



**SUBJECT: Recommendation to Approve Official Plan Amendment and Zoning By-law Amendment for 2384 Queensway Drive (Habitat for Humanity Halton)**

**TO: Planning and Development Committee**

**FROM: Planning and Building Department**

Report Number: PB-05-17

Wards Affected: 2

File Numbers: 505-04/15 & 520-04/15

Date to Committee: May 30, 2017

Date to Council: June 12, 2017

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**Recommendation:**

1. Approve Amendment No. XXX to the City of Burlington Official Plan, as contained in Appendix 3 of planning and building department report PB-05-17, to redesignate lands at 2384 Queensway Drive from "Neighbourhood Commercial" to "Residential – Medium Density" to permit the development of 18 townhouse units at 2384 Queensway Drive; and  
  
Deem that Section 17 (21) of the *Planning Act* has been met; and  
  
Enact and pass By-law XX-2017, as attached as Appendix 3 of planning and building department report PB-05-17, to amend the Official Plan by redesignating lands at 2384 Queensway Drive from "Neighbourhood Commercial" to "Residential – Medium Density". (file 505-04/15)
2. Approve the application to amend Zoning By-law 2020, as amended, by Habitat for Humanity Halton to permit 18 townhouses at 2384 Queensway Drive; and  
  
Enact and pass Zoning By-law 2020.XXX, as attached as Appendix 4 of planning and building department report PB-05-17, to rezone lands at 2384 Queensway Drive from CN2 to H-RM2-XXX (Residential Medium-Density exception); and  
  
Deem that By-law 2020.XXX will conform to the Official Plan of the City of Burlington once Official Plan Amendment No. XXX is adopted, and;

State that the amending zoning by-law will not come into effect until Official Plan Amendment No. XXX is adopted. (File 520-04/15)

**Purpose:**

The purpose of this report is to recommend approval of applications to amend the Official Plan and Zoning By-law to permit the development of eighteen townhouse units at 2384 Queensway Drive. Approval of the applications will permit intensification in a low-rise building form in a location that is served by several transit routes and is within 1100 metres of Burlington GO station. The development proposal aligns with the following objectives of Burlington's Strategic Plan 2015-2040:

A City that Grows

- Intensification
  - Focused Population Growth
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**Executive Summary:****REPORT FACT SHEET**

<b>RECOMMENDATION:</b>		<i>Approval</i>	<b>Ward No.:</b>	2
<b>Application Details</b>	APPLICANT/OWNER:	GSP Group Inc. on behalf of Habitat for Humanity Halton		
	FILE NUMBER:	505-04/15 & 520-04/15		
	TYPE OF APPLICATION:	Official Plan Amendment & Zoning By-law Amendment		
	PROPOSED USE:	Two 3-storey townhouse buildings containing a combined total of 18 dwelling units.		
<b>Property Details</b>	PROPERTY LOCATION:	South side of Queensway Drive		
	MUNICIPAL ADDRESSES:	2384 Queensway Drive		
	PROPERTY AREA:	0.4 hectares		
	EXISTING USE:	Vacant, formerly one 2-storey commercial building and a detached garage.		
<b>Documents</b>	OFFICIAL PLAN Existing:	Neighbourhood Commercial		
	OFFICIAL PLAN Proposed:	Residential – Medium Density		
	ZONING Existing:	CN2 – Neighbourhood Commercial		
	ZONING Proposed:	H-RM2-XXX – Medium-density residential with site-specific regulations.		
<b>Processing Details</b>	NEIGHBOURHOOD MEETING:	November 17, 2015		
	STATUTORY PUBLIC MEETING:	March 22, 2016		
	PUBLIC COMMENTS:	Four emails were received from three residents		

## Background and Discussion:

### Site Description

The subject property is located at 2384 Queensway Drive as shown in Appendix 1: Location/Zoning Sketch. Due to the property's proximity to the QEW highway, it is within the regulated area of the Ministry of Transportation (MTO). The property has an area of 0.4 hectares and is currently vacant. It formerly contained a two-storey commercial building, one detached garage, and a surface parking lot, and was entirely covered by impervious surfaces, as shown in Figure 1 below.

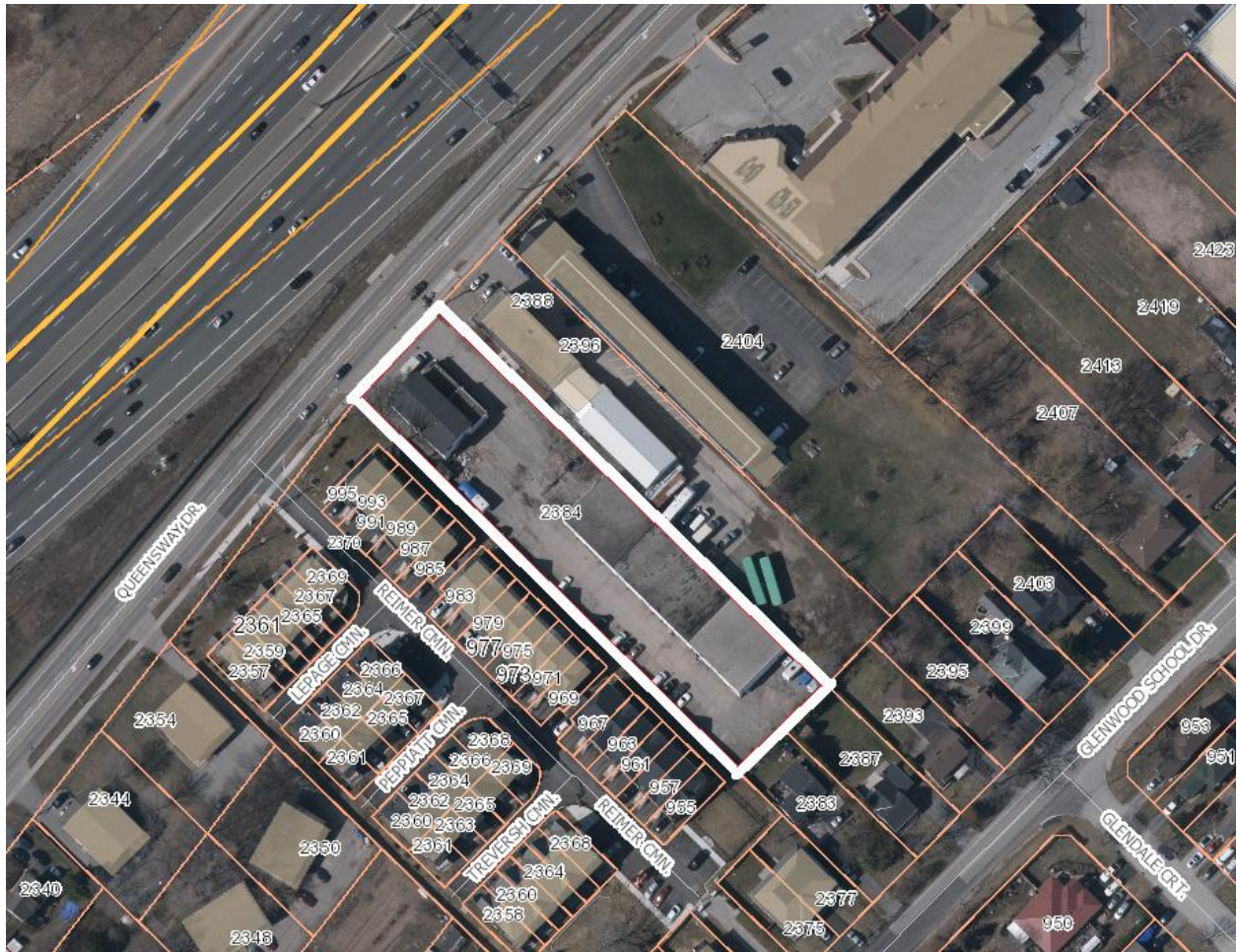


Figure 1: Air Photo (2015) of 2384 Queensway Drive and surroundings

### Surrounding Uses

- to the north: Queensway Drive and the Queen Elizabeth Way
- to the east: commercial uses including hotels, beyond which is Guelph Line
- to the south: low-density residential development (detached houses)
- to the west: medium-density residential development (townhouses)

## **Description of Application**

On June 26, 2015, the Planning and Building Department acknowledged that complete applications had been received to amend the Official Plan and Zoning By-law (referred to in this report as “the subject applications”) to permit a medium-density residential development at 2384 Queensway Drive. Specifically, the amendments requested were to redesignate the property from “Neighbourhood Commercial” to “Residential – Medium Density”, and rezone from “CN2 (Neighbourhood Commercial)” to a modified “RM2 (Residential – Medium Density)” zone.

The initial applications proposed 21 stacked townhouse units, with front door access on the west and garage access on the east side of the building. Staff raised concerns with this proposal related to the narrowness of the lot, grade changes, excessive hard surface, lack of amenity area, and incompatible interface with the adjacent existing townhouses to the west (proposed front doors facing existing rear walls).

After considering this feedback, the applicant submitted a revised proposal for 20 three-storey standard townhouse units, all accessed from the east and all with their rear walls facing the rear walls of the existing townhouses to the west. The applicant later reduced the number of units proposed in order to facilitate a higher number of bedrooms in some of the units.

