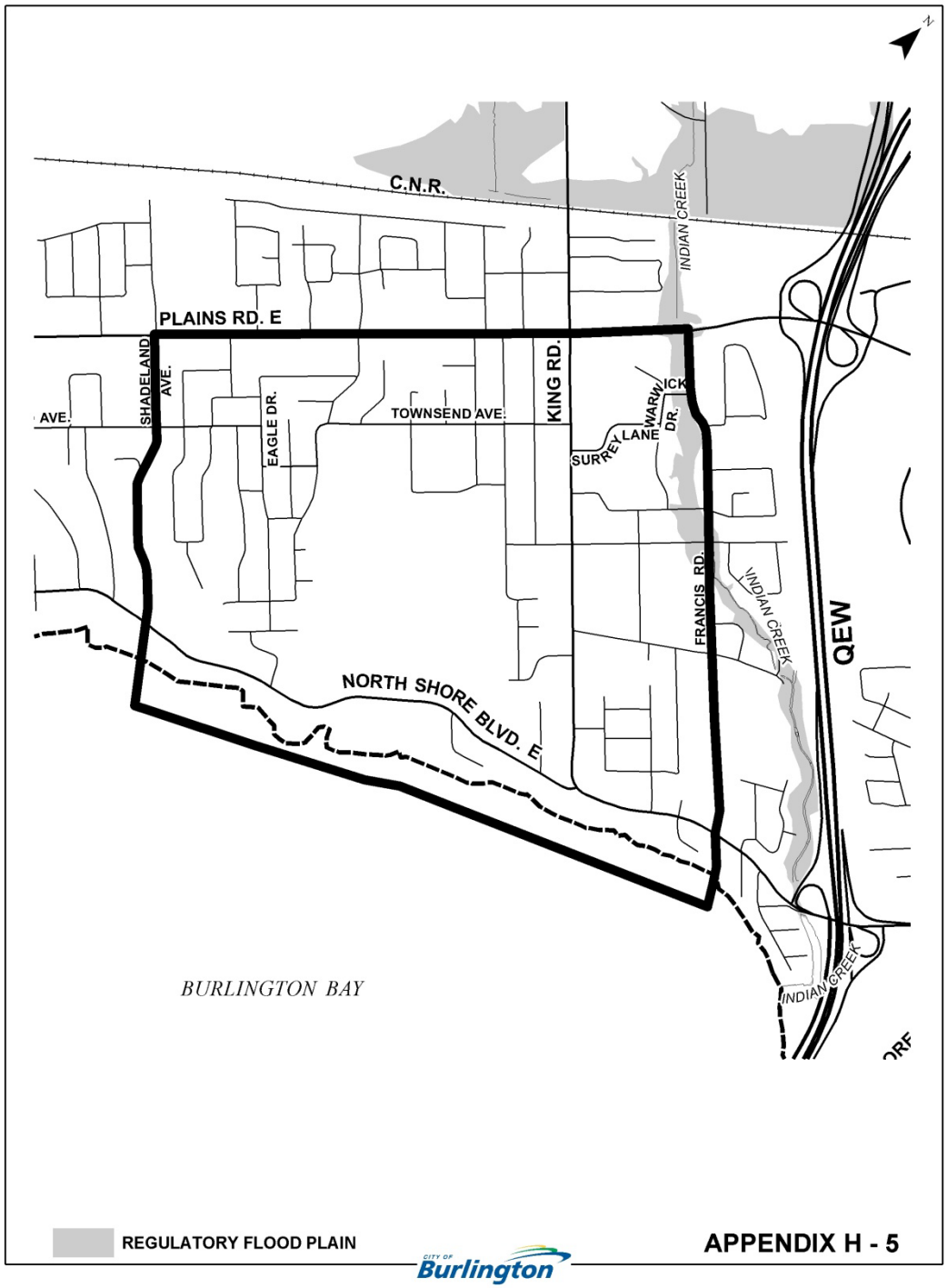
Note: All watercourses have a natural flood plain associated with them; however, certain watercourses do not have flood plain mapping completed at this time. Any works within or near a watercourse *shall* be reviewed by the City and Conservation Halton for flood plain implications.

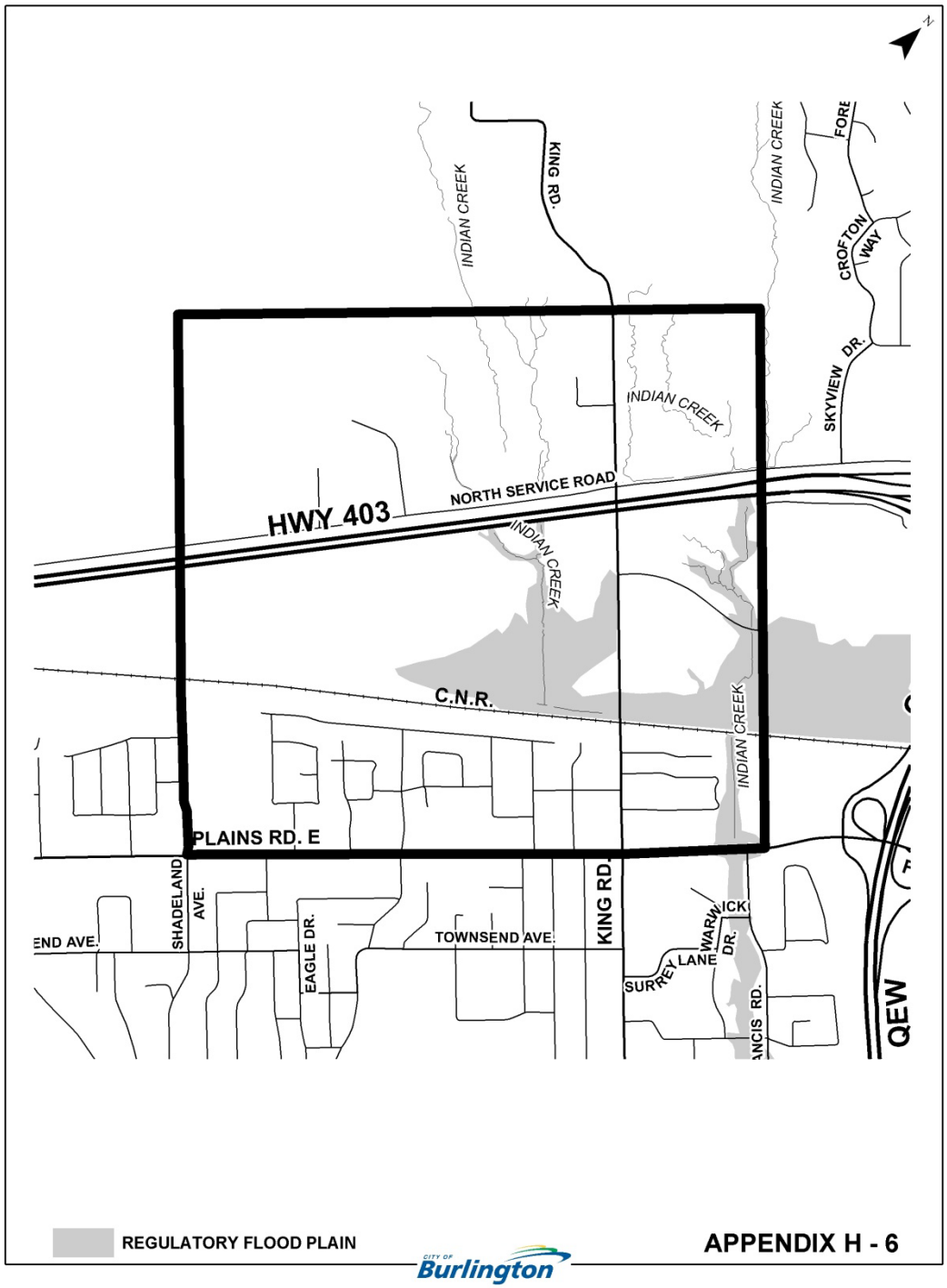

CITY OF HAMILTON
NO. 6 HWY. N
PLAINS RD. W
SNAKE RD.
HILLSDALE AVE.
HWY 403
C.N.R.
SUMACH DR.
GRINDSTONE CREEK
LEMONVILLE RD.
HOWARD RD.
PLAINS RD.W
NORTH SHORE BLVD.W
BURLINGTON BAY
REGULATORY FLOOD PLAIN
APPENDIX H - 1

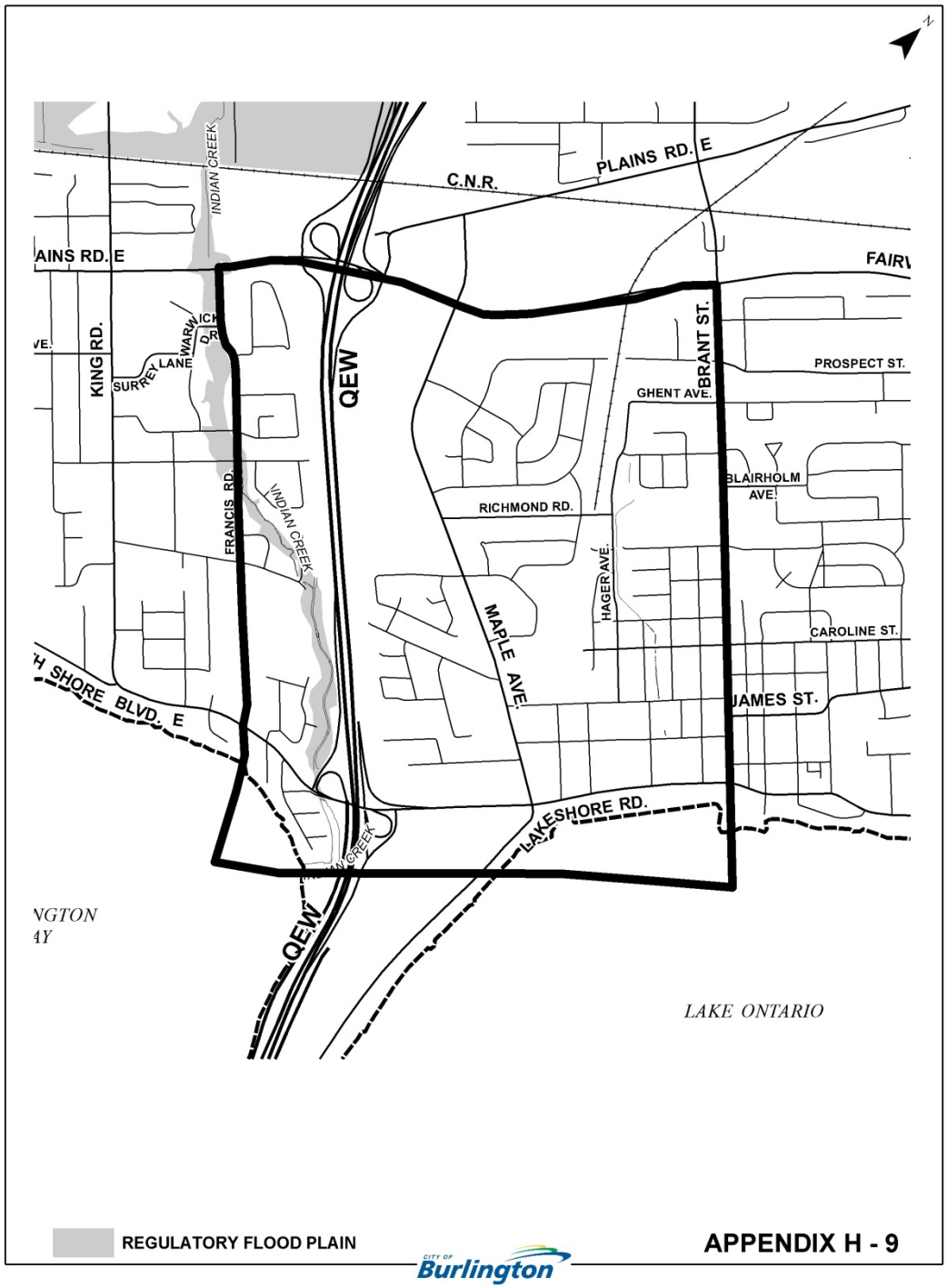

CITY OF HAMILTON
C.P.R.
SNAKE RD.
GRINDSTONE CREEK
CITY OF HAMILTON
NO. 6 HWY. N
HILLSDALE AVE.
HWY 403
REGULATORY FLOOD PLAIN
APPENDIX H - 2

