



**SUBJECT: Proposed plan of subdivision and zoning by-law amendment for 5209 Stonehaven Drive**

**TO: Planning and Development Committee**

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

Report Number: PB-44-18

Wards Affected: 5

File Numbers: 510-01/17 & 520-09/17

Date to Committee: June 5, 2018

Date to Council: June 18, 2018

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**Recommendation:**

Approve the application submitted by Mantella Corporation to amend the Zoning By-law to permit a development consisting of ten single detached and eight townhouse units; and

Approve the application submitted by IBI Group on behalf of Mantella Corporation, to give draft approval for a residential plan of subdivision consisting of ten single detached lots, one townhouse block and the extension of Bird Boulevard at 5209 Stonehaven Drive, as shown in Appendix A of Department of City Building report PB-44-18, and subject to the conditions contained in Appendix C of that report; and

Enact the draft amending Zoning By-law 2020.XXX, contained in Appendix B of department of city building report PB-44-18, to rezone lands at 5209 Stonehaven Drive from "Development (D)" and "Residential – Orchard Community (RO3)" to "Residential – Orchard Community with site specific exception (RO3-482)"; and

Deem that Zoning By-law 2020.XXX conforms to the Official Plan of the City of Burlington; and

Instruct Mantella Corporation to obtain a permit to remove six city trees and to provide compensation for the tree removal by providing replanting in the municipal right-of-way or cash-in-lieu, with a total value of \$4600.

**Purpose:**

## A City that Grows

- Intensification
  - New and transitioning neighbourhoods are being designed to promote easy access to amenities, services, recreation and employment areas with more opportunities for walking, cycling and using public transit.
  - Intensification is planned so that growth is financially sustainable and so new infrastructure needed to support growth is paid using all financial tools available to have development pay for growth infrastructure.



<b>RECOMMENDATIONS:</b>		<i>Approval</i>	<b>Ward No.:</b>	5
<b>Application Details</b>	<b>APPLICANT:</b>  <b>OWNER:</b>  <b>FILE NUMBERS:</b>  <b>TYPE OF APPLICATION:</b>  <b>PROPOSED USE:</b>	<i>IBI Group Inc. on behalf of  Mantella Corporation (purchaser)  Halton District School Board  510-01/17 &amp; 520-09/17  Subdivision and Rezoning  10 detached dwellings and 8 townhouses</i>		
<b>Property Details</b>	<b>PROPERTY LOCATION:</b>  <b>MUNICIPAL ADDRESSES:</b>  <b>PROPERTY AREA:</b>  <b>EXISTING USE:</b>	<i>North side of Stonehaven Dr. and northerly  extension of Bird Blvd.  5209 Stonehaven Drive  0.86 ha (includes 0.02ha of land to be acquired  from City ROW at Bird Blvd. &amp; Stonehaven Dr.)  Vacant land</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 – Orchard Community  Residential Low Density – Orchard Community  RO3 and D  RO3 with site specific exception</i>		
<b>Processing Details</b>	<b>NEIGHBOURHOOD MEETING:</b>  <b>PUBLIC COMMENTS:</b>	<i>September 6, 2017  3 e-mails</i>		

## Background and Discussion:

On August 15, 2017, the Department of City Building acknowledged that a complete application had been received for a Plan of Subdivision and Zoning By-law Amendment

for the lands known as 5209 Stonehaven Drive. The subject lands are owned by the Halton District School Board and are designated as surplus lands to John William Boich Public School. IBI Group Inc. has submitted the required documents for Plan of Subdivision and Zoning By-law Amendment applications.

This report provides details of the application, an analysis of the proposal against applicable policies and regulations, technical and public comments and a recommendation that the site be rezoned from “Residential – Orchard Community (RO3)” and “Development (D)” to “Residential – Orchard Community with site specific exception (RO3-482)” and that draft approval be given of a residential subdivision to permit the creation of 10 single detached dwelling lots, one townhouse block and a the extension of Bird Boulevard.

