



TO: Development and Infrastructure Committee
FROM: Planning and Building
SUBJECT: Report recommending endorsement of Official Plan Review: Proposed Commercial Lands Policy Directions

Report Number: PB-09-15

Wards Affected: All

File Numbers: 505-08-01

Date to Committee: February 9, 2015

Date to Council: February 23, 2015

Recommendation:

Endorse the proposed commercial lands Policy Directions as presented in Section 2.5 of planning and building department report PB-09-15 for the purpose of developing policies to be brought forward as part of the proposed Official Plan Amendment related to the city's Official Plan Review.

Purpose:

The purpose of the subject report is to propose commercial land policy directions, informed by the findings of the Official Plan Review Commercial Strategy Study, other major studies undertaken through the Official Plan Review, feedback received through consultation with the public and stakeholders, and staff's analysis.

Endorsement of the policy directions will enable staff to proceed to the next phase of policy development which involves drafting the specific textual and mapping amendments to be proposed as part of the Official Plan Amendment related to the Official Plan Review.

Background:

As part of the Official Plan Review, urbanMetrics Inc. and The Planning Partnership were retained by the city to prepare a Commercial Strategy Study (CSS). The purpose of the study was to provide an analysis of Burlington's market characteristics and existing commercial land supply, and to develop a series of policy and design recommendations that facilitate the successful integration of commercial areas within neighbourhoods and the future redevelopment and intensification of these lands.

1.0 Chronology

As part of presenting background information, a chronology is provided in Appendix A – Commercial Lands Work Chronology.

1.1 Directions Reports

The subject report is being issued as a “Directions Report” and serves as an important check in point with Council during the Official Plan Review process. The purpose of a Directions report is discussed in the report titled “2012 Official Plan Review: Comprehensive Work Plan” ([PB-53-12](#)). It provides the opportunity to convey staff analysis and public/stakeholder feedback, and to present a series of policy directions to Council. Subject to Council’s endorsement of the policy directions, staff will draft specific policies to be presented as part of the proposed Official Plan Amendment related to the Official Plan Review.

Discussion:

2.0 Policy Context

This section provides references to pertinent Provincial, Regional and Municipal policy.

2.1 Provincial Policy

Planning Act

The *Planning Act* establishes the framework for land use planning in Ontario and describes how land uses may be controlled, and who may control them. This legislation gives Ontario’s municipalities the authority to manage land uses through Official Plans and Zoning By-Laws. These two documents have the authority to prescribe where commercial uses may be located, specify the uses that may be permitted, and regulate the size, concentration and development standards for commercial uses.

Provincial Policy Statement

The Provincial Policy Statement, PPS 2014, provides policy direction on matters of provincial interest related to land use planning and development. The PPS identifies policies which promote sustainable development and efficient compact urban form and support the ‘long-term economic prosperity’ of a municipality. There is strong support to develop “healthy, livable and safe communities” that are sustained by (Policy 1.1.1):

- a) *promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*

- b) *accommodating an appropriate range and mix of residential (including second units, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;*

The PPS requires that growth be focused within existing settlement areas and promote the vitality and regeneration of those areas. In addition, policies state that:

Planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs (1.1.3.3).

Policy 1.7.1 specifies that “long-term economic prosperity” should be supported by:

- a) *maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets; and*
- d) *encouraging a sense of place, by promoting well-designed built form...*

The City of Burlington’s Official Plan must be consistent with the PPS. The Official Plan is a key tool for implementing the PPS.

Places to Grow

Places to Grow: The Growth Plan for the Greater Horseshoe (Growth Plan) is a provincial plan that came into effect in 2006 to establish a policy framework for managing growth in the Greater Golden Horseshoe. One of the guiding principles of the Growth Plan is to:

build compact, vibrant and complete communities (Section 1.2.2).

To make better use of land and infrastructure and to ensure the development of healthy, safe and balanced communities, and better use of land and infrastructure, the Plan envisages:

... increasing intensification of the existing built-up area, with a focus on urban growth centres, intensification corridors, major transit station areas, brownfield sites and greyfields (Section 2.1).

Expectations for commercial development are integrated through the emphasis on mixed use development and complete communities. The plan describes complete communities as,

... communities that are well-designed, offer transportation choices, accommodate people at all stages of life and have the right mix of housing, a

good range of jobs, and easy access to stores and services to meet daily needs (Section 2.1).

The Growth Plan distributes population and employment growth throughout the Halton Region to the year 2041. With regards to policies that affect commercial designations in the Official Plan, Policy 2.2.2 of the Growth Plan directs municipalities to accommodate population and employment growth, in part, by:

- a) *directing a significant portion of new growth to the built-up areas of the community through intensification;*
- b) *focusing intensification in intensification areas;*
- d) *reducing dependence on the automobile through the development of mixed-use, transit-supportive, pedestrian-friendly urban environments; and*
- h) *encouraging cities and towns to develop as complete communities with a diverse mix of land uses, a range and mix of employment and housing types, high quality public open space and easy access to local stores and services.*

2.2 Region of Halton Official Plan

In 2006, the Region of Halton launched the Sustainable Halton process to respond to the province's Growth Plan, Greenbelt Plan and the Provincial Policy Statement. In 2009, the Region completed the Five-Year Regional Official Plan Review - Comprehensive, known as ROPA 38.

ROPA 38, partially approved by the OMB, incorporates the result of the statutory five-year review of the Regional Official Plan under the Planning Act. The plan directs growth to defined urban areas and states, as key objectives of the urban areas relevant to mixed use areas:

To support a form of growth that is compact and supportive of transit usage and non-motorized modes of travel, reduces the dependence on the automobile, makes efficient use of space and services, promotes live-work relationships and fosters a strong and competitive economy (Section 72(2));

To provide a range of identifiable, inter-connected and complete communities of various sizes, types and characters, which afford maximum choices for residence, work and leisure (Section 72(3)); 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 (Section 72(10)).

Intensification Areas are parts of the Urban Area and consist of Urban Centres, Major Transit Station Areas, Intensification Corridors and Mixed Use Nodes.

Objectives of the Intensification Areas that are relevant for Mixed Use Areas include:

To provide a diverse and compatible mix of land uses, including residential and employment uses, to support neighbourhoods (Section 78 (4));

To create a vibrant, diverse and pedestrian-oriented urban Environment (Section 78 (5)); and

To provide high quality public open spaces with site design and urban design standards that create attractive and vibrant places (Section 78(7)).

With regard to the retail function, it is policy of the Plan to:

Co-ordinate the planning and approval process of large-scale major retail uses whose primary trade area extends beyond the boundary of the Local Municipality where it is proposed... (Section 77(21)).

2.3 City of Burlington Official Plan

The current City of Burlington Official Plan establishes a “commercial hierarchy” system of categorizing commercial centres in terms of their size and function. Factors such as extent of trade area, population thresholds, land use compatibility and functionality, and urban design are key considerations categorising commercial uses within the hierarchy. Each category has a “planned function” which details the role of the commercial designations and suggests an appropriate aggregate quantity of commercial space.