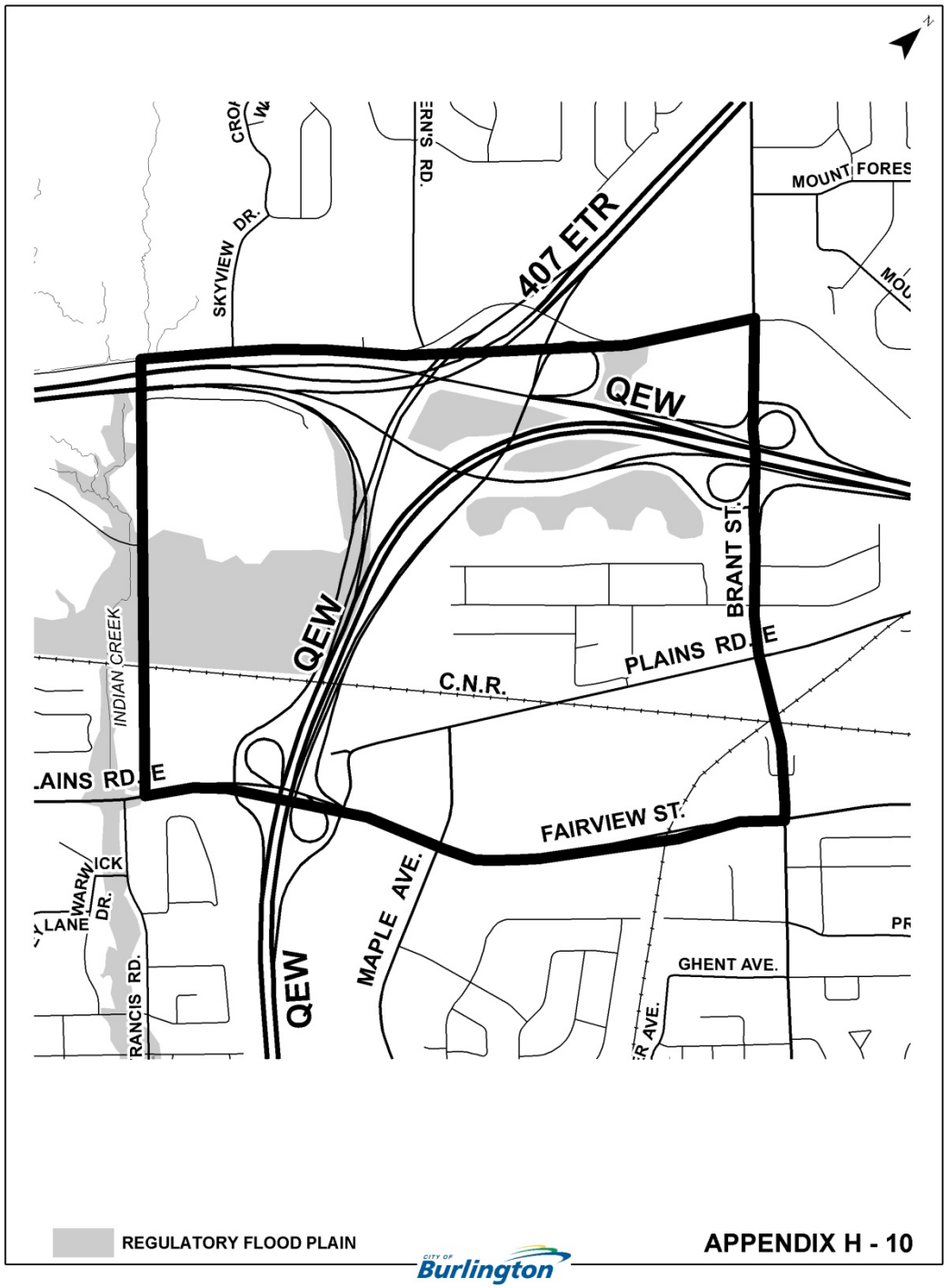

WATERDOWN RD.
HWY 403
C.N.R.
SUMACH DR.
GRINDSTONE CREEK
LEMONVILLE RD.
GRINDSTONE CREEK
HOWARD RD.
PLAINS RD. W
PLAINS RD. E
SHADELAND AVE.
TOWNSEND AVE.
EAGLE DR.
NORTH SHORE BLVD. W
LASALLE PARK RD.
NORTH SHORE BLVD. E
BURLINGTON BAY
REGULATORY FLOOD PLAIN
APPENDIX H - 3

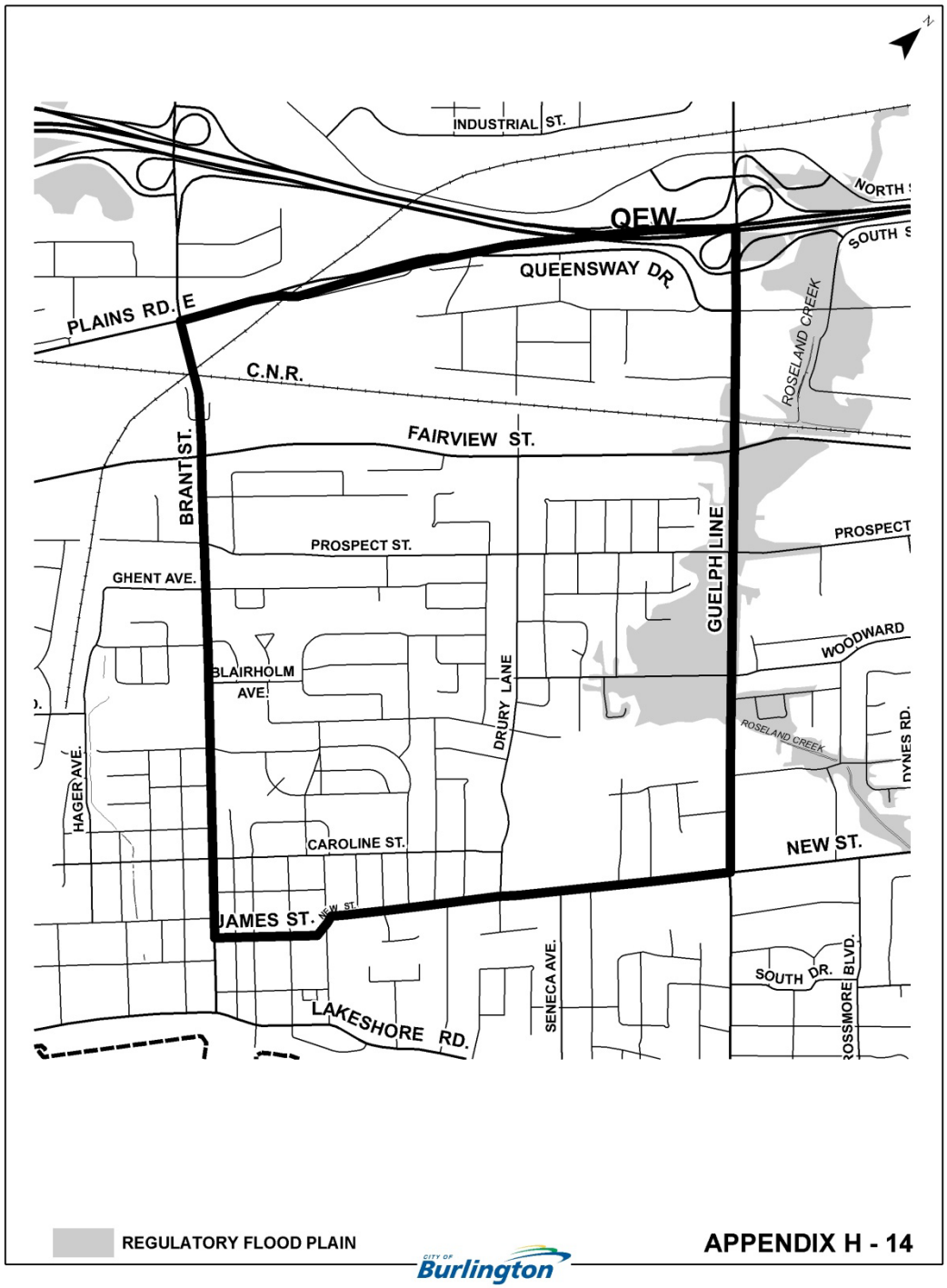

CITY OF HAMILTON
GRINDSTONE CREEK
WATERDOWN RD.
HWY 403
REGULATORY FLOOD PLAIN
APPENDIX H - 4

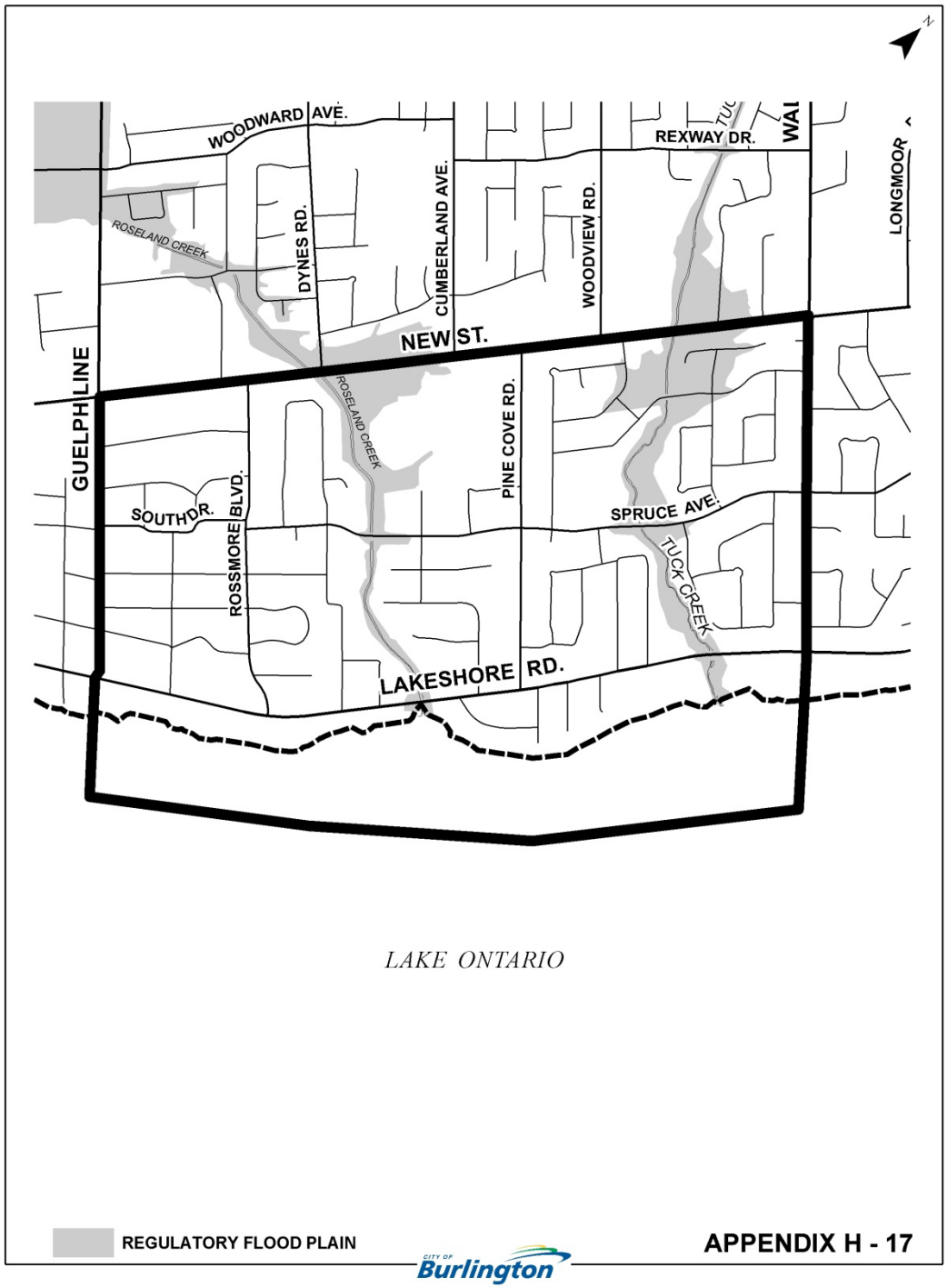

C.N.R.
INDIAN CREEK
PLAINS RD. E
SHADELAND AVE.
EAGLE DR.
TOWNSEND AVE.
KING RD.
SURREY LANE
FRANCIS RD.
QEW
NORTH SHORE BLVD. E
BURLINGTON BAY
REGULATORY FLOOD PLAIN
APPENDIX H - 5

