



TO: Development and Infrastructure Committee
FROM: Planning and Building
SUBJECT: Statutory public meeting and report providing information regarding a proposed Zoning By-law amendment for 1350 Waterdown Road

Report Number: PB-11-16

Wards Affected: 1

File Numbers: 520-02/15

Date to Committee: January 12, 2016

Date to Council: January 25, 2016

Recommendation:

For Information Only

Purpose:

Information Report for Statutory Public Meeting

Respond to legislation

RECOMMENDATIONS:		<i>None. Statutory Public Meeting</i>	Ward No.:	<i>1</i>
Application Details	APPLICANT:	<i>Greg Poole & Associates Inc.</i>		
	OWNER:	<i>Fellowship Canadian Reformed Church</i>		
	FILE NUMBERS:	<i>520-02/15</i>		
	TYPE OF APPLICATION:	<i>Rezoning</i>		
	PROPOSED USE:	<i>Place of Worship</i>		
Property Details	PROPERTY LOCATION:	<i>West of Waterdown Road and north of Craven Avenue</i>		
	MUNICIPAL ADDRESSES:	<i>1350 Waterdown Road</i>		
	PROPERTY AREA:	<i>1.52ha</i>		
	EXISTING USE:	<i>Vacant Land</i>		
Documents	OFFICIAL PLAN Existing:	<i>North Aldershot – Infill Residential and North Aldershot Environmental Protection Area</i>		
	OFFICIAL PLAN Proposed:	<i>None</i>		
	ZONING Existing:	<i>RNA1 Zone and O2-196 Zone</i>		
	ZONING Proposed:	<i>RNA1-exception and O2-196 Zone</i>		
Processing Details	NEIGHBOURHOOD MEETING:	<i>June 8, 2015</i>		
	PUBLIC COMMENTS:	<i>4 emails, 1 letter, and 1 neighbourhood meeting comment sheet.</i> <i>Note: Some constituents sent multiple letters</i>		

Background:

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 I.

The purpose of this report is to provide an overview of the proposed application, an outline of applicable policies and regulations and a summary of technical and public comments received to date. This report is intended as background information for the statutory public meeting.

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:

Description of Application

The City of Burlington is in receipt of the following application:

- 520-02/15 – Rezoning to RNA1-exception to permit the development of a Place of Worship on the subject lands.

The applicant has proposed a building with a height of approximately 16.75m, a floor area of approximately 1126m², and capacity for approximately 350 people in the sanctuary, as illustrated in the sketch in Appendix II. On-site parking for 100 vehicles is proposed. Primary access to the site is proposed from Waterdown Road, and a secondary access is currently proposed from Nevarc Drive, a largely residential street.

There is a grade difference of approximately four meters between the northern and southern property limits. To maintain existing drainage patterns, the applicant has proposed retaining walls along the northern and southern property limits.

Existing services are present on Waterdown Road which include sanitary and storm sewers and a watermain. All services run along Waterdown Road up to Craven Avenue, with the exception of the watermain which runs north along Waterdown Road beyond the site.

Technical Reports

The applicant submitted the following technical reports in support of the subject application:

Preliminary Site Plan	Vandenberg & Wildeboer Architects, Jan 29, 2015
Planning Justification Report	Greg Poole & Associates Inc., Feb 2015
Functional Servicing Report	Amec Foster Wheeler Environment & Infrastructure, Burlington, ON – Jan 2015
Tree Inventory & Preservation Study	Tom Bradley, Welwyn Consulting, Feb 2015
Phase 1 ESA	Landteck Limited, Apr 2014 Limited Phase Two ESA, Landteck, Jul 2014
Archaeological Report	Stage 1-2 Archaeological Assessment; New Directions Archaeology Ltd., Sept 2014
Environmental Impact Study	WSP Canada Inc., Feb 2015
Geotechnical Investigation	Trow Consulting Engineers Ltd. Dec 2001

Policy Framework

The proposed Zoning By-law amendment is subject to the following policy framework: the Provincial Policy Statement (PPS) 2014, the Places to Grow: Growth Plan for the Greater Golden Horseshoe, the Halton Region Official Plan, the City of Burlington Official Plan, North Aldershot Inter-Agency Review, and Zoning By-law 2020.

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.

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).

The 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.

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 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).
- Maximum building height shall not exceed three storeys and shall not extend above the tree canopy.
- Massing and roof-line of buildings shall be encouraged to be compatible with the existing settlement pattern.
- The visual impact of internal roads and driveways shall be minimized by integrating their horizontal and vertical alignment with the existing topography.
- 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.
- All plant material shall be protected and retained to the maximum extent possible;
- 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.

