

1881 FAIRVIEW STREET, BURLINGTON

Planning Justification Report

Zoning By-law Amendment Application

Prepared for: City of Burlington

September 2025

A.J Clarke & Associates Ltd.

Proud of our Treasured Past – Building a Sustainable Future

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1 Introduction

A.J. Clarke & Associates Ltd. has been retained by Amalie Holdings Limited to provide planning services in connection with a Zoning By-law Amendment intended to amend the site-specific exception placed on the Subject Lands prohibiting a Supermarket/Grocery Store Use. A.J. Clarke & Associates Ltd. have prepared this Planning Justification Report (PJR) as analysis for the required Zoning By-law Amendment identified by the City of Burlington. The Subject Lands are comprised of a single parcel, municipally known as 1881 Fairview Street in the City of Burlington. Further description of the Subject Lands is provided in Section 2 of this report.

This proposal consists of a *Planning Act* application for a Site-Specific Zoning By-law Amendment to facilitate a proposed Supermarket/Grocery Store use. Further details of the proposed development are located within Section 3 of this report.

A Pre-Consultation Meeting was completed with the City of Burlington concerning the proposed development on June 25, 2025. The Pre-Consultation Document provided a list of required materials to deem the Zoning By-law Amendment Application complete. In addition to this report, the following materials are being submitted in support of the proposed Zoning By-law Amendment Application:

1. Completed Application Form and applicable fees;
2. Draft Zoning By-law Amendment (see Appendix A);
3. Servicing Memo by MTE Consultants Inc., including the existing Site Servicing Plan;
4. Traffic Impact Study Brief by Trans-Plan Transportation Engineering;
5. Existing Site Plan Layout;
6. Sustainable Building and Development Guidelines Checklist; and,
7. Environmental Site Screening Checklist.

Sections 2 and 3 of this report discuss the Subject Lands and the proposed development. Section 4 outlines how this proposal relates to the applicable provincial and municipal land use planning policy documents. Section 5 provides a brief market study discussing the proposed use's impact on surrounding Supermarket/Grocery Store uses. Section 6 describes the Public Consultation Process. Section 7 provides concluding remarks and a professional planning opinion.

2 Description of Subject Lands & Surrounding Neighbourhood

The Subject Lands contain a single parcel located on the northern side of Fairview Street, to the west of Brant Street, south of Plains Road East. The Subject Lands have ±221 metres of frontage along Fairview Street, and ±14 metres along Grays Lane, with a total site area of approximately 2.05 hectares. The lands are currently used as a retail/commercial shopping plaza known as "Brantview Plaza", and occupied by Mandarin Restaurant, Compassion Society of Halton, Spirit Halloween (temporary seasonal tenant), and Staples.

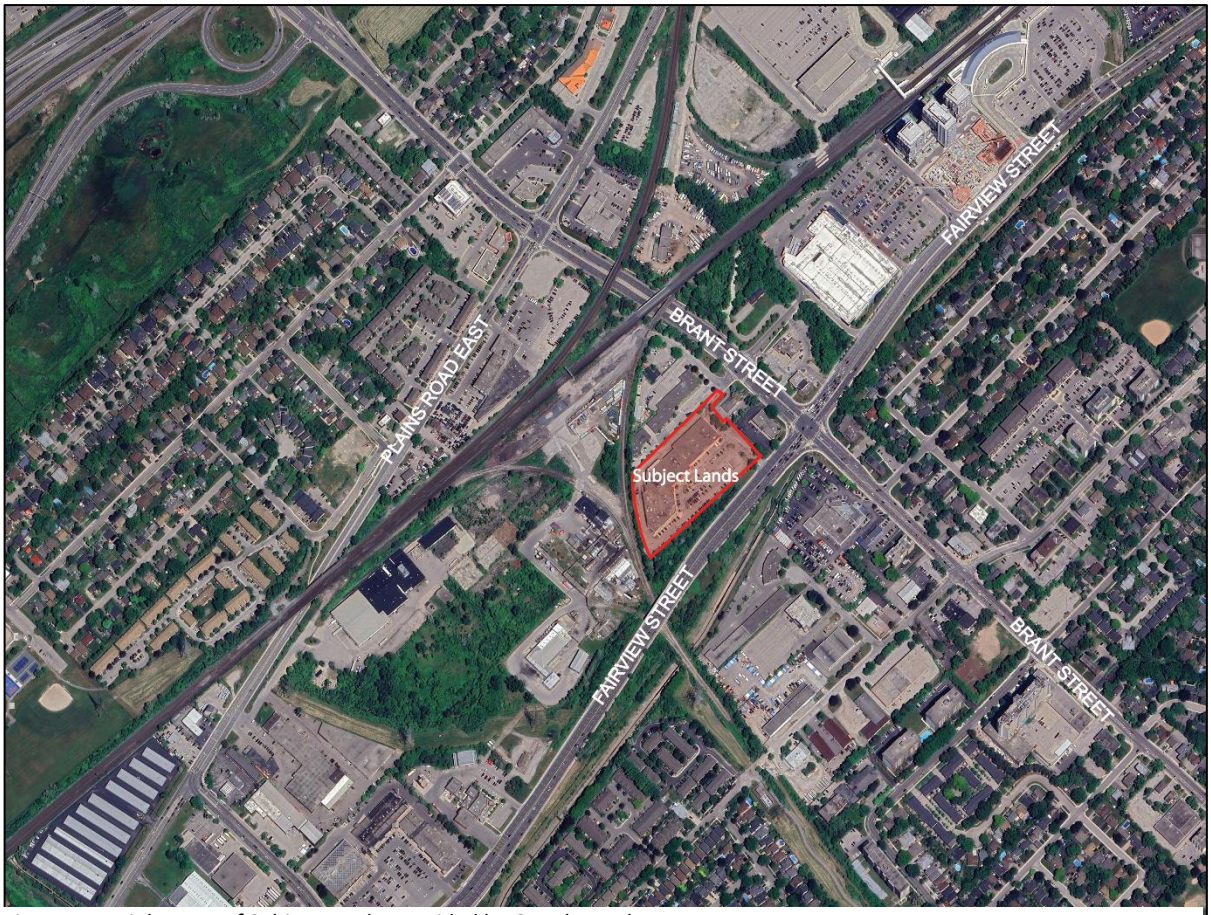


Figure 1: Aerial Image of Subject Lands. Provided by Google Earth.

A summary of the adjacent land uses is described below:

North: One-storey commercial plaza along with various service and commercial uses (920 Brant Street)

South: Fairview Street, with various one-storey service, commercial, and automobile sale uses on the other side (850 Brant Street and 850 Legion Road)

East: One and two-storey retail and medical uses (892 Brant Street and 906 Brant Street)

West: CN railway spur line, with an industrial use on the other side (942 Brant Street)

The neighbourhood is predominantly commercial and industrial uses with residential uses located on the periphery of the immediate area; however, no residences are located within 120 metres of the Subject Lands. Building heights are primarily one or two-storeys in height, with some older low-rise residential apartment buildings (4+ storeys) along Brant Street beginning ±150 metres south of the Subject Lands, and several new high-rise residential condominium buildings on Fairview Street ±450 metres east of the Subject Lands.

As per the City of Burlington Official Plan 2020 Schedule O-1, Fairview Street is designated as a Multi-Purpose Arterial, while Brant Street is designated a Major Arterial.

3 Proposed Development

The proposed Zoning By-law Amendment will rezone the Subject Lands to remove the site-specific exception which prohibits a Supermarket/Grocery Store use, intended to serve the surrounding future neighbourhood and the travelling public, where applicable. The Commercial Corridor (MXC) Zone is already applied to the Subject Lands but modified to prohibit the previously mentioned use. The proposed use will allow for a ±3,814 square metre ethnic grocery store within the existing Units 1-2 of the shopping plaza (no new construction proposed), providing many products not currently retailed within the surrounding area where other similar establishments tend to cater towards a general clientele.

4 Planning Policy Framework

The following land use planning policy and zoning instruments are considered in this Section:

- Provincial Planning Statement (2024)
- Region of Halton Official Plan
- City of Burlington Official Plan (1997) & (2020)
- City of Burlington Zoning By-law 2020

4.1 Provincial Planning Statement (2024)

On August 20, 2024, the Ministry of Municipal Affairs and Housing released a new Provincial Planning Statement (PPS). The Provincial Planning Statement was issued under section 3 of the Planning Act and came into effect on October 20, 2024. It replaces the Provincial Policy Statement that came into effect on May 1, 2020. The Subject Lands are designated “Settlement Area”. The following policies are applicable:

Chapter 2: Building Homes, Sustaining Strong and Competitive Communities

Chapter 2 of the PPS contains policy for the appropriate development of communities across Ontario. This chapter includes planning for people and homes, housing, settlement areas and the potential expansions, strategic growth areas, rural areas, rural lands, employment and environmentally sustainable growth.

