



SUBJECT: Zoning By-law amendment for 2154 Walker's Line

TO: Community Planning, Regulation & Mobility Cttee.

FROM: Community Planning Department

Report Number: PL-63-22

Wards Affected: 6

File Numbers: 520-02/22

Date to Committee: September 13, 2022

Date to Council: September 20, 2022

Recommendation:

Approve the Zoning By-law amendment application for the property located at 2154 Walker's Line to permit nine (9) townhouse units of two (2) storeys in height to be developed on a private road; and

Approve Zoning By-law 2020.445, attached as Appendix D of community planning report PL-63-22, which rezones the lands at 2154 Walker's Line from 'R3.2' zone to 'RM2-517'; and

Deem that the amending zoning by-law will conform to the Official Plan of the City of Burlington and that there are no applications to alter the Official Plan with respect to the subject lands.

PURPOSE:

Vision to Focus Alignment:

The subject application aligns with 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
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Executive Summary:

RECOMMENDATION:		Approval	Ward:	6
Application Details	APPLICANT:	Millington & Associates Inc.		
	OWNER:	Arianna Developments Inc.		
	FILE NUMBERS:	520-02/22		
	TYPE OF APPLICATION:	Zoning By-law Amendment		
	PROPOSED USE:	Nine (9) townhouse units of 2-storeys.		
Property Details	PROPERTY LOCATION:	West of Walker's Line between Upper Middle Road and Dundas Street.		
	MUNICIPAL ADDRESSES:	2154 Walker's Line		
	PROPERTY AREA:	0.38 ha		
	EXISTING USE:	Single Detached Dwelling		
Documents	OFFICIAL PLAN Existing:	'Residential Low Density' (1997 Official Plan)		
		'Residential Low Density' (2020 Official Plan)		
	OFFICIAL PLAN Proposed:	No change proposed		
	ZONING Existing:	'Residential Low Density' (R3.2)		
Processing Details	ZONING Proposed:	'Residential Medium Density' with site specific regulations (RM2-517)		
	APPLICATION RECEIVED:	February 15, 2022		
	STATUTORY DEADLINE:	May 16, 2022 (90 days)		
	COMMUNITY MEETING:	March 29, 2021		
Processing Details	PUBLIC COMMENTS:	11 comments received.		
		Number of Notices Sent: 175		

Background and Discussion:

On March 8, 2022, Planning staff deemed complete the application that had been received as of February 15, 2022 for a Zoning By-law Amendment at 2154 Walker's Line (the "subject land"). The purpose of the application is to allow for nine (9) townhouse units of two (2) storeys in height to be developed on a private road (as shown on Appendix B).

Subject Lands Description & Surrounding Land Uses

The subject land is located west of Walker's Line between Upper Middle Road and Dundas Street, more specifically north-west of the intersection of Millcroft Park Drive and Walker's Line (as shown on Figure 1 (right), and Appendix A). The subject land has an area of approximately 0.38 ha and approximately 40.5 m of frontage on Walker's Line.

The subject land is currently occupied by a single detached residential dwelling and it is surrounded by a mix of residential uses. To the north, south and west of the property are low density residential uses composed of single detached dwellings. To the east on the opposite side of Walker's Line are medium density residential uses composed of townhouse units on a private road.

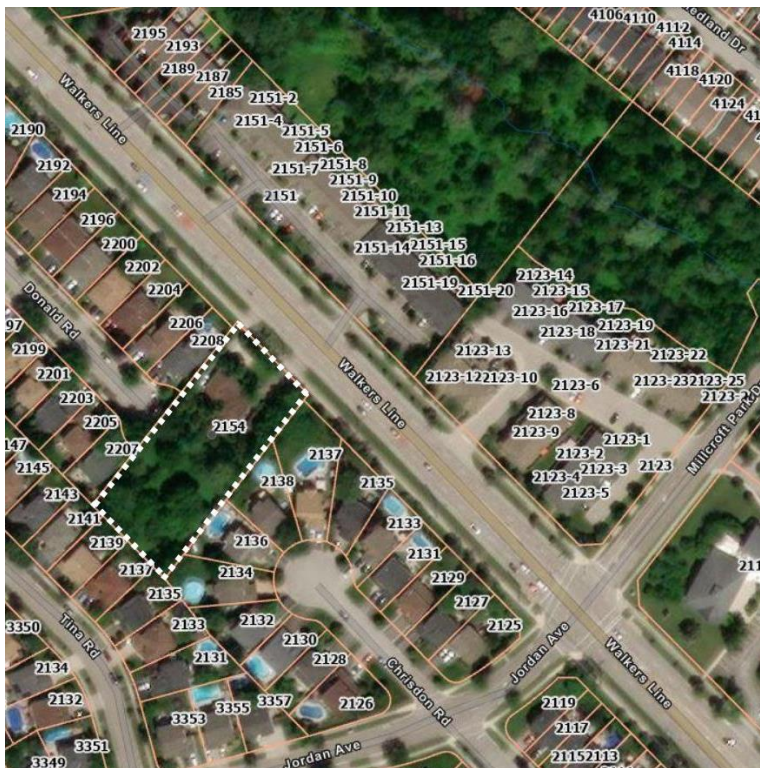


Figure 1 – Air Photo (2019) with Subject Lands Outlined

The subject land is approximately 120 metres north from the nearest Burlington Transit bus stop on Route 51 (Burlington Go Station) which runs along Walker's Line and has 34 stops departing from Sutton at Dundas and ending in Burlington Go Station.

Description of Application

The purpose of the application is to allow for nine (9) townhouse units of two (2) storeys in height to be developed on a private road (as shown on Appendix B). The proposal will result in a residential density of approximately 23 units per net hectare.

The applicant has applied to rezone the lands from R3.2” to “RM2” with a site-specific exceptions also known as exemption 517. The proposed site-specific exception relates to the following zone regulations: reduced lot width; reduced density; reduced front and rear yard setback; reduced west and north yard setback abutting a R1, R2 or R3 zone; reduced landscape area abutting Walker’s Line and to permit a transformer and noise wall to encroach; reduced south landscape buffer within 11m of Walker’s Line and a hammer head to encroach; reduced rear landscape buffer; to permit the proposed noise wall to encroach into the north landscape buffer abutting a R1, R2 or R3 zone; increased fence height and a reduction to zero (0) visitor parking spaces.

