



## **PUBLIC MEETING-2019-0007**

### **Proposed Zoning By-law Amendment for 11801 Trafalgar Road (Georgetown)**

#### **Proposed Zoning By-law Amendment to Permit the creation of 5 residential lots (6 total lots including the retained lot) for single detached dwellings at 11801 Trafalgar Road (Georgetown)**

Minutes of the Public Meeting Committee held on Monday, May 27, 2019, 6:53 p.m., in the Council Chambers, Town of Halton Hills, Town Hall, 1 Halton Hills Drive, Halton Hills.

Councillor T. Brown chaired the meeting.

Councillor T. Brown advised the following:

The purpose of this Public Meeting is to inform and provide the public with the opportunity to ask questions or to express views with respect to the development proposal. The Councillors are here to observe and listen to your comments; however, they will not make any decisions this evening.

As the Chair, I am informing you that when Council makes a decision, should you disagree with that decision, the Planning Act provides you with an opportunity to appeal the decision to the Local Planning Appeal Tribunal for a hearing, subject to Tribunal validation of your appeal. Please note that if a person or public body does not make oral submissions at a public meeting or written submissions to the Town of Halton Hills before the decision is made, the person or public body is not entitled to appeal the decision of the Town of Halton Hills to the Local Planning Appeal Tribunal. In addition, if a person or public body does not make oral submission at a public meeting, or make written comments to the Town of Halton Hills before the decision is made the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal, unless, in the opinion of the Tribunal, there are reasonable grounds to do so. You may wish to talk to Planning staff regarding further information on the appeal process.

The Planning Act requires that at least one Public Meeting be held for each development proposal and that every person in attendance shall be given an opportunity to make representations in respect of the proposal.

The format of this Public Meeting is as follows:

- The Town will generally explain the purpose and details of an application;
- Next, the applicant will present any further relevant information, following which the public can obtain clarification, ask questions and express their views on the proposal.

The applicant and staff will attempt to answer questions or respond to concerns this evening. If this is not possible, the applicant and/or staff will follow up and obtain this information. Responses will be provided when this matter is brought forward and evaluated by Council at a later date.

## **SPECIFIC PROPOSAL**

This Public Meeting involves an application by BSG Developments Holding Corporation (Bluestone Group) to amend the Town of Halton Hills Zoning By-law 2010-0050, as amended and to permit the creation of 5 residential lots (6 total lots including the retained lot) for single detached dwellings.

## **TOWN'S OPPORTUNITY**

The Chair called upon the Town's representative, Tony Boutassis, Senior Planner, to come forward to explain the proposal.

T. Boutassis noted the purpose of the Public Meeting is to provide a summary of the Zoning By-law Amendment application submitted by BSG Development Holding Corporation (Bluestone Group) for the property at 11801 Trafalgar Road in Georgetown. A Public Meeting is required for Zoning By-law Amendments under the Planning Act.

This Public Meeting is being held in accordance with the Mayor's Task Force on Public Engagement and the Public Engagement Charter. Tonight the Town of Halton Hills is informing you and consulting with you, the public, and providing an opportunity for you to ask questions and share your views on the subject development proposal.

The lot is comprised of two (2) properties that are both under the Ownership of the Applicant. The combined parcel has an area of approximately 8,400 sq. m (2.08 acres) and contains frontage on both Trafalgar Road and Newman Place. With regard to the surrounding neighbourhood context; to the North are single detached residential dwellings, to the East are single detached residential dwellings on the east side of Newman Place, to the South is a wooded area that slopes down and is owned by the Town of Halton Hills and to the West are agricultural properties with associated farm dwellings and buildings across Trafalgar Road.

The Applicant has submitted this Development Concept, which seeks to obtain the necessary land use approval to allow for the creation of five (5) new lots fronting onto Newman Place for the purpose of constructing single detached dwellings, the existing dwelling would be maintained on Parcel F and the portion of the lands noted as Parcel G are intended to be dedicated to the Town as they contain part of a woodlot that cannot be developed. Access to each of the new five (5) residential lots is proposed by way of private driveways off Newman Place. The retained dwelling would continue to be accessed from Trafalgar Road. The residential lots are proposed to be on full municipal services that would connect to the water and wastewater mains located under the Newman Place right-of-way. The single detached dwellings intended to be constructed on the five (5) new lots are proposed to be 1 and 2 storeys in height. The Applicant has provided conceptual building renderings to show how the dwellings could potentially be designed.

