



**SUBJECT: Official Plan and Zoning By-law Amendments at 2087-2103 Prospect Street**

**TO: Planning and Development Committee**

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

Report Number: PB-62-18

Wards Affected: 2

File Numbers: 505-09/17 & 520-19/17

Date to Committee: July 10, 2018

Date to Council: July 16, 2018

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**Recommendation:**

Receive and file department of city building report PB-62-18 regarding official plan and zoning by-law amendments for 2087-2103 Prospect Street.

**Purpose:**

The subject development application aligns with the following objectives in Burlington's Strategic Plan 2015-2040:

A City that Grows

- Intensification – Creation of 42 new rental residential units
  - Focused Population Growth – infill development in an existing residential neighbourhood.
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|                            |  |  |                  |          |
|----------------------------|--|--|------------------|----------|
| <b>RECOMMENDATIONS:</b>    |  | <i>None. Statutory Public Meeting</i>  | <b>Ward No.:</b> | <i>2</i> |
| <b>Application Details</b> | <b>APPLICANT:</b><br><b>OWNER:</b><br><b>FILE NUMBERS:</b><br><b>TYPE OF APPLICATION:</b><br><b>PROPOSED USE:</b>      | Applicant, Ruth Victor and Associates<br>Children's Financial Group (Welwyn Interests Inc)<br>505-09/17 & 520-19/17<br>Official Plan and Zoning By-law Amendments<br>High Density Residential. Existing 8 storey apartment building and 50 stacked, back to back townhouses.   |                  |          |
| <b>Property Details</b>    | <b>PROPERTY LOCATION:</b><br><b>MUNICIPAL ADDRESSES:</b><br><b>PROPERTY AREA:</b><br><b>EXISTING USE:</b>              | Prospect Street west of Optimist Park<br>2087-2103 Prospect Street<br>0.94 ha<br>8 Storey apartment building and 8 townhouses.   |                  |          |
| <b>Documents</b>           | <b>OFFICIAL PLAN Existing:</b><br><b>OFFICIAL PLAN Proposed:</b><br><b>ZONING Existing:</b><br><b>ZONING Proposed:</b> | High Density Residential for the existing apartment building. Medium Density Residential for the 8 townhouses at the rear of the property.<br>High Density Residential for the entire site.<br>High Density Residential (RH4) for apartment building. Medium Density Residential (RM2) for the existing 8 townhouses.<br>Site specific RH4 zone(119 units/net hectare) |                  |          |
| <b>Processing Details</b>  | <b>NEIGHBOURHOOD MEETING:</b><br><br><b>PUBLIC COMMENTS:</b>   | April 12, 2018<br><br>13 emails, 2 handwritten comments and 2 phone calls  |                  |          |

## **Background and Discussion:**

On March 5, 2018 the Department of City Building acknowledged that a complete application had been received for Official Plan and Zoning By-law Amendments for 2087-2103 Prospect Street. The application proposed the removal of eight (8) rental townhouses at the rear of the property and replacing them with fifty (50) stacked, back to back townhouses in two buildings. The existing 8 storey apartment building will remain on the site. All units are proposed to remain as rental tenure.

### **Site Description**

The subject property is located on Prospect Street adjacent to Optimist Park. Surrounding land uses include:

- North of the site are single detached dwellings on Maplewood Drive zoned R3.2 (low density residential);
- West of the site are two similar properties with 8 storey apartment buildings fronting on Prospect Street. Construction of 96 stacked townhouses at the rear of those properties is underway (approved by Council in 2016);
- South of the site is the Burlington Salvation Army church and a mix of medium and high density residential uses; and
- East of the site are six (6) townhouses and Optimist Park.

### **Discussion:**

The City of Burlington is in receipt of an application (Files 505-09/17 & 520-19/17) to amend the Official Plan and Zoning By-law to facilitate the development of 50 stacked, back to back townhouses. The stacked, back to back townhouses would replace the existing eight (8) townhouses on the site. The existing 8 storey apartment building will remain.

### **Technical Reports:**

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

- [Planning Justification Report](#). Prepared by Ruth Victor & Associates. December 8, 2017.
- [Site Plan and Building Elevations](#). Prepared by ICON Architects, December 18, 2017.
- [Sun/Shadow Study](#). Prepared by ICON Architects Inc., December 11, 2017.
- [Topographical Survey & Height](#). Prepared by A.T. McLaren, October 20, 2016.
- [Functional Servicing Report \(including Stormwater Management\)](#) . Prepared by Trafalgar Engineering Ltd., December 11, 2017.

- [Grading, Drainage and Servicing Plans](#). Prepared by Trafalgar Engineering, December 11, 2017.
- [Geotechnical Report](#). Prepared by Soil-Mat Engineers & Consultants Ltd., October 24, 2017.
- [Traffic and Parking Study](#). Prepared by GHD, December 2017.
- [Noise Feasability Study](#). Prepared by Howe Gastmeier Chapnik Ltd., December 7, 2017.
- [Phase 1 Environmental Site Assessment](#). Prepared by Altech Environmental Consulting Ltd., February 5, 2018.
- [Landscape Concept Plan](#). Prepared by Adesso Design Inc., December 8, 2017.
- [Wind Study](#). Prepared by Theakston Environmental Consulting Engineers, November 27, 2017.
- [Waste Management letter](#). Waste Management, undated.

