

August 10, 2021

The Hon. Minister Clarke
Ministry of Municipal Affairs and Housing
777 Bay Street, 17th floor
Toronto, Ontario
M7A 2J3

Via email: sclarke@ontario.ca

Dear Minister Clarke:

**RE: ERO 019-4071 Ministry Reference Number 24-OP-217386
HALTON REGIONAL OFFICIAL PLAN AMENDMENT NO. 48
WRITTEN SUBMISSION – PENTA PROPERTIES INC.
OUR FILE: 1886A**

MacNaughton Hermsen Britton Clarkson Planning Limited (“MHBC”) are retained by Penta Properties Inc. (“Penta”) with respect to a number of their properties located throughout the City of Burlington. Over the past two years, Penta has been engaged in the Region of Halton’s Official Plan Review Process and has submitted a number of comments at different stages of that process. Penta have also submitted a number of requests to the Regional Municipality of Halton (Region) for employment conversions on several properties as well as the lack of inclusion of some of its properties within the Aldershot and Appleby GO Major Transit Station Areas (MTSAs). The Region has not supported any of Penta’s requests.

On July 7, 2021, the Region of Halton adopted Regional Official Plan Amendment No. 48 (“ROPA 48”) which is stated to be a first phase of the Region’s implementation of its Municipal Comprehensive Review work and specifically is to deal with the boundaries of the MTSAs and employment conversions that are of priority to the local municipalities. We understand a Notice of Decision for ROPA 48 has been issued and ROPA 48 has now been posted on the Environmental Registry of Ontario for comments.

The following is a summary of the key issues and concerns with the Region’s adopted version of ROPA 48 as it relates to the Penta properties. Copies of Penta’s previous requests providing detailed planning justification in accordance with Provincial policy is attached for the Ministry’s reference.

MTSA BOUNDARIES AND EMPLOYMENT CONVERSIONS

MTSA Boundaries:

- In accelerating ROPA 48 in advance of a Preferred Growth Concept by Regional Council, it is unclear how the proposed MTSA boundaries will achieve the minimum density targets of 150 people and jobs per hectare to meet ROPA 38’s targets for 2031, not to mention 2051 targets;

- Penta's King Road lands are within the 15-minute neighbourhood of the Aldershot GO and would achieve the Growth Plan objectives of creating a complete community. The Region has excluded these lands from the MTSA boundary area;
- The Region has inconsistently applied their MTSA criteria, such as: "blocks should remain intact to facilitate the cohesive and comprehensive development of an MTSA" and did **not** apply this criterion to Penta's request to include both 4480 and 4450 Paletta Court properties within the Appleby GO MTSA area considering they are one block/parcel; and,
- The Region has applied differing criteria in each MTSA and, in some cases, has applied a literal '800 metre' radius line as the rationale to include or exclude properties, such as for 4450 Paletta Court which is approximately 940 metres distant from the Appleby GO station, but also excluded lands within the 800 metre radius, such as the low density neighbourhoods to the south of the MTSA.

Employment Conversion Requests

- Employment Areas are currently restricted by the Region to predominantly industrial only uses. We have consistently submitted the need for the Region to consider a more permissible policy approach to allow for a wider range of opportunities to meet market demands that have significantly changed since the planning framework for employment in the Region was established 25 years ago;
- The Region's continued Employment Overlay format in the Region Official Plan serves as a restriction to development;
- The Region's conversion criteria have been inappropriately applied to Penta's property located at Harrison Court, which is a vacant property that is part of an existing commercial plan. It is not part of a contiguous band of employment development;
- The Region has applied its conversion criteria on a highly generally basis and without any consideration to context or the jobs that can be achieved through the conversion for commercial uses as planned; and,
- The Region claims it will consider and discuss the changing nature of employment and retail markets at a later date in the process and has not advanced any of that work in its initial conversion considerations. It would appear that those conversions supported are done so in absence of this work as well.

MODIFICATIONS REQUESTS

Based on our planning justifications provided with each request, we strongly recommend Ministry staff review and advise the Minister to modify ROPA 48 as follows:

1. Include the following properties within proposed MTSA boundaries for Appleby GO and Aldershot GO Stations as they are both within 800 metres of the stations and in our opinion meet the requirements for inclusion based on Provincial policy and are needed to accommodate the growth and land use mix proposed for these MTSA's:

- a. 1200 King Road (Aldershot GO) (lands abutting GO station); and,
 - b. 4450 Paletta Court (Appleby GO).
2. Remove the Employment Area Overlay on the ROPA 48 land use schedule for the following properties based on the submissions provided which address Provincial policy:
- a. 1200 King Road; and,
 - b. 3309 Harrison Court.

Sincerely,

MHBC

A handwritten signature in black ink, appearing to read 'Dana Anderson', written in a cursive style.

Dana Anderson, FCIP, RPP

Encl.

cc: David Pitblado, Penta Properties

June 14, 2021

Chair and Members of Council
c/o Regional Clerk Graham Milne
Regional Municipality of Halton
1151 Bronte Road
Oakville, ON
L6M 3L1

Via email: regionalclerk@halton.ca
Via email: ropr@halton.ca

Dear Chair Carr and Members of Regional Council:

RE: REGIONAL OFFICIAL PLAN AMENDMENT NO. 48 – STATUTORY PUBLIC MEETING
Written Submission – Penta Properties Inc.
OUR FILE: 1886A

MacNaughton Hermsen Britton Clarkson Planning Limited (“MHBC”) are retained on behalf of Penta Properties Inc. (“Penta”) in relation to various properties located throughout the City of Burlington. Over the past year, Penta has made a number of submissions in relation to the Region’s Municipal Comprehensive Review and the Integrated Growth Management Study (“IGMS”) process as it affects its properties.

In February 2021, the Region formally released a draft of Regional Official Plan Amendment No. 48 (“ROPA 48”) which is as a first phase amendment to the Regional Official Plan to address the Region’s urban structure to 2051. ROPA 38 is focused on identifying the Region’s growth targets and growth areas, delineating the Major Transit Station Area boundaries, and advancing several local strategic planning objectives including key employment land conversions.

As noted, over the past few years, Penta has submitted multiple requests with detailed supporting information to the City of Burlington and to the Region of Halton, to consider both employment land conversions and revisions to the proposed MTSA boundaries in the City of Burlington. Most recently, Penta submitted a response to the Region’s Integrated Growth Management Strategy Urban Structure Discussion Paper, a copy of which is attached as Appendix A. The submission provided a detailed justification for employment conversion requests for a number of properties. In many cases, the requests were seeking to expand existing use permissions to include commercial, community and employment supportive uses otherwise restricted under the Region’s current Employment Overlay policies.

The following is a summary of the information provided to the Region to date and a request for further consideration by Council to amend ROPA 48.

Employment Land Conversion Requests

In June, 2020, the Region released an Integrated Growth Management Strategy Urban Structure Discussion Paper. The Discussion Paper set out additional criteria for employment conversion requests and established a deadline for additional submissions to be made for consideration by the Region through its Regional Official Plan Review ("ROPR") process related to existing or new conversion requests. In August, 2020, a detailed request (attached as Appendix A) was submitted to Halton Region to consider employment land conversions for the following four Penta properties:

- 1200 King Road;
- 3309 Harrison Court;
- 4450 & 4480 Paletta Court; and,
- 5164, 5366, 5470, 5900 Upper Middle Road & 5201 Mainway.

As noted in many cases, the employment land conversion requests were to remove the Employment Overlay as a restriction to development and in some cases redevelopment of the sites with employment generating uses. Providing for a wider range of uses on many of the properties will actually better meet the Region's minimum job targets and better respond to current market needs given the physical location and context of the properties.

It was requested that these lands should not be restricted to industrial only uses but should be permitted to provide for uses that allow for a wider range of opportunities to meet market demands that have significantly changed since the planning framework for employment in the Region was established. As noted in the submission, the conversions would assist in creating complete communities by increasing the range of permitted uses located close to existing and planned neighbourhoods.

On April 13, 2021, MHBC staff had an opportunity to meet with Regional staff to review the Region's response to the employment requests as provided in Appendix C1 of the Integrated Growth Management Strategy Growth Concepts Discussion Paper. The focus of that meeting was to discuss 1200 King Road, 4450 & 4480 Paletta Court and 3309 Harrison Court. During the meeting Regional staff reiterated their reliance on the assessment of the conversion criteria which in many cases was extremely subjective and without any detailed analysis at the time or quantitative/factual consideration. Some of the concerns noted from the meeting included the following:

- There has been limited study of the provision of commercial uses as part of the IGMS work related to how commercial land use needs will be provided only through mixed use development forms;
- Much of the additional work referenced has not yet been completed is not yet public.
- Changes to policies related to the permitted uses within the Employment Areas based on the changing nature of employment in the Region and changing retail markets will be presented later for review and discussion and not in advance of considerations for employment land conversions. It is strongly recommended that employment land conversions be considered together with proposed changes to employment policies. Should those policies remain restrictive, retention of the overaly will sterilize many sites.

One specific employment conversion request made by Penta relates to its vacant site located adjacent to the existing Lowes store, east of Appleby Line in the City of Burlington. When meeting with Regional staff,

a number of concerns were raised related to the Region's assessment of the criteria and recommendation not to convert the Harrison Court lands. Following the meeting, MHBC submitted additional information to further justify the importance of converting the lands, a copy of which is attached as Appendix B. In summary, the lands located at 3309 Harrison Court in Burlington, represent a similar context to other sites recommended for approval for conversion and the lands meet all of the conversion criteria. The adjacent lands on which the Lowes is currently located is within the same Plan of Subdivision as the 3309 Harrison Court site and should be developed as part of the commercial node to serve the current and growing community area. It is strongly recommended that both Harrison Court sites be included for conversion and be included with ROPA 48 for the planning reasons set out in the letter that address both Provincial and Regional policies.

MTSA Boundary Delineations

Over the past few years, multiple requests have been submitted to the City of Burlington to include the following Penta properties within proposed MTSA boundaries for Appleby GO and Aldershot GO Stations as they are both within 800 metres of the stations:

- 1200 King Road (Aldershot GO)
- 4450 Paletta Court (Appleby GO)

The 1200 King Road lands represent an extension of lands directly eastward from the existing Metrolinx Aldershot GO Station. It is a prime location for intensification given that it is within the '15-minute neighbourhood' of the station and would achieve the Growth Plan objectives of creating a complete community. Similarly, 4480 & 4450 Paletta Court is also within the 15-minute neighbourhood and provides opportunities for population and job growth near a public transit facility.

The exclusion of 4450 Paletta Court results in one half of the parcel being located outside of the MTSA. One of the key criteria of the Region for the delineation of MTSA's in its methodology is to include whole parcels. As noted by the Regional criteria "blocks should remain intact to facilitate the cohesive and comprehensive development of the MTSA". This was clearly not applied to 4480 and 4450 Paletta Court. A map illustrating the "splitting" of the boundary is attached as Appendix C. While the City of Burlington had opportunities to include these lands within proposed MTSA boundaries, the City did not include the lands in the recently approved new Official Plan (under appeal). The inclusion of the lands would provide both the Region and the City with opportunities for intensification. of these two Strategic Growth Areas.

In accelerating ROPA 48 ahead of the Preferred Growth Concept, it is not clear how the proposed MTSA boundaries will achieve the minimum density targets of 150 people and jobs per hectare to meet ROPA 38's targets for 2031, not to mention 2051 targets. We trust the staff report will provide the detailed growth projections and distribution of growth based on the proposed land areas for the MTSA's.

Public Engagement: Halton Region's Response

While we acknowledge Halton Region has met the minimum *Planning Act* requirements for public engagement, through Open Houses and various virtual workshops, the Region has not documented publicly how all submissions have been addressed through proposed policy amendments. The Region produced one "communication plan" that provided a conceptually themed report. That report was general to Phase 2 of the Region Official Plan Review. Halton Region Report no. LPS05-21: "Regional Official

Plan Review - Phase 2 Initial Consultation Summary" provided Attachment 1, "Regional Official Plan Review: Phase 2 Initial Consultation Summary." The summation was based on the prescribed on-line survey results and common responses. The summary did not identify how the Region addressed comments and what changes were considered, or not, to the proposed policies. The draft of ROPA 48 was in fact completed without consideration of the comments requested by December 21, 2021.

Affected landowners and stakeholders were actively engaged in discussions with Regional staff regarding comments and responses in advance of the draft amendment. This has been a different approach to public engagement than ROPA 38 where comments were noted and made part of the public record.

ROPA 48, if adopted with the proposed boundaries for MTSAs, and without the additional requested employment conversions will split the potential redevelopment of two key properties within the MTSAs and will represent a lost opportunity for economic development and job creation within the Region. The public engagement to date on employment and future needs has lacked informed input from key stakeholders in the business and investment community of the Region. We trust these submissions and comments will be further considered to ensure those interests are at a minimum acknowledged.

Sincerely,

MHBC



Dana Anderson, FCIP, RPP

| | |
|---------------------------|--|
| <i>Attach.</i> Appendix A | Submission Response: Region's Integrated Growth Management Strategy Urban Structure Discussion Paper |
| Appendix B | Meeting Minutes: Region & Penta, Employment Conversion |
| Appendix C | Map: MTSA Delineated Boundary: Paletta Court |

cc: David Pitblado, Penta Properties

August 31, 2020

Dan Tovey, RPP, MCIP
Manager of Policy Planning
Region of Halton
1075 North Service Road West
Oakville, Ontario
L6M 2G2

Dear Mr. Tovey:

**RE: REGION OF HALTON URBAN STRUCTURE DISCUSSION PAPER AND EMPLOYMENT
CONVERSIONS
VARIOUS LANDS IN THE CITY OF BURLINGTON – EMPLOYMENT CONVERSION REQUEST
OUR FILE: 1886A**

MacNaughton Hermsen Britton Clarkson Planning Limited (“MHBC”) are currently retained by Penta Properties Inc. (“Penta”) in relation to their various lands located in the City of Burlington. As you may know, Penta is a prominent private-sector developer that own a number of properties across Halton Region.

The Region recently released an Integrated Growth Management Strategy Urban Structure Discussion Paper dated June 2020, which was prepared as part of the Regional Official Plan Review Process (ROPR). The Discussion Paper addresses planning for growth in the Region, Settlement Areas, Community Areas and Employment Areas. The Paper provides an overview of the Region’s employment area policies and identifies requests for the conversion of employment lands submitted through local Official Plan reviews. The Discussion Paper sets out additional criteria for employment conversion requests and establishes a deadline of August 31st for additional submissions to be made for consideration by the Region through its ROPR process related to existing or new conversion requests.

This letter contains employment conversion requests for the following lands owned by Penta:

- 1200 King Road (**Tab 1**);
- 3309 Harrison Court (**Tab 2**);
- 4450 & 4480 Paletta Court (**Tab 3**); and,
- 5164, 5366, 5470, 5900 Upper Middle Road & 5201 Mainway (**Tab 4**).

The aforementioned lands are identified on the Region's Urban Structure (**Halton Region Official Plan Map 1**) on **Figure 1**. Factual information regarding the aforementioned lands, including the physical and policy context and a summary of previous conversion requests and submissions is contained in **Table 1**. Copies of previous submissions made for the lands are attached as appendices to this letter, specifically this includes our submissions on the Adopted Burlington Official Plan, dated April 23, 2018 (**Appendix A**), the Aldershot GO and Appleby GO Mobility Hubs, dated July 18, 2018 (**Appendix B**), and the proposed Amendment 1 to the Growth Plan and Provincially Significant Employment Zone mapping, dated February 28, 2019 (**Appendix C**).

Each request outlines the current physical and policy context of the property as well as a review of the recent conversion requests made through the City of Burlington's Official Plan Review process. Each request includes justification for the employment land conversion per Section 77.4(4) of the ROP and includes an assessment of the additional Regional criteria as set out in the Discussion Paper.

It is our opinion that the aforementioned lands should not be designated solely for employment uses. The lands should be considered for conversion to non-employment uses through both the Region's OPR process as well as through a modification to the City's Official Plan for all of the reasons set out in each assessment and request. The conversion requests will allow the lands to support employment through commercial and other employment supportive uses and will assist the Region and City in achieving planned population and employment growth and meeting intensification and density targets. The conversion requests also assist in creating complete communities by increasing the range of permitted uses located close to existing and planned neighbourhoods.

We trust the information contained herein is sufficient to assess the conversion requests. Should you have any questions or require additional information, please do not hesitate to contact us.

Yours truly,

MHBC

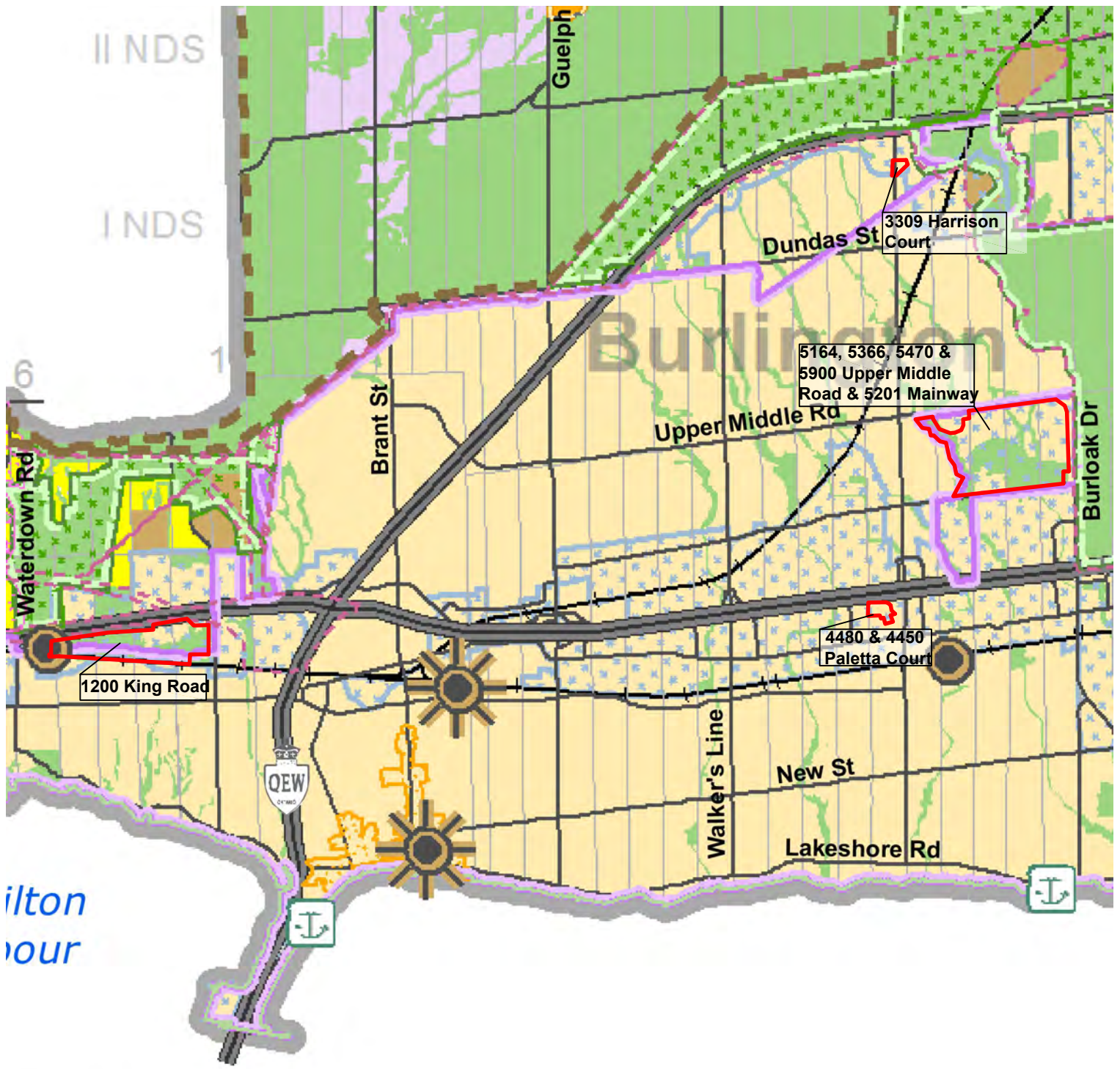


Gerry Tchisler, M.P.I., MCIP, RPP
Associate



Dana Anderson, MA, FCIP, RPP
Partner

cc: Curt Benson, Region of Halton
Dave Pitblado, Penta












Front Park (See Map 2)





Figure 1
Halton Region Official
Official Plan
 Map 1:
 Regional Structure

Data Source: Halton Region- Map 1 Regional Structure

LEGEND

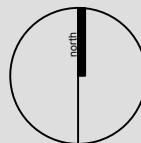
-  Subject Lands
-  Urban Area
-  Regional Natural Heritage System
-  Built Boundary

-  Parkway Belt West Plan Boundary
-  Employment Area
-  Mineral Resource Extraction Area
-  North Aldershot Policy Area
-  Greenbelt Natural Heritage System (Overlay)

-  Mobility Hub
-  Major Transit Station
-  Waterfront Park
-  Niagara Escarpment Plan Boundary
-  Agricultural Area
-  Urban Growth Centre

DATE: June 13, 2019

SCALE N.T.S



guro\CAD\18860.dwg

Burlington, Ontario

MHBC PLANNING
 URBAN DESIGN
 & LANDSCAPE
 ARCHITECTURE
 442 BRANT STREET BURLINGTON, ON, L7R 2G4
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Table 1: Factual overview of conversion request locations

| Reference | | Physical Context | | | | Policy Context | | | | OTHER |
|----------------|----------------------------|--|---------------|--|--|---|--|---|--|--|
| Map # | Address | Location | Lot Area (ha) | Building/Development Characteristics | Access and Infrastructure | Provincial Classification | Regional Classification | Local Classification | Zoning | - Previous conversion requests - Previous planning recommendations/studies |
| | | | | Existing land uses, building characteristics | Proximity to major goods movement facilities | Located within PSEZ? | Located within Regional Employment Area Overlay? | Land Use Designation in Local Area Official Plan | Zoning in Local Area Zoning By-law | |
| 2a 2b 2c | 1200 King Road, Burlington | The Subject Lands are located on the west side of King Road, south of Highway 403 and north of the railway corridor. | 49 | The Subject Lands are currently vacant; however a proposed plan of subdivision on the easterly portion of the lands is currently under appeal. The remaining westerly portion of the lands is occupied by natural areas. | Abuts the CN rail corridor to the south but does not have access Abuts Highway 403 to the north, however, the Subject Lands do not have direct access to the highway. | Partially (approx. 3.2 ha of the western portion of Subject Lands is in the PSEZ) The balance of the lands are NOT in the PSEZ | Urban Area Employment Area overlay | <i>In-effect Official Plan:</i> <ul style="list-style-type: none"> ▪ Business Corridor ▪ Employment Commercial ▪ Mixed Use Corridor – Employment ▪ General Employment <i>April 2018 Adopted OP:</i> <ul style="list-style-type: none"> ▪ Business Corridor ▪ General Employment ▪ Urban Corridor – Employment Lands ▪ Employment Commercial Centre City's Natural Heritage System | Business Corridor (BC1) CE-412 O2 H-MXE-414 H-GEI-410 See By-law 4000-3 | PB-30-16 (Appendix B – Item 5), dated October 31, 2016 – City considered previous proposal to redesignate the westerly 19.6-ha portion of the Subject Lands to “Residential-High Density,” to permit high density residential uses. The majority of the lands were recommended to be removed from the employment area with the portion abutting the rail corridor to remain within the employment area. PB-04-18 (Appendix D – Item E), dated April 24, 2018 – City recommends removal of a portion of the lands within the Aldershot Mobility Hub from the Halton Region Employment Area overlay, consistent with the direction provided in Section 2.3.3 (f) (i) of the new Official Plan (April 2018). MHBC Comment Letter to City (City of Burlington New Draft Official Plan (April 2018)), dated April 23, 2018, requesting further modifications to the Plan to ensure consistency of the defined NHS areas, boundaries and land uses to implement the current Draft Plan. It was requested that the land use designations be deferred to allow for the completion of this work. MHBC Comment Letter to City (Aldershot GO and Appleby GO Mobility Hubs (Staff Report PB-65-18)), dated July 16, 2018 – requesting land use land uses be identified on the western portion of the Subject Lands. Halton Report LPS23-19 – Regional request to maintain property within PSEZ and add addition portion of the lands into PSEZ. MHBC Comment Letter to Ontario Growth Secretariat (Proposed Amendment 1 to the Growth Plan (2019)), dated February 28, 2019, requesting the lands be removed from the PSEZ. |

| Reference | | Physical Context | | | | Policy Context | | | | OTHER |
|----------------|---------------------------------|--|---------------|---|---|---------------------------|---|--|------------------------------------|--|
| Map # | Address | Location | Lot Area (ha) | Building/Development Characteristics | Access and Infrastructure | Provincial Classification | Regional Classification | Local Classification | Zoning | - Previous conversion requests - Previous planning recommendations/studies |
| | | | | Existing land uses, building characteristics | Proximity to major goods movement facilities | Located within PSEZ? | Located within Regional Employment Area Overlay? | Land Use Designation in Local Area Official Plan | Zoning in Local Area Zoning By-law | |
| 3a 3b 3c | 3309 Harrison Court, Burlington | The Subject Lands are generally located east of Appleby Line, west of the railway corridor, north of the hydro corridor, and south of Highway 407. | 2.62 | The Subject Lands are currently vacant. | Has access to Highway 407 interchange with Appleby Line, approximately 320 metres to the north. | No | Urban Area Employment Area overlay Outside Built Boundary | <i>In-effect Official Plan:</i> ▪ Business Corridor <i>April 2018 Adopted OP:</i> ▪ Business Corridor | Business Corridor (BC1-409) | PB-30-16 (Appendix B – Item 15), dated October 31, 2016 – City considered previous proposal dated January 2016 which requested to redesignate lands to “Major Retail Area” and “Regional Commercial,” to permit major retail commercial uses, matching the designation of the lands to the south. The Subject Lands were recommended to remain in the employment area Halton Report LPS23-19 – Regional request to add the property to the PSEZ. MHBC Comment Letter to Ontario Growth Secretariat (Proposed Amendment 1 to the Growth Plan (2019)), dated February 28, 2019, requested the lands not be included in the PSEZ. The Province did not apply the PSEZ designation to the Subject Lands. |
| 4a 4b 4c | 4450 Paletta Court, Burlington | The Subject Lands are located on the south side of Paletta Court, south of Highway 403, north of Harvester Road, west of Appleby Line | 2.40 | The Subject Lands are developed with a 1-storey office building. | Abuts highway 403 corridor to the north. | Yes | Urban Area Employment Area Overlay | <i>In-effect Official Plan:</i> ▪ Business Corridor <i>April 2018 Adopted OP:</i> ▪ Business Corridor | Business Corridor (BC1) | PB-30-16 (Appendix B – Item 5), dated October 31, 2016 – City considered employment conversion requests within the Appleby GO Mobility Hub. The Subject Lands were recommended to remain within the employment area. MHBC Comment Letter to City (City of Burlington New Draft Official Plan (April 2018)), dated April 23, 2018, requesting both properties be included in the Appleby GO Mobility Hub boundary and to incorporate policies into the Plan which do not preclude further consideration for conversion by the City and the Region pending the finalization and implementation of an Area Specific Plan. |
| | 4480 Paletta Court, Burlington | The Subject Lands are located on the south side of Paletta Court, south of Highway 403, north of Harvester Road, west of Appleby Line | 5.17 | The Subject Lands are developed with a large former meat processing facility. The facility experienced extensive damage during a fire which occurred in December 2017 and is not currently operational. | Abuts Highway 403 corridor to the north | Yes | Urban Area Employment Area Overlay | <i>In-effect Official Plan:</i> ▪ General Employment Within Appleby Mobility Hub | Business Corridor (BC1-41) | MHBC Comment Letter to City (Aldershot GO and Appleby GO Mobility Hubs (Staff Report PB-65-18)), dated July 16, 2018, requesting 4450 Paletta Court to be included in the Appleby Mobility Hub boundary. Halton Report LPS23-19 – Regional request to maintain the Subject Lands within PSEZ. MHBC Comment Letter to Ontario Growth Secretariat (Proposed Amendment 1 to the Growth Plan (2019)), dated February 28, 2019, requesting the lands be removed from the PSEZ. |

| Reference | | Physical Context | | | | Policy Context | | | | OTHER |
|----------------|---|---|---------------|--|--|---------------------------|---|---|------------------------------------|---|
| Map # | Address | Location | Lot Area (ha) | Building/Development Characteristics | Access and Infrastructure | Provincial Classification | Regional Classification | Local Classification | Zoning | - Previous conversion requests - Previous planning recommendations/studies |
| | | | | Existing land uses, building characteristics | Proximity to major goods movement facilities | Located within PSEZ? | Located within Regional Employment Area Overlay? | Land Use Designation in Local Area Official Plan | Zoning in Local Area Zoning By-law | |
| 5a 5b 5c | 5164, 5366, 5470, 5900 Upper Middle Road & 5201 Mainway, Burlington | The Subject Lands are located north of Mainway, west of Burloak Drive and south of Upper Middle Road. These lands are known as the Bronte Creek Meadows lands. | 124 | The Subject Lands are currently vacant. | Direct access to Highway 403 located approximately 1.3 kilometres to the south via Burloak Drive | Yes | Urban Area Employment Area Overlay Outside of Built Boundary "Key Features" on Map 1G Natural Heritage System | <i>In-effect Official Plan:</i> <ul style="list-style-type: none"> ▪ Employment Commercial ▪ Greenlands ▪ The Subject Lands are subject to Deferral 47 (OPA 38) <i>April 2018 Adopted OP:</i> <ul style="list-style-type: none"> ▪ General Employment ▪ City's Natural Heritage System | GE1 GE2 O2 O3 | PB-30-16 (Appendix B – Item 14), dated October 31, 2016 – City considered employment conversion request to redesignate the Subject Lands to permit a residential subdivision consisting of a range of low, medium and high density residential uses, parks, schools and storm water management blocks, with a total unit count of 2160 units. It was recommended that the Subject Lands be retained in the City of Burlington Employment Lands inventory. MHBC Comment Letter to City (City of Burlington New Draft Official Plan (April 2018)), dated April 23, 2018, requesting a deferral of consideration of the employment designation pending an Area Specific Plan to allow the opportunity to explore various approaches to create an innovation district and employment area. Halton Report LPS23-19 – Regional request to maintain property within PSEZ and add addition portion of the lands into PSEZ. MHBC Comment Letter to Ontario Growth Secretariat (Proposed Amendment 1 to the Growth Plan (2019)), dated February 28, 2019, requesting the lands be removed from the PSEZ. |

Tab 1

Employment Conversion Request
1200 King Road, Burlington

1200 KING ROAD EMPLOYMENT CONVERSION REQUEST

SITE CONTEXT

As illustrated on the **Location Map (Figure 2a)**, the Subject Lands are located in the southwest quadrant of Burlington. The Subject Lands are approximately 49 hectares in size and are irregularly shaped. The Subject Lands are vacant with the western portion of the site occupied by natural features. The lands are bound by Highway 403 to the north, the GO Transit rail corridor to the south, Aldershot GO Station to the west, and King Road to the east. The Subject Lands are partially located within a Major Transit Station Area ("MTSA") and the City's proposed Aldershot GO Mobility Hub Study area. The Subject Lands are also currently being processed through a Draft Plan of Subdivision application at the City (510-01/14) which is under appeal.

The Subject Lands are surrounded by a highway, railway, major transit station, as well as employment and residential uses, as summarized below:

- NORTH: The Subject Lands abut the Highway 403 corridor to the north. Employment uses north of Highway 403 including offices, light industrial uses and a brick manufacturing facility are located further north. There are also significant natural areas located to the north.
- SOUTH: The Subject Lands abut the CN Railway corridor to the south. A residential neighbourhood is located south of the rail corridor. .
- EAST: The Subject Lands abut King Road to the east with a mix of general employment and light industrial uses located further east.
- WEST: The Subject Lands abut Aldershot GO Station to the west. Further west of the GO Station and south of the rail corridor are vacant lands and a large residential development currently under construction.

POLICY CONTEXT

Provincial Planning Context

The westerly portion of the Subject Lands are partially identified as a Provincially Significant Employment Zone ("PSEZ") as provided through A Place to Grow: Growth Plan for the Greater Golden Horseshoe ("Growth Plan, 2019") (approximately 3.2 ha). The balance of the lands are not located within a PSEZ.

Regional Planning Context

As illustrated on **Halton Region Official Plan Map 1**, the Subject Lands are currently designated 'Urban Area' and are subject to an 'Employment Area' overlay. The Employment Area overlay designation permits a range of employment uses. It is also situated adjacent to a designated MTSA.

Local Planning Context

Given the evolving nature of the local planning framework in the City of Burlington, a summary of both the in-force City of Burlington Official Plan (“In-force Official Plan”) and the Council adopted Grow Bold: Burlington Official Plan (“Adopted Official Plan”) are provided below.

In-force Official Plan

The Subject Lands are currently designated ‘Employment Area’ on **Schedule A – Settlement Pattern** and ‘Business Corridor’, ‘Employment Commercial’, ‘Mixed Use Corridor – Employment’ and ‘General Employment’ on **Schedule B – Comprehensive Land Use Plan – Urban Planning Area** of the in-force Official Plan (**Figure 2b**). When considered together, these designations permit a range of office, industrial, retail, employment, commercial, personal service, entertainment, recreation and community facility uses. Zoning is already in place for the eastern half of the property to allow these uses.

The Subject Lands are also subject to Part III – Site Specific Policy 3.3.3. (f), Site Specific Policy 3.4.3. (b), Site Specific Policy 5.3.4. (j), and are partially subject to Deferral 42, due to an outstanding appeal of Official Plan Amendment 55 (“OPA 55”). OPA 55 was a City-wide amendment to implement the City’s Intensification Strategy following the City’s five year Official Plan Review. Relevant site specific policies regarding permitted uses on the Subject Lands. Site Specific Policy 3.3.3 (f) and 5.3.4 (j) deal with additional permitted land uses on the Subject Lands. Specifically, recreation and entertainment uses, including a sports arena and/or stadium up to a maximum seating capacity of 9,000 persons are permitted on the portion of the Subject Lands designated “General Employment”. Should such a facility be constructed, additional retail and service commercial uses related to the sports arena and/or stadium facility and permitted in the Mixed Use Corridor-Commercial Corridor designation are permitted on the portion of the Subject Lands designated “Mixed Use Corridor-Employment”. These uses consist of those uses permitted in the MXC zone, with the exception of residential uses, supermarket/grocery store and large building supply store.

Adopted Official Plan

On April 26, 2018, City of Burlington Council adopted a new Official Plan. The new Official Plan was deemed to be non-conforming by the Region of Halton and therefore not in-force at this time.

The Site is identified as ‘Employment Lands’ and ‘Natural Heritage System, Major Parks and Open Space’ on **Schedule B – Urban Structure** of the Council adopted Official Plan and ‘Employment Growth Area’ and ‘Natural Heritage System, Major Parks and Open Space’ on **Schedule B-1 – Growth Framework**. The Subject Lands are designated ‘Business Corridor’, ‘General Employment’, ‘Urban Corridor – Employment Lands’ ‘Employment Commercial Centre’ and ‘City’s Natural Heritage System’ on **Schedule C – Land Use – Urban Area (Figure 2c)**. Collectively, these designations permit a range of office, industrial, utilities and transportation, service, retail, recreation, hospitality, entertainment and automotive commercial uses. It is noted that the Subject Lands are subject to Site Specific Policy 8.1.3 (a) which identifies there is no minimum building height required and that should a sports arena and/or stadium facility be constructed, the stadium or facility is to be constructed on the portion of the Subject Lands designated ‘General Employment’.

City of Burlington Mobility Hub Study

The western portion of the Subject Lands are located within the Aldershot GO Mobility Hub. Under the draft Mobility Hub Precinct Plan released in May 2018, that portion of the Subject Lands is identified as

'under review' with no specific land use identified. The intention of the Mobility Hub lands however is to provide complete communities where residents can live, work, and play, and are the locations where Burlington has expressed interest in directing much of its future growth and intensification.

