SETBACKS AND DWELLING DEPTH

WHAT WE HEARD

Setbacks
- Increase minimum side yard setback to 15% of lot width – privacy/attached side building
- Consider sheds – accessory buildings
- Maintain existing setbacks
- Character is influenced by setbacks
- Tighter regulations when a two storey house is built next to a one storey house
- Side yards – shadowing, privacy concerns
- Maintain existing side yard setbacks when existing dwelling is setback more than by-law minimum requirements
- Front yard averaging is a good idea
- Garages should not be permitted to project
- Rear yard setback is more important than the front yard setback

Dwelling Depth
- No for depth restrictions – result in more 2 storeys, less bungalows
- Dwelling depth regulation is not necessary as we already have set back regulations
- Dwelling depth is very important but 10 m rear would address some of the issues
- Dwelling depth concerns – regarding rear setback for corner lot being 4.5 m

ANALYSIS

- Regulating front yard setbacks works to promote a streetscape in which dwellings are located at similar distances from the front lot line. Front yards also provide for greenspace and setbacks from the sidewalks and streets. Regulating rear yard setbacks works to create backyard space and mitigate issues such as rear yard shadowing.
- Side yards provide separation between dwellings for site functions including access to rear yards, drainage and grading, privacy, and utilities. Regulating side yard setbacks works to ensure that dwellings are separated and appropriate distances are protected.
- Character of Shoreacres area is defined by lots with spacious side yards which define separation distances between dwellings and define the streetscape
- Front yard setbacks should be maintained to reflect historical setbacks and character of large spacious front yards
- Rear yards need to be maintained on wide lots to ensure protection of rear space and privacy

DRAFT RECOMMENDATIONS

- To ensure character of the historical streetscape is maintained, prevailing front yard setbacks should be maintained
- Prevailing front yard setbacks can be achieved by using an average of front yard setbacks or recognizing existing front yards less a 1 metre difference
- An example of this type of regulation could be established as follows:
  - “The minimum front yard for any dwelling shall be the average of the yards of dwellings abutting the same road established by the nearest dwelling on each side.”
- Side yard setbacks should be consistent throughout the area and based on the size of lots to ensure proportional spacing
- The use of a % for side yards based on lot size may result in some homes with existing conditions that encroach into the side yard setback – a provision can be provided to address these situations to ensure they are not increased
- Rear yard setbacks (current minimums) should be maintained
- Dwelling depth on wide shallower lots is not required given significant rear yard setback and other regulations to control scale
LOT COVERAGE

WHAT WE HEARD

- Ground floor porches that are fully usable with a second storey porch/balcony overtop should be considered within the hardscape percentage.
- Address modernized porches and balconies with full lighting
- Tighten the scale of development – massing
- Concerns to ensure protection of yards and protect neighbours permeable and impermeable surfaces
- Tree cover and privacy are valued characteristics
- Lot coverage percentages have failed us – building depth regulation might address shortcomings
- Changes should be across the entire city
- Permitted lot coverage has already been reduced – should not happen again
- Open to the idea of floor area ratio regulation – should be explored
- Please revisit boundaries of designated lot coverage area
- Current lot coverage is sufficient and meets requirements for new builds and requirements of today’s houses and needs
- Why does a garden shed count towards lot coverage but a carport doesn’t? Neither have living space above them

ANALYSIS

- Coverage can affect streetscape and massing and should be carefully regulated
- Consistent approach to coverage using proportional percentages should be used throughout the neighbourhood
- Designs should accommodate covered porches and decks – if additional coverage is required it should be assessed through variance process to maintain intent of zoning regulations
- Second floor balconies should require variance, again, to ensure appropriate context and minimized impacts from overlook
- Coverage can affect streetscape and massing and should be carefully regulated
- Consideration of floor area ratio was discussed
- Floor area ratio (known as FAR) is obtained by dividing the floor area of a building by the area of the lot
- This measure can be used to proportionally regulate the volume of building area and control massing – it provides for consistent dwelling sizes on similar sized lots
- Given the concerns about maintaining appropriate scale and massing to protect the neighbourhood character such a regulation if appropriately matched to lot area can be a useful regulation

DRAFT RECOMMENDATIONS

- Apply designated area coverages – 35% and 25% respectively to one and two storey dwellings (heights less than or equal to 7m – 35%, heights > 7m – 25%) to both zones in the area
- FAR should be considered and a determination of what is to be included in floor area should be confirmed
- FAR should be provided on a scale that decreases with increased size of lot
- FAR regulations would work in conjunction with lot coverage permissions to regulate the overall massing of dwellings
- Include covered porches and decks in coverage calculation
- Prohibit second storey balconies
LANDSCAPING COVERAGE