The final proposal is for 18 three-storey townhouse units, of which two have four bedrooms, two have three bedrooms, and fourteen have two bedrooms. The final proposed site plan can be seen in Appendix 2: Detail Sketch.

## ***Technical Reports***

The applicant submitted the following technical documents in support of the subject application:

- Planning Justification Report, prepared by GSP Group Inc., dated May 28, 2015;
- Functional Servicing Report, prepared by MTE Consulting, dated May 27, 2015, and revised February 2016, November 2016, and March 2017;
- Preliminary Environmental Noise Assessment/Noise Feasibility Study, prepared by MTE Consulting, dated May 26, 2015, and revised March 2016, November 2016, and March 2017;
- Interim Phase One Environmental Site Assessment, prepared by MTE Consulting, dated February 15, 2014;
- Geotechnical Investigation Report, prepared by Terraprobe, dated February 2, 2015; and
- Site Plan and building elevations, prepared by KNY Architects, dated May 26, 2015, and revised in October 2015, November 2016, and March 2017;
- Conceptual Landscape Plan, prepared by KNYMH Inc., dated November 7, 2016, and revised in March 2017;

- Record of Site Condition as submitted to MOECC in February 2017;
- Ministry of Environment and Climate Change (MOECC) notice of receipt of Record of Site Condition, dated February 21, 2017;
- Draft Phase Two Environmental Site Assessment Conceptual Site Model, prepared by MTE Consultants Inc., dated February 2017.

## **Policy Framework**

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

### ***Provincial Policy Statement***

The Provincial Policy Statement (PPS), 2014, provides direction on matters of provincial interest related to land use planning and development. All municipal land use planning decisions must be consistent with the PPS.

The PPS requires planning authorities to promote opportunities for intensification and redevelopment where this can be accommodated, taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs (1.1.3.3). The PPS also requires planning authorities to establish development standards for residential intensification, redevelopment, and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety (1.4.3.e).

The subject applications propose redevelopment that will provide affordable housing in a compact form, in a location with adequate infrastructure to accommodate the redevelopment. The proposal incorporates measures to maintain appropriate levels of public health and safety, including appropriate noise mitigation. Staff therefore find that the proposal conforms to the PPS.

### ***Growth Plan for the Greater Golden Horseshoe***

The 2006 Places to Grow: Growth Plan for the Greater Golden Horseshoe (GGHP) outlines matters of provincial interest and requires cities and towns in the Greater Golden Horseshoe to manage growth by developing as complete communities with a diverse mix of land uses.

The GGHP requires municipalities to accommodate population growth by directing a significant portion of new growth to the built-up areas of the community through intensification, as well as by providing convenient access to intra- and inter-city transit

and by developing as complete communities with a range and mix of housing types (2.2.2).

The subject application proposes intensification in a location served by transit, and will add to the range of housing types available in the city. Staff find the application to conform to the GGHP.

#### ***Halton Region Official Plan***

The subject lands are designated as “Urban Area” in the 2009 Regional Official Plan (ROP). The policies of the Urban Area support residential intensification to develop complete, vibrant, and healthy communities. Halton Region staff have confirmed that the subject application conforms to the ROP.

#### ***City of Burlington Official Plan***

Burlington’s Official Plan (OP) assigns a Neighbourhood Commercial designation to the subject property, as shown on Schedule B, Comprehensive Land Use Plan – Urban Planning Area. This designation only permits residential uses in the second and third storey of retail/commercial buildings (Part III, 4.6.2).

The subject application proposes independent residential uses and therefore does not conform to the OP. For this reason, the applicant has applied to amend the OP by redesignating the property from Neighbourhood Commercial to Residential – Medium Density. This designation permits either ground- or non-ground-oriented housing units within a density range of 26 to 50 units per net hectare (Part III, 2.2.2).

Part III, section 2.5 of the OP contains a list of criteria that must be considered when evaluating proposals for housing intensification within established neighbourhoods. Analysis of the proposed development as it relates to these criteria is discussed under “Strategy/Process” below.

#### ***Zoning By-law 2020***

The subject property is zoned CN2 (Neighbourhood Commercial) in the Zoning By-law. The CN2 zone permits a range of commercial uses, as well as residential uses on the second and third storeys above commercial uses. The applicant proposes to amend the Zoning By-law by rezoning the property to a modified RM2 (Residential – Medium Density) zone, with site-specific regulations. Staff’s assessment of the proposed Zoning By-law amendments is discussed in detail under Strategy/Process below.

#### **Technical Review**

The subject application and the supporting documents submitted by the applicant were circulated to relevant City departments and technical agencies for comment on July 3, 2015. The following comments were received in response to the technical circulation:



Ministry of Transportation (MTO) staff have no objection to the proposed development. Due to the property's proximity to the Queen Elizabeth Way, the MTO will require that a 14 metre setback from the front lot line of the subject property be maintained, and the applicant must obtain Ministry permits prior to any construction or installation of signs. MTO staff advised that the applicant will be responsible for identifying, constructing, and installing any necessary noise mitigation measures.

The MTO will review environmental, functional servicing, stormwater management, and traffic impact studies for the proposed development at the site plan review stage. MTO staff also noted that the subject property may be affected by an Environmental Assessment Study the Ministry will be conducting in 2017 to look for improvements along this section of the QEW.

Halton Region staff are satisfied that the subject applications conform to the relevant planning documents, including the Regional Official Plan. Regional staff note that the proposed townhouses are considered a more sensitive use than the commercial use that formerly occupied the subject property. The Region will therefore require a Ministry of the Environment-acknowledged Record of Site Condition (RSC) to demonstrate that the land is appropriate for the proposed use. Regional staff recommend that an "H" Holding Symbol be placed on the property in the Zoning By-law to restrict development until the RSC has been filed and acknowledged by the Ministry and relevant environmental site conditions requirements have been met. The RSC is currently under review by the Ministry of the Environment and Climate Change.

At the site plan review stage, the Region will require the submission of a waste management plan to determine if regional waste collection can be provided to this site, and an air quality implementation report to ensure appropriate mitigation of any air quality issues associated with the QEW.

City of Burlington Site Engineering staff provided comments expressing concerns with issues related to stormwater management, grading changes, and environmental noise levels on the subject property. The applicant submitted revised studies which addressed these concerns to the satisfaction of Site Engineering staff. Additional details must be provided at the site plan review stage when the engineering solutions to be implemented are finalized, including written confirmation that the neighbouring condominium corporation at 2370 Queensway Drive agrees to the erection of a proposed new noise attenuation wall to be shared by both properties. Should an agreement not be reached, the subject property will need to erect its own independent noise wall.

Site Engineering staff echo the Region's requirement for a Record of Site Condition (RSC) due to the identification of potential contamination on the subject property.

Site Engineering staff also noted that the existing width of the Queensway Drive right-of-way is narrower than the deemed width. Staff do not anticipate the need to widen the



right-of-way in this location, and therefore will not require land dedication for this purpose at the site plan review stage. Rather, the applicant will be required to prepare a reference plan identifying a 7.5 metre deep parcel adjacent to Queensway Drive, to be set aside for possible dedication in future if a right-of-way widening becomes necessary.

The City of Burlington Transportation Department, Fire Department, and Forestry & Landscaping section provided comments indicating no objections to the proposed development.

Burlington Hydro commented that they had no objections to the subject applications, but requested that the applicant consult with them in the preparation of their site plan application to discuss appropriate hydro meter locations.

## **Strategy/process**

### ***Proposed Official Plan Amendment***

The applicant has requested that the subject property be redesignated in the Official Plan (OP) from Neighbourhood Commercial to Residential – Medium Density. The requested designation permits either ground-oriented or non-ground-oriented housing units within a density range of 26 to 50 units per net hectare (Part III, 2.2.2). The subject applications propose ground-oriented housing with a density of 45 units per hectare, which is within the density range prescribed by this designation. The proposed development will therefore conform to Part III, section 2.2.2 of the OP if approved.

Residential intensification, where appropriate, is encouraged by the OP “as a means of increasing the amount of available housing stock including... infill, re-development and conversions within existing neighbourhoods, provided the additional housing is compatible with the scale, urban design and community features of the neighbourhood” (Part III, 2.5).

The OP contains a list of evaluation criteria to be considered by staff when assessing applications for residential intensification such as the subject applications. Staff’s analysis of the subject applications as they relate to these criteria is as follows:

- i. Adequate municipal services to accommodate the increased demands are provided, including such services as water, wastewater and storm sewers, school accommodation and parkland;**

The applications were circulated to the City’s Capital Works Department, as well as Halton Region and local school boards; no objections or servicing constraints were identified.

Halton District School Board advised that the subject property falls within the Tom Thomson PS catchment area and that elementary school students from the proposed development are expected to be accommodated with the addition of portables. High

school students would be accommodated at Burlington Central Secondary School. Halton Catholic District School Board submitted standard comments advising that students could be accommodated in temporary facilities or bused to facilities outside the area.