Previous Employment Land Conversion Requests

A previous request was submitted in 2014 to convert the westerly portion of the Subject Lands. The proposal was to re-designate this portion of the property to "Residential-High Density", to permit high density residential uses. The request was considered by staff in staff report PB-04-18, under Appendix D (Item E). The City recommended removal of the portion of the Subject Lands within the Aldershot Mobility Hub Area-Specific Plan Boundary from the Halton Region Employment overlay.

CONVERSION CRITERIA ASSESSMENT

A portion of the lands are within an MTSA which is planned to be intensified. Therefore, limiting the use of the lands to strictly employment uses would not be beneficial to increasing densities and achieving mixed-use, transit-oriented development around the existing GO station. Additionally, multiple existing zoning designations already apply to the Subject Lands which permit a variety of uses including office, commercial, services and entertainment.

This request focuses on removing the Subject Lands from the Region’s Employment Area overlay to permit residential and commercial uses at the local level.

The following tables below provide justification and rationale for the conversion request in relation to the existing conversion criteria set out in provincial policy, the ROP, through Section 77.4(4), as well as the new criteria set out in Appendix D of the Discussion Paper.

1. Conversion Criteria - Section 77.4(4) ROP

| Criteria | Rationale/Justification |
|--|--|
| There is a need for the conversion | A portion of the lands are within an MTSA which is planned to be intensified and are also within the City’s Mobility Hub Study area. Therefore, limiting the use of the lands to strictly employment uses would not be beneficial to increasing densities and achieving mixed-use, transit-oriented development around existing GO stations, as planned for the area. |
| The lands are not required for employment purposes over the long term | The Subject Lands are not required to be protected for long term employment purposes given their location and relative isolation from the broader employment area to the north of Highway 403. Only a small portion of the site is identified within the PSEZ which generally coincides with the portion of the site that has been recommended for conversion by the City. |

| Criteria | Rationale/Justification |
|---|---|
| The conversion will not compromise the Region's or Local Municipality's ability to meet the employment forecast in Table 1 and Table 2a | Multiple existing zoning designations already apply to the Subject Lands which permit a variety of uses including office, commercial, services and entertainment. These use permissions can be retained through the conversion and be incorporated into the redevelopment of the Subject Lands in a mixed use fashion that allow them to contribute to meeting the local municipalities employment forecast. The Subject Lands are relatively isolated from the broader employment area located north of the rail corridor and the conversion will not adversely affect their overall viability. |
| The conversion will not adversely affect the overall viability of the Employment Area, and achievement of the intensification and density targets of Table 2 and other policies of this Plan | The Subject Lands are isolated from the employment lands to the north and east and will not adversely affect the overall viability of the employment area. Converting the Subject Lands from employment uses to permit non-employment uses will allow the development of a higher density mixed use area that will support the achievement of the intensification and density targets of Table 2, as well as the broader urban structure and intensification policies of the ROP. Such intensification is unlikely to be achieved with employment-focused land use permissions that do not permit residential uses. |
| There is existing or planned infrastructure to accommodate the proposed conversion | The property is within an area where services and infrastructure to accommodate the conversion will be provided. |
| Cross-jurisdictional issues have been considered | There are no cross-jurisdictional issues of note for this property as it is not in close proximity to municipal boundaries. |
| All Regional policies and requirements, financial or otherwise, have been met | This criterion is satisfied. The removal of the Subject Lands from the Regional Employment Area overlay also advances the function of the Aldershot GO Mobility Hub as identified by the City and the MTSA as identified by the Region. |

2. Conversion Request Evaluation Criteria - Discussion Paper & Appendix

| Principle | Rationale/Justification | | |
|--|--------------------------------|------------------------|---|
| <table border="1"> <tr> <td style="writing-mode: vertical-rl; transform: rotate(180deg);">Employment Land Supply</td> <td>Current Context</td> </tr> </table> | Employment Land Supply | Current Context | The Subject Lands are bordered by the Highway 403 corridor to the north, a rail corridor to the south, King Road to the east and Aldershot GO Station to the west. The site is currently vacant, surrounded by a mix of lands designated as General Commercial and Business Corridor to the east and north and low density residential uses south of the rail corridor. |
| Employment Land Supply | Current Context | | |

Table 2b: Assessment of Proposal in relation to Conversion Request Evaluation Criteria Per Appendix D of the Urban Structure Discussion Paper

| Principle | | Rationale/Justification |
|-------------------|--|--|
| | Future Potential | The Subject Lands have the potential to accommodate a significant number of jobs through a comprehensive mixed use redevelopment which includes a mix of residential and commercial uses. Its strategic location next to the Aldershot GO station increases mobility for both future residents and employees and transit oriented residential development. |
| | Strategic Parcel Supply | The Subject Lands do not have direct access to Highway 403 and are relatively disconnected from the surrounding road network. The proposed conversion would not adversely impact the supply of parcels adjacent to or near major goods movement facilities. |
| | Land Budget Impacts | The Subject Lands could continue to accommodate jobs through denser, mixed use redevelopment inclusive of employment uses supported by higher order transit through the Aldershot GO Station MTSA. |
| Demonstrated Need | Strategic Location | The Subject Lands are partially located within the Regionally identified MTSA associated with the Aldershot GO station and the locally proposed Aldershot GO Mobility Hub. The Subject Lands are ideally positioned between King Road and the Aldershot GO station so that their comprehensive, mixed use development would allow for a strategic link between these two points to improve circulation in the area and access to the GO station. |
| | Strategic Opportunity | The proposed conversion would allow for more appropriate development of the site given the surrounding context and planned function of the MTSA. It would allow for intensification in the form of dwelling units as well as jobs at higher densities than would be anticipated on traditional employment lands. |
| | Specific Conditions and Constraints | The development of the lands for employment uses is constrained as a result of their isolation major goods movement facilities and corridors. The Subject Lands are located approximately 2 kilometres from the closest Toronto-bound highway interchange and nearly 3 kilometres from the closest Hamilton bound highway interchange. |
| Employment Area | Locational Impacts | The location of the conversion will not adversely impact the viability of the employment area. The Subject Lands are located along the periphery of the employment area and separated from the remaining employment lands to the north by the Highway 403 corridor. King |

| Table 2b: Assessment of Proposal in relation to Conversion Request Evaluation Criteria Per Appendix D of the Urban Structure Discussion Paper | | |
|--|---|--|
| Principle | Rationale/Justification | |
| | Road forms a natural boundary between the Subject Lands and the employment lands to the east. | |
| Compatibility | The Subject Lands are surrounded by a mix of existing employment, residential and natural heritage land uses which are compatible with the proposed conversion as a result of separation distances. The lands are also partially located within the Aldershot GO MTSA which is intended to support intensification and mixed use development. | |
| Continued Function & Expansion | The Subject Lands are currently vacant and the proposed conversion will not hinder the ability to attract a range of employment opportunities in the employment area located to the north and east of the site as these areas are sufficiently separated from the Subject Lands by existing highway and road infrastructure. There are also further opportunities to create buffers and mitigate impacts to any proposed sensitive uses on the Subject Lands through intervening commercial and other non-employment land uses. | |
| General Considerations | Cross-Jurisdictional | There are no cross-jurisdictional issues of note for this property as the property is not in close proximity to municipal boundaries. |
| | Supporting Infrastructure & Facilities | The property is within an area where services and infrastructure to accommodate the conversion will be provided. |
| | Other Regional Requirements | The conversion supports the Region's objectives for Intensification Areas as provided under Section 78(11) by supporting increased residential and employment densities to ensure the viability of existing and planned transit infrastructure and service within an MTSA. The conversion also supports an appropriate mix of uses within an MTSA. |
| | Local Support | Through the City's Official Plan Review process, the westerly portion of the Subject Lands within the MTSA was recommended for conversion in staff report PB-04-18 (Appendix D – Item E). |


For the reasons set out above, the Subject Lands should be considered for conversion to non-employment uses. The Subject Lands have poor access to surrounding major goods movement facilities and corridors. The Subject Lands are also partially located within an MTSA and the conversion will allow the lands to support transit-oriented residential densities and include employment uses through mixed-use development that supports Provincial, Regional and local policies for MTSA's. Removing the Employment Area overlay would provide more flexibility for land use planning at the local level.



Data Source: First Base Solutions Aerial Flown 2016

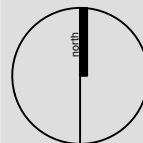
Figure 2a
Location Map

LEGEND

 Subject Lands

DATE: February 25, 2019

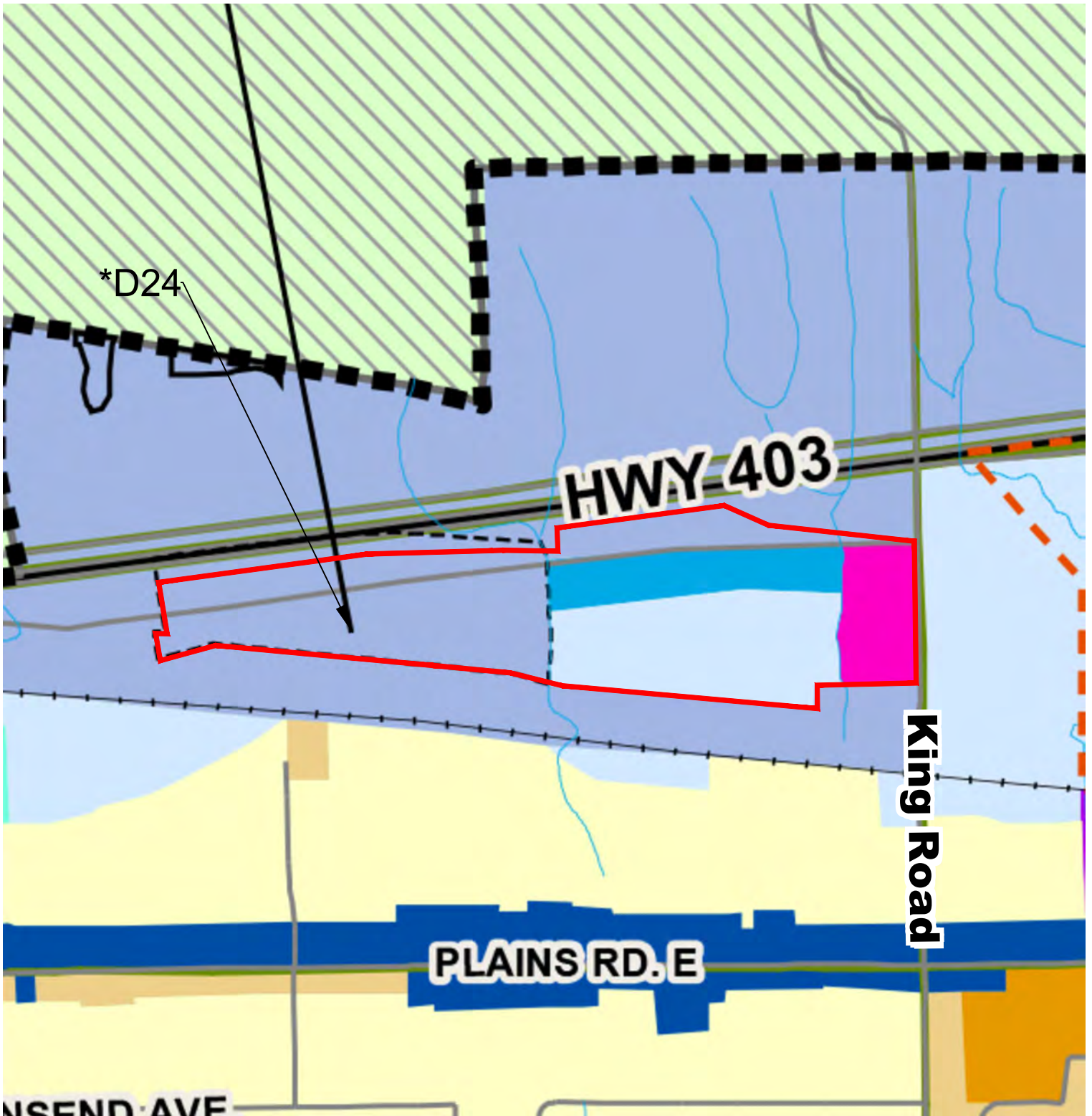
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1200 King Road,
Burlington, Ontario

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Data Source: City of Burlington Official Plan- Schedule B Comprehensive Land Use Plan- Urban Planning Area (December 2019)

Figure 2b

**City of Burlington
Official Plan**

Schedule B
Comprehensive Land Use
Plan- Urban Planning Area

**1200 King Road,
Burlington, Ontario**

LEGEND

Subject Lands

Residential- Low Density

Residential- Medium Density

Residential- High Density

General Employment

Business Corridor

Employment Commercial

Mixed Use Corridor-
Employment

Mixed Use Corridor- General

Parkway Belt Plan Area (Note: All lands within Parkway Belt West Plan Area Subject to Deferral *9)

Land Designation to be Determined

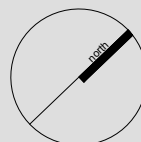
Urban Planning Area Boundary

Watercourses- Conceptual only, refer to Part III, Section 6.4.2 d

Downtown Urban Growth Centre Boundary

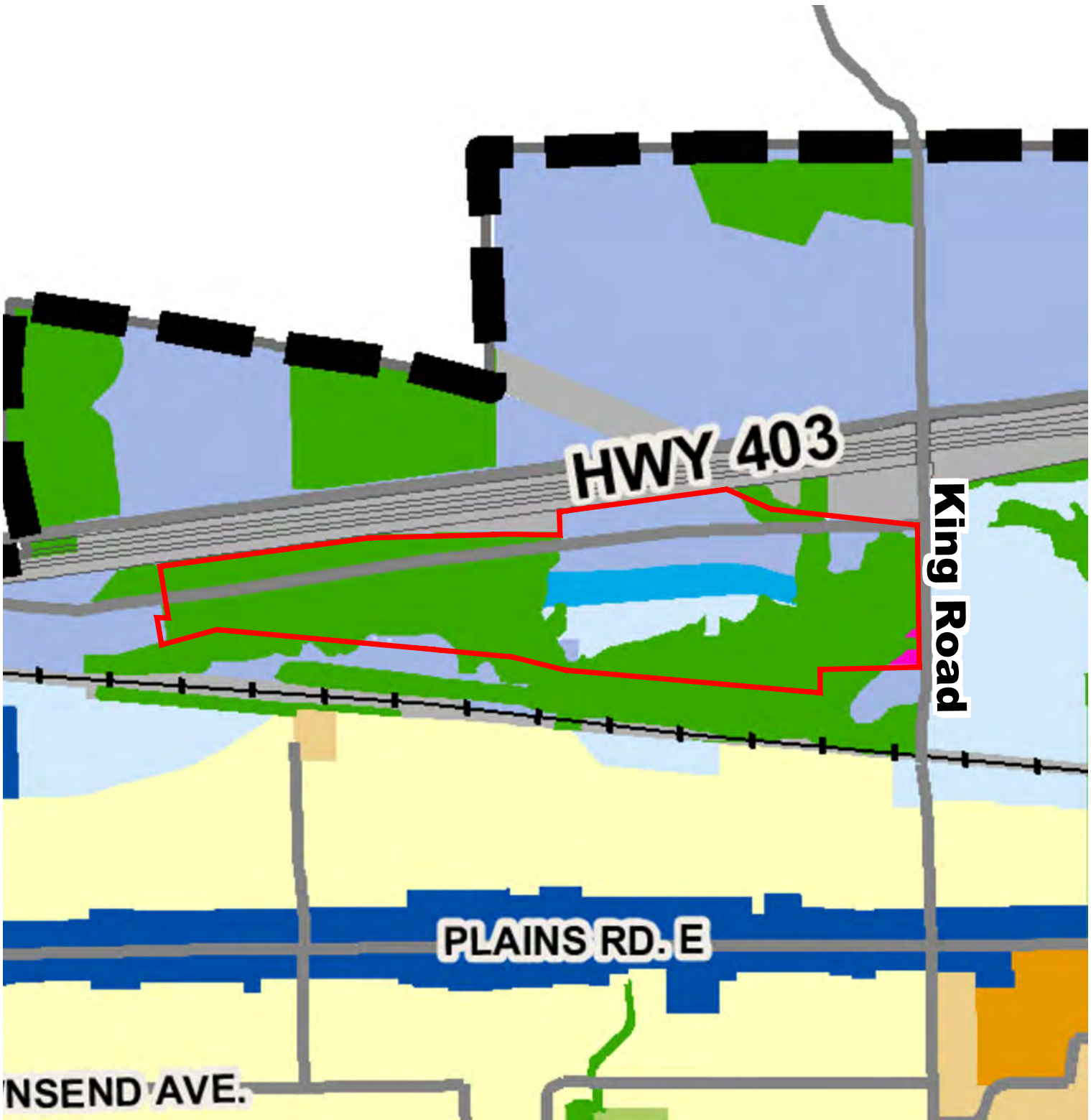
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Data Source: City of Burlington Adopted Official Plan- Schedule C Land Use- Urban Area (April 2018)

Figure 2c

**City of Burlington
Adopted Official Plan**

Schedule C
Land Use- Urban Area

1200 King Road,
Burlington, Ontario

LEGEND

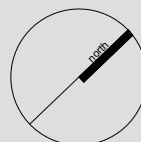
- Subject Lands
- Mixed Use Nodes and Intensification Corridors**
- Employment Commercial Centre
- Urban Corridor
- Urban Corridor- Employment Lands

- Residential Neighbourhood Areas**
- Residential- Low Density
- Residential- Medium Density
- Residential- High Density
- Employment Lands**
- General Employment
- Business Corridor

- Natural Heritage System and Major Parks and Open Space**
- City's Natural Heritage System
- Major Parks and Open Space
- Contextual References**
- Urban Boundary

DATE: August 28, 2020

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Tab 2

Employment Conversion Request
3309 Harrison Court, Burlington

3309 HARRISON COURT EMPLOYMENT CONVERSION REQUEST

SITE CONTEXT

As illustrated on the **Location Map (Figure 3a)**, the Subject Lands are located in the northeast quadrant of Burlington. The Subject Lands are approximately 2.62 hectares in size and are currently vacant. The Subject Lands are generally located east of Appleby Line, west of the railway corridor, north of the hydro corridor, and south of Highway 407.

The Subject Lands are located in an area planned for employment uses to the north with commercial uses, including major retail, and residential to the south and west. More specifically, the lands are surrounded by the following uses:

NORTH: The Subject Lands abut vacant lands designated for employment uses to the north. The Highway 407 corridor is located further north. A planned 407 Transitway station is proposed by the Ministry of Transportation at Highway 407 and Appleby Line.

SOUTH: The Subject Lands abut Harrison Court to the south. Further south are major commercial uses, including Lowe's and Mr. Lube.

EAST: The Subject Lands abut vacant lands designated for employment to the east. Further to the east are natural areas including Bronte Creek.

WEST: The Subject Lands abut Appleby Line to the west with vacant lands designated for employment located beyond this. Further west are a mix of employment lands adjacent to the Highway 407 corridor and residential and neighbourhood commercial uses located south of Palladium Way.

POLICY CONTEXT

Provincial Planning Context

The Subject Lands are not identified as a Provincially Significant Employment Zone as provided through A Place to Grow: Growth Plan for the Greater Golden Horseshoe ("Growth Plan, 2019"). Areas immediately to the east of the Subject Lands are located within the Greenbelt.

Regional Planning Context

As illustrated on **Halton Region Official Plan Map 1**, the Subject Lands are currently designated 'Urban Area' and are subject to an 'Employment Area' overlay. The Employment Area overlay designation permits a range of employment uses.

Local Planning Context

Given the evolving nature of the local planning framework in the City of Burlington, a summary of both the in-force City of Burlington Official Plan ("In-force Official Plan") and the Council adopted Burlington Official Plan ("Adopted Official Plan") is provided below.

In-force Official Plan

The Subject Lands are currently designated 'Employment Area' on **Schedule A – Settlement Pattern** and 'Business Corridor' on **Schedule B – Comprehensive Land Use Plan – Urban Planning Area** of the in-force Official Plan (**Figure 3b**). The Business Corridor designation permits a range of employment uses including office uses, industrial uses that involve assembling, fabricating, manufacturing, processing, warehousing and distribution uses, research and information processing, communications, utilities, and transportation uses, and service trades. Hotel, conference and convention uses and a limited range of retail commercial uses such as convenience stores, and a limited range of service commercial and recreation uses such as restaurants, banks, and fitness centres are also permitted.

The Subject Lands have a Settlement Pattern of 'Major Retail Area'. Immediately south of the Subject Lands are a site with a Settlement Pattern of 'Mixed Use Activity Area' which are designated as 'Regional Commercial' and 'Mixed Use Corridor – Employment'. These lands support existing major retail uses, however the designation provides additional flexibility in terms of permitted uses and also allows the lands to be planned for office and residential uses.

Adopted Official Plan

On April 26, 2018, City of Burlington Council adopted a new Official Plan. The new Official Plan was deemed to be non-conforming by the Region of Halton and therefore not in-force at this time.

The Site is identified as 'Employment Lands' on **Schedule B – Urban Structure** of the Council adopted Official Plan and 'Employment Growth Area' on **Schedule B-1 – Growth Framework**. The Subject Lands are designated 'Business Corridor' on **Schedule C – Land Use – Urban Area (Figure 3c)**. The Business Corridor designation permits a range of office uses, industrial uses, research and information processing, communications, utilities and transportation uses, and service trades, and hospitality uses including hotels and convention centres. A limited range of accessory retail uses and a full range of accessory service commercial uses are permitted in addition to recreation uses and large-scale motor vehicle dealerships.

Previous Employment Land Conversion Requests

A previous request was submitted in 2014 to re-designate the Subject Lands to Mixed Use Corridor – Commercial Corridor. A Planning Justification Report and development concept were submitted on November 25, 2014. A letter dated January 26, 2016 requested the redesignation of the lands to "Major Retail Area" and "Regional Commercial," to permit major retail commercial uses, matching the designation of the lands to the south. It was recommended by staff under Staff Report PB-30-16, Appendix B (Item 15) that the lands be retained in the City's Employment Land inventory.

EMPLOYMENT CONVERSION REQUEST SUMMARY

The Subject Lands are located immediately adjacent to a major retail and commercial area with adjacent residential uses located to the southwest. The Subject Lands have no visibility to the Highway 407 Corridor. The planned 407 Transitway stop north of the site represents an opportunity to efficiently plan for and support this infrastructure by providing a broader range of land uses including commercial uses. Limiting the use of the lands to strictly employment uses would not be beneficial to increasing densities and transit-oriented development around planned transit facilities. Additionally, multiple designations apply to the lands south of the Subject Lands which permit a variety of uses including office, major commercial, and residential.

This request focuses on removing the Subject Lands from the Region’s Employment Area overlay to permit commercial uses at the local level.

The following tables below provide justification and rationale for the conversion request in relation to the existing conversion criteria set out in provincial policy, the ROP, through Section 77.4(4), as well as the new criteria set out in Appendix D of the Discussion Paper.

1. Conversion Criteria - Section 77.4(4) ROP

| Table 3a: Assessment of Conversion Request against ROP Conversion Criteria per Section 77.4(4) | |
|---|--|
| Criteria | Rationale/Justification |
| There is a need for the conversion | These lands are adjacent to an existing residential community, environmental protection area and a utility corridor. Major retail land uses are located further south along with a broader mix of mixed-uses to support nearby residential areas. As such, these lands should not be restricted in the Region’s Employment Area overlay and should be allowed to develop with a broader range of commercial uses that are complementary to the existing commercial presence and compatible with adjacent residential uses. |
| The lands are not required for employment purposes over the long term | The Subject Lands are intended to retain employment functions through expanded permissions for commercial uses that will strengthen the existing commercial node. |
| The conversion will not compromise the Region’s or Local Municipality’s ability to meet the employment forecast in Table 1 and Table 2a | The proposed conversion is relatively small (less than 3 ha) and will not compromise the Region’s or City’s ability to meet the employment forecasts in Table 1 and Table 2a. |
| The conversion will not adversely affect the overall viability of the Employment Area, and achievement of the intensification and density targets of Table 2 and other policies of this Plan | The Subject Lands are located along the periphery of the employment area. The proposed conversion would retain employment lands to the north which have direct frontage along the 407 corridor. The proposed conversion would not adversely affect the overall viability of the employment area as the site would not be used for sensitive land uses and would be able to retain employment functions through expanded permissions for commercial land uses |
| There is existing or planned infrastructure to accommodate the proposed conversion | The Subject Lands are within an area where services and infrastructure to accommodate the conversion will be provided |
| Cross-jurisdictional issues have been considered | There are no cross-jurisdictional issues of note for this property as the site is not in proximity to a municipal boundary. |

| Criteria | Rationale/Justification |
|--|--|
| All Regional policies and requirements, financial or otherwise, have been met | We are not aware of outstanding conflicts with Regional policies or requirements at this time. |

2. Conversion Request Evaluation Criteria - Discussion Paper & Appendix

| Principle | | Rationale/Justification |
|-------------------------------|--------------------------------|--|
| Employment Land Supply | Current Context | The Subject Lands are currently vacant, surrounded by a mix of land designated as Business Corridor (north), Mixed Use Corridor – Employment and Neighborhood Commercial (south), Greenlands (east), and mix of lands designated Business Corridor and High/Medium Density Residential (west). Increasing the range of commercial uses on the Subject Lands better aligns with the existing commercial uses to the south, strengthening the commercial node. |
| | Future Potential | The Subject Lands have future potential to support employment functions that are aligned with the surrounding planning context to the south and west which permit a broader range of commercial land uses. |
| | Strategic Parcel Supply | The Subject Lands are relatively small and have no visibility from the Highway 407 corridor. The conversion does not impact designated employment lands further north which have direct access and visibility to the highway corridor. |
| | Land Budget Impacts | Due to the relatively small size of the parcel, the conversion will not have an overall adverse impact on the supply of employment lands or the ability to meet forecasted employment growth and intensification/density targets. The lands will continue to support jobs by way of growing the commercial employment base. |
| Demonstrated Need | Strategic Location | The Subject Lands are located within the Urban Area and the Employment Area overlay under the ROP. The Subject Lands are located immediately north of areas identified as Major Retail Areas under the in-force Official Plan. |
| | Strategic Opportunity | The proposed conversion would allow for more appropriate development of the site given the surrounding context of commercial uses immediately to the south and residential and commercial uses to the west. |

Table 3b: Assessment of Proposal in relation to Conversion Request Evaluation Criteria Per Appendix D of the Urban Structure Discussion Paper

| Principle | | Rationale/Justification |
|----------------------------------|--|---|
| | <i>Specific Conditions and Constraints</i> | Given the surrounding context of major retail and residential uses, introducing similar uses on the site reduces potential for land use incompatibility. |
| Employment Area Viability | <i>Locational Impacts</i> | The proposed conversion will not produce adverse impacts on the remaining employment area to the north as sensitive uses are not proposed |
| | <i>Compatibility</i> | The proposed conversion better aligns the Subject Lands with existing and planned land uses to the south and west. Land use conflicts with existing nearby land uses is not anticipated. |
| | <i>Continued Function & Expansion</i> | The Subject Lands and areas designated for Business Corridor to the north are currently vacant. The conversion will not hinder the operation or ability to attract a broad range of employment opportunities in the areas closer to the Highway 407 corridor. |
| General Considerations | <i>Cross-Jurisdictional</i> | There are no cross-jurisdictional issues of note for this property as it is not in close proximity to municipal boundaries. |
| | <i>Supporting Infrastructure & Facilities</i> | The property is within an area where services and infrastructure to accommodate the conversion will be provided. |
| | <i>Other Regional Requirements</i> | There are no other Regional policies or requirements that would be impacted by the proposed conversion that are known at this time. |
| | <i>Local Support</i> | The current conversion request has not yet been considered by the City. |

For the reasons set out above, the Subject Lands should be considered for conversion to permit a broader range of non-employment uses in the form of commercial uses. The Subject Lands are located on the periphery of an employment area and have no visibility from the Highway 407 corridor. The Subject Lands are immediately adjacent to existing commercial uses located south of Harrison Court. Further south and to the west are additional commercial and residential land uses. The Subject Lands can continue to support employment through expanded commercial uses. The conversion will also enhance land use compatibility between existing surrounding and planned land uses and represents a logical expansion of commercial uses given the site's location on the periphery of the broader employment area.



Data Source: First Base Solutions Aerial Flown 2016

Figure 3a Location Map

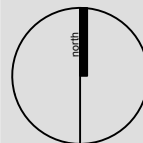
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Subject Lands

**3309 Harrison
Court,
Burlington, Ontario**

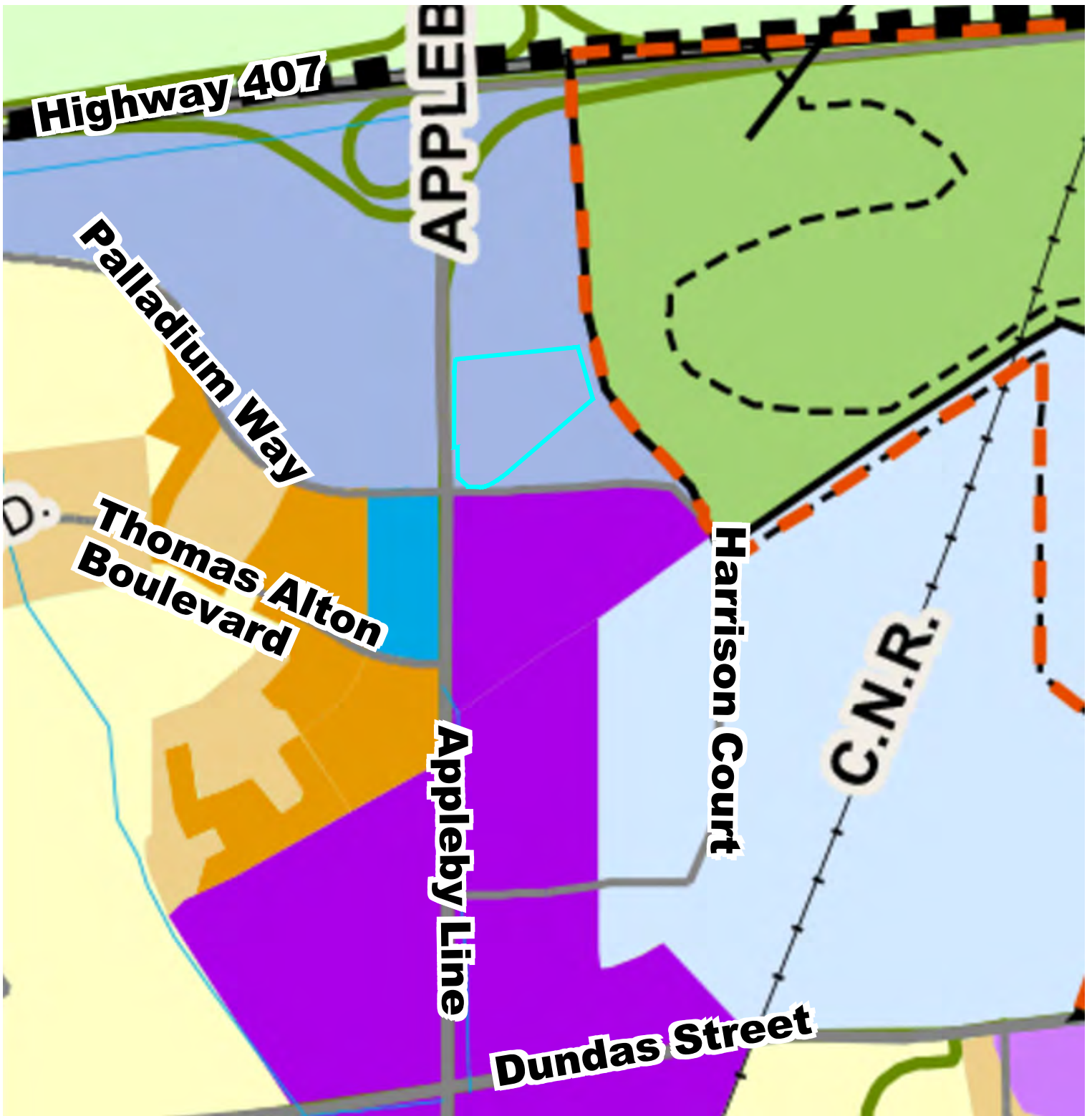
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Data Source: City of Burlington Official Plan- Schedule B Comprehensive Land Use Plan- Urban Planning Area (December 2019)

Figure 3b

**City of Burlington
Official Plan**

Schedule B
Comprehensive Land Use
Plan- Urban Planning Area

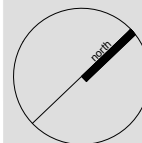
3309 Harrison Court,
Burlington, Ontario

LEGEND

- | | | |
|-----------------------------|-------------------------------|---|
| Subject Lands | General Employment | Parkway Belt Plan Area (Note: All lands within Parkway Belt West Plan Area Subject to Deferral *9) |
| Residential- Low Density | Business Corridor | Environmental Sensitive Area (Note: Boundaries based on Map 1 of the Region of Halton Official Plan (2006)) |
| Residential- Medium Density | Regional Commercial | Urban Planning Area Boundary |
| Residential- High Density | Mixed Use Corridor-Employment | Watercourses- Conceptual only, refer to Part III, Section 6.4.2 d |
| Greenlands | Neighborhood Commercial | Downtown Urban Growth Centre Boundary |

DATE: August 28, 2020

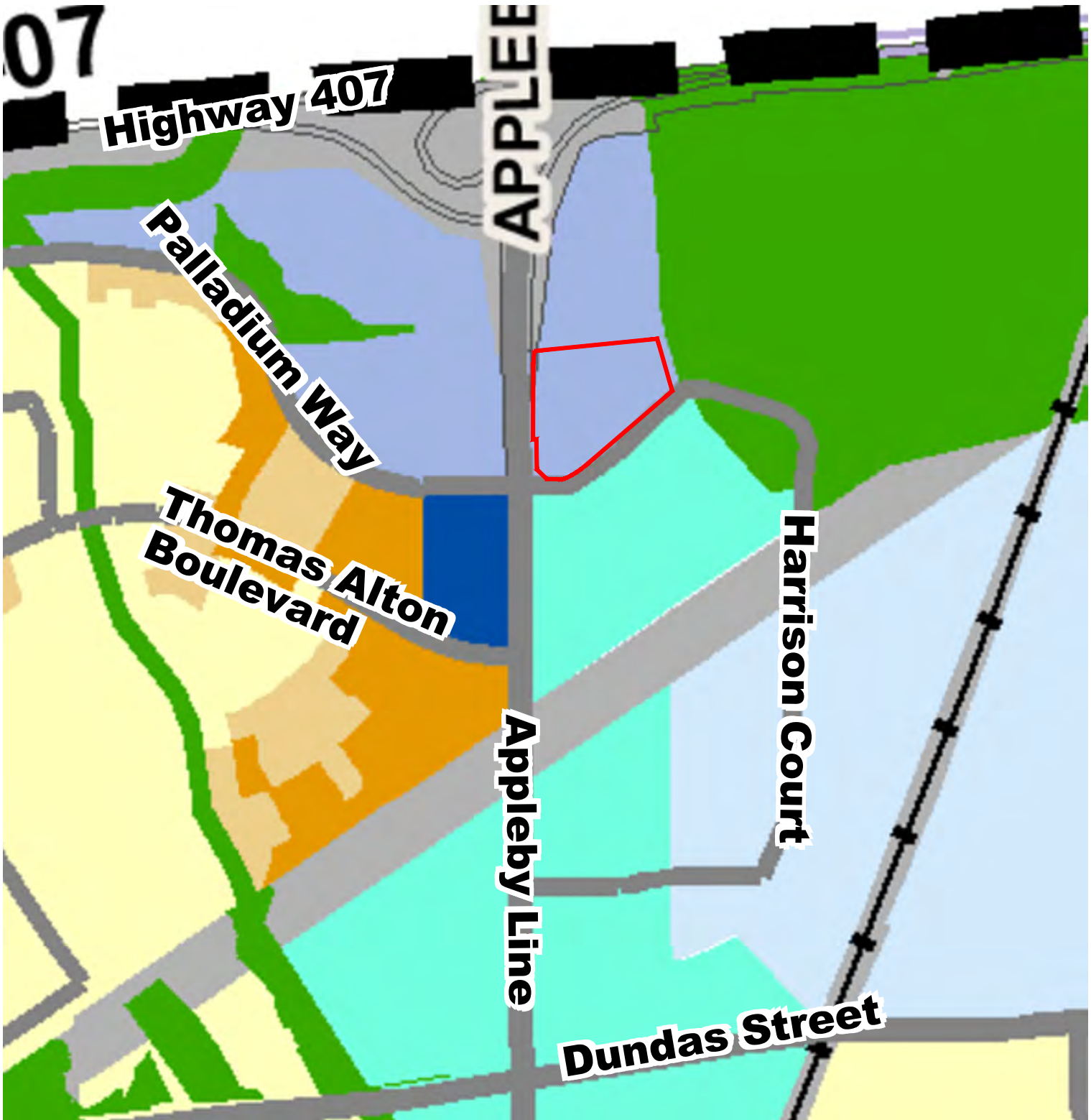
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Data Source: City of Burlington Adopted Official Plan- Schedule C Land Use- Urban Area (April 2018)

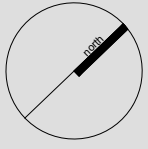
Figure 3c
**City of Burlington
 Adopted Official Plan**
 Schedule C
 Land Use- Urban Area

LEGEND

- Subject Lands
- Mixed Use Nodes and Intensification Corridors**
- Employment Commercial Centre
- Urban Corridor
- Urban Corridor- Employment Lands
- Residential Neighbourhood Areas**
- Residential- Low Density
- Residential- Medium Density
- Residential- High Density
- Employment Lands**
- General Employment
- Business Corridor
- Natural Heritage System and Major Parks and Open Space**
- City's Natural Heritage System
- Infrastructure and Transportation Corridors**
- Infrastructure and Transportation Corridors
- Contextual References**
- Urban Boundary

DATE: August 28, 2020

SCALE 1:7500-2



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 Burlington, Ontario**

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 & LANDSCAPE
 ARCHITECTURE
 230-7050 WESTON ROAD WOODBRIDGE, ON, L4L 8G7
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Tab 3

Employment Conversion Request
4450 & 4480 Paletta Court, Burlington

4450 & 4480 PALETTA COURT EMPLOYMENT CONVERSION REQUEST

SITE CONTEXT

As illustrated on the **Location Map (Figure 4a)**, the Subject Lands are a collection of properties located in the southeast quadrant of Burlington. The Subject Lands are located at the southwest quadrant of Highway 403/QEW and Appleby Line. The Subject Lands are approximately 7.57 hectares in size, comprised of 4450 Paletta Court (2.4 ha) and 4480 Paletta Court (5.17 ha). The Site is bounded by Highway 403 to the north, Appleby Line to the east and existing employment uses to the south and west. It is currently occupied by two existing structures, ranging in height between two and four storeys.

