



**SUBJECT: Report Recommending Approval of an Official Plan and Zoning By-law Amendment at 607 Dynes Road**

**TO: Planning and Development Committee**

**FROM: Department of City Building - Planning Building and Culture**

Report Number: PB-12-18

Wards Affected: 4

File Numbers: 505-04/16 & 520-10/16

Date to Committee: March 6, 2018

Date to Council: March 19, 2018

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**Recommendation:**

Approve the application submitted by DiCarlo Homes, to amend the Official Plan and Zoning By-law to permit a medium-density development consisting of 20 condominium townhouse units; and

Approve Amendment No. 110 to the City of Burlington Official Plan, as contained in Appendix B of Report PB-12-18, to designate the subject lands "Residential – Medium Density", to permit a residential development consisting of 20 townhouse units; and

Deem that Section 17(21) of The Planning Act has been met; and

Instruct the City Clerk to prepare the necessary by-law adopting Official Plan Amendment No. 110 as contained in Appendix B of Report PB-12-18 (File: 520-10/16); and

Instruct planning staff to prepare the by-law to amend Zoning By-law 2020, as amended, rezoning the lands at 607 Dynes Road from "R3.1" and to "RM2-478" in accordance with the draft zoning by-law contained in Appendix C of Report PB-12-18, upon completion by the applicant of the following:

- i) Execution of a Residential Development Agreement including the conditions listed in Appendix D of Report PB-12-18; and

Deem that the amending zoning by-law will conform to the Official Plan for the City of Burlington once Official Plan Amendment No. 110 is adopted; and

State that the amending zoning by-law will not come into effect until Official Plan Amendment No. 110 is adopted. (File: 520-10/16).

### **Purpose:**

The purpose of the report is to recommend approval of applications to permit a medium-density residential development consisting of 20 townhouse units at 607 Dynes Road. The site is shown in the air photo below.

Applications have been submitted requesting amendments to the City's Official Plan and Zoning By-law 2020 for the subject property in order to permit a 20-unit residential development. Appendix A contains sketches showing the proposed development.

The applicants are proposing to amend the Official Plan (Residential – Low Density) and Zoning By-law (R3.1 – Low Density) to permit the proposed 20 unit townhouse development with a density of 37 units per hectare.

The development proposal aligns with the following objective in Burlington's Strategic Plan 2015-2040:

#### A City that Grows

- Intensification
  - Older neighbourhoods are important to the character and heritage of Burlington and intensification will be carefully managed to respect these neighbourhoods.



## REPORT FACT SHEET

<b>RECOMMENDATIONS:</b>		<i>Approval</i>	<b>Ward No.:</b>	<i>4</i>
<b>Application Details</b>	<b>APPLICANT:</b> <b>OWNER:</b> <b>FILE NUMBERS:</b> <b>TYPE OF APPLICATION:</b> <b>PROPOSED USE:</b>	<i>Metropolitan Consulting</i> <i>DiCarlo Homes</i> <i>505-04/16 &amp; 520-10/16</i> <i>Official Plan &amp; Zoning By-law Amendment</i> <i>20 residential condominium units fronting onto private roads</i>		
<b>Property Details</b>	<b>PROPERTY LOCATION:</b> <b>MUNICIPAL ADDRESS:</b> <b>PROPERTY AREA:</b> <b>EXISTING USE:</b>	<i>South of Woodward Avenue, east of Dynes Road, west of Cumberland Avenue, north of New Street</i> <i>607 Dynes Road</i> <i>0.54 hectares (1.3 acres)</i> <i>Formerly John Calvin Christian School (demolished)</i>		
<b>Documents</b>	<b>OFFICIAL PLAN Existing:</b> <b>OFFICIAL PLAN Proposed:</b> <b>ZONING Existing:</b> <b>ZONING Proposed:</b>	<i>Residential – Low Density</i> <i>Residential – Medium Density</i> <i>R3.1 (Low Density) Zone</i> <i>RM2 – 478 (Medium Density) Zone</i>		
<b>Processing Details</b>	<b>NEIGHBOURHOOD MEETING:</b>  <b>PUBLIC COMMENTS:</b>	<i>October 13, 2016 and February 8, 2018</i>  <i>Staff have received 8 emails, 9 neighbourhood meeting comment sheets, and 9 letters.</i> <i>Note: Some constituents sent multiple pieces of correspondence.</i>		

