CITY OF Burlington

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

NOTE TO APPLICANTS:

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

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

SUBMISSION OF THE APPLICATION:

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

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

COMPLETENESS OF THE APPLICATION:

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

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

CITY OF Burlington

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

Office Use Only

Date Received	File No(s)

Application For:

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

1.0 APPLICANT INFORMATION

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

NAME	***ADDRESS***	***PHONE/FAX***
*Registered Owner(s)**		*Bus.* 416-787-1135
Amalie Holdings Limited	1020 Lawrence Ave. W.	*Fax* 416-787-8017
	Suite 300	*E-Mail/www:*
Attn: Michael Tylman, President	Toronto, ON M6A 1C8	mtylman@rathcliffe.com
		Home
Applicant(s)		*Bus.*
		Fax
<Same as Owner>		*E-Mail/www:*
		Home
Agent (eg. Planning Consultant)		*Bus.* 905-528-8761
		Fax
A. J. Clarke and Associates Ltd.	25 Main Street West	*E-Mail/www:*
	Suite 300	mack.farrant@ajclarke.com
Attn: Mack Farrant, Planner	Hamilton, ON L8P 1H1	*Home*
Solicitor		*Bus.*
		Fax
<Not Applicable>		*E-Mail/www:*
Other (Specify)		*Bus.*
		Fax
		E-Mail/www:

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

2.0 LOCATION OF PROPERTY

Municipal Address		
1881 Fairview Street		
Lot(s)/Block(s)	*Concession*	*Registered Plan No.*
PT LOTS 69,71		PLAN 99
Reference Plan No.	*Part(s)*	*Parcel No.*
RP 20R-8405 and 20R-9032	PART 1	PIN: 07087-0053 (LT)
Assessment Roll #:		
24 02 050 502 02800 0000		

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

Frontage	*Depth*	*Area*
~221 metres	~112 metres	2.052 hectares

3.0 EXISTING AND PREVIOUS USES OF THE SUBJECT LANDS

3.1 What is the existing use of the subject lands? Retail Centre

3.2 What is the length of time the existing uses of the subject land have continued? Approx. 33 years

3.3 What were the previous uses of the subject land, if known? Unknown

3.4 List any existing Buildings or Structures on the Property

Buildings or Structures	**Yard Setbacks**				***No. of Storeys***	***Building Height***	****Ground Floor Area***
	Front	***Rear***	***Side***	***Side***			
Shopping Centre Building (Brantview Plaza)	26.6 m	13.5 m	14.8 m	9.9 m	1	6.1 m	5,905 m²

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

YES _____ NO X

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

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

4.1 What is the Proposed use of the Subject Lands? Retail Centre inclusive of a Supermarket/Grocery Store

4.2 List any Proposed Buildings and Structures

Buildings or Structures	Yard Setbacks				*No. of Storeys*	*Building Height*	**Ground Floor Area*
	Front	*Rear*	*Side*	*Side*			
Same as Existing (see Section 3.4 above); no new Buildings and Structures proposed							

4.3 Indicate Land Uses on Abutting Properties

North: Commercial / Industrial multi-tenant building

South: Fairview Street & Upper Hager Creek (Auto Dealership and multi-tenant Commercial further to South)

East: Retail Stores and Medical Clinic

West: Railway Spur Line (Industrial further to West)

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

YES _____ *NO* X

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

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

*YES*_____ *NO*__X__

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

_____

_____

_____

5. *TYPE OF PROPOSED AMENDMENT*

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

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

a) *Describe the purpose of the proposed amendment*

_____

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

_____

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

_____

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

_____

_____

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

_____

_____

_____

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

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

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

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

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

5.3 Justification

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

See attached Planning Justification Report

6.0 ZONING DESIGNATION

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

6.1 What is the existing Zoning designation on the subject lands? MXC - Exception 405

6.2 What is the proposed Zoning designation on the subject lands? MXC - Exception 405 (amended to remove prohibition against a Supermarket/Grocery Store)

6.3 What land uses will be permitted in the proposed designation? All uses permitted in an MXC Zone inclusive of a Supermarket / Grocery Store

