



## REPORT

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**TO:** Mayor Lawlor and Members of Council

**FROM:** Greg Macdonald, Senior Planner – Development Review

**DATE:** February 9, 2024

**REPORT NO.:** PD-2024-017

**SUBJECT:** Recommendation Report for proposed Official Plan and Zoning By-law Amendments to allow for a 6-storey, 163-unit apartment building at 12, 22 and 24 Dayfoot Drive (Georgetown)

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### RECOMMENDATION:

THAT Report No. PD-2024-017, dated February 9, 2024, regarding a “Recommendation Report for proposed Official Plan and Zoning By-law Amendments to allow for a 6-storey, 163-unit apartment building at 12, 22 and 24 Dayfoot Drive (Georgetown)”, be received;

AND FURTHER THAT Town of Halton Hills Official Plan Amendment No. 56, which amends the Town of Halton Hills Official Plan as generally shown on SCHEDULE 3 – OFFICIAL PLAN AMENDMENT, be adopted as an exempt Local Official Plan Amendment and the Zoning By-law Amendment, to amend the Town of Halton Hills Zoning By-law 2010-0050, as amended, as generally shown on SCHEDULE 4 – ZONING BY-LAW AMENDMENT, be approved on the basis that the amendments for the lands municipally known as 12, 22 and 24 Dayfoot Drive (Georgetown) are consistent with the Provincial Policy Statement, conform or do not conflict with all applicable Provincial plans, conform with the Region of Halton Official Plan and satisfies the evaluation criteria contained in the Town of Halton Hills Official Plan, have regard for matters of Provincial interest, and represent good planning for the reasons outlined in Report No. PD-2024-017, dated February 9, 2022;

AND FURTHER THAT in accordance with Section 34(17) of the Planning Act, no other notice is deemed to be necessary.

## KEY POINTS:

The following are key points for consideration with respect to this report:

- In November 2021 Neuhaus Developments, through their agent Evans Planning, submitted Official Plan and Zoning By-law Amendment applications (File No(s). D09OPA21.004 & D14ZBA21.018) proposing the development of a 6-storey, 155-unit (since revised to 163 units) apartment building at 12, 22 and 24 Dayfoot Drive (Georgetown).
- The Statutory Public Meeting for the applications was held on April 11, 2022; through the application review process the Town received correspondence from 10 residents; one in support of the applications; two with questions of clarification of information; and seven in opposition to the development expressing a range of concerns over planning policy, height/density, traffic/parking, noise, and tree removal. There were also four speakers at the public meeting in opposition to the development (two of the speakers had earlier provided written comments).
- An Applicant initiated Public Information Centre (PIC) was held virtually on August 31, 2022, attended by 3 residents. Concerns raised were mainly transportation related.
- Town and agency staff have completed their review of the applications and development proposal.
- This report recommends approval of the Official Plan and Zoning By-law Amendment applications.

## BACKGROUND AND DISCUSSION:

### 1.0 Location and Site Characteristics

The consolidated subject lands, municipally known as 12, 22 and 24 Dayfoot Drive, are located in Georgetown, north of Dayfoot Drive, west of Mill Street and immediately south of the Canadian National Railway (CNR) right-of-way; see **SCHEDULE 1 – LOCATION MAP**. The lands have an approximate area of 1 hectare (2.5 acres) with approximately 24.5 metres (80.0 ft.) of frontage on Dayfoot Drive (at 12 Dayfoot Drive) and an additional 9.2 metres (30.0 ft.) of frontage at the location of the existing driveway entrance for 22 & 24 Dayfoot Drive.

The property currently contains a single detached dwelling at 12 Dayfoot Drive and another single detached dwelling at 22 Dayfoot Drive, which would both be demolished in order to accommodate the proposed development. The remainder of the lands are vacant and vegetated to varying degrees with woodlands and thickets. Surrounding land uses to the subject lands include:

To the North: Canadian National Railway (CNR) right-of-way

To the East: Two-storey apartment building and a triplex (located on a site subject to OPA/ZBA applications currently seeking to build a 4-storey apartment building), the Moya Johnson Parkette and single detached dwellings

To the South: Single detached dwellings (north side of Dayfoot Drive) and the Amico redevelopment site (former Memorial Arena lands) under construction on the south side of Dayfoot Drive

To the West: Single detached dwellings

## 2.0 Development Proposal

On December 14, 2021, the Town deemed complete Official Plan and Zoning By-law Amendment applications (File No(s). D09OPA21.004 and D14ZBA21.018) submitted by 2661426 Ontario Inc. (Neuhaus Developments), through their agent Evans Planning Inc. (the Applicant). The applications originally sought to obtain the necessary land use approvals to develop a 6-storey, 155-unit apartment building (the proposal has since been revised to 163 units); see **SCHEDULE 2 – PROPOSED SITE PLAN & RENDERINGS**.

