



**SUBJECT: Statutory Public Meeting for an Official Plan and Zoning By-law Amendment and Plan of Subdivision for 2155 Country Club Drive & 4274 Dundas Street**

**TO: Community Planning, Regulation & Mobility Cttee.**

**FROM: Community Planning Department**

Report Number: PL-21-12

Wards Affected: 6

File Numbers: 510-07/20, 520-07/20 & 510-02/20 (24T-20002/B)

Date to Committee: March 2, 2021

Date to Council: March 23, 2021

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**Recommendation:**

Direct staff to continue to process and work with the applicant (Glenn Wellings Planning Consultants Inc. on behalf of Millcroft Greens Corporation) with regards to the submitted Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision for 2155 Country Club Drive & 4274 Dundas Street.

**PURPOSE:**

The purpose of this report is to provide background information for a Statutory Public Meeting and to seek direction from Council to continue processing the applications and working with the applicants in an effort to bring forward a subsequent recommendation report.

**Vision to Focus Alignment:**

The subject application relates to the following focus areas of the 2018-2022 Burlington's Plan: From Vision to Focus:

- Increase economic prosperity and community responsive city growth
- Improve integrated city mobility
- Support sustainable infrastructure and a resilient environment
- Building more citizen engagement, community health and culture

**Executive Summary:**

<b>RECOMMENDATION:</b>		Continue to work with applicants	<b>Ward:</b>	6
<b>Application Details</b>	<b>APPLICANT:</b>	Wellings Planning Consultants Inc.		
	<b>OWNER:</b>	Millcroft Greens Corporation		
	<b>FILE NUMBERS:</b>	510-07/20, 520-07/20 & 505-02/20 (24T-20002/B)		
	<b>TYPE OF APPLICATION:</b>	Official Plan Amendment, Rezoning & Plan of Subdivision		
	<b>PROPOSED USE:</b>	Redevelopment of five areas of an existing golf course with detached dwellings (Areas A-D), and a 6-storey mid-rise apartment building (Area E)		
<b>Property Details</b>	<b>PROPERTY LOCATION:</b>	South of Dundas Street, east of Appleby Line, west of Berwick Drive, north of Upper Middle Road		
	<b>MUNICIPAL ADDRESSES:</b>	2155 Country Club Drive & 4274 Dundas Street		
	<b>PROPERTY AREA:</b>	12.4 ha		
	<b>EXISTING USE:</b>	Private Golf Course		
<b>Documents</b>	<b>OFFICIAL PLAN Existing:</b>	Areas A-D: Major Parks and Open Space; Area E: Residential-Medium Density		
	<b>OFFICIAL PLAN Proposed:</b>	Areas A-D: Residential-Low Density; Area E: Residential-High Density		
	<b>ZONING Existing:</b>	All Areas: Open Space (O1)		
	<b>ZONING Proposed:</b>	Areas A-D: Low-Density Residential with site-specific exception (R3.2-XXX) Area E: High-Density Residential with site specific exception (RH3-XXX).		
<b>Processing Details</b>	<b>APPLICATION RECEIVED:</b>	December 18, 2020		
	<b>STATUTORY DEADLINE:</b>	April 17, 2021 (120 days)		
	<b>COMMUNITY MEETING:</b>	September 21, 2020		
	<b>PUBLIC COMMENTS:</b>	Over 200 written comments received		

## Background and Discussion:

On December 23, 2020, the Community Planning Department acknowledged that complete applications had been received as of December 18, 2020 for an Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision at 2155 Country Club Drive and 4274 Dundas Street to support the redevelopment of five areas of the lands with 98 detached dwellings and one, 6-storey apartment building containing 130 dwelling units. The purpose of this report is to provide an overview of the application, an outline of applicable policies and regulations, and a summary of technical and public comments received to date.

## Site Description & Surrounding Land Uses

The subject lands are located within the Millcroft Community, generally bounded by Dundas Street to the north, Upper Middle Road to the south, Appleby Line to the east, and Walker's Line to the west. Five areas (Areas A-E) of redevelopment are proposed, with a total area of approximately 12.4 ha. The municipal address of Areas A-D is 2155 Country Club Drive; Area E is 4274 Dundas Street. Below is brief description of each area and the surrounding land uses.

- Area A:

Located between Hadfield Court and Country Club Drive, Area A has frontage on Millcroft Park Drive, Country Club Drive and Upper Middle Road. Area A is currently used as a golf course fairway (Hole 6) and is connected to Area B by a golf cart path. Appleby Creek runs along the westerly edge of the site and feeds into a pond ("Mill Pond"). The majority of Area A is currently located within Conservation Halton's regulated area associated with Appleby Creek.

