



SUBJECT: Proposed official plan amendment and rezoning applications for 53-71 Plains Road East and 1025 Cooke Boulevard

TO: Planning and Development Committee

FROM: Department of City Building - Planning Building and Culture

Report Number: PB-54-18

Wards Affected: 1

File Numbers: 505-11/17 and 520-22/17

Date to Committee: June 11, 2018

Date to Council: June 18, 2018

Recommendation:

Receive and file department of city building report PB-54-18 regarding proposed official plan amendment and rezoning applications for 53-71 Plains Road East and 1025 Cooke Boulevard.

Purpose:

The following objectives of Burlington's Strategic Plan (2015-2040) apply to the discussion of the subject application:

A City that Grows

- Intensification
 - 1.2 g) Intensification is planned so that growth is financially sustainable and so new infrastructure needed to support growth is paid using all financial tools available to have development pay for growth infrastructure.
 - 1.2.i) Architecture and buildings are designed and constructed to have minimal impact on the environment reflecting urban design excellence that create buildings and public spaces where people can live, work or gather.
- Focused Population Growth

- 1.3 a) Burlington is an inclusive and diverse city that has a growing proportion of youth, newcomers and young families and offers a price range and mix of housing choices.

REPORT FACT SHEET

RECOMMENDATIONS:		<i>None; For Information Only</i>	Ward No.:	1
Application Details	APPLICANT: OWNER: FILE NUMBERS: TYPE OF APPLICATION: PROPOSED USE:	<i>Marko A. Juricic</i> 71 Burlington Plains Inc <i>505-11/17 and 520-22/17</i> <i>Official Plan and Zoning By-law amendments</i> <i>Two mixed-use, mid-rise buildings of 10 and 12 storeys with retail and service commercial uses at grade and 450 residential units above.</i>		
Property Details	PROPERTY LOCATION: MUNICIPAL ADDRESSES: PROPERTY AREA: EXISTING USE:	<i>North of Plains Road East, East of Cooke Boulevard</i> <i>53 & 71 Plains Road East. 1025 Cooke Boulevard</i> <i>1.08 ha</i> <i>Entertainment Establishment, vacant</i>		
Documents	OFFICIAL PLAN Existing: OFFICIAL PLAN Proposed: ZONING Existing: ZONING Proposed:	<i>Mixed Use Corridor - General and Employment</i> <i>Mixed Use Corridor – General with site specific exceptions</i> <i>MXG and MXE</i> <i>MXG- with site specific exceptions</i>		

Processing Details	NEIGHBOURHOOD MEETING:	<i>March 20, 2018</i>
	PUBLIC COMMENTS:	<i>Staff have received 3 comment sheets, 2 letters and 15 emails Note: Some residents sent multiple letters</i>

Background and Discussion:

On February 5, 2018, the Department of City Building acknowledged that complete applications had been received for an Official Plan and Zoning By-law Amendments for 53 & 71 Plains Road East and 1025 Cooke Boulevard. The purpose of the applications is to facilitate the development of a 10 and 12 storey building with commercial at grade. The location of the subject lands is illustrated in Appendix A. A detail sketch of the development proposal is provided in Appendix B.

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

Site Description:

The subject properties, known as 53 & 71 Plains Road East and 1025 Cooke Boulevard, are located on the north side of Plains Road East between Cooke Boulevard and Clearview Avenue. Currently, the site is developed with an adult entertainment establishment and motel with the remainder of the site being vacant. The overall land area is approximately 1.08 hectares with frontages of 142.7 metres on Plains Road East, 99.7 metres on Cooke Boulevard and 52.7 m on Clearview Avenue.

Surrounding land uses are:

North: Along Cooke Blvd., lands are zoned (Mixed Use Corridor - Employment) MXE- and are developed with a single storey industrial use. North of the site along Clearview Ave., lands are zoned (Residential Low Density) R2.1 and are developed with single detached dwellings.