Supporting Documents

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

- [Completed Application Form](#) signed February 1, 2022.
- [Planning Justification Report](#) prepared by MB1 Urban Planning Service dated October 2021.
- [Site Survey](#) prepared by MMP Ltd. dated May 18, 2021.
- [Conceptual Site Plan Layout](#) prepared by Millington & Associates Inc. dated January 19, 2022.
- [Architectural Plans](#) prepared by KNYMH Architects dated February 14, 2022.
- [Building Height Certificate](#) prepared by MMP Ltd. Dated October 6, 2021.
- [Arborist Report](#) prepared by GLN Farm & Forest Research Co Ltd. dated October 26, 2021.
- [Tree Inventory and Tree Preservation Plan](#) prepared by GLN Farm & Forest Research Co Ltd. dated October 26, 2021.
- [Tree Inventory and Compensation Form](#) prepared by Millington & Associates Inc. dated February 14, 2022.
- [Landscape Plan](#) prepared by N. J. Landscape Architect dated November 29, 2021.
- [Engineering Plans](#) prepared by AC Group dated October 21, 2021.
- [Environmental Noise Impact Study](#) prepared by bDA Acoustical Consultants Inc. dated May 2021.
- [Noise Study – Letter of Reliance](#) prepared by bDA Acoustical Consultants Inc. dated May 18, 2021.
- [Transportation Impact Brief](#) prepared by Paradigm Transportation Solutions Ltd. dated July 16, 2021.
- [Geotechnical Report](#) prepared by prepared by Soil-Mat Engineers & Consultants Ltd. dated November 4, 2021
- [Phase One Environmental Site Assessment](#) prepared by Soil-Mat Engineers & Consultants Ltd. dated May 12, 2021.

- [Phase One Environmental Site Assessment Reliance Letter – City of Burlington](#) prepared by Soil-Mat Engineers & Consultants Ltd. dated December 17, 2021.
- [Phase One Environmental Site Assessment Reliance Letter – Halton Region](#) prepared by Soil-Mat Engineers & Consultants Ltd. dated December 17, 2021.
- [Environmental Soil Sampling](#) prepared by Soil-Mat Engineers & Consultants Ltd. dated December 17, 2021.
- [Sustainable Building and Development Guidelines Letter](#) prepared by Millington & Associates Inc. dated February 2, 2022.
- [Response to Comments Received at Community Meeting](#) prepared by Millington & Associates Inc. dated March 29, 2021.
- [Overview and Summary of Pre-Consultation List](#) prepared by Millington & Associates Inc. dated February 2, 2022.
- [Environmental Site Screening Questionnaire](#) signed December 13, 2021.
- [Draft Zoning By-law Amendment](#) prepared by Millington & Associates Inc. dated February 14, 2022.
- [Construction and Mobility Management Plan](#) Millington & Associates Inc. dated November 21, 2021.
- [Waste Management Report](#) prepared by CanAm Waste dated January 18, 2022.
- **PIN Report** dated February 3, 2022.
- [Inventory and Location of Private Domestic Water Wells and Septic Systems](#) prepared by Millington & Associates Inc. dated February 14, 2022.
- [Functional Servicing and Stormwater Management Report](#) prepared by AC Group dated October 2021.
- [Revised Site Survey](#) prepared by MMP Ltd. dated July 19, 2022
- [Revised Site Survey with Deemed Width Note](#) prepared by MMP Ltd. dated March 19, 2021.
- [Revised Conceptual Site Plan Layout](#) prepared by Millington & Associates Inc. dated July 18, 2022
- [Revised Architectural Plans](#) prepared by KNYMH Architects dated July 20, 2022
- [Revised Landscape Plan](#) prepared by N. J. Landscape Architect dated July 18, 2022
- [Revised Arborist Report and Tree Preservation Plan](#) prepared by GLN Farm & Forest Research Co Ltd. dated June 20, 2022
- [Revised Tree Inventory and Tree Preservation Plan](#) prepared by GLN Farm & Forest Research Co Ltd. dated July 19, 2022
- [Revised Tree Inventory and Compensation Form](#) prepared by Millington & Associates Inc. dated July 20, 2022
- [Burlington Fee Calculator City Trees Only](#) dated July 19, 2022

- [Transportation Staff Correspondence](#) dated July 19, 2022
- [Site Engineering Staff Correspondence](#) dated June 6, 2022

Supporting documents have been published on the City's website for the subject application, www.burlington.ca/2154walkers.

Policy Framework

The proposed Zoning By-law Amendment 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 has been provided to demonstrate that the proposal is in keeping with the applicable framework. Staff are of the opinion that the proposed application is consistent with and conforms to the applicable policy framework, as discussed below.

Provincial Policy Statement (PPS), 2020

The PPS promotes healthy, liveable and safe communities that are sustained by appropriate development and land use patterns which make efficient use of land and infrastructure, accommodate an appropriate range and mix of uses, protect public health and safety as well as the environment. The plan provides direction on managing and directing land uses to achieve efficient and resilient development and land use patterns. Subsection 1.1.1 identifies that healthy, liveable and safe communities are sustained by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- b) accommodating an appropriate affordable and market-based range and mix of residential types and other uses to meet long-term needs;
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;
- d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;
- e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;
- f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;

- g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;
- h) promoting development and land use patterns that conserve biodiversity; and
- i) preparing for the regional and local impacts of a changing climate.

The PPS directs for growth and development to be focused in settlement areas. The subject land is within a settlement area which is defined as urban areas and rural settlement areas within municipalities (such as cities, towns, villages and hamlets) that are built-up areas where development is concentrated and which have a mix of land uses as well as lands which have been designated in an official plan for development over the long term planning horizon. In accordance with subsection 1.1.3.1, settlement areas shall be the focus of growth and development and subsection 1.1.3.2 identifies that land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- a) efficiently use land and resources;
- b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
- c) minimize negative impacts to air quality and climate change, and promote energy efficiency;
- d) prepare for the impacts of a changing climate;
- e) support active transportation;
- f) are transit-supportive, where transit is planned, exists or may be developed; and
- g) are freight-supportive

Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3. This policy describes planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs. Similarly, subsection 1.1.3.4 describes appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety. Furthermore, subsection 1.1.3.5, describes planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions.

The subject land is designated as 'Residential Low Density' within the 1997 Official Plan (as amended) which may permit single-detached and semi-detached dwellings to a maximum density of 25 units per net hectare. In addition, other forms of ground-oriented housing units with a density to a maximum of 25 units per net hectare may be permitted provided that these forms are compatible with the scale, urban design and community features of the neighbourhood. The subject land is also designated as 'Residential Low Density' under the New Official Plan which may also permit single-detached and semi-detached dwellings to a maximum density of 25 units per net hectare. Townhouses may be considered under this designation, through a site-specific Zoning By-law Amendment, subject to the fulfillment of specific development criteria which reflects the opportunity for intensification and redevelopment of the property. The subject land currently contains a single detached dwelling and contemplates development of a density of 23 units per net hectare.

In accordance with the land use compatibility policies under subsection 1.2.6.1, major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures. Sensitive land uses are defined under the plan as buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby major facility, therefore the existing and proposed residential use would be considered a sensitive land use. The subject land is located within the 'Residential Area' designation under Schedule A of the 1997 Official Plan (as amended), within the 'Residential Neighbourhood Area' under Schedule B of the New Official Plan (2020) and it is surrounded by a mix of 'Residential Low Density' and 'Residential Medium Density' zones. As a result, it is staff's opinion the proposed development would be compatible with the existing surrounding land uses.