Land uses surrounding Area A include:

*North:* Low-Density Residential facing Hadfield Court

*Southwest:* Low-Density Residential facing Country Club Drive; Upper Middle Road; Country Club Drive

*Southeast:* CNR Rail Corridor; beyond the rail corridor is a Retail/Service Commercial Centre

*Northwest:* Millcroft Park Drive; across Millcroft Park Drive is Appleby Creek and Residential Medium-Density (townhouse) uses

- Area B:

Located between Hadfield Court and Parklane Crescent, Area B fronts onto Millcroft Park Drive, and currently is used as a golf course fairway (Hole 7). The combined area of Areas A and B is 9.5 ha.

Surrounding land uses include:

*North & South:* Low-density residential on Parkland Crescent and Hadfield Court

*East:* Rail Corridor; beyond rail corridor is a Retail/Service Commercial Centre

*West:* Millcroft Park Drive; across Millcroft Park Drive, are Medium-Density Residential (townhouse) and Golf Course uses.

- Area C:

Located near Berwick Drive & Arbourfield Drive, Area C is approximately 1.46 ha in size, and has frontage on Millcroft Park Drive. It is currently used as a golf course fairway (Hole 1).

Surrounding land uses include:

*North:* TransCanada Pipeline, Golf Course, Low-Density Residential on Kane Crescent

*South:* Country Club Drive; across Country Club Drive are Golf Course lands, as well as Low-Density Residential on Arbourfield Drive

*East:* Medium-Density Residential on Country Club Drive

*West:* Low-Density Residential facing Berwick Drive

- Area D:

Located between Latimer Crescent and Chasewood Court, Area D has an area of 0.75 ha and frontage on Millcroft Park Drive. This area is in proximity to Conservation Halton's Approximate Regulatory Limit for Sheldon Creek. It is currently used as a golf course fairway (Hole 16).

Surrounding land uses include:

*North:* TransCanada Pipeline, Golf Course, Sheldon Creek; beyond these uses, to the northwest, are Low-Density Residential uses facing Latimer Crescent, and beyond to the northeast are Medium-Density Residential uses (townhouses) facing Turnberry Road

*South:* Low-Density Residential facing Millcroft Park Drive; across Millcroft Park Drive are Golf Course and Medium-Density Residential uses (townhouses)

*West:* Low-Density Residential facing Chasewood Court

- Area E:

Area E is triangular in shape and has an area of 0.66 ha, with 157 m of frontage on Dundas Street. It is currently developed with a maintenance shed for the golf course. Surrounding land uses include:

*North:* Dundas Street, Norton Community Park

*South & East:* Hydro Corridor

*West:* Medium-Density Residential immediately west. Further to the northwest are Burlington Public Library (Alton Branch) and Haber Recreation Centre

## **Description of Applications**

### Areas A to D

As shown on Sketch Nos. 2a to 2e (Appendix A), the applicant seeks to redevelop Areas A-D with 98 detached dwellings fronting on proposed private condominium cul-de-sacs off Millcroft Park Drive and Country Club Drive. Approximately 6.5 ha of Areas A-D are proposed for use as private roads, creek/pond block, CN berms, landscape buffers, and easements. Excluding these features, the proposed development of Areas A-D has density of approximately 19 units/ha.

Below is an overview of the number of dwelling units proposed in each area:

- Area A: 33 units
- Area B: 42 units
- Area C: 16 units
- Area D: 7 units

In order to create a developable area that would accommodate the proposed units in Area A, modifications to the floodplain of Appleby Creek are also proposed.

To facilitate this proposal, the applicant has submitted applications for an Official Plan Amendment and Zoning By-law Amendment to redesignate Areas A-D from “Major Parks and Open Space” to “Residential-Low Density” in the City’s Official Plan (1997, as amended), and rezone the areas from “Open Space” (O1) to “Low-Density Residential” with site-specific exceptions (R3.2-xxx) in the Zoning By-law 2020. The proposed zoning exceptions are related to yard setbacks, building height, lot coverage, floor area ratio and dwelling depth. Tables 2 and 3 (p. 14-17) of this report provides and overview of the proposed zoning exceptions.

The applicant has also applied for a Plan of Subdivision to create 98 lots (future parcels of tied land) for detached dwellings, and blocks for a creek/pond, 6 m-wide landscape buffers adjacent to existing residential uses, private roads, easements, CN berms, walkways and open space.

### Area E

Area E is proposed to be redeveloped with a 6-storey, residential building containing 130 dwelling units and one level of underground parking. 17 surface parking spaces and 149 underground parking spaces are proposed, totaling 176 spaces. The proposed density of Area E is 200 units/ha, with a floor area ratio (FAR) of 1.5:1.

Approximately 1,312 m<sup>2</sup> of ground-level, common outdoor amenity space is proposed on the east corner of the site for the use of future residents of the proposed building. Private outdoor amenity space in the form of terraces and balconies is also proposed for each unit. Amenity space is proposed to be provided at a rate of 20 m<sup>2</sup>/unit.

