



SUBJECT: Statutory Public Meeting and Information Report for proposed Official Plan and Zoning By-law Amendments on 484-490 Plains Road East.

TO: Planning and Development Committee - Public

FROM: Department of City Building - Planning Building & Culture

Report Number: PB-43-18

Wards Affected: 1

File Numbers: 505-06/17 & 520-14/17

Date to Committee: May 8, 2018

Date to Council: May 22, 2018

Recommendation:

Receive and file department of city building report PB-43-18 regarding the proposed official plan and zoning by-law amendments for 484-490 Plains Road East.

Purpose:

The purpose of this report is to provide an overview of the proposed application, an outline of applicable policies and regulations and a summary of technical and public comments received to date. This report is intended as background information for the Statutory public meeting.

The report relates to the following objectives of the City of Burlington Strategic Plan:

A City that Grows

Intensification

- 1.2a: Growth is being achieved in mixed-use areas and along main roads with transit service, including mobility hubs, downtown and uptown. Mobility hubs are developed near each GO Station and in the downtown.
- 1.2i: Architecture and buildings are designed and constructed to have minimal impact on the environment reflecting urban design excellence that create buildings and public spaces where people can live, work or gather.

A City that Moves

- 2.1b: Mobility hubs are being developed and supported by intensification and built forms that allow walkable neighbourhoods to develop.

RECOMMENDATIONS:		<i>None. Statutory Public Meeting</i>	Ward No.:	1
Application Details	APPLICANT:	<i>Glen Schnarr & Associates Inc.</i>		
	OWNER:	<i>National Homes (Plains Road) LP</i>		
	FILE NUMBERS:	<i>505-06/17 & 520-14/17</i>		
	TYPE OF APPLICATION:	<i>Official Plan & Zoning Bylaw Amendments</i>		
	PROPOSED USE:	<i>2 nine storey mixed-use buildings and 7 four storey back to back townhouse buildings. The mixed-use buildings include commercial space at grade. A total of 400 residential units are proposed (density 218 units/ha).</i>		
Property Details	PROPERTY LOCATION:	<i>Plains Road East across from Maplehurst Public School</i>		
	MUNICIPAL ADDRESSES:	<i>484-490 Plains Road East</i>		
	PROPERTY AREA:	<i>1.8 ha</i>		
	EXISTING USE:	<i>Commercial plaza and associated surface parking lot</i>		
Documents	OFFICIAL PLAN Existing:	<i>Mixed Use Corridor - General</i>		
	OFFICIAL PLAN Proposed:	<i>Mixed Use Corridor – Site Specific</i>		
	ZONING Existing:	<i>Mixed Use Corridor (MXG)</i>		
	ZONING Proposed:	<i>MXG-new exception</i>		
Processing	NEIGHBOURHOOD MEETING:	<i>January 17, 2018</i>		

	PUBLIC COMMENTS:	<i>Staff have received 12 emails to date (attached as Appendix A).</i>
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Background and Discussion:

On December 6, 2017 the Planning and Building Department acknowledged that complete applications have been received for Official Plan & Zoning By-law Amendments for 484-490 Plains Road East, to facilitate the development of two, 9 storey mixed use buildings (commercial at grade, 8 storeys of residential, rooftop mechanical space which is classified as a storey because it is larger than 9 m² and rooftop amenity area) with 283 residential units and 117 stacked back to back townhouses (seven, 4 storey buildings – 3 storeys of residential and 1 storey mechanical and rooftop amenity area), as illustrated in the sketches in Appendix A.

Site Description

The subject property is located across from Maplehurst Public School and is currently occupied by 2, one storey and 1, two storey commercial buildings with a total gross floor area of 4,644 m². The property has an area of approximately 1.8 ha, a lot width of approximately 154.5 m on Plains Road East, and a lot depth of approximately 135 m. The property is accessed via three driveways, including the signalized intersection on Plains Road East at Maplehurst Public School.

Surrounding Land uses include:

- The southerly three quarters of the site (east, west and south) is bounded by existing one and two storey dwellings located in the R2.1 (low density residential) zone which permits detached dwellings and one accessory dwelling unit (subject to conditions).
- Along the frontage of Plains Road East (flanking the subject property), there is a commercial plaza to the east and an insurance office to the west. Both are in the MXG (Mixed Use Corridor General) Zone which permits certain retail commercial, service commercial, office, automotive, entertainment, recreational, night club and residential uses.
- North and west of the site is zoned MXG (Mixed Use Corridor General) and includes Jazz condominium, Maplehurst Public School, Shoppers Drug Mart and a range of commercial uses that front onto Plains Road.