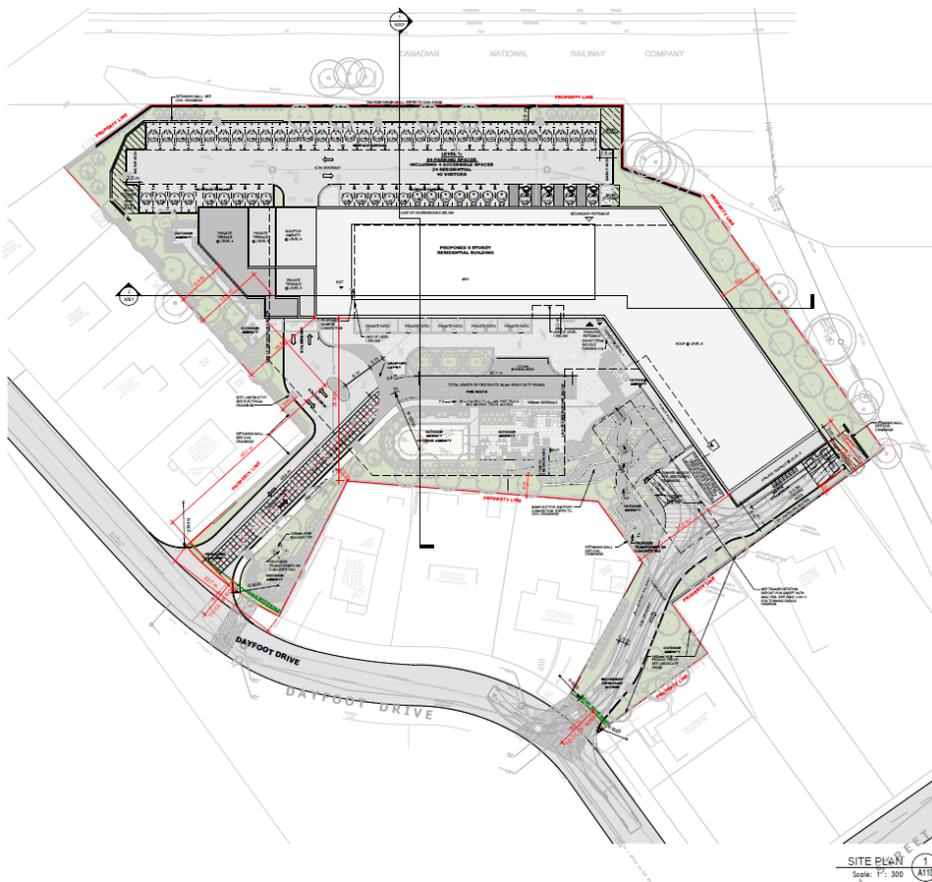


Figure 1: Concept Plan



*Figure 2: Concept Renderings*

<b>Design Elements</b>	<b>Application Proposal</b>
Gross Floor Area	14,393 sq. m (154,933 sq. ft)
Number of Units	163 residential units (combination of 1-, 2- and 3-bedroom units)
Height	6-storeys (23.5 m – 27 m to top of mechanical penthouse)
Parking	<p>270 spaces (~1.64 spaces per unit) consisting of:</p> <ul style="list-style-type: none"> <li>• 230 resident spaces (1.40 spaces/unit) split between surface parking and a two-storey underground garage</li> <li>• 40 visitor spaces (0.24 spaces/unit) provided through surface parking</li> </ul> <p>60 bicycle storage spaces are also proposed (50 long-term and 10 short-term)</p>
Vehicular Access Points	<p>2 accesses from Dayfoot Drive:</p> <ul style="list-style-type: none"> <li>• western access (12 Dayfoot Dr.) for surface parking, a moving area, and drop-off/pick-up area</li> <li>• eastern access for the underground garage and loading/waste collection area</li> </ul>
Amenity Area	Interior and exterior amenity areas including a children’s play area, seating areas, 6 <sup>th</sup> storey rooftop amenity space, terraced gardens with pathways and private balconies and private terraces.