## **Background and Discussion:**

### **Site Description:**

The subject property is located east of Dynes Road, south of Woodward Avenue, and at the terminus of Maplehill Drive. The property is divided into eastern and western portions. Each portion has separate ownership, separate title and separate property identification numbers and are being taxed as two separate properties. The western portion of the site contains the Ebenezer Canadian Reformed Church. The portion of land containing the church will not be impacted by these applications. The subject lands comprise the eastern portion of the site. This parcel of land has an area of 0.54 hectares and is the former site of the Grace Christian School (formerly the John Calvin Christian School), which is now demolished. The school was formerly accessed from Dynes Road, through the church property.

### **Surrounding Land Uses:**

<b>North</b>	Woodward Avenue, Tecumseh Public School, Tecumseh Park and low-density single detached homes
<b>East</b>	Ontario Hydro Corridor, multi-use trail, Assumption Catholic Secondary School and Cumberland Park
<b>South</b>	Maplehill Drive, Oakhurst Road, Willow Lane and low-density single and semi-detached homes.
<b>West</b>	Ebenezer Canadian Reformed Church, Dynes Road, Rosedale Crescent and low-density residential development

### **Description of Application and History:**

On October 18, 2016 the Department of City Building acknowledged that complete applications had been received for an amendment to the City's Official Plan and Zoning By-law 2020, as amended. The original applications were made in order to permit the construction of 23 townhouse units and two semi-detached units for a total of 25 units. In response to public and technical comments, significant changes were made to the plan; one of which was a reduction from a 25-unit townhouse and semi-detached development to a 20-unit development consisting of townhouses only.

Report PB-11-17, including all public comments received up until the date of the writing of the report, was presented to Planning and Development Committee on January 10, 2017, when a Statutory Public Meeting was held. Kevin Gonnsen from Metropolitan Consulting spoke at the time of public delegations, followed by 12 members of the public. One member of the public was in support of the application and 11 were against.

Adam Gall from Metropolitan Consulting also spoke during the time of public delegations to provide additional information and clarity on the proposal.

Subsequent to the January 2017 Planning and Development Committee meeting and in light of all technical comments received, staff met with the applicant on numerous occasions to discuss potential changes to the plan. In October of 2017, the applicant submitted revised applications and supporting technical reports. The revised applications reduced the number of units to 20 townhouses; 12 fronting onto the proposed condominium road Dynes Common, and eight fronting onto the proposed condominium road Maple Common (four units on each side). The applicant made significant changes to the plan, which are listed below:

<b>Development Standard</b>	<b>Previous Proposal</b>	<b>Current Proposal</b>
Number of Units	23 townhouse units and 2 semi-detached units.	20 townhouse units.
Sidewalks	A 1.2 metre sidewalk was proposed along the south side of the visitor parking and a small portion at the south of the site.	A 1.5 metre wide sidewalk is proposed from Maplehill Drive to the trail connection at the east of the site which connects to an existing trail. Additionally, the sidewalk alongside the proposed visitor parking has been widened to 1.5 metres.
Orientation of Units	Southeast block of townhouses faced north, semi-detached units faced west.	The southeast block of townhouses are facing west and fronting onto Maple Common to ensure continuity of the existing lotting fabric on Maplehill Drive.
Driveway Lengths	6 metres minimum.	6.7 metres minimum.
Front Yard Setbacks (from Maplehill Drive Right-of-Way)	1.2 metres west block, 1.4 metres east block.	7.3 metres to west block, 1.4 metres to east block (at shortest point).
Rear Yard Setback (to abutting homes on Woodward Avenue)	6 metres to back wall of dwelling.	8 metres to back wall of dwelling.

This report provides details of the application and an analysis of the proposal against applicable policies and regulations. Agency comments from the technical circulation are included. It is recommended that the site be designated “Residential – Medium Density” in the City’s Official Plan, and that the property be rezoned from “Residential Low

Density (R3.1)” to “Residential Medium Density with site specific exception (RM2-478), with modified zoning regulations, which will be discussed later in this report.