The city’s current Official Plan provides a settlement pattern that concentrates commercial uses within Major Retail Areas, but also permits their controlled dispersion throughout Mixed Use Activity Areas. Each commercial land use designation within the current hierarchy is described under Part III, Section 4.0 - Major Retail Areas and 5.0 - Mixed Use Activity Area, where the principles, objectives and policies that guide development decisions for these areas are provided. Each commercial land use designation provides a description of the form of development intended in the designation and the planned function, as well as a list of permitted uses and, subsequently, zoning regulations.

Outside the Major Retail and Mixed Use Activity Area designations, retail and service commercial uses are not permitted in Residential Areas (Part III - Section 2.2.2 a), and are restricted in Employment Areas (Part III - Section 3.2.1 e). Within Employment Areas, small scale convenience retail and service commercial uses may be permitted to serve employees within the surrounding employment area, as well as retail that is ancillary to an office or industrial use. For the purposes of the commercial lands review, these lands have been excluded from the review and analysis.

“Major Retail Areas” and “Mixed Use Activity Areas” are identified on Schedule A of the current Official Plan. The underlying land designations applicable to these identified lands are refined through Schedule B (Comprehensive Land Use Plan – Urban Planning Area), Schedule E (Downtown Mixed Use Centre), and Schedule F (Uptown Mixed Use Centre) of the Official Plan.

Major Retail Areas (Part III – Section 4.0)

The lands identified as Major Retail Areas in the city’s Official Plan provide locations where the primary use of land involves the buying and selling of goods and services at various geographic levels (city-wide or community-wide) as they are categorized in terms of their size, and function. Two principles in Part III-Section 4.1 underline the applicable policies in the OP:

- a. *“Encourage the orderly distribution and development of retail and service commercial uses to satisfy the shopping and service needs of residents and shoppers.”*
- b. *“Shopping activities that attract large numbers of employees and shoppers shall be served by public transit.”*

Major Retail Areas in the OP include:

- Regional Commercial Areas (Part III - Section 4.3);
- Community Commercial Areas (Part III - Section 4.4);
- Employment Commercial Areas (Part III - Section 4.5); and
- Neighbourhood Commercial Areas (Part III - Section 4.6).

Mixed Use Activity Areas (Part III – Section 5.0)

The Mixed Use Activity Area policies are based on the concept of creating locations where employment, shopping and residential uses are developed and integrated in a compact urban form, at higher development intensities and with a pedestrian and transit-oriented emphasis. The policies for these areas are based on three principles found in Part III – Section 5.1:

- a. *Mixed Use Activity Areas provide alternatives to low density, suburban development and encourage the efficient use of physical resources and municipal services.*
- b. *The design and development of Mixed Use Activity Areas provide opportunities to create and/or maintain a special community identity and a focal point for a variety of city-wide, community and neighbourhood functions; and*
- c. *Mixed Use Activity Areas address the demand for higher intensity employment, shopping and residential areas within the City.*

Mixed Use Activity Areas in the OP include:

- Mixed Use Corridor (General, Employment and Commercial Corridor) (Part III - Section 5.3);
- Mixed Use Corridor Commercial Corridor Areas (Part III - Section 5.3.3);
- Mixed Use Corridor – Employment Areas (Part III - Section 5.3.4);
- Mixed Use Centre (Part III - Section 5.4):
 - Downtown Mixed Use Centre (Part III - Section 5.5); and
 - Uptown Mixed Use Centre (Part III - Section 5.6).

Functional Policies

The Functional Policies of the Official Plan present a series of principles, objectives and policies that are applicable throughout the city (Part II). Policies in this section are important in guiding the development of Mixed Use Areas.

Particularly relevant topics include:

1. Sustainable Design and Compatibility (Part II – Section 2.7)

The Sustainable Design and Compatibility Policies are intended to ensure, through the site planning process, that building layout and urban form is consistent with Sustainable Development principles, and to encourage, wherever possible, development to be accessible by pedestrians, cyclists and public transit.

2. Transportation Policies (Part II – Section 3.0)

Transportation and land use are linked and should be effectively coordinated to ensure good planning. The Transportation Policies are intended to develop a transportation system that supports and complements the city's urban development plans and to encourage alternative travel by creating an urban environment that encourages walking, cycling and transit use and increases opportunities to live close to work and satisfy day-to-day needs locally without relying on the automobile.

3. Design Policies (Part II – Section 6.0)

The city is committed to a high standard of design and architecture. To this end, the design principles, objectives and policies are intended to ensure that the tangible elements of the urban form are designed in an efficient and attractive manner, and that the quality of the public realm, heritage and natural features, and neighbourhood character are enhanced through the design process. Moreover, these policies are also intended to ensure compatibility with the surrounding area, and that the principles of Sustainable Development and the Accessibility Design Standards are considered.

2.4 Commercial Strategy Study Findings and Council Workshop

Council received the findings of the Commercial Strategy Study on March 24, 2014 through staff report [PB-09-14](#) (Please refer to the staff report for a full discussion of the findings and conclusions of the CSS). As outlined in Appendix A – *Commercial Lands Work Chronology*, shortly after the Commercial Strategy Study was received by Council, staff scheduled a Council Workshop on July 7, 2014 to discuss the Study’s findings and recommendations and potential directions. The purpose of the Council Workshop was to:

- present the context of commercial lands planning;
- discuss findings from the consultant’s work;
- facilitate a collective discussion with Council;
- obtain feedback from Council to inform the Official Plan Review; and
- provide an opportunity for discussion on potential policy directions for commercial lands.

As part of resourcing the Council Workshop discussion, staff prepared a Commercial Lands Briefing Note dated July 7, 2014 (Appendix B - *Briefing Note: Council Workshop on the Commercial Strategy Study*). The intent of the Briefing Note was to present a series of potential policy directions that build upon the recommendations of the study prepared by the consulting team, and that indicate where staff are considering modifying policies in the Official Plan. The objective was to obtain feedback from City Council prior to bringing the subject Directions Report forward for Council’s consideration and endorsement.

Please refer to Public Engagement Matters, for a list of the themes identified in the discussion.

2.5 Policy Directions

The ten potential policy directions presented at the Council Workshop provide the organizing framework for the discussion below. It may be helpful to refer Appendix B - *Briefing Note: Council Workshop on the Commercial Strategy Study*, and review the discussion of the issue and the status of each direction. These policy directions have been prepared to give Council, the public and key stakeholders, a clear understanding of the general approach for modifications to commercial lands policy. Final policy language is intentionally not included as the policy will be drafted subject to Council’s endorsement of the policy directions.

The recommended changes to the City of Burlington Official Plan are intended to strengthen the city’s commitment to “Growing in Place” recognizing that commercial lands are capable of transitioning into intensified mixed use areas. Specifically, the policy changes are intended to:

- better incorporate commercial land use planning with other uses and urban design;
- integrate a greater mix of uses to create more vibrant places; and
- support the success of existing neighbourhoods and the transition towards more compact and complete communities.

Since the Council Workshop, the policy directions have been consolidated from ten to seven. New Mixed Use Area policies will be brought forward in conjunction with new policies for the Employment Areas and the Mobility Hubs to ensure consistency and that a comprehensive approach is built into the new Official Plan.

