



SUBJECT: Statutory Public Meeting for Plan of Subdivision for 4375 Millcroft Park Drive

TO: Community Planning, Regulation & Mobility Cttee.

FROM: Community Planning Department

Report Number: PL-12-22

Wards Affected: 6

File Numbers: 510-01/22 (24T-21001/B)

Date to Committee: February 1, 2022

Date to Council: February 15, 2022

Recommendation:

Direct staff to continue to proceed with the processing of the submitted Plan of Subdivision application for 4375 Millcroft Park Drive (Salotto Building Group Inc.) including evaluating and incorporating any/all comments received by committee and the public at the Statutory Public Meeting, as well as the comments received through the ongoing technical review of this application by agency partners and internal departments.

PURPOSE:

The purpose of this report is to provide background information to Committee and public related to the Plan of Subdivision application submitted for lands municipally known as 4375 Millcroft Park Drive and seek direction from Council to continue to process the application.

Pending the receipt of all public and agency comments and the conclusion of a technical review of the application, staff will work towards bringing forward a subsequent recommendation report to Council for consideration.

Vision to Focus Alignment:

- 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:

RECOMMENDATION:		Proceed with processing application	Ward:	6
Application Details	APPLICANT:	Salotto Building Group Inc.		
	OWNER:	Same as above.		
	FILE NUMBERS:	510-01/21 (24T-21001/B)		
	TYPE OF APPLICATION:	Plan of Subdivision		
	PROPOSED USE:	30 detached dwellings on a new public street		
Property Details	PROPERTY LOCATION:	West side of Millcroft Park Drive, between Taywood Drive and Dundas Street		
	MUNICIPAL ADDRESSES:	4375 Millcroft Park Drive		
	PROPERTY AREA:	2.4 ha		
	EXISTING USE:	Vacant land		
Documents	OFFICIAL PLAN Existing:	Residential – Low Density		
	OFFICIAL PLAN Proposed:	No change proposed.		
	ZONING Existing:	Low Density – Residential (R3.2)		
	ZONING Proposed:	No change proposed.		
Processing Details	APPLICATION RECEIVED:	October 22, 2021		
	STATUTORY DEADLINE:	February 25 (120 days)		
	COMMUNITY MEETING:	September 23, 2021		
	PUBLIC COMMENTS:	13 written comments received		

Background and Discussion:

On November 16, 2021, the Community Planning Department acknowledged that complete applications had been received as of October 22, 2021 for a Plan of Subdivision at 4375 Millcroft Park Drive to support the redevelopment of the lands with 30 detached dwellings and a new public street. This report provides 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 on the south side of Millcroft Park Drive, at the intersection of Taywood Drive and Millcroft Park Drive, in the Millcroft Community, as shown on Figure 1 (right), and Sketch No. 1 (Appendix A). The site has an area of approximately 2.4 ha and 130 m of frontage on Millcroft Park Drive. The site is currently vacant.

The site is surrounded by detached dwellings to the north, west and south. Immediately east, adjacent to the site, is Taywood Park. Further east, at the northeast corner of Taywood Park and Millcroft Park Drive, are townhouse dwellings.