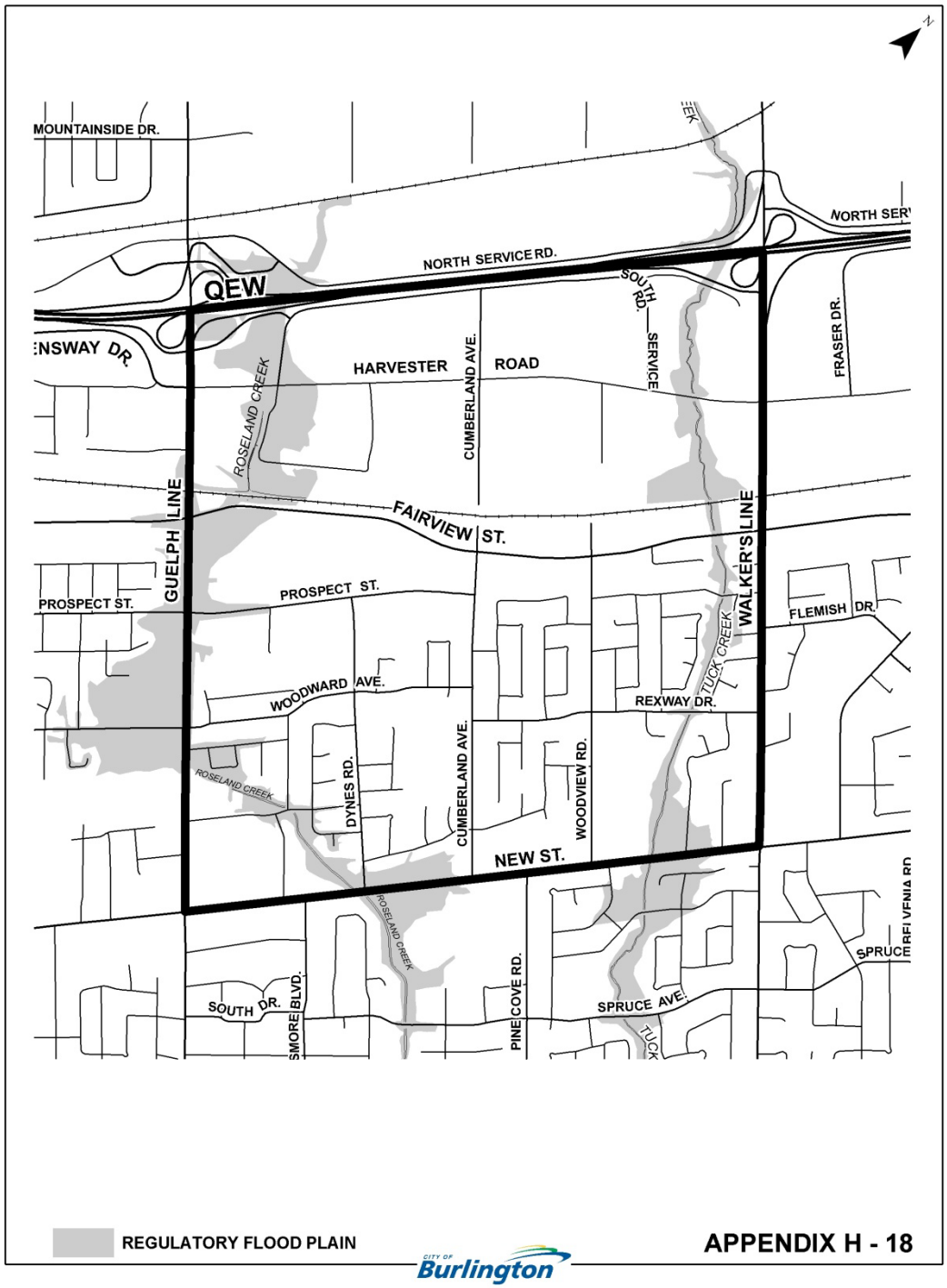

KING RD.
INDIAN CREEK
INDIAN CREEK
CROFTON WAY
SKYVIEW DR.
INDIAN CREEK
HWY 403
NORTH SERVICE ROAD
INDIAN CREEK
C.N.R.
INDIAN CREEK
PLAINS RD. E
SHADELAND AVE.
EAGLE DR.
TOWNSEND AVE.
KING RD.
SURREY LANE
QEW
REGULATORY FLOOD PLAIN
APPENDIX H - 6

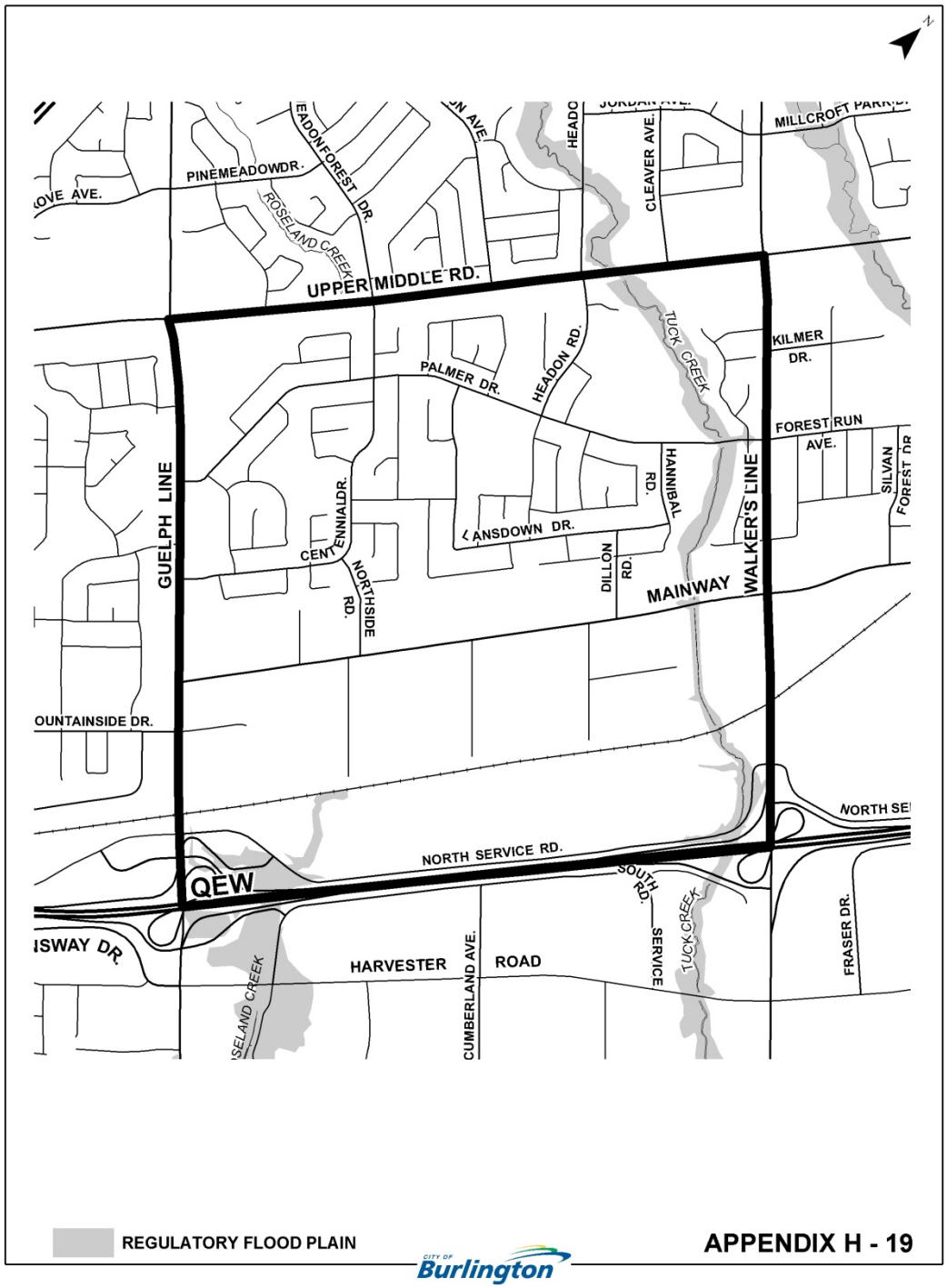

C.N.R.
PLAINS RD. E
INDIAN CREEK
AINS RD. E
KING RD.
SURREY LANE
QEW
FRANCIS RD.
INDIAN CREEK
BRANT ST.
PROSPECT ST.
GHENT AVE.
BLAIRHOLM AVE.
RICHMOND RD.
HAGER AVE.
MAPLE AVE.
CAROLINE ST.
JAMES ST.
H SHORE BLVD. E
LAKESHORE RD.
QEW
LAKE ONTARIO
REGULATORY FLOOD PLAIN
APPENDIX H - 9
City of Burlington