Section 2.3 provides policy directing growth to settlement areas, as well as policy to address any proposed settlement area expansions.

2.3.1 General Policies for Settlement Areas

2.3.1.1 Settlement areas shall be the focus of growth and development. Within settlement areas, growth should be focused in, where applicable, strategic growth areas, including major transit station areas.

2.3.1.2 Land use patterns within settlement areas should be based on densities and a mix of land uses which:

a) efficiently use land and resources;
b) optimize existing and planned infrastructure and public service facilities;
c) support active transportation;
d) are transit-supportive, as appropriate; and
e) are freight-supportive.

The Subject Lands are situated within a settlement area which is targeted for growth, and more specifically is located within the major transit station area surrounding the Burlington GO Station. The proposed development will optimize existing infrastructure and is transit supportive with multiple bus stops located within ±150 metres of the Subject Lands, providing access to bus routes 1, 2, 10, 12, 50, 52, and 87.

Section 2.4 pertains to policies for Strategic Growth Areas

2.4.2 Major Transit Station Areas

2.4.2.1. Planning authorities shall delineate the boundaries of major transit station areas on higher order transit corridors through a new official plan or official plan amendment adopted under section 26 of the Planning Act. The delineation shall define an area within an approximately 500 to 800- metre radius of a transit station and that maximizes the number of potential transit users that are within walking distance of the station.

2.4.2.2. Within major transit station areas on higher order transit corridors, planning authorities shall plan for a minimum density target of:

a) 200 residents and jobs combined per hectare for those that are served by subways;
b) 160 residents and jobs combined per hectare for those that are served by light rail or bus rapid transit; or
c) 150 residents and jobs combined per hectare for those that are served by commuter or regional rail.

The proposed development is located within 800 metres of the Burlington GO Station and as such is subject to the policies regarding Major Transit Station Areas. The proposed use is an efficient use of land and resources that optimizes existing infrastructure. The proposed Supermarket/Grocery Store use will assist in the creation of jobs within the MTSA while providing necessary retail food product

to the growing residential population, supporting the development of a complete community. Accordingly, the proposal is consistent with the PPS.

4.2 Region of Halton Official Plan

Through the passing of Bill 23, *More Homes Built Faster Act, 2022*, the Regional of Halton Official Plan is no longer an official plan of the Region and instead is deemed an official plan of each Local municipality within Halton.

The Subject Lands are designated as Urban Area (Map 1), Built-Up Area, Urban Growth Centre, Major Transit Station Area – Primary Transit Corridor (Map 1H), Regional Intensification Corridor (Map 1H and Map). The following policies are applicable:

72.1 The objectives of the Urban Area:

1. *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 a high quality, sustainable natural environment, and preserve certain landscapes permanently.*
7. *To plan and invest for a balance of jobs and housing in communities across the Region to reduce the need for long distance commuting and to increase the modal share for transit and active transportation.*
10. *To provide for an appropriate range and balance of employment uses including industrial, office and retail and institutional uses to meet long-term needs.*

10.1 To direct where employment uses should be located and to protect areas designated for such uses.

The inclusion of the Supermarket/Grocery Store use will help accommodate residential density growth within the Urban Area by providing residents and employees access to food products while providing a greater range of employment opportunities. The proposed use will have no impact on any future redevelopment of the site, as no exterior alterations to the site are anticipated.

Urban Growth Centres:

80. The objectives of the Urban Growth Centres, as delineated on Map 1H, are:

1. *To serve as focal areas for investment in institutional and region-wide public services, as well as commercial, recreational, cultural and entertainment uses;*
3. *To serve as high density major employment centres that will attract provincially, nationally or internationally significant employment uses; and*
4. *To function as the primary Strategic Growth Areas of the Regional Urban Structure hierarchy where a significant share of population and employment growth will be accommodated.*

80.2. It is the policy of the Region to:

1. *Require Urban Growth Centres to be planned to achieve a minimum development density target of 200 residents and jobs combined per gross hectare by 2031 or earlier, as identified in Table 2b.*

The proposed use will serve existing and future residents while working towards meeting job targets within a Major Transit Station Area in what would otherwise be a vacant unit.

Major Transit Station Areas:

81. The objectives of the Major Transit Station Areas, as delineated on Map 1H and Map 6, are:

2. *To provide a range and mix of transit-supportive uses, such as residential, retail, office and public uses, as well as public service facilities and parks and open spaces that support the area in a pedestrian-oriented urban environment.*
5. *To plan for a diverse mix of uses, including additional residential units and Affordable Housing, where appropriate*

Regional Intensification Corridors:

82.3 The objectives of the Regional Intensification Corridors, identified conceptually on Map 1H, are:

1. *To recognize Strategic Growth Areas in the Region which are an integral component of the Regional Urban Structure, and serve an existing or planned higher order transit function, connecting other elements of the Regional Urban Structure, and accommodating higher-density mixed use development and/or a mix of employment uses appropriate to the existing local context.*
2. *To achieve increased residential and employment densities in order to ensure the viability of existing and planned transit infrastructure and service.*
3. *To achieve a mix of residential, office, institutional and commercial development, where appropriate.*

The inclusion of a Supermarket/Grocery Store use located on the Subject Lands will provide residents with specialty ethnic food options, improving availability within the local market while further diversifying employment opportunities within an MTSA. As this area is anticipated to experience significant growth due to its location within a MTSA and an Urban Growth Centre while fronting a Regional Intensification Corridor, the need to access a Supermarket/Grocery Store will continue to grow. Accordingly, the proposal is consistent with the Region of Halton Official Plan.

4.3 City of Burlington Official Plan, 1997

The Official Plan (1994) for the Burlington Planning Area was adopted by Council of the Corporation of the City of Burlington on July 11, 1994 through By-law 78-1994. It was subsequently approved, with modifications, by the Regional Municipality of Halton on March 5, 1997. The Subject Lands have been designated as 'Mixed Use Activity Areas' in Schedule A and 'Mixed Use Corridor – Commercial Corridor' through Schedule B of the Official Plan. Section 5.2.2. of the Official Plan (1997) governs policies relating to the 'Mixed Use Activity Areas' (See Appendix B). The overall intent of the designation is to address the demand for higher intensity employment, shopping and residential areas within the City. The following policies apply:

d) *The design and development of Mixed Use Activity Areas shall promote these areas as focal points for community activities that are characterized by a compact form of*

development, pedestrian-orientation, greater accessibility to public transit and higher intensity development.

The proposed use will have direct access to public transit options including GO transit and surrounding bus stops along with pedestrian sidewalks located along Brant Street and Fairview Street. It should be reiterated that no external changes to the site are proposed to implement the Grocery store use.

Section 5.3.3. of the Official Plan governs policies relating to the Mixed Use Corridor – Commercial Corridor designation. It should be noted that the objective of the designation outlined under Section 5.3.3.1. is to permit space-extensive and automobile oriented large retail uses. The following policies are deemed applicable:

5.3.3.2.b. Permitted Uses

b. The following uses may be permitted within the Mixed Use Corridor - Commercial Corridor locations:

i. a range of retail, service commercial and personal service uses; financial institutions and services, a broad range of office uses; entertainment, recreation and other community facilities such as day care centres and motor vehicle dealerships;

iii. a limited number and range of large-scale retail and service commercial uses such as retail uses up to 5,600 sq. m. in gross floor area where food products are not the principal goods retailed, and retail commercial uses that require either multitenant or freestanding buildings on sites that have significant needs for on-site storage and parking, such as garden centres, automotive commercial, furniture and home furnishing uses and home improvement stores;

It is important to note that a Supermarket/Grocery Store use is permitted as of right in the parent MXC zone which applies to the Subject Lands. Policy 5.3.3.2b appears in conflict with the Zoning By-law 2020 (applicable law), Section 4.3, Table 5.4.2, which permits a maximum floor area per retail or service commercial use of 5,600 metres squared within a MXC zone. It should be noted that Section 5.3.3.2.J. to 5.3.3.2.m. outline use prohibitions, including the *Supermarket/Grocery Store* use, regarding the *Mixed Use Corridor – Commercial Corridor* designation with specific reference to properties which exclude the Subject Lands. Considering this fact, it is our opinion Supermarket/Grocery Store is a permitted use in the *Mixed-Use Corridor – Commercial* designation. Additionally, it is informative that the Official Plan 2020 has removed the *Mixed-Use Corridor – Commercial* designation, redesignated the lands *Urban Corridor*, which excludes any similar policy.