In accordance with the housing policies, subsection 1.4.1 identifies developments are to provide an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area. Similarly, subsection 1.4.3 identifies planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents. This may be achieved by permitting and facilitating all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3 as previously discussed in this report. This may also be achieved by directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs and by promoting densities for new housing which efficiently use land, resources, infrastructure and public

service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed.

The Zoning By-law Amendment application and development proposal contemplates redeveloping the existing vacant property with residential uses in the form of nine (9) townhouse units. The proposed development would be served by existing servicing infrastructure and public service facilities that currently serve the surrounding neighbourhood area. The subject land is also in close proximity to existing public transportations routes including, the nearest Burlington Transit bus stop on Route 51 (Burlington Go Station) which is located 120 metres north from the subject land, runs along Walker's Line and has 34 stops departing from Sutton at Dundas and ending in Burlington GO Station.

Similarly, in accordance with the public spaces, recreation, parks, trails and open space policies under subsection 1.5.1, the plan describes healthy and active communities should be promoted by planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity as well as by planning and providing for a full range and equitable distribution of publicly accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages. The proposed development provides for an internal sidewalk that connects to Walker's Line as per the Burlington Accessibility Committees request as well as double car garages that will allow for vehicle and bicycle storage. The Engineering Services Accessibility staff have also reviewed the development application and have no comments or concerns at this time.

In accordance with the energy conservation, air quality and climate change policies, subsection 1.8.1, planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the impacts of a changing climate through land use and development patterns which promote the use of active transportation and transit in and between residential uses and other areas. Additionally, development is to encourage transit-supportive development and intensification to improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion, promote design and orientation which maximizes energy efficiency and conservation, and considers the mitigating effects of vegetation and green infrastructure; and maximize vegetation within settlement areas, where feasible. As part of the Zoning By-law amendment application, the applicant was required to provide a checklist for the Sustainable Building and Development Guidelines which provide an overview of the required and encouraged sustainable design measures for new development across the City. A summary of these considerations has been provided in the following sections of this report. Similarly, urban forestry and landscape staff have reviewed the Zoning By-law Amendment application in regard to natural

vegetation preservation and have no further comments or concerns with the proposed development.

Planning staff have considered the policies of the PPS with regard to this Zoning By-law amendment application and are of the opinion that the proposal is consistent with the PPS.

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

The Growth Plan provides specific growth management policy direction for the Greater Toronto and Hamilton Area (GTHA) and focuses development in the existing urban areas through intensification. The guiding principles of the Growth Plan include building complete communities that are vibrant and compact, and utilizing existing and planned infrastructure to support growth in an efficient and well-designed form.

In accordance with subsection 2.2.1.2, most of the growth will be directed to settlement areas that have a delineated built boundary, have existing or planned municipal water and wastewater systems and can support the achievement of complete communities. Additionally, within settlement areas growth will be focused in delineated built-up areas, strategic growth areas, locations with existing or planned transit, with a priority on higher order transit where it exists or is planned; and areas with existing or planned public service facilities.

In accordance with subsection 2.2.1.4, applying the policies of this Plan will support the achievement of complete communities that feature a diverse mix of land uses and housing options with convenient access to: transportation options, including safe, comfortable and convenient and active transportation; local stores; services; public service facilities; an appropriate supply of safe, publicly-accessible open spaces, parks, trails, and other recreational facilities; and improve social equity and overall quality of life. These are also expected to provide for a more compact built form and a vibrant public realm, including public open spaces; mitigate and adapt to the impacts of a changing climate, improve resilience and reduce greenhouse gas emissions, and contribute to environmental sustainability; and integrate green infrastructure and appropriate low impact development.

In accordance with the housing policies under subsection 2.2.6.1, upper- and single-tier municipalities, in consultation with lower-tier municipalities, the province, and other appropriate stakeholders, will support housing choice through the achievement of the minimum intensification and density targets in this Plan. This may be done by identifying a diverse range and mix of housing options and densities, including additional residential units to meet projected needs of current and future residents as well as identify mechanisms, including the use of land use planning and financial tools, to support that.

Similarly, subsection 2.2.6.2 describes that notwithstanding policy 1.4.1 of the PPS as previously discussed in the report, municipalities will support the achievement of complete communities by planning to accommodate forecasted growth to the horizon of this Plan, planning to achieve the minimum intensification and density targets in this Plan, considering the range and mix of housing options and densities of the existing housing stock, and planning to diversify their overall housing stock across the municipality. Furthermore, as per subsection 2.2.6.4, municipalities will need to maintain at all times where development is to occur, 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.

As previously mentioned, the Zoning By-law Amendment application and development proposal contemplates redeveloping the existing vacant property with residential uses in the form of nine (9) townhouse units which would be served by existing servicing infrastructure and public service facilities that currently serve the surrounding neighbourhood area. The subject land is in close proximity to existing public transportation routes including, the nearest Burlington Transit bus stop on Route 51 (Burlington GO Station) which is located 120 metres north from the subject land, runs along Walker's Line and has 34 stops departing from Sutton at Dundas and ending in Burlington GO Station.

Planning staff have reviewed the application and find that the proposed Zoning By-law amendment on the subject lands conforms with the policy direction provided by the Growth Plan.

Halton Region Official Plan (ROP)

The subject lands are designated as Urban Area under Map 1 of the 2009 Halton Region Official Plan (ROP) and are within the Built Boundary. The Urban Area policies of the ROP provide that the range of permitted uses and the creation of new lots within the Urban Area will be in accordance with Local Official Plans and Zoning By-laws. All development, however, shall be subject to all other relevant policies of the ROP. Urban Areas are to accommodate growth, support a form of growth that is compact and supportive of transit, support the creation of complete communities, and identify an urban structure that supports the development of Intensification Areas.

Through Regional Official Plan Amendment #48 (ROPA 48), the Region has implemented an updated Regional Urban Structure and growth management framework to implement the planning vision provided within the Growth Plan. The subject land is not within a strategic growth area as defined through ROPA 48. Walker's Line has been identified as being a 'Minor Arterial' under Map 1H and Map 3 of the ROP. Lands within 'Minor Arterial' rights-of-way aim to serve mainly local travel demands.

The Region's Natural Heritage System (RNHS) is a systems approach to protecting and enhancing natural features and functions based on environmental Key Natural Features of the Region of Halton. The subject land is not designated as part of the RNHS ON Map 1 or contain Key Natural features that form part of the RNHS on Map 1G of the ROP. It was brought to the attention of regional planning staff that there may be potential or significant wildlife habitats on the subject land. The RNHS speaks to mapped and unmapped features, significant wildlife habitats constitute unmapped features. After consultation with Conservation Halton, it has been determined that there are no features present on the subject land that would constitute significant wildlife habitat. As such, regional staff are satisfied with respect to the RNHS.

Section 89 of the ROP requires that approvals for all new development within the Urban Area be on the basis of connection to the Region's municipal water and wastewater systems, unless otherwise exempt by other policies of this Plan. As part of the required application materials the applicant has provided a functional servicing report which regional staff have identified as sufficient for this application and demonstrates appropriate servicing for the proposed development.