## **Discussion:**

### **Policy Framework**

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

### **Provincial Policy Statement (PPS) 2014**

The Provincial Policy Statement provides broad policy direction on land use planning and development matters of provincial interest. The PPS provides policies for appropriate development based on efficient use of land and infrastructure, protection of natural resources, and supports residential and employment development including a mix of land uses.

Subsection 1.1.1 e) of the Provincial Policy Statement states that healthy, livable and safe communities are sustained by *“promoting cost-effective developments and standards to minimize land consumption and servicing costs”*; and subsection 1.1.3.2 1) 3) states that land use patterns within settlement areas shall be *“appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion”*.

Adequate servicing exists for the proposed development, and the proposal is a more compact built form. Further, the proposed development seeks to intensify a property that has the existing potential for redevelopment and intensification. As such, existing infrastructure and land can be used efficiently and responsibly.

Subsection 1.4.3 e) states that *“planning authorities shall provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents of the regional market area by establishing 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”*, and, in subsection 1.4.3 d), *“promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed”*.

The proposed development supports population growth and intensification and contributes to the establishment of a range and mix of housing types. The proposed

changes to the Zoning and Official Plan will support compact built form while having regard for public health and safety. The development proposes a walkway that connects to an existing trail which promotes walkability and supports connectivity to a mix of land uses.

Staff find the development proposal is consistent with the PPS as it accommodates an appropriate range and mix of housing types to meet long-term needs of the community and proposes to use existing infrastructure.

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

The Growth Plan for the Greater Golden Horseshoe came into effect on July 1, 2017 and provides a growth management policy direction for the defined growth plan area. Through the Growth Plan, growth is focused in the existing urban areas through intensification. The guiding principles of the Growth Plan include building compact, vibrant and complete communities, and optimizing the use of existing and new infrastructure to support growth in an efficient, well-designed form.

Subsection 2.2.1.2 a) of the Growth Plan states that *“the vast majority of growth will be directed to settlement areas that have a delineated built boundary; have existing or planned municipal water and wastewater systems; and can support the achievement of complete communities”*.

The application proposes to intensify an existing property. The subject property is surrounded by a mix of uses, and the proposed compact residential development would contribute to a complete community with a variety of residential forms of housing and land uses. The proposed townhouse development would use existing infrastructure and would be promoting growth and intensification on a large property in the urban area. Staff finds the subject application is consistent with the Growth Plan as it supports a compact and efficient development form as well as a complete community.

### **Halton Region Official Plan (ROP)**

The subject lands are designated as “Urban Area” within the Halton Region Official Plan. Urban areas are locations where urban services (water and wastewater) are or will be made available to accommodate existing and future development. Further comments pertaining to servicing for the proposed development are discussed in the Technical Review section of this report. The Regional Official Plan states that permitted uses shall be in accordance with local Official Plans and Zoning By-laws and other policies of the Regional Official Plan.

## City of Burlington Official Plan

The property is currently designated as “Residential – Low Density” in Burlington’s Official Plan. This designation permits single detached and semi-detached units with a maximum density of 25 units per hectare. The applicant is proposing to amend the Official Plan designation to “Residential – Medium Density” in order to facilitate the proposed 20 unit townhouse development. The proposed development consists of 20 townhouse units with a density of 37 units per hectare, which is in keeping with the “Residential – Medium Density” Section of the Official Plan. The Official Plan encourages residential intensification as a means of increasing the amount of housing stock, provided that development is compatible and appropriate for the area, as outlined in Part III, Section 2.5.1 a):.

*“to encourage residential intensification as a means of increasing the amount of available housing stock including rooming, boarding and lodging houses, accessory dwelling units, infill, redevelopment and conversions within existing neighbourhoods, provided the additional housing is compatible with the scale, urban design and community features of the neighbourhood”.*

The Official Plan contains criteria that must be assessed when considering proposals for housing intensification. This proposal represents intensification of a property adjacent to an existing residential neighbourhood. Criteria found in subsection 2.5.2 (a) of the Official Plan), include the following:

- 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 site is located in the urban area and servicing is available. The Region of Halton has provided comments on the proposal and notes that the Functional Servicing Report submitted by the applicant is adequate and that appropriate measures will be taken to service the proposed development. Stormwater was reviewed by the City’s Site Engineering staff who have no issues with the proposal.

