



SUBJECT: Official Plan and Zoning By-law Amendments – 5051 Harvester Road

TO: Committee of the Whole

FROM: Community Planning Department

Report Number: PL-83-24

Wards Affected: 5

Date to Committee: December 3, 2024

Date to Council: December 10, 2024

Recommendation:

Approve the applications for Official Plan Amendment and Zoning By-law Amendment submitted with modifications by MHBC proposing a five-storey commercial, retail and office development at 5051 Harvester Road; and

Approve Official Plan Amendment No. 153 to the City of Burlington Official Plan, as provided in Appendix D of community planning department report PL-83-24, to modify the “Business Corridor” Designation at the lands located at 5051 Harvester Road; and

Deem that the Official Plan Amendment No. 153 is consistent with The Planning Act; and

Instruct the City Clerk to prepare the necessary by-law adopting Official Plan Amendment No. 153 as contained in Appendix D to community planning department report PL-83-24 to be presented for approval at the same time as the associated by-law to amend Zoning By-law 2020, as amended, for the development proposal; and

Approve Zoning By-law 2020.491, attached as Appendix C to community planning department report PL-83-24, to rezone the lands at 5051 Harvester Road from “BC1-62” to “H-BC1-62” and “H-BC1-548”; and

Deem that Zoning By-law 2020.491 will conform to the Official Plan of the City of Burlington once Official Plan Amendment No. 153 is adopted; and

State that the amending zoning by-law will not come into effect until Official Plan Amendment No. 153 is adopted.

PURPOSE:

The purpose of this report is to provide Council with information on the proposed applications that is necessary for proceeding with the Statutory Public Meeting and bringing forward a recommendation on these applications. Staff are recommending approval of the official plan and zoning by-law applications for a five-storey commercial, office and retail development. A holding provision is being recommended to address outstanding matters related to servicing capacity and the required road widening.

Vision to Focus Alignment:

- Designing and delivering complete communities
 - Providing the best services and experiences
 - Protecting and improving the natural environment and taking action on climate change
 - Driving organizational performance
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Executive Summary:

MHBC Planning Limited on behalf of the landowner at 5051 Harvester Road has submitted an Official Plan and Zoning By-law amendment application to facilitate the creation of a five-storey service commercial, office and retail building. The Official Plan and the Zoning Amendment seeks to permit additional uses to facilitate the development of a five-storey self-storage facility with accessory retail space and office space and to maintain the existing restaurant as a standalone use. The primary use will be self-storage, with ancillary office and reception/retail space on the west portion of the building. The development will have total Gross Floor Area (GFA) of 33,894 square metres, composed of reception/retail with an GFA of 1,088 square metres, offices with GFA of 8,450 square metres, self-storage GFA of 22,862 square metres, and a loading/other GFA of 1,493 square metres. Underground parking will be provided and accessible on the northeast corner of the proposed building, facing the entryway from South Service Road. The amendments are requesting modifications to the following provisions:

- reduced lot areas;
- increased floor area ratio;
- increased office gross floor area;
- proposed parking reduction;

- proposed standalone service commercial (restaurant) use.

Planning staff have reviewed the Official Plan and Zoning By-law Amendment applications and find that the applications are consistent with Provincial planning documents, and conform to the Regional Official Plan and Burlington Official Plan, 1997 and Zoning By-law. As such, staff are recommending approval. Staff are of the opinion that the service commercial use meets the intent of the Employment Area policies as no sensitive land use is being introduced that would preclude the development of surrounding land uses and therefore would support the use as a standalone service commercial use. The restaurant use has been in existence since approximately 1999 and has functioned as a standalone use since. The use will continue to serve the immediate and everyday needs of the surrounding employment uses and will serve the proposed use as well. The existence of the restaurant has not hindered development of the area. For these reasons staff recommend approval of the applications.

Background and Discussion:

RECOMMENDATION:		Approval	Ward:	5
Application Details	APPLICANT: OWNERS: FILE NUMBERS: TYPE OF APPLICATIONS: PROPOSED USE:	MHBC Planning Limited (% David Mckay) 875 Appleby Line Storage GP Corporation 505-06/24 & 520-11/24 Official Plan and Zoning By-law Amendment Five Storey Mixed-Use Employment Building		
Property Details	PROPERTY LOCATION: MUNICIPAL ADDRESSES: PROPERTY AREA: EXISTING USES:	The subject property is located north-east of the -intersection of Appleby Line and Harvester Road. 5051 Harvester Road 2.27 hectares (5.61acres) Fast Food Restaurant and vacant		

OFFICIAL PLAN Proposed:	'Business Corridor'
ZONING Existing:	"Business Corridor One – 62" ('BC1 -62')
APPLICATION RECEIVED	September 16, 2024
STATUTORY DEADLINE: (Section 22(7) & Section 34(11) of Planning Act)	January 13, 2025 (120 days)
PUBLIC COMMENTS	None at the time of writing this report

A complete application had been received as of September 16, 2024 for an Official Plan and Zoning By-law Amendment to support the development of a five-storey mixed use employment building. This report provides an overview of the application, an outline of applicable policies and regulations, a summary of technical and public comments received and staff's opinion and recommendation with respect to this application.

