



SUBJECT: Corrections to 441 Maple Avenue official plan amendment and rezoning applications

TO: Planning and Development Committee

FROM: Department of City Building - Planning Building and Culture

Report Number: PB-56-19

Wards Affected: 2

File Numbers: 505-02/19 and 520-03/19

Date to Committee: July 9, 2019

Date to Council: July 15, 2019

Recommendation:

Receive and file department of city building report PB-56-19 correcting information on the 441 Maple Avenue official plan amendment and rezoning applications contained in department of city building report PB-23-19.

Purpose:

Department of city building report PB-23-19 was presented to the Planning and Development Committee on May 14, 2019 for information purposes at a Statutory Public Meeting. The report subsequently went to the Council Meeting held May 27, 2019.

In response to a letter received May 13, 2019 from Kelly Martel of MHBC, which formed part of the "Additional Items" for the Planning and Development Committee meeting of May 14, 2019, corrections have been made. Corrections are as follows:

- The "Date to Committee" date is *May 14, 2019* whereas April 1, 2019 was previously stated. The report was originally scheduled to appear before the Planning and Development Committee on April 1, 2019; but for agenda management was moved to May 14, 2019;
- The "Date to Council" date is *May 27, 2019* whereas April 23, 2019 was previously stated. The report was originally scheduled to appear before Council on April 23, 2019; but for agenda management was moved to May 27, 2019;

- The “Statutory Deadline” date of September 24, 2018 within report PB-23-19 was based on the date that the sign was posted. The correct “Statutory Deadline” date is August 9, 2019;
- The permitted uses include *ground and non-ground oriented housing units*, whereas only ground-oriented housing units was previously stated in error; and,
- The applicant has reduced the proposed number of residential units from 164 to 153 since the neighbourhood meeting held November 14, 2018, which was not mentioned in report PB-23-19.

Conclusion:

This report provides a description of corrected information from department of city building report PB-23-19. A subsequent recommendation report will provide an analysis of the proposal in terms of the applicable planning policies and will provide a recommendation on the proposed application.

On March 5th, 2019, Council enacted Interim Control By-law (ICBL) 10-2019 to temporarily limit development within the City’s Urban Growth Centre and the Burlington GO mobility hub area in order to complete a land use study assessing the role and function of these Major Transit Station Areas. The ICBL is in place for a period of one year which can be extended for a second year.

The Planning Act preserves the priority of zoning passed during the period of breathing created by Interim Control By-law and, if passed in that period, the prior zoning does not come back into effect unless the new zoning is appealed and is defeated on appeal. The effect of the interim control by-law is to permit existing uses only. The application is therefore premature, and it would not be appropriate to process it further, including providing any analysis or recommendations at this time.

Following the statutory public meeting, these applications will be held in abeyance until the ICBL is no longer in effect.

Respectfully submitted,

Melissa Morgan, MCIP RPP
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Appendix:

A. Corrected Report – PB-23-19

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.