5.3.3.2.c. Retail Function

c) Mixed Use Corridors- Commercial Corridor lands are intended to provide for the retail needs of the residents and businesses within the City and from adjacent areas.

The Supermarket/Grocery Store use is intended to service the surrounding residential area and employees of nearby businesses. The specialty nature of the proposed Supermarket/Grocery Store will service a greater area, providing otherwise unavailable products.

5.3.3.2.f. Zoning of Sites

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

As the parking lot servicing the site is underutilized and the site has direct access to both Brant Street and Fairview Street, the proposed use is compatible with the existing infrastructure. A Traffic Impact Brief was prepared under separate cover by Trans-Plan, dated September 2025, and concluded that while the intersection of Fairview and Brant Street is currently operating at or above capacity, the study shows that the proposed development will not be the primary source of future congestion. The Brief states that any future condition is due to existing network limitations and general traffic growth, rather than impacts directly related to the study site. As no site alteration is proposed there is no anticipated impacts on natural hazards or features. It was noted during the pre-consultation meeting which took place on June 25, 2025, that the Supermarket/Grocery Store use prohibition was maintained following Zoning By-law Amendment Application (520-03/09), as the applicant did not submit a market study in support of the use. Through continued discussion with City Staff, it was determined that a separate Market Study was not required and instead to include a scoped discussion with this Planning Justification Report. A Scoped Market Impact Analysis has been provided in Section 5 of this Report.

Accordingly, the proposal is consistent with the City of Burlington Official Plan, 1997.

4.4 City of Burlington Official Plan, 2020

The Burlington Official Plan, 2020 was adopted by Council of the Corporation of the City of Burlington on April 26, 2018 through By-law 24-2018. It was then approved, with modifications, by the Regional Municipality of Halton on November 30, 2020. At the end of the appeal period, parts of the Plan were referred to the Ontario Land Tribunal (OLT) for a decision. These parts of the Plan have been assigned to case number OLT-22-002219. Through a Decision issued on January 4, 2023, the OLT confirmed which parts of the Burlington Official Plan, 2020 came into effect on December 22, 2020 and which parts did not. Those sections which did not take effect are instead referred back to the former Burlington Official Plan, 1997.

The Subject Lands are located within the 'Mixed Use Nodes and Intensification Corridors' identified in Schedule B – Urban Structure and further designated 'Urban Corridor' through Schedule C of the Official Plan. The Subject Lands are also designated a 'Primary Growth Area' as per Schedule B-1 – Growth Framework and are found within the 'Burlington GO MSTA Special Planning Area' (See Appendix C). Though not all sections are currently in effect, it is important to apply future policies against the proposed rezoning, the following policies are applicable:

8.1.3. Mixed Use Nodes and Intensification Corridors

8.1.3(2) General Policies

o) Within Mixed Use Nodes and Intensification Corridors, development applications proposing the re-designation from one land use designation to another that impacts the planned commercial function throughout the City, should be discouraged.

The proposed Supermarket/Grocery Store use would permit a food store that can service nearby residents and employees while catering towards speciality ethnic foods which is otherwise absent from the surrounding area. This development application will not redesignate the Subject Lands, maintaining the commercial function of the City.

8.1.3(7) Urban Corridor Designation

8.1.3(7.2) Policies

b) Urban Corridor lands are intended to provide for the day-to-day and goods and service needs of residents and employees within and in proximity to the Corridor and may also serve a broader city-wide market.

c) The following uses may be permitted on lands designated Urban Corridor:
- *i. retail and service commercial uses;*
- *ii. automotive commercial uses, including large-scale motor vehicle*
- *iii. dealerships existing on the date this Plan comes into effect;*
- *iv. residential uses with the exception of single-detached and semidetached dwellings;*
- *v. office uses;*
- *vi. entertainment uses; and*
- *vii. recreation uses.*

j) *Retail and service commercial uses and other pedestrian-oriented uses shall be located on the ground floor of office or residential buildings and should be permitted above or below the first storey of buildings. A limited amount of office uses may also be permitted on the ground floor*.

The Supermarket/Grocery Store use is permitted within the Urban Corridor designation and will service the surrounding area, providing unique good and services required in day-to-day life. The retail use is further provided on the ground floor, providing direct access from the corridor.

Major Transit Station Areas

h) Major Transit Station Areas (MTSAs) are an important component of the City's Urban Planning Area, and are intended to serve as city-wide destinations and focal points for the provision of transit. MTSAs will exhibit a wide variety of land uses and building types, and densities that will be oriented to support and facilitate transit and active transportation. Located in key areas served by the regional and local transit networks, MTSAs are focal points for higher intensity and mixed-use, transit supportive development that will accommodate a significant share of the City's future population and employment growth. It is anticipated that the majority of growth within the City's four MTSAs will occur in the three

MTSAs located along higher order transit routes and with planned frequent transit service by way of Regional Express Rail.

As the Subject Lands are located within the MTSA Special Planning Area surrounding the Burlington GO Station as depicted in Schedule B of the Burlington Official Plan 2020, a significant increase in density set to occur resulting in greater demand to access food retail such as a Supermarket/Grocery Store. The inclusion of a speciality ethnic food store will further provide unique food products to existing and future residents that are otherwise unavailable within the immediate area, decreasing the need for automobile travel to access these products. Accordingly, the proposal is consistent with the City of Burlington Official Plan, 2020.

4.5 City of Burlington Zoning By-law 2020

The Subject Lands are presently zoned "Commercial Corridor (MXC) Zone" with Special Exception 405 as shown in Figure 2. The MXC Zone is primarily intended to permit retail and service commercial uses of Supermarket/Grocery Store, Convenience/Specialty Foods Store, Retail Stores, Restaurants, Funeral Home, Offices, Community Institution, and Recreation and Entertainment Establishment. Special Exception 405 prohibits the Supermarket/Grocery Store use and also permits a limited amount of outdoor storage subject to certain conditions. The proposal seeks to amend the Special Exception 405, removing the prohibition on the Supermarket/Grocery Store Use. The Subject Lands have sufficient parking available on-site that is often underutilized along with direct access to both Fairview Street and Brant Street.

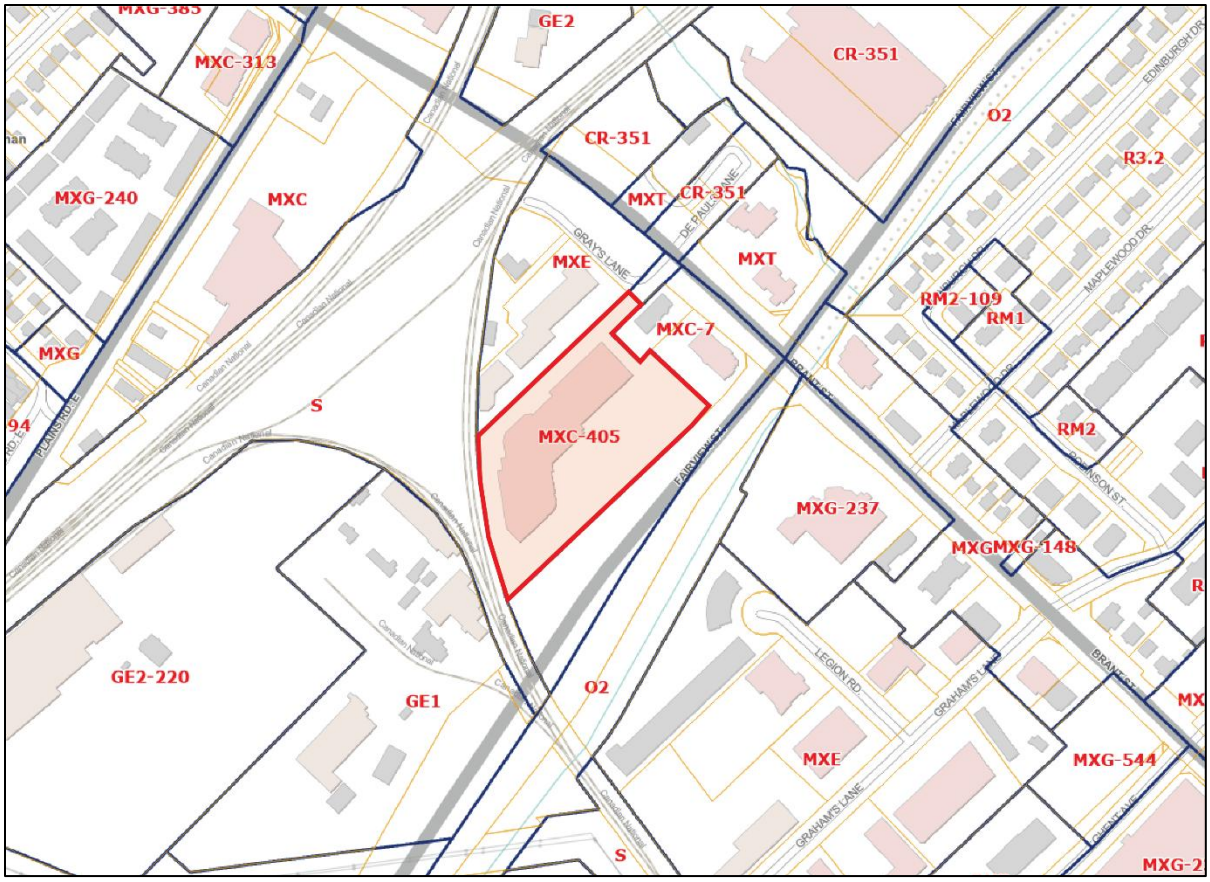


Figure 2: Zoning Mapping with Subject Lands Highlighted in Red. Provided by City of Burlington.

