



## **Planning and Development Committee Meeting**

### **Minutes**

Date: March 5, 2019

Time: 1:00 pm

Location: Council Chambers Level 2, City Hall

Members Present: Rory Nisan (Chair), Kelvin Galbraith, Lisa Kearns, Shawna Stolte, Angelo Bentivegna, Mayor Marianne Meed Ward

Member Regrets: Paul Sharman

Staff Present: Tim Commisso, Heather MacDonald, Nancy Shea-Nicol, Vito Tolone, David Thompson (Audio/Video Specialist), Jo-Anne Rudy (Clerk)

#### **1. Declarations of Interest:**

None

#### **2. Statutory Public Meetings:**

##### **2.1 Information report for proposed plan of subdivision and zoning by-law amendment for 4407 and 4417 Spruce Avenue (PB-13-19)**

The Planning and Development Committee, in accordance with Section 34 of the Planning Act, as amended, held Public Meeting No. 4-19 on March 5, 2019 to receive the proposed plan of subdivision and zoning by-law amendment for 4407 and 4417 Spruce Avenue. Having considered the oral and written comments received from staff and delegations, the Planning and Development Committee received PB-13-19 for consideration.

Moved by Councillor Stolte

Receive and file department of city building report PB-13-19 regarding a plan of subdivision and zoning by-law amendment for 4407 and 4417 Spruce Avenue.

**CARRIED**

- a. Victor Labreche, Labreche Patterson & Associates Inc., provided information on the proposed plan of subdivision and zoning by-law amendment for 4407 and 4417 Spruce Avenue. (PB-13-19)
- b. Randa Sabbagh, Appleby United Church, spoke in support of the proposed plan of subdivision and zoning by-law amendment for 4407 and 4417 Spruce Avenue and noted that the church wants to continue to thrive and contribute to the community. (PB-13-19)
- c. Staff presentation regarding report for proposed plan of subdivision and zoning by-law amendment for 4407 and 4417 Spruce Avenue (PB-13-19)
- d. Correspondence from Anthony Van Veen, Appleby United Church, regarding report for proposed plan of subdivision and zoning by-law amendment for 4407 and 4417 Spruce Avenue (PB-13-19)
- e. Correspondence from Modeno Homes regarding report for plan of subdivision and zoning by-law amendment for 4407 and 4417 Spruce Avenue (PB-13-19)

2.2 Information report for proposed official plan and zoning by-law amendments for 2082, 2086 and 2090 James Street (PB-17-19)

The Planning and Development Committee, in accordance with Section 34 of the Planning Act, as amended, held Public Meeting No. 5-19 on March 5, 2019 to receive the proposed official plan and zoning by-law amendments for 2082, 2086, 2090 James Street. Having considered the oral and written comments received from staff and delegations, the Planning and Development Committee received PB-17-19 for consideration.

Moved by Councillor Stolte

Receive and file department of city building report PB-17-19 regarding proposed official plan and zoning by-law amendments for 2082, 2086 and 2090 James Street.

**CARRIED**

- a. Don Wilson expressed concern with the proposed official plan and zoning by-law amendments for 2082, 2086 and 2090 James Street as it relates to height, setbacks, traffic and proximity to multi-use pathway. (PB-17-19)

- b. Scott Snider, representing Mattamy Homes, provided information on the proposed official plan and zoning by-law amendments for 2082, 2086 and 2090 James Street. (PB-17-19)
- c. Robert Glover, Bousfields Inc., provided information on the proposed official plan and zoning by-law amendments for 2082, 2086 and 2090 James Street (PB-17-19)
- d. Perry Bowker, representing the Lions Club, expressed concern with the proposed official plan and zoning by-law amendments for 2082, 2086 and 2090 James Street as it relates to lack of parking, traffic and over intensification. (PB-17-19)
- e. Lynn Crosby, representing Gary Scobie, expressed concern with the proposed official plan and zoning by-law amendments for 2082, 2086 and 2090 James Street as it relates to density and over intensification. (PB-17-19)
- f. Bob Hilton expressed concern with the proposed official plan and zoning by-law amendments for 2082, 2086 and 2090 James Street as it relates to parking, overdevelopment and channelization of Rambo Creek. (PB-17-19)
- g. James McLaughlin spoke to the proposed official plan and zoning by-law amendments for 2082, 2086 and 2090 James Street and noted the importance of the applicant and community working together to achieve the best result. (PB-17-19)
- h. Staff presentation regarding report for proposed official plan and zoning by-law amendments for 2082, 2086 and 2090 James Street (PB-17-19)
- i. Delegation material from Scott Snider, Turkstra Mazza Associates, regarding proposed official plan and zoning by-law amendments for 2082, 2086 and 2090 James Street. (PB-17-19)
- j. Correspondence from the Burlington Lions Club regarding the proposed official plan and zoning by-law amendments for 2082, 2086, 2090 James Street. (PB-17-19)
- k. Correspondence from Gary Scobie regarding the proposed official plan and zoning by-law amendments for 2082, 2086 and 2090 James Street. (PB-17-19)

