The Corporation of the City of Burlington By-law

Burlington By-law XX-202X

A by-law to adopt Official Plan Amendment No. 135 to amend the existing "Business Corridor" designation of 5051 Harvester Road to permit a 5-storey non-residential building.
File:XXXXX

Whereas the Council of the Corporation of the City of Burlington in accordance with the provisions of Section 17 and 21 of the Planning Act, 1990, as amended, approved the recommendation in community planning department report XXX at its meeting held on XXXX.

Now therefore the Council of the Corporation of the City of Burlington hereby enacts as follows:

1. That Amendment No. XXX to the Official Plan (1994) of the Burlington Planning Area consisting of the attached amendment and supporting documentation is hereby adopted.

2. That this by-law shall come into full force and take effect on the final day of passing thereof.

Enacted and passed this XX day of XXXX

Deputy Mayor Shawna Stolte _____

City Clerk Kevin Arjoon _____

OFFICIAL PLAN AMENDMENT

AMENDMENT NO. XXX TO THE OFFICIAL PLAN

OF THE BURLINGTON PLANNING AREA

CONSTITUTIONAL STATEMENT

The details of the Amendment, as contained in Part B of this text, constitute Amendment No. XXX to the Official Plan of the Burlington Planning Area, as amended.

PART A – PREAMBLE

1. PURPOSE OF THE AMENDMENT

The purpose of this Amendment is to amend the existing "Business Corridor" designation of 5051 Harvester Road to permit a 5-storey non-residential building on the subject lands with a Floor Area Ratio of 2.4.

2. SITE AND LOCATION

The subject lands are municipally known as 5051 Harvester Road and are located on the east side of Appleby Line. The lands are generally rectangular in shape, have a total net lot area of 1.29 ha (3.19 acres) and has 76.2 metres of frontage on Appleby Line.

3. BASIS FOR THE AMENDMENT

a) The subject applications propose intensification that is consistent with the Provincial Policy Statement (PPS), 2020. The PPS promotes a range and mix of uses efficiently uses land, resources, infrastructure, and public service facilities and is supportive of public transit.

b) Intensification of land within built-up, serviced areas of the City makes more efficient use of existing developed lands and meets the intent of the Growth Plan and the Region of Halton Official Plan.

c) The proposed non-residential building consists of a height of 5 storeys, and a Floor Area Ratio of 2.4. The Business Corridor designation permits non-residential uses with a maximum floor area ratio for office use of up to 0.5:1.

d) The subject lands are within close proximity of commercial land uses, various community services and facilities, and is directly serviced by Burlington Transit

PART B – THE AMENDMENT

1. DETAILS OF THE AMENDMENT

Map Change:
Schedule B indicates the lands to be maintained within the designation of Business Corridor with site specific provisions.

Text Change:
The text of the Official Plan for the Burlington Urban Planning Area, as amended, is hereby amended as follows:

By adding the following site-specific policy X) at the end of Part III, Land Use Policies – Urban Planning Area, Section 3.4 Business Corridor, Subsection 3.4.3 as follows:

5051 Harvester Road	x) Notwithstanding the policies of Part III, Subsection 3.4.2(b) and (e) of this plan on the lands designated "Business Corridor" and identified as 5051 Harvester Road, the following policies *shall* apply: i) the maximum Floor Area Ratio *shall be* 2.5; ii) service commercial uses are permitted as a standalone use; iii) there is no limit on the percentage of total floor area of any one building used for ancillary uses, including restaurant uses.

2. INTERPRETATION

This Official Plan Amendment shall be interpreted in accordance with the "Interpretation" policies of Part VI, Implementation, Section 3.0, Interpretation, of the Official Plan of the Burlington Planning Area.

3. IMPLEMENTATION

This Official Plan Amendment will be implemented in accordance with the appropriate "Implementation" policies of Part VI of the Official Plan of the Burlington Planning Area.