**ii. off-street parking is adequate;**

The subject property is located on Queensway Drive, where on-street parking is unavailable. The applicant proposes to provide two parking spaces for each dwelling unit (including private garage), in conformity with the Zoning By-law. Additionally, the applicant proposes to provide eight visitor parking spaces on the site, including one barrier-free space. Three of these spaces are located within the MTO setback in order to permit a larger, quieter, and more functional amenity area at the rear (south end) of the property. The MTO does not permit any “required” features to be located within their setback; therefore, the draft zoning by-law will only require five spaces and the three spaces in the setback will be considered surplus for zoning and MTO permitting purposes.

Staff are satisfied that adequate off-street parking will be provided in the proposed development.

**iii. the capacity of the municipal transportation system can accommodate any increased traffic flows, and the orientation of ingress and egress and potential increased traffic volumes to multi-purpose, minor and major arterial roads and collector streets rather than local residential streets;**

The proposed development would have access only to Queensway Drive, which the Official Plan identifies as a minor arterial road. The MTO has requested that the applicant provide a traffic impact brief at the site plan review stage to address any potential impacts on the Ministry’s right-of-way. Municipal right-of-ways are expected to accommodate any increased traffic associated with the proposed eighteen townhouses.

**iv. the proposal is in proximity to existing or future transit facilities;**

Bus stops are located directly across the street from the property (westbound) and in front of the adjacent property to the east (eastbound). These stops are currently serviced by five routes, which transfer at the Burlington GO station approximately one kilometre to the west. The routes on Queensway may be relocated upon completion of upgrades to the south side of Burlington GO station. The property is also located less than a 500 metre walk from bus stops on Guelph Line to the east, which are expected to continue to support a high level of transit service.

**v. compatibility is achieved in terms of scale, massing, height, siting, setbacks, coverage, parking, and amenity area so that a transition between existing and proposed buildings is provided;**

The subject applications propose 18 three-storey standard townhouse units fronting on a private driveway along the east side of the property, mirroring the existing three-storey townhouses that front on Reimer Common to the west. The proposed townhouses will be sited with their rear walls facing the rear walls of the Reimer Common townhouses, and will have comparable setbacks. The height, massing, coverage, and parking of the proposed townhouses will also reflect those of the neighbours to the west. The subject property will be graded to avoid the need for a retaining wall along the west lot line, thereby easing the transition between these two properties.

The proposed townhouses are set back 17 metres from the south lot line, allowing for a comfortable transition to the existing detached houses to the south. Public comments received from residents in the area to the south support the placement of visitor parking in the space between the proposed townhouses and the detached lots. The detached lots to the south are deep (45 m depth) and are not expected to suffer adverse impacts from a proposed retaining wall along the south property line. A privacy fence atop this retaining wall will prevent light trespass from car headlights from the proposed visitor parking area. The height of the retaining wall varies with the terrain; at its highest point, the combined height of the retaining wall (1.2 m) and wooden board fence (2.4 m) is 3.6 m to ensure effective light screening from the parking lot, which is at a higher grade. The highest point of the wall is adjacent to a detached lot with a 20 metre rear setback, which is sufficient to mitigate any potential impact.

The proposed driveway will be located along the east of the property, to provide a transition to the adjacent commercial property to the east. A retaining wall and privacy fence with a maximum height of 3.3 metres will screen the two properties from one another.

The proposed development provides a shared amenity area in the south end of the lot, which is compatible with the amount of amenity area provided in nearby developments.

Staff are satisfied that the proposed development achieves compatibility as required by the Official Plan.

- vi. effects on existing vegetation are minimized, and appropriate compensation is provided for significant loss of vegetation, if necessary to assist in maintaining neighbourhood character;**

Under existing conditions the subject property is 97% covered by impervious surfaces and has virtually no vegetation. The proposed development will decrease impervious area to 59%, a reduction of 38%. The applicant has provided a conceptual landscape plan which shows an intent to plant deciduous and coniferous shrubs and trees.

Vegetation on the site will therefore be increased and enhanced, providing a benefit to

neighbourhood character. At the site plan stage, staff will encourage planting for buffering purposes and to achieve urban forestry and landscaping objectives.

**vii. significant sun-shadowing for extended periods on adjacent properties, particularly outdoor amenity areas, is at an acceptable level;**

The subject applications propose a low-rise development with adequate setbacks. Neighbouring properties are not expected to experience significant sun-shadowing as a result of this development.

**viii. accessibility exists to community services and other neighbourhood conveniences such as community centres, neighbourhood shopping centres and health care;**

The subject property is well served by transit and is located adjacent to an existing residential community. This community is located in proximity to the mixed-use corridor and regional commercial area of Fairview Street and Guelph Line. Within the community, a neighbourhood commercial retail plaza exists within a 360 metre walk to the east of the subject property, at the intersection of Queensway Drive and Glenwood School Drive. Queensway Park is just beyond this, within a 400 metre walk of the subject property. Staff are satisfied that residents of the proposed development will have access to community services.

**ix. capability exists to provide adequate buffering and other measures to minimize any identified impacts;**

A Noise Feasibility study was completed for the subject applications and reviewed by Site Engineering staff to ensure the appropriateness of the site for residential development, considering environmental noise emanating from the nearby QEW highway. Site engineering staff accept the study's conclusion that the project is feasible and complies with provincial standards.

To mitigate outdoor noise levels, a 4.0 metre tall noise attenuation wall will be required between the front lot line and the nearest privacy area. In consultation with the condominium board of the adjacent townhouse development to the west, the applicant has proposed a shared noise wall that will benefit both developments. A copy of a written agreement between the two property ownerships must be submitted to the City at the site plan review stage. Should an agreement not be reached, an individual noise wall serving only the subject property will be required. Additional noise mitigation for outdoor areas will be provided by the townhouse buildings themselves.

As described in the discussion of transitions under criterion (v) above, the proposed development maintains adequate setbacks to avoid significant impacts on surrounding properties. At the site plan review stage, the City will require the provision of double wooden board privacy fences and dense vegetative screening along the southwest and

southeast property lines as necessary to mitigate light trespass and any other expected impacts.

A privacy fence along the east side lot line will buffer light trespass and visual impacts on the proposed development from the existing commercial use to the east.

- x. where intensification potential exists on more than one adjacent property, any redevelopment proposals on individual property shall demonstrate that future redevelopment on adjacent properties will not be compromised, and this may require the submission of a tertiary plan, where appropriate;**

Staff do not believe the proposed development will compromise any development potential that may exist on adjacent properties. Staff note that the townhouses on the adjacent property to the west were developed within the last six years.

- xi. natural and cultural heritage features and areas of natural hazard are protected;**

No such features or hazards have been identified on or around the subject property; this criterion does not apply.

- xii. where applicable, there is consideration of the policies of Part II, Subsection 2.11.3, g) and m); and**

These subsections relate to floodplains and the South Aldershot area respectively. Neither is applicable to the subject applications.

- xiii. proposals for non-ground oriented housing intensification shall be permitted only at the periphery of existing residential neighbourhoods on properties abutting, and having direct vehicular access to, major arterial, minor arterial, or multi-purpose arterial roads and only provided that the built form, scale, and profile of development is well integrated with the existing neighbourhood so that a transition between existing and proposed residential buildings is provided.**

The subject applications propose only ground-oriented housing intensification and so this criterion does not apply.

Having considered the relevant intensification policies in the Official Plan, staff are of the opinion that the proposed Official Plan amendments meet the intent of the Plan and represent good planning.

### ***Proposed Zoning By-law Amendments***

The applicant has requested that the subject property be rezoned from CN2 (Neighbourhood Commercial) to a modified RM2 (Residential – Medium Density) zone,

with site-specific regulations, to permit the development of townhouses. The requested site-specific regulations are summarized in Table 1 below:

	<b>Required/Permitted</b>	<b>Proposed</b>
<b>Permitted Uses</b>	Various residential building types including townhouses	Townhouses only (maximum 18 units)
<b>Lot width</b>	Minimum 45 m	Minimum 30 m
<b>Lot Area</b>	Minimum 0.4 ha	Minimum 0.37 ha
<b>Density</b>	Maximum 40 units/ha	Maximum 49 units/ha
<b>Privacy Area</b>	20m <sup>2</sup> per unit, Privacy areas must be enclosed by privacy screen.	17m <sup>2</sup> per unit, Privacy area screening may be open on one side.
<b>Landscape Area</b>	6 m abutting Queensway Drive	6 m abutting Queensway Drive, and additionally: A landscape area measuring minimum 1.25 m x 4.5 m in the entry yard of each townhouse unit.
<b>Landscape Buffer abutting R1, R2, R3 zone</b>	Minimum 6 m	Minimum 2.5 m
<b>Parking</b>	Minimum 9 visitor spaces (0.5 spaces per unit); Set back min. 6 m from R1, R2, R3 zone; Set back min. 3 m from walls containing windows of habitable rooms.	Minimum 5 visitor spaces (0.28 spaces per unit); Set back min. 2.5 m from R1, R2, R3 zone; Set back min. 2 m from walls containing windows of habitable rooms.
<b>Building Height</b>	Maximum 2 storeys	Maximum 3 storeys to 13 m
<b>Maximum combined height for a retaining wall and fence</b>	Abutting a non-residential zone: max. 3 m Abutting an R1, R2, R3 zone: max. 2 m Abutting adjacent townhouses: 2 m	Abutting a non-residential zone (east): max. 3.3 m Abutting an R1, R2, R3 zone (south): max. 3.6 m Abutting adjacent townhouses (west): 3.3 m

**Table 1: Proposed site-specific zoning regulations**

Staff's assessment of the proposed Zoning By-law amendments is discussed below.