Parkland and school accommodation have also been reviewed and it should be noted that adequate parkland exists in the area for the new dwelling units proposed, and existing schools can accommodate the increase in residents. Due to the availability of adequate parkland, the City’s Parks and Open Space staff will require cash-in-lieu of parkland dedication, which will be addressed at the site plan stage.

- ii) Off-street parking is adequate.*

The applicant is not requesting a reduction in the required parking. The proposed development provides one parking space in the garage and one parking space in the driveway for each unit. In addition, ten visitor parking spaces are proposed, which would



create 0.5 visitor parking spaces per unit. This meets the requirement for townhouse units set out in By-law 2020. Staff are of the opinion that off-street parking is adequate.

- 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 street.*

Many traffic concerns were raised by the public about the amount of traffic generated by the proposal as well as concerns with having only one access point to the development.

According to the traffic report, the original proposal would have generated 17 trips in the morning peak hours (7-9 am), and 17 trips in the evening peak hours (4-6 pm). These numbers were based on the originally proposed 25 units. Since the time the traffic report was done, the proposed number of units has been reduced to 20, and as such, the amount of trips generated by the proposal will also have been reduced in number. Transportation staff have reviewed the documents submitted and agree that the findings within the traffic report are acceptable. The number of vehicles accessing the proposed development is small and can be accommodated on the existing public road.

Fire and Emergency Services staff have also reviewed the application and notes that one access point is acceptable for the proposed development, and that the proposed private condominium roads are wide enough to accommodate emergency access. Additional discussion about the traffic access location is contained in a separate section of the report below.

- iv) The proposal is in proximity to existing or future transit facilities.*

Bus routes, including bus stops, currently exist along Prospect Street as well as Cumberland Avenue.

- v) Compatibility is achieved with the existing neighbourhood character 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 proposed townhouse development is medium-density, whereas surrounding residential development in direct proximity to the subject lands is low-density. Concerns have been raised by the public with respect to whether the proposed townhouse development will be compatible with existing single detached dwellings. It is important to note that other land uses exist in the area, including a park; a school; a church and various forms of residential development.

The proposed medium-density development will be two storeys in height. This will provide an appropriate transition from the low-density residential development along Maplehill Drive and Woodhill Drive. The proposed townhouses have been split into four

blocks; two blocks of six units and two blocks of four units. The proposed townhouse blocks minimize the impacts of massing on the subject lands and surrounding development.

The proposed block of townhouses on the southeast side of the property has been reoriented to face west onto a proposed private condominium road. The setback from the private road to the front of the proposed dwellings has been increased in order to line up the new building faces with the established building line of existing single detached dwellings on Maplehill Drive. This allows the existing lotting pattern to continue and is compatible with the existing streetscape.

The townhouse block on the west side of the proposed private condominium road has been pushed further to the north in order to create a buffer from the existing single detached dwelling on Maplehill Drive. The substantial setback of 6.0 metres will provide room for snow storage, landscaping and privacy. Increased landscaping will be provided in this setback to allow for a visual buffer for the proposed development from Maplehill Drive and preserve the existing streetscape.

The proposal will include rear yards with setbacks of a minimum of 6.7 metres on the west townhouse block, a minimum of 9 metres on the east townhouse block and a minimum of 8 metres on the north townhouse block. Existing rear yard setbacks in the area vary, however the provided setbacks are substantial and are generally in keeping with existing rear yard setbacks along Maplehill Drive. The proposed rear yards provide adequate amenity space that will be compatible with existing rear yards and amenity space in the surrounding area.

The design of the proposed townhouses has been reviewed by staff in accordance with its compatibility with existing development. The proposed units on the south side of the development (Units 16 and 20) will include wraparound porches. This will ensure that the dwelling units will relate to the existing Maplehill Drive streetscape and will prevent residents of Maplehill Drive from seeing a blank wall.

