



**SUBJECT: Statutory Public Meeting and Information Report for a Proposed Zoning By-law Amendment for 1160 King Road**

**TO: Planning and Development Committee**

**FROM: Planning and Building Department**

Report Number: PB-32-17

Wards Affected: 1

File Numbers: 520-12/16

Date to Committee: May 30, 2017

Date to Council: June 12, 2017

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**Recommendation:**

Receive and file planning and building department report PB-32-17 regarding a proposed Zoning By-law amendment for 1160 King Road.

**Purpose:**

The report relates to the following objectives of the City of Burlington Strategic Plan:

A City that Grows

- Promoting Economic Growth
  - More people who live in Burlington also work in Burlington
  - The city's vision for employment lands has been developed with aggressive targets. The community, developers and industry together are achieving our economic potential. The city, along with its partners, supports the development of employment lands through timely planning, infrastructure investments and other incentives.

<b>RECOMMENDATIONS:</b>		<i>None. Statutory Public Meeting</i>	<b>Ward No.:</b>	<i>1</i>
<b>Application Details</b>	<b>APPLICANT:</b> <b>OWNER:</b> <b>FILE NUMBERS:</b> <b>TYPE OF APPLICATION:</b> <b>PROPOSED USE:</b>	<i>Ed Fothergill, Fothergill Planning &amp; Development Inc.</i> <i>2486964 Ontario Inc.</i> <i>520-12/16</i> <i>Rezoning</i> <i>Industrial Condominium Development</i>		
<b>Property Details</b>	<b>PROPERTY LOCATION:</b> <b>MUNICIPAL ADDRESSES:</b> <b>PROPERTY AREA:</b> <b>EXISTING USE:</b>	<i>West side of King Road, north of Plains Road E.</i> <i>1160 King Road</i> <i>1.6 ha</i> <i>Vacant</i>		
<b>Documents</b>	<b>OFFICIAL PLAN Existing:</b> <b>OFFICIAL PLAN Proposed:</b> <b>ZONING Existing:</b> <b>ZONING Proposed:</b>	<i>Business Corridor</i> <i>Same</i> <i>T-MR2 (By-law 4000-3)</i> <i>BC1-exception</i>		
<b>Processing Details</b>	<b>NEIGHBOURHOOD MEETING:</b> <b>PUBLIC COMMENTS:</b>	<i>None</i> <i>One email, no phone calls</i>		

## **Background and Discussion:**

On March 2, 2017 the Planning and Building Department acknowledged that a complete application had been received for a Zoning By-law Amendment for 1160 King Road to permit the development of a 55-unit industrial condominium complex. The location of the subject lands is illustrated in Appendix I.

The purpose of this report is to provide an overview of the proposed application, an outline of the applicable policies and regulations and a summary of the technical and public comments received to date. This report is intended as background information for the statutory public meeting.

## **Site Description**

The 1.6 hectare site is located on the west side of King Road, north of the CN Railway underpass north of Plains Road East. The subject lands are currently vacant of any structures. The surrounding land uses are as follows:

- South of the site is zoned T-MR2 (Industrial Transition) zone from Zoning By-law 4000-3 and is comprised of land owned by the City containing the channel of Indian Creek and aqueduct. Further south of the City owned parcel is zoned S (Utility Services) zone and contains the CN Railway tracks.
- North of the site is zoned CE2-412 (Employment Commercial with exception) zone and O2 (Open Space) zone. The lands to the north are undeveloped and contain a wooded area and a portion of Indian Creek.
- East of the site is zoned GE1 (General Employment) zone and is developed with light industrial uses and associated offices.
- West of the site is land owned by the City containing the channel of Indian Creek. Further west the lands are also zoned T-MR2 (Industrial Transition) zone from Zoning By-law 4000-3, as well as H-GE1-410 (General Employment Holding Zone with site specific exception) zone. The lands to the west of the site are undeveloped.

The site is subject to an easement for access over the lands by CN Railway. This easement allows CN Railway vehicles to travel through a designated area of the property in order to access their lands to the south.

