PLANNING JUSTIFICATION REPORT

PREPARED FOR:

Zoning By-Law Amendment

Dream Summit Industrial
4495 North Service Road

File no. Y013F

June 30, 2026

Your Vision

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PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE

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1.0 Introduction

1.1 Purpose of the Application

MacNaughton Hermsen Britton Clarkson Planning Limited (hereinafter "MHBC") has been retained by Dream Summit Industrial (1250 Appleby Line) LP (hereinafter the "Owner") to assist with this Zoning By-law Amendment ("ZBA") planning application in support of the development of the property municipally known as 4495 North Service Road (hereinafter referred to as the "Subject Lands") in the City of Burlington (the "City").

It is noted that the ZBA applies to the lands west of Appleby Creek to facilitate the Proposed Development. As such, the triangular portion of the Subject Lands east of Appleby Creek is not proposed to be rezoned through this development application.

This Planning Justification Report (PJR) supports the proposed ZBA which is required to facilitate the redevelopment of the Subject Lands. The proposed redevelopment represents an industrial development that includes two single storey industrial buildings with associated office space. The total gross floor area will be 39,450.63 square metres (GFA) with 499 parking spaces, and 108 loading spaces.

This PJR includes the following:

- A general description of the Subject Lands, the existing uses, surrounding land uses, and the existing physical conditions to provide an understanding of the locational context;
- A description of the proposed development and its design elements;
- A summary of the technical reports and plans prepared in support of the proposal;
- A description of the proposed amendment to the City of Burlington Zoning By-law 2020;
- An assessment of the Proposed Development's consistency and conformity with Provincial, Regional and City policies and regulations;
- An overview of the draft policies of OPA 7 and the Owner's concerns regarding the consolidation of the employment land use designations from two designations to one land use designation across the entire Employment Area; and,
- A summary of key conclusions and recommendations related to the proposed redevelopment.

1.2 Pre-Consultation

A Pre-Consultation meeting was held on August 27th, 2025, to discuss the proposed ZBA application. Staff from the City, from the Region of Halton (the "Region"), and from Conservation Halton were in attendance, along with the Owner and agency representatives.

A copy of the Pre-Consultation meeting notes is attached to this report as **Appendix A**.

The Pre-Consultation meeting notes identified the required submission reports for a complete application. The following submission materials have been submitted in support of the proposed complete application and are summarized in Section 3.3 of this report.

PLAN/REPORT	CONSULTANT
Planning Justification Report	MHBC
Draft Zoning By-law Amendment	MHBC
Architectural Set	Baldassarra Architects Inc.
Building Elevations	Baldassarra Architects Inc.
Survey	R. Avis
SUE Survey	R. Avis
Financial Impact Study	Petramala Research Inc.
Functional Servicing Report	Husson Engineering
Stormwater Management Report	Husson Engineering
Engineering Drawing Set	Husson Engineering
Transportation Impact Study	BA Group
Vehicle Turning Plans	BA Group
Landscape Plan	Studio TLA
Arborist Report	LGL Group
Tree Inventory and Protection Plan	LGL Group
Environmental Impact Assessment/Environmental Evaluation Report	LGL Group
Fluvial Geomorphological Assessment	GeoMorphix
Slope Stability Assessment	Pinchin Ltd.
Phase One Environmental Site Assessment	Pinchin Ltd.
Phase Two Environmental Site Assessment	Pinchin Ltd.
Geotechnical Study	Pinchin Ltd.
Noise and Vibration Feasibility Study	SS Wilson Associates
Sustainability Checklist	INVIRO Engineered Systems Ltd.

2.0 Background and Site Context

The existing site context is important to assess through a planning analysis. Context must be evaluated, not only as it relates to the existing physical environment and surrounding area, but also to the specific and immediate contextual setting and urban structure, which includes future land uses and infrastructure.

2.1 Site Description

As shown on **Figure 1**, the Subject Lands are located north of North Service Road, west of Appleby Line, south of Mainway and is located in the Tansley Woods neighbourhood. The Subject Lands have an approximate size of 10.52 ha (25.99 ac) and an approximate frontage of 41 metres along North Service Road.

The west side of Subject Lands is currently being used as a storage yard for trailers, while the eastern side of the property is vacant, and contains Appleby Creek that is regulated by Conservation Halton Authority and runs diagonally through the northeast corner of the property. This northeast area of the Subject Lands is not proposed to be included in this rezoning application and is intended to remain with an Employment Corridor (MXE) zone. The site is currently accessed by one paved driveway from North Service Road that connects to an internal dirt road network on the west side of the Subject Lands. The Subject Lands are within the Urban Area and the Delineated Built Boundary, as described later in the policy assessment section of this report.



Figure 1: Location Map

2.2 Surrounding Area Context

NORTH: North of the Subject Lands is the continuation of Appleby Creek and existing Employment uses followed by the intersection of Mainway and Appleby Line, and Employment and Commercial uses. Further north is Upper Middle Road and the CN Rail line.

EAST: East of the Subject Lands is Appleby Line followed by Employment uses consisting of industrial buildings and warehouses and Appleby Ice Centre.

SOUTH: South of the Subject Lands are existing Employment uses consisting of an industrial warehouse and an office building. Further south is North Service Road followed by the Queen Elizabeth Way, additional Employment uses, and Appleby GO Station to the southeast.

WEST: West of the Subject Lands are Employment uses consisting of industrial warehouses with frontage on Corporate Drive. Further west are additional Employment uses followed by the CN Rail Line and Walkers Line.

Figure 2 and Images 1-10 illustrates the surrounding area context of the Subject Lands. The following is a general depiction of the surrounding context of the Subject Lands:

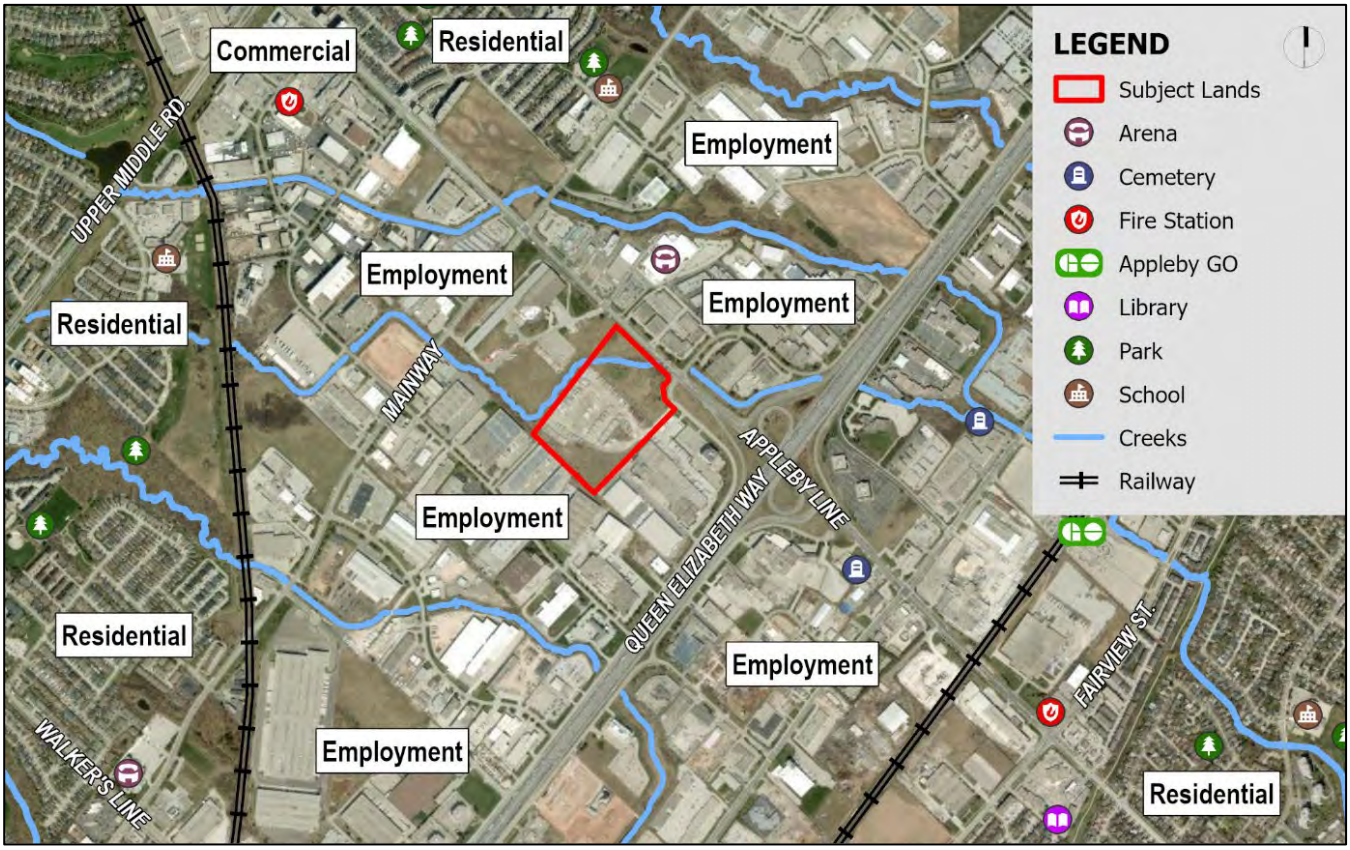


Figure 2: Surrounding Area Context Map



Image 1: View from the Subject Lands looking at North Service Road and Appleby Line



Image 2: View looking west at the Subject Lands



Image 3: View looking northwest at Subject Lands



Image 4: View from the Subject Lands looking southwest along North Service Road



Image 5: View from the Subject Lands looking east at the pedestrian sidewalk and the intersection of North Service Road and Appleby Line



Image 6: View from Appleby Line looking west at the Subject Lands



Image 7: View from Appleby Line looking at Appleby Creek



Image 8: View of the intersection of North Service Road and Appleby Line



Image 9: View from the intersection of North Service Road and Appleby Line looking west at the Subject Lands



Image 10: View of Bus Stop: 575 on Appleby Line (Appleby at North Service)

2.3 Surrounding Development Applications

A search of the City's development application database was undertaken to provide the context of the surrounding developments in proximity to the Subject Lands. These applications are shown in **Figure 3** and summarized in **Table 1.**

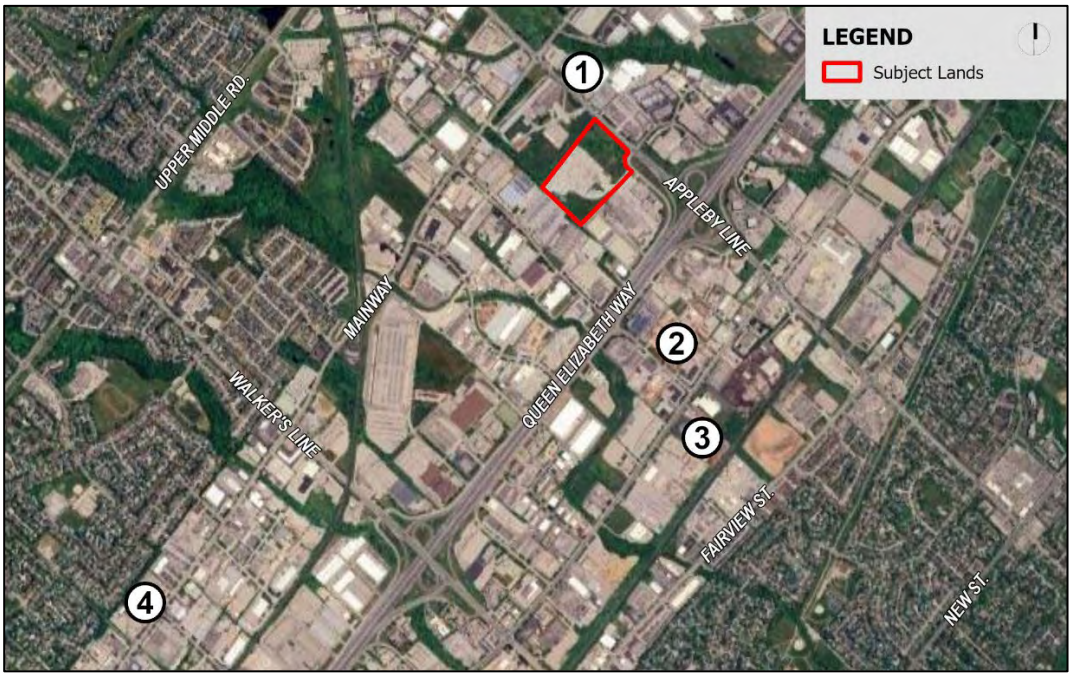


Figure 3: Surrounding Development Applications

TABLE 1: SUMMARY OF SURROUNDING DEVELOPMENT APPLICATIONS				
No.	**ADDRESS**	**TYPE**	**DESCRIPTION**	**STATUS**
1	5030-5045 Tico Creek Common	ZBA	Rezoning the remainder of the site with two mixed-use buildings where there is an existing hotel and auto repair shop.	Approved
2	961 & 970 Zelco Drive and 4425 South Service Road	ZBA	To permit a Motor Vehicle Wrecking Yard.	Enacted 2021-01-19
3	4350 Harvester Road	ZBA	A Zoning By-law Amendment to allow the existing operation to also permit a Motor Vehicle Wrecking Establishment.	Pre-Consultation
4	3267 Mainway	ZBA	To permit Motor Vehicle Sales, Leasing, Rental and Service accessory to a Storage Locker Facility	Enacted 2019-04-25

2.4 Transportation Context

The transportation network and access are important considerations for the planning and development of the Subject Lands. A detailed analysis of the transportation context has been provided in the Transportation Impact Study (TIS) prepared by BA Group in support of the proposal. The Subject Lands are located on the north side of North Service Road and west of Appleby Line. The Subject Lands are also north of Provincial Highway Queen Elizabeth Way and south of Mainway.

Road Network

In the Region of Halton Official Plan ("RHOP") North Service Road is classified as a Minor Arterial Road on Map 3 – Functional Plan of Major Transportation Facilities (**Figure 4**). Minor Arterial roads are noted in the RHOP as serving mainly local travel demands and may serve an Intensification Corridor that accommodates moderate to high volumes of traffic. Appleby Line is identified as a Major Arterial road in the RHOP which serve mainly inter-regional and regional travel demands, may serve an Intensification Corridor and accommodates higher order transit services and high volumes of traffic.

Both North Service Road and Appleby Line are identified within a Higher Order Transit Corridor in the RHOP. These corridors serve an existing or planned higher order transit function in the Region of Halton. The Appleby Corridor in proximity to the Subject Lands are located within an Employment Area. Within Employment Areas, these corridors shall support a range and mix of employment uses and higher density employment uses.



Figure 4: RHOP Map 3 – Functional Plan of Major Transportation Facilities

Similarly, the current, in-effect Burlington Official Plan ("OP") classifies North Service Road as a Minor Arterial road, and Appleby Line as a Major Arterial Road as per Schedule J – Classification of Transportation Facilities (**Figure 5**). Minor Arterial roads in the OP serve mainly local travel demands that accommodate inter-municipal bus routes, truck movement, and moderate to high volumes of traffic. Major Arterial roads in the OP serve inter-regional travel demands that accommodate rapid transit services and high occupancy vehicle lanes, truck movement, and high volumes of traffic.

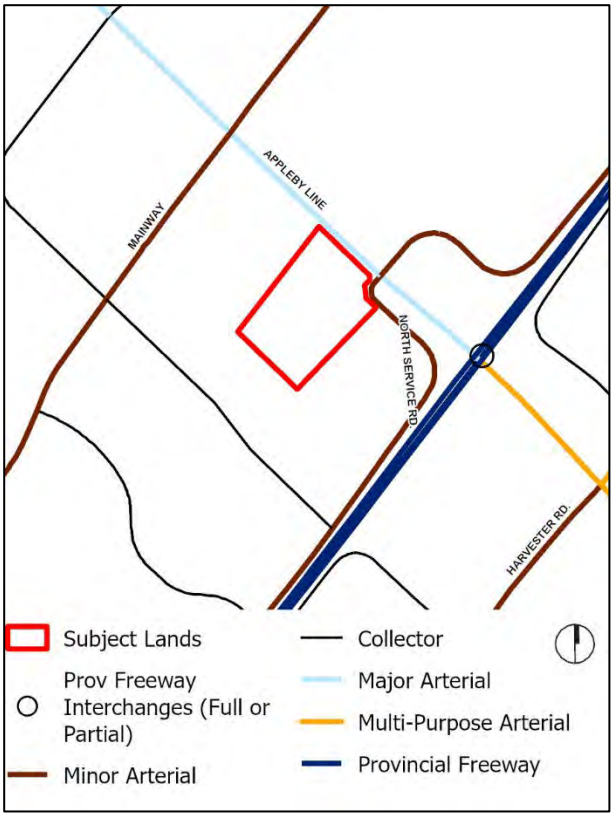


Figure 5: OP Schedule J – Classification of Transportation Facilities

The adopted Burlington Official Plan, 2020 ("New OP") classifies North Service Road as an Industrial Connector street, and Appleby Line as a Major Arterial Road as per Schedule O-1 – Classification of Transportation Facilities – Urban Area (**Figure 6**). Industrial Connector streets are a type of Urban Collector street in the City of Burlington, which provide access to employment lands, including industrial, office and commercial uses that accommodate a goods movement network and high levels of truck traffic. Major Arterial roads in the City of Burlington are Regional Roads managed by Halton Region. Appleby Road is classified as Regional Road 20. Major Arterial Roads are intended to carry high volumes of traffic over long distances and distribute traffic to and from provincial freeways and highways.

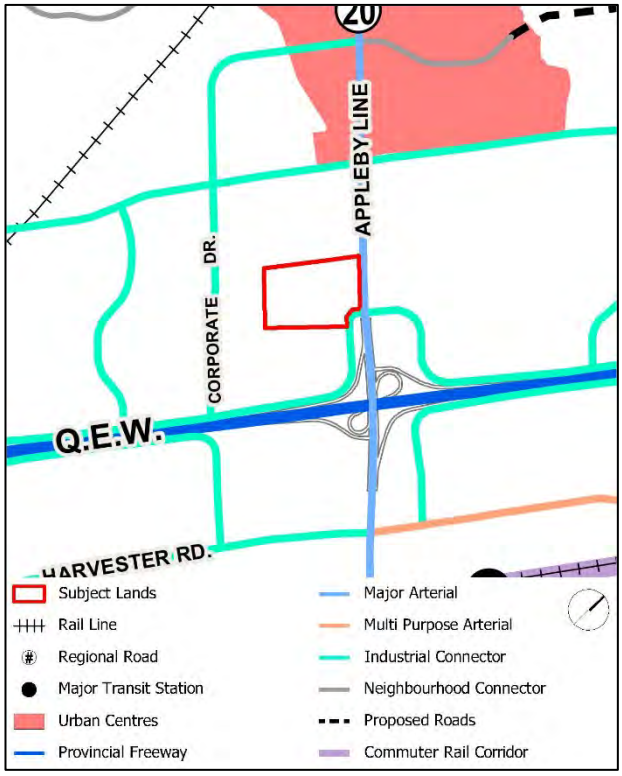


Figure 6: New OP Schedule O-1 – Classification of Transportation Facilities – Urban Area

The designated right-of-way ("ROW") width of North Service Road is 22 metres as identified in both Table 2 – Road Allowance Widths in the OP and Table 2: Public Right-of-Way Widths in the New OP. North Service Road has a current, approximate width of 26 metres and is a 2-lane, 2-directional roadway with unpaved shoulders along both sides of the road.

Appleby Line is identified as Regional Road 20 in Halton and has a designated ROW width of 40 metres as per Map 4 – Right-of-Way Requirements of Arterial Roads in the RHOP (**Figure 7**). The current ROW width of Appleby Line is approximately 37 metres. A road widening of approximately 2 metres along the frontage of Appleby Line adjacent to the Subject Lands is required. The current condition of Appleby Line consists of a 4 lane, 2-directional roadway that is equipped with curbed shoulders and a public sidewalk located along both sides of the road.

The Burlington Integrated Mobility Plan ("IMP") 2023, identifies no future land use/transportation studies or improvements for North Service Road or Appleby Line.



Figure 7: OP Schedule 8 – Designated Right-of-Way Widths

Public Transit

The Subject Lands are located within an Employment Growth Area where all forms of employment intensification may be permitted, and are not located within a Major Transit Station Area (MTSA) or a MTSA Special Planning Area as per Schedule B2 – Growth Framework and Long Term Frequent Transit Corridors of the New OP (**Figure 8**). North Service Road is identified as a Transit Support Corridor on Schedule B2 which provides services to employment uses and provides connections to the Frequent Transit Corridor. Appleby Line is identified as Frequent Transit Corridor as well as an MTSA Secondary Connector on Schedule B2 that will provide easy-to-use services that run frequently.

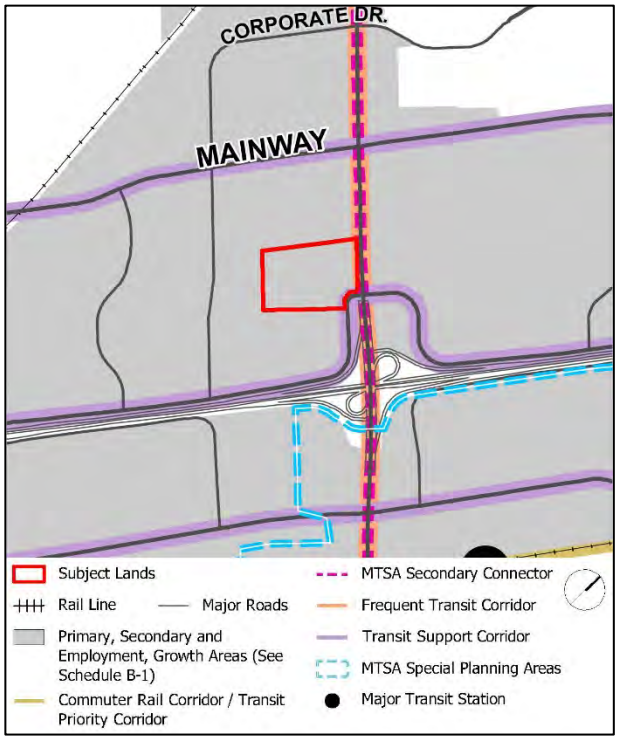


Figure 8: New OP Schedule B2 – Growth Framework and Long Term Frequent Transit Corridors

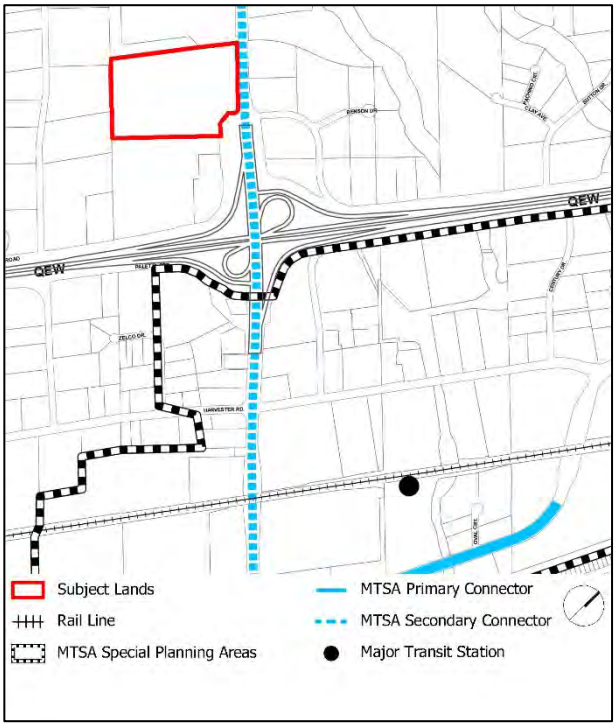


Figure 9: New OP Schedule H – Appleby GO MTSA Special Planning Area

The Subject Lands are north of the Appleby GO MTSA. Appleby Line is classified as an MTSA Secondary Connector as per Schedule H – Appleby GO MTSA Special Planning Area in the New OP (**Figure 9**) which provides a viable alternative for linking MTSA's and has the potential to become a strong active transportation and transit corridor in the future.

Cycling & Active Transportation

Schedule P – Long Term Cycling Master Plan in the New OP (**Figure 10**) identifies infrastructure in proximity to the Subject Lands including bike lanes along North Service Road, and a buffered bike lane along Appleby Line. Further, a Proposed Multi-Use Trail Connection within the road ROW has been identified along Mainway, north of the Subject Lands as per Schedule Q – Trails Strategy in the New OP (**Figure 11)**.

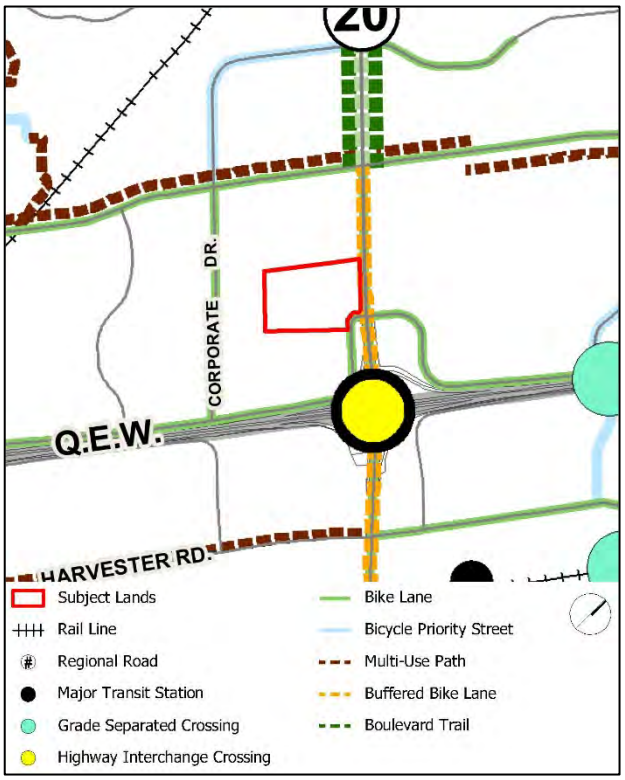


Figure 10: New OP Schedule P – Long Term Cycling Master Plan

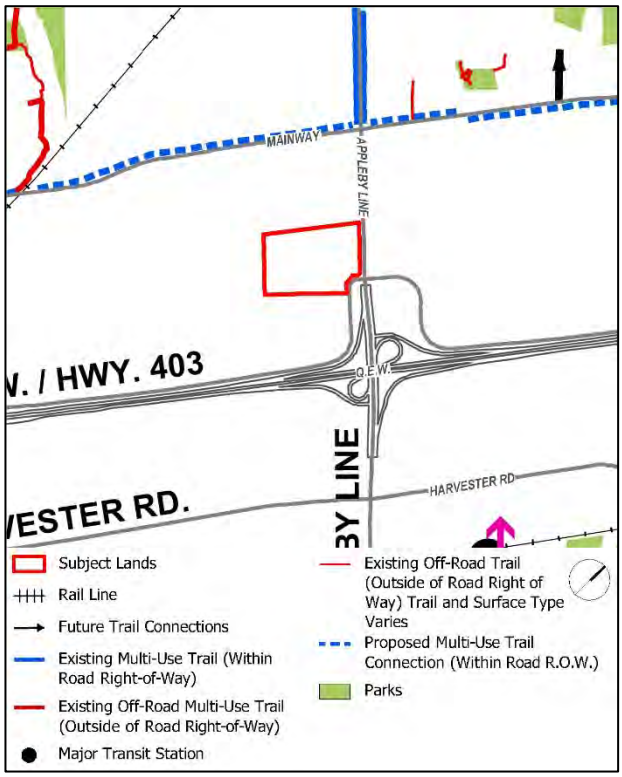


Figure 11: New OP Schedule Q – Trails Strategy



2.5 Policy Context

Summaries of the applicable legislation, policies and provisions, as well as key conclusions from the planning analysis are provided in Policy Analysis **Section 4.0** of this report.

Planning Act, R.S.O 1990, C.P. 13

The *Planning Act* as the primary legislation governing land use planning in the Province of Ontario, provides the basis for consideration of Provincial interests under Section 2. These interests include:

(a) the protection of ecological systems, including natural areas, features and functions;
(e) the supply, efficient use and conservation of energy and water;
(f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
(h) the orderly development of safe and healthy communities;
(h.1) the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies;
(k) the adequate provision of employment opportunities;
(l) the protection of the financial and economic well-being of the Province and its municipalities;
(p) the appropriate location of growth and development;
(q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;
(r) the promotion of built form that,
(i) is well-designed,
(ii) encourages a sense of place, and
(iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;
(s) the mitigation of greenhouse gas emissions and adaptation to a changing climate.