It should be noted that minor changes to the proposed development have occurred since the applications were submitted in 2021 in response to comments identified through the development review and public consultation processes. A summary of the changes is as follows:

- The introduction of a 2<sup>nd</sup> level of underground parking;
- The elimination of parking spaces in front of the building at surface (to improve site design and pedestrian safety);
- The introduction of additional building step-backs at both the west and east ends of the building to aid in the minimization of building massing and overview; and,
- An increase in the number of dwelling units proposed from 155 to 163 (the introduction of the 2<sup>nd</sup> level of underground parking allowed the Applicant to readjust the number of units due to the availability of sufficient parking. It is noted that a range of 1-, 2- and 3-bedroom units are still proposed).

Under the Town's Official Plan, the portion of the subject lands at 22 and 24 Dayfoot Drive are designated "Medium/High Density Residential Area" which permits a residential building up to 5 storeys and a density of 35 to 75 units per net residential hectare. An Official Plan Amendment is proposed to establish a Site-Specific Policy Area to allow for an increase in height to 6 storeys and to change the way in which the density for the site is measured from units per hectare to Floor Space Index (FSI) to permit a maximum FSI of 1.5. The amendment also proposes to redesignate 12 Dayfoot Drive from "Low Density Residential Area" to "Medium/High Density Residential Area" and to incorporate the property into the same Site-Specific Policy Area noted above; see **SCHEDULE 3 – OFFICIAL PLAN AMENDMENT**. It is noted that 12 Dayfoot is only an additional vehicular/pedestrian access to the main development site at 22 Dayfoot Drive and will not contain the proposed building.

The proposed Zoning By-law Amendment seeks to rezone the consolidated site from the Low Density Residential One (LDR1-2) Zone to a site-specific High Density Residential (HDR) Zone with the following special provisions, as identified in **SCHEDULE 4 – ZONING BY-LAW AMENDMENT**:

- modify various interior side yard and rear yard setback requirements to address special setback provisions that vary based on the height of the building;
- reduce the minimum setback from a railway right-of-way from 30 m to 20 m; and,
- other miscellaneous modifications to address architectural encroachments and rooftop design.

Should the Official Plan and Zoning By-law Amendments be approved, the proposed development will be required to obtain Site Plan approval.

### **3.0 Planning Context**

The purpose of this section is to evaluate the proposed Official Plan and Zoning By-law Amendments against the relevant Provincial, Regional and Town policy framework to determine conformity with the applicable policies and guidelines.

- **Provincial Policy Statement:**

The 2020 Provincial Policy Statement (PPS) provides broad based policies that promote an appropriate range of housing types that make efficient use of infrastructure and public services facilities, thus supporting the development of healthy communities. The proposal is required to be consistent with the relevant policies of the PPS in accordance with Section 3 of the Planning Act.

Under the PPS Georgetown would be considered a Settlement Area. Section 1.1.3 identifies Settlement Areas as the focus of growth and development and states that the vitality and regeneration of settlement areas is critical to the long-term prosperity of our communities. Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.

In addition, Policy 1.1.3.3 states that 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, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

Planning staff is of the opinion that the proposed Official Plan and Zoning By-law Amendments are consistent with the policies of the 2020 PPS.

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

The subject lands are part of a larger designated urban area in Georgetown. The 2020 Growth Plan contains policies that speak to the provision of a diverse range and mix of housing options to accommodate people at all stages of life and creating an urban form that will optimize infrastructure to support the achievement of complete communities through a more compact built form. A major guiding principle of the Growth Plan is to prioritize intensification and higher densities to make efficient use of land and infrastructure and support transit viability. As per Section 3 of the Planning Act, the proposal shall conform and not conflict with the Growth Plan.

More specifically, the subject lands are located within a Major Transit Station Area. The 2020 Growth Plan states that within all major transit station areas, development will be supported by planning for a diverse mix of uses, including additional residential units and that alternative development standards should be considered.

Planning staff is of the opinion that the proposed development is in conformity with the Growth Plan for the Greater Golden Horseshoe.

- **Region of Halton Official Plan**

The subject lands are designated Urban Area (Georgetown) in the Regional Official Plan (ROP), as amended. Section 76 of the ROP establishes that the range of permitted uses and the creation of new lots within the Urban Area shall be in accordance with local Official Plans and Zoning By-laws.