The proposed development as amended by the applicant is compatible with the surrounding neighbourhood in terms of height, scale, massing, siting, setbacks, coverage, parking and amenity space.

*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.*

The subject lands previously supposed a large school. As such, most of the existing trees were located along the perimeter of the property. In order to facilitate the proposed development, the applicant proposes to remove 19 trees and one massing of small trees. Staff from the City's Landscaping and Forestry section will require that all trees

removed will be replaced caliper for caliper, and that one tree should be planted in front of each of the proposed dwelling units.

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

Not applicable – the proposed dwellings are two storeys and will not produce significant sun-shadowing.

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

The development proposal includes a sidewalk that serves as a trail connection from Maplehill Drive to the trail located to the east of the subject lands. This trail connection will be available to both residents within the new development as well as residents of Maplehill Drive and will improve connectivity and accessibility to nearby amenities; such as Burlington Mall and other shopping areas, schools and parks.

*ix) Capability exists to provide adequate buffering and other measures to minimize any identified impacts.*

Provisions will be made for landscape buffer requirements in order to ensure proper mitigation of negative visual impacts. Landscaping will be provided at the south side of the property abutting Maplehill Drive to screen the new houses and enhance the existing streetscape. Additionally, landscaping will be provided at the rear of the property to reduce the impact on abutting properties to the north.

*x) Where intensification potential exists on more than one adjacent property, any redevelopment proposals on an 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.*

Future development potential exists for the church property directly to the west of the subject lands, which could redevelop with the frontage on Dynes Road. This proposal would not adversely impact this potential future redevelopment.

*xi) Natural and cultural heritage features and areas of natural hazard are protected.*

Not applicable – no natural and cultural heritage features on this site.

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

Not applicable – These sections relate to measures to address potential increased downstream flooding or erosion resulting from development occurring in South Aldershot. Neither is applicable to this application.

*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 the existing and proposed residential buildings is provided.*

Not applicable – proposal is for ground oriented development.

### Access from Maplehill Drive

One particular concern that was raised during the public consultation process was related to the access from Maplehill Drive. Members of the public noted that they would prefer that access to the new development be provided through the church property to the west rather than from Maplehill Drive in order to prevent through-traffic on the existing local road; however staff strongly recommend the provision of an access via the existing public road to the south, rather than through a private right-of-way. This is for the following reasons:

Part II, Subsection 3.3.1 c) states of the Official Plan states that the City's objective is "to maximize the use of existing roads and rights-of-way instead of acquiring new rights-of-way and/or building new roads". The proposed development currently has access from a public right-of-way, Maplehill Drive. Should the access be through the church property to the west, access would be given by way of an easement, meaning the development would not have direct access to a public right-of-way.

Part III, Subsection 2.2.1 a) of the Official Plan contains the following objective for residential areas:

*To encourage new residential development and residential intensification within the Urban Planning Area in accordance with Provincial growth management objectives, while recognizing that the amount and form of intensification must be balanced with other planning considerations, such as infrastructure capacity, compatibility and integration with existing residential neighbourhoods.*

Although the proposed built form is more dense than the existing single detached buildings on Maplehill Drive, it is compatible. Future residents of these 20 new homes will be part of the Maplehill Drive/Willow Lane community, and as such, should have access to a public road. The amount of traffic will be minimal. New vehicular pedestrian connections to the adjacent neighbourhood can be used to access the trail to the east. Should the traffic access be located on an easement through the existing church property, the proposed development would feel segregated and secluded from the existing neighbourhood. Staff do not consider this to be desirable.

The City’s Official Plan defines *compatible* as the following:

*Development or re-development that is capable of co-existing in harmony with, and that will not have an undue physical (including form) or functional adverse impact on, existing or proposed development in the area or pose an unacceptable risk to environmental and/or human health. Compatibility should be evaluated in accordance with measurable/objective standards where they exist, based on criteria such as aesthetics, noise, vibration, dust, odours, traffic, safety and sun-shadowing, and the potential for serious adverse health impacts on humans or animals.*

The definition of *compatible* acknowledges that a proposed development must co-exist in harmony with existing development, including its form, however it does not say that a proposed built form must be the same as what exists in order to be compatible. Staff are of the opinion, for the reasons noted earlier in the Official Plan policy analysis, that the proposal is compatible and can exist in harmony with the surrounding single detached development.