Section 147(17) of the ROP requires the proponent of the development proposal to determine whether there is any potential contamination on the site they wish to develop, and if there is, to undertake the steps necessary to bring the site to a condition sustainable its intended use. Regional planning staff sought the submission of an Environmental Site Screening Questionnaire (ESSQ) and Phase One Environmental Site Assessment (ESA), which the applicant provided as part of the first submission along with a Letter of Reliance. Based on their review of the submitted materials, regional staff are satisfied from a site contamination perspective.

Regional planning staff were circulated on the development application and associated technical studies and drawings. Regional planning staff later requested revisions as part of the first formal development application circulation, the applicant has now provided further revisions to the plans and regional staff have no further comments or objections to the proposed amendments.

City planning staff have reviewed the application and find that the proposed Zoning By-law amendment on the subject lands conforms with the Halton Region Official Plan.

City of Burlington Official Plan (OP), 1997, as amended

The City of Burlington's Official Plan provides specific guidance on land use planning and development within the city. The Official Plan includes local principles, objectives and policies for the orderly growth and compatibility of different land uses.

The subject land is designated 'Residential Low Density' under Schedule B: Comprehensive Land Use Plan – Urban Planning Area of the Official Plan. Lands within this designation may permit single-detached and semi-detached dwellings to a maximum

density of 25 units per net hectare. In addition, other forms of ground-oriented housing units with a density to a maximum of 25 units per net hectare may be permitted provided that these forms are compatible with the scale, urban design and community features of the neighbourhood.

The criteria listed under subsection 2.5.2 d) shall be considered when evaluating proposals for housing intensification within established neighbourhood. In accordance with subsection 2.5.2 d) (i), adequate municipal services to accommodate the increased demands are provided, including such services as water, wastewater and storm sewers, school accommodation and parkland. City Site Engineering staff, Halton Region staff and Halton District School Board planning staff have been circulated as part of the technical review process and have demonstrated no concerns in terms of servicing capacity and school accommodations.

In accordance with subsection 2.5.2 d) (ii), development proposals are to provide for adequate off-street parking. Additionally, 2.5.2 d) (iii) describes development proposals are to ensure 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 application contemplates two (2) vehicle parking spaces located on the driveway and two (2) vehicle parking spaces in the garage. Furthermore, the RM2 zoning that is being proposed requires two (2) occupant parking spaces per unit and 0.50 visitor parking spaces per unit for townhouse dwellings.. Planning and Transportation Planning staff have no concerns with the proposed parking and traffic generated by the proposed development.

In accordance with subsection 2.5.2 d) (iv), development proposals are to be in close proximity to existing or future transit facilities. The subject lands are approximately 120 metres north from the nearest Burlington Transit bus stop on Route 51 (Burlington Go Station) which runs along Walker's Line and has 34 stops departing from Sutton at Dundas and ending in Burlington Go Station.

In accordance with subsection 2.5.2 d) (v), development proposals are to achieve compatibility 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. Similarly, subsection 2.5.4 a), b) and c) which relates to infill development, describes ground-oriented residential infilling within existing neighbourhoods and the creation of new housing that is compatible with existing neighbourhoods, shall be encouraged. New infill development shall be compatible with the surrounding development in terms of height, scale, massing, siting, setbacks, coverage and amount of open space. Additionally, subsection 2.5.2 d) (ix) describes that development proposals are to provide adequate buffering and other measures to minimize any identified impacts. The proposed RM2 zoning requires a landscape buffer

abutting R1, R2, R3 zones of 6 m. The proposed development therefore contemplates landscape buffers along the south, north and east property lines which abut 'Residential Low Density' zones. The south landscape buffer proposed is 5.2 m only within 11 m of Walker's Line and the proposed hammer head may encroach, the north landscape buffer is 6.1 m, the west landscape buffer is 5.9 m and the east landscape buffer is 5.3 m and a transformer and noise wall may encroach. Staff is of the opinion that given the proposed height which is in accordance with the existing zoning regulations, as well as the scale and massing of the proposed building blocks the requested amendments will not disrupt the overall compatibility of the neighbourhood.

In accordance with subsection 2.5.2 d) (vi), the effects on existing vegetation from development proposals are to be minimized, and appropriate compensation is provided for significant loss of vegetation, if necessary to assist in maintaining neighbourhood character. As part of the required materials for the application submission, the applicant has provided an Arborist Report, Tree Inventory and Tree Preservation Plan, Tree Inventory and Compensation Form and Landscape Plan. Urban Forestry and Landscaping staff have reviewed the submitted materials and have indicated no concerns with the proposed trees to be removed and those to be preserved.

In accordance with subsection 2.5.2 d) (viii) development proposals are to provide accessibility to community services and other neighbourhood conveniences such as community centres, neighbourhood shopping centres and health care. The proposed development is located within an 'Residential Area' under Schedule A – Settlement Pattern of the OP and it is approximately 400m away from the nearest 'Neighbourhood Commercial' designation and zone as recognized under the OP and Zoning By-law 2020. The 'Residential' and 'Neighbourhood Commercial' zones are connected by pedestrian and transit routes. Under the Zoning By-law, 'Neighbourhood Commercial' zones allow for a variety of retail, service commercial, office, community, automotive and entertainment and recreation uses that serve the greater residential neighbourhood communities.

Staff are therefore of the opinion that the proposed Zoning By-law amendment conforms to the City's 1997 Official Plan (as amended).

City of Burlington New Official Plan (OP, 2020)

On November 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 December 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.

The subject lands are designated 'Residential Low Density' under Schedule C: Land Use - Urban Area of the New Official Plan. Lands within this designation may permit single-detached and semi-detached dwellings to a maximum density of 25 units per net hectare. Townhouses may be considered under this designation, through a site-specific Zoning By-law Amendment, subject to the fulfillment of the following criteria.

- (i) The development does not exceed the density of 25 units per net hectare;
- (ii) The development form is compatible with the surrounding area;
- (iii) The development form is respectful of the physical character of the neighbourhood; and
- (iv) The development includes the provision of a functional amenity area at grade.

The criteria listed under subsection 12.1.2 (2.2) c) shall be satisfied when evaluating all development applications, where applicable. Subsection 12.1.2 (2.2) c) (i) describes the development shall be consistent with the land use compatibility policies contained in Section 4.6, of the Plan. Subsection 4.6.2 a) describes major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from vibration, noise, dust, odour or other contaminants and minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities, in accordance with provincial guidelines, standards and procedures." As part of the required materials for the Zoning By-law Amendment, the applicant was required to provide an Environmental Noise Impact Study as well as a Noise Study – Letter of Reliance. Site Engineering staff have indicated no concerns over potential adverse effects from vibration and noise generated by the proposed development. Additionally, as part of the required materials for the Zoning By-law Amendment, the applicant was also required to provide an Environmental Site Screening Questionnaire (ESSQ) and a Phase One Environmental Site Assessment (ESA). Halton Region staff have reviewed the materials submitted and have demonstrated no concerns over potential adverse effects from potential site contamination generated by the proposed development. It is therefore Planning staff opinion the proposed development conforms with the policies under Section 4.6 of the OP, 2020.

