



## **REPORT**

**REPORT TO:** Mayor Bonnette and Members of Council

**REPORT FROM:** Ruth Conard, Planner – Development Review

**DATE:** September 15, 2020

**REPORT NO.:** PD-2020-0041

**RE:** Recommendation Report for a Zoning By-law Amendment to permit the creation of 5 new single detached residential lots (6 total including the retained lot) at 11801 Trafalgar Road (Georgetown)

### **RECOMMENDATION:**

THAT Report No. PD-2020-0041, dated September 15, 2020, regarding the “Recommendation Report for a Zoning By-law Amendment to permit the creation of 5 new single detached residential lots (6 total including the retained lot) at 11801 Trafalgar Road (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 11801 Trafalgar Road (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 A Place to Grow: the Growth Plan for the Greater Golden Horseshoe, 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-2020-0041, dated September 15, 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 11801 Trafalgar Road in Georgetown.

### **2.0 Location & Site Characteristics:**

The subject lands are located on the east side of Trafalgar Road, south of Berton Boulevard; see **SCHEDULE 1 – LOCATION MAP**. The lot is comprised of two properties that are both under the ownership of the Applicant. The combined parcel has an area of approximately 8,400 m<sup>2</sup> (2.08 acres) and contains frontage on both Trafalgar Road (40 metres) and Newman Place (95 metres).

The property is currently occupied by a two-storey single detached dwelling that is accessed from Trafalgar Road, which is proposed to be maintained.

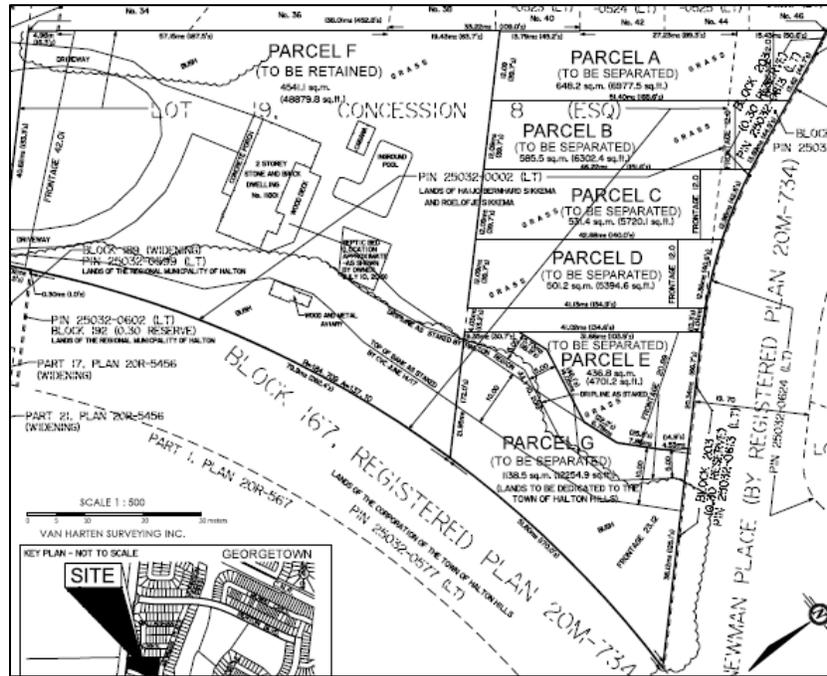
Surrounding lands uses include:

- To the North: Single detached residential dwellings
- To the East: Single detached residential dwellings on the east side of Newman Place
- To the South: Wooded area that slopes down and is owned by the Town of Halton Hills
- To the West: Agricultural properties with associated farm dwellings and buildings across Trafalgar Road.

### **3.0 Development Proposal:**

On April 18, 2019, the Town deemed complete the Zoning By-law Amendment application (File No. D14ZBA19.005) submitted by BSG Developments Holding Corporation (the Applicant).

The application seeks to obtain the necessary land use approvals to permit the creation of five (5) new residential lots fronting onto Newman Place for the purpose of constructing single detached dwellings. The existing dwelling would be maintained on the retained lot and would continue to front on Trafalgar Road. A portion of the lands at the southern end of the property are intended to be dedicated to the Town as they contain part of a woodlot that cannot be developed; see severance sketch below:



The table below outlines the proposed lot sizes and frontages for each lot identified on SCHEDULE 2 – SEPARATION SKETCH:

| Parcel       | Area                                 | Frontage           |
|--------------|--------------------------------------|--------------------|
| A            | 648.2 sq m (6977.5 sq ft)            | 12.0 m (39.3 ft)   |
| B            | 585.5 sq m (6302.4 sq ft)            | 12.0 m (39.3 ft)   |
| C            | 531.4 sq m (5720.1 sq ft)            | 12.0 m (39.3 ft)   |
| D            | 501.2 sq m (5394.6 sq ft)            | 12.0 m (39.3 ft)   |
| E            | 436.8 sq m (4701.2 sq ft)            | 20.89 m (68.5 ft)  |
| F            | 4541.1 sq m (48879.8 sq ft)          | 42.01 m (137.8 ft) |
| G            | 1138.5 sq m (12254.9 sq ft)          | 23.12 m (75.8 ft)  |
| <b>Total</b> | <b>8,382.5 sq m (90,230.5 sq ft)</b> |                    |

Access to each of the 5 new residential lots is proposed by way of private driveways off Newman Place. The retained residential dwelling would continue to have driveway access from Trafalgar Road. All of 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 5 new lots are proposed to be 2 storeys in height; however, Parcel A has been identified as a 1.5 storey dwelling (bungalow) with a maximum height of 7.0 metres. The Applicant has provided conceptual building footprints, elevations and renderings to show the potential location of the single detached dwellings and how they could be designed; see **SCHEDULE 3 – CONCEPTUAL BUILDING FOOTPRINTS, ELEVATIONS AND RENDERINGS**. The Applicant has noted that the development would represent a density of 14 units per net residential hectare.

To accommodate the development the Applicant is proposing to rezone the majority of the property from a Development (D) zone to a Low Density Residential One (LDR1-3(105)) zone; see **SCHEDULE 4 – ZONING BY-LAW AMENDMENT**. A portion of the property is intended to be conveyed to the Town and is proposed to be zoned Environmental Protection Two (EP2) as it contains a wooded area that connects to a larger valley system containing a tributary of the Black Creek.

Should the Zoning By-law Amendment application be approved the proposed development will require the approval of a Consent application in order to facilitate the creation of the 5 new lots.

## **COMMENTS:**

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

- 1.0 Planning Context and Policy Framework
- 2.0 Water Allocation
- 3.0 Town Departments and External Agency Comments
- 4.0 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 2020 Provincial Policy Statement (PPS) provides broad based policies that promote an appropriate range of housing types that makes 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. 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 2020 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 delineated built-up area of the 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 (ROP) 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 (HHOP):**

Under the Town's Official Plan, the subject lands are designated Low Density Residential Area, 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 this 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 in the neighbourhood.

While the subject report only provides recommendations with regard to the proposed Zoning By-law Amendment, staff recognizes that the Zoning By-law Amendment is intended to facilitate a future Consent (Severance) application. 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 onto and are accessed from a public road (Newman Place and Trafalgar Road);
- the creation of new lots at the end of Newman Place is not anticipated to create a traffic hazard and Town Transportation and Development Engineering staff has not identified any objection to the proposal;
- the lots satisfy the minimum frontage 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;
- all of the lots will be serviced by the existing municipal water and wastewater services located within the Newman Place right-of-way;
- Town Development Engineering staff has reviewed the submitted site grading and site servicing plans and have no objections. As part of the Consent application the owner(s) will be required to provide written notification that minor grading works can be completed along their rear property lines to accommodate a rear yard swale that directs surface drainage from 11801 Trafalgar to the side yard swales of the proposed lots;
- the severances will not restrict any development of adjacent properties; and,
- the portion of land that contains a wooded area that connects to a larger valley stream system containing a tributary of the Black Creek is intended to be conveyed to the Town and proposed to be zoned Environmental Protection Two (EP2).

For the reasons 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 entire subject lands are zoned Development (D). The Development (D) Zone only permits buildings and structures that legally existed on the effective date of the By-law (i.e. the existing single detached home).

The Applicant is proposing to rezone the majority of the property from Development (D) to a Low Density Residential One (LDR1-3(105)) zone with a site specific provision which limits the maximum building height for Lot A to 1.5 storeys and 7.0 metres.

All of the nearby properties are zoned LDR1-3. Additionally, the proposed lots satisfy the minimum frontage requirements of the LDR1-3 zone. As noted, the building envelopes on the proposed lots also meet the minimum setback and height requirements of this zone.

The portion of the lands containing the woodlot are proposed to be rezoned to Environmental Protection Two (EP2) and conveyed to the Town.

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

## **2.0 Water Allocation:**

The Region of Halton has identified that 5 SDE of water will be required to be allocated to the site to accommodate the development. Following approval of a Consent application to create the proposed lots, staff will bring forward a report recommending the allocation of 5 SDE to the development.

## **3.0 Town Department and External Agency Comments:**

The Zoning By-law Amendment application was circulated to Town departments and external agencies for review and comment, with the most recent circulation occurring on July 24, 2020. Staff from the various departments and agencies have completed their review of the proposed development and have indicated that they have no objections or concerns with the proposed Zoning By-law Amendment.