Discussion

Description of Application

The City of Burlington is in receipt of an application (files 505-06/17 & 520-14/17) to amend the Official Plan and Zoning By-law to facilitate the development of 2 nine storey

mixed-use buildings and 117 stacked back to back townhouse units. The proposed mixed-use buildings will contain 998.5 m² of commercial space at grade and 283 residential units above. A total of 400 units are being proposed for the property with a density of 218 units/ha.

On April 2, 2018 the applicants filed an appeal to the Ontario Municipal Board (OMB)/Local Planning Appeals Tribunal (LPAT) for Council's failure to make a decision on the Zoning By-law Amendment within 120 days. The Official Plan Amendment is still within its' legislated review period.

Technical Reports

The following documentation and plans were submitted in support of the applications:

- **Planning Justification Report**, Prepared by Glen Schnarr & Associates Ltd., dated November 2017
- **Phase I Environmental Site Assessment**, prepared by WSP Canada Inc., dated July 2017.
- **Urban Design Brief**, prepared by Kirkor Architects and Planners, dated October 2017
- **Site Plan**, prepared by Kirkor Architects and Planners, dated October 2017
- **Parking Plans and Floor Plans**, prepared by Kirkor Architects and Planners, dated October 2017
- **Building Elevations**, prepared by Kirkor Architects and Planners, dated October 2017
- **Shadow Study**, prepared by Kirkor Architects and Planners, dated October 2017
- **Functional Servicing and Stormwater Management Report**, prepared by Urbantech, dated October 2017
- **Tree Inventory and Preservation Plan**, prepared by Strybos Barron King Landscape Architecture, dated July 2017
- **Landscape Concept Plan**, prepared by Strybos Barron King Landscape Architecture, dated June 2017
- **Transportation Impact Study**, prepared by BA Group, dated October 2017
- **Geotechnical Investigation**, prepared by WSP Canada Inc., dated October 2017
- **Environmental Noise Feasibility Study**, prepared by Valcoustics Canada Ltd., dated October 2017
- **Hydrogeological Study**, prepared by WSP Canada Inc., dated October 2017

All of the above are available to be reviewed at www.burlington.ca/484PlainsRoad

Policy Framework

The proposed Official Plan and Zoning By-law amendments are subject to the following policy framework: the Provincial Policy Statement (PPS) 2014, the Places to Grow: Growth Plan for the Greater Golden Horseshoe, the Halton Region Official Plan, the City of Burlington Official Plan, and Zoning By-law 2020.

Halton Region Official Plan

The subject lands are designated as “Urban Area”. Urban areas are locations where urban services (water and waste water) are or will be made available to accommodate existing and future development.

The Regional Official Plan states that permitted uses shall be in accordance with local Official Plans and Zoning By-laws and other policies of the Regional Official Plan.

City of Burlington Official Plan

The subject lands are designated “Mixed Use-General” on Schedule B, Comprehensive Land Use Plan-Urban Planning Area. The designation provides for a wide range of retail, service commercial and personal services; financial institutions and services; office uses; entertainment, recreation and other community facilities; small scale motor vehicle dealerships and high density residential uses. Townhouses may only be permitted as a component of an overall development of mixed residential or residential/commercial building forms, where the townhouse portion of the mixed use development does not abut Plains Road and where the development of the townhouse component does not compromise the long term objectives for the Mixed Use Corridor designation.

While the minimum building height shall be 2 storeys and the maximum building height shall be 6 storeys, there are also provisions for higher density land uses and taller buildings where the Mixed Use Corridor intersects with multi-purpose arterial roads such as King Road. The policies provide for Council’s consideration of site specific rezonings subject to the consideration of various factors such as adequacy of services and infrastructure and compatibility with adjacent uses through measures such as terracing, high quality building design, landscaping and street scaping and the provision of underground parking.

The subject lands are located outside of the Aldershot GO Station Mobility Hub study area. Plains Road is identified as a Primary Bus Service Route on Schedule 1 of Appendix A in the City of Burlington Official Plan. Primary Bus Service provide peak period service frequencies of 15 minutes or better. The Official Plan identifies the Plains Road/Fairview Street Mixed Use Corridor as one of the highest priority areas for improving transit services.