1994, c. 23, s. 5; 1996, c. 4, s. 2; 2001, c. 32, s. 31 (1); 2006, c. 23, s. 3; 2011, c. 6, Sched. 2, s. 1; 2015, c. 26, s. 12; 2017, c. 10, Sched. 4, s. 11 (1); 2017, c. 23, Sched. 5, s. 80.

Section 4.1 of this report provides an assessment as to how the proposed redevelopment is consistent with and implements the policies of the *Planning Act*.

Provincial Planning Statement, 2024

The *Provincial Planning Statement, 2024* ("PPS") is issued under Section 3 of the *Planning Act* and came into force on October 20, 2024. The PPS 2024 policies direct municipalities to plan for and support development, align development with infrastructure, foster the long-term viability of rural areas, and protect agricultural lands, the environment and public health and safety.

As a policy statement under Section 3 of the *Planning Act*, land use planning decisions, including those made on applications for ZBA's must be consistent with the PPS. **Section 4.2** of this report provides an assessment as to how the Proposed Development is consistent with and implements the policies of the PPS.

Halton Region Official Plan, 1995

The Regional Municipality of Halton Official Plan ("RHOP") was adopted by Regional Council on March 30, 1994, and subsequently approved, with modifications, by the Minister of Municipal Affairs and Housing on November 27, 1995. Regional Official Plan Amendments 48 and 49 were adopted by Regional Council and modified and approved by the Ministry of Municipal Affairs and Housing on November 10, 2021, and November 4, 2022, respectively.

In December 2023, through *Bill 150, Planning Statute Law Amendment Act, 2023*, the Province rescinded its November 2022 decision on ROPA 49. Following this, in May 2024 through *Bill 162, Get It Done Act, 2024*, the Province reinstated certain modification from its original November 2022 decision on ROPA 49. Furthermore, as a result of *Bill 185, Cutting Red Tape to Build More Homes Act, 2024*, the Region of Halton no longer has planning responsibilities under the *Planning Act* and as such the RHOP is considered part of the local official plans of each of the Region's constituent municipalities until such time that those policies are integrated into the local official plans. The current Office Consolidation of the Official Plan is May 16, 2024.

Section 4.3 of this report provides a summary as to how the Proposed Development and accompanying ZBA are in conformity with the policies of the RHOP.

City of Burlington Official Plan, 1997 (July 31, 2025)

The Burlington Official Plan ("OP") was adopted by City Council on March 5, 1997, with the most recent consolidation dated July 31, 2025. The OP sets out Council's direction for the City's long-term growth and development and is intended to serve as the basis for managing development.

Section 4.4 of this report provides a summary as to how the Proposed Development and accompanying ZBA are in conformity with the policies of the OP.

City of Burlington Official Plan, 2020 (July 31, 2025)

The City of Burlington Official Plan, 2020 ("New OP") was approved by Halton Region on November 30, 2020, and was subsequently appealed by multiple parties to the OLT. The New OP's policies and mapping largely continue to be under appeal, apart from specific sections which were confirmed to be in-effect by way of OLT decisions dated January 04, 2023, April 13, 2023, February 16, 2024, and April 2, 2024. The under-appeal sections of the New OP are

therefore considered on an informative, but not determinative, basis.

Section 4.5 of this report provides a summary as to how the Proposed Development and accompanying ZBA conform to the policies of the New OP.

City of Burlington Zoning By-law 2020

The City of Burlington Zoning By-law 2020 was adopted by City Council in June 1999.

The Subject Lands are currently split zoned General Employment 1 (GE1) which applies to the west side of the Subject Lands and Employment Corridor (MXE) which applies to the east side as per the City's Zoning By-law map (***Figure 26***). The ZBA is intended to facilitate the consolidation of uses across the Subject Lands, and apply a single set of zoning standards to the property.

A Draft ZBA has been prepared to facilitate the development proposal and is included as **Appendix C** to this report. **Section 4.6** of this report provides a summary of the proposed ZBA in relation to the provisions of Zoning By-law 2020.

3.0 Description of the Proposal

3.1 Development Proposal

The Proposed Development is the result of comprehensive planning and design undertaken by the project team, technical experts, and input from the City of Burlington staff. In preparing the application, the Provincial Policy framework for managing and directing growth, the City's policy context and objectives for employment development, and the surrounding context were taken into consideration.

The Zoning By-law Amendment ("ZBA") application will facilitate the Proposed Development of two one-storey industrial buildings with accessory office uses. The proposed ZBA will rezone the portion of Subject Lands west of Appleby Creek from General Employment (GE1) and Employment Corridor (MXE) zones to a Site-Specific General Employment GE1-XX zone that will consolidate the uses of both the GE1 and MXE zones for the entire site, while providing a single set of provisions for the property. It is noted that the triangular portion east of Appleby Creek is not subject to this rezoning application and that the existing permitted uses and regulations in this area will continue to apply.

Additionally, the lands regulated by the Halton Conservation Authority surrounding Appleby Creek will be rezoned from the Employment Corridor (MXE) zone to the Open Space (O2) zone for the long-term protection of the Natural Heritage Feature.

The Proposed Development will permit two industrial buildings with a total gross floor area ("GFA") of 39,450.63 square metres, of which Building A is comprised of 17,452.50 sqm and Building B of 21,998.13 sqm. The required parking for the Proposed Development includes a minimum of 395 parking spaces, 108 loading spaces, 12 accessible parking spaces, and 12 bicycle parking spaces. The Proposed Development meets these requirements by providing 499 parking spaces, 108 loading spaces, 12 accessible parking spaces, and 12 bicycle spaces, meeting the required minimum standards. The industrial building and associated offices use are permitted in both the GE1 zone and the MXE zone.

The site has been strategically designed with a two-way drive aisle that provides access around the perimeter of the industrial buildings, with a trucking court between the proposed buildings. Vehicular and pedestrian traffic are limited to the outer access aisle to ensure limited conflicts with tuck maneuvering. The Subject Lands will enhance the existing access along North Service Road and provide a new sidewalk connection to the existing sidewalk on North Service Road, providing direct access to the proposed uses.

The Proposed Development has been designed to provide for new industrial and office uses and provides for the efficient use of land that is appropriate for the current area context.

The conceptual site plan, elevations, and site details for the Proposed Development, prepared by Baldassarra Architects Inc. are included as **Figure 12** to **Figure 14** below.

The conceptual site plan, elevations, and site details for the Proposed Development, prepared by Baldassarra Architects Inc. are included as **Figure 12** to **Figure 14** below.

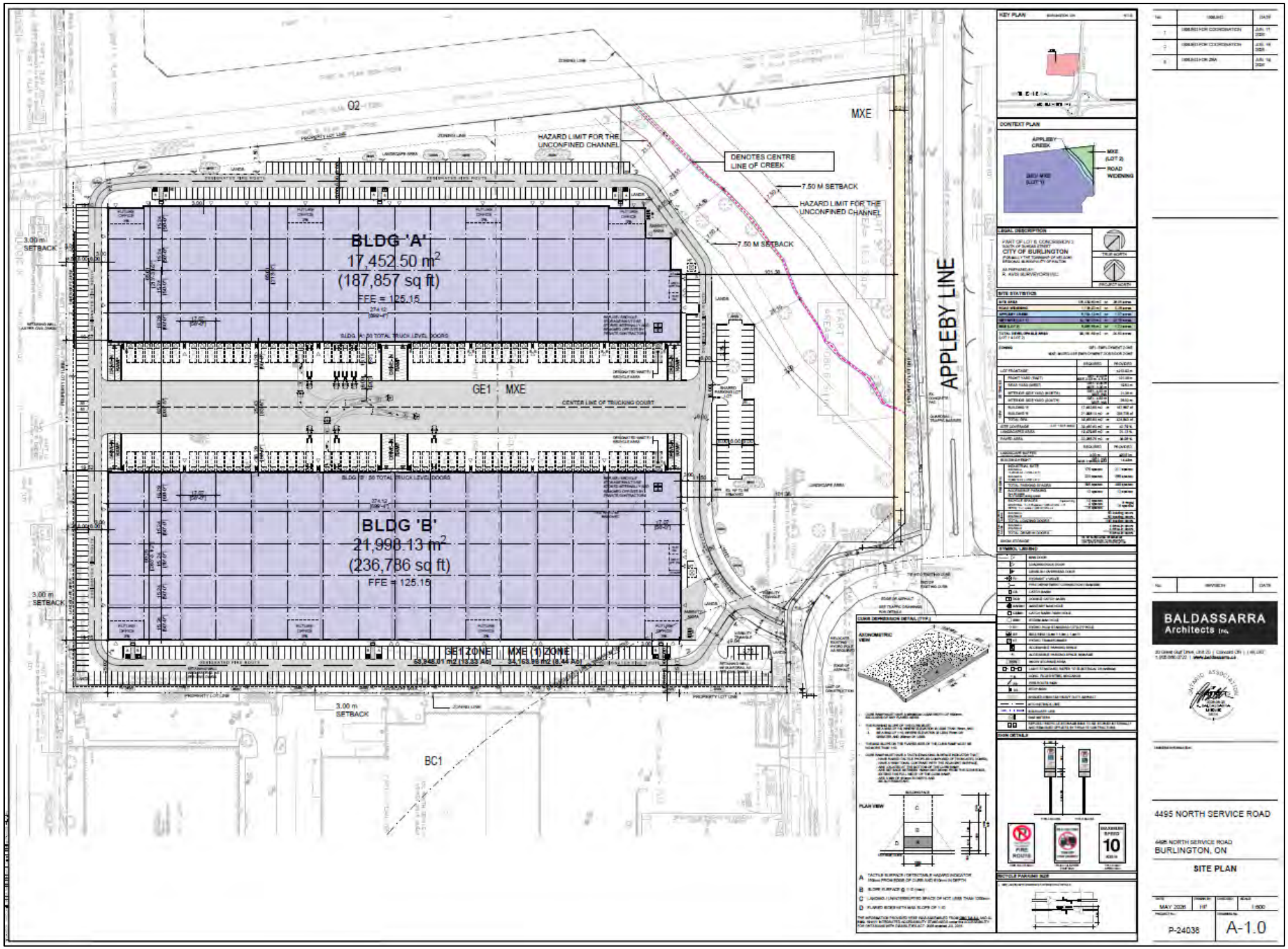


Figure 12: Site Plan of the Subject Lands

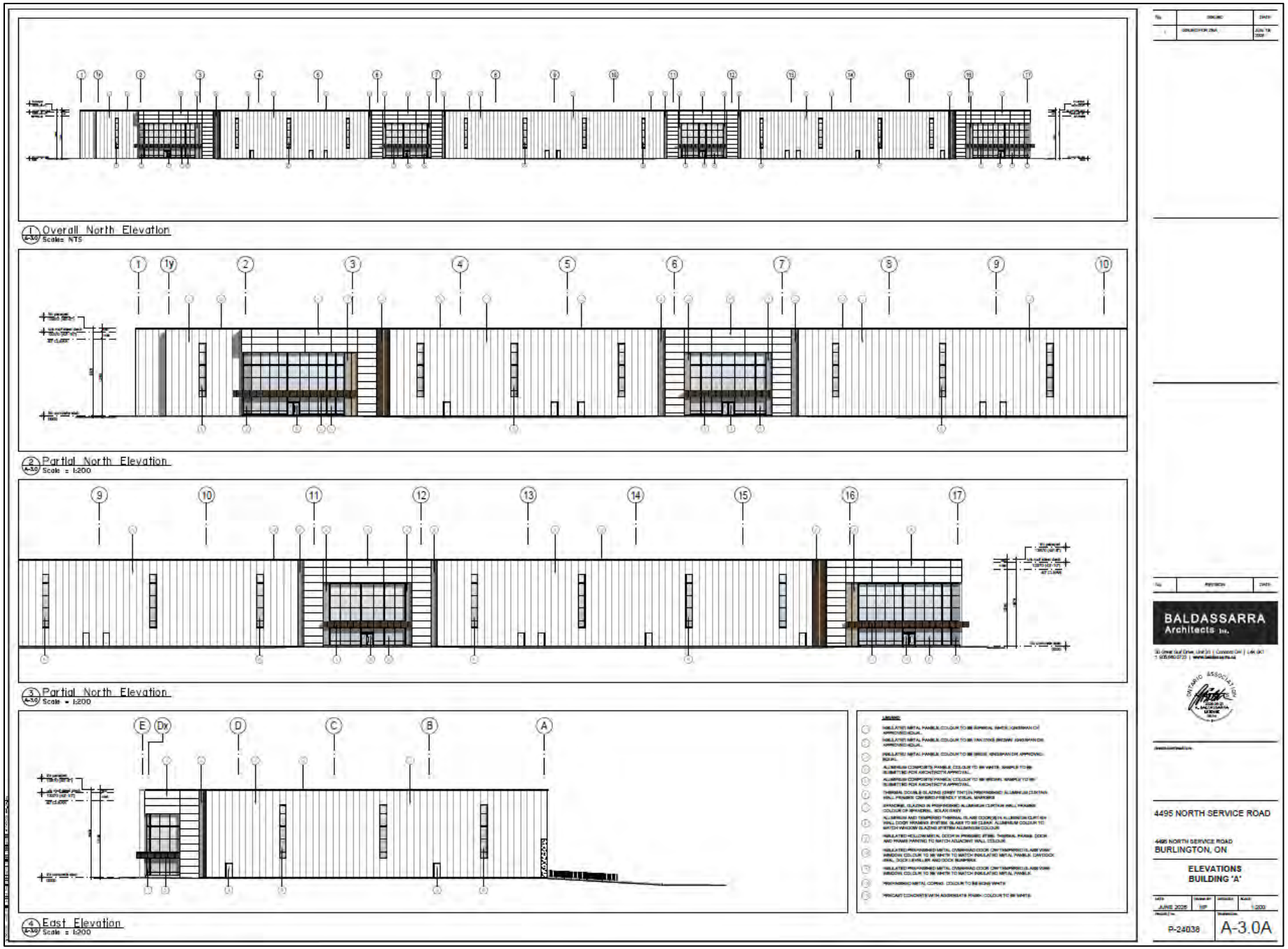


Figure 13: Building A Elevations



Figure 14: Building B Elevations

Transportation & Site Circulation

The Proposed Development has been designed to maintain vehicular connectivity in and around the Subject Lands. Pedestrian connection enhancements have been incorporated to improve access to public transit and walkability around the Subject Lands.

The proposed redevelopment includes an internal 6.0 m wide drive aisle that connects to the existing access point off North Service Road that provides internal circulation on the site. To support pedestrian mobility in and around the site, circulation is proposed throughout the site with a new sidewalk connection to the existing sidewalk along North Service Road with direct access to the existing bus stop along Appleby Line.

A total of 499 vehicle parking spaces and 108 loading spaces are proposed to accommodate parking for the two industrial buildings and associated office uses. The Proposed Development requires 12 accessible parking spaces, which have been provided. This is outlined further in the Traffic Impact Study prepared by BA Group.

The proposal also supports active transportation as future patrons will have access to existing cycling infrastructure and can store bicycles with the 12 bicycle parking spaces proposed on the site.

Servicing

The proposed municipal servicing strategy for the Proposed Development satisfies the City and the Region's servicing criteria as set out in the Functional Servicing and Stormwater Management Report ("FSR") prepared by Husson Engineering. The Proposed Development will be provided on full municipal services.

The SWM Report prepared by Husson concludes that the proposed stormwater management design including water quality controls, peak flows, sanitary drainage, and internal water distributions is appropriate for the Proposed Development and ZBA application.

3.2 The Application

Proposed Zoning By-law Amendment

The Zoning By-law Amendment ("ZBA") application will facilitate the Proposed Development of two one-storey industrial buildings with accessory office uses. The proposed ZBA will rezone the Subject Lands from General Employment (GE1) and Employment Corridor (MXE) zones to a Site-Specific General Employment GE1-XX zone that will consolidate the uses of both the GE1 and MXE zones for the entire site, while providing a single set of provisions for the property. Further, the lands subject to Appleby Creek that are regulated by Conservation Authority surrounding Appleby Creek will be rezoned from the Employment Corridor (MXE) zone to the Open Space (O2) zone for the long-term protection of the Natural Heritage Feature. It is noted that the triangular portion east of Appleby Creek is not subject to this rezoning application and that the existing permitted uses and regulations in this area will continue to apply.

A Draft ZBA has been prepared to facilitate the proposed redevelopment and is included as **Appendix C** to this report.

3.3 Summary of Technical Reports

In order to ensure that the Proposed Development fully addresses all policy and technical requirements of the City and Region, a number of required supporting studies have been completed. Each of these studies are summarized in this section of the report. Many of these studies also identify how the Proposed Development and application advances Provincial and local policies.

Fiscal Impact Study

Petramala Research Inc. prepared a Fiscal Impact Study to determine whether a proposed development will generate sufficient revenues to offset the costs associated with servicing and accommodating growth. The proposed development represents a significant employment investment within Burlington's employment lands and is expected to account for approximately 20% of all anticipated non-residential development in the City over the next decade.

The analysis concludes that the development will generate a strong positive fiscal impact for both the City of Burlington and the Region of Halton. Which anticipates approximately $14.2 million in development charges revenues, estimates $253,720 of land value in parkland dedication, approximately $482,000 of infrastructure improvements, and positive annual net fiscal impacts of $428,066 for the City of Burlington and $377,125 for the Region of Halton at full-build out. The study demonstrates that the proposed development is fiscally sustainable and will provide long-term net financial benefit to both the City and Region.

Functional Servicing and Stormwater Management Report

A Functional Servicing and Stormwater Management ("SWM") Report was prepared by Husson Engineering to provide functional servicing design and a stormwater management plan in support of the Proposed Development. The Report summarizes the site's existing soil and groundwater conditions and grading, current available infrastructure, and describes the proposed servicing. The report gives an overview of the proposed servicing strategy for the Subject Lands including outlining required demands on the municipal and Regional systems while addressing any corresponding capacity concerns.

Stormwater quantity will be controlled through the proposed storm sewer system of three Catchments (101, 102, and 103). Each storm sewer has been confirmed that the proposed storm sewer can convey the flow from each sub-catchment, under the maximum ponding elevation, to meet the target flows. Additionally, quality control measures are provided to meet the design criteria provided by the City and to meet MTO requirements including underground storage and parking lot surface storage to meet the allowable release rates for the site. Underground storage of stormwater from the proposed development will be provided in Stormtrap underground detention tanks, or an approved equivalent however, this will be further detailed through the Site Plan application stage.

Sanitary servicing for the proposed buildings will connect to the existing 375 mm diameter sanitary sewer installed along the west side of Appleby Road. The total sanitary discharge for the proposed 391 employees will generate approximately 6.14L/s. Sanitary drainage will be conveyed to the existing 250mm diameter

sanitary sewer on North Service Road to the eat of the site, which will satisfy the requirement of the Region of Halton.

The SWM identified that there is an existing 300 mm diameter watermain within the North Service Road right of way. It is noted that a hydrant flow test will be completed to confirm the pressures and flows for the next submission however, sufficient capacity is anticipated in the existing watermain to service the Development.

The SWM Report prepared by Husson Engineering concludes that the proposed stormwater management design including water quality controls, peak flows, sanitary drainage, and internal water distributions is appropriate for the Proposed Development and ZBA application.

Transportation Impact Study

A Transport Impact Study ("TIS") was prepared by BA Group in accordance with the Terms of Reference that was confirmed with City of Burlington, Halton Region and the Ontario Ministry of Transportation ("MTO"). The proposed 499 vehicle parking spaces, 100 loading docks, and 16 bicycle parking spaces will be accessed via an all-moves driveway to North Service Road, slightly north of the existing driveway.

The study concludes that the proposed car parking rate and bicycle parking rate meet the City's zoning requirements and is appropriate. The loading dock parking rate exceeds the loading requirements of the City, however, is appropriate for the proposed warehouse land use and meets market requirements for warehouse tenants. It is noted that no additional traffic mitigation measures are recommended.

Arborist Report

An Arborist Report was prepared by LGL Limited to provide an assessment for the Proposed Development in accordance with requirements as outlined by the City of Burlington. The report concluded that a total of 208 trees were identified and assessed ranging in size from 3cm to 80 cm diameter at breast height ("DBH") and are generally in good to fair condition, and no trees were identified as Species at Risk, as identified in the Tree Inventory Table. Upon finalization of the site plan, a Tree Impact Assessment and Tree Preservation Plan will be completed to identify proposed removals, assess anticipated impacts, and outline appropriate mitigation measures.

Fluvial Geomorphology Assessment

GEO Morphix Ltd. completed a Fluvial Geomorphology Assessment to support the derivation of the erosion hazard limits for the subject watercourse, with a specific focus on the portion of the southern bank of channel that is understood to be largely unconfined and had not been included in previously completed top-of-bank staking activities by Conservation Halton.

The results concluded that the subject channel was historically modified/straightened (prior to 1934) and has since remained relatively stable, that the channel is partially confined, and that there are instances of minor to moderate bank erosion. The assessment establishes that the toe erosion allowance recommendations should be reviewed in tandem, and validated by, the results of a geotechnical slope stability assessment.

The Slope Stability Assessment and Geotechnical Investigation were prepared by Pinchin Ltd. determines that a 5-metre toe erosion allowance is required for the Proposed Development. Based on the Site Plan prepared by Baldassarra Architects Inc., a 7.5 metre setback is provided from the hazard limit in accordance with the recommendations of technical studies.

Slope Stability Assessment

A Slope Stability Assessment was prepared by Pinchin Ltd. to determine the long-term stable top of slope and total development setback limits for the lands to be severed off in accordance with Conservation Halton policies. The assessment, reviewed in tandem with the Geotechnical Investigation, determined the total development setback to require a 5-metre toe erosion allowance, stable slope allowance, and 7.5 m Conservation Halton allowance. Further, the assessment recommended the vegetation cover within the slope should be maintained, artificial watering of greenspace should be avoided, and surface runoff must be collected and directed away from the slope.

Geotechnical Investigation

A Geotechnical Investigation was prepared by Pinchin Ltd. to delineate the subsurface conditions and soil engineering characteristics by advancing a total of twenty-four (24) sampled boreholes on the Subject Lands. The investigation recommended that all geotechnical aspects of the project be reviewed and confirmed under the appropriate geotechnical supervision and recommended compaction quality control of engineered fill material as standard practice as well as regular sampling and testing of aggregates and concrete to ensure that physical characteristics of materials for compliance during installation and satisfies all specifications presented in the report.

Noise and Vibration Feasibility Study

A Detailed Noise and Vibration Feasibility Study was prepared by SS Wilson Associates to assess the potential noise and vibration impacts associated with the proposed warehouse development and to identify any mitigation measures, where required, in accordance with the Ministry of the Environment, Conservation and Parks (MECP) guidelines and applicable municipal requirements. The study concluded that based on the nature of the Proposed Development and surrounding land uses, adverse vibration impacts are not anticipated, and no vibration mitigation measures are considered necessary.

Phase One and Two Environmental Site Assessments

Phase 1 and Phase 2 Environmental Site Assessments ("ESAs") were prepared by Pinchin Ltd.

Phase 1 ESA

The objective of the Phase 1 ESA was to assess the environmental condition of the Subject Lands based on its historical and current uses and to identify any Potentially Contaminated Activities (PCAs) and Areas of Potential Environmental Concern (APECs). The ESA finds that the Subject Lands was first developed with residential dwellings prior to 1934 and assumed residential and agricultural uses until

approximately 1973. A former industrial building was constructed in 1976 on the central portion of the site and remained present until 2009.

The assessment found 11 PCAs within the Subject Lands and 17 PCAs within the study area outside of the Subject Lands which resulted in 14 APECs identified that may have caused contamination of soil and groundwater. Therefore, it was recommended that a Phase 2 ESA be conducted to assess the 14 APECs.

Phase 2 ESA

The objective of the Phase 2 ESA was to evaluate the soil and groundwater conditions at the Areas of Potential Environmental Concern (APECs) identified in Phase 1.

Based on the soil and groundwater analytical results, Contaminants of Concern ("COCs") were identified. It is noted that no free cyanide impacts were identified in the soil testing suggesting impacts are limited or anomalous, and no cyanide impacts were identified in the groundwater samples. A risk assessment is recommended to assess the applicable contaminant exposure pathways and appropriate risk management measures to be incorporated into future design concepts to manage the known contaminants in place.

Landscape Plan

A Landscape Plan, Notes, and Schedules were prepared by Studio TLA for the layout and landscape design of the Proposed Development. The landscape design proposed tree plantings around the perimeter of the parking areas and the property. In accordance with the CH setback requirements and the setback recommendations in the EIS, no sod or hydro seeding is proposed within the 15-metre creek setback, only CH upland dry meadow mix is proposed within the setback to stabilize soil for restoration for the top of slope. Enhanced gateway landscaping is proposed at the driveway access with ornamental trees and shrubs creating a vibrant green entrance to the property.

Hydrogeological Assessment

A Preliminary Hydrogeological Assessment was prepared by Pinchin Ltd. as an update to the previously completed hydrogeological assessment and static groundwater monitoring between December 2, 2022, and June 6, 2023. The purpose of the assessment is to assess the groundwater quality of potential discharge water, identify any potential impacts on the surrounding environment due to the Proposed development. The assessment results assumed that the short-term dewatering estimates for foundation trenches and services installations during the construction stage will require an Environmental Activity and Sector Registry, and that long-term dewatering is not anticipated and as such a Permit to Take Water will not be required.

Environmental Impact Assessment

LGL Limited prepared an Environmental Impact Assessment ("EIA") that examines the potential negative impacts to key features on the Subject Lands, as well as identification of appropriate buffers, and methods for mitigation and enhancements to preserve the function and ecological integrity of the NHS. The assessment noted the presence of a regulated watercourse (Appleby Creek) and associated floodplain and riparian lands located on a portion of the Subject Lands. The results of the assessment recommend a vegetation buffer of 15 meters minimum, a tree inventory and

recommendations for a planting plan, no negative impacts from the proposed SWM plan, and timing windows for vegetation removals to protect migratory birds and bats protected under the *Species Conservation Act, 2025*.

It is noted that a vegetation buffer has been identified on the Landscape Plan prepared by Studio TLA, a Tree Inventory has been provided by LGL Limited in support of the Proposed Development.

Sustainability Checklist

A Sustainability Checklist has been prepared by INVIRO Engineered Systems Ltd. The site sustainable design features that have been incorporated include maintaining a minimum 15 cm quality topsoil in landscape areas and identifying a snow storage area to reduce salt and contaminant impacts to vegetation, groundwater and surface water. Sustainable transportation measures have been provided through pedestrian connections that are continuous, universally accessible, barrier-free and clearly delineated in accordance with Official Plan Policies, Accessibility for Ontarians with Disabilities Act and cycling connections and bicycle parking spaces. Light pollution has been minimized in accordance with the city's Guidelines for Outdoor Lighting and Official Plan policies and proposing native, non-invasive species on the landscape plan. Stormwater quality will be achieved through a level one/enhanced stormwater treatment for all stormwater runoff. Vegetated landscaped areas are provided in hard surface areas to reduce the urban heat island and mitigate emissions. Lastly, a waste management plan has been prepared in accordance with Regional requirements.

4.0 Policy Analysis

This section of the PJR provides an overview of the applicable policy and regulatory context guiding growth and development of the Subject Lands, and how the proposed redevelopment is consistent with and conforms to the policy and regulatory framework.

4.1 Planning Act, R.S.O 1990, C.P. 13

The Ontario *Planning Act*, R.S.O. 1990 (the "*Planning Act*"), consolidated January 1, 2025, is the primary legislation governing land use planning in the Province of Ontario. The *Planning Act* provides the basis for consideration of Provincial interests in managing land and natural resources, preparing official plans and planning policies, establishing planning processes, regulating land uses through zoning by-laws and other measures, ensuring public notice and appeal rights, and other matters of Provincial interest. Several other Provincial Plans are created from the authority of the *Planning Act*, including the Provincial Policy Statement.

Section 2 of the *Planning Act* sets out the matters of provincial interest which the Minister, the council of a municipality, a local board, a planning board, and the Tribunal shall have regard to when carrying out their responsibilities under the Act. Matters of provincial interest relevant to the proposal include:

(a) the protection of ecological systems, including natural areas, features and functions;

(e) the supply, efficient use and conservation of energy and water;

(f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;

(h) the orderly development of safe and healthy communities;

(h.1) the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies;

(k) the adequate provision of employment opportunities;

(l) the protection of the financial and economic well-being of the Province and its municipalities;

(p) the appropriate location of growth and development;

(q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;

(r) the promotion of built form that,

(i) is well-designed,

(ii) encourages a sense of place, and

(iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;

(s) the mitigation of greenhouse gas emissions and adaptation to a changing climate.

