



SUBJECT: Statutory public meeting and recommendation report for a proposed Zoning By-law amendment for 1350 Waterdown Road

TO: Planning and Development Committee

FROM: Planning and Building Department

Report Number: PB-03-17

Wards Affected: 1

File Numbers: 520-02/15

Date to Committee: January 31, 2017

Date to Council: February 13, 2017

Recommendation:

Approve the application submitted by Greg Poole & Associates Inc, on behalf of the Fellowship Canadian Reformed Church, to amend the zoning bylaw, as modified by staff in planning and building department report PB-03-17 (File 520-02/15); and

Instruct planning and building department staff to prepare the by-law to amend Zoning By-law 2020, as amended, rezoning the lands at 1350 Waterdown Road from RNA1 (North Aldershot Infill Residential) and O2-196 (Open Space) to RNA1-466 and O2-196 substantially in accordance with the draft zoning by-law attached as Appendix D to Planning and Building department report PB-03-17; and

Deem that the proposed by-law will conform to the Official Plan of the City of Burlington and that there are no applications to alter the Official Plan with respect to the subject lands.

Purpose:

The purpose of the report is to recommend approval of the Zoning Bylaw Amendment application made by Greg Poole & Associates Inc. to rezone the subject lands from RNA1 and O2-196 to RNA1-466 and O2-196

The development proposal aligns with the following objectives in Burlington's Strategic Plan 2015-2040:

Environmental Leadership

3.2.a The city has a healthy natural heritage system that is protected, conserved and enhanced and forms a fundamental component of the city’s urban and rural areas.

RECOMMENDATIONS:		<i>Approval</i>	Ward No.:	<i>1</i>
Application Details	<p>APPLICANT:</p> <p>OWNER:</p> <p>FILE NUMBERS:</p> <p>TYPE OF APPLICATION:</p> <p>PROPOSED USE:</p>	<p><i>Greg Poole & Associates Inc.</i></p> <p><i>Fellowship Canadian Reformed Church</i></p> <p><i>520-02/15</i></p> <p><i>Rezoning</i></p> <p><i>Place of Worship</i></p>		
Property Details	<p>PROPERTY LOCATION:</p> <p>MUNICIPAL ADDRESSES:</p> <p>PROPERTY AREA:</p> <p>EXISTING USE:</p>	<p><i>West of Waterdown Road and north of Craven Avenue</i></p> <p><i>1350 Waterdown Road</i></p> <p><i>1.52ha</i></p> <p><i>Vacant Land</i></p>		
Documents	<p>OFFICIAL PLAN Existing:</p> <p>OFFICIAL PLAN Proposed:</p> <p>ZONING Existing:</p> <p>ZONING Proposed:</p>	<p><i>North Aldershot – Infill Residential and North Aldershot Environmental Protection Area</i></p> <p><i>None</i></p> <p><i>RNA1 Zone and O2-196 Zone</i></p> <p><i>RNA1-466 and O2-196 Zone</i></p>		
Processing Details	<p>NEIGHBOURHOOD MEETING:</p> <p>PUBLIC COMMENTS:</p>	<p><i>June 8, 2015</i></p> <p><i>5 emails, 6 letters, 1 neighbourhood meeting comment sheet, and 1 written delegation at the January 12 Statutory Public Meeting.</i></p> <p><i>Note: Some constituents sent multiple letters</i></p>		

Background and Discussion:

Description of Applications and History

On April 29, 2015 the Planning and Building Department acknowledged that a complete application had been received for a Zoning By-law Amendment for 1350 Waterdown Road, to permit the development of a Place of Worship, as illustrated in the sketch in Appendix A.

On June 8, 2015 a neighbourhood meeting was held at the Woodview Children's Centre and was attended by approximately 13 members of the public and the Ward Councillor.

Report PB-11-16, including all public comments received up until the date of report writing, was presented to Development and Infrastructure Committee on January 12, 2016.

