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April 5, 2017

Refer to file: 867-004

Chair Marianne Meed Ward &  
Members of the Burlington Committee of the Whole  
City of Burlington  
426 Brant Street  
Burlington, ON

Attention: Chair and Members of the Committee of the Whole

**Re: April 6, 2017 Committee of the Whole Meeting**  
**Agenda Item 4.1: Release of draft New Official Plan**  
**3505 Dundas Street, Sundial Homes (Walkers Line) Ltd.**

We are the Planning Consultants to Sundial Homes (Walkers Line) Ltd, who owns approximately 31.8 hectares (78.6 acres) of draft approved subdivision (24T-03003/B) lands located north of Dundas Street and west of Walkers Line. We are in receipt of staff report PB-01-17 titled *Release of Draft New Official Plan for Community Consultation* and would like to thank the members of the Committee of the Whole for the opportunity to provide the following commentary.

This letter specifically pertains to the 0.86 hectare (2.1 acre) block located at the southwest corner of Palladium Way and Walkers Line within the draft approved subdivision (24T-03003/B) (herein referred to as the “subject parcel”). A locational map of the subject parcel is enclosed with this letter. As part of the City’s Municipal Comprehensive Review process, we submitted a request on behalf of our client for the conversion of the subject parcel from its current *Business Corridor* Official Plan land use designation to a designation that would permit residential uses. Specifically, we asked for an employment conversion to allow for a condominium townhouse development with a supporting planning rationale. We have been engaged with City staff throughout the Municipal Comprehensive Review process, and thank staff for their timely responses to our correspondence as well as their willingness to meet with us on multiple occasions. This includes our most recent meeting on April 4, 2017 to discuss our requested employment conversion and specifically the appropriateness of allowing for stand-alone medium density residential uses on the subject parcel, which the draft new Official Plan policies currently do not permit. We have enclosed our formal employment conversion request submission dated February 26, 2017 for reference.



We acknowledge and appreciate staff's support of non-employment uses on the subject parcel through the re-designation of the subject parcel from *Business Corridor* to *Local Centre* within the City's *Mixed-use Node/Intensification Area* in the City's draft new Official Plan. We understand that the proposed re-designation reflects recommendations provided by the City's Consultant (Dillion Consulting) in their report titled *Burlington Employment Lands Policy Recommendations and Conversion Analysis Report*, which was presented to the Committee of the Whole on October 6, 2016. In this report, Dillion Consulting recommended conversion of the subject parcel to non-employment uses based on the rationale that the subject parcel is of insufficient size to accommodate an employment use, will not have a significant impact on the City's employment land inventory and that non-employment uses on the subject parcel would be as compatible with the adjacent employment uses that exist to the north of the subject parcel as other surrounding uses in the area.

In reviewing the currently proposed *Mixed Use Node/Intensification Corridor* and *Local Centre* draft new Official Plan policies we note that the *Local Centre* land use designation permits a range of uses including retail and service commercial uses, motor vehicle service stations, residential dwellings in the upper storeys of retail/commercial buildings and office uses in the upper storeys of retail/commercial buildings. We also note that as outlined in section 8.1.3.1.2 v) of the draft new Official Plan, *Mixed Use Nodes* and *Intensification Corridors* shall ensure compatibility between adjacent land uses and in particular residential uses. While we are supportive of the proposed permitted uses in the *Local Centre* land use designation and associated development criteria in the context of providing appropriate interfaces between employment lands and other retail and service commercial uses, we are of the opinion that greater flexibility should be introduced to these policies to allow for more appropriate land use interface transitions between residential uses and *Local Centre* permitted uses. Specifically, we suggest that the City consider policies that would allow for stand-alone medium density residential uses adjacent to residential uses, on a site specific basis and where appropriate.

With regards to the subject parcel, we appreciate that the uses currently permitted in the *Local Centre* land use designation are appropriate to flank the road frontages along Palladium Way and Walkers Line in order to provide the desired transition from future employment uses to the north of the subject parcel and the Provincial Court House that has been approved for the north-east corner of Palladium Way and Walkers Line. However, we are of the opinion that stand-alone medium residential uses in the form of townhouses internal to the site are more compatible with the adjacent residential uses located in the draft approved subdivision south of the subject parcel. We recognize that the subject parcel is small and the amount of stand-alone medium density residential being requested is not significant however, it will provide for a better land use interface for the adjacent residential uses. Allowing for residential uses internal to the subject parcel will continue to provide the City with an



opportunity to achieve a mix of uses on the subject parcel and maintain the opportunity for employment uses.