5 Scoped Market Analysis

The proposed Supermarket/Grocery Store use is not anticipated to have any impact on the surrounding retail/grocery store uses as it will cater towards a specific ethnic market that is currently under serviced within the immediate area. Other surrounding grocery stores such Walmart and Longo's tend to provide generic food products which cater towards the general public and will not have any significant impact by the proposed use.

It should be noted that the population density of the surrounding area is set to increase considerably since the Subject Land's previous Zoning By-law Amendment (File #520-0/09) was enacted on September 28, 2009, which continued to prohibit the Supermarket/Grocery Store use. In 2019, the Provincial Government amended the now repealed Growth Plan for the Greater Golden Horseshoe to establish the framework for Major Transit Station Areas, located on higher-order transit stations. As mentioned previously, the Subject Lands are within the MTSA Special Planning Area surrounding the Burlington GO Station which will experience significant growth through the following developments:

Completed Projects

- Paradigm Condominiums – 2093 Fairview Street – 364 Units

Ongoing Projects

- 2089 Fairview Street – Two (2), 18 Storey Towers – 388 Units
- 849 & 855 Brant Street – 11 Storey Apartment, back-to-back townhouses – 313 Units
- 789 – 795 Brant Street – 31 Storey Apartment, Townhouses – 359 Units
- 774 – 782 Brant Street – 14 and 25 Storey Towers – 425 Units
- 769 – 783 Brant Street, 2023 – 2033 Ghent Avenue – 25 Storey Tower – 328 Units
- 747, 761 Brant Street – 8 Storey Tower – 128 Units

The surrounding area is developing at a rate that will meet and possibly exceed the targets established by the Provincial Planning Statement (2024) of 150 units and jobs per hectare as prescribed in Section 2.4.2.2.c., which will in turn substantially increase the demand for the proposed use The population of the surrounding precinct has increased substantially since the 2009 passage of the grocery store prohibition through Zoning By-Law (520-0/09), and will continue this trend as the ongoing projects noted above are built out and occupied. The demand for grocery stores has therefore increased substantially since the passage of the prohibition, and in our professional opinion the prohibition is no longer warranted.

Further, there are multiple other sites in the immediate vicinity as shown in Figure 3 that are also zoned MXC and do permit the Supermarket/Grocery Store use as seen below. As such the Subject Lands should not be prohibited from housing a Supermarket/Grocery store on the basis of its impact on the surrounding market when that concern is not applied to other nearby properties.

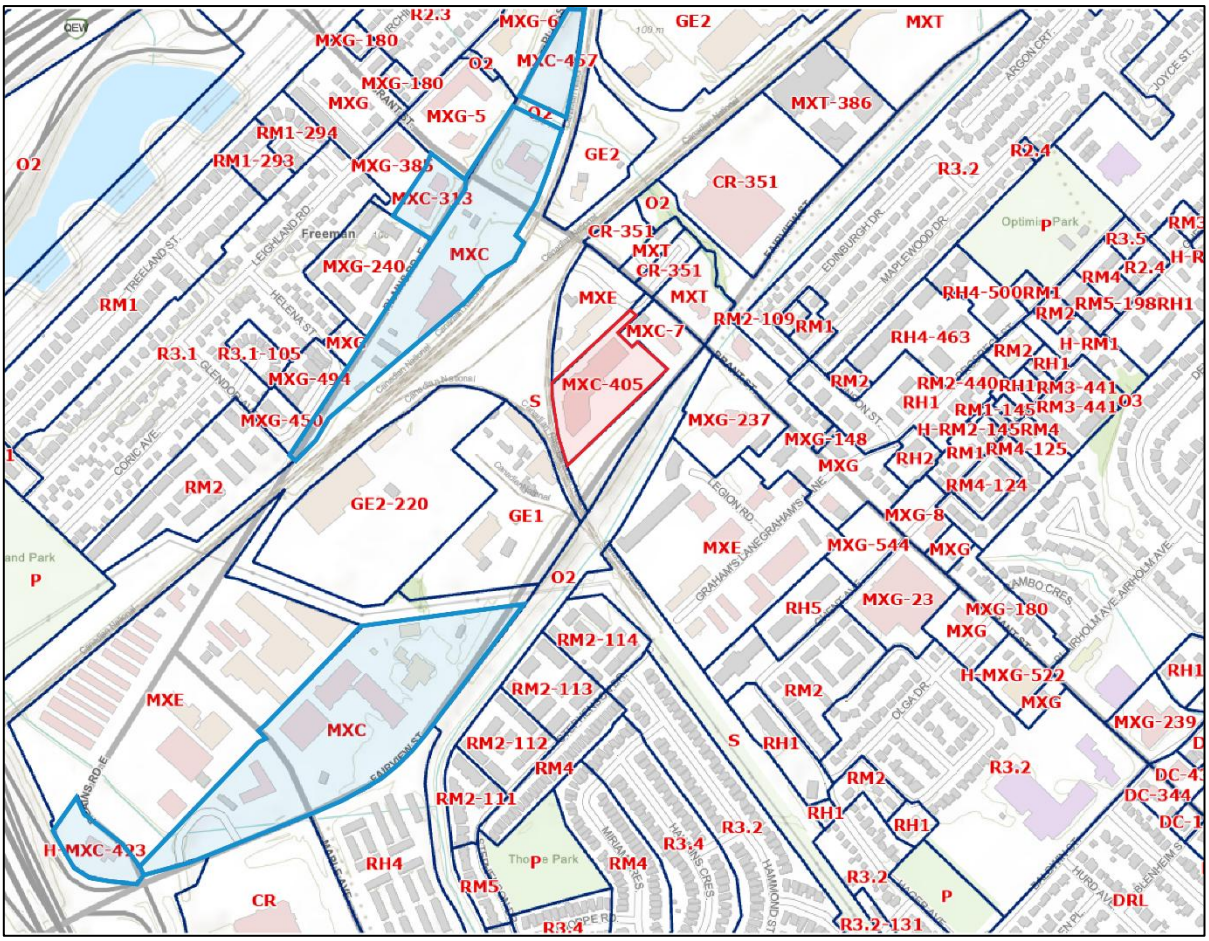


Figure 3: Surrounding Zoning. Subject Lands Highlighted in Red. Other MXC Zoned properties which permit Supermarket/Grocery Store Uses Highlighted in Blue. Provided by City of Burlington.

6 Public Consultation Strategy

In accordance with Section 34 of the Planning Act, "a proposed strategy for consulting with the public with respect to the application" is considered "prescribed information" to be provided as part of applications to amend a Zoning By-law. The following discusses the Public Consultation Strategy for this application.

A public notice flyer (see Appendix D) was delivered to every business within a 120-metre radius of the Subject Lands on August 27, 2025. The flyer includes a description of the proposed development and the proposed amendment removing the prohibition of the Supermarket/Grocery Store use. The flyer further includes contact information for A.J. Clarke & Associates in order to allow for public comments to be delivered, along with information on the future City Council Statutory Public Meeting where members of the public can provide oral or written comments. To date, no public comments have been received by A.J. Clarke & Associates with respect to this proposed application.

7 Conclusions & Planning Opinion

The proposed development complies with, conforms to, and is consistent with the intent and direction provided in the applicable provincial and municipal land use planning documents. The recommendations and conclusions of this report concerning the proposed development are as follows:

- The proposed use is an appropriate reuse of an existing unit within a commercial building with direct access to a multi-purpose arterial (Fairview Street) and a Major Arterial (Brant Street).
- The proposed development supports the creation of complete communities, providing an increase in uses and services available to the existing and future neighbourhood.
- The development utilizes existing infrastructure and services along with sufficient parking located on-site.
- The proposed use will not require any exterior changes to the site does not restrict future redevelopment of the property within a Major Transit Station Area.