Subsequent to the January 2015 Council Meeting and in light of all public and technical comments received, the applicant submitted a site line analysis evaluating the access at Waterdown Road, updated plans removing the access onto Nevarc Drive, provided cross sections of the site showing the proposed building in context, and provided updated technical reports.

This report provides details of the revised application and an analysis of the proposal against applicable policies and regulations. In addition, public comments received on the proposal are provided and discussed. It is recommended that the site be rezoned from RNA1 and O2-196 to RNA1-466 and O2-196, with modified provisions that are tailored for the site to incorporate the North Aldershot Official Plan policies for Institutional uses.

Site Description

The 1.57ha subject site is currently vacant. A tributary of the Grindstone Creek occupies the rear of the property. The top of bank and drip line associated with the creek were staked by Conservation Halton and Halton Region in June 2013.

The subject lands are located in the North Aldershot area, west of Waterdown Road and north of Craven Avenue. Surrounding land uses include:

- North of the subject lands is zoned (North Aldershot Residential) RNA1 and is developed with a Region of Halton Water Reservoir and one single detached residential dwelling.
- West of the subject lands is zoned (Open Space) O2-196 and contains a tributary of the Grindstone Creek.

- South of the subject lands is zoned (North Aldershot Residential) RNA1 and is developed with single detached residential dwellings along Craven Avenue and Nevarc Drive.

Discussion:

POLICY FRAMEWORK

The proposed rezoning application is subject to the following policy framework: the Provincial Policy Statement 2014, the Growth Plan for the Greater Golden Horseshoe, the Halton Region Official Plan, the Burlington Official Plan, and Zoning By-law 2020. Staff's analysis of the planning merits of the applications within this policy framework is discussed below.

Provincial Policy Statement

The Provincial Policy Statement 2014 (PPS) provides broad policy direction on matters of provincial interest related to land use planning and development. The PPS supports development based on densities and a land use mix that efficiently use land, resources, infrastructure and public service facilities. Staff finds the development proposal is consistent with the PPS as it accommodates an appropriate range and mix of uses to meet long-term needs of the community.

Places to Grow Growth Plan

The Growth Plan for the Greater Golden Horseshoe came into effect on June 16, 2006 and provides a growth management policy direction for the defined growth plan area. The guiding principles of the Growth Plan include building compact, vibrant and complete communities; and optimizing the use of existing and new infrastructure to support growth in a compact, efficient form. Staff finds the subject application is consistent with the Growth Plan as it supports a compact and efficient development form.

Halton Region Official Plan

The subject lands are designated as North Aldershot Policy Area and the rear of the property is designated as Regional Natural Heritage System.

The North Aldershot Policy Area, which implements the North Aldershot Inter-Agency Review, permits a limited amount of development while protecting natural areas. The Regional Official Plan requires the extension of urban services (water and waste water) to be made available to accommodate existing and future development on the subject lands.

The goal of the Natural Heritage System is to increase the certainty that the biological diversity and ecological functions within Halton will be preserved and enhanced for future generations.

The Regional Official Plan states that permitted uses shall be in accordance with local Official Plans and Zoning By-laws and other policies of the Regional Official Plan.

Regional staff was circulated on the applications and technical studies and has advised they have no objections to the proposal.

City of Burlington Official Plan

The subject lands are designated as North Aldershot – Infill Residential and North Aldershot Environmental Protection Area in the City of Burlington Official Plan (OP).

A secondary planning study was completed for North Aldershot in 1994, known as the North Aldershot Inter-Agency Review. These policies are incorporated in the Official Plan. It is the objective of the OP to permit development and re-development on the basis that the North Aldershot area is outside of the City's urban area and that the location and intensity of development shall be determined by compatibility with the existing character, landscape and environment.