In summary of the commentary provided above, we would like to request that staff and City Council consider more flexible Official Plan policies for the proposed *Local Centre* land use designation that would contemplate additional provisions for stand-alone medium density residential land uses adjacent to other residential uses, on a site specific basis and where appropriate. Instances where permitting stand-alone medium density residential could be appropriate include where mixed uses are maintained along road frontages adjacent to employment lands and retail and service commercial uses, where the amount of stand-alone medium density residential being requested is small and, where the stand-alone medium density residential being requested is adjacent to other residential uses. Allowing for this flexibility is consistent with the *Mixed Use Node/Intensification Corridor* policies in the draft new Official Plan which require development to be compatible with adjacent residential uses in terms of form and intensity. Specifically, we request that such a site specific permission for stand-alone medium density residential uses in the form of townhouses internal to the subject parcel be considered as part of any revisions to the City's draft new Official Plan that take place between now and the finalization of the new Official Plan, which is targeted for Q4 2017. We recognize that the intent of staff report PB-01-17 is to allow staff to engage with the public in order to receive feedback on the draft new Official Plan and as such we are pleased to continue to work with City staff and Council to further these discussions.

Once again, we would like to thank members of the Committee of the Whole for the opportunity to comment on staff report PB-01-17 titled *Release of Draft New Official Plan for Community Consultation* that will be considered at the April 6, 2017 Committee of the Whole meeting. If you have any questions or concerns, please do not hesitate to contact the undersigned.

Yours very truly,

GLEN SCHNARR & ASSOCIATES INC.

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Colin Chung, M.C.I.P., R.P.P.  
Partner



**GLEN SCHNARR & ASSOCIATES INC.**  
URBAN & REGIONAL PLANNERS, LAND DEVELOPMENT CONSULTANTS

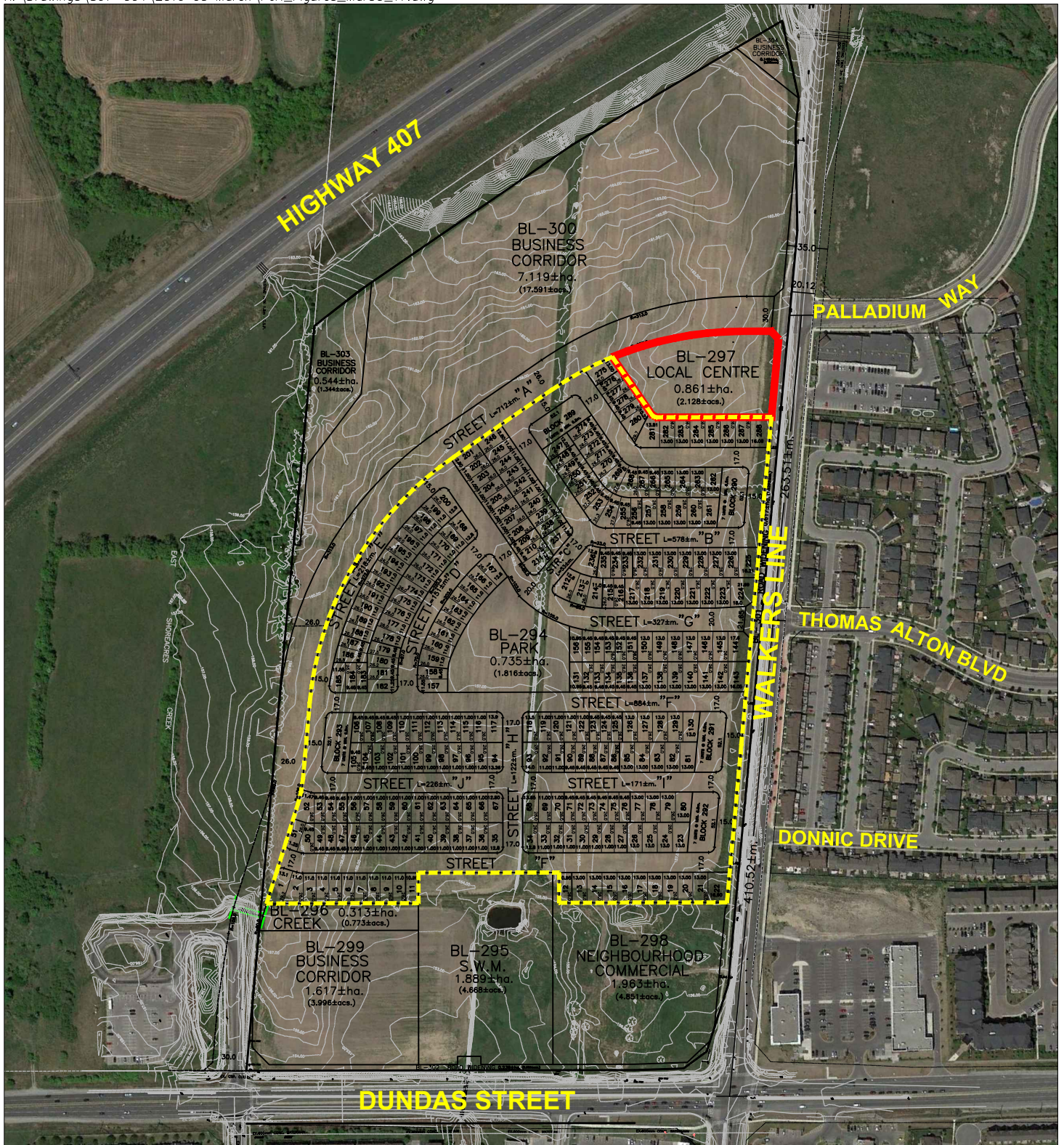
- c. Andrea Smith, Manager of Policy and Research, City of Burlington  
Alison Enns, Senior Planner, City of Burlington

