

# Complete Communities



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Complete  
Communities

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## COMPLETE COMMUNITIES

Complete communities meet people’s needs for daily living throughout an entire lifetime by providing convenient access to an appropriate mix of jobs, local services, a full range of housing and *public service facilities* including *affordable housing*, schools, *recreation* and open space for their residents. *Culture* and community activities thrive, creating a positive sense of place, inclusivity and community. Convenient access to public transportation and options for active transportation are also provided.

Broadly, the policies of this Plan aim to provide a wide range of opportunities to accommodate jobs and housing. A successful and *complete community* must also provide residents with access to a range of services and facilities that will satisfy health, education, social, religious and *recreation* needs.

### 3.1 HOUSING

The *City shall* strive to provide a broad, diverse range of housing types throughout the City, including housing which is *affordable* and accessible for all residents. In addition, the *City shall* strive to provide a sufficient supply of owner occupied and rental housing to meet existing and future needs.

#### 3.1.1 HOUSING SUPPLY

##### 3.1.1.1 OBJECTIVES

- a) To ensure that a sufficient supply of suitably designated and serviced residential land is maintained to meet existing and future housing needs.
- b) To *encourage* the retention of existing rental housing and the construction of new rental housing.

##### 3.1.1.2 POLICIES

- a) To the extent to which land is available in the Urban Area, the *City shall* maintain its share of land within the *regional market area* with *infrastructure* capacity sufficient to provide a three year supply of residential units, available through lands suitably zoned to facilitate residential *intensification* and *re-development*, as well as land in draft approved and registered plans, in order to meet anticipated short term housing needs.
- b) To the extent to which land is available in the Urban Area, the *City shall* maintain the ability to accommodate its fair share of residential growth

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within the *regional market area* for a minimum of 10 years through residential *intensification* and *re-development* and, if necessary, lands which are designated and available for residential *development*, in order to meet anticipated long term housing demands.

- c) The use of surplus lands owned by the *City* and other *public authorities* for residential purposes, including *affordable* or *assisted housing*, shall be considered before using them for other land uses.
- d) The *City shall* ensure an adequate level of local municipal *infrastructure* to meet the demands of residential *development*.
- e) The *City shall* advise the Region of Halton and the Provincial Government of the need for *infrastructure* and servicing funding associated with the provision of additional housing in the *City*.
- f) The demolition or conversion to freehold or condominium ownership of residential rental properties containing six or more units *should* not be permitted unless the following conditions are satisfied:
  - (i) the rental vacancy rate by dwelling/structure type for the *City* of Burlington as defined and reported yearly through the C.M.H.C. Rental Market Survey has been at or above three per cent for the preceding two-year reporting period;
  - (ii) the building for which conversion is proposed meets the requirements of the property standards by-law, the Ontario Building Code, and any other applicable law, or will be upgraded in accordance with these standards and requirements;
  - (iii) where demolition occurs, replacement rental housing units are provided for those units that are demolished;
  - (iv) that negative economic and other unacceptable impacts upon tenants are minimized; and
  - (v) the requirements of any applicable Provincial legislation or regulation, as amended, are met.
- g) The *City shall* consider the provision of innovative forms of housing tenure, such as common element, co-operative housing, phased and vacant land condominiums, as a means of increasing housing diversity, choice and supply in the *City*.
- h) The *City shall*, in co-operation with other orders of government, *encourage* the provision of rental housing, for individuals and families.

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- i) The *City shall encourage* a mix of housing forms. However, the City’s existing stock of low density residential housing *shall* be considered sufficient to contribute towards that component of the mix.

### 3.1.2 HOUSING AFFORDABILITY

#### 3.1.2.1 OBJECTIVES

- a) To ensure that an appropriate range of housing and tenure types and densities are available to meet the needs of the existing and future population.
- b) To *encourage* the development of *affordable housing* throughout the City.

#### 3.1.2.2 POLICIES

- a) New residential *development shall* be required to satisfy the requirements of the Provincial Policy Statement relating to the provision of *affordable housing*.
- b) As part of the *development* approval process, the *City may* require the designation of lands for *affordable housing*. These lands *shall* either be retained and developed by a developer as *affordable housing* or made available to a cooperative or non-profit housing group.
- c) Community benefits provisions *may* be implemented to *encourage* the creation of *affordable housing*. Such community benefits provisions *shall* be subject to Subsection 12.1.3.1.5 of this Plan and will include, but will not be limited to, an awareness of and regard for the *cumulative impact* of any increased height and/or density on the City's and Region’s ability to provide *infrastructure* and a requirement that any increased height and/or density be *compatible* with the surrounding area.
- d) The *City may* give processing priority to *development applications* which will provide the type, size and tenure of housing required to meet the social, health, and well being needs of the City’s residents.
- e) The *City shall*, in co-operation with the Region, update its Municipal Housing Statement to establish five-year housing targets by type to meet the housing needs identified in the joint Regional-Municipal Housing Statement.
- f) The *City shall* establish *development* standards for residential *intensification*, *re-development* and new residential *development* which minimize the cost of housing and facilitate *compact urban form*, while maintaining appropriate levels of public health and safety.