Policy Direction A:

Merge two existing land use designations, *Major Retail Areas* and *Mixed Use Activity Areas* to create *Mixed Use Areas* by:

- i. Consolidating Major Retail Area and Mixed Use Activity Area designations into a new series of Mixed Use Area designations consisting of:**
 - 1. Urban Centres;**
 - 2. Urban Corridors;**
 - 3. Mixed Use Commercial Centres;**
 - 4. Employment Commercial Centres;**
 - 5. Neighbourhood Centres; and**
 - 6. Neighbourhood Corridors;**
- ii. Retaining existing principles, general objectives and policies for “Mixed Use Activity Areas”, which describe the type of place, built form and function that the city intends to achieve in “Mixed Use Areas”.**

The proposed direction merges two distinct chapters of the Official Plan into one consolidated chapter, combining lands currently identified within the *Major Retail Areas* and *Mixed Use Activity Areas*. Given that these land areas, and the specific designations within these areas, provide guidance on the uses that are permitted, including retail, service commercial and residential uses, and outline urban design objectives, there is no need to keep them distinct. All the lands have the capacity to remain as is, or evolve into mixed use areas as the city progresses to “build out”, while retaining the essential commercial functions that are important to serve the needs of the community.

The other implication related to consolidating the two existing designations into one is that rather than maintaining a policy framework of “large, medium and small retail areas”, the Plan adopts an approach comprising a “system of centres

and corridors” where a mix of uses, infrastructure, etc. will be emphasized to support the neighbourhoods that surround them. Refer to Appendix C - *Lands subject to the new hierarchy of Mixed Use Areas* and Appendix D - *Comparison of existing to proposed designations related to the Commercial Strategy Study* for an overview of the city’s Major Retail Areas and Mixed Use Activity Areas that are considered in the new Mixed Use Area hierarchy.

As part of merging the two areas of the Official Plan and developing a new policy framework, the following other policy changes are required within the new classifications for:

1. Urban Centres;
2. Urban Corridors;
3. Mixed Use Commercial Centres;
4. Employment Commercial Centres;
5. Neighbourhood Centres; and
6. Neighbourhood Corridors;

1. Shift *Mixed Use Centre* to *Urban Centre* designation:

The new policy framework will include an “Urban Centre” designation inclusive of the *Downtown Urban Centre* and *Uptown Urban Centre* designations. Amendments to the Downtown and Uptown Mixed Use Centres will be required:

Downtown Urban Centre

Amend the downtown policies with respect to the concentration and distribution of retail, service commercial and office uses at-grade by:

- i. **Introducing a Downtown Commercial and Office Street Schedule to indicate the location of commercial retail, service commercial and office uses at street level in the *Downtown Urban Centre* based on the following characterization:**
 - a. **Streets where retail or service commercial uses *shall* be required continuously at street level;**
 - b. **Streets where retail, service commercial or office uses *shall* be required continuously at street level;**
 - c. **Streets where retail, service commercial or office uses *may* be permitted at street level; and**
 - d. **Streets where service commercial or office uses *may* be permitted at street level, while retail uses *shall* not be permitted.**

- ii. **Introducing a commercial at-grade policy framework under the general policies for the *Downtown Urban Centre* that describes commercial retail, service commercial and office permissions in the downtown in accordance with a new Downtown Commercial and Office Street Schedule.**
- iii. **Removing general retail and service commercial requirements at-grade from the Downtown Core, Wellington Square Mixed Use, and Old Lakeshore Road Mixed Use Precincts policies, and amending policies to state that retail, service commercial and office uses at street level shall be subject to the Commercial at-grade policies under the general policies for the *Downtown Urban Centre*.**
- iv. **Adding a policy to promote walking as a means of active transportation in the downtown, ensuring design to support animation of the street and a vibrant mix of uses.**
- v. **Requiring proponents of new developments along streets identified in the new Downtown Commercial and Office Street Schedule to design the building(s) first storey to be greater in height to support land use adaptability over time (e.g. to accommodate a change from residential to office or retail).**
- vi. **Introducing permission for commercial retail, service commercial or office uses at street level along the Elgin Promenade in accordance with new commercial at-grade policies. (see page 12 below for reference to the Elgin Promenade)**
- vii. **Ensuring new development on sites adjacent to the Elgin Promenade incorporates a functional entrance to the uses located at street level.**

Report [PB-53-12](#) - *2012 Official Plan Review: Comprehensive Work Plan* identified a series of key issues in the Downtown Work Plan and confirmed that the precinct approach and land use configuration remain appropriate as the means to achieve the targets mandated under *Places to Grow*. The discussion on the appropriate building heights in the downtown will be presented in a separate report as part of the Downtown Work Plan.

The Commercial Strategy Study recommended policy directions to clarify the role of the downtown in the city's retail hierarchy and to improve the long-term success of the area.

Long-term Success and Attractiveness of the Downtown

The proposed policy changes are intended to continue to recognize the downtown as a lively, vibrant people place with unique qualities related to its mixed use role. The policy modifications introduce a revised approach to guiding commercial retail, service commercial and office uses at street level. The approach distinguishes where certain uses must occur versus where they may occur and recognizes that there is a need to increase flexibility with respect to retail, service commercial and office uses at street level.

Attracting stand alone office uses to the downtown has been, and continues to be, a challenge. Yet, there is a demand for office space in the downtown as evidenced by leasing enquiries by office users for ground floor space (where office uses are currently not permitted). The proposal to allow office uses at grade on specific streets in the downtown is both a recognition of existing demand and a means to encourage additional office uses within the downtown in the absence of new office building construction.

Land Use Adaptability

As new opportunities are introduced to enhance the commercial land use policy framework for the *Downtown Urban Centre*, additional consideration should be given to support land use adaptability over time and to introduce tools to support retail and service commercial uses at street level in mixed use developments over time.

Support Core Commitment initiative to establish Elgin Promenade

Official Plan policies can contribute to achieve Core Commitment's initiative to improve the east-west, mid-block pedestrian connection between Martha Street and Brant Street using existing rights-of-way through municipal parking lots (known as the Elgin Promenade) by incorporating considerations for retail, service commercial and/or offices use at street level.

Uptown Urban Centre

Amend Uptown commercial lands policies as part of a separate comprehensive land use review of Uptown.

There is the opportunity to refine policy to align with Uptown's vision and objectives. Proposed refinements will recognize the importance of future redevelopment in the area. The updated policy framework will retain Uptown as an urban centre and as an important destination for the community, which may accommodate a range and intensity of permitted commercial uses.

Policy directions specific to the *Uptown Urban Centre*, including recommendations for commercial uses, will be developed through the comprehensive policy and land use review included as part of the technical work plan of the Official Plan Review. Discussion regarding Uptown policies will be brought forward through a Policy Brief, a document created to provide background information, discuss issues and request feedback. This item will also be discussed as part of an upcoming Technical Work Plan Council Workshop scheduled for Q2, 2015.

