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CITY OF BURLINGTON
PLANNING DEPARTMENT

PLANNING JUSTIFICATION REPORT

520-01/09

PROPOSED REZONING

For

HYDRO ONE CORRIDOR LANDS

Walker's Line & Upper Middle Road

January 2009

Walker's Mews Limited

Prepared By:

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Land Use Planning and Development Consultants

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PLANNING JUSTIFICATION REPORT

1.0 INTRODUCTION

Walker's Mews Limited is the developer of the commercial zoned lands at the south east corner of Walker's Line and Upper Middle Road immediately south of the Hydro One transmission corridor. Walker's Mews Limited has tentative arrangements with Ontario Realty Corporation to lease its corridor lands adjacent to the commercial site for additional parking. The lease is subject to the corridor lands being rezoned to allow additional parking.

2.0 PURPOSE OF THIS REPORT

This report will provide the Planning rationale in support of an amendment to Zoning By-law 2020 to allow the hydro corridor lands adjacent to Walker's Mews to be rezoned for the purpose of additional parking for the commercial development.

3.0 PROPOSED REZONING

Under Zoning By-law 2020 the property is currently zoned 'S' (Utility Services).

Walker's Mews Limited is requesting a site specific amendment to Zoning By-law 2020 to rezone a portion of the hydro corridor at the south east corner of Walker's Line and Upper Middle Road from 'S' to 'S exception' to allow ancillary parking.

4.0 SITE DETAILS

4.1 Legal Description

The property is legally described as Part of Lot 10, Concession 2 S.D.S.

4.2 Property Location

The corridor lands under application are located on the south east corner of Upper Middle Road and Walker's Line, adjacent to the Walker's Mews commercial site at 1801 - 1841 Walker's Line.