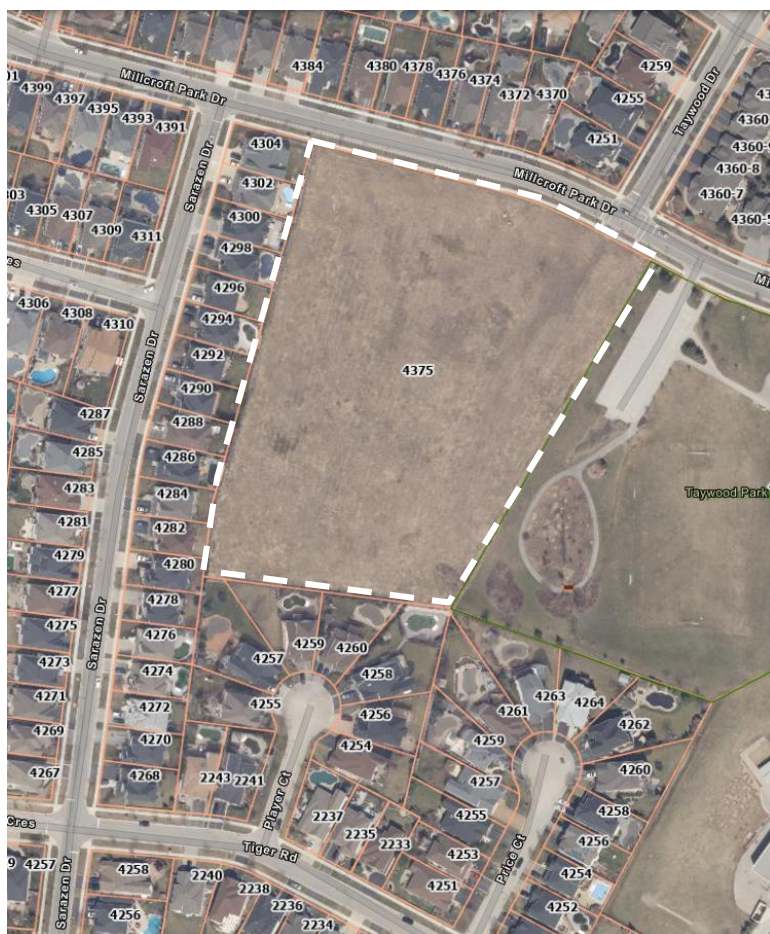


Figure 1 – Air photo (2019) with subject property outlined

The site is located within 60 m of Burlington Transit bus stops for Route 48 (Millcroft); stops for Route 48 are located north of the site across Millcroft Park Drive, to the east at Millcroft Park/Sarazen Drive, and to the west in front of Taywood Park (Appendix A). Approximately 700 m to the east, at Taywood Drive and Appleby Line, are bus stops for Route 12 (Upper Middle).

Description of Applications

As shown on Sketch No. 2 (Appendix A), the applicant proposes to subdivide the subject lands and construct 30 detached dwellings fronting a new public street. The proposed new public street is crescent shaped, with two access points on Millcroft Park Drive, including one at the current intersection of Taywood Drive and Millcroft Park Drive.

To facilitate the development, the applicant has applied for a plan of subdivision consisting of:

- 30 lots for detached dwellings;
- a public street; and
- a block ("Other lands owned by applicant")

The proposed residential lots are intended to comply with the existing zoning of the subject lands, and range in size from 498-1,116 m² in area and 15-19.9 m in lot width. The overall density of the proposed development is 16.9 units/net hectare.

Supporting Documents

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

- [Completed Subdivision Application Form](#), signed October 27, 2021
- [Cover Letter](#), from Salotto Building Group Inc., dated October 28, 2021
- [Draft Plan of Subdivision](#), prepared by KLM Planning Partners Inc., signed by Surveyor on October 14, 2021
- [Area and Frontage Certificate](#), prepared by Schaeffer Dzaldov Bennett Ltd., dated October 25, 2021
- [Planning Justification Brief](#), prepared by KLM Planning Partners Inc., dated October 27, 2021
- [Arborist Report](#), prepared by Strybos Barron King Ltd., dated October 25, 2021
- [Landscape Concept Plan](#), prepared by Strybos Barron King Ltd., last revised October 25, 2021
- [Tree Inventory and Preservation Plan](#), prepared by Strybos Barron King Ltd., last revised October 25, 2021
- [Transportation Impact Study](#), prepared by LEA Consulting Ltd., dated October 2021
- [Environmental Site Screening Questionnaire](#), completed by Owner on September 2, 2021
- [Phase One Environmental Site Assessment](#), prepared by Toronto Inspection Ltd., dated August 26, 2021
- [Reliance Letter for Phase 1 Environmental](#), from Toronto Inspection Ltd., dated October 6, 2021
- [Noise Impact Feasibility Study](#), prepared by J.E. Coulter Associates Limited, dated October 20, 2021