2. **Shift *Mixed Use Corridor* to *Urban Corridor* designation by:**
 - i. **Amending policies to reflect the introduction of the new hierarchy of *Mixed Use Areas* and the implementing policies for the *Urban Corridor* designation.**
 - ii. **Consolidating the existing *Mixed Use Corridor-General (MXG)* and *Mixed Use Corridor-Commercial (MXC)* designations and renaming these lands *Urban Corridor*.**
 - iii. **Continuing to require a minimum two-storey building height and permit a maximum six-storey building height on *Urban Corridors*.**
 - iv. **Permitting higher density land uses and taller buildings where *Urban Corridors* intersect with minor and multi-purpose arterial roads or provincial freeways; or existing areas of development concentration, subject to criteria.**
 - v. **Encouraging the transition of currently designated *Mixed Use Corridor-Commercial* lands (MXC), which are recognized for lower intensity retail development, to a more compact and pedestrian-friendly form as opportunities for redevelopment arise.**
 - vi. **Designating the following *Regional Commercial* locations as *Urban Corridor*; recognizing their regional commercial function and the opportunity to facilitate a broader mix of commercial, cultural, office, institutional, open space uses and taller buildings in these locations, subject to evaluation of site specific criteria:**
 1. **The lands bounded by Guelph Line, Prospect Street, Cumberland Avenue and the CNR tracks (Burlington Mall);**
 2. **2065 Fairview St (Walmart Supercentre);**
 3. **933 Brant Street;**
 4. **900 Maple Ave (Mapleview Mall); and**
 5. **The lands on the north side of Plains Rd. E., west of QEW (Ikea/Fortinos site).**

- vii. **Designating the current *Community Commercial* location on the south side of Plains Road, east of Daryl Drive as *Urban Corridor* and continuing to permit medium and high density residential uses and taller buildings.**
- viii. **Notwithstanding the proposed policy approach of shifting *Mixed Use Corridor* areas to *Urban Corridors*, recognize that any changes to the existing *Mixed-Use Corridor Employment (MXE)* designation will be considered through the **Municipal Comprehensive Review**.**

Plains Road East, Fairview Street, and sections of Brant Street (between Lakeshore Rd. and Highway 407) are key urban corridor areas where redevelopment is expected to occur with a concentration of transit-supportive and pedestrian-oriented mixed uses. The city is already experiencing changes along these intensification corridors; however the redevelopment of Urban Corridors, in general, will happen over time and may vary from one segment to another, depending on the existing built form, the provision of transit services and the nature of development.

Even though transformation is expected and a wide range of uses is encouraged, including residential, not all sites will allow for the full range of permitted uses, based on specific factors. This distinction will be further translated into OP Policy and Zoning By-Law regulations.

Policies will also introduce language to promote more walkable and transit-supportive communities as the urban corridors redevelop over time, a process that will be facilitated by the use of urban design guidelines.

- 3. **Establish *Mixed Use Commercial Centre* policies by:**
 - i. **Developing a policy framework for *Mixed Use Commercial Centre* designation and incorporating uses permitted under the current *Regional Commercial* designation to allow a wide range of retail and service commercial uses, community facilities, offices, entertainment, recreation, and medium and high density residential uses where feasible.**
 - ii. **Re-designating the *Regional Commercial* lands at the following locations as *Mixed Use Commercial Centre*:**
 - 1. **The *Regional Commercial* lands on the four quadrants of Dundas Street and Appleby Line; and**
 - 2. **The *Regional Commercial* lands on both sides of Brant Street between the QEW and Highway 407.**

- iii. **Continuing to permit residential and office uses in freestanding buildings or in the upper storeys of commercial buildings in new Mixed Use Commercial Centres.**
- iv. **Promoting the intensification and redevelopment of existing surface parking areas into appealing, walkable, and mixed use environments.**
- v. **Encouraging, through a more detailed planning process, a minimum two-storey building height in new development, particularly on lands adjacent to arterial roads and major intersections in order to assist in achieving intensity and better use of transit network.**

The two existing regional commercial nodes located on the east and west sides of Brant Street, north of QEW and south and east of HWY 407, and at the intersection of Dundas Street and Appleby Line are characterized by lands that accommodate large format retail uses that serve a wide catchment area and are accessed primarily by vehicles. These areas have developed or continue to develop and they are not anticipated to change in the near term. However, it is anticipated that over the long term these areas will retain a significant retail presence and have the potential to redevelop in a more intensive pedestrian and transit-oriented way as new uses and transportation options are introduced. In the future, the transition of select *Regional Commercial* lands to *Mixed Use Commercial Centres* will support the city's intensification objectives.

- 4. **Retain *Employment Commercial* policies and re-designate these lands as *Employment Commercial Centres* by:**
 - i. **Retaining in policy that the objective of *Employment Commercial Centres* is to provide locations in the city for a wide range of employment uses, as well as retail uses which have employment characteristics, and to recognize these lands have potential for employment use.**
 - ii. **Strengthening in policy its support to the surrounding high quality employment lands.**
 - iii. **Continuing to limit the range of retail commercial uses to include only those that have employment characteristics and retaining current minimum floor area requirement for retail uses in new *Employment Commercial Centres*.**
 - iv. **Continuing to state in policy that it is the intent of the plan not to designate additional lands for *Employment Commercial Centres*.**

While the *Employment Commercial* designation is found within the Major Retail Areas policies of the Plan, there are some opportunities to clarify the intent of this designation and support its future redevelopment into a physically and functionally integrated mixed use activity area with employment, limited retail and office uses.

The *Mixed Use Employment Commercial Centre* will continue to support the surrounding high quality employment lands and will be in a position to transition to a more intense, pedestrian and transit oriented environment. Additional design guidance will be applied at the time of redevelopment to achieve this objective.

For further discussion on *Employment Commercial* lands please refer to report [PB-02-15](#): Report recommending endorsement of Official Plan Review: Proposed Employment Lands Policy Directions.

5. Establish the *Neighbourhood Centre* designation by:

- i. Developing a policy framework for the *Neighbourhood Centre* designation that permits a broad mix of retail and service commercial uses, entertainment, recreation, community facilities and medium and high density mid-rise residential uses.**
- ii. Stating in policy that development of *Neighbourhood Centres* will retain a significant amount of retail space in a more compact form, compatible with adjacent land uses.**
- iii. Designating the *Community Commercial (CC)* and *Neighbourhood Commercial (CN)* lands at the following locations as *Neighbourhood Centres*:¹**
 - 1. Intersection of Hampton Heath Road and Lakeshore Road (Lakeside Plaza) (CN);**
 - 2. Intersection of Guelph Line and New Street (Roseland Plaza, Village Gate Plaza), (CN);**
 - 3. Intersection of Walkers Line and New Street (Eastway Plaza) (CN);**
 - 4. Intersection of Appleby Line and New Street (Appleby Mall) (CC);**

¹ The name of some commercial plazas is used as a reference to the geographic location only. The proposed *Neighbourhood Centres* may be comprised by other commercial centres of various sites.