The above review and analysis support the conclusions that the location is appropriate proposed use, the proposed development is considerate to and has no impact on the surrounding Supermarket/Grocery Store uses, and the proposed Zoning By-law Amendment is consistent with, and conforms to, the applicable planning policy.

The proposed development represents good planning and should be approved.

Prepared by:

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Urban Planner / Designer
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Reviewed by:

Franz Kloibhofer, MCIP, RPP,
Principal, Planning Lead
A.J Clarke & Associates Ltd.

Appendix A

Draft Zoning By-law Amendment

THE CORPORATION OF THE CITY OF BURLINGTON

BY-LAW NUMBER 2020.XXX

By-law to amend By-law 2020, as amended for 1881 Fairview Street to permit a Supermarket/Grocery Store use.

File Nos: XXXX.XXXX

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 councils of local municipalities; and

Whereas the Council of the Corporation of the City of Burlington approved Recommendation XXX-XX-XX on December 9, 2025 to amend the City's existing Zoning By-law 2020, as amended, to permit a 3,814 square metre Supermarket/Grocery Store;

THE COUNCIL OF THE CORPORATION OF THE CITY OF BURLINGTON HEREBY EXACTS AS FOLLOWS:

1. PART 14 of By-law 2020, as amended, Exceptions to Zone Classifications, is amended by removing Supermarket/Grocery Store as a prohibited use:

    a. Notwithstanding the regulations of the MXC Zone and other general provisions to the contrary, the following provisions apply:

Exception 405	Zone MXC	MAP 10E	Amendment 2020.271	Enacted Dec09/25

1. Outside Storage: Notwithstanding Part 5, Section 4.7 (a), outside storage related to the existing building is permitted subject to the following:
   - Maximum outside storage containers: 6 fully enclosed containers each with dimensions of 12.2 m x 2.4 m x 2.6 m
   - Only permitted to be located between the commercial building and the west property line adjacent to the railway right-of-way
   - Front Yard Setback: 45 m
   - Only permitted to serve retail uses within the building

2. Notwithstanding the provisions of the MXC zone, an existing building which legally existed as of the date of the passage of Zoning By-law 2020.271 (September 28, 2009) is deemed to conform to provisions of the MXC regulations of By-law 2020 for the life of the building.

Except as amended herein, all other provisions of this By-law, as amended, shall apply.

1. When no notice of appeal is filed pursuant to the provisions 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.

2. If one or more appeals are filed pursuant to the provisions 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 Local Planning Appeals Tribunal this By-law shall be deemed to have come into force on the day it was passed.

ENACTED AND PASSED this 9th day of December 2025

_____
Mayor

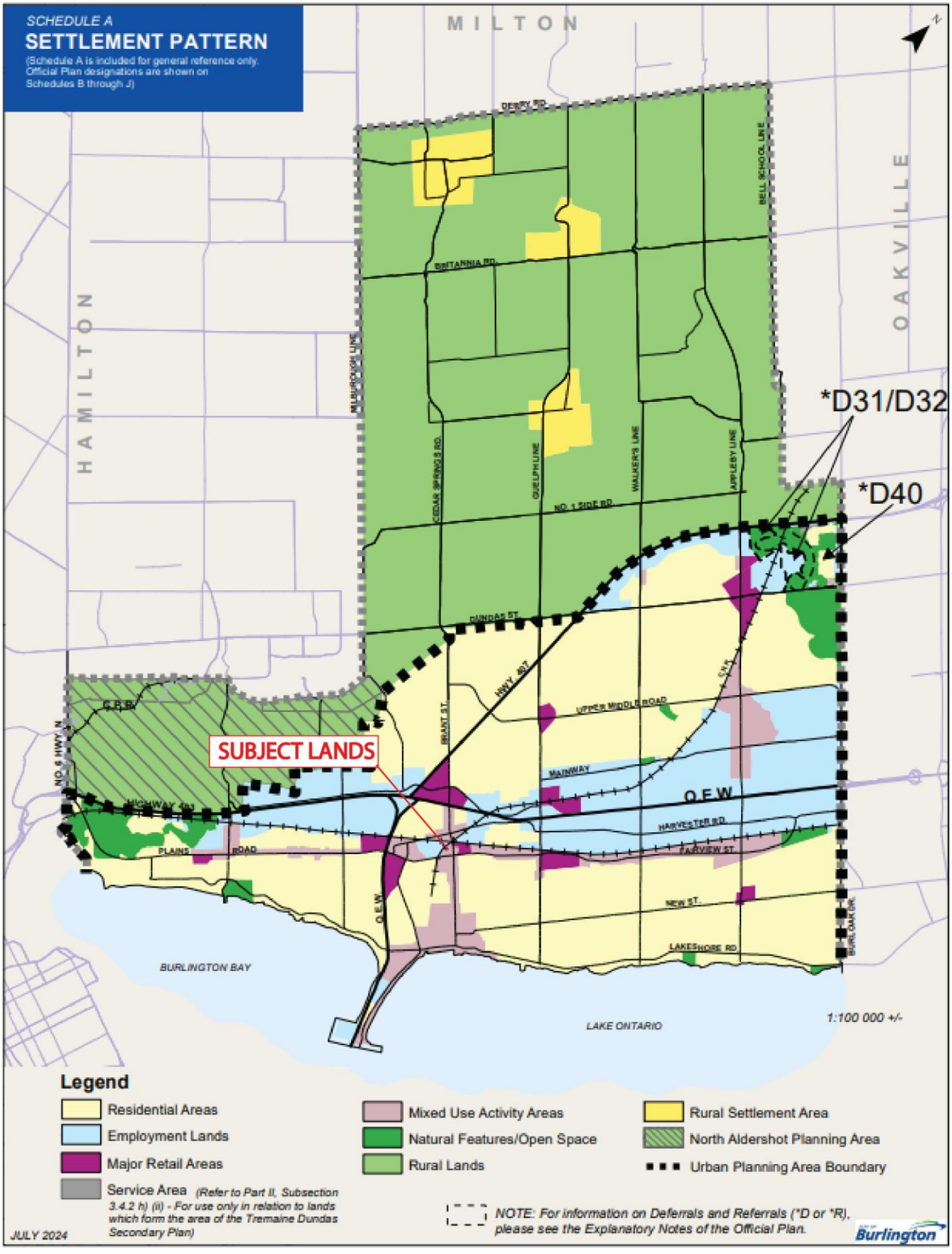
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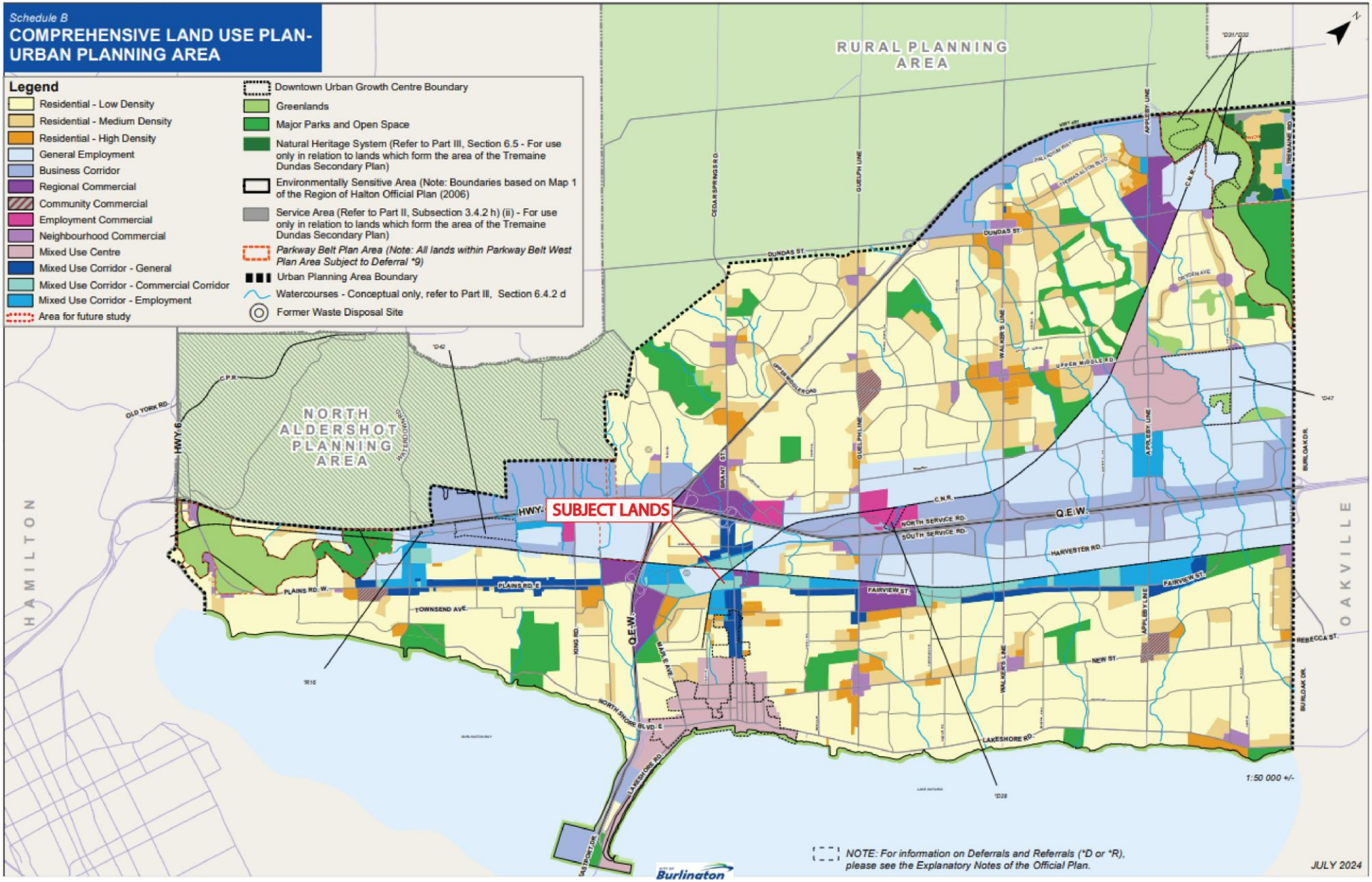
Explanation of Purpose and Effect of By-law 2020.XXX rezones 1881 Fairview Street to permit a 3,814 square metre Supermarket/Grocery Store.