The Proposed Development will make efficient use of existing transportation, sewage, and water systems through appropriate development of the Subject Lands and will develop in an orderly manner that will protect the existing Natural Heritage Feature on the site. The Subject Lands are located in close proximity to existing community amenities and infrastructure, and is located in an area intended for employment growth and intensification. The

Proposed Development represents modestly proposed intensification in an area of existing employment uses that is compatible with the neighbouring properties. The development of a currently underutilized site will provide for new employment uses, which is well designed to integrate with the surrounding neighbourhood context and provide new employment opportunities that will contribute to the local economy.

Planning Act Summary

The proposed ZBA application has regard to, and implements, the applicable matters of Provincial interest under Section 2 of the *Planning Act.* In summary the Proposed Development:

1. Protects the Natural Heritage System by incorporating a 7.5 metres setback from the hazard limit of Appleby Creek in accordance with the mitigation measures outlined in the EIS prepared by LGL.
2. Makes efficient use of existing transportation, sewage, and water systems through appropriate intensification of the Subject Lands and will develop in an orderly manner to support a vibrant employment area.
3. Provides for moderate intensification of a currently underutilised site in close proximity to existing amenities and infrastructure, which is identified for future growth and development.
4. Represents orderly development in an appropriate location for growth and development within a built-up area; will contribute to local employment opportunities.
5. Has been designed to accommodate accessibility for persons with disabilities.
6. Embodies a well-designed built form that is compatible with the surrounding community and will be well-integrated into the community through thoughtful building siting, architectural design, and landscaping.
7. Promotes alternative modes of transportation by providing an internal sidewalk network, a new sidewalk connection to North Service Road with access to the existing bus stop on Appleby Line, and providing 12 bicycle parking spaces.

The proposed ZBA application has regard for matters of Provincial interest under the Planning Act.

4.2 Provincial Planning Statement, 2024

The Provincial Planning Statement (2024) (the "PPS") was released in a final version by the Ontario Ministry of Municipal Affairs and Housing on August 20, 2024, and came into effect on October 20, 2024. The PPS provides general policy direction to municipalities throughout the Province in matters relating to land use planning and development.

The PPS strongly encourages development that will support a strong and competitive economy, long term prosperity, environmental health, and social well-being. These directives depend on the efficient use of land and development patterns that: support complete communities and compact form; optimize existing and planned infrastructure; support active transportation; protect the environment; and, promote economic growth.

The *Planning Act* requires that any planning decision "be consistent with" the policies of the PPS. In accordance with the PPS, the Subject Lands are located within a Settlement Area. In

assessing the development proposal for the Subject Lands, this report identifies how the proposal advances and implements the policies of the PPS.

Section 2.3.1, General Policies for Settlement Areas includes policies requiring Settlement Areas to be the focus of growth and development. **Policy 2.3.1.2** specifies that land use patterns within Settlement Areas should be based on a mix of uses, including those that that: efficiently use land and resources; optimize existing and planned infrastructure and public service facilities; support active transportation; and, are transit-supportive. **Policy 2.3.1.5 and 2.3.1.6** require planning authorities to establish density targets for growth areas and ensure development within designated growth areas is orderly and aligns with the timely provision of the infrastructure and public service facilities.

The Proposed Development demonstrates an efficient use of existing and planned infrastructure within the Settlement Area. The proposed employment use is compatible with the existing surrounding uses and is aligned with the City's policies for employment growth and intensification in an Employment Growth Area. The proposed industrial and accessory office uses contributes to the employment and density targets as set out by Halton Region and the City of Burlington.

Section 2.8, Employment, **Policy 2.8.1** states that planning authorities shall promote economic development and competitiveness by: providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs; encouraging intensification of employment uses and compatible, compact, mixed-use development to support the achievement of complete communities; and addressing land use compatibility adjacent to employment areas by providing an appropriate transition to sensitive land uses. **Policy 2.8.2: Employment Areas** requires planning authorities to protect and preserve employment areas for current and future uses and protect employment areas that are located in proximity to major goods movement facilities and corridors.

The Subject Lands are located within an Employment Area. The Proposed Development and zoning consolidation will generate a wider range of employment opportunities and contribute to the economic growth of both the City and the Region. The proposed industrial and accessory office uses are appropriate for this location. The proposed rezoning of Appleby Creek ensures there will be no adverse impacts on Natural Heritage Feature found on the Subject Lands.

Section 2.9 Energy Conservation, Air Quality and Climate Change, Policy 2.9.1 prioritizes energy conservation, efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for climate change impacts through land use and development patterns.

Section 3.1, General Policies for Infrastructure and Public Service Facilities, Policy 3.1.2 states that the use of existing infrastructure should be optimized. This is also reiterated in **Policy 3.6.1** regarding Sewage, Water, and Stormwater.

The Subject Lands will utilize existing municipal infrastructure. The accompanying Functional Servicing Report prepared by Husson Engineering demonstrates how the Proposed Development can be adequately serviced and sustained, and provides for protection of human health and safety, and the natural environment.

Section 3.2 Transportation Systems, Policy 3.2.1 ensures that provided transportation systems should be safe, energy efficient, facilitate the movement of people and goods, are appropriate to address projected needs. **Policy 3.2.2** indicates that efficient use

should be made of existing infrastructure and **Policy 3.2.3** states that planning authorities shall plan for and protect corridors, and connectivity among transportation systems and modes should be planned for, maintained, and improved.

The Proposed Development will provide for the safe and energy efficient movement of people and goods. The TIS prepared by BA Group also concludes that that there are minimal concerns regarding capacity and delay within the study area. It is noted that the Proposed Development will provide an internal pedestrian network, a new sidewalk connection to the existing sidewalk on North Service Road with direct access to the existing bus stop on Appleby Line, and 12 bicycle spaces to support the use multimodal transportation systems.

Section 3.5: Land Use Compatibility, Policy 3.5.1 requires major facilities and sensitive land uses to be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.

As demonstrated in the Noise and Vibration Feasibility Study prepared by SS Wilson the Proposed Development and the surrounding land uses are not anticipated to generate vibration impacts therefore, no vibration mitigation measures are considered necessary.

Section 4.1: Natural Heritage, Policy 4.1.1 requires that Natural features and areas shall be protected for the long term. Further, Development and site alteration shall not be permitted on adjacent lands to the natural heritage features unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.

Section 5.2: Natural Hazards, Policy 5.2.1 requires development to be directed the areas outside of flooding hazards and erosion hazards. Policy 5.2.8 sets out that development and site alteration may be permitted in portions of hazardous lands and hazardous sites where the effects and risk to public safety are minor, could be mitigated in accordance with provincial standards, and no adverse environmental impacts will result.

The Subject Lands contain a watercourse within the Regional Natural Heritage System that consists of Appleby Creek. The proposed buildings are outside of the required 7.5 metre setback from the hazard limit of the Appleby Creek in accordance with the recommendations of the EIS prepared by LGL. These recommendations are not limited to a vegetated buffer width of 15 metres, a detailed tree inventory, recommendations for a planting plan for the buffer areas, a review of the SWM plan to ensure no negative impacts to Appleby Creek, and timing windows for vegetation removals to protect migratory birds.

Provincial Planning Statement Summary:

In summary:

1. The proposed ZBA facilitates the efficient use of land and resources through the development of underutilized lands located in an Employment Area within a Settlement Area, that will provide job opportunities which will support the local economy.
2. The proposal will support the creation of a complete community by providing job opportunities and an active and aesthetic street front.
3. The proposal is compatible with surrounding land uses, minimizes and mitigates any risk

to public health and safety with the Subject Lands' appropriate location near existing employment uses and proximity to the Provincial Queen Elizabeth Way highway.

4. Supports the use of transportation systems by providing pedestrian connections to the existing bus stop along Appleby Line and maintains the surrounding infrastructure and multimodal transportation systems with proximity to the Queen Elizabeth Way highway.
5. Promotes active transportation use and community connectivity by providing for a connected pedestrian network and bicycle facilities that contribute to a healthy community.
6. Protects the Natural Heritage System and proposes development outside of the hazard limits by incorporating mitigation measures from the Proposed Development in accordance with the conclusions in the EIS prepared by LGL.

The Proposed Development and associated ZBA application are consistent with the PPS.

4.3 Region of Halton Official Plan

The *Planning Act* requires that lower-tier municipal policies and regulations must conform to the ROP. As of July 1, 2024, the Region no longer has planning responsibilities, as per Bill 185, the *Cutting Red Tape to Build More Homes Act, 2024*, and as a result, the sections of the RHOP applicable to City of Burlington now constitute part of the City's OP. The RHOP was adopted by Regional Council on March 30th, 1994, and was approved with modifications by the Province on November 10, 2022. It serves as the guiding document for land use planning and is intended to manage growth across the Region's local municipalities.

In the RHOP, The Subject Lands are located within the 'Urban Area' and are designated 'Regional Natural Heritage System' on Map 1 – Regional Structure (**Figure 15**).



Figure 15: RHOP Map 1 – Regional Structure

Urban Areas are to accommodate growth that is compact and supportive of transit usage and are to provide a range of uses including a balance of employment, residential and community uses. Urban Areas are to accommodate growth in accordance with the Region's desire to improve and maintain regional unity, retain local community identity, create healthy communities, promote economic prosperity, maintain high quality, sustainable natural environment and preserve certain landscapes.

Within the 'Urban Area,' the Subject Lands are also within the 'Employment Areas' per Map 1C

– Future Strategic Employment Areas (**Figure 17**) and the 'Built Boundary' per Map 1H – Regional Urban Structure (**Figure 16**). In the RHOP, North Service Road and Appleby Line are classified as a 'Regional Intensification Corridor in Regional Urban Boundary' (**Figure 16**), a 'Minor Arterial', a 'Major Arterial' and a 'Higher Order Transit Corridor' per Map 3 – Functional Plan of Major Transportation Facilities (**Figure 4**).

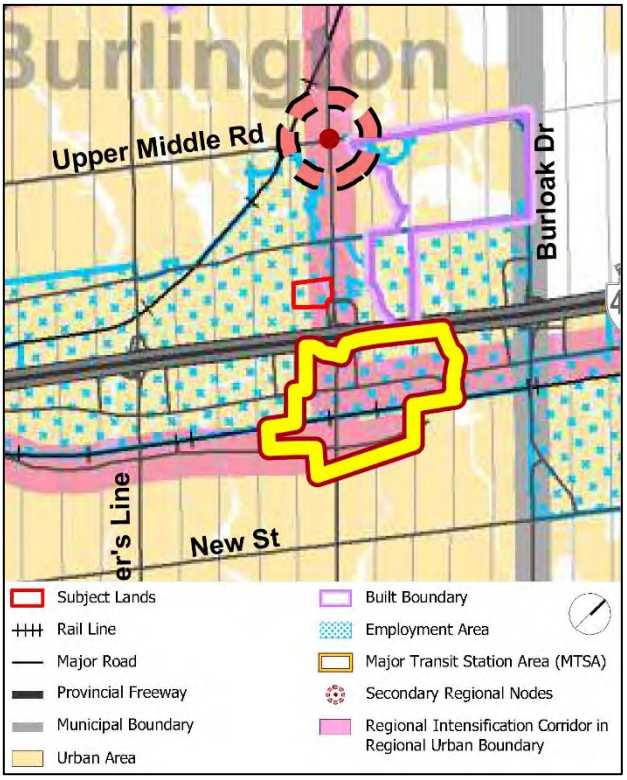


Figure 16: RHOP Map 1H – Regional Urban Structure

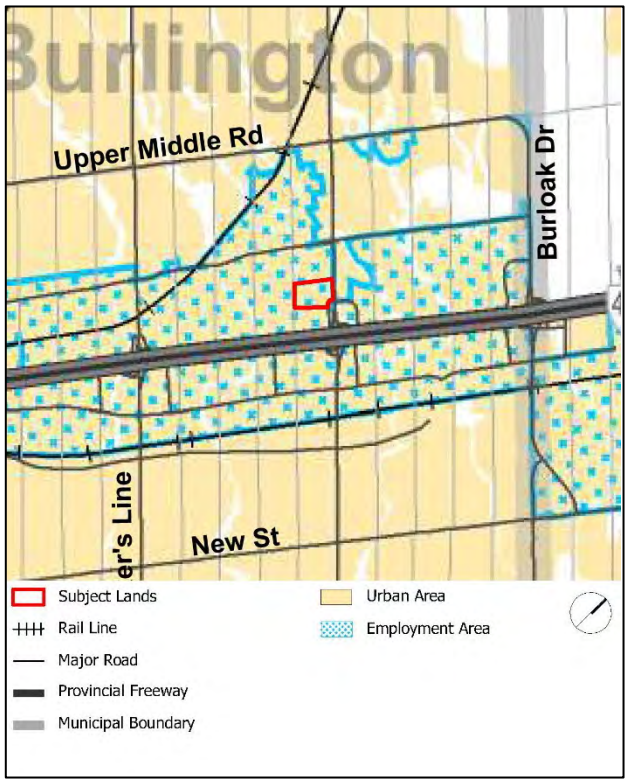


Figure 17: RHOP Map 1C – Future Strategic Employment Areas

Employment Areas will ensure that there is enough land available for employment to meet anticipated growth, and to offer a varied economic base. This includes maintaining a range of suitable sites for employment, accommodating diverse economic activities and ancillary uses, and addressing the requirements of both current and future businesses. Employment Areas should be situated near significant highway interchanges, and when appRHOPriate, within the Urban Area. Regional Intensification Corridors within an Employment Area will serve an existing or planned higher order transit function, and support a range and mix of employment uses and higher density employment uses.

The Subject Lands also contain Appleby Creek that is designated in the RHOP as a 'Key Feature' per Map 1G – Key Features within the Natural Heritage System (**Figure 18**).

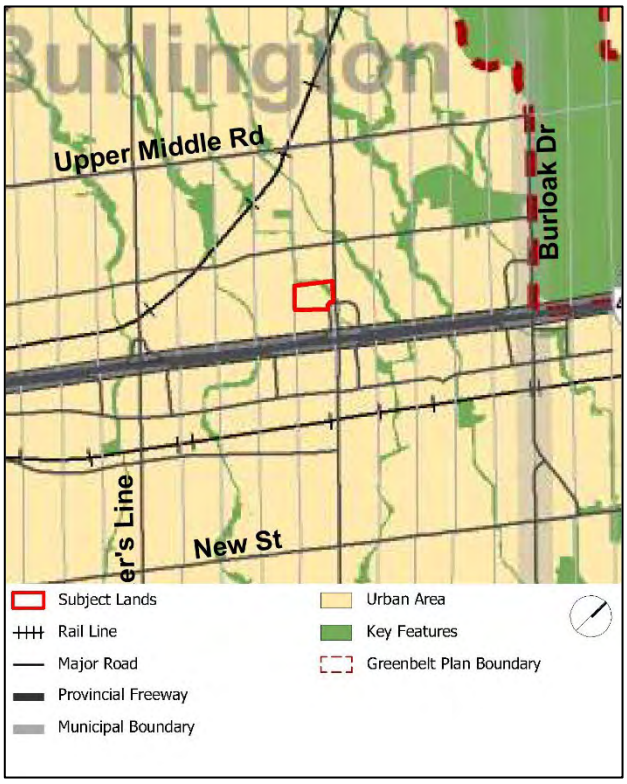


Figure 18: RHOP Map 1G – Key Features within the Natural Heritage System

Part 2: Basic Position

Halton's Regional Structure implements the Region's planning vision by organizing land uses by Settlement Areas, the Agricultural System, and the Natural Heritage System. **Policy 55** identifies the Region's growth strategy to the year 2051 which anticipates a total of 279,000 jobs in the Region of which 98,340 will be directed to the City of Burlington. **Policy 55.1** also sets out the Employment Area Density targets for intensification within the Built-Up Areas and requires a minimum of 26 jobs per hectare in the Region, and 33 jobs per hectare in the City. Further, **Policy 55.2** also sets out the Regional phasing for employment to be achieved every five years which targets 4,000 new jobs from 2022-2026, 4,200 jobs from 2027-2031, 4,200 jobs from 2032-2036, and 4,300 jobs from 2037-2041.

The Proposed Development will support the growth strategy, density targets, intensification, and Regional phasing set out by the Region for employment in the City of Burlington by providing for new local job opportunities in an Employment Area within the Built-up Area.

Part 3: Land Stewardship Policies

Development Criteria in the RHOP requires development in the Region to be located in environmentally suitable areas with the appropriate land use designations that is not considered hazardous to life or property and provides and adequate supply of water and wastewater services to the satisfaction of the Region (**Policies 57 & 58**).

Urban Area and the Regional Structure in the RHOP demonstrates the goals and objectives of the Urban Area that manages growth in a manner that fosters complete communities and improves economic prosperity across Halton (**Policy 72**). **Policy 72.1,** provides the following objectives of the Urban Area: to accommodate growth that promotes economic prosperity within the Built Boundary; to ensure development supports sustainable cost-effective growth; to protect Regional Employment Areas; to plan and invest for a balance of jobs and housing that increases transit and active transportation uses; and, to provide for an appropriate range and balance of employment uses including industrial, office and retail and institutional uses to meet long-term needs.

The Proposed Development will provide for new employment uses that meets the long-term needs of the City and the Region in an area that is suitable in for employment growth. The consolidation of uses will allow greater flexibility for future businesses looking to settle in the Halton, and more specifically, Burlington area.

The Subject Lands are located within a Regional Employment Area and Regional Intensification Corridor where intensification and increased densities are directed that can be accessed by multi modal transportation options.

Regional Urban Structure includes Regional Employment Areas and Built-up Areas in the RHOP to accommodate employment growth and to protect Regional Employment Areas for the long-term (**Policy 78.1**).

Regional Intensification Corridors in the RHOP are planned to achieve increased employment densities in order to ensure the viability of existing and planned transit infrastructure and service (**Policy 82.3**). **Policy 82.4** identifies the Appleby Corridor in the City of Burlington as a Regional Intensification Corridor. The Region indicates in **Policy 82.6** that within theses areas, the purpose of the Regional Intensification Corridors is to support a range and mix of employment uses and higher density employment uses, consistent with the policies that apply to Employment Areas.

Employment Areas shall accommodate the forecasted growth to support Halton's and Burlington's economic competitiveness (**Policy 83**). **Policy 83** further demonstrates employment areas shall support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses. **Policy 83.2** establishes that the policy of the Region for Employment Areas is to plan for a range of employment uses including but not limited to industrial, manufacturing, warehousing, and office uses in proximity to major facilities, and ensure necessary infrastructure is provided to support the development of Employment Areas.

The Proposed Development will contribute new employment uses located in an Employment Area, within the Built-up Area, and within the Appleby Regional Intensification Corridor. The new employment uses consist of industrial and accessory office uses that are consistent with the policies of the ROP. The Proposed ZBA will protect permitted uses on the Subject Lands which support an appropriate employment growth and the intensification targets identified by the Region. The consolidation of uses across the Subject Lands will provide a broader range of permitted uses on an underutilized parcel, further supporting the employment area. The Appleby Intensification Corridor in the City of Burlington is also located in proximity to existing and future transportation services.

Policies 87 & 88, are provided to ensure the adequate provision of an economic level of urban services in the Urban Area to meet existing and future requirements. **Policy 89** requires that the Region will provide urban services only within the Regional Urban Boundary.

The Subject Lands is located within the Regional Urban Boundary. As demonstrated in the Functional Servicing Report prepared by Husson Engineering, the Proposed Development can be accommodated by existing municipal and regional infrastructure.

Natural Heritage System in the RHOP consists of the Greenbelt Natural Heritage System and the Regional Natural Heritage System (**Policy 113**). **Policy 114** outlines the Region's goal for the Natural Heritage System is to increase the certainty that the biological diversity and ecological functions within Halton will be preserved and enhanced for future generations. The **Regional Natural Heritage System** protects and enhances natural features and functions including Key Features and watercourses that are within a Conservation Authority Regulation Limit (**Policy 115.3**). **Policy 118** sets out the policy of the Region for lands designated Regional Natural Heritage System ("RNHS") to permit alterations of any components of the RNHS once it has been demonstrated that there will be no negative

impacts on the natural features and areas or their ecological functions.

The Subject Lands contain a watercourse within the Regional Natural Heritage System that consists of Appleby Creek. As concluded in the EIS prepared by LGL, the Proposed Development demonstrates no negative impacts on the Regional Natural Heritage System lands with the incorporated mitigation measures. These measures are not limited to a vegetated buffer width of 15 metres, a detailed tree inventory, recommendations for a planting plan for the buffer areas, a review of the SWM plan to ensure no negative impacts to Appleby Creek, and timing windows for vegetation removals to protect migratory birds. A portion of the Subject Lands will be rezoned to O2, further supporting the enhancement and long-term protection of these lands.

Part 4: Healthy Communities Policies

Air and the Ambience in the RHOP identify the following objectives of the Region including promoting trips made by active transportation and public transit, and addressing the impact of air pollution, noise, vibration and light on land uses (**Policy 142**). The RHOP requires all new urban development to incorporate the design of safe and accessible active transportation facilities and access to public transit services, or transit stops where they are likely to be located, within a walking distance of 400 metres (**Policy 143**). **Policy 143** also requires the minimization of the adverse effects of noise, vibration, odour and air pollution from industrial, transportation and utility sources on sensitive land uses, including the application of separation distance between these non-compatible uses.

The Proposed Development includes a new sidewalk connection to the existing sidewalk along North Service Road to promote access to the City's transit services and active transportation network. The proposed internal sidewalks allow the site to be accessed safely by pedestrians and cyclists that supports alternative modes of transportation in the Region. As demonstrated in the Noise and Vibration Feasibility Study prepared by SS Wilson Associates that no vibration mitigation measures are considered necessary.

The RHOP provides policies for **Water** in the Region (**Policy 145**) which encourages the protection and enhancement of watercourses and headwaters areas and restricts development in or near sensitive surface and ground water features. **Land** policies are provided in the RHOP to ensure that development takes place on sites that are safe from soil contamination (**Policy 146**). **Policy 147** outlines that the Region will also require that prior to any development it must be determined whether there is any potential contamination on the site and the steps necessary to bring the site to a condition suitable for its intended use.

As outlined in the Phase One and Two ESA prepared by Pinchin Ltd the assessment of the soil and groundwater concluded that no free cyanide impacts were identified in the soil testing suggesting impacts are limited or anomalous, and no cyanide impacts were identified in the groundwater samples. A risk assessment is recommended to assess the applicable contaminant exposure pathways and appropriate risk management measures to be incorporated into future design concepts to manage the known contaminants in place.

Economic Development in the RHOP aims to achieve sustainable economic prosperity for Halton (**Policy 168**). **Policy 169** outlines the objectives for economic development which

includes supporting the Region's and the City's economic competitiveness and to serve long term employment land needs in Halton, especially at strategic locations along major transportation corridors. Further, the Region aims to forge strong links among the business, government, environment and education sectors in support of a healthy, sustainable economy. **Policy 170** sets out the policy of the Region which includes establishing short- and long-term employment forecasts to respond to global and regional economic trends and to protect employment lands for economic development during the current planning period to 2051.

The proposed ZBA will provide a broader range of employment uses within the Region's existing Employment Area and within the Regional Intensification Corridor that supports the economic competitiveness of Halton Region and the City of Burlington. The Subject Lands are located within a strategic location identified by the Region that will assist in providing long term employment needs in Halton.

Transportation objectives in the RHOP are provided in **Policy 172** to develop a balanced transportation system that provides a safe, economic and efficient highway network for both people and goods movements with an acceptable level of service, and increases accessibility to major areas of employment, shopping, government services, culture and recreation.

The Subject Lands are located within the Appleby Regional Intensification Corridor that provides existing and future transit accessibility providing convenient access to the Proposed Development. The proposal includes a sidewalk connection to the existing sidewalk on North Service Road that provides access to the bus stop at Appleby at North Service on the Sutton-Alton line in the City of Burlington. Additionally, the Subject Lands are in close proximity to the Queen Elizabeth Way highway, offering transportation connections to the broader region. As demonstrated in the Transportation Impact Study prepared by BA Group concluded that no additional mitigation measures are recommended.

Regional Official Plan Summary:

In summary, the Proposed Development:

1. Contributes to the Region's growth targets and will assist in achieving the intensification and density target of 33 jobs per hectare in the Employment Area, and 124,390 jobs by 2051 in the City of Burlington.
2. Provides employment uses in an area identified for Employment Growth that contributes to the economic competitiveness of Halton Region and the City of Burlington that is accessible by public transit and routes for active forms of transportation.
3. Supports the Region's policies for growth management that optimizes existing infrastructure that offer transportation choices within the Appleby Intensification Corridor.
4. Implements the Region's policy direction for urban systems by preserving the characteristics of the existing surroundings communities while providing for new employment opportunities to those living and working in the urban system.
5. The supporting Environmental Impact Assessment has indicated that the proposed development will avoid or minimize any impacts by implementing the mitigation, restoration, and management measures described in the report.
6. Optimizes the use of existing and planned transportation infrastructure by accommodating and internal pedestrian

network, providing bicycle parking, and connections to the adjacent bus route.

7. The Subject Land's proximity to the major highway is suitable and desirable for the proposed industrial buildings and will assist in utilizing the existing infrastructure while limiting traffic on the local road network.
8. The proposed development has been designed in a manner that makes efficient use of the site, while achieving compatibility with the existing and surrounding built form through the incorporation of enhanced design, materials and vegetation

The Proposed Development, and accompanying ZBA, are in conformity with the policies of the Region of Halton Official Plan.

4.4 City of Burlington Official Plan, 1997

The City of Burlington Official Plan 1997 was approved by Halton Region, with modifications, on March 5, 1997. Due to a number of appeals, certain parts of the plan were referred to the Ontario Land Tribunal (formerly the Ontario Municipal Board) for a decision. The OP was approved by the Ontario Land Tribunal in 2008, and content and maps were updated in 2019. The OP is the in-effect Official Plan document for the City of Burlington until such time as the council-adopted but appealed City of Burlington Official Plan 2020 comes into effect.

Schedule A – Settlement Pattern (**Figure 19**) identifies the Subject Lands as within the 'Employment Lands' which applies to the western and southern portions of the property and 'Mixed Use Activity Areas' which applies to the eastern part of the Subject Lands.

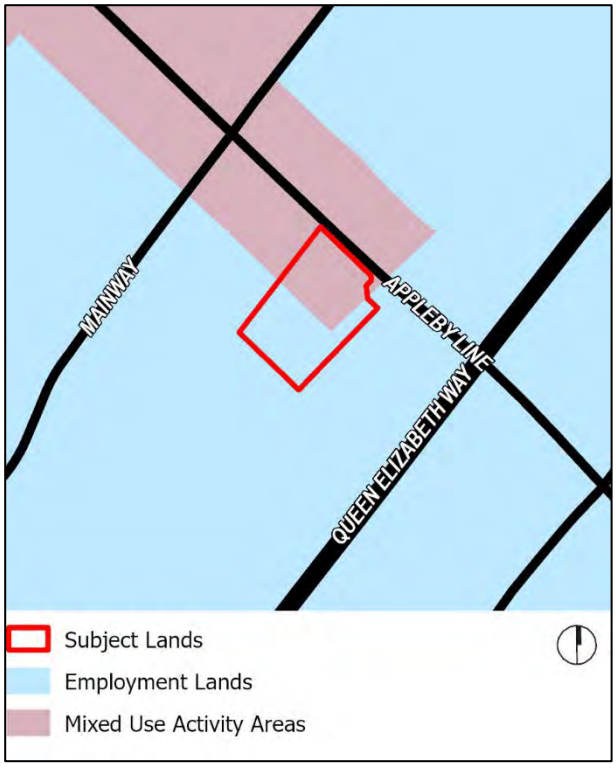


Figure 19: OP Schedule A – Settlement Pattern

The OP recognizes Employment Lands as the main locations where office and industrial activities will provide employment, shopping and residential uses that will be integrated in a compact urban form, at higher development intensities and will be pedestrian-oriented and highly accessible by public transit.

The Subject Lands are designated 'General Employment' on the western portion, 'Mixed Use Corridor – Employment' on majority of the eastern part of the site, 'Business Corridor' at the southern boundary on the east side of the property, and contain a 'Watercourse' as per Schedule B – Comprehensive Land Use Plan – Urban Planning Area (**Figure 20**). The OP also identifies North Service Road as a 'Minor Arterial' and Appleby Line as a 'Major Arterial per Schedule J – Classification of Transportation Facilities (**Figure 5**).