### Zoning By-law 2020

The subject lands are currently zoned “Residential Low Density (R3.1)” in the City’s Zoning By-law 2020. The R3.1 Zone permits single detached dwellings. The applicant is proposing to rezone the lands to Residential Medium Density with site specific exceptions (RM2-478) to permit townhouse units with a maximum density of 37 units per hectare in order to facilitate a townhouse development consisting of 20 units fronting onto a private condominium road.

The following table details the regulations of the existing RM2 zone and the proposed site specific exception requested by the applicant, followed by a staff comment.

Existing RM2 Zoning	Original Proposal	Current Proposal	Staff Comment
Side Yard Setback abutting a side building elevation: 4.5 metres	1.2 m	1.2 m	<p>Staff are satisfied that the proposed side yard setbacks will not have a negative impact on surrounding development. The measurement of 1.2 metres is taken from the smallest setback point; however the majority of the proposed development is located significantly further from the property line.</p> <p>The 1.2 metres represents the future side yard for the parcel of land at the northeast portion of the site (Unit 12). This yard abuts the adjacent Hydro Corridor. The block of proposed townhouses facing west onto the proposed condominium road will have setbacks ranging</p>

Existing RM2 Zoning	Original Proposal	Current Proposal	Staff Comment
			from 8.5 metres to 10.6 metres. As such, only one unit will be located 1.2 metres from the property line.
Rear Yard: 9 metres	6.0 m	8.1 m	<p>The proposed rear yard setback is considered by staff to be sufficient. The yards have been increased from the original proposal</p> <p>Staff recognizes that the rear yards at the rear (north side) of the property abut the backyards of existing residential dwelling units to the north. As such, the applicant will be providing landscaping along the rear of the property which will help to mitigate the impact of the reduced setback.</p>
Landscape Buffer abutting R3 Zone: 6 metres	1.2 m	2.0 m abutting R3.2 Zone  2.0 m abutting rear building elevation and parking lot in R3.1 Zone  0 m abutting side building elevation in R3.1 Zone	<p>Staff are satisfied that visual impacts of the proposed development will be mitigated based on the proposed landscape buffers.</p> <p>While the smallest setback abutting an R3 zone is 1.2 metres, this is adjacent to the church parking lot and not existing homes. It is also important to note that larger setbacks are proposed at the rear of the property; which will also include a landscape buffer.</p> <p>The proposed landscape buffers will be provided in the form of common element space. In order to provide access to the rear yards of interior units, staff will require a 1.2 metre strip on the north, east and west sides of the property to be used for access to the backyards of interior units. Staff are satisfied with these 1.2 metre strips being included as part of the 2 metre required landscape buffers. Staff note that the 2 metre landscape buffer will not be required abutting a side building elevation abutting an R1, R2 or R3 zone; as this space is required for access.</p>
Privacy Area Screening to be enclosed for each unit	Required on two sides only	Required on two sides only	Because there are no dwellings directly to the east or west of the subject lands, adequate privacy will be provided for by enclosing the proposed privacy areas on only two sides.
Parking Space and Driveway	1.2 m	2.5 m	The proposed parking spaces that are 2.5 metres from a wall of a building containing

Existing RM2 Zoning	Original Proposal	Current Proposal	Staff Comment
setback from a wall of a building containing windows of habitable rooms: 3 metres			windows of habitable rooms are only adjacent to Units 13 and 17; however staff are of the opinion that the number of parking spaces within this setback will not negatively impact these units.
Parking Space setback from a residential zone: 6 metres	3.0 m	2.8 m	The parking spaces are not close to any other buildings within the abutting R3.1 Zone. The visitor parking spaces on the west of the site, which are 2.8 metres from the property line, are adjacent to the church parking lot. They are therefore located much further than 6 metres from the wall of a building containing a habitable room and have an appropriate setback for the proposed development.
Rear Yard abutting an R3.1 Zone (to POTL boundaries)	6.7 m	4.5 m	Because staff are requiring a 2 metre landscape buffer, which will be of common element tenure, the Parcel of Tied Land (POTL) boundaries will become smaller. This will result in a setback of 4.7 metres to the POTL line. Staff note that while the setback to the POTL line will be reduced, the setback to the external property boundary will remain at 6.7 metres.