### **Lot Dimensions**

The proposed site-specific regulations would reduce the minimum lot width from 45 m to 30 m, to reflect the existing conditions of the site. After reviewing the submitted site plan and supporting documents, staff are of the opinion that the narrower width is still able to support the proposed townhouses.

The proposed by-law would also reduce the minimum lot area from 0.4 ha in the base regulations to 0.37 ha in the site-specific regulations. The subject property in fact has an area of 0.4 ha and conforms to the base regulations; however, the proposed development has been designed to fit within a smaller lot size that would exist if a road widening were ever taken. Staff recommend a reduced minimum lot area of 0.37 ha to reflect the lot area that the development has been designed to fit within, and to ensure that the lot will continue to comply with the Zoning By-law if a road widening ever is taken in future.

### **Density and Maximum Number of Units**

While the Official Plan (OP) permits residential uses to a maximum density of 50 units per hectare, zoning regulations do not always permit the full range of uses or densities allowed by OP policies. In the base RM2 zone, the maximum density is 40 units per hectare. The proposed development would have a density of 45 units per hectare, which is greater than the base permission but still conforms to the Official Plan, and is the same density permitted for the existing townhouse development adjacent to the west.

As described in the discussion of lot area above, the proposed development has in fact been designed to fit within a smaller area than the actual lot size, to allow for the possibility of a future road widening. Despite this constraint, the design still maintains compatibility with surrounding properties.

If a road widening were ever taken, the lot area would be reduced while the number of units would remain the same, and the density would therefore increase to 48.6 units per hectare. Staff therefore recommend a maximum density of 49 units per hectare, to reflect the design of the proposed development and to ensure continued by-law conformity if the lot area is ever reduced by a road widening in future.

While setting the maximum density at 49 units per hectare allows the flexibility for the property to continue to comply with zoning if a road widening is taken in future, it also could unintentionally create flexibility for the property owner to add additional units in future if a widening is not taken. To close this loophole, the site-specific regulations will also include a provision that the maximum number of townhouse units is 18.



Taken together, these two provisions (maximum density and maximum number of units) will ensure the site does not develop with any more units than the current proposal, while also allowing flexibility for the site to continue to comply with zoning regulations in future, in the event that a road widening is eventually taken contrary to current expectations.

### **Privacy Area**

Staff recommend that the minimum size for a privacy area be reduced from 20 m<sup>2</sup> to 17 m<sup>2</sup>. The submitted site plan shows a distance of 5.8 m between the west side lot line and the rear walls of townhouse units. This distance comprises both an outdoor privacy area for each unit, and a common maintenance corridor between the privacy areas and the lot line. Staff recommend reducing the depth of the privacy areas in order to allow the maintenance corridor to be approximately 2 metres wide rather than 1.4 m wide. The wider corridor will facilitate easier maintenance access and make the corridor feel less confined.

The impact on the privacy area will be a reduction in depth of approximately 0.6 m (two feet), from 4.5 m to 3.9 m. For the three- and four-bedroom townhouse units, which are wider, the privacy area will still exceed 20 m<sup>2</sup> despite the decreased depth. The narrower two-bedroom units, however, will be reduced to 17.4 m<sup>2</sup> and will require the lower minimum of 17 m<sup>2</sup>.

A consequence of reducing the privacy area size is that the area behind each unit will no longer satisfy provincial criteria to be considered “outdoor living areas” as defined for the purposes of measuring and applying provincial requirements for environmental noise levels. Instead, the official outdoor living area for provincial measurements will be the large shared amenity area at the south end of the site. Nonetheless, staff have confirmed that the privacy area behind each unit will still have noise levels lower than the maximum permitted by the province for an outdoor living area, as indicated in the Noise Feasibility study submitted by the applicant.

Further to the reduction in minimum size for the privacy area, staff recommend the removal of a requirement that privacy areas be entirely enclosed by privacy screening. Allowing the privacy area to be unscreened on the side abutting the maintenance corridor will facilitate easier maintenance access, as well as providing a more open space for residents to enjoy behind their unit.

The enclosure requirement was also removed in the site-specific zoning by-law approved for the adjacent townhouse development to the west, so doing the same on the subject property would not affect compatibility.

## **Landscape Area**

The base RM2 zone requires a 6 metre landscape area adjacent to the front lot line, to provide an attractive streetscape. This requirement should be retained. Additionally, staff recommend a requirement for a landscape area measuring 1.25 m wide and 4.5 m deep in the entrance yard of each townhouse unit. This proposed regulation will prevent the area in front of townhouse units from being entirely paved over. This will ensure achieve landscape design objectives by creating space for the planting of ornamental vegetation, while still leaving sufficient room for driveways and walkways (up to 3.25 m wide combined for the narrowest units). The applicant has agreed to this provision.

## **Number of Visitor Parking Spaces**

Base zoning regulations require the provision of 0.5 visitor parking spaces for each townhouse unit, which would amount to 9 visitor parking spaces for the 18 units proposed in the subject applications. The applicant has proposed to provide 8 visitor parking spaces, which Transportation staff have deemed to be a minor and acceptable reduction. Burlington's Official Plan, Part II, section 3.2.2 (j) permits the City to allow reduced parking ratios through the approval of development applications, where deemed appropriate.

As described in the discussion of off-street parking under Official Plan evaluation criterion (ii) above, three of the proposed eight visitor spaces are situated within the MTO setback at the north (front) end of the site. Required features are not permitted by the MTO in this setback. Staff therefore recommend a zoning requirement of five parking spaces, to reflect only those spaces located outside the MTO setback. The additional three spaces would be considered surplus.

An earlier version of the site plan submitted by the applicant had shown all parking being accommodated in the south end of the site, outside of the MTO setback; however, this displaced a significant amount of amenity area. Staff are of the opinion that it is preferable to have some parking in the north end of the site, which is the area most impacted by environmental noise from the QEW highway, as this allows the provision of a larger and more usable amenity area in the south end of the site, where it is much quieter.

As staff do not anticipate a road widening in this location that would require dedication of part of the MTO setback, staff are comfortable that the three surplus spaces will be provided and serve the property for the foreseeable future. In the event that a road widening is one day taken and one or more of the three spaces in the MTO setback are lost, staff are comfortable that the site will continue to function without causing adverse parking impacts on surrounding sites, as the property is well served by several transit routes. Nonetheless, at the site plan review stage, staff will strongly encourage the provision of all eight parking spaces that are shown in the drawings submitted for the

subject applications, to provide a number of parking spaces as close as possible to the base zoning requirements.

Transportation staff have reviewed and accepted this proposal and have no objection to the reduced zoning requirement.

### **Parking Setbacks and Landscape Buffers**

Staff recommend a reduced landscape buffer of minimum 2.5 metres abutting a low-density residential zone, rather than 6.0 metres. The required parking setback from a low-density residential zone is identical to the landscape buffer in this case. The subject applications propose townhouse buildings set back 17 metres from low-density residential zones, with amenity space and visitor parking occupying the space between the building and the lot line. Neighbours to the south provided comments indicating that they support the location of parking spaces close to their property, as this means buildings cannot be located there. Any potential impact from the parking spaces will be mitigated by a privacy fence and dense vegetative screening, to be required at the site plan stage. Staff therefore see no negative impact from a reduced minimum landscape buffer (and identical reduced parking setback).

Base zoning also requires a minimum setback of 3 metres for a parking space from a wall containing windows of a habitable room. The intent of this regulation is to separate car headlights and noise from rooms where people live. In the proposed development, parking spaces are offset from habitable spaces, but are set back less than 3 metres at their closest point. The submitted site plan shows these close points are in fact measured between the corner of the building and the corner of the parking space – so despite the proximity, car headlights will not actually point towards the dwelling walls. Staff are therefore satisfied that the intent of this regulation can be met with a reduced 2 metre setback rather than a 3 metre setback.

### **Building Height**

The base RM2 zone states a maximum building height of 2 storeys. The applicant proposes to develop three-storey townhouses to a maximum height of 13 metres. This is the same height allowance that is permitted for the adjacent existing townhouses fronting on Reimer Common to the west. Staff recommend that this increased maximum be permitted for the subject property to facilitate a compatible built form.

### **Fence and Retaining Wall Height**

Base zoning requires a maximum fence height of 2 metres between residential properties, and 3 metres between a residential and a non-residential property. Where a fence is situated on top of a retaining wall, the retaining wall height is included in the measurement of total fence height. As two of the boundary fences on the subject property are proposed to be located on top of retaining walls, the wording of the site-

specific regulations will make it clear that wall height is included in the measurement of fence height.