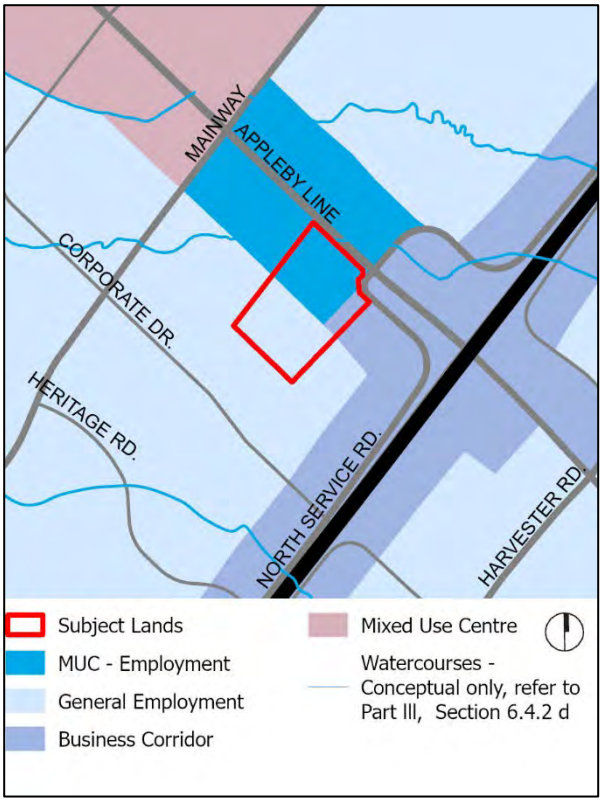


Figure 20: OP Schedule B – Comprehensive Land Use Plan – Urban Planning Area

Part 1: Policy Framework

Section 2.0: Planning Horizon specifies the OP will provide planning directions of land uses to the City until 2021. The City had anticipated that the employment level in the City will be approximately 108,000 in the year 2021.

Section 3.0: Guiding Principles outlines the desired urban environment which includes an attractive livable community that offers employment and transportation opportunities, that supports the existing business community, promotes new business development opportunities, protects critical areas of economic enterprise, and promotes a variety of locations for economic activity.

Section 4.0: Vision establishes the expectation for future built form and natural environment within the City which includes the development of employment areas and concentrates business growth along the Queen Elizabeth Way (**Policy 4.3**).

The Proposed Development supports the City's Planning Horizon, Guiding Principles, and Vision by providing expanded employment uses on Employment Lands along the Queen Elizabeth Way. The proposed industrial and accessory office uses will contribute new business development opportunities that will provide new jobs and support the local economy. The inclusion of the O2 zone across the Appleby Creek will ensure the long-term protection of the natural area.

Part 2: Functional Policies

Section 2.0: Sustainability and the Environment outlines the City's intentions for sustainable development including the protection of Natural Heritage Features and that development should provide a high level of environmental protection and maintenance of compatibility (**Policy 2.1**). **Policy 2.5** may require areas regulated by Conservation Halton including watercourses, to prepare environmental studies to determine if the Proposed Development has the potential to adversely affect the environment. The City also implemented stormwater management requirements to provide protection against flooding and erosion, maintain groundwater recharge areas and maintain or improve storm water run-off quality, and provide sedimentation control (**Policy 2.11**).

The Subject Lands contain a watercourse within the Regional Natural Heritage System that consists of Appleby Creek. As concluded in the EIS prepared by LGL, the Proposed Development demonstrated no negative impacts on the Regional Natural Heritage System lands with the incorporated mitigation measures. These recommendations are not limited to a

vegetated buffer width of 15 metres, a detailed tree inventory, recommendations for a planting plan for the buffer areas, a review of the SWM plan to ensure no negative impacts to Appleby Creek, and timing windows for vegetation removals to protect migratory birds.

Further, as identified in the Stormwater Management Report prepared by Husson, the Proposed Development can be accommodated through existing municipal infrastructure and will manage stormwater level through the proposed Stormtrap underground detention tanks, or an approved equivalent.

Section 3.0: Transportation in the OP will provide for an integrated, diverse transportation system for all residents and businesses in the City of Burlington. **Policy 3.2.1** sets out the objectives of the City for transportation including a balances system of roads, rail, transit services and active transportation that offers safe, convenient and efficient movement for people and goods. The OP requires that traffic flows shall be controlled within employment areas through traffic management, traffic calming, design features and other techniques (**Policy 3.3.2**), to develop a cost-effective transit service that provides the traveling public with access to employment services (**Policy 3.4.1**), and integrate cycling and transit modes for employment developments (**Policy 3.5.2**).

The Proposed Development will provide for a balance of transportation systems as it maintains the driveway access off North Service Road, provides for 12 bicycle parking spaces, and, includes a sidewalk connection to the existing sidewalk on North Service Road. As demonstrated in the Transportation Impact Study prepared by BA Group the proposed parking, bicycle, and loading spaces are appropriate for the Proposed Development and note that no additional transportation mitigation measures are recommended.

Part 3: Land Use Policies – Urban Planning Area

Section 3.0: Employment Lands requires that the economic strength of the City shall be improved by increasing job opportunities and expanding the assessment base through employment and economic development (**Policy 3.1**). Further, the OP permits a full range of industrial/manufacturing and office uses and related services on lands designated Employment Lands. **Policy 3.2.2** outlines that 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.

Section 3.3: General Employment Designation sets out the objectives and permitted uses of lands designated General Employment in the OP. **Policy 3.3.1** identifies that the objective of the General Employment designation is to provide locations in the City for a broad range of employment and office uses and to separate General Employment areas from other sensitive land uses. **Policy 3.3.2** lists the permitted uses of the General Employment designation which includes industrial uses and office uses.

The majority of Subject Lands are designated General Employment on the westerly side of the property. The Proposed Development of industrial and office uses are permitted in the General Employment designation in accordance with Section 3.3 of the OP and is not adjacent to other sensitive land uses. As concluded in the EIS prepared by LGL, the Proposed Development will impose no negative impacts on the portion of Appleby Creek that is located on the Subject Lands.

Section 3.4: Business Corridor Designation sets out the objectives and

permitted uses of lands designated Business Corridor in the OP. **Policy 3.4.1** identifies that the objective of the Business Corridor designation is to provide prestige-type offices and industrial uses that require good access and high visibility along major transportation routes that permits a wide range of employment uses including office, industrial, and related uses. **Policy 3.4.2** lists the permitted uses of the General Employment designation which includes industrial uses.

A portion of Subject Lands along the southern property line on the easterly side of the property is designated Business Corridor. The Proposed Development of industrial uses are permitted and office uses are supported by the City's objectives and policies for the Business Corridor designation in accordance with Section 3.4 of the OP.

Section 5.0: Mixed Use Activity Area shall provide for a settlement pattern where employment, shopping and residential uses will be developed and employment 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. **Policy 5.1** requires Mixed Use Activity Areas to address the demand for higher intensity employment, shopping and residential areas in the City.

Section 5.3: Mixed Use Corridors (General, Employment and Commercial Corridor) sets out the objectives and permitted uses of lands designated Mixed Use Corridor - Employment in the OP. **Policy 5.3.1** identifies that Appleby Line, between the Queen Elizabeth Way and Mainway is intended for higher intensity, transit and pedestrian oriented employment development. Industrial uses and a broad range of office uses are permitted within the Mixed Use Corridor – Employment designation and shall incorporate transit-supportive and pedestrian-oriented urban design.

The eastern part of the Subject Lands that are north of the portion designated Business Corridor, is designated Mixed Use Corridor – Employment. The Proposed Development will provide for industrial and office uses which are permitted in the Mixed Use Corridor – Employment designation. The Proposed Development also includes a new sidewalk connection to the sidewalk along North Service Road that supports access to the site by active forms of transportation and provides a direct path from the proposed buildings to the nearest bus stop located on Appleby Line.

Section 6.0: Natural Features and Open Space defined the 'Watercourse' designation pertains to the majority of creeks and drainage channels in the City of Burlington. **Section 6.4: Watercourses** requires the protection of life and property in the floodplain areas of watercourse, and to minimize the threat of injury, loss of life, property damage and economic and social disruptions caused by flooding (**Policy 6.4.1**). **Policy 6.4.2** restricts the permitted uses to only non-intensive outdoor recreation uses; essential public utilities and services, flood and erosion control facilities; and watershed management works. Further, the OP requires 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 Subject Lands contain Appleby Creek that is regulated by Conservation Halton Authority and runs diagonally through the northeast corner of the property. As demonstrated in the EIS prepared by LGL, the Proposed Development will impose no negative impacts on the portion of the Appleby Creek that is located on the Subject Lands. The proposed ZBA will

appropriately zone this area O2, allowing for the long-term protection of this natural feature.

City of Burlington Official Plan, 1997 Summary:

In summary:

1. The proposed Zoning By-law Amendment would bring the Subject Land's zoning into conformance with the direction and intended use of the lands as set out by the City of Burlington Official Plan.
2. The proposed Zoning By-law Amendment will assist the Region of Halton and City of Burlington in working towards the identified density targets within the Employment Area.
3. The Proposed Development and employment use would contribute to a complete community by providing employment opportunities that area easily accessible by residents of the nearby neighbourhoods.
4. Contributes to the creation of employment possibilities for locals near residential and commercial purposes that are reachable by public transportation and routes for active forms of transportation.
5. Appleby Creek that is regulated that runs diagonally through the northeast corner of the property will not be negatively impacted by the planned development, according to the supporting environmental assessments, as the land has already been changed and disturbed.
6. By using improved design, materials, and vegetation, the proposed development has been planned to make efficient use of the land and achieve compatibility with the existing and nearby built form.
7. Supports the City's vision for a strong, sustainable, diversified economy that provides new employment opportunities on Employment Lands in proximity to the Queen Elizabeth Way and a variety of mobility options for people of all ages and abilities.
8. Contributes new business development opportunities that will provide new jobs, support the local economy, and maintain the growth targets in the OP.
9. Maintains the identity of the Employment Lands that proposes a design that is common and compatible with the scale and character of the existing built environment.
10. Supports the City's transit network and transportation demand management by providing a direct access to the existing bus stop along Appleby Line, new sidewalk connections, and 12 bicycle parking spaces in the Proposed Development.
11. Conforms to General Employment, Business Corridor, and Mixed Use Corridor – Employment designation policies that will provide for new industrial and offices uses.

The Proposed Development, and accompanying ZBA is in conformity with the policies of the City of Burlington Official Plan, 1997.

4.5 City of Burlington Official Plan, 2020

The City of Burlington Official Plan, 2020 ("New OP") was approved by Halton Region on November 30, 2020, and was subsequently appealed by multiple parties to the OLT. The New OP's policies and mapping largely continue to be under appeal including Section 8.2 Employment of Land Use Policies – Urban Area. The new Official Plan proposes policies and

mapping guiding growth and development to the year 2031.

In the New OP, Schedule A – City System (**Figure 21**) identifies the Subject Lands as the 'Urban Area' and 'Green System'. The Urban Area in the New OP indicates the lands where forecasted population and employment growth will be accommodated and the Green System depicts the network of green spaces that runs through the city's Urban Area.

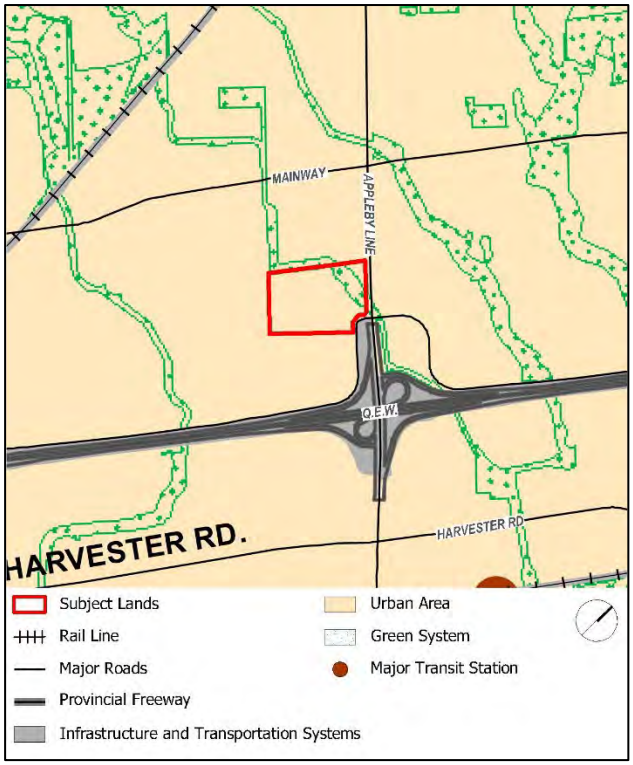


Figure 21: New OP Schedule A – City System

The Subject Lands are also within the 'Lands Designated for Employment Uses', 'Natural Heritage System, Major Parks and Open Space' and as 'Region of Halton Employment Area' which apply to the westerly portion of the site as per Schedule B – Urban System (**Figure 22**).

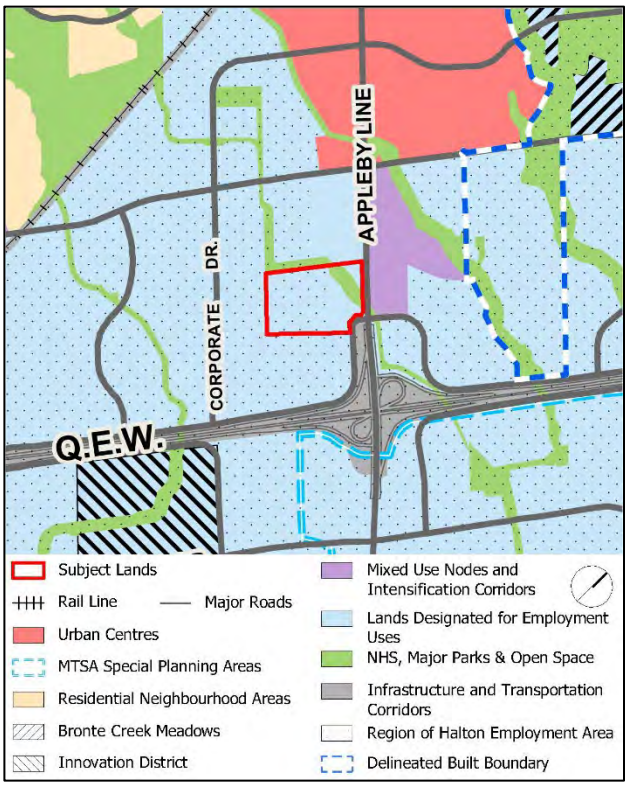


Figure 22: New OP Schedule B – Urban Structure

This City of Burlington identifies a Growth Framework to be used in conjunction with Schedule B – Urban Structure. Within Schedule B-1 - Growth Framework, the Subject Lands are designated as 'Employment Growth Area' and 'Natural Heritage System and Major Parks and Open Space' (**Figure 23**). Further, the City shows the land use designations for the Urban Structure components on Schedule C – Land Use Urban Area. As identified on Schedule C, the Subject Lands are designated 'General Employment' and 'City's Natural Heritage System' (**Figure 24**).



Figure 23: Schedule B-1 – Growth Framework

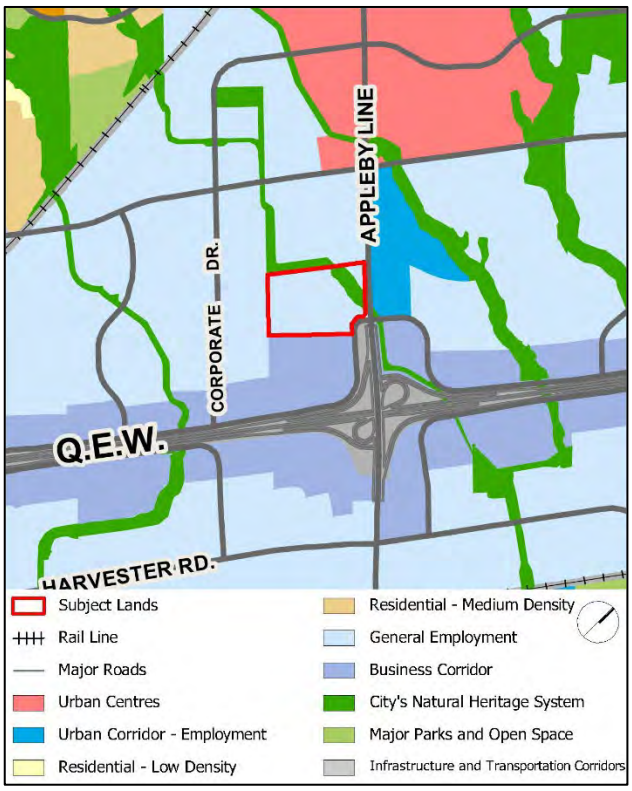


Figure 24: Schedule C – Land Use – Urban Area

Part 1: Overview and City Wide Policies

Section 1: Introduction, Policy 1.4, sets out the strategic directions for land use with a planning horizon to 2031 which includes accommodating population and employment growth through development and intensification within targeted locations of the city's Urban Area; ensuring employment lands are protected over the long term to provide certainty to economic enterprises and promote economic activity and job growth, and promotes economic development and competitiveness in all areas of the city by providing for a diverse and appropriate mix and range of employment, public service facilities and institutional uses to meet long-term needs.

The Proposed Development supports the City's Planning Horizon and Strategic Directions by providing employment uses within the City's Urban Area. The proposed development, along with the consolidated list of permitted uses and comprehensive provisions will better allow for more employment opportunities and jobs, further supporting the local economy.

Part 2: Sustainable Growth

Section 3.2: Population and Employment Distribution, defines the City's projected population and employment forecasts to the 2031. The New OP identifies a target employment of 106,000 jobs in the City of Burlington by 2031.

The Proposed Development will support the employment forecasts in the New OP by providing for new local job opportunities in an area that is appropriate for industrial development, protects public health and safety,

utilizes existing infrastructure, and contributes to universally accessible communities.

Section 2.3.2: Lands Designated for Employment Uses represent areas of land designated to accommodate a full range of manufacturing, warehousing and office uses. The New OP recognizes lands designated for employment uses will allow for a full range of scales and intensities of development and offer opportunities for employment intensification and development for employment purposes and will provide for the location of significant diverse areas of current and future employment activities that are required for the city's long term economic development and competitiveness, as these lands represent the principal employment generator in the city.

Section 2.3.3: Region of Halton Employment Area identified employment lands in the New OP in accordance with the Regional Official Plan. These lands provide employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses. Further, the New OP clarifies that for lands identified within the Region of Halton Employment Area in the case of conflict, the Regional Official Plan shall be relied upon.

Section 2.3.5: Natural Heritage System, Major Parks and Open Space establishes that these lands are made up of natural heritage features and areas that are essential components of a healthy and sustainable urban area, and are intended to be protected in accordance with the policies of this Plan.

The Region of Halton Employment Area overlay applies to the western half of the Subject Lands. This partial designation conflicts with Map 1C – Future Strategic Employment Areas that designated the entirety of the Subject Lands as within the Regional Employment Area. In accordance with section 2.3.3 of the New OP, the policies of the RHOP shall be relied upon and therefore the entirety of the Subject Lands shall be considered within the Region of Halton Employment Area. The Proposed Development will promote sustainable growth in the City by providing for new employment uses on Lands Designated for Employment Uses. The proposed industrial and office uses will support new employment opportunities that will contribute to the City's long term economic development. It was concluded in the EIS prepared by LGL, that the Proposed Development will impose no negative impacts on the lands designated Natural Heritage System that consist of the Appleby Creek located on the Subject Lands.

Section 2.4: Growth Framework establishes the objectives and policies for growth in the New OP. **Policy 2.4.1** identifies that areas designated Employment Growth Areas is where the City is planning to accommodate significant employment growth in appropriate areas to make better use of land and infrastructure, transforming Burlington from a primarily suburban to a more urban community. **Policy 2.4.2.4** requires Employment Growth Areas to be an area of focus for the intensification of employment that has potential to accommodate a significant portion of the employment distributed by the Region of Halton. Further, the New OP outlines that within Employment Growth Areas, all forms of employment intensification may be permitted.

The Subject Lands are identified as being within an area intended for Employment Growth. The proposed development will provide new job opportunities contributing to the City's and Region's employment targets. The proposed industrial and offices uses are permitted in accordance with the General Employment land use designation and the policies of the Employment Growth Area. The consolidation of uses across the property will allow for expanded employment opportunities, further supporting the intensification of the employment area.

Part 4: Environment and Sustainability

Section 4.1: Climate Change and Air Quality, Policy 4.1.2 sets out policies of the City to achieve a sustainable community including locating intensification in areas which are well served by existing or planned transit and maintaining the Natural Heritage System.

Section 4.2: Natural Heritage System intends to provide a wide range of benefits to the city's residents, farms and businesses including protecting water resources and maintaining healthy watersheds, moderating stormwater runoff, flooding and erosion. The objectives of the New OP include to maintain, restore and enhance the continuity of linkages and functional inter-relationships among natural heritage features and areas, surface water and groundwater features and hydrologic functions (**Policy 4.2.1**). **Policy 4.2.2** identifies watercourses that are within a Conservation Halton Regulation Limit are components of the City's Natural Heritage System. Further, the City shall prohibit development within or adjacent to the City's Natural Heritage System unless it has been demonstrated through the EIA or equivalent study that there will be no negative impacts on the City's Natural Heritage System.

The Proposed Development is located within the City's Employment Growth Area, where intensification and growth is expected to occur. It is noted that the Subject Lands are in proximity to existing transit services in the City of Burlington of which the Proposed Development will include a sidewalk connection to the existing sidewalk along North Service Road to provide direct access to these existing services.

As demonstrated in the EIS prepared by LGL the Proposed Development will impose no negative impacts on the existing watercourse on the Subject Lands through the implementation of a vegetated buffer width of 15 metres, a detailed tree inventory, recommendations for a planting plan for the buffer areas, a review of the SWM plan to ensure no negative impacts to Appleby Creek, and timing windows for vegetation removals to protect migratory birds.

Section 4.6: Land Use Compatibility regulates the emissions from major facilities to mitigate adverse effects and protect employment uses from the encroachment of sensitive land uses. **Policy 4.6.2** requires the long-term viability of existing or planned industrial, manufacturing shall be protected and that Major Facilities shall be developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from vibration, noise, dust, odour or other contaminants.

The Proposed Development is compatible with the existing surrounding uses that consist of one-storey industrial uses along North Service Road. The proposed industrial and office uses are considered a Class 1 property in accordance with the MECP's Environmental Noise Guideline Publication NPC-300. A Noise and Vibration Feasibility Study has been prepared by SS Wilson, and concluded that the following no mitigation measures are required.

Part 5: Economic Activity

The New OP establishes that the City has a sufficient supply of lands designated for employment uses to accommodate forecasted growth to 2031 and the supply of land will be needed for the long term.

Section 5.1: Accommodating Employment outlines the objective of the City is to promote economic development and competitiveness

and the development of complete communities. The City aims to promote economic development and competitiveness by focusing employment growth primarily in the Employment Area and in mixed use intensification areas, providing for a diversified economic base, and planning for, protecting and preserving the employment area for current and future uses (**Policy 5.1.2**). **Section 5.2: Protecting the Employment Area** in the New OP will plan for, protect, and preserve the Employment Area.

Section 5.4: Strategic Economic Development Areas are located throughout the City and some areas are aimed at supporting the long-term viability and health of the city's lands designated for employment uses and to support the City's long term strategy to accommodate employment. **Policy 5.4.1** of the New OP contains the intent of the QEW Corridor and that the development for employment uses within this corridor will be critical to re-invest, intensify development and increase the number of jobs. The QEW Corridor will be the focus of long-term employment intensification study that will recognize that the lands north of the QEW/403 have a more intensive employment nature.

The Proposed Development promotes employment intensification in the City's employment areas and within the QEW Corridor. The new industrial and office uses will be located north of the QEW where more intensive employment uses are intended to occur. The City's objectives and policies to accommodate employment growth and protect economic development areas is achieved through the new job opportunities and economic growth as a result of the Proposed Development.

Part 6: Infrastructure, Transportation and Utilities

Section 6.2: Multimodal Transportation, Policies 6.2.1 supports the creation of urban environments that support multi-modal transportation with an emphasis on pedestrians, cyclists and public transit, connecting people and places. Further, the City requires a Transportation Impact Study to assess the impact of a proposed development on current travel patterns and/or future multi-modal transportation requirements may be required before development applications are approved.

Section 6.2.3: Transit outlines that Transit Support Corridors service lower density areas and employment uses and are intended to provide a basic level of service, such as peak service, connecting to the frequent transit corridors.

Section 6.2.4: Active Transportation requires that new development provides adequate active transportation connections to a public-right-of-way.

The Proposed Development has been designed to enhance the vacant and underutilized lands which includes enhancing the site circulation for vehicles and encourage multi-modal transportation. North Service Road is classified as a Transit Support Corridor and intends to maintain services for employment uses and provide connections to Appleby Line (Frequent Transit Corridor). The vehicle circulation is proposed away from the internal pedestrian network that will provide a new connection to North Service Road which provides direct access to the existing bus stop located on Appleby Line. The Proposed Development will provide 16 bicycle parking spaces to promote cycling. The TIS prepared by BA Group further justifies that the proposed parking, bicycle, and loading

spaces are appropriate for the Proposed Development and note that no additional mitigation measures are recommended.

Part 7: Design Excellence

Section 7.1: General, Policy 7.1.1 sets out the objectives of the New OP to ensure that the design of the built environment integrates with its natural setting, preserves, enhances and connects the Natural Heritage System, and contributes to environmental sustainability.

Section 7.3: Urban Design and Built Form, Policy 7.3.2 provides direction for existing community areas to ensure site and building design are compatible with the surrounding area and considering how it contributes to maintaining and enhancing the physical character of the surrounding area. **Policy 7.3.2.3** pertains to the design requirements of Employment Growth Areas including but not limited to lot sizes, building placement, location of loading areas, and providing safe and convenient access to buildings for pedestrians, cyclists and transit users.

The Proposed Development will provide for new industrial and office uses in an area with existing employment uses that are compatible with the neighbouring properties. The proposed buildings are outside of the required 7.5 metre setback from the hazard limit of the Appleby Creek in accordance with the recommendations of the EIS prepared by LGL, and poses no negative impacts on the Natural Heritage System. The design of the Proposed Development has carefully considered the design requirements as set out in the New OP which proposed the loading spaces away from the pedestrian and vehicular traffic, and provides a safe and accessible internal sidewalk network that provides a new connection to the existing sidewalk on North Service Road.

Part 8: Land Use Policies – Urban Area

Section 8.2: Employment provides policies direction in the New OP for employment lands which shall permit a full range of manufacturing, warehousing and office uses on lands designated for employment uses. **Policy 8.2.1** includes the general objectives for employment uses in the City to support intensification on, maintain, and develop existing lands designated for employment uses in a manner that efficiently uses existing infrastructure and land.

Section 8.2.3: General Employment Designation requires that the City shall provide for a broad range of employment and office uses that are separated from sensitive land uses. **Policy 8.2.3.2** specifies the permitted uses within the General Employment designation which include industrial uses and office uses. Further, a wide range of manufacturing uses, building heights, and development intensities shall be permitted on General Employment lands.

The Proposed Development conforms with policies and permitted uses of the General Employment designation and the general policies for Employment lands in the New OP. The proposed industrial and offices uses maintain the intent of the New OP and are setback from the Natural Heritage Features on the Subject Lands in accordance with the requires separation distance from the hazard limit identified in the EIS prepared by LGL.

City of Burlington Official Plan, 2020 Summary:

In summary, the Proposed Development:

1. Supports the City's strategic direction and planning horizon by accommodating appropriate employment growth within

the City's Employment Growth Area and Lands designated for Employment Uses that provides a range of mobility options, an appropriate arrangement and compatibility of land uses, and an appropriate mix of jobs and services.

2. Contributes to the City's growth targets and will assist in achieving the minimum target of 106,000 jobs by 2031.
3. Promotes sustainable growth by proposing new industrial and employment uses in an area intended for employment growth that will contribute to the City's long-term economic development.
4. Supports the City's transit network and transportation demand management by providing access to the existing bus stop along Appleby Line, providing a new sidewalk connection to North Service Road, and providing 12 bicycle parking spaces in the Proposed Development.
5. Achieves land use compatibility by providing for two one-storey industrial buildings with office uses adjacent to existing one-storey industrial uses along North Service Road.
6. Contributes to the continuation of the City's Built Form by proposing new development that respects the existing scale, context, massing and grades of the surrounding areas of low-rise retail and residential uses.
7. Promotes economic development and competitiveness by providing new employment opportunities on lands designated for employment uses within the QEW Corridor.
8. Supports a complete community and multi-modal city by proposing compact development that integrates industrial uses in proximity to existing transportation infrastructure that supports alternative modes of transportation by providing access by public transit, cycling, and walking.
9. The appropriate Environmental Impact Assessment was conducted and submitted in support of this application, identifying any relevant natural heritage features and mitigation measures to ensure that the proposed development will not have any negative adverse effects on the adjacent Natural Heritage System.
10. Conforms to General Employment designation policies that will provide for a broad range of employment and office uses in the City of Burlington.

