



SUBJECT: Statutory Public Meeting and Recommendation to Approve a Proposed Zoning By-law Amendment on 441 North Service Road.

TO: Planning and Development Committee

FROM: Planning and Building Department

Report Number: PB-86-17

Wards Affected: 1

File Numbers: 520-01/17

Date to Committee: November 28, 2017

Date to Council: December 11, 2017

Recommendation:

Approve the application submitted by MHBC Planning, to amend Zoning By-law 2020, to permit the expansion of the existing automotive dealership at 441 North Service Road and surface parking on the adjacent property to the north; and

Enact and pass Zoning Bylaw 2020.XXX as attached as Appendix IV of Planning and Building Department report PB-86-17 to amend the zoning for lands at 441 North Service Road from a site specific BC2-381 (Business Corridor) and S (Utility Services) zone to a modified site specific BC2-381 (Business Corridor) and S-475 (Utility Services) zone with site specific regulations; 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.

Purpose:

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

A City that Grows: Our Future by 2040

- Promoting Economic Growth
 - 1.1 b: More people who live in Burlington also work in Burlington;

- 1.1 c: 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; and
- 1.1.d: Employment lands are connected to the community and region through active transportation and public transit. Employment lands include transportation links and options that are easy to access and contribute to a sustainable, walkable and bikeable community.

REPORT FACT SHEET

RECOMMENDATIONS:		<i>Approval</i>	Ward:	<i>1</i>
Application Details	APPLICANT:	<i>MHBC Planning, Urban Design & Landscape Architecture</i>		
	OWNER:	<i>Quantum Automotive Group</i>		
	FILE NUMBERS:	<i>520-01/17</i>		
	TYPE OF APPLICATION:	<i>Zoning By-law Amendment</i>		
	PROPOSED USE:	<i>Permit an expansion of the existing automotive dealership and an addition to the surface parking on the adjacent property to the north.</i>		
Property Details	PROPERTY LOCATION:	<i>North side of North Service Road, west of King Road at the intersection of Yorkton Court</i>		
	MUNICIPAL ADDRESSES:	<i>441 North Service Road</i>		
	PROPERTY AREA:	<i>2.4 hectares (5.9 acres)</i>		
	EXISTING USE:	<i>Mercedes-Benz Burlington, automotive sales and service</i>		
Documents	OFFICIAL PLAN Existing:	<i>Business Corridor</i>		
	OFFICIAL PLAN Proposed:	<i>Business Corridor (no change)</i>		

	ZONING Existing: ZONING Proposed:	<i>BC2-381 (Business Corridor) zone and S (Utility Services) zone</i> <i>Amended BC2-381 (Business Corridor) zone and S-475 (Utility Services) zone with site specific regulations</i>
Processing Details	NEIGHBOURHOOD MEETING: PUBLIC COMMENTS:	<i>Not applicable</i> <i>To date, Staff have received one public comment and one phone call.</i>

Background:

Site Description

This application applies to the property known municipally as 441 North Service Road and the adjacent hydro corridor property to the north (no municipal address). 441 North Service Road currently contains an existing automotive dealership (Mercedes-Benz Burlington). The adjacent hydro corridor property is currently vacant of any buildings or structures, but does contain an overhead hydro transmission line. Both sites are illustrated on the sketch below and on the Location/Zoning Sketch, attached as Appendix I.



The subject property is located to the north of North Service Road and Highway 403. The property is an existing automotive dealership (Mercedes-Benz Burlington) and has an area of approximately 2.4 hectares (5.9 acres).

441 North Service Road has an area of approximately 2.4 hectares (5.9 acres) and the adjacent hydro corridor property has an area of approximately 2.3 hectares (5.8 acres). 441 North Service Road has an access from North Service Road and the hydro corridor property would be accessed from Yorkton Court.

Surrounding land uses include:

- North of the site is multi-tenant commercial / industrial building, Hydro One corridor, Hanson Brick Limited;
- South of the site is Highway 403, vacant industrial lands south of the highway;
- East of the site is a commercial / industrial building and the Burlington Christian Academy; and

- West of the site is a former/decommissioned waste disposal site owned by Halton Region.

Site History

In May 2008 Questerra Developments Incorporated received site plan approval for the subject motor vehicle dealership (File number: 535-30/07). In June 2008 the Committee of Adjustment approved a minor variance to permit a minimum front yard setback of 14.0 m instead of the required 17.0 m to facilitate an extension to the entry of the building (File number: 540-02-A067/2008).

By 2009 the construction of a new 65,000 square foot Mercedes Benz dealership was complete and the dealership was operating.