### 3.1.3 ASSISTED AND SPECIAL NEEDS HOUSING

#### 3.1.3.1 OBJECTIVE

- a) To maintain a supply and to integrate *assisted* and *special needs housing* in all neighbourhoods.

#### 3.1.3.2 POLICIES

- a) The *City shall* support the Halton Community Housing Corporation and other providers of *assisted housing* in providing *assisted housing* in the City, and *shall* consider supporting their applications to the Province of Ontario and/or Government of Canada for funding under various non-profit housing programs.
- b) As part of the *development* approval process, the *City may* require the designation of sites for *assisted* and *special needs housing*. These lands *shall* either be retained and developed by the developer or made available to providers of *special needs housing*.
- c) The *City will encourage* providers of *special needs housing* in maintaining the supply of *special needs housing* in the City.
- d) *Group homes* have land use features that will require special regulations and locational considerations to be part of the Zoning By-law. These different *group home* types *shall* be defined in the Zoning By-law.
- e) The supply and integration of seniors' housing *shall be encouraged* throughout the City.
- f) Notwithstanding the other provisions of this Plan, *assisted* and *special needs housing* containing *dwelling units* without full culinary and sanitary facilities *may* be excluded from the density provisions of this Plan.
- g) The *City shall* give processing priority to *development applications* for *assisted* and *special needs housing*.



## 3.2 PUBLIC SERVICE FACILITIES AND INSTITUTIONAL USES

This section is intended to ensure that a broad range of *public service facilities*, such as police/fire services, libraries, schools, parks, community centres, hospitals, and *long-term care facilities*, are planned for at a neighbourhood and City-wide scale in order to serve the current and future needs of residents. These services are provided by many levels of government and *public authorities*. The *City* makes decisions for some of these facilities, such as libraries, parks and community centres.

An *institutional use* includes a broad category of uses that provide a service to the public but that service is provided by other partners in the community. An *institutional use* may be a day care facility, a trade school, a private school, a medical *office*, a place of worship and many other uses. These are important uses that are critical to a complete community.

### 3.2.1 OBJECTIVES

- a) To ensure that *public service facilities* and *institutional uses* are recognized as having an important role both within neighbourhoods and the City as a whole.
- b) To ensure that current and future neighbourhood and City-wide needs for *public service facilities* and *institutional uses* are considered and planned for as part of future growth and *re-development* planning.
- c) To recognize the need to retain, where appropriate, the existing supply of *public service facilities* and *institutional* lands to serve neighbourhood and City-wide needs within a built-out context.
- d) To support the development of a City-wide Post-Secondary Institution Strategy.

### 3.2.2 POLICIES

- a) *Public service facilities shall* be permitted in all land use designations identified on Schedule C, Land Use Plan – Urban Area, Schedule J, Land Use Plan – Rural Area and Schedule L, Land Use Plan – North Aldershot, with the exception of the Natural Heritage System, Agricultural Area, and Mineral Resource Area designations of this Plan.
- b) In the Urban Area, *institutional uses may* be permitted within all land use designations identified on Schedule C, Land Use Plan - Urban Area, of this Plan, with the exception of the Natural Heritage System designation.

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- c) Notwithstanding Subsection 3.2.2 a) of this Plan, *public service facilities* should be discouraged from locating within an *Area of Employment* as they often require locations that would better serve the broader community.
- d) Notwithstanding Subsection 3.2.2 b) of this Plan, *institutional uses* that are not considered an *ancillary* employment use which are proposed within an *Area of Employment* shall be subject to the following:
  - (i) a site-specific amendment *shall* be required to the Zoning By-law. Such an amendment will be considered only following the completion of a land use compatibility assessment that addresses all relevant considerations such as noise, vibration, odour and dust, using Provincial Land Use Compatibility guidelines and the Region of Halton’s Land Use Compatibility Guidelines, Air Quality Guidelines, the policies of Section 4.6, Land Use Compatibility, of this Plan, and any other relevant considerations to ensure that the location and design of the use mitigates *adverse effects*;
  - (ii) be prohibited from locating in close proximity to another *institutional use* located on a site within an *Area of Employment*, except where uses are proposed to co-locate;
  - (iii) have a maximum floor area of 500 sq. m.;
  - (iv) the use *shall* not contain a residential use *accessory* to the principal use;
  - (v) the use is located at the periphery of the *Area of Employment*;
  - (vi) the use has access to at least one Major Arterial, Multi-Purpose Arterial, Urban Avenue, or Industrial Connector street, as identified on Schedule P-1, Classification of Transportation Facilities – Urban Area, of this Plan; and,
  - (vii) the use, collectively with other *institutional uses* within the *Area of Employment*, does not displace *employment* from the *Area of Employment* which could result in a shortfall in *Areas of Employment* to meet the *employment* forecast set out in Subsection 2.2.4 of this Plan.
- e) In addition to Subsection 3.2.2 d) of this Plan, places of worship in *Areas of Employment* shall meet the following additional policies:
  - (i) a *major place of worship* shall not be permitted;
  - (ii) a *minor place of worship* in *Areas of Employment* may be considered by the *City* through a site-specific Zoning By-law amendment, without the need for an amendment to this Plan, provided the following