The Proposed Development, and accompanying ZBA is in conformity with the policies of the City of Burlington Official Plan, 2020.

4.6 City Initiated Proposed Official Plan Amendment (OPA 7)

On November 18, 2025, the City announced City Initiated Proposed Official Plan Amendment ("OPA 7"). The intent of this OPA is to update the Employment Area policies to align with recent changes to Provincial and Regional policy related to the City's Employment Area and simplify and streamline the Employment Area policy framework. The Draft OPA 7 proposes to designate the Subject Lands as 'Urban Employment' as demonstrated in **Figure 25.**

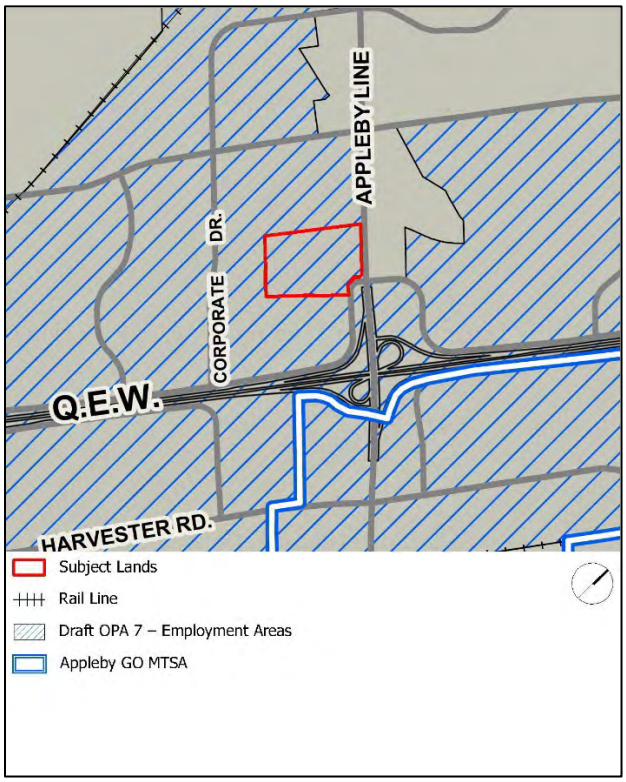


Figure 25: Draft OPA 7 – Employment Areas

On January 12, 2026, MHBC submitted a letter on behalf of the Owner to provide comments on the draft policies of OPA 7. The letter addressed the Owner's concerns regarding the consolidation of the employment land use designations from two designations to one land use designation across the entire Employment Area. Confirmation and clarification was requested to ensure that the permitted uses associated with the eastern half of the Subject Lands that are zoned 'Employment Corridor' (MXE) Zone are maintained through this amendment to the Official Plan. Further, Draft OPA 7 proposes to repeal Policies 2.3.2 (Land Designated for Employment Uses) and 2.3.3 (Employment Area) of the New OP which provides direction that in the case of a conflict between Schedules, the Regional Official Plan shall be relied upon. It is noted that there is a conflict between Schedule B – Urban System in the New OP and Map 1C – Future Strategic Employment Areas in the ROP. The removal of Policy 2.3.3 in the New OP creates a discrepancy of designations applied to the Subject Lands. The comment letter also requested confirmation on which schedule prevails related to the Employment Area designation.

This area of the Subject Lands is not proposed to be included in this ZBA application and is intended to remain with an MXE zone.

A copy if of the letter prepared by MHBC has been included in **Appendix B** to this Report.

4.7 City of Burlington Zoning By-law 2020

The Subject Lands are currently split zoned General Employment 1 (GE1) which applies to the west side of the Subject Lands and Employment Corridor (MXE) which applies to the east side as per the City's Zoning By-law map (**Figure 26**). An industrial building with associated office uses is permitted in both the GE1 and MXE zones. The proposed ZBA will consolidate the list of permitted uses and apply a single set of provisions for the lands south of Appleby Creek and include a new zone for the lands surrounding Appleby Creek to ensure its long-term protection.

A Draft ZBA has been prepared to facilitate the development proposal and is included as **Appendix C** to this report. The permitted uses for lands zoned as General Employment 1 (GE1) and Employment Corridor (MXE) are outlined in **Table 2**. As noted, the Proposed Development and Zoning By-law Amendment does not apply to the triangular portion east of Appleby Creek and that the existing permitted uses and regulations in this area will continue to apply.

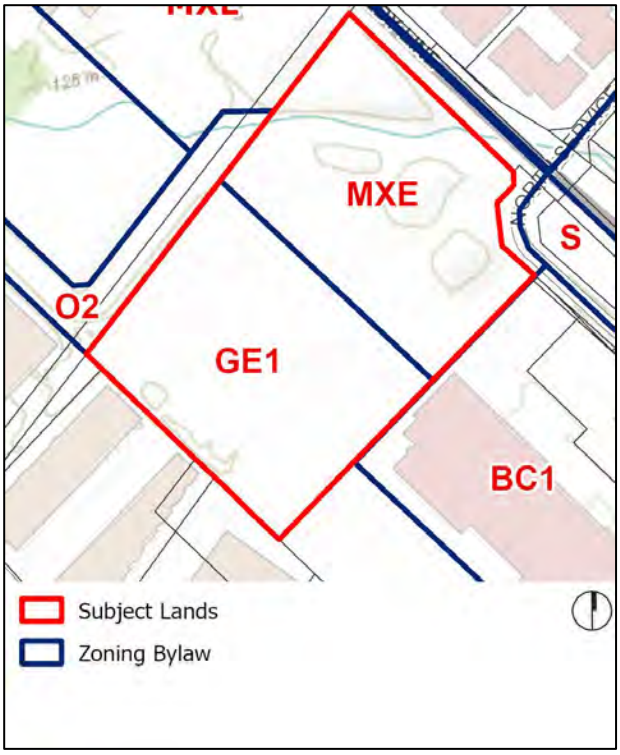


Figure 26: Zoning By-law 2020 Map

Development on the Subject Lands will be subject to the requirements and restrictions relating to the GE1 Zone, as well as the general provisions of the By-law, as shown in **Table 3** below. **Table 3** also includes a review of the compliance of the proposed Site Plan for the Proposed Development with the in-force zoning standards.

TABLE 2: PERMITTED USES	
GE1 ZONE (TABLE 3.2.1)	**MXE ZONE (TABLE 5.2.1)**
INDUSTRIAL USES	
Transportation, Communication, and Utilities (1)	-
Transportation Equipment Industries	-
Non-Metallic Mineral Production Industries	-
Food Processing and Manufacturing	-
Metal Rolling, Casting, and Extruding	-
Petro Chemical Laboratories	-
Bulk Propane Storage Depot per Part 1, 2.7	-
Solid Fuel Supply Yard	-
Oil Depot	-
Waste Transfer Station (2)	-
Recycling Facility	-
Truck Depot	-
Metal, Wood, Paper, Plastic, Machine, Chemical Industries	-
Wholesale Trade	Wholesale Trade
Private Propane Facility per Part 1, 2.7	Private Propane Facility per Part 1, 2.7 (9)
Construction and Trade Contractors	Construction and Trade Contractors (9)
Wholesale Building and Construction Materials	Wholesale Building and Construction Materials (9)
Machinery and Equipment	Machinery and Equipment (9)
Public Transportation	Public Transportation (9)
Cannabis Production Facility (7)	Cannabis Production Facility (13)
Leather and Textile Industries	Leather and Textile Industries
Furniture and Fixture Industries	Furniture and Fixture Industries
Clothing Industries	Clothing Industries
Electrical Products Industries	Electrical Products Industries
Warehouse and Logistics	Warehouse and Logistics
Storage Locker Facility	Storage Locker Facility
Training Centre	Training Centre
Research and Development	Research and Development
Information and Data Processing	Information and Data Processing
Knowledge-Based & High Technology	Knowledge-Based & High Technology
Pharmaceuticals & Medicines	Pharmaceuticals & Medicines (9)
Veterinary Service	Veterinary Service (9)
Accessory Dwelling Unit (security/maintenance) (3)	Accessory Dwelling Unit (security/maintenance) (11)
Crematory (6)	-
Other Industrial Operations – General manufacturing, processing, fabricating, and/or assembly facility	-
OFFICE USES	
All Office Uses	All Office Uses
HOSPITALITY USES	
Convention/Conference Centre	Convention/Conference Centre (10)
Banquet Centre	Banquet Centre (10)
Caterer	Caterer
AUTOMOTIVE USES	
Car Wash per Part 1, 2.9	Car Wash per Part 1, 2.9 (10)
Motor Vehicle Sales, Leasing, Rental, and Service	Motor Vehicle Sales, Leasing, Rental, and Service
Motor Vehicle Service Station per Part 1, 2.10	Motor Vehicle Service Station per Part 1, 2.10
Motor Vehicle Repair Garage	Motor Vehicle Repair Garage (10)

-	Retail Propane Facility per Part 1, 2.7
RETAIL USES	
Convenience Store	Convenience/Specialty Foods Store
Nursery or Garden Centre	-
Machinery & Equipment	-
Computer Hardware & Software	-
Office Furniture & Equipment	-
-	Other Retail Stores (14)
SERVICE COMMERCIAL USES	
Standard Restaurant (4)	Standard Restaurant
Standard Restaurant with Dance Floor (4)	Standard Restaurant with Dance Floor
Fast Food Restaurant (4)	Fast Food Restaurant
Convenience Restaurant (4)	Convenience Restaurant
Night Club (4, 5)	-
-	Dry Cleaning Depot, Laundromat, Laundry Service
Banks, Trust Companies, Credit Unions (4)	-
Retail Brewery (4)	-
-	Veterinary Services (11)
-	Elevated Parking Facility (12)
Other Service Commercial Uses (4)	Other Service Commercial Uses
Outdoor Patio (8)	Outdoor Patio (8)
RECREATION USES	
Recreational Establishment	Recreational Establishment
-	Entertainment Establishment
COMMUNITY USES	
-	Community Institution
OTHER USES	
Body-Rub Parlour per Part 1, Subsection 2.32	-

(1) Transmitting towers shall be set back from a street or residential zone 1 m for every 1 m of height above grade.
(2) A Waste Container Facility is permitted in conjunction with a Waste Transfer Station, provided it is not located on a corner lot, and provided the waste containers are located at least 30 m from the street line and are screened from the street by the building or by a 3 m high masonry wall.
(3) A dwelling unit for a person whose presence is essential for security, protection, or maintenance of the property is permitted provided that the dwelling unit shall be located within a principal building and shall not exceed 75 m2 floor area.
(4) Permitted on a lot having a total building floor area of 3000 m2 . The total floor area of all retail, service commercial and recreation uses shall not exceed 15% of the floor area of each building within which a retail or service commercial use is located. Notwithstanding the above, a restaurant may occupy up to 100% of the total floor area of a single building on a lot, provided that the total existing building floor area of all buildings on the lot is not less than 3000 m2 , and provided the lot abuts an arterial, multi-purpose arterial, or minor arterial road. Where multiple contiguous lots are developed as one comprehensive development or under a single comprehensive site plan, all lots shall be deemed to be one lot for purposes of applying this zoning regulation.
(5) Permitted only in conjunction with a standard restaurant and subject to a maximum capacity of 500 persons.
(g) A crematory is not permitted within a distance of 70 m from the boundary of a Residential, Downtown, Uptown, MXG, or MXC Zone.
(7) A cannabis production facility is not permitted within a building where food that is to be sold is produced, packaged, labelled or stored.
(8) Subject to Part 1, Section 2.21, Subsection (v)
(9) Retail or service commercial uses permitted on the ground floor only
(10) Not permitted on a lot abutting a residential zone
(11) Facilities for the keeping of animals outside are not permitted.
(12) Excluding a driveway entrance, the ground floor area of all parking structures within 15 metres of a public street shall be used for retail, service commercial, entertainment, or recreation uses.
(13) For industrial uses permitted in the MXE zone, the provisions of Part 3, Subsection 6.8 apply.
(14) The following are the only other retail commercial uses permitted in an MXE zone: Office Furniture & Equipment, Computer Hardware & Software, Machinery & Equipment, Home Improvement Product

TABLE 3: ZONING BY-LAW 2020 REGULATORY REVIEW OF PROPOSED SITE PLAN			
PROVISION	**REQUIREMENT**	**PROVIDED**	**COMPLIANCE**
GENERAL PROVISIONS			
2.24.3 Minimum Driveway Width	6.0 m	6.0	Yes
Table 1.2.6 Off-Street Parking Standards	Industrial Uses: 1 space per 100 m^2 gross floor area Building A = 175 spaces Building B = 220 spaces **Total = 395**	499	Yes Yes
	Office Uses: 3 spaces per 100 m^2 gross floor area Building A = 14 spaces Building B = 16 spaces **Total = 40**		Yes Yes
2.26.1 Minimum Parking Space Width and Area	Width = 2.75 m Area = 16.5 m^2	Width = 2.75 m Area = 16.5 m^2	Yes Yes
Table 1.2.7 Designated Accessible Parking Spaces	Required over 90 spaces 3% of required parking = 12 spaces	12 spaces	Yes
2.26.9.b Minimum Accessible Aisle Width	2 metres	2 m	Yes
Table 1.2.8 Required Bicycle Parking	Industrial Uses: 2 spaces plus 0.25 spaces / 1,000 m^2 GFA = 12 bicycle spaces Office Uses: 2 spaces plus 1 space / 1000 m^2 GFA = 4 bicycle spaces **Total = 16**	16	Yes
2.26.10.a Minimum Bicycle Parking Space Dimensions	0.6 m x 1.8 m	0.6 m x 1.8 m	Yes
2.34 Exterior Barrier-Free Accessibility Ramp Requirements	Setback from a front lot line: 0.5 m Setback from a side lot line abutting a street: 0.5 m Setback from all other lot lines: 1.0 m	> 0.5 m > 0.5 m > 1.0 m	Yes Yes Yes
2.36 Setbacks Abutting Creek Blocks	7.5 m	> 20 m	Yes
GENERAL EMPLOYMENT (GE1) ZONE REGULATIONS (SECTION 6)			
Table 3.6.1 Lot Width	45 m	291.3 m	Yes
Table 3.6.1 Lot Area	4,000 m2	5.39 ha (13.33 ac)	Yes
Table 3.6.1 Yard abutting Street having a width less than 26 m	9 m	101.38 m	Yes
Table 3.6.1 Rear Yard	7.5 m	19.52 m	Yes
Table 3.6.1 Side Yard	4.5 m	21.34 m	Yes
6.5 Landscape Area and Buffer Abutting a Creek Block	3 m	7.5 m	Yes

5.0 Summary and Conclusions

Based on a review of the existing physical context and surrounding neighbourhood, a technical assessment of the proposed redevelopment concept, and an analysis of the proposal within the current policy framework and regulatory context of the Province, Region and City, the proposed redevelopment, together with the proposed ZBA:

1. Provides for an appropriate development of the Subject Lands given the existing and planned surrounding context;
2. Has regard for matters of Provincial interest as set out in the Planning Act;
3. Is consistent with the Provincial Planning Statement, 2024;
4. Conforms to the Region of Halton Official Plan;
5. Conforms to the in effect City of Burlington Official Plan, 1997;
6. Conforms to the appealed City of Burlington Official Plan, 2020;
7. Promotes the efficient use of land and will optimize existing and planned infrastructure;
8. Contributes to achieving a complete community;
9. Provides appropriate employment growth, density, intensification, and services to the existing and future residents;
10. Supports the use of transit and active transportation;
11. Supports infill development in an appropriate manner utilizing existing infrastructure; and,
12. Is compatible with, and will not create any adverse impacts on, the existing or planned surrounding community.

The proposed redevelopment is appropriate for the Subject Lands, represents good planning, and is in the public interest. Based on these conclusions, it is recommended that the proposed ZBA be approved.

We certify that this report was prepared jointly by the identified authors and under the supervision of a Registered Professional Planner (RPP) within the meaning of the Ontario Professional Planners Institute Act, 1994.

Respectfully submitted,

MHBC



Oz Kemal, BES, MCIP, RPP
President



Katherine Rauscher, MCIP, RPP
Associate

A

Appendix A: Pre-Consultation Meeting Notes

B

Appendix B: Submitted OPA7 Letter

C

Appendix C: Draft Zoning By-law Amendment

A

Appendix A: Pre-Consultation Meeting Notes

Preconsultation Meeting Notes – 4495 North Service Road Revised Memo – October 15, 2025

This memo provides updated comments from the City of Burlington and external agencies regarding the pre-consultation process for the subject lands. This memo replaces the document that was previously issued dated October 6, 2025.

Description of Development Concept:

- To develop two single storey industrial buildings with associated office space. The development has a proposed GFA of 40,769.07 square metres and will provide 497 parking spaces.

Planning Comments:

Regional Official Plan

Designation and Overlays: Urban Area (Built Boundary), Regional Natural Heritage System (Overlay), Employment Area (Overlay)

- The Subject Lands are designated Urban Area in the 2009 Regional Official Plan (ROP), as amended by ROPA 48 and 49. The Urban Area policies of the ROP provide that the range of permitted uses and the creation of new lots within the Urban Area will be in accordance with Local Official Plans and Zoning By-laws. All development, however, shall be subject to all other relevant policies of the ROP.
- The Subject Lands are located within an Employment Area as outlined on Map 1 of the ROP, as amended by ROPA 48 and 49. The Region's policy for Employment Areas is to promote intensification and increased densities in both new and existing Employment Areas by facilitating compact, transit-supportive built form and minimizing surface parking.
- Section 83.2 of the Regional Official Plan indicates a range of employment uses including but not limited to industrial, manufacturing, warehousing, and office uses are permitted within Employment Areas.
- Section 89 (3) of the Regional Official Plan require that approvals for all new development within the Urban Area be on the basis of connection to the Region's municipal water and wastewater systems, unless otherwise exempt by other policies of this Plan.

Regional Natural Heritage System:

- The subject lands contain and are adjacent to lands that form part of the Regional Natural Heritage System (RNHS) on Map 1/1G of the Halton Region Official Plan (ROP).
- Additionally, the subject lands contain or are adjacent to:
    - watercourses that are within a Conservation Authority Regulation Limit or that provide a linkage to a wetland or a significant woodland;
    - Potentially unmapped features:
        - Significant habitat of endangered or threatened species.
        - Significant wildlife habitat.
        - Fish Habitat (direct/indirect).
- The proposal would trigger the requirement for an environmental impact assessment (EIA).

Official Plan (1997, as amended)

- The subject lands are designated as 'Employment Lands' and 'Mixed Use Activity Areas' under with Schedule 'A' – Settlement Pattern. In accordance with Part III, Section 3, 'Employment Lands' are the main locations where office and industrial activities will occur. In

accordance with Part III, Section 5.0, 'Mixed Use Activity Areas' provide locations where employment, shopping and residential land uses will be developed.

- The subject lands are designated as 'General Employment', 'Business Corridor', 'Mixed use Corridor - Employment' and 'Watercourse' under Schedule 'B' – Comprehensive Land Use Plan – Urban Planning Area.
- The proposal would trigger the requirement for an environmental evaluation report (EER).

General Employment

- In accordance with Part III, Section 3.3.2 a), lands designated as 'General Employment' may permit:
  (i) industrial uses that involve assembling, fabricating, manufacturing, process 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.
- In accordance with Part III, Section 3.3.2 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.
- In accordance with Part III, Section 3.3.2 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.
- In accordance with Part III, Section 3.3.2 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.
- In accordance with Part III, Section 3.3.2 h), the City will encourage the retention of existing industrial uses and permit a wide range of industrial uses at these locations.

Business Corridor

- In accordance with Part III, Section 3.4.2 a), lands designated as 'Business Corridor' may permit:
  (i) a broad range of office uses; industrial uses that involve assembling, fabricating, manufacturing, processing, warehousing and distribution uses, research and information processing, communications, utilities and transportation uses, and service trades, provided these uses are located within an enclosed building and are unlikely to cause significant pollution or excessive noise; hotel, conference and convention uses;
  (ii) a limited range of retail commercial uses such as convenience stores, and a limited range of service commercial and recreation uses such as restaurants, banks and fitness centres, subject to the provisions of Part III, Subsection 3.4.2 e); and
  (iii) a residence for a watchman or caretaker.

- In accordance with Part III, Section 3.4.2 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.
- In accordance with Part III, Section 3.4.2 d), a range of building heights and development intensities shall be permitted within areas designated as Business Corridor.
- In accordance with Part III, Section 3.4.2 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.

<u>Mixed use Corridor - Employment</u>

- 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:
  (vii) Appleby Line, between the Queen Elizabeth Way and Mainway;
- In accordance with Part III, Section 5.3.4 b), the following uses may be permitted within the Mixed Use Corridor Employment locations: industrial uses; a broad range of office uses, a limited range of retail, service commercial and personal service uses which serve the day to day needs of employees; financial institutions and services; entertainment, recreation and other community facilities such as libraries and day care centres and motor vehicle dealerships.
- In accordance with Part III, Section 5.3.4 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
- In accordance with Part III, Section 5.3.4 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.
- In accordance with Part III, Section 5.3.4 g), transit-supportive and pedestrian-oriented urban design shall be required in the development of Mixed Use Corridor-Employment sites.

Watercourse

- In accordance with Part III, Section 6.4.2 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.:
- In accordance with Part III, Section 6.4.2 b), Development on lands designated Watercourse on Schedule B, Comprehensive Land Use Plan - Urban Planning Area shall be prohibited.
- In accordance with Part III, Section 6.4.2 c), Uses permitted on lands designated Watercourse may include: nonintensive outdoor recreation uses; essential public utilities and services, flood and erosion control facilities; and watershed management works.
- In accordance with Part III, Section 6.4.2 d), The precise limits of the Watercourse designation shall be determined by the City, in conjunction with Conservation Halton, based on mapping of the Regulatory Floodplains as prepared by Conservation Halton, where applicable.

  Where Regulatory Floodplain mapping exists for watercourses in the City, mapping showing the extent of the regulatory floodplains is contained in Appendix G to this Plan. This mapping is provided for information and advisory purposes only and is subject to change from time to time without requiring a further amendment to this Plan. It is noted that all watercourses have a natural floodplain associated with them; however, certain watercourses do not have floodplain mapping completed at this time. Any works within or near a watercourse shall be reviewed by the City and Conservation Halton for floodplain implications. Landowners are advised to contact Conservation Halton for more accurate determination of the precise limits of the areas subject to the Development, Interference with Wetlands and Alterations to Shorelines and Watercourses regulations and for more detailed information concerning the administration of these regulations.

- In accordance with Part III, Section 6.4.2 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.
- In accordance with Part III, Section 6.4.2 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.
- In accordance with Part III, Section 6.4.2 g), As part of the development approval process, the zoning of Watercourse lands to an appropriate open space zoning category shall be required.
- In accordance with Part III, Section 6.4.2 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).
- In accordance with Part III, Section 6.4.2 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.

New Official Plan (2020)

On Jan. 4, 2023, the OLT formally confirmed which parts of the Burlington Official Plan, 2020 came into effect on Dec. 22, 2020 and which parts did not. The OLT also confirmed that no parts of the Official Plan (other than policies where appeal rights are limited by the Planning Act) are in effect on lands with site-specific appeals. For a list of policies in effect as of Dec. 22, 2020, see the May 16, 2023 update under “Burlington Official Plan, 2020 appeals process”. This update also includes a list of site-specific appellants.

Until all broad appeals to the Region’s approval of the Burlington Official Plan, 2020 are resolved, parts of the old Official Plan (Burlington Official Plan 1997, as amended) will stay in effect. Parts of the Burlington Official Plan, 2020 that are broadly appealed may be considered on an informative, but not determinative, basis.

The interim working version of the Burlington Official Plan, 2020 is provided for information only. For legal purposes, reference the original certified documents on file with the City Clerk, including the April 26, 2018 City of Burlington adopting bylaw and the Nov. 30, 2020 Halton Region Notice of Decision.

As the OLT process continues, the Burlington Official Plan, 2020 may change and need to be updated. Readers of the Plan must satisfy themselves as to the legal status and applicability of the policies by reviewing all Orders and Decisions from the OLT. You can view these documents by visiting the Ontario Land Tribunal's webpage for case no. OLT-22-002219: "OP - New Official Plan – City of Burlington". For more information please visit the City's New Official Plan Project website https://www.burlington.ca/en/services-for-you/official-plan-review.asp

- The subject lands are designated as 'Lands designated for Employment Uses', are found within the 'Region of Halton Employment Area' under Schedule B – Urban Structure.
- The subject lands are also found with the 'Natural Heritage System, Major Parks and Open Spaces' under Schedule B – Urban Structure.
- The subject lands are also designated as 'Employment Growth Area' under Schedule B-1 – Growth Framework.
- The subject lands are designated as 'General Employment' and 'City's Natural Heritage System' under Schedule C – Land Use – Urban Area.
- North Service Road is designated as: 'Industrial Connector' under Schedule O-1 – Classification of Transportation Facilities - Urban Area.
    - 'Bike Lane' under Schedule P – Long Term Cycling Master Plan.
- The subject lands also have frontage Appleby Line which is designated as:
    - 'Major Arterial' under Schedule O-1 – Classification of Transportation Facilities - Urban Area.
    - 'Buffered Bike Lane' under Schedule P – Long Term Cycling Master Plan.

<u>General Employment</u>

- In accordance with Subsection 8.2.3 (2) a), the following uses may be permitted within the 'General Employment' designation:
    - industrial uses that involve assembling, fabricating, manufacturing, processing, warehousing and distribution uses, repair activities, communications, utilities, transportation, storage, service trades and construction uses; office uses; research and information processing; automotive commercial uses, including large-scale motor vehicle dealerships;
- In accordance with Subsection 8.2.3 (2) b), the City will encourage the retention of existing manufacturing uses and permit a wide range of manufacturing uses at these locations.
- In accordance with Subsection 8.2.3 (2) c), a range of building heights and development intensities shall be permitted within areas designated as General Employment.

<u>City's Natural Heritage System</u>

- In accordance with Subsection 4.2.2 m), the City shall apply a systems-based approach to development and site alteration within and adjacent to the City's Natural Heritage System, including the establishment of permitted uses, by:
  (i) prohibiting development and site alteration within:
    a. significant wetlands and significant coastal wetlands;
    b. fish habitat except in accordance with Provincial and Federal legislation or regulations;
    c. the habitat of endangered species and threatened species except in accordance with Provincial and Federal legislation or regulations; and
    d. hazardous lands, hazardous sites and other areas regulated by Conservation Halton unless the development application is in accordance with Subsection 4.4.2(3) of this Plan and permission has been received by Conservation Halton;

(ii) not permitting development or site alteration within or adjacent to the City's Natural Heritage System unless it has been demonstrated through the EIA or equivalent study that there will be no negative impacts on the City's Natural Heritage System or on natural heritage features and areas or their ecological and hydrologic functions or linkages. In applying this policy, agricultural operations are considered to be compatible and complementary uses in those parts of the City's Natural Heritage System within the Agricultural Land Base as shown on Schedule J: The Agricultural Land Base-Rural Area, of this Plan, and are supported and promoted in accordance with the policies of this Plan. Subsection 4.2.4, of this Plan, identifies when an Environmental Impact Assessment is required;

(iii) applying the Natural Heritage System policies of this Plan to a development application or site alteration application within the city that is located within one hundred and twenty (120) m of a Natural Heritage System or a Key Natural Feature designated in the Official Plan of an abutting municipality; and

(iv) supporting the interconnection of the Natural Heritage System to Natural Heritage Systems in neighbouring municipalities.

Development Criteria

- Chapter 12.1.2(2.2) c) development criteria shall be satisfied when evaluating development applications.