On March 10, 2017 the Planning and Building Department acknowledged that a complete application had been received for a Zoning By-law Amendment for 441 North Service Road, to facilitate the expansion of the existing automotive dealership and an addition to the surface parking on the adjacent property to the north, as illustrated on the sketch in Appendix II.

In light of the technical comments received during the initial circulation of this application, the applicant submitted updated plans which resolved a number of site servicing and grading issues as well as providing more clarity to the landscaping areas.

This report provides details of the revised application and an analysis of the proposal against applicable policies and regulations, as well as the proposed Zoning By-law amendment. In addition, technical comments received on the proposal are provided and discussed. Staff are recommending that the site be rezoned from a site specific BC2-381 (Business Corridor) and S (Utility Services) zone to a modified site specific BC2-381 (Business Corridor) and S-475 (Utility Services) zone with site specific regulations to facilitate the proposed expansion and redevelopment.

Description of Application

The Mercedes Benz vehicle dealership has been operating in its current location at 441 North Service Road since 2009. Quantum Automotive is seeking to amend the Zoning By-law to permit the expansion of an existing large scale automotive dealership. The proposed expansion to this regional dealership will add approximately 3,743 square metres (40,289 square feet) of floor area on two floors. The proposed addition is intended to accommodate an expanded service department, parts storage, office space as well as other ancillary uses for customers. On the ground floor 2,380 sq m showroom display will be added and 1,790 sq m of service bays and garage will be added. On the

second floor 600.73 sq m of office area will be added. The proposed building expansion will result in a 63.5% increase in floor area. Lot coverage will increase to 82.2%.

The proposed expansion of the building will displace existing parking reducing the total on-site parking from 209 spaces to 167 spaces. The applicants also seek to amend the Zoning By-law to permit a vehicle parking area on the adjacent hydro corridor lands to the north of the subject property. This parking area would contain 236 parking spaces.

The rezoning application also seeks revisions to numerous regulations applicable to floor area including but not limited to modifications to building height and lot coverage.

In response to concerns raised with the initial expansion proposal, the applicant prepared a number of plan revisions and agreed to development conditions that will be addressed in more detail in the Discussion Section of this report. These changes clarified that the site will contain 167 parking spaces and that 50% of this parking will be used for employee parking and the remaining 50% will be utilized by customers.

Discussion:

Policy Framework and Review

The proposed Official Plan and Zoning By-law amendment applications are subject to the following policy framework:

- Provincial Policy Statement (PPS);
- Growth Plan for the Greater Golden Horseshoe (Growth Plan);
- Parkway Belt West Plan (PBWP)
- Region of Halton Official Plan (ROP);
- City of Burlington Official Plan (OP); and
- Zoning By-law 2020.

Each of these documents will be discussed below.

Provincial Policy Statement (PPS) 2014

The Provincial Policy Statement (PPS) provides broad policy direction on matters of provincial interest related to land use planning and development. It sets the policy foundation for regulating the development and use of land. The PPS provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment. The PPS sets out that healthy, liveable and safe communities are sustained (in part) by accommodating an appropriate range and mix of residential, employment (including industrial and commercial), institutional, recreation, park and open space and other uses to meet long-

term needs. The PPS identifies settlement areas as the focus of growth and supports development within settlement areas based on densities and a land use mix that efficiently use land, resources, infrastructure and public service facilities.

Staff find the development proposal is consistent with the policies of the PPS as it efficiently uses land and promotes intensification and redevelopment on a suitable site that can accommodate an expansion of current uses.

Provincial policies with particular relevance to this report are discussed below:

Intensification and Redevelopment	The PPS states, in part, that: Planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs (Section 1.1.3.3).
Intensification and Redevelopment	Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety (Section 1.1.3.4).
Employment	Planning authorities shall promote economic development and competitiveness by: <ul style="list-style-type: none">a. providing for an appropriate mix and range of employment and institutional uses to meet long-term needs;b. providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses;c. encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities; andd. ensuring the necessary <i>infrastructure</i> is provided to support current and projected needs (Section 1.3.1).

This application has requested an increased lot coverage and a substantial intensification of an existing use. These requests are consistent with the PPS as the site is located in the urban area on a site that can accommodate a higher form of intensification. The proposed expansion of the existing building will have a minimal impact to its surrounding land uses and will make efficient use of existing infrastructure and public services without any additional expansion costs.

The Growth Plan for the Greater Golden Horseshoe (Growth Plan) 2006

The Growth Plan for the Greater Golden Horseshoe came into effect on July 1, 2017 and provides a growth management policy direction for the defined growth plan area.