In accordance with subsection 12.1.2 (2.2) c) (iii) the development shall be consistent with the intent of the Urban Structure as outlined in section 2.3 of the Plan, and maintain the land use vision established in the land use designations of this Plan. The subject land is designated as 'Residential Neighbourhood Area' under Schedule B – Urban Structure of the Plan. In accordance with subsection 2.3.4 lands identified as 'Residential Neighbourhood Areas' make up a significant proportion of the Urban Area. These areas are intended to accommodate a wide range of residential uses and forms, together with

supporting parkland, and other land uses such as small-scale commercial uses or home occupations that are part of the residential environment. Any development occurring in these areas shall be compatible and should enhance the physical character of the surrounding area, in accordance with subsection 2.4 – Growth Framework and the applicable policies of Chapter 8: Land Use Policies – Urban Area of this Plan.

The subject land is designated as ‘Established Neighbourhood Area’ under Schedule B-1 – Growth Framework of the Plan. In accordance with subsection 2.4.2.(3) a) established neighbourhood areas: shall be recognized as a distinct area within the city’s Urban Area where intensification is generally discouraged; shall not be regarded as essential to achieve the population growth distributions, as stated by Places to Grow, and as distributed by the Region of Halton; and shall be composed of selected lands designated Residential-Low Density, Residential – Medium Density, and Residential – High Density, and as such development shall be in accordance with the permissions and densities established in the underlying land use designation. Furthermore, in accordance with subsection 2.4.2 (3) b), opportunities for intensification in ‘Established Neighbourhood Areas’ may be permitted with development that is in accordance with the maximum density and/or intensity permitted under the applicable land use designation. The subject land is currently vacant and contemplates development of a density of 23 units per net hectare.

In accordance with subsection 12.1.2 (2.2) c) (ii) the development shall achieve built form compatibility. Furthermore, subsection 12.1.2 (2.2) c) (iv) describes the development shall achieve high quality urban design and is consistent with the policies contained in Chapter 7: Design Excellence. Established Neighbourhood Areas are subject to the policies of Subsection 7.3.2 of this Plan, where applicable and additional considerations such as, but not limited to: the local pattern of lots; the building typologies of nearby residential properties; the heights and scale of nearby residential properties; the setback of buildings from the street; and the pattern of rear and side-yard setbacks. These identify that development should be designed to enhance the existing physical character of the surrounding area within which it is situated. Furthermore, in accordance with subsection 12.1.2 (2.2) c) (viii) the development shall provide buffering, setbacks and amenity area so that an appropriate transition between existing and proposed buildings are provided.

In accordance with subsection 12.1.2 (2.2) c) (vii) the development shall preserve and protect trees, consistent with the policies contained in Section 4.3, Urban Forestry. Urban Forestry and Landscape staff have reviewed the submitted materials and have indicated no concerns with the proposed trees to be removed and those to be preserved.

In accordance with subsection 12.1.2 (2.2) c) (vi) the development shall be supported by available infrastructure and public service facilities. Similar, subsection 12.1.2 (2.2) c) (xi) describes that development where residential uses are proposed shall demonstrate the degree to which public service facilities and other neighbourhood conveniences, such as

community centres, recreation, neighbourhood shopping centres and healthcare are located within walking distance or accessible by transit. The proposed development is located within an 'Established Neighbourhood Area' that utilizes existing servicing and it is approximately 400m away from the nearest Neighbourhood Centre designation as recognized under the OP, 2020 and Neighbourhood Commercial zone as recognized under the Zoning By-law 2020. The residential and neighbourhood centre zones are connected by pedestrian and transit routes. Under the Zoning By-law, Neighbourhood Centre zones allow for a variety of retail, service commercial, office, community, automotive and entertainment and recreation uses.

In accordance with subsection 12.1.2 (2.2) c) (xii) development shall address multi-modal transportation considerations and is consistent with the policies in Section 6.2: Multi-modal Transportation, including but not limited to that the development shall mitigate potential impacts on the municipal transportation system to an acceptable level with regard to transportation flow and capacity and it shall accommodate sufficient off-street parking and transportation demand management measures in accordance with the policies in Subsection 6.2.10. Planning and Transportation Planning staff are of the opinion the proposed visitor parking rate reduction and traffic generated by the proposed development will not have a negative impact on the surrounding neighbourhood.

Additionally, in accordance with subsection 12.1.2 (2.2) c) (ix) the development shall demonstrate that future development on the adjacent properties will not be compromised by the proposal and be designed to facilitate future pedestrian, cycling and/or private street. Similarly, subsection 12.1.2 (2.2) c) (xvi) describes the development shall consider the relationship to existing or planned transit facilities including a frequent transit corridor, higher order transit, bus routes and/or transit shelters and as per subsection 12.1.2 (2.2) c) (xvii) the development shall complement and connect with the public realm, including walking and cycling facilities. The subject lands are located on a minor arterial right-of-way and it is approximately 120 metres north from the nearest Burlington Transit bus stop on Route 51 (Burlington GO Station) which runs along Walker's Line and has 34 stops departing from Sutton at Dundas and ending in Burlington GO Station.

In accordance with subsection 12.1.2 (2.2) c) (xiv) the development shall provide stormwater management in accordance with the policies of Subsection 4.4.2(2) of this Plan. As part of the required materials for the application submission, the applicant has provided a Functional Servicing and Stormwater Management Report which Site Engineering staff have reviewed and have indicated no concerns.

Planning staff have reviewed the Zoning By-law Amendment application and materials and are of the opinion that the proposed development conforms to the City's new Official Plan, 2020.

Zoning By-law 2020

The subject lands are currently zoned 'Residential Low Density' (R3.2) (as shown on Appendix A). The R3.2 zone may permit detached dwellings to a maximum height of 2 storeys and one accessory dwelling unit subject to specific regulations. A Zoning By-law Amendment is required to allow for nine (9) townhouse units of 2-storeys in height to be developed on a private road (as shown on Appendix B). The proposal will result in a residential density of approximately 23 units per net hectare.

A comparison between the current and proposed zoning performance standards (and the applicable site-specific regulations) is illustrated on Table 1 (Zone Comparison), below.