Application Requirements

- A Zoning By-law Amendment application would be required to facilitate the proposed use along with the respective fees.
- Prior to submitting the application, a Pre-Application Public Consultation Meeting is required\
- A Planning Justification Report will be required:
  - to discuss the impact of Provincial, Regional and local planning policy (including both 1997 and New Official Plan (2020)) on the proposed land use;
  - to explain why the requested change in use are desirable and represents good planning;
  - to explain how the proposed land use aspects of this development work within the context of the greater area, is desirable and represents good planning;
  - to discuss how the results of required technical studies have been used to refine the redevelopment proposal;
  - to explain how input received at the pre-application public consultation meeting has been used to refine the proposal; and
  - to explain how the proposed development is compatible with surrounding land uses.
- The proposal would trigger both ROP and BOP (1997) requirements for an environmental impact assessment (EIA) or equivalent. The purpose of the EIA would be to provide development-specific assessment of impacts and propose site-specific mitigation measures to ensure no negative impacts to features within and adjacent to the RNHS/CNHS.
  - The scope of work to be completed as part of EIA may vary depending on the nature and sensitivity of natural features and areas in the vicinity of the proposed development, the scale of the proposed development, and the magnitude of likely impacts. The Scoping Checklist to assist the EIA practitioner who will be preparing the EIA to inform the prepared of a Terms of Reference (ToR) can be found here:
  - https://www.halton.ca/Repository/Appendix-D-2-Scoping-and-Terms-of-Reference-Check. City staff are available to discuss the scoping of an EIA at the appropriate time.
  - Guidelines for preparation of EIAs should be followed and are available online here https://www.halton.ca/Repository/Environmental-Impact-Assessment-Guideline-2020.
  - Information from other supporting studies should be incorporated into the EIA, as applicable, to ensure any induced impacts related to natural hazards and the water resource system are considered within a natural heritage context.
  - Direction on the scope and extent of the EIA requirement has been provided as part of previous proposals; much of that work remains relevant.

- Limits of key features and required buffers/ to those features should be included on any future submitted site plans. Spatial data should be provided as part of the EIA submission per EIA Guideline Appendices D-3 (https://www.halton.ca/Repository/Appendix-D-3-EIA-Submission-Checklist) & D-5 (https://www.halton.ca/Repository/Appendix-D-5-Final-Submission-Checklist).
    - Mapped extents of key natural heritage features and any associated buffers, linkages, and/or enhancement areas should be individually identified on provided plans/figures.
- A Survey prepared by an Ontario Land Surveyor (OLS) is required.
- A Financial Impact Study is required.
- A Conceptual Site Plan Layout is required.
- Architectural Plans are required (including conceptual floor plans and elevations).
- Consideration and a response to the Sustainable Building and Development Guidelines Checklist is required.
- A draft Zoning By-law Amendment is required.
- Please consult with the Ministry of Transportation (MTO) as the subject property appears to be within the MTO Regulated Limits.

Zoning Comments:

Comments provided below are based on applicable Zoning By-law 2020, as amended, (Zoning - City of Burlington).

Please note that additional comments may be forthcoming upon review of further submissions.

Current Zone Designation(s):

GE1 (General Employment) and MXE (Mixed-Use Employment) Zones. The MXE zone permits Industrial Uses permitted in a GE2 zone, subject to Part 3, Subsection 6.8.

Proposed Zone Designation(s):

A specific zone has not been requested; however, the applicants cover letter indicates that due to the property being split zoned that the applicant's intent is to rezone the property to one designation, incorporating any site-specific setbacks and requirements to facilitate the proposed development.

General Comments:

1. A detailed zoning review has not been completed as a proposed zone designation has not been identified.
2. The property is partially regulated by Conservation Halton and MTO. Approvals / permits may be required from these agencies and if so, will be required to be provided prior to a Zoning Clearance being issued and prior to the application for a Building Permit.
3. A detailed letter of use has been requested. However, if the proposed development is a spec. industrial building, the parking calculation provided is based on the assumption that the future use meets the definition of "industrial" and not use classified more specifically that may result in a larger parking requirement.
4. Zoning staff will review and comment on Draft By-law provided by City Planner once completed.

Submission Requirements:

1. Survey of the property stamped and signed by an Ontario Land Surveyor.
2. Fully dimensioned site plan in metric, accurate and drawn to scale, including the following information:

    - property statistics (lot width, lot area)
    - zoning statistics

- parking calculations
- parking space sizes
- landscape area dimensions
- building setbacks to property lines

3. Fully dimensioned floor plans, in metric, accurate and drawn to scale.
4. Fully dimensioned elevation plans, in metric, accurate and drawn to scale, for both buildings. Elevation plans should include plans for all facades of the building.
5. Fully dimensioned landscape plan, in metric, accurate and drawn to scale.
6. Detailed letter of use for the future tenant(s) or confirmation that the proposed development is a spec. industrial development.

Region of Halton Comments:

Bill 185: Cutting Red Tape to Build More Homes Act, 2024

Due to Provincial legislation, as of July 1, 2024, Halton Region's role in land use planning and development has changed. The Region is no longer responsible for the Regional Official Plan as this has become the responsibility of Halton's four local municipalities. As a result of this change, a Memorandum of Understanding (MOU) between the Halton municipalities and Conservation Authorities was signed that identifies the local municipality as the primary authority on matters of land use planning and development. The MOU also defines a continued scope of interests for the Region and the Conservation Authorities in these matters.

As outlined in the MOU, the Region has an interest in supporting our local municipal partners by providing review and comments on a scope of interests that include:

- Water and Wastewater Infrastructure;\
- Regional Transportation Systems including stormwater management infrastructure and acoustic mitigation on Regional right-of-ways;
- Waste Collection;
- Affordable and Assisted Housing;
- Responsibilities associated with a specific mandate prescribed by legislation (e.g., sourcewater protection, public heath); and
- Other Regional services that have a land component

The following comments represent matters of retained Regional interest and are intended to help inform the City in consideration of the proposed planning applications.

Regional Servicing:

In accordance with the MOU, and to ensure water and wastewater services are provided in accordance with Regional requirements, Halton Region provides the following comments:

Servicing Comments/ Requirements:

- A Functional Servicing Report (FSR) completed by a professional engineer, is required and must demonstrate that both the existing water system and downstream sewer system are capable of supporting the proposed development.
- The FSR is to identify the external services that will be required for both trunk and local watermains, as well as the trunk and local sanitary sewers that will need to be extended to service the development.

Regional Transportation:

In accordance with the MOU and to support an effective Regional transportation network, Halton Regional Staff have reviewed the proposed development and offer the following comments:

Halton's Capital Implementation Plan (2025 – 2034):

Halton Region's Transportation Master Plan (TMP) identified the need to widen Appleby Line (Regional Road 20) from 4 to 6 lanes between Fairview Street and Taywood Drive. The road widening was identified in Halton's Capital Forecast and is anticipated to commence construction in 2030, per the Region's 2025 Budget and Business Plan, subject to Council-approved funding.

Traffic Impact Review:

- A Transportation Impact Study (TIS) will be required to review the impacts of the site-generated traffic upon the nearby intersection of Appleby Line and North Service Road. The specific review of truck traffic will be important and should be based upon comparable facility uses and vehicle types. A scope of work is to be provided in advance of the study, for review and approval by Transportation Development Review staff.
- The TIS must be completed by a qualified transportation consultant for the proposed development. The study must be completed in accordance with Halton Region's Transportation Impact Study Guidelines (2015). The final study, its assumptions and recommendations must be to the satisfaction of Transportation Development Review and approved by Halton Region. The TIS Guidelines are available online at: https://www.halton.ca/Repository/Transportation-Impact-Study-Guidelines.

Access:

- Based on a review of the submission materials, the proposed development is not seeking access to a Regional road right-of-way and access will continue to be from the local road (North Service Road). As such, Regional staff have no comment with respect to access.
- The Access Management Guideline document is available online at: https://www.halton.ca/Repository/Access-Management-Guideline.

Right-of-Way Requirements:

- The subject lands have frontage onto an adjacent Regional roadway right-of-way (Appleby Line – Regional Road 20).
- The developer will be required to dedicate land to the Region for the purpose of a road right-of-way (ROW) widening and future road improvements along the Appleby Line (Regional Road 20) frontage.
- The ROW requirements for Appleby Line must meet the Transportation Master Plan (TMP 2011) which designates a 47m ROW for Appleby Line. Additional land dedications may be required based on the preferred design requirements of the future Municipal Class Environmental Assessment study and the subsequent detailed design project work.
- Depending on when the development is finalized, the dedication will be required to satisfy the greatest dedication of the Transportation Master Plan, Municipal Class Environmental Assessment Study/Environmental Study Report, and the Detail Design Project ROW requirements.

Transportation Master Plan ROW Requirements:

- Any lands within 23.5m of the centreline of the original 66ft ROW of Appleby Line (Regional Road 20) that are part of the subject property shall be dedicated to the Regional Municipality of Halton for the purpose of road ROW widening and future road improvements.

- Any proposed signage, plantings etc., for the site must be placed outside of the new Regional ROW (on private property).

Municipal Class Environmental Assessment Study/Environmental Study Report (Transportation Planning) ROW Requirements:

- Any additional lands that are part of the subject property and have been identified as required for the future widening of Appleby Line (Regional Road 20), as identified in the Appleby Line (Regional Road 20) Corridor Improvements (Fairview Street to Taywood Drive) Municipal Class Environmental Assessment Study/Environmental Study Report, shall be dedicated to the Regional Municipality of Halton for the purpose of road right-of-way widening and future road improvements. Note that the study has not yet been initiated.

Detail Design Project (Engineering & Construction) ROW Requirements:

- Any additional lands that are part of the subject property and have been identified as required for the future widening of Appleby Line (Regional Road 20), as identified in the Appleby Line (Regional Road 20) Corridor Improvements (Fairview Street to Taywood Drive) Detailed Design Project, shall be dedicated to the Regional Municipality of Halton for the purpose of road ROW widening and future road improvements. The design project is tentatively planned for 2027.
- Any additional lands required to establish a daylight triangle measuring 15m along Appleby Line (Regional Road 20) and 15m along the North Service Road shall be dedicated to the Regional Municipality of Halton for the purpose of road ROW widening and future road improvements. The daylighting triangle must be measured from the ultimate Regional road ROW limit.
- Any proposed private signage, landscaping, etc., for the site must be placed outside of the ultimate Regional ROW and daylight triangle (on private property). Per Halton Region's Regional Road Landscaping Guidelines & Specifications (2018), only grasses and/or low-lying shrubs are to be planted within the Regional ROW daylight triangles. All plantings must have a mature height that does not exceed 1m. Species that deviate from this rule can impact the safety of roadway and sidewalk users at intersections by obstructing site lines.
- All lands to be dedicated to Halton Region shall be dedicated with clear title (free and clear of encumbrances) and a Certificate of title shall be provided in a form satisfactory to the Director of Legal Services or their designate.

Waste Management:

To ensure that Regional waste collection services can be provided in a safe and cost-effective manner, this proposal has been reviewed against the Region's *Development Design Guidelines for Source Separation of Solid Waste*. Based on this review, Regional Staff offer the following comments:

- This development is not eligible for waste collection provided by Halton Region.
- Private waste collection must be provided for all Industrial, Commercial and Institutional locations. For waste diversion requirements for the Industrial, Commercial and Institutional sectors, refer to Environmental Protection Act, O. Reg. 102/94 "Waste Audits and Waste Reduction Work Plans" and Environmental Protection Act, O. Reg. 103/94 "Industrial, Commercial and Institutional Source Separation Programs" or legislation that supersedes those Regulations.
- Industrial developments and commercial developments must be designed to accommodate for containerized waste collection specific to the development's operational waste collection needs and should include waste diversion.
- Each commercial unit must have provision for adequate waste storage. The Region's Development Design Guidelines for Source Separation of Solid Waste can be accessed online at: https://www.halton.ca/Repository/Development-Design-Guidelines-for-Source-Separatio.

Source Water Protection:

In accordance with the MOU and to ensure protection of groundwater sources, Halton Region provides the following comments:

- The subject lands are located within the jurisdiction of the Halton-Hamilton Source Protection Plan (SPP). The Halton-Hamilton SPP can be accessed online at: http://www.protectingwater.ca/.
- The property is located within Intake Protection Zone 2 (VS= 6.3).
- Based on the information provided by the applicant, this application is not subject to Section 59 under the *Clean Water Act, 2006*. Therefore, this application can proceed from a Source Water Protection perspective and no Section 59 notice will be required.
- The Region has attached some reference materials for the applicant related to the Source Water Protection program and the important role landowners play in protecting drinking water sources.

Finance:

- The Owner will be required to pay all applicable Regional Development Charges (DCs) in accordance with the Region of Halton Development Charges By-law(s), as amended. If a subdivision (or other form of development) agreement is required, a portion of the Regional DCs for residential units may be payable upon execution of the agreement or in accordance with the terms and conditions set out in the agreement.
- In addition, commencing January 1 ,2017 every owner of land located in Halton Region intended for residential development will be subject to the Front-ending Recovery Payment. Residential developments on lands located in Halton Region that prior to January 1, 2017 are part of a Regional allocation program, or have an executed Regional/Local Subdivision or consent agreement, or have an executed site plan agreement with the Local Municipality, or received a notice in writing from the Local Municipality that all requirements under the Planning Act have been met, or obtained a building permit are not subject to the Front-ending Recovery Payment.
- The above note is for information purpose only. All residential development applicants and every owner of land located in Halton Region assume all of the responsibilities and risks related to the use of the information provided herein.
- Please visit our website at https://www.halton.ca/The-Region/Finance-and-Transparency/Financing-Growth/Development-Charges-Front-ending-Recovery-Payment to obtain the most current information which is subject to change.

Submission Requirements:

1. All Submission Materials (Digitally)
2. Applicable Regional Fee(s)
3. Complete Application Forms
4. Comprehensive Development Plans / Site Plan
5. Functional Servicing Report (FSR)
6. Transportation Impact Study (TIS)

In order to maintain the Region's Contaminated Sites Database, Regional staff request final copies of all environmental reports (if appliable) to be provided to Halton Region including: Geotechnical Studies, Hydrogeological Studies, Phase One and/or Two Environmental Site Assessments, Remediation Reports, Risk Assessments, Record of Site Condition (RSC), and/or Certificate of Property Use (CPU).

Transportation Planning Comments:

Background

Transportation Planning are in receipt of Pre-consultation documentation for Zoning By-law Amendments for the subject site at 4495 North Service Road.

Transportation Planning reviewed the following documents:

- Site Plan, Dated May 2025, and
- Cover Letter, prepared by MHBC Planning Urban Design & Landscape Architecture, dated July 2025.

This memo serves to inform the Applicant what they are required to submit in support of their application.

Development Proposal

The proposed development is located on the north side of the North Service Road, west of Appleby Line. The proposal is to develop two single storey industrial buildings with associated office space.

Transportation Planning Review and Pre-consultation Comments

Transportation Planning offer the following comments, recommendations, and information to assist the Applicant when preparing their application for Zoning By-law Amendments. If they choose not to follow them, it is at their risk of reducing the efficiency of the approval process. From a Transportation Services perspective, successfully addressing these comments will support a more efficient and successful application.

Transportation Planning reserve the right to request additional studies, however, note the following are required to be submitted with the application(s):

- Transportation Impact Study (TIS),
- Sight Line Analysis,
- Swept Path Analysis.

Site Context - No Action Required

The following information was used by Transportation Planning to inform the recommendations and requirements provided within.

1. The Burlington Official Plan 1997:
   a. Schedule J, Classification of Transportation Facilities, classifies North Service Road as a Minor Arterial.

2. The Burlington Official Plan 2020:
   a. Schedule B, Urban Structure, shows the subject property within Land Designated for Employment Uses within the Region of Halton Employment Area,
   b. Schedule B-1, Growth Framework, shows the subject property within an Employment Growth Area,
   c. Schedule B-2, Growth Framework and Long Term Frequent Transit Corridors, shows North Service Road as a Transit Support Corridor, and Appleby Line as a MTSA Secondary Connector, and a Frequent Transit Corridor,
   d. Schedule C, Land Use - Urban Area, shows the subject property within the Employment Lands as a Business Corridor,
   e. Schedule O-1, Classification of Transportation Facilities – Urban Area, classifies North Service Road as a Industrial Connector, and

f. Schedule P, Long Term Cycling Master Plan, shows North Service Road as part of the City Bike Network with a Bike Lane, and Appleby Line within the Regional Bike Network with a Buffered Bike Lane.

3. The Integrated Mobility Plan (IMP) identifies the Preferred Network Solution:
   a. Shows Appleby Line as a future Bus Rapid Transit Route with Dedicated Lanes, and
   b. Shows North Service Road and Appleby Line as an Arterial.

Zoning By-Law Amendment, and Future Site Plan Control Considerations

Deemed Right-of-Way Width – No Additional Lands Required

4. North Service Road is under the authority of the City of Burlington and the deemed right-of-way width is 22 metres. The right of-way adjacent to the subject site is approximately 28-36 metres therefore, no additional lands are required.
5. Appleby Line is under the authority of the Regional Municipality of Halton and the deemed right-of-way width is 40 metres. To meet the deemed width, a right-of-way widening of approximately 2 metres is required along the frontage of Appleby Line adjacent to the subject site, 20 metres from the centre of the original right-of-way limit.

6. Please consult with the Region to determine and confirm the deemed right-of-way requirements for Appleby Line.

Daylight Triangles - Additional Lands Required

7. North Service Road is under the authority of the City of Burlington and Appleby Line is under the authority of the Regional Municipality of Halton. A 15 metres x 15 metres daylight triangle may be required to be conveyed to the City and Region and dedicated to the right-of-way. The daylight triangle is measured from the widened right-of-way widths of North Service Road and Appleby Line.

8. The Applicant shall submit a draft reference plan (R-Plan), with application for Draft Plan of Subdivision/Site Plan Control, prepared by an Ontario Land Surveyor (OLS) showing the required 15 metres x 15 metres daylight triangle, measured from the widened right-of-way limits (deemed width), free of existing and/or proposed private infrastructure, above, below, or at grade, for review and approval by the Director of Transportation Services and Director of Engineering Services, or their designate.

Visibility Triangles at Intersecting Streets – Required

9. A visibility triangle of 9 metres x 9 metres shall be provided at the intersection of North Service Road and Appleby Line. All visibility triangles shall be illustrated and clearly identified on the site plan and be fully contained on private property and the subject site. Nothing over the height of 1.0 metres shall be permitted within visibility triangles.

Automobile Parking Supply - Supportable

10. Transportation Planning support the proposed parking supply for the site. The proposed development includes a total of 497 parking spaces and 103 trailer spaces.

11. Office Buildings require 3 spaces per 100m^2. The development proposes approximately 2010 m^2 of office space, requiring approximately 60 spaces. Industrial Uses require 1 space per 100m^2. The development is proposing approximately 38,760 m^2 of Industrial Use space, requiring approximately 389 spaces.

12. The Accessibility Specialist will provide comments on accessible parking supply.

13. Zoning staff will confirm automobile parking supply requirements.

Bicycle Parking Supply - Not Acceptable

14. Transportation Planning do not support the proposed bicycle parking supply for the site. The proposed development includes a total of 0 bicycle parking spaces, which does not meet the requirements in the Burlington City-Wide Parking Standards Review (2017).

15. Bicycle parking shall be shown and labeled on the site plan and shall follow the minimum recommendations in the Burlington City-Wide Parking Standards Review (2017).

16. For Employment Uses and Industrial Uses, the requirement is 2 short term spaces + 1 / 1000$m^{2.}$ Therefore, for approximately 40,770m^2 GFA, 82 short term spaces are required.

Transportation Impact Study – Required

17. The proposed development requires a Zoning By-law Amendment, which triggers the necessity for a Transportation Impact Study, also known as a Mobility Assessment (MA). The TIS/MA shall be completed by a qualified/recognized traffic/transportation engineering consultant. It shall be submitted to the satisfaction and approval of the Director of Transportation Services or designate.

18. The Applicant or their Transportation Consultant is to provide a proposed Terms of Reference (ToR) for review and approval by Transportation Planning, prior to commencement of the study.

19. The TIS/MA shall follow the Region of Halton's Transportation Impact Study Guidelines (https://www.halton.ca/Repository/Transportation-Impact-Study-Guidelines).

20. The TIS shall include Multi-modal Level of Service (MMLOS) Analysis. MMLOS performance targets will be provided by Transportation Planning during the process of ToR.

21. A Sightline Analysis must be completed by a qualified engineer in accordance with Transportation Association of Canada (TAC) Geometric Design Guide for Canadian Roads Manual (TAC) Section 9.8 Sight Distance.

22. The Applicant is to provide a Vehicle Turning Plan illustrating how the design vehicles will:
    a. Maneuver in and out of the site without limitations, including entering the site in a forward manner, turn around on private property and exit in a forward manner.
    b. Circulate successfully within the surface level of the site.

23. A review and justification for the proposed site accesses shall be provided, including the location and Transportation Association of Canada (TAC) compliance of the proposed right-in (RI)-only access. The assessment shall address access management, operational performance, and safety considerations to the satisfaction of Transportation Planning..

24. The Applicant shall clarify the intended use of each access, as identified in the cover letter indicating one right-in access for trucks and one full-movement access for passenger vehicles. The Applicant shall confirm and illustrate the proposed truck egress movements from the site to the satisfaction of Transportation Planning.

Vehicle Turning Plans – Required

25. The Applicant shall provide details on how the existing number of trucks and trailers currently stored and parked on-site will be accommodated as part of the proposed development. This information shall include the location, quantity, and layout of the proposed truck and trailer parking areas, to the satisfaction of Transportation Planning.

Future Site Plan Control Considerations

Driveway Access - Not Supportable

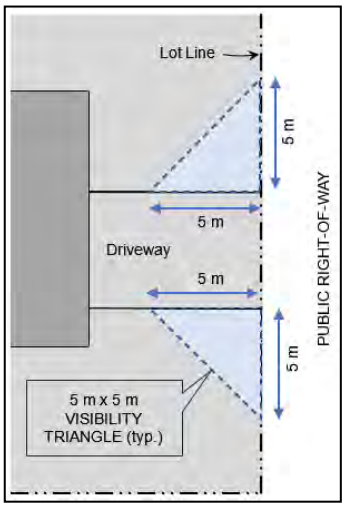
26. The proposed driveway accesses on North Service Road are not sufficient to meet the needs of the proposed development. The access design shall conform with the engineering drawings included in the Burlington Site Plan Application Guidelines (Dec 2019).

27. For standard driveway entrances to commercial and industrial sites see Standard Engineering Drawing S-110. The minimum driveway width is 7.6 m with minimum 6.0 m radii to the curb.

28. In the interest of public safety, Transportation Planning may restrict the driveway location where sight distances do not meet minimum standards as contained in the Transportation Association of Canada (TAC) Manual.

Driveway Visibility Triangles - Revisions Required

29. The driveway access to North Service Road shall be designed to provide 5 metres x 5 metres visibility triangles, on either side of the driveway. The visibility triangles shall be illustrated and clearly identified on the site plans and be fully contained on private property and the subject site, behind the property line. Nothing over the height of 1.0 metres shall be permitted within visibility triangles.



Pedestrian Facilities - Revisions Required

30. It is recommended the Applicant provide crosswalk and some sort of pedestrian treatment (i.e. painted crossing(s) or raised crosswalk(s)) within the development to provide safe access for pedestrians to/from the building(s) to/from the parking(s) area. It is to be illustrated and dimensioned on the site plan.

Construction & Mobility Management Plan (CMMP) - Required

31. The Applicant shall submit a Construction and Mobility Management Plan (CMMP) as a part of this application which shall be to the satisfaction and approval of the Director of Transportation Services or designate. During construction, staff will not support the closure of vehicle lanes, bike lanes, boulevards, or sidewalks. For additional information, please see https://burlingtonpublishing.escribemeetings.com/filestream.ashx?DocumentId=69336

Conservation Halton Comments:

Background

Conservation Halton (CH) has been in discussion with the applicant regarding creek hazards on the property since fall of 2024. We conducted a site visit in November 2024 where we staked the physical top of bank on the east side of the creek and confirmed that creek is unconfined for the majority of the west side of the creek (except for a short stretch at the northern limit, which was staked for top of bank).

Conservation Authorities Act and Ontario Regulation 41/24

CH staff has reviewed the pre-consultation materials as per our regulatory responsibilities under the *Conservation Authorities Act* (CA Act) and Ontario Regulation 41/24 and our provincially delegated responsibilities under Ontario Regulation 686/21 (e.g., acting on behalf of the province to ensure decisions under the *Planning Act* are consistent with the natural hazards policies of the Provincial Policy Statement [PPS, Sections 3.1.1-3.1.7] and/or provincial plans).

Under Part VI of the CA Act and Ontario Regulation 41/24, CH regulates all watercourses, valleylands, wetlands, Lake Ontario Shoreline and hazardous lands as well as lands adjacent to these features. Based on CH's Approximate Regulation Limit (ARL) mapping, the subject property is regulated by CH as contains a tributary of Appleby Creek and contains the erosion and flood plain hazard associated with this watercourse. CH regulates 15 metres from the greater of the erosion hazard (either stable top of bank or meander belt limit) and flood plain hazard. The property also contains a small area of regulated spill flood hazard at the entrance. This spill flood hazard also extends along North Service Road in both directions.

Permits are required from CH prior to undertaking development activities within CH's regulated area and applications for development are reviewed under the *Conservation Authorities Act* (CA Act), Ontario Regulation 41/24, and CH's Board-approved policies and requirements (https://conservationhalton.ca/policies-and-guidelines).

Provincial Policy Statement (Sections 3.1.1-3.1.7)

In addition to CH's regulatory responsibilities (described above), CH also has provincially delegated responsibilities under Ontario Regulation 686/21: Mandatory Programs and Services, including acting on behalf of the Province to ensure that decisions under the *Planning Act* are consistent with the Natural Hazards Sections (3.1.1-3.1.7) of the Provincial Policy Statement (PPS).

Based on best available information, safe access and egress is expected to be available for both pedestrians and vehicles under regulatory flood (spill) conditions along North Service Road.

CH Comments

1. Thank you for providing the fluvial geomorphological assessment. Staff has not yet reviewed it in detail. If you wish, we can undertake a pre-application technical review of this document and associated drawings. A fee of $2,013 applies according to our current fee schedule (this fee is then discounted off future ZBA application review fee, if the ZBA is received within 12 months). Please contact the undersigned to initiate this review if desired.

2. The flood hazard limit must be added to the Site Plan and any other relevant drawings. For this property, CH can provide water surface elevation data to be plotted on a topographic survey (see bottom of these comments), or the flood plain limit linework can be pulled from CH online mapping. Please also clarify that the currently indicated "hazard limit" is actually the "erosion hazard limit".

3. The top of bank hazard must be added along the northern property limit (understood to be at the property line, as discussed by email (Laura Schreiner: Aaron Clodd, April 1, 2025)).

4. Any proposed development activities (including grading and paving) must be confirmed to be a minimum of 6 metres from the greatest hazard (flood plain, meander belt, or stable top of bank). (Please check this particularly if the flood plain exceeds the erosion hazard limit anywhere.)
    a. A minor floodplain alteration could be contemplated under CH policies provided a balanced cut-fill approach is used, and all grading remains outside the meander belt as approved by CH on review of the meander belt assessment. All development (e.g. paving, buildings) would need to be a minimum of 6 metres from the final flood plain limit. Please contact the undersigned if you want to discuss this option.

5. The CH regulation limit (15 metres from the greatest hazard) must be added to the Site Plan and other relevant drawings. Any development activities within the regulated area will require a CH Permit.

6. CH notes that the parking area is proposed to be pulled back from its current limit at the northern property line to a setback of 7.5 metres, which appropriately accommodates the erosion access allowance (6 metres). As part of the landscape plan, please provide a vegetative screen along the northern property boundary (adjacent to the creek block) composed of locally native, non-invasive deciduous and coniferous tree species, as well as appropriate shrubs, selected for compatibility with the site's environmental conditions. For native species selection and guidance refer to CH's Native Species List https://www.conservationhalton.ca/wp-content/uploads/2024/07/Native-Species-List_June-2024.pdf) and CH's Seed Mixes for further assistance (https://www.conservationhalton.ca/wp-content/uploads/2024/07/Conservation-Halton-Seed-Mixes-June-2024.pdf)

    (This may be more appropriately addressed at Site Plan stage – see Submission Requirements.)
7. If a new stormwater outlet to the creek is proposed, a CH Permit will be required and CH will review the Stormwater Management Plan. CH recommends avoiding new private outlets to creeks wherever possible. If a new outlet is contemplated, please contact the undersigned prior to ZBA application submission to confirm submission requirements.

8. As part of our planning review process, CH generally recommends that hazard lands (i.e. greatest hazard plus 6 metre erosion allowance, at a minimum) be zoned for protection and dedicated to public ownership where feasible/desirable.

9. A slope stability assessment is required for the northern creek bank. This will determine the stable top of bank as the erosion hazard limit. Any development zone (e.g. MXE (2)) should be located at least 6 metres from the stable top of bank.

10. Request that CH be kept in the loop on conversations between applicant and City team regarding the future of the creek block (e.g. potential dedication to City? Or just zoned for protection?)