The subject site is comprised of 2.27 hectares (5.61 acres) and is known municipally as 5051 Harvester Road. The site has frontage along Appleby Line, Harvester Road and South Service Road with primary ingress/egress currently off of Harvester Road. Further access is proposed from South Service Road and Appleby Line.

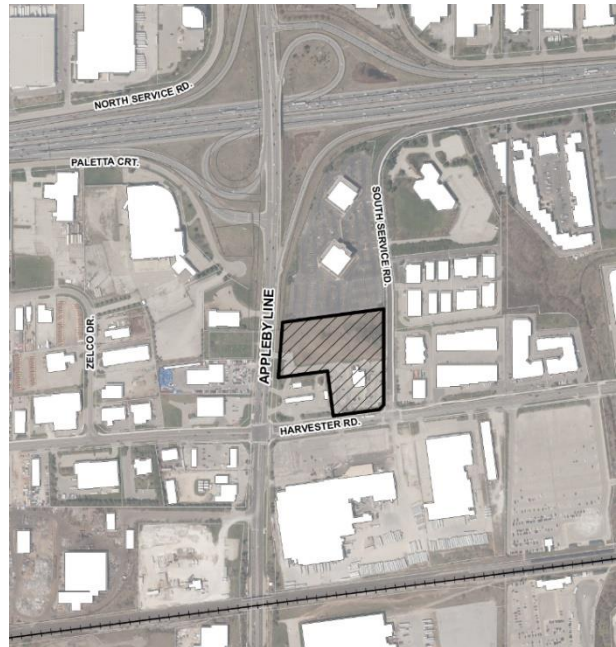


Figure 1 – Air photo (2021) with subject property outlined

Existing structures on the property include a single storey service commercial use, specifically a fast-food restaurant. The existing restaurant is to remain on the lands with no proposed changes. The location of the subject lands and overall site context is illustrated on Figure 1 and Appendix A (Location Plan (Aerial)).

The subject property is located north-east of the intersection of Appleby Line and Harvester Road and on the west side of South Service Road.

Surrounding uses are as follows:

- North: North of the site is zoned MC1 (Business Corridor One) consisting of two office buildings with heights of 10 and 8 storeys.
- South and East: Southeast of the site is zoned GE1 (General Employment One) Zone consisting of Sofina Foods and Tire Discounters - retail and warehousing as well as one storey office uses.
- West: West of the site is a cemetery which is surrounded by GE1 (General Employment One) zone and further west is a BC1-41 (Business corridor One) zone consisting of auto dealership, two storey machine shop.

Approximately 500 metres southeast of the site is the Appleby Go Station. In terms of transit, immediately adjacent of the site is transit stop 517 which runs along Appleby Line. Transit stop 510 is located on the northwest intersection of Harvester Road And Appleby Line which also runs Appleby Line. Transit stops 528 and 536 are located at the intersection of Harvester Road and South Service Road adjacent to the site and run along Harvester Road.

Description of Applications

MHBC Planning Limited has made an application on behalf of 875 Appleby Line Storage GP Corporation. to amend the Official Plan and Zoning By-law for the property located at 5051 Harvester Road.

These applications propose an Official Plan Amendment and Zoning By-law Amendment to develop the subject lands with a 5-storey mixed use building containing employment, office and retail uses. The primary use will be self-storage, with ancillary office and reception/retail space on the west portion of the building. The development will have total Gross Floor Area (GFA) of 33,894 square metres, composed of reception/retail with an GFA of 1,088 square metres, offices with GFA of 8,450 square metres, self-storage GFA of 22,862 square metres, and a loading/other GFA of 1,493 square metres. Underground parking will be provided and accessible on the northeast corner of the proposed building, facing the entryway from South Service Road.

