

September 9, 2024

Claire Champagne
Municipal Services Office - Central Ontario
Municipal Services Division
Ministry of Municipal Affairs & Housing

(Via Environmental Registry of Ontario submission portal)

Dear Ms. Champagne:

**Subject: Approval to amend a municipality's official plan
City of Burlington Official Plan Amendment No. 2
ERO Posting No.: 019-8978
MMAH File No.: 24-OP-249954**

In response to the Ministry's ERO Posting No. 019-8978, regarding the Official Plan Amendment No. 2 (OPA 2) to the City of Burlington's Official Plan, 2020, the City submits the following comments:

- The City is aware of a submission letter received by the Ministry regarding 2021, 2051 and 2081 Plains Road East and 1035 Brant Street, and another letter regarding 1026 Cooke Boulevard.
- Regarding the matter identified in the letter dated July 18, 2024 from MHBC Planning on behalf of Halton Standard Condominium Corporation No. 416 (registered landowner of 1026 Cooke Boulevard), the City is supportive of modifications outlined in Table 1 below that would address the landowner's concerns.
- City staff have identified opportunities to make minor modifications to Section 8.1.2(6) to clarify the land use compatibility policies of OPA 2.

The City respectfully requests that the following minor modifications be made to the adopted OPA as part of the Minister's decision on OPA 2 (next page):

Table 1 – Requested modifications to OPA 2

Section	Modification	Staff Rationale
Attachment 7 to OPA 2 – Table 4- Major Transit Station Area Right of Way Widths	Modify the Public Right of Way Width (metres) for Cooke Blvd from Plains Road to Masonry Court from 26m to 20m.	The majority of Cooke Boulevard is comprised of properties that are subject to in-process or recently approved development applications based on a 20m right of way. Development of the remaining sites along Cooke based on a 26m ROW width requirement would create an inconsistent ROW along the length of Cooke Boulevard. Due to the unique state of development along Cooke Boulevard, this reduced ROW width is proposed only apply to Cooke Boulevard and no other MTSA Connector Streets contemplated in OPA2.
Section 8.1.2(6) c)	Where proposed <i>development</i> contains <i>sensitive land uses</i> , a Land Use Compatibility Study <i>shall</i> be undertaken based on a Terms of Reference developed by the City. <u>Such a study</u> which may include, but is not limited to, the following:	Minor clarification edit.
8.1.2(6) d)	The City <i>shall</i> consult with operators or landowners of existing <i>major facilities</i> when preparing the <u>City's</u> Terms of Reference for a Land Use Compatibility Study.	Minor modification to provide clarity that the City will be preparing the Terms of Reference for a Land Use Compatibility Study.
New 8.1.2(6) e)	<u>The City's Terms of Reference for Land Use Compatibility Study shall be prepared by qualified professionals retained by the City.</u>	Modification and renumbering to clarify that the City's Terms of Reference for a Land Use Compatibility study is prepared by a qualified professional and that any Land Use Compatibility Study submitted as part of a development application would be peer reviewed.
New 8.1.2(6) f)	<u>A Land Use Compatibility Study submitted as part of a development application or Community Planning Permit application shall be subject to peer review by a qualified professional retained by the City at the applicant's expense.</u>	
8.1.2(6) g) (re-lettered from e))	e) g) Land use compatibility <u>Use Compatibility</u> Studies <i>shall</i> include engagement with existing industry landowners and the owners of lands with the potential for new <i>major facilities</i> including other vacant lands designated	To support modification above, the strikethrough text has been relocated to a subsection e) for clarity.

	for employment use and quantitative analysis to demonstrate compatibility with respect to air quality contaminants, odour, dust, noise and vibration. The <i>development</i> proponent of a <i>sensitive land use shall</i> share the Land Use Compatibility Study with the existing impacted industry landowner. The Terms of Reference for Land Use Compatibility Study shall be prepared by qualified professionals retained by the City and a peer review of such study will be carried out by a qualified professional retained by the City at the applicant's expense.	
	Reletter subsequent policies to 8.1.2(6) 8.1.2 g), accordingly.	Minor edit to support the above modifications.

City staff continue to be available to support MMAH staff with any necessary modifications to the OPA to address submissions received.

Regards,



Jamie Tellier, MCIP, RPP
Director, Community Planning
City of Burlington