TOWN OF HALTON HILLS

REPORT

REPORT TO: Chair and Members of the Planning, Public Works and Transportation Committee

REPORT FROM: John McMulkin, Planner – Development Review

DATE: January 9, 2020

REPORT NO.: PD-2020-0007

RE: Recommendation Report for a proposed Zoning By-law Amendment to permit the creation of 5 new single detached residential lots (6 total including the retained lot) at 10759 Eighth Line (Georgetown)

RECOMMENDATION:

THAT Report No. PD-2020-0007 dated January 9, 2020, regarding the "Recommendation Report for a proposed Zoning By-law Amendment to permit the creation of 5 new single detached residential lots (6 total including the retained lot) at 10759 Eighth Line (Georgetown)", be received;

AND FURTHER THAT the Zoning By-law Amendment to amend Town of Halton Hills Zoning By-law 2010-0050, as amended, for the lands municipally known as 10759 Eighth Line (Georgetown), as generally shown in SCHEDULE 4 – ZONING BY-LAW AMENDMENT, be approved on the basis that the application is consistent with the Provincial Policy Statement, conforms or does not conflict with all applicable Provincial plans, conforms with the Region of Halton Official Plan and the Town of Halton Hills Official Plan, has regard for matters of Provincial interest, and represents good planning for the reasons outlined in Report No. PD-2020-0007 dated January 9, 2020;

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

BACKGROUND:

1.0 Purpose of the Report:

The purpose of this report is to provide Council with recommendations concerning the final disposition of a Zoning By-law Amendment application seeking to obtain the necessary permission to create 5 new single detached residential lots (6 total lots including the retained lot) at 10759 Eighth Line in Georgetown South.

2.0 Location & Site Characteristics:

The subject lands are bounded to the west by Eighth Line and located on the south side of Eaton Street; see **SCHEDULE 1 – LOCATION MAP**. The lands have an approximate area of 3,690.2 m² (0.91 acres) and contain frontage on both Eighth Line (45.72 metres) and Eaton Street (81.42 metres). The property was occupied by a single detached dwelling, which was recently demolished.

Surrounding lands uses to the subject lands include:

To the North:	Single detached residential dwellings;
To the East:	Single detached residential dwellings;
To the South:	Single detached residential dwellings; and,
To the West:	Agricultural properties that are included within the Vision Georgetown Secondary Plan area and intended to develop during the 2021-2031 planning period.

3.0 Development Proposal:

On March 29, 2019, the Town deemed complete the Zoning By-law Amendment application (File No. D14ZBA19.003) submitted by Robert Russell Planning Consultants Inc. (the Agent) on behalf of 1215846 Ontario Ltd. – Di Blasio Homes (the Applicant).

The application seeks to obtain the necessary land use approval to allow for the creation of five (5) new residential lots (6 total lots including the retained lot) for the purpose of constructing single detached dwellings that front on to Eaton Street; see severance sketch below:

The table below outlines the proposed lot sizes and frontages for each lot identified on **SCHEDULE 2 – CONCEPTUAL SITE PLAN**:

Lot	Area	Eaton Street Frontage
1	764.4 m² (8,228 sq. ft.)	16.83 m (55.2 ft.)
2	585.2 m² (6,299 sq. ft.)	12.89 m (42.3 ft.)
3	584.7 m² (6,294 sq. ft.)	12.89 m (42.3 ft.)
4	584.3 m² (6,289 sq. ft.)	12.89 m (42.3 ft.)
5	584.1 m² (6,287 sq. ft.)	12.89 m (42.3 ft.)
6	587.5 m² (6,324 sq. ft.)	13.03 m (42.7 ft.)
Total	**3,690.2 m² (39,721 sq. ft.)**	**81.42 m² (267.1 ft.)**

Access to each of the 6 residential lots is proposed by way of private driveways from Eaton Street, with the existing access from Eighth Line intended to be closed off. The residential lots are proposed to be on full municipal services that would connect to the water and wastewater mains located under the Eaton Street right-of-way.