West: Along Plains Road E. is zoned (Mixed Use Corridor – General) MXG and is developed with a commercial plaza.

South: South of Plains Road E. is zoned (Residential Medium Density with site specific exceptions) RM1-346 and is developed with single detached dwellings.

East: East of Cooke Blvd. is currently zoned MXC-175. However, at its September 26, 2017 Planning and Development Committee meeting, Council approved Official Plan and Zoning By-law amendments in principle to permit the development of an 8-storey mixed use residential building with commercial uses at grade.

Discussion

Description of Application

Application by Brooklyn Contracting Inc. on behalf of 71 Burlington Plains Inc. (applicant) for an Official Plan Amendment and Zoning By-law Amendment to permit the development of two mixed-use, mid-rise buildings of 10 and 12 storeys with retail and service commercial uses at grade and 450 residential units. The proposed Floor Area Ratio of 3.58:1 includes 1208 square metres of commercial uses on the ground floor. The two building heights are 12 storeys (39.31 metres) and 10 storeys (33.22 metres) and contain a total of 450 residential units. The applications also propose 581 parking spaces with 91 surface parking spaces and 461 underground and 29 lay-by parking spaces. Access has been proposed off of Clearview Ave. and Cooke Blvd.

In order to facilitate the proposed development, the applicant has submitted an Official Plan amendment application to redesignate part of the site from Mixed Use Corridor Employment to Mixed Use Corridor General and allow for site specific provisions relating to height, density and land uses and a Zoning By-law Amendment application to rezone the lands from Mixed Use Corridor - General (MXG) and Mixed Use Corridor - Employment (MXE) to “Mixed Use Corridor – General (MXG) Zone” with site specific provisions to increase permitted height and density and allow the proposed uses and revise development standards as necessary to permit the development.

Technical Reports

The following documentation and plans were submitted in support of the application. This information can also be accessed at: www.burlington.ca/solidgold.

- **Planning & Urban Design Rationale Report**, Prepared by Bousfields Inc., dated December 2017
- **Architectural Site Plans and Layouts**, prepared by srm Architects Inc., dated December 1, 2017
- **Functional Servicing and Stormwater Management Report**, prepared by Odan/Detech Group Inc., dated December 13, 2017
- **Transportation Impact Study**, prepared by Paradigm, dated December 2017

- **Environmental Noise Impact Study**, prepared by dBA Acoustical Consultants Inc., dated December 2017
- **Shadow Study**, prepared by srm Architects Inc., dated December 7 2017
- **Environmental Site Screening Checklist**, prepared by Brooklyn Contracting Inc. dated December 19, 2017
- **Phase 2 Environmental Site Assessment**, prepared by Soil-Mat Engineers & Consultants Ltd., dated October 16, 2017
- **Land Use Compatibility Risk Assessment**, prepared by Ortech dated April 27, 2017
- **Height Survey**, prepared by A.T. McLaren Limited dated August 26, 2017
- **Pedestrian Wind Assessment**, prepared by RWDI dated December 18, 2017
- **Grading, Drainage & Servicing Plans**, prepared by Odan/Detech Group Inc., dated December 2017
- **Geotechnical Investigation**, prepared by Soil-Mat Engineers & Consultants Ltd., dated December 18, 2017

Technical Review

The Official Plan and Zoning By-law Amendment applications and supporting documents were circulated for review to internal departments and external agencies in February 2018. Comments are still forthcoming from Transportation. The following is a summary of other agency comments that have been received to date:

Burlington Hydro

Burlington Hydro has requested additional information for their review, including transformer location.

Site Engineering

Site Engineering staff have reviewed the application and require additional information including: details related to shoring of the underground garage, additional information regarding potential contamination on the site, and the plans to be updated to provide a 4.5m storm sewer easement over the existing pipe on the subject lands, prior to providing a recommendation.

Halton Region

Halton Region has reviewed the application and advises that there are adequate water and wastewater services to the site.