Enclosed:

Attachment 1: Subject Parcel Locational Map

Attachment 2: Original Employment Conversion Request as prepared by Glen Schnarr & Associates Inc. dated February 26, 2017.

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# FIGURE 1

## AERIAL PLAN

- Subject Parcel
- Residential



Scale: N.T.S.  
March 30, 2017



**GLEN SCHNARR & ASSOCIATES INC.**  
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February 26, 2016

Our File: 867-004

City of Burlington  
Planning and Building Department  
426 Brant Street  
P.O. Box 5013  
Burlington, Ontario  
L7R 3Z6

Attention: Ms. Andrea Smith, Manager of Policy and Research

Dear Ms. Smith:

**RE: City's Comprehensive Review of the Official Plan  
Request for an Employment Land Conversion  
3505 Dundas Street, Sundial Homes (Walkers Line) Limited**

We are the Planning Consultant to Sundial Homes (Walker's Line) Limited (herein referred to as 'Sundial'), who owns approximately 31.8 hectares (78.6 acres) of draft approved subdivision (24T-03003/B) at the southwest quadrant of Highway 407 and Walker's Line.

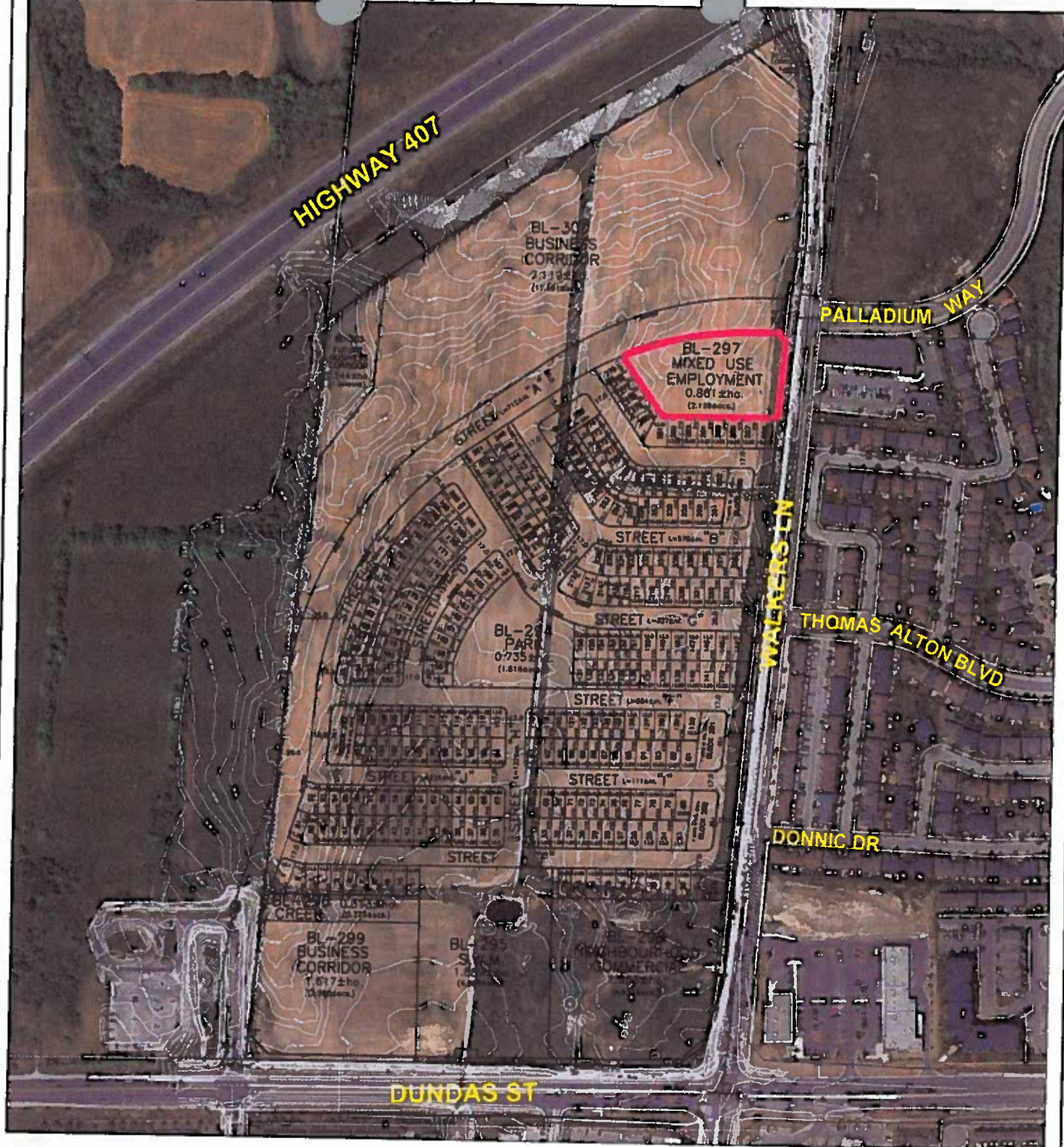
Our submission herein pertains to the 0.86 ha (2.1 acre) Mixed-Use Employment block (herein referred to as "the subject parcel") at the southwest corner of Palladium Way and Walker's Line, which is currently zoned BC1-319 (see Figure 1). We are seeking the City's consideration and support for converting this block of land from business corridor to residential uses.

**Section 1 – Description of the Subject Parcel:**

The subject parcel is bounded by planned and future residential to the south and west, existing residential opposite Walker's Line to the east and planned future business corridor opposite Palladium Way to the north.

Palladium Way is planned as the major access corridor for the existing and future industries on lands south of Highway 407. The lands north of Palladium Way within the Alton West Community are planned to provide employment uses whereas the lands south of Palladium Way have been planned as predominantly residential neighbourhoods.

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**FIGURE 1**  
**AERIAL PLAN**



Scale: N.T.S.  
February 24, 2016

■ Subject Property



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**Section 2 – Sundial’s Vision for Redevelopment of the Subject Parcel:**