4.3 Adjacent Land Uses

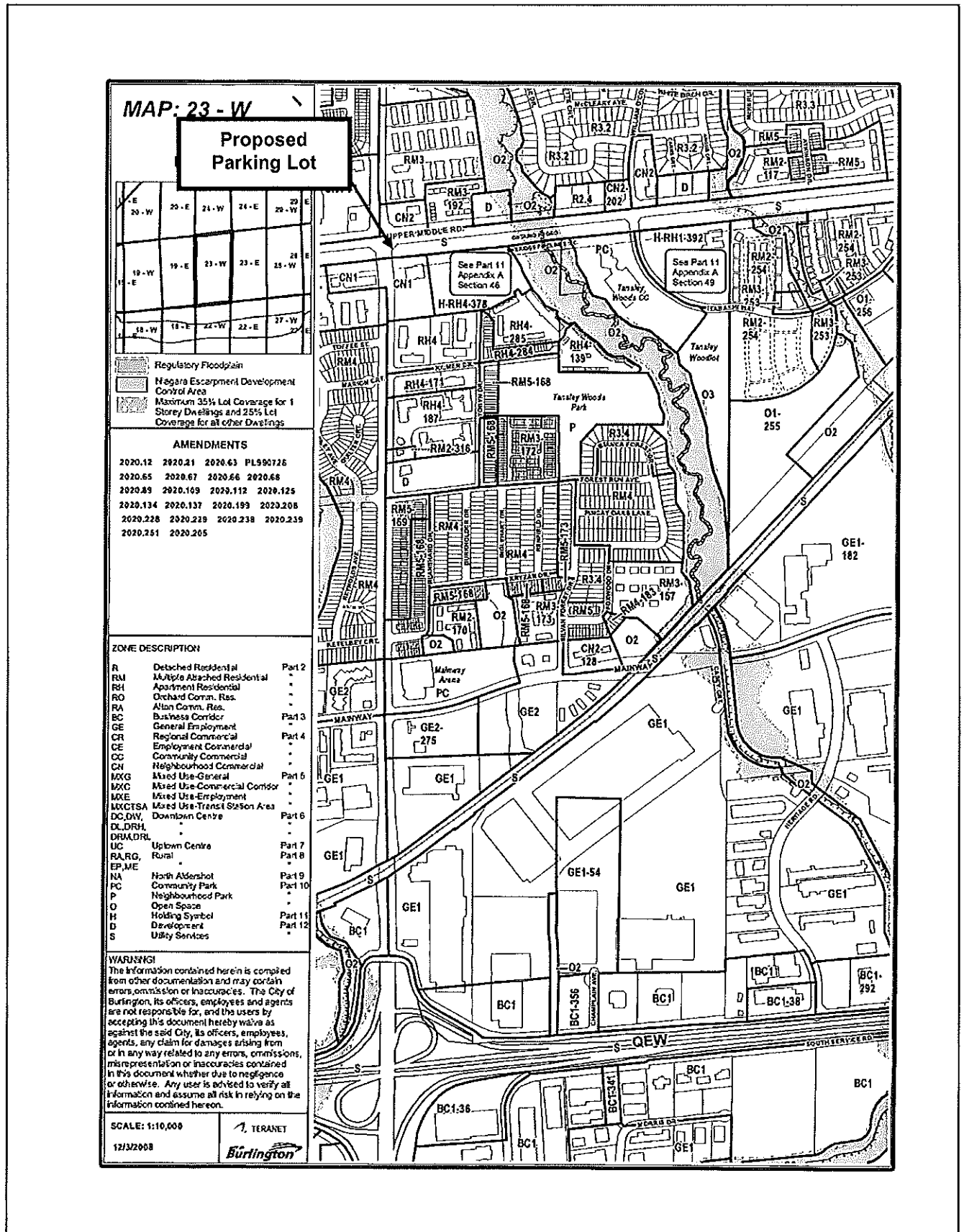
North: Upper Middle Road

South: Walker's Mews commercial plaza

East: Hydro corridor

West: Walker's Line

Figure 1 - Property Location and Existing Zoning



5.0 PROPOSED PARKING LOT

Walker's Mews Limited has a tentative agreement with Hydro One and Ontario Realty Corporation to lease a portion of the hydro corridor lands adjacent to the Walker's Mews commercial development for construction of a 36 space parking lot. The lot will be curbed and paved and will function as an extension of the existing commercial parking lot. The lot will be accessed from the commercial parking lot only; it will not have direct access to Walker's Line nor Upper Middle Road. The 36 spaces will be reserved for employees of the plaza tenants.

6.0 OFFICIAL PLAN AMENDMENT 55

6.1 Part II – Functional Policies - 5.0 Utilities

Lands are required for public and private utility services such as hydro, water and sewage facilities, gas and oil pipelines and telecommunications infrastructure. The manner and location that these services are provided may have certain impacts on the surrounding area. The location, construction and reuse of utility facilities shall be directed towards the following principles, objectives and policies:

Objective 5.2 b)

To permit compatible secondary uses within utility lands and to ensure the compatible future use of abandoned or surplus utility lands.

Policies 5.3 c)

In the Urban Planning Area, uses such as passive recreation and multi-use trails, parking lots, private rights-of-way and driveways, agricultural uses, golf courses and driving ranges, miniature golf, allotment gardens, the cultivation and storage of nursery stock in commercial nurseries and garden centres, indoor and outdoor storage, and private services and utilities may be permitted on lands zoned for transportation, utility or communication purposes in consultation with the affected transportation, utility or communications provider, where such uses are compatible with the main utility function of these lands and are compatible with existing surrounding uses and the permitted uses in the land use designations of the adjacent lands.

The Functional Policies support private parking lots on hydro corridor lands as a secondary land use provided the parking lot is compatible with the utility function of the corridor and compatible with existing and future land uses on adjacent lands.

In this application the parking lot is an open space use and does not involve any buildings or structures that could interfere with the corridors utility function. The parking lot will not compromise the existing transmission lines and towers in the corridor.

The proposed parking lot will be compatible with surrounding uses. The corridor abuts public roads to the north and west and the continuation of the corridor to the east. To the south is the existing Walker's Mews plaza with its parking lot adjacent to the proposed parking lot.

Compatibility is maintained.

7.0 REGIONAL OFFICIAL PLAN

The Regional Official Plan designates the subject property "Urban Area". This designation specifies that the range of permitted uses in the Urban Area will be in accordance with Local Official Plan policies and municipal zoning provisions and that development shall be subject to the policies of the Regional Official Plan.

8.0 EXISTING COMMERCIAL PARKING

The Walker's Mews site plan received site plan approval in June 2007. The City's parking rate required 5.25 spaces / 100 m² GFA (less 15%) for a retail centre and 3.5 spaces / 100 m² for office uses. Required parking for this retail and office development is 165 spaces. The approved site plan provided 190 spaces.

Over the past few months Walker's Mews Limited has been working with two prospective tenants; A & W Restaurants and the Tin Cup Restaurant. The A & W restaurant will include a drive-through. The Tin Cup is a standard restaurant and will include an outdoor patio. A Committee of Adjustment variance has been applied for to allow a reduced set back for the patio from the abutting residential zone to the east. The patio will displace 4 parking spaces.