## Technical Review

The rezoning application and supporting documents were circulated to internal departments and external agencies for review. Internal departments who commented on this application include Site Engineering, Transportation Planning, Landscaping and Forestry and Fire and Emergency Services. External agencies who have commented on this file include Halton Region, Burlington Hydro, Union Gas and Canada Post. All of these comments have been addressed by the applicant.

## Site Engineering

Site Engineering staff have provided extensive comments on the development proposal for the subject lands, including comments on the submitted technical reports and studies.

Of particular concern to Site Engineering were certain aspects of the site layout, such as minimum driveway lengths (6.7 metres required); and sidewalk connections to Maplehill Drive and the existing trail. The applicant shifted the proposed private road, Maple Common, to the east. This provided space to increase the length of the driveways on the west side of Maple Common. Additionally, the applicant included a 1.5 metre wide sidewalk on the east side of Maple Common.

Site Engineering staff also requested a 6 metre setback between the Maplehill Drive right-of-way and Unit 20 in order to ensure that adequate space is provided for snow storage and landscaping and that a fence will not be installed by the owner of Unit 20 along the southern property boundary. The applicant has revised their plan and reduced the widths of the units on the west side of Maple Common in order to meet this setback, and as such, Site Engineering staff are satisfied.

### **Transportation Planning**

Transportation staff have reviewed the submitted traffic report and finds it to be acceptable. Concerns were raised regarding the proposed driveway lengths as well as the sidewalk widths. Similarly to Site Engineering, transportation staff required that a driveway length of at least 6.7 metres be provided for functionality. Staff also asked that the sidewalk provide access from Maple Common to the trail connection, and that for accessibility purposes, the sidewalk width be 1.5 metres. The applicant changed their proposal in order to accommodate these requests. Transportation staff are satisfied with the changes and have no further concerns.

### **Landscaping and Forestry**

Landscaping and Forestry staff have noted that caliper for caliper tree replacement should be implemented and that one tree should be planted in front of each of the proposed units. These measures will help to preserve the streetscape internal to the development. In order to mitigate the visual impact of the proposed development from outside of the subject lands, landscaping is recommended abutting the south side of the site as well as along the rear yards at the north of the site. These details will be reviewed further and confirmed at the Site Plan stage.

### **Fire and Emergency Services**

Fire and Emergency services staff have provided comments on the application and notes that there are no issues with the proposed concept plan, the width of the private condominium roads and the access; however fire hydrant locations and other pertinent details will be reviewed in more detail and dealt with at the Site Plan stage.



## Region of Halton

The Region of Halton has provided comments on the development proposal. The Region indicates that all new development in the Urban Area be on the basis of connections to Regional Servicing. There are existing services adjacent to the site along Dynes Road and Maplehill Drive adjacent to the subject lands, and a Regional watermain is located within the Hydro One lands located to the east of the subject lands. Regional staff agrees with the findings of the Functional Servicing Report, which outlines options for water servicing.

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## Financial Matters:

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

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## Public Engagement Matters:

The application was subject to the standard circulation requirements and a public notice and request for comments were circulated in August 2016 to all owners and tenants within 120 metres of the subject property. Two notice signs were also posted on the subject property.

All of the technical studies, supporting materials, and any revisions to the documents for this development application were posted on the City's website at [www.burlington.ca/607Dynes](http://www.burlington.ca/607Dynes).

On October 13, 2016 a neighbourhood meeting was held at John Calvin Christian School and was attended by approximately 53 members of the public. Following the submission of a new application and staff review, a second neighbourhood open house was held on February 8, 2018 to allow residents to review the new concept plan in preparation for the Planning and Building Committee Meeting.