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criteria are satisfied:

- a. the lot containing the *minor place of worship* shall abut a Major Arterial, Multi-Purpose Arterial, Urban Avenue, or Industrial Connector street, as identified on Schedule P-1, Classification of Transportation Facilities – Urban Area, of this Plan;
  - b. the lot has access to transit and the active transportation network; and,
  - c. notwithstanding the definition of *minor place of worship*, a residential use *accessory to a minor place of worship* shall not be permitted.
- f) Notwithstanding Subsection 3.2.2 d) of this Plan, an individual *major place of worship* is permitted at 1500 Kerns Road.
- g) Notwithstanding Subsection 3.2.2 d) of this Plan, individual *minor places of worship* are permitted at the following locations:
- (i) 4209 Palladium Way;
  - (ii) 4691 Palladium Way;
  - (iii) 4721 Palladium Way; and
  - (iv) 4380 South Service Road.
- h) *Institutional uses* proposed within the Rural Area shall only be permitted to locate within the Rural Settlement Area designations as shown on Schedule J, Land Use Plan – Rural Area, of this Plan.
- i) The *City* shall initiate the development of a comprehensive, City-wide Post-Secondary Institution Strategy that will consider, at a minimum:
- (i) an economic development strategy;
  - (ii) an analysis and discussion of the relative strengths and opportunities related to the potential to accommodate a post-secondary institution in Primary Growth Areas, including the Downtown or *Mobility Hubs* as compared with areas within the *Designated Greenfield Area*;
  - (iii) an analysis of the *infrastructure*, investments and supportive uses that would likely be required to support a potential post-secondary institution.
- j) *Area-Specific Plans* shall identify and plan for future *public service facility* needs, as identified in Subsection 12.1.4 of this Plan, and shall have regard for potential future *institutional uses* which may be required to serve residents.

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- k) The implementing Zoning By-law *shall*:
- (i) establish a specific zoning category applicable to publicly owned sites containing *public service facilities*, that *shall* permit *public service facilities* as well as other *institutional uses* deemed to be appropriate by the *City*;
  - (ii) subject to the policies of Subsections 3.2.2 a), b) and c) of this Plan, permit *public service facilities* and *institutional uses* within all Urban Area zones, with the exception of the zones implementing the Natural Heritage System designation, provided such uses abut a Major Arterial, Multi-Purpose Arterial, Urban Avenue, Main Street, Neighbourhood Connector or Industrial Connector street, as identified on Schedules P-1, Classification of Transportation Facilities – Urban Area, of this Plan; and
  - (iii) establish regulations, where appropriate, regarding the location and associated *development* standards for *public service facilities* and *institutional uses* in order to achieve a high degree of *compatibility* with surrounding areas. Such regulations *may* include, but *shall* not be limited to, design standards, parcel size requirements, minimum setbacks and/or minimum separation distances from like uses or other *sensitive land uses*.
- l) Surplus *public service facilities* *may* be acquired by the *City* where such lands and/or buildings are deemed to be required to fulfill a community need, are cost-effective, and in cases involving surplus public education facilities, the acquisitions meet Ministry of Education and Training Procedures.
- m) *City*-initiated Official Plan amendments for the proposed reuse or alternative use of *public service facilities* or *institutional* lands and/or buildings *may* be considered, subject to the following:
- (i) *compatibility* is achieved with existing and permitted uses on adjacent lands in accordance with the policies of Chapter 7, Design Excellence, of this Plan;
  - (ii) for amendments which propose the introduction of non-*public service facilities* or *institutional uses* on all or a portion of the subject lands, it is determined by the *City* that the lands will not be required to meet current or future *City*-wide land needs for *public service facilities* or *institutional uses*; and
  - (iii) for amendments which propose residential uses *shall* only be considered where the majority of residential units proposed are *assisted or special needs housing*.