Under existing conditions, the subject property slopes downhill from Queensway Drive, with most storm water draining southwest towards the adjacent townhouse development. Through the subject applications, site engineering staff will require the site to be regraded so that water drains towards Queensway Drive and avoids adverse impacts on adjacent properties. Consequently, retaining walls will be required along the east and south lot lines. Privacy fences will be required on top of both of these retaining walls, to buffer the subject property from the adjacent commercial use to the east, and to prevent car headlights from shining from the driveway of the subject property onto the adjacent residential property to the south.

Staff recommend a maximum combined height of retaining walls and fences of 3.3 metres along the east property line and 3.6 metres along the south property line. Staff are of the opinion that these increased heights are reasonable and will not cause adverse impacts on neighbours. The property to the east is commercial and the area to be bordered by the 3.3 metre fence and retaining wall combination is used as a parking lot. The property to the south contains a detached dwelling on a deep lot with a 20 metre rear setback. This is sufficient space for residents to enjoy the use of their back yard without feeling crowded by the fence and wall. There is sufficient space for them to plant vegetation to screen the fence should they wish to do so, and the fence will be located to their northwest so it will not cause significant sun shadowing.

On the west property line, there is no retaining wall proposed; grades will change gradually from one site to the next. Nonetheless, the visitor parking area of the proposed development will be higher than the finished grade of the property to the west, which could result in car headlights occasionally shining over the top of the privacy fence towards the rear walls of four neighbouring townhouse units: 955-961 Reimer Common. There are multiple possible ways to screen headlights from the four visitor parking spaces, and the solution to be implemented will be decided upon and finalized at the site plan review stage. These solutions will include dense vegetative screening, and may also include a short fence at the edge of the parking area or a taller fence along the property line.

Staff recommend increasing the maximum permitted fence height along the western property line to 3.3 metres, as a taller privacy fence is the most straightforward solution to screen headlights. To arrive at this recommendation, staff consulted the neighbouring condominium corporation and sought feedback from the residents of 955-961 Reimer Common through the president of the condominium corporation. Feedback received indicated that residents are in favour of increasing the maximum fence height to 3.3 metres.

## **Holding Symbol**

As noted in the discussion of agency comments above, a Record of Site Condition is required for the subject property to ensure that it is appropriate for conversion from commercial uses to more sensitive residential uses. Halton Region staff recommended that an “H” Holding Symbol be placed on the zoning for the property to restrict development until the Record of Site Condition (RSC) is filed and acknowledged with the Ministry of the Environment and Climate Change (MOECC), and all necessary site remediation work associated with the RSC is completed. City staff support this recommendation.

The applicant has provided proof that the RSC was submitted to the MOECC in February 2017. Staff expect the Ministry to respond to the RSC in the near future.

Having analyzed the subject applications as described above, staff deem the requested Zoning By-law amendments to be appropriate and represent good planning.

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## **Financial Matters:**

Fees have been paid for the Official Plan Amendment and Zoning By-law Amendment applications.

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## **Public Engagement Matters:**

### **Public Circulation**

A notice sign was posted on the property in June 2015. A public notice and request for comments were circulated in the early fall of 2015 to all property owners and tenants within 120 metres of the subject property. The public request for comments was circulated later than the agency/technical request for comments in order to wait until the applicant had revised their proposal from stacked townhouses to standard townhouses.

### **Neighbourhood Meeting**

A neighbourhood meeting was held at Freeman Scouts Hall on November 17, 2015, and was attended by approximately 20 members of the public. Comments and questions raised were related to the ownership model proposed by Habitat for Humanity, the permitted density, site grading, noise mitigation measures, infrastructure capacity, number of bedrooms proposed, and traffic impact. These questions were addressed by staff at the meeting, and through follow-up communication.

## **Statutory Public Meeting**

An information report (PB-05-16) was presented at a statutory public meeting held at the March 22, 2016 session of Development & Infrastructure Committee (now called Planning & Development Committee). Notice of this meeting was circulated in February 2016, in accordance with the Planning Act.

## **Public Comments**

Staff received two emails from the public concerning the development, which were appended to the information report (PB-05-16) of March 22, 2016. These emails raised concerns about landscape buffering, privacy impacts, and noise attenuation. These concerns have been addressed as indicated in the discussion of landscape buffering, neighbourhood compatibility, and noise impact above under “Strategy/Process”.

After the statutory public meeting, staff received additional comments from one resident who sent two emails in the spring and fall of 2016. These comments raised a number of questions, mostly pertaining to technical matters arising from the studies submitted by the applicant in support of their application. The concerns from both emails were addressed by staff as follows:

1. Concern that various traffic projections were based on data from 2012 and 2010 respectively, and question about whether they should be updated.
  - a. Transportation staff are satisfied with the data used in the studies, and advised that the traffic projections used were conservative, i.e.: they likely overestimated traffic growth since 2012 to err on the side of caution.
2. Comment that indoor noise levels should be limited to 40 dBA.
  - a. The applicant’s revised noise feasibility study (March 2017) projects indoor noise levels of 45 dBA for daytime and 40 dBA for nighttime, which comply with provincial guidelines. Noise mitigation measures for interior spaces include central air conditioning and upgraded building components, such as walls, windows, and exterior surfaces. A detailed noise study will be required at the site plan stage to confirm that the proposed building components and materials will provide the noise mitigation identified in the current noise feasibility study.
3. Comment that maximum density for the proposed development should be comparable to that of the adjacent townhouse development to the west.
  - a. The proposed development will achieve a density of 45 units per hectare, which is identical to the maximum density of the adjacent townhouse development. Staff recommend a maximum density of 49 units per hectare to allow flexibility if the lot becomes smaller in the event of a future

road widening. If such a widening occurs, the built form and compatibility with the adjacent development will remain unchanged.

4. Comment about existing drainage issues on adjacent townhouse development to west, and question about how similar issues can be avoided in future.
  - a. The City collects securities from developers at the site plan stage to ensure drainage and grading are developed in accordance with approved plans. Securities are not returned until any issues are resolved.
5. Questions about how the City ensures adequate water pressure for the top floor of three-storey townhouses, and whether booster pumps will be required for the proposed development.
  - a. The City Building Department will ensure that the new townhouses conform to the Ontario Building Code. Servicing issues related to water and sanitary sewer will be addressed by the Region through a Regional Servicing Permit. Specific mechanical solutions (such as the need or lack thereof for booster pumps) are details to be resolved at the site plan stage, and do not factor into the consideration of whether it is appropriate to amend the Official Plan and Zoning By-law to permit residential development on this property.
6. Question about how privacy of neighbouring properties will be maintained.
  - a. Staff will require privacy fencing as well as vegetative screening in landscape buffers. The subject applications were revised by the applicant in response to staff feedback, to ensure that the proposed townhouses have rear walls facing the existing rear walls of neighbours, so that rear privacy areas abut other privacy areas rather than having front entranceways next to neighbours' rear privacy areas.
7. Question about whether the neighbouring townhouse owners were aware that the applicant is proposing a new noise wall to be shared by both developments.
  - a. The applicant has engaged in preliminary talks with the neighbouring condominium corporation to discuss the possibility of erecting a shared noise attenuation wall for the mutual benefit of both properties. Such a wall would not be constructed without an agreement from both parties. If an agreement cannot be reached, the applicant will erect their own noise wall on their own property only, mirroring the wall already existing on the neighbouring development.

### **Fence Height Consultation**

As described in the discussion of fence and retaining wall height under "Strategy/Process" above, staff consulted the condominium corporation of the existing



townhouse development west of the subject property regarding whether residents would favour an amendment to increase the maximum fence height along the west property line of the subject property, in order to allow the option for a taller fence to be erected to screen headlights from the visitor parking spaces of the proposed development. This consultation was facilitated through communication with the condominium corporation president, and feedback indicated residents find the increased maximum fence height desirable.

## **Conclusion:**

Staff has reviewed the applications in accordance with applicable provincial, regional, and municipal planning policies. It is staff's opinion that the subject property is an appropriate location for intensification through the development of eighteen standard townhouse units as proposed in the subject applications. This report recommends approval of Official Plan Amendment No. XXX and Zoning By-law Amendment XXX.

