



## Department of City Building

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**SUBJECT: Proposed Settlement for 2100 Brant Street - Official Plan and Zoning By-law Amendment and Draft Plan of Subdivision**

**TO: Blake Hurley, Assistant City Solicitor**

**FROM: Kyle Plas, Coordinator of Development Review**

### **Property Information:**

#### **1.0 Background:**

On March 1, 2017, the applicant met with City, Halton Region and Conservation Halton staff to determine the requirements of a complete application under the Planning Act. At this pre-consultation meeting, the applicant was advised of the current Official Plan designation and Zoning By-law regulations and advised of the required applications and supporting reports, studies and plans needed before the application could be deemed complete.

On August 31, 2017, the Planning and Building Department acknowledged that a complete application had been received for an Official Plan and Zoning By-law Amendment for 2100 Brant Street to facilitate the development of 233 townhouse units.

The original applications proposed the development of 233 townhouse dwelling units comprised of street townhouse located along Brant Street and a proposed public street and standard condominium townhouse units. The original net density of the development was 43.55 units per hectare and gross density was 21.07 units per hectare. The applications were requesting site specific exceptions to allow for the development.

Staff initiated the public and technical circulation of the applications in September 2017 and the City scheduled a neighbourhood meeting that was held on October 12, 2017 at The Crossroads Centre which was attended by approximately 100 members of the public. At this meeting, planning staff provided a brief presentation of the planning process and introduced the applicant to provide an overview of the application. The Statutory Public Meeting was held on April 3, 2018 and included an information report

([PB-30-18](#)) and presentation by staff, the applicant and heard from 12 public delegations.

Based on technical comments received and public feedback, the applicant made changes to the proposed development and submitted revised studies, reports and a reconfigured draft plan of subdivision.

The revised proposal included:

- Addition of a 0.31 hectare centrally located Park block, westerly 1.75 ha Park block that is to remain naturalized and 3.22 ha Natural Heritage System all of which are to be conveyed to the City;
- Reduction to the number of total units from 233 to 212;
- Addition of variety of housing typologies including semi-detached units along the northerly property line, and bungalow style townhouse end units with lofts to assist with accessibility;
- Change to townhouse blocks adjacent southerly property line;
- Increased setbacks to the southerly property line consistent with the setbacks proposed along the northerly property line;
- Relocation of servicing easement in the north east corner of the property; and
- Reflection of potential snow storage area locations.

Subsequently, the applicants appealed the subject applications to the Local Planning Appeals Tribunal based upon non-decision of the City within the required time period set out by the *Planning Act*.

As part of negotiations with the applicants, the City entered into Minutes of Settlement in November 2018 in which there was support for a 212-unit townhouse development. On December 17, 2018, the newly elected City Council repudiated those Minutes of Settlement.

On March 25, 2020, the applicants submitted a revised Settlement Offer. The revised settlement offer includes the following changes:

- Reduction in the number of total units from 212 to 210;
- In the northwest corner of the plan, on both the east and west side of the proposed extension of Almonte Drive:
  - Six (6) of the former proposed two-storey street townhouses have been replaced with four (4) one and a half storey semi-detached bungalow units;
  - Six (6) of the former two-storey condo townhouses have been replaced with six (6) one and a half storey semi-detached bungalow units.

- The minimum rear yard building setback for the units along the north property line has increased from 9 metres to 10 metres;
- Increase in the number of 'seniors-friendly' units with ground floor bedrooms and bathrooms from 7 to 16.

### **1.1 Site Description:**

The subject lands are located on the west side of Brant Street between Havendale Boulevard and Tyandaga Park Drive known municipally as 2100 Brant Street. The property has 188.8 m of frontage on Brant Street and is adjacent to an unopened road allowance that provides access to Havendale Boulevard, known as Almonte Drive. The property has a total lot area of 11.06 ha that includes 4.9 hectares of natural features including a valley, tributaries of Upper Rambo Creek and associated woodlands that traverse the property leaving the westerly portion of the site undevelopable. The remainder of the lands have a net developable area of 5.04 hectares.

The existing subject lands are rolling in nature with woodlands, tablelands and valley tributaries that flow in a southerly direction across the site. The lands slope from northerly property line towards the Upper Rambo creek valleylands, a wetland area located along the south property line and the southeast corner of the property along Brant Street. The developable area of the property is currently vacant and has been uncultivated.

### **1.2 Surrounding Land Uses:**

North	Designated Residential – Medium Density and Low Density comprised of semi-detached, townhouse and single detached dwelling units; Fairchild Park, an EMS (paramedic) station, a place of worship and lands designated Neighbourhood Commercial comprised of a commercial shopping centre north-east of the Brant Street/Havendale Boulevard/Dawlish Road intersection
South	Designated Residential - Medium-Density comprised of a townhouse condominium complex, hydro corridor and Major Parks and Open Space comprised of Tyandaga Golf Course.
West	Designated Major Parks and Open Space comprised of Tyandaga Golf Course.
East	Beyond Brant Street is Residential - Low Density residential uses being single detached dwelling units.

## REPORT FACT SHEET

<b>RECOMMENDATIONS:</b>	<i>Approval of the revised applications</i>	<b>Ward No.:</b>	1
<b>Application Details</b>	<p><b>APPLICANT:</b></p> <p><b>OWNER:</b></p> <p><b>FILE NUMBERS:</b></p> <p><b>TYPE OF APPLICATION:</b></p> <p><b>INITIAL PROPOSED USE:</b></p> <p><b><u>REVISED PROPOSAL (March 2020)</u></b></p>	<p><i>National Homes (Brant) Inc.</i></p> <p><i>National Homes (Brant) Inc.</i></p> <p><i>505-03/17, 520-10/17 and 510-02/17</i></p> <p><i>Official Plan and Zoning Bylaw Amendments and Draft Plan of Subdivision</i></p> <p><i>233 residential townhouse units comprised of 27 dual frontage, 123 standard townhouses and 83 street townhouses</i></p> <p><b><u>210 residential units: 30 semi-detached, 27 dual frontage, 81 standard townhouses and 72 street townhouses</u></b></p>	
<b>Property Details</b>	<p><b>PROPERTY LOCATION:</b></p> <p><b>MUNICIPAL ADDRESSES:</b></p> <p><b>PROPERTY AREA:</b></p> <p><b>EXISTING USE:</b></p>	<p><i>West side of Brant Street, south of Havendale Boulevard</i></p> <p><i>2100 Brant Street</i></p> <p><i>11.1 hectares (27.2 acres)</i></p> <p><i>Vacant</i></p>	
<b>Documents</b>	<p><b>OFFICIAL PLAN Existing:</b></p> <p><b>OFFICIAL PLAN Proposed:</b></p> <p><b>ZONING Existing:</b></p> <p><b>ZONING Proposed:</b></p>	<p><i>Residential - Low Density</i></p> <p><i>Residential - Medium Density, Major Parks and Open Space and Greenlands</i></p> <p><i>'R2.2' Residential Low Density, 'D' Development and 'O2' Open Space</i></p> <p><i>'RM3-491' Residential Medium Density, 'P' Park and 'O2' Open Space</i></p>	
<b>Processing Details</b>	<p><b>NEIGHBOURHOOD MEETING:</b></p> <p><b>STATUTORY PUBLIC MEETING</b></p> <p><b>PUBLIC COMMENTS:</b></p>	<p><i>October 12, 2017</i></p> <p><i>April 3, 2018</i></p> <p><i>Staff received position papers, multiple emails and letters.</i></p> <p><i>Note: Some constituents sent multiple letters</i></p>	

## **2.0 Policy Framework and Review:**

The proposed Official Plan and Zoning By-law amendment and Draft Plan of Subdivision applications are consistent with the Provincial Policy Statement, conform to all applicable Provincial Plans; Halton Region Official Plan; reflect the policy direction of the City of Burlington Official Plan, have regard for matters of Provincial interest and represent good planning for the reasons set out in this report.

## **2.1 Conformity Analysis and Policy Framework Review:**

The applications are subject to the following policy framework: The Planning Act, Provincial Policy Statement, 2014; A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019; Halton Region Official Plan; Burlington Official Plan (1994, as amended); and Zoning By-law 2020.

Staff have reviewed and analyzed the planning merits of these applications and the most recent revisions (March 2020) within this policy framework as described below.

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

The Provincial Policy Statement (PPS) came into force and effect on April 30, 2014 and applies to decisions concerning planning matters occurring after this date. The PPS provides broad policy direction on matters of provincial interest related to land use planning and development with respect to building healthy, liveable and safe communities by managing and directing growth to achieve efficient and resilient development and land use patterns. The PPS recognizes that Official Plans are the most important vehicle for implementation of the PPS; however, all Council decisions affecting planning matters “shall be consistent with” the PPS.

The PPS directs growth to settlement areas and promotes efficient development and land use patterns which sustain financial well-being of municipalities over the long term. The plan promotes appropriate densities and a mix of land uses that optimize use of land, infrastructure and public service facilities; promote energy efficiency and minimize negative impacts to air quality and climate change; and support transit and active transportation. The PPS requires that sufficient land be made available through intensification and redevelopment and, if necessary, designated growth areas.

In addition, the PPS directs planning authorities to identify appropriate locations and opportunities for intensification and to promote appropriate development standards to facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety. The PPS directs planning authorities to establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions. The PPS notes that where a provincial target is established through a provincial plan that the provincial target shall represent the minimum target, which in this case is the Growth Plan. The PPS sets out that new development within

designated growth areas shall have a compact form and contain a mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

The PPS recognizes the importance of local context given the diversity of Ontario and that not all policies are applicable to every site and thus some flexibility in policy implementation is offered provided provincial interests are upheld. Further, the PPS identifies Official plans as the vehicle to identify and protect provincial interests and set out appropriate land use designations and policies that direct development to suitable areas. The City's Official Plan provides this policy framework and includes evaluation criteria for intensification proposals.