Our client is envisioning condominium townhouses as an appropriate land use for the subject parcel that would be complementary to the already approved and planned community in their subdivision. The proposed townhouse development by Sundial is considered as an employment land conversion in the Provincial Policy Statement and in the Places to Growth Plan. It is our opinion that our client’s desired townhouse development would be an ideal candidate site for the City’s consideration for employment conversion for the following reasons:

- i) The subject parcel being approximately 0.86 ha (2.1 acres) in size is too small and constrained to attract viable industrial uses permitted under the BC1 zone such as transportation equipment industry, food processing and manufacturing industries, storage and warehousing, textile operations, wholesale building and construction operations, etc. It is more likely that a site of this size would attract more non-industrial uses permitted in the BC1 zoning such as a restaurant, motor vehicle service station or motor vehicle repair garage, which are not the intended industries that the City contemplated as being the ideal use of the subject parcel;
- ii) Any industrial uses permitted in the BC1 zone would create land use conflicts and/or interface issues with the already planned and approved residential neighbourhood to the south of the subject parcel;
- iii) The proximity of the subject parcel to the intersection of Palladium Way and Walker’s Line creates access issues for any industrial development in terms of truck and vehicular movement on Palladium Way;
- iv) Residential townhouse development achieves other Provincial, Regional and City vision for intensification within the Built Boundary;
- v) Residential townhouse development achieves similar opportunity for development charge revenues, municipal tax assessment and building permit/planning application fee revenues as compared to any industrial development;
- vi) Residential townhouse development can be designed to achieve desirable gateway function at Palladium Way and Walker’s Line in keeping with the City’s Official Plan and strategic vision objectives;
- vii) Residential townhouse development complements the existing planned and approved residential development south of the subject parcel.