Site design changes to accommodate A & W and its drive-through, the restaurant patio and access to the proposed hydro corridor parking lot has reduced on grade parking to 153 spaces. Office Building 'D' contains 25 underground spaces for a total of 178 spaces provided.

With the A & W restaurant required parking is 165 spaces. The patio for Tin Cup will utilize the remaining 13 spaces by providing seating for 52 customers. Required parking will be 178 spaces.

Note: At the time of writing the revised Walker's Mews site plan was being finalized for submission to the City for Minor Modification approval of the A & W restaurant and patio. The Committee of adjustment was to consider the variance for the patio on February 23, 2009.

9.0 SURPLUS PARKING

The Walker's Mews commercial development will not have any surplus parking when built out.

The underground parking in Building 'D' will be assigned to office tenants and therefore not generally available to plaza patrons; as a result there will be increased demand on surface parking.

Adding 36 spaces on the hydro corridor for employee parking will improve the overall availability of parking spaces in the plaza. The added parking will help to avoid potential problems with traffic back-ups onto Walker's Line during peak demand periods.

10.0 RECREATIONAL LICENCE / OPEN SPACE

Hydro transmission corridors throughout the City provide an attractive open space that is sometimes used by the City for recreational purposes. The City has licence arrangements with Hydro One to use many of its corridors for recreation facilities such as walkways and bikeways. In this instance Hydro One advises that the City does not have a recreational license on the section of their corridor adjacent to Walker's Mews commercial site (see Appendix 'B'). However, there is an existing bike path within the Upper Middle Road right-of-way adjacent to this section of corridor.

Official Plan Appendix 'A', Schedule '2' "Long Term Bikeway Network" shows that the existing bikeway will remain within the Upper Middle Road allowance. The City does not have plans for a bikeway on this section of corridor and does not have a licence with Hydro One for recreational use of this section of corridor, therefore, the proposed parking lot will not interfere with the City's recreational plans for hydro corridor lands.

The proposed parking lot will have minimal impact on the open space character of the corridor. This section of the corridor is 33.5 m wide while the parking lot is 18 m wide. The remaining 15.5 m of corridor will continue to provide natural open space. Further, the parking lot will include landscaping to screen parked cars from Upper Middle Road and Walker's Line.

The open space character of the corridor will be maintained.

11.0 SUMMARY

The Official Plan's Functional Policies support secondary uses on hydro corridor lands including among other things parking lots, subject to the use being compatible with the utility function of the corridor and surrounding land uses. The proposed parking lot does not interfere with existing transmission lines on the corridor and will be entirely compatible with the adjacent parking lot on the Walker's Mews commercial site.

The additional parking will benefit the commercial plaza by increasing available parking during peak demand times which in turn helps avoid on street traffic congestion for vehicles entering and leaving the plaza.

Currently the City does not have a recreational licence with Hydro One for this section of their corridor and the City's Long Term Bikeway Network does not anticipate a bikeway on the corridor. The City does not have future plans for recreational use of this section of hydro corridor; therefore, the proposed parking lot will be an appropriate use of the corridor lands.

There will be no buildings or structures associated with the parking lot and it will be landscaped to provide buffering screening from Upper middle Road and Walker's Line thereby ensuring that the open space character of the corridor is maintained.

Walker's Mews commercial development is at maximum floor area and minimum parking. Adding 36 parking spaces on the hydro corridor will improve the functioning of this development and to avoid traffic problems at the Walker's Line entrance/exits.

In my opinion this report justifies the rezoning of the corridor lands to allow a parking lot as a secondary use in conjunction with Walker's Mews commercial development and that the proposed parking lot represents good planning.

Respectfully submitted,

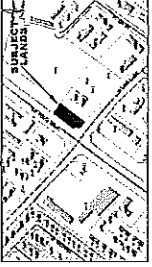
Greg Poole & Associates Inc.



