



SUBJECT: Recommendation report for a zoning by-law amendment for 961 & 970 Zelco Drive and 4425 South Service Road

TO: Community Planning, Regulation & Mobility Cttee.

FROM: Community Planning Department

Report Number: PL-03-21

Wards Affected: 4

File Numbers: 520-06/20

Date to Committee: January 14, 2021

Date to Council: January 19, 2021

Recommendation:

Approve the application made by Urban Solutions Planning & Land Development Consultants (c/o Giampaolo Investments Ltd.), to permit a *motor vehicle wrecking yard* use on the lands known as 961 & 970 Zelco Drive and 4425 South Service Road; and

Approve the by-law to amend Zoning By-law 2020, rezoning the lands at 961 & 970 Zelco Drive and 4425 South Service Road from "GE1" to "GE1-507", substantially in accordance with the draft regulations contained in Appendix D of community planning department report PL-03-21; 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 purpose of this report is to recommend approval of an application to amend the Zoning By-law to permit a *motor vehicle wrecking yard* with a proposed mobile drainage collection system structure at 961 & 970 Zelco Drive and 4425 South Service Road.

Vision to Focus Alignment:

The following objectives of 2018 – 2022 Burlington's Plan: From Vision to Focus apply to the discussion and consideration of the subject application:

- Increase economic prosperity and community responsive city growth
- Support sustainable infrastructure and a resilient environment

RECOMMENDATION:		Approval	Ward:	4
Application Details	APPLICANT: OWNER: FILE NUMBERS: TYPE OF APPLICATION: PROPOSED USE:	Urban Solutions Planning & Land Development Consultants Inc. Giampaolo Investments Ltd. 520-06/20 Zoning By-law amendment Industrial metal recycling facility to provide motor vehicle wrecking services excluding vehicle crushing		
Property Details	PROPERTY LOCATION: MUNICIPAL ADDRESSES: PROPERTY AREA: EXISTING USE:	South-west of the Queen Elizabeth Way and Appleby Line intersection, north of Harvester Road and east of South Service Road. 961 & 970 Zelco Drive and 4425 South Service Road 2.33 ha (approximately 23,316 sqm) Industrial metal recycling facility		
Documents	OFFICIAL PLAN Existing: OFFICIAL PLAN Proposed: ZONING Existing: ZONING Proposed:	“Employment lands – General Employment” “Employment lands – General Employment” General Employment – GE1 General Employment – GE1-507		
Processing Details	APPLICATION RECEIVED: STATUTORY DEADLINE: NEIGHBOURHOOD MEETING: PUBLIC COMMENTS:	July 2, 2020 Elapsed No applicable 2 written comments received		

Background and Discussion:

On July 2, 2020 the Community Planning Department received a complete application for a Zoning By-law amendment for 961 & 970 Zelco Drive and 4425 South Service Road (the “subject lands”). The purpose of the application is to permit a proposed *motor vehicle wrecking yard* which is currently a prohibited use under the *General Employment* (GE1) zoning of the property. There is no new development planned for the subject lands, with the exception of a proposed mobile drainage collection system structure.

On September 22, 2020 the Community Planning Department presented an information report to council concerning the Zoning By-law application with a recommendation to continue to work with the applicant in order to resolve staff concerns. At this time, the applicant has addressed all of staff’s concerns, which will be discussed throughout the report in more detail.

Site Description

The subject lands are located south-west of the Queen Elizabeth Way and Appleby Line intersection, north of Harvester Road and east of South Service Road. The lands are composed of three parcels municipally known as 961 & 970 Zelco Drive and 4425 South Service Road with a combined area of 2.33 ha. Property 961 Zelco Drive has an area of approximately 0.39 ha, a frontage of approximately 32 m along Zelco Drive and an existing 2 storey building with a gross floor area of approximately 1,142 sqm. Property 970 Zelco Drive has area of approximately 0.39 ha, a frontage of approximately 20 m along Zelco Drive and contains an office structure of approximately 19 sqm. Property 4425 South Service Road has an area of approximately 1.55 ha, a frontage of approximately 107 m along South Service Road and a 2 storey building located in the southern portion of the property with an approximate gross floor area of 104 sqm.

Currently, there is a metal recycling facility on the subject lands which has been operating for over 25 years. The lands are in a location designated as *General Employment* in the City’s Official Plan, and zoned *General Employment* (GE1) in the City’s Zoning By-law 2020, as amended. The location and zoning of the subject lands is illustrated in Appendix A to this report. The surrounding land uses include:

- North: Abutting the subject lands to the north are 2 buildings of approximately 2 storeys including corporate offices and industrial uses.
- East: Abutting the subject lands to the east are 2 buildings of approximately 1 storey for industrial uses.
- South: Abutting the subject lands to the south are 2 buildings of approximately 1 storey for industrial uses.

- West: Abutting the subject lands to the west is a scrap yard and South Service Road, across the road is a building of approximately 1 storey for vehicle repair services and a yard for equipment rental services.

Description of Application and Processing History

Urban Solutions Planning & Land Development Consultants have made an application for a Zoning By-law Amendment on behalf of Giampaolo Investments for the subject lands. A Zoning By-law Amendment is an instrument provided to municipalities under Section 34 of the *Planning Act* which allows property owners to request a change to the Zoning By-law regulations in case the proposed development is not in accordance with the regulations. In this case, the proposed *motor vehicle wrecking yard* is prohibited in the GE1 zone under Zoning By-law 2020 and as a result, the applicant is requesting a Zoning By-law amendment to facilitate the development.

Technical Reports

The following information and plans were submitted in support of the application. This information can also be accessed online at: www.burlington.ca/961zelcodrive

- [Planning Justification Report](#) Prepared by Urban Solutions Planning & Land Development Consultants dated February 14, 2020
- [Conceptual Site Plan Layout and Site Survey](#) Prepared by Urban Solutions Planning & Land Development Consultants dated October 11, 2019
- [Revised Conceptual Site Plan Layout and Site Survey](#) Prepared by Urban Solutions Planning & Land Development Consultants dated August 6, 2020
- [Revised Conceptual Site Plan Layout and Site Survey](#) Prepared by Urban Solutions Planning & Land Development Consultants dated August 26, 2020
- [Revised Conceptual Site Plan Layout and Site Survey](#) Prepared by Urban Solutions Planning & Land Development Consultants dated October 7, 2020
- [Addendum Concept Plan](#) Prepared by Urban Solutions Planning & Land Development Consultants dated October 17, 2019
- [Scoped Functional Servicing Report](#) Prepared by MTE Consultants dated February 7, 2020
- [Traffic Impact Brief](#) Prepared by RC Spencer Associates dated October 29, 2019
- [Updated Transportation Memo](#) Prepared by RC Spencer Associates dated August 6, 2020
- [Noise Impact Study](#) Prepared by HGC Engineering dated January 22, 2020
- [Environmental Site Screening Checklist](#) Prepared by Urban Solutions Planning & Land Development Consultants dated January 22, 2020
- [Environmental Compliance Approval Confirmation](#) Prepared by Ministry of the Environment, Conservation and Parks dated January 31, 2020

- [Grading and Servicing Plan](#) Prepared by MTE Consultants dated November 5, 2019
- [Plan of Survey](#) Prepared by MTE Consultants dated October 7, 2019
- [PIN Report](#) Prepared by ServiceOntario dated September 18, 2019
- [Fire Access Route Plan](#) Prepared by MTE Consultants dated January 22, 2020
- [Revised Fire Access Route Plan](#) Prepared by MTE Consultants dated October 7, 2020
- [Zoning By-law Amendment Application Form](#) Prepared by Urban Solutions Planning & Land Development Consultants dated February 6, 2020
- [Stormwater management Brief](#) Prepared by MTE Consultants dated April 15, 2020
- [Revised Stormwater Management Brief](#) Prepared by MTE Consultants dated August 11, 2020
- [Stormwater Management Plan](#) Prepared by MTE Consultants dated August 11, 2020
- [Signed Cover Letter for Transportation Documents](#) Prepared by Urban Solutions Planning & Land Development Consultants dated August 7, 2020

Policy Framework

The application for an amendment to the Zoning By-law is subject to the following policy framework:

Provincial Policy Statement (2020)

The Provincial Policy Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development in Ontario. Moreover, it provides policies for development based on efficient use of land and infrastructure, protection of natural resources, protection of public health and safety, and residential and employment area development including a range and mix of uses. The PPS is issued under Section 3 of the *Planning Act* and requires that decisions affecting planning matters made on or after May 1, 2020 “shall be consistent with” the PPS. The following PPS policies apply to the Zoning By-law Amendment application for the subject lands.

Policy 1.1.3.1 identifies *Settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted.* The subject lands are located within the Urban Planning Area Boundary according to Schedule A of the City’s Official Plan, and therefore are located within a settlement area. Policy 1.1.3.2 further explains that land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- a) Efficiently use land and resources;

- b) Are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid their unjustified and or/uneconomical expansion;
- c) Minimize negative impacts to air quality and climate change, and promote energy efficiency;
- d) Prepare for the impacts of a changing climate
- e) Support active transportation; and,
- f) Are transit-supportive, where transit is planned, exists or may be developed.
- g) Are freight supportive

The subject lands are of employment nature as these include automotive, office and industrial uses. The proposed Zoning By-law amendment would allow an additional use to assist in promoting a range and mix of employment land uses and in protecting employment lands. Prohibiting the existing and proposed use to operate would be an inefficient use of the land and the physical resources that are currently in place. The development utilizes existing municipal infrastructure and does not propose any additional expansion to the infrastructure through this application. Additionally, the operation of the existing and proposed uses on the subject lands will support the viability of the public transit routes along the intersection of Zelco Drive and Harvester Road. The subject lands are located on the periphery of Queen Elizabeth Way, a provincial highway utilized as a major goods movement corridor which helps support the transportation of major goods from the subject lands.

Policy 1.2.6.1 identifies that major facilities and sensitive land uses shall be planned and developed to avoid or minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities. Engineering staff have advised that the proposed mobile unit is self-contained and has a spill tray; the site has emergency spill protocol in place, and two functioning oil grit separators that have been certified by the civil engineer as in good working condition. City Site Engineering and Region of Halton staff have therefore indicated no concerns for potential environmental contamination. Additionally, Site Engineering staff have no concerns of noise impact as per the review of the noise impact study submitted by the applicant. The applicant has confirmed a vehicle crushing unit, which could cause noise impacts, is not proposed.

Policy 1.3.2.2 identifies that employment areas planned for industrial and manufacturing uses shall provide for separation or mitigation from sensitive land uses to maintain the long-term operational and economic viability of the planned uses and function of these areas. Similarly, policy 1.3.2.3 identifies that within employment areas planned for industrial or manufacturing uses, residential uses shall be prohibited and prohibit or limit other sensitive land uses that are not ancillary to the primary employment uses. The

subject lands and the immediate surrounding parcels are designated *Employment Lands – General Employment* on Schedule B – Urban Area of the City’s Official Plan. As a result, the existing area contains employment uses including industrial and office spaces. The application for a Zoning By-law amendment does not propose any new development on the subject lands, and rather seeks to permit a *motor vehicle wrecking yard* use within the existing GE1 zone. Additionally, the proposed subject lands are sufficiently separated from sensitive land uses as the nearest residential area is approximately 750m south from the subject lands.

Planning staff have considered the policies of the PPS with regard to this Zoning By-law amendment application and support the applicant’s opinion in the submitted Planning Justification Report that the proposal is consistent with the 2020 PPS.

Growth Plan for the Greater Golden Horseshoe (2019)

The Growth Plan for the Greater Golden Horseshoe (Growth Plan) provides specific growth management policy direction for the Greater Toronto and Hamilton Area (GTHA) and focuses on development in the existing urban areas through intensification. The guiding principles of the Growth Plan include building complete communities that are vibrant and compact, and utilizing existing and planned infrastructure to support growth in an efficient and well-designed form. As noted earlier, there is no new development planned for the subject lands and the Zoning By-law Amendment is required to allow for a *motor vehicle wrecking yard*. The following Growth Plan policies apply to the Zoning By-law Amendment application for the subject lands:

One of the growth plan’s guiding principles is to *provide flexibility to capitalize on new economic and employment opportunities as they emerge, while providing certainty for traditional industries*. Similarly, Policy 2.2.5 1. a) identifies that *Economic development and competitiveness in the GGH will be promoted by making more efficient use of existing employment areas and vacant and underutilized employment lands and increasing employment densities*. The Zoning By-law amendment will allow for the additional use of a *motor vehicle wrecking yard* on the subject lands and hence expand the subject land services for a more efficient use of the existing infrastructure.

Policy 2.2.5 8) identifies that Municipalities may identify employment areas located near major goods movement corridors, including major highway interchanges, as prime employment areas and plan for their protection for appropriate employment uses over the long-term. The plan identifies this can be achieved by prohibiting residential, institutional, sensitive land uses, and retail and office uses not associated with or ancillary to the primary use, as well as to plan for freight-supportive land use patterns.

The proposed *motor vehicle wrecking yard* use will maintain the subject lands as employment lands. Sensitive land uses such as residential and institutional uses as well

as retail and office uses that are not associated with the primary employment use will not be established.

Planning staff have reviewed the application and find that the proposed Zoning By-law amendment on the subject lands conforms with the policy direction provided by the 2019 Growth Plan.

Region of Halton Official Plan

The subject lands are designated as *Urban Area* according to the Regional Official Plan (ROP) (identified on Map 3 of the ROP). The Urban Area objectives promote growth that is compact and transit supportive with an appropriate range and balance of employment uses including industrial uses to meet long-term needs. The Urban Area (Section 77) policies support increased densities and intensification of uses within these areas subject to Local Official Plan policy and direction. The ROP also identifies that the proper integration of intensification with the surrounding neighbourhoods through urban design is supported.

The subject lands are within the *Employment Area - overlay* (identified on Map 1 of the ROP). The Employment Area objectives aim for the protection of this designation in order to ensure the availability of sufficient land for employment to accommodate forecasted growth and support economic competitiveness. Furthermore, the plan aims for the Employment Area to be in the vicinity of existing major highway interchanges and rail yards within the Urban Area.

Halton Region staff were circulated on the development application and associated technical studies and drawings. Regional staff have indicated that the applicant's application materials are satisfactory for the rezoning and have no objections to the proposed amendments.

City of Burlington Official Plan

The subject lands are designated *Employment Lands – General Employment* on Schedule B – Urban Area of the City's Official Plan. The immediate surrounding properties are all designated *Employment Lands – General Employment* except for the properties located directly north of 961 Zelco Drive which are designated as *Employment Lands - Business Corridor* and also permit employment uses including office and industrial uses. As per policy 3.3.2 a), the *General Employment* designation permits a broad range of employment uses including:

- i) industrial uses that involve assembling, fabricating, manufacturing, processing, warehousing and distribution uses, repair activities, communications, utilities, transportation, storage, service trades and construction uses; office uses; research and information processing; recreational uses; large scale motor vehicle dealerships; and adult entertainment uses.

- ii) A limited range of retail and service commercial uses
- iii) In locations adjacent to residential areas only uses that would have limited impact on the surrounding area.
- iv) A residence for a watchman or caretaker

Additionally, policy 3.3.1 b) aims to separate *General Employment* designated areas from other sensitive land uses, particularly residential, due to potential land use compatibility concerns. The subject lands as well as the surrounding properties are designated *Employment Lands* and are located sufficiently distant from residential uses, at approximately 750m north from the nearest residential designated area. Therefore, staff is of the opinion that the proposed use would not disrupt the nearest residential neighbourhoods.

The Official Plan policy 3.3.2 f) also identifies general site plan considerations to ensure compatibility between the proposed *General Employment* use and the adjacent land uses. The considerations listed which apply to the subject lands include:

- Off-street parking shall be located away from adjacent uses
- Loading areas shall be located to avoid conflict between pedestrian and vehicular traffic away from adjacent residential areas and adjoining roads;
- Off-street parking areas, loading areas and site service areas shall be screened and landscaped
- Outdoor storage areas shall be fenced and/or screened
- The number and location of vehicular access points shall be limited to minimize disruption to traffic flows
- The proposal provides convenient access to public transit services

The existing off-street parking and loading spaces are all within the property 961 Zelco Drive. The off-street parking is located on the west and south side of the principal building while the existing loading space is located on the east side of the principal building. The loading space is set back from the frontage of the principal building at approximately 23m from the curve of Zelco Drive and it is adjacent to the west side yard of property 4450 Paletta Court which designated and zoned as *General Employment* (GE1) as well as utilized for open space. The loading space is screened by a metal wire fence of approximately 3m in height that is located on the east property line of 961 Zelco Drive and landscaped by a 4m wide natural vegetation area.

The subject lands are currently screened by an opaque metal fence of approximately 3m in height except for the entrance located on 961 and 970 Zelco Drive. Additionally, the existing entrance gate located on South Service Road will be closed and will remain as an emergency access point which will help minimize disruption of traffic flow. The nearest transit routes include bus stops along the intersection of Zelco Drive and

Harvester Road, which are located at approximately 350m from the subject lands in walking distance.

Staff consider that the subject lands are sufficiently landscaped, screened and located away from adjacent uses which prevent any possible visual and land use impacts of the proposed use onto immediate properties. Additionally, planning and transportation staff consider that the off-street parking and loading spaces do not pose negative impacts onto the pedestrian and vehicular traffic access as well as the immediate surrounding properties and are sufficiently distant from residential areas and adjoining roads. As a result, staff are of the opinion that the proposed Zoning By-law amendment conforms to the City's Official Plan.

City of Burlington Adopted Official Plan, 2018

The City's proposed new Official Plan was adopted by Council on April 26, 2018 and has been developed to reflect the opportunities and challenges facing the City as it continues to evolve. On November 30, 2020 Halton Region issued a final Notice of Decision approving the new Official Plan, and a twenty-day appeal period then began from November 30, 2020 to December 21, 2020.

The subject lands are contemplated to be designated "General Employment" in the new Official Plan. This designation permits industrial uses that involve assembling, processing, warehousing and distribution uses, repair activities, storage; office uses; and automotive commercial uses among other permitted uses. Objectives of this designation include: to provide locations for existing, new and/or relocating manufacturing, assembly, distribution and service industrial uses; to provide locations in the city for a broad range of employment and office uses; and to separate General Employment areas from sensitive land uses such as residential, due to potential adverse effects. As a result, staff are of the opinion that the proposed Zoning By-law amendment does not conflict with the City of Burlington Adopted Official Plan policies.

City of Burlington Zoning By-law

The subject lands are zoned *General Employment* (GE1) in the City's Zoning By-law 2020. The GE1 zone permits a broad range of uses such as automotive, retail, service commercial, recreational, office and industrial uses including a recycling facility, however a *motor vehicle wrecking yard* is a prohibited use due to possible noise, contamination and land use compatibility concerns. A *motor vehicle wrecking yard* is defined in Zoning By-law 2020 as "an area outside of a building where motor vehicles are disassembled, dismantled, or junked, or where inoperable motor vehicle or parts of motor vehicles are stored". The properties surrounding the subject lands are also zoned GE1 except for the property located north-west of 961 Zelco Drive which is zoned as *Business Corridor* (BC1). The BC1 zone also permits similar employment uses in

comparison to the GE1 zone including automotive, retail, service commercial, hospitality, recreational, office and industrial uses.

As per Zoning By-law 2020, the parking rate of the subject lands is 1 parking space per 100sqm of Gross Floor Area (GFA). Based on the approximate GFA of the buildings, the required parking rate is 11 parking spaces, including 1 accessible space. Additionally, for every building which use is part of the principal use on the subject lands a loading space is required, therefore 2 loading spaces are required. Currently, the property contains 1 loading space which is located on the northern parcel municipally known as 961 Zelco Drive. The applicant is therefore requesting to recognize a reduction from the required 2 loading spaces to the 1 existing loading space as well as the existing loading and unloading activities that occur in the yard abutting Zelco Drive.

Loading spaces are recognized under zoning By-law 2020 as off-street space or berth on the same lot with a building for the temporary parking of commercial vehicles that load or unload merchandise or materials. As per Part 3, Section 6.9 (b) of Zoning By-law 2020, loading and/or unloading activities are not permitted in a yard abutting a street. This policy intends to regulate the location of loading and/or unloading activities in order ensure that property yards and neighbourhood streetscapes are preserved as well as to ensure that vehicular and pedestrian traffic circulation is not disrupted.

The current loading space is an existing condition which is set back from the frontage of the principal building at approximately 23m from the curve of Zelco Drive and is sufficiently distant from the public sidewalk and street. Therefore, staff is of the opinion that the existing loading space poses no negative impact onto the streetscape, vehicular and pedestrian traffic flow or immediate property uses on Zelco Drive. Planning and transportation staff are also of the understanding that loading and unloading activities will occur throughout different locations on the site due to the nature of the proposed use and have no concerns regarding this matter. As per the analysis above staff is therefore of the opinion that the proposed amendments to Zoning By-law 2020 are appropriate for the subject lands.

Appleby GO Major Transit Station Area

The Appleby GO Major Transit Station Area (MTSA) is a locally recognized area centred around the Appleby GO Station. In 2016, the City initiated an Area Specific Plan (secondary plan) project to guide future growth in the Appleby GO MTSA, which aims to focus on creating a complete community that is environmentally-friendly, infrastructure-efficient, walkable, bikeable, and supports local and regional transit with a mix of uses such as employment, housing, recreation and shopping.

The subject lands are not within nor adjacent to the Appleby GO MTSA Study Area, as identified in the City's New Official Plan. Additionally, at this time Halton Region is in the process of delineating the boundaries of Major Transit Station Areas throughout the

Region. The subject lands are located approximately 200m away from the Appleby MTSA Boundary (as identified in the new Official Plan) and approximately 1km away from the Appleby GO Station. Therefore, any draft policies related to the Area Specific Planning Study are not found applicable to this Zoning By-law Amendment application.

Technical Review:

City of Burlington – Site Engineering

It is Site Engineering's understanding and was confirmed by the Applicant during the ZBA process, that a vehicle crushing unit is not proposed. Further, the application is to allow the installation of a mobile drainage collection system (only), where fluids would be removed from the vehicles then the vehicles will be removed off site for crushing. If in the future a crushing unit is proposed Site Engineering staff would ask that a new Zoning By-Law Amendment application be required, where the Noise Impact Study would need to be updated to address the crushing equipment, and the Applicant would need to provide confirmation that there is a Ministry of Environment approval/registration document for crushing equipment, and/or a security provided until such time as the MECP registration document is available. If Council approves the application, Site Engineering would recommend that the zoning by-law be written to explicitly not allow vehicle crushing equipment on the properties, and only allow for disassembling vehicles (tires, interior, etc.), and the collection of fluids in the mobile drainage station, then the vehicles would be transported off site for crushing.

Parks and Open Space & Landscaping

No comments

City of Burlington – Transportation Planning

Transportation Planning staff requested applicant to provide the following information:

- The parking layout and all dimensions on the site plan.
- To show truck turning templates for site circulation.
- The ITE land use code used in the traffic brief to estimate the additional site trips for staff to verify.

The applicant has addressed these comments and provided the requested information on August 7, 2020. Transportation have reviewed the revised documents and have no further comments or concerns.

Halton Region

Regional Planning Staff have reviewed the subject applications within the context of Provincial planning documents and Regional Official Plan (ROP) and offer no objection to the proposed amendments.

Burlington Fire

Following the Community Planning, Regulation and Mobility Committee meeting that took place on September 22, 2020 fire staff was re-circulated the application materials for possible comments regarding fire route access as per council's discussion.

Fire staff later identified that the proposal to close off the entrance located on South Service Road by installing a permanent fence would be of concern. The proposed fire access route indicates the location of the fire hydrants on South Service Road and considers them to be a source or firefighting water for the proposed salvage yard. If the existing gate were to be removed there would only be access to one hydrant from the end of Zelco Drive. This may not allow for all parts of the yard to be reached by using not more than 60m of hose as required by the Ontario Fire Code Division B 3.5.1.5.

The applicant therefore submitted a *Revised Conceptual Site Plan Layout and Site Survey* as well as a *Revised Fire Access Route Plan* on October 8, 2020. These plans have been revised to show that the access on South Service Road will now remain open as an emergency exit only. Fire staff has identified that the revised plans submitted have satisfied their comments and concerns.

Burlington Transit

No comments.

Burlington Economic Development Corporation

No comments.

Financial Matters:

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

Engagement Matters:

Public Circulation

The application was subject to the standard circulation requirements. A public notice and request for comments was circulated on July 6, 2020 to 211 surrounding property

owners/tenants. Two public notice signs were placed on the property, one facing Zelco Drive and another facing South Service Road which provided details about the application. All studies and supporting materials were posted on the City’s website at www.burlington.ca/961zelcodrive.

Public Comments

Since the public circulation was issued in July 2020, Planning Staff have received correspondence from 2 members of the public regarding the requested Zoning By-law Amendment. The public comments that were received are included as Appendix C to this report.

The general themes expressed in the comments are as follows:

Public Comment	Staff Response
<p>Subject lands are intended for office, commercial and residential uses and their intensification. The subject lands and abutting properties including 4450 and 4480 Paletta Court are included in the Appleby GO Mobility Hub.</p>	<p>The applicable Provincial, Regional, and Local policies of the subject lands do not encourage residential uses within or surrounding the subject property but do encourage industrial and office uses.</p> <p>The subject lands and the parcel which abuts the property to the north, municipally known as 4450 Paletta Court, are not within the Appleby GO MTSA Study Area, as identified in the new Official Plan, and Halton Region is currently in the process of delineating the boundaries of Major Transit Station Areas throughout the Region. Furthermore, the subject lands neither abuts the property at 4480 Paletta Court, which is found within the Appleby GO MTSA boundary, nor the Study Area Boundary. Therefore, any draft policies related to the Secondary Planning Study are not found applicable to this Zoning By-law Amendment application.</p>
<p>Proposed use is incompatible with the surrounding land uses which impact opportunities for other sites in the area to develop into high class office uses.</p>	<p>The immediate properties adjacent to the subject lands are all designated <i>Employment Lands – General Employment</i> except for the property located north of 961 Zelco Drive, which is designated as <i>Employment Lands - Business Corridor</i>. Additionally, the immediate properties adjacent to the subject lands are all zoned <i>General Employment (GE1)</i> under Zoning By-law 2020 except for the property located north-west of 961 Zelco Drive which is zoned as <i>Business Corridor (BC1)</i>. The BC1 zone permits similar employment uses in comparison to the GE1 zone including automotive, retail, service commercial, hospitality, recreational, office and industrial uses. Although the specific Official Plan</p>

	<p>designations and Zoning of the properties located north of 961 Zelco Drive are different, the nature of these and all the surrounding properties is of an employment nature. As a result, the subject land's proposed use is compatible with the surrounding uses and the planned context of the area.</p>
<p>Potential environmental and ground contamination.</p>	<p>Engineering staff have been made aware of the environmental related concerns received from public comments and have stated that <i>the mobile unit is self-contained, has a spill tray, the site has emergency spill protocol in place, and two functioning oil grit separators on site that have been certified by the civil engineer as in good working condition.</i> Additionally, the Region of Halton whom also comments on matters relating to environmental concerns, have identified they have no concerns regarding potential environmental and ground contamination.</p>
<p>Often truck traffic, disregard of speed limit and dangerous truck maneuvering/turning on Zelco Drive.</p>	<p>At the request of transportation staff, the applicant has provided further information regarding the access and circulation of vehicles on subject lands. The applicant's transportation engineer has advised that based on the submitted studies to City staff this development will not have an adverse effect on traffic operations on Harvester Road at Zelco Drive and that queuing on Zelco Drive is not anticipated to exceed three vehicle lengths.</p> <p>Transportation staff have been made aware of the transportation related concerns received from the public comments, have reviewed the submitted studies and have identified no concerns.</p>

Conclusion:

Planning staff have reviewed the zoning by-law amendment application submitted for the lands located at 961 & 970 Zelco Drive and 4425 South Service Road and find that the application is consistent with and conforms to Provincial planning documents, as well as the Regional Official Plan and Burlington Official Plan, and therefore recommend approval of the application.

Respectfully submitted,

Mariana Da Silva

Planner I

905-335-7600 ext. 7536

Appendices:

- A. Location/Zoning Sketch
- B. Detail Sketch
- C. Public Comments
- D. Draft By-law

Notifications:

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Report Approval:

All reports are reviewed and/or approved by Department Director, the Chief Financial Officer and the Executive Director of Legal Services & Corporation Counsel.