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- n) The co-location of more than one *public service facility* and/or *institutional use* within a single building or site *shall be encouraged*.
- o) Notwithstanding any policy of this Plan, *public service facilities* and *institutional uses* *shall not be subject to a floor area maximum as identified within any land use designation contained within this Plan, with the exception of institutional uses located within an Area of Employment in accordance with Subsections 3.2.2 c) and d) of this Plan.*
- p) Notwithstanding Subsection 3.2.2 k) (ii) of this Plan, existing public education facilities not abutting a Major Arterial, Multi-Purpose Arterial, Urban Avenue, Main Street, or Neighbourhood Connector street as identified on Schedule P-1, Classification of Transportation Facilities – Urban Area, of this Plan, *shall be a permitted use*.
- q) Day care facilities *shall be subject to the following site plan considerations:*
  - (i) the day care maintains a character *compatible* with the surrounding neighbourhood in terms of *massing*, height, visual appearance, open space and *amenity areas*;
  - (ii) adequate parking, vehicular ingress/egress and drop-off areas, are provided;
  - (iii) adequate indoor and outdoor *amenity areas* for children’s *recreation* are provided; and
  - (iv) any unacceptable impacts on adjacent properties and the surrounding neighbourhood are mitigated to acceptable levels in terms of noise, lighting, odours, removal of vegetation or landscape buffers, sun-shadowing and privacy.

### 3.3 PARKS, RECREATION AND OPEN SPACE

Parks and open space are an essential component of a healthy and *sustainable* city. Parks, open space and *recreational* opportunities contribute to a healthier environment and healthier residents, improving both quality of life and public health outcomes. The policies in this section provide direction on parks and open space in all areas of the City.

#### 3.3.1 OBJECTIVES

- a) To recognize parks and open space lands as valuable resources to the community that play an important role in defining the character of the city and lifestyle of the City’s residents.
- b) To ensure that an adequate and equitable supply of parks and open space, and that a full range of leisure opportunities, are available throughout the City.
- c) To collaborate with other agencies such as the school boards, Conservation Halton and the Region of Halton, in the planning and development of parks and other *recreation* and leisure facilities.
- d) To implement the park classification system established in the Parks, Recreation and Cultural Assets Master Plan, as amended from time to time, in order to effectively address the parks and *recreational* needs of City residents.
- e) To collaborate with partner agencies to create and enhance the Cootes to Escarpment Ecopark System and the Niagara Escarpment Parks and Open Space System.

#### 3.3.2 POLICIES

- a) The municipal parks system *shall* consist of Parkettes, Neighbourhood Parks, Community Parks, City Wide Parks and Special Resource Areas/Linkages. The function of each type of park is defined in the Parks, Recreation and Cultural Assets Master Plan, as amended from time to time. The main function of each park type is as follows:
  - (i) a Parkette consists of a small land area that is designed to provide a variety of passive and visual benefits for the surrounding area;
  - (ii) a Neighbourhood Park is designed and located to serve the *recreational* needs of a neighbourhood;
  - (iii) a Community Park is designed and located to serve several neighbourhoods;

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- (iv) a City Park is designed to serve the leisure needs of all the residents of the City; and
  - (v) a Special Resource Area/Linkage is an area of parkland in its natural state used for conservation and/or preservation, and *may* include non-intensive recreation.
- b) The policies in this section apply to all parks and open space throughout the City. Additional parks and open space policies are found in Chapter 8, Land Use Policies - Urban Area, Chapter 9, Land Use Policies – Rural Area, and Chapter 10, Land Use Policies - North Aldershot.
  - c) The location of neighbourhood parks, special resource areas/linkages and parkettes will not be designated on Schedule C, Land Use Plan - Urban Area, Schedule J, Land Use Plan - Rural Area, or Schedule L, Land Use Plan - North Aldershot Area, of this Plan.
  - d) The amount of parkland to be provided in the City, including the distribution of parkland by park type *shall* be defined in the Parks, Recreation and Cultural Assets Master Plan, as amended from time to time. The majority of new parkland *shall* be acquired by the *City* through the *development* approval process as parkland dedication in accordance with Subsection 12.1.3.6 of this Plan.
  - e) The *City shall* update the existing Parks, Recreation and Cultural Assets Master Plan.
  - f) Connections between neighbourhoods and parks, such as pedestrian and bicycle trails, *shall* be identified and secured during the *development* approval process. Provision for these connections *shall* be included in the design of the park. Additional policies related to trails and cycling are found in Subsection 6.2.4, Active Transportation, of this Plan.
  - g) The public acquisition and integration of *utility* corridors, such as railway rights-of-ways and hydro rights-of-ways, *shall be encouraged* for the purposes of expanding the City's walkway and bikeway systems.
  - h) A high priority *shall* be placed on environmental protection, public safety, public access and increased visibility along streets during the detailed design and development of parks.
  - i) Parks *shall* be located, designed and maintained to enhance the local neighbourhood or community.
  - j) In areas of the City that are deficient in parkland, parkettes *may* be developed by the *City* to respond to this deficiency.