### **Site Description**

The 0.86 hectare site is located on the north side Stonehaven Drive and north of the terminus of Bird Boulevard. The subject lands were previously used for residential purposes, a garden centre, and a trucking/haulage company, but are currently vacant. Surrounding land uses include the following:

- North: Dundas Street, beyond which is zoned for “General Employment (GE1)” uses as well as “Regional Commercial (CR)” uses
- East: William Boich Parkette which is currently being developed, beyond which is John W. Boich Public School
- South: Residential development consisting of single detached and townhouse dwelling units
- West: CN Rail tracks, beyond which is a grocery store and other commercial and retail units

### **Discussion**

#### **Description of Application**

The City of Burlington is in receipt of Plan of Subdivision and Zoning By-law Amendment applications (510-01/17 and 520-09/17) which propose to develop the lands known as 5209 Stonehaven Drive for ten single detached and eight street townhouse dwelling units.

A Memorandum of Understanding exists between the City of Burlington and the Halton District School Board for the redevelopment of the surplus school lands. The additional surplus lands immediately to the east of the subject lands are in the process of being developed by the City of Burlington as John William Boich Parkette. The location of the subject lands as well as a detail sketch of the proposal are provided in Appendix A.

The lands are proposed to be developed substantially in accordance with the Memorandum of Understanding signed between the City of Burlington and the Halton District School Board in March of 2013, which provided for nine single detached dwelling lots and eight street townhouse lots. The detached dwellings will be constructed on a cul-de-sac extension of Bird Boulevard, and the street townhouse dwellings will be constructed on the north side of Stonehaven Drive, opposite a block of existing townhouses. The proposed zoning by-law amendment requests that the lands be zoned as “Residential – Orchard Community with a site specific exception (RO3-482)”. The purpose of the site specific exceptions is to remove a maximum lot width and amend some existing built form standards within Zoning By-law 2020, which will be discussed in this report.

### **Technical Reports**

The applicant submitted the following technical reports in support of the subject application. It should be noted that all of the technical reports may be accessed on the website [www.burlington.ca/Stonehaven](http://www.burlington.ca/Stonehaven).

- [Planning Justification Report](#) (prepared by IBI Group, dated July 2017)
  - This document outlines details of the proposal, including the site context and applicable policy framework. The document concludes that the requirements of the Provincial Policy Statement, the Places to Grow Act, Regional Official Plan and the City of Burlington Official Plan have been met.
- [Draft Plan of Subdivision](#) (prepared by IBI Group, dated June 2017)
  - This plan shows the limit of the proposed road extension, lots, blocks and easements.
- [Draft Plan of Subdivision with Building Envelopes](#) (prepared by IBI Group, dated June 2017)
  - This plan shows the contents of the Draft Plan of Subdivision as well as the maximum building envelopes permitted as-of-right under the “Residential – Orchard Community (RO3)” Zone. It should be noted that these envelopes are maximums and do not reflect the actual building envelopes proposed by the applicant.
- [Functional Servicing Report and Stormwater Management Analysis](#) (prepared by IBI Group, dated June 2017)
  - This report addresses how servicing will be provided using existing and proposed infrastructure. The report concludes that the site will be serviceable in accordance with City and Regional standards. Included in the report are a Servicing Plan, Grading Plan, Drainage Plan and On-Street Parking Plan.