The City of Burlington Official Plan Part 5 Section 5.0 requires the dedication of creeks, associated valleylands and associated buffers to the City.

City of Burlington 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. If approved, the zoning would be tailored for the site to incorporate the North Aldershot Official Plan policies, as previously discussed, including the inclusion of landscape buffers, a maximum 3 storey height, and maximum 40% impervious cover.

Technical Review

On April 30, 2015, staff circulated a request for comments to internal and external technical agencies including Conservation Halton and Halton Region. No objections have been received so far, subject to requests for additional information and recommended conditions that will be addressed in the subsequent report.

Site Engineering:

Site Engineering has requested updated materials to address comments related to site grading and inconsistencies in the amount of impervious surfacing proposed. The submitted Functional Servicing Report states that over 50% of the site is proposed to be impervious cover, whereas the site plan provides areas of permeable pavement which reduces total impervious cover to 39% of the site.

Transportation Services:

Transportation Services has reviewed the application and has requested that the applicant conduct an operations and safety review of the proposed driveway on Waterdown Road. Transportation advises that from a traffic perspective the site can adequately accommodate site-generated traffic via one access to Waterdown Road. If

the applicant wishes to pursue the secondary access off of Nevarc Drive, a traffic analyses which provides justification for this access will be required.

Halton Region:

Water & Wastewater Servicing:

Halton Region has reviewed the application and are satisfied with the Functional Servicing report submitted in support of this application. Existing water service is available within Waterdown Road adjacent to the site, and wastewater service is available within Waterdown Road approximately 25m north of Craven Avenue. If approved, the connection of these services to the subject lands will be required as a condition of Site Plan.

Water Reservoir:

The existing water reservoir located immediately north of the property is identified for a major expansion in 2019, subject to 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.

Natural Features:

The Region has requested that the Environmental Impact report be updated to address several technical comments related to the implementation of the Regional Natural Heritage System policy and the extent of the subject lands to be included in the protection zone.

Conservation Halton:

Conservation Halton staff are satisfied with the delineation of the top-of-bank on the subject property. In keeping with Conservation Halton policy and the Grindstone Creek Watershed Study, Conservation Halton Staff recommends the dedication of the valley lands and a 15m buffer to the City of Burlington.

The Functional Servicing Report identifies a number of works including a children's play area and a stormwater management swale within the 15m buffer adjacent to the top of bank. Based on the above, Conservation Staff has requested that the materials be updated to remove development and disturbance from the buffer area.

Capital Works:

Capital Works has advised that if approved, the dedication of 15 meters from the staked top of bank as identified by the Region and Conservation Halton to the City in accordance with the policies of the Official Plan will be required at future stages of Planning.

Future Site Plan Matters:

If approved, matters such as, dedication of the natural area, final grading, lighting, landscaping, and building materials will be reviewed and finalized through the future site plan application.

Financial Matters:

In accordance with the Development Application Fee Schedule, all fees determined to date have been received.

Environmental Matters:

Conservation Halton regulates 15m from the limit of the hazard associated with the Grindstone Creek at the rear of the site. Conservation Halton 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 woodlands at the rear of the property are considered Candidate Significant Woodlands by the Region of Halton. They are located completely within the Conservation Halton Regulated Area, and no development is allowed within this area.

There are no City trees that will be impacted by the proposed development.

Public Engagement Matters:

Public Circulation

The application was subject to the standard circulation requirements. A public notice and request for comments were circulated in April 2015 to surrounding owners/tenants. A notice sign was also posted on the property.

Neighbourhood Meeting

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.

Comments included the following (*responses are provided in italics where applicable*):

Traffic:

- Concern about parking and traffic on Nevarc Drive as it has gone from a dead end street to busy.

- Concerned about Sunday morning traffic on Nevarc Drive.
- Want to know about potential changes resulting from construction on Waterdown Road.
 - *Reconstructed Waterdown will be three (3) lanes wide comprising one (1) lane each way, centre turning lane and bike lanes on each side.*
 - *1st public meeting on design is anticipated to take place in January 2016.*

Infrastructure/Grading:

- Will this development extend sanitary service to the surrounding residents?
- Concern about water from site running off onto properties south of the swale proposed on Nevarc Drive.
- Concern about low point at north east corner of the subject land. Don't want this site to be raised up and cause pooling of water on the single family home to the north.
- Concerned about the height of retaining walls.