Planning authorities are to identify appropriate locations and promote opportunities for intensification and redevelopment where it can be accommodated taking into account existing areas and availability of suitable existing or planned infrastructure and public service facilities to accommodate needs. The appropriate locations and opportunities for infill and intensification are identified in the City of Burlington's Official Plan that provide policy framework and includes evaluation criteria for intensification proposals.

The housing policies of the PPS direct planning authorities to provide an appropriate range and mix of housing types and densities to meet the needs of current and future residents of the regional market area. This is to be accommodated by promoting densities for new housing and establishing development standards for new residential intensification and development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety. The City's Official Plan intensification strategy has appropriately considered, planned for and implemented an effective strategy that directs growth towards underutilized or vacant parcels in existing communities and to the City's mixed use centres and intensification corridors which is consistent with the PPS.

Density and a mix of land uses should minimize the length and number of vehicle trips and support current and future use of transit and active transportation and improve connectivity within and among transportation systems and modes and between cross jurisdictional boundaries. New development adjacent to existing or planned corridors and transportation facilities should be compatible with and supportive of the long-term purpose of the corridor.

The PPS sets out how the long term ecological function and biodiversity of natural heritage systems should be protected, maintained, restored and enhanced and, where possible, requires improved recognized linkages between and among natural heritage features, surface water features and ground water features. The policies identify that a watershed approach should be utilized to protect, improve and restore the quality and quantity of water by identifying water resource systems necessary for the ecological and hydrological integrity of the watershed, maintaining linkages and related functions

among ground water features, hydrologic functions, natural heritage features and areas and surface water features and planning for efficient and sustainable use of water resources through practices for water conservation and sustaining water quality.

### Opinion

Staff are of the opinion that the revised proposal is consistent with the policy directives of the PPS. The revised proposal represents an appropriate level of intensification within the urban boundary, efficient use of land and provides for a range and mix of housing types that promote the use of active transportation and transit before other modes of travel. The revised proposal provides for an appropriate density and built form that represents compatible intensification.

The proposed revised development can be supported through use of existing infrastructure and public service facilities and the land is attractive for intensification given the proximity to an existing transit route, cultural and recreational resources, such as Brant Hills Community Centre and Tyandaga Golf Course, parks and recreational trails, such as the Niagara Escarpment and an existing neighbourhood commercial centre. The revised development proposal will provide a range and mix of housing types including semi-detached and townhouse units ranging from bungalow type units to three storey units. The proposed development provides additional housing within the urban boundary that will appeal to a variety of household types given the choice of unit types.

The initial submissions were circulated to all applicable agencies that included the Region of Halton, Conservation Halton, City department staff and other agencies and a coordinated approach was taken with respect to multi-jurisdictional features such as natural heritage system, watersheds and stormwater management that resulted in a revised submission. The revised development proposal protects the extensive natural heritage system and hydrologic functions located within the subject lands.

The initial technical studies submitted in support of the proposed development were reviewed and there were no significant issues identified that would have implications for the proposed intensification. The proposed intensification would contribute towards achieving the City's minimum intensification targets established by the Growth Plan, through the efficient use of land, infrastructure and resources.

Staff are of the opinion that the revised application is consistent with the policy directives of the PPS.

### **2.1.2 A Place to Grow – Growth Plan for the Greater Golden Horseshoe (2019)**

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Growth Plan) came into effect on May 16, 2019 and provides a growth management policy direction for the defined growth plan area. The policies in the Growth Plan intend to build on the progress

that has been made towards the achievement of complete communities that are compact, transit-supportive, and make effective use of investments in infrastructure and public service facilities. They also continue to ensure the protection of our agricultural and natural areas and support climate change mitigation and adaptation as Ontario moves towards the goal of environmentally sustainable communities.

The guiding principles of the plan include prioritizing intensification and higher densities in strategic growth areas to make efficient use of land and infrastructure and support transit viability; supporting a range and mix of housing options to serve all sizes, incomes, and ages of households; and protecting and enhancing natural heritage, hydrologic, and landform systems, features and functions.

The Growth Plan contains population and employment forecasts to plan for and manage growth to the horizon of the Growth Plan (2041). The policies direct the vast majority of growth to settlement areas and more specifically within delineated built-up areas and strategic growth areas where there is an existing or planned transit and public service facility.

The Growth Plan requires municipalities to develop and implement, through their official plans and other supporting documents, a strategy and policies to phase in and achieve allocated intensification and the intensification targets. Policies are to encourage intensification throughout the delineated built-up areas; identify the appropriate type and scale of development in strategic growth areas and transition of built form to adjacent areas; encourage intensification generally throughout the delineated built-up area; and ensure lands are zoned and development is designed in a manner that supports the achievement of complete communities.

The Growth Plan supports the achievement of minimum intensification and density targets by identifying and considering a range and mix of housing options and densities and by planning to diversify overall housing stock across the municipality. Municipalities are to consider the use of available tools to require that multi-unit residential developments incorporate a mix of unit sizes to accommodate a wide range of household sizes and incomes. In addition, municipalities are to maintain at all times land with servicing capacity sufficient to provide at least a three-year supply of residential units. This supply will include, and may exclusively consist of, lands suitably zoned for intensification and redevelopment.

The Growth Plan supports the achievement of minimum allocated density targets through the consideration of a range and mix of housing options and densities and by planning to diversify the overall housing stock across the municipality. Municipalities are to consider the use of available tools to require that multi-unit residential developments incorporate a mix of unit sizes to accommodate a wide range of household sizes and incomes. The Growth Plan notes that density targets are minimum standards and municipalities can go beyond these minimum targets, where appropriate.



Another focus of the Growth Plan is the planning and management of transportation systems that include the movement of people and goods. Transportation systems are to offer a balance of transportation choices to reduce automobile dependence and promote use of public transit and active transportation.

Public transit is to be a priority in transportation planning, and land use will be planned to achieve transit supportive densities and provide a mix of residential, office, institutional, and commercial development. In addition, municipalities are to ensure that active transportation networks provide for safe, comfortable travel for pedestrians, bicyclists and other users. The policies support the development and implementation of transportation demand management policies in Official Plan and other planning documents that reduce trip distance and time, increase alternatives to the automobile, prioritize active transportation, transit and movement of goods.

The Growth Plan also provides for the identification Natural Heritage Systems within Official Plans and the development of policies that will maintain, restore or enhance the diversity and connectivity of the system and its long term ecological or hydrologic functions. In addition, municipalities are also encouraged to develop an open space system that includes opportunities for urban agriculture, rooftop gardens, communal courtyards and public parks.

### Opinion

The Growth Plan defines intensification as the development of a property, site or area at a higher density than currently exists. Staff support intensification of the site as it is located within the urban boundary at a location that is well served by existing transit and pedestrian infrastructure, has adequate servicing capacity and is in close proximity to neighbourhood commercial uses to support the day to day needs of future residents.

The revised proposed development will provide a range and mix of housing types including semi-detached and townhouse units ranging from bungalow type units to three storey units. The proposed development provides additional housing within the urban boundary that will appeal to a variety of household types given the choice of unit types. The surrounding area is comprised of similar housing types that include a mix of semi-detached, townhouse and single detached units with a range of densities making the proposed revised applications compatible with the existing neighbourhood.

The subject lands are located on existing transit route #2, which runs along Brant Street providing access to the Highway 407 Carpool Lot, Burlington GO Station, neighbourhood commercial and public use facilities. The Highway 407 Carpool Lot and Burlington GO Station provide connections to other routes including the Downtown Bus Terminal and other areas of the City. The site is serviced by existing transit will provide for pedestrian connections throughout the development and the surrounding neighbourhood.

The proposed development will also protect, maintain and enhance the extensive natural heritage system and hydrologic functions. The proposed development provides for a centrally located public park and a naturalized park area in addition to protecting the valleylands, woodlands and wetlands within the subject lands.

Staff are of the opinion that the revised development proposal conforms with the policies of the 2019 Growth Plan.

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

The Region's Official Plan (ROP) provides goals, objectives and policies to direct physical development and change in Halton Region. The ROP provides population and intensification targets for all of the local municipalities including the City of Burlington. The ROP identifies that the City is expected to meet a minimum intensification target of 8,300 new dwelling units constructed within the Built Up Area between 2015-2031 (ROP, 56, Table 2). Given recent updates to Provincial policies and plans, the Region is currently undertaking a municipal comprehensive review to bring the Regional Official Plan into conformity with the new policies and plans and it is anticipated that through this conformity exercise the City will be allocated increased population and job distributions to 2041. The subject lands are designated in the ROP as "Urban Area".

The Urban Area is intended to accommodate future growth through increased densities and intensification that is compact and transit supportive in order to reduce the dependence on the automobile and facilitate active transportation. The ROP establishes that the range of permitted uses within the Urban Area will be in accordance with Local Official Plans and Zoning By-laws, however, all development shall be subject to all other relevant policies of the ROP.

Within the Urban Area, the ROP policies support the achievement of densities higher than surrounding areas and mixed uses that support active transportation and ensure the viability of existing and planned transit for everyday activities promoting the development of vibrant and healthy communities. The ROP objectives for intensification areas are to provide an urban form that is complementary to existing developed areas, make efficient use of land and services and promote a diverse and compatible mix of land uses that create a vibrant and pedestrian-oriented urban environment. Brant Street is identified as a Higher Order Transit Corridor in the ROP which is considered an intensification corridor where increased density can be reasonably accommodated.