- [Tree Inventory and Preservation Study](#) (prepared by IBI Group, dated May, 2017)
  - This drawing identifies all trees on site as well as their condition and whether they are able to be preserved.
- [Traffic Brief](#) (prepared by IBI Group, dated May, 2017)
  - This report outlines the amount of trips generated by the proposed development and possible impacts the development will have on the surrounding area. The report concludes that traffic impacts will be minimal.
- [Noise Feasibility Study](#) (prepared by Valcoustics Canada Ltd., dated May 2017)
  - This report assesses the potential impact of noise on the subject site and proposed mitigation measures to address these impacts.
- [Vibration Study](#) (prepared by Valcoustics Canada Ltd., dated May 2017)
  - This study measures the ground-borne vibration caused by the adjacent CN Railway on the subject lands. The report concludes that the vibration levels are below the vibration guideline limit suggested by the Federation of Canadian Municipalities and the Railway Association of Canada, and that no vibration mitigation measures are required.
- [Air Quality Study](#) (prepared by Golder Associates, dated May 2017)
  - The purpose of the Air Quality Study is to determine the effects of surrounding development (two industrial facilities, one major arterial road and a rail line) on the proposed development. The study determines that the air quality will be acceptable.
- [Phase I Environmental Site Assessment](#) (prepared by Peto MacCallum Ltd., dated April 2013)
  - The Phase I Environmental Site Assessment (ESA) identified that there is one Area of Potential Environmental Concern (APEC) on the lands. A Phase II ESA was therefore required to conduct further research.
- [Phase II Environmental Site Assessment](#) (prepared by Peto MacCallum Ltd., dated May 2013)
  - This report outlines additional testing that has been done on the site and remediation measures that will be undertaken where contamination has been identified.

## **Policy Framework**

The proposed Zoning By-law amendment is subject to the following policy framework: the Provincial Policy Statement 2014, Places to Grow: Growth Plan for the Greater

Golden Horseshoe (Growth Plan 2017), 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, which includes 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 proposal will also promote walkability by providing ground level commercial uses that will improve the pedestrian experience.

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

## **Growth Plan for the Greater Golden Horseshoe 2017**

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 located in an area which is comprised of a mix of uses, and the proposed development would contribute to a complete community. The proposed mixed use building would use existing infrastructure and would be promoting growth and intensification within the urban area. Staff find the subject application is consistent with the Growth Plan as it supports a compact and efficient development form as well as a complete community.

Section 2.2.1 d) states that *“development will be directed to settlement areas, except where the policies of this Plan permit otherwise”*; 2.2.1 e) states that *“development will be generally directed away from hazardous lands”*; and 2.2.1 f) states that *“the establishment of new settlement areas is prohibited”*.

The proposed development will take place on a property within a residential neighbourhood that is currently vacant. The subject lands are within a settlement area and are not hazardous. The development will be in keeping with these policies of the Growth Plan and will be supporting intensification within an existing settlement area.

## **Halton Region Official Plan**

The subject lands are designated as “Urban Area” in the Regional Official Plan (ROP). Urban Areas are those locations where urban services (water and waste water) are or will be made available to accommodate existing and future development.

Section 72 of the Regional Official Plan lists the objectives of the Urban Area. Some of these objectives include 72(4), *“to ensure that growth takes place commensurately both within and outside the Built Boundary”*; 72(6), *“to identify an urban structure that supports the development of Intensification Areas”*; and 72(9), *“To facilitate and promote intensification and increased densities”*.

The proposal is located within the built boundary where servicing is available. While the development is considered to be low density within the City due to its density of



approximately 25 units per hectare, the proposal still intensifies the existing vacant parcel of land. The City's Official Plan contains Intensification Criteria which will be evaluated in detail in the next section of this report.

Policy 86(6) requires that *"at least 50 per cent of new housing units produced annually in Halton be in the form of townhouses or multi-storey buildings"*.

The proposed development is not entirely in the form of townhouses; however there are some townhouse units proposed. The proposal meets this policy by balancing the requirement for certain forms of development with appropriate levels of intensification. The development will be properly integrated with the surrounding neighbourhood.

The ROP states that permitted uses shall be in accordance with local Official Plans and Zoning By-laws and other policies of the Regional Official Plan. The Region and City of Burlington staff are satisfied that the development conforms to the Urban Area policies of the ROP.