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- k) The *City shall* work with other orders of government to coordinate strategies and funding opportunities to acquire and preserve parks and open space, with priority given to areas along the waterfront, the Cootes to Escarpment Ecopark System and the Niagara Escarpment Parks and Open Space System.
- l) The design, development and use of Burloak Waterfront Park, Paletta Waterfront Park, LaSalle Park, Spencer Smith and Burlington Beach Waterfront Park *shall* be subject to Park Master Plans and revitalization plans. Each Master Plan *shall* be prepared by the *City*, in conjunction with the Region of Halton and Conservation Halton.
- m) Consideration will be given to locating school sites and parks adjacent to one another, in order to achieve economies of scale and avoid duplication of services.

### 3.3.3 OTHER USES

#### 3.3.3.1 CEMETERIES AND ACCESSORY FACILITIES

- a) A *Cemetery* and *accessory* facilities and structures, including a *crematory*, *shall* be located in accordance with Provincial Land Use Compatibility Guidelines. A *crematory* which does not meet Provincial Guidelines *shall* be considered an *industrial use* and *shall* be subject to the Employment Lands policies contained in Section 8.2 of this Plan.



### 3.4 CULTURAL RESOURCES

*Culture* makes each place unique and *cultural resources* are central to building a vibrant, liveable and unique community. They have the ability to boost economic development and tourism by making destinations for visitors and local residents and are linked to other aspects of the City’s overall health, including the environment.

*Cultural resources* include the following categories: Community Cultural Organizations; Creative Cultural Industries; Cultural Events and Festivals; Cultural Facilities and Spaces; *Cultural Heritage Resources*; Independent Artists; Natural Heritage; and Public Art.

The *City* recognizes the importance of planning for a wide range of arts, culture, *recreation* and leisure opportunities as well as the role of *cultural resources* in meeting the needs of the community and ensuring that each component contributes to the future quality of life. Benefits can include: enhanced civic pride and identity; enhanced tourism and economic development opportunities; site beautification; enhanced cultural vibrancy; new opportunities for the local cultural community; encouragement of community dialogue; and a lasting legacy for future generations.

#### 3.4.1 OBJECTIVES

- a) To support *cultural resources* in a way that contributes to increased cultural vibrancy and diversity in the community.
- b) To increase the amount of publicly visible art throughout the City.

#### 3.4.2 GENERAL POLICIES

- a) The *City* will support a wide range of *creative cultural industries* in appropriate locations throughout the City.
- b) The *City shall* maintain an inventory of *cultural resources*.
- c) The *City may* assess opportunities for establishing cultural clusters or districts that can create a critical mass of cultural activity in specific geographic areas.

#### 3.4.3 PUBLIC ART

- a) The *City* will manage a City-wide public art program that will make art more visible throughout the City, in accordance with the Public Art Master Plan.
- b) A citizens’ panel *shall* advise and assist the *City* in the acquisition and siting of public art.

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- c) The City *shall* ensure that public art is a consideration in all significant new and enhanced related capital projects.
- d) The City will *encourage* the inclusion of public art in all significant private sector *development* across the City, using applicable planning tools and processes. Private sector developers will be *encouraged* to follow the best practices established by the City for the acquisition and selection of public art. The City will provide assistance in the application of these practices.

## 3.5 CULTURAL HERITAGE RESOURCES

Burlington’s heritage is a living legacy that helps the community to understand its past, provides context for the present, and influences the future. *Cultural heritage resources* are comprised of *built heritage resources*, *cultural heritage landscapes* and *archaeological resources* and are located throughout the City. These resources provide physical and cultural links to the identity of the City, create a sense of civic pride, and contribute to the quality of life and enjoyment of the City by residents and visitors alike. The *conservation of cultural heritage resources* also contributes to the overall *sustainability* of the City.

This section contains objectives and policies which recognize the irreplaceable nature of *cultural heritage resources* and provides a framework for their identification, promotion, and *conservation*.