To facilitate the redevelopment of Area E, as part of the submitted Official Plan and Zoning By-law Amendment applications, the applicant proposes to redesignate the lands from “Residential-Medium Density” to “Residential-High Density” in the City’s Official Plan, and to rezone from “Open Space” (O1) to “High-Density Residential” with a site-specific exception (RH3-xxx) in the Zoning By-law 2020. The site-specific exception to the RH3 zone is related to density, building setbacks and amenity areas.

### ***Supporting Documents***

The applicant has submitted the following materials in support of the subject applications:

- Development Concept Plans (Areas A-D), Gerrard Design, dated December 14, 2020
- Site & Architectural Plans (Area E), Kirkor Architects, dated November 16, 2020
- Draft Official Plan Amendment
- Draft Zoning By-law Amendment
- Draft Plan of Subdivision Areas A & B and Areas C & D, Wellings Planning Consultants Inc., dated November 2020 and signed by Surveyor and Owner on October 9, 2020
- Air Quality Compatibility Study, SLR Consulting Ltd., dated September 30, 2020
- Arborist Report, Beacon Environmental Ltd., dated December 2020
- Burlington Urban Design Advisory Panel (BUD) Meeting Minutes, dated May 19, 2020
- Conceptual Open Space Plans & Landscape Plans, NAK Design Strategies, dated November 17, 2020
- Construction Management & Mobility Plans, Urbantech Consulting, signed December 18, 2020
- Shoring Plans, Tarra Engineering & Structural Consultants Inc., signed December 15, 2020
- Scoped Environmental Evaluation Report, Beacon Environmental Ltd., dated Nov. 2020
- Environmental Site-Screening Questionnaire, completed on October 7, 2020

- Phase One & Two Environmental Site Assessment Reports (Areas A & B), prepared by DS Consultants Ltd., dated November 11, 2020
- Phase One & Two Environmental Site Assessments Reports (separate reports for Areas C, D, and E), DS Consultants Ltd., dated July 2, 2020
- Letters of Reliance to City of Burlington and Halton Region for Environment Site Assessment Reports, DS Consultants Ltd., dated December 10, 2020
- Property Information
- Functional Servicing Report, Urbantech Consulting, dated December 2020
- Geotechnical Report (Areas A-D), DS Consultants Ltd., dated November 12, 2020
- Geotechnical Report (Area E), DS Consultants Ltd., dated December 14, 2020
- Technical Memorandum re: Groundwater Quality and Foundation Drain Collectors Evaluation, R.J. Burnside & Associates Ltd., dated November 17, 2020
- Height Survey, completed on March 31, 2020
- Hydrogeological Assessment Letter of Reliance, R.J. Burnside & Associates Ltd., dated November 19, 2020
- Hydrogeological Assessment, R.J. Burnside & Associates Ltd., dated October 2020
- Crane Review, 59 Project Management Inc., dated December 14, 2020
- Noise & Vibration Feasibility Study, HGC Engineering Ltd., dated November 19, 2020
- Noise Response to City Comments, HGC Engineering Ltd., dated November 13, 2020
- Transcript of Pre-Application Consultation Meeting, Victory Verbatim, dated September 21, 2020
- Planning Justification Report, Wellings Planning Consultants Inc., October 2020, revised November 19, 2020
- Public Consultation Strategy, Wellings Planning Consultants Inc., dated October 2020
- Qualitative Pedestrian Level Wind Assessment, Gradient Wind Engineering Inc., dated November 12, 2020
- Shadow Study Analysis, Kirkor Architects & Planners, dated November 16, 2020
- Solid Waste Management Plan, R.J. Burnside & Associates Ltd., dated September 2020
- Traffic Control Plan, Crozier Consulting Engineers, dated October 20, 2020
- Transportation Impact Study, Crozier Consulting Engineers, dated October 2020
- Urban Design Brief, John G. Williams Ltd., dated November 13, 2020

All of the supporting documents have been published on the City's website for the subject application, [www.burlington.ca/millrcroftgreens](http://www.burlington.ca/millrcroftgreens).

***Remaining Golf Course Lands (Outside the Scope of Subject Applications)***

On the remaining golf course lands, the applicant intends to make design improvements to the course layout while retaining an 18-hole golf course. The existing maintenance building on Area E is proposed to be demolished and replaced by a new, smaller maintenance facility located closer to the existing clubhouse. The new facility is anticipated to be approximately 557 m<sup>2</sup> and located near the existing parking lot (Planning Justification Report, p.3 & 57).

Staff note that the future redesign of the golf course layout and relocation of the maintenance shed are outside the scope of the subject applications, as the Official Plan designation and zoning of the remaining golf course lands are not proposed to change. Any development or site alteration on the remaining golf course lands will be subject to all applicable City Official Plan policies, zoning by-law regulations, other City by-laws such as the City’s Site Plan Control By-law, Private Tree By-law, and Site Alteration By-law, as well as Conservation Halton’s policies and guidelines.

