



Planning and Development Committee Meeting

Minutes

Date: November 1, 2017
Time: 1:00 pm
Location: Council Chambers Level 2, City Hall

Members Present: Paul Sharman (Chair), Rick Craven, Marianne Meed Ward, John Taylor, Jack Dennison, Blair Lancaster, Mayor Rick Goldring
Staff Present: James Ridge, Mary Battaglia, Mary Lou Tanner, Vito Tolone, David Thompson (Audio/Video Specialist), Amber LaPointe (Clerk)

1. Declarations of Interest:

None.

2. Statutory Public Meetings:

None.

3. Delegation(s):

- 3.1 Delegation from Ed Fothergill, Fothergill Planning & Development regarding zoning by-law amendment for 1160 King Road (PB-55-17)

Ed Fothergill, Fothergill Planning & Development appeared before committee to provide information on the application and respond to questions of the committee. Mr. Fothergill requested that committee approve an amended recommendation to include a floor area increase of 6700m² and adjusted parking spaces based on the increased floor area.

- 3.2 Delegation from Frank McKeown, Burlington Economic Development Corporation regarding zoning by-law amendment for 1160 King Road (PB-55-17)

Frank McKeown appeared at the request of the committee to answer questions regarding the application.

- 3.3 Delegation from Ed Fothergill, Fothergill Planning & Development, regarding official plan amendment for 6515 McNiven Road (PB-34-17)

Ed Fothergill, Fothergill Planning & Development appeared before committee to provide information on the application and respond to questions of the committee. Mr. Fothergill requested that committee defer the decision on the application in order for the applicants to have time to discuss the application with other agencies.

- 3.4 Delegation from Lorraine McLean regarding official plan amendment for 6515 McNiven Road (PB-34-17)

Lorraine McLean appeared before committee to provide information on the history of the official plan amendment application. Mrs. McLean requested that the decision on the application be deferred in order for them to discuss the application with other agencies.

- 3.5 Delegation from Ed Fothergill, Fothergill Planning & Development, regarding official plan and zoning by-law amendment for 421 - 431 Brant Street (PB-62-17)

Ed Fothergill, Fothergill Planning & Development appeared before committee to provide information on the application and respond to questions of the committee.

- 3.6 Delegation from Robert Glover, Urban Design at Bousfields Inc., regarding official plan and zoning by-law amendment for 421 - 431 Brant Street (PB-62-17)

Robert Glover, Urban Design at Bousfields Inc. appeared before committee to provide information on the application and respond to questions of the committee.

- 3.7 Delegation from Gary Scobie regarding official plan and zoning by-law amendment for 421 - 431 Brant Street (PB-62-17)

Gary Scobie appeared before the committee against the development application. Mr. Scobie presented concerns including height, affordability and traffic.

- 3.8 Delegation from Mark McGuire, Burlington Mayor's Millennial Advisory Committee, regarding official plan and zoning by-law amendment for 421 - 431 Brant Street (PB-62-17)

Mark McGuire, Burlington Mayor's Millennial Advisory Committee appeared before the committee to provide information considered by the

advisory committee. The advisory committee provided five criteria that they believe should be taken into consideration when a development application is brought forward in the downtown.

4. Consent Items:

None.

5. Regular Items:

5.1 Zoning by-law amendment for 1160 King Road (PB-55-17)

Moved by Councillor Craven

Approve, with modifications, the application submitted by Fothergill Planning and Development Inc., on behalf of 2486964 Ontario Inc., to amend the zoning by-law for the lands at 1160 King Road, as outlined in planning and building department report PB-55-17 (File 520-12/16); and

Approve Zoning By-law 2020-386, rezoning the lands at 1160 King Road from T-MR2 in Zoning By-law 4000-3 to BC1-471 as attached in Appendix D to planning and building department report PB-55-17, **as amended to include a maximum floor area of 6700m² and adjusted parking spaces**; and

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

LOST

Moved by Councillor Dennison

Approve, with modifications, the application submitted by Fothergill Planning and Development Inc., on behalf of 2486964 Ontario Inc., to amend the zoning by-law for the lands at 1160 King Road, as outlined in planning and building department report PB-55-17 (File 520-12/16); and

Approve Zoning By-law 2020-386, rezoning the lands at 1160 King Road from T-MR2 in Zoning By-law 4000-3 to BC1-471 as attached in Appendix D to planning and building department report PB-55-17, **as amended to include a maximum floor area of 6350m²**; and

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

CARRIED

5.2 Official plan amendment for 6515 McNiven Road (PB-34-17)

Moved by Councillor Taylor

Defer planning and building department report PB-34-17 regarding official plan amendment for 6515 McNiven Road to the May, 2018 planning and development committee meeting.