The functional policies of the OP encourage the educational, health and social well-being of residents of the City by providing opportunities for the development of institutional uses within the community, while considering the potential effects of these uses on adjacent land uses. The North Aldershot area policies allow for the development of Institutional uses in all land use designations with the exception of the Environmental Protection and North Aldershot Special Study Area designation, subject to a rezoning, provided that several design and natural area protection aspects are incorporated into the proposal.

The North Aldershot Institutional policies state, in part, that:

Maximum impervious surface is not to exceed 40 per cent of the net developable area (lands within the site excluding Environmental Protection Areas and public roads).

- The revised site plan shows 37% impervious area.

Maximum building height shall not exceed three storeys and shall not extend above the tree canopy.

- The applicant has provided cross sections of the site including the heights of the existing trees on and adjacent to the site. Based on the height of the tree canopy, Staff recommends that the height of the building, including the steeple, be no higher than 146.6 metres above sea level or 14m from fixed grade measured at Waterdown Road, to ensure that the building is contained within the

tree canopy. The Staff recommended height of the proposed building is approximately 12.78m from finished grade. This is a modified regulation. The applicant had requested a height of 151.6 metres above sea level or approximately 19m measured from fixed grade measured at Waterdown Road.

Massing and roof-line of buildings shall be encouraged to be compatible with the existing settlement pattern.

- As mentioned above, the height of the proposed building is 12.78m from finished grade, which is compatible with the two storey height (11.5m) permitted within the RN1 zone.

The visual impact of internal roads and driveways shall be minimized by integrating their horizontal and vertical alignment with the existing topography.

- Since the original submission, the applicant has worked to reduce the amount of retaining wall proposed by over a metre along the south property line in order to align with existing topography while ensuring that site drainage is managed appropriately.

Parking areas should be screened with dense, hardy native plant material that creates an effective visual barrier. Within the parking lot, buffer islands shall be employed to screen more than four rows of cars.

- The applicant has provided a preliminary landscaping plan which illustrates that plantings can be provided along the property boundaries to screen the proposed parking areas and impacts of headlights from surrounding properties. The applicant has provided boulevards within the parking area that provide the opportunity for tree planting. If approved, a detailed landscape plan will be required at the Site Plan stage.

All plant material shall be protected and retained to the maximum extent possible;

- As the site slopes to the south, towards the existing residences on Craven Avenue, some alteration of the grades on site are required to ensure that surrounding residences are not impacted by storm run off. As such, some private trees within the site will be removed as a result of redevelopment. Mature trees along the southern property line will be retained to provide screening and buffering to the existing residences to the south. Additionally, the woodlands at the rear of the property are considered Significant Woodlands by the Region of Halton, however, they are located completely within the Conservation Halton

Regulated Area, no development is proposed within this area and it is proposed to be placed into a protective Open Space zoning.

Landscape buffers along the perimeter of the property boundary and within the grounds shall be employed to screen the visual impact of facilities from adjacent residences. The landscape buffers shall create a visual screen and be compatible with the natural landscape setting.

- As mentioned above, a landscaped strip will be provided along the property line to screen the proposed development from surrounding properties. If approved, a detailed landscape plan will be required at the Site Plan stage.

New planting in restoration areas shall be encouraged to be native plant species and be consistent with surrounding natural landscape character. Invasive non-native plant species shall be discouraged.

- If approved, a detailed landscape plan, including specific species of plantings, will be required at the Site Plan stage.

Site lighting shall be low intensity, energy efficient fixtures. The illumination pattern shall not shine beyond the lot line, onto neighbouring properties or public roads.

- If approved, a lighting plan is required as a part of the future site plan stage. City standards do not allow the trespass of light beyond the property line.

The City of Burlington Official Plan Part 5 Section 5.0 requires the dedication of creeks, associated valleylands and associated buffers to the City. The applicant has staked the top of bank and dripline associated with the tributary of the Grindstone Creek at the rear of the site. It is recommended that the valley lands including a 15m buffer from the top of bank or 10m from the drip line, whichever is greater, be zoned Open Space as a part of this application.