5. **Intersection of Brant Street and Upper Middle Road (Upper Brant Plaza, Duncaster Plaza) (CN);**
 6. **Intersection of Guelph Line and Upper Middle Road (Burlington Supercentre, Burlington Heights Centre) (CC);**
 7. **Intersection of Walkers Line and Upper Middle Road (Miltown Plaza, Walker's Place) (CN); and**
 8. **Intersection of Walkers Line and Dundas Street (Headon Forest Plaza, Walker's Medical Art Centre) (CN).**
- iv. **Adding implementation policies for new or redeveloped *Neighbourhood Centres*, requiring a minimum two-storey building height, and permitting a maximum four-storey building height in *Neighbourhood Centre* designations. A maximum six-storey building height may be permitted adjacent to an arterial road or at the intersection of two arterial roads, and subject to our intensification policies.**
 - v. **Retaining permission for taller buildings in the new *Neighbourhood Centres* located at the intersections of Appleby Line and New Street and at the intersection of Guelph Line and Upper Middle Road subject to site specific criteria (e.g. traffic, land use compatibility and environmental factors).**

Neighbourhood Centres are located primarily at the intersection of main streets, adjacent to residential areas throughout the city. These centres represent an opportunity to transform existing community plazas into vibrant people places that serve as a focal point for surrounding neighbourhoods and future residents, offering a range of retail and service commercial uses, community facilities, residential uses above grade and open spaces in an appealing, walkable mixed use node.

6. **Establish the *Neighbourhood Corridor* designation by:**
 - i. **Developing a policy framework for the *Neighbourhood Corridor* designation and incorporating uses currently permitted under the *Neighbourhood Commercial* designation to allow a limited range of retail and service commercial uses, office uses and community facilities and residential uses above the ground floor.**
 - ii. **Designating the *Neighbourhood Commercial* lands not included in the list of new *Neighbourhood Centres* identified in Policy Direction A – number 5, of this report as *Neighbourhood Corridor*.**

- iii. **Adding implementation policies for *Neighbourhood Corridors* including a minimum two-storey building height, and a maximum three-storey building height.**

Neighbourhood Corridors are located adjacent to residential areas and include most of the current *Neighbourhood Commercial* lands. They are generally surrounded by low-rise residential neighbourhoods and are often flanked by residential low and medium density areas. These commercial areas will redevelop to enhance and reinforce the character of the community and a sense of place by providing places for residents to walk such as local retail businesses and services, small-scale amenities and services as well as limited office uses while retaining their medium density residential character.

Policy Direction B:

Emphasize the importance of “Placemaking” as a component of the redevelopment of lands within the new *Mixed Use Area* policy framework by:

- i. **Amending policies in the Land Use Vision section of the Official Plan to reflect the transition of commercial areas as important areas in assisting the city in achieving its intensification objectives.**
- ii. **Incorporating the principle of Placemaking as part of the guiding principles in the Official Plan for the urban and rural environment.**
- iii. **Adding a definition of Placemaking and developing Placemaking principles that can be used to evolve public spaces into community places.**
- iv. **Amending policies as needed with language that promotes a transition towards mixed use development and better communicate the type of place, built character and function that the City intends to achieve in Mixed Use Areas.**
- v. **Developing enhanced Zoning By-Law and Site Plan considerations to guide redevelopment within Mixed Use Areas that will contribute to the creation of walkable, active and a socially engaging public realm.**
- vi. **Stating in policy that the city may require the submission of Design Studies in conjunction with major mixed use development proposals to establish coordinated circulation, built form and public realm frameworks and to demonstrate how the pattern of development will implement the requirements and provisions of the Official Plan.**

- vii. **Consolidating and expanding policies into a single transportation demand management policy and considering Transportation Demand Management measures in new developments within Mixed Use Areas.**
- viii. **Stating in policy that minimum and maximum parking standards may be used for new development in Mixed Use Areas.**
- ix. **Retaining policy stating that the reduction of parking standards in Mixed Use Areas may be considered in order to encourage greater reliance on non-automobile forms of transportation.**
- x. **Enhancing design and site layout criteria to mitigate the impact of development on adjacent residential developments and in the public realm and referencing in policy the implementation of model urban design guidelines.**
- xi. **Adding a definition of greyfield (i.e. underutilized commercial properties).**
- xii. **Considering tools to mitigate potential impacts (e.g. odour, noise, vibration, etc.) associated with locating a residential use above a non-residential use and to notify future residents about these potential impacts.**
- xiii. **Amending policy to reduce perceived or real barriers to the introduction of Community Infrastructure.²**
- xiv. **Recognizing in policy that urban design guidelines are applicable to new development in Mixed Use Areas and new commercial uses in Residential Medium and High Density areas.**

Complete Communities

As the city's intensification areas redevelop over time, it will become increasingly essential to ensure development contributes to the creation of vibrant, mixed-use, complete communities that are more pedestrian-oriented, transit supportive and human in scale. Enhanced policies will be needed to support the evolution of mixed use areas into complete communities through the integration of a wide range of land uses.

² Community infrastructure is defined as a complex system of facilities, programs, and social networks that aims to improve people's quality of life.

Commercial trends in Burlington are indicative of a balanced and healthy market, which suggests that incentives are not needed to stimulate commercial development. However, select strategic opportunities can be considered to support community infrastructure within Mixed Use Areas as these contribute to the quality of life of people and communities by providing public services for health, education, recreation, socio-cultural activities, security and safety, and affordable housing).

Placemaking Principles and Policies

Placemaking is a multi-faceted approach to the planning, design and management of public spaces, the public realm and communities that involves including people in the discussion of designing public spaces that reflect shared value and support healthy communities. Through the Commercial Strategy Study and the Mobility Hubs Opportunities and Constraints Study “Placemaking” was identified as a crucial element to realizing vibrant mixed use places. There are opportunities to enhance the guiding principles and to add Placemaking to the series of existing guiding principles in the Official Plan for the urban and rural environment.

Design Guidelines

As the city continues to grow, it is anticipated that the Mixed Use Areas will transition in character and scale. Urban design will become increasingly important in managing the relationship between the private and public realm and between redevelopment areas adjacent to stable areas, mainly residential.

It is the general intent of the Official Plan that Mixed Use Areas shall reflect high quality urban design, and that Council may require the preparation of design guidelines as part of the consideration of major site- or area-specific developments.

Design Guidelines will ensure that the principles of sustainability, compatibility, Placemaking, pedestrian and transit-oriented development and efficient and attractive urban form are achieved. The revised Urban Design Guidelines for future mixed use areas will inform development. Subsequent development applications will be assessed based on these guidelines.