Greg Poole MCIP, RPP

APPENDIX 'A' – SITE PLAN

KEY MAP



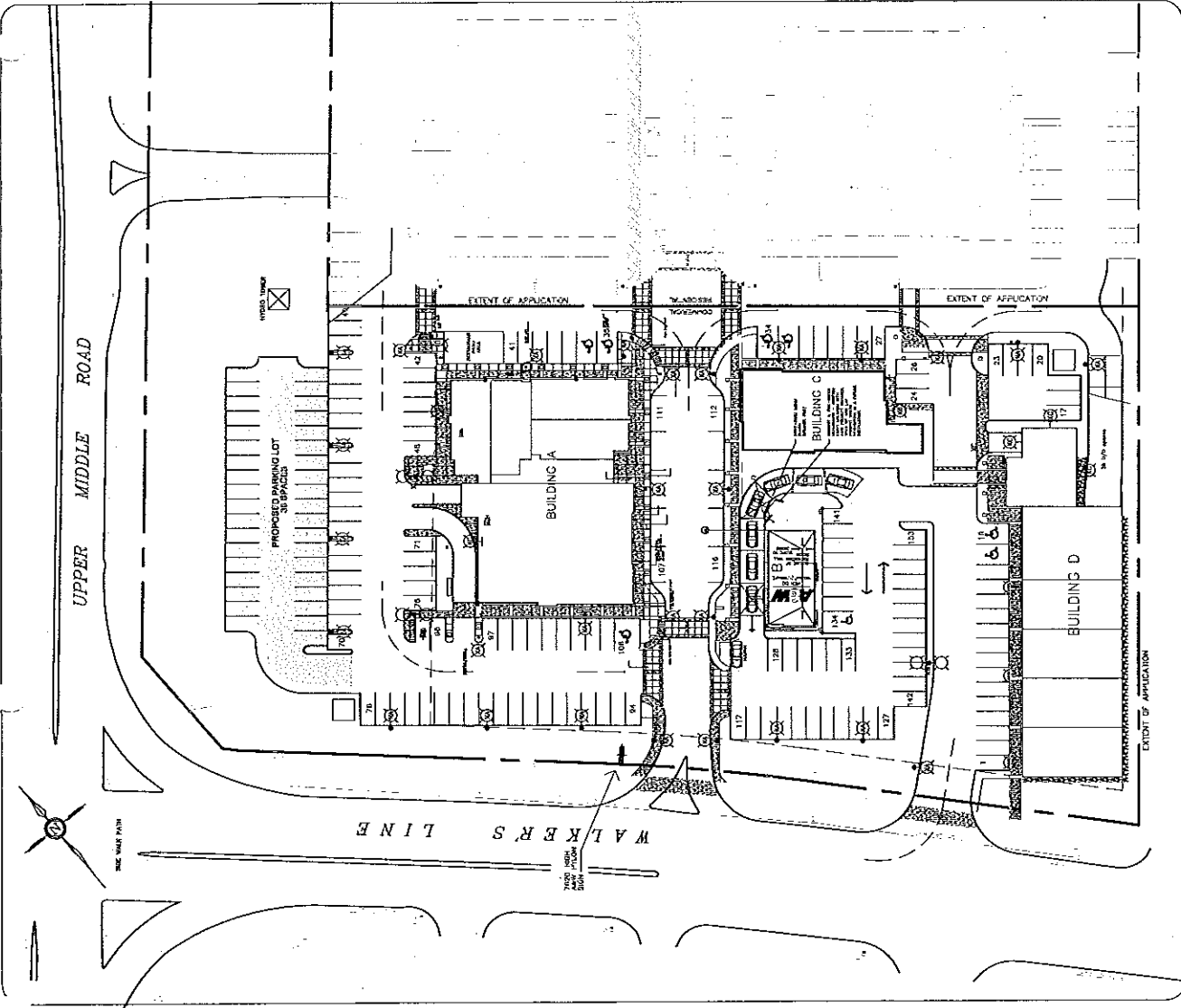
Southeast corner of
Walker's Line
& Upper Middle Rd.
IN THE
CITY OF BURLINGTON
REGIONAL MUNICIPALITY OF HALTON
2009

CLIENT:
Walker's Mews LTD.

TITLE:
Walker's Mews
Hydro corridor parking lot

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SCALE - N.T.S.
PROJECT NO. 25/08
DATE



APPENDIX 'B' – HYDRO ONE RECREATIONAL LICENCE AREA

Greg Poole

From: <toni.paolasini@HydroOne.com>
To: <pooleg@sympatico.ca>; <Ohara-GriffinC@burlington.ca>
Cc: <Mike.Derry@ontariorealty.ca>
Sent: January 22, 2009 3:13 PM
Attach: IREISwTLGIS_1801milp582479962374.jpg
Subject: Walkers mews

Hello Greg

I attach an excerpt from our data base. The lands that are proposed for parking in connection with Walkers Mews are not covered by a Park and Recreational Licence. They would have shown up as yellow on the attached schedule.

Toni