The Subject Lands are surrounded by a mix of existing natural features as well as employment and residential uses, as summarized below:

- NORTH: The Subject Lands abut Paletta Court and the Highway 403 corridor to the north. Employment uses including offices and manufacturing facilities are located further north.
- SOUTH: The Subject Lands abut various light industrial and manufacturing uses to the south which are also located within the Appleby GO MTSA. The Appleby Pioneer Cemetery is also located south of the Subject Lands along Appleby Line.
- EAST: The Subject Lands abut Appleby Line to the east with employment uses including mid-rise offices and light industrial uses further east.
- WEST: The Subject Lands are surrounded by employment uses including low-rise offices and light industrial uses to the west.

POLICY CONTEXT

Provincial Planning Context

The Subject Lands are identified as a Provincially Significant Employment Zone as provided through A Place to Grow: Growth Plan for the Greater Golden Horseshoe ("Growth Plan, 2019").

Regional Planning Context

As illustrated on **Halton Region Official Plan Map 1**, the Subject Lands are currently designated 'Urban Area' and are subject to an 'Employment Area' overlay. The Employment Area overlay designation permits a range of employment uses. It is also partially located within a designated MTSA.

Local Planning Context

Given the evolving nature of the local planning framework in the City of Burlington, a summary of both the in- force City of Burlington Official Plan ("In-force Official Plan") and the Council adopted Burlington Official Plan ("Adopted Official Plan") are provided below.

In-force Official Plan

As illustrated on the **City of Burlington Official Plan (In Force) Schedule B** provided below, the Site is currently designated 'Employment Area' on **Schedule A – Settlement Pattern** and 'Business Corridor' and 'General Employment' on **Schedule B – Comprehensive Land Use Plan – Urban Planning Area** of the City of Burlington's in-force Official Plan (**Figure 4b**). The 'Business Corridor' designation permits a range of office and industrial uses as well as ancillary retail commercial, service commercial and recreational uses. The 'General Employment' designation permits a range of office, retail, commercial, industrial and employment uses.

Adopted Official Plan

On April 26, 2018, City of Burlington Council adopted a new Official Plan. The new Official Plan was deemed to be non-conforming by the Region of Halton and therefore not approved.

The Subject Lands are identified as 'Employment Lands' on **Schedule B – Urban Structure** of the council adopted Official Plan. Additionally, the Subject Lands are partially designated 'Primary Growth Area' (4480 Paletta Court) and 'Employment Growth Area' (4450 Paletta Court) on **Schedule B-1 – Growth Framework**. As illustrated on **Schedule C – Land Use – Urban Area**, the Subject Lands are designated 'Business Corridor' (**Figure 4c**). The 'Business Corridor' designation permits a range of office, industrial, accessory retail, accessory service commercial and recreation uses.

Appleby GO Mobility Hub Study Area

The eastern portion of the Subject Lands (4480 Paletta Court) is located within an MTSA centred on the Appleby GO Station. The Subject Lands are identified as 'Urban Employment' under the Appleby GO Mobility Hub Draft Precinct Plan (May 2018). The intention of the Mobility Hub lands is to provide complete communities where residents can live, work, and play, and are the locations where Burlington has expressed interest in directing much of its future growth and intensification. The Appleby GO Mobility Hub area is expected to transition over time to a mixed use node.

CONVERSION CRITERIA ASSESSMENT

A portion of the lands are within an MTSA which is planned to be intensified. Therefore, limiting the use of the lands to strictly employment uses would not be beneficial to increasing densities and achieving mixed-use, transit-oriented development around existing GO stations. Multiple existing zoning designations already apply to the Subject Lands which permit a variety of uses including office, commercial, services and entertainment. Additionally, the planned function of the portion of the lands within the MTSA is to support higher employment densities than would be possible through pure employment uses.

This request focuses on removing the Subject Lands from the Region's Employment Area overlay in order to not preclude consideration of a diversity of uses as part of the future Area Specific Plan associated with the Appleby GO Mobility Hub.

The following tables below provide justification and rationale for the conversion request in relation to the existing conversion criteria set out in provincial policy, the ROP, through Section 77.4(4), as well as the new criteria set out in Appendix D of the Discussion Paper.

1. Conversion Criteria - Section 77.4(4) ROP

| Table 4a: Assessment of Conversion Request against ROP Conversion Criteria per Section 77.4(4) | |
|---|--|
| Criteria | Rationale/Justification |
| There is a need for the conversion | The Subject Lands are partially located within a Major Transit Station Area and thus should be allowed the greatest degree of flexibility for high intensity uses. Although 4450 Paletta Court is not currently in the City's proposed Mobility Hub or the Region's proposed MTSA, Penta has made a submission requesting that the property be included within these areas so that 4450 and 4480 Paletta Court can be redeveloped comprehensively. |
| The lands are not required for employment purposes over the long term | The Subject Lands are already identified under designation and zoning which permit a range of uses which include non-employment uses such as retail and commercial uses. The Subject Lands are intended to retain employment functions through the conversion, while allowing other uses in alignment with the Appleby Mobility Hub study. |
| The conversion will not compromise the Region's or Local Municipality's ability to meet the employment forecast in Table 1 and Table 2a | The conversion facilitates non-employment uses which will support employment growth at densities comparable or higher to those associated with pure employment uses. Redevelopment of the Subject Lands would contribute to achieving the Region's and City's employment target. |
| The conversion will not adversely affect the overall viability of the Employment Area, and achievement of the intensification and density targets of Table 2 and other policies of this Plan | The proposed conversion will not adversely impact the overall employment area along the Highway 403 corridor. Compatibility of future uses will be ensured through a future Area Specific Plan as part of the Appleby GO Mobility Hub. The conversion will allow the Subject Lands to continue to support employment growth at densities at or greater than those possible through pure employment uses. |
| There is existing or planned infrastructure to accommodate the proposed conversion | The property is within an area where services and infrastructure to accommodate the conversion are provided. |
| Cross-jurisdictional issues have been considered | There are no cross-jurisdictional issues of note for this property as the property is not in close proximity to municipal boundaries. |
| All Regional policies and requirements, financial or otherwise, have been met | The current conversion request has not yet been considered by the City. |

2. Conversion Request Evaluation Criteria - Discussion Paper & Appendix

Table 4b: Assessment of Proposal in relation to Conversion Request Evaluation Criteria Per Appendix D of the Urban Structure Discussion Paper

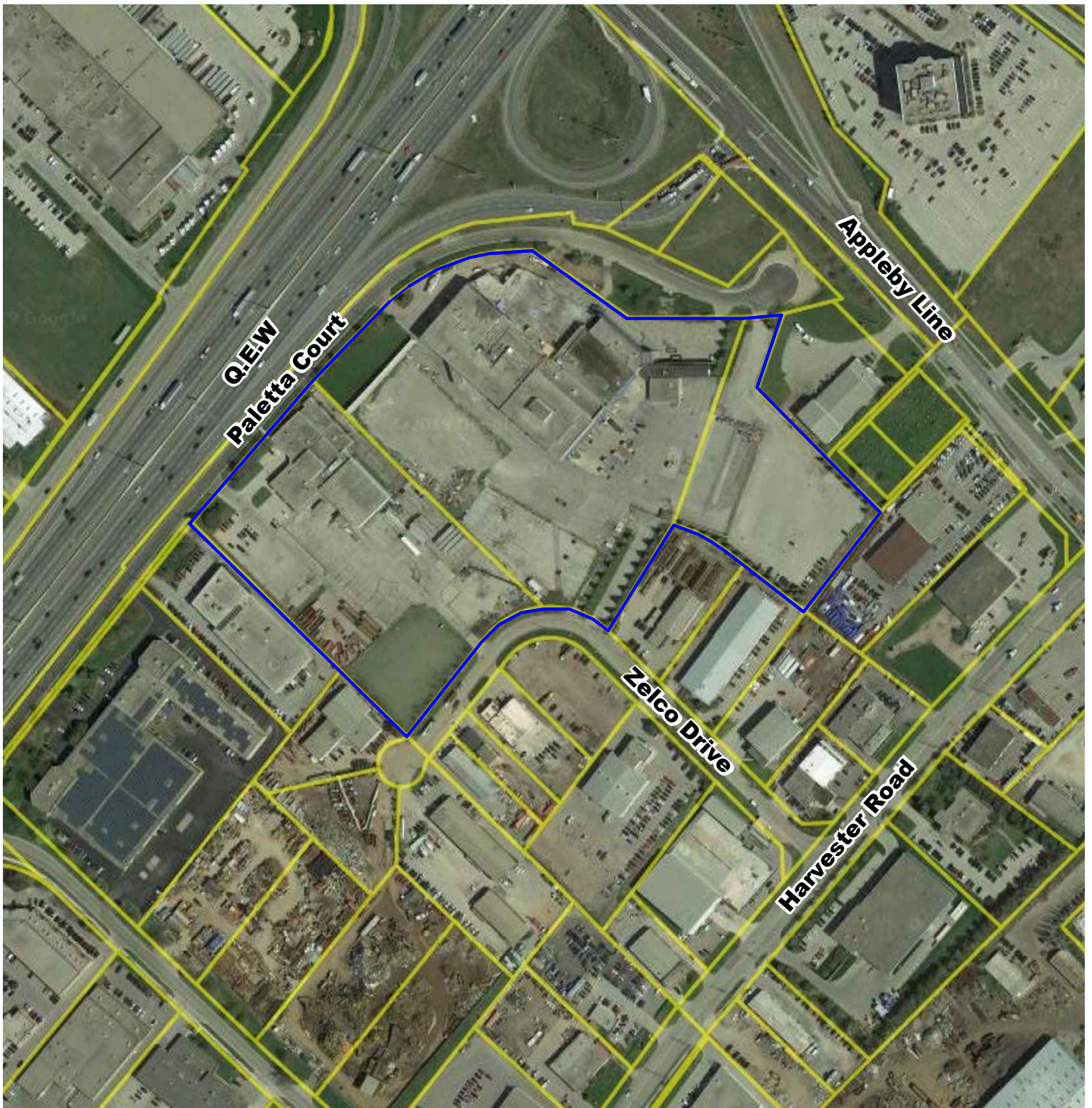
| Principle | | Rationale/Justification |
|-------------------------------|--------------------------------|--|
| Employment Land Supply | Current Context | The Subject Lands are currently surrounded by a mix of employment uses ranging from large scale manufacturing facilities to smaller-scale light industrial uses. |
| | Future Potential | The Subject Lands are partially located within the proposed Appleby GO Mobility Hub and Regional MTSA. The Subject Lands have future potential to support a significant number of jobs with higher densities following a conversion to allow for a broader mix of uses that will support the broader Mobility Hub. Increasing the range of permitted uses on the Subject Lands better utilizes the increased transit accessibility associated with the nearby mobility hub and MTSA. |
| | Strategic Parcel Supply | Significant portions of the QEW corridor the north, east and west of the Subject Lands are designated for employment uses. The Subject Lands are intended to support employment functions through commercial uses through the conversion. The conversion would not adversely impact the supply of strategic parcels with access to major goods movement facilities. |
| | Land Budget Impacts | The conversion request would result in approximately 7.57 ha of land being removed from the Region's Employment Area overlay, 5.17 ha of which are currently located within the Appleby Mobility Hub Study Area. The Subject Lands are intended to retain some employment functions through the conversion. The proposed conversion would not have an overall impact on the supply of employment lands and the ability of the Region or City to meet employment forecasts and the intensification/density targets. |
| Demonstrated Need | Strategic Location | The Subject Lands are within the Employment Land Overlay on Schedule B (Urban Structure). Part of the lands are within the Primary Growth Area on Schedule B1 and are part of the Appleby GO Mobility hub boundary and a Regional MTSA. The lands are also located approximately 100 metres west of Appleby Line which is identified as Mobility Hub Secondary Connector. |
| | Strategic Opportunity | Despite being partially located within the MTSA, the Subject Lands are precluded from any other form of land use by the adoption of the Business Corridor designation on Schedule C and Employment Area on Schedule B1. The proposed conversion would enable development that supports the Regional Urban Structure and the Appleby Mobility Hub. The strategic opportunity to address land needs and population and employment targets for the Appleby GO |

Table 4b: Assessment of Proposal in relation to Conversion Request Evaluation Criteria Per Appendix D of the Urban Structure Discussion Paper

| Principle | | Rationale/Justification |
|---------------------------|---|--|
| | | Mobility Hub by way of diversifying permitted uses will be lost with the fixed employment land use designation. |
| | Specific Conditions and Constraints | No specific conditions or constraints at this time. |
| Employment Area Viability | Locational Impacts | Given the subject land's partial location within an existing MTSA and Mobility Hub, the pure employment area designation is not appropriate given the redevelopment and intensification opportunities presented by those designation. The proposed conversion will retain some employment functions on the Subject Lands and will not produce adverse impacts on the viability of the employment area. |
| | Compatibility | . The surrounding area is characterized by light industrial and offices uses which are low-intensity in nature. Compatibility of future uses will be ensured through a future Area Specific Plan as part of the Appleby GO Mobility Hub. |
| | Continued Function & Expansion | The conversion will not hinder the operation or expansion of existing or future businesses or hinder the ability to attract a range of employment opportunities to the employment area. |
| General Considerations | Cross-Jurisdictional | There are no cross-jurisdictional issues of note for this property given that it is not located in close proximity to municipal boundaries. |
| | Supporting Infrastructure & Facilities | The property is within an area where services and infrastructure to accommodate the conversion are provided. |
| | Other Regional Requirements | There are no other Regional policies or requirements that would be impacted by the proposed conversion. |
| | Local Support | No support at this time. |

For the reasons set out above, the Subject Lands should be considered for conversion to a broader range of land uses. The Subject Lands are partially located within an MTSA which is intended to support higher mixed use densities and the future delineation of the MTSA by the Region and confirmed minimum density target should not preclude the opportunity for mixed use and residential uses in the future. The proposed conversion at this time would allow the Subject Lands to permit a broader range of employment-generating uses including commercial and employment


supportive uses which can be more compact and support higher densities than would be provided by pure employment uses. Removing the Employment Area overlay would provide more flexibility for land use planning at the local level.



Data Source: First Base Solutions Aerial Flown 2016

**Figure 4a
Location Map**

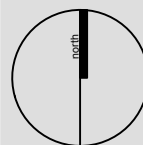
LEGEND

 Subject Lands

**4480 & 4450 Paletta
Court,
Burlington, Ontario**

DATE: February 25, 2019

SCALE N.T.S



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 URBAN DESIGN
 & LANDSCAPE
 ARCHITECTURE
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Data Source: City of Burlington Official Plan- Schedule B Comprehensive Land Use Plan- Urban Planning Area (December 2019)

Figure 4b

**City of Burlington
Official Plan**

Schedule B
Comprehensive Land Use
Plan- Urban Planning Area

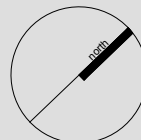
4450 & 4480 Paletta Court,
Burlington, Ontario

LEGEND

- Subject Lands
- General Employment
- Business Corridor
- Mixed Use Corridor- Employment
- Mixed Use Corridor- Commercial Corridor
- Watercourses- Conceptual only, refer to Part III, Section 6.4.2 d

DATE: August 28, 2020

SCALE 1:7500-2



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Data Source: City of Burlington Adopted Official Plan- Schedule C Land Use- Urban Area (April 2018)


Figure 4c



**City of Burlington
Adopted Official Plan**

Schedule C
Land Use- Urban Area



4450 & 4480 Paletta Court,
Burlington, Ontario


LEGEND

 Subject Lands
**Mixed Use Nodes and
Intensification Corridors**

 Urban Corridor
 Urban Corridor- Employment
Lands

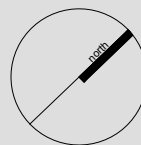
Employment Lands

 General Employment
 Business Corridor

**Natural Heritage System and
Major Parks and Open Space**
 City's Natural Heritage
System

DATE: August 28, 2020

SCALE 1:7500-2



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Tab 4

Employment Conversion Request
5164, 5366, 5470, 5900 Upper Middle Road
& 5201 Mainway, Burlington

SITE CONTEXT

Known as Bronte Creek Meadows (“BCM”), the Subject Lands are a collection of properties with the following municipal addresses: 5164, 5366, 5470 and 5900 Upper Middle Road and 5201 Mainway in the City of Burlington (see **Location Map (Figure 5a)** provided below). BCM is approximately 124 hectares in size and is located in the southeast quadrant of Burlington. The Site is currently bounded by Upper Middle Road to the north, Mainway to the south, Burloak Drive and Bronte Creek Provincial Park to the east and natural features and Corpus Christi Catholic Secondary School to the west. It is currently vacant and is surrounded by existing natural features and residential uses.

The Subject Lands are surrounded by a mix of existing natural features as well as employment and residential uses, as summarized below:

- NORTH: Upper Middle Road with Orchard residential community beyond.
- SOUTH: Mainway with Employment uses further to the south.
- EAST: Sheldon Creek, Secondary School, and residential community beyond.
- WEST: Burloak Drive and Bronte Creek Provincial Park.

POLICY CONTEXT

Provincial Planning Context

The Subject Lands are identified as a Provincially Significant Employment Zone as provided through A Place to Grow: Growth Plan for the Greater Golden Horseshoe (“Growth Plan, 2019”). The Subject Lands abut lands identified under the Greenbelt Plan to the east.

Regional Planning Context

As illustrated on Halton Region Official Plan Map 1, the Subject Lands are currently designated ‘Urban Area’ and ‘Regional Heritage System’ and are located outside of the Built Boundary. The Subject Lands are also subject to an ‘Employment Area’ overlay. The Employment Area overlay designation permits a range of employment uses.

Local Planning Context

Given the evolving nature of the local planning framework in the City of Burlington, a summary of both the in- force City of Burlington Official Plan (“In-force Official Plan”) and the Council adopted Grow Bold: Burlington Official Plan (“Adopted Official Plan”) are provided below.

In-force Official Plan

The Subject Lands are currently designated ‘Employment Area’ on **Schedule A – Settlement Pattern** and ‘Employment Commercial’ and ‘Greenlands’ on **Schedule B – Comprehensive Land Use Plan – Urban Planning Area** of the City of Burlington’s in-force Official Plan (**Figure 5b**). The ‘General Employment’ designation permits a range of employment, office, industrial and retail uses, while the ‘Greenlands’ designation permits a range of non-intensive recreational uses, forest, wildlife and fisheries management,

archeological activities, essential transportation and utility facilities, accessory buildings provided the effects on the natural environment are minimal, incidental uses as well as home occupations and cottage industries. It is noted that the Site is subject to Site Specific Policy 3.3.3(d) which specifies that a potential driveway on the north side of Mainway may be permitted, provided a series of conditions are met. The Site is also subject to Deferral 47, due to an outstanding appeal of Regional Official Plan Amendment 38 ("ROPA 38") of the Halton Regional Official Plan.

For clarity, Policy 3.3.3(d) states:

"One driveway may also be permitted through the woodlot fronting on the north side of Mainway only provided the following conditions are met:

- (i) It is demonstrated that it is integral to the function of and concept of the development of the abutting lands and that this function and concept cannot be achieved by a driveway which does not affect the woodlot;*
- (ii) It is demonstrated, through the submission of a detailed study and related plans, that the location, design, construction and maintenance of the driveway will maintain the integrity of the woodlot with respect to linkage functions and wildlife habitat and will minimize the impact of sunlight and wind patterns on edge vegetation along the driveway; and*
- (iii) Upon receipt of a site plan indicating a driveway through the woodlot, City Council shall established a process for public consultation to provide input on those matters referred to above, and prior to considering the site plan, City Council shall convene a public meeting in order to obtain public input regarding any proposed driveway through the woodlot".*

Adopted Official Plan

The Subject Lands are identified as 'Employment Lands' and 'Natural Heritage System and Major Parks and Open Space' on **Schedule B – Urban Structure** of the Council adopted Grow Bold Plan. The Subject Lands are designated 'Undeveloped Area Outside Delineated Built Boundary' and 'Natural Heritage System and Major Parks and Open Space' on **Schedule B-1 – Growth Framework**. As illustrated on **Schedule C – Land Use – Urban Area**, the Subject Lands are designated 'General Employment' and 'City's Natural Heritage System' (**Figure 5c**). The 'General Employment' designation permits a range of industrial, limited accessory retail, accessory service commercial, recreation and entertainment uses. Policy 8.2.3.2(b) also specifies that a wide range of manufacturing uses are permitted.

The Subject Lands are also subject to an area-specific policy (Policy 5.4.2) which identifies the Subject Lands as a Strategic Economic Development Area. Policy 5.4.2 states that the area is a focus for innovative employment uses and should be guided by the development of an area specific plan.

BCM is subject to a 2009 Minutes of Settlement Agreement, which was the result of a lengthy Ontario Municipal Board ("OMB") hearing. To date, Penta has been agreeable and acted in compliance with the terms of the minutes of settlement, including marketing the eastern portion of the Site for employment uses as 'Burloak Employment Estates' for a period of ten years. Despite being marketed for employment and being included in the Burlington Employment Development Corporation's Investment Portfolio, no development interest was indicated between 2009 and 2014. Even after 2014 the property continued to be marketed, and is still being marketed today for employment, with no development interest whatsoever. As a result, the Site has remained vacant for an extended period.

Previous Employment Land Conversion Requests

A previous request was submitted in 2014 to redesignate the lands to permit a residential subdivision consisting of a range of low, medium, and high density residential uses, parks, schools and stormwater management blocks, with a total unit count of 2160 units. As indicated in Staff Report PB-30-16, the lands were recommended to remain in the City’s employment land inventory.

CONVERSION CRITERIA ASSESSMENT

The Subject Lands represent a unique opportunity to support a master planned community that can support an innovative mix of land uses, more compatible land uses and more employment generating land uses than pure employment uses. Therefore, limiting the use of the lands to strictly employment uses would not be beneficial to increasing densities and achieving mixed-use, transit-oriented development as contemplated in Provincial and Regional policy.

This request focuses on removing the Subject Lands from the Region’s Employment Area overlay and redesignating them to permit needed residential and commercial uses inclusive of employment uses.

The following tables below provide justification and rationale for the conversion request in relation to the existing conversion criteria set out in provincial policy, the ROP, through Section 77.4(4), as well as the new criteria set out in Appendix D of the Discussion Paper.

1. Conversion Criteria - Section 77.4(4) ROP

| Table 5a: Assessment of Conversion Request against ROP Conversion Criteria per Section 77.4(4) | |
|---|--|
| Criteria | Rationale/Justification |
| There is a need for the conversion | <p>The Subject Lands are intended to support innovative employment uses which require a range of supporting uses including residential and commercial uses. The Subject Lands have been advertised for employment purposes however there has been no interest in developing the site for pure employment purposes and the lands remain vacant.</p> <p>Given the sheer size of the lands, the existing adjacencies and the existing woodlots and environmental features on site, there is an opportunity for the lands to be developed into a unique master planned, mixed-use community that includes employment, commercial and residential uses.</p> |
| The lands are not required for employment purposes over the long term | <p>The lands can retain employment functions through additional land uses. They are not required to be protected solely for long term employment purposes given their location, environmental constraints, adjacent sensitive land uses, lack of access and visibility to 400-series highway, and the current supply of pure employment lands to the south and west. The lands can continue to provide employment functions through the conversion and at higher densities through mixed use redevelopment of the area.</p> |

| Criteria | Rationale/Justification |
|---|---|
| The conversion will not compromise the Region's or Local Municipality's ability to meet the employment forecast in Table 1 and Table 2a | The Subject Lands have been vacant for decades despite efforts to advertise them for pure employment uses. The Subject Lands can retain significant employment functions through the conversion to allow for a broader range of permitted uses. The conversion will not compromise the Region's or City's ability to meet their employment forecasts. |
| The conversion will not adversely affect the overall viability of the Employment Area, and achievement of the intensification and density targets of Table 2 and other policies of this Plan | The Subject Lands are located along the periphery of the employment area. Sufficient buffers would be provided on the Subject Lands between adjacent employment lands through existing natural areas and intervening land uses on the Subject Lands. The proposed uses would not adversely affect the overall viability of the employment area. |
| There is existing or planned infrastructure to accommodate the proposed conversion | Infrastructure improvement planning and budgeting is currently underway. The City has recommended that an area specific plan undertaken to support the vision for the lands including means of establishing infrastructure to support development in this area. |
| Cross-jurisdictional issues have been considered | There are no cross-jurisdictional issues of note for this property. |
| All Regional policies and requirements, financial or otherwise, have been met | This criterion is satisfied. The removal of the Subject Lands from the Regional Employment Area overlay would allow the lands to be appropriately designated through the creation of the proposed Area Specific Plan at the local level. |

2. Conversion Request Evaluation Criteria - Discussion Paper & Appendix

| Principle | | Rationale/Justification |
|-------------------------------|-------------------------|---|
| Employment Land Supply | Current Context | <p>The site has no visibility to 400 series highways and the western edge of the site would have relatively poor access to 400 series highways.</p> <p>The Subject Lands are also adjacent to existing residential neighbourhoods to north and west and directly about a high school to the west.</p> |
| | Future Potential | The lands are 124 hectares in size and bordered by existing residential communities and a Provincial park on three sides and employment uses on one side. Given the sheer size of the lands, the existing adjacencies and the existing woodlots and environmental features on |

Table 5b: Assessment of Proposal in relation to Conversion Request Evaluation Criteria Per Appendix D of the Urban Structure Discussion Paper

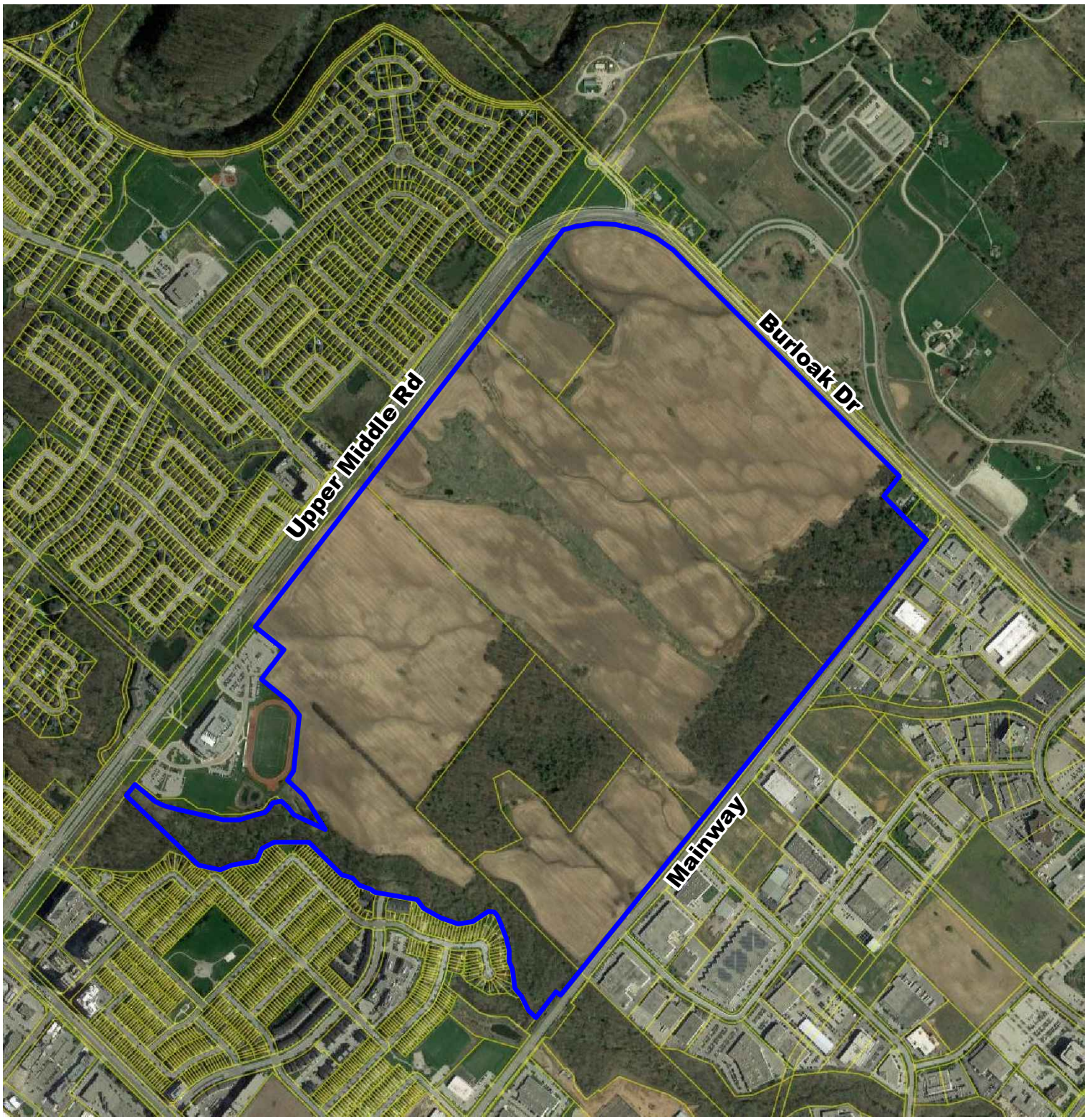
| Principle | | Rationale/Justification |
|-------------------|--|--|
| | | site, there is an opportunity for the lands to be developed into a unique master planned, mixed-use community that includes employment, commercial and residential uses. |
| | Strategic Parcel Supply | The lands are not adjacent to a major goods movement corridor and do not have highway visibility. Furthermore, it's not evident that the lands are "needed in the region to attract new investment and retain existing industries" given that they have remained vacant for decades despite being fully serviced and designated for employment. |
| | Land Budget Impacts | In accordance with the 2009 Minutes of Settlement with the City of Burlington, a portion of the Subject Lands has been promoted for employment uses over a five year period and beyond with no success of retaining an employment land use to date. As such, the lands currently sit vacant and underutilized. The conversion would not negatively impact the supply of employment lands and the ability of the Region and City to meet the employment forecast and intensification and density targets. Allowing a broader range of land uses on the Subject Lands will increase the potential to support higher population and employment densities. |
| Demonstrated Need | Strategic Location | The Subject Lands are identified as a Strategic Employment Area under Section 5.4.2 of the City's Adopted Official Plan. The Subject Lands are intended to support innovative employment uses. The proposed conversion would introduce supportive uses such as residential and commercial which would facilitate innovative employment uses. The City's policies require an Area Specific Plan to be created for the BCM lands and the proposed conversion will allow for an appropriate mix of land uses to be planned for at the local level to support innovative employment uses. |
| | Strategic Opportunity | The conversion would allow for the development of innovative employment uses on the Subject Lands through the introduction of residential and commercial uses in a mixed use environment. Innovative employment uses such as those located within an innovation district which require a mix and range of supportive uses including commercial and residential uses. Such uses would enable development that supports the Regional Urban Structure by accommodating population and employment growth. Such uses can be introduced through an area specific study through a variety of planning tools. |
| | Specific Conditions and Constraints | The Subject Lands abut the Corpus Christi Catholic Secondary School to the west. The Subject Lands are also adjacent to residential uses north of Upper Middle Road. Given the Subject Lands' adjacency to |

Table 5b: Assessment of Proposal in relation to Conversion Request Evaluation Criteria Per Appendix D of the Urban Structure Discussion Paper

| Principle | | Rationale/Justification |
|----------------------------------|---|--|
| | | sensitive uses, the D-6 Compatibility guidelines further restrict employment uses on the lands. |
| Employment Area Viability | Locational Impacts | The Subject Lands are located along the periphery of the broader employment area and are somewhat isolated from adjacent employment lands to the south and west by significant portions of natural heritage features as well as large areas of residential and institutional uses. |
| | Compatibility | The proposed conversion would introduce land uses that are more compatible with the surrounding residential and institutional land uses than would be possible with the pure employment uses the Subject Lands are currently limited to. Introducing a mix of land uses would also allow for smoother transition in land use from employment to residential. |
| | Continued Function & Expansion | As previously mentioned, the Subject Lands are isolated from nearby employment lands to the south and west and the proposed conversion would not hinder nearby lands ability to attract a broad range of employment opportunities. |
| General Considerations | Cross-Jurisdictional | There are no cross-jurisdictional issues of note for this property. |
| | Supporting Infrastructure & Facilities | The Subject Lands are located in an area where sufficient infrastructure will be available. The City has recommended that an area specific plan undertaken to support the vision for the lands including means of establishing infrastructure to support development in this area. |
| | Other Regional Requirements | There are no other Regional policies or requirements that would be impacted by the proposed conversion. |
| | Local Support | No support at this time. |

For the reasons set out above, the Subject Lands should be considered for conversion to include non-employment uses. The Subject Lands have poor access and are relatively isolated from nearby major goods movement facilities and corridors. The Subject Lands are currently surrounded by a mix of land uses, including sensitive land uses to the north and west, which are incompatible with pure employment uses. Given the Subject Lands' strategic location and size, and in accordance with the City's Official Plan, the development of the lands is best suited through an Area Specific Plan. The provision of a range of residential, commercial and employment-supportive uses will


support the intended innovative employment uses on the Subject Lands. Non-employment land uses are essential components to support innovative employment uses that tend to be more compact and support higher employment densities. Incorporating a broader mix of uses on the Subject Lands will ensure that development on the lands contribute to a complete community. Removing the Employment Area overlay would provide more flexibility for land use planning at the local level through the development of an Area Specific Plan.