Policy Direction C:

Introduce small-scale retail and service commercial uses in Residential Areas by:

- i. Permitting small-scale convenience commercial uses in Residential-Medium and High Density areas, with the exception of Downtown**

and Uptown Urban Centres, subject to a Zoning By-Law amendment and criteria based on, but not limited to:

- a. **Location adjacent to a minor, multi-purpose or major arterial roadway;**
 - b. **The limitation of gross leasable commercial floor area space;**
 - c. **Compatibility with the on-site and adjacent residential environment;**
 - d. **Capacity to mitigate impacts (e.g. noise, odour, garbage, loading areas, signage, lighting); and**
 - e. **Ability to accommodate required parking.**
- ii. **Adding a policy that restricts commercial uses in residential development that do not achieve a minimum density target.**

Pedestrian-oriented convenience commercial uses in residential areas can contribute to transitioning to complete, walkable communities; however, appropriate criteria should be developed to preserve the surrounding residential character and built form and to mitigate impacts of the introduction of commercial space on the surrounding neighbourhood. Ancillary convenience commercial uses should be permitted in residential medium and high density areas only at appropriate locations to foster this transition. Such commercial uses should cater to pedestrian, cycling and non-vehicular travel and serve residences on site and those within walking distance of the use.

Policy Direction D:

Consider a shift from area-specific caps in total retail building area to an alternative approach by:

- i. **Discontinuing the use of total retail gross floor area limits in Mixed Use Areas and emphasize built form requirements and the mix of uses.**
- ii. **Retaining site area limits for Mixed Use Commercial Centres, Neighbourhood Centres and Neighbourhood Corridors.**
- iii. **Discontinuing the requirement for a market study or a feasibility analysis when considering commercial re-development or re-investment within Mixed Use Areas.**
- iv. **When considering re-development or re-investment in areas that have commercial space, require that the equivalent amount of retail space is retained to warrant the full range of commercial facilities required to support the Mixed Use Areas and surrounding areas, and**

permit a reduction of the amount of retail space only when justified by a market study.

- v. Monitoring the city's commercial land supply by tracking the amount of new or lost commercial space resulting from re-designation.**

Retail Nodes

The Commercial Strategy Study recommended discontinuing the use of area-based caps for the concentration of retail and service commercial uses and introducing gross floor area limits of individual retail units. However, staff consider that the amount of commercial space that currently serves the community must be retained while the transition of current commercial areas to mixed use activity areas is pursued.

Flexible commercial building form policies and enhanced site plan considerations will contribute to minimizing the potential impact of re-development in Mixed Use Areas. The Urban Design Guidelines will provide guidance to retailers as they adopt more compact forms that contribute to complete and walkable communities.

Market Studies

Two considerations are key in implementing an approach that removes the use of a requirement for a market study to justify commercial development:

1. As the city reaches a state of "build out", the undeveloped land at the edges of the city will no longer be available for new development and growth will be directed within the urban limits; and
2. There is no need to designate additional commercial lands to support growth to 2031 and additional commercial space needs can be accommodated within the existing inventory of commercial land.

A more flexible land use planning framework with greater emphasis on urban form will assist in transitioning the commercial areas into mixed use areas. This approach suggests that market studies may no longer be needed in mixed use areas since retail and service commercial uses are already established as appropriate land uses. A market study would only be justified for applications for re-designations outside of Mixed Use Areas or when a significant reduction of commercial space serving a community is proposed.

Monitoring

The Commercial Strategy Study recommended the use of a monitoring and evaluation framework to track development applications for new commercial development to ensure there is an appropriate supply of commercial lands

overall in the city and to direct new commercial development to appropriate locations.

Priority should be given to supporting the Mixed Use Areas or areas with a shortage of local serving facilities, such as Aldershot. Staff agree with this recommendation and would like to see the commercial space monitoring system track overall gains and losses of commercial floor space resulting from re-designation.

Policy Direction E:

Ensure opportunities are provided for a wide range of commercial uses while facilitating the development of vibrant and walkable *Mixed Use Areas* by:

- i. Ensuring opportunities are provided for a range of commercial spaces of various sizes and intensities in accordance with the intended commercial function of each new Mixed Use Area designation.**
- ii. Introducing ground floor use area limits in conjunction with maximum use area limits for new retail and service commercial uses within *Urban Centres, Urban Corridors, Neighbourhood Centres* and *Neighbourhood Corridors*.**
- iii. Permitting new commercial uses with large gross floor areas within *Mixed Use Commercial Centres*, subject to criteria and design guidelines.**
- iv. Stating in policy that food-retail shall not be subject to size restrictions within Mixed Use Areas.**
- v. Allowing in Mixed Use Areas, with the exception of *Urban Centres*, the development of selected retail and service commercial uses in stand-alone buildings, subject to criteria.**
- vi. Requiring proponents of new development in Mixed Use Areas to design the building(s) first storey to be taller in height to support land use adaptability over time.**
- vii. Requiring retail and service commercial uses at street level on lands located at the intersection of Urban Corridors with minor and multi-purpose arterial roads.**
- viii. Examining, and where necessary, reducing barriers for the development of Urban Corridors by introducing ground floor flexibility and adaptability of uses at street level in identified Urban Corridor segments, subject to the review of existing commercial**

character and future prospects for successful pedestrian-oriented commercial development.

- ix. **Stating in policy that retail and service commercial uses located at street level may also extend to the second storey of buildings to achieve compact form and providing encouragement for office uses on the second floor of buildings as a buffer to more sensitive residential uses above.**

Commercial Unit Size

A good range of retail units of different sizes is needed to meet retailers' spatial needs across the spectrum of uses. At the same time, limiting the amount of floor area that a single use can occupy at street level promotes the development of compact development which contributes to street animation and vibrancy, which in turn supports local business development.

It is further noted that establishing store size maximums and floor area maximums at-grade in some areas ensures that new development is at a scale that reflects the objectives for these areas. Size limits will not single out particular retailers or prevent them from doing business. Instead, they will require all retailers to build stores that are appropriately-sized for the community and that respond to the vision that the city seeks to achieve in particular areas.

However, while establishing store size maximums may be appropriate in some areas; these limits may restrict opportunities for large retailers which have the potential to transition into more compact formats in the future. Larger stores, at certain locations, will continue to play an important role in the retail system, so it is important that opportunities for such stores also be accommodated. The Zoning By-law Review will consider the policy objectives at the site level.

Flexibility and Adaptability of Uses

A modified policy approach to the Urban Corridors will ensure that retail and service commercial uses are located at street level along identified sections and at the intersection of minor and multi-purpose arterial roadways. The long-term flexibility of the built form can support future retail market demand where transformation is anticipated in the planning horizon.

Requiring a minimum floor-to ceiling height at-grade in new developments will facilitate the introduction of commercial uses overtime. This approach does not require the vertical integration of commercial uses in mixed use buildings for the entire length of the corridor except at intersections.

Policy Direction F:

Develop a policy framework to manage the impact of auto-oriented commercial uses in the *Mixed Use Areas* by:

- i. Retaining existing permission for small-scale motor vehicle dealerships in Mixed Use Areas.**
- ii. Prohibiting the development of new large-scale motor vehicle dealerships in Mixed Use Areas, however, continuing to permit existing large-scale motor vehicle dealerships.**
- iii. Developing site plan considerations for the expansion or redevelopment of existing motor-vehicle dealerships or new motor-vehicle dealerships within Mixed Use Areas, including the use of second storeys, the location of buildings in proximity to the street edge, enhanced pedestrian connectivity, and the location of parking, in order to achieve a more compact form and urban streetscape.**
- iv. Incorporating site design considerations for new or expanded motor vehicle service stations within Mixed Use Areas where currently permitted, including sites that also contain car washes, accessory drive throughs³ or other activity, within mixed use areas in order to better promote pedestrian-oriented streetscapes.**
- v. Policy directions specific to accessory drive-throughs are presented in Report PB-10-15: “Official Plan Review: Proposed Accessory Drive-Through Facilities Policy Directions”.**

The traditional form and function that characterize auto-oriented commercial uses such as motor vehicles dealerships, service stations and car washes, detract from the walkability of places, and the aesthetics, character and function of the surrounding area. In addition, drive-throughs accessory to a commercial use may also have a similar impact, particularly in Mixed Use Areas.