Supporting Documents

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

- [Arborist Report](#), prepared by MHBC Planning Limited, November 3, 2023
- [Plans](#), prepared by Global Architects Inc., dated September 12, 24
- [Civil Plans](#), prepared by Crozier Consulting Engineers, dated August 29, 2024

- [Cover Letter](#), prepared by MHBC Planning Limited, dated September 12, 2024
- [Environmental Site-Screening Questionnaire](#), prepared by MHBC Planning
- [Functional Servicing and Stormwater Management Report](#), prepared by Crozier Consulting Engineers, dated August 2024
- [Landscape Plans](#), prepared MHBC Planning Limited, dated September 9, 2024
- [ESA Phase 1](#), prepared by Fisher Engineering, dated September 13, 2024
- [ESA Phase 2](#), prepared by Fisher Engineering, dated September 15, 2024
- [Planning and Urban Design Rationale](#), prepared by MHBC Planning Limited, dated September 2024
- [Severance Plan](#), prepared by Speight, Van Nostrand & Gibson Limited, signed November 3, 2023
- [Sustainable Building and Development Guidelines](#), dated September, 2024
- [Topography Survey](#), Speight, Van Nostrand & Gibson Limited, signed October 10, 2023
- [TIS](#), prepared by GCGH Transportation, dated August 2024
- [Tree Inventory](#), prepared by MHBC Planning Limited, dated September 6, 2024
- [Urban Design Brief](#), prepared by MHBC Planning Limited, dated September 2024

Supporting documents have been published on the City's website for the subject application, www.burlington.ca/5051harvester

Policy Framework

The proposed Official Plan Amendment and Zoning By-law Amendment applications are subject to review in accordance with the Provincial Policy Statement (2020); the Provincial Planning Statement (2024); Region of Halton Official Plan (2009, as amended); City of Burlington Official Plan (1997, as amended); City of Burlington Official Plan (2020, as amended); and City of Burlington Zoning By-law 2020, as summarized in greater detail within Appendix F. Planning staff are of the opinion that the proposed applications are consistent with the general intent and objective of employment areas within the Provincial Planning Statement (2024), Region of Halton Official Plan (2009, as amended), and City of Burlington Official Plans (1997 as amended & 2020 as amended).

Zoning By-law 2020

The subject lands are currently zoned 'BC1-62' (Business Corridor One with site-specific Exception 62), under By-law 2020 as amended (as shown on Appendix B Existing Zoning Plan). The BC1 zone permits a wide range of industrial, and office uses as well as a limited range of service commercial uses with no maximum height restrictions.

Site-specific exception number 62 further restricts permitted uses to service commercial restaurant as a use and all office uses. Further analysis is completed within appendix F.

Technical Comments

The subject applications were circulated to internal staff and external agencies for review. The following comments have been received by staff.

Rogers Communications – No Objections

Hydro One – No Objections.

Region of Halton – Expressed concern for a required road widening to be taken. The total width to be taken is undetermined at this time and should be confirmed by a surveyor. Revisions to the FSR are also required to confirm capacity. It is being recommended that a holding provision be included to ensure capacity and to obtain the required road widening.

City of Burlington's Urban Forestry and Landscaping staff – Staff have no objections.

City's Development Engineering – No concerns as noise report can be completed at the future site plan control stage.

City's Transportation Planning – No concerns with the increase of traffic within the area, however, staff note that additional information is required to confirm appropriate stall dimensions are provided for underground parking. This can be reviewed and addressed through Site Plan Control.

Financial Matters:

The property is subject to City, Region and School Board Development Charges and Park Dedication fees.

All application fees have been received in accordance with the Development Application Fee Schedule.

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.

The proposed development contributes to the intensification of the City's urban area and will introduce employment opportunities and commercial services within an accessible existing employment area well serviced by transit. As such, the proposed development supports reduced automobile trip lengths, transit usage, and consequently reduced greenhouse gas emissions.

Furthermore, while the proposed development increases the amount of impervious surface on the subject site, through the site plan process, adequate stormwater managements controls will be implemented to ensure safe functionality of the site and surrounding land uses.

Engagement Matters:

In response to public circulation, staff received no comments out of 96 notices sent to members of the public.

Conclusion:

Staff's analysis of the application for an Official Plan and Zoning By-law Amendment considers the applicable policy framework and the comments submitted by technical agencies and the public. Staff find that the application is consistent with the Provincial Policy Statement, 2020, Provincial Planning Statement, 2024 and conforms to the Regional and City Official Plans, and the Zoning By-law 2020.

It is therefore recommended that approval be given for the applications to facilitate the creation of a five-storey employment building.

Respectfully submitted,

Alicia West, MCIP, RPP

Planner

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Appendices:

- A. Location Map
- B. Zone Mapping
- C. Concept Plan

- D. Draft Official Plan Amendment
- E. Draft Zoning By-law Amendment
- F. Planning Analysis

Notifications:

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David McKay- dmckay@mhbcplan.com

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.