The ROP supports the provision of an adequate mix and variety of housing to satisfy differing physical, social and economic needs. It further targets that at least 50% of new housing units produced annually within the Region be in the form of townhouses or multi-storey buildings.

All new development in the Urban Area is to be on the basis of connections to Regional Servicing. Regional staff note that there are existing services along Brant Street adjacent to the subject lands and there are no capacity-related servicing concerns at this time.

The Plan outlines the objectives of the Natural Heritage System which includes policies to protect and enhance the diversity of fauna and flora, *ecosystems*, plant communities and significant landforms in Halton, to contribute to a continuous natural open space system, provide continuous corridors and inter-connections between Key Natural Features and their ecological functions, preserve the aesthetic character of natural features and to provide opportunities, where appropriate, for passive outdoor recreational activities.

### Opinion

Staff are of the opinion the proposed applications, as revised, are in keeping with the general intent and objectives of the ROP Urban Area policies by providing an urban form that is complementary to existing developed areas, making efficient use of land and services and providing a variety of housing to satisfy different needs.

Staff have reviewed the revised proposed applications and are satisfied that the development conforms to the Urban Area policies of the ROP and will also be consistent with the PPS and Provincial Growth Plan. Regional staff have no objection to the proposed Official Plan amendment, corresponding Zoning By-law amendment and draft plan of subdivision subject to inclusion of requested draft conditions. Regional staff note that it appears that the Local Official Plan Amendment is exempt from their approval in accordance with Halton Region By-law 17-99.

City staff are of the opinion that the revised applications comply with the ROP.

### **2.1.4 City of Burlington Official Plan (OP) (1994, as amended)**

The City's Official Plan recognizes changes with respect to the future built form within the City. The Plan identifies that to meet the needs of the changing population, a broader mix of residential dwellings in terms of type, size, cost and ownership in a more compact form is required. It also encourages development that is served by various modes of transportation and located in close proximity to jobs, shopping and leisure areas. This direction is designed to maintain the established character of the City's neighbourhoods by directing growth towards underutilized or vacant parcels and to mixed use corridors.

The Official Plan land use vision is to direct growth in a manner that enhances the City's character while providing a broad range of opportunities. It also recognizes the importance of environment and that as the City approaches a mature state, a significant amount of its future growth will be in the form of intensification and redevelopment

within the existing urban boundary. The plan directs population growth towards underutilized or vacant parcels in existing communities and promotes a broader mix of compact housing to meet the needs of the changing population with respect to type, size, cost and ownership. Development is to be served by various modes of transportation and located in closer proximity to jobs, shopping and leisure areas.

The Official Plan promotes sustainable development and the protection of natural heritage features. The policies speak to identifying and protecting natural heritage systems to maintain ecological integrity and function for the future. Development is to be compatible with existing land uses, limited to suitable lands and shall generally be prohibited within natural heritage systems. The City is to work co-operatively with Conservation Halton in this regard. Further, the City will consider all options for the securement of natural heritage features where possible. The development proposal includes the conveyance of the natural heritage system on the property, which is comprised of woodlands, valleylands and wetlands, to the City for permanent protection.

With intensification and redevelopment becoming more prominent, urban design will become increasingly important to integrate new development within the existing urban fabric. The Official Plan design principle states that tangible elements that form the urban landscape, including built form and open space, shall be designed in an efficient, attractive and compact manner to enhance the well-being of residents and reflect the vision of the Official Plan. New development is to preserve natural environmental features, be compatible and sympathetic to existing neighbourhood character, be well served by public transit with well developed pedestrian environments and well designed public realm. Preference will be given to community design containing more compact forms of development that support higher densities, are pedestrian oriented and encourage increased use of transit. The policies outline that the density, form, bulk, height, setbacks, spacing and materials of development are to be compatible with the surrounding area.

### Official Plan Land Use

The City's Official Plan identifies the subject properties on two schedules:

- *Residential Areas* on Schedule A, Settlement Pattern;
- *Residential Low Density* on Schedule B, Comprehensive Land Use Plan – Urban Planning Area.

### ***Residential Areas***

The Residential Areas are identified to provide housing and other land uses that are part of the residential environment. The policies state that housing may take many forms to

provide a broad range of residential uses to satisfy the City's housing requirements and provide for compatibility issues to be suitably addressed.

The Official Plan encourages development within the urban area in accordance with Provincial growth objectives while balancing with other planning considerations such as infrastructure capacity, compatibility and integration with the natural environment, active transportation and housing opportunities in proximity to employment areas.

The policies provide for residential densities ranging up to 25 units per net hectare for low density residential uses, 26 to 50 units per net hectare for medium density residential and between 51 and 185 units per net hectare for high density. Low density uses provide for a mix of housing types including single detached, semi-detached and other forms of ground-oriented housing units, such as townhouse units.

The applicant is proposing to amend the Official Plan designation to "Residential – Medium Density", "Major Parks and Open Space" and "Greenlands" in order to facilitate the proposed townhouse development. The proposed revised development consists of 210 residential units comprised of a mix of semi-detached and townhouse dwelling units. The density of the proposed development is 18.99 units per gross hectare and 41.67 units per net hectare, which excludes 6.02 ha being public roads and widening, public parks, creek blocks and similar public land areas of the entire 11.06 ha site. The net density of 41.67 units per hectare 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 City's intensification strategy provides a balanced approach by targeting specific locations and areas for intensification. Applications to amend the Official Plan to more closely meet the general intent and intensification policies of the Official Plan and Places to Grow may be considered appropriate, dependent on the site specific application. This modified proposal represents intensification of an under utilized, vacant property adjacent to existing residential neighbourhoods. The Official Plan contains criteria that must be assessed when considering proposals for housing intensification.

The Housing Intensification section of the Official Plan provides criteria that are to be considered when evaluating development proposals within established neighbourhoods. The objective of these policies is to encourage residential intensification as a means of

increasing the amount of available housing stock within existing neighbourhoods provided the additional housing is compatible with the scale, urban design and community features of the neighbourhood.

***Intensification Evaluation Criteria***

The City's Official Plan contains thirteen evaluation criteria for intensification proposals (OP, Part III, 2.5.2). The proposed intensification has been assessed against the Housing Intensification criteria as follows:

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

The initial development application was circulated to Halton Region, the City's Capital Works Department and the local school boards for comment. The Region confirmed that there are no capacity-related servicing constraints associated with the proposed development which can be serviced through existing services adjacent to the site along Brant Street.

The two local school boards have advised that they have no objections to the application and that there will be sufficient capacity to accommodate the students generated from the proposed development. Halton District School Board advised that potential students are within the catchment areas for Brant Hills Public School, Paul A. Fisher Public School, Clarksdale Public School and Rolling Meadow Public School and M.M. Robinson High School. Halton Catholic School Board noted that potential students can be accommodated at St. Mark Catholic Elementary School and Notre Dame Catholic Secondary School.

Parks and Open Space staff have advised that the proposed conveyance of parkland is sufficient. There are also a number of other parks within 0.8 km (10 minute walk) of the site, being Fairchild Park, Cavendish Park and Kerncliff Park as well as Tyandaga Golf Course and Brant Hills Community Centre.

As such, there is adequate municipal services, school accommodation and parkland available to accommodate the proposed development.

***ii) Off-street parking is adequate;***

The OP encourages opportunities for Travel Demand Management measures to reduce single occupancy automobile use especially during peak travel periods, such as car-pooling programs, transit passes, etc. and identifies that reduced parking standards are to be evaluated by the City through the development approval process. The proposed development is not requesting any reduction to the parking standards.

The Zoning By-law requires the following parking standards for residential units in Table 1.2.6.

Use	Parking Standard
Semi-detached Dwelling Semi-detached dwellings on a parcel of tied land fronting onto a common element condominium road	1.5 spaces per unit, where 1 space shall be located on the parcel of tied land and 0.5 space per unit for visitor parking shall be located within the common element condominium block which contains the condominium roadway
Street Townhouse Dwelling	2 spaces per unit
Townhouse Dwelling	2 occupant spaces per unit, 0.5 visitor spaces per unit

The Zoning By-law requires that the proposed development have a total of 392 occupant parking spaces and 54 visitor parking spaces for a total of 446 parking spaces. The proposed development, as revised, provides 420 occupant parking spaces and 59 visitor parking spaces for a total of 479 which is 49 parking spaces over the zoning by-law requirement.

Staff supports the parking totals provided as the development is proposing parking totals in excess of the minimum number of required parking spaces as set out by the City's Zoning By-law.

As the revised development proposal meets the zoning by-law requirements, staff are of the opinion that there is adequate occupant and visitor off-street parking spaces provided within the proposed development.

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

The Traffic Impact Study (TIS) reviews intersection operations within the study area to determine the need for any improvements required to accommodate the existing and future traffic demands with the inclusion of the proposed development. The TIS reviews and analyzes existing AM and PM peak hour traffic, develops future traffic volumes and forecasts trips generated by the proposed development. The proposed development will be accessed via opening an unopen municipal road allowance, known as Almonte Drive, between Brant Street and Havendale Boulevard. The TIS concludes that, under future total traffic conditions, the study area street network can accommodate the proposed development and all existing signalized intersections will operate well below capacity.