Motor Vehicle Dealerships

Motor vehicle dealerships, both large and small-scale, will continue to be permitted in their current locations within the Mixed Use Areas. However, new policies will restrict the development of new large-scale motor vehicle dealerships

³ Please refer to Report PB-10-15: “Official Plan Review: Proposed Accessory Drive-Through Facilities Policy Directions” for discussion about drive- through recommendations.

in Mixed Use Areas and ensure new small-scale motor vehicle dealerships and the expansion of existing motor vehicle dealerships are developed in a manner that achieves a compact form and contributes to Placemaking objectives of the city. The approach would recognize the urban context and the quality of the urban environment that is envisioned for these areas including the use of second storeys, the location of buildings in proximity to the street edge, enhanced pedestrian connectivity, and the location of parking over time.

Motor Vehicle Service Stations and Car Washes

Existing permission for motor vehicle service stations in Mixed Use Areas will be retained. Policies will be added to incorporate site design considerations for the development of motor vehicle service stations and supporting services such as car washes within Mixed Use Areas, in order to convey a high quality architectural and landscape character, consistent with the overall pedestrian emphasis.

Accessory Drive-through Facilities

Please refer to Report PB-10-15: “Official Plan Review: Proposed Accessory Drive-Through Facilities Policy Directions” for discussion about drive- trough recommendations.

Policy Direction G:

Provide guidance to better accommodate Institutional Uses and Places of Worship in *Mixed Use Areas*.

Further work will be required as part of the Community Infrastructure Work Plan to remove barriers and promote the integration of Institutional Uses in all future Mixed Use Activity Areas as an important component of complete communities.

It has been noted that Places of Worship throughout the city are challenged in finding vacant or existing space to establish this use. Although the Official Plan currently permits Institutional Uses as-of-right in all designations, with the exception of the *Greenlands* and *Watercourse* land use designation, there is the opportunity to provide additional guidance as to how to accommodate Institutional Uses and Places of Worship within the mixed use areas.

Strategy/Process

Subject to Council endorsement of the proposed policy directions, staff will draft policies to implement the policy directions as outlined in the report. Draft policies developed in accordance with these directions will be subject to public consultation and comments as

part of the broader approval process for the final Official Plan Amendments. Consultation includes a public open house, a statutory public meeting and Council consideration, currently scheduled for Q4 2015.

In addition to the drafting of policies, staff will have to amend the *Urban Design Guidelines for Mixed Use Activity Areas* (dated March 6, 2014) in order to reflect final changes to the Mixed Use Area Designations as proposed by staff.

Options Considered

Staff have considered adding a policy direction requiring commercial uses located at grade within developments along mixed use corridors to have a minimum floor space requirement. This option was considered in response to public feedback received regarding the size and tenancy of commercial uses located along the Plains Road mixed use corridor. It was questioned whether the commercial floor space required at grade within mixed use developments was in fact viable. Further, concerns were raised regarding the limited range of uses that could be accommodated within the commercial floor area that was occurring within recent developments.

Staff have considered adding a minimum floor space requirement, however is of the opinion that the preferred option is to:

- Remove the existing requirement for commercial at-grade within mixed-use buildings along the corridor, subject to exceptions noted below, and rather adopt a permissive approach.
- Continue to require commercial at-grade on sites as they redevelop that currently have commercial uses to ensure that the commercial supply is not removed from the inventory.
- Continue to require commercial at-grade within mixed use buildings along the corridor, if located in proximity of an intersection of an arterial or collector. The minimum gross floor area of commercial space could be considered as part of the Zoning By-law Review.
- Require proponents of new development to design the first storey of buildings to be taller in height to support land use adaptability over time.

Financial Matters:

In report PB-09-14, transmitted in March 24, 2014, Council received the document titled *Urban Design Guidelines for Mixed Use Activity Areas* (dated March 6, 2014), which provides a set of guidelines for Mixed-Use Activity Areas that address the desired forms and functions for site planning, landscape design and built form in each of the designations proposed by the Commercial Strategy Study.

Given that staff is proposing minor changes to the designations, a review and amendment to this document will be required to reflect the new hierarchy of Mixed Use Areas and the approach to commercial uses in residential areas.

Staff consider that the cost of revising and updating the *Urban Design Guidelines* will be relatively minor.

Source of Funding

Funds for the Commercial Strategy Study were previously approved as part of staff report PB-53-12 (Comprehensive Work Plan) and were drawn from the Council Approved OPR Capital Budget (OP0009).

The review and update the *Urban Design Guidelines for Mixed Use Areas* could be funded through the Planning and Building Department's General Consulting Budget.

Other Resource Impacts

N/A

Environmental Matters:

The Burlington Sustainable Development Committee has been advised of this report and will be consulted as part of staff's on-going development of Official Plan policies for Mixed Use Areas.

Public Engagement Matters:

A. Public Consultation

Through the course of the Commercial Strategy Study, public and stakeholder consultation contributed feedback on the Study findings and recommendations. Report [PB-09-14](#), considered at the March 24, 2014 Development and Infrastructure Committee Meeting, provided a discussion on the engagement strategies and feedback received, which included surveys of Burlington residents, downtown workshops, an online forum, city-wide and downtown stakeholder workshops attended by representatives of the retail industry, the development sector, the Aldershot and Downtown BIAs and other stakeholders, and meetings with the city's automobile dealers and other representatives of the retail industry and staff.

Subsequently, after Report PB-09-14 additional opportunity to review and provide comments on the Study recommendations were provided as listed below.

1. A meeting with the Burlington Downtown Business Association's Board of Management was held on May 7, 2014 to discuss staff's approach to the location of retail, service commercial and office uses at grade. Subsequently, a walking tour of downtown with members of the board on June 18, 2014 provided additional feedback on how to enhance the approach. Remarks from the two activities included:
 - Direction towards flexibility of uses at-grade is a good approach;
 - Great idea to consider a minimum floor-to-ceiling height for at-grade uses;
 - Monitoring will be a key component of gauging if changes are working or not;
 - Urban design requirements could be a better option for limiting the impact of large uses in the downtown rather than a use cap;
 - Would like to evaluate opportunities to require retail and service commercial at-grade along section of proposed Elgin promenade.
2. On July 7, 2014, a Council Workshop on the Commercial Strategy Study was held to discuss the findings and recommendations of the Study. Members of Council, the consultants, members of staff and members of the public attended the event. Council's comments and feedback received included:
 - Interest in reducing barriers to achieve mixed uses;
 - Interest in applying the concept of placemaking to mixed use areas;
 - A Neighbourhood Centre, as proposed, is not the same as a Power Centre. The proposed designation should be different if it serves a regional or city-wide function;
 - Interest in retail street designations in downtown to allow uses aside from retail in identified locations;
 - Interest in reviewing retail caps in downtown;
 - Concerned about introducing small-scale commercial uses in residential areas;
 - Interest in looking at the location and requirements for Gas Stations;
 - Concern about restrictions on the location of drive-throughs;
 - Interest in reviewing institutional uses in mixed use areas and removing barriers for this type of use.
3. On September 16, 2014, staff held a meeting with representatives of SmartCentres to discuss the recommendations from the Study regarding the lands developed and operated by SmartCentres and to review their comments, contained in letter dated October 29, 2014, as attached in Appendix E.