Summary of Submission Requirements

- Topographic survey showing regulated flood plain and erosion hazards
- Site Plan (showing CH's 15 metre regulated area and dimensions between the greatest creek hazards and development activities)
- Draft ZBA
- Landscape Plan/Tree Protection Plan for regulated areas including along northern property line (unless the City deems this appropriate to defer to Site Plan stage; it will be required for CH Permit prior to any works occurring on site).

- Engineering Drawing Set (i.e. grading, servicing, ESC plans) showing CH-regulated hazards and regulation limits
- Fluvial Geomorphological Assessment including meander belt width determination
- Stormwater Management Plan
- Slope Stability Assessment is required for the northern creek bank
- CH review fee per our current fee schedule (CH can confirm fee once we have a better understanding of scope, e.g. is a new SWM outlet proposed?)

Please contact Laura Schreiner (lschreiner@hrca.on.ca) with any questions.

Water Surface Elevation Data

The HEC-RAS hydraulic model used to delineate this line is part of the East Burlington Creek Floodplain Mapping Update (MPR 346). Flood elevations from the model are based on the CGVD2013 vertical datum. Flood elevations based on the CGVD1928:78 vertical datum are also provided for reference. Here are the Regional flood elevation and overbank velocity from the cross sections in the model intersecting the subject property (Figure 1). Looking downstream, the subject property is located on the right overbank.

Model: Appleby-Creek.prj

Cross Section	WSE (CGCV28) (m)	WSE (CGVD2013) (m)	V LOB (m/s)	V Channel (m/s)	V ROB (m/s)
31573.00	125.15	124.75	0.59	2.00	0.58
31532.79	125.02	124.62	0.67	2.34	0.73
31484.00	124.85	124.45	0.70	2.18	0.65
31431.39	124.65	124.25	0.69	2.28	0.64
31376.95	124.49	124.09	0.72	2.31	0.71
31324.15	124.16	123.76	0.53	2.34	0.72
31264.49	124.03	123.63	0.50	1.96	0.51
31217.65	123.98	123.58	0.51	2.01	0.56
31168.90	123.56	123.16	1.04	3.45	0.70
31116.24	122.95	122.55	0.44	1.34	0.28
31102.00	122.95	122.55	0.15	0.86	0.22
30983.16	120.94	120.54	1.42	3.57	1.41
30967.72	120.94	120.54	0.74	2.56	0.91

If the proponent would like to undertake a more precise delineation of the Regional Storm flood plain on their property, I would have no objections to them initially utilizing the predicted flood elevations

provided. To complete a more detailed floodline delineation the following steps, at a minimum, should be undertaken:

- Detailed topographical survey by an Ontario Lands Surveyor (OLS) or Professional Engineer (P.Eng.). The survey should include several spot elevations that would allow the OLS or P.Eng. to compare their survey data with the topographic information provided in the Appleby-Creek.prj hydraulic model.
- In cases where there are sufficient differences between the new survey information and the topographic information utilized to develop the original hydraulic model, a Professional Engineer (Water Resources Engineer) should update the hydraulic model with their detailed topographic information and delineate the flood lines based on the updated model results.
- If the hydraulic model does not require revisions, the applicant may delineate the flood line for their property utilizing the flood elevations provided from the hardcopy flood plain mapping but based on the topographic information obtained from their recent detailed survey.
- The hydraulic analysis cross-sections, relevant flood elevations and delineated flood line must be identified on the detailed topographical plan submitted for Conservation Halton's review. If updates to the hydraulic model were undertaken, the updated version of the model should be submitted in digital format, along with supporting hard copy documentation that outlines the updates to the models and summarizes the results.

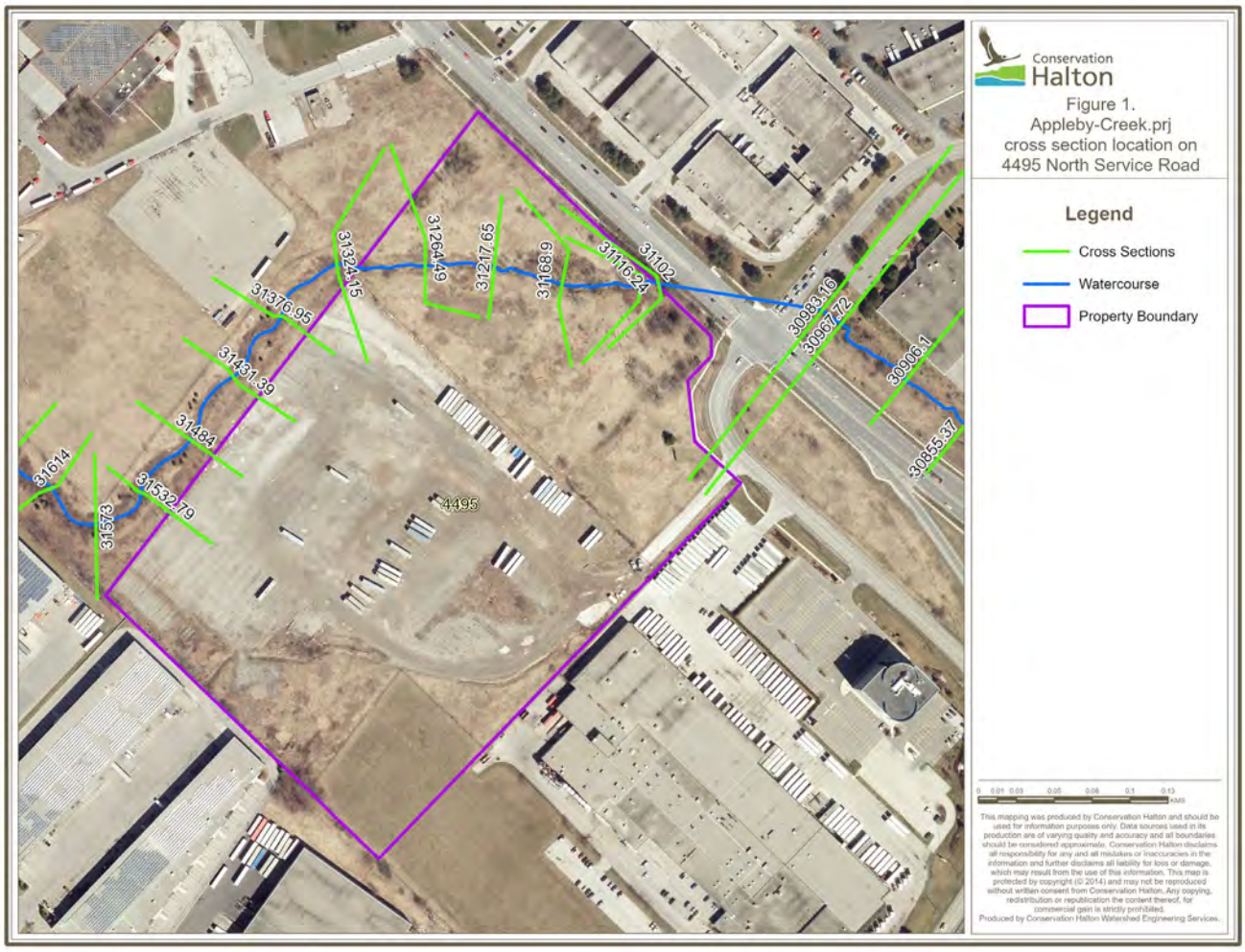


Figure 1. Appleby-Creek.prj hydraulic model cross sections on 4495 North Service Road.

Urban Forestry & Landscape Comments:

Please be advised that the Urban Forestry and Landscaping review of this application is considered preliminary at this time. Urban Forestry and Landscaping may provide additional comments, raise additional concerns, or request additional information upon receiving the outstanding or revised information, and upon further comprehensive review of its contents.

1. A Landscape Concept Plan will be required showing the general layout and intent of what is proposed for landscaped areas, including landscape buffer planting, outdoor amenity areas, fence location and types and pedestrian circulation.

2. The property of 4495 North Service Road is regulated by Conservation Halton (CH). Please ensure the Landscape Concept Plan shows all regulated limits/hazard lines to the satisfaction of Conservation Halton (CH). Additionally, please ensure all active easements are outlined and labeled on the Landscape Concept Plan.

3. The Landscape Concept Plan must show the proposed layout and use of any outdoor amenity areas. This includes showing all wind mitigation and safety measures such as buffer planting, screens and fencing, trellises or awnings for outdoor rooftop amenity areas.

4. Where trees are proposed, ensure the minimum required soil volumes are provided and documented on the Landscape Concept Plan using good quality soil. The minimum requirements are as follows: 30m3 of soil per tree in a single tree pit, 20m3 per tree in a shared planting environment. Excavation for each planting environment should be 0.75m to 1.2m depth and should not exceed 1.5m depth and be tailored to stock size used. Smaller rooting volume (minimum 15-20m3) may be proposed for smaller trees. This will be reviewed in detail at the Site Plan Stage.

5. Where required, landscape buffers should provide separation and be designed to partially obstruct the views to adjacent properties along shared property lines, parking lots and road frontages. The landscape buffers should consist of a dense landscape screen including a combination of evergreen trees, deciduous trees, and understory shrubs. Or alternatively, a combination of solid screen fencing with evergreen and deciduous trees and understory shrubs.

6. An Arborist Report and a Tree Inventory and Protection Plan is required to document **all existing trees greater than 10cm DBH on site and on adjacent properties within 6m of the property lines as well all trees of any size on city property.**

7. Tree protection hoarding should be shown as per the City of Burlington's Tree protection hoarding should be shown as per the Tree Protection and Preservation Specification SS12A. Include a copy of the specification on the Tree Inventory and Protection Plan that includes all notes (1-8) from the specification. Visit the Forest Protection and Tree Permits page for more information.

8. Consider alternative design concepts that will result in fewer trees being proposed for removal. In the case that alternatives to the design are not possible, please provide detailed justification for the removal of every individual tree. The City of Burlington does not support the removal of trees due to condition alone. Similarly, work shall be modified to avoid working inside the minimum tree protection zone of all trees.

9. The **City's Public Tree By-law 68-2013** is applicable to the proposed development. A tree permit is required for all work around city trees, including the payment of the Tree Permit fee and securities for trees to be retained. Removal of public trees will require replacement plantings that are to be proposed shown on City property. Where there is no room for replacement trees, cash-in-lieu of replacement will be required. Specific compensation and replacement quantities will be identified through the permit process.

10. The **Private Tree By-Law 40-2022** is not applicable to planning applications. Refrain from referencing this by-law in your submission material.

11. Private trees that are to be removed will require a plan for replacement. Private trees that are 15cm in DBH will be counted toward replacement requirements using the City's aggregate caliper method. Tree replacements will be based on the following sizes: a minimum of 50mm caliper for deciduous species and a minimum of 1.2m in height for coniferous species. Proposals for private tree replacements shall be shown on the subject property. Where there is no room for replacement trees, cash-in-lieu of replacement will be required. Specific compensation and replacement quantities will be identified prior to final site plan approval.

12. Removal and/or injury (MPTZ) of trees on neighbouring properties, or that are located on a shared property line (boundary trees) will require consent from the adjoining and/or adjacent owner(s).

    Where impacts are proposed (i.e., encroachment / injury) to neighboring and/or boundary trees the adjoining and/or adjacent owner(s) shall be consulted and made aware of the proposed development and potential impacts to their trees and/or boundary trees and the applicant shall submit a document in writing from adjoining and/or adjacent owner(s) that there are no concerns with the proposal for those trees, or the applicant's qualified tree professional address the potential impacts to the neighbor's trees and/or boundary trees and provide an attestation in the Arborist Report that the impacts proposed will not be a detriment to the trees, and they will remain in healthy condition. Information in the report shall also include the preservation methods, including pruning and fertilizing, that can be implemented by the owner to ensure the health of trees on neighboring properties.

13. Private trees that are regulated and require removal or injury to facilitate project works may require a private tree permit depending on the timing of removal and/or injury relative to planning application(s). Please consult with the City at all stages of your project (i.e., demolition) to ensure compliance. Additional documentation may be required.

14. All trees proposed to be retained and their corresponding tree protection hoarding (vertical and/or horizontal) shall be illustrated on all Civil drawings and on the Construction Management and Mobility Plans.

    For all submission requirements (Landscape Plan, Arborist Report, Tree Preservation Plan and Tree Inventory Table) refer to Parks Design and Construction webpage.

15. Please provide a comment matrix that identifies the above comments and how they were addressed with the site plan submission.

Development Engineering Comments:

Please find below the Development Engineering comments for the Zoning By-Law Pre-Consultation for 4495 North Service Road (PRCN-DRT-013/25). Please communicate to the Applicant that they or their consultants are welcome to contact me directly if they have any questions about the comments/requirements. I would ask that they copy Planning on all correspondence.

The following items are not intended to be an exhaustive list but rather to help identify areas of possible concern. City staff are not responsible for any errors or omissions. The detailed design review will occur during the subsequent Site Plan application review and additional supporting materials may be required.

General Comments

1. All plans to use the same base layer.

2. Identify existing and/or proposed property lines on all plans.
3. Identify existing and/or proposed municipal easements on all plans. For existing municipal easements, provide copies of registered instruments/agreements.
4. Identify regulated hazards and all applicable external agency setbacks on all plans, including but not limited to Conservation Halton ("CH"), Halton Region and MTO.
5. Identify the required land dedications on all plans.
6. All private utilities must be constructed within the subject property limits.
7. If applicable, for phased development provide a description and details for how it will proceed.
8. City Plan and Profile drawings may be downloaded from the Open Data Portal.
9. Identify nearby developments that may impact the subject development via the links below.
    - https://www.burlington.ca/Modules/News/en/Development
    - https://burlington.maps.arcgis.com/apps/MapSeries/index.html?appid=15a4c48c8bce40d68678d46302b1bb63
10. Consult with Conservation Halton and confirm additional technical studies requirement, including but not limited to, Hydrogeological Investigation, Geotechnical Investigation, Slope Stability Assessment, Flood Plain Analysis, etc. All hazard lines (floodplain, slope and spills, and meander belt, etc.) should clearly be shown on all plans.
11. Technical studies to demonstrate the proposed development will not exacerbate downstream flooding or erosion. Current functional capacity of the Appleby Line & North Service Road enclosure must be maintained. Erosion protection will be needed in the watercourse at the point of discharge. If needed, the enclosure shall have to be protected from added risk of erosion.
12. City's Development Engineering staff defers to Conservation Halton to review and comment on Erosion Hazard and Meander Belt delineations, flood plain hazard mitigation, but will raise pertinent questions ensuring future FSR and SWM Report and the Grading & Servicing Plan are consistent with the recommendations from the technical studies.

Right of Way / Land Dedication

1. Provide a Draft Reference Plan identifying any land conveyances and easements that are clearly labeled with part numbers. The items shall include but not be limited to full right of way labelled with full dimensions matching the criteria received from the Transportation staff, daylight triangle, creek block, setbacks and easements.
2. Please be advised that any future land conveyances (i.e. creek block) are to be free and clear of contamination and will not be accepted with a Certificate of Property Use. As such, for sites with contamination concerns environmental investigations should clearly delineate between lands to be conveyed and those to be retained.
3. Please be advised that a Municipal Consent Permit is required for any works on public lands, including but not limited to daylighting, temporary staging, grading, servicing, construction, or disturbance of vegetation. Fees for a Municipal Consent Permit shall be in accordance with the City's Rates and Fees By-law, as amended. Please contact engpermitrequests@burlington.ca for any Municipal Consent Permit related questions.
4. Please be advised that Appleby Line is a Regional road and North Service Road is a City road. Please consult with the Halton Region and the City's Transportation staff to confirm the respective deemed street width. Please show the required daylight triangle (if applicable) and visibility triangle at the proposed driveway accesses on all plans.
5. Please be advised that the City has a North Service Road and Sidewalks Renewal, Phase 2 (Walker's Line – Appleby Line) capital project budgeted in 2025 and forecasted in 2031.

Environmental Site Assessments

1. Provide a Phase One Environmental Site Assessment (ESA), signed by a Qualified Person, and completed in accordance with Ontario Regulation 153/04, as amended.
2. The City requires that the Qualified Person indicates in the Phase One ESA either that the environmental condition of the site is suitable for its intended land use or that a Phase Two ESA is warranted to address actual or potential contamination on the property.

3. If the Phase One ESA indicates that a Phase Two ESA is warranted, the City requires that a Phase Two ESA, signed by a Qualified Person, and completed in accordance with Ontario Regulation, 153/04, as amended, be provided.
4. The City requires that the Qualified Person indicates in the Phase Two ESA either that the environmental condition of the site is suitable for its indented land use or that one or more criteria exceed the applicable Soil, Ground Water and Sediment Standards for Use Under Part XV.1 of the Environmental Protection Act or property specific standards determined via risk assessment conducted in accordance with Schedule C or Ontario Regulation 153/04, as amended. If the Qualified Person indicates that samples contain contaminants at concentrations that exceed the applicable standards, remediation and/or risk assessment works will be required prior to change in land use.
5. If the during the Phase Two ESA the concentrations of one of more contaminants measure in the natural environment exceeds the applicable standard or is likely to cause an adverse effect, the site owner or person responsible for the source of contaminant must notify the Ministry of Environment, Conservation & Parks.
6. Include a Letter of Reliance that allows the City to rely upon the ESAs.
7. Include confirmation from Halton Region of the applicable potable/non-potable groundwater site condition standard.
8. Please be advised that ESAs shall not be older than 18 months, unless they are accompanied by a letter, signed by the Qualified Person, confirming the ESA information is still valid.

Functional Servicing & Stormwater Management Report

1. All documents to be prepared in accordance with the Council approved Stormwater Management Design Guidelines (COB SWM), as amended.
2. To be stamped and certified by a Professional Engineer.
3. Should an external agency have differing requirements then the most stringent criteria shall apply.
4. The City's Stormwater Engineer has provided the following criteria:
   a. **Quality Control (COB SWM 6.1.4.1 and 6.1.4.2):**
      - Enhanced 80.0% TSS removal achieved with a treatment train approach. An OGS will only be credited with 50.0% TSS removal.
      - OGS CA-ETV certified units only.
      - OGS to be sized to capture and treat a min. 90.0% of the runoff volume.
      - Use the City's IDF curves as per S-IDF.
      - Runoff coefficients as per COB SWM 4.2.3 Table 4.1.
      - Rooftop and landscape areas may be considered clean if the flows are separated from non-roof areas as per COB SWM 3.6 and 6.1.4.1. Flow from these sources can be removed from the calculations provided the flows are not mixed with the surface flows.
   b. **Quantity Control (COB SWM 6.1.1.1 and 6.1.1.4):**
      - Control post development to pre-development for the 2-year to the greater of 100-year and Regional storm if discharging to Appleby Creek.
      - A max. pre-development imperviousness of 36.0% (C = 0.50) for re-development is to be used for the pre-development calculations.
      - Proposed stormwater runoff creek outlet will require an ECA from MECP and are subject to Conservation Halton Permit.
      - Rooftop storage is generally not acceptable for use in the City of Burlington unless "blue roofs" or "green roofs".
   c. **Erosion Control (COB SWM 3.4 and 6.1.2):**
      - 25mm / 24hr min. with 48 hours preferred or retention of the 90th percentile rainfall 27mm if a creek outlet proposed.
   d. **Water Budget (COB SWM 3.5 and 6.1.3):**
      - Strongly recommend the first 5mm of rainfall be retained and infiltrated or reused onsite.
   e. **Groundwater:**

- If applicable, and if there is a foundation drainage collection system, flows must be accommodated in the quantity control for the site, and discharge must meet the Storm Sewer Discharge Bylaw 59-2022 Table 1 criteria, as amended.

f. **External Flows:**
- Identify all external flows and safely accommodate them under the developed conditions to avoid upstream flooding or ponding.

g. **Overland Flow Route (COB SWM 5.3.2 and 6.1.1.3):**
- Provide the emergency overland flow route on the plans. Include the neighbouring properties to ensure existing drainage patterns are being maintained.
- 300mm max. depth for the overland flow route.

5. Confirm the receiving municipal service capacity.
6. Provide stormwater storage details including the location, proposed/required storage volumes, and manufacturer's construction design details. If applicable, for underground storage provide an emergency overflow to convey the uncontrolled 100-year or Regional storm event, whichever is greater, in the event it becomes inoperable as per COB SWM 6.1.1.2.
7. Provide full sized scalable, signed, and stamped plans for the following:
   a. pre-development storm drainage area, including external drainage areas, subdrainage areas and associated runoff coefficients/% imperviousness
   b. post-development storm drainage area, including external drainage areas, subdrainage areas and associated runoff coefficients/% imperviousness
   c. grading
   d. servicing
   e. any additional applicable plans
8. Provide a storm sewer design sheet.
   a. 85.0% max. storm sewer capacity as per COB SWM 5.2.1.
   b. Gravity foundation drains required to be a min. 1.0 m above the receiving storm sewer obvert and a min. 0.30 m above the HGL at that point as per COB SWM 5.2.1.
   c. 0.75m/s min. and 4.5m/s max. flow velocity as per COB SWM 5.2.1.
   d. 0.5% min. storm sewer slope or 0.3% is the absolute min. if demonstrated that 0.5% is not achievable as per COB SWM 5.2.1.
   e. 300mm min. storm sewer diameter as per COB SWM 5.2.2.
   f. Obverts to match for the upstream and downstream storm sewer for increases in diameter as per COB SWM 5.2.2.
   g. Decreases in diameter from upstream to downstream are not permitted, except for approved storm controls as per COB SWM 5.2.2.
9. Additional Design Considerations
   a. Diameters >=450mm shall be concrete as per COB SWM 5.2.2.
   b. 2.5m min. obvert coverage or 1.2m min. if demonstrated that 2.5m is not achievable as per COB SWM 5.2.3.
   c. 0.5m min. horizontal and vertical separation between storm sewers and all other services/utilities as per COB SWM 5.2.3.
   d. 2.5m min. horizontal separation between storm sewers and watermains unless demonstrated that it is not achievable as per COB SWM 5.2.3.
   e. 0.03m min. maintenance hole drop for 0 to 45 degrees and 0.06m min. drop for 45 to 90 degrees as per COB SWM 5.2.4.
   f. >=1.2m maintenance hole drops require a drop structure in accordance with OPSD 1003.020 as per COB SWM 5.2.4.
   g. Catch basin min. diameters and slopes as per COB SWM 5.2.5 Table 5.3.
   h. Headwalls designed to match or slow velocities to avoid negative impacts to receiving watercourse as per COB SWM 5.2.6.
   i. Culverts <1200mm not permitted to be CSP as per COB SWM 5.4.
   j. No surface storage (ponding) up to the 5-year post development storm for commercial and industrial sites only, no surface storage permitted for residential as per COB SWM 6.1.1.3.
10. 300mm max. ponding up to the 100-year post development or Regional Storm, whichever is greater as per COB SWM 5.2.1, 5.3.2 and 6.1.1.3.

11. Maintenance holes (MH) shall be constructed along the storm sewer system at the downstream and upstream ends, as well as at maximum spacing as per COB SWM 5.2.1, including provision of a MH at the municipal storm sewer connection.
12. LID techniques are encouraged. Reference the Geotechnical Report comment 6 for minimum design parameters.
13. If the report(s) excludes third party reliance, submit a Letter of Reliance that allows the City to rely upon the documents.

Noise and Vibration Feasibility Study

1. All documents to be prepared in accordance with the MECP's Environmental Noise Guideline Publication NPC-300, as amended.
2. To be stamped and certified by a Professional Engineer.
3. Should an external agency have differing requirements then the most stringent criteria shall apply.
4. The study shall include but is not limited to the following:
    a. Considered a Class 1 property.
    b. Identify offsite stationary noise sources that may require mitigation for existing and/or proposed development and provide the mitigation requirements. If offsite mitigation is required, then confirmation of a legal agreement between the development and offsite sources is required.

       Please be advised that adjacent property owners are not obligated to mitigate their onsite stationary noise sources, as it relates to stationary noise impacts on the subject development. The applicant is responsible for mitigating the exceedances within the limits of the subject development, which may require mitigation or a site redesign.

    c. Provide all model calculations for both onsite and offsite.
    d. Provide any onsite noise measurements.
    e. Use reflective surfaces for model calculations where applicable.
    f. Provide capacity volumes received from the City's Transportation Services Department for roads using model calculations. Include the correspondence within the appendix.
    g. Provide any correspondence from external agencies to confirm traffic and/or train counts within the appendix.
    h. Provide all mitigating measure calculations including but not limited to window glazing, façade requirements, noise walls, etc.
    i. Provide a key plan identifying points of reception.
    j. Provide a key plan identifying sources of noise for both stationary and linear noise sources and include distances from subject property.
    k. NPC-300 exceedances for every floor and side of building for high-rise development sites.
    l. Predictable worst case noise impact(s) to be identified for all development sites.
    m. Points of reception required for every neighbouring property.
    n. Provide a table for the points of reception and include the allowable noise level under NPC-300, estimated noise level, and the mitigated noise level.
    o. Provide warning clause recommendations where applicable.
    p. Provide a summary and drawing of any required mitigation measures.
5. Include a Letter of Reliance that allows the City to rely upon the documents.

Realty Services Comments:

Staff have reviewed the pre-consultation materials and can confirm that no Parkland Dedication is applicable.

Burlington Hydro Comments:

In response to your correspondence(s), a member of our Engineering Department has reviewed the circulated information and has the following comments:

The Developer's requirements are not limited to the following items. Burlington Hydro will provide all applicable standards, guidelines, and specifications in the Offer to Connect package that will be provided by Burlington Hydro, following the Developer's formal request for hydro service and submission of approved site plan drawings to Burlington Hydro.

1. The proposed new service might be fed from the 27.6KV primary system located on Appleby line and North service Rd. However, system modifications might be required to accommodate the proposed load. These modifications could include feeder load transfers, system expansion, installation of new hydro poles, or relocation of existing hydro poles. If any modifications are needed, additional charges will apply, and these costs will be at the customer's expense.

2. Additional information is required from the customer regarding the electrical service of the proposed building. such as service size, voltage, electrical room location, proposed transformer vault location and load schedule for the proposed building, if available,

3. The transformer location is to be approved by Burlington Hydro. Details of the clearance between the transformer and the property line, as well as details of the proposed fencing or barriers, are to be provided for final approval.

4. Pad-mounted transformer (if applicable) is to be located 2 meters from the nearest edge of the pad to the back of each curb. The transformer shall be protected by bollards when the edge of the transformer is within 2 meters (but not less than l.5m) of a curb (due to space restrictions) or if the curb is not installed. Curb or bollards to be installed prior to energization of the transformer. Refer to the attached sketch.

5. Planting shrubs, trees, or flowers, or build fences or walls in the obstruction-free zone around the Transformer is not allowed; also, the obstruction-free zone cannot be used as snow storage. Please see attached BHI Standard # 37-145-r2. 6.

6. The Electrical Room shall have a minimum size of l.83m by 2.44m and have immediate access from the outside (required for safe operation in the metering area). The electrical room access door must be locked and accessible by key, which must be provided by the customer and delivered to BHI prior to the service being energized.

7. The customer shall be required to rectify any conflicts that may occur for any reason at no expense to Burlington Hydro.

8. A meeting (conference call) with a Burlington Hydro representative to go over the supply points and transformer locations is recommended. Please contact our Engineering Service Technician, Zakariya Al-Doori at ZDoori@burlingtonhydro.com or 289-962-7561 to arrange for the meeting.

9. Early discussions for the revenue metering and electrical room requirements should be arranged between the Developer and BHI before the building plans are finalized to ensure clearances and access that meets Burlington Hydro requirements.

10. A building, permanent structure or building apparatus shall not be located beneath existing Above-ground electrical conductors.

11. A building, permanent structure or building apparatus shall maintain a minimum horizontal clearance from existing power lines (Refer to the Burlington Hydro brochure, notice that the clearances shown on the standard are minimum; additional clearances are required to allow

conductor swing, scaffold installation and future building maintenance), Please arrange for a site meeting with a BHI representative, calling Eng, Desk at 905 332-2250, to validate the required minimum clearances to existing power lines, obtain approved hydro service layout/consent and avoid any possible safety issues.

In addition, we want to stipulate the following: Customers and their agents planning and designing for electricity service must refer to all applicable Provincial and Canadian electrical codes, all applicable federal, provincial, municipal laws, regulations, codes, and by-laws to ensure compliance. All work on the BHI distribution system shall be conducted in accordance with the latest edition of the Ontario Occupational Health and Safety Act (OSHA), the Regulations for Construction Projects, the Regulations for Industrial Establishments and the Electrical Utility safety Rules published by the Infrastructure Health and Safety Association (IHSA).