The TIS identifies the primary access as Almonte Drive from Brant Street; however, notes that some diversion of site traffic to the Brant Street / Havendale Boulevard signalized intersection may occur taking into account delays that may be experienced making a left turn onto Brant Street during peak times. The TIS reviewed and analyzed the projected diversion and concluded that sufficient capacity exists at the future Almonte Drive /Havendale intersection, along Havendale Boulevard (a local collector road) and at the Brant Street / Havendale Boulevard intersection to accommodate the additional diversion volume. The TIS also undertook a signal warrant analysis at the proposed Brant Street /Almonte Drive intersection that concluded that traffic control signals are not technically justified.

The TIS also reviewed refuse collection and fire route considerations and stipulates that all roads (municipal and private) and road intersections have been designed to accommodate the appropriate turning radius required under the Ontario Building Code for a fire route and to satisfy the turning movement requirements of City and/or private solid waste refuse collection vehicles.

City and Regional Transportation Services staff have reviewed the initial application and the submitted Traffic Impact Study and Traffic Study Memorandum and are satisfied with the analysis, conclusions and recommendations of the study concluding that the surrounding street network has adequate capacity to accommodate additional traffic demands associated with this development. Regional staff noted that the Brant Street intersection will be reviewed and assessed as part of any Brant Street Capital works project or through a Municipal Environmental Compliance Approval (MECA) process for Brant Street that may result in full access at this intersection being physically restricted in the future.

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

The subject lands are located adjacent to transit route #2, which provides weekday and weekend transit service. The route runs along Brant Street providing access to the Highway 407 Carpool Lot, Burlington GO Station, neighbourhood commercial and public use facilities. Other transit routes are available through connections made at the Carpool Lot or Burlington GO Station which provides access to the Downtown Bus Terminal and other areas of the City. Brant Street is identified in the Official Plan as a Primary Bus Service route within the Long Term Transit Service Network which is anticipated to have increased peak period bus service frequencies in the long term. As such, staff feel the site is well serviced by existing transit.

Pedestrian access is provided via sidewalks located on both sides of Almonte Drive, Brant Street, Havendale Boulevard and one side of private condominium streets.



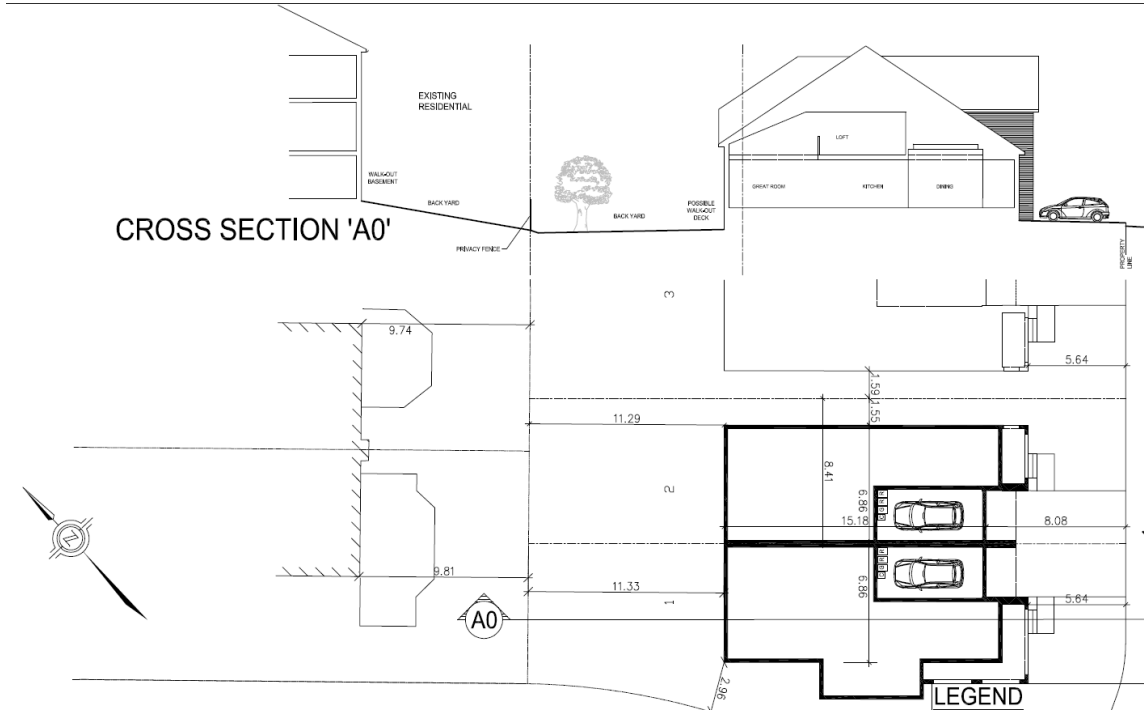
**v) Compatibility is achieved with the existing neighbourhood character in terms of scale, massing, height, siting, setbacks, coverage, parking and amenity area so that a transition between existing and proposed buildings is provided;**

The Official Plan defines compatibility as “development or redevelopment that is capable of co-existing in harmony with, and that will not have an undue physical (including form) or functional adverse impact of, 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.” Although this definition has been deferred, it helps guide staff in reviewing applications with respect to compatibility given it is similar to other definitions established through Local Planning Appeal Tribunal decisions, such as *Motisi v. Bernardi* 1987 CarswellOnt 3719:

Being compatible with is not the same thing as being the same as. Being compatible with is not even the same thing as being similar to. Being similar to implies having a resemblance to another thing; they are like one another, but not completely identical. Being compatible with implies nothing more than being capable of existing together in harmony.

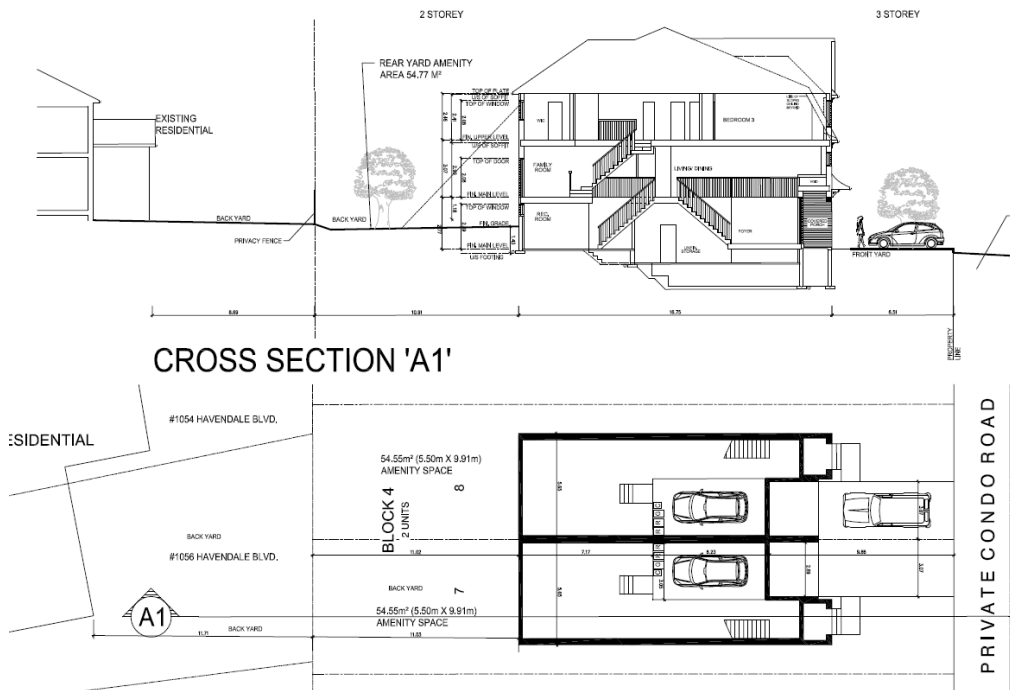
The goal is to create a development that is in harmony and responsive to the existing surrounding area. The subject lands are located on a major arterial road being Brant Street with the lands adjacent to the north and south of the developable area of the subject lands designated as Residential - Medium Density in the Official Plan with the exception of two residential building lots west of the proposed Almonte Drive that are designated Residential-Low Density.

The proposed development, as revised, has incorporated similar housing typologies, setbacks and heights to integrate well with the existing built form adjacent to the north and south of the property. This is reflected through the provision of semi-detached dwellings along the north property line backing onto the existing semi-detached dwellings located on Havendale Boulevard and Silwell Court and townhouse dwelling units backing onto the condominium townhouse complex to the south. To minimize the impact of the development, the revised applications are proposing similar housing types, rear yard setbacks to units and heights as reflected in the cross-sections provided for the north and south property lines (Cross Sections “A0 – A1” being located closer to Almonte Drive cutting through lots with residential semi-detached dwelling fronting on Havendale Boulevard; “A2 – A4” being located through the lots fronting Silwell Court; “A5” on the west side of Almonte Drive cutting through lots with single detached dwellings fronting on Havendale Boulevard; and “A6” being through the townhouse condominium development along the southerly property line).