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

The subject lands are designated as "Residential – Low Density" in accordance with Schedule B of the City of Burlington Official Plan. In the "Residential – Low Density" areas within the Orchard Community, single detached, semi-detached, townhouses, street townhouses, duplexes, triplexes, and fourplexes with a maximum density of 25 units per hectare are permitted. The proposed development results in a density calculation of approximately 25 units per hectare. The proposed development conforms to the policies of the City's Official Plan and therefore no application for Official Plan Amendment has been submitted.

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.*

Municipal servicing is available within Stonehaven Drive and Bird Boulevard. 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.

Parkland and school accommodation have also been reviewed. It should be noted that the site abuts John William Boich Parkette to the east, and existing schools can accommodate the increase in residents, with portables, if necessary.

*ii) Off-street parking is adequate.*

The applicant is proposing one parking space in the driveway of each unit and one in the garage. Staff are satisfied that this amount of parking is sufficient for the development. In addition, the owner of the subject lands has agreed to fund a fence to be erected in front of John William Boich Parkette. Fencing at the front of the Parkette allows for on-street parking in addition to the off-street parking proposed.

*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.*

Based on the submitted studies, the proposed development would generate 12 two-way trips in the AM peak hour and 15 two-way trips during the PM peak hour. The City's Transportation section has reviewed the proposal and notes that there is no issue with the proposed development from a traffic perspective.

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

Bus routes, including bus stops, currently exist to the north of the subject lands, along Dundas Street, and to the east, along Sutton Drive.

*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 subject lands are surrounded by a mix of land uses; including industrial, institutional, commercial, residential and parkland. Due to the extension of Bird Boulevard, however, the development would become incorporated with the existing residential neighbourhood consisting of low-density and medium-density dwelling units. The proposed single detached building lots would continue an established lotting pattern and maintain similar lot widths. Similarly, the proposed townhouse building lots would be created directly across from existing townhouse units and be similar with respect to lot widths and built form.

Following the rezoning of the subject lands, the zoning would be the same as the surrounding neighbourhood, with the exception of some site-specific development regulations relating to lot widths and built form standards. As such, the proposed buildings will be subject to very similar zoning requirements. This will help to ensure that the buildings are compatible with what exists in the neighbourhood with respect to scale, massing, height, siting, setbacks, coverage etc.

Because the site will be incorporated with the existing neighbourhood, few negative impacts will be imposed on any of the surrounding area. The proposed development will

extend Bird Boulevard, using the same road width, and maintain wide lots in order to blend the proposed development with the existing. Staff are satisfied that the proposal would be compatible with the existing neighbourhood character.

*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 City's Landscaping and Forestry staff reviewed the application and note that there are no concerns. The development proposes the removal of approximately 42 private trees that are listed in poor to fair condition. A caliper to caliper replacement ratio of 1:1 is usually recommended; however when the trees are in poor condition, an aggregate caliper ratio is used which takes the tree condition into consideration. It is recognized that this may not be able to be accommodated on-site, and if this is the case, it should be offered to the new parkette or the existing school in an effort to contribute to the neighbourhood character.

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

Not applicable – the proposal is for ground-oriented units which will not have a significant impact on sun-shadowing.

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

The proposed development will be integrated into an existing community where such community services already exist.

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

The proposed development is located adjacent to a CN rail line. As such, noise walls exist and more will be constructed in order to mitigate the impact of the noise source. A five metre wide access easement is proposed along the edge of the southwest side of the development, abutting an existing single detached dwelling on the west side of Bird Boulevard. This easement, while required for access, will serve as a buffer between existing and proposed dwelling units, as development will not be permitted within the five metres.

The applicant has taken care to ensure that standards such as road widths, lot widths, lotting patterns, built form and setbacks are in keeping with and provide continuity with the existing neighbourhood. This in itself demonstrates the minimizing as well as the prevention of negative impacts.