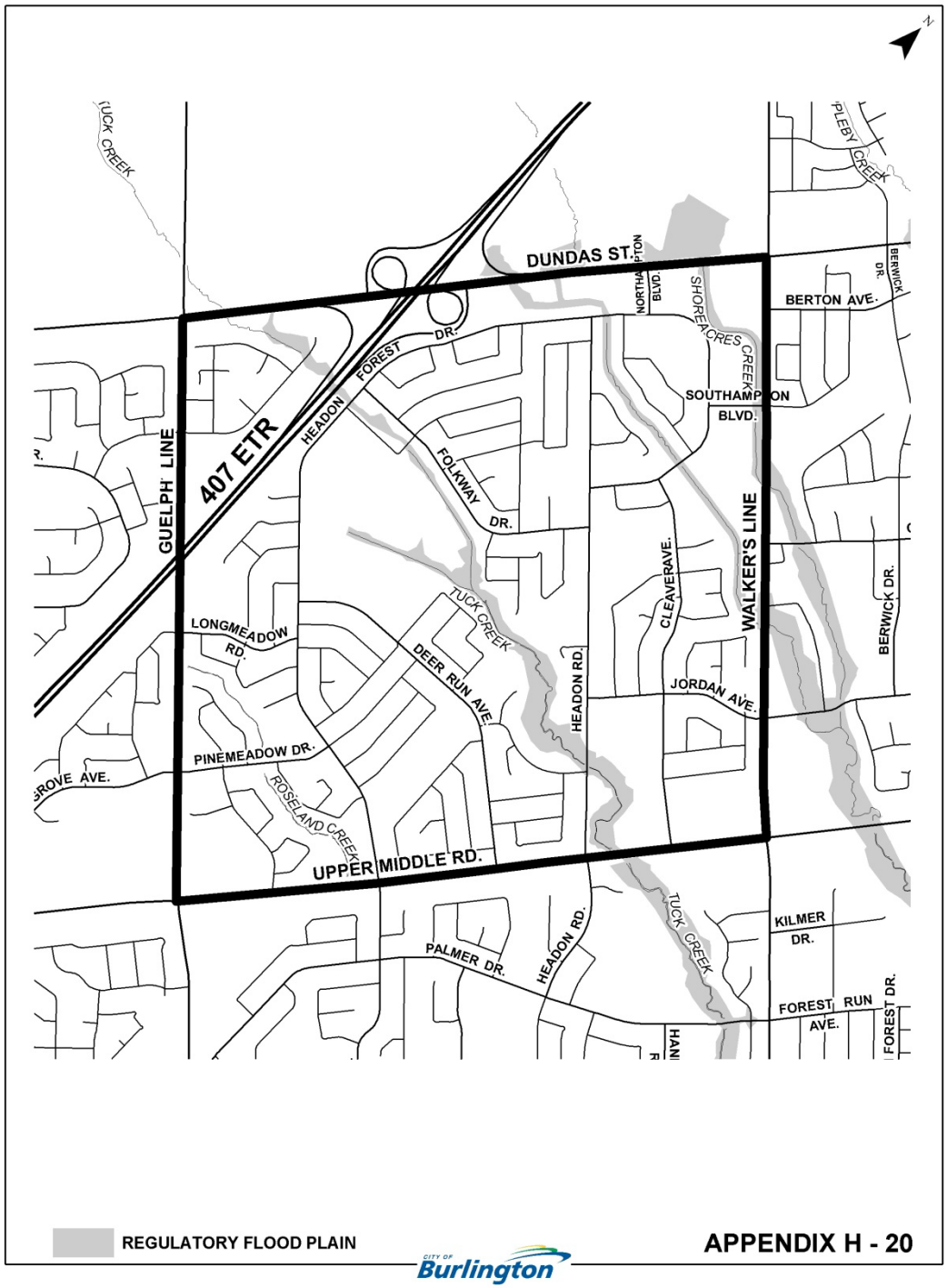

407 ETR
QEW
QEW
QEW
BRANT ST.
PLAINS RD. E
C.N.R.
FAIRVIEW ST.
MAPLE AVE.
GHENT AVE.
SKYVIEW DR.
INDIAN CREEK
MOUNT FORES
REGULATORY FLOOD PLAIN
APPENDIX H - 10
Burlington

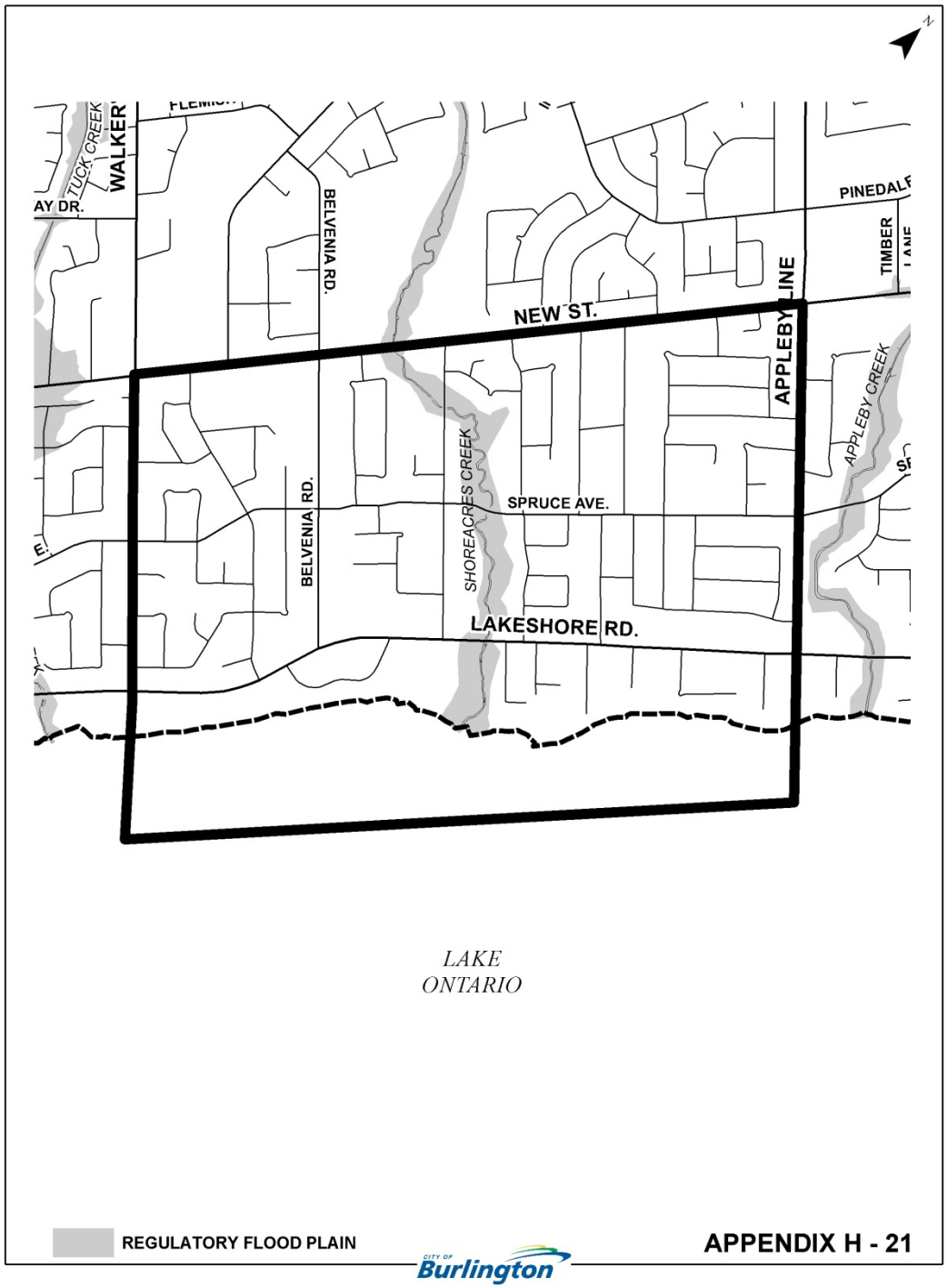

INDUSTRIAL ST.
QEW
QUEENSWAY DR
PLAINS RD. E
C.N.R.
ROSELAND CREEK
FAIRVIEW ST.
BRANT ST.
PROSPECT ST.
GHENT AVE.
GUELPH LINE
WOODWARD
BLAIRHOLM AVE.
DRURY LANE
HAGER AVE.
CAROLINE ST.
NEW ST.
JAMES ST.
SENECA AVE.
SOUTH DR.
LAKESHORE RD.
REGULATORY FLOOD PLAIN
APPENDIX H - 14

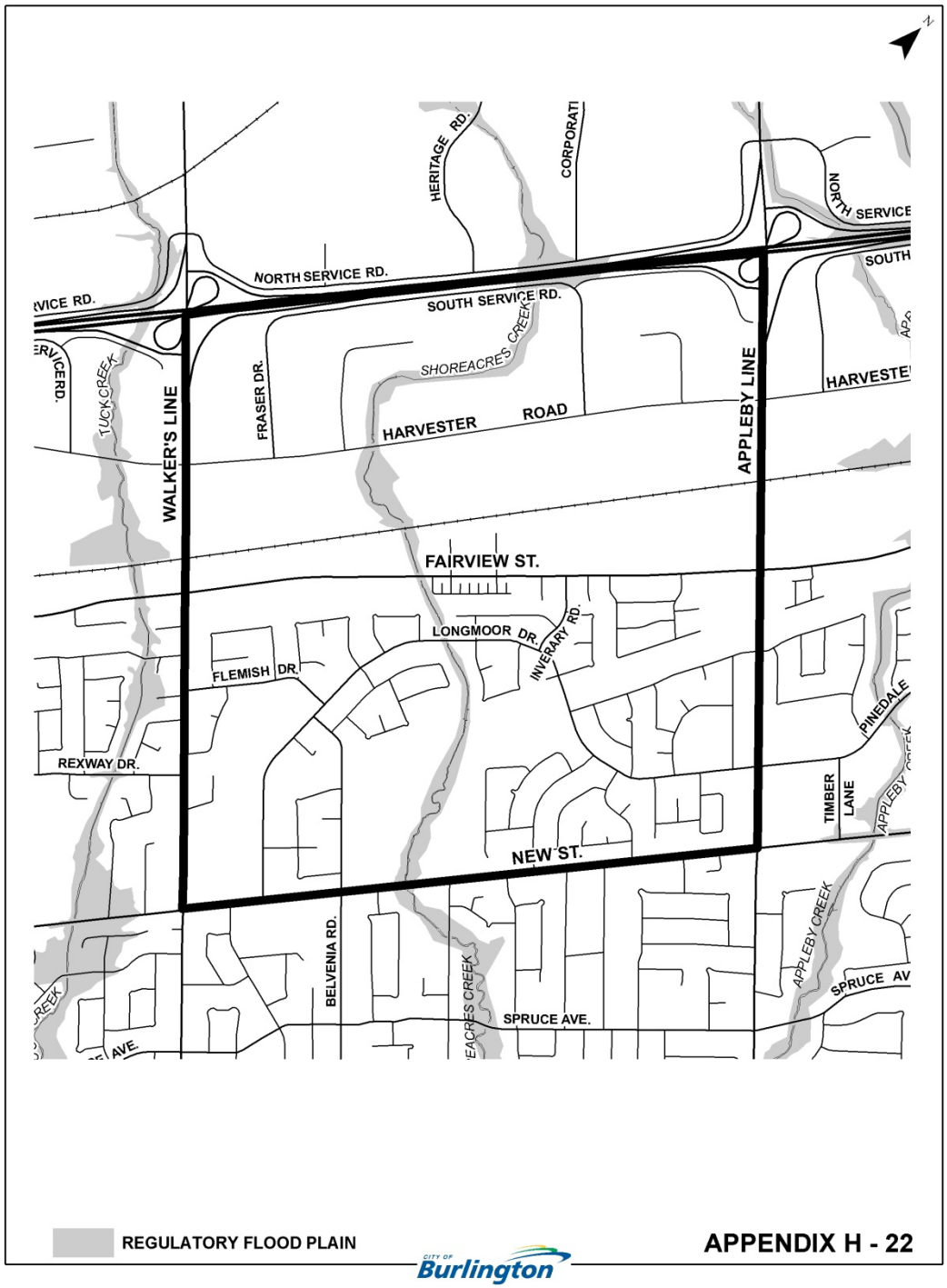

WOODWARD AVE.
REXWAY DR.
LONGMOOR
ROSELAND CREEK
DYNES RD.
CUMBERLAND AVE.
WOODVIEW RD.
NEW ST.
GUELPH LINE
ROSELAND CREEK
PINE COVE RD.
SOUTH DR.
ROSSMORE BLVD.
SPRUCE AVE.
TUCK CREEK
LAKESHORE RD.
LAKE ONTARIO
REGULATORY FLOOD PLAIN
APPENDIX H - 17