CARRIED

5.3 Official plan and zoning by-law amendment for 421 – 431 Brant Street (PB-62-17)

Moved by Councillor Craven

Approve the application submitted by 421 Brant Street Inc., to amend the Official Plan and Zoning By-law, as modified by staff in Report PB-62-17, to permit a mixed used development with a height up to 23 storeys; and

Approve Amendment No. 106 to the City of Burlington Official Plan, as contained in Appendix B of Report PB-62-17, to modify the “Downtown Core Precinct” policies affecting 421 – 431 Brant Street, to permit a mixed use development consisting of a 23 storey building with a maximum of 169 residential apartment units, a minimum of 365 square metres of office space and 900 square metres of commercial retail space at 421 - 431 Brant Street; and

Deem that Section 17(21) of The Planning Act has been met; and

Instruct the City Clerk to prepare the necessary by-law adopting Official Plan Amendment No. 106 as contained in Appendix B of Report PB-62-17 (File: 505- 01/17); and

Approve in principle the application by 421 Brant Street Inc., to amend the Zoning By-law, as modified by staff in Report PB-62-17, to permit a mixed use building with a height of up to 23 storeys at 421 – 431 Brant Street, subject to Section 37 negotiations; and

Direct staff to hold discussions with the applicant to secure community benefits in accordance with Section 37 of the Planning Act and to return to Council with a report outlining the recommended community benefits; and

Instruct planning staff to prepare the by-law to amend Zoning By-law 2020, as amended, rezoning the lands at 421 – 431 Brant Street from “DC” and “DC-434” to “DC-473” substantially in accordance with the draft regulations contained in Appendix C of Report PB-62-17 and direct that the amending zoning by-law will not be enacted until completion by the applicant of the following:

- i) Execution of a Residential Development Agreement including the conditions listed in Appendix D of Report PB-62-17; and
- ii) Execution of a Section 37 Agreement, in accordance with Section 37 of the Planning Act and Part VI, Section 2.3 of the City’s Official Plan, as they relate to the request for increased density on the subject properties.

Deem that the amending zoning by-law will conform to the Official Plan for the City of Burlington once Official Plan Amendment No. 106 is adopted; and

State that the amending zoning by-law will not come into effect until Official Plan Amendment No. 106 is adopted. (File: 520-02/17); and

Approve the proposal by 421 Brant Street Inc., to remove three (3) city-owned trees from the Brant Street and John Street rights-of-way in front of the properties at 421 – 431 Brant Street and identified on Sketch No.2 in Appendix A of Report PB-62/17, subject to the following:

- 1. The Owner shall compensate the City of Burlington for the tree removals by providing compensation (replanting or cash-in-lieu, where opportunity for replanting is not available, in the amount of \$3,750); and

All associated costs with respect to the removal of the trees will be the responsibility of the Owner and the contractor hired to remove the trees will be approved to the satisfaction of the Executive Director of Capital Works.

CARRIED

6. Confidential Items:

None

7. Procedural Motions:

- 7.1 Motion to suspend the rules of procedure

Moved by Councillor Dennison

Suspend the rules of procedure to allow two non-registered delegations to speak regarding planning and building department report PB-55-17 and PB-62-17, in accordance with procedure by-law 64-2016 s. 37.

CARRIED

7.2 Motion to reconsider

Moved by Councillor Lancaster

Reconsider the zoning by-law amendment for 1160 King Road, contained in planning and building department report PB-55-17 that lost on November 1, 2017, in accordance with procedure by-law 64-2016 s. 41.2.

CARRIED

7.3 Motion to suspend the rules of procedure

Moved by Councillor Meed Ward

Suspend the rules of procedure to allow a delegation to speak for an additional ten minutes, in accordance with procedure by-law 64-2016, s. 37.8.

CARRIED

7.4 Motion to suspend the rules of procedure

Moved by Councillor Meed Ward

Suspend the rules of procedure to allow the meeting to proceed beyond the hour of 10:00 p.m., in accordance with procedure by-law 64-2016 s. 26.

CARRIED

8. Information Items:

Moved by Councillor Meed Ward

Receive and file the following twelve items, having been given due consideration by the Planning and Development Committee.

CARRIED

- 8.1 Staff presentation regarding zoning by-law amendment for 1160 King Road (PB-55-17)
- 8.2 Correspondence from Dave Pitblado, Paletta International Corporation, regarding zoning by-law amendment for 1160 King Road (PB-55-17)
- 8.3 Staff presentation regarding official plan amendment for 6515 McNiven Road (PB-34-17)
- 8.4 Delegation material from Ed Fothergill, Fothergill Planning & Development, regarding official plan amendment for 6515 McNiven Road (PB-34-17)
- 8.5 Delegation material from Lorraine McLean regarding official plan amendment for 6515 McNiven Road (PB-34-17)
- 8.6 Correspondence from Dave and Susan Stanyar, regarding official plan amendment for 6515 McNiven Road (PB-34-17)
- 8.7 Staff presentation regarding official plan and zoning by-law amendment for 421 - 431 Brant Street (PB-62-17)
- 8.8 Delegation material from Mark McGuire, Burlington Mayor's Millennial Advisory Committee, regarding official plan and zoning by-law amendment for 421 - 431 Brant Street (PB-62-17)
- 8.9 Correspondence from Mark Bales, Carriage Gate Homes, regarding official plan and zoning by-law amendment for 421 - 431 Brant Street (PB-62-17)
- 8.10 Correspondence from Jeremy Skinner, regarding official plan and zoning by-law amendment for 421-431 Brant Street (PB-62-17)
- 8.11 Correspondence from Tom Muir, regarding official plan and zoning by-law amendment for 421-431 Brant Street (PB-62-17)
- 8.12 Correspondence from Susan Goyer, regarding official plan and zoning by-law amendment for 421 - 431 Brant Street (PB-62-17)
9. **Staff Remarks:**
10. **Committee Remarks:**

11. Adjournment:

2:03 p.m. (recessed), 6:30 p.m. (reconvened)

Chair adjourned the meeting at 10:25 p.m.