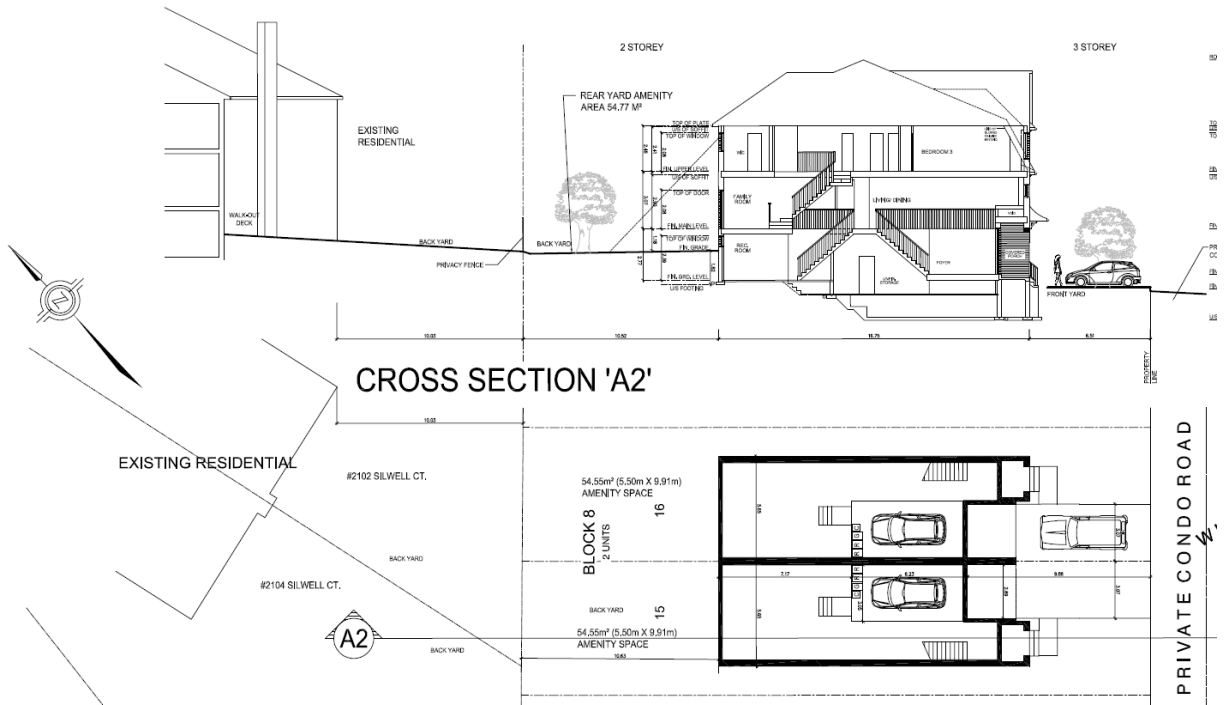
**North Cross-Section 'A0' of Semi-Detached Bungalow Loft Dwelling Units**

(Note: existing dwelling fronting Havendale on left and proposed dwelling fronting the proposed private condominium road on the right)



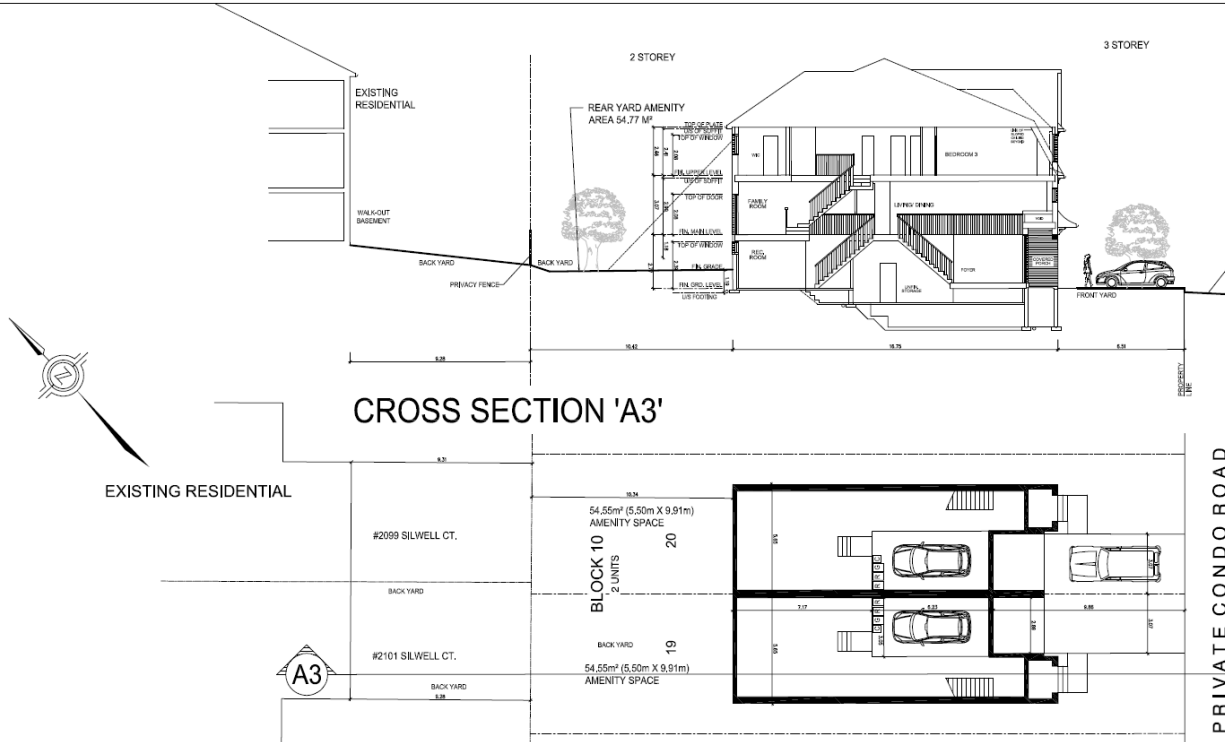
**North Cross-Section 'A1' of Semi-Detached Dwelling Units**

(Note: existing dwellings fronting Havendale Blvd. on the left and proposed dwellings fronting the proposed private condominium road on the right)



**North Cross-Section 'A2' of Semi-Detached Dwelling Units**

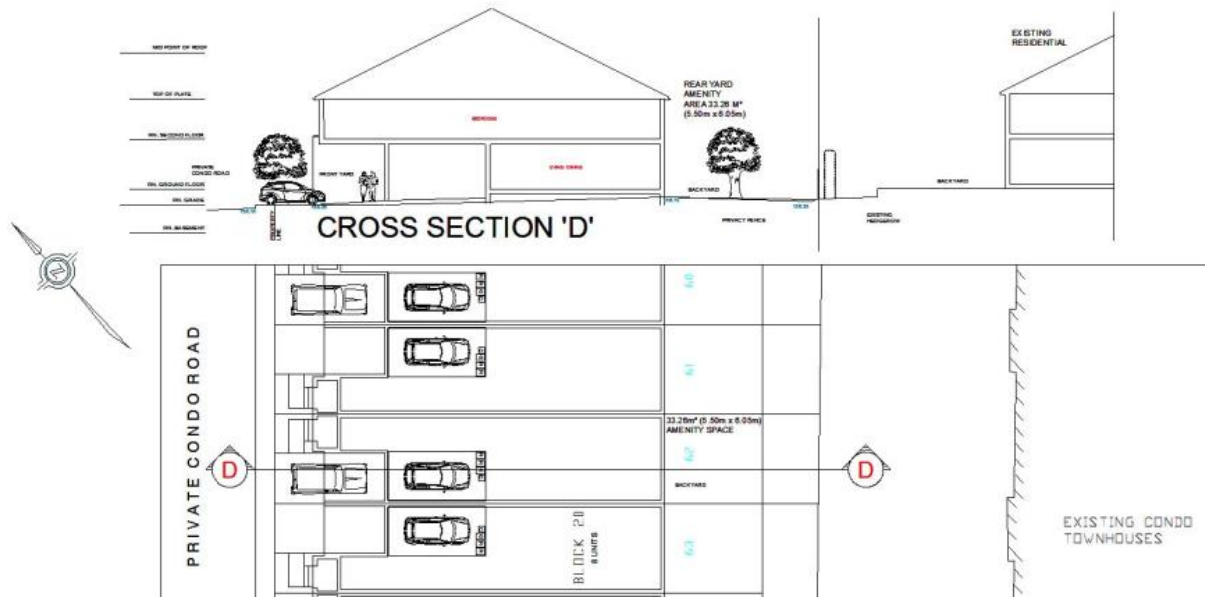
(Note: existing dwellings fronting Silwell Crt. on the left and proposed dwellings fronting the proposed private condominium road on the right)



**North Cross-Section 'A3' of Semi-Detached Dwelling Units**

(Note: existing dwellings fronting Silwell Crt. on the left and proposed dwellings fronting the proposed private condominium road on the right)





### **South Cross-Section 'D' of Townhouse Dwelling Units**

(Note: proposed dwellings fronting private condominium road on the left existing Wellington Green condominium townhouse units on the right)

Scale refers to the size or massing of a building in its setting in comparison with the size of massing of adjacent buildings. The proposed development, as revised, is consistent and comparable with the adjacent existing built form and can be considered an appropriate scale as reflected in the Cross-Sections above. The massing and height of the buildings is comparable to the surrounding area with the majority of the proposed buildings similar to the built form, including walkout basements, found throughout the surrounding neighbourhood given the extensive change in grades throughout the area. Some of the proposed buildings transition from 2-3 storeys either front to back or back to front dependent on grades. A number of the proposed units intend on having front walkouts versus rear walkouts. Rear walkouts can be found throughout the neighbourhood and the adjacent units on Silwell Court as a result of the topography found throughout the neighbourhood, sloping from north to south.



**Intersection of Havendale Boulevard and Abbey Court**

The units are sited appropriately with generous setbacks from the exterior lot lines to the north and south adjacent to existing development. The semi-detached dwelling unit rear yard setbacks along the northerly property line range from a minimum of 10.04m to 11.29m. The townhouse dwelling units rear yard setbacks along the southerly property line range from 9.11 m to 10.19m. The southerly property line side yard setbacks range from 1.57m from the townhouse block fronting on Brant Street (adjacent to the Wellington Green condominium underground parking access) to 7.96m for the townhouse block adjacent the Wellington Green condominium townhouses. The siting of the revised built form, as proposed, would be comparable with rear yard setbacks existing in the neighbourhood.