City of Burlington Zoning By-law 2020

The subject property is zoned “Mixed Use Corridor – General Zone (MXG). This section provides a preliminary review of the Zoning By-law changes requested (including changes to height, density, setbacks, parking standards, amenity areas and privacy areas). The proposed Townhouse units are identified as “stacked back to back townhouses” which is a hybrid of stacked townhouses and back to back townhouses as defined in the City’s By-law 2020. The City’s By-law 2020 has different amenity area and privacy area provisions for stacked townhouses and back to back townhouses which will need to be addressed through further review of this application. The table below outlines the changes requested by the applicant:

Regulation	MXG	Proposed (Buildings A & B)	
Lot width	25 m	154 m	
Lot area	1000 m ²	18376 m ² (entire site)	
Density	30 units/ha	Max. 218 units/ha (entire site)	
Parking	739 spaces required	452 spaces proposed (entire site)	
FAR	0.3:1 minimum 1.5:1 maximum	2.14:1 (for entire site)	
Regulation	MXG	Proposed (Buildings A & B)	
Side Yard	No minimum	9 m – 11.8 m	
Yard abutting a residential zone		Bldg. A	Bldg B
	Floors 1 to 3: 12 m	9 m	9.1 m-9.7 m
	Floors 4 & 5: 15 m	9 m	9.1 m-9.7 m
	Floor 6: 18 m	9 m	9.1 m-9.7 m
	Floor 7 & 8: not defined	9 m	12.2 m (on east side)
	Floor 9: not defined.	18+ m	17.6+ m
Landscape Area abutting a residential zone	6m	4 m – 5 m	
Building Height	2 storey minimum 6 storey maximum	9 storey (commercial at grade, 8 storey residential, 1 floor roof top mechanical area greater than 9m & roof top amenity area)	
Loading & Unloading	Shall not take place within 7.5 m of a residential zone	Enclosed loading area. 9 m from residential zone.	
Amenity Area 15 m ² efficiency unit 25 m ² /one bedroom unit	7995 m ² 3 efficiency units	4315m ² (includes 484 m ² indoor amenity area, 3214 m ² balcony and terraces, 617m ²)	

35 m ² /two or more bedroom units	126 one bedroom, 154 2 & 3 bedroom	roof top amenity area)
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Regulation	MXG	Proposed Stacked Back to Back Townhouses
Lot width	30 m	154 m
Lot area	1200 m ²	18673 m ²
Side Yard	3 m	3.0 m
Rear Yard	6 m	7.5 m
Yard abutting R1, R2, R3 zone	12 m for building of 2 or 3 storeys and greater than 11.5 m in height	7.5 m
Regulation	MXG	Proposed Stacked Back to Back Townhouses
Landscape buffer abutting R1, R2, R3 zone	6 m	4 m shown within 7.5 m rear yard
An enclosed parking structure below grade shall not encroach into a required landscape buffer.	6 m	6 m – 7.5 m
<p>Amenity Area</p> <p><u>Back to Back</u> 25 m²/ unit. Minimum of one common amenity area with a minimum area of 100 m² or a total common amenity area of 6m²/unit.</p> <p><u>Stacked</u> 35 m²/2 bedroom unit</p>	<p><u>Back to Back</u> 2925 m² (117x25 m²/unit)</p> <p>702 m² (117x6 m²/unit) common amenity area TOTAL: 3627 m²</p> <p><u>Stacked</u> 4095 m² (117x35m²)</p>	<p>2106 m² roof top terraces (82 units)</p> <p>1133 m² ground floor patio (35 units)</p> <p><u>0 m² common amenity area</u> TOTAL: 3239 m²</p>
<p>Privacy Area</p> <p><u>Back to Back</u> 5.5 m balcony separated from adjoining units by a privacy screen</p> <p><u>Stacked</u> 15 m²/unit</p>	<p><u>Back to Back</u> 644 m² (117 x 5.5 m²/unit)</p> <p><u>Stacked</u> 1755 m²</p>	<p>195m² balconies</p>

	(117 x 15m ² /unit)	
Fencing	1.8 m minimum. Solid screen fence or combo of chain-link fence and landscape planting to form a dense year round screen.	Wood board fence height to be determined
Building Height	3 storey max height up to 14m for back to back townhouses	4 storeys (4 th storey includes roof top mechanical area for individual units) 15 m height

Technical Review

On November 17, 2017 staff circulated a request for comments to internal and external technical agencies including Halton Region. Agency Comments will be addressed in the subsequent recommendation report.

Transportation:

Transportation has requested that the requested reduced parking rates be reexamined to provide for at least 1 space per unit, and adequate visitor and retail parking.