**Section 3 - the City's Employment Land Conversion Policies:**

As a result of the recommendation from the Phase 2 Employment Land Study, the City updated its policy on employment land conversion, which was endorsed by City Council in January 2013. The new employment land conversion policies are intended to provide a rigorous yet flexible approach to considering the merits of a proposal for employment land conversion, where warranted. The framework of the updated conversion policies are also intended to position the City to ensure that employment lands will deliver their planned function to provide opportunities to accommodate employment and enhance the City's ability to meet other policy objectives to improve the long term economic potential of the City.

According to the updated employment land conversion policies, proposals for the redesignation of lands currently designated for employment to add a range of uses that are primarily permitted in a non-employment designation will be evaluated based on meeting the following criteria:

- (i) the proposal shall only be considered through the Comprehensive Review of the Official Plan***

The City is currently undertaking a comprehensive review of its Official Plan in accordance with the policies in the PPS, the Growth Plan and the Region. The proposed employment land conversion to allow townhouse condominium development is being requested as part of the City's current Official Plan Review process. Therefore, our client's request satisfies this criterion.

- (ii) there is a demonstrated need for the conversion, as determined by the City***

As indicated in section 2 of this letter, it is our opinion that the subject parcel is constrained in attracting industrial development due to its size and access issues. The existing BC1 zone permits non-industrial uses that would be more suited to the size of the subject parcel which is inconsistent with the intent of the City in designating the subject parcel for industrial uses. Furthermore, any industrial development would create land use conflicts with the existing planned and approved residential development to the south of the subject parcel.

As well, townhouse condominium development would provide for a more appropriate land use compatible pedestrian friendly streetscape along Palladium Way and Walker's Line.

- (iii) the proposal shall not detrimentally affect the short and long term employment land needs of the City***



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The subject property is approximately 0.86 hectares (2.1 acres) in size and currently is vacant. In the context of the City's overall employment land supply, the subject parcel will not have any noticeable bearing on the employment land supply for the City if the subject parcel is converted for residential development.

- (iv) *the proposal will not adversely affect the achievement of the intensification targets and density targets***

It is our opinion that the City's support for the proposed employment land conversion will not adversely affect the City's achievement of the intensification and density targets. In fact, the proposed development envisioned by our client through employment land conversion will provide a positive benefit to the City's achievement of the density targets since the potential density achieved through townhouse development assists in increasing the overall planned residential density in the nearby neighbourhood.

- (v) *the intensity and characteristics of the proposed non-employment uses shall not adversely impact the overall viability of the employment area, desirability, or the proper servicing of existing and future surrounding land uses***

The proposed non-employment uses proposed by Sundial will not negatively impact the planned industrial uses on the north side of Palladium Way west of Walker's Line as Palladium Way provides a clear division between planned employment uses to planned residential uses.

There are existing municipal services such as water and sanitary sewer and stormwater drainage that will service the desired townhouse development on the subject parcel without impacting the planned services for the industrial uses north of Palladium Way.

- (vi) *there is existing or planned infrastructure to accommodate the proposed conversion***

The proposed townhouse development is supported by full municipal services and the existing services are sufficient to accommodate the proposed development of the subject parcel without the need for expansive servicing expansion by the City and the Region.

- (vii) *cross-jurisdictional issues have been considered***

There are no cross-jurisdictional issues that would be impacted by the City considering the employment conversion on the subject parcel.



- (viii) a) priority shall be given to proposals that would allow for the intensification or development of the site to generate the level of employment that would be produced in the absence of the conversion***

As noted in other sections of this letter, the subject parcel is spatially and locationally challenged and constrained to attract any viable industries so the relative impact of residential conversion to potential benefits to maintaining the subject parcel for future industrial uses is not significant to warrant maintaining the subject parcel for future industrial use.

- (viii) b) priority shall be given to proposals that would allow for the intensification or development of the site to support the City's cumulative objectives for employment and assessment growth***

The development of the subject parcel meets the intensification and compact urban form objectives of the Province, the Region and the City. The medium-density residential development proposed by Sundial will provide the intensification objectives. As well, as indicated in this letter, the proposed development will provide comparable development charges revenues, property tax revenues and planning application fee to any industrial development on the subject parcel.