6.4 What is the reason for the proposed rezoning? To permit a Supermarket / Grocery Store on the property, in addition to all other uses in an MXC Zone which are already permitted

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

MInimum FAR: 0.3:1; Maximum FAR: 1.5:1
However, current buildings existed prior to April 2008 and are therefore deemed to conform

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

MInimum 2 storeys; Maximum 6 storeys
However, current buildings existed prior to April 2008 and are therefore deemed to conform

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

Not applicable

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

a) The boundaries and dimensions of the subject land;

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

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

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

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

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

7.0 STATUS OF OTHER PLANNING APPLICATIONS

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

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

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

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

The type of application(s) and the file number(s) A previous ZBA application was approved in 2009 changing the zoning of the subject property from MXC-7 to MXC-405 (By-Law 2020-271)

The legal description of the land that is the subject of the application(s) The subject property (see Section 2.0 above for legal description)

The purpose of the application(s) and the effect of the application(s) on the proposed official plan amendment, To remove the prohibition against restaurants on the subject property, and to permit outdoor storage containers that were then being used by one of the retail tenants for seasonal merchandise storage.

The status of the application(s) Approved in 2009 (By-Law 2020-271)

7.2 Has the subject land ever been the subject of a Minister's Zoning Order? If so, please note the Ontario Regulation number of that order: No

8.0 REGIONAL OFFICIAL PLAN

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

Urban Area (Map 1), Built-Up Area, Urban Growth Centre, Major Transit Station Area - Priority Transit Corridor (Map 1H), Regional Intensification Corridor (Map 1H and Map 3)

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

Not applicable.

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

9.0 PROVINCIAL PLANS AND POLICIES

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

Greenbelt Plan _____ *Niagara Escarpment Plan*_____

*Growth Plan for the Greater Golden Horseshoe*_____ *Parkway Belt West Plan*_____

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

See Planning Justification Report

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

See Planning Justification Report

10.0 SERVICING

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

10.2 Indicate the proposed servicing type for the subject land.

a. Water Supply

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

b. Sewage Disposal

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

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

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

10.3 Road Access and/or Frontage

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

Open Municipal Road (Fairview Street). Secondary access available from Regional Road (Brant Street) via Gray's Lane

Name of Road Fairview Street / Brant Street

10.4 Storm Drainage

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

Existing connection to municipal storm sewer system from on-site storm sewers

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

YES X (Not applicable) NO _____

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

YES X (Not applicable) NO _____

CITY OF BURLINGTON

DECLARATION

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

I, Michael Tylman *(name of applicant)* *of the* City of Toronto *(name of City, Town, Township, etc.)*

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

statements contained in the application for a Zoning By-Law Amendment for the property at 1881 Fairview Street, Burlington *(description)*

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

Declared before me at:

City of Toronto *(municipality)* *in the Region/County/District of*

Province of Ontario *this* 10th *day of*

September, 2025

Commissioner of Oaths

TAMARA FARBER

Signature of Applicant

Michael Tylman

President - Amalie Holdings Limited

Please Print Name of Applicant

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

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

PLEASE PRINT

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

I, (we) _____,

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

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

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

_____ _____

Signature *Day* *Month* *Year*

OWNER'S PERMISSION TO ENTER SITE

Michael Tylman

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

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

Owner's Signature		
Day	*Month*	*Year*
10	September	2025

COMPLETE APPLICATION REQUIREMENTS

Michael Tylman

I, President - Amalie Holdings Limited (name of applicant), declare that all of the following information specified has been submitted with this application.

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

Applicant's Signature		
Day	Month	Year
10	September	2025

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

APPLICANT'S CONSENT

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

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

Signature	10	September	2025
	Day	Month	Year

AUTHORIZATION FROM THE OWNER OF THE SUBSURFACE RIGHTS

if different from the Owner above

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

_____ _____
(signature) (date)

_____
(address)

_____

_____

_____ _____
Telephone Number Facsimile Number

THIS APPLICATION PACKAGE MUST BE SUBMITTED TO:

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

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