## **4.0 Public Comments:**

A Statutory Public Meeting was held on May 27, 2019, to provide residents an opportunity to review the proposal and ask questions/express concerns about the application. There were approximately five (5) interested persons in attendance.

Additionally, staff received seven (7) inquiries from residents in regards to the proposal.

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

### **4.1 Relationship to Existing Lots on Callaghan Crescent:**

Concerns were raised by the owners of lots on Callaghan Crescent, which back onto the site, that the proposal will create privacy and overlook issues for them.

#### ***Staff Response:***

The Applicant has agreed to reduce the height of the dwelling that will be adjacent to the lots on Callaghan Crescent (Lot A) to 1.5 storeys and 7.0 metres to address this concern.

#### **4.2 Construction Impacts:**

Concerns were raised regarding the safety of residents during construction and the nuisances associated with construction activity such as noise, dust, length of time and vehicles/equipment passing along Newman Place.

##### ***Staff Response***

A Construction Management Plan will be required at the Consent application stage that speaks to dirt, dust, mud and noise control; working hours; project staging; site safety; parking; access; communication with the surrounding neighbourhood, etc. Residents will have the opportunity to review the Construction Management Plan upon submission to the Town.

A question was raised regarding the potential for a construction access from Trafalgar Road. Development Engineering staff advised that is not likely feasible given construction cannot start until the lots are severed, which means the owner of the retained lot would have to permit access. Further, Trafalgar Road is under the Region's jurisdiction and they would not likely support a construction access from this road.

#### **4.3 Grading, Drainage and Stormwater Management Impacts:**

Concerns were raised regarding grading, drainage and stormwater management of surrounding residential properties as a result of the development.

##### ***Staff Response***

Town Development Engineering staff has reviewed the submitted site grading and servicing plans and have no objections from a grading, drainage and servicing perspective. The Applicant will be required to provide the Town with additional plans prior to the approval of the Consent application that conform to Town standards to confirm that there will be no negative impacts on drainage patterns in the area. Further to this, a detailed grading plan for each individual lot will be reviewed at the Building Permit stage to ensure it matches the approved overall Grading Plan.

Development Engineering has also reviewed and approved the Functional Servicing and Stormwater Management Report submitted by the Applicant, thereby indicating no objections from a stormwater management perspective.

#### **4.4 Increased Traffic and Noise:**

Concerns were raised regarding increased traffic 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. As noted in the staff report, access to each of the 5 residential lots will be provided by way of private driveways from Newman Place.

**4.5 Environmental Risk:**

Concerns were raised regarding the environmental impacts on the woodlot/ravine as a result of the proposed development.

**Staff Response**

A 5 metre buffer is being provided to the woodlot, which is acceptable to the Credit Valley Conservation Authority, subject to the submitted restoration plan. The restoration plan recommends additional plantings of trees and shrubs to also mitigate any potential impacts to the significant woodland and minimize the risk of encroachment. In addition, this portion of land is intended to be conveyed to the Town and proposed to be zoned Environmental Protection Two (EP2).

**4.6 Impact on Property Values**

Concerns were raised regarding the impact to property value of the neighbouring lots 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 Newman Place and Callaghan Drive and construct homes that are reflective of the character of the neighbourhood. Additionally, it is Planning staff’s understanding that impact on property value is not something that the Local Planning Appeal Tribunal (LPAT) will consider at a hearing when evaluating the merits of a development application.

**RELATIONSHIP TO STRATEGIC PLAN:**

The proposed development is most closely aligned with the Town’s value of achieving 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.*

This value is to be achieved, as it relates to this application, in part through the Town’s priority of shaping growth:

- Halton Hills harnesses its future population and employment growth to provide new opportunities for residents, workers, businesses, and visitors.

- Halton Hills works to ensure housing is accessible to all its residents at any age or stage in life.
- Halton Hills grows in a way that embodies its values of social, economic, fiscal, and environmental sustainability. Staff engage with other levels of government to see that population growth in Halton Hills remains moderate.

### **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, the Region of Halton and Credit Valley Conservation 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-2019-0033). Five members of 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:**

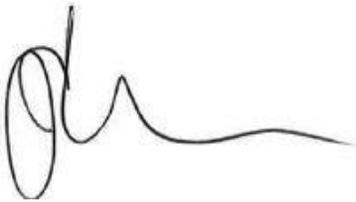
Staff has completed its review of the proposed development for 5 single detached residential lots, including the relevant policies, supporting documentation and public comments. Staff is of the opinion that the proposal has merit and should be supported. The proposed Zoning By-law Amendment application conforms to the Growth Plan for the Greater Golden Horseshoe, is consistent with the Provincial Policy Statement and satisfies the policies of the Region and Town 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



Chris Mills, Acting Chief Administrative Officer