For reference, the current “Parks and Open Space (O1)” zoning allows accessory buildings and structures, such as maintenance sheds, subject to the regulations of the zone, including those outlined in Table 1 below. Through the Site Plan Review process, matters such as safety, compatibility (noise, dust, odours), siting, building materials, transportation access, grading and drainage will be considered for any accessory buildings or structures proposed within the remaining lands.

**Table 1 – Current O1 Zone Regulations for all Golf Course Lands**

Buildings and Structures Permitted: Buildings and structures for permitted uses. Accessory buildings and structures for permitted uses.	
Yard abutting a Residential Zone	15 m
Yard abutting a Street	15 m
Yard abutting any other lot line	7.5 m
Landscape Area abutting a Street	6 m
Landscape Area abutting a Creek Block	9 m
Landscape Buffer abutting a Residential Zone	9 m



## **Policy Framework**

The proposed Official Plan Amendment, Zoning By-law Amendment and Plan of Subdivision are subject to the Provincial Policy Statement (2020), the Growth Plan for the Greater Golden Horseshoe (2019), the Regional Official Plan, the City of Burlington Official Plan (1997, as amended), the New City of Burlington Official Plan (2020) and the City of Burlington Zoning By-law 2020, as summarized below. A policy analysis will be provided in a future recommendation report to Council to demonstrate whether the proposal is in keeping with the applicable framework.

### **Provincial Policy Statement, 2020**

The Provincial Policy Statement (PPS) provides broad policy direction on land use planning and development matters of provincial interest. All planning decisions must be consistent with the PPS. The PPS promotes healthy, liveable and safe communities that are sustained by appropriate development and land use patterns that make efficient use of land and infrastructure, accommodate an appropriate range and mix of uses, protect public health and safety, conserve biodiversity, and protect natural heritage and water resources. The PPS directs that growth and development be focused in settlement areas. Furthermore, land use patterns in settlement areas are to be based on densities and a mix of land uses to meet long term needs and which efficiently use land, resources, infrastructure and public service facilities, prepare for the impacts of a changing climate, support active transportation and transit.

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

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019) provides a policy framework for managing growth. It came into effect on May 16, 2019. Amendment 1 to the Growth Plan was approved on August 27, 2020 and took effect on August 28, 2020. All planning decisions must conform to the Growth Plan (2019, as amended).

The policies of the Growth Plan are intended to support the achievement of complete communities that feature a diverse mix of land uses and range of housing options, and to provide for a more compact built form and vibrant public realm; increase the use of transit and active transportation; mitigate and adapt to climate change and reduce greenhouse gas emissions; and integrate green infrastructure and appropriate low impact development. The vast majority of growth is directed to settlement areas, with a focus on intensification within delineated built up areas, strategic growth areas, locations with existing or planned transit, particularly higher order transit, and areas with existing or planned public service facilities.

In designated greenfield areas (areas designated for development within the settlement area but are outside of delineated built-up areas), new development is to be planned, designated, zoned and designed to support the achievement of complete communities, active transit, and integration and sustained viability of transit services.

The subject lands are within the City's settlement area. Areas A-D are within the delineated built up area of Burlington. Area E is outside the built-up area, but within the designated greenfield area.

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

The subject lands are designated as Urban Area within the Halton Region Official Plan. Area A is also partially designated Regional Natural Heritage System (RNHS), and Area D is in close proximity to or within the RNHS designation.

Lands within the Urban Area designation are locations where urban services (water and wastewater) are or will be made available to accommodate existing and future development. The Regional Official Plan states that the range of permitted uses and creation of new lots shall be in accordance with local Official Plans and Zoning By-laws and other policies of the Regional Official Plan.

The Regional Natural Heritage System (RNHS) is a system of connected natural areas and open space to preserve and enhance the biological diversity and ecological functions within Halton. Permitted uses include non-intensive recreation uses and accessory building or structures. The alteration of any components of the RNHS is not permitted unless it has been demonstrated that there will be no negative impacts on the natural features and areas or their ecological functions.

An Environmental Evaluation Report and other studies have been submitted and are currently being reviewed by staff and agencies. These reviews will help to inform staff's analysis of the conformity of the proposal with the ROP.

### **City of Burlington Official Plan (1997, as amended)**

The City of Burlington's Official Plan (1997, as amended) provides more specific guidance on land use planning and development within the city. The Official Plan includes principles and objectives that relate to the natural heritage system, flooding and erosion hazards, stormwater management, transportation, urban design, compatibility of land uses and residential intensification with existing properties.

