



**APPLICATION FOR  
AN OFFICIAL PLAN AMENDMENT and/or ZONING BY-LAW AMENDMENT  
under Subsection 22(1) and/or 34 of the Planning Act  
(A PRIVATELY INITIATED APPLICATION)**

**NOTE TO APPLICANTS:**

This application form is to be used to request amendments to the land use designation(s) (City Official Plan and/or zoning) for a specific property. In this form, the term "subject land" means the land that is subject of the proposed amendment. It is also to be used for any proposal to amend existing approved Official Plan policy.

**N.B. If this application is being made concurrently with a Draft Plan of Subdivision or condominium, PLEASE USE THE ADDITIONAL APPLICATION FORM which can be obtained from the City of Burlington.**

**Completeness of the Application:**

The information in this application form that must be provided by the applicant is indicated in *italics*. This information is prescribed in Section 6 and the Schedule to Ontario Regulation 543/06 and 545/06 made under the Planning Act, and by Municipal By-law. **This prescribed information must be provided along with the appropriate fee.** If the prescribed information and fee are not provided, the City will return the application or refuse to further consider the application until the prescribed information and the fee are provided.

The Planning Act also allows for the City to "require" by By-law, additional information (eg. Technical information and reports) that will assist in the planning evaluation of the proposal. To ensure the quickest and most complete review, this "required" information should be submitted along with the prescribed information. All applicable questions should be answered or identified as Not Applicable with an explanation as to why. In the absence of the required information, it may not be possible to do a complete review within the legislated time frame for making a decision. As a result the proposal may be denied.

**Submission of the Application:**

**The Applicant must consult with City and Regional Planning staff (Pre-consultation Meeting) prior to submission of the following:**

- Preconsultation Agreement completed in conjunction with appropriate Planning staff
- 8 copies of the completed application form (including 1 with original signatures)
- 8 copies of the information/reports as required on the Preconsultation form and the application form. The nature of the information/reports varies with the type of land uses proposed and the existing land use and topographic features. (In addition, please provide a CD containing PDF versions of all technical reports.)
- Drawing information as required by the City, in the form of 8 hard copies and one Autocad or GIS Shape File on CD.

This information will be used to consult with various interested agencies. Where the scale or nature of the land use changes appear to require a large number of agencies to be consulted, additional copies of the application may be required.

**Contact the Planning Department for the City of Burlington at (905) 335-7642 to set up a Pre-consultation meeting before completing this application form.**

**Application for Planning Document Amendment:  
Official Plan and Zoning By-law**

**Office Use Only**

Date Received	Date Complete	File No(s)	Fee(s) Paid
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**Application For:**       City Official Plan  
 Zoning By-law

**1.0 APPLICANT INFORMATION**

1.1 Complete the information below and indicate one contact as the Prime Contact (PC). All communications will be directed to the Prime Contact Marko A. Juricic, Brooklyn Contracting Inc. (give name).

NAME	ADDRESS	PHONE/FAX
<i>Registered Owner(s)*</i> 71 Burlington Plains Inc. c/o Darko Vranich	366 King Street West Hamilton, Ontario L8P 1B3	Bus. 905-540-4800
		Fax 905-540-4801
		E-Mail/www: darko@vrancor.com
		Home Mobile: 905-320-1528
<i>Applicant(s)</i> Brooklyn Contracting Inc. c/o Marko Juricic	3245 Harvester Road, Unit #14 Burlington, Ontario L7N 3T7	Bus. 289-337-2707
		Fax N/A
		E-Mail/www: marko@brooklyncontract.com
		Home Mobile: 905-317-2426
<i>Agent (eg. Planning Consultant)</i> Bousfields Inc. c/o David Falletta	3 Church Street, Suite 200 Toronto, Ontario M5E 1M2	Bus. 416-947-9744
		Fax 416-947-0781
		E-Mail/www: dfalletta@bousfields.ca
		Home
<i>Solicitor</i> Walter P. Jazvac Barrister & Solicitor	124 Yonge Street Hamilton, Ontario I8N 1V6	Bus. 905-523-0872
		Fax 905-529-5112
		E-Mail/www: wajjaz@idirect.com
<i>Other (Specify)</i>		Bus.
		Fax
		E-Mail/www:

\* if a numbered company, please give name and phone number(s) of principal owner (or president)