- (viii) c) priority shall be given to proposals that would allow for the intensification or development of the site to allow for the development of the site notwithstanding development constraints***

There are no development constraints of any significance in supporting the proposed employment land conversion. The municipal services that currently exist for the subject parcel can only be more efficiently utilized.

- (viii) d) priority shall be given to proposals that would allow for the intensification or development of the site to generate the level of industrial or office space that would be produced in the absence of the conversion***

The proposed employment land conversion is for medium density residential development that meets or exceeds the Provincial minimum density requirements.

- (ix) proposals for the re-designation of lands abutting major transportation corridors including railways, highways and major arterial roads shall be discouraged***

The subject parcel is not abutting any major transportation corridors so this criterion does not apply.



- (x) *support studies as identified in Part VI, Section 1.3, clause f), General Policies, of the Official Plan are prepared*

It is our opinion that the following studies are not necessary for the purpose of examining the merits of the proposed employment land conversion:

- Functional servicing and stormwater management report – this report was prepared and accepted by the City in confirming that the subject parcel can be accommodated with existing planned services provided for the surrounding residential subdivision;
- Tree inventory and preservation study – the subject parcel is vacant and is clear of any vegetation or trees so there are no potential significant trees or vegetation that warrant this study;
- Hydrogeology study/water budget & hydrology study – these studies are not pertinent to the subject parcel;
- Agricultural impact assessment report – this study is not necessary for the subject parcel;
- Market impact study – this study is not critical for the assessment of the merits of employment land conversion based on the proposed townhouse development of a more intensive medium density residential land use that meets the policy objectives of the Province, the Region and the City. In other words, the merits of the proposed conversion does not critically hinge on the market need for residential development;
- top-of-bank demarcation/geotechnical report – this is not critical to the ability of the City to assess the merits of the subject parcel for residential development;
- environmental evaluation report – this report is not relevant to the subject parcel since no known environmental features exist;
- Noise and vibration study – this study is warranted at future planning application process if the proposed employment land conversion is supported by the City;
- Shadow analysis plan - this plan is not warranted considering that the height of the townhouse development is complementary to the height of adjacent residential developments;
- Park concept plan – this plan does not apply to the subject parcel;
- Phases 1 & 2 Environmental Assessment Report - this report was prepared and approved by the City as part of the overall subdivision in the adjacent neighbourhood;



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- Land assembly documents – this does not apply to the subject parcel;
- Height survey of adjacent buildings – this does not apply to the subject parcel;
- Hydro corridor land use application – this does not apply to the subject parcel;
- Sensitive land use report – it is our opinion that the proposed medium density residential development is compatible with the surrounding residential developments;
- Landfill impact study – this study does not apply to the subject parcel;
- Archaeological report – this report was prepared and approved as part of the adjacent residential subdivision;
- Risk study – this study does not apply to the subject parcel;
- Utility and telecommunications service report – this report does not apply to the subject parcel as utility and telecommunications servicing is provided as part of the adjacent subdivision servicing;
- Heritage impact study – this study does not apply to the subject parcel.

***(xi) in addition to (i) through (x), the re-designation shall also meet at least two of the following conditions:***

- ***The amount of land affected is minor in area based on the projected land requirements within the planning horizon of the land;***
- ***The development of the site is not feasible for employment uses within the planning horizon of the Plan;***
- ***There are no alternative sites, designated and approved for the proposed use elsewhere in the City;***
- ***The proposal will have a beneficial impact on the surrounding uses and the broader community;***
- ***The development of the lands for non-employment uses will meet a public need identified by City Council resolution.***

It is our opinion that the proposed employment land conversion meets at least three conditions as follows:

- The amount of land affected is minor in area based on the projected land requirements within the planning horizon of the land;



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- The development of the site is not feasible for employment uses within the planning horizon of the Plan; and,
- The proposal will have a beneficial impact on the surrounding uses.

In closing, we understand from the City Planning and Development will be advancing their consideration of the employment conversion requests in 2016. As such, we feel that our summary rationale herein ought to be sufficient in determining if the subject parcel qualifies as a candidate site for employment land conversion.

We would be pleased to meet with you to discuss our request in more detail. Thanks kindly for your consideration of our request and brief planning rationale. We look forward to your response.

Yours very truly,

GLEN SCHNARR & ASSOCIATES INC.



Colin Chung, M.C.I.P., R.P.P.  
Partner

cc: Chris Matson