Areas A-D are currently designated "Major Parks and Open Space" in the City's current Official Plan (1997, as amended). Objectives of this designation include to recognize parks and open space lands as valuable resources to the community that plays an important role in defining the character and lifestyle of the City's residents, and to ensure an equitable and adequate supply of parks and open space, and a full range of leisure

opportunities throughout the City. Uses within this designation include municipal parks and related community facilities, golf courses and related facilities, and outdoor recreation uses. Residential uses are not permitted.

The applicant is seeking to redesignate Areas A-D to “Residential-Low Density” in the City’s Official Plan, which would allow single-detached and semi-detached housing units with a density of up to 25 units per net hectare.

Area E is currently designated “Residential – Medium Density” in the City’s current Official Plan. This designation permits ground and non-ground oriented dwelling units with a density between 26 and 50 units per net hectare. Permitted building forms include townhouses, attached housing and walk-up apartments.

The applicant is seeking to redesignate Area E to “Residential-High Density” in the City’s Official Plan. The City’s “Residential-High Density” designation allows either ground or non-ground-oriented housing units, including apartments, with a density ranging between 51 and 185 units per net hectare. Since the density of Area E is proposed to be 200 units/ha, the inclusion of a site-specific policy is needed to allow for the proposed density.

An analysis of consistency with the City’s Official Plan will be informed by various inputs, including but not limited to, staff and agency reviews of the submitted technical materials.

### **City of Burlington New Official Plan (2020)**

On Nov. 30, 2020, the Region of Halton issued a Notice of Decision approving the new Burlington Official Plan. The new Official Plan has been developed to reflect the opportunities and challenges facing the City as it continues to evolve.

Section 17(27) of the Planning Act (R.S.O. 1990, as amended) sets out that all parts of an approved official plan that are not the subject of an appeal will come into effect on the day after the last date for filing a notice of appeal- that date being Dec. 22, 2020 for the new Burlington Official Plan.

Staff note that the subject applications were deemed complete on December 18, 2020, before the new Official Plan came into effect. However, the new Official Plan reflects Council’s vision and as such will be considered in staff’s evaluation and recommendation on the applications.

Schedule B: Land Use - Urban Area in the new Official Plan designates Area A as City’s Natural Heritage System and Major Parks & Open Space. Areas B-D are designated as Major Parks & Open Space, and Area E is designated Residential Medium Density. The following is a summary of the objectives and policies of these designations (next page):

- *City's Natural Heritage System (Area A)*

Together with the Major Parks & Open Space Designation, the City's Natural Heritage System forms a component of the City's Urban Structure that, according to the new Official Plan, is essential for a healthy and sustainable urban area and intended to be protected in accordance with the policies of the Plan.

The City's Natural Heritage System designation consists of natural heritage features and areas, the linkages and interrelationships among them, and also includes lands that are regulated as hazardous lands mapped by Conservation Halton. Objectives of this designation include to maintain, restore and enhance the long-term ecological health, integrity and biodiversity of the Natural Heritage System in the urban area and its ecological and hydrological functions.

Similar to the Regional Official Plan, the new OP prohibits development and site alteration within or adjacent to the City's Natural Heritage System "unless it has been determined through an EIA or equivalent study that there will be no negative impacts on the City's Natural Heritage System or on natural features and areas or their ecological and hydrological functions" (4.2.2m(ii)).

- *Major Parks & Open Space (Area A-D):*

Objectives of this designation are similar to the objectives of the "Major Parks and Open Space" designation of the City's (1997, as amended) Official Plan, including to recognize the role and value of parks and open space in defining the character and lifestyle of the city's residents, and to ensure that an adequate and equitable supply of parks and open space and public gathering space and full range of leisure opportunities are available throughout the city.

Lands within this designation includes public parks, and other public and private open space lands. The new Official Plan introduces a new policy that restricts the City's consideration of proposals to re-designate Major Parks & Open Space lands to the time of a statutory Official Plan Review (8.4.2(2)d)).

- *Residential Medium Density designation (Area E):*

This designation allows ground or non-ground-oriented dwellings at a density of 26 to 75 units per net hectare. Non-ground-oriented dwellings may be permitted to a maximum height of 4 storeys, and are only permitted at the periphery of existing neighbourhoods. Area E is also within the *Established Residential Area* of the City's Growth Framework (Schedule B-1), where intensification is generally discouraged and development is to be in accordance with the permitted uses and densities of the underlying land use designation (2.4.2(3)a)).

## Zoning By-law 2020

The subject lands are currently zoned “Parks and Open Space (O1)” in the City’s Zoning By-law 2020. This designation permits municipal parks, public and private open space, golf course and associated uses (e.g. curling club), and storm water management and erosion control facilities. Residential uses are not permitted.

The applicant proposes to change the zoning of the Areas A-D to “Residential – Low Density”, with site specific exceptions (R3.2-XXX), and Area E to “Residential – High Density”, with site specific exceptions (RH3-XXX). Table 2 and 3 below compares the requirements of the R3.2 and RH3 zones with the subject proposal, based on a preliminary review by staff of the submitted materials.