Design/Construction:

- Concerned about proposed height & retaining walls next to properties on Craven.
- Concern about vibration impacts on the adjacent homes during construction. Homes were vibrating on Panin Road as a result of the construction of senior's residence on Panin. The geotechnical report for this application discusses existence of shale; this will result in damage to existing homes & reservoir during construction.
- How long will the site be under construction?
 - *The applicant advised that construction management will be looked at through the site plan, but it is anticipated to be 8-9 months.*
- Will Nevarc Drive be used for construction access?
 - *The applicant advised that access will be taken from Waterdown Road.*
- Will there be lighting on the site? Will this spill onto other properties:
 - *The applicant advised that the site plan must meet city guidelines. Light cannot spill onto neighbouring properties.*

Fellowship Church Business Operations:

- Will there be activities at the proposed church during the week? Will there be traffic during the day?
 - *The applicant advised that there are services on Sunday currently, and is hoping that there will be additional uses during the week. Weddings, funerals, evening meetings etc.*
- Is there a potential day care facility planned?
 - *The applicant advised that there are no plans for a day care facility.*

Public Comments

Beginning in June 2015, staff began receiving correspondence from members of the public regarding the proposed development. To date, staff has received 4 emails, 1 letter, and 1 neighbourhood meeting comment sheet. The public comments received to date are included in Appendix III. Comments have been transcribed from their original

handwritten format, where applicable, to preserve anonymity of the respondent. The general themes of these comments are:

- Provision of Sanitary Servicing for the residents of Craven and Nevarc.
 - Concern about increased traffic on Craven and Nevarc.
 - Concern regarding impacts of grading on adjacent properties.
 - Concern about proposed height of buildings.
 - Concern about construction practices.
-

Conclusion:

This report provides a description of the development application, an update on the technical review of this application and advises that several public comments have been received. A subsequent report will provide an analysis of the proposal in terms of applicable planning policies and will provide a recommendation on the proposed application.

Respectfully submitted,

Lisa Stern, Planner II

335-7600, ext. 7427

Appendices:

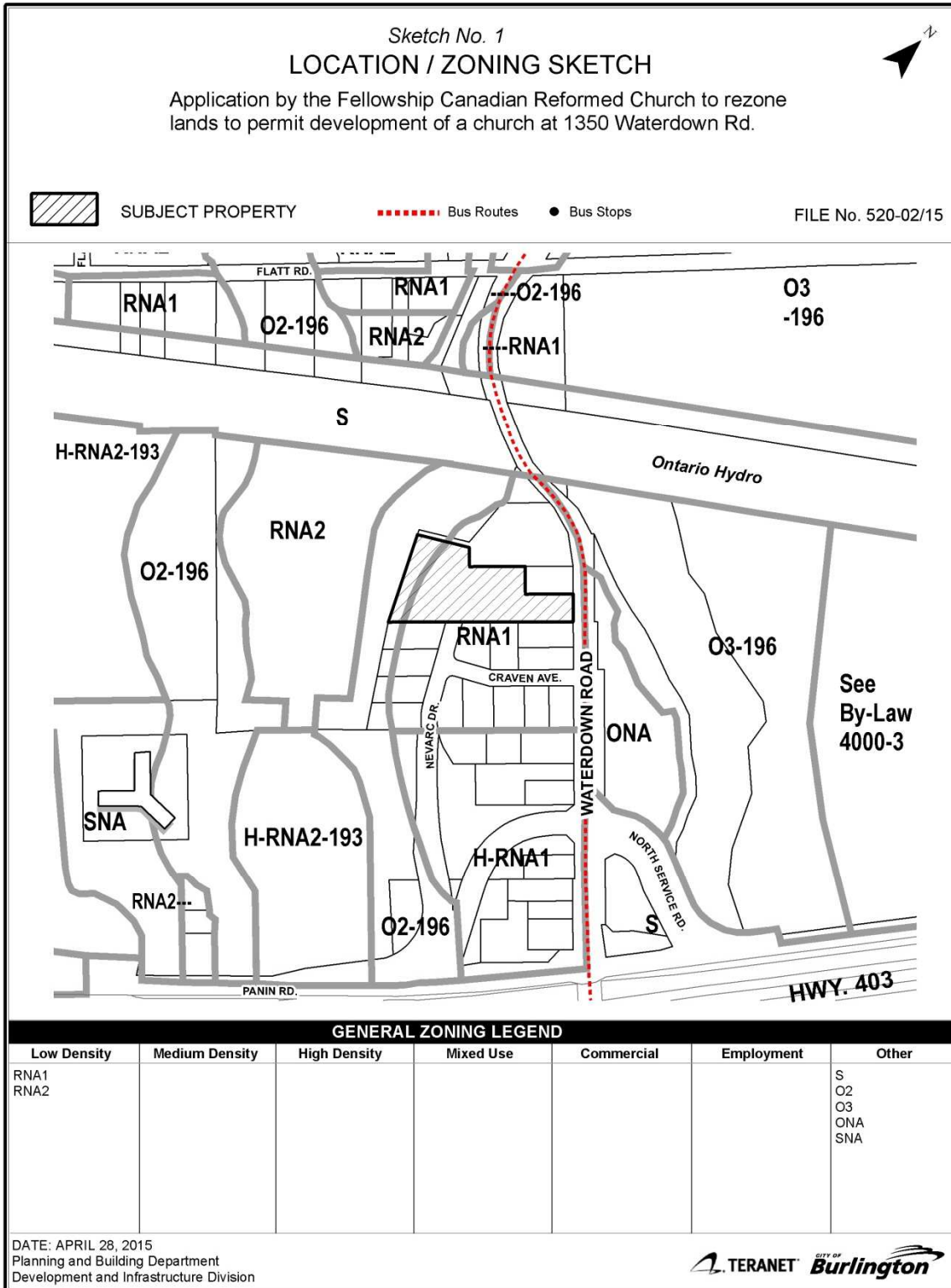
- a. Appendix I – Location Sketch
- b. Appendix II – Detail Sketch
- c. Appendix II I– Neighbourhood Comments