Table 1: Zone Comparison (Current & Site-Specific Zone Proposed)

Zone Regulation	Zone Requirement		
	'R3.2' Zone (Section 4.0) (Existing)	'RM2' Zone (Townhouse)	'RM2-517' Zone (proposed)
Lot Width	15 m	45 m	40.53 m
Lot Area	425 m ² (0.0425 ha)	0.4 ha	0.37 ha
Front Yard	6 m	7.5 m For properties abutting a street having a deemed width of 30 m or greater: 9 m	5.3 m
Rear Yard	9 m (c)	9 m	7.5 m
Side Yard	Without attached garage or carport: One or one and a half storey side: 1.2 m, 3 m other side Two or more storey side: 1.8 m, 3 m other side With attached garage or carport: One or one and a half storey side: 1.2 m Two or more storey side: 1.8 m	4.5 m	South property line: 16.9 m North property line: 8.9 m

Street Side Yard	4.5 m	6 m	N/A
Yard Abutting R1, R2, R3 Zone	N/A	9 m	South property line: 16.9 m North property line: 8.9 m West property line: 7.5 m
Density	N/A	Minimum of 25 units per hectare and maximum of 40 units per hectare	Approximately 23 units per hectare
Floor Area Ratio	A maximum floor area ratio of 0.45:1 shall apply to properties in Designated Areas for Lot Coverage.	N/A	Approximately 0.49:1
Amenity Area	N/A	25 m ² / bedroom 15 m ² / efficiency	Amenity Area: approximately 64 m ² / bedroom
Privacy Area	N/A	20m ² per unit	Privacy Area: approximately 22 m ² / unit
Landscape Area and Buffer	N/A	Landscape Area: 4.5 m abutting a street having a deemed width up to 26 m 6 m abutting a street having a deemed width greater than 26 m Landscape Buffer: Abutting R1, R2, R3 zones: 6 m	South property line: 5.2 m (driveway within 11m of Walker's Line and hammer head encroaches) North property line: 6.1 m (noise wall encroaches) West property line: 5.9 m East property line: 5.3 m (transformer and noise wall encroaches)
Building Height	Maximum 2 ½ storeys for peaked roof dwellings and 2	Maximum 3 storeys	2 storeys

	storeys for flat roof dwellings		
Fence Height	Maximum fence height is 2m, and 1.2m within 3m of a street line	Maximum fence height is 2m, and 1.2m within 3m of a street line	Fence on property lines: 2.2m
Parking	For a Detached Dwelling, Semi-Detached Dwelling and Duplex Dwelling 2 parking spaces per unit are required; one of which may be provided in an attached or detached garage.	For Townhouse Dwellings 2 occupant parking spaces per unit and 0.50 visitor parking spaces per unit are required.	4 occupant parking spaces per unit provided in the attached garage and on the driveway.
General Parking Provisions (Parking Space Size & Accessibility)	Each parking space shall have a minimum width of 2.75m and a minimum area of 16.5 m ²		Parking Space Minimum: 2.6m x 5.6 m

The proposed development reflects a reduced lot width from the minimum required 45 m to 40.5 m and a reduced lot area from the minimum required 0.4 ha to 0.37 ha to acknowledge the subject land's existing lot configurations. Furthermore, the proposed development contemplates nine (9) units on a lot of 0.37 ha in size, which results in a density of approximately 23 units per net hectare. The subject lands are surrounded by a mix of residential uses with smaller lot areas and lot widths than those of the subject land. To the north, south and west of the property are low density residential uses with a maximum density of 25 units per net hectare and composed of single detached dwellings. To the east on the opposite side of Walker's Line are medium density residential uses composed of townhouse units on a private road. Differently from the existing R3.2 zoning which permits a maximum density of 25 units per net hectare, the RM2 zone permits a minimum of 25 units per hectare to a maximum of 40 units per net hectare. As a result, a reduced density from the minimum required 25 units per net hectare to 23 units per net hectare would be required as part of the Zoning By-law amendment. Staff is therefore of the opinion that the existing lot configuration and the proposed density maintains appropriate land use compatibility with the existing uses of the surrounding neighbourhood.

The proposed development contemplates a reduced front yard setback from the minimum required 9 m to 5.3 m, a reduced rear yard setback and west yard abutting a R1, R2 or R3 zone from the minimum required 9 m to 7.5 m and a reduced north yard setback

abutting a R1, R2 or R3 zone from the minimum required 9 m to 8.9 m. The intent of yard setbacks abutting R1, R2 and R3 zones is to promote compatibility and mitigate adverse effects of massing on the surrounding streetscape and adjacent properties. The Zoning By-law technically recognizes the side yards of the building blocks as the front and rear yards. On the rear yard, the subject land abuts the backyards of the neighbouring properties located to the west property line and on the front yard the subject land abuts Walker's Line. Staff is of the opinion the proposed rear yard setback continues to provide for sufficient separation between the proposed building and the neighbouring properties to mitigate the impacts of the proposed massing and the front yard continues to maintain compatibility with the existing streetscape.

Under the Zoning By-law 2020, a 'Landscape Area' is defined as an area of land within a lot dedicated to the planting of trees, shrubs, flower beds, or a combination thereof and which may include other decorative landscape features. A Landscape Area may be crossed by a driveway or walkway provided it is substantially perpendicular to the Landscape Area and may permit a ground sign but does not permit for snow storage and transformers. The proposed development contemplates a reduced landscape area abutting Walker's Line from the minimum required 6 m to 5.3 m and to permit a transformer and noise wall to encroach. The intent of landscape area regulations is to achieve appropriate landscaping and separation to existing streetscapes. It is therefore staff's opinion the proposed amendment will be compatible with the existing streetscape and will provide for sufficient landscaping.

Under Zoning By-law 2020, a 'Landscape Buffer' is defined as the area of a lot which serves to provide separation and to partially obstruct the view of adjacent land uses by means of a dense landscape screen consisting of evergreen trees or a combination of solid screen fencing and evergreen or deciduous trees. Snow storage and transformers are not permitted in a required landscape buffer. The proposed development contemplates a reduced south landscape buffer from the minimum required 6 m to 5.2 m and driveway within 11m of Walker's Line and hammer head to encroach, a reduced rear landscape buffer from the minimum required 6 m to 5.9 m and to permit the proposed noise wall to encroach into the north landscape buffer abutting a R1, R2 or R3 zone. It is therefore staff's opinion will provide for sufficient separation and partially obstruct the view of adjacent land uses by means of the dense landscape proposed.

The proposed development contemplates a fence height increase from the maximum permitted 2 m to 2.2 m. The intent of maximum fence heights is to prevent overbuilt of structures between properties. Staff find the proposed fence height increased to be appropriate to mitigate privacy concerns and will not pose negative impacts on the compatibility of the existing neighbourhood.

The proposed development contemplates two (2) vehicle parking spaces located on the driveway and two (2) vehicle parking spaces in the garage. The existing R3.2 zoning of

the subject land requires two (2) parking spaces per unit for detached dwellings, semi-detached dwellings and duplex dwellings, one of which may be provided in an attached or detached garage. Furthermore, the RM2 zoning that is being proposed requires two (2) occupant parking spaces per unit and 0.50 visitor parking spaces per unit for townhouse dwellings. The proposed development contemplates undersized visitor parking spaces, albeit in excess of the minimum required number of spaces. Planning and Transportation Planning staff are of the opinion the proposed visitor parking rate reduction and traffic generated by the proposed development will not have a negative impact on the surrounding neighbourhood.

As per the analysis above staff is of the opinion that the proposed amendments to Zoning By-law 2020 are appropriate for the subject lands.