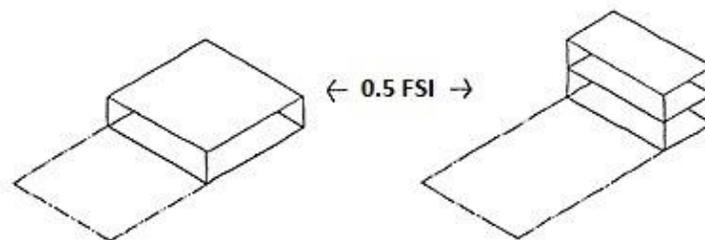
Under the ROP the property is also located within the Georgetown GO Station Major Transit Station Area (MTSA), as defined through ROPA 48. MTSA's are areas within a 500 to 800 metre radius of a major transit station that are intended to function as an important Strategic Growth Area and be developed as higher density, mixed-use communities; Section 81 contains a range of policies applicable to MTSA's.

Regional staff has confirmed that the application is in conformity with the ROP.

- **Town of Halton Hills Official Plan**

The subject site is included within the boundaries of the GO Station Secondary Plan and situated within the Mill Street Corridor Precinct. Most of the lands (22 & 24 Dayfoot Drive) are designated "Medium/High Density Residential Area"; the portion of the lands consisting of 12 Dayfoot Drive is designated "Low Density Residential Area".

Section H3.6.4 provides the land use policies for the "Medium/High Density Residential Area" designation. Within this designation a range of residential uses are permitted, including apartment buildings, at a density range of 35 to 75 units per net residential hectare and up to a maximum height of 5 storeys. The proposed development is a 6-storey, 163-unit apartment building, which requires a site-specific Official Plan Amendment to allow an increase in maximum height from 5 to 6 storeys and to change how the density for the site is measured from units per hectare to a Floor Space Index (FSI) calculation to permit a maximum FSI of 1.5. As a note to the reader, Floor Space Index (FSI) is a measure of the intensity of development or maximum building volume/massing that can be developed on a site. For example, an FSI ratio of 0.5 means that the total gross floor area of all floors in all buildings constructed on a site cannot exceed one half the area of the lot size itself as per the figure below:



The "Low Density Residential Area" designation does not permit apartment buildings; therefore, an Official Plan Amendment is required to redesignate 12 Dayfoot Drive to "Medium/High Density Residential Area" and incorporate the property into the site-specific designation being requested for 22 & 24 Dayfoot Drive (it should be noted that no portion of the building is proposed to be located on the 12 Dayfoot Drive parcel).

Section H3.6.1 of the Secondary Plan outlines the objectives for the Mill Street Corridor Precinct, which includes encouraging the redevelopment of larger lots in appropriate locations for medium and/or high-density residential uses that are compatible with the surrounding area. In addition, Policy H.3.6.4(d) provides directions on how to consider compatibility with surrounding uses when evaluating new developments. Plans and three-dimensional computer models are required to be submitted to demonstrate that the design of the development minimizes height and massing impacts on existing, adjacent low density residential areas.

The Georgetown GO Station/Mill Street Corridor Area (a Major Transit Station Area) is identified as an intensification area for the Town of Halton Hills through Policy D5.2. Intensification Areas are to provide the focus for most of the intensification within the Built-up Areas; are to be transit-supportive; and should reduce reliance on the automobile. Table D5.1 provides an intensification target of a minimum of 1,540 units within the GO Station/Mill Street Area between 2015 and 2031. It should be noted that the Town has initiated an update to the GO Station Secondary Plan to bring the Plan into conformity with the 2020 Growth Plan and the Region of Halton Official Plan.

Additionally, as per Section D1.4.1 of the Official Plan all new developments requiring Planning Act approval shall conform to the Urban Design policies (Section F2) of the Official Plan. The objective of the urban design policies is to ensure that urban areas of the Town evolve in a manner that enhances the quality and vibrancy of urban life. It is Council's desire to create and encourage a high-quality built form through good urban design. Staff are satisfied that the design and layout of the proposal generally comply with the urban design objectives of the Official Plan.

It is noted that most of the subject lands were already planned for higher density residential uses in a built form of up to 5-storeys. While the proposal increases height modestly, (from 5 to 6 storeys) it is staff's opinion that the scale of the development is consistent with the intent of the Secondary Plan and is appropriate for the subject lands because:

- the updated building design includes terraced building step-backs that reduce the visual appearance of the additional storey and overall building height where it is closest to adjacent residential lands. The building will only be 3-storeys adjacent to the abutting single detached homes to the west and then terrace up to 6-storeys towards the middle of the site.
- The building would only cover approximately 33% of the area of the property (i.e., 67% of the property is not occupied by the building) which is indicative of a property that is not dominated by the building massing.
- Most of the parking is located underground with ample outdoor amenity space provided and the subject lands are in very close proximity to two municipal parks (one of which will be constructed across Dayfoot Drive on the former Memorial Arena lands).
- The immediate area contains a mix of land uses, including high-density development on the opposite side of Dayfoot Drive and a proposed 4-storey apartment building to the east.