Notifications: None.

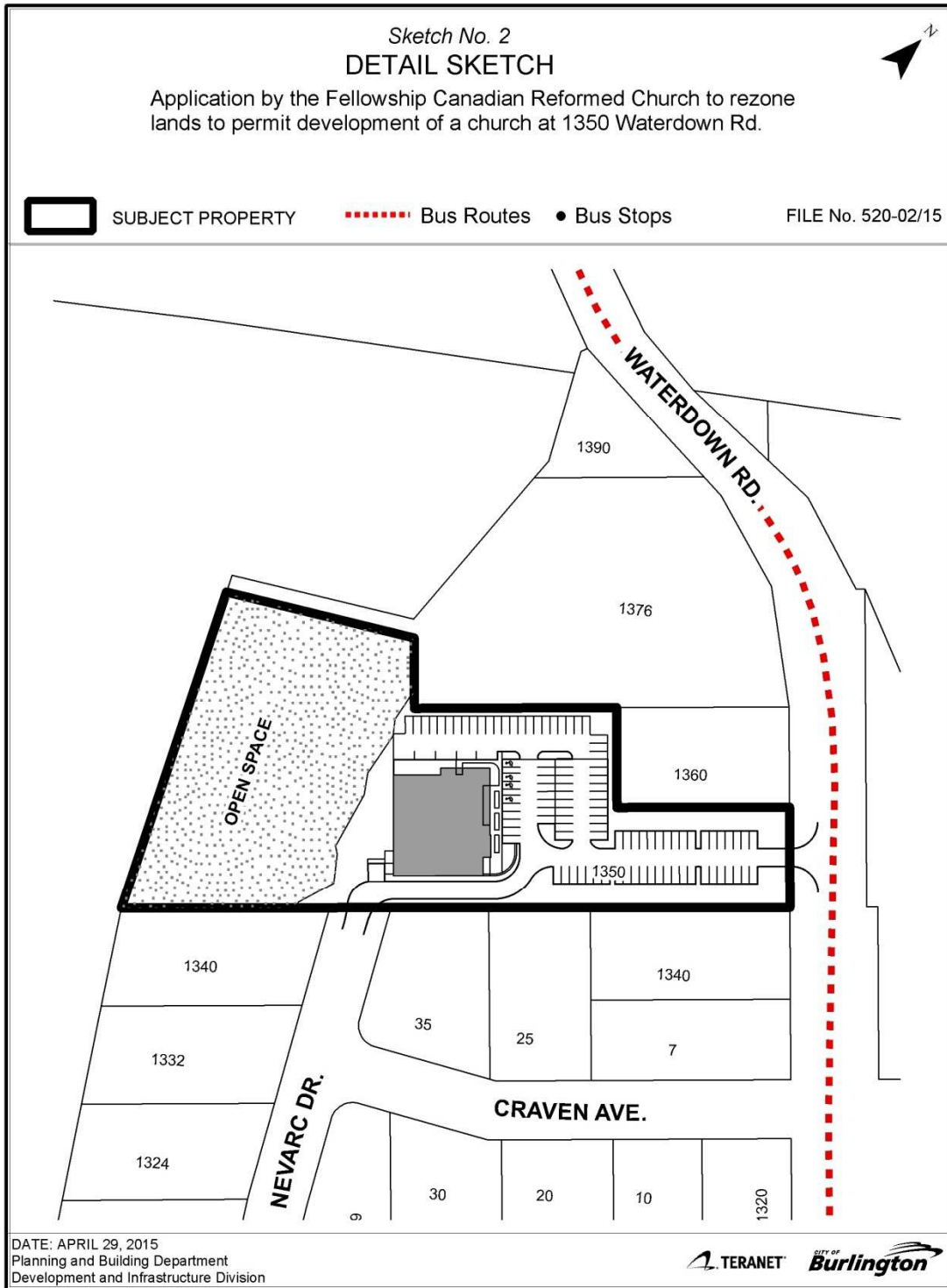
Approved by:

Mary Lou Tanner, Director of Planning and Building
Sandy O'Reilly, Controller and Manager of Financial Services
Nancy Shea Nicol, Director of Legal Services & City Solicitor
James Ridge, City Manager

APPENDIX I – LOCATION SKETCH



APPENDIX II – DETAIL SKETCH



APPENDIX III – NEIGHBOURHOOD COMMENT

June 2, 2015

To: City of Burlington 426 Brant Street. Planning/Building Department.

ATTN: Lisa Stern

RE: File #520-02/15

Regarding Rezoning Appl. For #1350 Waterdown Road. Burlington ONT.
Community Consultation Meeting

“Good Morning!”

As per www.burlington.ca....

I secured the 42 pg. info re this site, but there was not sanitary sewage plan indicated, we live @ ■■■■■ since June 1947 & are considering installing our own sewage disposal system that is mega bucks to install & service!

If we & the other homes could hook into the proposed church system & save the other ten or so homeowners some frustration & \$

From: ■■■■■■■■

Date: Jun 8, 2015 10:33 PM

Subject: Add me to your email list

To: <rick.craven@burligton.ca>

Cc: <lisa.stern@burligton.ca>

Hi Rick, and Lisa

As per our conversation Rick at the end of the meeting, please add me to your email list.

The proposal for the new church shows the main entrance being off waterdown rd. I am not alone to say that there is something strange about having another on Nevarc. In the presentation 2-3 different people said the intentions would be to use waterdown rd as the main entrance. So is this just smoke and mirrors, and is the real intention to have the entrance / exit on Nevarc? Would it not be more of a dangerous situation to have 100 plus cars trying to leave out of 2 exits 100 feet apart? Not to mention the already heavy weekend traffic that Cama Woodlands is creating and will this pose a problem for emergency vehicles ?

I don't think people are actually against the church but I know Craven and Nevarc residents are against more traffic down our streets.

I would like to be kept in the loop so I do not miss any of the up coming meetings.

Thanks, ■■■■■■

From: ■ ■ ■ ■ ■ ■ ■ ■

Sent: Tuesday, June 09, 2015 2:02 PM

To: Stern, Lisa

Subject: 1350 Waterdown Rd.

Hi Lisa,

I live at ■ ■ ■ ■ ■ ■ and wish to express my opinion of the proposal to build a church on at 1350.

I am not against seeing a church built on the property. I think it would be better then building 100 or more houses and completely blocking the view that I have now. At least now there is concern for the residents that live in the area whereas a builder would not care. (Just my opinion of the way some housing developments are built)

I am concerned about the amount of traffic that would be coming past my house each Sunday by having it restricted to only one entrance off Waterdown Rd. Contrary to what the residences on Craven and Nevarc say about the traffic there is not the volume that they claim as I often walk my dogs along those streets and seldom have I seen more then one car in my 40 - 45 min. walk. Sometimes I don't encounter any cars.

The gentleman that lives on the north east corner of Craven and Nevarc is probably worried he will lose his parking spot for his trailer he has parked on city land and some of the decorations he has built on the land that is not his.

Another concern is the grading of the parking area next to my lot for a parking area is that it will stop the natural flow of the water run off at the southwest corner of my property as that is the low area of both properties.

Another concern is what type of fencing will have to be built and will I lose my cedar picket fence that is there now?