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Respectfully submitted,

Thomas Douglas

Planner II

(905) 335-7600 ext. 7811

## **Appendices:**

1. Location/Zoning Sketch
2. Detail Sketch
3. Draft Official Plan Amendment
4. Draft Zoning By-law
5. Public Comments

## **Notifications:**

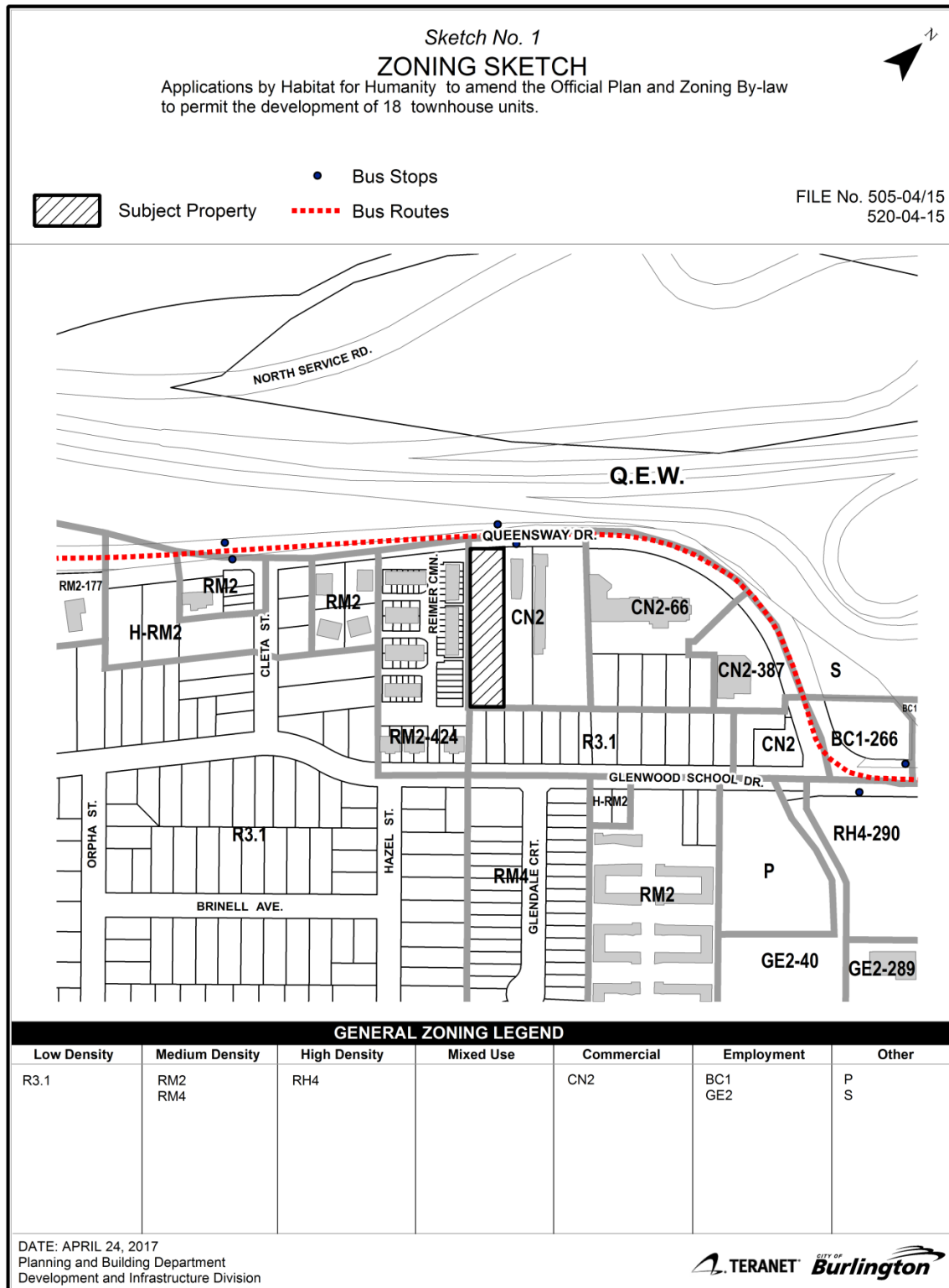
**Adam Huycke**, Planner

Halton Region Planning Services

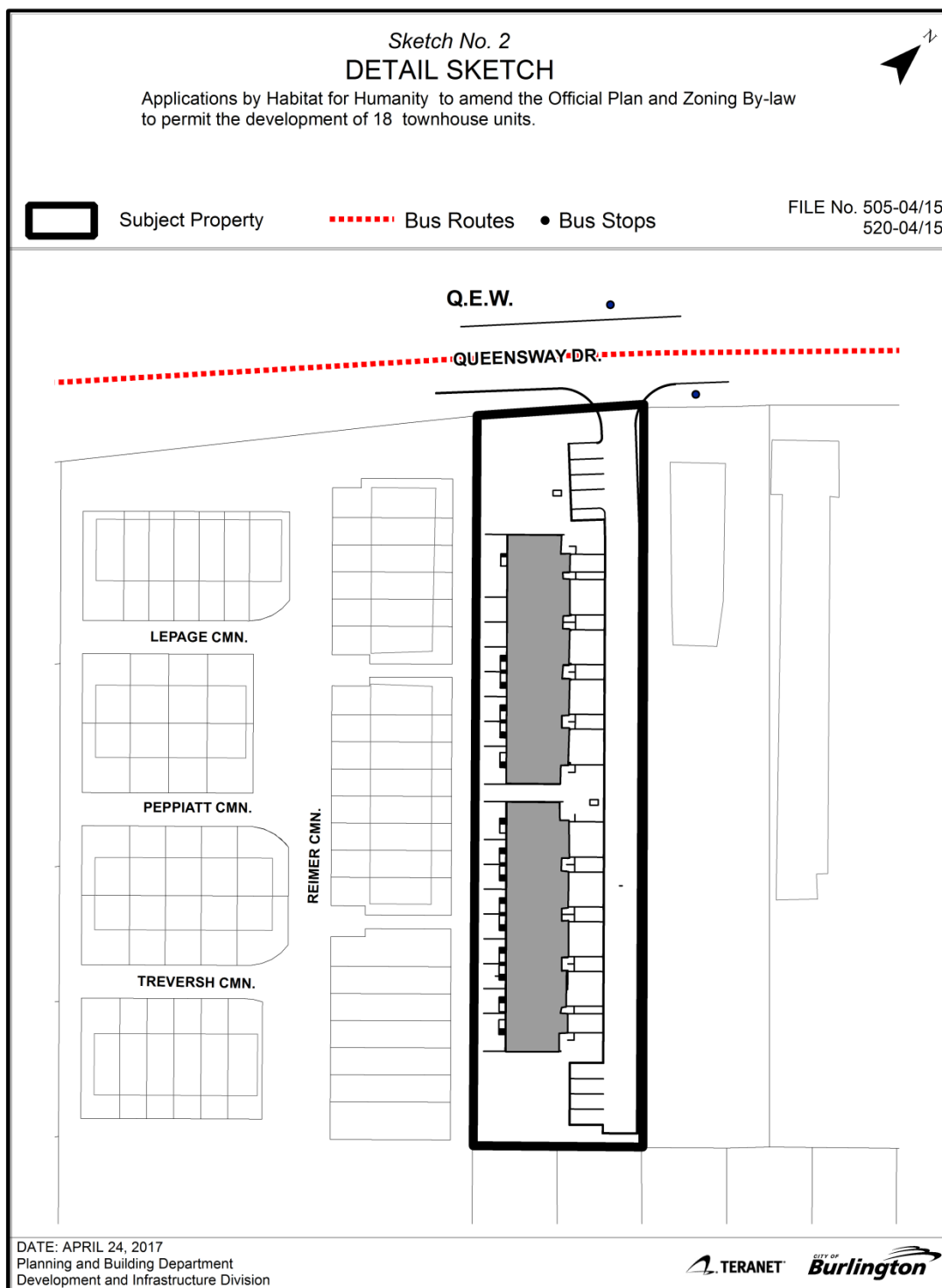
## **Report Approval:**

All reports are reviewed and/or approved by Department Director, Director of Finance and Director of Legal. Final approval is by the City Manager.

## Appendix 1: Location/Zoning Sketch



## Appendix 2: Detail Sketch



### **Appendix 3: Draft Official Plan Amendment By-law**

BY-LAW NUMBER XX-2017

A By-law to adopt Official Plan Amendment No. XXX to redesignate land at 2384 Queensway Drive from “Neighbourhood Commercial” to “Residential – Medium Density” to permit the development of eighteen townhouse units.

Files: 505-04/15 & 520-04/15 (PB-05-17)

WHEREAS the Council of the Corporation of the City of Burlington in accordance with the provisions of Section 17 and 21 of the *Planning Act*, 1990, as amended, approved recommendation PB-05-17 at its meeting held on June 12, 2017,

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF BURLINGTON HEREBY ENACTS AS FOLLOWS:

1. That Amendment No. XXX to the Official Plan (1994) of the Burlington Planning Area consisting of the attached amendment and supporting documentation is hereby adopted.
2. That this by-law shall come into full force and take effect on the final day of passing thereof.

ENACTED AND PASSED this 12<sup>th</sup> day of June, 2017

Mayor Rick Goldring \_\_\_\_\_

City Clerk Angela Morgan \_\_\_\_\_

**AMENDMENT NO. XXX TO THE OFFICIAL PLAN  
OF THE BURLINGTON PLANNING AREA**

**CONSTITUTIONAL STATEMENT**

The details of the Amendment as contained in Part B of this text constitute Amendment No. XXX to the Official Plan of the Burlington Planning Area, as amended.

**PART A – PREAMBLE**

**1. PURPOSE OF THE AMENDMENT**

The purpose of the amendment is to redesignate land at 2384 Queensway Drive from “Neighbourhood Commercial” to “Residential – Medium Density” to permit the development of eighteen (18) standard townhouse units.

**2. SITE AND LOCATION**

The subject lands are located on the south side of Queensway Drive, approximately 400 metres west of Guelph Line. The property has an area of 0.4 hectares and is currently vacant, having formerly been the site of a two-storey commercial building, detached garage, and surface parking lot.