Data Source: First Base Solutions Aerial Flown 2016

Figure 5a Location Map

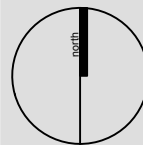
LEGEND

 Subject Lands

**5164, 5366, 5470, 5900
Upper Middle Rd and
5201 Mainway
Burlington, Ontario**

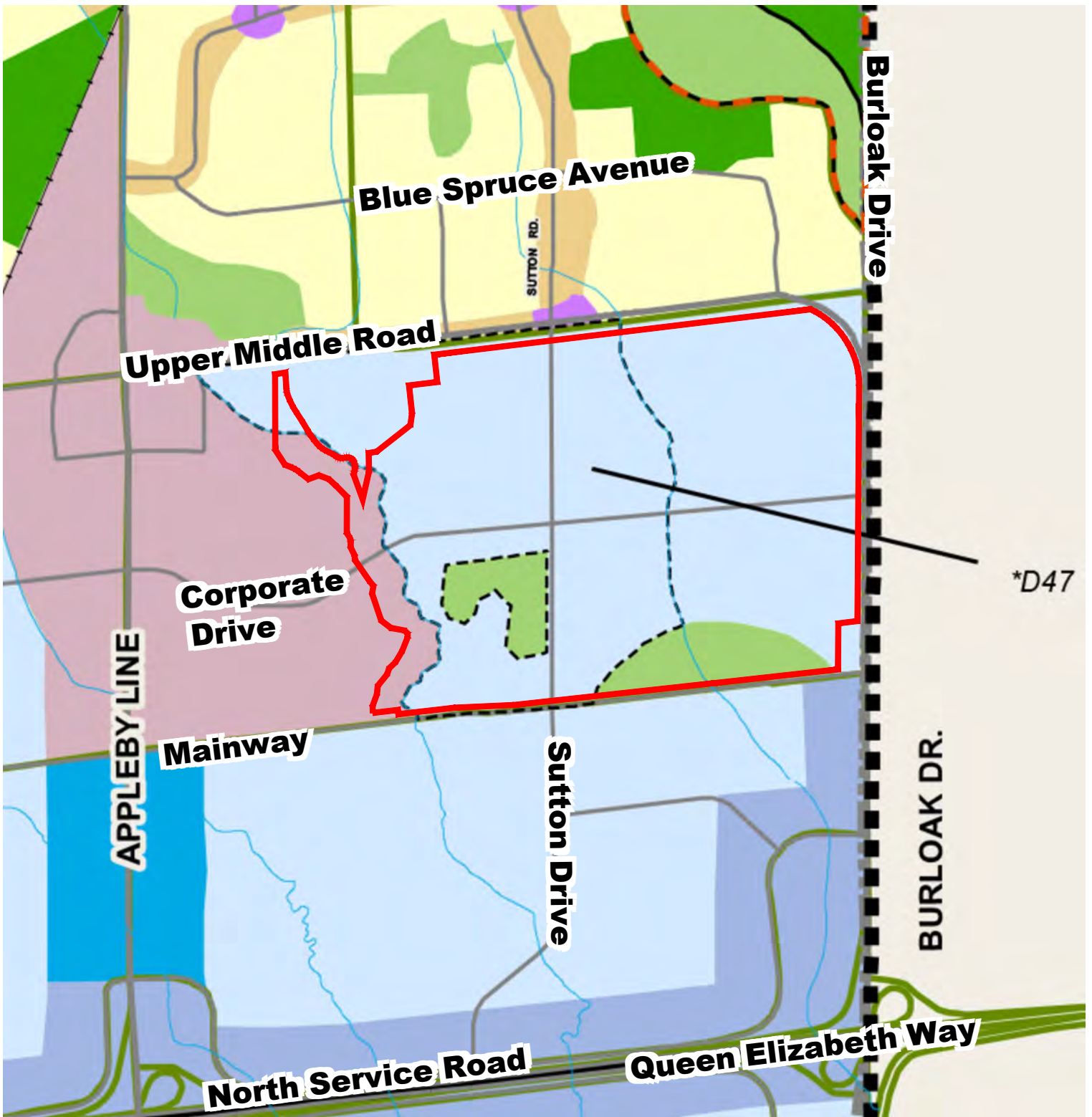
DATE: February 5, 2019

SCALE N.T.S



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URBAN DESIGN
& LANDSCAPE
ARCHITECTURE
442 BRANT STREET BURLINGTON, ON, L7R 2G4
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Data Source: City of Burlington Official Plan- Schedule B Comprehensive Land Use Plan- Urban Planning Area (December 2019)

Figure 5b

**City of Burlington
Official Plan**

Schedule B
Comprehensive Land Use
Plan- Urban Planning Area

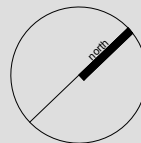
5164,5366,547,5900 Upper
Middle Road & 5201 Mainway,
Burlington, Ontario

LEGEND

- | | | |
|-----------------------------|-------------------------------|---|
| Subject Lands | Neighborhood Commercial | Parkway Belt Plan Area (Note: All lands within Parkway Belt West Plan Area Subject to Deferral *9) |
| Residential- Low Density | Mixed Use Centre | Environmentally Sensitive Area (Note: Boundaries based on Map 1 of the Region of Halton Official Plan (2006)) |
| Residential- Medium Density | Mixed Use Corridor-Employment | Urban Planning Area Boundary |
| General Employment | Greenlands | Watercourses- Conceptual only, refer to Part III, Section 6.4.2 d |
| Business Corridor | Major Parks and Open Space | Downtown Urban Growth Centre Boundary |

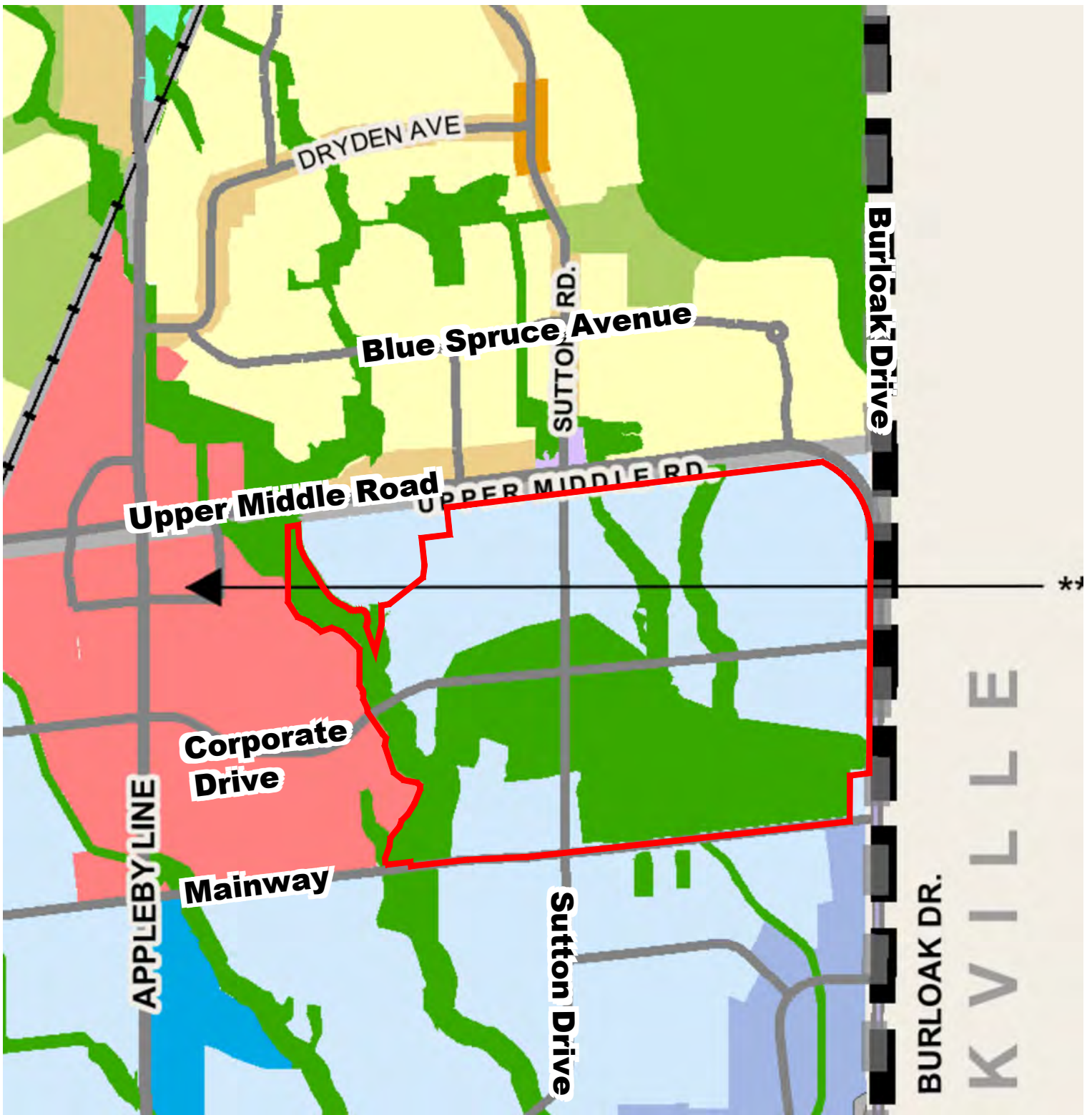
DATE: August 28, 2020

SCALE 1:15000



N:\1885\A - Var Prep through Burlington, Oakville, Hamilton\2020\8 - August\Figures\CAD\1885c_Figure Mapping - 27 August 2020.dwg

MHBC PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE
230-7050 WESTON ROAD WOODBRIDGE, ON, L4L 8G7
P: 905 761 5588 F: 905 761 5589 | WWW.MHBCPLAN.COM



Data Source: City of Burlington Adopted Official Plan- Schedule C Land Use- Urban Area (April 2018)

Figure 5c

**City of Burlington
Adopted Official Plan**

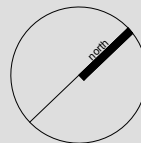
**Schedule C
Land Use- Urban Area**

5164,5366,547,5900 Upper
Middle Road & 5201 Mainway,
Burlington, Ontario

| | | | |
|--|--|--|---|
| LEGEND | Subject Lands | Mixed Use Intensification Areas | Natural Heritage System and Major Parks and Open Space |
| Residential Neighbourhood Areas | Residential- Low Density | Urban Centres | City's Natural Heritage System |
| Residential- Medium Density | Mixed Use Nodes and Intensification Corridors | Major Parks and Open Space | Infrastructure and Transportation Corridors |
| Residential- High Density | Mixed Use Commercial Centre | Contextual References | Urban Boundary |
| Employment Lands | Urban Corridor- Employment Lands | | |
| General Employment | Local Centre | | |
| Business Corridor | | | |

DATE: August 28, 2020

SCALE 1:15000



MHBC PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE
230-7050 WESTON ROAD WOODBRIDGE, ON, L4L 8G7
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Appendix A

City of Burlington New Draft Official Plan (April 2018) Submission

April 23, 2018

Mayor Goldring and Members of Council
City of Burlington
426 Brant Street, Box 5013
Burlington, ON
L7R 3Z6

Dear Mayor Goldring and Members of Council:

**RE: City of Burlington New Draft Official Plan (April 2018)
Penta Properties (4445 Fairview Road, 1200 King Road, Bronte Creek Meadows, Paletta
Court, Eagle Heights)
OUR FILE: 1886A**

MHBC has been retained by Penta Properties to assist with the review and assessment of several of its properties in relation to the April 2018 draft of the City's Official Plan which is proposed for adoption by Council at its meeting on April 24, 2018.

As part of our review we have prepared a series of maps (extracts from the April 2018 Draft Official Plan) to illustrate the proposed designations for each of the subject properties, along with a summary of the issues identified with the proposed mapping and policy direction. We have also provided a request for further consideration by Council prior to adoption. We recognize that many of these issues have been raised throughout the Official Plan Review process but to date have not been addressed as requested through past correspondence.

We respectfully request that Council give consideration to all of the historical and current application materials related to the subject properties. This would include all of the technical reports submitted in support of past and ongoing applications.

At this time, we would ask Council to consider the following changes prior to adoption:

4445 Fairview Street: Redesignate to "Urban Corridor" on Schedule C

1200 King Road: Further modify the Plan provided to ensure consistency of the defined NHS areas, boundaries and land uses to implement the current Draft Plan. If the City is intent on adopting the Official Plan at this time, it would be appropriate to defer the land use designation for the Subject Lands to allow for the completion of this work.

Bronte Creek Meadows: Deferral of consideration of the employment designation pending an Area Specific Plan to allow the opportunity to explore various approaches to create an innovation district and employment area.

4480 & 4450 Paletta Court: Include both sites in the Appleby GO Mobility Hub boundary. The land within the amended Mobility Hub on Schedule C should be noted as an area subject to further study through an "Area Specific Plan". Policies should be incorporated into the Plan which do not preclude further consideration for conversion by the City and the Region pending the finalization and implementation of the Area Specific Plan.

Eagle Heights: Schedule M1 should include a notation that "the NHS on lands within North Aldershot shall be subject to the approved North Aldershot Plan and Schedule K to this Plan". Policies in Section 4.2.2 (h) should be further amended to reflect the approved North Aldershot Plan designations.

We trust that these requests and the attached information as well as the historical and current development proposals will all be appropriately considered by Council in its decision to adopt the April 2018 Official Plan.

Please do not hesitate to contact me with any questions or comments on this matter.

Yours truly,

MHBC



Dana Anderson, MCIP, RPP
Partner

Cc: Dave Pitblado, Penta Properties
Scott Snider, Turkstra Mazza

Comments on the City of Burlington Official Plan Recommended for Adoption (April 2018)


1200 King Road, Burlington, Ontario

Penta Properties

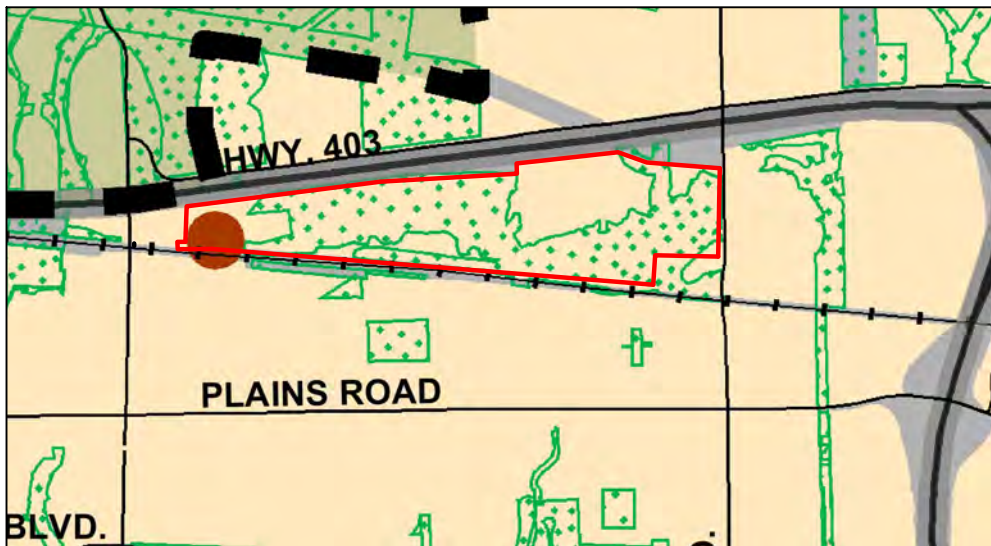


1200 King Road
City of Burlington, Ontario

Location Map

 Subject Lands








Property lines are shown approximate for illustrative purposes

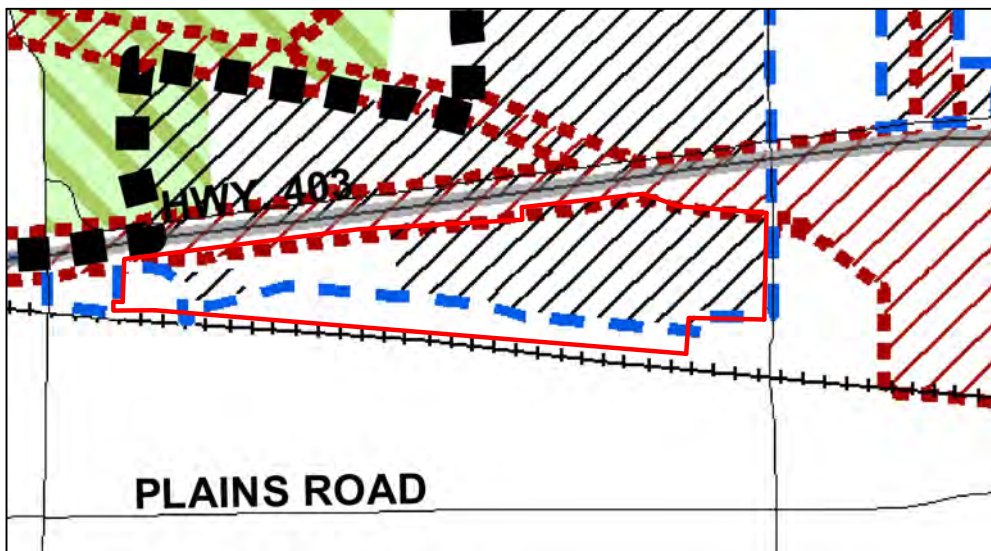


1200 King Road
City of Burlington, Ontario

Official Plan - April 2018 Schedule A - City System

Legend







-  Subject Lands
-  Urban Area
-  Rural Area
-  Green System
-  Infrastructure and Transportation Systems
-  Major Transit Station
-  Urban Boundary



1200 King Road
City of Burlington, Ontario

Official Plan - April 2018 Schedule A-1 - City System Provincial Land Use Plans and Designations

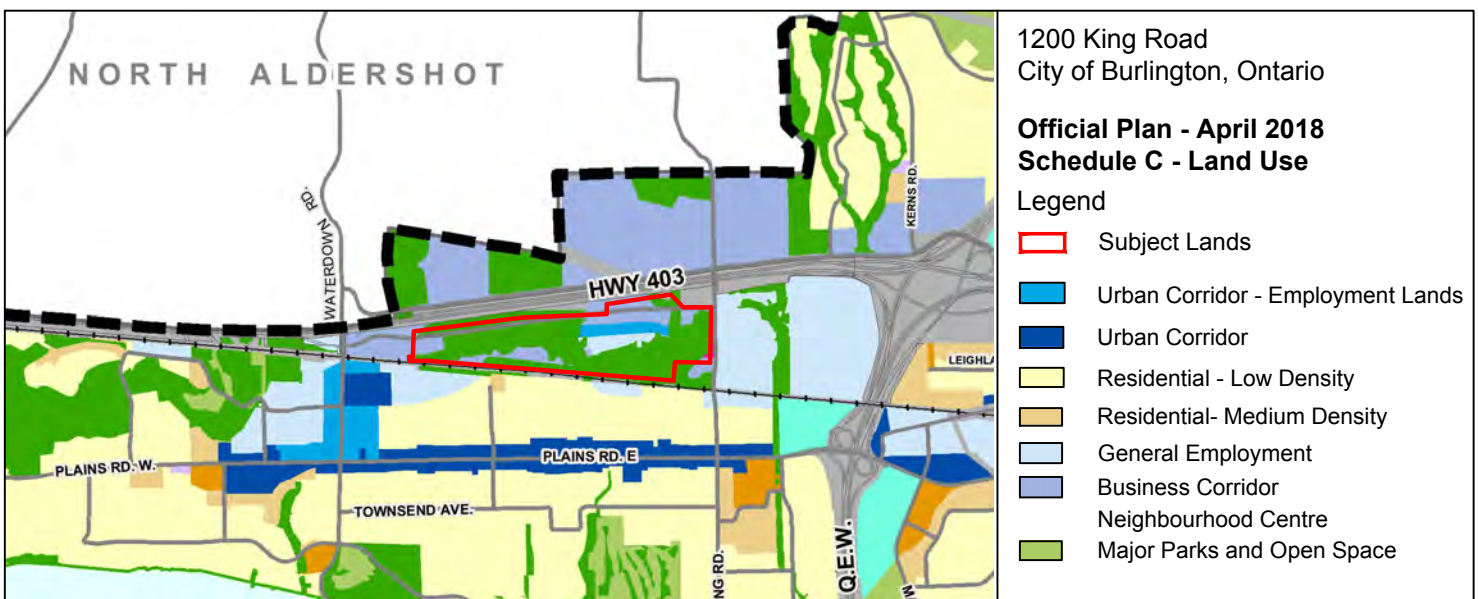
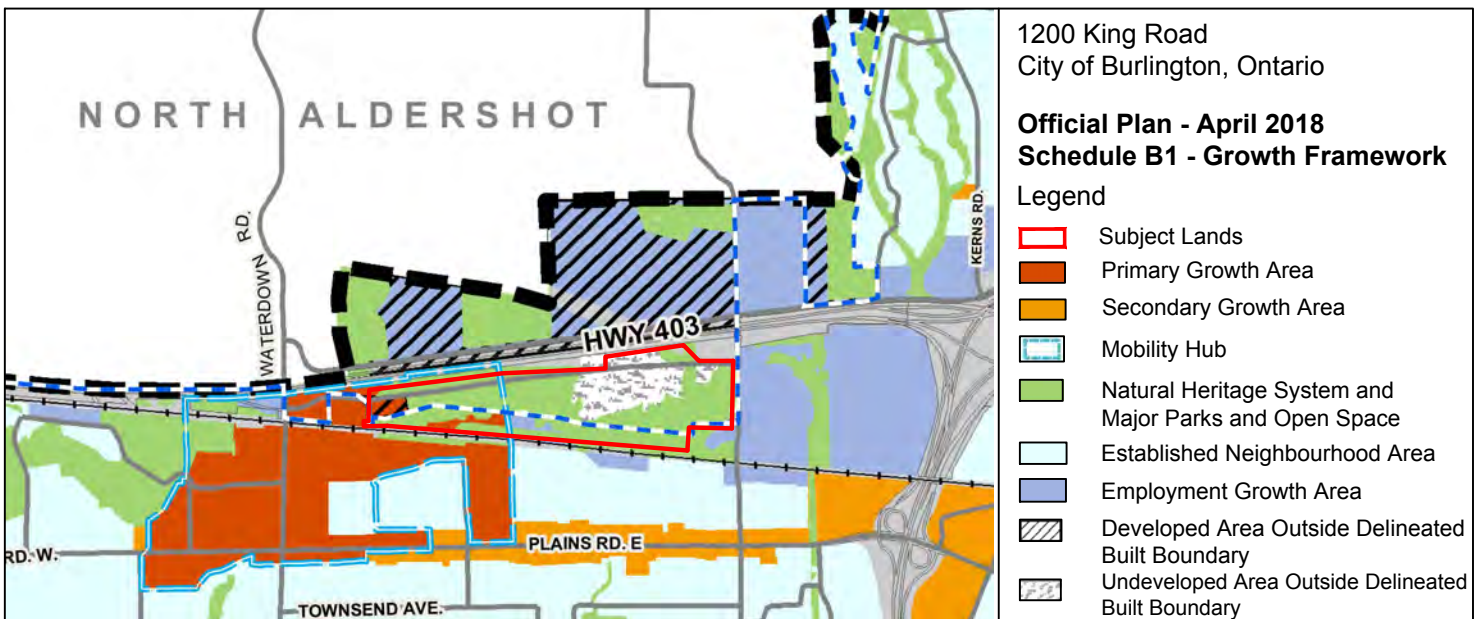
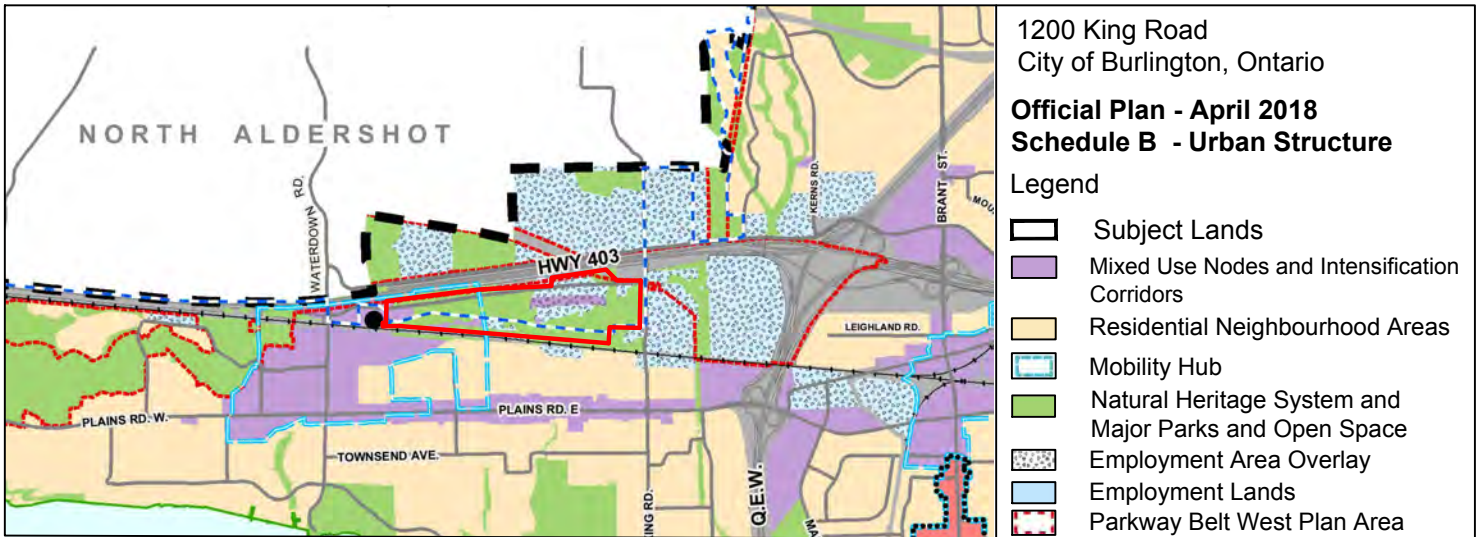
Legend

-  Subject Lands
-  Protected Countryside Area
-  Greenbelt Natural Heritage System
-  Delineated Built Boundary
-  Designated Greenfield Area
-  Parkway Belt West Plan Area

Comments on the City of Burlington Official Plan Recommended for Adoption (April 2018)

1200 King Road, Burlington, Ontario

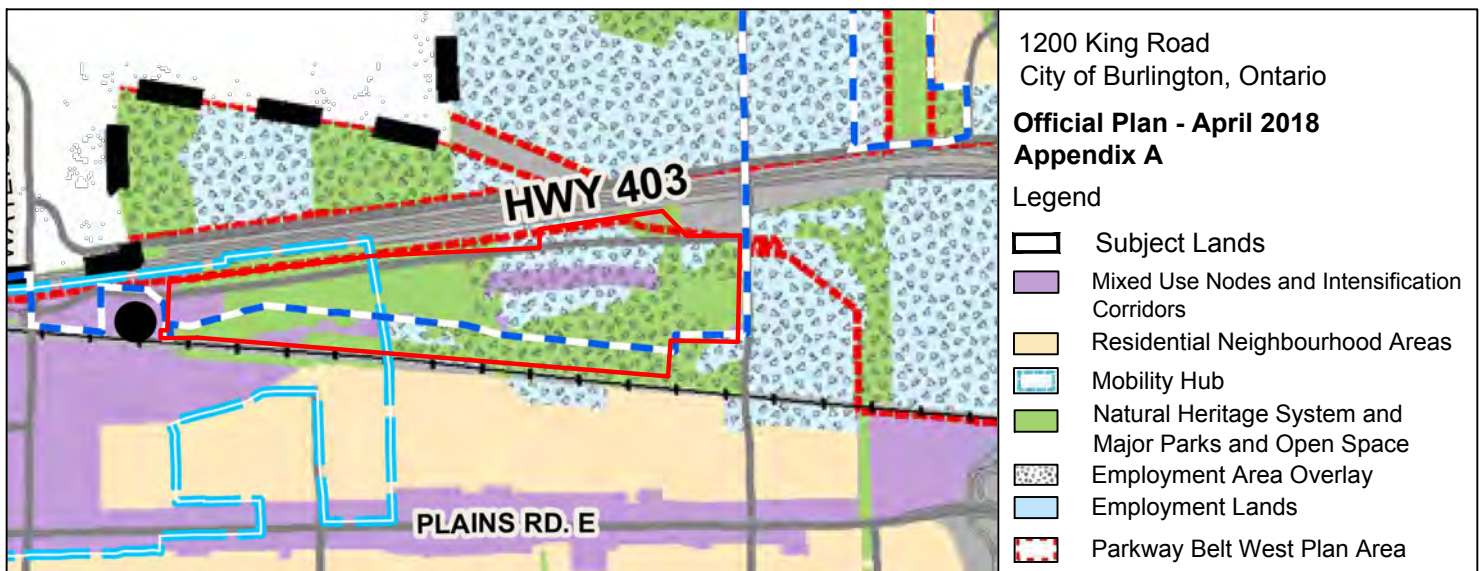
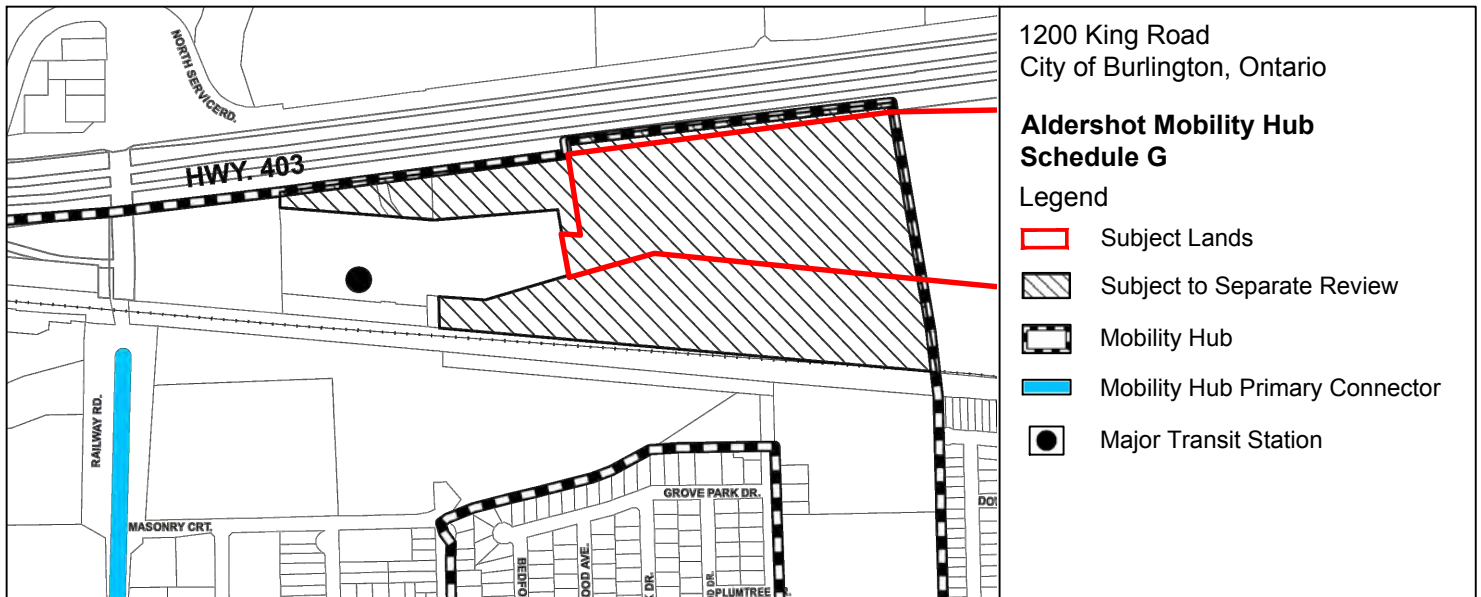
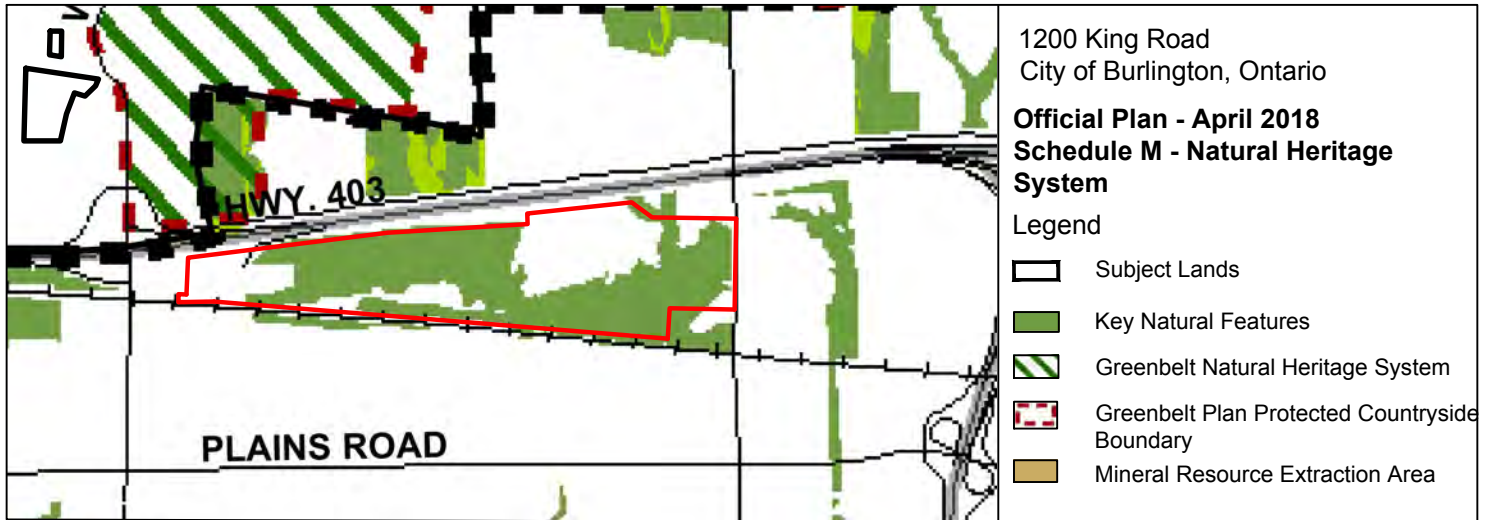
Penta Properties



Comments on the City of Burlington Official Plan Recommended for Adoption (April 2018)

1200 King Road, Burlington, Ontario

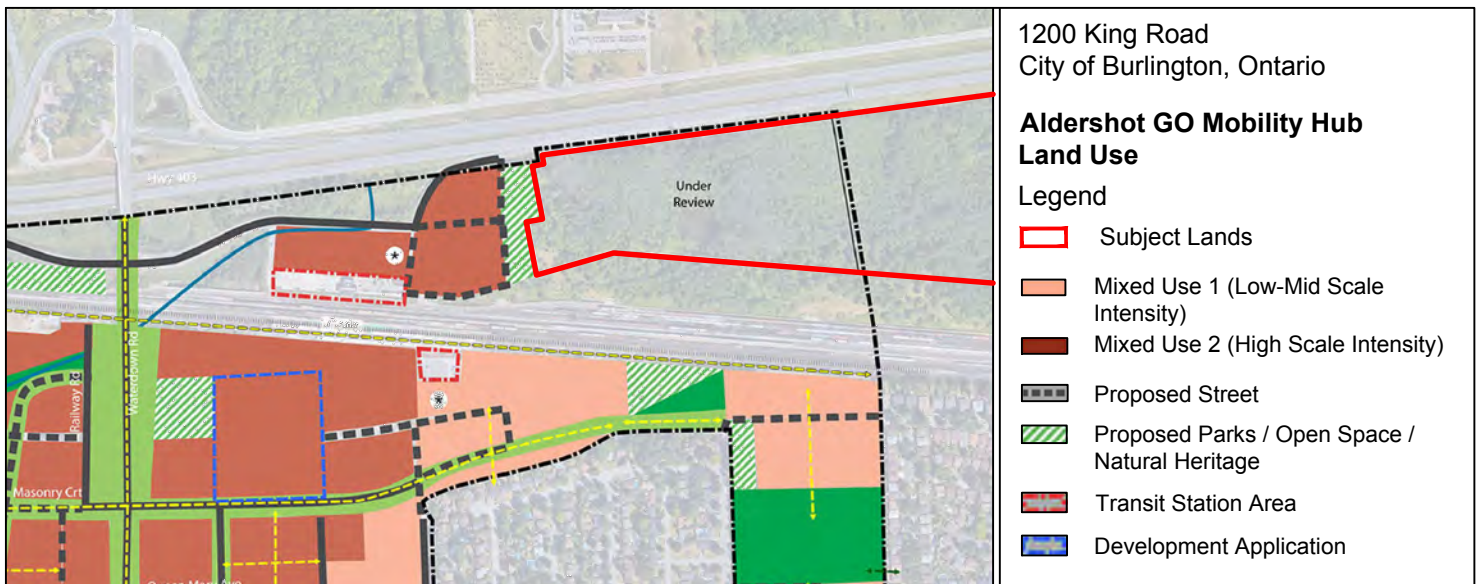
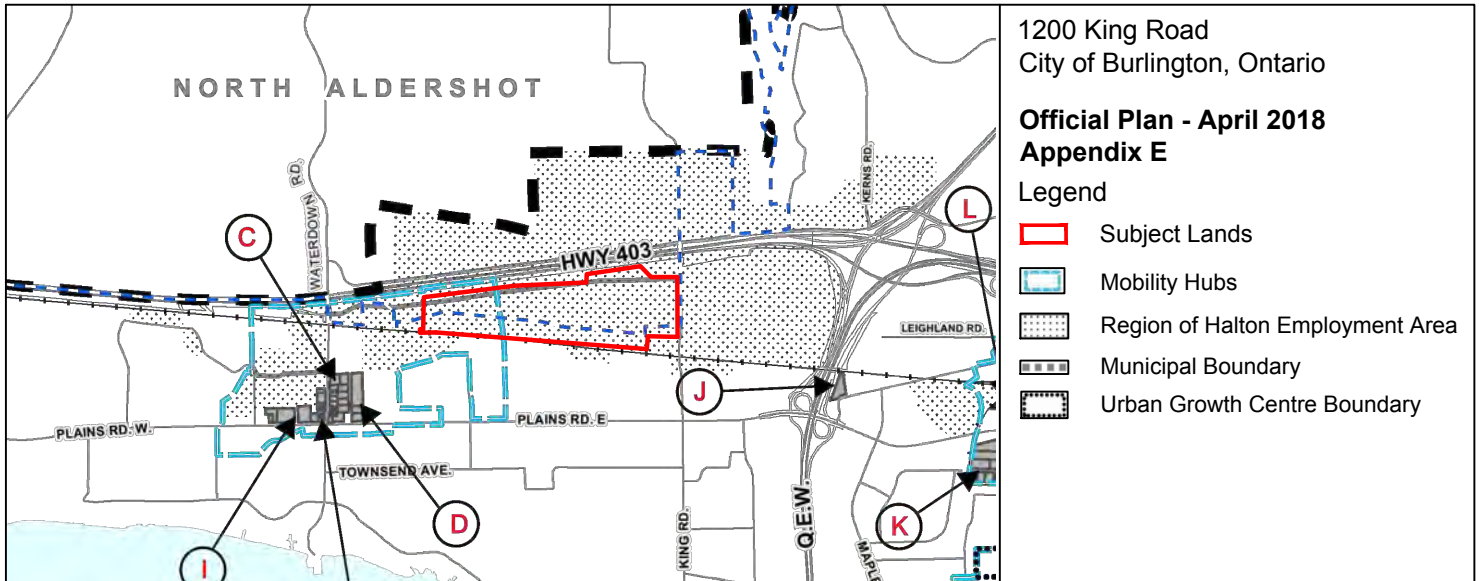
Penta Properties



Comments on the City of Burlington Official Plan Recommended for Adoption (April 2018)

1200 King Road, Burlington, Ontario

Penta Properties



Location: 1200 King Road

Issues/ Concerns:

- The property at 1200 King Road is partially located (westerly half) within the Aldershot GO Mobility Hub (19.6 ha). The property is approximately 49.1 ha in total area.
- There are multiple designations that apply to the subject lands on Schedule C (Major Parks and Open space, General Employment, Urban Corridor-Employment and Business Corridor).
- Mapping is generally inconsistent and the extent of the Natural Heritage/ Green System/ Major Parks and Open Space seems to change from schedule to schedule.
- Through the City's Official Plan Review process, the westerly portion of the Subject Lands were recommended for conversion. Appendix D to the Official Plan illustrates the portion of the Subject Lands within the Aldershot Mobility Hub as "Subject to Further Review".
- The Subject Lands are currently being processed through a Draft Plan of Subdivision application at the City (510-01/14).
- The subject lands are currently subject to two site specific amendments in the Official Plan under sections 8.1.3 (8.3) and 8.2.3(3). Both of these exceptions relate to past Minutes of Settlement from a previous Ontario Municipal Board hearing in 2009.
- It is anticipated that through the processing of the current Draft Plan, the implementation of the Area Specific Plan for the Aldershot GO Mobility Hub and the completion of the EIA work and review by the City, changes to the policies will be required.
- The most appropriate implementation and planning for these lands should provide for more flexibility given the size of these lands and their importance to the area context. Such flexibility is currently not provided for in the Plan.