Based on the above, it is Staff's opinion that the proposed rezoning meets the intent of the Official Plan.

Zoning By-law 2020

The site is currently zoned (North Aldershot Residential) RNA1 Zone and (Open Space) O2-196 Zone. The existing RNA1 zoning allows for the development of single detached dwellings, outdoor recreation, farm and conservation uses. The O2-196 Zone permits the development of municipal parks and public open space, storm water management and erosion control, Public Utilities and Non-Intensive Outdoor Recreation uses such as walking trails, nature viewing, bird watching, etc.

Unlike other zones in Zoning Bylaw 2020, the RNA1 Zone does not specifically permit the development of Places of Worship. As such, an exception is required to permit a church on the subject lands.

This report recommends rezoning of the lands from RNA1 and O2-196 to RNA1-466 and, O2-196 substantially in accordance with the draft zoning by-law attached as Appendix E to this report.

Regulation	RNA1	Place of Worship Regulations	Proposed
Height	2 storeys (11.5m)	No maximum requirement	<p>14m, measured from fixed grade.</p> <p>This is a modified regulation. The applicant had requested a height of 151.6 metres above sea level or approximately 19m measured from fixed grade. To minimize visual impacts, staff recommends a lower building height, due to the height of the existing tree canopy and the slope of the land in the area.</p>
Front Yard	9m	15m	15 m
Yard abutting a rear building elevation	9m	15m	6m to O2 zone. The O2 Zone at the rear of the property includes the natural areas and their respective buffers.
Yard abutting a side building elevation	5m minimum, 15m minimum combined yards	15m	<p>11m provided to the southern property line.</p> <p>16m to north property line.</p>
Setback to Parking	N/A	Parking not permitted within 3m of residential zone.	Parking not permitted within 3m of residential properties.
Parking		<p>6 spaces per 100 m² gross floor area</p> <p>Building area: 1126m² = 67 spaces required</p>	109 spaces provided.

Landscaped Area			3m landscape strip adjacent to residential properties and 9m adjacent to Waterdown Road.
Impervious Surface	Impervious surface shall be in accordance with part 9 subsection 8		Impervious surface shall be in accordance with part 9 subsection 8. Impervious surface shall not exceed 40% of the net lot area.
Loading and Outside Storage			<p>Loading and unloading docks and activities shall be screened from view of the street and residential uses.</p> <p>Loading and unloading shall not take place within 7.5m of a residential use.</p>

The lands identified as being within the valley or dripline associated with the tributary to the Grindstone Creek and their respective buffers should be rezoned to 02-196 with this application.

Based on the above, it is the opinion of Staff that the proposed zoning exception provides for development that will be compatible with surrounding uses and incorporates the design and natural area protection policies of the Official Plan.

TECHNICAL REVIEW

The rezoning application and supporting documents were circulated to internal departments and external agencies for review, no objections to the application were received. Written responses to the technical circulation have been received from the Region of Halton, Conservation Halton, and Bell Canada.

City of Burlington Transportation Department Staff have no objections to the application and advises that from a traffic perspective the site can adequately accommodate site-generated traffic via one site access to Waterdown Road. It is Transportation Staff’s opinion that the provision of a secondary access via Craven Avenue / Nevarc Drive is unnecessary from a traffic operations perspective and has potential to negatively affect the adjacent residences. Based on these comments, the applicant revised their application to remove the secondary access onto Craven/Nevarc, and provided a Site Line report which shows that the access onto Waterdown Road will adequately function

under current conditions which will be improved with the eventual widening of this roadway in 2019.

Conservation Halton regulates 15m from the limit of the hazard associated with the Grindstone Creek at the rear of the site. Conservation Halton has no objections to the rezoning application and advises that the applicant must obtain a permit pursuant to Ontario Regulation 162/06 from Conservation Halton for any works within the regulated area of the property.