The above studies will be reviewed by technical agencies as the application is processed.

### **Policy Framework**

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

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

The Provincial Policy Statement (PPS) 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 range and mix of land uses. Through the PPS, growth and development are to be focused within the established settlement areas. Decisions affecting planning matters made on or after April 30, 2014 “shall be consistent with” the PPS.

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

The updated 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 and well-designed form.

## **Halton Region Official Plan**

The subject lands are designated as “Urban Area”. Urban areas are locations where urban services (water and waste water) are or will be made available to accommodate existing and future development.

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 In Force Official Plan (2008)**

The southerly portion of the site fronting on Prospect Street is designated “Residential High Density” in the Official Plan. This designation permits ground or non-ground oriented residential development between 51 and 185 units per net hectare. The existing 8-storey apartment building (65 units) will remain.

The rear portion of the property is designated “Residential-Medium Density” and currently accommodates 2 fourplex buildings (8 townhouses in total). This designation permits ground or non-ground oriented residential development between 26 and 50 units per net hectare. The application proposes to replace the 8 townhouses with 50 stacked, back to back townhouses resulting in a total of 115 units and overall density on the entire site of approximately 118 units per net hectare. Stacked, back to back townhouses are permitted in Residential-Medium Density areas but the intensity of the subject property is not permitted. The Official Plan Amendment application seeks to redesignate the northern portion of the site to “Residential-High Density” to permit the development.

The residential policies in the Official Plan identify a number of objectives related to encouraging residential intensification within the Urban Planning Area, providing housing opportunities that encourage the use of public transit and active transportation and decrease dependence on the car, providing a range of house forms and tenure, encouraging the construction of new rental housing, and requiring new residential development to be compatible with surrounding properties. Part III, Section 2.2.1 of the Official Plan provides evaluation criteria to be considered when evaluating proposals for housing intensification in established neighbourhoods. The assessment will be included in the Recommendation Report for this application.

## **City of Burlington Adopted Official Plan (April 2018)**

City Council adopted the Official Plan on April 26, 2018. The Region of Halton is currently reviewing the Council adopted Plan. The property is designated “Residential

Neighbourhood Area” on Schedule B-Urban Structure. It is designated “Established Neighbourhood Area” on Schedule B-1-Growth Framework. The southerly portion of the site fronting on Prospect Street is designated “Residential High Density” on Schedule C Land Use-Urban Area. The rear portion of the property is designated “Residential-Medium Density” on Schedule C Land Use-Urban Area.

The Housing Policies (Policy 3.1.2(2) c)) encourages the construction of rental housing with a full mix and range of unit types and sizes.

Policy 8.3 indicates that new residential housing will be accommodated primarily through the intensification of existing areas, where it is compatible. Compatible is defined as “development which may not necessarily be the same as or similar to existing or planned development in the vicinity, but nonetheless can co-exist without causing unacceptable impacts to the surrounding area”.

The Residential –High Density Policies (Policy 8.3.5(b)) includes a density range of 76-185 units/net hectare, Policy 8.3.5 (e) states: “Development on lands designated Residential-High Density *should* provide a functional outdoor common *amenity area* at grade level for use by residents”.

## Zoning By-law 2020

The southerly portion of the site fronting on Prospect Street is zoned Residential High Density (RH4). The rear of the property is currently zoned Residential Medium Density (RM2). The applicant would like to have the entire property zoned to a site specific RH4 zone. The table below summarizes the proposed changes.

| Regulation (existing Apt & proposed townhouses) | RH4   | Proposed                     |
|---|---|------------------------------|
| Lot Width                                       | 45 m  | 65.4 m                       |
| Lot Area  | 0.2 ha  | 0.9 ha                       |
| Front Yard                                      | 7.5 m plus 1m for each storey above 6 storeys (9.5 m) | 14.5 m                       |
| Density   | Maximum 100 units/net hectare                         | 118.5 units/net hectare      |
| Landscape Buffer                                | 4.5 m   | 1.5 m (west)<br>0.9 m (east) |