**2.0 LOCATION OF PROPERTY**

<i>Lot(s)/Block(s)</i> Lot 7 and Part of Lot 6	<i>Concession</i> Concession 1	<i>Registered Plan No.</i> Registered Plan 753
<i>Reference Plan No.</i> Plan 20M-507	<i>Part(s)</i> Part of lots 7, 8 and 9	<i>Parcel No.</i>
<i>Former Township</i> Township of East Flamborough	<i>Municipal Address</i> 53 and 71 Plains Road East and 1025 Cookes Boulevard	
<i>Assessment Roll #:</i>		

**2.1 Particulars of the Subject Land: (in metric units)**

<i>Frontage</i> 142.69 metres (Plains Road)	<i>Depth</i> 72.4 metres	<i>Area</i> 10,800 square metres
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**3.0 EXISTING AND PREVIOUS USES OF THE SUBJECT LANDS**

3.1 *What is the existing use of the subject lands?* Commercial - Entertainment

3.2 *What is the length of time the existing uses of the subject land have continued?* Unknown

3.3 *What were the previous uses of the subject land, if known?* Unknown

**3.4 List any existing Buildings or Structures on the Property**

<i>Buildings or Structures</i>	<i>*all Yard Setbacks</i>				<i>No. of Storeys</i>	<i>Building Height</i>	<i>*Ground Floor Area</i>
	<i>Front</i>	<i>Rear</i>	<i>Side</i>	<i>Side</i>			
53 Plains Road East	10 m	68 m	4.3 m	70.5 m	1	Unknown	Unknown

\* Zoning applications only

3.5 Is the Subject Land (or Buildings) subject to a Demolition Control By-law or is it either Designated or identified for possible Designation under the Ontario Heritage Act?

YES \_\_\_\_\_ NO  \_\_\_\_\_

(If yes, it is possible that a Heritage Permit Application will be required. Please consult with Planning Staff.)

**4.0 PROPOSED USE OF THE SUBJECT LANDS** (please attach any additional information on a separate page)

4.1 What is the Proposed use of the Subject Lands? Mixed-Use (Residential and Retail)

4.2 List any Proposed Buildings and Structures

Buildings or Structures	*all Yard Setbacks				No. of Storeys	Building Height	*Ground Floor Area
	Front	Rear	Side	Side			
East Building "A"	1.5 m	13.1 m	3.0 m	1.2 m	12 storeys	40.1 m (excl. mech.)	2,850 sq.m.
West "Building B"	1.5 m	26.8 m	8.0 m	2.9 m	10 storeys	34.0 m (excl. mech.)	1,358 sqm.

\* Zoning applications only

4.3 Indicate Land Uses on Abutting Properties

North Industrial and Residential

South Residential

East Mixed-Use (Retail/Commercial and Residential)

West Vacant (Proposed Mixed-Use Retail and Residential)

4.4 Will the requested amendment or rezoning alter all or any part of the urban planning area boundary or the boundary of a rural settlement area?

YES \_\_\_\_\_ NO ✓

If YES, list the current Official Plan policies dealing with the alteration or establishment of an area of settlement.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

4.5 Will the requested amendment or rezoning remove the subject land from an Employment Lands or Mixed Use Corridor –Employment Oriented designation, as outlined in the Official Plan?

YES  NO

If YES, list the current Official Plan policies dealing with the removal of land from an area of employment.

See Planning and Urban Design Rationale  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**5. TYPE OF PROPOSED AMENDMENT**

Check the appropriate boxes and complete the section(s). Depending on the purpose of the proposed plan amendment, more than one box may need to be checked.

5.1  An official plan amendment that proposes to add new policy or to change, delete, or replace an approved Official Plan policy

a) Describe the purpose of the proposed amendment  
See Planning and Urban Design Rationale  
\_\_\_\_\_

b) Identify the policy to be changed, replaced or deleted  
\_\_\_\_\_

c) What is the current official plan land use designation on the subject land?  
\_\_\_\_\_

d) What land uses are permitted by the current official plan designation on the subject land?  
\_\_\_\_\_  
\_\_\_\_\_

e) What land uses would be permitted by the proposed official plan amendment on the subject land?  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5.2  An official plan amendment that proposes to change or replace the approved Official Plan land use designation on the subject land.