The Region of Halton has no objections to the rezoning application. The Region advises that:

- The site can be adequately serviced.
- The existing water reservoir located immediately north of the property is identified for a major expansion in 2019, subject to Regional Council approval. The Region may require an 8-10m easement on the north portion of the subject lands to accommodate growth and an additional 6m temporary working easement to facilitate construction of the reservoir; this has been accommodated within the proposed zoning.
- If approved, an Environmental Implementation Report will be required at the future stage to ensure that the natural heritage system will be preserved through construction and development of the church.

Financial Matters:

The applications are being processed in accordance with the required development application fees.

Public Engagement Matters:

The applications were subject to the standard notification requirements to owners and tenants following submittal of a complete application and prior to the statutory public meeting. A further notice was distributed in December 2016 advising individuals of the date committee will consider this recommendation report. All revised plans and reports submitted by the applicant, as well as planning staff notices and reports are posted on the project webpage as they become available.

June 8, 2015 a neighbourhood meeting was held at the Woodview Children's Centre and was attended by approximately 13 members of the public. Since the drafting of report PB-11-16, Planning staff received six written comments, and one written

submission expressed concerns with the proposal at the January 12, 2016 Committee meeting. Additional comments received after the Information report and committee meeting are contained in Appendix C.

The table below summarizes issues raised by the community and staff's consideration of these comments.

Comment	Staff Response
Concern about increased traffic on Craven and Nevarc.	To reduce traffic and short-cutting on Craven Rd and Nevarc Drive, the applicant has removed the secondary access onto Nevarc Drive. One access will be provided to the site via Waterdown Road.
Provision of Sanitary Servicing for the residents of Craven and Nevarc.	Water and sanitary services will be extended through the subject lands from the existing services in Waterdown Road. Public services are not proposed to be extended to residences on Craven and Nevarc.
Concern regarding impacts of grading on adjacent properties.	The applicant has revised the application to reduce the height of the retaining wall along the southern property line by over 1m. As discussed above, as the site slopes to the south, towards the existing residences on Craven Avenue, some alteration of the grades on site are required to ensure that surrounding residences are not impacted by storm run off. Visual impacts of the building and proposed parking areas will be mitigated by landscaping and setbacks.
Concern about proposed height of buildings.	The building will not extend above the existing tree canopy in the area.
Concern about construction practices	Excavation depths for the proposed building not yet confirmed. Once determined an analysis will be completed to confirm whether a "Pre Condition Survey" and "Vibration Monitoring" during construction is necessary.
Concern about access onto Waterdown Road	The applicant has provided a site line analysis which has been reviewed by the City's Transportation department. Waterdown Road is in the process of a redesign with construction estimated to occur in 2019. The analysis indicates that acceptable stopping and turning sight distances will be achieved under the proposed 3-lane cross section of

	Waterdown Road. In the interim, stopping and turning sight distances are achieved under existing conditions. The report recommends that a flashing hidden driveway sign be provided to ensure safe departures under the existing conditions.
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Conclusion:

Staff's analysis of the application for a zoning by-law amendment considered the applicable policy framework and the comments submitted by technical agencies and the public. Staff finds that the application implements the North Aldershot Inter-Agency Review and conforms to the Official Plan. This report recommends approval of the rezoning application in accordance with the draft zoning by-law attached as Appendix D to Report PB-03-17.