**Table 2 – Comparison of R3.2 Zone Regulations and Proposal**

(**Bold text** = exception required)

<b>R3.2 Regulation</b>	<b>Required</b> (minimum unless otherwise specified)	<b>Proposed</b>
Lot Width	15 m	No change proposed.
Lot Area	425 m <sup>2</sup>	
<b>Front Yard</b>	<b>6 m</b>	<b>4.5 m</b>
<b>Rear Yard</b>	<b>9 m;</b> 4.5 m on corner lot	<b>1 storey: 4.5 m;</b> <b>1.5 storey: 6 m;</b> <b>2 storeys: 7.5 m;</b>  Plus, a 6 m-wide landscape buffer is proposed between a POTL rear lot line and abutting residential rear lot lines.
<b>Side Yard</b> for dwellings with an attached garage	<b>1 or 1.5 storey side: 1.2 m</b> <b>2 or more storey side: 1.8 m</b>	<b>1 or 1.5 storey side:</b> 1.2 m and <b>0.6 m</b> <b>2 or more storey side: 1.2 m</b>
<b>Street Side Yard</b>	<b>4.5 m</b>	<b>2 m</b>
<b>Lot Coverage (max.)</b> incl. accessory buildings	<b>1-storey: 40%</b> <b>1.5-storey: 37.5%</b> <b>2- or more storeys: 35%</b>	<b>No maximum</b>
<b>Dwelling Depth</b>	<b>18 m maximum</b>	<b>No maximum</b>
Floor Area Ratio in designated areas for lot coverage	0.45:1	Not proposed to be in designated area for lot coverage

<b>R3.2 Regulation</b>	<b>Required</b> (minimum unless otherwise specified)	<b>Proposed</b>
<b>Building Height (max.)</b>	<b>Peaked Roof Dwellings:</b> 1-storey to 7.5 m; <b>1.5-storey to 8.5 m;</b> <b>2-storey to 10 m;</b>  <b>Flat Roof Dwellings:</b> <b>1-storey to 4.5 m</b> <b>2-storey to 7 m</b>	<b>Flat or Peaked Roof Dwellings:</b> <b>1-storey: 7.5 m</b> <b>1.5-storey: 9 m</b> <b>2-storeys or more: 12 m</b>
Building Setback Abutting	Creek block: 7.5 m, 4.5 m if block includes a 3 m buffer  Pipeline easement: 7 m Railway right-of-way: 30 m	No change proposed.
Parking for detached dwellings on a parcel of tied land fronting onto a common element condominium road (Part I, 2.25, Table 1.2.6)	1.5 spaces per unit where 1 space shall be located on the parcel of tied land within the common element condominium block which contains the condominium roadway.	No change proposed.

**Table 3 – Comparison of RH3 Zone Regulations for Apartments and Proposal**  
 (Bold text = exception required)

<b>RH3 Regulation</b>	<b>Required</b> (minimum unless otherwise specified)	<b>Proposed</b>
Lot Width	30 m	Approximately 137 m
Lot Area	0.1 ha	0.66 ha
Front Yard	6 m maximum	3 m
Side Yard	3 m	<ul style="list-style-type: none"> <li>• From west lot line: 20 m</li> <li>• From lot line abutting hydro corridor: 6 m</li> </ul>

RH3 Regulation	Required (minimum unless otherwise specified)	Proposed
Below-Grade Parking Structures (Part I, Section 2.26(5), iii)	<ul style="list-style-type: none"> <li>Setback from all other property lines and street lines: 3 m</li> <li>Shall not extend into a required landscape buffer</li> </ul>	<ul style="list-style-type: none"> <li><b>0.62 m from front property line and 0.8 m from east side property line.</b></li> <li>To be confirmed; landscape buffer not dimensioned on plans.</li> </ul>
<b>Density</b>	<b>50 units/ha minimum 185 units/ha maximum</b>	<b>200 units/ha maximum</b>
Building Height	24 m	7 storeys; unknown linear height.
Landscape Area	Not required in an RH3 zone	Approximately 3.2 m
Landscape Buffer	3 m abutting an RM zone	To be confirmed.
<b>Amenity Area</b>	<b>25 m<sup>2</sup>/unit (= 3250 m<sup>2</sup>) 100 m<sup>2</sup> minimum</b>	<b>20 m<sup>2</sup> /unit 2,631 m<sup>2</sup> total</b>
Parking	Occupant parking shall be enclosed for units exceeding 100 units/ha	26 visitor spaces unenclosed at surface
<b>Parking Rates (In-effect)</b>	Occupant spaces: <ul style="list-style-type: none"> <li>1.25 spaces/one-bedroom unit (x 91 units)</li> <li>1.50 spaces/two-bedroom unit (x 21 units)</li> <li>1.75 spaces/three-bedroom or more unit (x18 units)</li> </ul> <b>= 177 occupant spaces</b>  Plus 0.35 visitor spaces/unit <b>= 46 visitor spaces</b>	<b>149 occupant spaces 27 visitor spaces 2 maintenance vehicle parking spaces</b>
<b>Accessible Parking</b>	3% of required parking = 7 spaces	7 spaces
<b>Accessible Parking Pathway</b>	Each accessible parking space shall be located adjacent to a delineated accessible parking pathway with a minimum width of 2 m	To be confirmed; dimensions not shown on site and parking plans.