## **Description of Application**

The applicant has proposed to amend the zoning on the subject lands from the current T-MR2 (Industrial Transition) zone from the City's previous Zoning By-law 4000-3. The proposed zoning is a BC1-exception (Business Corridor) zone, to allow for four 1 storey

building blocks on the property, totaling 55-units of industrial condominiums. The applicant has proposed site specific zoning regulations for the proposed development in order to facilitate the requested number of units on the property. Two of the proposed building blocks are oriented north-south on the lot, and two others are oriented east-west. The development will have vehicular access off King Road. A total of 102 parking spaces have been proposed on the site. A detail sketch of the proposed development is provided as Appendix II to this report.

The subject lands are subject to an easement for access benefitting the CN Rail property to the south. The location of the easement is depicted as Part 2, 20R-20127 on the 2015 Topographic Survey of the property. The location of the easement route is proposed to change with the development of the lands as submitted by the applicant. The access points to the easement are proposed to remain in their current location. CN Rail has been notified of the development application, and their comments are expected in the near future.

### Technical Reports

The applicant submitted the following technical reports in support of the subject application:

Report Name	Consultant
Planning Justification Report	Fothergill Planning & Development Inc., Oct. 25, 2016. (Revised Zoning Comparison Sheet and Draft By-law dated Feb. 14, 2017)
Conceptual Site Plan & Building Elevations	Sam Esposito Architect Inc., Jan. 9, 2017
Functional Servicing Report	S. Llewellyn & Associates Ltd., Feb. 2017
Preliminary Grading Plan & Servicing Plan	S. Llewellyn & Associates Ltd., Feb. 8, 2017
Noise Feasibility and Vibration Study (includes Addendums #1 and #2)	S.S. Wilson Associates, Apr. 25, 2016, Addendum 2 dated Feb. 17, 2017.
Environmental Site Assessment (Phase 1)	Envirovision Inc., Dec. 2015
Scoped Environmental Impact Assessment	Stantec, Oct. 4, 2016 (Revision letter dated February 28, 2017)
Topographic Survey	MMM Geomatics Ontario Ltd., Aug. 19, 2015

## **Policy Framework**

The proposed Zoning By-law amendment is subject to the following policy framework: the Provincial Policy Statement 2014, Places to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan), the Halton Regional Official Plan, the City of Burlington Official Plan, and Zoning By-law 2020, as amended.

### **Provincial Policy Statement (PPS) 2014**

The Provincial Policy Statement provides broad policy direction on land use planning and development matters of provincial interest. The PPS provides policies for appropriate development based on efficient use of land and infrastructure, protection of natural resources, and supports residential and employment development including a mix of land uses. Through the PPS, growth and development is to be focused within the established settlement areas.

Decisions affecting planning matters made on or after April 30, 2014 “shall be consistent with” the PPS.

### **Growth Plan for the Greater Golden Horseshoe**

The Growth Plan for the Greater Golden Horseshoe came into effect on June 16, 2006 and provides a growth management policy direction for the defined growth plan area. Through the Growth Plan, growth is focused in the existing urban areas through intensification. The guiding principles of the Growth Plan include building compact, vibrant and complete communities, and optimizing the use of existing and new infrastructure to support growth in an efficient, well-designed form.

### **Halton Region Official Plan (ROP)**

The subject lands are designated as “Urban Area” in the ROP and is adjacent to a Natural Heritage System. Urban Areas are those locations where urban services (water and waste water) are or will be made available to accommodate existing and future development. The ROP states that permitted uses shall be in accordance with local Official Plans and Zoning By-laws and other policies of the Regional Official Plan.

### **City of Burlington Official Plan**

The subject lands are designated as “Business Corridor” on Schedule B of the City’s Official Plan. In the Business Corridor designation, a wide range of employment uses including prestige-type offices, industrial, and related uses may be permitted. A range of building heights and development intensities shall be permitted within the areas designated as Business Corridor.