As a result of public consultation, staff received 8 e-mails, 9 letters and 9 comment sheets. Staff notes that some constituents sent multiple pieces of correspondence. Public comments received to date have been included in Appendix E of this report. The following table depicts concerns raised by the public as well as a response from staff:

Public Comment	Staff Response
Increased traffic volumes generated by an increased number of units, more risk of hazards caused by traffic.	Transportation staff have reviewed the submitted traffic report and have found it to be acceptable. The number of trips generated during peak am and pm hours would be less than 17 which can

Public Comment	Staff Response
	<p>be comfortably accommodated on the local road. It should be noted that since the preparation of the traffic report, the number of proposed units has been reduced by 5, or 20% of the number of originally proposed units. As such, the number of trips generated by the proposal would be even lower.</p> <p>The applicant has added sidewalks through the subject lands. This will provide a safe space for pedestrians, thereby reducing the risk of hazards caused by traffic.</p>
<p>Increased and overflow parking/not enough parking provided.</p>	<p>Each of the proposed units has one parking space in the driveway and one in the garage. In addition, there are ten proposed visitor parking spaces. Staff are satisfied with the proposed parking spaces. Further, staff note that the proposal complies with the required number of parking spaces as set out in the Zoning By-law.</p>
<p>Access should be provided through the Church property to the west.</p>	<p>Refer to the discussion on the “Access from Maplehill Drive”, included in the Official Plan section of the Policy Framework Analysis.</p>
<p>One point of access to the proposed development is not enough for emergency vehicles, garbage, mail delivery etc.</p>	<p>The proposal has been reviewed by Fire and Emergency Services staff, the Region of Halton, and Canada Post. All three agencies find the access to be acceptable.</p>
<p>The width of the private roads is insufficient.</p>	<p>The width of the roads meets the City’s standard for private condominium roads. Additionally, the proposal has been reviewed extensively by Transportation, the Region of Halton and Fire and Emergency Services who have no issue with the proposed private road widths.</p>
<p>The proposal is not compatible with the existing area and is inappropriate.</p>	<p>Refer to the discussion on compatibility included in the Official Plan section of the Policy Framework Analysis.</p>
<p>Property values will go down as a result of the proposed development.</p>	<p>There is no evidence to support the statement that property values will go down as a result of the proposed development.</p>
<p>The proposed density of the development is out of character with the existing context.</p>	<p>While the proposed density is greater than the existing density along Maplehill Drive, the applicant has worked with staff to reduce the number of proposed units, increase the setbacks and enhance the compatibility of the proposed development.</p>

Public Comment	Staff Response
Concern that the proposed townhouses will become rental units in the future and will deteriorate as a result.	The tenure of the proposed units will not be determined by this application. Burlington supports all types of housing tenure.
Concern about loss of privacy resulting from the proposed development and overcrowding.	Measures will be taken by the applicant to maintain privacy for the existing dwellings on Maplehill Drive, including spatial separation; landscaping and building orientation.
Concerns that servicing will be insufficient to support new residential units.	The Region has extensively reviewed the Functional Servicing Report submitted by the applicant and is satisfied with the findings.
There will be a lack of usable greenspace.	The proposal includes amenity space for each unit, and it should be noted that the proposed amenity area for each unit is in keeping with the current Zoning By-law requirement. Further, staff note that the proposed development is adjacent to the Hydro Corridor lands with a trail system.
The subject lands should be developed with single detached dwellings, preferably bungalows, instead.	Townhouses can be compatible with single detached homes. There can be a range of different building types within a community, while still maintaining a low-rise, low-intensity character.

**Conclusion:**

The applicant has made significant changes to the proposed townhouse development which have improved its compatibility with the existing neighbourhood. Staff’s analysis of the application for an Official Plan amendment and Zoning By-law amendment considered the applicable policy framework and the comments submitted by technical agencies and the public. It is recommended that Council approve OPA 110 and direct staff to complete a Zoning By-law based on the regulations attached in Appendices B and C to facilitate the development of this property for 20 townhouse units.

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Respectfully submitted,

Melissa Morgan

Planner II – Development Review

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**Appendices:**

- A. Sketches
- B. Proposed Official Plan Amendment
- C. Proposed Zoning By-law Regulations
- D. Residential Development Agreement – Proposed Conditions
- E. Public Comments

**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.