- [Geotechnical Report](#), prepared by Toronto Inspection Ltd., dated April 9, 2021
- [Historic Wells and Septic Systems Letter](#), prepared by Toronto Inspection Ltd., dated August 29, 2021
- [Functional Servicing & Stormwater Management Report](#) and [Appendix](#), prepared by GEI Consultants Inc., dated October 2021
- [Engineering Drawings](#), prepared by GEI Consultants Inc., Revision: First Submission and dated 10/19/2021, signed by P.Eng. on November 5, 2021, consisting of:
 - Erosion & Sediment Control, Construction Management and Mobility Plan (Drawing No. 601)
 - Erosion & Sediment Control Details (Drawing No. 602)
 - General Plan (Drawing No. 101)
 - Grading Plan (Drawing No. 401)
 - Street A STA 0+000 to 0+180 (Drawing No. 501)
 - Street A STA 0+180 to 0+360 (Drawing No. 502)
 - Storm Outlet STA 0+250 to 0+430 (Drawing No. 503)
 - Storm Outlet STA 0+000 to 0+250 (Drawing No. 504)
 - Sanitary Drainage Area Plan (Drawing No. 301)
 - Storm Drainage Area Plan (Drawing No. 201)
- Parcel Register Report, dated October 21, 2021
- [Copy of Plan of Subdivision 20M-811](#)
- [Topographic Plan of Survey](#), prepared by Schaeffer Dzaldov Bennett Ltd., signed by Surveyor on August 11, 2021

Supporting documents have been published on the City's website for the subject application, www.burlington.ca/4375Millcroft.

Policy Framework

The proposed Plan of Subdivision is subject to the Planning Act, Provincial Policy Statement (2020), A Place to Grow: The Growth Plan for the Greater Golden Horseshoe (2020), Region of Halton Official Plan, City of Burlington Official Plan (1997, as amended), City of Burlington New Official Plan (2020), and 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.

Planning Act: Draft Plan of Subdivision Criteria

According to Section 51(24) of the Planning Act, in considering a draft plan of subdivision, approval authorities are to have regard to “the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality”, as well as factors including:

- the adequacy of the transportation network, utilities and municipal services, school sites;
- the shapes and dimensions of the proposed lots;
- the conservation of flood control; and,
- whether the proposal is premature or in the public interest.

Planning staff’s analysis of these factors will be informed by input from other departments and agencies. A discussion on these factors will be provided in the next staff report, once all technical comments have been received.

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 and the environment. The PPS directs that growth and development be focused in settlement areas. In settlement areas, land use patterns 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.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020)

A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2020) provides a policy framework for managing growth. All planning decisions must conform to the Growth Plan (2020).

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, and areas with existing or planned public service facilities.

Halton Region Official Plan (ROP)

The subject lands are designated as Urban Area within the Halton Region Official Plan.

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 within the Urban Area shall be in accordance with local Official Plans and Zoning By-laws and other policies of the Regional Official Plan.

City of Burlington Official Plan (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 stormwater management, transportation, and residential infill development.

The site is designated Residential – Low Density in the Official Plan. This designation permits detached and semi-dwellings with a density of up to 25 units per net hectare.

City of Burlington New Official Plan (OP, 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(38) 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. At this time, no formal determination has been made as to the validity of the appeals of relevant sections of OP, 2020.

Schedule B: Land Use - Urban Area in the new Official Plan designates the subject lands as Residential – Low Density. This designation permits single-detached and semi-detached dwellings. Development is permitted to a maximum density of 25 units per net hectare. A townhouse development form may be considered within this designation through a site-specific rezoning, and fulfillment of criteria including that the density of 25 units per net hectare is not exceeded.

Zoning By-law 2020

The subject lands are currently zoned “Low Density Residential” (R3.2) in the City’s Zoning By-law 2020. This zone permits detached dwellings. Regulations for this zone include a minimum lot width of 15 m and minimum lot area of 425 m².

The proposed draft plan of subdivision is intended to conform to and implement this zoning. Table 2 below compares the minimum lot area and width requirements of the R3.2 zone and the proposed draft plan.

City Zoning staff have confirmed that the proposed plan conforms to the Zoning By-law.

Table 2 – Comparison of R3.2 Zone Regulations for Lot Size and Proposal

	Minimum Required	Proposed
Lot Width	15 m	15.3 to 19.9 m
Lot Area	425 m ²	498.4 to 1,116.2 m ²

Technical Comments

The subject applications were circulated to internal staff and external agencies for review. Halton District School Board, Halton Catholic District School Board, Canada Post, Enbridge Gas, Bell Canada, and Rogers Communications comment that they have no objections to draft approval of the plan of subdivision but have provided conditions to be fulfilled prior to final approval. City Transportation Planning has advised that revisions to the Traffic Impact Study (TIS) are needed. Comments received to date are summarized below.