For the reasons outlined above, Planning staff is of the opinion that the requested Official Plan Amendment will still allow for the development of the subject property in a manner consistent with the intent of the GO Station Secondary Plan and the overall Town of Halton Hills Official Plan as it serves to implement the key objectives for the Mill Street Corridor Precinct to allow for higher density residential uses that are compatible with the surrounding area. It is important to note that the Official Plan defines compatible as “development or redevelopment of uses as well as new housing, which may not necessarily be the same as or similar to the existing development but can coexist with the surrounding area without negative impact.”

It should also be noted that on August 22, 2023, the Ministry of Municipal Affairs and Housing assigned a housing target of 9,500 homes to Halton Hills to be constructed by 2031. The intent of the housing target is to help support the Province’s goal of constructing 1.5 million new homes in Ontario by 2031 to address the housing supply crisis. In October 2023 the Mayor confirmed in writing the Town’s commitment to meet the 9,500 homes target; the approval/construction of this development will contribute to meeting that commitment.

- **Town of Halton Hills Zoning By-law**

The subject lands are zoned Low Density Residential One (LDR1-2) (12 Dayfoot Drive is also subject to the ‘Mature Neighbourhood’ overlay). The Applicant proposes to rezone the entirety of the property to a site-specific High Density Residential (HDR) Zone with special provisions, as identified in the chart below:

<b>Provision</b>	<b>Current HDR Permissions</b>	<b>Proposed Site-Specific HDR Permissions</b>
Permitted Uses	Apartment building, long term care facilities, retirement homes	Apartment building restricted to a maximum of 163 units
Height	25 m	23.5 m and 6 storeys (specifics of the height and massing are controlled by a Schedule in the site-specific by-law)
Bicycle Parking	N/A	0.36 spaces per dwelling unit (50 long term parking for residents, 10 short term parking for visitors)
Parking	Resident – 1.5 spaces/unit Visitor – 0.25 spaces/unit	Resident – 1.4 spaces/unit (229 parking spaces) Visitor – 0.24 spaces/unit (40 parking spaces)
Setback from a Railway Right-of-Way	30 m	20 m

The proposed building complies with most of the standard HDR Zone minimum setback requirements. However, the property is irregular in shape and has several different lot lines considered as rear and side lot lines. As a result, varying step-backs have been incorporated into the building design to address privacy, overlook and functional/aesthetic interests particularly on the east side of building. These changes have reduced the height of the building where it is closest to abutting lots containing single detached dwellings. To ensure the building is constructed as proposed and at the approved distance from a railway right-of-way, a schedule has been included in the site-specific By-law that contains a site plan/massing plan for which the building must conform to at the Site Plan/building permit stage.

Staff considers the proposal to rezone the property from the Low Density Residential One (LDR1-2) Zone to a site-specific High Density Residential (HDR) Zone appropriate given that it will implement the Medium/High Density Residential Area designation applied to the property through the GO Station Secondary Plan. The site-specific provisions will ensure the development of the property is restricted to a maximum of 6-storeys and 163-units, along with the site-specific provisions outlined above.

With regards to the minor decrease in the required parking, it is noted that due to the introduction of a 2<sup>nd</sup> level of underground parking, the parking reduction is now quite minimal – resident parking at 1.4 spaces/unit instead of 1.5 spaces/unit; visitor parking at 0.24 spaces/unit instead of 0.25 spaces/unit. This translates to a parking reduction of only 17 spaces. Due to proximity to the Georgetown GO Station and other neighbourhood amenities (parks, Guelph Street, Downtown Georgetown) as well as policy direction in the Region of Halton Official Plan to consider parking reductions in the GO Station area (Policy 81.2.4.h), the reduction is supported by Town Transportation staff. It is noted that the parent Zoning By-law does not require bicycle parking for residential uses; notwithstanding, the site-specific by-law will require bicycle parking to ensure active transportation measures are implemented.

With regards to the setback reduction to a railway right-of-way, CN Rail allows a reduction to a railway right-of-way so long as a combination of a berm and crash barrier are provided. The Applicant is providing such features. CN and their peer review consultants have reviewed the technical reports addressing railway safety and concur with the findings.