Regards ■ ■ ■ ■ ■

From: Stern, Lisa
Sent: Friday, June 19, 2015 11:03 AM
To: ■■■■■■■■■■
Cc: Minaji, Rosalind; Craven, Rick
Subject: RE: Comment Sheet: Fellowship Canadian Reformed Church Application: File:502-02/15
■■■■■■■■■■

I will pass on comments from Engineering relating to the geotechnical report that I hope will address your concerns. At the site plan stage the applicant will be asked to address the following:

- Excavation depths for the proposed building not yet confirmed. Once determined an analysis should be completed to confirm whether a “Pre Condition Survey” and “Vibration Monitoring” during construction is necessary. **(The geotechnical report mentions the possibility of using a pneumatic rock hammer when encountering hard shale layers.)**

The requirement for the submission a pre-condition survey and vibration monitoring is dependent on the likelihood of rock hammering or blasting during construction based on the ultimate depth and location of the footings. Studies/monitoring will be completed at the expense of the applicant.

If you have any further questions on this I would be happy to chat with you about it. Please feel free to give me a call.

Lisa Stern RPP, MCIP
Planner II - Development
Planning & Building Department | City of Burlington
426 Brant Street, P.O. Box 5013, Burlington, ON L7R 3Z6
☎ **905-335-7600 ext. 7427**
: lisa.stern@burlington.ca

From: ■■■■■■■■■■
Sent: Friday, June 19, 2015 10:09 AM
To: Stern, Lisa
Cc: Minaji, Rosalind; Craven, Rick
Subject: RE: Comment Sheet: Fellowship Canadian Reformed Church Application: File:502-02/15

Hi Lisa

Thank you for your reply in which you mention "If blasting is in fact required". I never referred to blasting anywhere on my comment sheet. **IS BLASTING THE ONLY ASPECT THAT WILL GENERATE NOISE AND VIBRATION MITIGATION?** My concern is that heavy excavators chopping through shale create extreme impact vibrations which may continue for several weeks. As well, compaction vibrations, though less intense, are continuous over several hours daily for several weeks. Construction vibrations do cause costly structural and costly cosmetic damage

to adjacent homes.

The onus on adjacent homeowners to prove construction is causing damage to their homes is inexcusable indifference and negligent inaction by the City, the applicant and the contractors.

Video's taken over several weeks showing shadow cast compaction vibrations occurring for hours at a time, over several weeks, received a heartfelt response of "Is that a hand held camera?"

Many municipalities monitor vibration during construction and actually do respond when unacceptable vibration levels are detected. And they also respond at the time of occurrence and not weeks afterwards when the intrusive construction methods have finished and the damage has been done. The City of Burlington has a great opportunity at this time to be proactive and

exercise due diligence in respect to the Craven and Nevarc homeowners and inevitably the remainder of existing homeowners citywide to be affected by future intensification construction.

From: Lisa.Stern@burlington.ca

To: ■■■■■■■■■■

Subject: FW: Comment Sheet: Fellowship Canadian Reformed Church Application:

File:502-02/15

Date: Mon, 15 Jun 2015 15:08:05 +0000

■■■■■■■■■■

Thank you for attending the neighbourhood meetings and providing your comments.

As you are aware we are in the preliminary stages of reviewing the application and have not received comments from all technical agencies at this point in time. However, I will be asking the applicant to provide more information regarding the heights of the proposed building and proposed site grading. Updated plans will be placed on the City's website (Burlington.ca/1350Waterdown) when they become available.

The geotechnical report has been reviewed by our engineering group however, detailed geotechnical and construction management aspects of the application will be further examined through the future Site Plan Control application when more detailed development plans have been determined. If blasting is in fact required, the City's site engineering and building departments will ask for a noise and vibration study to examine the works, and put mitigation measures into place as a condition of the Site Plan approval.

Your comments will be considered in the preparation of our report to the Development and Infrastructure Committee of Council. A copy of your letter will be included in the report. Please note that the report will be posted on the City's web site. The Development and Infrastructure Committee will hold a Public Meeting in accordance with Section 34 of the Planning Act to consider this application and you will be notified of the date and time of the Public Meeting.

Please feel free to give me a call if you have any further questions or concerns.

Lisa Stern RPP, MCIP

From: ■ ■ ■ ■ ■ ■ ■ ■ ■ ■

Sent: Thursday, June 11, 2015 3:15 PM

To: Minaji, Rosalind

Subject: Comment Sheet: Fellowship Canadian Reformed Church Application: File:502-02/15

Hi Roz.