Halton Catholic District School Board

The Halton Catholic District School Board has no objections to the application and indicated that students would be accommodated at Holy Rosary Elementary School and Assumption Catholic School.

Halton District School Board

The Halton District School Board has no objections to the application and indicated that students would be accommodated at Glenview PS, Maplehurst PS, Aldershot Elementary and Aldershot High School.

Parks and Open Space

Parks have requested park dedication as land on the subject site.

Burlington Urban Design Advisory (BUD) Panel

The Burlington Urban Design Advisory Panel (BUD) is an independent advisory body comprised of design professionals that provides urban design advice to the Department of City Building on all tall and mid rise buildings (5 storeys or greater) and all public development projects, studies, and policy initiatives.

Advice from BUD will be integrated early in the review process to reinforce the City's expectation for a high standard of design excellence resulting in a more efficient and effective municipal development review.

The proposal was reviewed at the April 17, 2018 BUD committee meeting (minutes attached as Appendix C). The panel offered suggestions related to site access, transition to the low density residential uses to the north, height and massing and design of the podiums. The applicant will provide a response to these comments with a resubmission.

Other:

The City's Tax Department, Canada Post and CN Rail have provided their standard comments and have advised that they have no issues or concerns at this stage.

Policy Framework:

The application is subject to the following policy framework: the Provincial Policy Statement 2014, the Growth Plan for the Greater Golden Horseshoe (2017), the Halton Region Official Plan, the City of Burlington Official Plan, and the City of Burlington Zoning By-law 2020. Conformity with applicable policies from these documents will be addressed in the subsequent recommendation report. Listed below is an overview of the land use designations and policy directions at the provincial, regional and local level.

Provincial Policy Statement (PPS) 2014

The Provincial Policy Statement (PPS) 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 range and mix of land uses. Through the PPS, growth and development are 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 updated 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. 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 and well-designed form.

Halton Region Official Plan

The subject lands are designated “Urban Area” in accordance with the Halton Region Official Plan (ROP). The Urban Area objectives promote growth that is compact and transit-supportive. This designation also encourages intensification and increased densities. The ROP states that permitted uses shall be in accordance with local Official Plans and Zoning By-laws and other policies of the Halton Region Official Plan.

City of Burlington Official Plan

The subject lands are designated “Mixed Use Corridor - Employment” and “Mixed Use Corridor – General” within the City’s Official Plan. The objectives of the Mixed Use Corridors are to provide locations along multi-purpose arterial or major arterial roads that will serve as areas of concentration for mixed use developments with high density residential, retail, service commercial, office, entertainment, community facilities and institutions and open space uses. Another objective is to encourage higher intensity, transit-supportive and pedestrian-oriented mixed use development including land in the vicinity of a major transit station area, such as a GO Transit station in a compact urban form while retaining compatibility with nearby land uses. Development shall be a maximum of 6 storeys and have a maximum Floor Area Ratio (FAR) of 1.5:1. However, higher density land uses and taller buildings shall be permitted at locations where Mixed Use Corridor areas intersect with multi-purpose arterial roads such as Plains Road, or existing areas of development concentration, subject to the consideration of various factors such as adequacy of services and infrastructure and the provision of compatibility with adjacent uses through measures such as terracing, a high quality building design, landscaping and streetscaping, and the provision of underground parking.

Permitted uses within the Mixed Use Corridor – General designation include a range of retail, service commercial and personal service uses; financial institutions; a broad range of office uses; employment, entertainment, recreation and other community facilities such as day care centre; medium and high density residential uses and to a limited extent, low density residential uses.

Permitted uses within the “Mixed Use Corridor - Employment” designation include industrial uses, a broad range of office uses, a limited range of retail, service commercial and personal service uses which serve the day to day needs of employees, financial institutions and services, entertainment, recreation and other community facilities such as libraries and day care centres and motor vehicle dealerships. Residential uses are prohibited within the “Mixed Use Corridor - Employment” designation and individual retail and service commercial uses are limited to a maximum size as set out in the zoning.

The Plan states that proposals for the re-designation of lands designated Mixed Use-Employment to allow non-employment uses, or to add a range of uses to the Mixed Use Corridor-Employment designation that are primarily permitted in a non-employment designation, shall only be considered in conjunction with a “Municipal Comprehensive Review” done to the Region’s Official Plan.

Council Adopted Official Plan: Grow Bold

On April 26, 2018 Council adopted Grow Bold: Burlington’s New Official Plan. The Plan has not been approved by Halton Region and is not in force and effect. However, it is used as an informative document in the review of development applications.

The subject lands are identified as being within the Aldershot Mobility Hub and are within a Primary Growth Area. As Burlington grows over the next 20 years, new, complete, compact neighbourhoods will be built around the city's GO stations and the downtown. These areas are focal points for higher intensity and mixed use development that will accommodate a significant share of the city’s future population and employment growth to 2031 and beyond.

A Mobility Hub is a location that has several transportation options and is a concentrated point for a mix of uses such as transit, employment, housing, recreation and shopping. Mobility hubs will be neighbourhoods that are environmentally friendly, infrastructure-efficient, walkable, bikeable and transit-oriented.

The policies of the Mobility Hub section of the Plan do not provide land use designations; rather will serve a transitional role to guide new development applications which precede the development of area-specific plans in each hub. Upon the completion of an area-specific plan, Grow Bold shall be amended to include all new objectives, policies and land use designations for each Hub. Applications for Official Plan Amendments and Zoning By-law Amendments within mobility hubs preceding the completion of an area-specific plan shall have regard for Provincial guidelines for mobility hubs and transit, and shall implement Regional and Provincial major transit station area policies. In addition, applications for Official Plan Amendments, Zoning By-law Amendments within the Mobility Hubs, shall have regard for the Mobility Hub Opportunities and Constraints Study (2014).

Until such a time as the Area Specific Plan for the Aldershot Mobility Hub is approved, the subject lands are identified as being within Urban Corridor – Employment designation. The objective of the Urban Corridor – Employment designation is to provide locations in the city along Major Arterial or Multi-Purpose Arterial Streets that are primarily intended for higher intensity employment uses and to encourage higher intensity, transit-supportive and pedestrian-oriented mixed use development in a compact built form, while retaining compatibility with the surrounding area.

As a part of the new Official Plan process the subject lands have been recommended for [conversion](#) from Employment uses. As this site is located outside of the Region of Halton Employment Area, these lands can be converted outside of the Municipal Comprehensive review process.

Mobility Hubs Study

In Burlington, the Mobility Hubs will be planned and developed near the Aldershot, Burlington and Appleby GO stations as well as in the downtown.

The Area Specific Plan for the Aldershot Mobility Hub is expected to be completed in the second quarter of 2019.

In May 2017, a visioning session was held to hear about what people value in the area, and in September 2017 community feedback was received on two draft concepts showing different options where future growth could be accommodated. With that feedback, a high-level [preferred concept](#) for the Aldershot GO Mobility Hub was presented to the Planning and Development Committee of Council for consideration on Dec. 4, 2017. Community and Council input, along with information from ongoing technical studies, to produce a draft precinct plan for the Aldershot GO Mobility Hub. The draft precinct plan will define a vision for areas within the Mobility Hub, to guide future development through the use of land such as residential and commercial, height, urban design considerations and more. On Thursday May 3, 2018, the city hosted a public open house at the East Plains United Church, where the draft precinct plan for the Aldershot GO Mobility Hub was presented.

The preferred concept identifies the subject lands as having the potential for the development of 7-11 storey buildings along Plains Road and providing a public open space along Cooke Blvd.

City of Burlington Zoning By-law 2020

The subject lands are currently zoned “Mixed Use Corridor - Employment” (MXE) and “Mixed Use Corridor – General (MXG)”. Permitted uses within the MXE zone include limited retail, service commercial, Office, hospitality, industrial and entertainment and recreational uses. Residential uses are not permitted.

Permitted uses within the MXG zone include a range of retail commercial, service commercial, office, community, hospitality, automotive, entertainment and recreation and residential uses. The Mixed Use Corridor zones permits a maximum height of six storeys.

The applicant has proposed to zone the site “Mixed Use Corridor – General (MXG)” with site specific exceptions to allow:

- Decreased resident and visitor parking requirements for the apartment uses.
 - Decreased amenity area for the apartment uses.
 - Increased height.
 - Increased density.
 - Decreased landscaped area.
-

Financial Matters:

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

Public Engagement Matters:

Public Circulation

The application was subject to the standard circulation requirements. A public notice and request for comments were circulated in February 2018 to surrounding property owners / tenants. Notice signs were also posted on the property, which depicted the proposed development. All technical studies and supporting materials were posted on the City’s website at www.burlington.ca/SolidGold.

Neighbourhood Meeting

A neighbourhood meeting was held on March 20, 2018 at the East Plains United Church and was attended by approximately 106 members of the public, Ward 1 Councillor Craven, and Ward 2 Councillor Meed Ward.

Comments included the following:

Parking and Traffic:

- There is insufficient parking.
- If there are no amenities nearby, the residents will not use sustainable modes of travel.
- Concern that the Traffic Study does not consider other proposed development in the area and the cumulative impact they will have on traffic.

- Illegal parking because of Aldershot GO is a problem in the neighbourhood.
- The existing misalignment of Birchwood and Clearview is dangerous.
- Concern that the access onto Clearview will add more traffic and parking to the area.
- The additional cars introduced by the development will cause unacceptable traffic.

Retail uses:

- Residents would like to see a grocery store provided on site

Engineering Issues:

- Want to ensure that the site will be remediated prior to development.
- Residents want to ensure the development will not impact the storm water pipe that runs through the site.

Compatibility:

- Resident is concerned that there will be insufficient amenity space for future population of Ward 1.
- The characteristics that define Aldershot and are valued by its residents are intangible - such as tree canopy, the feel and uniqueness of the neighbourhood.
- Concern that tall and dense buildings represent over intensification.
- Aldershot's green space is important and defines the neighbourhood. The development needs more trees and landscaping in order to fit in with the neighbourhood.
- Why is the proposed height higher than what is allowed in Aldershot.
- Concern that this development will set precedence for the rest of the mobility hub in terms of height and density.
- If the population targets for Burlington equal to approximately 1,000 people a year, why are we aiming for more?
- The developer should reduce the building to 6 storeys and address parking to maintain existing official plan and zoning by-law.

Public Comments

Since the subject applications were submitted in January 2018, staff have received correspondence from members of the public regarding the proposed development. To date, staff have received 3 comment sheets, 2 letters and 15 emails. The public comments received to date are included in Appendix D. The comments echoed the concerns heard at the neighbourhood meeting related to traffic congestion, over intensification, lack of parking, and community amenities. Also, concern over the loss of the existing business on site, and shadow impacts were noted. One email was

supportive of the development and the additional rental units that will be provided in the area.

Conclusion:

This report provides a description of the development application, an update on the technical review of this application and advises that several public comments have been received. A subsequent report will provide an analysis of the proposal in terms of the applicable planning policies and will provide a recommendation on the proposed application.

Respectfully submitted,

Lisa Stern, RPP MCIP

Senior Planner – Development Review

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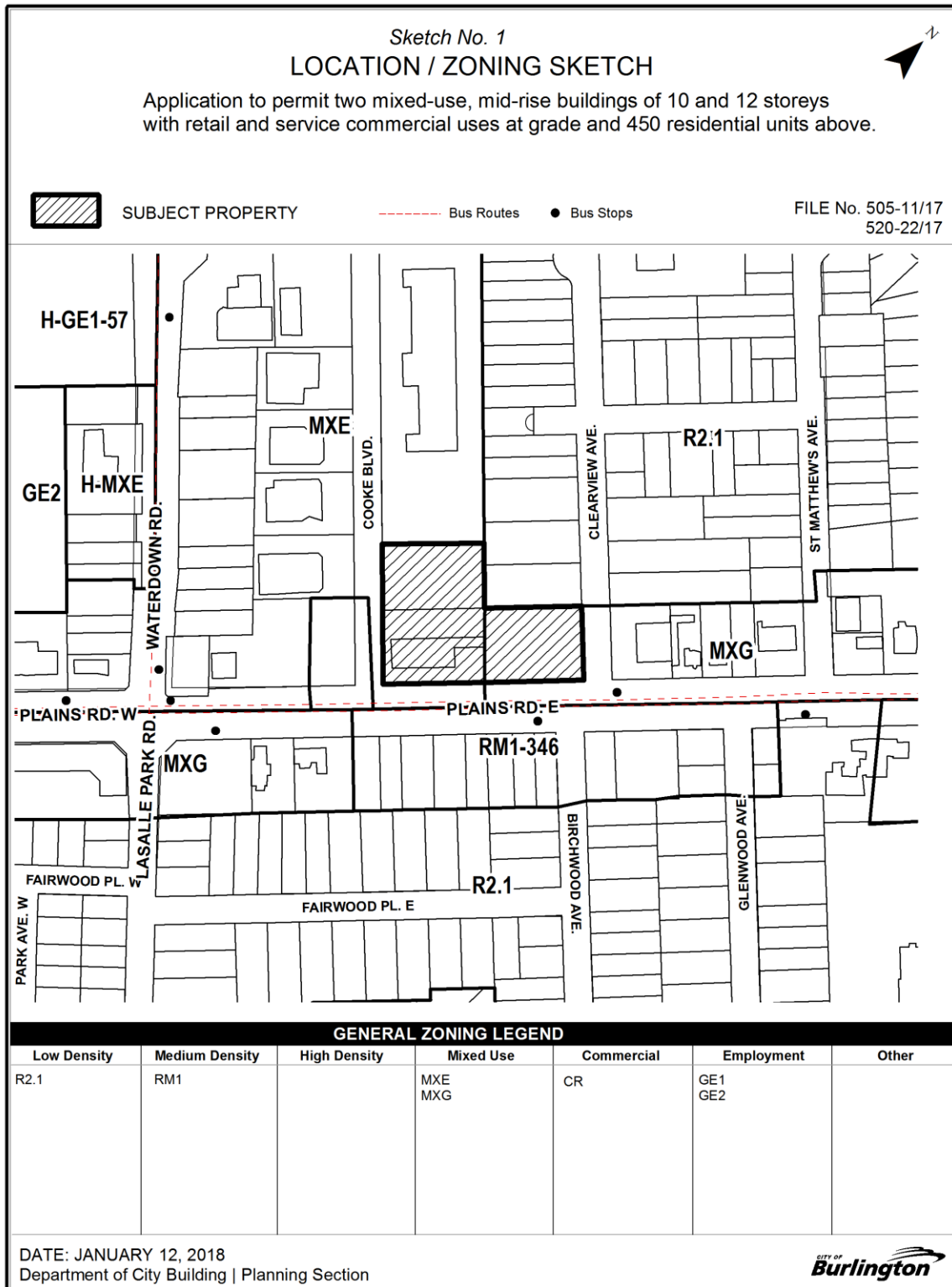
Appendices:

- A. Location Sketch
- B. Detail Sketch
- C. Burlington Urban Design Advisory (BUD) Panel Minutes
- D. 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 A - Location Sketch



APPENDIX B – Detail Sketch