### 3.5.1 OBJECTIVES

- a) To recognize and raise awareness of *cultural heritage resources* in the City.
- b) To *encourage* and support public and private stewardship of, and custodial responsibility for, the City’s *cultural heritage resources*.
- c) To *encourage* innovation and creativity in the maintenance, *rehabilitation*, renovation, and reuse of *cultural heritage resources*.
- d) To minimize the demolition, destruction, deterioration, and inappropriate alteration and/or use of *cultural heritage resources* in accordance with legislative authority and sound heritage conservation practices.
- e) To identify *cultural heritage resource* conservation issues early on and throughout in the land use planning and decision-making process.
- f) To ensure that *re-development* and/or *new development* in areas with cultural heritage character does not detract from the overall cultural heritage character of the area.
- g) To identify *archaeological resources* and areas of archaeological potential and to ensure that significant *archaeological resources* are conserved on lands where *development* or *site alteration* is proposed.
- h) To identify *cultural heritage landscapes* in the City containing *built heritage resources*, structures, streets, *archaeological resources*, or natural elements or open spaces of architectural or historic significance, that are valued by a community for their interrelationship, meaning or association.
- i) To *encourage* an active and engaged approach to heritage conservation, and to provide practical advice to owners of heritage resources about the means of protecting and maintaining *cultural heritage resources*.

- j) To *encourage* and develop private and public financial and non-financial support for the conservation of *cultural heritage resources* and to support the continuing use, reuse, care and conservation of *cultural heritage resources* by encouraging property owners to seek out and apply for any available funding for conservation work and good stewardship.
- k) To *encourage* other orders of government, including the Region of Halton, Provincial ministries, and Conservation Halton, to take actions to *conserve*, improve and use the City's *cultural heritage resources*.

## 3.5.2 POLICIES

### 3.5.2.1 USE AND TREATMENT OF CULTURAL HERITAGE RESOURCES

- a) The *City shall* protect, improve and manage its *cultural heritage resources* in a manner that furthers the objectives of this Plan and sets an example of leadership for the community in the *conservation of cultural heritage resources*. Heritage *conservation* planning *shall* be an integral part of the land use planning process in the City.
- b) The *City shall* consult its municipal heritage committee (Heritage Burlington) with regard to the identification, protection, use and treatment of *cultural heritage resources*.
- c) *Cultural heritage landscapes*, historic *cemeteries* and significant views *shall* be inventoried and *conserved*.
- d) The *City may* develop and implement a cultural heritage *conservation* strategy that will further the objectives of this Plan and *may* involve the implementation of a range of *conservation* tools to complement land use planning initiatives. The *City may* use government and/or non-government funding, including grants, loans and/or tax rebates to assist in the implementation of heritage *conservation* objectives.
- e) *Cultural heritage resources shall* be protected and *conserved*, in accordance with the Standards and Guidelines for the Conservation of Historic Places in Canada and other recognized heritage protocols and standards.
- f) The *City shall* use criteria established by Provincial regulation under The Ontario Heritage Act for determining cultural heritage value or interest and for identifying and evaluating properties for listing on the Municipal Register and for designation under The Ontario Heritage Act. The *City may* further refine these criteria and provide guidelines for their use.

**3.5.2.2 PUBLIC ENGAGEMENT**

- a) *Cultural heritage resources shall be conserved* through actions that are determined in consultation with the municipal heritage committee (Heritage Burlington), local residents, property owners, special interest groups and government agencies. These actions include *identifying*, managing, interpreting and using *cultural heritage resources* in responsible, creative and sustainable ways.
- b) The municipal heritage committee (Heritage Burlington) *shall* advise and assist the *City* on matters relating to *cultural heritage resources* and *shall* promote heritage conservation and collaborative stewardship within the City, through public engagement and communication initiatives.

**3.5.2.3 IMPLEMENTATION**

- a) A Municipal Register of Cultural Heritage Resources *shall* be maintained in consultation with the municipal heritage committee (Heritage Burlington).
- b) The Municipal Register *shall* contain all properties designated under The Ontario Heritage Act and *may* contain properties of cultural heritage value or interest to the City or a community, that are not designated under The Ontario Heritage Act. The Municipal Register *may* contain documentation including legal description(s), owner information, and a description of the *heritage attributes* for each designated and listed *cultural heritage resource*. To ensure effective protection and to maintain its currency, the Municipal Register *shall* be updated regularly and be accessible to the public.
- c) The *City should* participate in the *conservation and development of cultural heritage resources* through a range of actions which *may* include acquisition, assembly, resale, joint venture, tax incentives, grant or loan programs or other forms of involvement that will result in the sensitive *conservation* of those resources.
- d) Pursuant to The Ontario Heritage Act, The Planning Act, The Building Code Act, The Municipal Act, or any other relevant legislation, the *City may* pass by-laws or adopt other measures for the management and *conservation of cultural heritage resources*.
- e) The *City will encourage*, where appropriate, the adaptive re-use of a *built heritage resource* in a manner that is not destructive to the character-defining attributes of the resource.
- f) Pursuant to the provisions of The Ontario Heritage Act, the *City may* enter into heritage conservation easement agreements with private property

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owners to ensure the long-term maintenance and conservation of *cultural heritage resources*.

- g) The *City may* develop provisions within the Comprehensive Zoning By-law to ensure that the *development* of properties containing *cultural heritage resources*, and the *development* of properties adjacent to *cultural heritage resources*, is *compatible* with the existing heritage character of an area.
- h) *Area-Specific* planning land use studies and *community improvement plans* and programs, including the provision of *infrastructure*, shall identify *cultural heritage resources* that exist in the area under study and propose ways to *conserve*, integrate, protect and enhance any significant *cultural heritage resources*.

### 3.5.2.4 HERITAGE DESIGNATION

- a) The designation of *cultural heritage resources* under the provisions of The Ontario Heritage Act, shall be pursued to implement the objectives and policies of this Plan.
- b) The *City may* give priority to designating non-designated properties listed on the Municipal Register over other historic properties.
- c) The “Statement of Significance” in a designation by-law shall outline the character-defining attributes that must be maintained and which define the heritage value of the *cultural heritage resource*.
- d) Owners of *cultural heritage resources* designated under The Ontario Heritage Act shall be required to *conserve* the *heritage attributes* identified in the Statement of Significance of the resource.
- e) *Cultural heritage resources may be conserved* through designation as Heritage Conservation Districts under The Ontario Heritage Act where some or all of the following criteria have been met:
  - (i) the District contains *cultural heritage resources* that reflect an aspect of local history by nature of location and historical significance of setting;
  - (ii) the District contains *cultural heritage resources* that are of a style of architecture or method of construction which is historically or architecturally significant to the City, Region or Province;
  - (iii) the District contains other important earth science features, *archaeological resources*, natural heritage features or linkages, landscape or aesthetic attributes that are not sufficient for individual designation, but lend support in evaluating the criteria for designation; and

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- (iv) that together are of cultural heritage value to a community for their interrelationship, meaning or association, which is explored and determined through a community engagement process.

### 3.5.2.4.1 USE AND TREATMENT OF DESIGNATED CULTURAL HERITAGE RESOURCES

- a) *Cultural heritage resources* designated under The Ontario Heritage Act shall be *conserved* in accordance with best practices in heritage *conservation*. Erection, demolition, alteration or removal of any building or structure, or *site alterations* to any property or landscape designated under The Ontario Heritage Act, shall require a heritage permit from the *City*.
- b) Alterations to *cultural heritage resources* designated under The Ontario Heritage Act, including the demolition or removal of buildings and structures on the property, shall require the written consent of the *City* and, where identified by the *City* in consultation with Heritage Burlington, shall require the submission of a Heritage Impact Statement prepared by a *Qualified Person*.
- c) Any alteration to an existing building and/or new construction within a Heritage Conservation District under The Ontario Heritage Act shall be considered on the property's assessed heritage value and contribution to the character of the district as determined by the district guidelines.

### 3.5.2.5 DEVELOPMENT/RE-DEVELOPMENT POLICIES

- a) All *development* shall consider *cultural heritage resources* and, wherever feasible, incorporate these resources into any *development* plans in a way that *conserves* the character-defining attributes of the *cultural heritage resource*.
- b) If *development* is proposed on any property listed on the Municipal Register, the property, or portions of the property, may be considered for heritage designation or the entering into of a heritage easement agreement, to secure *conservation of significant cultural heritage resources*.
- c) All options for the retention of *cultural heritage resources* in their original location shall be exhausted before resorting to re-location. The following alternatives shall be given due consideration in order of priority:
  - (i) on-site retention in the original use and location and integration with the surrounding or new *development*;
  - (ii) on-site retention in an adaptive re-use;
  - (iii) re-location to another site within the same *development*; and
  - (iv) re-location to a sympathetic site within the *City*.

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- d) Completion of a Heritage Impact Study by a *Qualified Person* shall be required prior to any approvals for proposed *development* or *re-development* where the *City* foresees potential unacceptable impacts on the character-defining attributes (including important landscapes, vistas and *streetscape*) of a property designated pursuant to The Ontario Heritage Act, or of a property worthy of designation, as determined by The Ontario Heritage Act. Completion of a Heritage Impact Study *may* be required prior to any approvals for proposed *development* or *re-development* where the *City* foresees potential unacceptable impacts on the cultural *heritage attributes* of any other property identified on the City’s Municipal Register. The applicant *shall* submit a Heritage Impact Statement when:
- (i) the proposal requires an Official Plan Amendment, a zoning by-law amendment, a plan of subdivision, a plan of condominium, a site plan application, or where necessary, a consent or minor variance application;
  - (ii) the proposal involves the demolition of a building or the removal of a building or landscape feature or part thereof of a *cultural heritage resource*;
  - (iii) there is potential for unacceptable impacts to a *cultural heritage resource* from the proposed *development*.
- e) If a *development* proposal substantially changes in scope and/or design from that described in the Heritage Impact Statement, the *City* *may* require that the applicant submit additional information, including a revised Heritage Impact Statement.
- f) Approval of *development* or *re-development* on lands containing *cultural heritage resources* and/or within a *cultural heritage landscape* may be subject to *conservation* of the *cultural heritage resource*. Should the *City*, in consultation with its municipal heritage committee (Heritage Burlington), determine that the proposal to alter, demolish or erect a structure that would detract from, or indirectly impair the character, quality, *heritage attributes* or stability of a significant *cultural heritage resource*, the proposal *shall* be subject to the recommendations of a Heritage Impact Statement.
- g) *Cultural heritage resources* that are to be removed, demolished, or significantly altered with the appropriate approvals from the *City*, *shall* be recorded for archival purposes with a history, photographic record and measured drawings, as appropriate, before alteration, removal or demolition. Such documentation *shall* be made available to the *City* for archival purposes.



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- h) Local *utility* companies and public works projects *shall* locate equipment and devices and conduct work in such a manner so that they do not detract from the visual character of the character-defining attributes of *cultural heritage resources*.
- i) In all areas, care *shall* be taken to *preserve landmark trees* and other vegetation or landscapes of heritage significance and/or scenic value. The inclusion of *landmark trees* and *tree* and hedge lines *shall* be considered in the design of any *development*. Where removal of a *landmark tree(s)* and/or other vegetation or landscapes of heritage significance and/or scenic value is proposed, the applicant *may* be required to revise the site layout such that *significant* landscape features are retained.
- j) The *City* *may* require a letter of credit or other financial security satisfactory to the *City*, from the owner of property containing a *cultural heritage resource* or of property within a *cultural heritage landscape*, to secure:
  - (i) protection of the resource during *development* and/or re-location; and/or,
  - (ii) implementation of measures to *conserve* the *cultural heritage resource* approved by the *City*.

### 3.5.2.5.1 CULTURAL HERITAGE LANDSCAPES

- a) The proponent of a major *development, utility or infrastructure* proposal within the Cultural Heritage Landscape Study Area Boundary identified in Appendix H of this Plan *shall* prepare a Cultural Heritage Landscapes Impact Assessment. The Assessment *shall* include:
  - (i) the identification and evaluation of *cultural heritage resources*, natural features and landscape and aesthetic attributes within and adjacent to the Cultural Heritage Landscape Study Area and the interrelationships among them;
  - (ii) public and agency consultation to assess the significance and value of the landscape and its components to the community;
  - (iii) mapping of *cultural heritage resources* and attributes and of the boundaries of the *cultural heritage landscape* as identified through the Assessment;
  - (iv) a Statement of Significance providing a brief summary of the cultural heritage value or interest, historical integrity and community value of the *cultural heritage landscape* as developed during the evaluation of its significance; and

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- (v) recommended measures and strategies to *conserve* the *cultural heritage landscape*.
- b) The recommendations of an approved Cultural Heritage Landscape Impact Assessment *shall* be implemented through approvals required under The Planning Act, The Niagara Escarpment Planning and Development Act and other applicable legislation and regulations.

### 3.5.2.5.1 ARCHAEOLOGICAL RESOURCES

- a) *Development and site alteration shall* not be permitted on lands containing *archaeological resources or areas of archaeological potential* unless *significant archaeological resources* have been *conserved*. In consultation with the Provincial and Regional governments, the need for the study and *conservation* of *significant* archaeological sites *shall* be determined during the review of *development* proposals. An archaeological survey and the *conservation* or rescue excavation of *significant archaeological resources*, that *may* be affected by the *development* *may* be required. Archaeological assessments and mitigation must be done by an archaeological consultant licensed by the appropriate Provincial Ministry.
- b) The *City* recognizes the role of the Regional Municipality of Halton in maintaining and implementing the Archaeological Master Plan. The Archaeological Master Plan *shall* be referenced as an important planning tool and implemented within the boundaries of the City and *shall* be a consideration as part of any planning process.
- c) Any archaeological or other artifacts of heritage significance discovered on properties during the *development* of privately-owned land *shall* be deeded gratuitously to the appropriate *public authority*.
- d) Removal of artifacts from an archaeological site *shall* be prohibited, except in accordance with the requirements of The Ontario Heritage Act, the Provincial Government or the *City*.