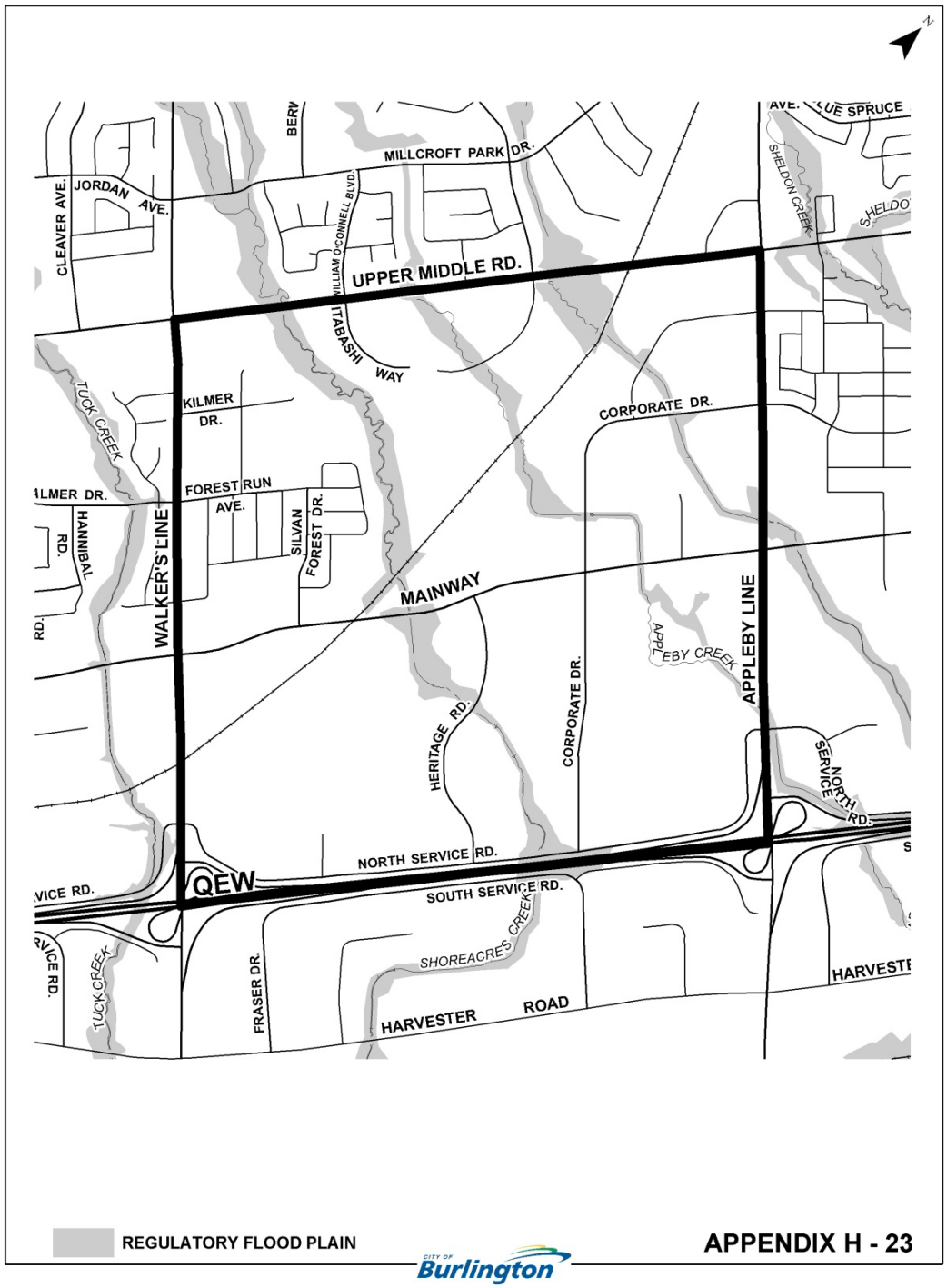

MOUNTAINSIDE DR.
NORTH SERVICE RD.
QEW
NSWAY DR.
HARVESTER ROAD
CUMBERLAND AVE.
SERVICE RD.
FRASER DR.
ROSELAND CREEK
GUELPH LINE
FAIRVIEW ST.
PROSPECT ST.
WALKER'S LINE
FLEMISH DR.
WOODWARD AVE.
REXWAY DR.
TUCK CREEK
DYNES RD.
WOODVIEW RD.
NEW ST.
SOUTH DR.
PINE COVE RD.
SPRUCE AVE.
REGULATORY FLOOD PLAIN
APPENDIX H - 18
City of Burlington

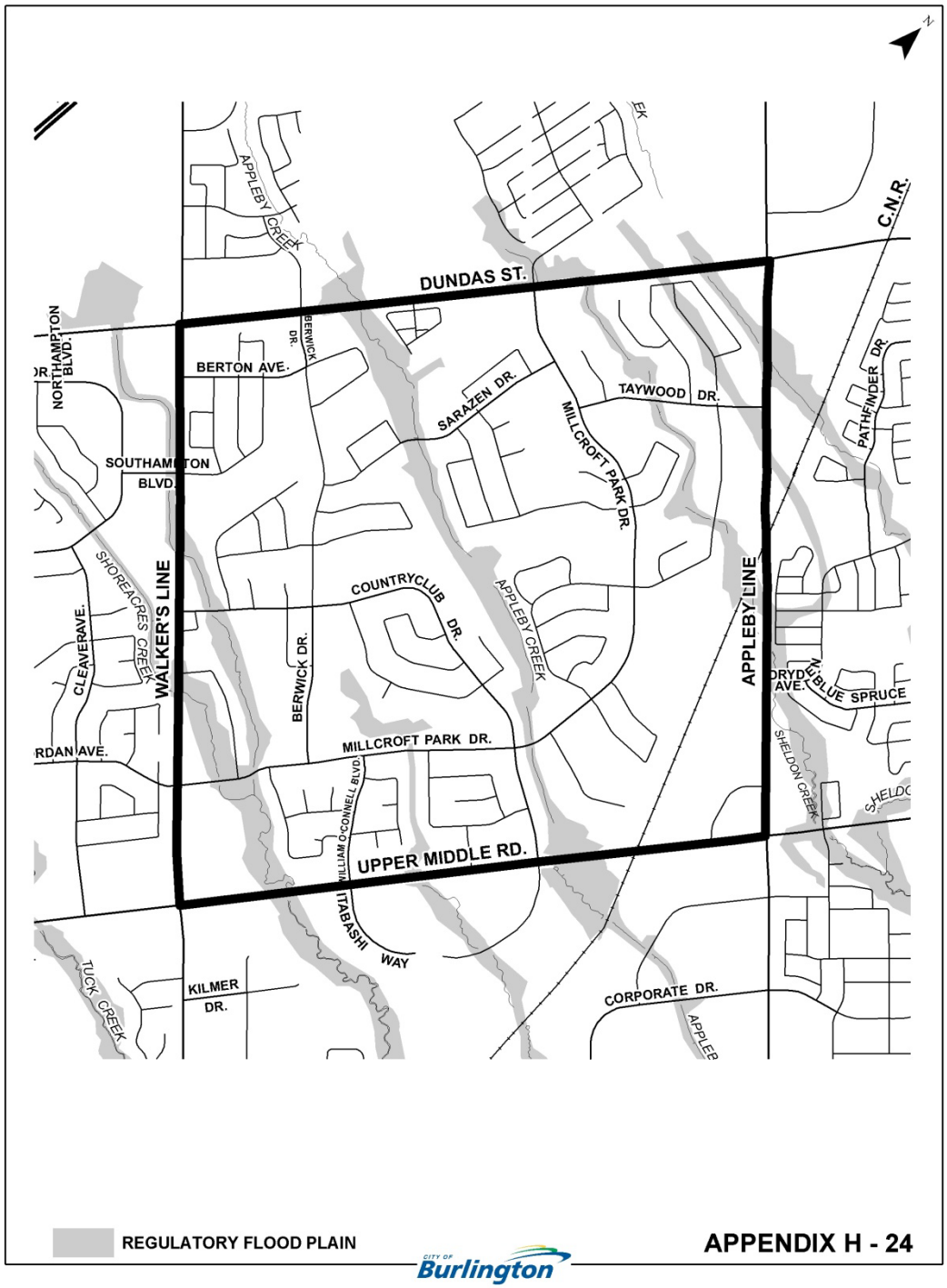

PINEMEADOWDR.
ROSELAND CREEK
UPPER MIDDLE RD.
CLEAVER AVE.
MILLCROFT PARK
PALMER DR.
HEADON RD.
TUCK CREEK
KILMER DR.
FOREST RUN AVE.
GUELPH LINE
CENTENNIAL DR.
NORTHSIDE RD.
LANSDOWN DR.
DILLON RD.
HANNIBAL RD.
WALKER'S LINE
MAINWAY
NORTH SERVICE RD.
QEW
SOUTH SERVICE RD.
HARVESTER ROAD
CUMBERLAND AVE.
FRASER DR.
REGULATORY FLOOD PLAIN
APPENDIX H - 19
City of Burlington

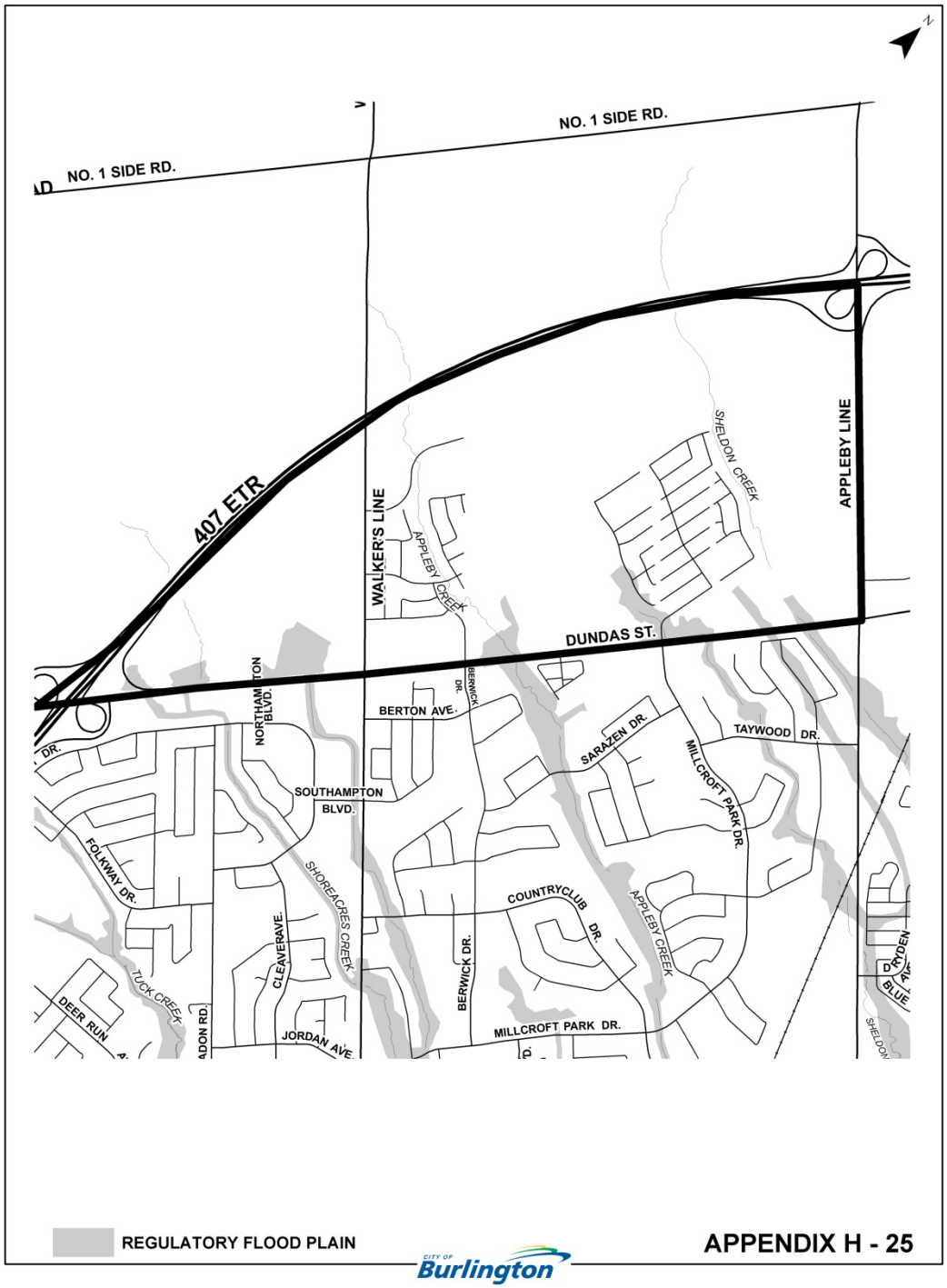

DUNDAS ST.
407 ETR
GUELPH LINE
WALKER'S LINE
HEADON FOREST DR.
FOLKWAY DR.
SHOREACRES CRESCENT
SOUTHAMPTON BLVD.
NORTHAMPTON BLVD.
BERTON AVE.
BERWICK DR.
CLEAVERAVE.
LONGMEADOW RD.
DEER RUN AVE.
TUCK CREEK
HEADON RD.
JORDAN AVE.
PINEMEADOW DR.
ROSELAND CREEK
UPPER MIDDLE RD.
PALMER DR.
KILMER DR.
FOREST RUN AVE.
PLEBY CREEK
REGULATORY FLOOD PLAIN
APPENDIX H - 20
CITY OF Burlington