Under the Town's Official Plan, the subject lands are designated Low Density Residential Area, which permits single detached dwellings. The Low Density Residential Area allows for a maximum density of 20 units per net hectare. The proposal represents a density of 14 units per net residential hectare, which falls within the permitted density range. Further, a maximum height of 3-storeys is permitted. The Applicant is proposing a maximum height of 2-storeys.

The development of new single detached dwellings requires an Amendment to the Zoning By-law. The entire subject lands are zoned Development (D) Zone. The D Zone only permits buildings and structures that legally existed on the effective date of the By-law and does not permit the proposed creation of new residential lots. The Applicant is proposing to rezone the property from Development (D) to the Low Density Residential One (LDR1-3) Zone and Environmental Protection Two (EP2) Zone. The LDR1-3 Zone matches the zoning of the existing surrounding properties and the Applicant is proposing no site specific provisions.

If the Zoning By-law Amendment application is approved, the proposed development will require the submission of a Consent (Severance) application to facilitate the creation of the proposed lots.

The comments received to date offer no objection to the proposed Zoning By-law Amendment. Staff are still awaiting comments from various Town departments, Halton Region and the Credit Valley Conservation Authority

On April 29, 2019 the Public Meeting Notice was mailed to properties within 120 m of the subject lands. On May 2, 2019 the Public Notice was posted in the Independent & Free Press with a courtesy Notice published on May 23, 2019.

To date Planning staff have received; six (6) emails/correspondence and four (4) phone calls/counter inquiries from residents in regards to the proposal. Six (6) property owners have formally objected to the proposal.

A summary of the issues and concerns outlined by members of the public include:

- Stormwater drainage and sewage backup issues;  
(The Applicant has submitted a Functional Servicing Report, which speaks to drainage and servicing and is currently being reviewed by the Town's Development Engineering Department and Halton Region.)
- Location, height, and setbacks of the proposed dwellings;
- Lot sizes compared to the surrounding neighbourhood;  
(Staff will continue to review these concerns, however, as stated earlier the proposal conforms with the Official Plan policies applying to density and height and the Applicant has not requested any site specific reductions to the LDR1-3 zoning standards.)
- Construction related nuisance (dust, dirt/mud, noise, safety etc.).  
(A Construction Management Plan will be required to be submitted with the Consent application that outlines noise, dust, and debris control, working hours, project staging, site safety, parking, access, communication with the surrounding neighbourhood, etc.)
- Increase in vehicular traffic;  
(The Town's Transportation Department has indicated that there no traffic concerns with regard to the 5 new homes being proposed.)

- Removal of trees and environmental impacts;  
(The Applicant has submitted a Tree Inventory and Preservation Plan as well as an Environmental Impact Assessment, which are currently being review by Town, Regional and CVC staff.)
- Effect on property values and altering the neighbourhood character;
- Appropriateness of this site for infill development;
- Loss of privacy and views.

The Applicant has submitted various technical studies and drawings that respond to many of the listed concerns and are currently being reviewed by Town and external agency staff. Prior to providing a recommendation to Council, Planning staff will ensure that all concerns raised by the public are thoroughly evaluated.

With regard to Future Steps; staff are awaiting additional comments from the public following the meeting tonight, staff are also awaiting additional comments from Town departments and external agencies, staff will work with the Applicant to satisfy all identified issues and a final report will be delivered to Council on the disposition of this matter

## **APPLICANT'S OPPORTUNITY**

The Chair called upon the applicant to provide further information and details on the proposal.