The single detached dwellings intended to be constructed on the 6 lots are proposed to be 2-storeys in height and designed to reflect the existing character of the neighbourhood; see **SCHEDULE 3 – CONCEPTUAL BUILDING ELEVATIONS**. The Applicant has noted that the development would represent a density of 13.3 units/net residential hectare.

To accommodate the development the Applicant is proposing to rezone the property from the current Low Density Residential One (LDR1-1) zone to a Low Density Residential One (LDR1-3) zone; see **SCHEDULE 4 – DRAFT ZONING BY-LAW AMENDMENT**. The Applicant suggests that the LDR1-3 zone was selected because it allows for residential lots with minimum frontages of 12.0 metres (~40.0 ft.), which is consistent with the existing residential lots located on the south side of Eaton Street directly adjacent to the subject site. The proposal complies with all of the current LDR1-3 zone standards.

An accompanying Consent (Severance) application has been submitted to the Town as part of the development proposal, which is currently under staff review. Should the subject Zoning By-law Amendment application be approved the proposed development will require the approval of the Consent application in order to facilitate the creation of the proposed residential lots.

COMMENTS:

This section of the report will identify, analyze and respond to key matters of interest associated with the Zoning By-law Amendment application. The section is broken down into the following five (5) subsections:

1.0 Planning Context and Policy Framework

2.0 Water Allocation

3.0 Existing 0.3m Reserve Along Eaton Street

4.0 Town Department and External Agency Comments

5.0 Public Comments

1.0 Planning Context and Policy Framework:

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

1.1 Provincial Policy Statement (PPS):

The 2014 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*.

The subject lands are located within a settlement area (Georgetown). Section 1.1.3.1 of the PPS states that settlement areas shall be the focus of growth and development, and their vitality and regeneration shall be promoted. In addition, Section 1.1.3.4 indicates that appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.

Planning staff is of the opinion that the proposed Zoning By-law Amendment application is consistent with the policies of the 2014 PPS.

1.2 Growth Plan for the Greater Golden Horseshoe:

The Growth Plan (2019) 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. As per Section 3 of the *Planning Act*, the proposal shall conform and not conflict with the Growth Plan.

The subject lands form part of a larger designated urban area in Georgetown and are located within a designated greenfield area of this settlement area. Section 2.2.1.2 of the Growth Plan states that the vast majority of 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.

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

1.3 Region of Halton Official Plan (ROP):

The 2009 Regional Official Plan designates the subject lands as Urban Area (Georgetown). Section 76 of the OP states that the range of permitted uses and the creation of new lots in the Urban Areas will be in accordance with Local Official Plans and Zoning By-laws. Section 89 of the ROP requires all development within the Urban Area to be on full municipal services.

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

1.4 Town of Halton Hills Official Plan:

Under the Town's Official Plan, the subject lands are designated Low Density Residential Area (LDRA), which permits single detached dwellings.

Section D1.3.1.2 of the Official Plan indicates the following with regard to the height and density of residential uses within the Low Density Residential Area:

> *The maximum permitted density shall not exceed 20 units per net residential hectare in the Low Density Residential Area designation as shown on Schedule A3: Georgetown Urban Area.*
>
> *The maximum building height shall not exceed three storeys in the Low Density Residential Area designation.*

Additionally, Section D1.4.3 indicates the following with regard to infill development in established residential neighbourhoods:

> *Infill development, in accordance with the applicable land use designation in the Plan, shall be encouraged provided Council is satisfied that:*
>
> *a) the proposed development, including building form and density, is compatible with the character of the existing neighbourhood;*
> *b) new buildings are designed in a manner that is sensitive to the location, massing and height of adjacent buildings;*
> *c) a suitable transition in lot sizes, densities, building forms and heights is provided from adjacent development;*
> *d) existing trees and vegetation will be retained and enhanced where possible and additional landscaping will be provided to integrate the proposed development with the existing neighbourhood;*
> *e) the proposed development will not create a traffic hazard or an unacceptable increase in traffic on local roads; and,*
> *f) significant views and vistas which help define a residential neighbourhood are preserved.*

The proposed development conforms to the density and height permissions outlined in the Official Plan. The proposal also does not conflict with the infill development policies as the built form intended to occupy the lots are single detached homes, which is consistent with the established character of the neighbourhood. Further, the Town's Official Plan and Zoning By-law do not identify minimum lot sizes for the Low Density Residential Area; however, the proposed lots are similar in size to the existing lots located on the south side of Eaton Street.