The development provides adequate outdoor amenity areas located in the rear yards of each of the parcels of tied land and freehold street townhouse units with the exception of the units fronting onto Brant Street which have a rear yard deck. In addition, the subdivision is providing a centrally located neighbourhood park and protection of the natural heritage system and open space located on the subject lands.

The proposed development is providing more than the required amount of occupant and visitor parking for the residential uses in accordance with the City Zoning By-law. Transportation staff agreed with the conclusions of the Transportation Impact Study that found the site will be providing adequate parking on-site to support the development.

Using the City's definition of compatibility, staff are of the opinion that the proposed development, as revised, is compatible and sympathetic with the local area context in terms of scale, massing, height, siting, setbacks to existing neighbourhoods, coverage, parking and amenity area. The proposed built form is capable of co-existing in harmony with the surrounding area and the proposed development will be able to appropriately mitigate any physical and / or functional adverse impacts on existing development in the area, as discussed further in this report.

***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;***

There are two City trees located along Brant Street that would be impacted by the proposed development, and as such, are proposed to be removed. Pursuant to Tree By-law 68-2013, Council approval is required to remove trees located on City property. Staff have provided comments to the applicant with respect to the landscape plan that would be required as a condition of draft plan approval. City staff are supportive of the applicant's request to remove the City trees subject to compensation being provided by replanting trees within the City's boulevard and/or providing cash-in-lieu where the opportunity for replanting is not available. The total value of compensation shall be \$3,900.

A Tree Preservation Plan, Landscaping Plan and associated revisions were submitted with the applications that indicate the preservation of as many trees as possible during construction. Additional trees will be provided along the municipal right-of-way and condominium roads as required as a condition of draft plan of subdivision approval and additional landscaping will be reviewed at future site plan control applications. The condition of draft approval requires that the developer submit detailed street and streetscaping design plans to ensure adequate street trees are provided and that sufficient soil volumes for proposed tree planting areas are provided.

Staff are satisfied that the effects on existing vegetation are minimized and appropriate compensation is provided to assist in maintaining neighbourhood character.

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

The applicants submitted a Shadow Impact assessment for the original development proposal to determine impact on adjacent properties. The assessments were undertaken to assess shadowing impacts into early evening and during the winter months. The assessment concludes that given the orientation of the site, there is virtually no shadowing resulting from the proposed development over and above the subject site's existing height permissions. It concludes that any shadowing is incremental dependent on time of year and can be considered reasonable.

On March 21<sup>st</sup>, shadows appear to affect the outdoor amenity area of the residential properties along the northerly property line in the morning with all shadowing eliminated by 12:30 pm. Shading also appears to affect the westerly edge of the park in the late afternoon, however, it is not anticipated that the shadow impact will hinder the viability or enjoyment of the park during the spring or fall equinoxes. Shadows also appear to affect the outdoor amenity area of the residential properties along the southerly property line after 5:00 pm. It is noted that the shading from the existing cedar hedge, approximately 3.5 m high, and trees located along the property line appear to impact the adjacent properties prior to shading from the proposed two storey dwelling units.

On June 21<sup>st</sup>, there are no shading impacts on the properties adjacent to the northerly property line. Shadows impact the public park late afternoon along the westerly and northerly edges, but the majority of the park is not affected by any shading. Shadows appear to impact the properties located along the southerly property line between 5:00 pm and 6:00 pm. As previously noted shading of the rear yard amenity area of these properties occurs from the existing cedar hedge prior to shading occurring as a result of the proposed two storey dwelling units.

On December 21<sup>st</sup>, shadowing occurs along the northerly property line in the morning and along the southerly property line in the late afternoon after 4:00 pm. The shadow

extends over the park after 3:30 pm which still provides in excess of 5 hours of sunlight over the majority of the park.

Shadowing does occur during the spring and fall equinoxes but moves so that it only affects areas for a few hours dependent on the area. Shadow impacts are not anticipated to adversely impact the viability or enjoyment of neighbouring residential, parks or open spaces given that these areas are utilized primarily during the summer months and there are no shadow impacts occurring during this time until after late afternoon along the southerly property line.

Staff are of the opinion that shadowing on adjacent properties is at an acceptable level as during summer months when outdoor amenity areas are extensively utilized; shadowing does not occur until late afternoon and does not block skyviews.

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

The proposed development is within walking distance to three shopping plazas being Upper Brant Plaza, Duncaster Plaza and Tyandaga Plaza that provide a variety of commercial, retail and office uses to meet day to day needs of residents including a grocery store, financial institutions, professional/medical offices and pharmacies. There are also a number of community and recreational facilities in close proximity to the subject lands including Brant Hills Community Centre, Tyandaga Golf Course, trails connecting to the Niagara Escarpment and Bruce Trail, city parks, churches and schools. The above noted community facilities and shopping centres are all located within an approximate 800 m radius (10 minute walk) of the subject lands.

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

The proposed development provides adequate setbacks from the exterior and internal property lines to provide adequate amenity areas, landscaping and buffering between proposed building units and the adjacent properties, including the natural heritage system. As a condition of approval, fencing is required around the developable area and the adjacent properties. The proposed development would be required to install wood fencing along the north and south property lines and a black chain link fence adjacent to the natural heritage system. The fencing in conjunction with the proposed setbacks will help minimize any perceived impacts of the proposed development. The landscape design will be further refined during the site plan process and will determine the details with respect to green space, decorative hard surfacing and landscape plantings within the buffers and to the natural heritage system. Plantings within the natural heritage system buffer are required to be native non-invasive species.



The conceptual site plan, as revised, also identifies potential areas for snow storage within the common element areas of the future condominium blocks. In addition to the provided snow storage sites, private snow removal may be utilized, if necessary, in the occurrence of a large winter storm event. These details will be refined and subject to further approvals through the subsequent site plan process.

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

This is an intensification development of a vacant and underutilized parcel of land between two existing neighbourhoods and a golf course. There are no re-development proposals anticipated for the adjacent properties and as such no adjacent properties will be compromised as a result of the proposed development.

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

The subject lands are 11.06 ha in area with 4.97 ha being natural features and open space located on the westerly half of the property. These natural features which include valley lands, significant woodlands, wetlands, a 10 metre buffer and naturalized tablelands are being protected through the official plan amendment, zoning by-law amendment and draft plan conditions. In addition, these lands will be secured through conveyance to the City of Burlington.

An Archaeological Assessment was completed for the developable area of the property and the Ministry of Tourism, Culture and Sport provided a letter that the ministry is satisfied with the report and that it has been entered into the Ontario Public Register of Archaeological Reports.

As such, the natural and cultural heritage features as well as natural hazards will be protected on the subject lands.

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

The regulatory floodplain and valleylands associated with Upper Rambo Creek including a conservation setback from top of bank have been incorporated into the development proposal by conveying them to a public authority. The area is being protected through the designation being amended from "low density residential" to "greenlands" and the area currently zoned "open space" is being expanded to prohibit development and protect the associated ecologic and floodplain functions. An additional 10 metre buffer beyond the extent of the natural features and/or top of bank has been included within this block. The 10 metre buffer is required to utilize naturalization plantings in

accordance with Conservation Halton Landscaping Guidelines. To ensure the natural features, valleylands, woodlands and wetlands, are protected in perpetuity, this block will be required to be conveyed to the City as a condition of draft plan approval.

These lands would be conveyed over and above the lands required for parkland dedication and has not been included as part of the parkland dedication calculation.

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

The subject policies have been considered not applicable because the proposed development being 210 townhouse and semi-detached residential units that are ground oriented housing. This criterion is not applicable.

#### Urban Design

The City of Burlington is committed to a high standard of design and architecture which is becoming increasingly important as the City continues to evolve. The design of the built environment should strengthen and enhance the character of the surrounding neighbourhoods. Intensification within existing neighbourhoods is to be designed to be compatible and sympathetic to the neighbourhood character. High quality of design must also consider interaction with the public realm encouraging opportunities to enhance and improve the quality of the public realm.

The proposed development utilizes urban design as a method of ensuring compatibility with the surrounding developments. The ground-related built form provides a compatible interface with the adjacent single detached, semi-detached and townhouse built form. The proposed buildings incorporate suitable massing, setbacks and spacing to facilitate a desirable transition with the surrounding community. The revised proposal also incorporates bungalow semi-detached dwellings at the north-west corner of the site to further enhance compatibility with existing detached and semi-detached dwellings with respect to height, massing and setbacks.

The conceptual elevations reflect the traditional architectural style of the surrounding neighbourhood and reflect natural cladding materials such as brick and stone. Colours, materials and textures can be utilized to further integrate the new neighbourhood with the existing neighbourhoods. The units fronting on Brant Street have been designed as through lots so that the three storey units create a strong urban edge and enhance the pedestrian realm.

A network of sidewalks will reinforce a pedestrian-oriented neighbourhood with multiple linkage opportunities to the existing sidewalk network surrounding the proposed development. The proposed street network is based on a modified grid pattern to allow for permeability and interconnections that support active transportation. The proposal will provide a consistent streetscape and public realm design to help define the character of the neighbourhood.

### Opinion

Staff are of the opinion that the proposed development is consistent with the policies and intent of the Official Plan. The proposed development, as revised, encourages development that is served by various modes of transportation and is located in close proximity to jobs, shopping and recreation areas. The proposal is providing the development of a mix of residential unit types at an appropriate density within the urban boundary on an underutilized and vacant parcel that provides for efficient use of land, infrastructure and services. The natural features of the property will be conveyed to the City and redesignated to protect the associated woodlands, valleylands, wetlands and naturalized tablelands.