The Growth Plan provides a framework for implementing the Province's vision for building stronger, prosperous communities by better managing growth. The Growth Plan intends to build towards the achievement of complete communities that are compact, transit-supportive, and make effective use of investments in infrastructure and public service facilities. The Plan focuses on building complete communities that are well-designed, offer transportation choices, accommodate people at all stages of life and have the right mix of housing, a good range of jobs and easy access to stores and services to meet daily needs.

The subject application generally conforms to the principles of the Growth Plan by protecting and preserving employment areas for current and future uses. The City of Burlington in conjunction with the Region of Halton can ensure that the necessary infrastructure is provided. In addition, planning policies and regulations ensure that employment areas are maintained, particularly employment areas that are in proximity to major goods movement facilities and corridors for employment uses that require those locations.

Parkway Belt West Plan (PBWP)

The lands adjacent to the subject property, the hydro corridor lands to the north of the subject site are located within the 1978 Parkway Belt West Plan (PBWP) which is a plan that protects for an interjurisdictional multi-purpose utility corridor, urban separator and linked open space system. The Plan generally extends from Hamilton across the Greater Toronto Area to Markham. Specifically, the subject lands are located within the Escarpment Link (Escarpment Link – Map 2). The lands to the north of the subject site are designated as “Electric Power Facility”. The proponent has submitted applications to make site specific amendments to the Minister's Zoning Order (MZO) and The Parkway Belt West Plan. These amendments would not remove the parcel of land (section of the hydro corridor) from the Parkway Belt West Plan Area but would rather make specific amendments to allow for the parking of inventory vehicles within the hydro corridor. City of Burlington staff are in support of the proposed MZO and PBWP amendment applications given that the proposed uses will be additional uses to what is currently permitted by the upper tier legislation and regulations.

Region of Halton Official Plan (ROP)

The subject lands are designated as “Employment Area” within the Urban Area. Urban Areas are locations where urban services (water and waste water) are or will be made available to accommodate existing and future development. The Employment Area designation is in place to ensure the availability of employment lands and to ensure that adequate lands remain as an employment uses, particularly in the vicinity of the existing major highway routes.

The Regional Official Plan states that permitted uses shall be in accordance with local Official Plans and Zoning By-laws and other policies of the Regional Official Plan. The Region has stated that the proposed parking area within the hydro corridor does not conflict with the policies of the 2009 ROP. Regional Staff are satisfied that the development conforms to the Urban Area and Employment Area policies of the ROP.

Section 89(3) of the ROP requires all new development within the Urban Area be on the basis of connection to Halton's municipal water and wastewater systems. A review of the initial Functional Servicing Report by the Region recommended that the FSR should establish the fire flow requirement according to the Fire Underwriters Survey (FUS). There is no such calculation in Appendix A of the FSR. The generated wastewater flow needs to consider a peaking factor as per Halton's Water and Wastewater Linear Design Manual. Upon second submission, the consulting engineer revised the FSR report addressing this fire flow requirement. The Region has yet to provide formal comments on the revised (second) submission.

The applicant is proposing full connections to the existing municipal services. The Region also advised that at the Site Plan stage there will be specific conditions related to water capacity, wastewater (sanitary) capacity, and the availability of that capacity within the term of site plan approval. Granting of Site Plan approval does not imply a guarantee by the Region to service this development within that term. It should be noted that the specific technical details relating to servicing the proposed buildings will be worked out during the Site Plan stage when the Owner applies for a Regional Services Permit.

City of Burlington Official Plan

The subject lands are within the Business Corridor designation. The permitted uses in the Business Corridor designation include a broad range of 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, provided these uses are located within an enclosed building and are unlikely to cause significant pollution or excessive noise; hotel, conference and convention uses.

The General Employment and Business Corridor designations play a key role in accommodating economic development growth in the city, particularly industrial and commercial office uses, with limited potential for competition from non-employment land uses (e.g. large-format retail, residential). The policies in these land use designations encourage a full range of employment land uses, and include policies guiding floor area ratios, building heights, ancillary uses, and site plan considerations.

Official Plan policies relevance to this report are discussed below:

Part III, Subsection 3.4.3 a), (x)):

Commercial Corridor locations	a) Notwithstanding the policies of Part III, Subsection 5.3.2, the following Mixed Use Corridor locations as shown on Schedule B are generally recognized for lower intensity, retail development than found in the Mixed Use Corridor-General designation as outlined in Part III, Subsection 5.3.2, and in accordance with the policies of Part III, Sections 5.1 and 5.2 of this Plan, and are subject to the policies of Part III, Subsection 5.3.3:
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Part III, Subsection 3.4.3 b),(ii):

Intensification and Redevelopment	b) Development or re-development of lands designated “Business Corridor” on the north side of North Service Road west of King Road, will also be required to undertake a viewshed study and calculate maximum building heights to ensure views to the escarpment are maintained to the maximum extent;
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This subject property has a site specific policy for the Business Corridor designation. This policy is to allow a large-scale motor vehicle dealership (Part III, Subsection 3.4.3 a), (x)). This policy also restricts the amount of outside storage of motor vehicles for retail use and requires that the storage area is screened from the North Service Road with landscaping and decorative features. Waste and refuse containers are permitted provided they are screened from the North Service Road. Analysis of the proposed development and the applicant’s desire for increased lot coverage is discussed under “Strategy/Process” below.

Viewshed Study

This subject property has a requirement to undertake a viewshed study. Due to the grade differential, the requested height increase to accommodate the buildings two-storey expansion is from 127.5 m geodetic datum to 135 m geodetic datum. The rooftop mechanical equipment and the corresponding screening will be increased from 129.5 m and shall not exceed 137 m geodetic datum; and the rooftop sign shall not exceed 138 m. To the north of the subject lands is the Hanson Brick Limited and to the northwest is the former/decommissioned waste disposal site. Consequently there are no key viewsheds that require preserving as there are no roads, lookouts or buildings that offer views of the Burlington Bay, Hamilton and Lake Ontario. Similarly, the existing multi-tenant commercial / industrial building on Yorkton Court has obstructed any views to the brow of the Niagara Escarpment from North Service Road or Highway 403.

Strategy/Process

1. Official Plan

As discussed, the intent of the Business Corridor designation is to provide for a broad range of 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, provided these uses are located within an enclosed building and are unlikely to cause significant pollution or excessive noise; hotel, conference and convention uses.

This application is not seeking to amend the Official Plan designation. There is, however, a site specific policy in the Official Plan that has the effect of allowing a large-scale motor vehicle dealership on land identified as 441 North Service Road (Part III, Subsection 3.4.3 a), (x)) further to the range of uses provided for in the designation. The site specific provision also has the effect of restricting the amount of outside storage of motor vehicles for retail use and requires that the storage area is screened from the North Service Road with landscaping and decorative features. Waste and refuse containers are permitted provided they are screened from the North Service Road.

The site specific Official Plan policies put in place during the original approval of the vehicle dealership were intended to a) limit outside storage of motor vehicles for retail use and b) require that the outside storage area be screened from North Service Road with landscaping and decorative features. The intent of the policy to limit outdoor storage of vehicles is a recommendation from the Ministry of Transportation (MTO). MTO is generally concerned with the appearance of outdoor storage and loading areas associated with commercial and industrial land uses that back onto a provincial highway. Municipalities are encouraged to include policies that ensure that outdoor storage and loading areas in these locations are visually screened or appropriately located and not visible to the travelling public, to ensure these uses are not a distraction to the travelling public. Having no legislative authority to deal with the appearance and location of outdoor storage adjacent to provincial highways, the Official Plan policy aims to restrict the amount of outside storage of motor vehicles for retail use.

The landscaped area located at the front and southwest corner of the site has a series of glass panel combined with landscaping. In front of the glass panels there are concrete pads where the dealership has been using the concrete pads to display vehicles. The display of vehicles in front of the glass panels appears to be in contravention with the original intent of the Official Plan policies as well as the original Site Plan Approval issued in May 2008. During the Site Plan approval process, the proponent and their consultant will endeavor to address the vehicle display areas, the glass panel screening and the components of the landscape area to ensure that the proposed design conforms to the existing site specific Official Plan policies.

2. *Proposed Zoning By-law Amendment*

The subject property is currently zoned as BC2-381 (Business Corridor) and S (Utility Services) zone in By-law 2020, as amended. This Site Specific Exception 381 specifies “motor vehicle sales, leasing, rental and service” as a permitted use, subject to specific regulations. This application seeks to amend the Zoning By-law to introduce a site specific special provision that will allow for expansion of the motor vehicle dealership. The table below outlines the changes requested by the applicant:

Table 1 **Proposed Zoning Changes**

Regulation	Current BC2-381 Zoning	Proposed changes to the current BC2-381 Zoning	Staff response
Lot Width	230 m	No change	-
Lot Area	2.3 ha	No change	-
Landscape Area	Abutting North Service Road -Within 95 m of the west lot line, a 25 m landscape area is required which may include pedestrian walkways abutting rear lot line – none required	Within 60 m of the west lot line, a 19 m landscape area is required which may include pedestrian walkways abutting rear lot line – none required	The landscaped area will be reduced but the storage of vehicles will be prohibited.
Yard Abutting North Service Road Building Height 2 storeys	17 m	No change	-
Building Height	2 storeys shall not exceed 127.5 m geodetic datum. Rooftop mechanical equipment and screening shall not exceed 129.5 m geodetic datum. 1 rooftop sign, which includes a skylight with maximum width of 4.5 m and corporate logo with a maximum width of 2.5 m, shall not exceed 133 m	2 storeys, shall not exceed 135 m geodetic datum. Rooftop mechanical equipment and screening shall not exceed 137 m geodetic datum. 1 rooftop sign, which includes a skylight with maximum width of 4.5 m and corporate logo with a maximum width of 2.5 m, shall not exceed 138 m	The increase in building height is required to accommodate the hoists within the 45 new service bays. Consequently the second floor of the proposed expansion (for vehicle parts storage) will require the 5 m height increase.

	geodetic datum	geodetic datum.	
Site Coverage	66 %	82.2 %	The proponents Engineer is providing additional water storage through underground water cistern storage tanks.
Outdoor Storage	Outdoor storage is prohibited except for vehicles for retail sale. Vehicles within the westerly 95 metres of the west lot line shall be screened from the North Service Road with landscaping and decorative features. Waste and refuse containers are permitted provided they are screened from the North Service Road	No change	-
Retail sales	A maximum of 45% of the total floor area may be used for the display and retail sale of automobiles	No change	-

Proposed Zoning – Hydro corridor Lands

Quantum Automotive Group is seeking an amendment to the current 'S' (utility) zoning of a portion of the corridor where it abuts the subject property. The general purpose of the current 'S' (utility) zoning is to provide for a broad variety of utility services. This zone currently permits any transportation, communication or utility use (including water supply, storm water or sanitary sewer, pipelines, transmission or distribution of electric power, communications towers or a public transportation system, amongst other uses). The applicants seek to amend the 'S' (utility) zoning to permit a vehicle parking area on the adjacent hydro corridor lands to the north of the subject property. This parking area would contain 236 parking spaces. Quantum Group has preliminary arrangements in place with Hydro One and Infrastructure Ontario (IO) to lease corridor lands for the purpose of parking inventory vehicles on the corridor.

Upon receipt of the initial application, Staff had suggested to the applicant that a 5 year rotating lease agreement between Hydro One and Mercedes does not provide assurance to the City that the site will not become deficient in surface parking should Hydro One terminate the lease after the 5-year (or 10 year) lease period. The proponent provided a standard template of a license agreement with IO to use a portion of the hydro corridor for the new parking area. Hydro One staff have indicated that they are amenable to license agreements for 5 year terms and that these agreements are renewed upon expiry, provided that there are no other demands placed on the area subject to the agreement by a superseding entity (for example, Hydro One, the municipality or the Province). The proponent also provided an example from the Town of Oakville where a portion of the parking associated with a motor vehicle dealership has been provided within the hydro corridor on the basis of a 5 year license agreement. Upon review of other similar lease agreement between Hydro One and Mercedes is sufficient to assure the City that the site will not become deficient in surface parking in the future. City of Burlington staff are in support of the proposed rotating lease agreement between Hydro One and Mercedes.

Parking and Parking Space Calculation

The majority of the building expansion is required to accommodate an expansion of the garage and service bays for repair and servicing of the vehicle. The proposal also considers a reworking of the reception area, the showroom display as well as parts and vehicle storage. City staff have requested the proponent provide additional detail showing the existing uses and proposed uses within the building in order to determine an accurate required parking calculation. R.H. Carter Architects Inc. has provided a detailed breakdown of the uses within the building which was used to create the attached Use / Floor Area and Parking Ratio Chart and determine a more accurate required parking space calculation. The following use categories were applied to the internal space in the chart to obtain the revised parking requirement of 192 parking spaces: Office, Service Commercial, Retail, and Industrial. The site will contain 167 parking spaces which can accommodate the required staff parking complement.

The parking area located on the hydro corridor lands abutting 441 North Service Road will contain 236 parking spaces (25 of which are required parking spaces, the remaining are surplus parking spaces). The parking lot is compatible as a secondary use to the hydro corridor use. The proposed parking lot will not interfere with hydro transmission lines. The abutting property to the north is an industrial building that backs onto the corridor and contains the buildings loading/unloading doors and function. The proposed corridor parking lot will be compatible with the abutting land use. There will be three access points to the hydro corridor parking area- two from the rear of the dealership building and one direct access from Yorkton Boulevard. The parking lot will be properly

graded, drained and hard surfaced and will have security lighting and security gates. The parking lot will not contain any buildings and only a few light standards so will not interfere with escarpment views. This lot is not intended for customer parking. From Hickory Lane to Yorkton Court the hydro corridor is 92 m wide. The proposed parking lot will be located on the southerly 40 m of the corridor. There are no hydro towers within the parking lot. Towers exist west of Hickory Lane and east of Yorkton Court and carry a high tension line over the parking lot. The remaining 52 m wide portion of corridor lands, between Hickory Lane and Yorkton Court north of the proposed parking lot will remain in its current natural open space state.

The applicant is proposing the following parking requirements in the proposed Zoning By-law amendment:

Table 2 Required Parking based on uses and floor area

	Existing	Proposed	Total Area	Zoning Provision	Parking Required
Office	N/A	608 m ²	608 m ²	Office: 3.5 spaces per 100 m ²	22 spaces
Showroom Display	2380 m ²	N/A	2380 m ²	Retail: 4 spaces per 100 m ²	96 spaces
Storage	620 m ²	951 m ²	1571 m ²	Warehouse/Industrial: 1 space per 100 m ²	16 spaces
Garage/Service Bays/Repair	1790 m ²	3921 m ²	5711 m ²	Industrial: 1 space per 100 m ²	58 spaces
Basement (screening room, spa, virtual golf)	1105 m ²	N/A	1105 m ²	N/A*	N/A*
				Total Parking	192 spaces

**Complimentary/Accessory uses do not require separate parking to be provided.*

Most of the components of the building expansion are to accommodate expanded office uses, washrooms and storage. The most significant addition to the building as part of the proposed expansion is the addition of 45 new service bays to the facility. Expanding the capacity of the garage/service bays in combination with the reconfigured parking lot will add efficiencies with how cars are serviced and move throughout the site.

Technical Review

Capital Works

Upon review of the original submission, the Capital Works Department had concerns with regards to the stormwater management and water quantity control. Site Engineering requested updates to the Functional Servicing Report with regards to stormwater management quantity control, erosion control and water balance management criteria. Prior to the second submission, Site Engineering comments were updated stating that due to the space constraints on the site that Low Impact Development techniques were no longer required. Capital Works also stated that the subject development is not required to complete a MOECC Record of Site Condition for either the subject property or the adjacent hydro corridor lands. While changes are proposed on site, a change in use from commercial to commercial does not require a RSC filing. Capital Works have also confirmed that there is adequate water, wastewater and storm sewer capacity to handle the proposed increase in building size and lot coverage.

Transportation Services

The City of Burlington's Transportation Services Department has reviewed the original Transportation Impact Study and Parking Study that was submitted in December 2016. The report and the appended parking assessment were intended to determine the proposed number of spaces that would sufficiently accommodate the parking needs of the site and the proposed expansion to the dealership. In July 2017 Paradigm Transportation Solutions Limited provided a letter as an addendum to the original report and prepared a revised parking assessment based on the adjusted requirements. City Transportation Planning staff have noted that they are not typically supportive of parking uses in hydro corridors, however, given the location of this site and the automobile-related land use of this property, the proposed parking use can be supported. City Transportation staff have indicated that they have no concerns with the rezoning application to facilitate the expansion of the existing Mercedes-Benz car dealership located at 441 North Service Road.

Parks and Open Space

The Parks & Open Space service of Capital Works do not object to the use of the hydro corridor for parking and note that the parking lot on the hydro corridor would preferably only be accessed by Yorkton Court. The applicant's second submission removed the access from Hickory Lane and has restricted access to the hydro corridor parking area to Yorkton Court only.

Landscaping and Urban Forestry

Landscaping and Forestry Staff have reviewed the Site Plan, Site Grading Plan, and Landscaping Concept Plan for the proposed development. Staff note that there was no Tree Inventory and/or Preservation Plan submitted for this application. Tree Inventory

and Preservation/Removals plan must be submitted at the time of Site Plan application to properly address the impact of the on-site expansion and hydro lands surface parking addition on the city's urban forest.

Landscaping and Forestry Staff have indicated that approximately 60 or more trees on site are proposed to be removed in order to accommodate the development. Similarly there are also an unidentified number of trees in the City's right of way which will require review to allow removal to facilitate the installation of the proposed driveway to the hydro lands parking lot. Staff also note that there is a large increase in impermeable area on both the site and in the hydro lands. Urban Forestry has no objection to the rezoning in principle, but is encouraging the use of additional plantings to be accommodated within the parking islands. This will be addressed at the site plan stage.

Landscaping and Forestry Staff have outlined the significant loss of maturing private trees, with little opportunity to replace trees with an equal or greater caliper than those removed. Staff recommend that replenishment and enhancement be incorporated as part of this application. Staff recommend an aggregate caliper replacement to compensate for trees removed to facilitate development. Only conceptual details for replanting have been submitted at this time and it is not possible to quantify the aggregate caliper replacement for tree removal. There is no opportunity for tree planting within the hydro lands, so alternative landscape and site planning that contributes to achieving the city's goal of a healthier environment must be explored. The applicant has suggested that additional plantings can be accommodated within the parking islands. A detailed Landscape Plan will be submitted at the site plan stage.

Region of Halton

The Waste Management and Road Operations division of the Region of Halton has advised that they will not allow access to the parking area within the hydro corridor lands from Hickory Lane. Hickory Lane and former dump site is currently owned by the City of Burlington. However, the Regional Municipality of Halton Act (1974) ties the Region into overseeing the ongoing maintenance responsibilities for the site.

Hydro One

Quantum Automotive has asked the City of Burlington to give consideration to their proposal to lease specific Ontario hydro corridor lands for the expressed purpose of extending their car parking area. When circulated on the rezoning application, Hydro One Networks has expressed no concerns about the rezoning application but has reminded the applicant that they are required to submit a lot grading and drainage plan prior to proceeding with works on the transmission corridor lands. Staff are assured by Hydro One that the 5 year rotating lease agreement between Hydro One and Mercedes is sufficient to assure the City that the site will not become deficient in surface parking in the future.

Ministry of Transportation (MTO)

The MTO has expressed no concerns about the rezoning application but has identified that the subject lands are located next to the Highway 403 property limits and the permit control area and therefore are required to obtain Ministerial land use permits prior to any grading or construction activity. MTO has reminded the applicant that a revised Traffic Impact Study is required to obtain land use permits for the proposed development.

As previously discussed, the Ministry of Transportation (MTO) is generally concerned with the appearance of outdoor storage with commercial that have exposure to provincial highway. The landscaped area located at the front and southwest corner of the site has a series of glass panel combined with landscaping. The glass paneling was intended to screen the vehicles from North Service Road and Highway 403. The glass panels acting as a visual barrier are a requirement of MTO and are part of the approved original site plan and are not permitted to be removed. The Site Plan application will need to address how this visual barrier can be redesigned and restored.

Ministry of Municipal Affairs and Housing (MMAH)

As previously noted in the policy discussion regarding the Parkway Belt West Plan (PBWP), the proponent has submitted applications to make site specific amendments to the Minister's Zoning Order (MZO) and The Parkway Belt West Plan. Staff are in support of the proposed MZO and PBWP amendment applications.

Financial Matters:

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

At the site plan stage, the city will require securities to ensure the works associated with the proposed development will be completed to the city's satisfaction. The applicant will also be required to provide cash-in-lieu of parkland and pay development charges as required by the Development Charges By-law.

Connections:

Through the Official Plan Review process, the City of Burlington has been reviewing its current Official Plan and there is a new Official Plan currently in draft form. On April 6, 2017, staff presented a draft of the City's new Official Plan to the Committee of the Whole, which communicates Council's vision and establishes strategic priorities for the City's growth management, land use and infrastructure. It is anticipated that a revised new Official Plan will be presented to City Council for adoption by the end of 2017.

Public Engagement Matters:

Public Circulation

The application was subject to the standard circulation requirements. A public notice and request for comments were circulated in May 2016 to surrounding owners/tenants. A notice sign was also posted on the property. All technical studies and supporting materials were posted on the City's website at www.burlington.ca/441NorthServiceRoad.

Public Comments and Neighbourhood Meeting

In March, staff began received correspondence from one member of the public regarding the proposed development. To date, staff have received one email, no letters and one phone call. The respondent had questions regarding the permitted uses in the zoning category. The public comment received to date is included in Appendix IV. No Neighbourhood meeting has been held in association with this rezoning application.

Conclusion:

In summary, the proposed building expansion is a desirable example of a higher form of intensification in an area which can accommodate it with minimal impact to the surrounding neighbourhood. The proposed rezoning application requesting additional height and lot coverage are appropriate for the lands at 441 North Service Road. Staff recommend rezoning the site from a site specific BC2-381 (Business Corridor) and replacing it with a modified site specific BC2-381 ((amended) Business Corridor)) Zone for By-law 2020. For the lands to the north, the hydro corridor lands, staff recommend rezoning the lands from S (Utility Services) zone to the S (Utility Services) zone with site specific regulations. The site specific zoning by-law is attached to this report as Appendix IV.

Staff have reviewed the application in accordance with applicable provincial, regional, and local planning policies. Staff are of the opinion that the application represents a reasonable redevelopment of the subject lands and recommends that the application to amend the Zoning Bylaw be approved on the basis that the application is compatible with the site specific policies of Official Plan, is compatible with surrounding land uses and satisfies the technical and servicing requirements of the affected City Departments and external agencies. Staff are also of the opinion that the proposed development represents an appropriate form of development and conforms to the overall intent of the Official Plan. This report recommends approval Zoning By-law 2020.XXX.

Respectfully submitted,

Mark Hefferton, MCIP RPP
Planner II – Development Review
905-335-7600 ext. 7860

Appendices:

- I. Location/Zoning Sketch
- II. Detail Sketch and Site Plan
- III. Public Comments
- IV. By-law 2020.XXX to Amend Zoning By-law 2020

Notifications:

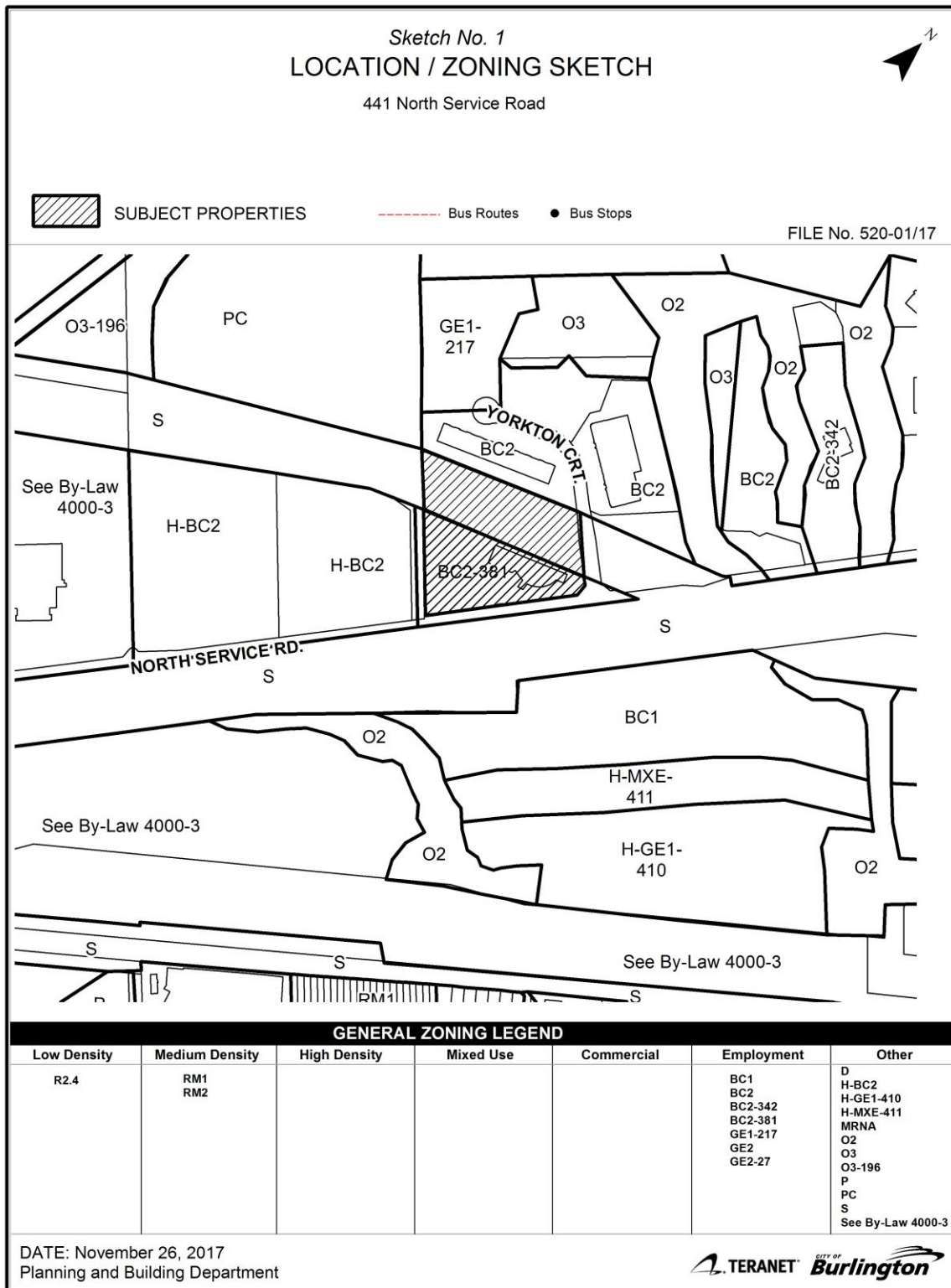
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Report Approval:

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/Zoning Sketch



APPENDIX II – Detail Sketch and Site Plan