**City-Wide Parking Standards Review**

In 2017, City Council received and approved the *City of Burlington City-Wide Parking Standards Review* prepared by IBI Group. The review included a systematic and comprehensive study of the City’s existing parking standards, over 400 surveys of parking usage in the city, and a comparison of parking rates in comparable municipalities. Among IBI’s recommendations were new visitor parking and maintenance vehicle parking rates and a lower minimum occupant parking rate for apartment buildings in comparison to the City’s current parking rates.

In 2019, City Council approved amendments to the Zoning By-law 2020 to update non-residential and residential parking rates, in accordance with City-Wide Parking Study. However, the Council approved rates are under appeal at the LPAT. Nevertheless, staff are of the opinion that the new parking rates warrant consideration in evaluating the subject development applications.

**Table 3 – Comparison of Council Approved Parking Rates and Proposal**  
(Bold text = deficiency)

<b>Council-Approved Parking Rates (not in effect)</b>	<b>Proposed</b>
<ul style="list-style-type: none"> <li>• Occupant spaces: 1 space/one-bedroom unit (x 91 units); 1.25 space/2-bedroom unit (x 21 units); 1.5 space/3 or more bedroom unit (x 18 units) = 145 occupant spaces</li> <li>• <b>Visitor spaces:</b> 0.25 per unit x 130 units = <b>33 visitor spaces</b></li> <li>• Maintenance vehicle spaces: 1 additional space/75 units for use of maintenance vehicles servicing the site = 2 maintenance vehicle spaces</li> </ul>	<ul style="list-style-type: none"> <li>• 149 occupant spaces</li> <li>• <b>27 visitor spaces</b></li> <li>• 2 maintenance vehicle parking spaces</li> </ul>

**Technical Comments**

The subject applications were circulated to internal staff and external agencies for review. City Finance, Halton District School Board and Halton Catholic District School Board have provided no objection to the development proposal, but will have conditions of approval for the subdivision application. Comments from the school boards are also summarized below. City Parks and Open Space staff have also provided comments, summarized below.



At the time of writing of this report, comments are still forthcoming from City Site Engineering, Forestry and Landscaping, Transportation, and Accessibility staff, Burlington Transit, Conservation Halton, Halton Region, TransCanada Pipeline, Burlington Hydro, Bell Canada and CN Rail.

Without having all technical comments, City staff are unable to provide a recommendation on the subject applications within the 120-day timeframe prescribed by the *Planning Act*. Consequently, staff respectfully request additional time to continue to review the application.

#### *City Parks & Open Space*

City Parks & Open Space staff comment that the subject lands are privately owned and are not included in the City of Burlington's calculation of parkland provisioning levels.

Parkland dedication will be a condition of approval, in accordance with the City's Official Plan policies and current Park Dedication Policies and By-law. Parkland is to be dedicated at a rate of 5% of land area for Areas A-D. The preference of staff is to establish one public park block from land dedicated through Areas A to D. For Area E, parkland is to be dedicated at a rate of 1 ha per 300 units to establish a connection and amenity space between Dundas Street to the Hydro One corridor.

Also, hazard lands will be required to be conveyed to the City, and will not be considered parkland dedication, as per Part II, 2.11.3g) in the City's Official Plan (1997, as amended).

Lastly, Parks Design & Construction staff comment that they are supportive of the extension of the existing multi-use trail along the Hydro One that currently ends at Berwick Drive, and of a trail loop connecting Areas A & B, as proposed in Millcroft Greens' Conceptual Open Space Plans (October 2020).

#### *Halton District School Board (HDSB) & Halton Catholic District School Board (HCDSB)*

The HDSB comments that students generated from the proposed development are currently within the Charles Beaudoin Public School, Florence Meares Public School and Dr. Frank J. Hayden Secondary School catchment areas. According to the HDSB's projections, elementary schools are projected to be at or under building capacity. As a result, students generated from this development are expected to be accommodated in the respective schools with minimum impact on the facility.

Dr. Frank J. Hayden Secondary School is projected to be over building and portable capacity. As a result, options for student accommodations will be reviewed for this school. Attendance at this school is not guaranteed for existing and new students.