The applicant's agent Glen Wellings of Wellings Planning Consultants Inc. came forward he stated that he is the planning consultant for the proponent. He stated that he does have a bit of history with the Georgetown West Community. When the Georgetown West Community was developed the subject lands were identified as having development potential but were not developed at that time for the simple reason that they were not owned by the principle developer of the Georgetown West Community, they were privately owned. The only surprise is that it has taken this long for them to get to this point for an application for development. These lands were not identified for park purposes through the Georgetown West planning exercise and consist of table lands with development potential. These lands have been designated as low density residential under the Town's Official Plan and zoned for development under the Zoning By-law. At the beginning of this process they assessed the development potential of these lands and as part of the assessment reviewed different built forms including, townhouses, semi-detached dwellings and/or single detached homes and decided that single detached residential units on larger lots was the desired approach. Rezoning of the lands would be consistent with the zoning in the immediate neighbourhood.

The development option put forth conforms to the Town's Official Plan and in fact the Town's Official Plan would allow for more density than what is being proposed, but again the proposal is consistent with the existing neighbourhood. The zoning proposed is the same as the rest of Newman Place and precisely matches the character of the existing neighbourhood. He also stated that through this process the intent is to convey the woodland portion of the property to the Town for future protection.

## **PUBLIC'S OPPORTUNITY**

The Chair asked if there were any persons in attendance who have questions, require further clarification or information or wish to present their views on the proposal.

The following persons came forward:

### **Jean Graham, 29 Newman Place, Georgetown**

J. Graham stated that the main thing that she objected to here is the fact that this changed to future development land nine years ago back in 2010 and at that time no one in the neighbourhood received any letters, and no signage went up to warn them that this was happening. There are people whose property abut this proposed development land, they paid premiums on their lot because the land appeared free and clear with a good view with nothing behind them.

J. Graham stated that she felt the residents should have been told that this development was changing and that it was no longer going to be a single home on a big lot, but low density residential and would like to know why none of the neighbours were informed at that time, they were only informed four weeks ago that this was happening and they knew nothing about it before that time. J. Graham stated that it would have been far more respectful and informative to let the residents know that these changes were taking place as at this point it seems that it has been done and dusted, whereas if they had been told nine years ago that this was happening they could have made some more objections, been more informed and maybe had more input with respect to the homes that they would want to see in that lot area. Though the previous speaker noted that the proposed homes conform to the homes on the rest of the street it seems that only one of the proposed homes does and the rest look quite crammed with small narrow lots, not at all like the houses opposite to them. The proposed development changes the whole face and character of the neighbourhood. If they had been informed earlier they may have been able to request that only three or four homes be built on the lot with wider frontages, which may have suited the area better aesthetically. She stated that she wanted the people in planning to be aware that this development will affect the people on Callaghan that back on to the property, it will affect the sunlight and privacy. She noted that she is not as affected as the people on Callaghan but how she is affected is the ambience of the neighbourhood and the look of the neighbourhood which is important to her.

### **Andrew Robling, 42 Callaghan Crescent, Georgetown**

A. Robling stated that he is the original home owner of 42 Callaghan Crescent and has lived there for 19 years. He stated that he had three points to make. The first point was to clarify something the planner said that there is concern about sewage and drainage and wanted to make it clear that there has been a history of sewage back up on Newman Place in the past that needs to be understood and he believes that it is on record with the Town. Second point he wanted people to understand is that Callaghan slopes from west to east and that in early years when he moved into his home there was a basement leakage and that they had to hire people to fill in the cracks in the basement and that he has concerns about the impact that the new homes may have to his home that this may happen again. Third point he wanted to make is that when you look at the planning drawings it looks like the foundation of the new home is going to start about four feet from the property line and no other homes in the area are built that close to the

property line and it seems very close.