WHAT WE HEARD
• Define landscape coverage in the area – helps to differentiate area
• Landscaping (impervious surface) should be limited to reduce runoff
• Trees/private trees should be exception and there should be by-laws to protect them
• Could help with single storey massing and covered decks, carports, or uncovered decks
• Reduce water absorption/runoff/flooding
• Set at 60-70%
• Landscaping coverage is very important for drainage problems
• Hardscape concerns regarding drainage for neighbours

ANALYSIS
• Landscaping provides greenspace on a lot to ensure natural areas for appropriate drainage and open natural space
• Current by-law has restrictions in one zone
• Should be extended to both zones in area
• Maintain current %
• Current definition
  • Landscaped Open Space Area - means an open, unobstructed space between a property line and a building elevation facing a street, excluding any permitted encroachment into a required yard, which is dedicated to the growth and maintenance of grass, flowers, shrubs, trees and other landscaping including a walkway, but does not include any driveway, ramp or parking area, whether surfaced or not, or any open space beneath a building or structure.

DRAFT RECOMMENDATIONS
• The combined maximum width of all hard surfaces is 50% of the front or side street lot line and should be enforced for all lots in the area
• This would require a minimum of 50% of the front or street side yard to be covered by landscaped open area
• Existing zoning provisions would be maintained on the majority of lots located within the study area
• This would result in new zoning provisions for lots that are less than 18 m in width

WHAT WE HEARD

ANALYSIS

DRAFT RECOMMENDATIONS
BUILDING HEIGHT

WHAT WE HEARD

- Eliminate 2 storey in area – does not fit character of neighbourhood
- Height of building should match existing neighbourhood
- House height should be restricted to average of closest neighbouring houses
- Change the height by-law so it is not Burlington-wide – the character of our neighbourhood should have a lower height maximum
- The house height should not be higher than the surrounding houses left, right, and behind
- Building height should be a considering factor when building a new build, but not the only one
- 10 m for a 2 storey house that is between two bungalows might look out of place, but between other 2 storey houses do not look out of place
- You cannot eliminate building 2 storey houses in 2015, as needs of people change so do the requirements for houses
- Maintaining the fabric of neighbourhood as is now
- Reduce maximum height as it introduces privacy and shadowing issues
- 1.5 storeys to 8.5 m for Shoreacres community – nothing higher
- Change max height from 10 m to 9 m
- Architects are important in maintaining image of height – break up

ANALYSIS AND DRAFT RECOMMENDATIONS

- Height is one of the most significant issues that has been discussed through the study
  - Regulating building height works to mitigate shadowing impacts, privacy and massing.
  - There is a need for clarity around height – what it means and how it is measured (metrics vs. storeys) in the by-law
  - Most important control over height is to ensure appropriate height and rooflines
  - Flat roofs on two storey dwellings should be avoided as this is not reflective of the character in the neighbourhood
  - Height should continue to be defined from grade at the street line to avoid grading changes to artificially increase height
  - Older neighbourhoods with traditional bungalow and raised ranch style homes should provide some flexibility for alteration, additions and/or new homes to be built to accommodate housing needs
  - Older established areas similar to Shoreacres in other areas have lower overall height limits
  - Consideration of a 9 metre maximum should be further considered for midpoint
  - This would ensure any increase to height with additions or rebuilds is addressed in the context of the lot and the area
  - These adjustments will ensure increased heights require assessment in accordance with process of variances which must maintain the intent of the zoning regulation and Official Plan policies
  - Midpoint measurements are a better control for massing and easier to work with architecturally (still allows 10m to peak)
LOT AREA AND FRONTAGE

WHAT WE HEARD
- Majority of the existing lots are greater than the minimum lot area and minimum lot frontage
- Historical lots are intact and should be maintained
- Many lots are larger than minimum zone requirements
- Maintain lot size and minimums and do not grant variances = tighten
- There are not a lot of properties qualifying for severances (corner lots). Current zoning by-laws are sufficient enough even with some smaller variances
- Maintaining lot area/frontages is a good character trait – way of maintaining character

ANALYSIS
- Large lots are reflective of original planned community
- Large lots and wide frontages are reflective of neighbourhood character and should be maintained
- Spacious, large lots support elements of character related to lots and sustainable lot functions - trees, vegetation, and privacy
- Wide lots maintain streetscape neighbourhood character

DRAFT RECOMMENDATIONS
- Maintain current zoning regulations for minimum lot areas and frontages
- Provide specific reference to lot areas and frontages in updated Official Plan policies for stable residential areas

Lot Area & Frontage for the R2.1 Zone
Lot Area & Frontage for the R2.4 Zone
OFFICIAL PLAN POLICIES AND URBAN DESIGN GUIDELINES

WHAT WE HEARD

- Urban design is very important
- Policies for residential development are good but too general
- No teeth in policies
- What is the neighbourhood? How do you define it?
- Official plan policies should be mindful of lot sizes and severances of lots
- Official plan and designs should be mindful of the area, but not restrictive.
  You need to be mindful of current needs and the growth of the City