Staff have also requested updates to the parking layout, to address concerns about vehicle maneuvering, pedestrian connectivity and sight lines for drivers with respect to lay by parking on Plains Road.

Landscaping:

An updated landscaping plan is requested following the determination of the feasibility of layby parking on Plains Road and impacts to City trees.

Staff note that the Tree Preservation Plan identifies removal of approximately 20% of the trees (non-native and invasive species expected to be found in a neglected vegetated boundary between a commercial and residential area) due to poor health or structural condition. Opportunities for further tree savings may present themselves as details of the underground parking structure, grading plans and landscape buffer details are determined. An updated Tree Preservation Plan will be required.

Parks and Open Space

Parks and Open Space staff will require park dedication to establish a parkette (approximately 0.1ha) as part of this development to improve the pedestrian realm and provide for passive recreation uses. Alternatively the city would consider the establishment of a privately owned, publicly accessible open space for passive recreation uses of the residents and surrounding community through Section 37 discussions, should the development be deemed good planning.

Staff also recommend that the lay by parking on Plains Road be shifted to the west to maintain the bus stop and the walkway seating area established as part of the Plains Road Village Vision.

Site Engineering:

Site engineering advises the Phase One ESA indicate that there are areas of potential environmental concern on the property. A Phase Two ESA and Record of Site Condition (RSC) accepted by the Ministry of Environment and Climate Change (MOECC) will be required.

Site engineering has also requested updates to the engineering details of the underground parking structure, Functional Servicing Report, Grading and Servicing Plans, Noise Feasibility Study to address outstanding concerns.

Halton Region:

Regional staff are satisfied that the proposed development is consistent with the policies of the Provincial Policy Statement (2014), conforms to the Growth Plan and consistent with the general intent of the Region of Halton Official Plan (2009).

Regional staff also identified the need for the Phase 2 ESA and RSC to address the concerns of dry cleaning chemicals, gasoline on site and contaminated groundwater identified on the site.

Financial Matters:

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

Public Engagement Matters:

Public Circulation

The application was subject to the standard circulation requirements. A public notice and request for comments were circulated in December 2017 to surrounding owners/tenants. A notice sign was also posted on the property. All technical studies and supporting materials were posted on the City's website at www.burlington.ca/484PlainsRoad

Neighbourhood Meeting

On January 17, 2017 a neighbourhood meeting was held at East Plains United Church and was attended by approximately 85 members of the public and the Ward Councillor.

Comments included the following:

- Loss of existing retail (e.g. Home Hardware, Dollar Store) means a further drive for Aldershot residents to shop.
- The changing dynamics of retail are not unique to Plains Road but are happening all over Ontario.
- There is a 6 storey height limit along Plains Road, this proposed increase in height will set an undesirable precedent.
- There is too little parking provided on site.
- There need to be a larger setback between existing residential neighbourhood and proposed development to address noise and privacy concerns.
- Noise and vibration during construction and impacts on neighbouring homes and businesses.
- Noise from parking garage exhaust fans located immediately adjacent to existing residential will impede residents use and enjoyment of their backyards.

Public Comments

Beginning in December 2017, staff began receiving correspondence from members of the public regarding the proposed development. To date, staff has received 12 emails. The public comments received to date are included in Appendix B. The general themes of these comments are:

- Development is over-intensification and over-development of the site.
- Commercial space provided is too small to service neighbourhood.
- Concerns about increased traffic and lack of visitor parking
- Setbacks between proposed development and existing residential are too small
- Support for redevelopment of this site
- Noise and vibration during construction needs to be addressed

Burlington Sustainable Development Committee

Comments from the Committee include:

- Provide an on-site vehicle sharing program and provide transit passes or incentives to occupants.
- Add a central green space/park/assembly area for residents.
- Consider enhancing the sustainability of the buildings based on the Committee's Sustainable Building Guidelines

Conclusion:

This report provides a description of the development application, an update on the technical review of this application and advises that several public comments have been received. A subsequent report will provide an analysis of the proposal in terms of applicable planning policies and will provide a recommendation on the proposed application.

Respectfully submitted,

Suzanne McInnes, MCIP, RPP

Senior Planner

905-335-7600 ext. 7555

Appendices:

- A. Sketches
- B. Public Comments

Notifications:

Name National Homes (attn: Mark Pavkovic)

Mailing or e-mail address mp@nationalhomes.com

Name Glen Schnarr & Associates (attn: Mark Bradley)

Mailing or e-mail address markb@gsai.ca

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.