- a) *What is the current official plan designation of the subject land?*  
See Planning and Urban Design Rationale  
\_\_\_\_\_
- b) *What land uses are permitted by the current designation on the subject land?*  
\_\_\_\_\_  
\_\_\_\_\_
- c) *What is the proposed designation on the subject land?*  
\_\_\_\_\_  
\_\_\_\_\_
- d) *What land uses will be permitted by the proposed designation on the subject land?*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5.3 Justification

Provide justification for this application to amend the Official Plan and/or Zoning By-law. (Attach a separate report if necessary). *Attach the text of any requested Official Plan amendment and the amended Official Plan schedule as required.*

In the case of an Official Plan Amendment, the applicant is required to provide complete planning evidence outlining the justification for the amendment. This should address, but not be limited to, why the proposed change is desirable and how it relates to the overall goals and objectives of the Burlington Official Plan, Region of Halton Official Plan, Comprehensive Provincial Policy Statement and any applicable Provincial Plans. Further studies may be required by the applicant depending on the nature of the application.

Please see Planning and Urban Design Rationale

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**6.0 ZONING DESIGNATION**

**\*This Section MUST be completed when applying for Zoning By-law Amendment**

6.1 *What is the existing Zoning designation on the subject lands?* MXG and MXE

6.2 *What is the proposed Zoning designation on the subject lands?* MXG-X

6.3 *What land uses will be permitted in the proposed designation?* Residential (including apartment building and townhouses), retail, service commercial, office and entertainment and recreation uses

6.4 *What is the reason for the proposed rezoning?* To apply MXG zone to the entirety of the subject site and to increase the permitted height and density, allow the proposed uses, and revise other development standards

6.5 *What is the minimum and maximum density requirement in the existing zoning?*  
Maximum permitted density in the MXG Zone: 1.5:1 FAR

6.6 *What is the minimum and maximum height requirement in the existing zoning?*  
Maximum permitted building height in MXG Zone: 6-storeys

6.7 *Is the subject land within an area where zoning with conditions applies? Is so, explain how the application conforms to the Official Plan policies relating to zoning with conditions.*  
Unknown

6.8 *Attach to your application a sketch showing, in metric units:*

- a) *The boundaries and dimensions of the subject land;*
- b) *The location, size and type of all existing and proposed buildings and structures on the subject land, indicating their distance from the front lot line, rear lot line and side lot lines;*
- c) *The approximate location of all natural and artificial features (for example, buildings, railways, roads, watercourses, drainage ditches, banks of creeks, wetlands, wooded areas, wells and septic tanks) that are located on the subject land or on land that is adjacent to it, and in the applicant's opinion may affect the application;*
- d) *The current uses of land that is adjacent to the subject land;*
- e) *The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right of way; and*
- f) *The location of any easements affecting the subject land.*

**7.0 STATUS OF OTHER PLANNING APPLICATIONS**

7.1 Are there any existing, or have there been previous application made under the Planning Act or the Planning and Development Act, such as for approval of an official plan amendment, zoning by-law, plan of subdivision, a minor variance, a Minister's zoning order amendment or a site plan or for a consent that involves the land:

- a) that is the subject land? YES NO ✓
- b) that is within 120 metres of the subject land? YES ✓ NO \_\_\_\_\_
- c) If YES to a) or b), list below or attach on a separate page:

The type of application(s) and the file number(s) \_\_\_\_\_  
Official Plan Amendment: 505-03/16 and Rezoning: 520-04/16

The legal description of the land that is the subject of the application(s) \_\_\_\_\_  
35 Plains Road East

The purpose of the application(s) and the effect of the application(s) on the proposed official plan amendment,  
to permit the development of an eight storey building with 72 residential units and commercial uses at grade.

The status of the application(s) Planning and Development Committee have voted in support of the application

7.2 Has the subject land ever been the subject of a Minister's Zoning Order? If so, please note the Ontario Regulation number of that order: N/A



**8.0 REGIONAL OFFICIAL PLAN**

8.1 *What is the current designation of the subject land in the Regional Official Plan?*

Urban Area

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8.2 *Explain how the proposed City Official Plan amendment conforms to the above plan, if applicable.*

*Please see Planning and Urban Design Rationale*

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8.3 Has a Regional Official Plan Amendment been applied for? YES \_\_\_\_\_ NO

**9.0 PROVINCIAL PLANS AND POLICIES**

9.1 *Is the subject land within an area designated under any of the following Provincial Plan(s)?*

*Greenbelt Plan \_\_\_\_\_ Niagara Escarpment Plan \_\_\_\_\_*

*Growth Plan for the Greater Golden Horseshoe  Parkway Belt West Plan \_\_\_\_\_*

9.2 *Explain how the requested amendment or rezoning conforms to or does not conflict with the applicable Provincial Plan(s) (Incorporate as part of Planning Justification Report if possible)*