The revised proposal is compatible with adjacent building typologies, scale, massing, setbacks and building heights and provides an appropriate transition between the proposed development and the existing neighbourhood. It is also supplying adequate off-street parking and there is existing public transit located along Brant Street. The proposed development has access to local collector and major arterial roads and that can be accommodated by the existing road network surrounding the development. As well, there are community services and neighbourhood shopping centres located within close walking distance to the subject lands.

### **2.1.5 Burlington's New Official Plan (adopted April 2018)**

The City's New Official Plan was adopted by Council on April 27, 2018 and has been developed to reflect the opportunities and challenges facing the City as it continues to evolve. Halton Region has identified areas of non-conformity, and as such, the adopted Official Plan will be subject to additional review and revision prior to its approval. Further, City Council has directed a staff review and public engagement process to consider potential modifications, As a result, no weight is placed on the policies of the adopted Official Plan in the review of these applications at this time.

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

The subject lands are currently zoned 'R2.2' Residential Low Density, which permits single detached dwelling units. The proposed zoning by-law amendment would amend the zone category for the developable area of this property to 'RM3' with site specific exceptions to permit semi-detached, street townhouse and townhouse units and zone

requirements that allow for efficient use of the lands. An overview of the existing and proposed zoning requirements have been broken down and provided in the table below.

<b>Zone Requirements for Townhouses / Semis</b>					
<b>Zone Regulation</b>	<b>Townhouse Zone Requirements</b>	<b>Block 14 Proposed</b>	<b>Block 15 Proposed</b>	<b>Block 16 Proposed</b>	<b>Comment</b>
<i>Lot Area</i>	0.4 ha	0.53 ha	1.58 ha	1.35 ha	No changes required
<i>Lot Width</i>	45 m	15.69 m	54.89 m	86.95 m	Staff support the reduction to the lot width of Block 14 given the configuration of the block to allow for efficient use of the lands
<i>Front Yard</i>	7.5 m	10.75 m (Almonte Dr)	5.0 m (Brant St)	5.0 m (Brant St)	Staff support the reduction to front yard setback for Block 15 and 16 as visually the setback will appear to be in keeping with the existing setbacks along Brant Street to the south of the proposed development and given the boulevard width to the sidewalk.
<i>Rear Yard</i>	9 m	6.0 m, (2.09 m corners of southerly townhouse block)	2.78 m (Almonte Dr)	8.0 m	Staff support the reduction to the rear yard setbacks as they are in effect adjacent to the natural heritage system or are visually a street side yard.
<i>Side Yard</i>	4.5 m	6.13 m	5.24 m (southerly) 10 m (northerly-to rear yard of Havendale lots)	7.9 m (southerly- to rear yard of adjacent townhouse) 6.0 m (northerly)	No changes are required.  In most cases these setbacks adjacent to and similar to rear yard setbacks.
<i>Street Side Yard</i>	6 m	N/A	3.0 m	3.0 m	Staff support the reduction to the street side yard for the townhouse units fronting Brant Street as visually similar to the building facade setbacks on Almonte Drive
<i>Yard abutting R1, R2, R3 (EMS property)</i>	9 m	N/A	1.8 m	N/A	Staff support the reduction as it is a side yard setback to the R1, R2, R3 as the reduction is not to a residential use but the EMS station.

<b>Zoning Requirements for Condominium Townhouse / Semi Units</b>			
<b>Parcel of Tied Land (POTL) Zone Regulation</b>	<b>POTL Zone Requirement</b>	<b>Proposed POTL Zoning</b>	<b>Comment</b>
Front Yard	3 m	3 m	No change required
Side Yard	1.2 m	1.5 m	No change required
Yard abutting a public street	3 m	2.5 m	Staff support the reduction as it is a minor reduction and applies to the semi-detached dwelling adjacent Almonte Drive where the boulevard width increases. The reduction will not impact the street functionally or visually.
Rear Yard	6 m	3 m	Staff support the reduction for the units fronting onto Brant Street which have a dual frontage and is consistent with the POTL front yard requirement.
Driveway Length	6.7 m	6.7 m	No change required

<b>Zoning Requirements for Street Townhouse / Semi Units</b>			
<b>Zone Regulation</b>	<b>Street Townhouse Zone Requirement</b>	<b>Street Townhouse Proposed Zoning</b>	<b>Comment</b>
Lot Width	6.8 m	5.5 m (Int) 7.2 m (End)	Staff support the reduction in lot width for the interior lots to maintain a consistent built form with the condominium townhouse units
Lot Area	200 m <sup>2</sup>	165 m <sup>2</sup> (Int) 215 m <sup>2</sup> (End)	Staff support the reduction in lot width for the interior lots to maintain a consistent built form with the condominium townhouse units and for the end units adjacent to Almonte Drive daylight triangle. The lot area still provides for adequate ground level rear yard amenity areas.
	Blocks fronting Brant Street	131 m <sup>2</sup> (Int) 156 m <sup>2</sup> (End)	Staff support the smaller lot areas for these units that are impacted by a large daylight triangle and result in a different floor plan within these areas.
Front Yard	6m	5.0 m	Staff support the 1 metre reduction to the setback as it provides adequate space for access and landscaping
Rear Yard	9m	7.0 m	Staff support the reductions as they provide adequate separation between units and amenity area
Side Yard	1.2 m	1.5 m	No change required
Street Side Yard	4m	3.0 m	Staff support the 1 metre reduction for the end units as there is adequate area for landscaping and to provide vehicular and pedestrian visibility
Yard abutting a creek block	7.5 m	7.5 m	No change required.
Yard abutting R1, R2, R3	None required	11.2 m	Staff support the addition of this requirement to ensure adequate separation from adjacent existing single detached dwellings fronting onto Havendale Blvd.
Building Height	2 storeys	3 storeys	Staff support the increase in height given the changes in grade throughout the site; some units will have front walkouts that are considered 3 storeys in the ZBL although they would be 2 storeys in height at the rear of the unit.

The proposed development, as revised, provides for a hybrid type of development that includes a variety of housing typologies and tenures that were not originally anticipated.

The majority of the semi-detached dwelling units are located within Block #15 and are considered parcels of tied land as they will be part of the future plan of condominium. The lot width and lot areas of these are less than what is required for semi-detached dwellings in the zoning by-law; however, staff note that the zoning by-law assumes the semi-detached units are freehold units fronting on a public road. Staff supports the reductions as the semi-detached units located within Block #15 are on a private road and provide adequate living area and outdoor amenity area and provide consistent side yard setbacks with other units located within the same block. The front and rear yard setbacks meet or exceed the requirement for semi-detached dwelling units with a minimum rear yard setback of 10 m that is similar to rear yard setbacks of the adjacent semi-detached dwelling units located on Havendale Boulevard and Silwell Court.

The Zoning By-law requirements for net density for townhouse developments within an RM2 (townhouse) zone is a maximum of 40 units per hectare, an RM5 (street townhouse) is a minimum of 25 units per hectare and a RM1 (semi-detached) has no requirement. The proposed development, as revised, contains a mix of unit types (townhouse, street townhouse and semi-detached dwelling units) which is not conducive of a single zone requirement. Staff propose that the enacting zoning by-law amendment rezone the entire developable area (excluding parks and open space) to RM3 which permits all of the proposed dwelling unit types with site specific requirements for each block and dwelling unit type. The proposed overall maximum net density of 42 units per hectare is marginally more than the zoning by-law requirement of 40 units per hectare for townhouse units. Amenity area is only required in the Zoning By-law for townhouse units at 25 m<sup>2</sup>/bedroom. The proposed development would provide a minimum amenity area from 33 m<sup>2</sup> that is located at grade in the rear yards. Most of the proposed units provide in excess of the minimum, and given the proximity to parkland and open space the overall proposed development provides sufficient useable amenity areas.

### **3.0 Technical Reviews**

The 2018 proposal, included as part of the 2018 Settlement Offer, was circulated to internal departments and external agencies for review. Written responses to the technical circulation were received from Halton Region, Conservation Halton, Halton District School Board, Halton Catholic District School Board, Burlington Hydro, Bell Canada, Union Gas and the City's Transportation Department, Capital Works Department, Burlington Economic Development Corporation and the Sustainable Development Committee. No objections were identified by these agencies.

### **4.0 Conclusion**

The revised applications have been reviewed in accordance with applicable Provincial, Regional, and Municipal planning policies and staff are of the opinion that the revised proposal is consistent with these documents and represents an appropriate level of

intensification, efficient use of land and provides a range and mix of housing types that promote the use of active transportation and transit.

The proposal, as revised, will provide a mix of residential unit types at an appropriate density within the urban boundary on an underutilized and vacant parcel that provides for efficient use of land, infrastructure and services. The revised proposal is compatible with adjacent building typologies, scale, massing, setbacks and building heights. The revised proposal also provides an appropriate transition between the proposed development and the existing neighbourhood to the north and south which are designated as Residential - Medium Density within the Official Plan (with the exception of two residential lots located to the west of the proposed Almonte Drive that are designated Residential-Low Density).

The revised proposal is not requesting any changes to the number of required parking spaces and is providing sufficient off-street parking in keeping with the Zoning By-law requirements. The proposed development has access to both a local collector road being Havendale Boulevard and a major arterial road being Brant Street. The Transportation Study concluded both streets could accommodate the additional traffic associated with the proposed development. There is also existing public transit located along Brant Street and community services and neighbourhood shopping centres located within close walking distance to the subject lands.