Through the Zoning By-law Amendment, a 'H' Holding Provision is also required to be applied to the site to address:

- Servicing allocation;
- Preparation and execution of a monitoring plan of the proposed infiltration gallery to ensure that it is functioning as intended without adverse effects to the groundwater and to demonstrate through an addendum to the Stormwater Management (SWM) report that the proposed infiltration gallery shall not negatively impact the surrounding properties. The monitoring plan and SWM report addendum are due to a required dewatering system being implemented;

- Completion of the remaining environmental investigation pertaining to contamination and that the Ministry of Environment, Conservation and Parks (MECP) acknowledge the Record of Site Condition (RSC); and,
- To ensure that through the future Site Plan Control process sufficient screening (fencing and landscaping) is secured where the property abuts adjacent lots containing single detached dwellings.

A Building Permit cannot be issued for the proposed building until the conditions above are completed to the Town's satisfaction and the Holding Provision is lifted.

For the reasons outlined above, Town staff are recommending approval of the proposed site-specific Zoning By-law Amendment.

#### **4.0 Department and Agency Comments**

The applications were circulated to Town departments and external agencies for review and comment, with the most recent circulation occurring in September 2023. Staff from various departments and agencies have completed their review of the proposed development and have indicated that they have no concerns or objections to the proposed Official Plan and Zoning By-law Amendments.

Staff is satisfied that changes proposed to the building through the second submission (introduction of greater building step-backs/lower height and a second level of underground parking) sufficiently address the staff comments identified in the 2022 Public Meeting report regarding the building massing/setbacks and provision of parking. The updated submission materials also addressed some of the outstanding technical comments; the final engineering comments of a technical nature will be addressed as part of the required Site Plan approval process.

#### **5.0 Public Comments**

The proposed Official Plan and Zoning By-law Amendments were presented to Council and the Public by way of Report No. PD-2022-0020 through a Statutory Public Meeting on April 11, 2022, during which four members of the public spoke. In addition, 10 pieces of written correspondence were received, seven of which expressed concerns about the development (which includes correspondence from the Silvercreek Community Neighbourhood Association). Two submissions raised questions of clarification. One comment was in support of the application. A summary and response of the public comments is provided below:

##### **a) Height, Density and Scale**

Most members of the public who provided written and/or verbal comments raised general concerns regarding the height, density and overall scale of the proposed building, believing it may result in shadow and privacy issues and would be incompatible with the existing neighbourhood.

- *Staff Response*

Consistent with the intent of the GO Station Secondary Plan and specifically the Mill Street Corridor Precinct area, the neighbourhood surrounding the subject site is experiencing change through approved and proposed developments. However, staff recognize that much of the area is still characterized by a number of single detached dwellings. That is why a great amount of care is undertaken when evaluating intensification projects such as this. In this regard staff can advise that:

- One of the policy objectives for the Mill Street Corridor Precinct is to permit redevelopment for high density residential uses on certain larger lots in appropriate locations that are compatible with the surrounding area. The subject lands are one such site that has already been designated for medium and/or high-density residential uses of up to 5 storeys.
- The Town retained an urban design consultant (BrookMcIlroy) to complete a peer review of the applications to evaluate the potential impacts of the building and proposed additional storey. In response to comments provided by the Town's consultant, as well as public feedback, the Applicant revised the building to provide further building step-backs at the upper levels that include building height reductions on the west side of the building down to 5-storeys, 4-storeys and 3-storeys. These changes will reduce the height of the building at the closest point to the homes along Dayfoot Drive to 3 storeys. The eastern side of the building also now contains a building step-back down to the 4<sup>th</sup> storey level to a depth of 3 m to improve massing on that side of the property as well; see **SCHEDULE 5** for a comparison of the building massing.
- The sun-shadow study demonstrates that the additional storey will not result in any incremental shadow impacts for the abutting single detached homes and their rear yards. The design also provides at least a 45-degree angular plane<sup>1</sup> between the nearest portion of the building to the property lines of those abutting homes, which will mitigate the shadow and overlook concerns. Substantive landscaping including tree plantings are proposed throughout, especially abutting the lower density residential lots. Where existing privacy fences do not exist, new 1.8-metre-tall privacy fences are proposed. The implementing Zoning By-law contains a Holding Provision condition to ensure that appropriate screening between the subject lands and lower density residential lots is secured through the future Site Plan Control application.
- Appropriate on-site parking is provided for the development. The building will only occupy approximately 33% of the lot at grade and the site provides ample amenity

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<sup>1</sup> A 45-degree angular plane is a planning tool used to limit or manage how deep and tall a building can be designed. An imaginary 45-degree angled line is applied from the front of the property or an applicable property line to prevent a building from protruding beyond it to mitigate shadow and overlook concerns for abutting lower density properties.

areas to support the residents. The property is in close walking and/or active transportation proximity to the GO Station, Guelph Street corridor and to Downtown Georgetown.