*Please see Planning and Urban Design Rationale*

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9.3 *Explain how the requested amendment or rezoning is consistent with the Comprehensive Provincial Policy Statement. (Incorporate as part of Planning Justification Report if possible)*

*Please see Planning and Urban Design Rationale*

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**10.0 SERVICING**

10.1 Does the proposed amendment(s) conform to the approved servicing and phasing policies or servicing schedule in the Local and Regional official plans? YES  NO

10.2 Indicate the proposed servicing type for the subject land.

a. Water Supply

Piped Water     Private Well     Other, Specify \_\_\_\_\_

b. Sewage Disposal

Sanitary Sewer     Septic Tank     Other, Specify \_\_\_\_\_

*If the application would permit development on privately owned and operated individual or communal septic systems, and more than 4500 litres of effluent would be produced per day as a result of the development being completed, include with this application:*

- a. a servicing options report; and
- b. a hydrological report

10.3 Road Access and/or Frontage

*Please Specify Road Type (eg. Open Municipal Road, Regional Road, Provincial Highway, Private Road)*

Open Municipal Road \_\_\_\_\_

Name of Road Plains Road East

10.4 Storm Drainage

*Indicate the proposed Storm Drainage System (eg. sewers, ditches, swales)*

See technical reports \_\_\_\_\_

10.5 Is the proposed plan amendment consistent with the recommendations of the watershed plan, if any?

YES  NO

10.6 Does the proposed plan amendment conform to the master drainage, sub-watershed or shoreline management plan, if any?

YES  NO

**CITY OF BURLINGTON**

**DECLARATION**

**This must be completed by the Applicant for the proposed development site.**

I, Marko A. Juricic of the CITY OF BURLINGTON  
(name of applicant) (name of City, Town, Township, etc.)  
in the Region/County/District of HALTON do solemnly declare that all of the statements  
contained in the application FOR OFFICIAL PLAN AMENDMENT AND/OR ZONING  
By-LAW AMENDMENT  
(description)

and all supporting documents are true and complete, and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of the "Canada Evidence Act".

Declared before me at:

THE CITY OF HAMINTON in the  
Region/County/District of  
(municipality)  
PROVINCE OF ONTARIO this 21<sup>st</sup> day of  
DECEMBER, 2017.

[Signature]  
Signature of Applicant  
Marko A. Juricic  
Please Print Name of Applicant

[Signature]  
Commissioner of Oaths

WALTER P. JAZVIC, LAWYER, 127 YOUNG ST., HAMINTON

**OWNER'S AUTHORIZATION (If the Owner is NOT the Applicant)**  
(If Multiple Owners, An Authorization Letter From Each Owner Is Required)

**PLEASE PRINT**

If an agent is employed, the owner(s) must complete the following (or provide similar authorization on the face of the draft plan):

I, (we) DARKO VRANICH  
being the  
(name(s) of owner, individuals or company)  
registered owner(s) of the subject lands, hereby authorize Marko A. Juricic  
(name of agent)  
to prepare and submit an Official Plan Amendment and/or rezoning (if applicable) for approval.

[Signature] Signature      21<sup>st</sup> Day      DECEMBER Month      2017 Year

**APPLICANT'S CONSENT**

In accordance with the provisions of the Planning Act, it is the policy of the City of Burlington to provide public access to all development applications and supporting documentation.

Marko A. Juricic (print name of applicant or agent) agrees and acknowledges that this application and any supporting material, including studies and drawings, filed with the application is public information, and forms part of the public record. As public information, Marko A. Juricic (the applicant or agent) hereby consents to the City photocopying and releasing the application and supporting materials for either its own use in the processing of the application or at the request of any third party.

[Signature]  
Signature

21<sup>ST</sup> DECEMBER 2017  
Day Month Year

Official Plan Amendment/Rezoning File No. \_\_\_\_\_

**AUTHORIZATION FROM THE OWNER OF THE SUBSURFACE RIGHTS**

if different from the Owner above

I, \_\_\_\_\_, owner of the subsurface rights for the subject property, am aware of this application and consent to it.

[Signature] \_\_\_\_\_  
(signature) (date)

\_\_\_\_\_  
(address)

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Telephone Number Facsimile Number

**THIS APPLICATION PACKAGE MUST BE SUBMITTED TO:**

**The City of Burlington  
Planning Department  
426 Brant Street, Second Level  
P.O. Box 5013  
Burlington, Ontario  
L7R 3Z6**

**Telephone Number: (905) 335-7642  
Facsimile Number: (905) 335-7880  
Internet Address: www.burlington.ca**