Request:

- Given the current application which applies to the entire land parcel at 1200 King Road and the further implementation of amendments through the Aldershot GO Mobility Hub Area Specific Plan, it is recommended that a further modification to the Plan be made to ensure consistency of the defined NHS areas and boundaries and that land uses be provided to implement the overall Draft Plan.
- If the City is intent on adopting the Official Plan at this time, it would be appropriate to defer the land use designation for the Subject Lands to allow for the completion of that work.


Comments on the City of Burlington Official Plan Recommended for Adoption (April 2018)
4445 Fairview Street, Burlington, Ontario

Penta Properties

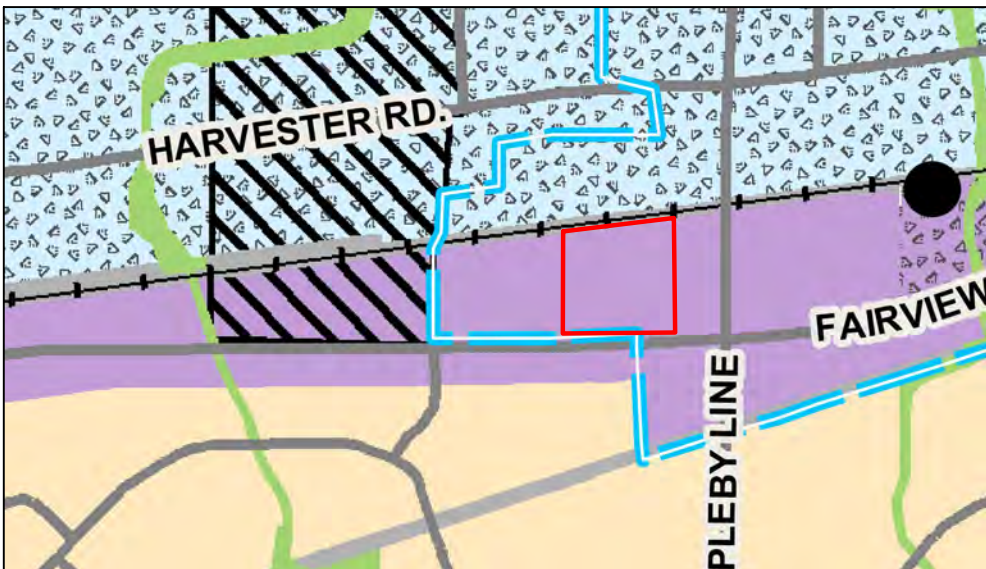


4445 Fairview Street
 City of Burlington, Ontario

Location Map

 Subject Lands









Property lines are shown approximate for illustrative purposes

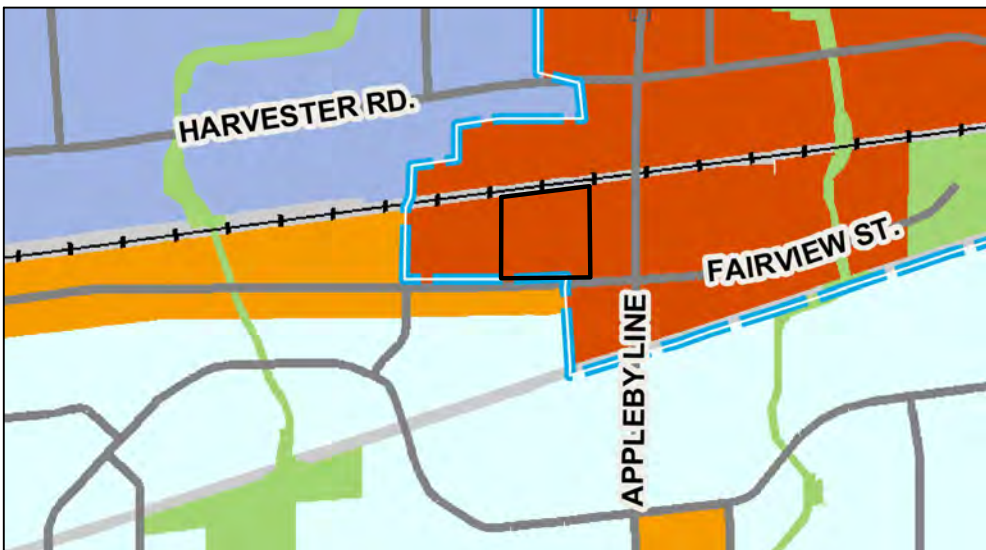


4445 Fairview Street
 City of Burlington, Ontario

Official Plan - April 2018
Schedule B - Urban Structure

Legend








-  Subject Lands
-  Mixed Use Nodes and Intensification Corridors
-  Residential Neighbourhood Areas
-  Mobility Hub
-  Natural Heritage System and Major Parks and Open Space
-  Employment Area Overlay
-  Employment Lands
-  Innovation District (Chapter 5)



4445 Fairview Street
 City of Burlington, Ontario

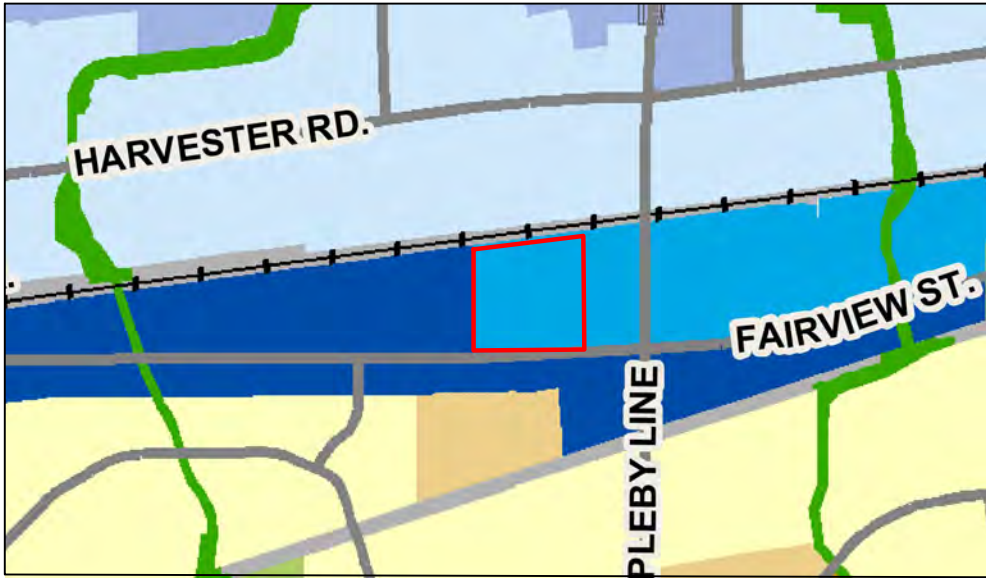
Official Plan - April 2018
Schedule B 1 - Growth Framework

Legend

-  Subject Lands
-  Primary Growth Area
-  Secondary Growth Area
-  Mobility Hub
-  Natural Heritage System and Major Parks and Open Space
-  Established Neighbourhood Area
-  Employment Growth Area

Comments on the City of Burlington Official Plan Recommended for Adoption (April 2018)
4445 Fairview Street, Burlington, Ontario

Penta Properties

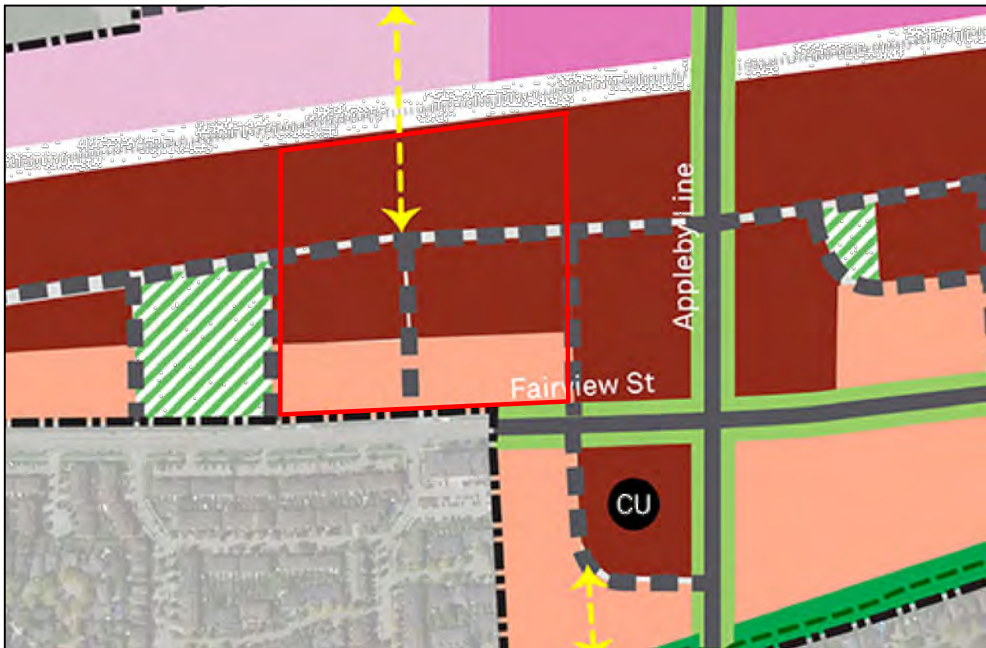


4445 Fairview Street
 City of Burlington, Ontario

Official Plan - April 2018
Land Use - Urban Area
Schedule C

Legend

- Subject Lands
- Urban Corridor - Employment Lands
- Urban Corridor
- Residential - Low Density
- Residential- Medium Density
- General Employment
- Business Corridor
- Neighbourhood Centre
- Major Parks and Open Space

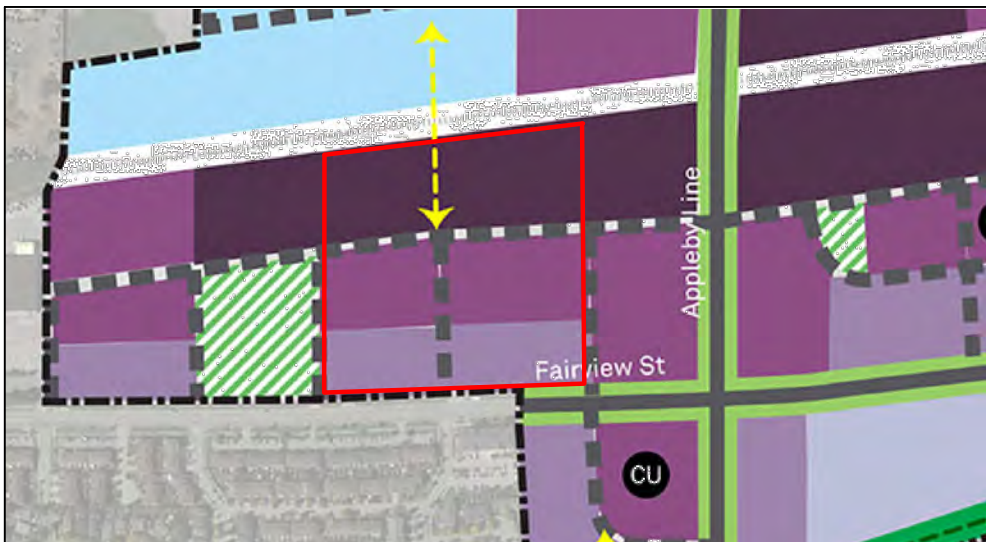


4445 Fairview Street
 City of Burlington, Ontario

Official Plan - April 2018
Appleby GO - Mobility Hub (Land Use)

Legend

- Subject Lands
- Mixed Use 1 (Low-Mid Scale Intensity)
- Mixed Use 2 (High Scale Intensity)
- Employment 1 (Low Scale Intensity)
- Employment 2 (Mid-High Scale Intensity)
- Green Street
- Proposed Street
- Proposed Parks / Open Space / Natural Heritage
- Potential Active Transportation Connection



4445 Fairview Street
 City of Burlington, Ontario

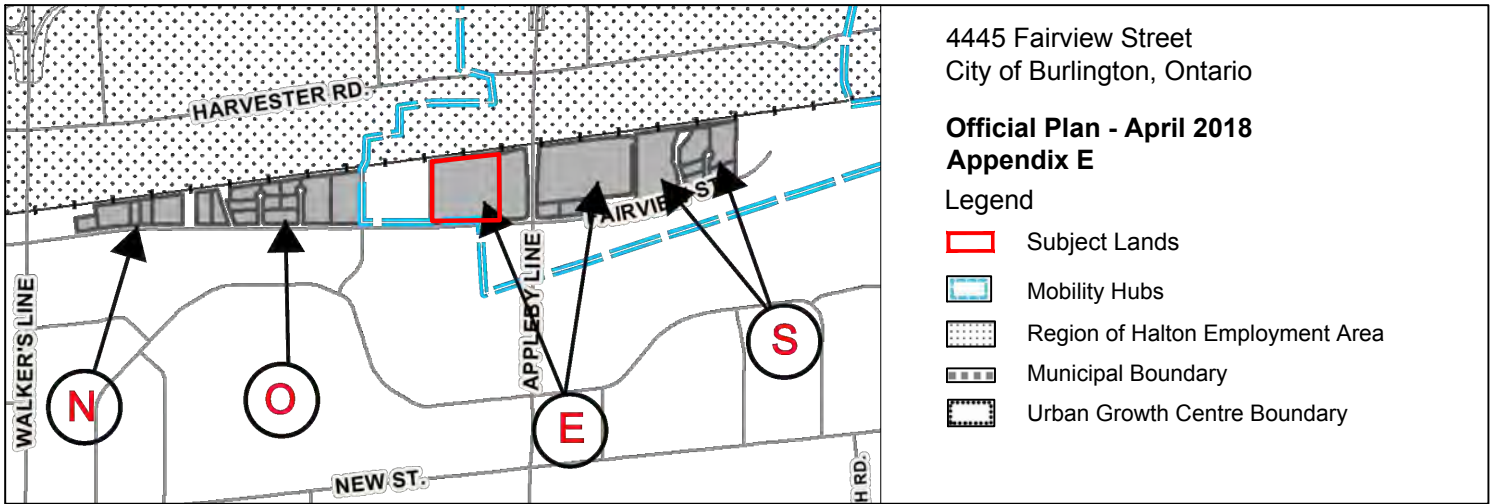
Official Plan - April 2018
Appleby GO - Mobility Hub (Heights)

Legend

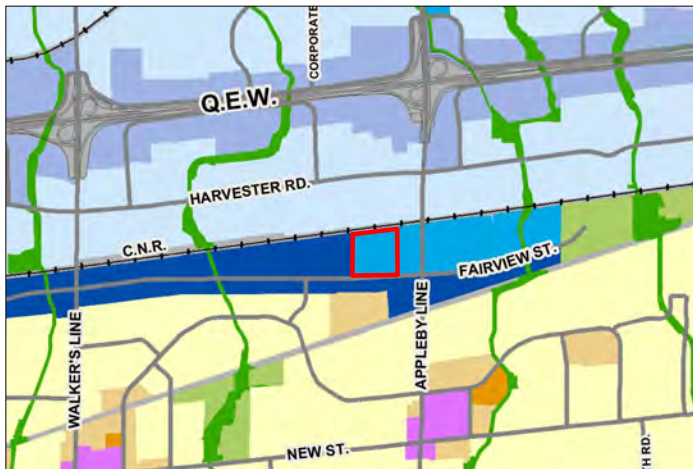
- Subject Lands
- Mid Rise (7-11 Storeys)
- Tall (12-19 Storeys)
- Tallest (20+ Storeys)
- Green Street
- Proposed Street
- Proposed Parks / Open Space / Natural Heritage
- Potential Active Transportation Connection

**Comments on the City of Burlington Official Plan Recommended for Adoption (April 2018)
4445 Fairview Street, Burlington, Ontario**

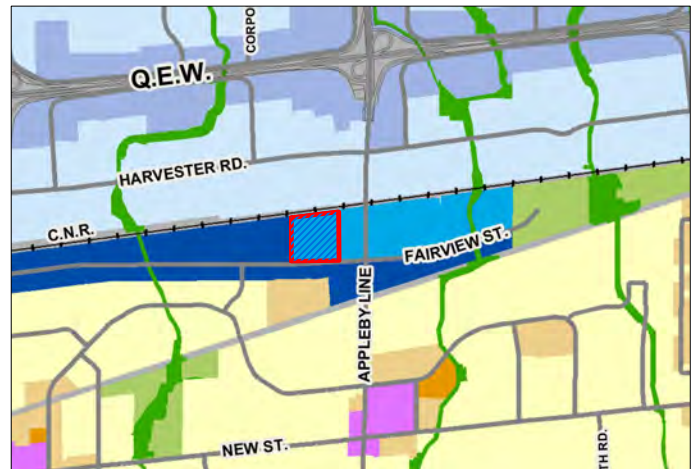
Penta Properties



EXISTING - SCHEDULE C



REQUESTED AMENDMENT - SCHEDULE C



Lands to be re-designated to Urban Corridor

Location: 4445 Fairview Street

Issues/ Concerns:

- The Subject Lands have been subject to considerable review by the City since 2014.
- The Subject Lands are NOT in the Region of Halton's Employment Overlay.
- The Subject Lands are designated Mixed Use Employment Corridor Employment in the current Official Plan.
- The Subject Lands are identified as Mixed Use Nodes and Intensification Corridors (Schedule B), Primary Growth Area (Schedule B1) and Mixed Use 1, Mixed Use 2 (Appleby Go Preferred Concept: Land Use). The land use designation and vision is clearly for mixed use and not employment only as per the preferred Appleby Mobility Hub land use plan.
- Appendix E to staff's report PB-04-18 identifies the lands, along Fairview Street which are shown in the Urban Structure Map as – Mixed Use Nodes and Intensification Corridors. The majority of these lands (Area N and O) are all now shown on Schedule C as Urban Corridor.
- The Subject Lands, however, are still identified as Urban Corridor- Employment on Schedule C. The chart notes under "Land Use Designation Vision" that the lands are "Unknown at this time. To be determined through the Appleby GO Mobility Hub Area Specific Plan."
- The proposed Urban Corridor- Employment designation applied to the Subject Lands on Schedule C is not consistent with the land use vision for the Lands in accordance with Schedule B, B-1 and the Appleby Go Preferred Concept.
- The Urban Corridor- Employment designation and implementing policies set out in Section 8.1.3.(8) of the Official Plan would limit future development on the Subject Lands to industrial uses, office uses, accessory retail, home improvement and home décor sales, automotive commercial uses, entertainment uses; and, recreation uses. Residential uses are prohibited.
- The range of uses permitted in the Urban Corridor- Employment designation is limiting and does not provide for the development of a mixed use area.
- As noted the Subject Lands are not within the Employment Area in the Halton Region Official Plan.
- The proposed designation does not implement the Urban Structure and Growth Framework set out in the Official Plan and the designation does not implement the intended future vision for the Appleby GO Mobility hub as set out in the preferred concept.
- The Subject Lands are connected to other lands owned by Penta Properties to the west (4415 Fairview) and to the south (4460 to 4490 Fairview) both of which are designated Urban Corridor.
- When previously raised as an issue on the November 2017 draft, staff's response has been that the land use designation will be amended during the Area Specific Planning Process.
- It is not clear why these lands, identified to the Region at this time as lands to be part of a mixed use node, would not be so designated, along with other lands along Fairview.

Request:

- Schedule C should be modified such that the Subject Lands and in fact all lands outside of the Regional Employment area along Fairview currently shown as Urban Corridor Employment to Urban Corridor. The Urban Corridor designation is more is a more appropriate land use, which

aligns with the Urban Structure, Growth Framework and Appleby GO Mobility Hub preferred concept, all of which are consistent with the Provincial Policy Statement and conform to the Growth Plan.

- The Urban Corridor designation is more appropriate and better illustrates the City's direction to the Region through the Official Plan adoption of its vision.

Comments on the City of Burlington Official Plan Recommended for Adoption (April 2018)


4480 and 4450 Paletta Court, Burlington, Ontario

Penta Properties

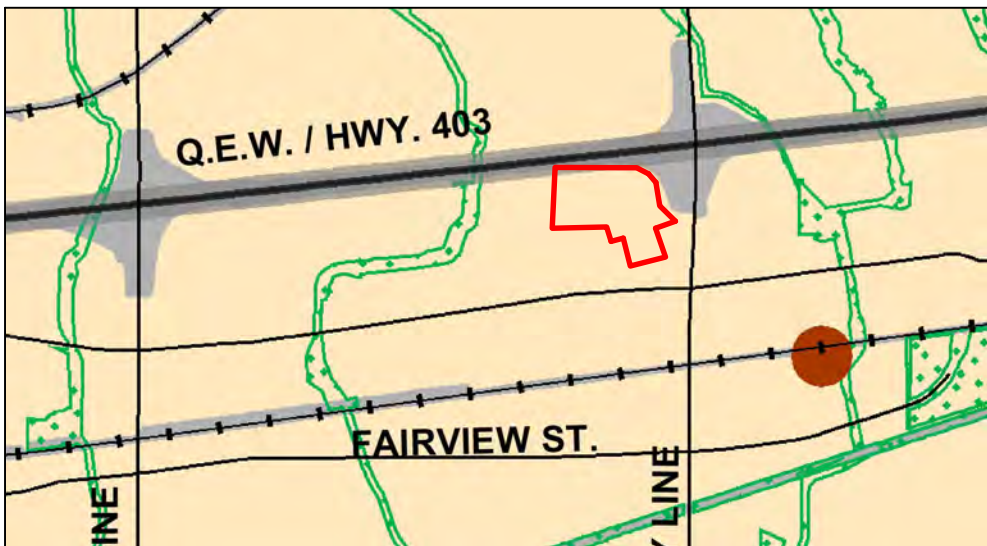


4480 and 4450 Paletta Court
City of Burlington, Ontario

Location Map

 Subject Lands








Property lines are shown approximate for illustrative purposes

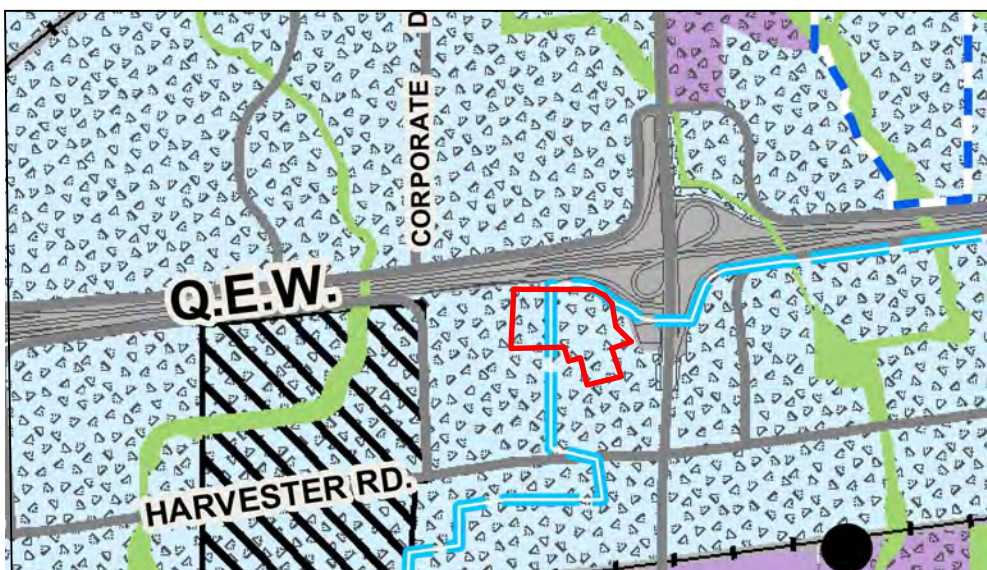


4480 and 4450 Paletta Court,
City of Burlington, Ontario

Official Plan - April 2018 Schedule A - City System

Legend










-  Subject Lands
-  Urban Area
-  Rural Area
-  Green System
-  Infrastructure and Transportation Systems
-  Major Transit Station
-  Urban Boundary



4480 and 4450 Paletta Court
City of Burlington, Ontario

Official Plan - April 2018 Schedule B - Urban Structure

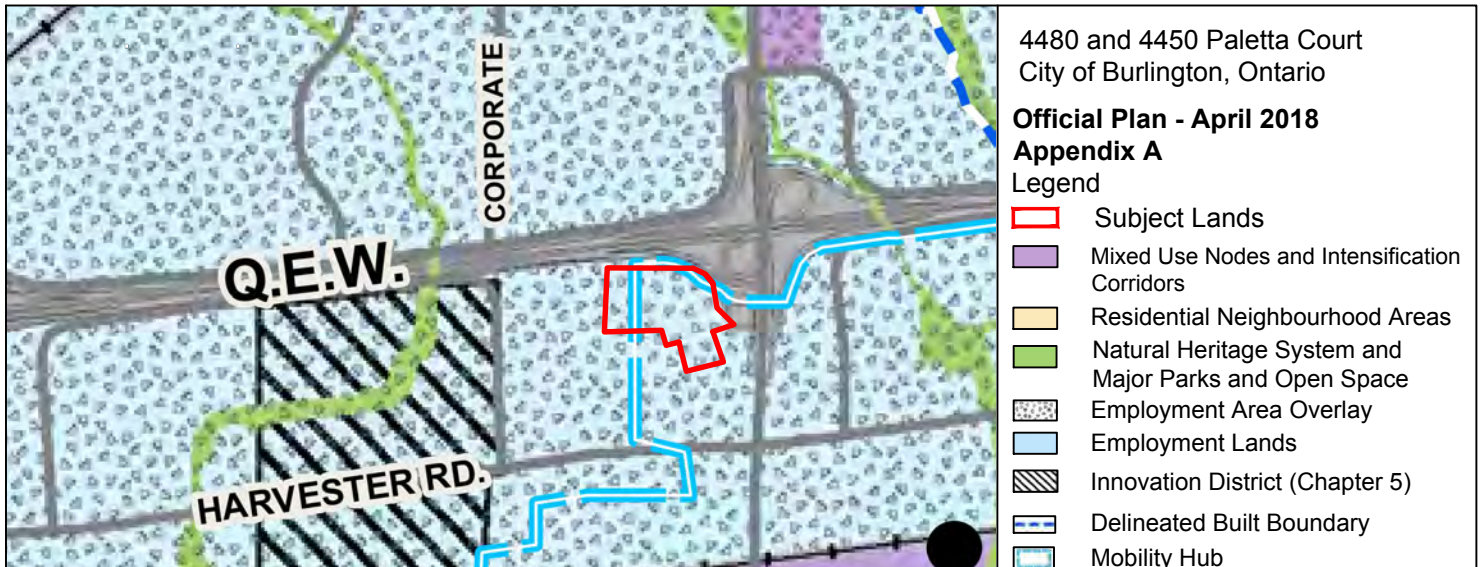
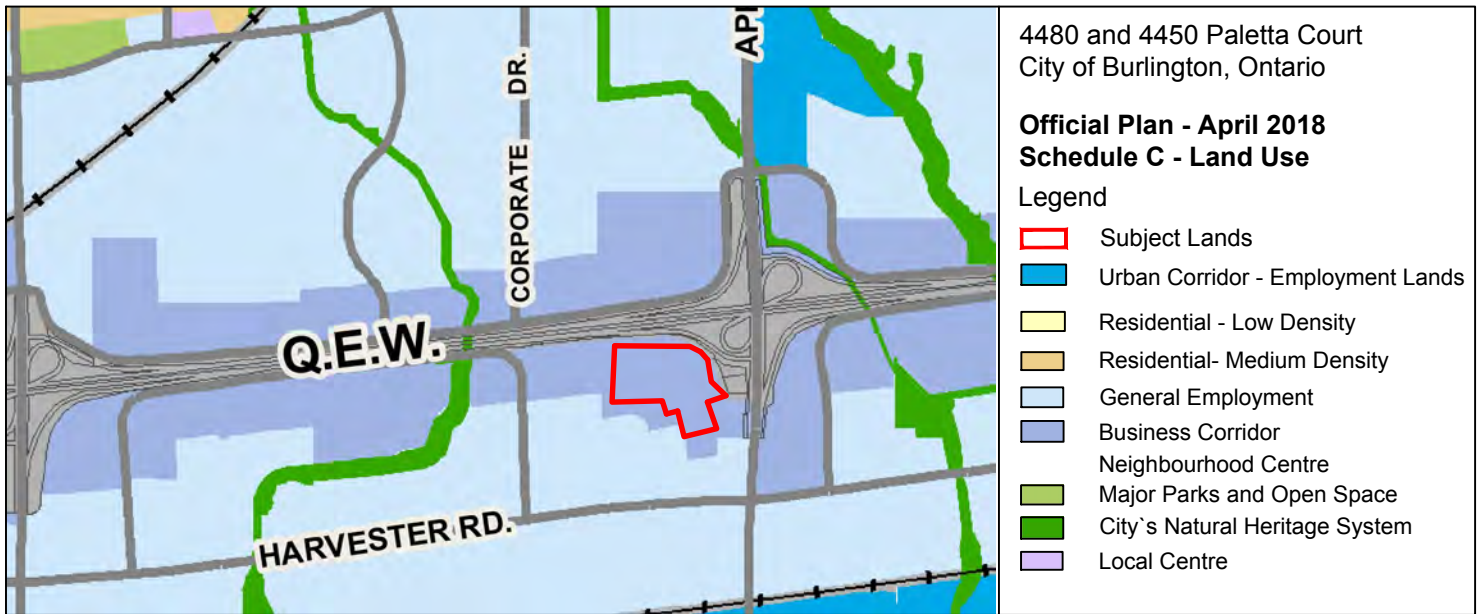
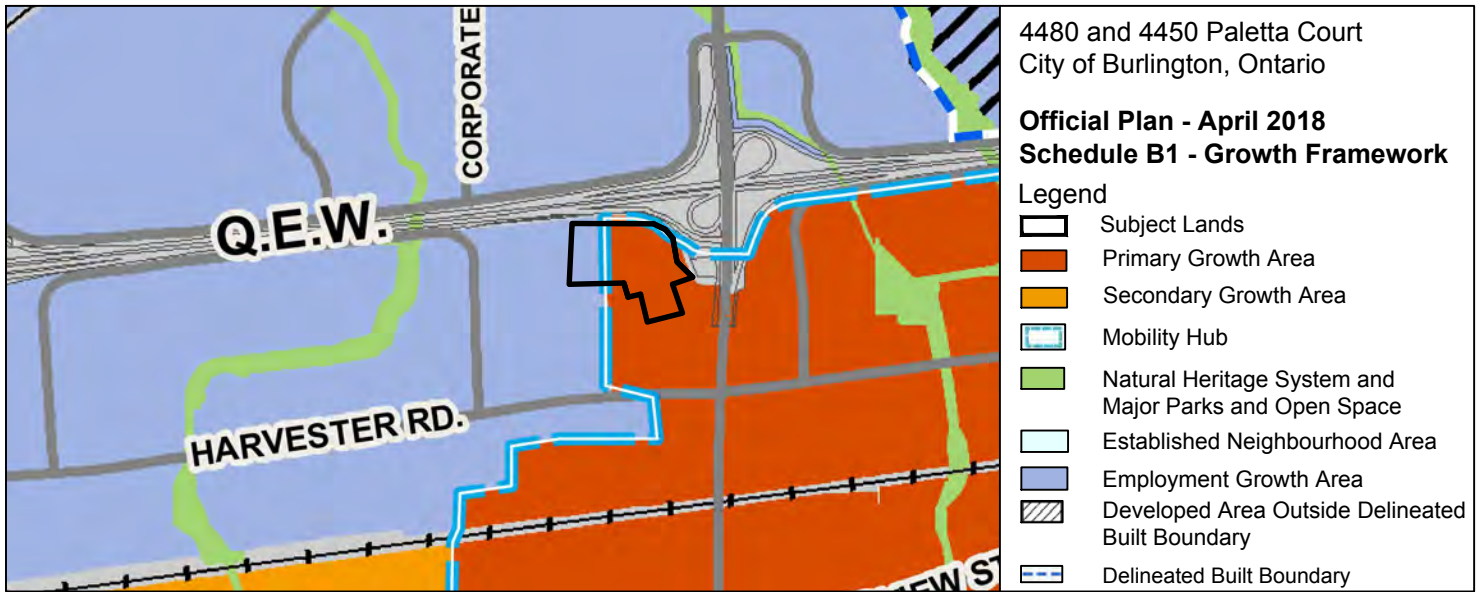
Legend