- 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.*

The proposal is a continuation of an existing development. If approved, the proposal will demonstrate that the potential to develop adjacent properties is being used effectively.

- 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 – the proposal is for ground-oriented housing.

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

The proposed new Official Plan was approved by Council on April 26, 2018 and has been developed to reflect the opportunities and challenges facing the City as it continues to evolve. The new Official Plan will not come into effect until it has been approved by Halton Region; however the City's proposed new Official Plan reflects Council's vision and as such, should be acknowledged as part of the proposal.

The subject lands are designated "Residential – Low Density" in accordance with the new Official Plan. A site-specific policy exists for the Orchard Community within section 8.3.3(2)a) of the Official Plan, which reads as follows:

*"Orchard Community: Notwithstanding the policies of Subsections 8.3.3(1)a) to d) of this Plan, within the area bounded by Upper Middle Road to the south, Bronte Creek Valley to the east, Dundas Street and the CN rail line to the north and Appleby Line to the west, known as the Orchard Community, the maximum density of development on lands designated "Residential – Low Density" shall be*

*thirty (30) units per net hectare. The permitted housing forms in the low and medium density areas shall include predominantly single-detached and semi-detached units, townhouses and street townhouses; duplexes, three-plexes and four-plexes are also permitted”.*

The proposed development has a density of approximately 25 units per hectare, which is in keeping with the maximum density of 30 units per hectare set out in the New Official Plan. Further, the proposed development consists predominantly of single detached dwellings but includes some street townhouses. This is in keeping with the permitted uses of the Official Plan.

The proposed development complies with the policies of the New Official Plan.

**City of Burlington Zoning By-law**

The lands at 5209 Stonehaven Drive are currently zoned “Residential – Orchard Community (RO3)” and “Development (D)”. The applicant has proposed to rezone the subject lands to the RO3 zone with site specific zoning exceptions noted with in the table below:

<b>Regulation</b>	<b>Residential – Orchard Community (RO3) Requirement</b>	<b>Proposed</b>	<b>Staff Comment</b>
<p><b>Lot Width</b></p> <p><b>Detached Dwelling</b></p>	<p>Less than 30 m in depth: 10.8 m minimum 14 m maximum</p> <p>Greater than 30 m in depth: 7.5 m minimum 11 m maximum</p>	<p>no maximum</p>	<p>The proposal includes lots that are greater than the minimum required lot width. The proposed lots are in keeping with the existing lot fabric along Bird Boulevard. Maintaining these large lot widths would increase compatibility and allow more flexibility for larger setbacks, thereby increasing the distances between dwelling units and helping to mitigate negative impacts on existing development.</p> <p>The proposed lot widths for townhouses will be consistent with existing townhouses directly on the opposite side of Stonehaven Drive. Similar to the proposed low-density building lots, it is the opinion of staff that the proposed townhouse lots will be compatible with surrounding development. Staff are satisfied with</p>

<p><b>Townhouse (less than 30 m in depth)</b></p>	<p>6.7 m minimum</p>	<p>6.5 m minimum</p>	<p>maintaining the minimum proposed lot widths in order to enforce compatible lot sizes, but are satisfied with the removal of a maximum lot width.</p> <p>Staff are in favour of larger lot sizes in the subject area, especially when larger lots already exist in the neighbourhood. Most low and medium density zoning categories throughout the City require minimum lot widths, but do not require a maximum. The proposed minimum lot widths will allow for some flexibility with respect to the size and setbacks of buildings, but will also ensure a consistent lot fabric and adequate spacing between dwellings units in order to protect the existing streetscape. Staff are supportive of maintaining the requirement for a minimum lot width; but do not agree that a maximum lot width is necessary.</p>
<p><b>Setback to CN Rail Corridor</b></p>	<p>30 metres</p>	<p>28 metres (Lots 3 and 4)</p>	<p>For Lots 3 and 4, should the applicant maintain a 30 metre setback to the rail corridor, they would not have sufficient space for compliant driveway lengths. The applicant has consulted with CN, who has agreed to reduce the required setback for Lots 3 and 4 from 30 metres to 28 metres.</p> <p>In exchange for this setback reduction, CN will require that the berm height in these locations be increased to 2.7 metres.</p>
<p><b>Built Form Standards</b></p>	<p>See Below*</p>	<p>Will Not Apply</p>	<p>The built form standards found in the Zoning By-law relate to lot widths and garage projections. The applicant is proposing to remove these provisions; as the proposed lots have large frontages with which staff are</p>