The HCDSB comments that if the development was to proceed today, elementary students generated from this proposal would be accommodated at Sacred Heart of Jesus Catholic Elementary School located at 2222 Country Club Drive. Secondary school

students would be directed to Corpus Christi Catholic Secondary School located at 5150 Upper Middle Road.

Neither school boards have objections to the proposed applications subject to conditions, including a condition that all offers of purchase and sale to prospective purchasers include an advisement that school buses will not enter cul-de-sacs and pick up points will be generally located on streets convenient to the boards.

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### **Financial Matters:**

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

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### **Climate Implications**

In Canada, buildings generated approximately 13% of the country's greenhouse gas emissions in 2018 in their heating and cooling. Passenger transportation and municipal landfills accounted for approximately 14% and 2%, respectively<sup>1</sup>. In February 2020, City Council approved the City of Burlington Climate Action Plan to support the city's path towards a low-carbon future, focusing on mitigating greenhouse gases and reducing energy consumption. The plan identifies seven implementation programs, including programs to enhance energy performance for new and existing buildings; increase transit and active transportation mode shares; electrify city, personal and commercial vehicles and other currently gas-powered equipment; and support waste reduction and diversion. A discussion of the climate implications of the proposed development will be provided in the future recommendation report.

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### **Engagement Matters:**

The applicant held a virtual Pre-Application Community Consultation Meeting on September 21, 2020, prior to the submission of the applications. Over 800 residents, Ward 6 Councillor Bentivegna, Mayor Meed Ward, and City Planning staff attended the meeting.

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<sup>1</sup> Government of Canada. 2020. *National Inventory Report 1990-2018: Greenhouse Gas Sources and Sinks in Canada*. Retrieved online from: <https://unfccc.int/documents/224829>

Notice signs were posted on the subject lands in February 2021. A public notice of the Official Plan and Zoning By-law Amendment, and Plan of Subdivision applications was mailed in January 2021 to all property owners and tenants within 120 m of the subject site.

A webpage was created on the City of Burlington website, accessible at [www.burlington.ca/millcroftgreens](http://www.burlington.ca/millcroftgreens). This webpage provides information about the subject application including dates of public meetings, links to supporting studies, and contact information for the applicant's representative and Community Planning Department.

## **Public Comments**

As of the writing of this report, over 200 written comments have been received by staff with respect to the subject applications. The first 157 of these comments have been included in Appendix B to this report. The full set of public comments will be provided in the future staff recommendation report to Council. The general themes of the written comments are summarized below:

- Objections to loss of greenspace and trees
- Loss of open space and trees will change neighborhood character and identity
- Impacts on wildlife habitat, air quality and public health
- Impacts on property values, privacy and residents' enjoyment of their backyards
- Impacts on stormwater management and flooding in neighbourhood and neighbourhoods downstream of Appleby Creek.
- Concerns that proposal will exacerbate existing flooding issues in neighbourhood, particularly around proposed Areas A and B.
- Proposed loss of greenspace and trees is inconsistent with the original plans for the neighbourhood and the City's Climate Change Emergency Declaration and Action Plan, Private Tree By-law, and new Official Plan.
- Proposed lot sizes are much smaller than existing lots and do not fit in with existing neighbourhood
- Golf course provides needed park space in neighbourhood and is enjoyed by residents for golf and walking
- Proposal will lead to overcrowding on existing parks and schools
- Traffic and traffic safety impacts during and after construction
- Noise and dust impacts during construction
- Concerns with proposed private cul-de-sac roads:
  - Suitability of proposed road widths and design to accommodate utilities, street lighting, mailboxes, vehicular movements, active transportation, and safety between golf carts, pedestrians and cars

- Concerns and questions about who will maintain the proposed private roads, sidewalks and trails, and how access to them by public and golfers will be protected in the future
- Concerns that the proposal will lead to redevelopment of remaining lands in the future and that the remaining lands will not be suitable to accommodate a popular and safe redesigned course
- Concerns about location and compatibility of future replacement maintenance shed with existing residential uses.
- Comments and concerns with submitted technical studies (Environmental Site Assessment Reports, Hydrogeological Report, Traffic Impact Study)

### **Next Steps:**

Due to the complexity and scale of the subject applications, not all comments have been received and a fulsome review and analysis has not yet been completed at this time. Staff is requesting additional time to review the subject applications in order to bring a subsequent report to City Council in the future outlining staff's recommendation on the proposed applications and an analysis of the proposal based on applicable planning policies.

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### **Conclusion:**

This report provides a description of the development application, an update on the technical review that is underway and a summary of public comments that have been received to date. Planning staff recommend that Council direct staff to continue to process the applications, work with the applicant and to receive remaining agency comments.

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Respectfully submitted,

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### **Appendices:**

- A. Sketches
- B. Public Comments Received

**Notifications:**

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**Report Approval:**

All reports are reviewed and/or approved by Department Director, the Chief Financial Officer and the Executive Director of Legal Services & Corporation Counsel.