- Policies for housing should be ‘neighbourhood specific’ – not City wide.
  Incorporate this within the Official Plan
- The study area is however not a heritage area, but a subdivision built 60 years ago. Changes need to be mindful to today’s needs

ANALYSIS AND DRAFT RECOMMENDATIONS

- The Official Plan policies are critical in directing development and establishing implementing zoning which must conform to the Official Plan
- Policies should differentiate stable residential/mature neighbourhoods and refer to the need to consider change and infill housing in relation to the character of the neighbourhood and to maintain and protect the character of that neighbourhood
- Those elements that have been defined for Shoreacres should be incorporated into the Official Plan as elements to be considered with change or “development” within stable residential areas – this needs to be considered to protect all of those defined areas in the City
- Supportive urban design guidelines should be updated and referenced in the updated Official Plan policies to protect and maintain the existing neighbourhoods

Based on findings and analysis draft recommended policies would be structured with consideration of wording such as:

The City of Burlington’s Residential-Low Density areas include neighbourhoods that were planned and developed during the post war period. These neighbourhoods have a unique and distinctive character that is defined by combined neighbourhood elements (xyz), lots (xyz) and housing (xyz). These elements shall be maintained and protected.

Development within established, stable residential neighbourhoods shall maintain and protect the character of the neighbourhood by:

i) maintaining the size and configuration of the lots in the neighbourhood;
ii) being compatible with the built form of the housing in the neighbourhood in terms of scale, height and massing;
iii) being compatible with the setbacks, orientation and separation distances of the built form on the lots in the neighbourhood;
iv) minimizing impacts on adjacent properties related to grading, drainage, access, privacy and shadowing;
v) protecting trees, tree canopy and landscaped open space; and,
vii) reflecting the prevailing building type in the neighbourhood.

No development should be permitted through a consent, minor variance, rezoning or site plan that does not maintain and protect the character of the existing stable residential neighbourhood.

Definition: Compatible means development or redevelopment which may not necessarily be the same as, or similar to, the existing development, but can coexist with the surrounding area without unacceptable adverse impact.

Urban Design Guideline for infill housing for stable residential areas should be updated to provide a framework for the assessment of development that looks at the physical layout, massing, functionality and relationships of new and modified dwellings in stable residential communities. The guidelines should address the changes occurring in stable residential communities so that compatibility can be achieved within the existing context and neighbourhood character. Achieving compatibility is not about replicating the existing form or reproducing architectural styles or details of nearby buildings. Rather, the focus is to direct how new development can be designed to maintain and preserve neighbourhood character.
PROCESSES AND PERMITS

WHAT WE HEARD

• Notify neighbours of any construction (even new builds)
• Public notification and public process for review of tree removal
• When reviewing whether a tree can be removed a calculation of the tree canopy for a neighbourhood (or smaller area) should be considered, not a large area (i.e. City of Burlington)
• City to provide trees to residents to plant to increase tree canopy
• Include trees in site plan control process
• City to replace trees on public boulevards
• Timeline required as by-laws:
  • For homes/sites sitting vacant
  • Length of a demolition
  • Length of a vacant lot
  • Length of a build
• More tree protection by-laws needed for the City of Burlington, for private trees and protecting the trees from being cut down
• Mature trees need by-law protection when on private property (unless are declared hazardous, etc.)
• The site plan is a single one for Burlington. There should be site plans that are adopted to the character of the neighbourhood
• People’s personal choice for the look of the house. Should not be the concern of other people if you remain within by-laws
• Committee of Adjustment applications need to remain public. Site plan applications for plans within by-laws need to remain with the individual only.
• Construction management – on site traffic

ANALYSIS AND DRAFT RECOMMENDATIONS

Tree Protection
• Clearly an area of considerable discussion that warrants further consideration
• Private trees cannot be protected through zoning – protection needs to be considered through other measures
• Further consideration to ensure maximized tree protection should be explored (consider similar program as new City of Hamilton)
• Added reference to trees and tree canopy in policies as part of defined character for neighbourhood and lots

Site Plan/Urban Design
• Update design guidelines for infill housing
• Need to address design guidelines for stable residential neighbourhoods
• Neighbourhood Context (character, lot size, scale, rear yard privacy, corner lots, ravine lots), Architectural Context (massing, height, setbacks, facades, architecture, garages, accessory structures), Site Context (landscaping, tree preservation, driveways and walkways)

Demolition and Permitting
• Consideration to access to open data and ability to sign onto to feed
• Continue improvements to communication of information and explanation of processes

OPEN DATA

In Toronto, you are able to search for the status of building permits by application number, street address, and/or city ward. Search results provide details on application type, date, and status (includes active applications, not only issued permits).