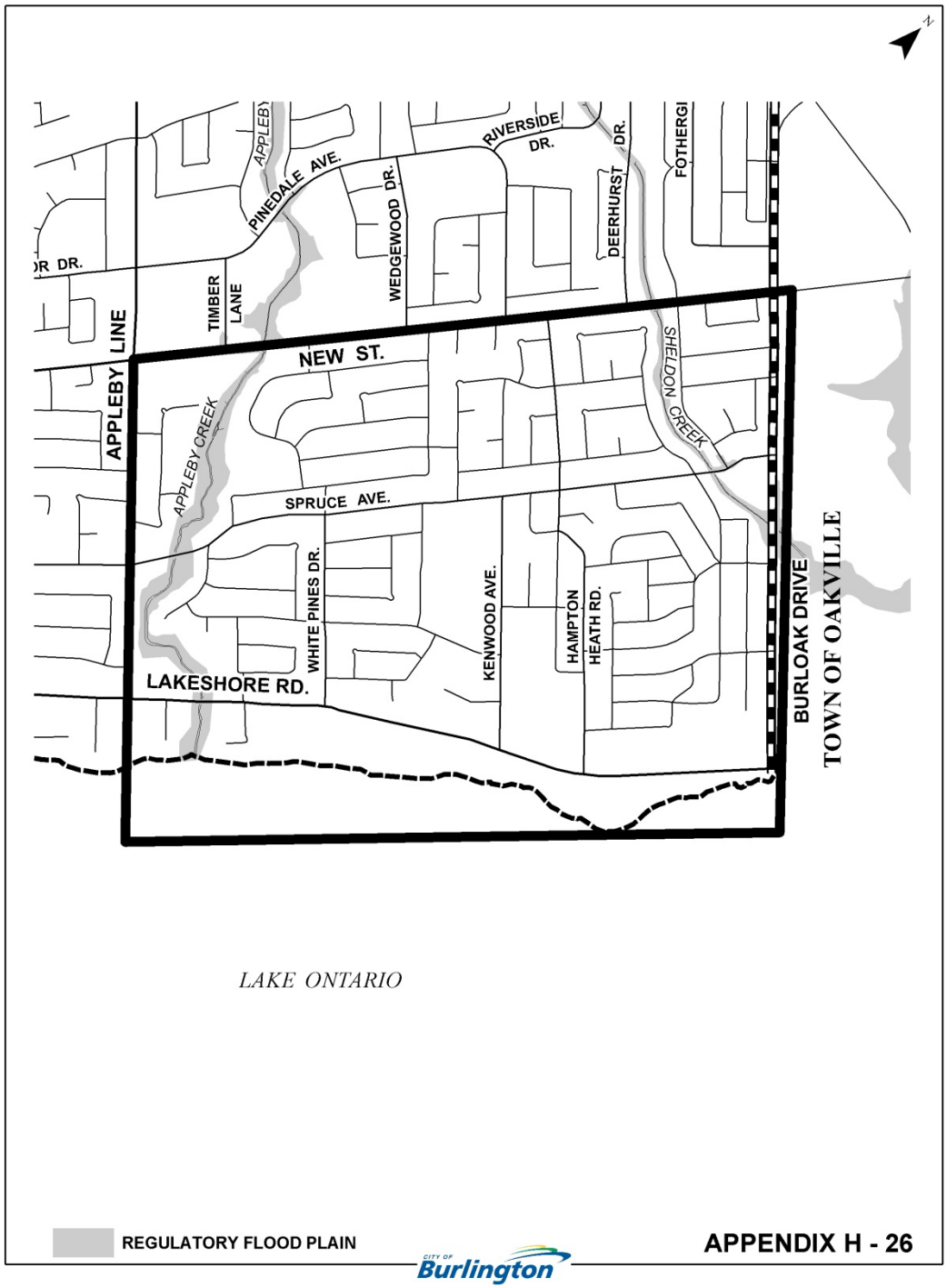

TUCK CREEK
WALKER
AY DR.
BELVENIA RD.
PINEDALE
TIMBER
NEW ST.
APPLEBY LINE
APPLEBY CREEK
SHOREACRES CREEK
SPRUCE AVE.
BELVENIA RD.
LAKESHORE RD.
LAKE
ONTARIO
REGULATORY FLOOD PLAIN
APPENDIX H - 21

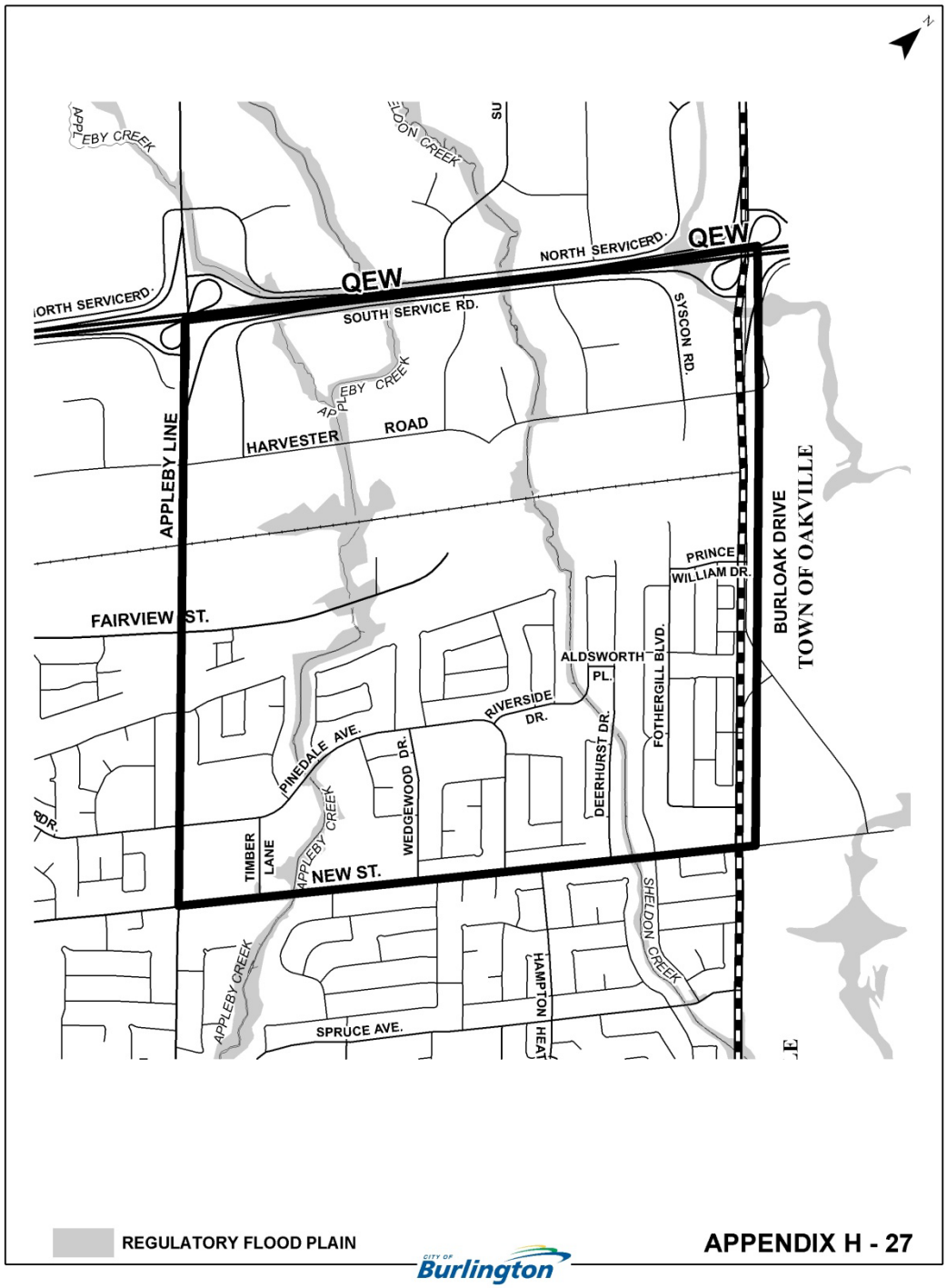

HERITAGE RD.
NORTH SERVICE RD.
SOUTH SERVICE RD.
SHOREACRES CREEK
FRASER DR.
HARVESTER ROAD
WALKER'S LINE
APPLEBY LINE
FAIRVIEW ST.
LONGMOOR DR.
INVERARY RD.
FLEMISH DR.
REXWAY DR.
PINEDALE
TIMBER LANE
NEW ST.
BELVENIA RD.
SPRUCE AVE.
APPLEBY CREEK
REGULATORY FLOOD PLAIN
APPENDIX H - 22
Burlington