While the subject report only provides recommendations with regards to the proposed Zoning By-law Amendment, staff recognizes that the Zoning By-law Amendment is intended to facilitate the Consent (Severance) application also submitted by the Applicant. With regard to new lots proposed to be created by Consent, Section F1.2.1 requires the following to be satisfied for the retained and severed lots:

a) front on and will be directly accessed by a public road that is maintained on a year-round basis;
b) will not cause a traffic hazard;
c) has adequate size and frontage for the proposed use in accordance with the implementing Zoning By-law and is compatible with adjacent uses;
d) can be serviced with an appropriate water supply and means of sewage disposal;
e) will not have a negative impact on the drainage patterns in the area;
f) will not restrict the development of the retained lands or other parcels of land, particularly as it relates to the provision of access, if they are designated for development by this Plan; and,
g) will not have a negative impact on natural heritage features and related ecological functions in the area.

Staff is also of the opinion that the proposal satisfies the criteria to be considered when evaluating Consent applications for the following reasons:

- the lots front on to and are accessed from a public road (Eaton Street);
- the creation of new lots at the end of Eaton Street is not anticipated to create a traffic hazard and Town Transportation and Development Engineering staff has not identified any objection to the proposal. With the elimination of the existing driveway entrance from Eighth Line, Engineering staff is satisfied that the proposed driveway entrances from Eaton Street comply with Town standards;
- the lots satisfy the minimum requirements under the Town's Zoning By-law and the Applicant has identified building envelopes on the proposed lots that meet the minimum setback and height requirements of the LDR1-3 zone;
- the lots can be serviced by municipal water and wastewater services;
- Town Development Engineering staff has reviewed the submitted site grading and servicing plans and has no objections. The Applicant will be required to provide the Town with revised plans prior to approval of the Consent application that conform to Town standards to ensure that there will be no negative impacts on drainage patterns in the area;
- the severances will not restrict any development of adjacent properties; and,
- there are no natural heritage features located on the subject property or adjacent lands.

For the reasons outlined above, Planning staff is of the opinion that the proposed Zoning By-law Amendment will allow for the development of the subject lands in a manner consistent with the Official Plan.

1.5 Town of Halton Hills Zoning By-law 2010-0050:

The subject property is zoned Low Density Residential One (LDR1-1), which permits single detached dwellings on lots with minimum frontages of 18.0 metres (~60.0 ft.). The LDR1-1 zone is an anomaly for this neighbourhood (likely to recognize the large remnant nature of the existing property) as the other lots in the area are zoned either LDR1-3 or LDR1-4, which permit lot frontages of 12.0 metres (~40 ft.) or 9.0 metres (~30 ft.) respectively.

The Applicant is proposing to rezone the subject property to the LDR1-3 zone. As noted, the proposed lots satisfy the minimum frontage requirements of the LDR1-3 zone and the Applicant has identified building envelopes on the proposed lots that meet the minimum setback and height requirements of this zone. The ~12.0 metre lots are also consistent in size with the existing single detached lots on the south side of Eaton Street that abut the subject lands to the east.

For these reasons, staff supports the proposed Zoning By-law Amendment.

2.0 Water Allocation:

The Region of Halton has identified that 6 SDE of water will be required to be allocated to the site to accommodate the development. Following approval of the Consent application to create the proposed lots, staff will bring forward a report recommending the allocation of 6 SDE to the development.

3.0 Existing 0.3m Reserve Along Eaton Street:

An existing 0.3m (1ft.) reserve is located along the Eaton Street frontage of the subject property (Block 20, Plan 20M-1055). The reserve was implemented through the approval of the Silvercreek Phase 1 Subdivision (Gartley Kids Inc. & E.K. Birch Hill Properties Inc.), which surrounds the subject site as a result of the property not being purchased by the developer and constructed at the same time.