			<p>satisfied and which are already compatible with the existing area. Further, the RO3 Zone contains provisions relating to garage projections. A larger setback is required for the garage than for the front wall of the dwelling, and staff are satisfied that this will protect the proposed buildings from garage projections.</p>
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**\*Part 2, Section 19.4, Built Form Standards:**

*Within each section of a plan of subdivision (i.e. a grouping of three or more contiguous lots fronting the same street, bounded by other streets, a subdivision boundary, a zone boundary, or other section) the following will apply:*

- (i) At least one third of the dwelling units shall have attached garages which shall not project more than 1.5 m beyond the second storey.*
- (ii) One third of the dwelling units may have attached garages which project a maximum of 6.5 m beyond the second storey.*
- (iii) One third of the dwelling units may have attached garages which project a maximum of 3.5 m beyond the second storey.*
- (iv) Not more than 8 contiguous lots shall be 9 m or less in width.*
- (v) Notwithstanding Part I, Subsection 2.24, a lot width of 11.0 metres or greater may have a maximum driveway width of 5.5 m, subject to the following regulations:*
  - (i) A garage (attached or unattached) shall not be located closer to a street line than the closest distance between the dwelling unit and the street line.*

**Technical Review**

On August 14, 2017 staff circulated a request for comments for the development application to internal and external agencies. The following is a summary of the agency comments that have been received to date:

### **Landscaping and Forestry**

The applicant has addressed all comments relating to landscaping. Staff note that Council approval is required for the removal of six city trees and that the removals shall not take place until this approval is granted. As such, Landscaping staff are requesting that as part of this report, staff add a recommendation that permission be granted to remove these trees and that compensation be provided in the form of replanting or cash in lieu of replanting.

### **Parks and Open Space**

The City's Parks and Open Space section has reviewed the proposal and notes that sufficient parkland exists in the area, and the proposed development is adjacent to John William Boich Parkette and as such, cash-in-lieu of parkland dedication will be applied to the development.

The applicant has been working with staff to facilitate additional on-street parking in proximity to the proposed development. A regulation exists within Parking By-law 39-2016, which prohibits on-street parking from being located in front of a park. The intent of this regulation is to ensure that vehicle and pedestrian sight lines are not obstructed in the high traffic pedestrian area around the park. Parks and Open Space staff confirmed that should a fence be installed, on-street parking would be permitted in front of the park. As such, the applicant has advised that the owner of the subject lands will finance the installation of a fence front of the park, with design standards determined by the City. It should be noted that the City would construct and maintain the fence, and approximately five on-street parking spaces would be generated as a result.

### **Halton Region**

The Region of Halton has indicated that services exist adjacent to the site within Stonehaven Drive, Bird Boulevard and Dundas Street. The Region notes that availability of servicing capacity will be reviewed once an application is made for a services permit or development agreement. The Region has also noted that curbside waste collection will be provided for both the single detached and townhouse units once the plan is 90% occupied. The Region had no objections to the proposed development; however they did provide further comments which will be addressed within the Subdivision Conditions.

### **CN Rail**

Due to the proximity of the subject lands to the CN railway, CN was circulated on the proposal for comments. A buffer of 15 metres is required from the CN lands, and a noise wall having a height of 3 metres is required along this buffer. The noise wall exists to an extent and will be continued along the buffer line as a result of the proposed development. The applicant is working with CN to register an environmental easement on title.