I have attached a 3 page comment sheet for your reference.

Let me know if you received it.

Thanks.

[Comment Sheet: Fellowship Canadian Reformed Church Application: File:502-02/15](#)

Thank you for the opportunity to comment on the application

First and foremost, let me state that I am not opposed to the Fellowship Canadian Reformed Church application.

However, I do have some concerns and appreciate the opportunity to comment on them.

1- My main concern is in regards to the adjacent homes which could sustain construction vibration damage from the initial excavation and later from backfill compaction. I reference excerpts from the following submitted documents which refer to "heavy construction equipment methods" which cause extreme impact vibrations and also the backfill compaction which is less aggressive vibration but can be ongoing for several hours each day over several weeks. The constant vibrations can also re-settle adjacent property landscape and also crack surfaced driveways and expand existing cracks in driveways.

[Geotechnical Study](#) – Dec. 18, 2001

5.4.1 Excavation

Excavations within the upper level of the weathered shale bedrock may be undertaken by heavy dozers and backhoes equipped with ripping teeth or mechanical rock splitters and heavy construction equipment methods. Excavations that extend significant depth into the shale bedrock or where hard shale layers are encountered will probably have to be broken up with pneumatic rock hammers before they can be excavated with a backhoe.

5.6 Backfill Operations

All backfilling and compaction operations must be closely examined by representatives of this office to ensure uniform compaction to specification requirements, especially adjacent to foundation walls, near the ends of compaction runs, and in all areas that are readily accessible to compaction equipment, etc.

2-In addition to my first concern, I am concerned that the City By-law 52-2012 is not sufficiently enforced when incidents occur that affect adjoining properties with both dust and vibration. Adjacent homeowners should be advised of whom to call and have assurance that their concerns will be acted upon immediately before excessive damage occurs.

CITY OF BURLINGTON BY-LAW 52-2012

11.3 Environmental Impacts

(2) Consideration for neighbouring properties shall be given when construction processes generate dust. The Ministry of Environment and/or Ministry of Health will be contacted when complaints occur.

(4) If required by the Chief Building Official, a report from a professional engineer with respect to the impacts of vibration from the proposed construction methods and the measures to be employed to mitigate such impacts may be submitted as part of an application for construction and/ or demolition.

3-Many Municipalities have strict Construction Vibration by-laws, and with the ongoing intensification within the City of Burlington, a review and update to the by-law should be undertaken to protect existing homeowners from damage to their homes and property. Construction vibration damage should not be dismissed as collateral damage on existing homes.

Damage is not always noticeable during construction but may show up afterwards to which I quote Mr. Bruce Krushelnicki: "damage can be attributed to a number of causes over time, and without better information such as base line inspection and photography, it is not possible to conclude that the damage is directly attributable to the construction."

In my opinion, the onus should not be placed on adjacent home owners to acquire their own "base line inspection and photography" before construction begins. That should be the responsibility of the City, the applicant and the contractor.

4-The water reservoir is in very close proximity to the proposed development and Halton Region should be contacted to assess vibration and its effects on their equipment within their facility.

5- There is also concern about water runoff affecting adjoining properties during construction and mud tracking directly onto Waterdown Road from vehicles exiting the site.

I have included some photos of a similar construction scenario with additional commentary as a reference:

Comment Sheet: Fellowship Canadian Reformed Church Application
Example photo's from the CAMA Woodlands Expansion Experience.



Jan. 13, 2013 –Junction of Residential Access Laneway and CAMA Woodlands Perimeter Road with surface runoff from the construction site. The sloping topography NW of Craven Avenue could flood Nevarc Drive and adjacent properties.



Feb 15, 2013 – Even without rain, mud from construction vehicles tracked all the way to Waterdown Road from Panin Rd. This may also happen on Waterdown Road with construction vehicles exiting and could become hazardous to motorists.

Clean-up on Waterdown Road should be a daily commitment from the contractor. However, cleaning with a rotary brush when the road is dry creates excessive dust that contaminates adjacent properties and this method should not be allowed



Nov. 4, 2013@4:45pm – Usually done at the end of the day when city officials and by law enforcement have already left.

Operation of construction equipment on Sundays and Holidays and before 7am and after 7pm during the week is in contravention of City Bylaw 19-2003 and BY-LAW 45-2011. After numerous infractions where police responded to complaints on Sundays and Holidays, the site supervisor expressed his opinion to an officer that the complainants had a vendetta against the construction. The site supervisor was fully aware that operation of construction equipment during those time periods was in contravention of the bylaws. This activity should not be allowed to happen to Craven & Nevarc residents. They need to be know who to call and have assurance that responsive actions will not be diverted or delayed.