## Zoning By-law 2020

The subject lands are currently zoned T-MR2 (Industrial Transition) zone in the City's former Zoning By-law 4000-3. This Transitional "T" zoning is in place for this property and the surrounding area in order to ensure that the lands are capable of being adequately serviced and that transportation and drainage issues can be addressed in a development proposal. The applicant has submitted a Functional Servicing Report and Grading and Drainage Plan in order to remove the Transition "T" zone on the property. The applicant has proposed that the property be rezoned to the Business Corridor "BC1" zone. The BC1 zone permits a wide range of industrial, office, hospitality, automotive uses, as well as limited retail and service commercial uses subject to additional regulations. The applicant is proposing an industrial condominium development to with unit sizes ranging from 112 square metres to 169 square metres in order to appeal to the broad range of permitted uses.

The following table summarizes the potential zoning exceptions being requested in order to support the development proposed on these lands:

<b>Regulation</b>	<b>BC1 Zone Requirement</b>	<b>Proposed Zoning BC1-modified zone</b>
Yard abutting a street with a deemed width greater than 26m	15m	6m
Minimum Side Yard (South)	4.5m	1.5m
Minimum Side Yard (North)	4.5m	3.0m
Minimum Rear Yard	7.5m	3.0m
Building setback abutting a creek block or O3 zone	7.5m	1.5m
Landscape Area abutting a street with a deemed width greater than 26m	6m	3.7m
Landscape Area abutting creek block or O3 zone	3.0m	1.5m

## Technical Review

On March 1, 2017, staff circulated a request for comments for the development application to internal and external technical agencies including Halton Region, Conservation Halton, and CN Rail. Not all comments have been received for this development application, as some agencies have requested additional time to prepare a response.

The general themes to come from the comments received to date are summarized as follows:

- Small scale, flexible industrial office spaces are not currently offered in Aldershot and this proposal will contribute to employment growth in this area.
- There is a large amount of impervious surface proposed and Low Impact Development methods would help improve the quantity and quality of surface run-off.
- Minimal landscaping has been proposed and greater detail will be required at the time of Site Plan.
- The development area is adjacent to a potentially Regionally Significant Woodlot, and this may have negative implications for this natural feature.
- The CN Rail access easement will need to be re-routed and may require approval through the Committee of Adjustment.
- An oversupply of parking is being provided on-site (102 spaces whereas 65 is required), and no bicycle parking is provided on site.
- No pedestrian connections have been contemplated to King Road or for pedestrian movement throughout the site.

Once they are received, a complete summary of all agency comments will be presented in the recommendation report to the Planning and Development Committee.

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### **Financial Matters:**

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

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### **Public Engagement Matters:**

#### **Public Circulation**

The application was subject to the standard circulation requirements for Zoning By-law Amendment applications. A public notice with request for comments was circulated to surrounding property owners/tenants in early March of 2017. The applicant posted a public notice sign on the property in December 2016. All of the technical studies and supporting materials for this development application were posted on the City's website at [www.burlington.ca/1160KingRoad](http://www.burlington.ca/1160KingRoad).

## **Public Comments**

As a result of the public notice circulation, one email has been received regarding the proposed development. The one public comment received to date has been included in Appendix III of this report. The comment received, while not stating any immediate concerns about the development, did request information about stormwater management, site grading, contributions to the realignment of Indian Creek, sewer and watermain capacity, and CN Railway access through the subject lands

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## **Conclusion:**

This report provides an overview of the development application that has been submitted for 1160 King Road, an update of the technical review of this application and advises that one public comment has been received. A subsequent report to the Planning and Development Committee will provide an analysis of the proposal with respect to the applicable planning policies, a review of all technical comments received, and will provide a recommendation for the proposed application.