For further information regarding By-law 2020.XXX, please contact Elyse Meneray of the Burlington Community Planning Department at (905) 335-7600, extension 7462.

Appendix B

Burlington Official Plan 1997 Schedule

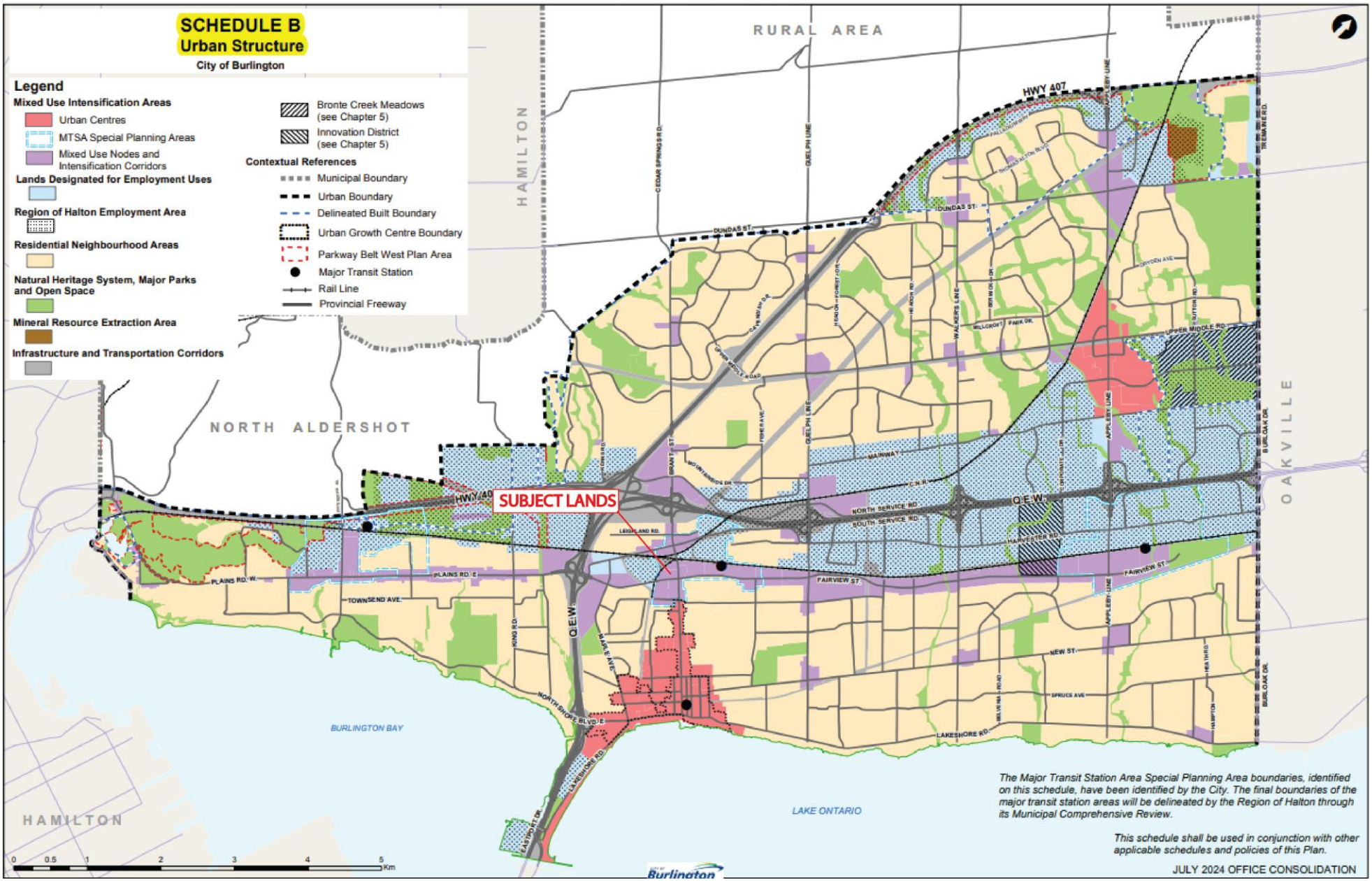

SCHEDULE A
SETTLEMENT PATTERN
(Schedule A is included for general reference only. Official Plan designations are shown on Schedules B through J)
MILTON
HAMILTON
OAKVILLE
DERRY RD
BRITANNIA RD
NO. 1 SIDE RD
DUNDAS ST
UPPER MIDDLE ROAD
MAINWAY
HARVESTER RD
FAIRVIEW ST
NEW ST
LAKESHORE RD
PLAINS ROAD
HIGHWAY 407
HWY 407
QEW
BRANT ST
GUELPH LINE
WALKER'S LINE
APPLEBY LINE
BELL SCHOOL LINE
CEDAR SPRINGS RD
NO. 6 HWY N
C.P.R.
*D31/D32
*D40
SUBJECT LANDS
BURLINGTON BAY
LAKE ONTARIO
1:100 000 +/-
Legend
Residential Areas
Employment Lands
Major Retail Areas
Service Area (Refer to Part II, Subsection 3.4.2 h) (ii) - For use only in relation to lands which form the area of the Tremaine Dundas Secondary Plan)
Mixed Use Activity Areas
Natural Features/Open Space
Rural Lands
Rural Settlement Area
North Aldershot Planning Area
Urban Planning Area Boundary
NOTE: For information on Deferrals and Referrals (*D or *R), please see the Explanatory Notes of the Official Plan.
JULY 2024
Burlington