The purpose of the 0.3m reserve is to prevent development of the subject property until the developers of the surrounding subdivision are satisfied that the Town used its best efforts to secure and remit to them a proportionate share of the up-front costs paid by the developer to construct the road (Eaton Street) and services that now benefit the subject property. As such, once the Town receives confirmation from the developers that they received their proportionate share of their costs back from the Applicant, staff will bring forward a report recommending that the 0.3m reserve along Eaton Street be lifted.

4.0 Town Department and External Agency Comments:

The Zoning By-law Amendment application was circulated to the Town departments and external agencies for review and comment, with the most recent circulation occurring on October 15, 2019. Staff from the various departments and agencies has completed their review of the proposed development and have indicated that they have no objections or concerns with the proposed Zoning By-law Amendment.

As noted, the proposal complies with the development standards of the LDR1-3 zone, thereby satisfying the comments from the Town's Zoning Officer regarding a deficient front yard setback for Lot 1. In addition, the required 0.3m reserve along Eighth Line and the road widening along Eaton Street have been indicated on a revised severance sketch in accordance with comments from Town Development Engineering.

5.0 Public Comments:

A Public Open House was held by the Agent for the Applicant on May 15, 2018, at the Halton Hills Cultural Centre to provide residents an opportunity to review the proposal and ask questions/express concerns about the application. There were approximately fifteen (15) interested persons in attendance.

Additionally, staff has received two (2) phone calls, one (1) counter inquiry and one (1) written objection from property owners in the neighbourhood in regards to the proposal. The written objection and one of the phone calls echoed the concerns listed below; the residents participating in the other phone call and counter inquiry were supportive of the proposal.

The following provides staff responses to the below listed concerns from the public:

5.1 Construction Impacts:

Concerns were raised regarding nuisances associated with construction activities such as noise, dust and vehicles/equipment passing by existing residential properties along Eaton Street.

Staff Response

A Construction Management Plan was submitted by the Applicant which satisfies Town construction standards and generally addresses concerns raised by the public regarding Eaton Street access. The Applicant's Construction Management Plan has identified that access to the site during the excavation and servicing activities will be from Eighth Line, which has been made possible by the recent demolition of the dwelling located at 10759 Eighth Line. Following that more extensive process, construction activity for the actual dwellings must take place off of Eaton Street due to site constraints that would affect delivery of building materials from Eighth Line.

5.2 Frontages of Proposed Lots:

Concerns were raised regarding the frontages of the proposed lots; specifically the frontages of the lots being narrower than the five (5) existing residential lots located across the street on the north side of Eaton Street.

Staff Response

The frontages of the proposed lots are consistent with the existing lots located on the south side of Eaton Street, directly east of the subject lands. These lots and the lots located on the north side of Eaton Street, directly across from the subject lands, are zoned “LDR1-4”, which actually permits frontages that are 3 metres (~10 feet) narrower than the LDR1-3 zone being proposed for the subject lands. However, for some reason the properties on the north side of Eaton Street were developed with wider frontages than the minimum permitted by the zoning for the lands.

5.3 Increased Traffic and On-Street Parking:

Concerns were raised regarding increased traffic and on-street parking as a result of the proposed development.

Staff Response

Town Transportation and Development Engineering staff has reviewed the application and raised no objections from a traffic perspective. At the request of staff, the Applicant has agreed to close off the existing driveway entrance from Eighth Line located near the crest of the hill in order to eliminate this existing traffic hazard. As noted, access to each of the 6 residential lots will be provided by way of private driveways from Eaton Street and the revised severance sketch indicates a 0.3m reserve along the property’s Eighth Line frontage in order to prohibit any future vehicular access from this road.

With respect to parking, the Conceptual Site Plan indicates that dwellings can be built on the proposed lots that can accommodate a minimum of four (4) parking spaces between the attached garage and the driveway. Therefore, all lots exceed the minimum zoning by-law requirement of two (2) parking spaces per single detached dwelling unit.