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Respectfully submitted,

Lauren Vraets

Planner II, Development Review

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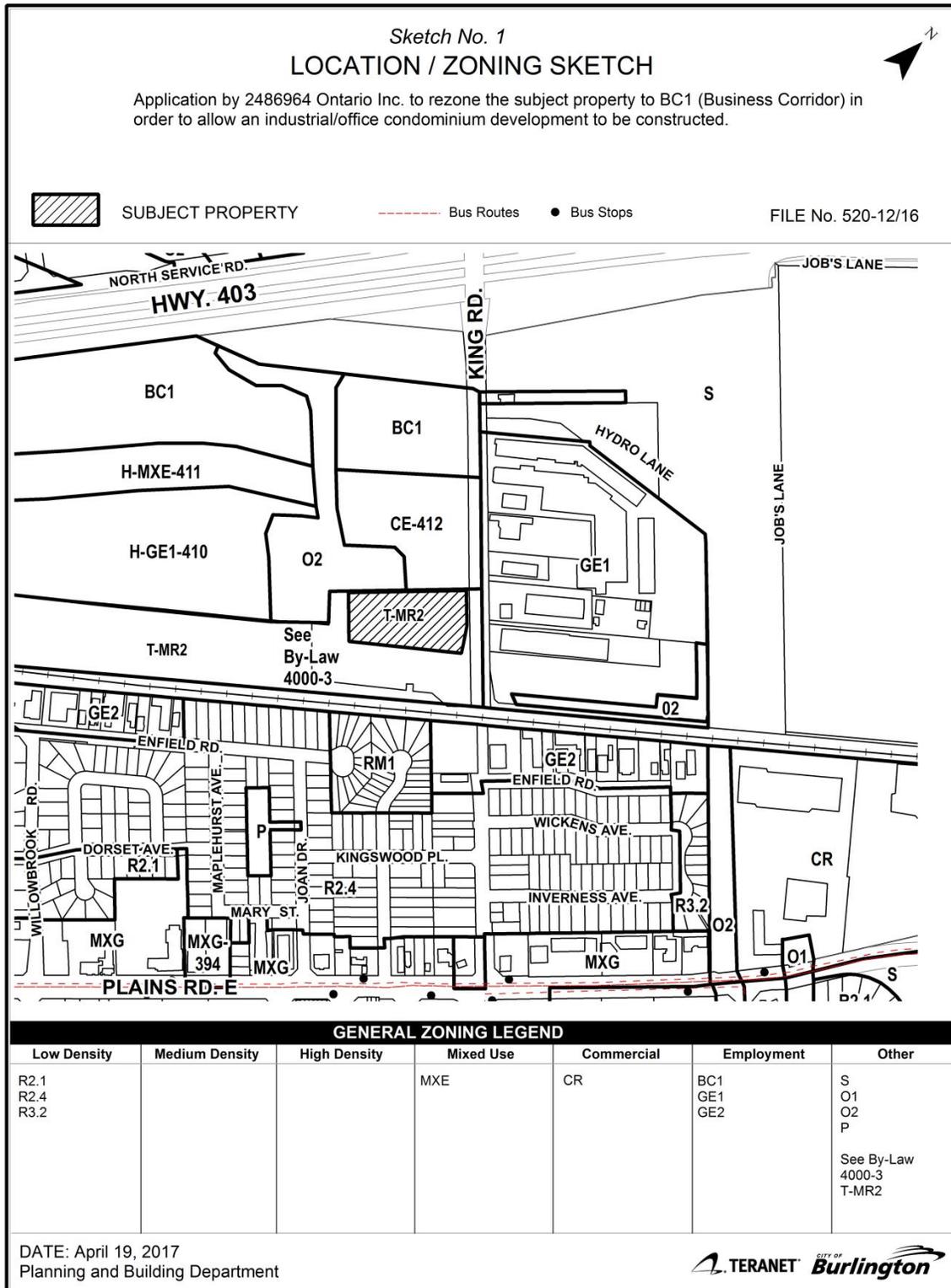
## **Appendices:**

- I. Location Sketch
- II. Detail Sketch
- III. Public Comments

## **Report Approval:**

All reports are reviewed and/or approved by Department Director, Director of Finance and Director of Legal. Final approval is by the City Manager.

Appendix I – Location Sketch



Appendix II –Detail Sketch