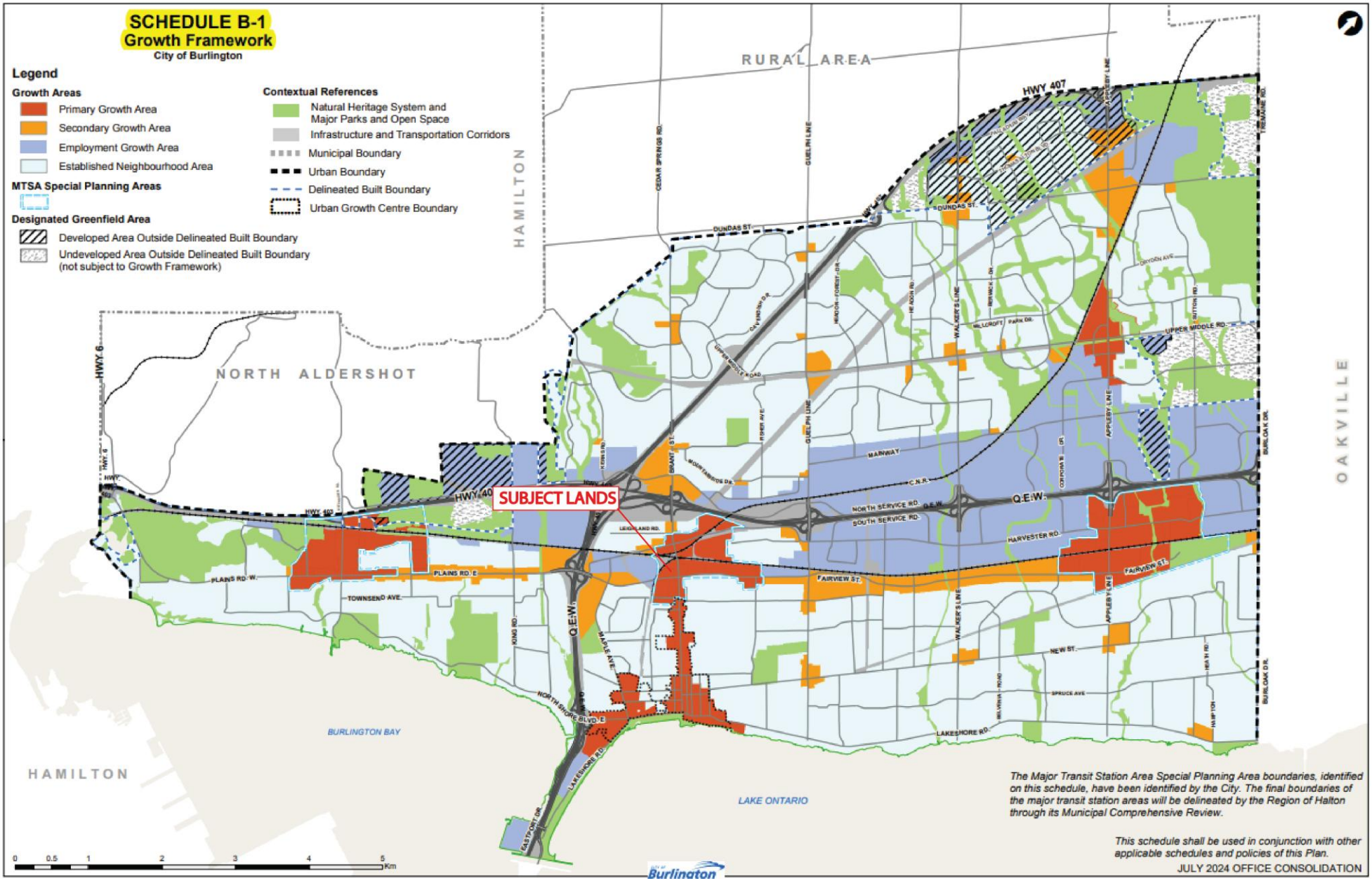

Schedule B
COMPREHENSIVE LAND USE PLAN-
URBAN PLANNING AREA
Legend
Residential - Low Density
Residential - Medium Density
Residential - High Density
General Employment
Business Corridor
Regional Commercial
Community Commercial
Employment Commercial
Neighbourhood Commercial
Mixed Use Centre
Mixed Use Corridor - General
Mixed Use Corridor - Commercial Corridor
Mixed Use Corridor - Employment
Area for future study
Downtown Urban Growth Centre Boundary
Greenlands
Major Parks and Open Space
Natural Heritage System (Refer to Part III, Section 6.5 - For use only in relation to lands which form the area of the Tremaine Dundas Secondary Plan)
Environmentally Sensitive Area (Note: Boundaries based on Map 1 of the Region of Halton Official Plan (2006)
Service Area (Refer to Part II, Subsection 3.4.2 h) (ii) - For use only in relation to lands which form the area of the Tremaine Dundas Secondary Plan)
Parkway Belt Plan Area (Note: All lands within Parkway Belt West Plan Area Subject to Deferral *9)
Urban Planning Area Boundary
Watercourses - Conceptual only, refer to Part III, Section 6.4.2 d
Former Waste Disposal Site
RURAL PLANNING AREA
NORTH ALDERSHOT PLANNING AREA
SUBJECT LANDS
HAMILTON
OAKVILLE
DUNDAS ST.
PLAINS RD. W.
PLAINS RD. E
FAIRVIEW ST.
HARVESTER RD.
NORTH SERVICE RD.
SOUTH SERVICE RD.
LAKESHORE RD.
NEW ST.
REBECCA ST.
Q.E.W.
C.N.R.
C.P.R.
1:50 000 +/-
NOTE: For information on Deferrals and Referrals (*D or *R), please see the Explanatory Notes of the Official Plan.
JULY 2024