5.4 Impact to Property Values:

Concerns were raised regarding impact to property values of neighbouring properties as a result of the proposed development.

Staff Response

The proposal is seeking to develop lots that are similar in size to existing properties on Eaton Street and construct homes that are reflective of the character of the neighbourhood. Additionally, it is Planning staff’s understanding that impact on property values is not something that the Local Planning Appeal Tribunal (LPAT) will consider at a hearing when evaluating the merits of a development application.

5.5 Grading, Drainage and Stormwater Management Impacts:

Concerns were raised regarding impacts to grading, drainage and stormwater management of surrounding residential properties as a result of the development given the difference in the existing grade between the subject site and surrounding properties.

Staff Response

Town Development Engineering staff has reviewed the submitted site grading and servicing plans and has no objections from a grading, drainage or servicing perspective. The Applicant will be required to provide the Town with revised plans prior to approval of the Consent application that conform to Town standards to ensure that there will be no negative impacts on drainage patterns in the area. In addition, Development Engineering staff has reviewed and approved the functional servicing and stormwater management report submitted by the Applicant, thereby indicating no objections from a stormwater management perspective.

RELATIONSHIP TO STRATEGIC PLAN:

The proposed development is most closely aligned with Strategic Direction G – Achieve Sustainable Growth, the goal of which is:

> *To ensure that growth is managed so as to ensure a balanced, sustainable, well planned community that meets the needs of its residents and businesses.*

The Strategic Direction is to be achieved as it relates to this application in part through Strategic Objectives:

G.7 *To ensure that the character and stability of existing residential neighbourhoods is maintained when accommodating growth.*

G.9 *To ensure that new population growth takes place by way of identifiable, sustainable, healthy and complete communities and neighbourhoods that reflect excellence in urban design.*

G.11 *To ensure the efficient use of urban land and infrastructure in existing communities and new growth areas.*

FINANCIAL IMPACT:

There is no immediate financial impact to the Town budgets as a result of this application.

CONSULTATION:

Planning staff has consulted with the appropriate Town Departments and the Region of Halton in the preparation of this Report.

PUBLIC ENGAGEMENT:

The proposed Zoning By-law Amendment application was presented to the Public through a Statutory Public Meeting on May 27, 2019 (Report No. PLS-2019-0034). No one from the Public spoke at the meeting.

SUSTAINABILITY IMPLICATIONS:

The Town is committed to implementing our Community Sustainability Strategy, Imagine Halton Hills. Doing so will lead to a higher quality of life. The recommendations outlined in this report advance the Strategy's implementation.

This report supports the Environmental Health and Social Well-Being pillars of Sustainability and in summary the alignment of this report with the Community Sustainability Strategy is Very Good.

The Zoning By-law Amendment application has demonstrated compliance with the Town's Green Development Standards, which will be implemented through the approval of the Consent application.

COMMUNICATIONS:

Public Notice of Council's decision regarding the proposed Zoning By-law Amendment will be completed in accordance with the requirements of the *Planning Act*.

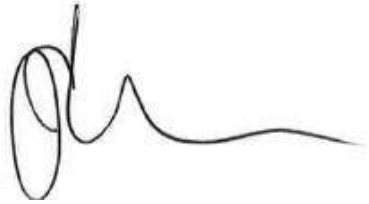
CONCLUSION:

Staff has completed its review of the proposed development for 6 single detached residential lots, including the relevant policies, supporting documentation and public comments. Staff is of the opinion that the proposal has merit and should be supported. The proposed Zoning By-law Amendment application conforms to the Growth Plan for the Greater Golden Horseshoe, is consistent with the Provincial Policy Statement and satisfies the policies of the Town and Region Official Plans.

For these reasons, Planning staff recommends that Council approves the Zoning By-law Amendment generally shown in **SCHEDULE 4** of this Report.

Reviewed and Approved by,

Jeff Markowiak, Director of Development Review



John Linhardt, Commissioner of Planning and Development

Brent Marshall, Chief Administrative Officer