6 - I was somewhat disappointed that many questions asked at the public meeting were not answered, especially the height of the retaining walls and the building height. Even the documentation on the City Web site lacked clarity.

From the topographical maps and one drawing showing some internal dimensions, I can only assume that the following heights are close. Perhaps the cross-sectional drawings that were mentioned will be made available for the public before another meeting.

From the topographic elevations.

		Elevations above the junction of Craven & Nevarc	
Top of ornate cross		70 ft	87.65 ft
Fourth roof height (steeple)		56 ft	73.65 ft
Third roof height		42 ft	59.65 ft
Second roof height		36 ft	53.65 ft
First roof height		19 ft	36.65 ft
Top end of property	135.24	443.7 ft	23.36 ft
Floor elevation of building	133.50m	437.99 ft	17.65 ft
Top end of Nevarc	130.4m	427.82 ft	7.48 ft
Junction of Craven and Nevarc	128.12m	420.34 ft	0.0 ft

Thank you again for this opportunity to comment on the application. I do hope their project goes well, and I do hope that the adjacent homes will not be damaged by aggressive construction vibration and also, that the City will consider updating the Construction By-law. I did bring this to the attention of the City and Region previously in 2013 and excerpts from four of the only responses I received are included below:

Gary Carr - I will have our commissioner reply with a copy to everyone

Andrea Smith - Your comments will be considered as part of the Official Plan Review.

Ron Glenn - Chair Carr has asked me to respond to your inquiry. As I understand your issue it is in relation to a land development construction project and impacts to you and two neighbouring properties.

The issuance of building permits is a responsibility of the City of Burlington. I have copied this email to Mr. Krushelnicki at the City of Burlington. I would encourage you to contact Mr. Krushelnicki for further information related to the building permit and your issues.

Bruce Krushelnicki - You have asked, as part of our Official Plan Review, that we consider additional policies to address this and related issues. I think that's a good suggestion and I have instructed our policy staff to include this in the review as one of the numerous technical issues they will be reviewing.

Sometimes, the typical notification given to affected homeowners when construction vibration is expected states:

You may at times experience some minor vibration as a result of construction equipment.

We recommend that you remove small light objects from shelving around the house.

In my opinion, that typical notification is a poor excuse used to patronize homeowners concerns and still puts the onus on affected homeowners to prove that damage to their property and homes was caused by construction vibration. The City could and should do better in protecting existing homeowners.

**NEIGHBOURHOOD MEETING
COMMENT SHEET**

Subject: Burlington Fellowship Canadian Reformed Church

Address: 1350 Waterdown Road, Burlington

Files: 520-02/15

Please Indicate Below Any Comments or Special

Concerns You May Have About This Project

1. I am not opposed to the church.

Concerns:

2. Height of church – mostly one storey homes in area
3. Vibrations during construction. Who is responsible if homes, swimming pools, etc, damaged?
4. Water drainage. Run off water moving south on Nevarc & into ravine. All septic beds on Necarc are in front yards
5. Sewers. Would be a good opportunity to service residents on Craven & Nevarc if sewers came down these streets.

-----Original Message-----

From: ■■■■■■■■

Sent: Tuesday, June 23, 2015 9:37 PM

To: Stern, Lisa

Subject: File 502-02/15 - Fellowship Canadian Reformed Church, 1350 Waterdown Road

Dear Lisa

Firstly, my husband and I are delighted to welcome the Fellowship Canadian Reformed Church to our neighbourhood. When we think of the possible alternatives, this application is surely one we welcome.

Because we are relatively close to the site, our concerns would be

- 1) The grading of the site with respect to possible run-off onto Nevarc Drive, especially in view of the present natural run-off, which is north to south.
- 2) The possible increase in traffic flow if the Nevarc Drive opening is used as an alternative access (although we understand this would be only on an intermittent basis if used)
- 3) That the grass be cut regularly to mitigate tick infestation (passed on by the deer population in the area). At present the grass on the site has been allowed to grow to over 12 inches.

I understand that you will be posting updated information on the City's website (Burlington.ca/1350 Waterdown) with respect to site grading and overall heights of the proposed building and looking forward to viewing this.

When we have more information, then we can formulate a more cohesive submission.

Sincerely

Mr and Mrs ■■■■■■■■
■■■■■■■■
Burlington, ■■■■■■■■