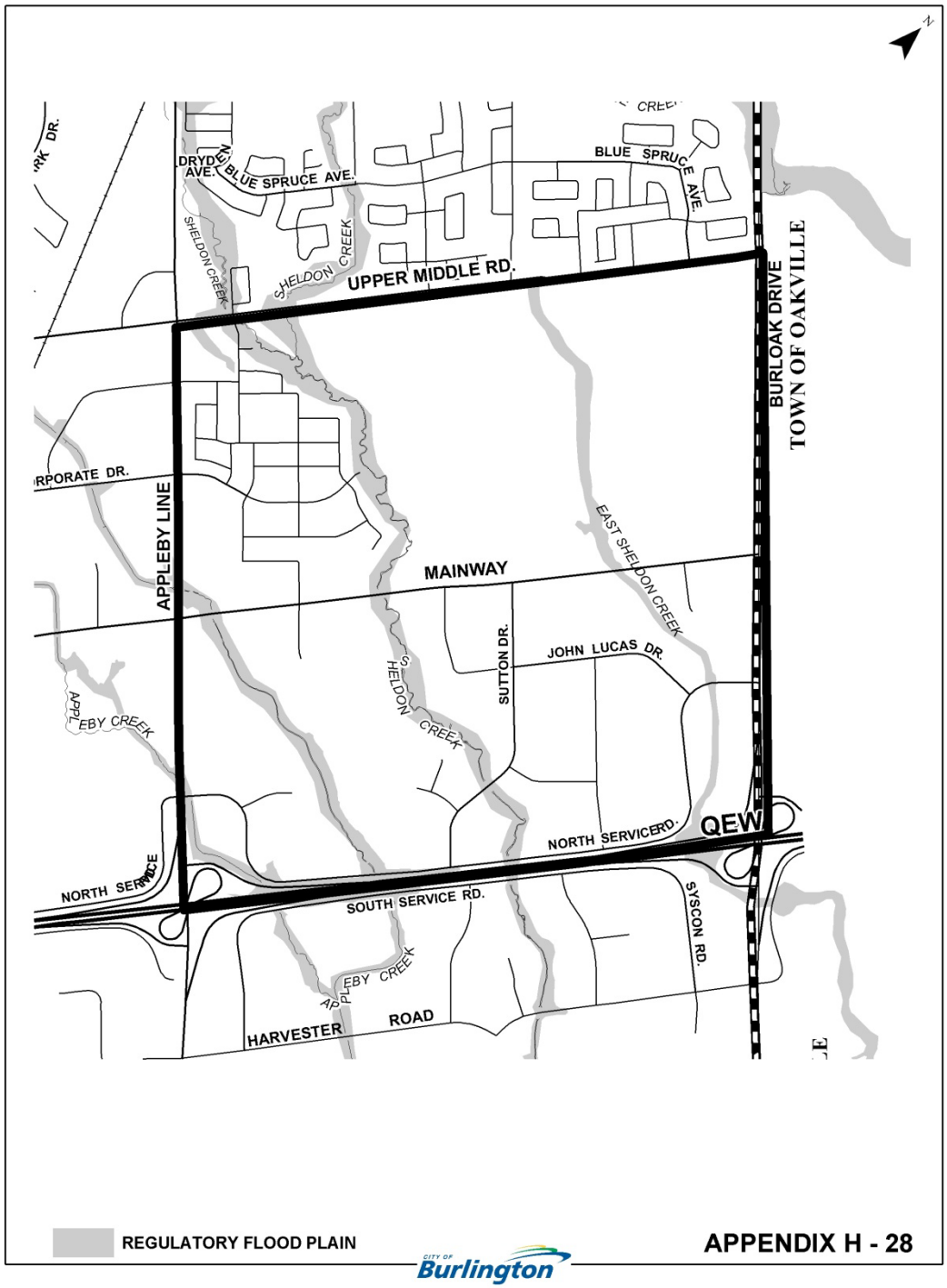

MILLCROFT PARK DR.
JORDAN AVE.
CLEAVER AVE.
WILLIAM O'CONNELL BLVD.
UPPER MIDDLE RD.
ITABASHI WAY
SHELDON CREEK
KILMER DR.
TUCK CREEK
CORPORATE DR.
FOREST RUN AVE.
SILVAN FOREST DR.
HANNIBAL RD.
WALKER'S LINE
MAINWAY
APPLEBY CREEK
APPLEBY LINE
HERITAGE RD.
CORPORATE DR.
NORTH SERVICE RD.
QEW
SOUTH SERVICE RD.
SHOREACRES CREEK
FRASER DR.
HARVESTER ROAD
REGULATORY FLOOD PLAIN
APPENDIX H - 23

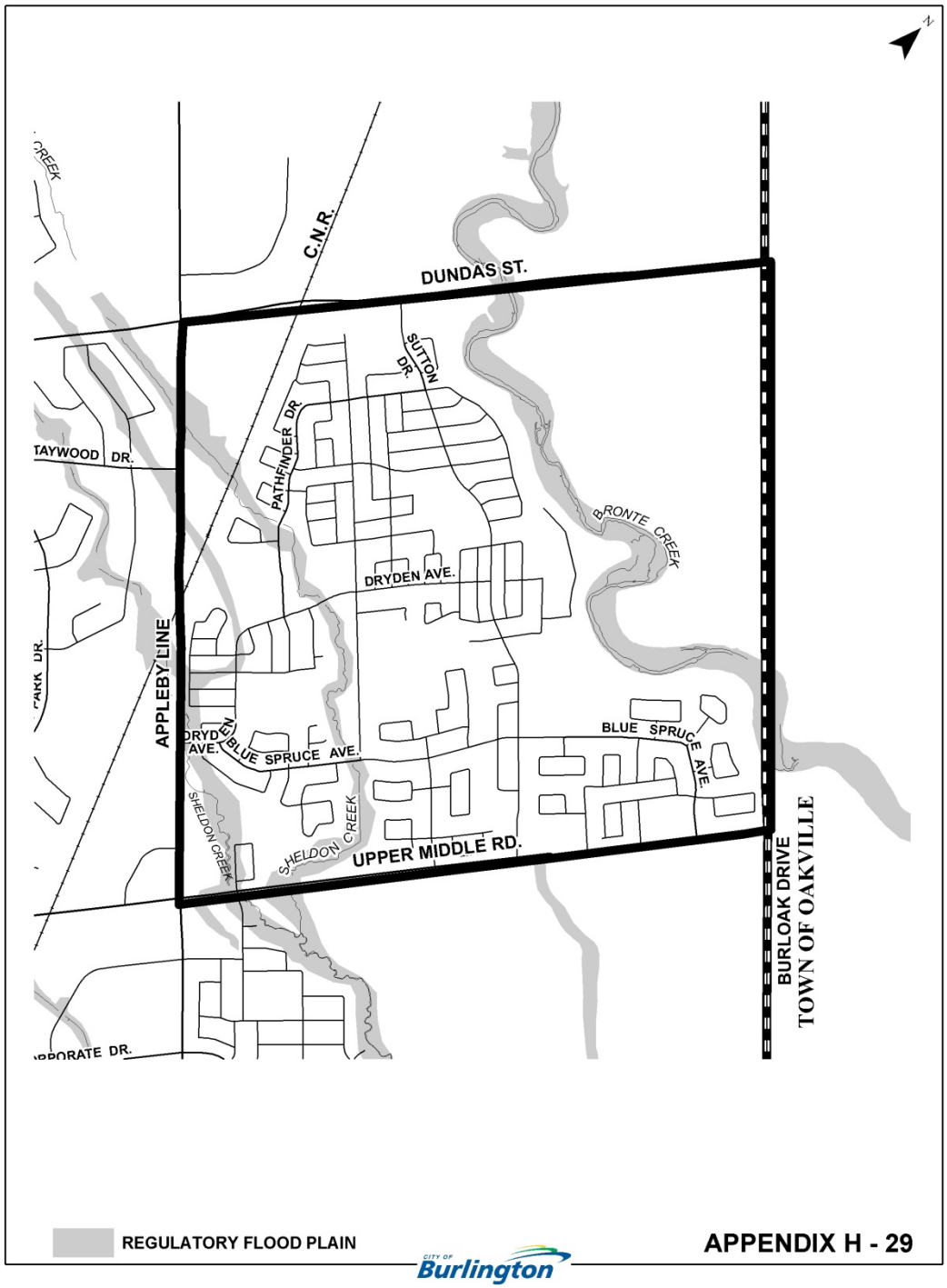

DUNDAS ST.
APPLEBY CREEK
C.N.R.
BERTON AVE.
BERWICK DR.
SARAZEN DR.
TAYWOOD DR.
MILLCROFT PARK DR.
PATHFINDER DR.
NORTHAMPTON BLVD.
SOUTHAMPTON BLVD.
WALKER'S LINE
APPLEBY LINE
SHOREACRES CREEK
CLEAVERAVE.
COUNTRYCLUB DR.
APPLEBY CREEK
BERWICK DR.
DRYDEN AVE.
BLUE SPRUCE
MILLCROFT PARK DR.
SHELDON CREEK
WILLIAM O'CONNELL BLVD.
UPPER MIDDLE RD.
ITABASHI WAY
TUCK CREEK
KILMER DR.
CORPORATE DR.
REGULATORY FLOOD PLAIN
APPENDIX H - 24

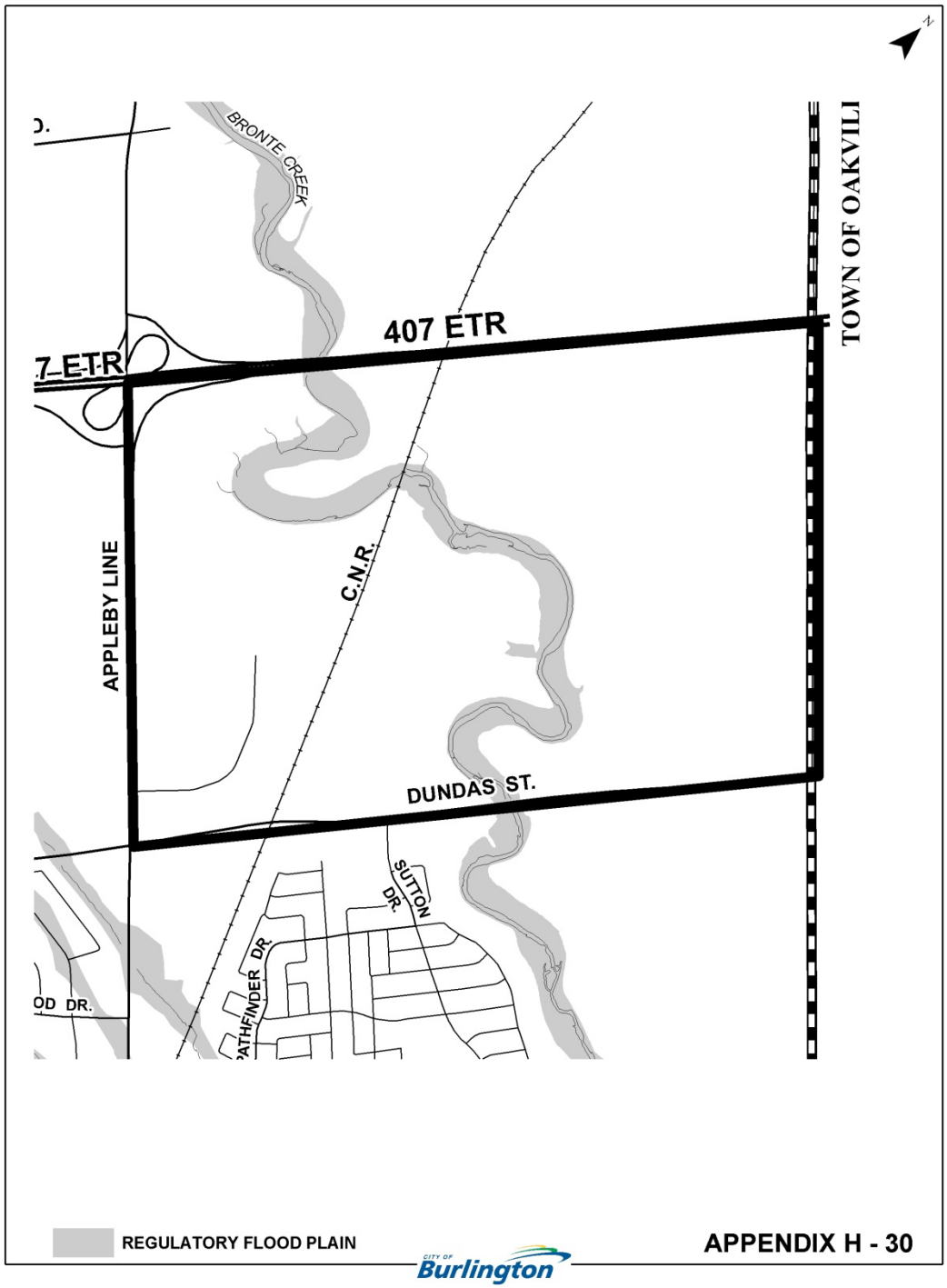

NO. 1 SIDE RD.
NO. 1 SIDE RD.
407 ETR
WALKER'S LINE
APPLEBY LINE
APPLEBY CREEK
SHELDON CREEK
DUNDAS ST.
NORTHAMPTON BLVD.
BERTON AVE.
BERWICK DR.
SARAZEN DR.
TAYWOOD DR.
MILLCROFT PARK DR.
SOUTHAMPTON BLVD.
FOLKWAY DR.
SHOREACRES CREEK
COUNTRYCLUB DR.
CLEAVERAVE.
BERWICK DR.
APPLEBY CREEK
TUCK CREEK
DEER RUN
JORDAN AVE.
MILLCROFT PARK DR.
REGULATORY FLOOD PLAIN
APPENDIX H - 25
City of Burlington