Based on the above, staff are satisfied that the height, density and overall scale and massing of the revised development is appropriate for the subject lands, will not unduly impact the surrounding neighbourhood and is compatible with the area.

### **b) Traffic and Parking (including during construction)**

Many of the residents expressed concerns that the local road network would not be able to handle the proposed traffic generated by the development and that insufficient on-site (i.e., off-street) parking is proposed which would result in overflow parking impacts on the neighbourhood (including overflow parking impacts during construction).

- *Staff Response*

The Applicant was required to submit a Traffic Impact Study (TIS) including a parking demand study component in support of the applications. With respect to the concern about insufficient parking, staff can advise:

- The initial submission that was circulated to the public and discussed at the Public Meeting in 2022 proposed a parking ratio of 1.1 parking spaces per unit for residents plus 0.2 visitor parking spaces per unit (combined 1.3 spaces/unit). In response to staff and public comments the Applicant agreed to include a 2<sup>nd</sup> level of underground parking. As a result, the amount of parking on-site has been increased considerably and is now proposed at a rate of 1.4 spaces/unit for residents and 0.24 spaces/unit for visitor parking (combined 1.64 spaces/unit). This results in only a modest parking reduction of 17 parking spaces for the 163-unit building. An updated parking demand analysis was included within the updated TIS that supports the new proposed ratio, which Town Transportation staff accept.
- Several active transportation initiatives are also being provided through the development, including bicycle parking and information is to be provided to residents about transit options.

With regards to traffic impacts, the updated TIS submitted after the Applicant introduced the 2<sup>nd</sup> level of underground parking indicates that all intersections in the area are still expected to operate in an efficient manner with no unacceptable delays. The study did factor in the other approved/proposed developments in the area as well (i.e., the former Memorial Arena lands development and 16-18 Mill St.). Therefore, the proposed development is not anticipated to generate congestion or safety issues. It is noted that the Amico development will result in new sidewalks on the opposite side of Dayfoot Avenue and along Mill Street (between Dayfoot Avenue and Guelph Street). Transportation and Engineering staff are also investigating the viability of a new public

sidewalk on the north side of Dayfoot Avenue to connect the easterly site access driveway to Mill Street. More review of this will occur at the Site Plan stage of development.

With regards to impacts on the neighbourhood during construction because of construction worker parking, at the Site Plan stage of development a Construction Management Plan (CMP) is required to be submitted for review by engineering staff. One aspect of a CMP is to address construction worker parking. It is always staff's objective to minimize, wherever possible, the impacts of parking and deliveries associated with construction activities on existing neighbourhoods.

### **c) Abutting Waste Disposal Site**

Required background environmental studies submitted as part of the proposed development (Phase 1 and 2 Environmental Site Assessments (ESA)) identified that a former waste disposal site exists on the municipal property to the east of the subject lands. Concerns were raised that the presence of this former waste disposal site could impact the health of future residents of the building and/or that the construction of the building itself could impact groundwater such that it would 'force' this groundwater onto surrounding residential properties impacting the health of its residents.

- *Staff Response*

Section C12 of the Town of Halton Hills Official Plan contains policies that require development sites in proximity to both open and closed waste disposal facilities to undergo appropriate environmental studies to ensure leachate and gases do not impact a development site. In this regard, the Phase 1 ESA indicated that the former waste disposal site to the east was last in operation in the 1950's (between 60 and 70 years ago). Following the concerns raised by the public the Applicant has since completed a Phase 2 ESA, which included soil and groundwater sampling analysis. The result of the analysis is that both the soil and groundwater on the eastern side of the subject lands, closest to the former waste disposal site, are within provincial limits for residential land uses. In addition, as groundwater in this area flows generally from west to east, the construction of the building would not impact any existing groundwater flowing from the waste disposal site. However, it is noted that the Region of Halton has advised that further updates to the Phase 2 ESA are required. A Holding Provision is proposed to be incorporated into the site-specific by-law to address this matter.

### **d) Streetscape**

A comment was received from a resident of Dayfoot Drive that that existing above ground hydro lines on Dayfoot Drive should be buried to improve the streetscape.

- *Staff Response*

This same comment/concern was raised through the review of the development applications for the former Memorial Arena lands. It was determined at that time that Town staff do not have the ability to force the developers to bury existing hydro lines within the municipal right-of-way as it is not an issue being created by the developments. In addition, it was identified that there are both technical and financial challenges to doing so, particularly due to the narrow width of Dayfoot Drive. Burying the hydro line on Dayfoot Drive may not fit within the underground municipal right-of-way due to existing infrastructure that already exists underground. The project would be extremely costly to taxpayers (who fund Halton Hills Hydro) and would cause additional construction impacts on all residents of Dayfoot Drive.