- The intent of *Employment Commercial* designation, the commercial permissions and its support to employment uses was clarified;
- The potential *Neighbourhood Centre* designation is restrictive for the SmartCentres' properties with regard to the uses, minimum building height and unit size limits being proposed.
- Concern about the proposed Design Guidelines as they are applied to these areas.

B. Public and Stakeholder Comments

Staff received comment letters concerning the recommendations from the Commercial Strategy Study (attached as Appendix E). Listed below is a summary of the concerns submitted and staff's response.

Identified Issue or Comment	Staff Response
1. Evolution of Proposed Mixed Use Commercial Centres	
Supportive of adding policies to promote future mixed use development on the Regional Commercial lands located at the northeast and northwest corner of Appleby Line and Dundas Street.	
Supportive of future intensification of the Appleby Line / Dundas Street node.	<p>The intent of mixed use areas is to support intensification through mixed uses.</p> <p>Staff recognize that the Dundas/Appleby area have significant constraints that restrict sensitive uses given the adjacent employment uses. Further, these sites are in proximity to the CNR, highway overpasses and cut-off from residential communities. It will be important to look at each commercial site to see where specific policies/restrictions in the existing OP need to be carried forward.</p>
The contemporary nature of the large regional serving sites does not align with the proposed Neighbourhood Centre designation which seeks "to revitalize	<p>Staff recognises the current regional function of these sites and supports the retention of permitted uses and the nature of the commercial formats associated to it under a new designation.</p>

aging plazas".

2. Commercial Function and Permitted Uses in Proposed Mixed Use Commercial Centres

Re-designation from Regional Commercial to Neighbourhood Centre would remove uses currently permitted/supported in the Regional Commercial designation. The eventual transition into a mixed use area over the long term can be accomplished without the removal of current permitted uses.

Staff do not imply that the function no longer serves the larger regional area and do not seek functional changes but built form changes.

The connotation (intentional or otherwise) is that these sites no longer serve the larger regional area.

Splitting Regional Commercial lands on the southeast corner of Dundas Street and Appleby Line) into two designations (Neighbourhood Centre and Neighbourhood Corridor) is not practical, as the two areas operate as a single site.

Agree. The two identified Regional Commercial areas that are proposed as Mixed Use Commercial Centres are considered as single areas. Enhanced mixed use approach that Staff is proposing does not separate the subject area into different designations.

Agree with maintaining the current Employment Commercial designation and policies for this site.

Shifting Employment Commercial to Employment Commercial Centres will retain current policies while strengthening its support to the surrounding employment lands.

3. Commercial Unit Caps in Proposed Mixed Use Commercial Centres

The proposed maximum of 500 sq.m per individual unit in new Neighbourhood Centres would constrain future development or redevelopment opportunities of current regional designations. Imposing a small GFA cap to future development or development would strongly impede the opportunity to attract certain tenants that normally locate

Agree. Locations should be available to accommodate a wide range of commercial uses, including units with small and large area requirements.

in large scale regional shopping centres.

4. Urban Design Concerns

Given the nature of current development, minimum 2-storey buildings over the entire site would limit development / redevelopment options the Appleby Line / Dundas Street node. The subject commercial shopping centre is a relatively new development and does not anticipate any support for 2-storey retail uses.

Due to the topographic and site constraints (especially at the northeast corner of Appleby and Dundas and heading east) the opportunity to place future buildings fronting onto Appleby Line and Dundas Street could be problematic.

Eliminate provision to require the location of off-street parking areas in the side and rear yards, as it is too specific to be contained in the OP.

Staff recognize development in the area is recent and the built form associated to it has been usually large single-storey formats. Although current commercial market trend does not support the introduction of multi-storey buildings, staff seek to encourage innovative approaches to create livable walkable places, including minimum building heights at locations where effective and safe pedestrian connectivity can be enhanced.

Staff recognizes the constraints to enhance pedestrian connectivity at the intersection of Appleby Line and Dundas Street and current restrictions to introduce residential uses in some sites. Opportunities should be assessed to develop the interior of the four corners with a layout and built form that contributes to the creation of places and enhance the public realm.

The parking provision supports bringing buildings closer to the street edge, and contributes to the creation of walkable areas.

5. Auto-Related Uses in Mixed Use Areas

Concern with the removal of drive-through use permissions, as recommended by the CSS, as the site already contains existing drive-through uses.

Concerned about the removal of drive-through permissions on the subject sites. Drive-through uses are appropriate for commercial shopping destinations that

These comments are addressed through Report PB-10-15: "Official Plan Review: Proposed Accessory Drive-Through Facilities Policy Directions".

are primarily serviced by automobile and that are adjacent to major arterial roads and have access to major highways.

Auto-related uses in Mixed Use Areas appear to be much too restrictive concerning gas station, car wash and drive-through facilities

Conclusion:

The proposed commercial lands policy directions are provided to Council for their consideration and for their endorsement. Staff have conducted a review of the findings and recommendations of the Commercial Strategy Study and comments and feedback received and have recommended policy directions to the commercial land use policy framework, which introduce a new hierarchy of Mixed Use Areas, and a series of considerations that contribute to the city's intensification strategy and to the creation of walkable, transit supportive and socially engaging mixed use places.

Respectfully submitted,

Hugo Rincon, Planner II Policy

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Appendices:

- Appendix A - Commercial lands work chronology.
- Appendix B - Briefing Note: Council Workshop on the Commercial Strategy Study.
- Appendix C - Lands subject to the new hierarchy of Mixed Use Areas.
- Appendix D - Comparison of existing to proposed designations related to the Commercial Strategy Study.
- Appendix E - Comments received in response to the Commercial Strategy Study recommendations.

Notifications: (after Council decision)

Name:	Mailing or E-mail Address:
Frank McKeown Executive Director	Burlington Economic Development Corporation
Brian Dean, General Manager	Burlington Downtown Business Association
Bob Meehan, General Manager	Aldershot BIA
Mark Menary	Region of Halton
John Davidson	Region of Halton

Approved by:

Bruce Krushelnicki, Director of Planning and Building
Scott Stewart, General Manager of Dev. and Infrastructure
Nancy Shea Nicol, Interim City Manager, Director of Legal Services & City Solicitor

Reviewed by: