Community Planning, Regulation and Mobility Committee Meeting
Agenda

Date: January 14, 2021
Time: 9:30 a.m.
Location: Council Chambers - members participating remotely

1. Declarations of Interest:

2. Statutory Public Meetings:
   Statutory public meetings are held to present planning applications in a public forum as required by the Planning Act.

3. Delegation(s):
   Due to COVID-19 this meeting will be conducted virtually. Only the chair of the meeting, along with a clerk and audio/visual technician, will be in council chambers, with all other staff, members of council and delegations participating in the meeting remotely. The meeting will be live webcasted, as usual, and archived on the city website.

   Requests to delegate to this virtual meeting can be made by completing the online delegation registration form at www.burlington.ca/delegate or by submitting a written request by email to the Clerks Department at clerks@burlington.ca by noon the day before the meeting is to be held. All requests to delegate must contain a copy of the delegate’s intended remarks which will be circulated to all members of committee in advance as a backup should any technology issues occur.

   If you do not wish to delegate, but would like to submit feedback, please email your comments to clerks@burlington.ca. Your comments will be circulated to committee members in advance of the meeting and will be attached to the minutes, forming part of the public record.

4. Consent Items:
   Reports of a routine nature, which are not expected to require discussion and/or debate. Staff may not be in attendance to respond to queries on items contained in the Consent Agenda.
4.1. By-law amendments to extend expiry dates of COVID-19 related by-laws (BB-02-21)

Approve the amendment to By-law 62-2020, otherwise known as the “COVID-19 Mask By-law”, to provide an expiry date of December 31, 2021, as attached as Appendix A to building and by-law department report BB-02-21, in a form satisfactory to the City Solicitor; and

Approve the amendment to By-law 17-2020, otherwise known as the “COVID-19 Physical Distancing By-law”, to provide an expiry date of December 31, 2021, as attached as Appendix B to building and by-law department report BB-02-21, in a form satisfactory to the City Solicitor.

5. Regular Items:

5.1. Zoning by-law amendment for 961 & 970 Zelco Drive and 4425 South Service Road (PL-03-21)

Approve the application made by Urban Solutions Planning & Land Development Consultants (c/o Giampaolo Investments Ltd.), to permit a *motor vehicle wrecking yard* use on the lands known as 961 & 970 Zelco Drive and 4425 South Service Road; and

Approve the by-law to amend Zoning By-law 2020, rezoning the lands at 961 & 970 Zelco Drive and 4425 South Service Road from “GE1” to “GE1-507”, substantially in accordance with the draft regulations contained in Appendix D of community planning department report PL-03-21; and

Deem that the proposed by-law will conform to the Official Plan of the City of Burlington and that there are no applications to alter the Official Plan with respect to the subject lands.

5.2. City of Burlington Housing Strategy – proposed Terms of Reference (PL-02-21)

Endorse the proposed Terms of Reference for Phase 1 of the City’s Housing Strategy attached as Appendix A to community planning department report PL-02-21; and

Authorize the Director of Community Planning to engage consultants through a Request for Proposal process to carry out the Phase 1 work, in accordance with the above noted proposed Terms of Reference; and

Direct the Director of Community Planning to develop and implement an Engagement Plan informed by feedback from the project steering committee, project working group and identified stakeholders; and
Direct the City Clerk to run an expression of interest with members of Council regarding serving on the Housing Strategy working group and report back at the appropriate time.

5.3. Site plan application at 2243, 2269 and 864 Drury Lane (PL-05-21)

Receive and file community planning department report PL-05-21 regarding a site plan application for 2243, 2269 Fairview Street and 864 Drury Lane.

6. Confidential Items:

Confidential reports may require a closed meeting in accordance with the Municipal Act, 2001. Meeting attendees may be required to leave during the discussion.

7. Procedural Motions:

8. Information Items:

9. Staff Remarks:

10. Committee Remarks:

11. Adjournment:
SUBJECT: By-law amendments to extend expiry dates of COVID-19 related by-laws

TO: Community Planning, Regulation & Mobility Cttee.

FROM: Building and By-law Department

Report Number: BB-02-21
Wards Affected: All
File Numbers: 110-04-1
Date to Committee: January 14, 2021
Date to Council: January 19, 2021

Recommendation:
Approve the amendment to By-law 62-2020, otherwise known as the “COVID-19 Mask By-law”, to provide an expiry date of December 31, 2021, as attached as Appendix A to building and by-law department report BB-02-21, in a form satisfactory to the City Solicitor; and

Approve the amendment to By-law 17-2020, otherwise known as the “COVID-19 Physical Distancing By-law”, to provide an expiry date of December 31, 2021, as attached as Appendix B to building and by-law department report BB-02-21, in a form satisfactory to the City Solicitor.

PURPOSE:

Vision to Focus Alignment:
- Building more citizen engagement, community health and culture

Background and Discussion:
Staff recommend extending the expiry dates of both the Mask (62-2020) and Physical Distancing (17-2020) By-laws until the end of 2021 (currently expire on January 31, 2021).
While it is understood that vaccines for the COVID-19 virus will be available in 2021, it will take many months before the majority of people can obtain the vaccine. It is anticipated that the current Public Health recommendations regarding physical distancing and the wearing of masks will remain in place until such time that the vaccines have been widely distributed and virus levels can be controlled at an acceptable level. For this reason, staff are recommending that the by-laws remain in place.

Should conditions change, the by-laws can be revoked at any time via a motion from Council.

**Alternative Option for Mask By-law**

An alternative for consideration would be to allow the City of Burlington Mask By-law to expire at the end of January and have staff enforce the Region of Halton Mask By-law 47-20. Currently, Burlington is the only city within the Region of Halton with their own mask by-law. While similar, there is one main difference in that the Region of Halton allows enforcement of individuals who refuse to wear a mask (and do not have an exemption) whereas the City Burlington by-law limits enforcement to building and business owners. Benefits of this option include:

- **Consistent enforcement across the Region** - as the pandemic continues, the enforcement focus is on a regional, proactive approach where the local municipalities join with regional staff to enforce COVID-19 related by-laws. Having all enforcement staff working from the same by-law would bring consistency to enforcement in the region.

- **Fewer steps for customers** - In an attempt to reduce enforcement calls related to mask by-laws, calls to the COVID Hotline are being redirected to Halton 311 as many calls can be handled through education versus enforcement. Questions about Burlington by-laws are redirected to us which means the customers are passed on another 1-2 times (usually through Service Burlington and then on to Building Department). While the current volume is not high (currently 3 per day), it would prevent the extra steps from a customer perspective.

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**Financial Matters:**

Not Applicable. There are no financial impacts related to these by-law changes.

**Other Resource Impacts**

The introduction of COVID-19 By-laws has impacted staff’s ability to maintain service levels in other by-law enforcement areas. When the initial COVID-19 lockdown
occurred, by-law staff were diverted to proactively to enforce COVID-19 related by-laws which created a backlog of regular requests.

Prior to the pandemic, staff worked regular, Monday to Friday business hours (with special evening/weekend patrols for noise). As COVID-19 is a constant issue, shifts were changed to provide additional coverage during the evenings and weekends. This resulted in less staff available per shift (2 - 4 for all 6 Wards) which increased the workload pressure on staff and affected the previous work-life balance of employees who were now working shifts.

Senior staff have been working with the Region to secure funding for additional temporary staff to help with COVID enforcement. This will help alleviate the workload pressure should funding be granted. However, until the COVID-19 pandemic is over, by-law enforcement service levels continue to be affected.

Conclusion:

Staff recommend maintaining by-laws related to physical distancing and wearing of masks for the duration of 2021 as it is anticipated that Public Health recommendations regarding these measures will continue to be valid during this period.

Respectfully submitted,

Kerry Davren
Manager of By-law
905-335-7600 Ext. 7800

Appendices:

A. Amendment to Mask By-law 62-2020
B. Amendment to Physical Distancing By-law 17-2020

Report Approval:

All reports are reviewed and/or approved by Department Director, the Chief Financial Officer and the Executive Director of Legal Services & Corporation Counsel.
The Corporation of the City of Burlington

City of Burlington By-law XX-2021

A by-law to amend the COVID-19 Mask By-law 62-2020, by imposing temporary regulations requiring the wearing of masks or other face coverings within enclosed common areas of apartment buildings and condominium buildings.

File: 110-04-1, BB-02-21

WHEREAS on March 11, 2020 the World Health Organization declared a worldwide pandemic regarding the Novel Coronavirus 19 ("COVID-19 Pandemic"); and

WHEREAS on March 21, 2020 an emergency was declared by the Mayor of the City of Burlington under the provisions of the Emergency Management and Civil Protection Act, R.S.O. 1990, c.E.9 (the "Emergency Management Act"), relating to the COVID-19 Pandemic; and

Whereas on July 24, 2020, the Province of Ontario ended the emergency declaration and implemented the Re-opening Ontario (A Flexible Response to COVID-19) Act, 2020, R.S.O. 2020, c.17; and

WHEREAS COVID-19 continues to be present within the City of Burlington and surrounding municipalities, and is a disease that is readily communicable from person to person, even with minimal or no signs of symptoms or illness, and carrying a risk of serious complications such as pneumonia or respiratory failure, multiple organ failure, kidney failure, liver failure, neurological complications, and may result in death; and Whereas there is a growing body of evidence on the effectiveness of masks and face coverings to act as a barrier to prevent the spread of COVID-19; and

WHEREAS the wearing of masks and face coverings may act as an ongoing visual clue and reminder that public health measures, including hand-washing and maintaining a safe physical distance from others, are still required, that the COVID-19 pandemic is ongoing and that a resurgence of local disease activity remains an ongoing threat; and

WHEREAS physical distancing can be difficult to maintain in enclosed common areas of apartment and condominium buildings, the Medical Officer of Health has advised that the following temporary regulations requiring owners of apartment buildings and condominium corporations responsible for condominium buildings with enclosed common areas adopt a policy to ensure that persons wear a mask or face covering as it is a necessary, recognized, practicable and effective method to limit the spread of COVID-19 and helping protect the health, safety and well-being of the residents of the City of Burlington;

WHEREAS sections 8, 9 and 11 of the Municipal Act, 2001 authorize the City of Burlington to pass by-laws necessary and desirable for municipal purposes, and in particular, paragraphs 5, 6, and 8 of subsection 11(2) authorize by-laws respecting public assets of the municipality, the economic, social and environmental well-being of City, the health, safety and well-being of persons, the protection of persons and property;
WHEREAS on July 13, 2020, Council of The Corporation of the City of Burlington passed By-Law 62-2020, being a By-law to Regulate the Requirement of Wearing of Mask or Other Face Coverings Within Enclosed Spaces Open to the Public;

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

1. Section 25 of By-law 62-2020 is amended by deleting section 25 in its entirety and replacing it with the following new section 25:

This By-law comes into force on the date of its passing and shall remain in effect until 12:01 a.m. on December 31, 2021, unless extended or revoked by City Council.

2. That in all other aspects, By-law 62-2020 be and is hereby confirmed.

Enacted and passed this 19th day of January, 2020

Mayor Marianne Meed Ward ________________________________

City Clerk Kevin Arjoon ________________________________
THE CORPORATION OF THE CITY OF BURLINGTON

BY-LAW XX-2020

A by-law to amend By-Law 17-2020, being a by-law to Promote and Regulate Physical Distancing During the COVID-19 Pandemic State of Emergency

File: 110-04-1 (BB-02-21)

Whereas on March 17, 2020, the Province of Ontario declared an emergency relating to the COVID-19 Pandemic under the provisions of the *Emergency Management and Civil Protection Act*, R.S.O. 1990, c.E.9 (“Emergency Management Act”) which emergency was terminated on July 24, 2020; and

Whereas on March 21, 2020 an emergency was declared by the Mayor of the City of Burlington, under the provisions of the *Emergency Management Act*, relating to the COVID-19 Pandemic; and

Whereas on April 6, 2020, Council of The Corporation of the City of Burlington passed By-Law 17-2020, being a By-law to Promote and Regulate Physical Distancing During the COVID-19 Pandemic State of Emergency which was effective for the duration of the municipal emergency declaration; and

Whereas on July 24, 2020, the Province of Ontario ended the emergency declaration and implemented the *Re-opening Ontario (A Flexible Response to COVID-19) Act, 2020*, R.S.O. 2020, c.17; and

Whereas the Medical Officer of Health continues to recommend physical distancing measures to slow the spread of COVID-19, including maintaining a distance of at least 2 metres from individuals who are not members of the same household; and

Whereas sections 8, 9 and 11 of the Municipal Act, 2001 authorize the City of Burlington to pass by-laws necessary and desirable for municipal purposes, and in particular, paragraphs 5, 6, and 8 of subsection 11(2) authorize by-laws respecting public assets of the municipality, the economic, social and environmental well-being of City, the health, safety and well-being of persons, the protection of persons and property; and

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

1. By-law 17-2020 is amended by deleting section 22 in its entirety and replacing it with the following new section 22:

   This By-law comes into force on the date of its passing and shall remain in effect until 12:01 a.m. on December 31, 2021, unless extended or revoked by City Council.

2. Subject to the amendments made in this by-law, in all other respects, By-law 17-2020 is hereby confirmed unchanged.
PASSED this 19th day of January, 2021.

Mayor Marianne Meed Ward

City Clerk Kevin Arjoon
SUBJECT: Recommendation report for a zoning by-law amendment for 961 & 970 Zelco Drive and 4425 South Service Road

TO: Community Planning, Regulation & Mobility Cttee.

FROM: Community Planning Department

Report Number: PL-03-21
Wards Affected: 4
File Numbers: 520-06/20
Date to Committee: January 14, 2021
Date to Council: January 19, 2021

Recommendation:

Approve the application made by Urban Solutions Planning & Land Development Consultants (c/o Giampaolo Investments Ltd.), to permit a motor vehicle wrecking yard use on the lands known as 961 & 970 Zelco Drive and 4425 South Service Road; and

Approve the by-law to amend Zoning By-law 2020, rezoning the lands at 961 & 970 Zelco Drive and 4425 South Service Road from “GE1” to “GE1-507”, substantially in accordance with the draft regulations contained in Appendix D of community planning department report PL-03-21; and

Deem that the proposed by-law will conform to the Official Plan of the City of Burlington and that there are no applications to alter the Official Plan with respect to the subject lands.

PURPOSE:

The purpose of this report is to recommend approval of an application to amend the Zoning By-law to permit a motor vehicle wrecking yard with a proposed mobile drainage collection system structure at 961 & 970 Zelco Drive and 4425 South Service Road.

Vision to Focus Alignment:

The following objectives of 2018 – 2022 Burlington’s Plan: From Vision to Focus apply to the discussion and consideration of the subject application:
• Increase economic prosperity and community responsive city growth
• Support sustainable infrastructure and a resilient environment
**RECOMMENDATION:** Approval  
**Ward:** 4

<table>
<thead>
<tr>
<th>Application Details</th>
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<tbody>
<tr>
<td><strong>APPLICANT:</strong> Urban Solutions Planning &amp; Land Development Consultants Inc.</td>
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<tr>
<td><strong>OWNER:</strong> Giampaolo Investments Ltd.</td>
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<td><strong>FILE NUMBERS:</strong> 520-06/20</td>
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<td><strong>TYPE OF APPLICATION:</strong> Zoning By-law amendment</td>
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<td><strong>PROPOSED USE:</strong> Industrial metal recycling facility to provide motor vehicle wrecking services excluding vehicle crushing</td>
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<tr>
<th>Property Details</th>
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<tr>
<td><strong>PROPERTY LOCATION:</strong> South-west of the Queen Elizabeth Way and Appleby Line intersection, north of Harvester Road and east of South Service Road.</td>
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<td><strong>MUNICIPAL ADDRESSES:</strong> 961 &amp; 970 Zelco Drive and 4425 South Service Road</td>
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<td><strong>PROPERTY AREA:</strong> 2.33 ha (approximately 23,316 sqm)</td>
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<td><strong>EXISTING USE:</strong> Industrial metal recycling facility</td>
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<tr>
<td><strong>OFFICIAL PLAN Existing:</strong> &quot;Employment lands – General Employment&quot;</td>
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<td><strong>OFFICIAL PLAN Proposed:</strong> &quot;Employment lands – General Employment&quot;</td>
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<td><strong>ZONING Existing:</strong> General Employment – GE1</td>
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<td><strong>ZONING Proposed:</strong> General Employment – GE1-507</td>
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<td><strong>APPLICATION RECEIVED:</strong> July 2, 2020</td>
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<td><strong>STATUTORY DEADLINE:</strong> Elapsed</td>
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<td><strong>NEIGHBOURHOOD MEETING:</strong> No applicable</td>
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<td><strong>PUBLIC COMMENTS:</strong> 2 written comments received</td>
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Background and Discussion:

On July 2, 2020 the Community Planning Department received a complete application for a Zoning By-law amendment for 961 & 970 Zelco Drive and 4425 South Service Road (the “subject lands”). The purpose of the application is to permit a proposed motor vehicle wrecking yard which is currently a prohibited use under the General Employment (GE1) zoning of the property. There is no new development planned for the subject lands, with the exception of a proposed mobile drainage collection system structure.

On September 22, 2020 the Community Planning Department presented an information report to council concerning the Zoning By-law application with a recommendation to continue to work with the applicant in order to resolve staff concerns. At this time, the applicant has addressed all of staff’s concerns, which will be discussed throughout the report in more detail.

Site Description

The subject lands are located south-west of the Queen Elizabeth Way and Appleby Line intersection, north of Harvester Road and east of South Service Road. The lands are composed of three parcels municipally known as 961 & 970 Zelco Drive and 4425 South Service Road with a combined area of 2.33 ha. Property 961 Zelco Drive has an area of approximately 0.39 ha, a frontage of approximately 32 m along Zelco Drive and an existing 2 storey building with a gross floor area of approximately 1,142 sqm. Property 970 Zelco Drive has area of approximately 0.39 ha, a frontage of approximately 20 m along Zelco Drive and contains an office structure of approximately 19 sqm. Property 4425 South Service Road has an area of approximately 1.55 ha, a frontage of approximately 107 m along South Service Road and a 2 storey building located in the southern portion of the property with an approximate gross floor area of 104 sqm.

Currently, there is a metal recycling facility on the subject lands which has been operating for over 25 years. The lands are in a location designated as General Employment in the City’s Official Plan, and zoned General Employment (GE1) in the City’s Zoning By-law 2020, as amended. The location and zoning of the subject lands is illustrated in Appendix A to this report. The surrounding land uses include:

- North: Abutting the subject lands to the north are 2 buildings of approximately 2 storeys including corporate offices and industrial uses.
- East: Abutting the subject lands to the east are 2 buildings of approximately 1 storey for industrial uses.
- South: Abutting the subject lands to the south are 2 buildings of approximately 1 storey for industrial uses.
West: Abutting the subject lands to the west is a scrap yard and South Service Road, across the road is a building of approximately 1 storey for vehicle repair services and a yard for equipment rental services.

Description of Application and Processing History

Urban Solutions Planning & Land Development Consultants have made an application for a Zoning By-law Amendment on behalf of Giampaolo Investments for the subject lands. A Zoning By-law Amendment is an instrument provided to municipalities under Section 34 of the Planning Act which allows property owners to request a change to the Zoning By-law regulations in case the proposed development is not in accordance with the regulations. In this case, the proposed motor vehicle wrecking yard is prohibited in the GE1 zone under Zoning By-law 2020 and as a result, the applicant is requesting a Zoning By-law amendment to facilitate the development.

Technical Reports

The following information and plans were submitted in support of the application. This information can also be accessed online at: www.burlington.ca/961zelcodrive

- **Planning Justification Report** Prepared by Urban Solutions Planning & Land Development Consultants dated February 14, 2020
- **Conceptual Site Plan Layout and Site Survey** Prepared by Urban Solutions Planning & Land Development Consultants dated October 11, 2019
- **Revised Conceptual Site Plan Layout and Site Survey** Prepared by Urban Solutions Planning & Land Development Consultants dated August 6, 2020
- **Revised Conceptual Site Plan Layout and Site Survey** Prepared by Urban Solutions Planning & Land Development Consultants dated August 26, 2020
- **Revised Conceptual Site Plan Layout and Site Survey** Prepared by Urban Solutions Planning & Land Development Consultants dated October 7, 2020
- **Addendum Concept Plan** Prepared by Urban Solutions Planning & Land Development Consultants dated October 17, 2019
- **Scoped Functional Servicing Report** Prepared by MTE Consultants dated February 7, 2020
- **Traffic Impact Brief** Prepared by RC Spencer Associates dated October 29, 2019
- **Updated Transportation Memo** Prepared by RC Spencer Associates dated August 6, 2020
- **Noise Impact Study** Prepared by HGC Engineering dated January 22, 2020
- **Environmental Site Screening Checklist** Prepared by Urban Solutions Planning & Land Development Consultants dated January 22, 2020
- **Environmental Compliance Approval Confirmation** Prepared by Ministry of the Environment, Conservation and Parks dated January 31, 2020
Policy Framework

The application for an amendment to the Zoning By-law is subject to the following policy framework:

Provincial Policy Statement (2020)

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development in Ontario. Moreover, it provides policies for development based on efficient use of land and infrastructure, protection of natural resources, protection of public health and safety, and residential and employment area development including a range and mix of uses. The PPS is issued under Section 3 of the Planning Act and requires that decisions affecting planning matters made on or after May 1, 2020 “shall be consistent with” the PPS. The following PPS policies apply to the Zoning By-law Amendment application for the subject lands.

Policy 1.1.3.1 identifies Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted. The subject lands are located within the Urban Planning Area Boundary according to Schedule A of the City’s Official Plan, and therefore are located within a settlement area. Policy 1.1.3.2 further explains that land use patterns within settlement areas shall be based on densities and a mix of land uses which:

a) Efficiently use land and resources;
b) Are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid their unjustified and or/uneconomical expansion;

c) Minimize negative impacts to air quality and climate change, and promote energy efficiency;

d) Prepare for the impacts of a changing climate

e) Support active transportation; and,

f) Are transit-supportive, where transit is planned, exists or may be developed.

g) Are freight supportive

The subject lands are of employment nature as these include automotive, office and industrial uses. The proposed Zoning By-law amendment would allow an additional use to assist in promoting a range and mix of employment land uses and in protecting employment lands. Prohibiting the existing and proposed use to operate would be an inefficient use of the land and the physical resources that are currently in place. The development utilizes existing municipal infrastructure and does not propose any additional expansion to the infrastructure through this application. Additionally, the operation of the existing and proposed uses on the subject lands will support the viability of the public transit routes along the intersection of Zelco Drive and Harvester Road. The subject lands are located on the periphery of Queen Elizabeth Way, a provincial highway utilized as a major goods movement corridor which helps support the transportation of major goods from the subject lands.

Policy 1.2.6.1 identifies that major facilities and sensitive land uses shall be planned and developed to avoid or minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities. Engineering staff have advised that the proposed mobile unit is self-contained and has a spill tray; the site has emergency spill protocol in place, and two functioning oil grit separators that have been certified by the civil engineer as in good working condition. City Site Engineering and Region of Halton staff have therefore indicated no concerns for potential environmental contamination. Additionally, Site Engineering staff have no concerns of noise impact as per the review of the noise impact study submitted by the applicant. The applicant has confirmed a vehicle crushing unit, which could cause noise impacts, is not proposed.

Policy 1.3.2.2 identifies that employment areas planned for industrial and manufacturing uses shall provide for separation or mitigation from sensitive land uses to maintain the long-term operational and economic viability of the planned uses and function of these areas. Similarly, policy 1.3.2.3 identifies that within employment areas planned for industrial or manufacturing uses, residential uses shall be prohibited and prohibit or limit other sensitive land uses that are not ancillary to the primary employment uses. The
subject lands and the immediate surrounding parcels are designated Employment Lands – General Employment on Schedule B – Urban Area of the City’s Official Plan. As a result, the existing area contains employment uses including industrial and office spaces. The application for a Zoning By-law amendment does not propose any new development on the subject lands, and rather seeks to permit a motor vehicle wrecking yard use within the existing GE1 zone. Additionally, the proposed subject lands are sufficiently separated from sensitive land uses as the nearest residential area is approximately 750m south from the subject lands.

Planning staff have considered the policies of the PPS with regard to this Zoning By-law amendment application and support the applicant’s opinion in the submitted Planning Justification Report that the proposal is consistent with the 2020 PPS.

**Growth Plan for the Greater Golden Horseshoe (2019)**

The Growth Plan for the Greater Golden Horseshoe (Growth Plan) provides specific growth management policy direction for the Greater Toronto and Hamilton Area (GTHA) and focuses on development in the existing urban areas through intensification. The guiding principles of the Growth Plan include building complete communities that are vibrant and compact, and utilizing existing and planned infrastructure to support growth in an efficient and well-designed form. As noted earlier, there is no new development planned for the subject lands and the Zoning By-law Amendment is required to allow for a motor vehicle wrecking yard. The following Growth Plan policies apply to the Zoning By-law Amendment application for the subject lands:

One of the growth plan’s guiding principles is to provide flexibility to capitalize on new economic and employment opportunities as they emerge, while providing certainty for traditional industries. Similarly, Policy 2.2.5 1. a) identifies that Economic development and competitiveness in the GGH will be promoted by making more efficient use of existing employment areas and vacant and underutilized employment lands and increasing employment densities. The Zoning By-law amendment will allow for the additional use of a motor vehicle wrecking yard on the subject lands and hence expand the subject land services for a more efficient use of the existing infrastructure.

Policy 2.2.5 8) identifies that Municipalities may identify employment areas located near major goods movement corridors, including major highway interchanges, as prime employment areas and plan for their protection for appropriate employment uses over the long-term. The plan identifies this can be achieved by prohibiting residential, institutional, sensitive land uses, and retail and office uses not associated with or ancillary to the primary use, as well as to plan for freight-supportive land use patterns.

The proposed motor vehicle wrecking yard use will maintain the subject lands as employment lands. Sensitive land uses such as residential and institutional uses as well
as retail and office uses that are not associated with the primary employment use will not be established.

Planning staff have reviewed the application and find that the proposed Zoning By-law amendment on the subject lands conforms with the policy direction provided by the 2019 Growth Plan.

**Region of Halton Official Plan**

The subject lands are designated as *Urban Area* according to the Regional Official Plan (ROP) (identified on Map 3 of the ROP). The Urban Area objectives promote growth that is compact and transit supportive with an appropriate range and balance of employment uses including industrial uses to meet long-term needs. The Urban Area (Section 77) policies support increased densities and intensification of uses within these areas subject to Local Official Plan policy and direction. The ROP also identifies that the proper integration of intensification with the surrounding neighbourhoods through urban design is supported.

The subject lands are within the *Employment Area - overlay* (identified on Map 1 of the ROP). The Employment Area objectives aim for the protection of this designation in order to ensure the availability of sufficient land for employment to accommodate forecasted growth and support economic competitiveness. Furthermore, the plan aims for the Employment Area to be in the vicinity of existing major highway interchanges and rail yards within the Urban Area.

Halton Region staff were circulated on the development application and associated technical studies and drawings. Regional staff have indicated that the applicant’s application materials are satisfactory for the rezoning and have no objections to the proposed amendments.

**City of Burlington Official Plan**

The subject lands are designated *Employment Lands – General Employment* on Schedule B – Urban Area of the City’s Official Plan. The immediate surrounding properties are all designated *Employment Lands – General Employment* except for the properties located directly north of 961 Zelco Drive which are designated as *Employment Lands - Business Corridor* and also permit employment uses including office and industrial uses. As per policy 3.3.2 a), the *General Employment* designation permits a broad range of employment uses including:

i) industrial uses that involve assembling, fabricating, manufacturing, processing, warehousing and distribution uses, repair activities, communications, utilities, transportation, storage, service trades and construction uses; office uses; research and information processing; recreational uses; large scale motor vehicle dealerships; and adult entertainment uses.
ii) A limited range of retail and service commercial uses  
iii) In locations adjacent to residential areas only uses that would have limited impact on the surrounding area.  
iv) A residence for a watchman or caretaker  

Additionally, policy 3.3.1 b) aims to separate General Employment designated areas from other sensitive land uses, particularly residential, due to potential land use compatibility concerns. The subject lands as well as the surrounding properties are designated Employment Lands and are located sufficiently distant from residential uses, at approximately 750m north from the nearest residential designated area. Therefore, staff is of the opinion that the proposed use would not disrupt the nearest residential neighbourhoods. 

The Official Plan policy 3.3.2 f) also identifies general site plan considerations to ensure compatibility between the proposed General Employment use and the adjacent land uses. The considerations listed which apply to the subject lands include:

- Off-street parking shall be located away from adjacent uses  
- Loading areas shall be located to avoid conflict between pedestrian and vehicular traffic away from adjacent residential areas and adjoining roads;  
- Off-street parking areas, loading areas and site service areas shall be screened and landscaped  
- Outdoor storage areas shall be fenced and/or screened  
- The number and location of vehicular access points shall be limited to minimize disruption to traffic flows  
- The proposal provides convenient access to public transit services  

The existing off-street parking and loading spaces are all within the property 961 Zelco Drive. The off-street parking is located on the west and south side of the principal building while the existing loading space is located on the east side of the principal building. The loading space is set back from the frontage of the principal building at approximately 23m from the curve of Zelco Drive and it is adjacent to the west side yard of property 4450 Paletta Court which designated and zoned as General Employment (GE1) as well as utilized for open space. The loading space is screened by a metal wire fence of approximately 3m in height that is located on the east property line of 961 Zelco Drive and landscaped by a 4m wide natural vegetation area.  

The subject lands are currently screened by an opaque metal fence of approximately 3m in height except for the entrance located on 961 and 970 Zelco Drive. Additionally, the existing entrance gate located on South Service Road will be closed and will remain as an emergency access point which will help minimize disruption of traffic flow. The nearest transit routes include bus stops along the intersection of Zelco Drive and
Harvester Road, which are located at approximately 350m from the subject lands in walking distance.

Staff consider that the subject lands are sufficiently landscaped, screened and located away from adjacent uses which prevent any possible visual and land use impacts of the proposed use onto immediate properties. Additionally, planning and transportation staff consider that the off-street parking and loading spaces do not pose negative impacts onto the pedestrian and vehicular traffic access as well as the immediate surrounding properties and are sufficiently distant from residential areas and adjoining roads. As a result, staff are of the opinion that the proposed Zoning By-law amendment conforms to the City’s Official Plan.

**City of Burlington Adopted Official Plan, 2018**

The City’s proposed new Official Plan was adopted by Council on April 26, 2018 and has been developed to reflect the opportunities and challenges facing the City as it continues to evolve. On November 30, 2020 Halton Region issued a final Notice of Decision approving the new Official Plan, and a twenty-day appeal period then began from November 30, 2020 to December 21, 2020.

The subject lands are contemplated to be designated “General Employment” in the new Official Plan. This designation permits industrial uses that involve assembling, processing, warehousing and distribution uses, repair activities, storage; office uses; and automotive commercial uses among other permitted uses. Objectives of this designation include: to provide locations for existing, new and/or relocating manufacturing, assembly, distribution and service industrial uses; to provide locations in the city for a broad range of employment and office uses; and to separate General Employment areas from sensitive land uses such as residential, due to potential adverse effects. As a result, staff are of the opinion that the proposed Zoning By-law amendment does not conflict with the City of Burlington Adopted Official Plan policies.

**City of Burlington Zoning By-law**

The subject lands are zoned *General Employment* (GE1) in the City’s Zoning By-law 2020. The GE1 zone permits a broad range of uses such as automotive, retail, service commercial, recreational, office and industrial uses including a recycling facility, however a *motor vehicle wrecking yard* is a prohibited use due to possible noise, contamination and land use compatibility concerns. A *motor vehicle wrecking yard* is defined in Zoning By-law 2020 as “an area outside of a building where motor vehicles are dissembled, dismantled, or junked, or where inoperable motor vehicle or parts of motor vehicles are stored”. The properties surrounding the subject lands are also zoned GE1 except for the property located north-west of 961 Zelco Drive which is zoned as *Business Corridor* (BC1). The BC1 zone also permits similar employment uses in
comparison to the GE1 zone including automotive, retail, service commercial, hospitality, recreational, office and industrial uses.

As per Zoning By-law 2020, the parking rate of the subject lands is 1 parking space per 100sqm of Gross Floor Area (GFA). Based on the approximate GFA of the buildings, the required parking rate is 11 parking spaces, including 1 accessible space. Additionally, for every building which use is part of the principal use on the subject lands a loading space is required, therefore 2 loading spaces are required. Currently, the property contains 1 loading space which is located on the northern parcel municipally known as 961 Zelco Drive. The applicant is therefore requesting to recognize a reduction from the required 2 loading spaces to the 1 existing loading space as well as the existing loading and unloading activities that occur in the yard abutting Zelco Drive.

Loading spaces are recognized under zoning By-law 2020 as off-street space or berth on the same lot with a building for the temporary parking of commercial vehicles that load or unload merchandise or materials. As per Part 3, Section 6.9 (b) of Zoning By-law 2020, loading and/or unloading activities are not permitted in a yard abutting a street. This policy intends to regulate the location of loading and/or unloading activities in order ensure that property yards and neighbourhood streetscapes are preserved as well as to ensure that vehicular and pedestrian traffic circulation is not disrupted.

The current loading space is an existing condition which is set back from the frontage of the principal building at approximately 23m from the curve of Zelco Drive and is sufficiently distant from the public sidewalk and street. Therefore, staff is of the opinion that the existing loading space poses no negative impact onto the streetscape, vehicular and pedestrian traffic flow or immediate property uses on Zelco Drive. Planning and transportation staff are also of the understanding that loading and unloading activities will occur throughout different locations on the site due to the nature of the proposed use and have no concerns regarding this matter. As per the analysis above staff is therefore of the opinion that the proposed amendments to Zoning By-law 2020 are appropriate for the subject lands.

**Appleby GO Major Transit Station Area**

The Appleby GO Major Transit Station Area (MTSA) is a locally recognized area centred around the Appleby GO Station. In 2016, the City initiated an Area Specific Plan (secondary plan) project to guide future growth in the Appleby GO MTSA, which aims to focus on creating a complete community that is environmentally-friendly, infrastructure-efficient, walkable, bikeable, and supports local and regional transit with a mix of uses such as employment, housing, recreation and shopping.

The subject lands are not within nor adjacent to the Appleby GO MTSA Study Area, as identified in the City’s New Official Plan. Additionally, at this time Halton Region is in the process of delineating the boundaries of Major Transit Station Areas throughout the
Region. The subject lands are located approximately 200m away from the Appleby MTSA Boundary (as identified in the new Official Plan) and approximately 1km away from the Appleby GO Station. Therefore, any draft policies related to the Area Specific Planning Study are not found applicable to this Zoning By-law Amendment application.

**Technical Review:**

**City of Burlington – Site Engineering**

It is Site Engineering’s understanding and was confirmed by the Applicant during the ZBA process, that a vehicle crushing unit is not proposed. Further, the application is to allow the installation of a mobile drainage collection system (only), where fluids would be removed from the vehicles then the vehicles will be removed off site for crushing. If in the future a crushing unit is proposed Site Engineering staff would ask that a new Zoning By-Law Amendment application be required, where the Noise Impact Study would need to be updated to address the crushing equipment, and the Applicant would need to provide confirmation that there is a Ministry of Environment approval/registration document for crushing equipment, and/or a security provided until such time as the MECP registration document is available. If Council approves the application, Site Engineering would recommend that the zoning by-law be written to explicitly not allow vehicle crushing equipment on the properties, and only allow for disassembling vehicles (tires, interior, etc.), and the collection of fluids in the mobile drainage station, then the vehicles would be transported off site for crushing.

**Parks and Open Space & Landscaping**

No comments

**City of Burlington – Transportation Planning**

Transportation Planning staff requested applicant to provide the following information:

- The parking layout and all dimensions on the site plan.
- To show truck turning templates for site circulation.
- The ITE land use code used in the traffic brief to estimate the additional site trips for staff to verify.

The applicant has addressed these comments and provided the requested information on August 7, 2020. Transportation have reviewed the revised documents and have no further comments or concerns.
Halton Region
Regional Planning Staff have reviewed the subject applications within the context of Provincial planning documents and Regional Official Plan (ROP) and offer no objection to the proposed amendments.

Burlington Fire
Following the Community Planning, Regulation and Mobility Committee meeting that took place on September 22, 2020 fire staff was re-circulated the application materials for possible comments regarding fire route access as per council’s discussion.

Fire staff later identified that the proposal to close off the entrance located on South Service Road by installing a permanent fence would be of concern. The proposed fire access route indicates the location of the fire hydrants on South Service Road and considers them to be a source or firefighting water for the proposed salvage yard. If the existing gate were to be removed there would only be access to one hydrant from the end of Zelco Drive. This may not allow for all parts of the yard to be reached by using not more than 60m of hose as required by the Ontario Fire Code Division B 3.5.1.5.

The applicant therefore submitted a Revised Conceptual Site Plan Layout and Site Survey as well as a Revised Fire Access Route Plan on October 8, 2020. These plans have been revised to show that the access on South Service Road will now remain open as an emergency exit only. Fire staff has identified that the revised plans submitted have satisfied their comments and concerns.

Burlington Transit
No comments.

Burlington Economic Development Corporation
No comments.

Financial Matters:
In accordance with the Development Application Fee Schedule, all fees determined have been received.

Engagement Matters:
Public Circulation
The application was subject to the standard circulation requirements. A public notice and request for comments was circulated on July 6, 2020 to 211 surrounding property
owners/tenants. Two public notice signs were placed on the property, one facing Zelco Drive and another facing South Service Road which provided details about the application. All studies and supporting materials were posted on the City’s website at www.burlington.ca/961zelcodrive.

Public Comments

Since the public circulation was issued in July 2020, Planning Staff have received correspondence from 2 members of the public regarding the requested Zoning By-law Amendment. The public comments that were received are included as Appendix C to this report.

The general themes expressed in the comments are as follows:

<table>
<thead>
<tr>
<th>Public Comment</th>
<th>Staff Response</th>
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<tr>
<td>Subject lands are intended for office, commercial and residential uses and their intensification. The subject lands and abutting properties including 4450 and 4480 Paletta Court are included in the Appleby GO Mobility Hub.</td>
<td>The applicable Provincial, Regional, and Local policies of the subject lands do not encourage residential uses within or surrounding the subject property but do encourage industrial and office uses. The subject lands and the parcel which abuts the property to the north, municipally known as 4450 Paletta Court, are not within the Appleby GO MTSA Study Area, as identified in the new Official Plan, and Halton Region is currently in the process of delineating the boundaries of Major Transit Station Areas throughout the Region. Furthermore, the subject lands neither abuts the property at 4480 Paletta Court, which is found within the Appleby GO MTSA boundary, nor the Study Area Boundary. Therefore, any draft policies related to the Secondary Planning Study are not found applicable to this Zoning By-law Amendment application.</td>
</tr>
<tr>
<td>Proposed use is incompatible with the surrounding land uses which impact opportunities for other sites in the area to develop into high class office uses.</td>
<td>The immediate properties adjacent to the subject lands are all designated Employment Lands – General Employment except for the property located north of 961 Zelco Drive, which is designated as Employment Lands - Business Corridor. Additionally, the immediate properties adjacent to the subject lands are all zoned General Employment (GE1) under Zoning By-law 2020 expect for the property located north-west of 961 Zelco Drive which is zoned as Business Corridor (BC1). The BC1 zone permits similar employment uses in comparison to the GE1 zone including automotive, retail, service commercial, hospitality, recreational, office and industrial uses. Although the specific Official Plan</td>
</tr>
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designations and Zoning of the properties located north of 961 Zelco Drive are different, the nature of these and all the surrounding properties is of an employment nature. As a result, the subject land’s proposed use is compatible with the surrounding uses and the planned context of the area.

<table>
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<tr>
<th>Potential environmental and ground contamination.</th>
<th>Engineering staff have been made aware of the environmental related concerns received from public comments and have stated that <em>the mobile unit is self-contained, has a spill tray, the site has emergency spill protocol in place, and two functioning oil grit separators on site that have been certified by the civil engineer as in good working condition</em>. Additionally, the Region of Halton whom also comments on matters relating to environmental concerns, have identified they have no concerns regarding potential environmental and ground contamination.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Often truck traffic, disregard of speed limit and dangerous truck maneuvering/turning on Zelco Drive.</td>
<td>At the request of transportation staff, the applicant has provided further information regarding the access and circulation of vehicles on subject lands. The applicant’s transportation engineer has advised that based on the submitted studies to City staff this development will not have an adverse effect on traffic operations on Harvester Road at Zelco Drive and that queuing on Zelco Drive is not anticipated to exceed three vehicle lengths. Transportation staff have been made aware of the transportation related concerns received from the public comments, have reviewed the submitted studies and have identified no concerns.</td>
</tr>
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</table>

**Conclusion:**

Planning staff have reviewed the zoning by-law amendment application submitted for the lands located at 961 & 970 Zelco Drive and 4425 South Service Road and find that the application is consistent with and conforms to Provincial planning documents, as well as the Regional Official Plan and Burlington Official Plan, and therefore recommend approval of the application.
Respectfully submitted,

Mariana Da Silva
Planner I
905-335-7600 ext. 7536

**Appendices:**
- A. Location/Zoning Sketch
- B. Detail Sketch
- C. Public Comments
- D. Draft By-law

**Notifications:**
Matt Johnston, Urban Solutions Planning & Land Development Consultants Inc.

mjohnston@urbansolutions.info

**Report Approval:**
All reports are reviewed and/or approved by Department Director, the Chief Financial Officer and the Executive Director of Legal Services & Corporation Counsel.
Sketch No. 1

ZONING SKETCH

Application to amend the Zoning By-law to permit a Motor Vehicle Wrecking Yard within the existing zone.

File No. 520-06/20

Date: June 26, 2020
Planning and Building Department
Sketch No. 2
DETAIL SKETCH

Application to amend the Zoning By-law to permit a Motor Vehicle Wrecking Yard within the existing zone.

Subject Property

File No. 520-06/20

Date: November 16, 2020
Planning and Building Department
July 22, 2020

Mariana Da Silva
City of Burlington
Planning & Building Department
426 Brant Street
Burlington, Ontario
L7R 3Z6

Dear Ms. Da Silva:

Re: 961 & 970 Zeleo Drive and 4425 South Service Road (File 520-06/20)

We are in receipt of the Notice of Planning Application for the proposed Zoning By-law Amendment for the properties located at 961 & 970 Zeleo Drive and 4425 South Service Road, and would like to express our opposition to this application.

We own the adjacent lands at 4450 and 4480 Paletta Court which directly abut the subject property, and are in large part included within the Appleby GO Mobility Hub boundary. As you know, Mobility Hubs and major transit station areas are considered by the Province as important higher density mixed-use growth nodes where future prestige office, commercial and residential uses will allow for the development of complete communities within close proximity to transit stations. While we understand some of the local planning policies and zoning designations for these hubs remain under review, the general intent of the future of these areas is clear.

Permitting a motor vehicle wrecking yard right next to a Mobility Hub will have a negative impact on the ability of surrounding landowners to achieve the Province’s vision due to incompatible land uses and potential environmental and ground contamination. The approval of these lands years ago as a salvage yard has done nothing to improve the area, and in fact has hindered many opportunities for high class office development because of this unsightly use. While we agree this type of land use should be permitted somewhere in the city, this is not the proper location as even the current use is not compatible with the surrounding prestige light industrial and office buildings.

As the Province and City of Burlington are placing an emphasis on future growth and intensification within the Mobility Hubs and major transit stations areas, it is important that the planning of these areas and surrounding land uses are supportive of that vision.

Please include us on the distribution list for the eventual notice of decision so that we may take appropriate action as needed to ensure our interests and the interests of the City of Burlington are protected.

Yours truly,

PENTA PROPERTIES INC.

Dave Piliado
Director, Real Estate Development
Good Morning Mariana

RE: File 520-06/20 – 961 & 970 Zelco Drive and 4425 South Service Road

This application for a zoning amendment has only recently come to our attention and I would like to voice our major concern which is traffic.

There is often a line of trucks waiting to enter the facility (referenced above) causing the constant stream of transport trucks on this short road which often disregard the speed requirement. This is an additional danger when they are trying to maneuver the curve in the road.

It can be a difficult and dangerous situation as it currently stands but additional volume should definitely be addressed as an area of concern.

Yours truly,

Kathy

Kathy Fatt

STANMECH Technologies Inc.
944 Zelco Drive
Burlington, ON L7L 4Y3
APPENDIX C: Draft Zoning By-Law

BY-LAW NUMBER 2020.424, SCHEDULE ‘A’ AND EXPLANATORY NOTE

THE CORPORATION OF THE CITY OF BURLINGTON

BY-LAW NUMBER 2020.424

A By-law to amend By-law 2020, as amended; 961 & 970 Zelco Drive and 4425 South Service Road
File No.: 520-06/20

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

WHEREAS the Council of the Corporation of the City of Burlington approved Recommendation PL-03-21 on January 19, 2021 to amend the City’s existing Zoning By-law 2020, as amended, to permit a Motor Vehicle Wrecking Yard;

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

1. Zoning Map Number 22E & 23E of PART 15 to By-law 2020, as amended, is hereby amended as shown on Schedule “A” attached to this By-law.

2. The lands designated as “A” on Schedule “A” attached hereto are hereby rezoned from GE1 to GE1-507.

3. PART 14 of By-law 2020, as amended, Exceptions to Zone Classifications, is amended by adding Exception GE1-507 as follows:
1. Additional Permitted Use
   a. Motor Vehicle Wrecking Yard

2. Additional Regulations for a Motor Vehicle Wrecking Yard
   b. The crushing of motor vehicles is prohibited
   c. Maximum of one mobile structure is permitted to be used for the motor vehicle wrecking use
   d. One loading space for the properties zoned GE1-507
   e. Loading/unloading activities are permitted in a yard abutting Zelco Drive

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

4 a) When no notice of appeal is filed pursuant to the provisions of the Planning Act, R.S.O. 1990, c.P.13, as amended, this By-law shall be deemed to have come into force on the day it was passed

4 b) If one or more appeals are filed pursuant to the provisions of the Planning Act, as amended, this By-law does not come into force until all appeals have been finally disposed of, and except for such parts as are repealed or amended in accordance with an order of the Local Planning Appeal Tribunal this By-law shall be deemed to have come into force on the day it was passed.

ENACTED AND PASSED this …….day of …………………… 2021.

___________________________ MAYOR

___________________________ CITY CLERK
EXPLANATION OF PURPOSE AND EFFECT OF BY-LAW 2020.424

By-law 2020.424 rezones lands on 961 & 970 Zelco Drive and 4425 South Service Road to permit a Motor Vehicle Wrecking Yard.

For further information regarding By-law 2020.424, please contact Mariana Da Silva of the Burlington Community Planning Department at (905) 335-7600, extension 7536.
SCHEDULE A

AREA 'A'
To be rezoned from GE1 to GE1-507

'A'


-----------------------------------------------
MAYOR                             CITY CLERK

                                Department of City Building/Planning Section
SUBJECT: City of Burlington Housing Strategy – proposed Terms of Reference

TO: Community Planning, Regulation & Mobility Cttee.

FROM: Community Planning Department

Report Number: PL-02-21
Wards Affected: All
File Numbers: 502-02-73
Date to Committee: January 14, 2021
Date to Council: January 19, 2021

Recommendation:

Endorse the proposed Terms of Reference for Phase 1 of the City’s Housing Strategy attached as Appendix A to community planning department report PL-02-21; and

Authorize the Director of Community Planning to engage consultants through a Request for Proposal process to carry out the Phase 1 work, in accordance with the above noted proposed Terms of Reference; and

Direct the Director of Community Planning to develop and implement an Engagement Plan informed by feedback from the project steering committee, project working group and identified stakeholders; and

Direct the City Clerk to run an expression of interest with members of Council regarding serving on the Housing Strategy working group and report back at the appropriate time.

PURPOSE:

Vision to Focus Alignment:

- Increase economic prosperity and community responsive city growth.

Increasing options for housing across the city was identified as a top priority and goal in the From Vision to Focus Plan. A key action item associated with this priority was ‘to complete the City’s Housing Strategy and implement the plan to address the needs related to young families, senior’s housing, affordable housing, special needs housing
and newcomers by Q2-2022’. The work identified in the terms of reference for phase 1 of the housing strategy project will position the City to address this direction.

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**Background and Discussion:**

**1.0 Project Background**

The Housing Strategy is an implementation measure arising from the City’s Strategic Plan, Burlington’s Plan (2018 to 2022) From Vision to Focus, as well as the City’s new Official Plan.

Through engagement with the community on the development of the City’s Strategic Plan, housing affordability in the city was a concern raised by many. As a result, the Strategic Plan which was approved in 2016, highlighted opportunities to diversify housing choice through the development of policies within the new Official Plan, and alongside that work, identified the need to prepare a Housing Strategy. Burlington’s From Vision to Focus Plan (2019) identifies, as a key action item, the completion of the City Housing Strategy and its implementation to address the housing needs of young families, seniors, newcomers, and residents with special needs.

The City’s new Official Plan includes a framework for the development of a city-wide housing strategy. The policies set out that the housing strategy will:

- support the Region of Halton’s Housing Strategy;
- describe the current range and mix of housing in the city;
- establish city wide housing objectives, including, among other objectives special reference to a seniors housing strategy and long-term care facilities;
- consider housing policies and strategies from the Official Plan and area specific plans;
- examine opportunities for partnerships to increase the supply of affordable housing;
- develop minimum targets:
  - in support of achieving the Region of Halton’s housing mix and affordable and assisted housing targets;
  - within mid-rise and tall buildings for affordable, assisted and special needs housing;
  - for two and three bedroom units for residential development applications, including minimum targets for three bedroom units.
- consider financial and other incentives including grants, property tax reductions, infrastructure and community improvement plans to facilitate the provision of affordable and/or special needs housing;
• research the development of an inclusionary zoning by-law, as part of a Region or City program;
• recommend any required amendments to the Official Plan to implement the findings of the housing strategy.

In December 2019 Council passed the following motion:

Direct the Executive Director of Community Planning, Regulation and Mobility to report back in Q2 of 2020 with terms of reference and a communication plan for the proposed housing strategy contained in the Vision to Focus Plan, including the estimated cost and funding source.

This report and proposed terms of reference have been prepared in response to the staff direction received.

2.0 Who Does What?

There are many stakeholders involved in providing housing and related support services. All levels of government, as well as non-profit organizations and cooperatives, the private sector and individuals play an essential role in the delivery of housing and in addressing local housing challenges.

The Federal Government, that is the Canadian Mortgage and Housing Corporation (CMHC) provides mortgage insurance to homeowners and funds and implements various housing programs, including programs to support and deliver Canada’s National Housing Strategy.

The Provincial Government has legislated responsibility for housing and offers both legislative tools and financial support. The Provincial Government is responsible for land-use planning legislation and associated strategies and plans that provide direction on growth management and the development of complete communities that provide for a range and mix of housing options. The Provincial Government also provides a framework for housing and homelessness services in Ontario, through the Housing Services Act. Funding support from the Provincial Government is provided to Service Managers to manage local housing needs.

The Region of Halton as the upper tier municipality is the designated Service Manager and is responsible for the funding, planning, delivery and administering of government assisted housing programs and services for Halton residents. Through the Comprehensive Housing Strategy, the Region articulates its strategic directions and actions to carry out its role under the Housing Services Act. Halton Region, through its Official Plan establishes Region-wide housing policies and targets to which the local municipal official plan must conform.
The City of Burlington as a lower tier municipality does not have any direct responsibility for housing. However, Official Plan policies, zoning, the development application review process and municipal strategies can be used to create a supportive environment for the delivery of a range and mix of housing options.

Non-Profit Organizations and Cooperatives provide subsidized housing as well as emergency shelters and transition housing. It often supports social justice causes and may target particular groups such as seniors or those with physical or developmental challenges.

The Private Sector which is comprised of landowners, developers, builders, investors and landlords respond to market demands and deliver ownership and for profit rental housing.

Individuals may purchase investment properties that provide rental accommodation at market rates. Some homeowners create additional residential units within their homes or on their property which can be a source of affordable rental housing.

Housing Continuum

Housing plays an important role in lives of Burlington’s residents. Individuals and families move back and forth along the housing continuum, depending on changes that affect their personal circumstances.

Source: Halton Region 2019 State of Housing Report
Affordable housing is one element of the housing continuum and is a term used broadly when discussing housing. As such, it is important to define affordable housing in relation to the housing continuum and in the context of the City’s housing strategy project. Affordable housing, as defined in the Halton Region Official Plan and the new City of Burlington Official Plan

_means housing with a market price or rent that is affordable to households of low and moderate income, spending no more than 30% of their gross household income._

_Affordable rental housing should meet the demand of households at the low end, as described in Halton’s annual State of Housing Report. Such households would be able to afford at least three out of ten rental units on the market._

_Affordable ownership housing should meet the demands of households at the high end, as described in Halton’s annual State of Housing Report. Such households would have sufficient income left, after housing expenses to sustain a basic standard of living._

Household income thresholds for assisted and affordable housing in Halton are generated annually through Halton’s Housing model which gathers various information including household income, household spending, housing costs, and average rents from a variety of data sources. Using this data, an analysis is conducted which generates thresholds based on household incomes and costs, representative of a moment in time.

Halton Region’s 2019 State of Housing Report identified an Assisted Income Threshold of $57,800. Households with an income below this threshold typically require some form of government assistance to meet their daily needs. The Affordable Income Threshold identified in the Report was $107,100. Households with an income between the Assisted and Affordable Thresholds ($57,800 - $107,100) have option to purchase a house priced below the affordable housing cost threshold of $393,400.

**3.0 Housing Policies**

As previously indicated, the Province is responsible for land-use planning legislation to manage development to meet the full range of current and future needs, including housing.

The Planning Act identifies the adequate provision of a full range of housing, including affordable housing, as a matter of provincial interest. The Planning Act requires that municipal official plans contain policies and measures as are practicable to ensure the adequate provision of affordable housing, including authorizing the use of additional residential units. The Act also provides a framework for inclusionary zoning policies and bylaws.
The Provincial Policy Statement (PPS) 2020 requires planning authorities to provide for an appropriate range and mix of housing options including new development as well as residential intensification, to respond to current and future needs. This includes promoting densities for new housing which efficiently use land, resources and infrastructure; requiring transit supportive development; establishing residential development standards which minimize the cost of housing and establish minimum targets for affordable housing.

The policies in A Place to Grow, 2019 support the achievement of complete communities that:

- feature a diverse mix of land uses, and convenient access to local stores, services and facilities;
- improve social equity and overall quality of life;
- provide a diverse range and mix of housing options, including second units and affordable housing, to accommodate people at all stages of life and to accommodate the needs of all households and incomes;
- expand access to transportation options, public service facilities, open space, parks and trails, and healthy local, affordable food options;
- provide for a more compact built form and vibrant public realm;
- mitigate and adapt to climate change impacts, improve resilience and reduce greenhouse gas emissions, and contribute to environmental sustainability;
- integrate green infrastructure and appropriate low impact development.

Housing policies within A Place to Grow build on the policies in the PPS by providing direction to single tier and upper tier municipalities in consultation with lower-tier municipalities. These policies support housing choice through the achievement of minimum density and intensification targets, establishing targets for affordable housing and identifying mechanisms including the use of land use planning and financial tools to support planning for a range and mix of housing options, and aligning land use planning with applicable housing and homelessness plans.

The Halton Region Official Plan (ROP) contains housing policies with the goal of supplying the people of Halton with an adequate mix and variety of housing to satisfy differing physical, social and economic needs. This includes policies relating to affordable, assisted and special needs housing, second residential units (now additional residential units), conversion of rental housing, innovative building design and universal physical access features for all new buildings. The ROP policies also identify annual housing targets for housing mix and affordability, which Halton Region reports on annually through their State of Housing Report.
The City of Burlington new Official Plan recognizes that housing is fundamental to the social, economic and physical well-being of the city’s residents, and promotes a land use pattern that supports a full range and mix of housing options across the city. The identification of an urban structure and the establishment of a growth framework in the new Official Plan identifies areas in the city where growth and transition is expected. These areas identified as the most appropriate locations for intensification will support the provision of a wider range of housing options in addition to jobs and more mobility choices.

Other housing policies within the new Official Plan relate to housing supply, including the use of surplus lands; housing tenure including rental conversion policies, as well as policies to support the development of affordable, assisted and special needs housing. The new Official Plan also contains an updated policy framework for additional residential units and provides direction for the development of a city-wide housing strategy that will consider a number of elements, including strategies, financial incentives and tools such as an inclusionary zoning by-law program.

4.0 City of Burlington Housing Strategy Project

The principal objective of this project is to develop an innovative Housing Strategy for the City of Burlington that sets out policies, tools and actions to address residents’ housing needs now and in the future. The Housing Strategy will build on and support the Region’s Housing Strategy through the development of local solutions to housing issues in the City of Burlington.

The key outcomes of the City’s Housing Strategy include:

- Understanding the key players and their respective roles in housing;
- Understanding the current state of housing in Burlington and identifying current and future housing needs;
- Establishing a toolbox of best practices in housing, focusing on innovative practices and new, pioneering ideas;
- Developing of a set of action-oriented housing objectives and an associated implementation plan;
- Establishing where the City wants to focus or prioritize efforts to address housing issues in the City.

The Housing Strategy will provide an opportunity to look for creative and innovative solutions to address local housing issues through the consideration of a variety of planning policy and financial tools, partnership, collaboration and advocacy opportunities, strategies and initiatives.

The City’s Housing Strategy project has been divided into two phases.
Phase 1

Phase 1 of the project will be consultant led and will deliver the necessary background information, data, analysis of needs and trends, and insight on best practices and more broadly new ideas to address local housing issues.

The Phase 1 deliverable will be the development of a made in Burlington innovative Housing Strategy which will include a set of city-wide housing objectives supported by recommended action items, each with an associated implementation and monitoring plan.

The project consultant will also provide a recommended approach for phased implementation of the action items (short, medium and long term) for Council's consideration.

Phase 2

Phase 2 of the project involves the implementation of the recommended actions contained within the Housing Strategy developed through the Phase 1 work and approved by Council.

The proposed terms of reference, identified in Appendix A to the report, is intended to solely complete Phase 1 of the project and provides an overview of the scope of work to be completed. A proposed project timeline for Phase 1 is outlined in Appendix B to the report. Additional elements, including more detailed timelines, will be included in the Request for Proposal.

Strategy/process

The framework established for the housing strategy project and the scope of work outlined in the proposed terms of reference for Phase 1 has been developed to target the Q2 2022 delivery of the City’s Housing Strategy Project, as identified in the City’s 2018 – 2022 From Vision to Focus Plan.

Options Considered

A wide range of housing matters were considered in the development of the proposed terms of reference. However, to ensure that the objectives of the housing strategy are met, the proposed terms of reference acknowledge City’s staff’s best efforts to identify project components while allowing for potential proponents to identify any additional project components, deemed necessary.
Financial Matters:
The estimated budget for the Phase 1 work is $300,000 maximum, inclusive of the staff led engagement component. The Phase 1 work will be funded by the Policy initiatives reserve fund.

Other Resource Impacts
In addition to the consultant costs, staff time will be allocated to the project in managing the contract, preparation of background data and undertaking engagement.

Connections:
Burlington Lands Partnership
In October 2020, Council considered report (CM-29-20) from the City Manager’s Office on advancing a Municipal Development Corporation. Through that report, direction was received to establish in principle, a new corporate structure for a Burlington Lands Partnership (BLP) to enable the City to focus on strategic lands related to key priorities, one of which is to deliver an increased supply of affordable housing through proactive long-term strategies and innovative partnerships.

Staff have identified the need for the Housing Strategy and the Burlington Lands Partnership to work together to achieve multiple objectives.

The proposed terms of reference for the City’s Housing Strategy assists in aligning with the Burlington Lands Partnership by identifying the following key deliverables:

- Identify strategic opportunities for the Burlington Lands Partnership to focus on the delivery of affordable housing;
- Identify the city resources required to support this work; and
- Recommend 5-year goals and/or targets for the Burlington Lands Partnership related to affordable housing.

The Burlington Lands Partnership is a new concept and represents an ‘integrating structure’ within the City of Burlington that will continue to evolve and develop over the next few years. The City will be looking for recommendations on how the Burlington Lands Partnership can potentially assist in the implementation of the City’s Housing Strategy.

Climate Implications
On April 23, 2019, Burlington’s City Council unanimously passed a motion to declare a climate emergency. The City’s Housing Strategy will look for innovative solutions to address local housing issues while making better use of existing infrastructure and services through the provision of additional residential units and directing new housing
options in locations for intensification to support the provision of a wider range of housing options and minimize impacts on the environment.

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**Engagement Matters:**

The Engagement Plan is a key deliverable to support the development of the Housing Strategy. The Engagement Plan is a strategic public document that will be developed and led by City staff and informed by feedback from Council, ChAT, the project Steering Committee, the Housing Strategy working group and other key stakeholders as outlined in the recommendation above. Additional resources may be required to deliver the Engagement Plan. Those additional resources will be identified at the time of the preparation of the Engagement Plan.

A Housing Strategy working group will be established with a maximum membership of 20 people with volunteers from a variety of sectors including government, not for profit, co-op, the business community as well as residents working together to support the development of the Housing Strategy. Additionally, the working group will include the Mayor and at least one additional member of Council designated through an expression of interest brought forward by the City Clerk.

The working group will advise on local issues, be champions for the project, provide key insights given their diverse backgrounds, and will contribute to the refinement and implementation of the engagement plan. The Housing Strategy working group’s mandate will be described in a Terms of Reference to be developed at the time of the preparation of the Engagement Plan.

An internal Housing Strategy Steering Committee comprised of city Staff will be established to give strategic advice on matters related to this project. The work of the Steering Committee will be guided by a Committee Terms of Reference to be developed at the time of the preparation of the Engagement Plan.

The Engagement Plan will identify opportunities for all interested parties to engage throughout the entirety of the process.

Although the details of the Engagement Plan will emerge in 2021, Staff have prepared a draft decision statement that guides engagement and communication strategies and tactics:

*In 2022, Burlington City Council will vote to endorse a City of Burlington Housing Strategy to increase options for housing across the city.*

A set of preliminary objectives for engagement have also been prepared and include the following:
• Provide relevant information about the project, decision-making process, and how the public can provide input and feedback;
• Work with consultants to provide a coordinated approach to engagement, communication and evaluation of the housing strategy.
• Provide multiple channels for people to provide meaningful input virtually at appropriate decision points;
• Create an ongoing record of what is said during engagement opportunities and make it available to the public throughout the process, so they can track the progress of the project, including reports back to the community that highlight how feedback was or was not incorporated into the final recommendations to Council;
• Gather meaningful input from members of the community whose voices are historically underrepresented in conversations about city issues;
• Establish a project page on getinvolvedburlington.ca as the main online platform for up-to-date information about the project and upcoming engagement opportunities;
• Use clear, plain language in the delivery of the Engagement Plan to inform the public about what can and cannot be influenced through the Housing Strategy.

Staff will develop the Engagement Plan based on the draft decision statement and the preliminary objectives above and will be informed by feedback from the project steering committee, project working group and identified stakeholders.

Conclusion:

The attached proposed Terms of Reference outlines the scope of work related to Phase 1 of the Housing Strategy project. This report and attachments will guide the formal Request for Proposal process and the work to be undertaken by staff and the successful proponent.

Respectfully submitted,

Laura Daly, MCIP, RPP
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Manager, Policy and Community
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Appendices:

A. City of Burlington Housing Strategy: Proposed Terms of Reference
B. City of Burlington Housing Strategy: Proposed Project Timeline

Notifications:
Curt Benson, Region of Halton

Report Approval:
All reports are reviewed and/or approved by Department Director, the Chief Financial Officer and the Executive Director of Legal Services & Corporation Council.
City of Burlington Housing Strategy
Terms of Reference

1. Purpose of the Terms of Reference
The purpose of the Terms of Reference is to outline the scope of work related to the preparation of a Housing Strategy for the City of Burlington which will include creative and innovative solutions to local housing issues. The Terms of Reference will also outline next steps for implementation of the Housing Strategy and is also intended to clarify roles and responsibilities of the project team, the successful proponent and supporting committees/working groups required for this project.

2. Background and Context
The Housing Strategy has been identified as an implementation measure arising from the City’s Strategic Plan, Burlington’s Plan (2018 to 2022) From Vision to Focus, as well as the City’s new Official Plan.

Citizen engagement undertaken as part of the development of the Strategic Plan highlighted an almost universally held concern about housing costs and lack of housing options for young people, seniors and newcomers within the City. The Strategic Plan highlighted opportunities to diversify housing supply through the development of policies within the new Official Plan, and alongside that work, the Strategic Plan identified the need to prepare a Housing Strategy. Burlington’s From Vision to Focus Plan identified the completion of a City Housing Strategy as a top priority during this term of Council.

The City’s new Official Plan, which received Regional approval, with modifications in late 2020, made significant changes to the policies of the Plan, primarily by identifying an Urban Structure (Schedule B) and establishing a Growth Framework (Schedule B-1) to identify areas where the City was expecting growth and transition. Both changes had the effect of identifying significant opportunities to redevelop in key areas of the City to accommodate growth, such as around the GO Stations and existing commercial plazas and corridors, and away from established neighbourhoods where only gentle intensification is expected to occur. Residential permissions have existed in these areas previously however over the past several years there had been little uptake in these areas. The new Official Plan identifies the most appropriate locations in the City for intensification to support the provision of a wider range of housing options, jobs, more mobility choices by prioritizing active transportation and transit, and investments in infrastructure and public service facilities to bring residents closer to services, facilities and stores that support daily and weekly living.

3. Purpose of the Housing Strategy
The principal objective of this project is to develop an innovative Housing Strategy for the City of Burlington that sets out policies, tools and actions to address residents’ housing needs now and in the
future. The Housing Strategy will build on and support the Region’s Housing Strategy through the development of local solutions to housing issues in the City of Burlington.

The key outcomes of the City’s Housing Strategy include:

- Understanding the key players and their respective roles in housing;
- Understanding the current state of housing in Burlington and identifying current and future housing needs;
- Establishing a toolbox of best practices in housing, focusing on innovative practices and new, pioneering ideas;
- Developing a set of action-oriented housing objectives and an associated implementation plan;
- Establishing where the City wants to focus or prioritize efforts to address housing issues in the City.

The City does not build housing; however, it does have a role in influencing growth and redevelopment through the development of policy. The City must consider its role in supporting a more diverse range of housing options in a built-up context which comes with a unique set of challenges. The primary challenge is that intensification is largely market driven and can be hard to predict or plan. The incremental nature of intensification can also be a challenge where a clear understanding of cumulative effects of individual development applications can be difficult to determine.

A Housing Strategy provides an opportunity to understand the current state of housing in the City, identify housing needs and to look for innovative solutions through the consideration of a variety of planning policy and financial tools, partnership, collaboration and advocacy opportunities, strategies and initiatives.

The Housing Strategy will include all lands within the City of Burlington, with a focus on the Urban Area, where the majority of growth will be directed.

### 4. Project Risks

<table>
<thead>
<tr>
<th>Issue</th>
<th>Probability</th>
<th>Consequence</th>
<th>Mitigation</th>
<th>Risk after Mitigation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Changes to Provincial Planning policy, legislation or regulations</td>
<td>Likely</td>
<td>High</td>
<td>Staff will be prepared to assess changes and report on any impact to scope, timing and resources required to complete the work.</td>
<td>High</td>
</tr>
<tr>
<td>Expectations of the outcome of the Housing Strategy</td>
<td>Likely</td>
<td>High</td>
<td>The project terms of reference and the engagement plan will clarify project expectations. The project team will continually communicate the project objectives and key outcomes throughout the process.</td>
<td>High</td>
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<tr>
<td>Lack of buy in from community and community partners</td>
<td>Unlikely</td>
<td>High</td>
<td>The engagement plan will be developed to build a mutual understanding of the project objectives and to establish buy in on the scope and approach to engagement and the expected outcomes of the work.</td>
<td>High</td>
</tr>
<tr>
<td>Goals and agreed to measures shift</td>
<td>Possible</td>
<td>High</td>
<td>The project terms of reference and engagement plan will clarify project expectations for decision makers. The project team will develop mechanisms to continually communicate goals and measures for success throughout the project.</td>
<td>High</td>
</tr>
<tr>
<td>Staff team turnover or project team turnover</td>
<td>Possible</td>
<td>Medium</td>
<td>The Manager of Policy and Community will work with the project team in the case of human resource challenges</td>
<td>Low</td>
</tr>
</tbody>
</table>
Confusion over the relationship between the City’s Housing Strategy and the Region’s housing work as Housing Service Provider.

| Possible | Medium | The project’s engagement plan will be developed to build a clear understanding of the project scope and how it builds on and supports the housing work undertaken at the Region. The project team will develop mechanisms to continually communicate this throughout the project. | Low |

## 5. Project Phases and Requirements

The Housing Strategy project has been divided into two phases.

**Phase 1** will be consultant led and will deliver the necessary background information, data, analysis of needs and trends, and insight on municipal best practices as well as an overview of national and international best practices for innovative housing strategies. This information will be the basis for the development of a made in Burlington innovative Housing Strategy which will include a set of city-wide housing objectives supported by recommended action items, each with an associated implementation and monitoring plan, which will be prioritized to assist with implementation.

**Phase 2** involves the implementation of the prioritized set of recommended actions approved by Council in Phase 1.

This Terms of Reference is intended solely to guide the completion of Phase 1 of the project, which has been broken down into a number of sub-phases each with key objectives and requirements which are detailed in the chart below. Please note that while the following details represent City staff’s best efforts to identify required project components, potential proponents will be asked to identify any additional components (through their proposal submissions) deemed necessary to satisfy the goal and intent of the Housing Strategy.
Phase 1A – Housing Background

Objectives
The goal of this task is to identify who does what in the area of housing; what is the current housing policy framework at each level of government; what are the challenges when it comes to housing and what levers can be used to influence housing choice and affordability.

Requirements (minimum)
- Provide an outline of the housing continuum in Halton with a description of each component.
- Provide a list of relevant housing terminology (defined)
- Analyze the role of each level of government (Federal to Local Municipalities) as it relates to housing. This should include a discussion on funding and housing initiatives such as the National Housing Strategy and Ontario’s Fair Housing Plan and Community Housing Renewal Strategy. The role of Halton Region as a Housing Service Provider should be explored as well as details regarding Halton Region’s Comprehensive Housing Strategy, Annual State of Housing Report, Halton’s Housing Model, Halton Region Housing Action Team and Halton Community Housing Corporation.
- Examine the role of other housing providers such as not-for-profit organizations – i.e. habitat for humanity, faith-based organizations, cultural organizations, service clubs, seniors’ organizations, etc.
- Examine the role of developers in building a range and mix of housing types including affordable housing.
- Provide an assessment of current provincial, regional, and city housing policies contained within:
  - Provincial policies and plans
  - Halton Region Official Plan and documents pertaining to the Regional Official Plan Review - including those related to housing mix, affordable housing and assisted housing policies and targets.
  - City of Burlington new Official Plan – policies and targets – with a focus on areas identified for future growth (Schedule B-1: Growth Framework)
- Examine the City’s current Zoning By-law.
- Identify current challenges/gaps in housing such as policy, regulation (zoning), funding, gaps in program delivery, etc.
- Identify current opportunities such as new funding commitments, partnership models, etc.
- Identify potential opportunities – i.e. policies and tools stemming from the Halton Region’s Official Plan Review.
### Phase 1B – State of Housing in Burlington and Housing Needs Assessment

#### Objectives
The goal of this task is to understand the current state of housing in Burlington and identify current housing needs and anticipated future housing needs (2051 horizon) within the City. This task is also intended to support the scope of work outlined in Phase 1F regarding the development of a municipal assessment report, required for implementation of Inclusionary Zoning.

#### Requirements (minimum)

**Data**
- Provide data on the current inventory of housing options in the City. This should include but not be limited to:
  - Data on current housing units by structure type, tenure, age, size (multi-unit developments), etc.
  - Data on current housing along the continuum, including but not be limited to purpose built rental buildings/units (municipal and private), co-op buildings, seniors’ residences, group homes, Long Term Care facilities, additional residential units, gardens suites, etc.
  - Housing units within the development pipeline (type, tenure, size, etc.)
- Provide data on current housing costs by type, tenure, location, new vs resale, etc.
- Provide data on the number of short-term rentals in the City
- Provide data on housing sales and rental activity (vacancy rates, etc.)

**Achieving Targets, Partnerships, Tools and Initiatives**
- Provide an assessment on how well the city is achieving Regional housing targets (refer to Halton Region’s latest State of Housing Report)
- Identify current City housing partnerships
- Identify current tools used by the City related to housing - i.e. DC incentives Section 37 Agreements, etc.
- Identify strategic City initiatives related to housing – i.e. Burlington Lands Partnership, etc.

**Future Housing Needs**
- Undertake an analysis of demographics and population in the City informed by both the City’s growth analysis work (2041 horizon) and the work being undertaken by Halton Region through their Integrated Growth Management Strategy (2051 horizon)
- Undertake an analysis of households in the City including size, type, household incomes, proportion of households in core housing needs, and number of households on waiting list for subsidized housing.
- Undertake an assessment of future population and household growth anticipated for the City; guided by the work being undertaken by Halton Region.
### Housing Needs Assessment

- Based on the data and analysis above, identify current and future housing needs for the City. This should also include a discussion of any mismatch between current housing and future housing needs.
- The section should also include a high-level discussion of the range of opportunities related to the outcomes of this sub phase.

### Phase 1C – Housing Trends Analysis

#### Objectives

The goal of this task is to understand current Housing Trends within the City, Region and GTHA and the identification of opportunities related to those trends.

#### Requirements (minimum)

- The Housing Trends Analysis should include but not be limited to:
  - Housing type – this should explore all housing types including additional residential units, tiny homes, modular homes, etc. An analysis of unit sizes and number of bedrooms with in multi-residential buildings should also be included.
  - Housing forms and arrangements – this should explore affordable housing, special needs housing, rental housing (purpose built and privately owned), co-op housing, life lease housing, co-ownership housing, community land trusts, and land lease community homes, etc.
  - Focus on specific groups such as youth, young families, newcomers, seniors, those in need of special needs housing and workforce housing.
    - Multi-generational and multi-family households should also be discussed.
  - The impacts of short terms rentals on the rental housing supply

- The Housing Trends Analysis should also include a high-level discussion of the range of opportunities related to the identified trends.

### Phase 1D – Best Practice Scan/Innovative Practices

#### Objectives

The goal of this task is to explore what municipal, national and international organizations are doing to address housing needs and affordability and identify innovative tools, practices, programs and initiatives, which focus on the range of opportunities identified in the housing trends analysis.

#### Requirements (minimum)

The best practice scan should include but not be limited to the following:

- **Policies**
• **Housing Targets and Measures** - for housing mix, tenure, affordable and assisted housing, and two and three bedroom units (family sized) in townhouses and multi-residential buildings

• **Rental Housing** - rental housing protection policies and increasing the supply of rental housing through Additional Residential Units, laneway housing, garden suites; short term rentals housing, etc.

• **Affordable, Assisted and Special Needs Housing** – Inclusionary Zoning, prioritizing planning approvals, any requirements for a mix of units with market units, secondary plan policies etc.

• **Housing Types, Forms and Arrangements** - tiny homes, modular homes, flex homes, life lease housing, co-ownership housing, co-operative housing, community land trusts, land lease community homes, home share programs, housing hubs, etc.

• **Municipal Strategies** – focused on specific groups (seniors, newcomers, etc.) or focused on specific housing forms such as the missing middle, etc.

• **Development Standards** – beyond building code such as energy efficiency, etc.

• **Tracking/Monitoring** – housing supply and need

**Implementation (tools/incentives)**

• **Rental housing protection Bylaws (Municipal Act), Short Term Rental Bylaws**

• **Municipal Capital Facility tool (Municipal Act)**

• **Inclusionary Zoning Bylaws**

• **Community Planning Permit System**

• **Section 37 /Community Benefits Charges – Housing Reserve Funds**

• **Community Improvement Plans focused on housing/affordable housing**

• **Financial Tools** – e.g. property tax reductions, waiving or reduction of application fees

• **Cost analysis of incentives**

• **Affordability in perpetuity and range of affordability periods (agreements)**

• **Housing first for public lands including surplus lands (acquisition, leasing and disposal of property), in coordination with other capital infrastructure projects**

• **Housing support function – Municipal Development Corporation/Lands Partnership; Regional and Local housing offices**

• **Licensing/Registration**

• **Monitoring/Tracking**

**Partnerships & Advocacy**

• **Partnership opportunities with upper-tier municipalities, developers and housing providers**

• **Outreach – Housing Advisory Committee/Task Force**
Funding Advocacy with upper levels of government

**Phase 1E - Development of a City of Burlington Housing Strategy**

**Objective**
The goal of this task is to develop an innovative Housing Strategy for the City of Burlington, based on the findings of the work completed in the previous sub-phases and feedback received from the community, which achieves the support of Council, staff and the residents of Burlington.

**Requirements**
The City of Burlington Housing Strategy is to be comprised of:

- A set of housing objectives
- A series of recommendations on policy directions, programs, initiatives, partnerships, advocacy opportunities, tools and strategies to achieve the housing objectives. At a minimum this should include:
  - Policies
    - The establishment of minimum targets for housing mix and affordable and assisted housing, in support of the Region’s targets;
    - The establishment of minimum targets for affordable, assisted and or special needs housing within mid-rise and tall buildings; and
    - The establishment of minimum targets for two and three bedroom units for development applications, including minimum targets for three or more bedroom units
  - Examination of potential strategies including but not limited to Seniors Housing and Long Term Care Facilities
  - Connections with the Burlington Lands Partnership
    - Identification of strategic opportunities to focus on the delivery of affordable housing;
    - Identification of city resources required to support this work; and
    - Recommended 5-year goals and/or targets related to affordable housing
  - Connections with any other initiatives/opportunities that may emerge
  - A recommended prioritized list of recommended actions and a plan to support the implementation of each. At a minimum this should include who would manage/be responsible for the implementation, what is the process required to achieve implementation, what resources would be required, monitoring tools to measure success, etc.
  - The prioritization of the list of recommendations shall identify any quick wins and will support the work to be undertaken in Phase 2 of the Housing Strategy project.
**Phase 1F – Inclusionary Zoning Municipal Assessment Report**

**Objective**
The goal of this task is to prepare a Municipal Assessment Report in collaboration with the Region of Halton which meets the requirements of the Inclusionary Zoning Regulation under the Planning Act.

**Requirements**
The Municipal Assessment Report, required for implementation of Inclusionary Zoning, should be developed using information and data from the Housing Strategy project and any additional data required to meet the report requirements, including but not limited to data on value of land, cost of construction, market price and rent as well as housing demand and supply.

The scope of work and any detailed workplan must be confirmed with Halton Region to ensure alignment with any Inclusionary Zoning work being undertaken by Halton Region.

**Key Deliverables:**

1. Project Team Communications and Responsibilities Plan
2. Engagement Plan (to be prepared by staff)
3. Housing Background memo (Phase 1A)
4. State of Housing in Burlington and Housing Needs Assessment memo (Phase 1B)
5. Housing Trends Analysis memo (Phase 1C)
6. Best Practice Scan / Innovative Practices memo (Phase 1D)
7. **Interim Project Report** addressing items 3, 4, 5, and 6 and preliminary City housing objectives, set of recommendations and actions plans to support implementation for public engagement and Council consideration
8. Housing Strategy – City housing objectives, set of recommendations and actions plans to support implementation (Phase 1E)
9. **Final Project Report** addressing items 3, 4, 5, 6 and 8
10. Inclusionary Zoning Municipal Assessment Report (Phase 1F)

**6. Project Organization and Additional Requirements**

**Project Management**

The City’s Housing Strategy is to be managed by a Planning Policy Team Member who will be accountable to the Manager of Policy and Community and to the Housing Strategy Steering Committee. The work for Phase 1 of the project, as described in this Terms of Reference, will be
undertaken by the successful proponent, with the assistance of staff from Planning Policy and other City staff, as required.

To support the delivery of a City Housing Strategy as outlined in these Terms of Reference, a comprehensive Engagement Plan will be developed by City staff in consultation with Council, the project Steering Committee and project Working Group, the successful proponent, the City’s ChAT Team and other stakeholders. This will include the identification of any other committees that may be required.

**Housing Strategy Steering Committee**

A Housing Strategy Steering Committee will be established to give strategic advice on matters related to this project. The work of the Steering Committee will be guided by a Committee Terms of Reference to be developed at the time of the preparation of the Engagement Plan. The Steering Committee will be made up of the following city staff, or their delegate.

- City Manager
- Director of Corporate Communications and Government Relations
- Executive Director of Community Planning, Regulation and Mobility
- Director of Community Planning
- CBO/Director of Building & Bylaw
- City Solicitor/Assistant City Solicitor
- Director of Finance (CFO)
- Director of Capital Works
- Executive Director, BEDC

It is expected that the Steering Committee will meet as follows:

- At project initiation to review the detailed workplan;
- To provide comments and approve the Engagement Plan; and
- To review key deliverables, as required.

Furthermore, the committee will be consulted on an as-needed basis should additional issues arise that have not been anticipated by the Terms of Reference.

**Housing Strategy Working Group**

In support of these Terms of Reference and the overall development of a made in Burlington Housing Strategy, a Housing Strategy working group will be established with a maximum membership of 20 people with volunteers from a variety of sectors including government, not for profit, co-op, the business community as well as residents working together to support the development of the Housing Strategy. Additionally, the working group will include the Mayor and at least one additional member of
Council. The group will advise on local issues, be champions for the project, provide key insights given their diverse backgrounds, and will contribute to the refinement and implementation of the communications and engagement plan. The Housing Strategy Working Group mandate will be described in a Terms of Reference to be developed at the time of the preparation of the Engagement Plan. The Housing Strategy Working Group should have membership including representatives from the following:

- Federal and Provincial elected officials or their delegates
- Members of Council
- Region of Halton Staff
- Ministry of Municipal Affairs and Housing Staff
- Not-for-profit and Co-op Housing Sector
- Building and Development Sector
- Realtors Association of Hamilton and Burlington
- Residents

It is expected that the Housing Strategy Working Group will meet as follows:

- At project initiation to go over the project workplan;
- To pre-engage on the development of the staff-led Engagement Plan, and provide comments on the draft Engagement Plan; and
- To review key deliverables, as required.

**Project Team responsibilities**

The project team will be made up of City Planning Staff (Policy) and the successful proponent. The division of responsibilities from the perspective of the City’s Planning Staff and the successful proponent’s team are described generally below. It will be the responsibility of the City’s Planning Staff, in consultation with the successful proponent’s team to confirm these responsibilities and to confirm associated timelines beyond those generally described in Section 5.

The City’s Planning Staff are responsible for:

- Project management;
- Ensuring linkages between the Terms of Reference and the project work;
- Providing background information and the assembly of necessary data, reports, contacts, etc. to the successful proponent;
- Ensuring alignment and connections between the Housing Strategy and other city initiatives;
- Providing knowledge and support to the successful proponent as well as establishing and managing data sharing requirements and appropriate agreements;
- Preparing and implementing the detailed Engagement Plan;
• Leading and coordinating communication between the City, the successful proponent and their consortium, partner agencies, stakeholders and the community;
• Coordinating, preparing and facilitating community and stakeholder engagement initiatives;
• Monitoring, reviewing and providing feedback and/or revisions on the work of the successful proponent;
• Preparing a minimum of two staff reports to City Council based on the work of the successful proponent;
• Analyzing, consolidating and responding to public comments/feedback, in consultation with the successful proponent;
• Coordinating and engaging with Steering Committee and Housing Strategy Working Group.

The successful Proponent’s Team Responsibilities:
• Coordinating the consulting team;
• Project management support;
• Ensuring regular communications with the City’s project manager, based on an agreed to communications plan at the outset of the project;
• Ensuring linkages between the Terms of Reference and project work, attend and provide support at project committee meetings (as required), public engagement events and at City Committee/Council meetings;
• Providing feedback on the project’s Engagement Plan (developed by City staff)
• Delivering of the project deliverables as outlined in Section 5.0;
• Scheduling and attending regular check-in meetings to discuss progress and identify challenges or issues in a timely manner;
• Maintaining project budget and regular monitoring and reporting of hours billed directly, broken down by the project’s key tasks/deliverables on a monthly basis; and
• Preparing detailed invoices broken down by tasks and work completed, in alignment with the project budget.

Project meetings
Meetings between the City’s project lead and the successful proponent will take place, as required and specified in the Communication and Responsibilities Plan. Check-ins between the City’s project lead, and the successful proponent will be required, and it is expected that regular email correspondence will occur throughout the project. Larger team meetings, including the attendance of additional successful proponent’s team members, will be scheduled as required. Staff will be responsible for leading, coordinating and facilitating all meetings.
Consultation and Engagement

Staff will develop a comprehensive Engagement Plan as well as coordinate, prepare for, facilitate and present at public and stakeholder meetings and consultation events with supporting presentations from the successful proponent, as required. The successful proponent, including other consulting team members as required, may be asked to be present and to present for a portion of each meeting as well as assist in answering questions and other tasks as required.

The successful proponent must be available for additional public and stakeholder meetings and consultation events as required. It is also expected that the successful proponent will provide a continued public presence throughout the process.

Committee/Council meetings

It is anticipated that there will be, at minimum, two Committee/Council meetings where the successful proponent including any consulting team members (as required), will be required to attend and assist City staff in presenting and answering any questions. Attendance at additional Committee/Council meetings may be required, as needed.

Agency and Stakeholder meetings

Staff will facilitate meetings with key stakeholders identified through the project. The successful proponent, and other consulting team members (as needed), may be required to attend such meetings as deemed necessary.

Procurement Process

These Terms of Reference including any recommended refinements and any relevant additional details, will proceed through a formal Request for Proposal (RFP) process as soon as possible.
City of Burlington Housing Strategy
Proposed Project Timeline

Q1 2021
Council endorsement of terms of reference

Q2 2021
Hire consultant and commence phase 1 work

Q3 2021

Q4 2021
Interim Report

Q1 2022
Final Report

Q2 2022

* The details of public engagement will be confirmed at the time of the preparation of the Engagement Plan.
Project Milestones

2019
Vision to Focus

Q1 2021
- Council endorsement of the draft terms of reference;
- Release RFP;
- Establish Steering Committee and Working Group

Q2 2021
- Hire consultant;
- Commence phase 1 work;
- Develop and finalize Engagement & Communications plan

Q3 2021
Interim Report

Q4 2021

Q1 2022
Final Report

Q2 2022

Appendix B - PL-02-21 City of Burlington Housing Strategy
SUBJECT: Information report for site plan application at 2243, 2269 and 864 Drury Lane

TO: Community Planning, Regulation & Mobility Cttee.

FROM: Community Planning Department

Report Number: PL-05-21
Wards Affected: 2
File Numbers: 535-001/20
Date to Committee: January 14, 2021
Date to Council: January 19, 2021

Recommendation:
Receive and file community planning department report PL-05-21 regarding a site plan application for 2243, 2269 Fairview Street and 864 Drury Lane.

PURPOSE:
The purpose of this report is to provide information for a site plan application for the development site consisting of 2243, 2269 Fairview Street and 864 Drury Lane:

- Seven (7) residential towers on top of four (4) mixed use podiums.
- Overall tower heights ranging between 29 and 37 storeys.
- Podium heights ranging from 2, 5 and 6 storeys.
- A total of 2,494 residential units of mixed type and tenure.
- 3,993 m² of retail / commercial space.
- 41,821 m² of shared amenity space consisting of various indoor / outdoor facilities and Privately-Owned Publicly Accessible Spaces.
- Five (5) levels of underground parking and a four (4) storey above-grade parking structure.
- Pedestrian connections throughout the site and to the Burlington GO Station.
Vision to Focus Alignment:

- Increase economic prosperity and community responsive city growth
- Improve integrated city mobility
- Building more citizen engagement, community health and culture
Executive Summary:

<table>
<thead>
<tr>
<th><strong>RECOMMENDATION:</strong></th>
<th>None. Information Report</th>
<th><strong>Ward:</strong></th>
<th>2</th>
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**Application Details**

<table>
<thead>
<tr>
<th><strong>APPLICANT:</strong></th>
<th>CLV Group Developments Inc.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>OWNER:</strong></td>
<td>Same as above</td>
</tr>
<tr>
<td><strong>FILE NUMBERS:</strong></td>
<td>535-001/20</td>
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<tr>
<td><strong>TYPE OF APPLICATION:</strong></td>
<td>Site Plan Application</td>
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<tr>
<td><strong>PROPOSED USE:</strong></td>
<td>Seven (7) residential towers on top of four (4) mixed use podiums</td>
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**Property Details**

<table>
<thead>
<tr>
<th><strong>PROPERTY LOCATION:</strong></th>
<th>North west Corner of Fairview Street and Drury Lane</th>
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<tbody>
<tr>
<td><strong>MUNICIPAL ADDRESSES:</strong></td>
<td>2243, 2269 Fairview Street &amp; 864 Drury Lane</td>
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<tr>
<td><strong>PROPERTY AREA:</strong></td>
<td>3.4 ha</td>
</tr>
<tr>
<td><strong>EXISTING USE:</strong></td>
<td>Vacant garden centre, brewery, auto repair shop, dance studio and furniture store</td>
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</table>

**Documents**

<table>
<thead>
<tr>
<th><strong>OFFICIAL PLAN Existing:</strong></th>
<th>Mixed Use Corridor – Commercial Corridor</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>ZONING Existing:</strong></td>
<td>Mixed Use Corridor (MXT)</td>
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</tbody>
</table>

**Processing Details**

<table>
<thead>
<tr>
<th><strong>SITE PLAN APPLICATION RECEIVED:</strong></th>
<th>April 4, 2020</th>
</tr>
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<tr>
<td><strong>STATUTORY DEADLINE (30 days):</strong></td>
<td>Deadline has elapsed</td>
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Background and Discussion:

General
On April 4, 2020 the Community Planning Department acknowledged that a site plan application had been received for Site Plan Approval for 2269, 2243 & 864 Drury Lane to support the development of the lands with seven (7) residential towers on top of four (4) mixed use podiums, with overall tower heights ranging between 29 and 37 storeys, and includes 2,494 residential units of mixed type and tenure and 3,993 square metres of retail/commercial space. The purpose of this report is to provide an overview of the application and is intended as background information only.

Site Description
The subject site has an area of 3.4 ha, and approximately 224 m of frontage along Fairview, and 143 m of frontage along Drury Lane (see Figure 1, below). Access to the site is currently provided via both Drury Lane and Fairview Street. A vacant garden centre, brewery, auto repair shop, dance studio and furniture store are currently located on the Subject Lands. It is the intent that the existing buildings and structures be demolished prior to the site being redeveloped.

Surrounding Land Uses
Surrounding the subject site are the following uses:

- **North:** The Lakeshore West GO rail line is located adjacent to the Subject Lands directly to the north. A low-rise residential neighbourhood occupies the lands north of the rail line. An overpass pedestrian bridge at the north terminus of Drury Lane provides access over the rail line to the residential community to the north.

- **South:** Fairview Street, low rise institutional and medical building consisting of the Halton Catholic District School Board and a medical clinic.

- **East:** Drury Lane, and a number of low-rise service commercial and retail uses are located east of the Subject Lands, including an automotive repair and home store.

- **West:** A car dealership is located adjacent to the Subject Lands directly west, followed by a creek and the Burlington GO Station. The Paradigm Condominium development, (5 tower and 24 storey residential condominium development) is located immediately west of the Burlington GO Station.
Description of Application
As shown on Sketch No. 2 (Appendix A), the proposed redevelopment of the site includes 4 buildings with a total of 7 towers ranging in height from 29 to 37 storeys. The proposed development will provide 2,494 residential units of mixed type and tenure; 3,993 square metres of retail/commercial space; 41,821 square metres of shared amenity space between all buildings in a variety of forms, including indoor, rooftop and outdoor elevated amenity area; all proposed parking to be located within a combination of a 4-storey above ground parking structure abutting the northern lot line or within 5
levels of underground parking abutting the southern property line. Each building is proposed as follows:

- **Building A** will provide a two storey podium containing a mix of lobby, retail/commercial space, amenity space, and six residential units. Building A will provide 338 residential units in a 33 storey tower with indoor amenity space included on floors 1 and 2, and outdoor amenity space.

- **Building B** will provide a five storey podium containing a mix of lobby, retail space, amenity space, and 105 residential units. 10 Townhouse style units are incorporated into the podium of building B, fronting onto Fairview Street. Tower B1 will provide 248 residential units in a 29 storey tower with outdoor rooftop amenity space. Tower B2 will provide 298 residential units in a 34 storey tower with outdoor rooftop amenity. The podium of Building B includes indoor and outdoor amenity space, including an outdoor terrace.

- **Building C** will provide a six storey podium containing a mix of lobby, retail space, amenity space, and 77 residential units. Tower C1 will provide 320 residential units in a 33 storey tower with outdoor rooftop amenity. Tower C2 will provide 364 residential units in a 37 storey tower. The podium of Building C includes indoor and outdoor amenity space and a green roof.

- **Building D** will provide a six storey podium containing a mix of lobby, retail space, amenity space, and 84 residential units. Tower D1 will provide 316 residential units in a 33 storey tower with outdoor rooftop amenity. Tower D2 will provide 344 residential units in a 35 storey tower. The podium of Building C includes indoor and outdoor amenity space and a green roof.

**Phasing**

Although staff are assessing the entire development comprehensively, a phased approval has been requested. Phase 1 will consist of Building C (Northwest corner), which the applicant is currently seeking Site Plan approval for. Phase 2 will include Building D (Northeast corner) and Phase 3 will be comprised of Buildings A and B to the south off of Fairview Street. Timing for phasing has not yet been confirmed at this stage of the review process.
<table>
<thead>
<tr>
<th>Table 1: Proposed Design Elements</th>
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<tbody>
<tr>
<td><strong>Uses</strong></td>
</tr>
<tr>
<td>Residential</td>
</tr>
<tr>
<td>Commercial/ retail</td>
</tr>
<tr>
<td>Publicly accessible open space</td>
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<tr>
<td>Private open space</td>
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<tr>
<td><strong>Amenity</strong></td>
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<tr>
<td>Approximately 17 square metres per unit, for a total of 41,821 square metres across the site in the form of private amenity (e.g. balconies, terraces) and common amenity (indoor and outdoor)</td>
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<tr>
<td><strong>Commercial</strong></td>
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<td>3,993 square meters</td>
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<tr>
<td><strong>Height</strong></td>
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<td>29-37 storeys</td>
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<tr>
<td><strong>Unit Mix</strong></td>
</tr>
<tr>
<td>Studio (400-500 square feet): 5% of unit mix</td>
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<tr>
<td>1 bedroom (500- 675 square feet): 35% of unit mix</td>
</tr>
<tr>
<td>1 bedroom + den (675-775 square feet): 15% of unit mix</td>
</tr>
<tr>
<td>2 bedroom (775-900 square feet): 38% of unit mix</td>
</tr>
<tr>
<td>2 bedroom + den (900- 1000 square feet): 5% of unit mix</td>
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<tr>
<td>3 bedroom (1000-1100 square feet): 2% of unit mix</td>
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<tr>
<td><strong>Tenure</strong></td>
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<tr>
<td>Mixed- rental and condominium ownership</td>
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<tr>
<td><strong>Residential Density</strong></td>
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<td>725 units per hectare</td>
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Vehicular access to the proposed development will be provided primarily through an internal driveway that wraps through the site from Fairview Street to Drury Lane, similar to the driveway that presently exists on the Subject Lands. The parking structure will be accessed via Drury Lane and the internal east-west driveway which will function as a private street. Access to the underground parking will also be provided through the internal driveway. A minimal amount of layby parking is proposed at grade. Parking is proposed as 1-5 levels of underground parking and 4 levels of parking in a structure at the rear of the site. In terms of parking rates, there are 2730 spaces for 2494 units for a total rate of 1.09 per unit.

Specific to this development, The City of Burlington is requiring a consolidated 1-hectare public park to be contained within the subject development. Negotiations on the location, size and configuration of the park are ongoing as part of the overall review process.
Supporting Documents

The applicant has submitted the following materials in support of the application:

- **Site Plan, Floor Plans and Elevations**, prepared by Core Architects, dated September 25, 2020
- **Topographical Survey**, prepared by Rady-Pentek & Edward Surveying Ltd., dated August 30, 2018
- **Transportation Impact Study**, prepared by WSP, dated January 8, 2020
- **Transportation Impact Study (Addendum)**, prepared by WSP, dated October, 2020
- **Site Plan Report**, prepared by MHBC Planning, dated January 2020
- **Urban Design Brief**, prepared by MHBC Planning, dated January 2020
- **Landscape Plan**, prepared by MHBC Planning, dated October 2020
- **Environmental Noise & Vibration Assessment**, prepared by Novus Environmental, dated January 9, 2020
- **Phase I Environmental Site Assessment**, prepared by Pinchin, dated March 13, 2019.
- **Phase II Environmental Site Assessment**, prepared by Pinchin, dated April 16, 2019
- **Supplemental Geotechnical Investigation**, prepared by Pinchin, dated December 21, 2018
- **Preliminary Groundwater Summary**, prepared by Pinchin, dated January 9, 2020
- **Removals & Erosion & Sediment Control Plan**, prepared by Crozier Consulting Engineers
- **Tree Inventory and Preservation Plan**, prepared by Kuntz Forestry Consulting Inc, dated September 2020
- **Engineering Drawing Set**, prepared by Crozier Consulting Engineers dated October 21, 2020
- **Preliminary Geotechnical Investigation (2243 Fairview St)**, prepared by Pinchin, dated April 20, 2018
- **Preliminary Geotechnical Investigation (864 Drury Lane)**, prepared by Pinchin, dated July 26, 2018
Interim Control By-law

On March 5, 2019, Council enacted Interim Control By-law (ICBL) 10-2019 to temporarily limit development within the City’s Downtown Urban Growth Centre and the lands in proximity to the Burlington GO Station for a period of one year in order to complete a land use study assessing the role and function of the Downtown bus terminal and Burlington GO Station as major transit station areas.

The recommendations from the findings of the study, including approval of Official Plan Amendment (OPA) 119 and Zoning By-law Amendment (ZBA) 2020.418, were approved by City Council on January 30, 2020. However, the City has received appeals for both OPA 119 and ZBA 2020.418. As a result, the ICBL will remain in effect until the Local Planning Appeal Tribunal (LPAT) has issued a final decision on each appeal of ZBA 2020.418.

While the City awaits the LPAT process to conclude, new applications, including the subject application, are being circulated for comment to relevant departments and agencies. No planning decisions are being formalized and recommendation reports are not being prepared until the LPAT has issued decisions on the aforementioned ZBA 2020.418 appeals. The application will be held in abeyance until the ICBL is no longer in effect.

Policy Framework

The proposed Site Plan is subject to the following policy framework: Provincial Policy Statement (2020), A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019), Region of Halton Official Plan, City of Burlington Official Plan, and the City of Burlington Zoning By-law 2020. The following is an overview of the land use designations and policy directions provided in these documents.

Provincial Policy Statement, 2020

The Provincial Policy Statement (PPS) provides broad policy direction on land use planning and development matters of provincial interest. All planning decisions must be consistent with the PPS. The PPS promotes appropriate development and land
use patterns that make efficient use of land and infrastructure, protect public health and safety, facilitate economic growth, and conserve significant built heritage resources. The PPS directs that growth and development be focused in settlement areas. Land use patterns in settlement areas are to be based on densities and a mix of land uses which efficiently use land, resources, infrastructure and public service facilities, prepare for the impacts of a changing climate, and support active transportation and transit.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019
The Growth Plan for the Greater Golden Horseshoe provides a policy framework for managing growth in the Greater Golden Horseshoe. The policies of the Growth Plan are intended to support the achievement of complete communities that feature a diverse mix of land uses and range of housing options, provide for a more compact built form and vibrant public realm, increase the use of transit and active transportation, and mitigate and adapt to climate change. The Growth Plan directs growth and development to settlement areas, with a focus on strategic growth areas, to make efficient use of land and infrastructure and support transit viability.

Region of Halton Official Plan
The subject lands are designated “Urban Area” and located within the Intensification Areas (Urban Growth Centre and Major Transit Station Area) overlay in the Halton Region Official Plan (ROP). The ROP states that the range of permitted uses within the Urban Area shall be in accordance with local Official Plans and Zoning By-laws. However, all development is subject to the policies of the ROP, including the specific objectives and policies for Intensification Areas and Urban Growth Centres. Objectives of Intensification Areas include: to provide an urban form that is complementary to existing developed areas; to provide diverse, vibrant pedestrian-oriented urban environments; to support active transportation and transit for everyday activities; and to generally achieve higher densities than the surrounding areas.

City of Burlington Official Plan
The subject lands are subject to the “Mixed Use Activity Area” and “Mixed Use Corridor – Commercial Corridor” land use designations in the City’s in-force Official Plan.

There is a site-specific Official Plan policy (Part 3, Section 5.3.2 a) iii) which states “development and re-development of lands within a major transit station area, such as a GO transit commuter rail station, shall achieve a higher intensity of re-development and consist of transit supportive uses, as called for and defined in the Growth Plan for the Greater Golden Horseshoe.” Notwithstanding Part III, Subsection 5.3.3 b) and e), those lands designated Mixed Use Corridor subject to the Commercial Corridor Policies of Subsection 5.3.3 and located within a major transit station area, shall permit only transit
supportive uses, as defined in the Growth Plan for the Greater Golden Horseshoe, have a minimum floor space index of 0.5 and a minimum building height of two storeys

Transit Supportive Land Use is defined in the 2019 Growth Plan for the Greater Golder Horseshoe as “Relating to development that makes transit viable and improves the quality of the experience of using transit. It often refers to compact, mixed-use development that has a high level of employment and residential densities. Transit-supportive development will be consistent with Ontario’s Transit Supportive Guidelines.

Furthermore, staff continue to consider the design as it relates to the principles outlined in the Urban Design section of the Official Plan as well as the Tall Building Guidelines.

City of Burlington Adopted Official Plan, 2018

The proposed new Official Plan was adopted by Council on April 27, 2018 and has been developed to reflect the opportunities and challenges facing the City as it continues to evolve. Halton Region identified areas of non-conformity, and as such, the adopted Official Plan was subject to additional review and revision, which has now been approved.

The new Official Plan identifies the subject lands as a Mixed-use Nodes and Intensification Area (Urban Structure), a Primary Growth Area (Growth Area) as well as a Major Transit Station Area. These areas are recognized as areas to accommodate the majority of the City’s forecasted growth, and the most appropriate location for new tall buildings.

City of Burlington Zoning By-law 2020

The lands are zoned “Mixed Use Corridor (MXT)” in the City’s Zoning By-law 2020. The MXT zone permits the development of mixed-use residential apartment buildings, as well as the inclusion of retail and office uses. There is no Maximum Permitted Height for the MXT zone, and there is also no Maximum Permitted Density. The Council adopted zoning by-law amendment (2020.418) provides for a 6 storey maximum for lands within 10 meters of Fairview Street.

The zoning review will be based on the in-force regulations; however, comments related to the Council adopted zoning by-law amendment will be provided which incorporate the requirement for a 6-storey maximum edge condition adjacent to the Fairview Street, Brant Street and Drury Lane. The purpose of the amendment was to provide for an appropriate transition to adjacent areas through a mid-rise, pedestrian-scale built for along Fairview Street, Brant Street and Drury Lane and provide built form continuity with the Fairview Street Mixed Use Corridor which permits buildings up to 6 storeys in height.
Technical Comments
The application was circulated with various internal staff and external agencies for review and comment. Comments were received, and the applicant recently responded with a resubmission which is currently under review. The following is a list of internal departments and external agencies that staff is continuing to work with as part of the latest submission.

Internal Staff (Burlington)
- Zoning
- Site Engineering
- Landscape Engineering
- Transportation
- Accessibility
- Parks & Open Space
- Burlington Transit
- Burlington Fire

External Agencies
- Ministry of Transportation
- Metrolinx / CN
- Halton Region
- Halton Police
- Halton District Catholic School Board (HCDSB)
- Halton District School Board (HDSB)
- Conservation Halton
- Enbridge Pipelines
- Canada Post
- Hydro One
- Burlington Hydro
- TC Energy

Staff will address technical concerns submitted by all staff and agencies as part the Site Plan Review process but will remain in abeyance until the ICBL appeals are resolved.
Financial Matters:
The applications are being processed in accordance with the required development application fees.

Climate Implications
In Canada, buildings generated approximately 13% of the country’s greenhouse gas emissions in 2018 in their heating and cooling. Passenger transportation and municipal landfills accounted for approximately 14% and 2%, respectively. In February 2020, City Council approved the City of Burlington Climate Action Plan to support the city’s path towards a low-carbon future, focusing on mitigating greenhouse gases and reducing energy consumption. The plan identifies seven implementation programs, including programs to enhance energy performance for new and existing buildings; increase transit and active transportation mode shares; electrify city, personal and commercial vehicles and other currently gas-powered equipment; and support waste reduction and diversion. A discussion of the climate implications of the proposed development will be provided in the future recommendation report.

Engagement Matters:
A webpage was created on the City of Burlington website, accessible at https://www.burlington.ca/en/services-for-you/clv-group-developments-2243-2269-fairview-st-and-864-drury-lane.asp. This webpage provides information about the subject application and contact information for the applicant’s representative and the Community Planning Department

Conclusion:
This report provides information and a description of the subject application, including an update on the technical review that is underway

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Respectfully submitted,

[Signature]

Andreas Houlios, MCIP RPP
Planner II
905-335-7600 Ext. 7463

Appendices:
A. Sketches

Notifications:
Jenn Morrison, CLV Group Developments Inc.
jennifer.morrison@clvgroup.com

Report Approval:
All reports are reviewed and/or approved by Department Director, the Chief Financial Officer and the Executive Director of Legal Services & Corporation Counsel.
Appendix A – Sketches

Sketch No. 1
ZONING SKETCH
An application for seven (7) residential towers on top of four (4) mixed use podiums. Overall heights ranging between 29 and 37 storeys. Podium heights ranging from 2, 5 and 6 storeys. A total of 2,456 residential units of mixed type and tenure. 3689m² of commercial space. 38,244 m² of shared amenity space. Five (5) levels of underground parking and a four (4) storey parking structure. Pedestrian connections to the surrounding neighbourhood and Burlington GO Station.

GENERAL ZONING LEGEND

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<tr>
<th>Low Density</th>
<th>Medium Density</th>
<th>High Density</th>
<th>Mixed Use</th>
<th>Commercial</th>
<th>Employment</th>
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<tr>
<td>R2.3</td>
<td>RM1</td>
<td>R3.1</td>
<td>R3.2</td>
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<td>MXG</td>
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<td>R2M</td>
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Date: August 13, 2020
Planning and Building Department
Sketch No. 2
DETAIL SKETCH
An application for seven (7) residential towers on top of four (4) mixed use podiums. Overall heights ranging between 29 and 37 storeys. Podium heights ranging from 2, 5 and 6 storeys. A total of 2,456 residential units of mixed type and tenure. 3689m2 of commercial space. 38,244 m2 of shared amenity space. Five (5) levels of underground parking and a four (4) storey parking structure. Pedestrian connections to the surrounding neighbourhood and Burlington GO Station.

File No. 535-001/20

Date: November 09, 2020
Planning and Building Department