**Andrew Mackenzie, 43 Newman Place, Georgetown**

A. Mackenzie noted that the issue he wanted to talk about is drainage. He noted that the previous speaker had made a comment about drainage issues and sewer backup and that his home was the home that had experienced the sewage backup in the past. The backup was not severe and didn't cause any serious damage. They did have a member of the Town come out to have a look. There is a huge gash out of Newman Road where the road was excavated where they put in an access thing so they can take a look at it. He said that he didn't know a lot about these things but the commentary given was that the drainage from his sewage line y's from his home to 45 Newman and the inspector said he had never seen anything like it in his 25 years and also that it was shrunk down to a three inch tube which the inspector had also never seen in 30 years. He was advised to get a sewage backup protection device which if properly installed by all but one person, that one person will have 4 ft of sewage in their basement if sewage were to backup. What he saw and what was explained to him at the time is that the problem existed on his property. He had no knowledge that this was a problem and he was told that essentially this is not a Town problem but the owner's problem. The interesting part of this is that he is an original owner and has lived there for 19 years and he had no say in the matter and that the inspector from the Town who he would assume would have been the inspector when his home was built and Law Development who would have been the developer when the home was built would have been responsible. He stated that we all know what the consequences of a severe back up will be and that his property would be the primary recipient of that should that happen and wanted to know what the Town would do to make sure this doesn't happen.

**Bill Litshauer, 46 Callaghan Crescent, Georgetown**

B. Litshauer stated that he backs on to where the new buildings will be adjacent to specifically parcel A. He noted that he is not an original owner that he moved to this home in 2013 and that one of the reasons that they moved there was for the character of the neighbourhood, a beautiful, calm and quiet neighbourhood and in particular behind their house. That will be gone if the proposed development moves forward as it stands right now. Of particular concern, the five proposed new dwellings will be facing Newman Place, but primary concern for him and he believes the neighbour to his right is that they are going to lose their privacy and sun and the new homes will be overlooking their yards. He asked that a concession be made to put a bungalow on parcel A of the lands to reduce that disturbance and/or move the structure back to minimize impacts to the existing homes in the neighbourhood.

**Sue Robling, 42 Callaghan Crescent, Georgetown**

S. Robling noted that there were a lot of neighbours in attendance in objection to this proposed development of the lands. She noted that they are going to have a house approximately four feet from her property and it is really going to change the character of our neighbourhood. They have raised their children here and she does not know of any other house that is going to have a house that close to their property line. It is going to change their total sun and their view. She noted that there are a lot of people here that are objecting to it and that she hoped that Council will listen to the people.

**Hestie Meyer, 40 Callaghan Crescent, Georgetown**

H. Meyer stated that they experience wildlife in the back of their yard, recently two wild turkeys have moved in there and they also have rabbits and what they will be losing is the nature that is being settled down in that area. Also there are no other houses in the area being built like the proposed houses.

**Slawomir Niemczyk, 33 Callaghan Crescent, Georgetown**

S. Niemczyk stated that the character of the neighbourhood and the quiet that the empty lot provides are important. He stated that he has two young boys and that the empty street and empty lot provide a very serene and quiet neighbourhood that is an awesome place to raise their family, which is part of the reason that they chose the area in 2010. He stated that they would be losing that and it would be a negative impact on the neighbourhood. He also stated that there are concerns with regards to the sewage backup and any potential plumbing issues. He noted that immediately prior to moving to their property there was a water leakage on the property, he is not sure how well it was repaired but it has been holding up so far. Not sure what negative impact that this will have on the rest of the neighbourhood.

**Beth Loch, 44 Callaghan Crescent, Georgetown**

B. Loch stated that they are the second house in and probably the most impacted by the development as her home is a bungalow and not the corner lot. They have two storeys to the left and to the right and now possibly to the back of their property. Her request to the Town and the Developer is to take under advisement to have a bungalow on that first lot.

**FINAL COMMENT FROM STAFF**

The Chair asked if there was any further information which Town Staff wished to provide prior to the conclusion of the meeting.

Staff had no further information to provide.

**CONCLUSION OF MEETING**

The Chair declared the Public Meeting closed. Council will take no action on this proposal tonight. Staff will be reporting at a later date with a recommendation for Council's consideration.

If you wish to receive further notification of this proposal, please leave your name and contact information with Mr. Boutassis in the foyer outside this Council Chamber, or with the Town Clerk during regular business hours. Only those persons who leave their names and contact information will be provided further notification. If you wish to speak to the proposal when it is brought before Council in the future, you must register as a delegation with the Town Clerk prior to the meeting.

If you wish to make a written submission the deadline for comment is June 17, 2019.

The meeting adjourned at 7:26 p.m.

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Rick Bonnette

MAYOR

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Suzanne Jones

CLERK