#### **e) Noise Impacts**

A concern was raised that perhaps the combination of the proposed railway crash wall (which also serves as a sound barrier) and the location and scale of the building on the site could result in railway noise being directed to existing homes in the area (i.e., noise bouncing off the crash wall and/or residential building to the surrounding homes).

- *Staff Response*

Section C15 of the Town of Halton Hills Official Plan requires that any development in proximity to railway rights-of-way must undertake appropriate noise and vibration analysis. In this regard, the submitted noise and vibration report has been reviewed by engineering staff and deemed acceptable. CN Rail has also reviewed and approved the noise and vibration study and crash wall design report. Through the future Site Plan Control stage of development, the noise mitigation measures that are required will be implemented (i.e. requirement for provision of air conditioning, warning clauses, crash wall construction, and special building and window materials). However, because of the concern raised, the Applicant contacted the noise and vibration consultant who confirmed that the proposed design, including noise mitigation measures, should decrease any existing noise and vibration impacts that surrounding residential properties may be currently experiencing as a result of the adjacent railway corridor.

#### **f) Tree Removal**

Some residents expressed concern over the number of existing trees on the property proposed to be removed to accommodate the development.

- *Staff Response*

Region of Halton natural heritage and ecology staff were involved in review of the Environmental Impact Assessment (EIA) required to be submitted as part of the proposed development. Through the review of the report and on-site visits it was determined that none of the woodland features on the subject lands form part of a

Regionally Significant Woodland and as such, the Regional tree cutting by-law would not apply. Regional staff have also advised that “staff concur with the results of the EIA that with the recommended mitigation, the proposed development will not have a measurable negative impact on the natural heritage features and functions on and in the immediate area”. The mitigation proposed includes substantive vegetative and tree plantings.

**g) Other Questions/Comments:**

- Concern about the proximity of the proposed internal walkway to 6 Dayfoot Drive; and,
- Were First Nations communities consulted on artifacts found on the property.

*Staff Response*

As part of the updated design, the proposed walkway that would allow pedestrians to access the building from the easterly access driveway location was relocated further from the property limits which has allowed new plantings to be provided between the walkway and fence of the property at 6 Dayfoot Drive.

The Applicant has completed all required archaeological assessments of the subject lands, including a Stage 4 Archaeological Assessment, which documents and categorizes all archaeological finds and their appropriate removal and storage. The Ministry of Citizenship and Multiculturalism (MCM) has received all required documentation and has approved the reports for entry into the Ontario Public Register of Archaeological Reports. The Six Nations of the Grand River, the Mississaugas of the Credit and the Haudenosaunee Development Institute were each contacted by the archaeological consultant to participate in the Stage 4 excavation. All three sent liaisons to partake in the excavation and field review of recovered artifacts. No concerns were raised by any party during the process and a recommendation was included in the final report that the First Nations be contacted if any additional artifacts are found during the construction process.

**STRATEGIC PLAN ALIGNMENT:**

This report identifies a safe and welcoming community as one of the Town’s Strategic priorities.

**RELATIONSHIP TO CLIMATE CHANGE:**

This report impacts and/or helps address climate change and the Town's Net Zero target through climate mitigation.

The Green Development Standards (GDS) checklist submitted by the Applicant proposes to include several environmental initiatives that should help reduce climate change impacts from the development. The checklist indicates sufficient initiatives to meet the GDS standards of the Town. Further confirmation of this and clearance of the

GDS requirement will occur through the Site Plan Control application stage of development.

**PUBLIC ENGAGEMENT:**

Public Engagement has been conducted as follows: A Statutory Public Meeting was held on April 11, 2022. This meeting fulfilled the requirements for public participation under the Planning Act, and provided for Transparency, Notification and Participation, as defined in the Town's Public Engagement Charter.

An additional Applicant-initiated Public Information Centre (PIC) was held on August 31, 2022.

**INTERNAL CONSULTATION:**

Planning staff have consulted with the appropriate Town Departments, the Region of Halton, Credit Valley Conservation (CVC) and CN Rail in preparation of this report.

**FINANCIAL IMPLICATIONS:**

This report is administrative in nature and does not have any financial implications.

Reviewed and approved by,

Jeff Markowiak, Director of Development Review

John Linhardt, Commissioner of Planning & Development

Chris Mills, Chief Administrative Officer