Technical Comments

The subject application was circulated to internal staff and external agencies on March 22, 2022 for review. The following are comments received to-date which are summarized below:

Finance Department – Property taxes must be paid in full, including all installments levied.

Engineering Services: Accessibility Coordinator – no comments at this time.

Site Engineering – no concerns at this time, additional comments may be provided at the Site Plan review stage.

Traffic Technologist – no concerns and have stated temporary constructions signage is to be installed by the applicant as per OTM Book 7 guidelines.

Transportation – revisions were requested as part of the first formal development application submission, the applicant has now provided further revisions to the plans and transportation staff have no further comments or concerns as part of this application.

Urban Forestry and Landscape – revisions were requested as part of the first formal development application submission, the applicant has now provided further revisions to the plans and Urban Forestry and Landscape staff have no further comments or concerns as part of this application, additional comments may be provided at the Site Plan review stage.

Halton Region – revisions were requested as part of the first formal development application submission, the applicant has now provided further revisions to the plans and Regional staff have no further comments or concerns as part of this application.

Halton Regional Police Services – no concerns.

Halton District School Board – no concerns and have provided standard conditions of development which have been circulated to the applicant.

Halton District Catholic School Board – no concerns and have provided standard conditions of development which have been circulated to the applicant.

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.

As part of the Zoning By-law amendment application, the applicant was required to provide a checklist for the Sustainable Building and Development Guidelines which provide an overview of the required and encouraged sustainable design measures for new development across the City.

According to the 'site disturbance' guidelines, earthwork and clearing of vegetation is to be limited to maintain the local landscape and help ensure soils and vegetation remain undisturbed. The development proposal contemplates maintaining 6 inches of quality top soil as described under the submitted materials and have a designated snow storage area that will drain directly into the internal storm system thereby not impacting the proposed landscaped areas.

According to the 'site connections' guidelines, development proposals are required to provide pedestrian and cycling connections from on-site buildings to off-site public sidewalks, pedestrian paths, trails, open space, active transportation pathways, transit stops and adjacent buildings and sites in accordance with Official Plan policies. Similarly, according to the 'accessibility' guidelines, design on-site sidewalks, crosswalks and walkways are to be continuous, universally accessible, barrier-free and clearly delineated in accordance with Official Plan Policies, Accessibility for Ontarians with Disabilities Act & City of Burlington Accessibility Design Standards. Additionally, bicycle parking spaces are to be provided in accordance with the Zoning Bylaw and Official Plan Policies, yet as part of the Zoning By-law 2020, no bicycle parking spaces are required for this specific development. The development proposes an internal sidewalk that connects to Walker's Line as per the Burlington Accessibility Committees request as well as double car garages

that will allow for bicycle storage. The Engineering Services Accessibility staff have also reviewed the development application and have no comments or concerns at this time.

According to the 'stormwater quality' guidelines, development proposals are required to achieve an enhanced stormwater treatment for all stormwater runoff. As part of the application materials submitted, the applicant has addressed enhanced stormwater quality through the submission of a storm sewer design report that has been deemed appropriate by site engineering staff.

According to the 'urban heat island' guidelines, development proposals are required to provide vegetated landscape areas in hard surface areas as per the Zoning By-law. Although the development proposal requests to amend reduction in some of the landscape area setbacks, the proposal does not amend the total landscape area or lot coverage regulations within the Zoning By-law 2020 and proposes a reduction of the parking rates under the Zoning By-law which would allow for less asphalt and more vegetated areas to be provided.

Overall, the proposed development consists of infill development within an established neighbourhood area. As a result, the development would be incorporated into the existing transit and active transportation network of the surrounding neighbourhood.

Given the above information, planning staff is of the opinion the development considers the City of Burlington Climate Action Plan to support the City's climate implications.

Engagement Matters:

The applicant held a virtual Pre-Application Community Consultation Meeting on March 29, 2021, prior to the submission of the applications. The public including residents of the City of Burlington, Ward 6 Councillor Bentivegna, and City Planning staff attended the meeting.

Since receiving a complete application for the subject lands, City staff have engaged members of the public through the City's standard public notification and consultation practices for a Zoning By-law Amendment application:

- A webpage with information about the subject applications was published on the City's website at www.burlington.ca/2154walkers;
- Notice signs were erected on the subject property in March 2022;
- A notice was mailed to all property owners and tenants within 120 metres of the subject property (a total of 175 addressees) in March 2022;
- A Statutory Public Meeting was held on May 3, 2022.
- Notice of the Public Meetings were published in the City Update section of the Burlington Post.

Public Comments

Since the public circulation was issued in March 22, 2022, Planning Staff have received eleven (11) public written comments regarding the requested Zoning By-law Amendment. The public comments that were received are included as Appendix C to this report.

Public Comment	Staff Response
<p>Loss of natural vegetation and impact on wildlife</p> <p>concerns on the removal of trees resulting in loss of privacy.</p> <p>concerns on the proposed setback reductions and its impact on trees root bulbs and the drainage ditch and foundation of the proposed building.</p> <p>Concern over future removal trees and their survival over time.</p> <p>Concern with the demolition of the existing garage as there may be a lot of rodents or small animals are living in it which could invade neighbouring properties and the animal's current habitat may be destroyed.</p>	<p>As part of the required materials for the application submission, the applicant has provided an Arborist Report, Tree Inventory and Tree Preservation Plan, Tree Inventory and Compensation Form and Landscape Plan. Urban Forestry and Landscaping staff have reviewed the submitted materials and have demonstrated no concerns with the proposed trees to be removed and those to be preserved.</p> <p>The Region's Natural Heritage System (RNHS) is a systems approach to protecting and enhancing natural features and functions based on environmental Key Natural Features of the Region of Halton. The subject land is not designated as part of the RNHS or contain Key Natural features that form part of the RNHS. It was brought to the attention of regional planning staff that there may be potential or significant wildlife habitats on the subject land. The RNHS speaks to mapped and unmapped features, significant wildlife habitats constitute unmapped features. After consultation with Conservation Halton, it has been determined that there are no features present on the subject land that would constitute significant wildlife habitat. As such, regional staff are satisfied with respect to the RNHS.</p>
<p>Concerns on density increase</p>	<p>The subject land is surrounded by a mix of residential uses with smaller lot areas and lot widths than those of the subject land. To the north, south and west of the property are low density residential uses with a maximum density of 25 units per net hectare and composed of single detached dwellings. To the east on the opposite side of Walker's Line are medium density residential uses composed of townhouse units on a private road. Differently</p>