At the time of writing of this report, comments are still forthcoming from City Site Engineering, Urban Forestry and Landscaping, Accessibility, Fire Services staff, Burlington Transit, Halton Region, and Burlington Hydro.

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*. Staff therefore request additional time to continue to review the application.

City Transportation Planning – City Transportation Planning staff comment that revisions to the TIS to utilize the City’s latest data are required. Furthermore, all interior roadways are to be posted with “No Parking” signs, and all equipment and trade vehicles are to remain on site for the length of the work and not on the City’s right-of-way.

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 R. Beaudoin Public School, Dr. Frank J. Hayden Secondary School, and M.M. Robinson High School catchment areas.

Charles Beadouin Public School and M.M. Robinson High School are expected 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 capacity. As a result, students from the development are expected to be accommodated with the addition of portables.

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. Secondary school students would be directed to Corpus Christi Catholic Secondary School.

Neither school boards have objections to the proposed applications subject to conditions to be fulfilled prior to final approval, including that all offers of purchase and sale to prospective purchasers include an advisement that school buses pick up points will be generally located on streets convenient to the boards.

Canada Post – The project will be serviced by centralized mail delivery through Canada Post's Community Mail Boxes. The developer is to consult with Canada Post to determine suitable permanent locations for the placement of Community Mailboxes and to indicate these locations on appropriate servicing plans.

Enbridge Gas (formerly Union Gas) – No objections. As a condition of final approval, the Owner is to provide to Enbridge Gas the necessary easements and/or agreements required by Enbridge for the provision of gas services for the project, in a form satisfactory to Enbridge.

Bell Canada – No objections. As a condition of approval, the Owner is to agree "that should any conflict arise with existing Bell Canada facilities [...] the Owner shall be responsible for the relocation of any facilities or easements at their own cost."

Rogers Communications – No objections. As conditions of approval, the Owner is to agree to allow all licensed telecommunications companies to install facilities within the subdivision and provide the necessary easements and utility infrastructure plans and timing of infrastructure installation to the communications service providers.

Financial Matters:

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

Climate Implications

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 plan of subdivision application will be provided in the next staff report.

Engagement Matters:

The applicant held a virtual Pre-Application Community Consultation Meeting on September 23, 2021, prior to the submission of the applications. Approximately 59 residents, Ward 6 Councillor Bentivegna, Mayor Meed Ward, and City Planning staff attended the meeting.

Notice signs were posted on the subject lands in November 2021. A public notice of the Plan of Subdivision applications was mailed on November 17, 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/4375millcroft. 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, 13 written comments have been received by staff with respect to the subject applications. Comments have been included in Appendix B to this report.

The general themes of the written comments are summarized below:

- **Transportation:**
 - Concerns that construction vehicles for subject proposal and developments nearby would disrupt traffic flow along Taywood Drive and Millcroft Park Drive and result in safety conflicts with pedestrians and cyclists.
 - Concerns that proposed development will worsen traffic and safety issues on Millcroft Park Drive, particularly between and at the Taywood Drive and Sarazen Drive intersections, and in the neighbourhood generally.
 - Suggestions to change the road configuration to a cul-de-sac, rather than a crescent.
 - Suggestion to change the configuration of the intersection at Millcroft Park Drive and Taywood to a roundabout.
 - Suggestion to provide regular transit service along Millcroft Park Drive.
- Questions and concerns that proposed development would worsen existing flooding and drainage issues experienced by properties surrounding the site, particularly on Sarazen Drive, Player Court, Price Court and Rosemead Court.
- Concerns that the proposed stormwater management and grading design would negatively impact and result in loss of neighbouring trees.
- Concerns that there is insufficient infrastructure capacity and services to accommodate the proposed residential units.

Next Steps:

Not all comments have been received and a fulsome review and analysis has not yet been completed at this time. Staff is requesting direction to continue 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 application and an analysis of the proposal based on applicable planning policies.

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 application, receive remaining agency comments and bring forward a subsequent recommendation report for consideration by Council.

Respectfully submitted,

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Appendices:

- A. Sketches
- B. Public Comments Received

Notifications:

Lisa La Civita, Salotto Building Group Inc.

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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.