Surrounding land uses include commercial properties to the east, detached houses to the south, and townhouses to the west.

**3. BASIS FOR THE AMENDMENT**

- a) The subject application proposes intensification that is consistent with the Provincial Policy Statement (PPS) (2014). The PPS promotes intensification and redevelopment where this can be accommodated, including on brownfield sites. The PPS also requires planning authorities to establish development standards for residential intensification, redevelopment, and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of health and safety.
- b) Directing intensification to areas in proximity to transit and providing policies that identify the appropriate type and scale of development assist the City in achieving its intensification targets and meet the intent of the provincial “Places to Grow” Growth Plan for the Greater Golden Horseshoe and the Region of Halton Official Plan.
- c) The redesignation of the subject property to permit medium-density residential development supports the City’s residential objectives to broaden the range of housing forms to meet City needs and achieve compatibility with surrounding properties, and satisfies the evaluation criteria for residential intensification identified in the City’s Official Plan.

- d) The applicant submitted technical studies and reports that provide adequate and appropriate information to support the development.
- e) The proposed development is located on lands with adequate infrastructure and in close proximity to transit routes, commercial uses, and community amenities, and therefore meets Official Plan policies to provide housing opportunities in locations that can reduce travel times and decrease dependence on the car.
- f) The development is designed with its principal access on a minor arterial road that can accommodate associated traffic.

## **PART B – THE AMENDMENT**

### **1. DETAILS OF THE AMENDMENT**

#### **Map Change**

“Comprehensive Land Use Plan – Urban Planning Area”, being Schedule B of the Official Plan of the Burlington Planning Area, as amended, is modified by the attached Schedule B1.

Schedule B1 indicates the lands to be redesignated from “Neighbourhood Commercial” to “Residential – Medium Density”.

#### **Text Change**

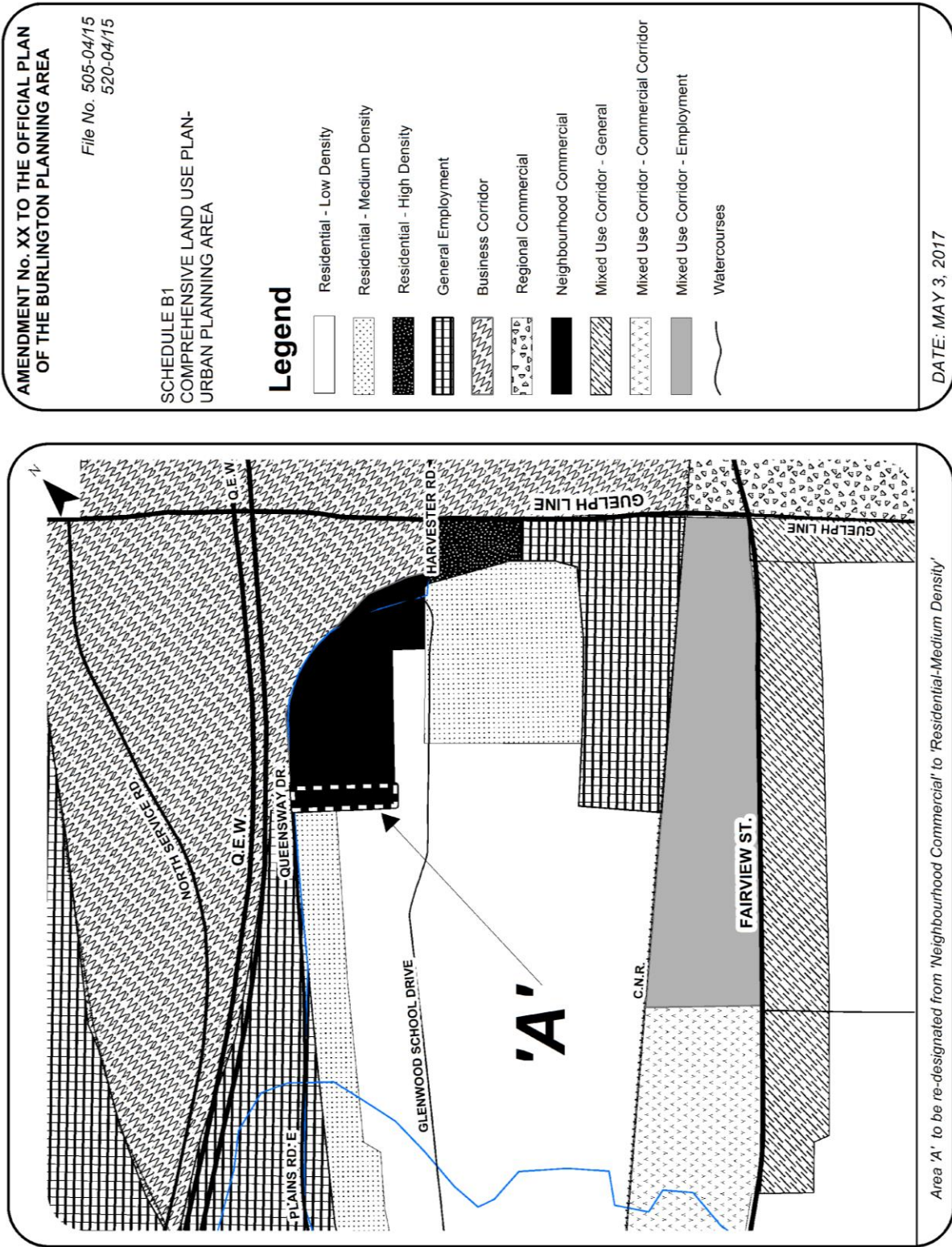
No text change is proposed.

### **2. INTERPRETATION**

This Official Plan amendment shall be interpreted in accordance with the “Interpretation” policies of Section 3.0, “Interpretation”, of Part VI, “Implementation” of the Official Plan of the Burlington Planning Area.

### **3. IMPLEMENTATION**

This Official Plan amendment shall be implemented in accordance with the appropriate “Implementation” policies of Part VI of the Official Plan of the Burlington Planning Area.





## **Appendix 4: Draft Zoning By-law Amendment By-law**

### **BY-LAW NUMBER 2020.XX, SCHEDULE 'A' AND EXPLANATORY NOTE**

#### **THE CORPORATION OF THE CITY OF BURLINGTON BY-LAW NUMBER 2020.XX**

A By-law to amend By-law 2020, as amended; 2384 Queensway Drive

File: 520-04/15

WHEREAS Section 34(1) of the Planning Act, R.S.O. 1990, c. P. 13, as amended, states that Zoning By-laws may be passed by the councils of local municipalities; and

WHEREAS the Council of the Corporation of the City of Burlington approved Recommendation PB-05-17 on June 12, 2017, to amend the City's existing Zoning By-law 2020, as amended, to permit 18 townhouse units;

#### **THE COUNCIL OF THE CORPORATION OF THE CITY OF BURLINGTON**

#### **HEREBY ENACTS AS FOLLOWS:**

1. Zoning Map Number 14 of PART 15 to By-law 2020, as amended, is hereby amended as shown on Schedule "A" attached to this By-law.
2. The lands designated as "A" on Schedule "A" attached hereto are hereby rezoned from CN2 to H-RM2-XXX.
3. PART 14 of By-law 2020, as amended, Exceptions to Zone Classifications, is amended by adding Exception XXX as follows:

Exception XXX	Zone H-RM2	Map 14	Amendment 2020.XXX	Enacted
<p>1. <u>Permitted Uses:</u> Following removal of the “H” Holding Symbol prefix, the following uses are permitted: Townhouses</p> <p>2. <u>Regulations for Townhouses:</u></p> <ul style="list-style-type: none"> <li>a. Number of units: 18 units maximum</li> <li>b. Notwithstanding Part 1, Section 2.27 (Deemed Street Width), all zoning regulations shall be measured from the actual street width of Queensway Drive.</li> <li>c. Lot width: 30 m</li> <li>d. Lot area: 0.37 ha</li> <li>e. Density: maximum 49 units/ha</li> <li>f. Privacy area: 17 m<sup>2</sup> per unit</li> <li>g. Privacy areas shall be separated from other privacy areas and communal areas by a privacy screen, which may be open on the side opposite the building.</li> <li>h. Landscape Area abutting front lot line: 6 m</li> <li>i. Each unit shall provide an additional landscape area with minimum width of 1.25 m and minimum length of 4.5 m between the dwelling unit and the common access driveway.</li> <li>j. Landscape Buffer abutting R1, R2, R3 zones: 2.5 m</li> <li>k. Visitor parking: 5 spaces</li> <li>l. Driveways and parking spaces shall be set back a minimum of 2.5 m from an R1, R2, R3 zone.</li> <li>m. Parking space setback from a wall of a building containing windows of habitable rooms: 2.0 m</li> </ul>				

- n. Maximum Building Height: 3 storeys up to 13 m
- o. Maximum combined height for a retaining wall and fence:
  - i. abutting east (side) lot line: 3.3 m
  - ii. abutting south (rear) lot line: 3.6 m
  - iii. abutting west (side) lot line: 3.3 m

Except as amended herein, all other provisions of this By-law, as amended, shall apply.