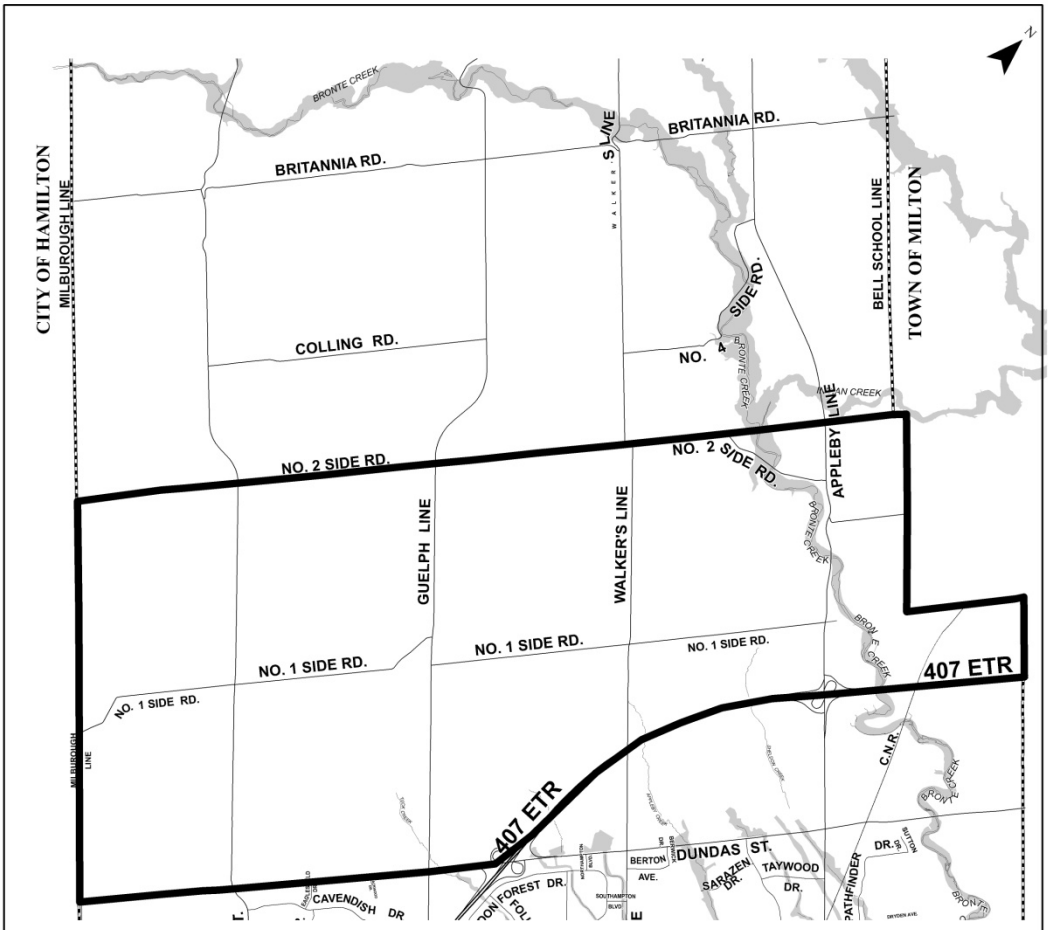

N
APPLEBY
PINEDALE AVE.
RIVERSIDE DR.
WEDGEWOOD DR.
DEERHURST DR.
FOTHERGI
TIMBER LANE
APPLEBY LINE
NEW ST.
SHELDON CREEK
APPLEBY CREEK
SPRUCE AVE.
WHITE PINES DR.
KENWOOD AVE.
HAMPTON HEATH RD.
LAKESHORE RD.
BURLOAK DRIVE
TOWN OF OAKVILLE
LAKE ONTARIO
REGULATORY FLOOD PLAIN
APPENDIX H - 26

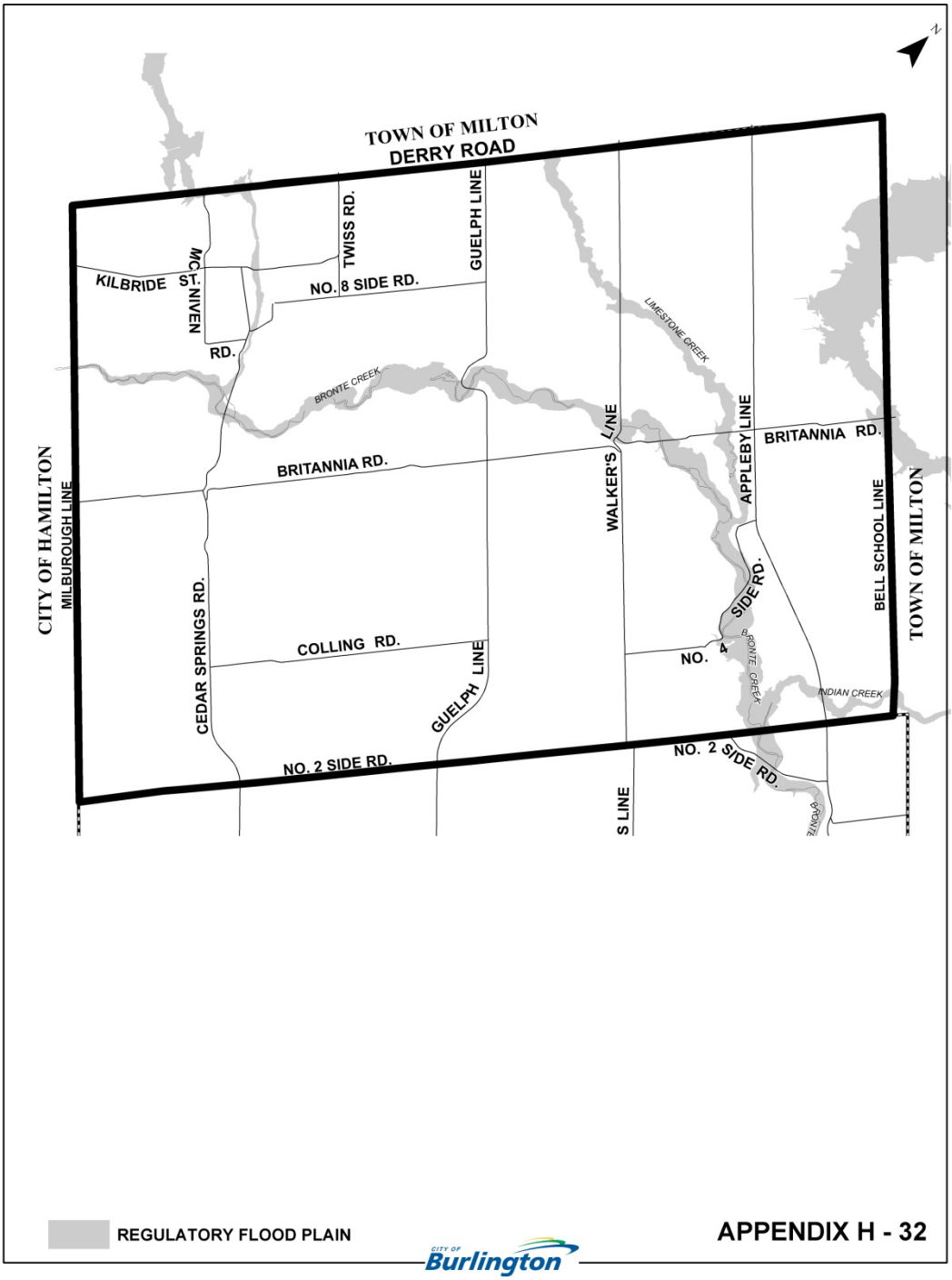

QEW
NORTH SERVICE RD.
SOUTH SERVICE RD.
SYSCON RD.
APPLEBY CREEK
HARVESTER ROAD
APPLEBY LINE
FAIRVIEW ST.
PRINCE WILLIAM DR.
BURLOAK DRIVE
TOWN OF OAKVILLE
ALDSWORTH PL.
FOTHERGILL BLVD.
RIVERSIDE DR.
DEERHURST DR.
PINEDALE AVE.
WEDGEWOOD DR.
TIMBER LANE
NEW ST.
SHELDON CREEK
HAMPTON HEATH
SPRUCE AVE.
REGULATORY FLOOD PLAIN
APPENDIX H - 27


DRYDEN AVE.
N. BLUE SPRUCE AVE.
BLUE SPRUCE AVE.
SHELDON CREEK
SHELDON CREEK
UPPER MIDDLE RD.
BURLOAK DRIVE
TOWN OF OAKVILLE
APPLEBY LINE
MAINWAY
EAST SHELDON CREEK
SUTTON DR.
JOHN LUCAS DR.
S. SHELDON CREEK
APPLEBY CREEK
NORTH SERVICE RD.
QEW
NORTH SERVICE
SOUTH SERVICE RD.
SYSCON RD.
APPLEBY CREEK
HARVESTER ROAD
REGULATORY FLOOD PLAIN
APPENDIX H - 28


C.N.R.
DUNDAS ST.
SUTTON DR.
PATHFINDER DR
TAYWOOD DR.
BRONTE CREEK
DRYDEN AVE.
APPLEBY LINE
BLUE SPRUCE AVE.
BLUE SPRUCE AVE.
SHELDON CREEK
SHELDON CREEK
UPPER MIDDLE RD.
BURLOAK DRIVE
TOWN OF OAKVILLE
REGULATORY FLOOD PLAIN
APPENDIX H - 29
City of Burlington


BRONTE CREEK
407 ETR
7 ETR
TOWN OF OAKVILL
APPLEBY LINE
C.N.R.
DUNDAS ST.
SUTTON DR.
PATHFINDER DR.
OD DR.
REGULATORY FLOOD PLAIN
APPENDIX H - 30


CITY OF HAMILTON
MILBURROUGH LINE
BRONTE CREEK
BRITANNIA RD.
BRITANNIA RD.
WALKER'S LINE
BELL SCHOOL LINE
TOWN OF MILTON
SIDE RD.
COLLING RD.
NO. 4
BRONTE CREEK
MAIN CREEK
NO. 2 SIDE RD.
NO. 2 SIDE RD.
APPLEBY LINE
GUELPH LINE
WALKER'S LINE
BRONTE CREEK
NO. 1 SIDE RD.
NO. 1 SIDE RD.
NO. 1 SIDE RD.
NO. 1 SIDE RD.
407 ETR
407 ETR
C.N.R.
BRONTE CREEK
DUNDAS ST.
BERTON AVE.
SARAZEN DR.
TAYWOOD DR.
CAVENDISH DR
REGULATORY FLOOD PLAIN
APPENDIX H - 31


TOWN OF MILTON
DERRY ROAD
KILBRIDE ST.
McNIVEN RD.
TWISS RD.
GUELPH LINE
NO. 8 SIDE RD.
LIMESTONE CREEK
BRONTE CREEK
CITY OF HAMILTON
MILBUROUGH LINE
BRITANNIA RD.
WALKER'S LINE
APPLEBY LINE
BRITANNIA RD.
BELL SCHOOL LINE
TOWN OF MILTON
CEDAR SPRINGS RD.
COLLING RD.
GUELPH LINE
NO. 4 SIDE RD.
BRONTE CREEK
INDIAN CREEK
NO. 2 SIDE RD.
NO. 2 SIDE RD.
S LINE
REGULATORY FLOOD PLAIN
APPENDIX H - 32

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