- Service is available under the BHI latest Condition of Service at this link - https://www.burlingtonhydro.com/about/regulatory-affairs/conditions-of-service.html
- Hydro easement (if any) is to remain clear of heavy vehicle traffic and customer is responsible to keep the easement lands free and clear of any trees, fences, buildings, structures, or obstructions unless any of forgoing are approved in writing by Burlington Hydro Inc. Further the Customer shall remove the same upon request of Burlington Hydro Inc.
- Relocation, modification, or removal of existing hydro facilities, if required, shall be at the customer's expense. We will refer to our latest Standards and Regulations to resolve issues that arise with clearances between existing hydro facilities and existing/proposed building structures.
- Customer to acquire any easements for Burlington Hydro, if requires.
- Customer is to ensure that BHI has proper access to the hydro facilities.
- Project must meet City of Burlington Standards.
- Machine excavation within one meter of underground plant is not permitted.
- Do not excavate within two meters of hydro poles and anchors except for the termination pole where the duct structure shall be terminated by the customer under the supervision of BHI Civil Inspector.
- Please arrange for underground hydro cable locate(s), prior to beginning construction, by contacting Ontario One Call @ (800) 400-2255.
- Please refer to the latest edition of the Occupational Health and Safety Act ("OHSA") and Regulations for Construction Projects when a work is planned to be performed in the proximity of hydro distribution system.
- Arrange for disconnect and isolation of the power supply if a person or an equipment is to encroach on the minimum distance permitted under the OHSA and OESC.
- Please arrange for a site meeting with BHI representative, emailing Eng. Desk at Engineering@burlinztonhydro.com, prior to beginning any construction/demolition near to existing overhead or underground hydro facilities to get approved hydro service layout/consent and avoid any possible service delays or safety issues.

Be advised that the above information represents only a portion of the servicing requirements that is expected of the Developer. Further details and requirements will be provided when the Developer makes contact with Burlington Hydro.

B

Appendix B: Submitted OPA7 Letter

MHBC | PLANNING URBAN DESIGN & LANDSCAPE ARCHITECTURE

January 12, 2026

Alison Enns, Manager of Policy and Community
City of Burlington
426 Brant Street
Burlington, ON, L7R 3Z6

via email: newop@burlignton.ca

RE: CITY OF BURLINGTON OFFICIAL PLAN AMENDMENT NO. 7 COMMENT LETTER
4495 NORTH SERVICE ROAD, BURLINGTON
MHBC FILE: Y013F

Dream Summit Industrial (1250 Appleby Line) LP is the owner of the lands at 4495 North Service Road (the 'Subject Lands'). We appreciate the opportunity to provide comments on the draft policies as part of the City of Burlington's Official Plan Amendment (OPA) No. 7.

The Subject Lands are located along the west side of Appleby Line, with frontage along both North Service Road and Appleby Line. The parcel is approximately 10.5 ha in size and is currently used as a trailer storage facility along the western half of the site. The eastern half of the site is vacant. The parcel is naturally divided by Appleby Creek, crossing through the property diagonally in a southeast direction, and existing the property along Appleby Line.

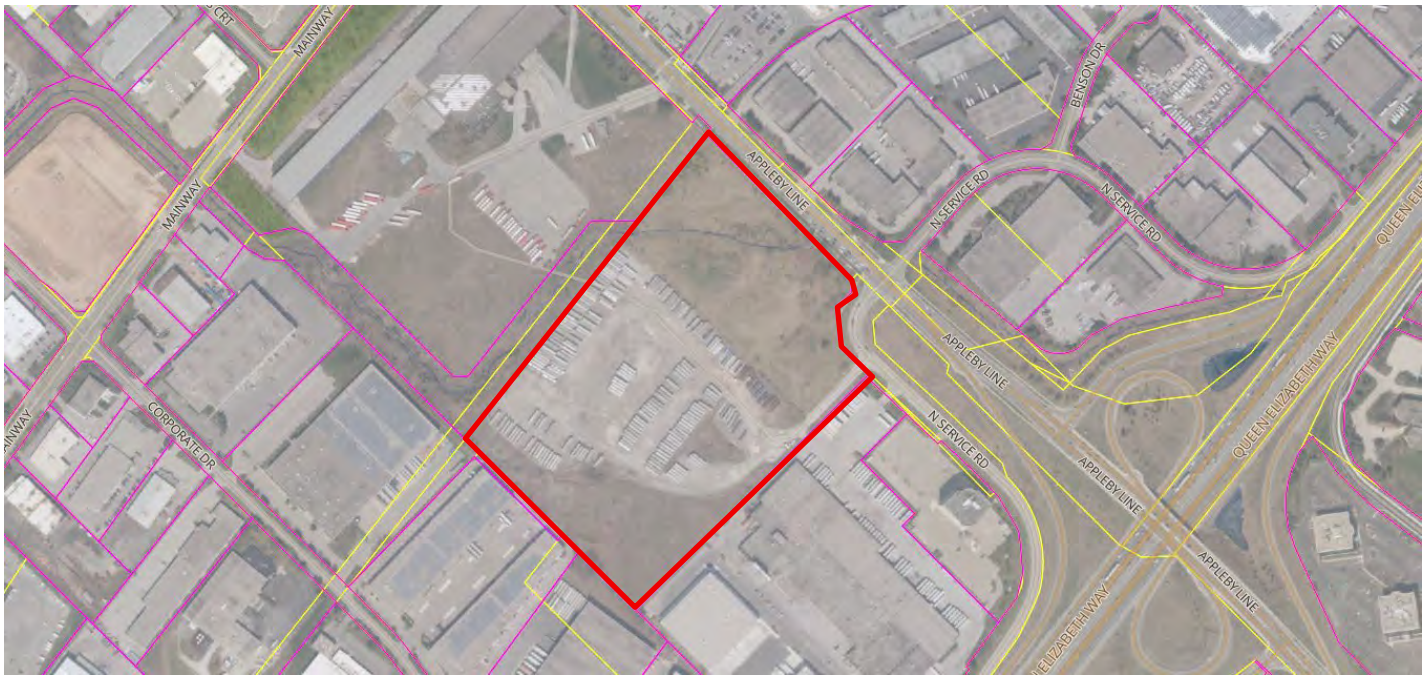


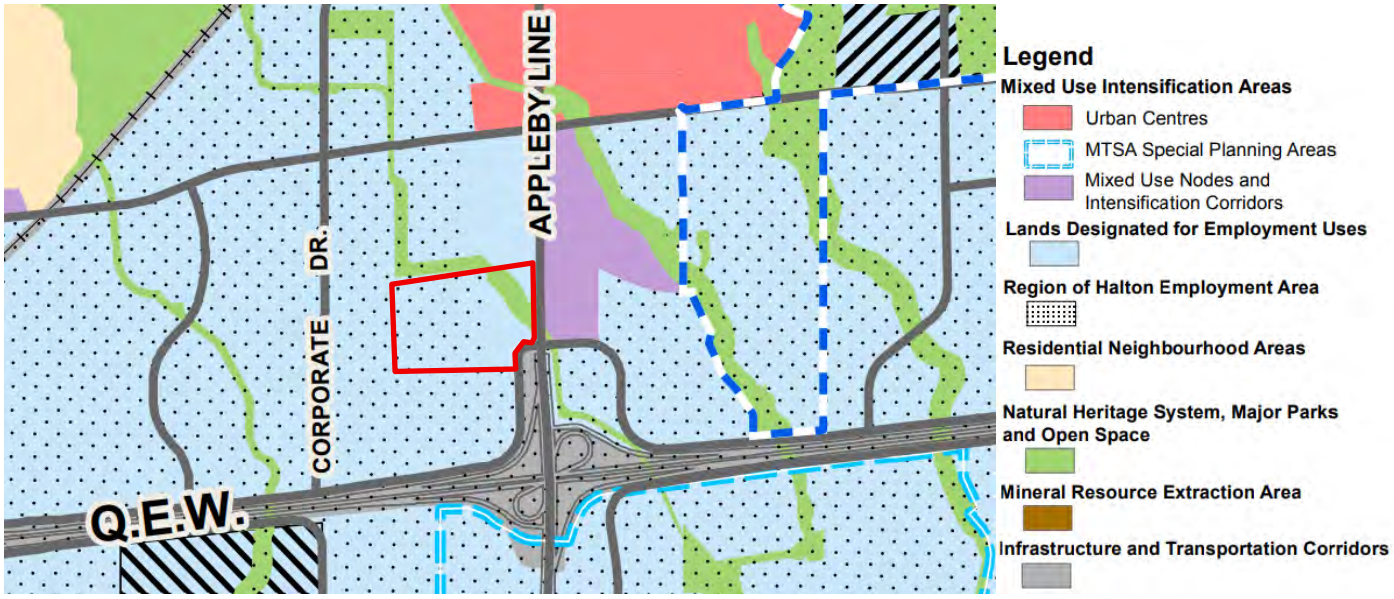
Figure 1: 4495 North Service Road, Subject Lands

Existing Official Plan Designation

As of July 1, 2024, the Region of Halton Official Plan is no longer a Regional Plan and is instead a Local Plan of the four municipalities in Halton. Within Map 1-H, Regional Urban Structure, of the City of Burlington Regional Official Plan, the Subject Lands are designated as 'Employment Area'. This designation permits a variety of employment uses.

The City of Burlington Official Plan 1997 designates the Subject Lands as 'Mixed Use Corridor Employment' in Schedule B, Comprehensive Land Use Plan – Urban Planning Area. Within this designation the following uses may be permitted: industrial uses; a broad range of office uses; a limited range of retail, service commercial and personal service uses; financial institutions and services; entertainment, recreation and other community facilities; motor vehicle dealerships.

Although the following portions are under appeal, the City of Burlington Official Plan 2020 designates the Subject Lands as 'Lands Designated for Employment Uses' and 'Natural Heritage System, Major Parks and Open Space' in Schedule B, Urban Structure. A portion of the Subject Lands are not included within the Region of Halton Employment Area overlay. Within Schedule C, Land Use Urban Area, the Subject Lands are designated as 'General Employment' and 'City's Natural Heritage System'. Additionally, the Subject Lands also include a 'Key Natural Heritage Features' designation on Schedule M, Natural Heritage System.



City of Burlington - Schedule B, Urban Structure

Permitted uses in the 'General Employment' designation include: industrial uses; limited accessory retail uses such as convenience stores and a full range of accessory service commercial such as restaurants and banks; limited recreation uses; adult entertainment; adjacent to residential or other sensitive land uses, only uses that would have limited adverse effects on the surrounding area.

City of Burlington Zoning By-law 2020

The City of Burlington Zoning By-law 2020 split zones the Subject Lands as 'General Employment Zone (GE1)' along the western half and 'Employment Corridor (MXE)' along the eastern half. Both zones permit a range of employment and non-residential uses, including but not limited to: industrial uses, motor vehicle service stations, and restaurants.

Draft OPA No. 7

The Draft OPA No. 7 proposes to designate the Subject Lands as 'Urban Employment' in Schedule C-1. This designation has been used across all Employment Areas within the City, with the exception of the Downtown Urban Growth Centre/Major Transit Station Area (MTSA), Aldershot GO MTSA, Appleby GO MTSA, and Uptown Urban Centre.

Within the Urban Employment designation the following uses may be permitted: manufacturing; research and development in connection to manufacturing; warehousing, including uses related to the movement of goods; office and retail uses associated with a use listed above; facilities that are ancillary to the uses in subsections above; any other prescribed business and economic uses; institutional and other uses, including retail and office uses, provided they were lawfully established on or before October 20, 2024.

The inclusion of '*any other prescribed business and economic uses*' is vague and does not provide adequate direction as to the uses included or excluded from this designation. We request clarification and confirmation that uses such as motor vehicle service stations, car washes and other commercial uses found within the MXE Zone are permitted through this wording.

Staff Report DGM-01-26 (the 'Staff Report') notes that the intent is to update the policies of subsection 8.2 to consolidate the employment land use designations from two designations to one land use designation across the entire Employment Area. Of note, Schedule C has not been updated or repealed. Appendix A includes Schedule C as an item within the chart of proposed withdrawals but only notes that Schedule E Land Use – Uptown Urban Centre is to be removed in its entirety.

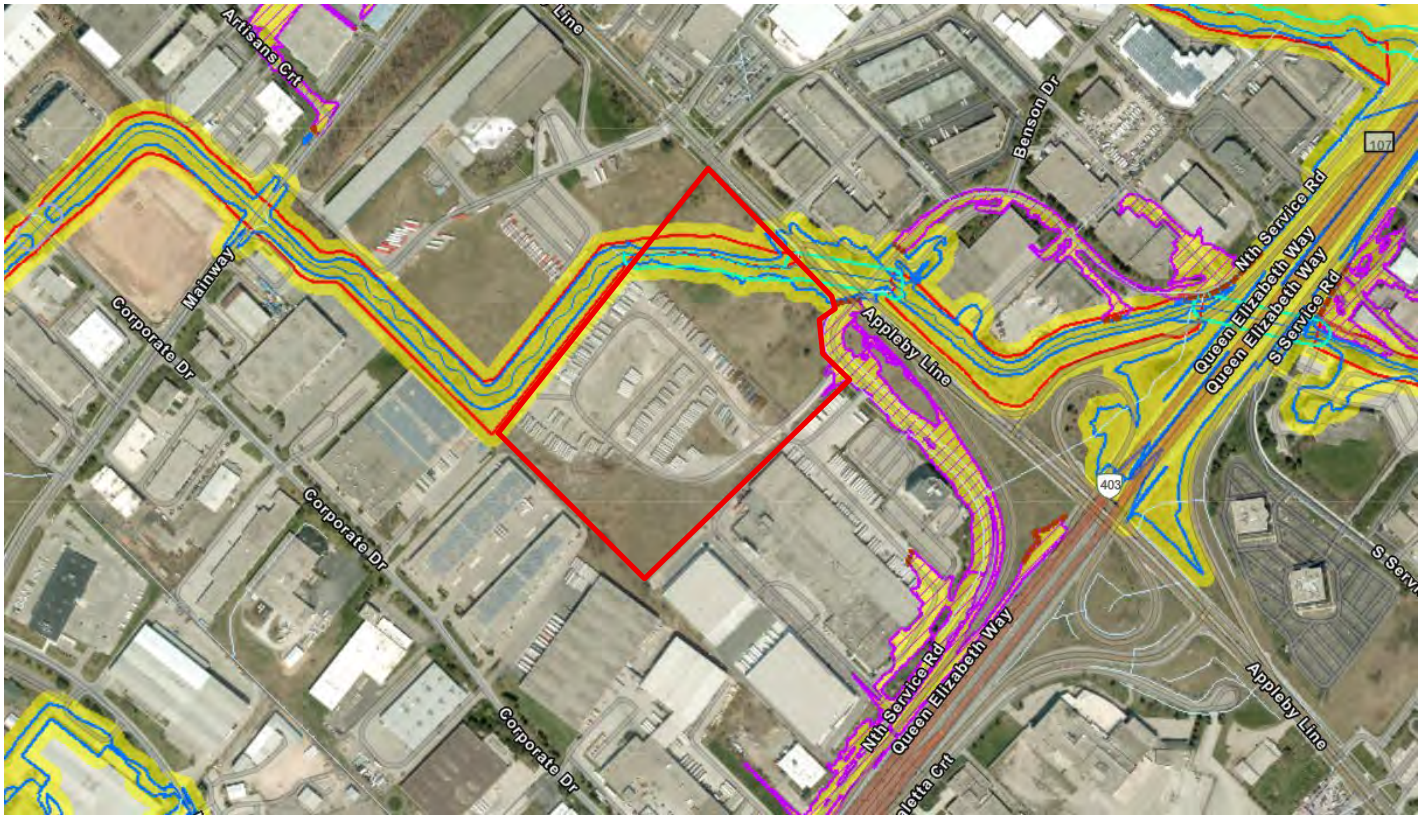
Confirmation and clarification are requested to ensure that Schedule C is being updated to reflect the proposed policy change to a single employment designation. Without having Schedule C repealed or revised, this leaves the 'General Employment' and 'Business Corridor' designations and creates confusion, given that policies 8.2.3 (General Employment) and 8.2.4 (Business Employment) are proposed to be repealed.

Additionally, Appendix A also repeals policies of subsection 2.3.2 (Land Designated for Employment Uses) and 2.3.3 (Employment Area). Policies within 2.3.3. note that in the case of a conflict between Schedules, the Regional Official Plan shall be relied upon. With this policy removed, there becomes a discrepancy on the Subject Lands, as they are not within the Region of Halton Employment Area overlay on Schedule B. Without this overlay, we request confirmation on which schedule prevails related to the Employment Area designation.

Existing Conditions and Proposed Development Rights

The Staff Report notes that only 46% of all businesses within the Employment Area align with the new definition of 'Employment Area' under the *Planning Act* and Provincial Policy Statement (PPS) 2024. This represents 58% of jobs within the Employment Area. The Staff Report goes on to note that an estimated 42% of total jobs within the Employment Area are not tied to core employment uses identified in the *Planning Act* and PPS 2024.

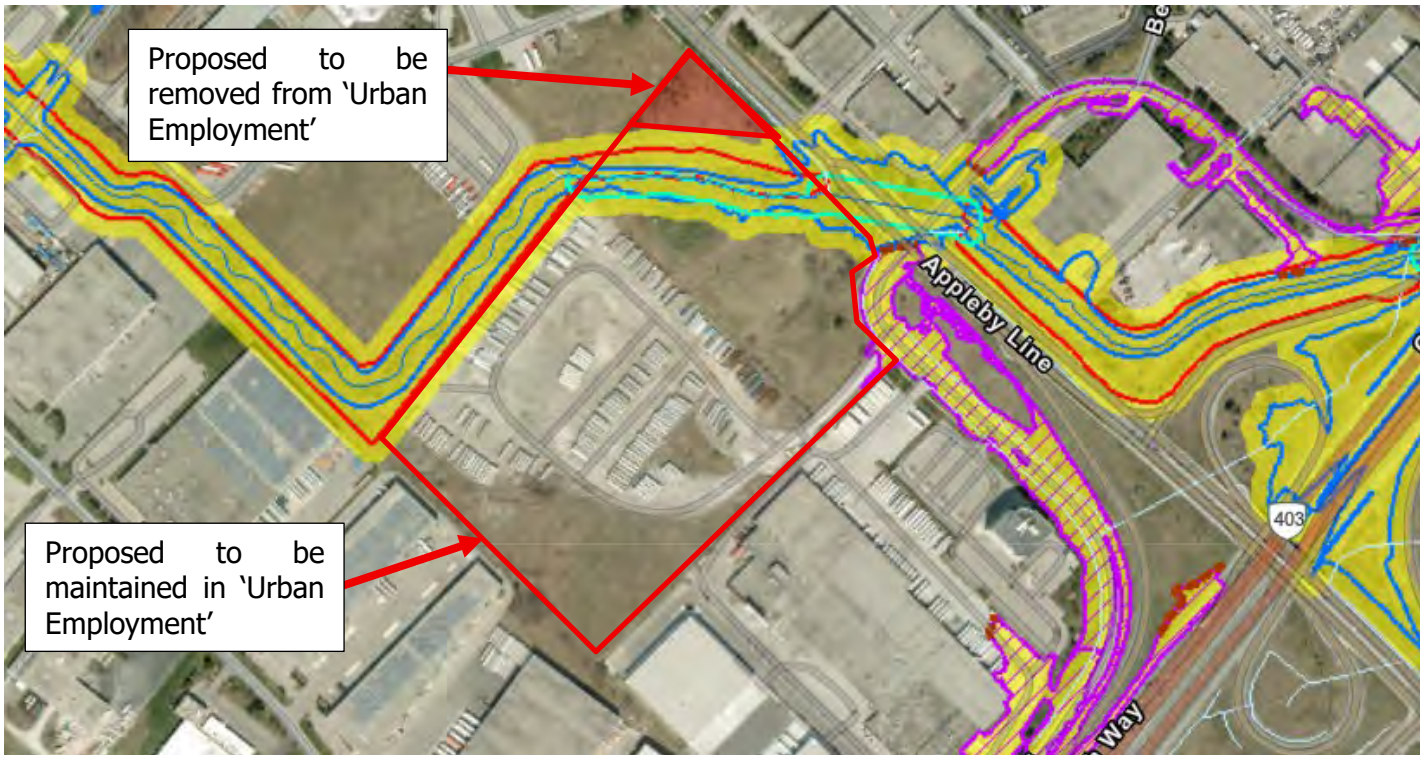
Given the Subject Lands unique configuration, with Appleby Creek crossing diagonally through it, the parcel is effectively two developable pieces of land. Uses intended for Employment Areas, as defined by the *Planning Act* and PPS 2024, are generally land intensive. These uses tend to need large areas for truck manoeuvring, employee parking or large-scale buildings and outdoor storage. With the existing environmental features found at 4495 North Service Road, the area along the east side of Appleby Creek adjacent to Appleby Line, becomes triangular and limited in size to approximately 0.63 hectares, or 1.56 acres, while the lands on the west side of the creek are approximately 9.02 hectares, or 22.2 acres.



Conservation Halton Regulation Mapping

A pre-consultation application was reviewed by City of Burlington staff in July of 2025. At this time a concept was proposed which included two single storey industrial building with associated office space in each. The buildings anticipated a combined gross floor area of approximately 40,769 sqm. The buildings were proposed along the western side of Appleby Creek within the Subject Lands. We believe that this area should remain within the Urban Employment designation, given that the parcel is suitable for various proposed employment style uses.

The east side of Appleby Creek found within the Subject Lands isn't significant enough to attract a large employment use, like manufacturing or warehousing. Given this, we request that this portion of the Subject Lands not be designated as an Urban Employment and allowed to maintain its existing permissions which generally allow service commercial and automotive uses. This would allow smaller, supportive uses to locate within the parcel.



We appreciate the opportunity to provide preliminary comments and look forward to collaborating with the City on future policy refinements.

Yours truly,
MHBC

Oz Kemal, BES, MCIP, RPP
President

Katherine Rauscher, MCIP, RPP
Associate

C

Appendix C: Draft Zoning By-law Amendment

The Corporation of the City of Burlington

City of Burlington By-law 2020.XXX

A By-law to amend By-law 2020, as amended; 4495 North Service Road

File No.: XX-XX (PL-XX-XX)

Whereas Section 34(1) of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, states that Zoning By-laws may be passed by the Councils of local municipalities; and,

Whereas the Council of the Corporation of the City of Burlington approved Recommendation PL-XX-XX on XXX to amend the City's existing Zoning By-law 2020, as amended to allow two (2), one (1) storey industrial buildings with accessory office uses;

The Council of the Corporation of the City of Burlington hereby enacts as follows:

1. Zoning Map Number 23 of PART 15 to By-law 2020, as amended, is hereby amended as shown on Schedule "A" attached to this By-law.
2. The lands designated as "A" on Schedule "A" attached hereto are hereby rezoned from the GE1 (General Employment) zone to the GE1-XX (General Employment) Zone.
3. The lands designated as "B" on Schedule "A" attached hereto are hereby rezoned from the MXE (Employment Corridor) zone to the GE1-XX (General Employment) Zone.
4. The lands designated as "C" on Schedule "A" attached hereto are hereby rezoned from the MXE (Employment Corridor) zone to the O2 (Open Space) Zone.

Exception **XXX**	**Zone** GE1-XX	**Map** **23**	**Amendment** **XXX**	**Enacted** **XXX**
1. Regulations: i. Permitted Uses: • All uses within the GE1 Zone; • Convenience/Specialty Food Store; • Home Improvement Products Retail; • Dry Cleaning Depot, Laundromat, Laundry Service; • Elevated Parking Facility[1]; • Community Institution; • Retail Propane Facility per Part 1, 2.7; and • Entertainment Establishment.				

[1] Excluding a driveway entrance, the ground floor area of all parking structures within 15 metres of a public street shall be used for retail, service commercial, entertainment, or recreation uses.
Except as amended herein, all other provisions of this By-law, as amended, shall apply.

5. When no notice of appeal is filed pursuant to the provision of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, this By-law shall be deemed to have come into force on the day it was passed.
6. If one or more appeals are filed pursuant to the provision of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, this By-law does not come into force until all appeals have been finally disposed of, and except for such parts as are repealed or amended in accordance with an order of the Ontario Land Tribunal this By-law shall be deemed to have come into force on the day it was passed.

Enacted and passed this XX day of XX, 20XX.

Mayor _____

City Clerk _____

DRAFT

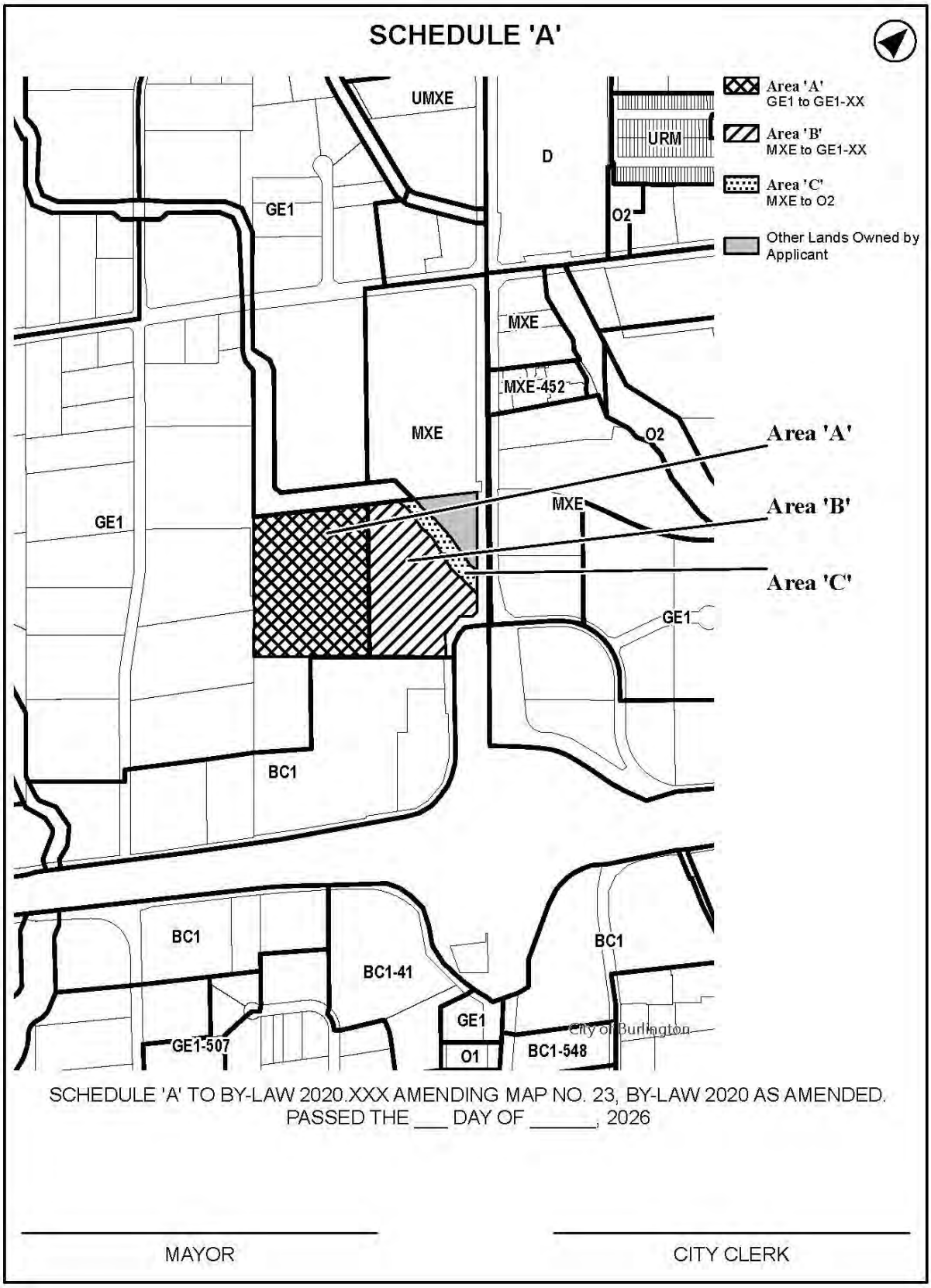
EXPLANATION OF PURPOSE AND EFFECT OF BY-LAW 2020.XX

By-law 2020.XX rezones lands on 4495 North Service Road, to allow two one (1) storey industrial buildings with accessory office uses.

For further information regarding By-law 2020.XX, please contact XX off the Burlington Community Planning Department.

DRAFT

Schedule A



SCHEDULE 'A' TO BY-LAW 2020.XXX AMENDING MAP NO. 23, BY-LAW 2020 AS AMENDED.
PASSED THE ___ DAY OF _____, 2026

MAYOR

CITY CLERK

MHBC

PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE