



SUBJECT: Statutory public meeting for Official Plan and Zoning By-law amendments for 3110 South Service Road

TO: Community Planning, Regulation & Mobility Cttee.

FROM: Community Planning Department

Report Number: PL-62-22

Wards Affected: 4

File Numbers: 505-04/22 & 520-05/22

Date to Committee: September 13, 2022

Date to Council: September 20, 2022

Recommendation:

Direct staff to continue to proceed with the processing of the submitted Official Plan amendment and Zoning By-law amendment application for 3110 South Service Road, including evaluating and incorporating any/all comments received by committee and the public at the statutory public meeting, as well as the comments received through the ongoing technical review of this application by agency partners and internal departments.

PURPOSE:

The purpose of this report is to provide background information to Committee and the public related to the Official Plan Amendment and Zoning By-law Amendment application submitted for the land municipally known as 3110 South Service Road and seek direction from Council to continue to process the application.

Pending the receipt of all public and agency comments and the conclusion of a technical review of the application, staff will work towards bringing forward a subsequent recommendation report to Council for consideration.

Vision to Focus Alignment:

The subject application relates to the following focus areas of the 2018-2022 Burlington's Plan: From Vision to Focus:

- Increase economic prosperity and community responsive city growth

- Improve integrated city mobility
- Support sustainable infrastructure and a resilient environment
- Building more citizen engagement, community health and culture

Executive Summary:

RECOMMENDATION:		Proceed with processing application	Ward:	4
Application Details	APPLICANT:	Ruth Victor & Associates		
	OWNER:	P3 Real Estate Limited		
	FILE NUMBERS:	505-04/22 & 520-05/22		
	TYPE OF APPLICATION:	Official Plan Amendment and Zoning By-law Amendment		
	PROPOSED USE:	Three (3) storey office building including training facilities and an ancillary veterinary clinic		
Property Details	PROPERTY LOCATION:	East of the intersection of Queen Elizabeth Way Highway and Guelph Line, on South Service Road		
	MUNICIPAL ADDRESSES:	3110 South Service Road		
	PROPERTY AREA:	0.80 ha		
	EXISTING USE:	Vacant standard restaurant		
Documents	OFFICIAL PLAN Existing:	'Business Corridor' (1997 Official Plan) 'Business Corridor' (2020 Official Plan)		
	OFFICIAL PLAN Proposed:	'Modified Business Corridor'		
	ZONING Existing:	'Business Corridor' with site specific regulations (BC1-225)		
	ZONING Proposed:	'Business Corridor' with site specific regulations (BC1-XXX)		

APPLICATION RECEIVED:	June 22, 2022
STATUTORY DEADLINE:	October 20, 2022 (120 days)
COMMUNITY MEETING:	March 7, 2022
PUBLIC COMMENTS:	No written comments received. Number of Notices Sent: 95

Background and Discussion:

On July 11, 2022, Planning staff deemed complete the application that had been received as of on June 22, 2022 for an Official Plan amendment and Zoning By-law Amendment at 3110 South Service Road (the “subject land”). The purpose of the application is to permit a three (3) storey office building including training facilities and an ancillary veterinary clinic fronting onto South Service Road (as shown on Appendix B).

Subject Land Description & Surrounding Land Uses

The subject land is located east of the intersection of Queen Elizabeth Way Highway and Guelph Line, on South Service Road (as shown on Figure 1 (right), and Appendix A). The subject land has an area of approximately 0.80 ha and approximately 158 m of frontage measured on an arc on South Service Road. The subject land is currently occupied by a vacant stand-alone restaurant.

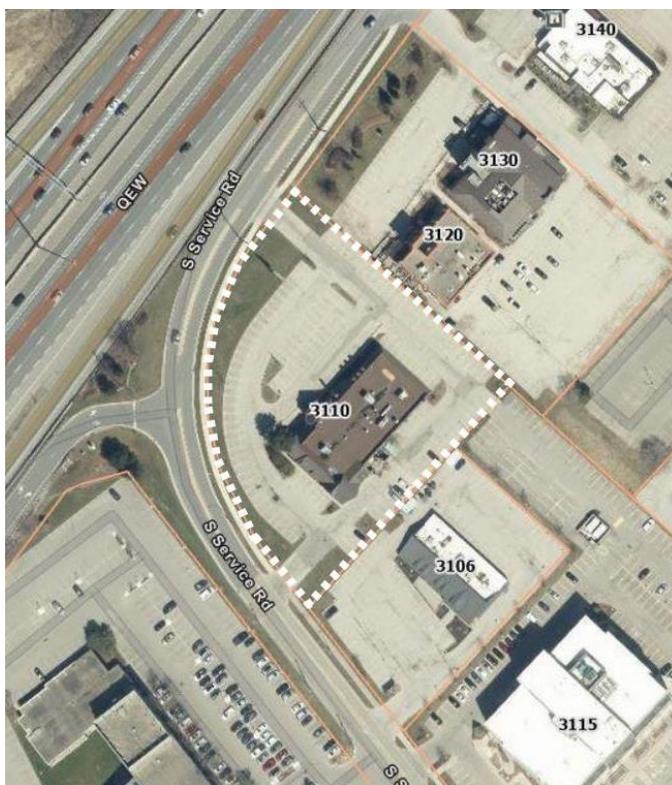


Figure 1 - Air Photo (2019) with subject property outlined

The subject land is surrounded by a mix of employment uses, predominantly made up of “Business Corridor” (BC1) zones as well as with BC1 zones with site-specific regulations. To the north of the subject land is South Service Road and Queen Elizabeth Way (QEW); to the south are two properties, 3106 South Service Road which contains the same zoning as the subject land and 3115

Harvester Road which is zoned BC1; to the west is South Service Road and across this road is the property 3063 South Service Road which is zoned BC1-335 and to the east is the property 3120 South Service Road which contains the same zoning as the subject

site (as shown on Appendix A). The nearest residential zone is approximately 400m away from the subject land. There is currently an easement running along the eastern property boundary from South Service Road to Harvester Road.

The subject land is approximately 200 metres north from the nearest Burlington Transit bus stop which runs on Route 50 (Burlington South) and Route 80 (Harvester/North Service) along Harvester Road. These routes connect to the Burlington GO and Appleby GO stations as well as the Downtown Bus Terminal.

Description of Application

The purpose of the application is to permit a three (3) storey office building including training facilities and an ancillary veterinary clinic fronting onto South Service Road (as shown on Appendix B). The proposed development contemplates a building with total floor area of 5045 m² of which 2098 m² would be dedicated to office uses, 664 m² would be dedicated to training uses, 1394 m² would be dedicated to veterinary uses and 887 m² would be dedicated to building services uses. The development further contemplates a floor area ratio of 0.65:1 and a floor area for ancillary employment use of 30 percent. Additionally, a total of 152 vehicle parking spaces are proposed of which 81 are located underground and 71 at grade as well as 34 bicycle parking spaces. Access to the property will be located along two (2) entrances on South Service Road.

Applications for the Official Plan redesignation and implementing zoning by-law amendments are required to facilitate the proposed development, which includes, but is not limited to an increased floor area ratio from the maximum permitted 0.5:1 to 0.65:1 and an increase in the permitted floor area for ancillary employment uses from 15 percent to 30 percent as well as a reduced rear yard setback for the underground parking structure.

Supporting Documents

The applicant has submitted the following materials in support of the subject applications:

- [Completed Application Form](#) signed July 3, 2022.
- [Planning Justification Report](#) prepared by Ruth Victor & Associates dated May 25, 2022.
- [Site Survey](#) prepared by J. H. Gelbloom Surveying Ltd
- [Conceptual Site Plan Layout](#) prepared by IDEA Inc. dated June 22, 2022.
- [Architectural Plans](#) prepared by IDEA Inc. dated June 22, 2022.
- [Arborist Report](#) prepared by Adesso Design Inc. dated May 13, 2022.
- [Tree Inventory, Tree Preservation Plan and Landscape Concept Plan](#) prepared by Adesso Design Inc. dated June 9, 2022.

- [Functional Servicing Report \(Water, Wastewater and Stormwater Management\)](#) prepared by Trafalgar Engineering Ltd. dated May 13, 2022.
- [Noise and Vibration Study](#) prepared by SS Wilson Associates Inc. dated May 17, 2022.
- [Transportation Impact Study and Parking Study](#) prepared by Paradigm Transportation Solutions Ltd. dated May 2022.
- [Geotechnical Report](#) prepared by Soil-Mat Engineers & Consultants Ltd. dated January 14, 2022.
- [Geotechnical Investigation – Supplemental Comments](#) prepared by Soil-Mat Engineers & Consultants Ltd. dated January 14, 2022.
- [Phase One Environmental Site Assessment](#) prepared by Soil-Mat Engineers & Consultants Ltd. dated November 24, 2021.
- [Urban Design Brief](#) prepared by IDEA Inc. dated June 2, 2022.
- [Environmental Site Screening Questionnaire](#) signed July 3, 2021.
- [Construction and Mobility Management Plan](#) prepared by IDEA Inc. dated June 2, 2022.
- [Waste Management Plan](#) prepared by IDEA Inc. dated June 27, 2022.
- [Waste Management Letter](#) prepared by P3 Veterinary Partners Inc. dated May 9, 2022.
- [Sanitary Sewer CCTV Report](#) prepared by PipeFlo Contracting Corp dated June 27, 2022
- **PIN Report** dated May 6, 2022.
- [University of Guelph Education Partnership Letter](#) prepared by the University of Guelph dated October 19, 2021.
- [Pre-consultation Meeting Notes](#) prepared by the City of Burlington dated March 2, 2022.

Supporting documents have been published on the City's website for the subject application, www.burlington.ca/3110southservice.

Policy Framework

The proposed Official Plan Amendment and Zoning By-law Amendment are subject to review against the Planning Act, Provincial Policy Statement (2020), A Place to Grow: The Growth Plan for the Greater Golden Horseshoe (2020), Region of Halton Official Plan, City of Burlington Official Plan (1997, as amended), City of Burlington New Official Plan (2020), and City of Burlington Zoning By-law 2020, as summarized below. A fulsome policy analysis will be provided in a future recommendation report to Council to demonstrate whether the proposal is in keeping with the applicable framework.

Provincial Policy Statement (PPS), 2020

The PPS promotes healthy, liveable and safe communities that are sustained by appropriate development and land use patterns that make efficient use of land and infrastructure, accommodate an appropriate range and mix of uses, protect public health and safety and the environment. The PPS directs that growth and development be focused in settlement areas. In settlement areas, land use patterns are to be based on densities and a mix of land uses to meet long term needs and which efficiently use land, resources, infrastructure and public service facilities, prepare for the impacts of a changing climate, support active transportation and transit.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan), 2020

The Growth Plan provides specific growth management policy direction for the Greater Toronto and Hamilton Area (GTHA) and focuses 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 in order to support growth in an efficient and well-designed form.

Halton Region Official Plan (ROP)

The subject land is designated as Urban Area within the Halton Region Official Plan (ROP). The Urban Area policies of the ROP identify that the goal of the Urban Area and the Regional Urban Structure is to manage growth in a manner that fosters complete communities, enhances mobility across Halton, addresses climate change, and improves housing affordability, sustainability and economic prosperity. Within the Urban Area, the Regional Urban Structure as shown on Map 1H implements Halton's planning vision and growth management strategy to ensure efficient use of land, amongst other matters.

The subject lands are located within an Employment Area as outlined on Map 1 of the ROP. The Region's policy for Employment Areas is to promote intensification and increased densities in both new and existing Employment Areas by facilitating compact, transit-supportive built form and minimizing surface parking. Residential and non-employment uses including major retail uses in Employment Areas are prohibited unless through a municipal comprehensive review subject to criteria as set out in Section 77.4(4) of the ROP. The subject lands have also been mapped as forming part of a Provincially Significant Employment Zone (PSEZ).

City of Burlington Official Plan (OP), 1997, as amended

The City of Burlington's Official Plan provides specific guidance on land use planning and development within the city. The Official Plan includes local principles, objectives and policies for the orderly growth and compatibility of different land uses.

The subject land is designated 'Business Corridor' under Schedule B: Comprehensive Land Use Plan – Urban Planning Area of the Official Plan. Lands within this designation are intended to provide locations in the City for prestige-type offices and industrial uses that require good access and high visibility along major transportation routes, to permit a wide range of employment uses including office, industrial and related uses and to establish high design and development standards for Business Corridor lands.

This designation may permit a broad range of office, industrial, utilities, transportation and service trade uses provided these are located within an enclosed building and are unlikely to cause significant pollution or excessive noise. A limited range of retail commercial and service commercial uses as well as recreation uses such as restaurants, banks and fitness centres, subject to specific provisions of Part III, Subsection 3.4.2 e) may be permitted. Additionally, hotel, conference and convention uses as well as residence for a watchman or caretaker may be permitted.

According to subsection 3.4.2 e) the retail, service commercial and recreation uses permitted under Part III, subsection 3.4.2 a) (ii) shall be subject to the following:

- (i) such uses shall be ancillary to, and primarily serve, uses, businesses and employees within the surrounding employment area;
- (ii) such uses shall only be permitted on lands having one or more buildings with a total floor area greater than 3,000 sq.m;
- (iii) no more than 15 per cent of the total floor area of any one building shall be used for ancillary uses, except that a restaurant subject to specific criteria

An Official Plan Amendment is required to allow the proposed development which contemplates a three (3) storey office building including training facilities and an ancillary veterinary clinic fronting onto South Service Road (as shown on Appendix B). The proposed development requires an Official Plan Amendment to reflect a floor area ratio increase from the maximum permitted 0.5:1 to 0.65:1 and an increase in the permitted floor area for ancillary employment uses from 15 percent to 30 percent.

City of Burlington New Official Plan (OP, 2020)

On November 30, 2020, the Region of Halton issued a Notice of Decision approving the new Burlington Official Plan. The new Official Plan has been developed to reflect the opportunities and challenges facing the City as it continues to evolve.

Section 17(38) of the Planning Act (R.S.O. 1990, as amended) sets out that all parts of an approved official plan that are not the subject of an appeal will come into effect on the day after the last date for filing a notice of appeal- that date being December 22, 2020 for the new Burlington Official Plan. At this time, no formal determination has been made as to the validity of the appeals of relevant sections of OP, 2020.

The subject lands are designated 'Business Corridor' under Schedule C: Land Use - Urban Area of the New Official Plan. Lands within this designation are intended to provide

locations in the City for prestige-type offices and industrial uses that require good access and high visibility along major transportation routes, to permit a wide range of employment uses including office, industrial and ancillary employment uses and to establish high design and development standards for Business Corridor lands.

This designation may permit a broad range of office, industrial, utilities, transportation and service trade uses provided these uses are located within an enclosed building and are unlikely to cause significant adverse effects such as noise, vibration, odours or dust. A limited range of accessory retail, a full range of accessory service commercial, a limited range of recreation uses may be permitted. The accessory retail and service commercial uses permitted under this designation are subject to the provisions of Subsection 8.2.2 c) and d). Additionally, large-scale motor vehicle dealerships, hotel, conference and convention uses may be permitted. The proposed uses therefore comply with the new OP.

Zoning By-law 2020

The subject land are currently zoned 'Business Corridor' (BC1-225) with site-specific exceptions. The BC1 zone permits a broad range of industrial, office, hospitality, automotive, retail as well as a limited range of service commercial and recreation uses. Veterinary service uses are not permitted. The site-specific zoning exemption 225 describes that a Night Club is a prohibited use and Footnote (f) to Table 2, Permitted Uses, of Part 3 – Employment Zones, of the by-law, shall not apply to standard restaurants. The footnote specifies that, a restaurant may occupy up to 100% of the total floor area of a single building on a lot, provided that the total existing building floor area of all buildings on the lot is not less than 3,000 m², and provided the lot abuts an arterial, multi-purpose arterial or minor arterial road. A Zoning By-law Amendment is required to allow the proposed development of a three (3) storey office building including training facilities and an ancillary veterinary clinic fronting onto South Service Road (as shown on Appendix B).

A Zoning By-law Amendment is required to add veterinary service as a permitted use ancillary to the principal employment use of the property. Additionally, the application contemplates amendments for an increased Floor Area Ratio (FAR) from 0.5:1 to 0.65:1 and a reduced rear yard setback for the underground parking structure.

Technical Comments

The subject application was circulated to internal staff and external agencies on July 26, 2022 for review. At this time, technical comments are being received and reviewed.

At the time of writing this report, comments are still forthcoming from Internal Departments (i.e. Transportation Planning, Site Engineering, Urban Forestry and Landscaping, Parks and Open Space, Fire) and External Agencies (i.e. Halton Region,

Conservation Halton, Canada Post, Ministry of Transportation, Metrolinx) and utilities (i.e. Burlington Hydro, Union Gas, Bell Canada, Sun-Canadian Pipe Line Co. Ltd., Imperial Oil Pipelines).

The following are comments received to-date which are summarized below:

Finance Department – Property taxes to be paid in full, including all installments levied.

Accessibility – Site Engineering Services – related to the proposed parking, with 163 parking spaces proposed, 6 barrier-free parking spaces are required. Five (5) are shown at grade on the current application. Three (3) spaces shall be “Type A” being 3400 mm in width and signed to indicate Van Accessible Parking. The remaining three (3) spaces shall be “Type B” being 2.75 m and the access aisles shall be 2 m as per the Zoning By-law. The access aisles are to be clearly identified through appropriate line painting and can be shared by two spaces. Access aisles for the barrier-free parking spaces at grade shall include a curb ramp and Tactile Walking Surface Indicators (TWSIs) leading to the walkway to the entrance. No fewer than two (2) barrier-free spaces shall be relocated to Level 0 and placed in close proximity to the elevator vestibule. The pedestrian crossings as shown are clearly marked throughout the site and applicant is to ensure each curb includes a curb cut with TWSIs. Applicant is to ensure there is a dog relieving area easily accessible to the main entrance following a straight path of travel to serve the needs of guide dogs and service animals. This area should be equipped with a waste receptacle and a means by which surfaces can be easily cleaned. The relieving area should enable a guide dog handler to allow a guide dog on a 1.5 m leash to circle its handler prior to relieving itself.

Financial Matters:

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

Climate Implications

In February 2020, City Council approved the City of Burlington Climate Action Plan to support the City’s path towards a low-carbon future, focusing on mitigating greenhouse gases and reducing energy consumption. The Plan identifies seven implementation programs, including, programs to enhance energy performance for new and existing buildings; increase transit and active transportation mode shares; electrify City, personal and commercial vehicles and other currently gas-powered equipment; and, support waste reduction and diversion.

A discussion of the climate implications of the proposed Zoning By-law Amendment application will be provided in the next staff report.

Engagement Matters:

The applicant held a virtual Pre-Application Community Consultation Meeting on March 7, 2022, prior to the submission of the applications. There were no public attendees at the meeting. The applicant, Mayor Marianne Meed Ward, Ward 4 Councillor Stolte, and City Planning staff also attended the meeting.

A notice sign has been posted on the subject land. A public notice of the Zoning By-law amendment application has been mailed to 95 members of the public, which includes all property owners and tenants within 120 m of the subject land.

A webpage was created on the City of Burlington website, accessible at www.burlington.ca/3110southservice. This webpage provides information about the subject application including dates of public meetings, links to supporting studies, and contact information for the applicant's representative and Community Planning Department.

Public Comments

As of the writing of this report, no public written comments have been received by staff with respect to the subject applications. If comments are received, these will be included as part of a subsequent report to City Council.

Next Steps:

Technical and public comments will be received and a fulsome review and analysis will be completed. Staff is requesting direction to continue to review the subject applications in order to bring a subsequent report to City Council in the future outlining staff's recommendation on the proposed application and an analysis of the proposal based on applicable planning policies.

Conclusion:

This report provides a description of the development application, an update on the technical review that is underway and an overview of the applicable policy framework which the application will be reviewed against. Planning staff recommend that the processing of the application continue and that comments received through the ongoing technical review, including comments received at the Statutory Public Meeting, be

evaluated as part of a detailed planning analysis, and be incorporated into a future recommendation report for consideration by Committee and Council.

Respectfully submitted,

Mariana Da Silva,
Planner I – Development Review
905-335-7600 ext. 7536

Appendices:

- A. Location/Zoning Sketch
- B. Detail Sketch

Notifications:

Len Radomski (Ruth Victor & Associates)
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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.