## Other Comments

The following agencies have provided no objection to the development proposal, but may have conditions of draft approval for the Subdivision application, included in Appendix C: Halton District School Board, Halton Catholic District School Board, Canada Post, Union Gas, Capital Works, Fire and Emergency Services, Burlington Hydro, Transportation, Zoning, Tax and the Burlington Economic Development Corporation.

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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:

### Public Circulation/Notification

The applicant posted a public notice sign on the property in August of 2017. All of the technical studies and supporting materials for this development were posted on the City's website at [www.burlington.ca/Stonehaven](http://www.burlington.ca/Stonehaven). The application was subject to the standard circulation requirements for Subdivision and Zoning By-law Amendment applications. A public notice of a Neighbourhood Meeting with a request for comments was circulated to surrounding property owners/tenants in August of 2017.

A neighbourhood meeting for this development application was held on September 6, 2017 at the Appleby Ice Centre. Approximately three members of the public were in attendance, as well as the Ward Councillor, City staff, the applicant, the owner of the lands, and various consultants who have contributed to the application submission. Planning Staff provided a brief presentation of the planning process and introduced the application. The following table depicts concerns raised by the public as well as a response from staff:

Public Comment	Staff Response
Concerns with potential traffic generated during school drop-off and pick-up times and in general.	The applicant submitted a Traffic Brief as part of their applications. The Brief notes that approximately 12 trips will be generated during AM Peak Hour, and 15 trips during PM Peak Hour. Of the 12 AM trips, nine would be exiting the development, or one vehicle every seven minutes. Of the 15 PM trips, 10 would be entering

Public Comment	Staff Response
	<p>the development, or one vehicle every six minutes.</p> <p>The Brief states that this would have a negligible impact on safety and traffic, and Transportation staff agree with the findings of the Report.</p>
<p>Proposed construction will generate noise, and development once constructed will also create noise.</p>	<p>A Construction Management Plan will be reviewed in detail by staff prior to the construction of the development to ensure that potentially negative impacts, such as noise, are mitigated.</p> <p>An Environmental Noise Feasibility Study was done for the proposed development. Staff are satisfied that the proposed developments itself will not generate a significant amount of noise. There are concerns with noise generated by other sources, such as the adjacent railway and Dundas Street, and measures will be taken, such as the construction of noise walls, to ensure that such impacts are minimized.</p>
<p>Wildlife will be disrupted as a result of proposed development.</p>	<p>The site is a remnant parcel surrounded by existing residential and school development and a 6 lane Regional Road. This development will not impact wildlife beyond the current built context.</p>
<p>Worry that children will have to be bussed to other schools or that portables will have to be used.</p>	<p>The Halton District School Board and Halton Catholic District School Board have commented on the application. The Halton District School Board noted that students generated from the proposed development would need to be accommodated in portables, while the Halton Catholic District School board noted that there is capacity to accommodate students generated from the proposed development.</p> <p>While the use of portables is not preferred, staff acknowledges that it is an inevitable effect of intensification and in some cases is necessary to accommodate new students.</p>

**Conclusion:**

The applicant has made minor changes to the proposed development which have improved its design and compatibility with the existing neighbourhood. Staff’s analysis of the application for a Plan of Subdivision 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 direct staff to complete a Zoning By-law based on the regulations attached in Appendix B to facilitate the development of this property for 10 single detached dwelling units and 8 townhouse units and that draft approval be given for a residential plan of subdivision to facilitate the creation of 10 single detached building lots, one townhouse block and the extension of Bird Boulevard.

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Respectfully submitted,

Melissa Morgan

Planner II – Development Review

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**Appendices:**

- A. Sketches
- B. Proposed Zoning By-law Regulations
- C. Draft Plan of Subdivision – Proposed Conditions
- D. 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.

## APPENDIX "A"