Staff are satisfied that the applicant has made appropriate modifications to reduce the overall impact of the development on the neighbouring properties. The revised applications are consistent with the Provincial Policy Statement, conform to all applicable Provincial Plans, The Region of Halton Official Plan and the City of Burlington Official Plan and have regard for matters of Provincial interest. The applications, as revised, can be considered compatible with surrounding land uses, satisfy the technical and servicing requirements of the affected City Departments and external agencies and represent good planning for the reasons identified in this report.

As such, Staff are satisfied with proceeding by way of a Settlement Hearing before the Local Planning Appeals Tribunal for the revised proposal.

Respectfully submitted,

Kyle Plas, MCIP, RPP

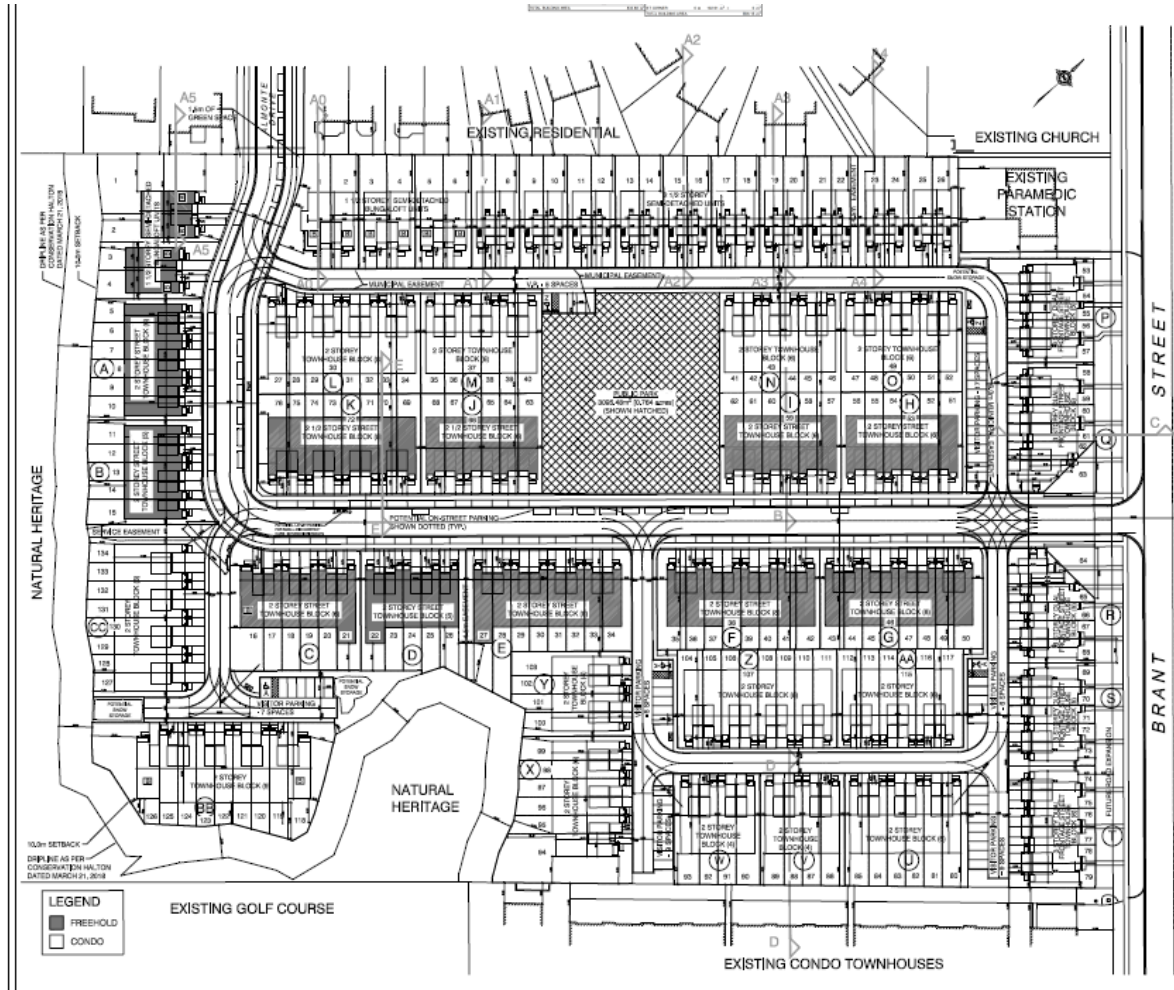
Coordinator of Development Review

## **Appendices**

**A – Revised Detailed Site Plan Concept**

**B - Revised Draft Plan of Subdivision**

**Appendix A - Revised Detailed Site Plan Concept**



SITE STATISTICS	
<b>SITE AREA &amp; DENSITY</b>	
CROSS SITE AREA	= 11.06HA = 27.33 ACRES
WEST PARK WOODLOT & 10M BUFFER	= 4.92HA = 12.28 ACRES
EAST PUBLIC PARK	= 0.309HA = 0.76 ACRES
ROADWAY	= 0.94HA = 2.35 ACRES
ROAD WIDENING	= 0.10HA = 0.25 ACRES
NET SITE AREA	= 5.04HA = 12.46 ACRES
STREET TOWNS	= 1.43HA = 3.51 ACRES
SEMS, TOWNS & D.F. TOWNS	= 2.90HA = 7.17 ACRES
DENSITY (GROSS)	= 18.99 UNITS/HA = 7.68 UNITS/ACRE
DENSITY (NET)	= 41.67 UNITS/HA = 16.85 UNITS/ACRE
<b>AREAS &amp; COVERAGE (NET AREA)</b>	
ROAD AREA (PUBLIC)	= 6,476.61 m <sup>2</sup> = 10.81 %
BUILDING COVERAGE	= 21,790.96 m <sup>2</sup> = 36.37 %
LANDSCAPED AREA	= 18,032.93 m <sup>2</sup> = 30.10 %
PUBLIC PARK AREA	= 3,095.48 m <sup>2</sup> = 5.16 %
<b>MINIMUM DIMENSIONS USED</b>	
REAR YARD DEPTH	= 6.0m
DRIVEWAY	= 3.0m WIDTH, 6.7m DEPTH
BETWEEN BUILDINGS	= 3.0m
SEAWALK WIDTH	= 1.2m (CONDO) 1.5m (PUBLIC)
PUBLIC ROAD WIDTH	= 17.0m R.O.W.
CONDO ROAD WIDTH	= 6.0m
<b>MINIMUM SPACING</b>	
MINIMUM PARKING SPACE	= 2.75m X 6.0m
<b>BARRIER FREE SPACES</b>	
ADA TYPE A (FOR LARGER VEHICLES)	= 3.4m X 6.0m + 2.0M ABL (NOTED AS 'A' ON PLAN)
ZONING SPEC (SMALLER MIN ADA TYPE B)	= 2.75 X 6.0 + 2.0M ABL (NOTED AS 'B' ON PLAN)
<b>PARKING REQUIRED = 0.5/UNIT = 0.5 X 107 = 54 SPACES</b>	
<b>PARKING PROVIDED = 66 SPACES (INCL 8 BARRIER-FREE)</b>	
<b>POTENTIAL ON-STREET LAY-BY PARKING = 25 SPACES AS SHOWN</b>	
<b>POTENTIAL ADDITIONAL ON-STREET LAY-BY PARKING FOR SMALL AND COMPACT VEHICLES ONLY = 8 SPACES (BETWEEN DRIVEWAYS)</b>	
<b>SEMI-DETACHED UNITS (20)</b>	
TYPICAL UNIT	= 6.88m x 13.18m - 1 1/2 STOREYS TALL
TYPICAL UNIT	= 5.85m x 13.4m - 2 1/2 STOREYS TALL
<b>TOWNHOUSE UNITS (46)</b>	
CT INTERIOR UNIT	= 5.30m x 17.2m - 2 STOREYS TALL
CT END UNIT	= 5.85m x 17.2m - 2 STOREYS TALL
CT CORNER UNIT	= 5.85m x 17.2m - 2 STOREYS TALL
CT BUNGALOW W/ LOFT	= 6.88m x 16.18m - 2 STOREYS TALL
<b>STREET TOWNHOUSE UNITS (72)</b>	
ST INTERIOR UNIT	= 5.30m x 16.2m - 2 STOREYS TALL
ST END UNIT	= 5.85m x 16.2m - 2 STOREYS TALL
ST CORNER UNIT	= 5.85m x 16.2m - 2 STOREYS TALL
ST WIDENED END UNIT	= 6.88m x 16.18m - 2 STOREYS TALL
ST CORNER UNIT	= 5.85m x 16.2m - 2 STOREYS TALL
ST CORNER UNIT	= 5.85m x 16.2m - 2 STOREYS TALL
ST GRD. MASTER UNIT	= 5.65m x 21.05m - 2 STOREYS TALL
ST BUNGALOW W/ LOFT	= 6.88m x 16.2m - 2 STOREYS TALL
<b>DUAL FRONTAGE STREET TOWNHOUSE UNITS (72)</b>	
DF INTERIOR UNIT	= 5.30m x 14.9m - 3 STOREYS TALL
DF END UNIT	= 5.85m x 14.9m - 3 STOREYS TALL
DF CORNER UNIT	= 5.85m x 14.9m - 3 STOREYS TALL
<b>AMENITY AREA - ALL UNITS = 7.0m (ABOVE DRIVEWAY)</b>	
<b>TOTAL UNITS (210)</b>	

**WITHOUT PREJUDICE - FOR DISCUSSION PURPOSES ONLY**



**Appendix B - Revised Draft Plan of Subdivision Concept**