-  Subject Lands
-  Mixed Use Nodes and Intensification Corridors
-  Residential Neighbourhood Areas
-  Mobility Hub
-  Natural Heritage System and Major Parks and Open Space
-  Employment Area Overlay
-  Employment Lands
-  Delineated Built Boundary
-  Innovation District (See Chapter 5)

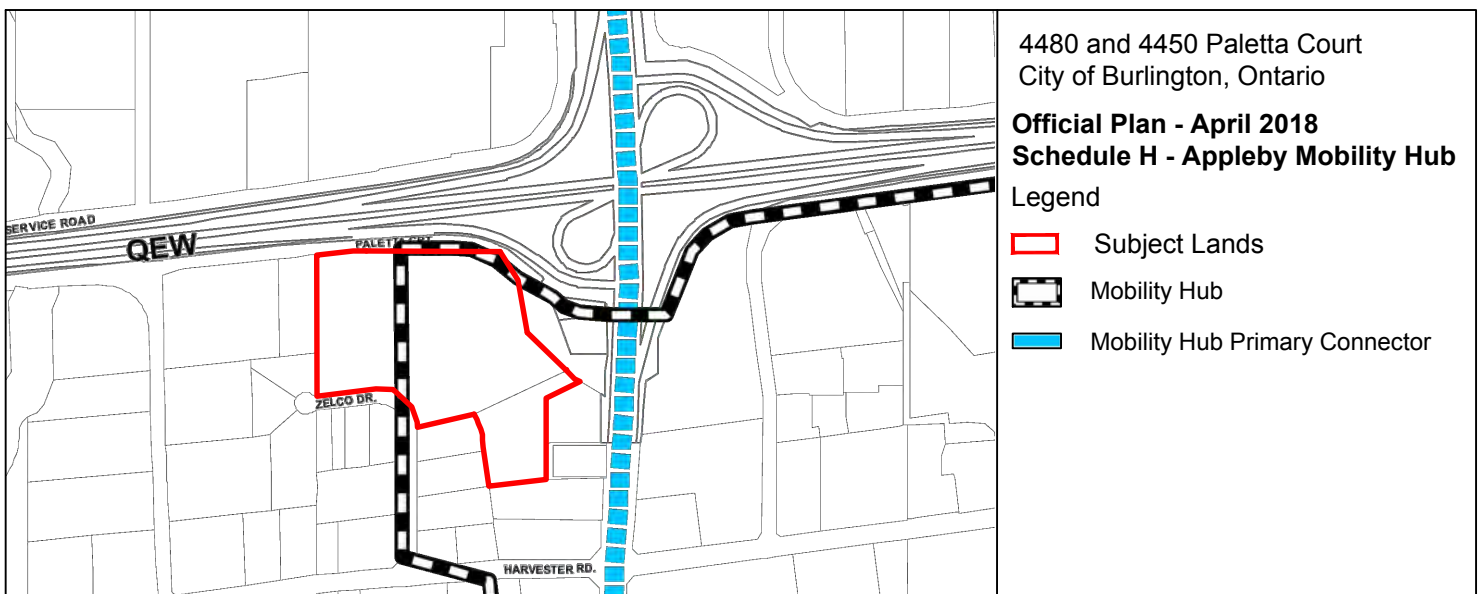
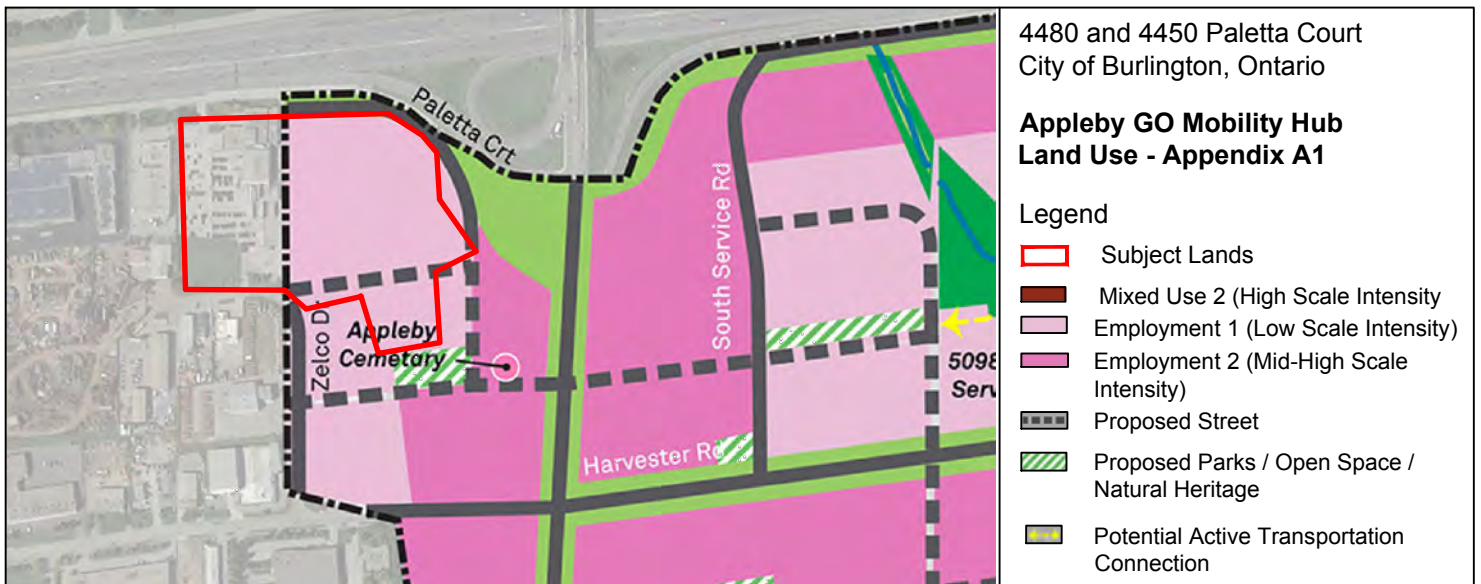
Comments on the City of Burlington Official Plan Recommended for Adoption (April 2018)

4480 and 4450 Paletta Court, Burlington, Ontario

Penta Properties



Comments on the City of Burlington Official Plan Recommended for Adoption (April 2018)
4480 and 4450 Paletta Court, Burlington, Ontario
Penta Properties



Location: 4480 and 4450 Paletta Court, Burlington

Issues/ Concerns:

- The lands are within the Employment Land Overlay on Schedule B (Urban Structure). Part of the lands are within the Primary Growth Area on Schedule B1 and are part of the Appleby GO Mobility hub boundary.
- The portion of the lands within the Appleby GO Mobility Hub are envisioned to be Employment 1 (Low Scale Intensity). The implementing policies for the Appleby GO Mobility Hub will be finalized through the completion of the Area Specific Plan.
- The Subject Lands however are not entirely within the Mobility Hub Boundary and are precluded from any other form of land use by the adoption of the Business Corridor designation on Schedule C and Employment Area on Schedule B1.
- Any opportunity to address land needs and population and employment targets for the Appleby GO Mobility Hub will be lost with the fixed employment land use designation at this time.
- The Primary Growth Areas should be comprehensively studied before the adoption of the parent plan OR the underlying designations should be prescribed as a Special Policy Area and subject to further study so as not to preclude conformity with the Growth Plan requirements for a complete community.

Request:

- The entirety of the subject lands should be included within the Mobility Hub boundary to assist the City in achieving the growth and intensification objectives for the Mobility Hub.
- The land within the amended Mobility Hub on Schedule C should be noted as an area subject to further study and an "Area Specific Plan".
- Policies should be incorporated into the Plan which do not preclude further consideration for conversion by the City and the Region pending the finalization and implementation of the Area Specific Plan.

Comments on the City of Burlington Official Plan Recommended for Adoption (April 2018)

Bronte Creek Meadows, Burlington, Ontario


5164 Upper Middle Road, 5366 Upper Middle Road, 5470 Upper Middle Road, 5900 Upper Middle Road, 5201 Mainway

Penta Properties

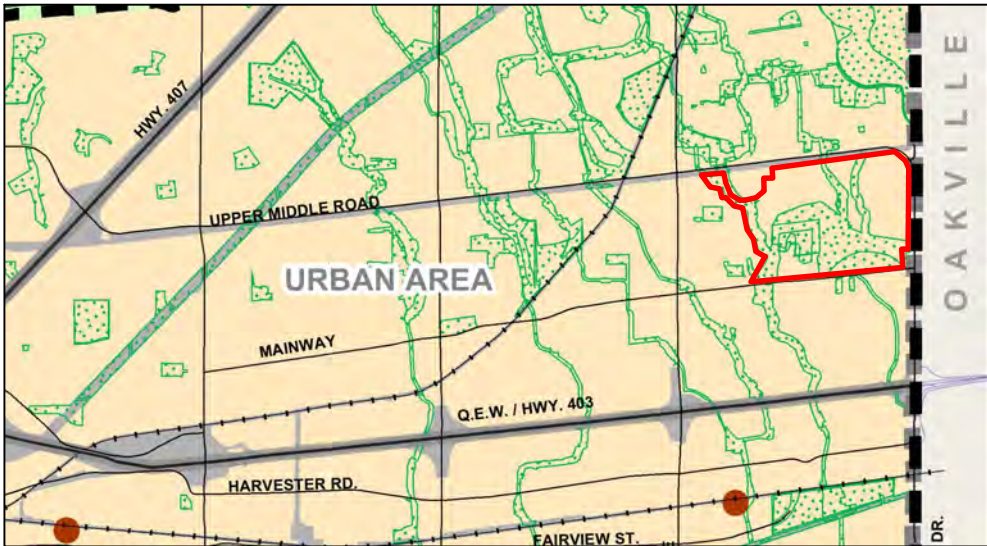


Bronte Creek Meadows
City of Burlington, Ontario

Location Map

 Subject Lands








Property lines are shown approximate for illustrative purposes

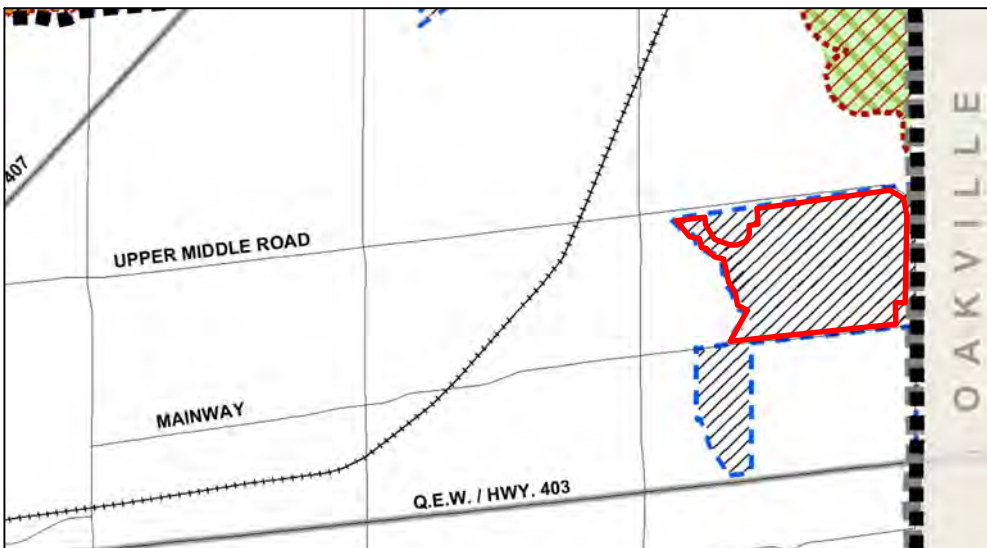


Bronte Creek Meadows
City of Burlington, Ontario

Official Plan - April 2018 Schedule A - City System

Legend

-  Subject Lands
-  Urban Area
-  Rural Area
-  Green System
-  Infrastructure and Transportation Systems
-  Major Transit Station
-  Urban Boundary



Bronte Creek Meadows
City of Burlington, Ontario

Official Plan - April 2018 Schedule A-1 - City System Provincial Land Use Plans and Designations

Legend

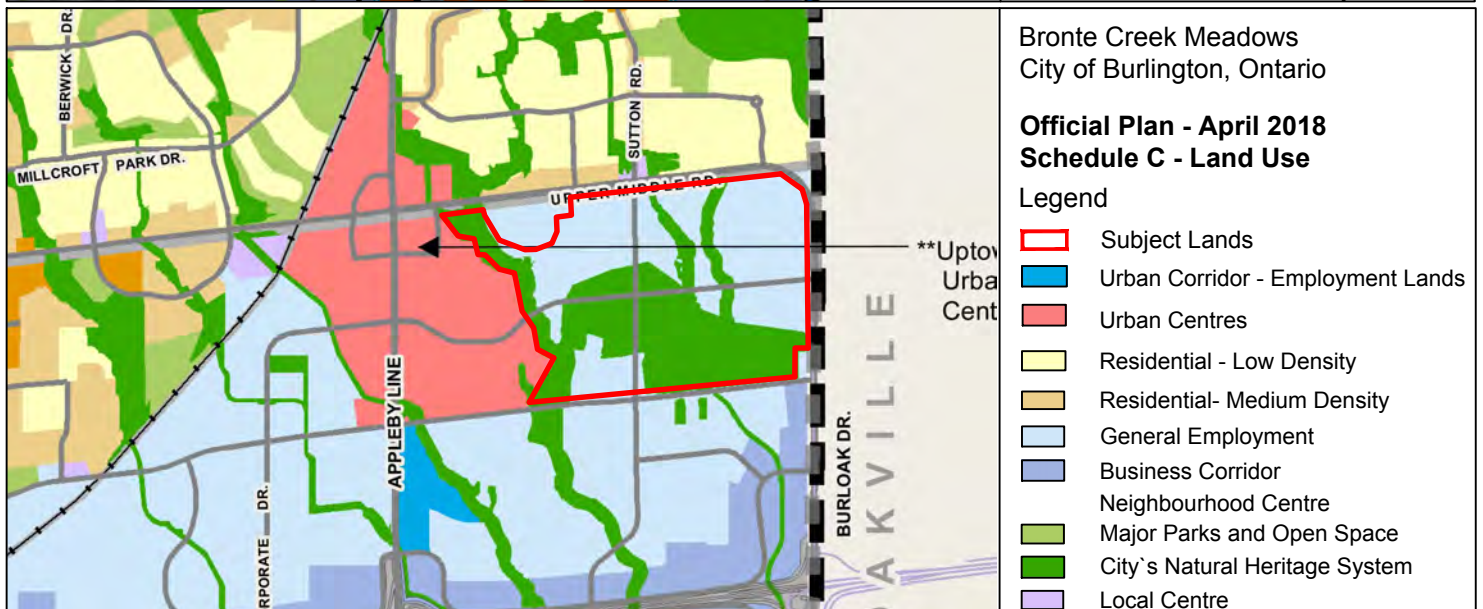
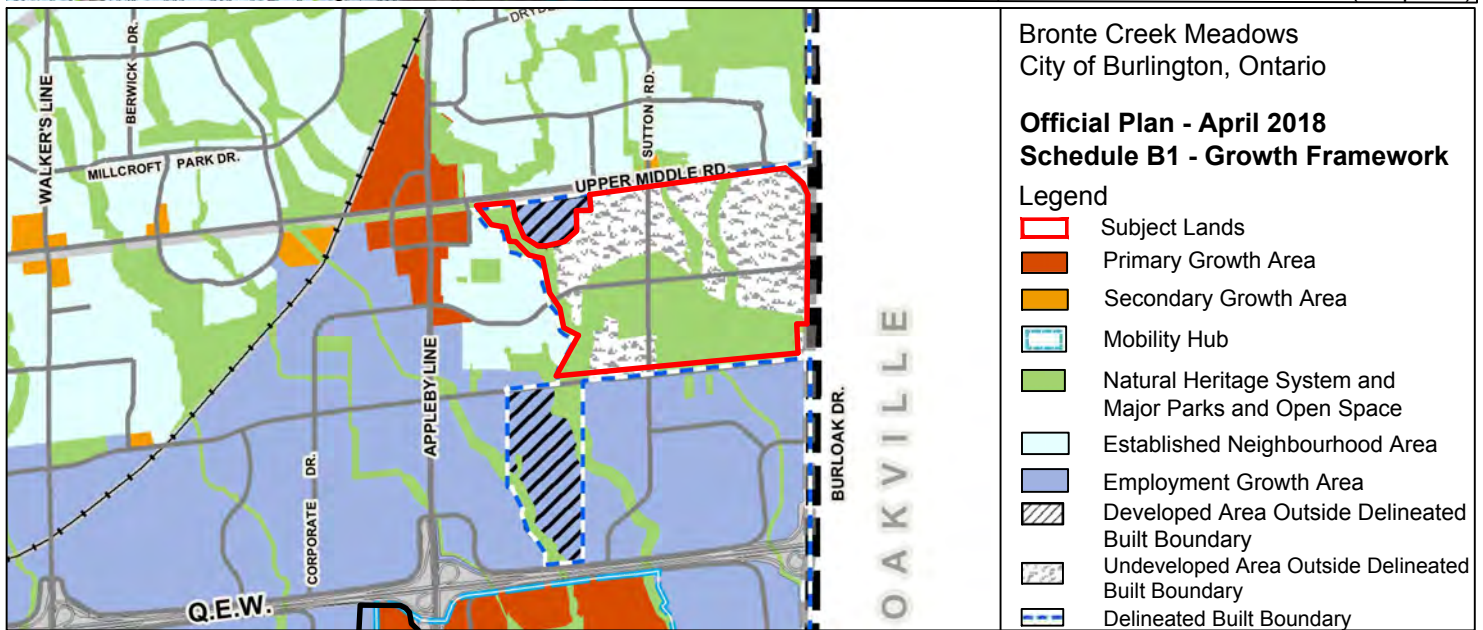
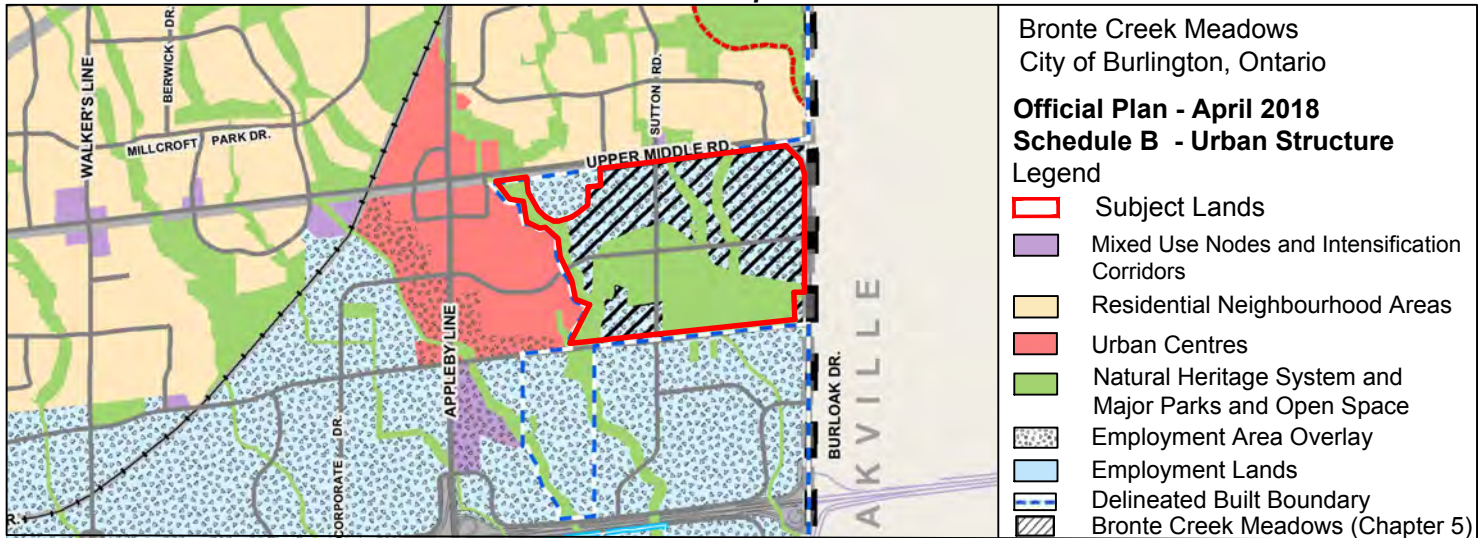
-  Subject Lands
-  Protected Countryside Area
-  Greenbelt Natural Heritage System
-  Delineated Built Boundary
-  Designated Greenfield Area
-  Parkway Belt West Plan Area

Comments on the City of Burlington Official Plan Recommended for Adoption (April 2018)

Bronte Creek Meadows, Burlington, Ontario

5164 Upper Middle Road, 5366 Upper Middle Road, 5470 Upper Middle Road, 5900 Upper Middle Road, 5201 Mainway

Penta Properties

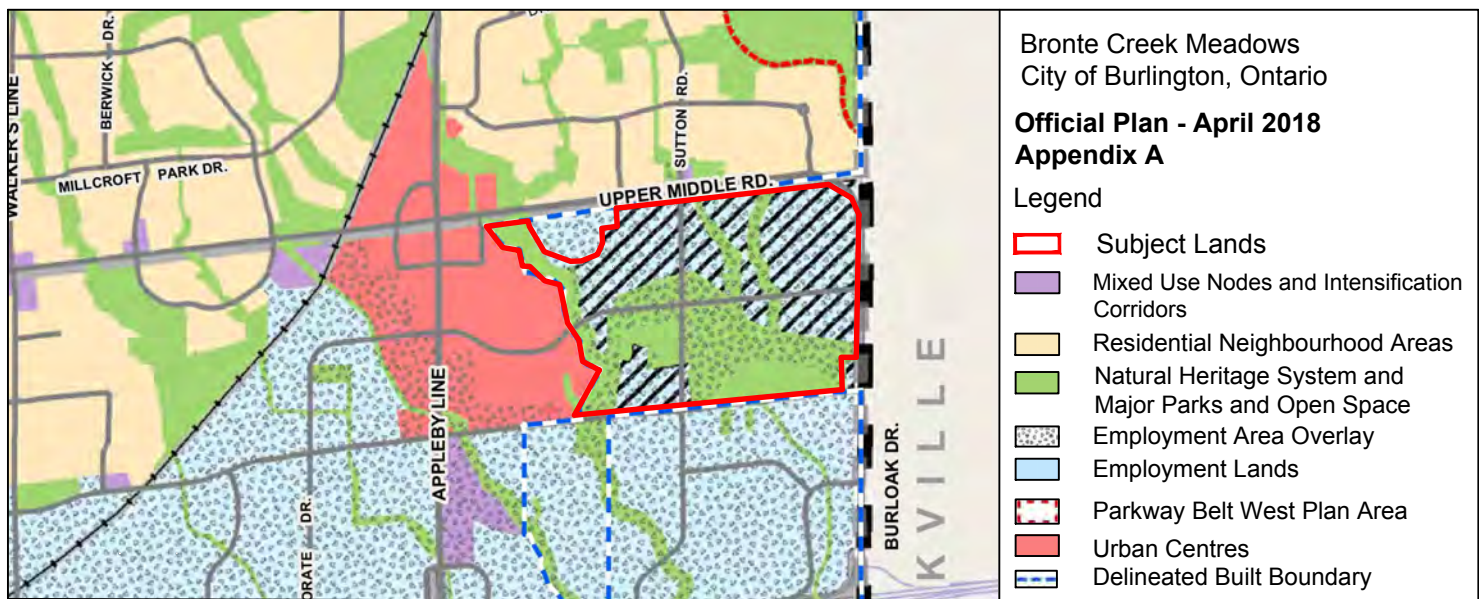
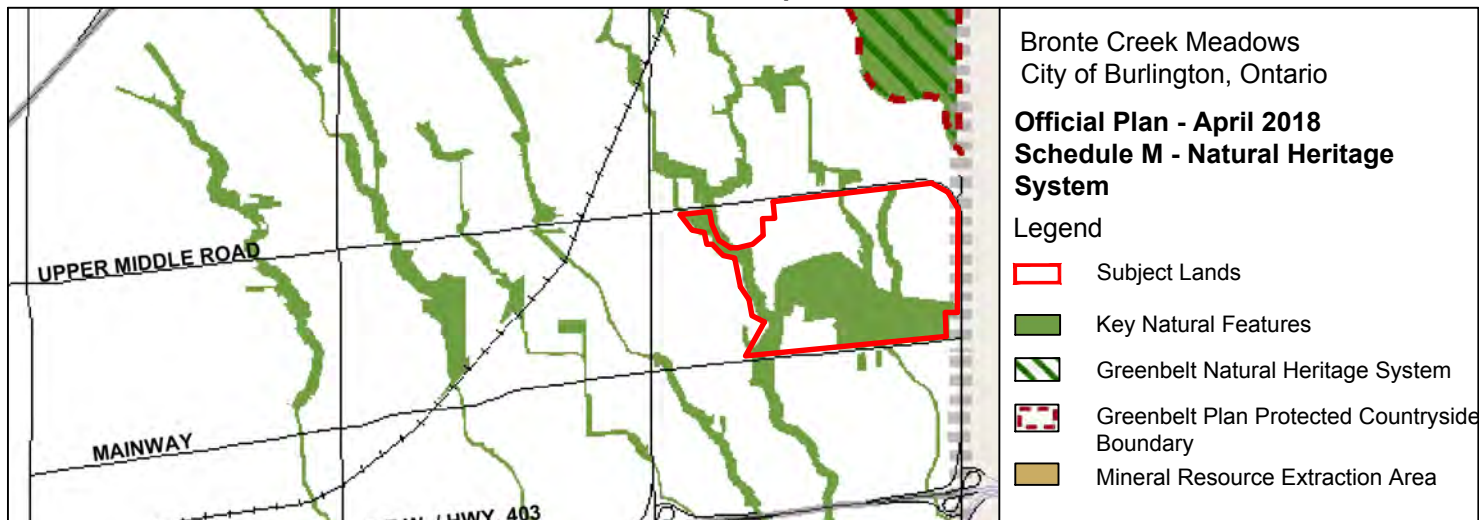


Comments on the City of Burlington Official Plan Recommended for Adoption (April 2018)

Bronte Creek Meadows, Burlington, Ontario

5164 Upper Middle Road, 5366 Upper Middle Road, 5470 Upper Middle Road, 5900 Upper Middle Road, 5201 Mainway

Penta Properties



Location: Bronte Creek Meadows

(5164, 5366, 5470, 5900 Upper Middle Road & 5201 Mainway)

Issues/ Concerns:

- These lands have a long history.
- The lands are designated within the Greenfield area of the City's urban structure boundary and are within the Region's Employment Overlay; however, the Regional designations are under appeal. The lands contain parts of the Natural Heritage System but the mapping is inconsistent with detailed ecological work that was completed some time ago and remains current given ongoing agricultural uses of the property.
- The lands have not been proposed for a conversion from employment lands but are subject to a site specific policy in Section 5.4.2 of the Plan that requires that the lands be subject to an area specific plan that looks at the development of innovative employment uses and complete communities.
- Innovative employment uses such as those located within an innovation district are shown through research to require a mix and range of supportive uses including commercial and residential uses. Such uses can be introduced through an area specific study through a variety of planning tools including performance based criteria in a community permit system.
- There is an opportunity to explore the area specific plan for this remaining district with the Region and the Province. The implementing designation of the lands for employment only uses would preclude this opportunity and should be reconsidered prior to the adoption of the Plan.

Request:

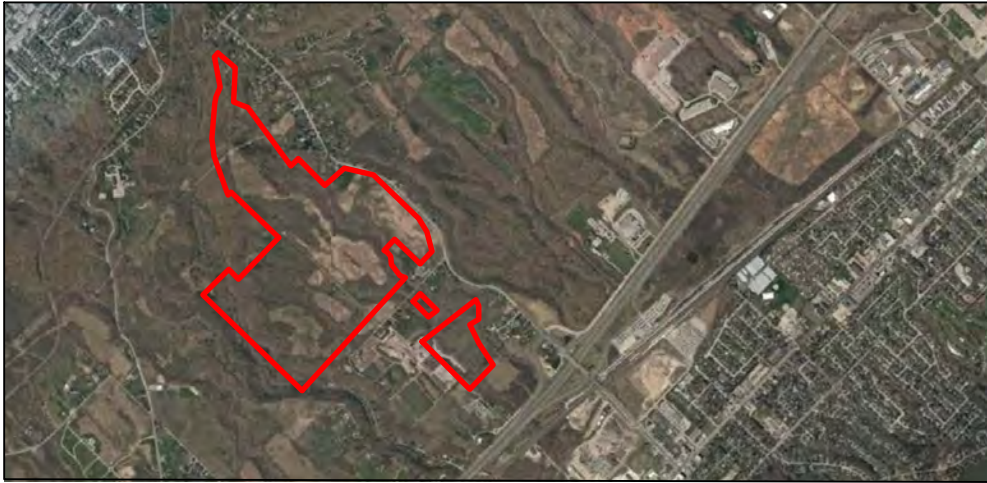
- The land use designations and policies for Bronte Creek Meadows should not be restricted to employment only uses but should remain open to an area specific study and plan which may allow for a true innovation district that incorporates the mix of uses required to support such a district. At a minimum, the Official Plan designations should be deferred to allow the completion of the proposed Area Specific Plan.

Comments on the City of Burlington Official Plan Recommended for Adoption (April 2018)

Eagle Heights, Burlington, Ontario


1640 Flatt Road Extension, 1751 Flatt Road Extension,
1664 Waterdown Road, 66 Horning Road, 0 Flatt Road

Paletta International Corporation

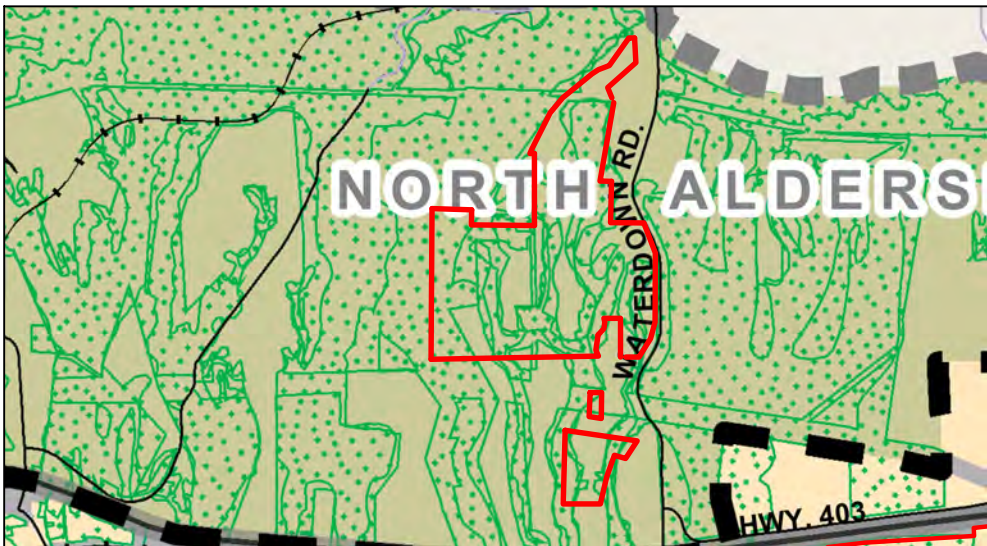


Eagle Heights
City of Burlington, Ontario

Location Map

 Subject Lands








Property lines are shown approximate for illustrative purposes



Eagle Heights,
City of Burlington, Ontario

Official Plan - April 2018 Schedule A - City System

Legend









-  Subject Lands
-  Urban Area
-  Rural Area
-  Green System
-  Infrastructure and Transportation Systems
-  Major Transit Station
-  Urban Boundary



Eagle Heights
City of Burlington, Ontario

Official Plan - April 2018 Schedule A-1 - City System Provincial Land Use Plans and Designations

Legend

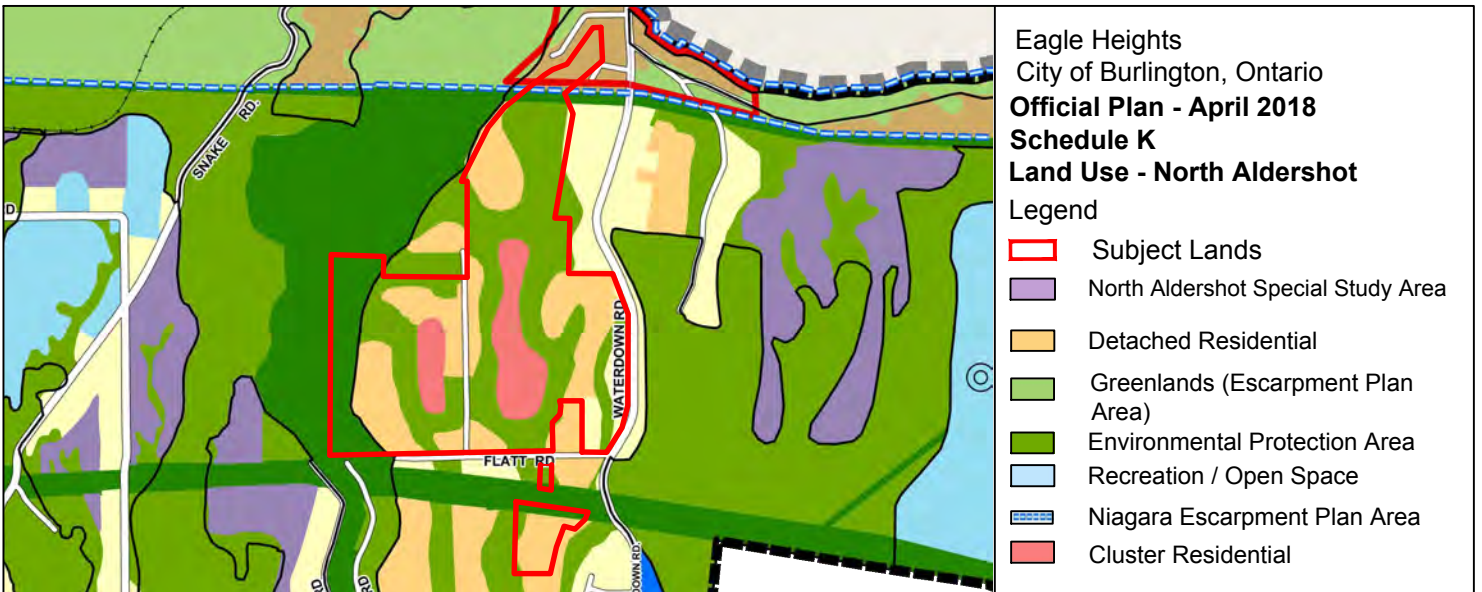
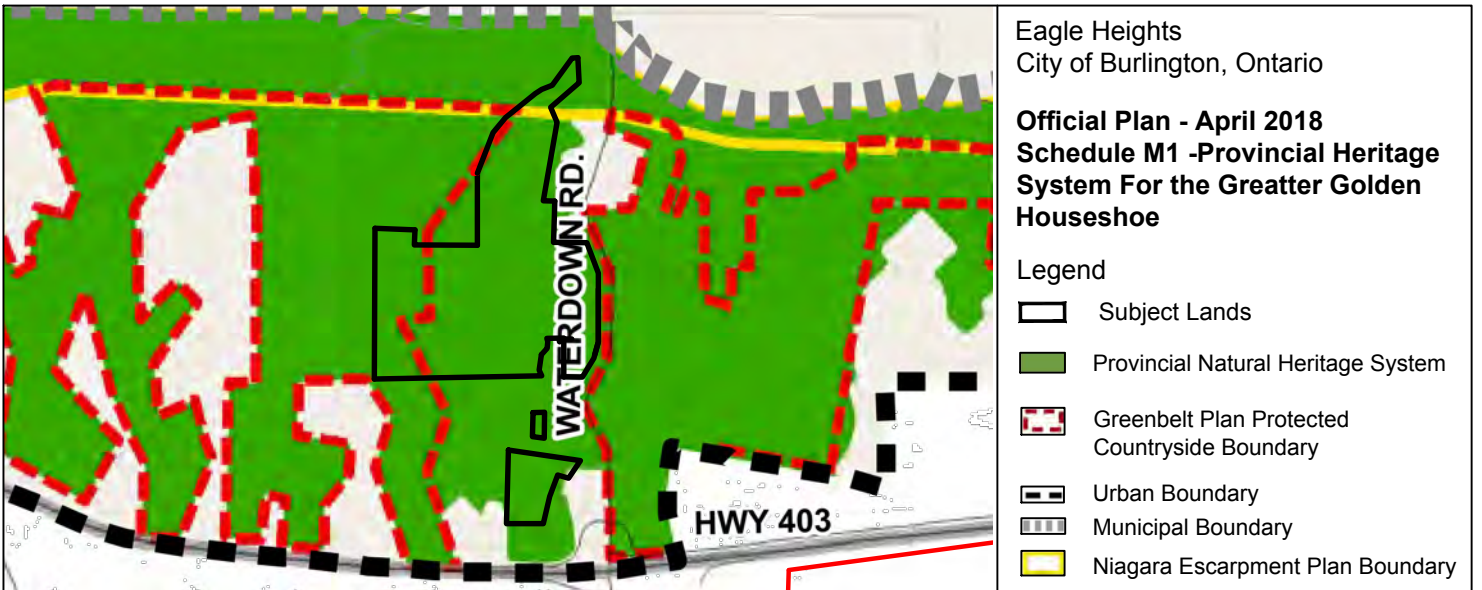
-  Subject Lands
-  Protected Countryside Area
-  Greenbelt Natural Heritage System
-  Delineated Built Boundary
-  Designated Greenfield Area
-  Parkway Belt West Plan Area
-  North Aldershot Policy Area
-  Niagara Escarpment Plan Boundary
-  Urban Boundary

Comments on the City of Burlington Official Plan Recommended for Adoption (April 2018)

Eagle Heights, Burlington, Ontario

1640 Flatt Road Extension, 1751 Flatt Road Extension, 1664 Waterdown Road, 66 Horning Road, 0 Flatt Road

Paletta International Corporation



Location: Eagle Heights, North Aldershot

(1640 Flatt Road Extension, 1751 Flatt Road Extension, 1664 Waterdown Road, 66 Horning Road, 0 Flatt Road)

Issues/ Concerns:

- The Subject Lands have been subject to considerable review by the City through the North Aldershot Inter Agency Review and resulting Plan. There are ongoing applications before the Board (now Tribunal) that are subject to the review of the City
- The current City System Schedule A shows the differentiation between the Green System and Rural Area over the subject lands.
- The mapping for Schedules M and M1 area very different and add uncertainty related to the delineation of the NHS area on the lands. Schedule M1 covers the entire property as Provincial NHS.
- Policies related to the NHS are addressed in Section 4.2 and specifically 4.2.2 (h). We understand these policies may be subject to further amendment but currently note that refinements to the NHS may be provided through an EIA.
- Where an EIA has been completed, such as North Aldershot, there should be clarification that the NHS shall be in accordance with Schedule K and not subject to further review and refinement (form Schedule M) through the Region’s Municipal Comprehensive Review.