	<p>from the existing R3.2 zoning which permits a maximum density of 25 units per net hectare, the RM2 zone permits a minimum of 25 units per hectare to a maximum of 40 units per net hectare. As a result, a reduced density from the minimum required 25 units per net hectare to 23 units per net hectare would be required as part of the Zoning By-law amendment. Planning staff is therefore of the opinion that the proposed density is compatible with the surrounding land uses.</p>
<p>Fence Height Increase Concerns whether the fence will have gates Preference for a minimum fence height of 2.4 m instead of the permitted maximum 2 m to mitigate disruption to our privacy and sight lines Possibility for the barrier fence along Walkers line to be completely joined from the edge of the last Donald Rd. property to the edge of the last Chrisdon Rd. property). As well as the possibility of an eight foot sound barrier fence installed.</p>	<p>The proposed fencing does not contemplate gates or paths/connections to other properties. The proposed fence will be 2.2 m in height, the Zoning By-law amendment includes a fence height increase from the maximum permitted height of 2 m to 2.2 m.</p>
<p>Nuisances Nuisances such as maintenance activities, light, noise and fumes from traffic idling in driveways Lack of security due to visitors or disruptive behaviour, and vehicles speeding Increased garbage that would attract wildlife Disputes between with a condominium corporation for maintenance of shared fence.</p>	<p>As part of the required materials for the development application, the applicant provided an Environmental Noise Impact Study as well as a Noise Study – Letter of Reliance. Site Engineering staff have reviewed these material and have demonstrated no concerns with the potential noise generated by the proposed development.</p> <p>As part of the required materials, the applicant also provided a Waste Management Report to demonstrate the management of the waste generated by the proposed development. Regional staff who have reviewed the proposed waste collection have not</p>

	<p>demonstrated concerns with the proposed design.</p> <p>In case there are any nuisances at the time the development has been completed related to disruptive behaviour such as vehicle speeding, idling, noise, or other as well as disputes between property owners and/or the future condominium corporation, planning staff would defer to the By-law enforcement staff to deal with resident's complains.</p>
<p>Increased traffic and congestion (more specifically on Walker's Line)</p>	<p>The application contemplates two (2) vehicle parking spaces located on the driveway and two (2) vehicle parking spaces in the garage. The existing R3.2 zoning of the subject land requires two (2) parking spaces per unit for detached dwellings, semi-detached dwellings and duplex dwellings, one of which may be provided in an attached or detached garage. Furthermore, the RM2 zoning that is being proposed requires two (2) occupant parking spaces per unit and 0.50 visitor parking spaces per unit for townhouse dwellings. Therefore, the proposal contemplates no visitor parking spaces parking spaces. Planning and Transportation Planning staff have no concerns with the proposed parking visitor parking reduction and traffic generated by the proposed development.</p>
<p>Donald Road Opposition and in favour of Donald Road remaining closed with no entry or egress for this proposed development.</p>	<p>The development proposal does not propose a connection between the subject land and Donald Road. Transportation staff have recommended for Donald Road to remain as is.</p>
<p>Setbacks Setback to private road. how close the proposed roadway will be to our backyard Concerns of no sufficient space between the property line and the proposed building and its impact on encroachment onto neighboring property.</p>	<p>The proposed development contemplates a reduced front yard setback from the minimum required 9 m to 5.3 m, a reduced rear yard setback and west yard abutting a R1, R2 or R3 zone from the minimum required 9 m to 7.5 m and a reduced north yard setback abutting a R1, R2 or R3 zone from the minimum required 9 m to 8.9 m. The intent of yard setbacks abutting R1, R2 and R3 zones is to promote compatibility and mitigate adverse effects of</p>

<p>Opposition on changes to the current limits for minimum lot area; rear yard setback; yard abutting a low-density residential zone; and landscape buffer.</p>	<p>massing on the surrounding streetscape and adjacent properties. On the rear yard, the subject land abuts the backyards of the neighbouring properties located to the west property line and on the front yard the subject land abuts Walker's Line. Staff is of the opinion the proposed rear yard setback continues to provide for sufficient separation between the proposed building and the neighbouring properties to mitigate the impacts of the proposed massing and the front yard continues to maintain compatibility with the existing streetscape.</p>
<p>Drainage Concerns of setback being reduced and the existing slope of the property impacting the drainage function of the subject land which could in turn cause water to flow directly onto neighbouring properties and Tina Road.</p> <p>Concerns of new owners converting the grass areas located at the front of the dwellings to a hard surface.</p> <p>Concerns on whether City can confirm that in all storm events, including 100 year flood, that this design with or without eventual hard surface, will not overwhelm the proposed drainage design.</p> <p>Concerns on water contamination</p>	<p>As part of the required materials for the application submission, the applicant has provided a Functional Servicing and Stormwater Management Report which includes projections for storm water drainage for 2 to 100-year storm events for the proposed concept plan. Site engineering has reviewed the submitted materials and have indicated no concerns.</p> <p>Regulations which may directly impact the drainage function of the property include lot coverage which is defined under the Zoning By-law 2020 as the percentage of the lot area covered by buildings measured to the outside of the exterior walls, including all buildings and projections (cantilevered floor space, window projections, etc.). Carports, porches and decks may be excluded from the lot coverage calculation provided there is no floor area above them. As part of the submitted application the applicant is not proposing to amend the lot coverage regulation for the proposed concept plan, therefore there will not be an increase in the maximum permitted regulations for impervious areas.</p>
<p>Construction and Excavation Activities</p>	<p>As part of the required materials for the application submission, the applicant has provided a Construction Management Plan</p>

<p>Impacts of the construction being too close in proximity due to reduced setback and concerns on the facilitation of excavation with a reduced setback from the neighbouring property line when you factor in safe sloping (1:1).</p> <p>Concerns whether the current fence will remain until the end of the construction to ensure that the surrounding neighbourhood is not impacted by construction nuisances.</p>	<p>which depicts the construction phase of the development as well as an Arborist Report, Tree Inventory and Tree Preservation Plan which depict the protection of the trees that are to remain on the property during the construction phase. The fence that is located along the property lines will be replaced by the new proposed fence during the construction phase.</p>
<p>Compatibility</p> <p>Concerns on compatibility disruption including physical character of the neighbourhood due to the proposed development in established neighbourhood area. Potential compatibility disruption with properties on Donald Road, Tina Road and Chrisdon Road.</p> <p>Concerns whether the proposal meets the Chapter 8 of the New Official Plan policies</p> <p>Concerns on Walker's Line sightline impact created from the proposed development (which, if single-family homes were to be built around the end of Donald Road</p>	<p>As noted on the above section related to the Official Plan policies, planning staff have no concerns in terms of the proposed development and the compatibility with the surrounding neighbourhood.</p>

Conclusion:

Staff's analysis of the application for the proposed Zoning By-law amendment has considered the applicable policy framework and the comments submitted by technical agencies and the public. Staff find that the application is consistent with the Provincial Policy Statement and conforms to the Provincial Growth Plan, the Regional and City Official Plans, and the Zoning By-law 2020.

It is therefore recommended that the proposed zoning by-law amendment to facilitate the creation of 9 townhouse units, be approved.

Respectfully submitted,

Mariana Da Silva

Planner I – Development Review

(905) 335-7600 ext. 7536

Appendices:

- A. Existing Zoning
- B. Concept Plan
- C. Public Comments
- D. Zoning By-law Amendment

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.