Respectfully submitted,

Lisa Stern, RPP MCIP
Senior Planner
Extension 7427

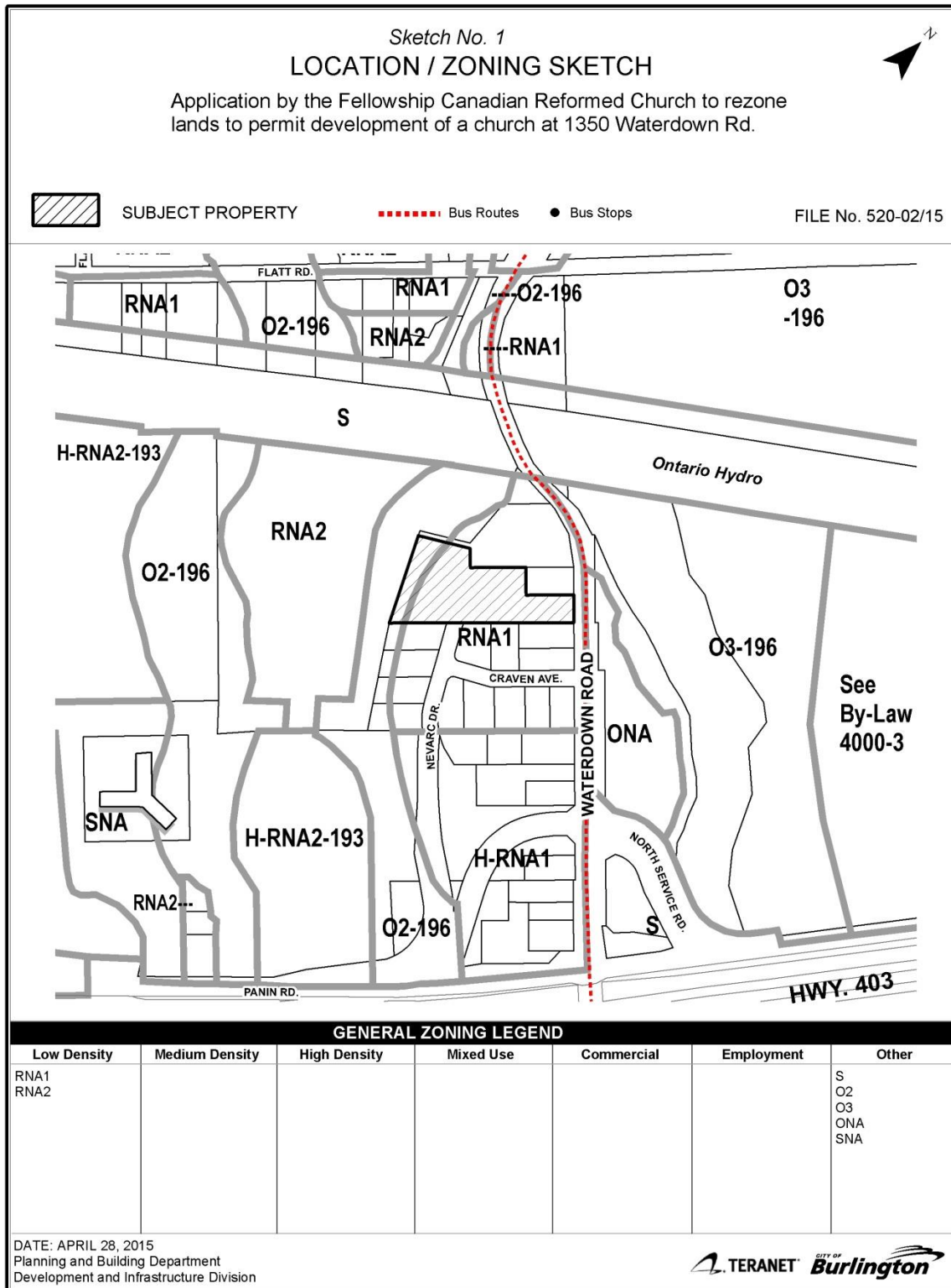
Appendices:

- a. Location/Zoning Sketch
- b. Detail Sketch
- c. Public Comments
- d. Proposed Zoning By-law 2020.375

Report Approval:

All reports are reviewed and/or approved by Department Director, Director of Finance and Director of Legal. Final approval is by the City Manager.

APPENDIX A - Location/Zoning Sketch



APPENDIX B – Detail Sketch