Request:

- Schedule M1 should include a notation that the NHS on lands within North Aldershot shall be subject to the approved North Aldershot Plan and Schedule K to this Plan.
- The policies in Section 4.2.2. (h) should be further amended to reflect the approved North Aldershot Plan designations.

Appendix B

Aldershot GO and Appleby GO Mobility Hubs Submission

July 16, 2018

Mayor Goldring and Members of Council
City of Burlington
426 Brant Street
PO Box 5013
Burlington, Ontario
L7R 3Z6

Via email: debbie.hordyk@burlington.ca

Dear Mayor Goldring and Members of Council:

**RE: COMMITTEE OF THE WHOLE WORKSHOP – JULY 12, 2018
Aldershot GO and Appleby GO Mobility Hubs (Staff Report PB-65-18)**

MHBC is retained by Penta Properties (“Penta”) in relation to the properties located at 4415, 4445, and 4460 - 4490 Fairview Street, 4450 and 4480 Paletta Court and 1200 King Road, in the City of Burlington. These properties are located in the Appleby and Aldershot Mobility Hub Special Policy Areas.

As a major landowner in the mobility hub areas, Penta has continued to participate in the mobility hub studies over the past two years and has submitted numerous written comments to staff and Council. They have also met with the mobility hub staff to discuss their concerns and we recently presented comments on April 23, 2018, in relation to the above noted properties, as part of Council’s consideration of the City’s new Official Plan.

We understand Council participated in a workshop related to the updated draft precinct plans for the Aldershot GO and Appleby GO mobility hubs on July 12, 2018. The staff report provided ahead of the upcoming Council workshop (PB-65-18) provides updated draft precinct plans and policy directions for Council’s review and input. While we are supportive of the development of the Special Policy Areas through a comprehensive planning process, we believe there are a number of general questions as well as specific ones related to Penta’s properties, that we would like to highlight for Council given that we cannot delegate to Council at this meeting.

In our opinion, there is a concern that directions will be entrenched within the precinct plans before a proper foundation has been laid for those plans. There is a fundamental difference in approach between what staff has undertaken to date and what we believe is essential to grounding the plans in fact. Without a more thorough and rigorous understanding and integration of the facts “on the ground”, there is a strong likelihood that whatever plans are adopted by Council, they will not be able to be implemented and will, therefore, not be practical guides for future development that contribute to the City’s planning objectives for the mobility hubs.

Plans disconnected from realistic development opportunities and constraints do not advance visionary planning- they impede it. We would welcome the opportunity to speak to these fundamental concerns with Council before commitments are made and directions are entrenched.

General Questions and Concerns

- 1) The three mobility hub studies were commenced in April 2017 based on a work program approved by Council in July 2016 (PB-48-16). In the initial work program there was a detailed outline of the phasing for the development of the plans including a Technical Review (Phase 1) which was to establish the land use and design framework. One of the most important elements of any comprehensive land use planning study is a capacity/constraints analysis which should include an inventory of existing uses. This study, along with several other studies (market value and land economics, office study, water and wastewater analysis, functional servicing, environmental evaluation) were to be completed to establish the planning framework. The results of this work was to be summarized.
- 2) There are a series of memorandums (appendices to PB-76-17) that are noted as summarizing the technical review. These memorandums address projected density for the hubs and confirm the existing servicing infrastructure for the areas. Having reviewed the summary memorandums, we would request that the full studies that were undertaken as part of this technical work be provided for public review. It is not clear that any technical work or analysis related to the capacity for growth was undertaken in the hub. There are no land use inventories completed and it is not clear how the integration of land uses is and phasing of redevelopment to create complete communities is being achieved?
- 3) Following the limited technical work completed, detailed plans have now evolved for public input. The feasibility of these plans, however, is yet to be tested in relation to actual constraints and market analysis. This is clearly stated in the current staff report. We believe from our experience in developing land use plans, the more appropriate approach to the development of the plans is to first define all parameters of constraints and capacity in order to develop a plan that is evidence based. The next step would be to present that plan to the public and stakeholders to determine, within that framework, the level and form of intensification that is possible. It is not clear that the current plans have been based on this approach.

Given the methodology used by staff, how will changes to the plans impact the preliminary projections? If land use constraints are identified at this later stage, how will the plan accommodate the growth needs?

There has been no analysis of the feasibility of the form and heights of the proposed "urban employment" uses or the compatibility of the retention of the "employment" uses given the nature of such uses. Again, should development constraints from studies of existing employment uses establish areas of influence related to noise and emissions, how will staff address these issues given that they have already fixed development blocks with heights and densities for uses? We believe this should have been a fundamental first step in the planning process.

- 4) Staff have indicated that transportation studies are currently being completed. These studies have therefore not informed the appropriateness of the proposed land uses and locations or capacity. Again, the technical work required to ground the feasibility of the land use framework has yet to

be completed and we question how valid the assumptions are that have been used to frame the precinct plans at this stage.

Appleby GO

As noted, Penta is a major landowner in the Appleby GO mobility hub. As such, specific comments and questions on the Appleby GO mobility hub preferred concept have been forwarded to staff and we would appreciate Council's discussion of the following:

- 1) 4450 Paletta Court should be included in the mobility hub area. This has repeatedly been requested as it is under the same ownership as the neighboring 4480 Paletta Court property which is included. In order to allow for any future redevelopment opportunities, both properties should be considered within the Area Specific Plan.
- 2) On the property located at 4415 Fairview Street, the plans now identify a symbol for a future park. Again, park needs, sizes and locations should be established once the precinct plan has been established based on a full technical review. We believe that it is premature to predetermine park sizes or approximate locations, without a full capacity and compatibility assessment.
- 3) The draft precinct plan shows the property at 4480 Paletta Court as "Urban Employment". The term "Urban Employment" is not defined other than a reference to compact built form. Given the shift towards knowledge based jobs that require a range of supportive uses, including residential to be integrated as part of a complete community, why are such uses not defined or discussed?

As noted in past comments, we question why staff are advancing a detailed land use plan, ahead of any detailed studies, at this stage. It is acknowledged by City staff that this mobility hub is significantly constrained due to the existence of very little vacant/undeveloped land. Future redevelopment will be very gradual. If the City wants to see redevelopment in this area, as one of the City's main intensification areas, a much greater level of flexibility should be considered to encourage redevelopment and intensification opportunities, while still protecting the City's employment needs.

Aldershot GO

Our comments and questions on the Aldershot GO mobility hub precinct plan are as follows:

- 1) Why are there no land uses shown on the western portion of 1200 King Road? This property is an important part of the Aldershot GO mobility hub as one of the only undeveloped parcels of land but remains noted as "Under Review". We are advised that these lands were addressed as part of Minutes of Settlement between Paletta and the City back in 2009. It is unclear how the proposed precinct plan reflects those Minutes.
- 2) Why is the future south service road not shown on the precinct plan? Has the City decided that this road is no longer needed? We are advised that this is not consistent with the 2009 Minutes of Settlement. It is important that the plans for these lands be advanced in alignment with the future policy framework.

We look forward to continuing to work with staff through the process which should appropriately consider future land uses and opportunities in a comprehensive, transparent and collaborative way. In our opinion,

it is essential that Council hear directly from stakeholders at this critical juncture before directions in the plans are entrenched. We thank Council for their consideration of these matters.

Sincerely,

MHBC

A handwritten signature in black ink, appearing to read 'Dana Anderson', written in a cursive style.

Dana Anderson, MA, MCIP, RPP
Partner

Cc: Angelo Paletta, Penta Properties
Scott Snider, Turkstra Mazza
Rosa Bustamante, City of Burlington

Appendix C

Proposed Amendment 1 to the Growth Plan Submission

February 28, 2018

Charles O'Hara
Ontario Growth Secretariat
Ministry of Municipal Affairs
17th floor 777 Bay Street
Toronto, ON M5G 2E5

Via email: growthplanning@ontario.ca

Dear Mr. O'Hara:

**RE: Proposed Amendment 1 to the Growth Plan
Comment Submission on behalf of Penta Properties Inc.
Various Lands across Ontario
ERO No. 013-4504 / 013-4506
OUR FILE 1886A**

MHBC is currently retained by Penta Properties Inc. in relation to their properties located in the Region of Halton. We have reviewed proposed Amendment No. 1 to the Growth Plan for the Greater Golden Horseshoe (2017) as well as the associated Provincially Significant Employment Zone ("PSEZ") mapping and wish to provide the following comments on their behalf.

1. We understand that, among the proposed changes, the proposed amendment to the Growth Plan will allow employment area conversions to be approved prior to the next Municipal Comprehensive Review ("MCR"), affording flexibility to municipalities to support mixed use development and protect employment areas. **We support this amendment.**
2. The amendment includes the introduction of the PSEZ areas and mapping. While **we support the principle of Provincially Significant Employment Zones**, there are several errors in the mapping we wish to address. We also do not support the inclusion of Major Transit Station Areas ("MTSAs") within the PSEZ mapped areas until the necessary planning reviews of these areas is completed.

We are concerned with the extent of the mapping and its accuracy vis-à-vis existing land uses and municipal Official Plan policies. We also understand that at their February 20, 2019 meeting, Halton Region Council approved a staff report that contains recommended changes to the proposed Growth Plan amendment which will be forwarded to the Province. Among the recommendations are changes to the PSEZ mapping that also affect our client's lands. The Region did not consult

with Penta regarding these changes and, as far as we understand, there was no public notice that this staff report was being put forth to Regional Council. Similarly, the City of Burlington will put forth a report on February 27, 2019 echoing this recommendations. We disagree with the lands that the Region and City have proposed for addition into the PSEZ.

3. We also understand that the radius for a MTSA has been increased to include areas that are up to 800 metres away from the Major Transit Station. **We support this change.**

We request that the following properties owned by Penta Properties Inc. be removed from the PSEZ mapping based on the rationale provided. These properties are all located within Provincially Significant Employment Area 19 – Oakville (QEW). The properties are identified on the attached figures which also shows the proposed PSEZ, existing GO stations and abutting schools overlaid on the in-force local municipal land use map. The maps also show the additional lands the Region of Halton has recommended for inclusion into the PSEZ.

The rationale for these requests is outlined below but can be summarized as follows:

1. Some of the lands are within / in proximity to MTSA's or local Mobility Hubs and thus should be removed from the PSEZ and be permitted to be considered for a mix of uses at transit supportive densities;
2. Some of the lands have use permissions that are not strictly "employment-only" in the local Official Plans; and,
3. Due to contextual factors, the lands should not be considered "Provincially Significant" due to existing and / or planned uses on and surrounding the lands.

Table 1: Properties to be removed from the PSEZ mapping.

| Site Address | MTSA (within 800 m) | Municipal Official Plan Designation | Rationale for Removal |
|---------------------------------------|----------------------------|---|---|
| 1200 King Road, Burlington (Figure 1) | Yes (Aldershot GO Station) | Business Corridor; General Employment; Employment Commercial; Mixed Use Corridor - Employment | <p>A portion of the lands are adjacent to a MTSA which is planned to be intensified. A portion of the lands is also within the City's Mobility Hub Study area. Therefore, limiting the use of the lands to strictly employment uses would not be beneficial to increasing densities and achieving mixed-use, transit-oriented development around existing GO stations.</p> <p>Additionally, multiple existing zoning designations already apply to the subject lands which permit a variety of uses including office, commercial, services and entertainment.</p> |

| Site Address | MTSA (within 800 m) | Municipal Official Plan Designation | Rationale for Removal |
|---|--------------------------------|--|--|
| 4415 and 4445 Fairview Street, Burlington (Figure 2) | Yes (Appleby GO Station) | Mixed Use Corridor – Commercial Corridor and Mixed Use Corridor - Employment | The current Official Plan designations permit commercial and high density residential uses. Furthermore, the lands are located within the Appleby GO Station MTSA and identified within the City of Burlington’s on-going Mobility Hub Study as a location for mixed-use residential, retail and commercial development. As such, in order for the lands to achieve the current and planned local vision for the area, they should not be included in the PSEZ designation. This is consistent with the position taken by the City and described in the staff report prepared for the February 27, 2019 Council meeting. |
| 4450 & 4480 Paletta Court, Burlington (Figure 3) | Partially (Appleby GO Station) | Business Corridor | Similar to the comment above, the lands are in proximity to a Major Transit Station and thus should be allowed the greatest degree of flexibility for consideration. Although, 4450 Paletta Court is not currently in the City’s Mobility Hub, Penta has made submission to the City to request that the property be included in the Mobility Hub so that 4450 and 4480 Paletta Court can redeveloped together. |
| 5164, 5366, 5470 & 5900 Upper Middle Road and 5201 Mainway (Figure 4) | No | General Employment; Greenlands These lands are known as the Bronte Creek Meadows lands and are currently subject to review by the City. | The lands are 135 hectares in size and bordered by existing residential communities and a Provincial park on three sides and employment uses on one side. The lands also wrap around an existing school located at 5150 Upper Middle Road. Given the sheer size of the lands, the existing adjacencies and the existing woodlots and environmental features on site, there is an opportunity for the lands to be development into a unique master planned, mixed-use community that includes employment, commercial and residential uses. A PSEZ designation would restrict the future opportunities for these lands. |

| Site Address | MTSA (within 800 m) | Municipal Official Plan Designation | Rationale for Removal |
|--|---------------------|--|---|
| | | | <p>Given the subject lands' adjacency to sensitive uses, the D-6 Compatibility guidelines would further restrict uses on the lands.</p> <p>Additionally, the lands are not adjacent to a major goods movement corridor and do not have highway visibility. Furthermore, it's not evident that the lands are "needed in the region to attract new investment and retain existing industries" given that they have remained vacant for over 5 decades despite being fully serviced and designated for employment.</p> <p>Note, although the Province's proposed mapping only shows a portion of the lands designated as PSEZ, the Region of Halton and City of Burlington have provided comments to include the balance of the lands in the PSEZ designation, as shown on Figure 4. We disagree with this recommendation.</p> |
| 3215-3259 and 3309 Appleby Line, Burlington (Figure 5) | No | Regional Commercial; Business Corridor | <p>These lands are adjacent to an existing residential community, environmental protection area and a utility corridor. They are not ideal for redevelopment into an employment-only area. Furthermore, 3215-3259 Appleby Line is already developed with a new commercial plaza. These lands also abut an existing Lowe's hardware store. As such, these lands should not be restricted in the PSEZ designation and should be allowed to develop with a more diverse mix of land uses that are compatible with the existing commercial presence and adjacent residential uses.</p> <p>Note that the Province did not apply the PSEZ designation to these lands in the proposed draft mapping. However, the Region of Halton and City of Burlington have provided comments</p> |

| Site Address | MTSA (within 800 m) | Municipal Official Plan Designation | Rationale for Removal |
|---|---------------------|---|---|
| | | | to the Province to include these lands in the PSEZ. We disagree with this recommendation. |
| East Side of Eighth Line at Iroquois Shores Road, Oakville (Figure 6) | No | Business Commercial (with special exception permitting large format retail and retail warehouses) | The current Official Plan designation permits a range of commercial uses, including hotel, convenience retail, service commercial, motor vehicle related uses and restaurants. The intent of this designation is to support the surrounding employment uses as well as serve the travelling public. The site has been specifically designated in the Official Plan to support the existing surrounding employment area which has also been reflected in the zoning for the property. Thus it should not be included in the PSEZ as an employment only site. |

We also recommend the following policy modifications to Amendment No. 1 related to employment areas and MTSA:

Table 2: Proposed Changes to Amendment No. 1.

| Policy Reference (using proposed new numbering) | Proposed Modification | Explanation |
|---|--|--|
| NEW Policy | <p>ADD a new policy following Policy 2.2.5.9 which states:</p> <p><i>“Notwithstanding Policy 2.2.5.9, the conversion of lands within employment areas to non-employment uses may be permitted within a Major Transit Station Area (MTSA) outside of a Municipal Comprehensive Review”.</i></p> | <p>The addition of this policy would allow for flexibility within a MTSA to allow for proposals to come forward outside of an MCR.</p> <p>The proposed policy would allow development within a MTSA to fully utilize transit investments made by the Province and municipalities by allowing a mix of uses at transit supportive densities.</p> <p>We understand there is a need for employment within Major Transit Station Areas. However, not allowing the flexibility of providing residential uses (along with the employment uses including retail and institutional uses) within these areas will not meet the intent of this Plan in achieving complete communities at a municipal level</p> |

| | | |
|------------------------------------|---|--|
| | | and result in an underutilization of transit investments. |
| Policy 2.2.5.10 a) (as amended) | AMEND policy 2.2.5.10 to read: <i>“Notwithstanding policy 2.2.5.9 or Policy 2.2.5.X, until the next municipal comprehensive review, lands within existing employment areas may be converted to a designation that permits non-employment uses, provided the conversion would:</i> <i>a) satisfy the requirements of policy 2.2.5.9 a), d) and e); and, policy 2.2.5.X</i> | The addition of wording to policy 2.2.5.10 is to recognize our recommendation for additional policy above for sites within a MTSA. |
| Policy 2.2.5.10 b) | This policy should be revised to read: <i>“...maintain the same potential number of jobs as existed on those lands when the conversion was officially requested. In the case of lands that did not contain any jobs on the date the conversion was requested, the number of jobs to be maintained on the lands shall be approximated based on the average number of jobs that could have been reasonably accommodated on the lands given the list of permitted uses provided in the Official Plan.</i> | In the Province’s current draft of the proposed amendment, it is unclear what is meant by “maintain a significant number of jobs” and how this is to be calculated, particularly in the case of lands that are vacant or derelict (which tend to be the target of conversion). The proposed policy provides a clearer explanation of how many jobs must be maintained and how this is to be calculated. |
| Add New Definition | Add a definition of “jobs”. We recommend the following wording which is found in the Province’s Land Needs Assessment Methodology for the Greater Golden Horseshoe <i>“A job shall mean all work place status types, including those with no fixed place of work and those who work at home; and all industry types including retail, industrial and service jobs, regardless of location”</i> | This definition is required to facilitate the policy above. It is important to recognize that Ontario’s economy is a modern, serviced-based economy with job types that may not always conform to historical definitions used to describe employment in traditional industries. |

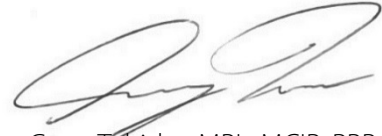
We appreciate the opportunity to provide comments on behalf of Penta Properties Inc. on the draft policy as the Province works to improve the Provincial policy framework. Please do not hesitate to contact us should you have any questions or would like to further discuss our recommendations.

Yours truly,

MHBC

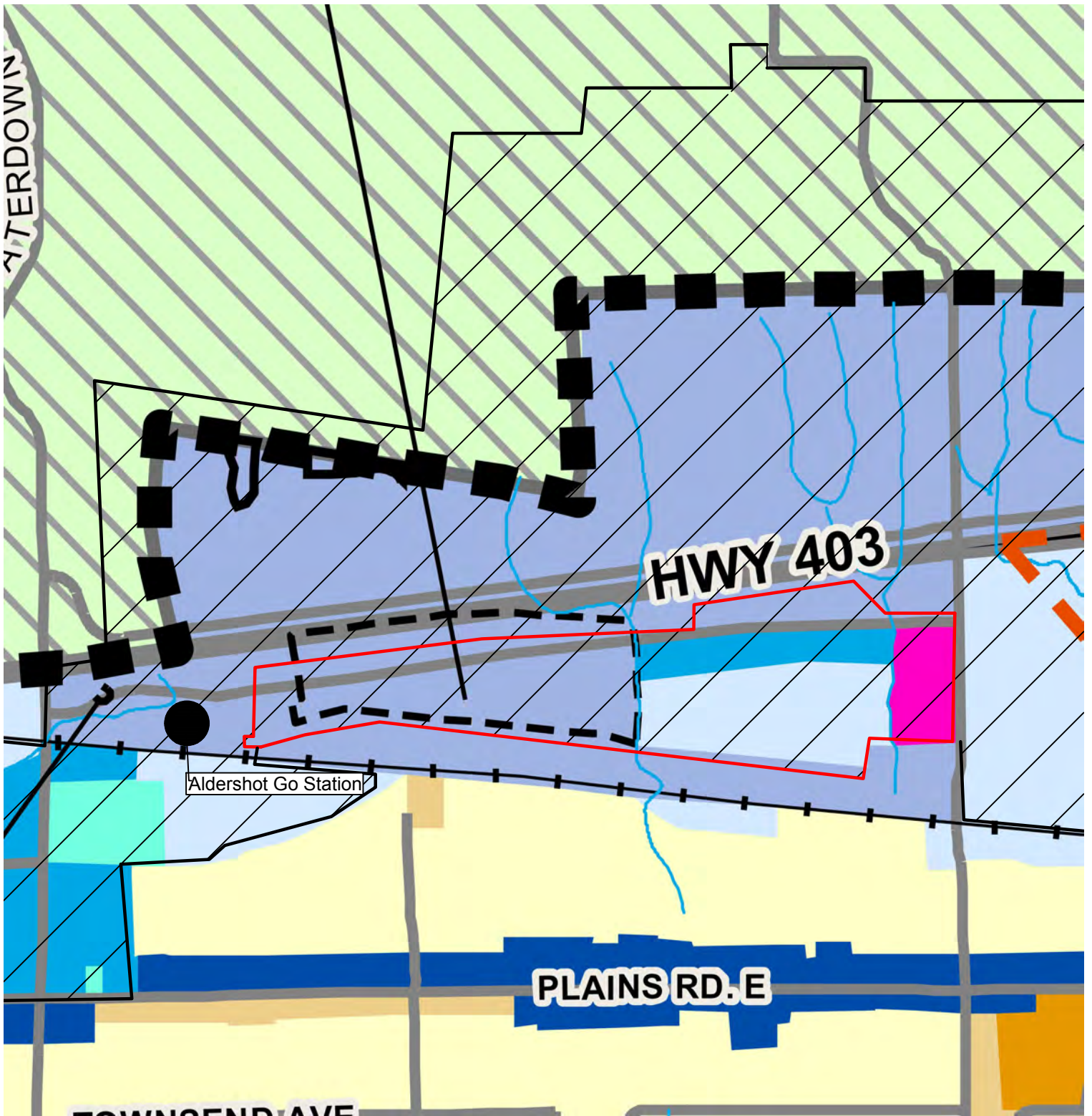


Dana Anderson, MA, FCIP, RPP
Partner



Gerry Tchisler, MPL, MCIP, RPP
Associate

cc: Allyson Switzman, Ministry of Municipal Affairs, College Park 23rd Flr Suite 2304, 777 Bay St, Toronto, ON M5G 2E5



Data Source: City of Burlington Official Plan- Land Use

Figure 1
City of Burlington
Official Plan
Schedule B:
 Land Use with Employment
 Areas Overlay

1200 King Road
Burlington, Ontario

LEGEND

Subject Lands

Proposed Provincially Significant Employment Zones

Business Corridor

Residential-High Density

General Employment

Mixed Use Corridor- General

Residential - Low Density

Residential- Medium Density

Greenlands

Parkway Belt Plan Area

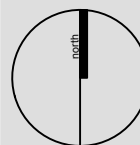
Employment Commercial

Mixed Use Corridor-
Employment
Watercourses

Urban Planning Area
Boundary

DATE: February 22, 2019

SCALE N.T.S



N:\1886\1886-D - Bronte Creek Meadows Redevelopment\Figures\CAD\1886\0.dwg


MHBC PLANNING
 URBAN DESIGN
 & LANDSCAPE
 ARCHITECTURE
 442 BRANT STREET BURLINGTON, ON, L7R 2G4
 P: 905 639 8686 F: 905 761 5589 | WWW.MHBCPLAN.COM



Data Source: First Base Solutions Aerial Flown 2016

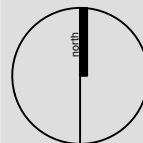
**Figure 1A
Location Map**

LEGEND

 Subject Lands

DATE: February 25, 2019

SCALE N.T.S

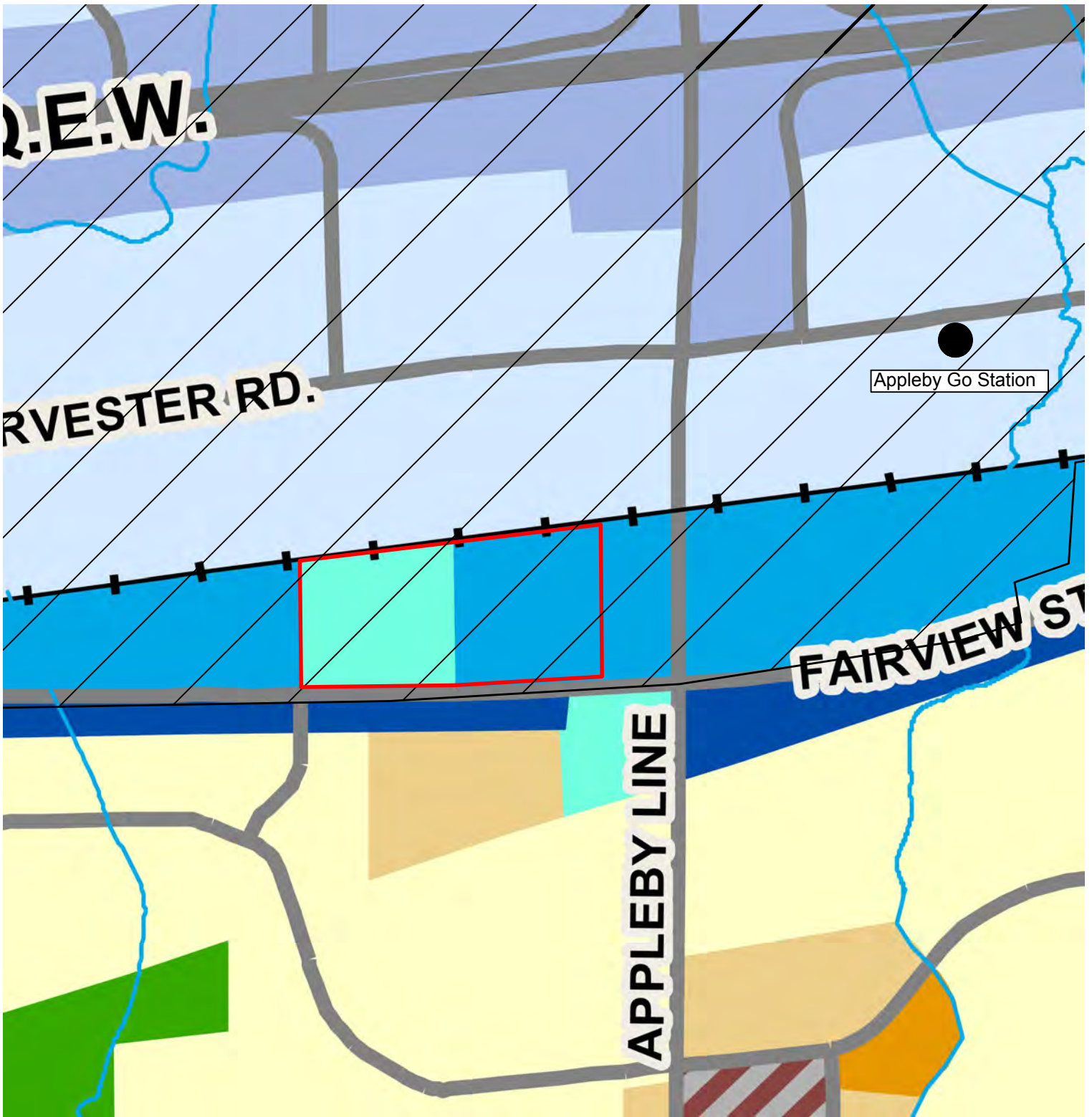


**1200 King Road,
Burlington, Ontario**

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MHBC PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE
442 BRANT STREET BURLINGTON, ON. L7R 2G4
P: 905 639 8686 F: 905 761 5589 | WWW.MHBCPLAN.COM



Data Source: City of Burlington Official Plan- Land Use

Figure 3
City of Burlington
Official Plan
Schedule B:
 Land Use with Employment
 Areas Overlay

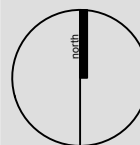
4445 and 4415 Fairview
 Street,
 Burlington, Ontario

LEGEND

- | | | |
|--|-----------------------------|--------------------------------|
| Subject Lands | Mixed Use Corridor- General | Major Parks and Open Space |
| Proposed Provincially Significant Employment Zones | Residential - Low Density | Mixed Use Corridor- Employment |
| Business Corridor | Residential- Medium Density | Watercourses |
| General Employment | Residential- High Density | |

DATE: February 25, 2019

SCALE N.T.S



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MHBC PLANNING
 URBAN DESIGN
 & LANDSCAPE
 ARCHITECTURE
 442 BRANT STREET BURLINGTON, ON. L7R 2G4
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Data Source: First Base Solutions Aerial Flown 2016

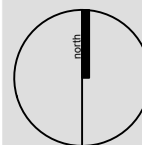
**Figure 2A
Location Map**

LEGEND

 Subject Lands

DATE: February 25, 2019

SCALE N.T.S



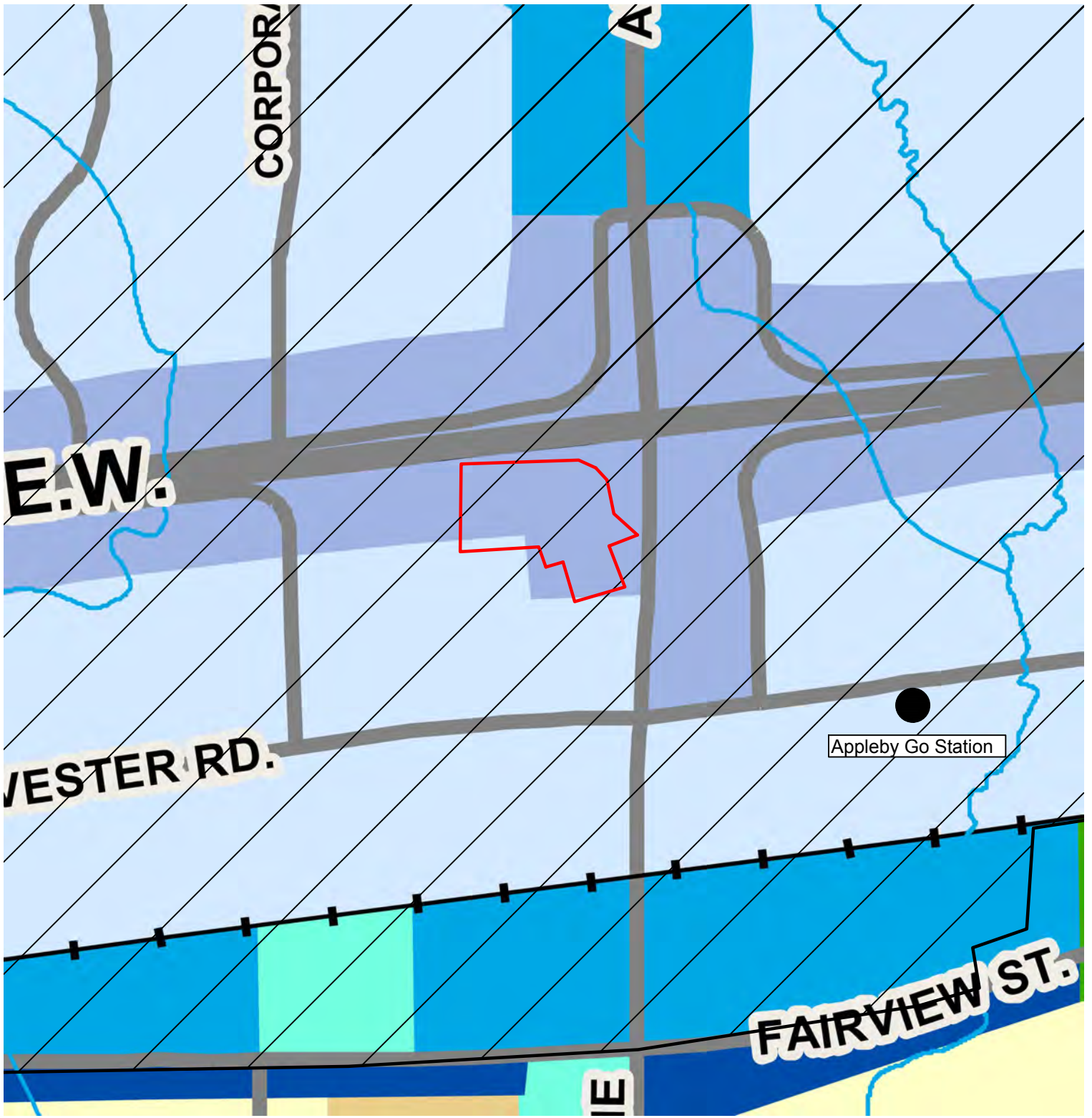
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**4445 and 4415 Fairview
Street,
Burlington, Ontario**



**PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE**











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Data Source: City of Burlington Official Plan- Land Use

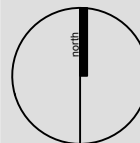
Figure 3
City of Burlington
Official Plan
Schedule B:
 Land Use with Employment
 Areas Overlay

LEGEND

- | | | |
|--|---|---|
|  Subject Lands |  Mixed Use Corridor- General |  Major Parks and Open Space |
|  Proposed Provincially Significant Employment Zones |  Residential - Low Density |  Mixed Use Corridor-Employment |
|  Business Corridor |  Residential- Medium Density |  Watercourses |
|  General Employment |  Residential-High Density | |

DATE: February 22, 2019

SCALE N.T.S



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4480 & 4450 Paletta Court
 Burlington, Ontario


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Data Source: First Base Solutions Aerial Flown 2016

**Figure 3A
Location Map**

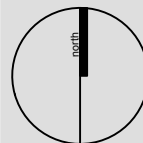
LEGEND

 Subject Lands

**4480 & 4450 Paletta
Court,
Burlington, Ontario**

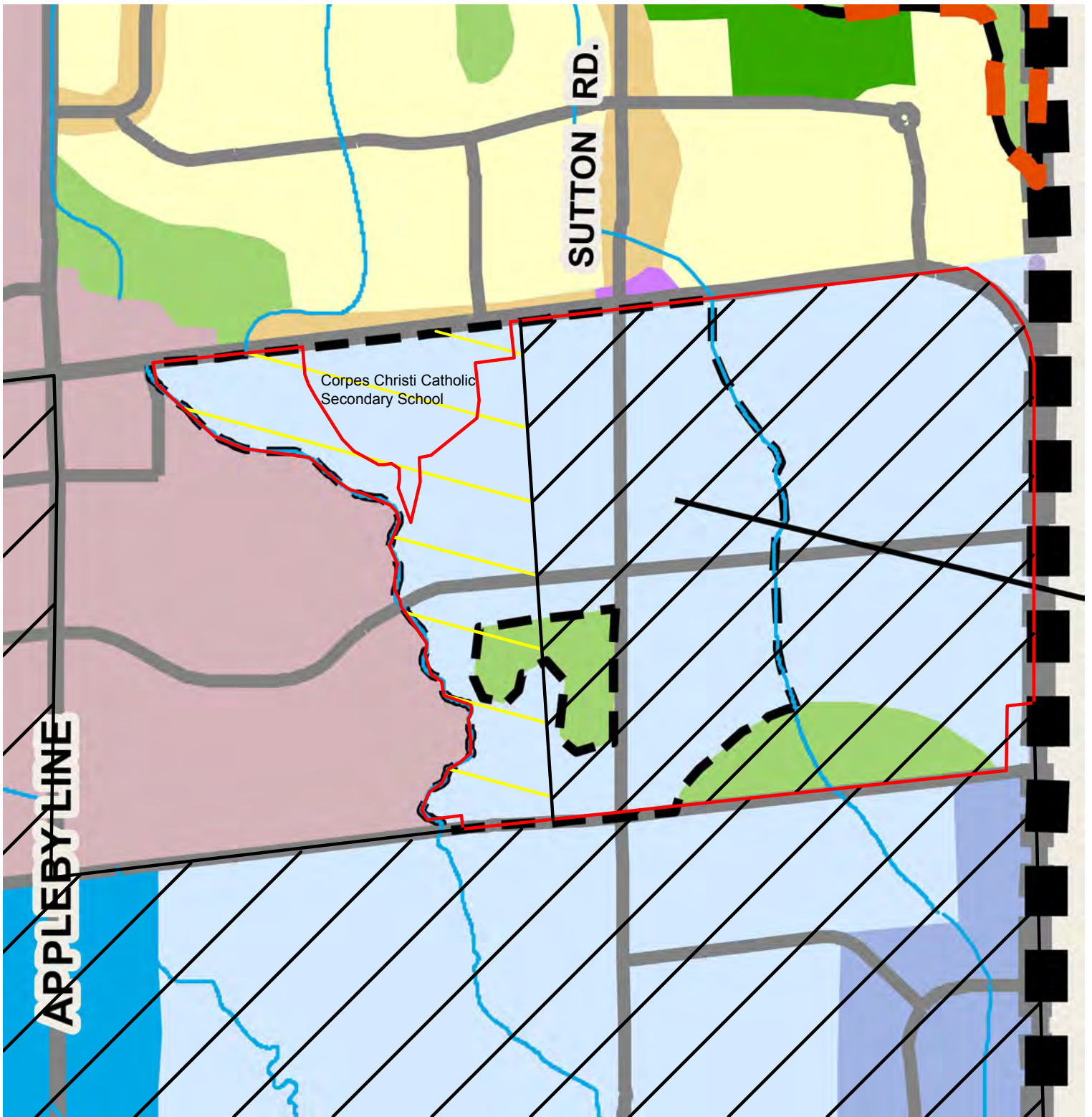
DATE: February 25, 2019

SCALE N.T.S



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Data Source: City of Burlington Official Plan- Land Use

Figure 2
City of Burlington
Official Plan
Schedule B:
Land Use with Employment

Areas Overlay
5164, 5366, 5470, 5900
Upper Middle Rd and
5201 Mainway
Burlington, Ontario

LEGEND

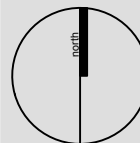
- Subject Lands
- Additional Provincially Significant Employment Zones Proposed by Region of Halton
- Proposed Provincially Significant Employment Zones
- Business Corridor
- Mixed-Use Centre

- General Employment
- Major Parks and Open Space
- Residential - Low Density
- Residential- Medium Density
- Greenland

- Parkway Belt Plan Area
- Neighbourhood Commercial
- Urban Corridor - Employment Lands
- Watercourses
- Urban Planning Area Boundary

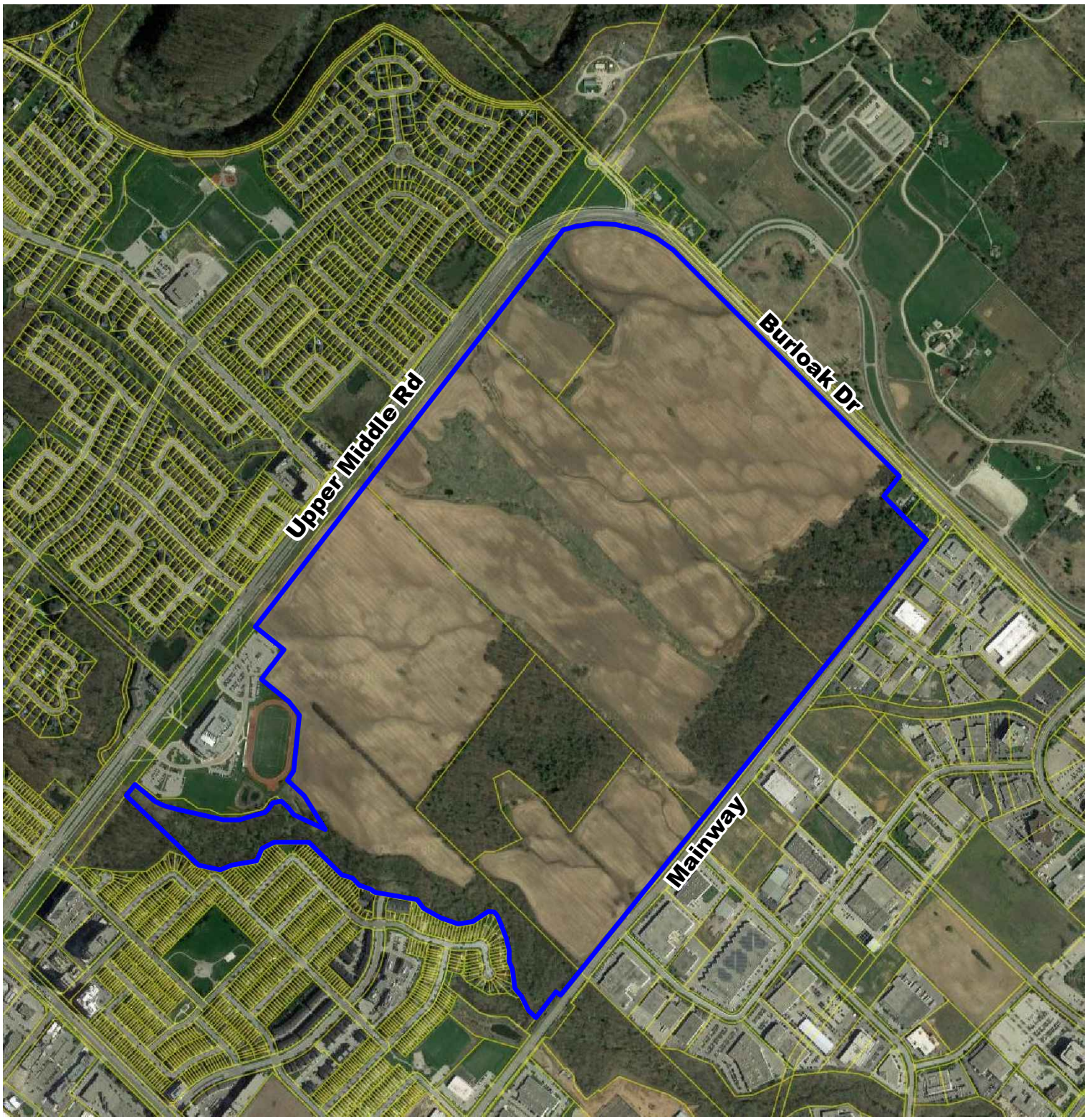
DATE: February 22, 2019

SCALE N.T.S



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Data Source: First Base Solutions Aerial Flown 2016

Figure 4A Location Map

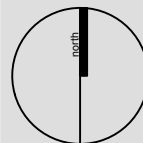
LEGEND

 Subject Lands

**5164, 5366, 5470, 5900
Upper Middle Rd and
5201 Mainway
Burlington, Ontario**

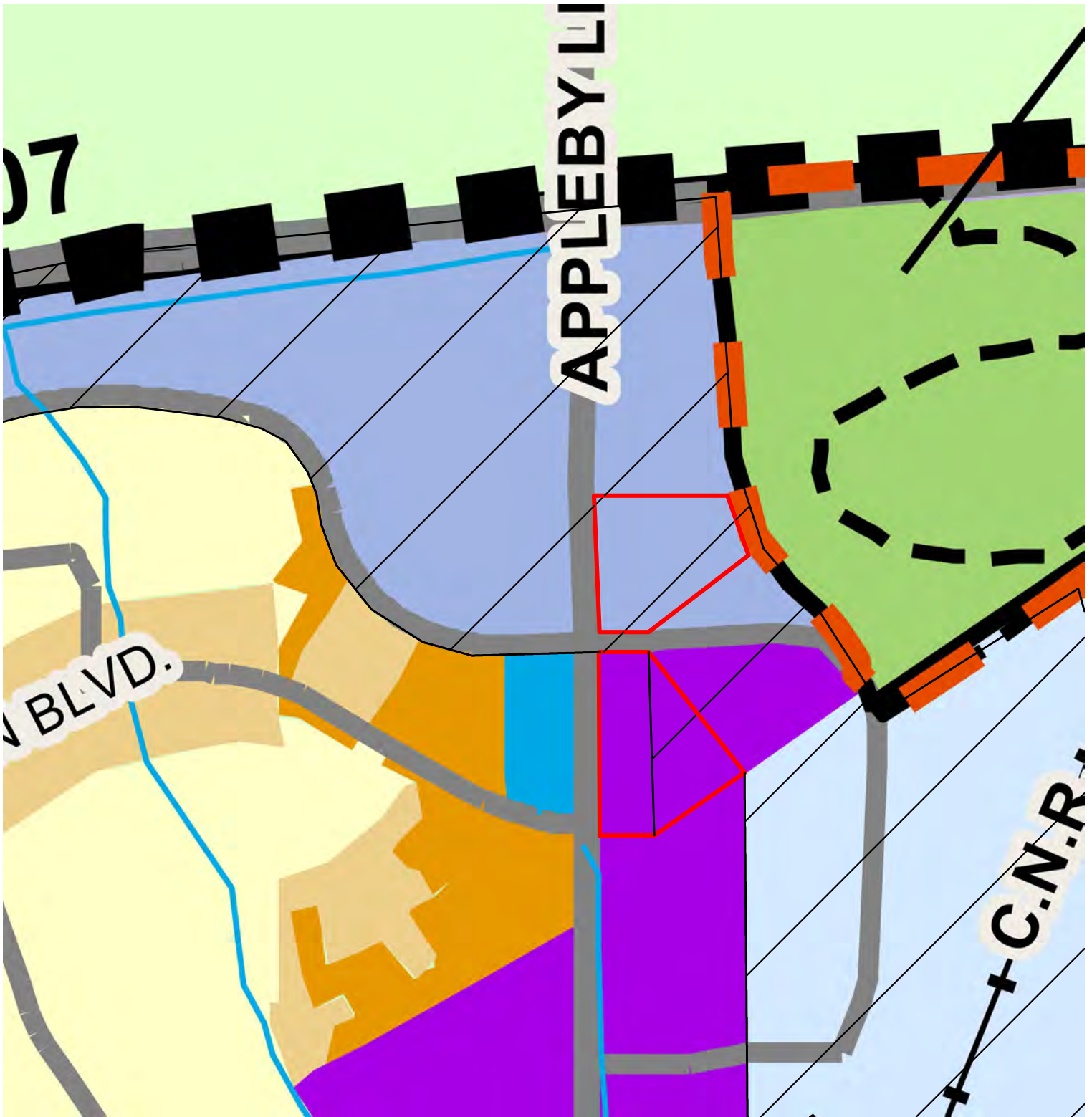
DATE: February 5, 2019

SCALE N.T.S



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Data Source: City of Burlington Official Plan- Land Use

Figure 5
City of Burlington
Official Plan
Schedule B:
 Land Use with Employment
 Areas Overlay

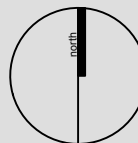
3215-3259 & 3309
Appleby Line,
Burlington, Ontario

LEGEND

- Subject Lands
- Provincially Significant
- Employment Zone Proposed by Region of Halton
- Business Corridor
- Residential-High Density
- General Employment
- Regional Commercial
- Residential - Low Density
- Residential- Medium Density
- Greenlands
- Parkway Belt Plan Area
- Major Parks and Open Space
- Mixed Use Corridor-Employment
- Watercourses
- Urban Planning Area Boundary

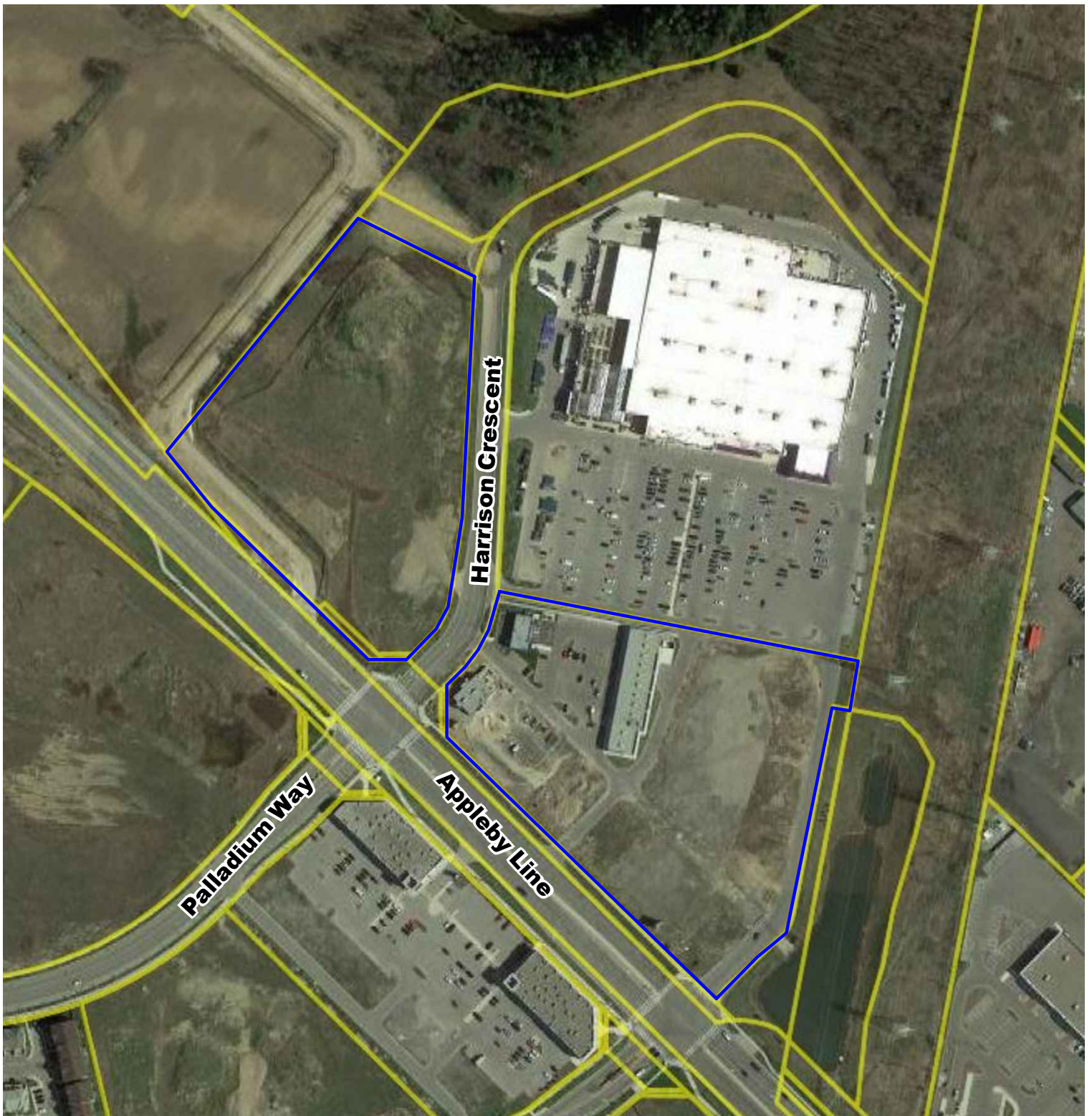
DATE: February 25, 2019

SCALE N.T.S



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Data Source: First Base Solutions Aerial Flown 2016

**Figure 5A
Location Map**

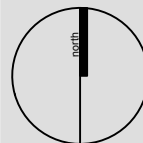
LEGEND

 Subject Lands

**3215-3309 Appleby
Line,
Burlington, Ontario**

DATE: February 25, 2019

SCALE N.T.S



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Data Source: Town of Oakville Official Plan- Land Use

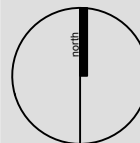
Figure 6
Town of Oakville
Official Plan
Schedule J:
 Land Use with Employment
 Areas Overlay

LEGEND

- Subject Lands
- Proposed Provincially Significant Employment Zones
- Industrial
- Business Employment
- Business Commercial
- Schedule Area Boundary

DATE: February 25, 2019

SCALE N.T.S



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1099 Eighth Line,
 Oakville, Ontario


MHBC PLANNING
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Data Source: First Base Solutions Aerial Flown 2016

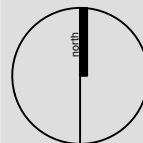
Figure 6A Location Map

LEGEND

 Subject Lands

DATE: February 25, 2019

SCALE N.T.S



1099 Eighth Line,
Oakville, Ontario

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Minutes

1886A – Meeting with Region of Halton re: Penta Properties Employment Conversions

Date: April 13, 2021

Time: 10:00 am

Location: Zoom Meeting

Attendees: Owen McCabe (Region of Halton)
Elizabeth Cunningham (Region of Halton)
Dana Anderson (MHBC)
Gerry Tchisler (MHBC)

It should be noted that we asked a number of the specific questions set out below but the Regional staff deferred in many cases to their responses in the report and did not answer most of the questions. Questions we asked and our comments are in **bold**.

| | | Comments |
|----|--------------------------|--|
| 1. | Introduction | <ul style="list-style-type: none"> Dana provided introduction and summary of MHBC request letter dated August 2020. Penta is seeking recognition of a broader range of uses on its lands as well as the introduction of residential land uses in some cases. |
| 2. | General Questions | <p>Has the Region completed an assessment of the MTSA's in terms of land use and target densities? How is it achieving the 60% jobs in Appleby? And 25% in Aldershot with 75% residential?</p> <p>Work has been done but is not public yet.</p> <p>What is the employment density to be provided for employment within the MTSA's and in the balance of the employment lands?</p> <p>They don't have that - again work still being done.</p> |

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| | | <p>What study of MOECC compliance was done to assess separation distances for sensitive land uses in any of the MTSA's?</p> <p>Yes, they looked at this but did not report on it.</p> <p>Based on the current conversions, what is the employment land area retained, job number and how does that relate to the 2051 growth requirements? Where is that data?</p> <p>What studies have been done to classify employment uses and are the current local plans consistent with the Region's definition? If not, is the Region intending to restrict uses permitted in current local plans or allow for flexibility to recognize the significant shifts in "employment and the market"?</p> <p>Vague response that work is being done by Hemson and further policy work on uses to be done and there is a White Paper coming.</p> |
| 3. | General Comments | <ul style="list-style-type: none"> • Region noted there has been some study of commercial uses within employment areas given the trends towards more mixed use development (flagged in section 2.4 of IGMS discussion paper). <ul style="list-style-type: none"> ○ This will be further considered during the implementation stage of their work (Phase 3) ○ Speers Road example - Oakville initially requested an area along Speers Road to be removed from employment overlay because arterial commercial designation applied locally but were ultimately satisfied that there would be changes to the Region's policy work to address additional commercial uses in order to retain their arterial commercial designation at the local level. ○ This may be applicable to Fairview Street and the Appleby MTSA however it will come after the fact • Region has relied on Hemson and work done by City mobility hub studies regarding density targets and land use assumptions for MTSA's. However, this level of detail has not been included in the discussion papers and is not public but will likely come out as growth concepts are developed further. • Staff weren't certain on the employment density targets between MTSA's and designated greenfield during the call but noted more work still to come on this. • MOECC compliance certificates were considered during the Region's analysis of MTSA's, including Sofina. This isn't summarized in the Region's reporting but they say it informed their work. • Current LNA work shows the outcomes for the different growth concepts in terms of employment lands required and job numbers. |

| | | |
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| | | <ul style="list-style-type: none"> • There has been some discussion regarding the strategic employment area boundaries – Strategy Corp has prepared a study for Council which will be presented on April 21. |
| 4. | 1200 King Road | <p>Why is one half of the land supported and one half not?</p> <p>City supported west half other half does not meet criteria.</p> <p>Region’s assessment is that given the site’s context, “the conversion would have the potential to adversely impact the overall supply of employment lands or the ability to achieve employment targets by 2051.”</p> <ol style="list-style-type: none"> a. Can you elaborate? What does the context in this situation have to do with overall supply? <ol style="list-style-type: none"> i. The act of converting lands from employment lands to non-employment inherently reduces overall supply. ii. Conversion to non-employment uses would not impact any nearby employment uses given that they are separated by a rail line to the south and the highway corridor to the north. Employment uses to the east along King Road can be buffered by commercial uses along that frontage. So how does context adversely impact supply? <p>Response statement is based on cumulative impact of all the small sites being converted. No actual evidence.</p> <p>Region’s assessment says the need for the conversion has not been identified on the basis of a strategic need to support urban structure or on the basis of site specific conditions.</p> <p style="padding-left: 40px;">The strategic need is to support the development of the Aldershot GO Station MTSA which will be directly connected to the station area by what of the abutting westerly lands that have been recommended for conversion.</p> <p>No response to this question. Just referred to criteria.</p> <p>Region’s comment says “The subject lands are not on the periphery of the Regional Employment Area. There are other existing employment uses within the Regional Employment Area on the north and east sides of the subject lands. If the subject lands were converted, this would have the effect of creating an illogical boundary for the Regional Employment Area, introducing the potential for compatibility issues, and undermine the long-term stability and viability of a significant component of the contiguous Regional Employment Area here.”</p> |

This is not correct – the site is indeed on the periphery. Furthermore, it’s separated from other employment uses by a rail line, highway corridor and collector? road (King Road).

What is an “illogical” boundary? Aren’t rail lines, highway corridors and collector roads common features along which boundaries are drawn, especially when there’s no established relationships with the subject lands and surrounding lands?

The features mentioned above act as buffers and provide separation distance between existing employment areas and the subject lands. Compatibility to future sensitive uses on the subject lands can also be achieved on site through intervening land uses.

Again no response other than they applied the criteria and the east half does not meet the criteria

No issues were identified under the General Considerations criteria of the assessment but an “X” was placed in the compliance column. Why is the issue here?

Does not mean there is no issue just that it is not applicable.

The lands on the western edge of the Aldershot go (also within 800 metres – some greater and separated by an arterial road (B—02, B-13, B-10 and B-14) – are all supported for conversion – how are these lands any different? They are in the PSEZ? Our lands are not?

According the Region again, City supported these sites and different assessment based on criteria.

What does further analysis of the western half of 1200 King mean? Why is further analysis on the eastern half not included?

The western portion is recommended for inclusion because it’s within the Aldershot MTSA. It has a closer relationship to the MTSA and that’s why it’s treated differently from the eastern portion. Also, conversion of the western portion is supported by the City.

Staff would like additional information on the NHS / PSW issue that is affecting the western portion of this site. This is why the report refer to this part as subject to “further analysis”.

The request for the eastern half was noted as not complying with the General Consideration criteria because the City has not indicated support for the

| | | |
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| | | conversion during their discussions with the Region or through any minutes of settlement. |
| 5. | 3309 Harrison Court | <p>We reiterated that the proposed use for the conversion would be commercial which is not a sensitive land use. The property to the north can also be converted to make a contiguous commercial node on the east side of Appleby Line. If it is not converted, it can still be used for employment uses – particularly office which would benefit from the highway visibility and abutting commercial uses.</p> <p>The Region’s assessment notes that the subject lands function as part of the supply that can accommodate certain type of uses? What are these?</p> <p>When asked what the Region meant when it wrote that these lands can accommodate “certain types of uses”, staff replied that they were trying to signify at a high level that there are types of employment uses that are located in these types of employment areas like typical manufacturing uses – and the land can be used for these employment uses.</p> <p>How is there strategic location different that B-08 or B-09 or O-10 or O-13?</p> <p>This location was noted as being strategic because it’s adjacent to a major highway facility.</p> <p>How does the conversion of a 2-hectare parcel negatively <u>impact</u> the Region’s overall <u>land supply</u> for industrial uses – or 2051 job targets? Is there a study/evidence base which confirms this? Did the Region undertake a feasibility assessment of how this parcel, and its removal from the land supply, would <u>impact</u> the employment area <u>function</u>? Does it assume it will remain vacant? How does a continued vacant parcel not undermine the overall Regional employment strategy but an employment generating use does?</p> <p>Again the Region notes cumulative impact. When asked what evidence the Region has to stated the conversion will negatively impact the overall Regional employment area and viability, the Region takes a precautionary approach when commenting that a conversion will have a negative impact on the Region’s overall land supply and makes this determination based on the cumulative impact of the conversion of such smaller sites throughout the Region.</p> <p>Given that hydro corridors and creeks do not constitute employment areas, should the Harrison Crescent conversion request be reconsidered</p> |

| | | |
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| | | <p>given that the <u>creek and hydro corridor form a barrier</u> to the ‘contiguous’ area argument claimed by the Region?</p> <p>What constitutes lands ‘on the periphery’ of an employment area? Harrison Crescent is situated on the ‘periphery’ of the employment area and should be reconsidered on that basis. Harrison Crescent is bounded by a creek to the east and by the Hwy 407 on-ramp to the north. A hydro corridor is located immediately south of the Harrison Crescent lots. Retail/commercial uses represent existing land uses along all of Harrison Crescent.</p> <p>Although we illustrated how the site is on the periphery and connected to the commercial area as part of the current context, the Region stated that it can still support permitted employment uses.</p> <p>Regarding lack of demonstrated need – site specific conditions make the land desirable for commercial development given abutting commercial uses and proximity to residential uses. Has the Region assessed the commercial land needs for growth and if so where and how is commercial land use to be provided other than mixed use ground floor space? How can service commercial uses be accommodated in mixed use buildings?</p> <p>Again the Region is relying on some future study of employment uses to address this. They would not agree that leaving the site vacant is more impactful to Regional employment needs than permitting commercial uses.</p> <p>The conversion of the Lowe’s site across the road is being supported because it’s an existing commercial site</p> <p>The Region acknowledged that once the Lowe’s is converted, the contiguity context will change.</p> <p>There is still an opportunity for staff to reassess these conversion requests and change their recommendations – the purpose of these meetings is to determine if anything was missed during staff’s initial review.</p> |
| 6. | 4450 & 4480 Paletta Court | <p>Regarding employment area viability - the intent of this request if not to necessarily introduce sensitive land uses, it is to allow for greater flexibility to plan for the Appleby GO MTSA at the local level as part of future master planning / secondary planning processes. In fact, the conversion will contribute to the viability of the area by introducing uses that support existing business and employees in the area.</p> <p>What are the “certain types of uses” to be accommodated?</p> <p>Same answer as above.</p> |

How does conversion to commercial uses adversely impact the overall supply of employment lands and the ability to achieve the 2051 targets – is there a feasibility assessment that was completed to assess what the impact would be?

Same answer as above.

What is the planned function of this area in proximity to the MTSA? Is it encouraged to remain industrial?

These properties are right in the middle of the employment area so the Region cannot support the conversion. They need to remain employment.

Under “A Place to Grow,” the definition of Provincially Significant Employment Zone (PSEZ) areas states that these zones can consist of employment areas and mixed-use areas that contain a significant number of jobs. A Place to Grow also permits a conversion of lands within an employment area if they are within a delineated MTSA 2.2.5.10. (c).

Paletta Court requested a conversion to permit a mix of uses given that the lands are located within the proposed delineated MTSA boundary and are on the ‘periphery’ of an employment area with the lands being bounded by major roads along the eastern and northern edges.

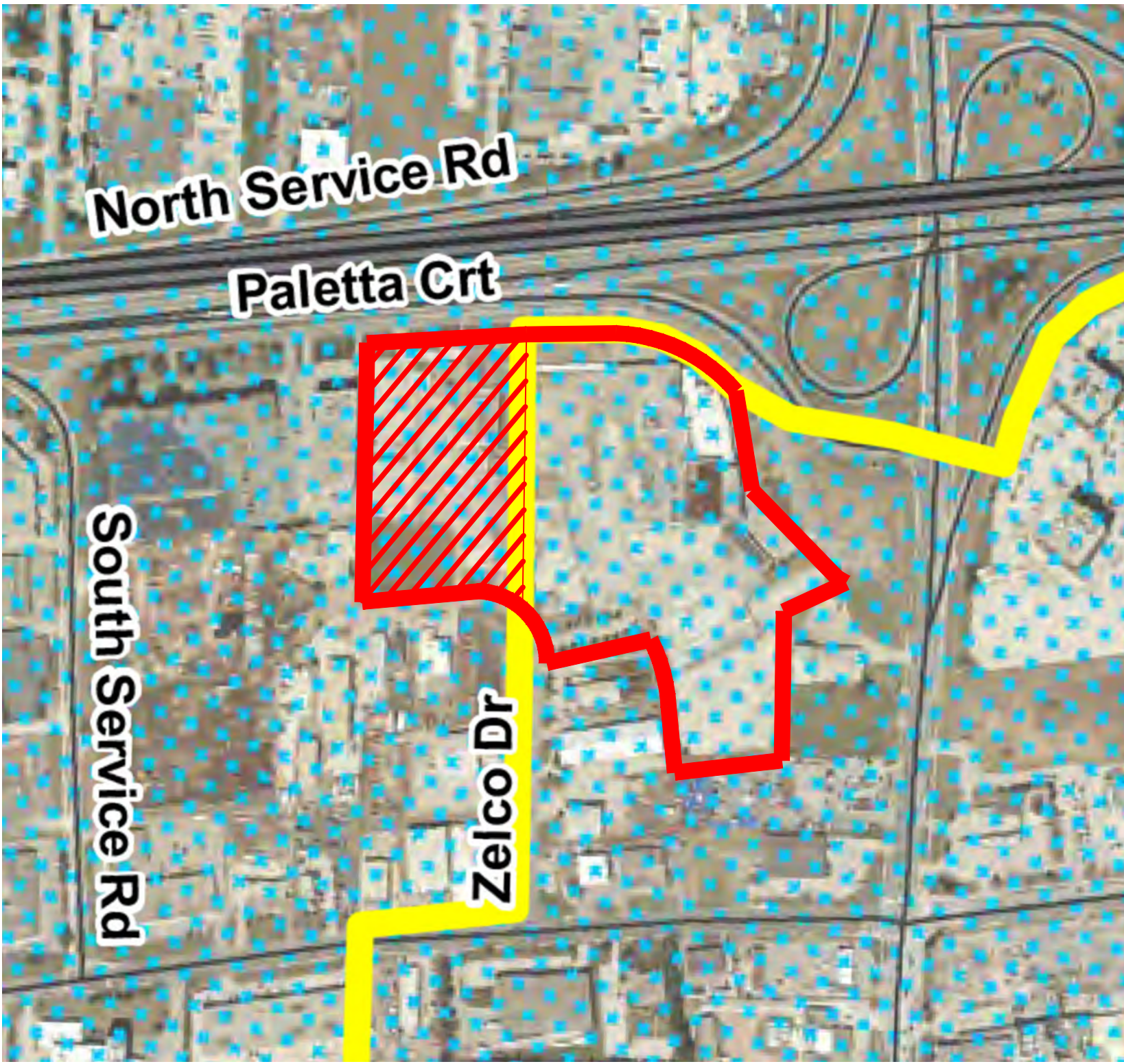
While being on the periphery was identified by the Region as a requirement for conversion in the other EC request, the Region then stated that the removal of Paletta Court would represent the creation of an ‘illogical’ boundary. Yet the request is to reflect the inclusion of a portion of the lands within the Appleby GO MTSA as permitted by A Place to Grow.

What is the logic behind the MTSA boundary as it may be claimed that the MTSA boundary is illogical given its proposed boundary alignments run through rear and side yard lot lines in the middle of ‘contiguous’ parcels of land within a subdivision?

Appleby MTSA has been treated a bit differently than the other MTSAs because the surrounding employment lands are considered very important to the Region. It is also being considered for a lower residential target and a higher employment target.

The Region is considering some permissive commercial policies for employment lands so there’s an opportunity to consider additional use permissions but will be dependent on Phase 3 work Proponents can provide additional commentary on ROPA 48 to advance this further.

| | | |
|----|----------------------------------|---|
| 7. | General Process Questions | <ul style="list-style-type: none"> • ROPA 48 public meetings to come in the next 1 – 2 months which will provide updated information on conversion requests. • Policy work is happening in tandem and the Region intends on having public consultations in the fall, followed by a release of the draft policies. • The preferred growth concepts will probably be released in the fall but that is a moving target. |
| 8. | Action items | <ul style="list-style-type: none"> • Consider follow up discussions or submission regarding 3309 Harrison Court. • Provide status update to Region regarding NHS / PSW work on the westerly portion of 1200 King Road • Consider providing additional comments on ROPA 48 regarding expanded commercial policies in employment areas. |







Appendix C

**REGIONAL OFFICIAL
PLAN AMENDMENT 48**

Appleby GO MTSA
Delineated Boundary -
Paletta Court

**4450 Paletta Court,
Burlington, Ontario**

- LEGEND**
-  Penta Lands
 -  4450 Paletta Court
 -  Major Transit Station Area (MTSA)
 -  Regional Employment Area

DATE: June 10, 2021

SCALE: N.T.S.



Data Source: FirstBase Solutions; Region of Halton