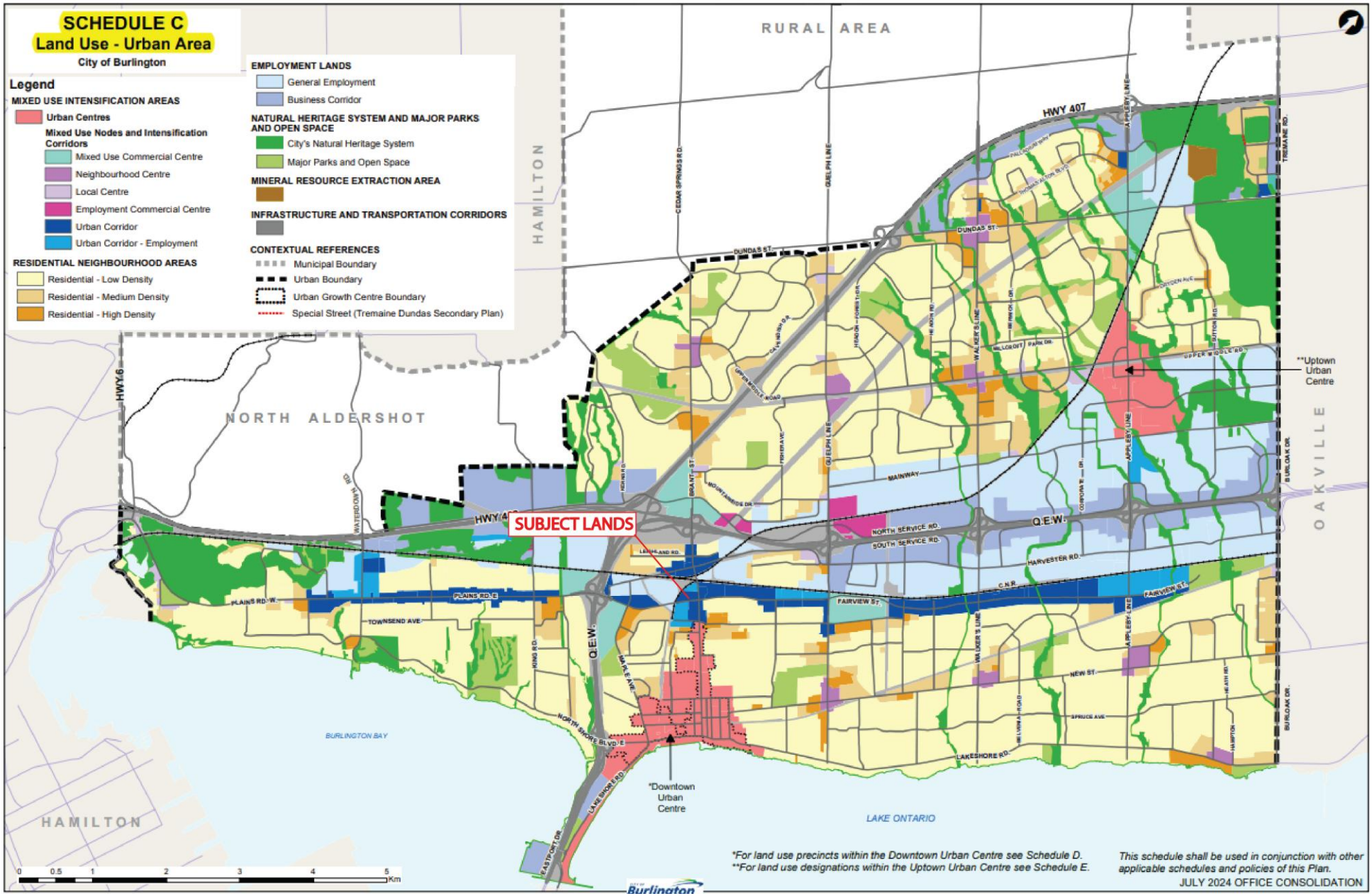
Appendix C

Burlington Official Plan 2020

Schedules


SCHEDULE B
Urban Structure
City of Burlington
Legend
Mixed Use Intensification Areas
Urban Centres
MTSA Special Planning Areas
Mixed Use Nodes and Intensification Corridors
Lands Designated for Employment Uses
Region of Halton Employment Area
Residential Neighbourhood Areas
Natural Heritage System, Major Parks and Open Space
Mineral Resource Extraction Area
Infrastructure and Transportation Corridors
Bronte Creek Meadows (see Chapter 5)
Innovation District (see Chapter 5)
Contextual References
Municipal Boundary
Urban Boundary
Delineated Built Boundary
Urban Growth Centre Boundary
Parkway Belt West Plan Area
Major Transit Station
Rail Line
Provincial Freeway
RURAL AREA
HAMILTON
NORTH ALDERSHOT
OAKVILLE
SUBJECT LANDS
HWY 407
HWY 403
Q.E.W.
DUNDAS ST.
PLAINS RD. E
PLAINS RD. W.
FAIRVIEW ST.
NEW ST.
LAKESHORE RD.
BURLINGTON BAY
LAKE ONTARIO
HAMILTON
0 0.5 1 2 3 4 5 Km
The Major Transit Station Area Special Planning Area boundaries, identified on this schedule, have been identified by the City. The final boundaries of the major transit station areas will be delineated by the Region of Halton through its Municipal Comprehensive Review.
This schedule shall be used in conjunction with other applicable schedules and policies of this Plan.
JULY 2024 OFFICE CONSOLIDATION


SCHEDULE B-1
Growth Framework
City of Burlington
Legend
Growth Areas
Primary Growth Area
Secondary Growth Area
Employment Growth Area
Established Neighbourhood Area
MTSA Special Planning Areas
Designated Greenfield Area
Developed Area Outside Delineated Built Boundary
Undeveloped Area Outside Delineated Built Boundary
(not subject to Growth Framework)
Contextual References
Natural Heritage System and
Major Parks and Open Space
Infrastructure and Transportation Corridors
Municipal Boundary
Urban Boundary
Delineated Built Boundary
Urban Growth Centre Boundary
RURAL AREA
HAMILTON
NORTH ALDERSHOT
OAKVILLE
SUBJECT LANDS
HWY 407
HWY 6
HWY 403
HWY 40
DUNDAS ST.
MAINWAY
C.N.R.
Q.E.W.
NORTH SERVICE RD.
SOUTH SERVICE RD.
HARVESTER RD.
FAIRVIEW ST.
PLAINS RD. W.
PLAINS RD. E
TOWNSEND AVE.
KING RD.
MAPLE AVE.
NORTH SHORE BLVD. E
LAKESHORE RD.
NEW ST.
SPRUCE AVE.
UPPER MIDDLE RD.
APPLEBY LINE
WALKER'S LINE
BURLOAK DR.
BURLINGTON BAY
LAKE ONTARIO
HAMILTON
0 0.5 1 2 3 4 5 Km
The Major Transit Station Area Special Planning Area boundaries, identified on this schedule, have been identified by the City. The final boundaries of the major transit station areas will be delineated by the Region of Halton through its Municipal Comprehensive Review.
This schedule shall be used in conjunction with other applicable schedules and policies of this Plan.
JULY 2024 OFFICE CONSOLIDATION
Burlington


SCHEDULE C
Land Use - Urban Area
City of Burlington
Legend
MIXED USE INTENSIFICATION AREAS
Urban Centres
Mixed Use Nodes and Intensification Corridors
Mixed Use Commercial Centre
Neighbourhood Centre
Local Centre
Employment Commercial Centre
Urban Corridor
Urban Corridor - Employment
RESIDENTIAL NEIGHBOURHOOD AREAS
Residential - Low Density
Residential - Medium Density
Residential - High Density
EMPLOYMENT LANDS
General Employment
Business Corridor
NATURAL HERITAGE SYSTEM AND MAJOR PARKS AND OPEN SPACE
City's Natural Heritage System
Major Parks and Open Space
MINERAL RESOURCE EXTRACTION AREA
INFRASTRUCTURE AND TRANSPORTATION CORRIDORS
CONTEXTUAL REFERENCES
Municipal Boundary
Urban Boundary
Urban Growth Centre Boundary
Special Street (Tremaine Dundas Secondary Plan)
RURAL AREA
HAMILTON
NORTH ALDERSHOT
OAKVILLE
HAMILTON
SUBJECT LANDS
**Uptown Urban Centre
*Downtown Urban Centre
HWY 407
HWY 6
HWY 403
Q.E.W.
DUNDAS ST.
PLAINS RD. W.
PLAINS RD. E
FAIRVIEW ST.
LAKESHORE RD.
NORTH SERVICE RD.
SOUTH SERVICE RD.
HARVESTER RD.
MAINWAY
TOWNSEND AVE.
NEW ST.
SPRUCE AVE.
BURLINGTON BAY
LAKE ONTARIO
0 0.5 1 2 3 4 5 Km
*For land use precincts within the Downtown Urban Centre see Schedule D.
**For land use designations within the Uptown Urban Centre see Schedule E.
This schedule shall be used in conjunction with other applicable schedules and policies of this Plan.
JULY 2024 OFFICE CONSOLIDATION

Appendix D

Public Notice Flyer



Dear Neighbour

A.J. Clarke and Associates Ltd. are in the process of submitting a Zoning By-law (ZBA) application to the City of Burlington on behalf of Amalie Holdings Limited for the property located at 1881 Fairview Street, Burlington.



Description of Proposed Development

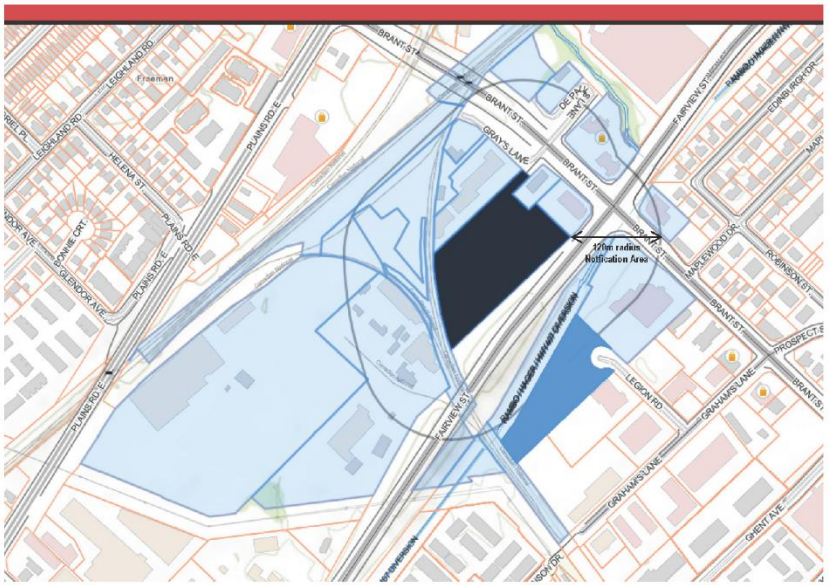
The proposal requests a Zoning Bylaw Amendment to allow a Supermarket/Grocery Store use on the subject lands. No new development or site alteration is proposed through this application. A Supermarket/ Grocery Store is defined as:

"A retail establishment with a floor area greater than 1800 m2, engaged primarily in the sale of a general line of food...and in which a minimum of 51% of the total sales floor area of the establishment is devoted to the sale of food."

Description of the Proposed Amendment

The City of Burlington's Zoning By-law 2020 has zoned the subject lands MXC-405 (Commercial Corridor). The MXC zone permits a range of retail, service commercial, office and recreational uses. Exception 405 currently placed on the site prohibits the proposed Supermarket/Grocery Store use.

The proposed Zoning By-law Amendment would rezone the subject lands to amend the site-specific exception in order to remove the prohibition of a Supermarket/ Grocery Store use.



Options for Providing Public Comment

If you wish to provide comments at this time you are welcome to reach out to our planning team at the following:

Mack Farrant, CPT, MUD, BURPl
Urban Planner / Designer
A.J. Clarke and Associates Ltd.
25 Main Street West, Suite 300, Hamilton, L8P 1H1
Phone: (905) 528-8761
Email: Mack.Farrant@ajclarke.com

Future Burlington City Council Statutory Public Meeting

You will be mailed a public notice in the future inviting you to attend a Council Meeting which will include details regarding the meeting date, how to obtain the staff report, how to provide oral comment at the Council Meeting as a delegation, and how to provide written public comment. This meeting will be held at Burlington City Hall, 426 Brant St.

25 Main Street West, Suite #300, Hamilton, ON
ajc@ajclarke.com
www.ajclarke.com
(905) 528-8761

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www.ajclarke.com