**3. Delegation(s):**

- 3.1 Brenda Khes, GSP Group Inc., provided information on the proposed official plan and zoning by-law amendments for 1335-1355 Plains Road East. (PB-15-19)
- 3.2 James Patrick expressed concern with the proposed official plan and zoning by-law amendments for 1335-1355 Plains Road East as it relates to setbacks, density and shadowing. (PB-15-19)
- 3.3 Paul Demczak, Amico Properties Inc., expressed concern with the Interim Control By-law and requested an exemption to allow seniors care facilities. (PB-36-19)

**4. Consent Items:**

- 4.1 Amendment to Sign By-law 34-2007 (PB-07-19)

Moved by Councillor Kearns

Approve amending By-law 14-2019 which deletes Section 9 Variances from Sign By-law 34-2007 in its entirety and replaces it with Appendix "A" to department of city building report PB-07-19.

**CARRIED**

- 4.2 Milton Animal Shelter services (PB-08-19)

Moved by Councillor Kearns

Approve the proposed contract extension for the use of the Burlington Animal Shelter by the Town of Milton; and

Authorize the Mayor and City Clerk to execute the agreement between the Town of Milton and the City of Burlington and any other documentation required to the satisfaction of the City Solicitor.

**CARRIED**

**5. Regular Items:**

- 5.1 Technology-based traffic enforcement (TS-01-19)

Moved by Mayor Meed Ward

Direct the Director of Transportation Services to complete a detailed assessment of intersections and report back with a business case for the implementation of Red Light Cameras including recommended

intersections, program costs and an implementation plan by Q2 of 2020; and

Direct the Director of Transportation Services to continue to participate in the Ontario Traffic Council Automated Speed Enforcement (ASE) working group and report back as program details are available.

**CARRIED**

5.2 Mid-Rise Building Design Guidelines (PB-10-19)

Moved by Councillor Kearns

Approve the design guidelines for mixed-use and residential mid-rise buildings (Mid-Rise Building Guidelines), included as Appendix A to department of city building report PB-10-19.

**CARRIED**

5.3 Proposed official plan and zoning by-law amendments for 1335-1355 Plains Road East (PB-15-19)

Moved by Mayor Meed Ward

Approve the application submitted by DVLP Property Group Inc., 1 Kawana Road, Brampton ON, L6Y 6A8, to amend the Official Plan and Zoning By-law at 1335-1355 Plains Road East to permit a 34 unit townhouse development; and

Approve Amendment No. 114 to the City of Burlington Official Plan, attached as Appendix B of department of city building report PB-15-19, to add a site specific policy for the lands at 1335-1355 Plains Road East to permit a townhouse development; 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. 114 as contained in Appendix B of department of city building report PB-15-19; and

Enact the draft amending Zoning By-law 2020.406, contained in Appendix C of department of city building report PB-15-19, to rezone lands at 1335-1355 Plains Road East from “Mixed Use Corridor – General (MXG)” to “Mixed Use Corridor – General with Site Specific Exception (H-MXG-494)”; and

Deem that Zoning By-law 2020.406 conforms to the Official Plan of the City of Burlington; and

Approve the request by GSP Group Inc., on behalf of DVLP Property Group Inc. to remove one (1) city tree adjacent to 1335-1355 Plains Road East; and

Instruct GSP Group Inc., on behalf of DVLP Property Group Inc. to obtain a Tree Permit to remove the city tree and to provide compensation for the tree removal by providing replanting in the municipal right-of-way or cash-in-lieu, with a total value of \$4,825.00 at the time of Site Plan Approval; and

Deem that the amending zoning by-law will conform to the Official Plan for the City of Burlington once Official Plan Amendment No. 114 is adopted; and

State that the amending zoning by-law will not come into effect until Official Plan Amendment No. 114 is adopted; **and**

**Undelegate site plan approval from the Director of City Building to Council.**

**CARRIED**

#### 5.4 Interim Control By-law (PB-36-19)

Note: The following motion was approved at the Special Council meeting of March 5, 2019

Moved by Councillor Bentivegna

Receive and file department of city building report PB-36-19 regarding an interim control by-law for the lands identified on Schedule 'A' of Appendix A; and

Approve an Interim Control By-law, as recommended by staff in department of city building report PB-36-19 attached as Appendix A, to restrict the use of all lands identified on Schedule 'A' of Appendix A (the "Study Area"), for a period of one year, pending completion of the following land use study (the "Study") that will:

1. Assess the role and function of the downtown bus terminal and the Burlington GO Station as Major Transit Station Areas, including assessing the existing and long range planned transit service for the Study Area and the connections between the two respective MTSAs;

2. Examine the planning structure, land use mix, and intensity for the lands identified on Schedule 'A' of Appendix A; and
3. Update the Official Plan and Zoning By-law regulations, as needed, for the lands identified on Schedule 'A' of Appendix A; and

Direct the Director of City Building to immediately initiate and complete a land use study, as described above, for the lands identified on Schedule 'A' of Appendix A; and

Deem that Section 38 of *The Planning Act* has been met; and

Instruct the City Clerk to prepare the necessary notice adopting the Interim Control By-law, as contained in Appendix A of department of city building report PB-36-19; and

Delegate authority to the City Manager in conjunction with the Director of Finance, the ability to single source or sole source work for this initiative that may exceed \$100,000.

**CARRIED**

**6. Confidential Items:**

None

**7. Procedural Motions:**

7.1 Suspend the rules of procedure

Moved by Mayor Meed Ward

Suspend the rules of procedure to allow a non-registered delegation to speak regarding department of city building report PB-36-19, in accordance with procedure by-law 64-2016 s. 37.

**CARRIED**

7.2 Proceed beyond adjournment hour

Moved by Councillor Stolte

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

**CARRIED**

**8. Information Items:**

Moved by Mayor Meed Ward

Receive and file the following 11 items, having been given due consideration by the Planning and Development Committee.

**CARRIED**

- 8.1 Memo from staff regarding technology-based traffic enforcement (TS-01-19)
- 8.2 Staff presentation regarding Mid-Rise Building Design Guidelines (PB-10-19)
- 8.3 Staff presentation regarding proposed official plan and zoning by-law amendments for 1335-1355 Plains Road East (PB-15-19)
- 8.4 Delegation material from Brenda Khes, GSP Group Inc., regarding proposed official plan and zoning by-law amendments for 1335 and 1355 Plains Road East. (PB-15-19)
- 8.5 Correspondence from Tom Muir regarding the Interim Control By-law. (PB-36-19)
- 8.6 Correspondence from David Bronskill, Goodmans, on behalf of Core Development Group Limited regarding the Interim Control By-law. (PB-36-19)
- 8.7 Correspondence from David Bronskill, Goodmans, on behalf of Vrancor Group regarding the Interim Control By-law. (PB-36-19)
- 8.8 Correspondence from David Bronskill, Goodmans, on behalf of Reserve Properties regarding the Interim Control By-law. (PB-36-19)
- 8.9 Correspondence from Jeremy Skinner regarding the Interim Control By-law. (PB-36-19)
- 8.10 Correspondence from Suzanne Mammel, Hamilton-Halton Home Builders' Association, regarding the Interim Control By-law. (PB-36-19)
- 8.11 Correspondence from Tyler Grinyer, Bousfields Inc., on behalf of Spruce Partners and Amico Properties Inc., regarding the Interim Control By-law. (PB-36-19)
- 9. **Staff Remarks:**
- 10. **Committee Remarks:**
- 11. **Adjournment:**



3:06 p.m. (recessed), 3:11 p.m. (reconvened), 4:05 p.m. (recessed), 6:30 p.m. (reconvened), 8:55 p.m. (recessed), 9:00 p.m. (reconvened)

Chair adjourned the meeting at 10:05 p.m.