3. PART 11 of Zoning By-law 2020, as amended, Holding Zone Provisions, is hereby amended by the addition of the following section to Appendix A:

64.	H-RM2-XXX	Map 14	Resolution: PB-05-17
<p>The Holding Symbol shall be removed from the zoning designation by way of an amending zoning by-law when the following has been completed to the satisfaction of the City and Halton Region:</p> <ul style="list-style-type: none"><li>• A Record of Site Condition has been filed with and acknowledged by the Ministry of the Environment, and</li><li>• all environmental site conditions requirements related to the Record of Site Condition have been met.</li></ul>			

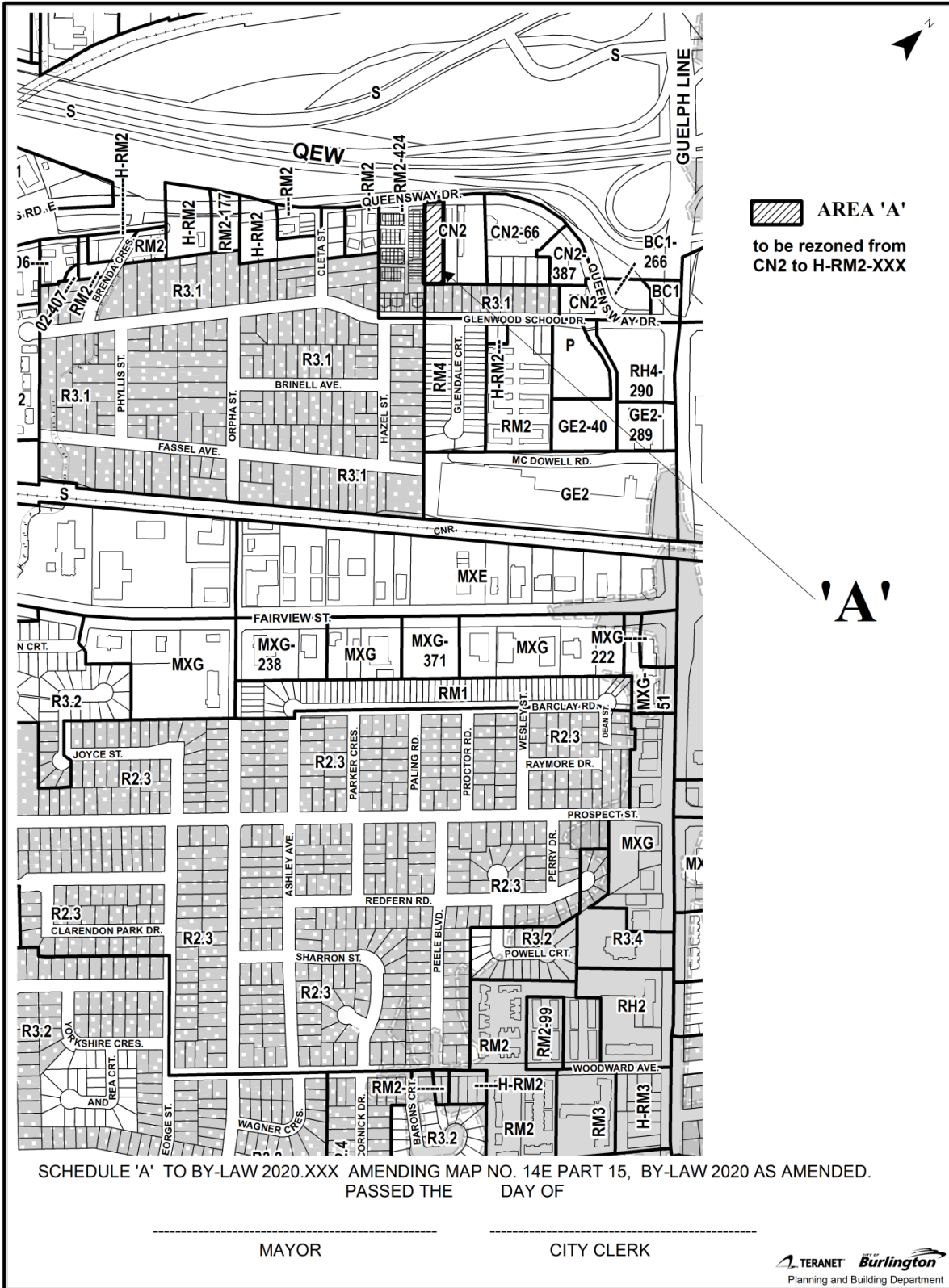
- 5 a) When no notice of appeal is filed pursuant to the provisions of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, this By-law shall be deemed to have come into force on the day it was passed
- 5 b) If one or more appeals are filed pursuant to the provisions of the *Planning Act*, as amended, this By-law does not come into force until all appeals have been finally disposed of, and except for such parts as are repealed or amended in accordance with an order of the Ontario Municipal Board this By-law shall be deemed to have come into force on the day it was passed.

**ENACTED AND PASSED** this .....day of ..... 2017.

\_\_\_\_\_MAYOR

\_\_\_\_\_CITY CLERK

## Schedule A



## EXPLANATION OF PURPOSE AND EFFECT OF BY-LAW 2020.XXX

By-law 2020.XXX rezones lands at 2384 Queensway Drive to permit the development of eighteen (18) townhouse units. The by-law also places a Holding Symbol on the property that will prevent development from occurring until criteria are met relating to the completion of a Record of Site Condition.

For further information regarding By-law 2020.XXX, please contact Thomas Douglas of the City of Burlington Planning & Building Department at (905) 335-7600, extension 7811.

## Appendix 5: Public Comments

### Comment 1

**From:** \_\_\_\_\_

**Sent:** Monday, April 11, 2016 5:42 PM

**To:** Greenlee, Mike

**Subject:** 2384 Queensway Dr.

Hi Mike,

I would like to officially comment on the 2384 Queensway Drive proposal.

Regarding the MTE Preliminary Environment Noise Assessment:

1. The Traffic Count Details used in the Queensway Drive Modelling Parameters were based on data from June 5<sup>th</sup>, 2012 prior to at least three townhouse developments that feed traffic to Queensway Drive. These numbers should be updated.
2. The Traffic Volumes data for Guelph Line and Brand Street was from Ministry of Transportation data up to 2010. These numbers should be updated if available.
3. The Road Traffic Noise Levels in Table 8 list the POA 'A' - 3<sup>rd</sup> Floor – Attenuated Indoor Noise Level as 70dBA. The 40dBA limit is exceeded by an additional 75%, when the 'Warning Clauses' are require for levels exceeded by only 17.5-25%. Simply adding this warning clause for such a scenario is not acceptable. A constant 70dBA is comparable to a vacuum running in the same room as you at all hours. As a resident of the neighbouring development, I cannot stress enough how much more needs to be done to manage the indoor noise levels down to the limit of 40dBA.

Regarding the application:

1. The proposal calls for RM2 zoning, and a density of 52.5units/ha. RM2 Zone Regulations have the maximum density listed as 40units/ha per [http://cms.burlington.ca/zoning/Part2/part\\_2\\_9\\_rm2\\_zone\\_regulations.htm](http://cms.burlington.ca/zoning/Part2/part_2_9_rm2_zone_regulations.htm). The neighbouring site to the west has RM2 zoning with Exception 424. "RM2-424" that has a maximum density of 45units/ha and a similar limit should be placed on this proposal.

Additional questions:

1. Due to the known drainage issues on the neighbouring site to the west, what steps are being taken by planning to ensure that similar issues do not occur?
2. Due to the known water pressure issues on the neighbouring site to the west, due to a three-storey plus basement townhouse, what steps are being taken by the builder to ensure adequate flow and pressure to the top story fixtures?
3. What steps are being taken to preserve the privacy between adjacent properties (fencing, large trees, other landscaping, etc.).

Thank you for your time,



## Comment 2

**From:** \_\_\_\_\_

**Sent:** Monday, November 28, 2016 1:12 PM

**To:** Douglas, Thomas

**Subject:** RE: [City of Burlington] Update To Habitat for Humanity Halton - 2384 Queensway Dr.

Dear Mr. Douglas,

My name is \_\_\_\_\_ and I live at \_\_\_\_\_, directly adjacent to the proposed development.

I was reading through the engineering reports here and have a few questions.

1. Revised-Noise-Feasibility-Study-2016-11-04.
  - a. A noise wall is proposed that would also be attached to the property at 995 Reimer Common across the Common Interest held by Halton Common Elements Condominium Corporation No. 619. Has this been communicated to HCECC#619?
2. Revised-Functional-Servicing-and-SWM-Report\_Nov-07-2016
  - a. On page 24 under section "6.0 Conclusions and Recommendations" it is concluded that "Booster pumps will be required within the buildings to satisfy the domestic consumption needs at the upper levels of the proposed buildings" (also detailed on page 22).
    - i. Has the applicant responded to this, and if so what was the response?
    - ii. If this is a requirement for 2384 Queensway, how was it not a requirement for Reimer Common?
    - iii. Can you send me, or put me in contact with someone, who can get me the full functional servicing and SWM report for the Reimer Common development (related to PB-28-11)?

Thank you in advance,

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