| Regulation (existing Apt & proposed townhouses) |                      | RH4  | Proposed  |
|---|----------------------|--|---|
| Amenity Area                                    |                      | 25 m <sup>2</sup> /bedroom                                   | Sundeck (existing apt)<br>457 m <sup>2</sup><br>Balconies (existing apt)<br>852 m <sup>2</sup><br><br>Outdoor Amenity (proposed townhouses)<br>1129 m <sup>2</sup><br>Balconies (proposed townhouses) 90 m <sup>2</sup> |
| Units   | Number of bedrooms   |  |   |
| 1   | Bachelor (apt)       | 0  |   |
| 30  | 1 bedroom (apt)      | 750 m <sup>2</sup>   |   |
| 34  | 2 bedroom (apt)      | 1700 m <sup>2</sup>  |   |
| 20  | 1 bedroom (proposed) | 500 m <sup>2</sup>   |   |
| 30  | 2 bedroom (proposed) | 1500 m <sup>2</sup>  |   |
| TOTAL AMENITY AREA                              |                      | 4450 m <sup>2</sup>  | 2528 m <sup>2</sup>   |
| Parking   |                      |  |   |
| Residents                                       |                      | 1.25 spaces/unit   | 0.94 spaces/unit  |
| Visitors  |                      | 0.35 spaces/unit   | 0.18 spaces/unit  |
| TOTAL PARKING*                                  |                      | 200  | 130   |
| Bicycle Parking Spaces                          |                      | N/A  | 12  |
| Regulation proposed townhouses)                 |                      | RH4  | Proposed  |
| Side Yard Setback                               |                      | 7.5 m plus 1 m for each 5m wall length exceeds 30 m = 8.5 m  | 3.0 m west<br>2.5 m east  |
| Amenity Area                                    |                      | 25 m <sup>2</sup> per bedroom                                | 9.1 m <sup>2</sup> per bedroom  |
| Rear Yard abutting R3 zone                      |                      | 15.0 m plus 1 m for each 5 m wall length exceeds 30 m = 16 m | 14.0 m  |
| Building Height                                 |                      | 3 storeys to 14 m  | 3 storeys to 14 m   |

## Technical Review

On January 23, 2018 staff circulated a request for comments to internal and external technical agencies including Halton Region. Agency Comments will be addressed in the subsequent recommendation report.

### *Transportation:*

Transportation staff have requested 150 parking spaces (124 spaces for occupants and 26 spaces for visitors) plus Transportation Demand Management TDM. The 150 parking spaces requested is based on the City's parking study completed by IBI. Staff have also requested updates to site circulation and sightlines for vehicles coming out of the existing underground parking.

*Site Engineering:*

Site engineering advises that updates to the Functional Servicing Report and grading plans are needed to address outstanding concerns regarding the proposed retaining wall, grading, drainage and impacts to private and city trees.

*Landscaping:*

Staff advise that updates to the survey information and vegetation management plan are required for public (including trees along Prospect Street and within Optimist Park) and private trees.

*Parks and Open Space:*

Staff advise that adequate parkland is available to accommodate this development because Optimist park is located next door to the property. The site plan shows direct access to the park from the proposed development. More discussion is required about the most appropriate location for the access point to the park.

*Halton Region:*

Staff advise that the Region is supportive of the increase in rental housing units. They are looking for more information about the current rental housing affordability in Burlington, current vacancy rate analysis, projected rental rates for the development and details on the tenant relocation program to facilitate the proposed development.

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**Financial Matters:**

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

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**Public Engagement Matters:**

**Public Circulation**

The application was subject to the standard circulation requirements and a public notice and request for comments were circulated on March 6, 2018 to all property owners and tenants within 120 m of the subject property. A notice sign was posted on the property on March 5, 2018.

**Neighbourhood Meeting**

A neighbourhood meeting took place on April 12, 2018 at the Burlington Salvation Army Church on Prospect Street and was attended by approximately 15 members of the public and the Ward Councillor. Comments included the following:



- Not enough parking for existing residents
- No existing visitor parking
- No accessible parking
- Prospect Street not safe for pedestrians and bicycle riders even with traffic calming measures in place
- Concerns about the ability to protect/preserve trees along rear property line if a retaining wall is going to be installed
- Relocation of tenants in the eight (8) townhouses that are proposed to be demolished
- Request for accessible units to attract diverse populations to the property
- Drainage – neighbours have sump pumps that run continuously
- Too many townhouses proposed – consider building within medium density zone standards instead of high density zone
- Construction impacts on existing residents (e.g. noise and dust)
- Shadowing impacts on neighbours solar panels

## **Public Comments**

At the time of the writing of this report, staff had received two phone calls, 13 emails and 2 handwritten comments on the neighbourhood meeting notices. Concerns are raised about the maintenance of existing apartment building, lack of parking for existing tenants and visitors, construction impacts and too much development proposed for the site.

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## **Conclusion:**

The report provides a description of the development application and an update on the technical and public review of this application. A subsequent report will provide an analysis of the proposal in terms of applicable planning policies and will provide a recommendation on the proposed application.

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Respectfully submitted,

Suzanne McInnes, MCIP, RPP

Senior Planner

(905) 335-7600 ext. 7555

**Appendices:**

A: Site Location – Sketch 1 & 2

B: Public Comments

**Notifications:**

Jack Neal, Ruth Victor & Associates [jack@rvassociates.ca](mailto:jack@rvassociates.ca)

Andrew Haid, Childrens Financial Group [andrew@welwyninterests.com](mailto:andrew@welwyninterests.com)

**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.