

Planning and Design Report

2105 Headon Road
City of Burlington, Ontario

JEC Properties

May 22, 2026

Zelinka Priamo Ltd.
LAND USE PLANNERS

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1.0 INTRODUCTION AND SUMMARY

On behalf of JEC Properties, Zelinka Priamo Ltd. has submitted an application to the City of Burlington to amend its Official Plan and Zoning By-Law to permit the development of the lands known municipally as 2105 Headon Road (hereinafter referred to as the 'subject lands') for a total of eight (8) townhouse units.

The purpose of this Planning and Design Report is to provide design details and evaluate the Official Plan Amendment and Zoning By-Law Amendment Application within the context of existing land use policies and regulations, including the Provincial Planning Statement (2024), the City of Burlington Official Plan and the City of Burlington Zoning By-law.

The report concludes that the proposed Zoning By-Law Amendment application to permit the development of eight (8) townhouse units is appropriate and desirable for the following reasons:

- The proposed Official Plan and Zoning By-Law Amendment are consistent with the policies of the 2024 Provincial Planning Statement;
- The proposed development generally aligns with the intent of the City of Burlington Official Plan;
- The proposed Official Plan and Zoning By-Law Amendment provides for a form of development that will make more efficient use of underutilized lands within an established, built-up area of the city;
- The proposed development provides a well-functioning site design and built form that is generally compatible with, and complementary to, the surrounding land uses; and,
- The proposed development exhibits the requisite components of a well-functioning, residential development, including setbacks, parking, and communal amenity space.

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2.0 DESCRIPTION OF SUBJECT LANDS

The subject lands are located on the northeast side of Headon Road, approximately 370m north of Upper Middle Road. The subject lands are comprised of a rectangular-shaped parcel with a lot area of approximately 0.4 ha (1.0 ac); a lot frontage of approximately 40 m along Headon Road; and a lot depth of approximately 100 m. The subject lands currently contain a single-detached dwelling and detached garage/storage shed and are largely covered in trees and abut Cleaver Park (Figure 1-3).

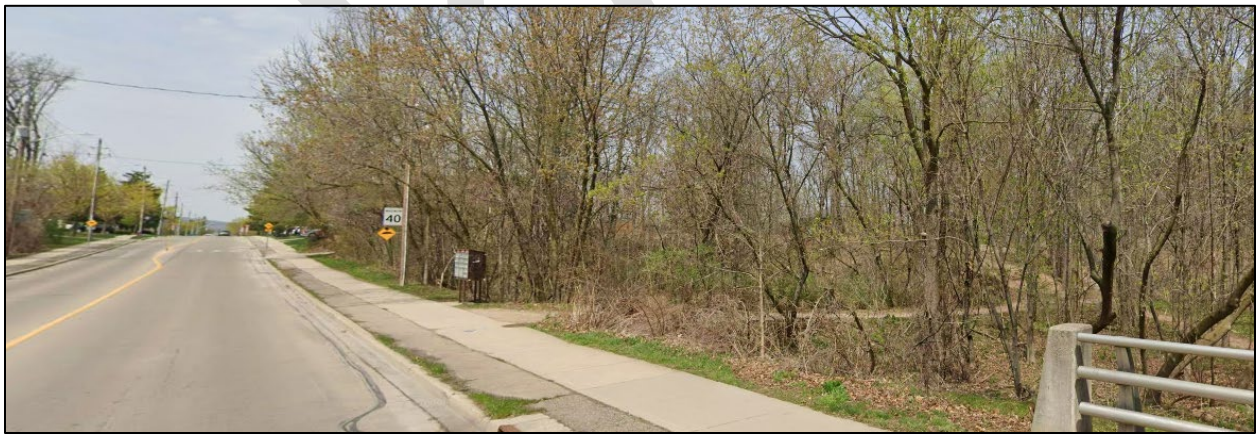
Figure 1 - Subject Lands at 2105 Headon Road



Figure 2 – Subject Lands and Surrounding Area



Figure 3 – Subject Lands (Streetview)



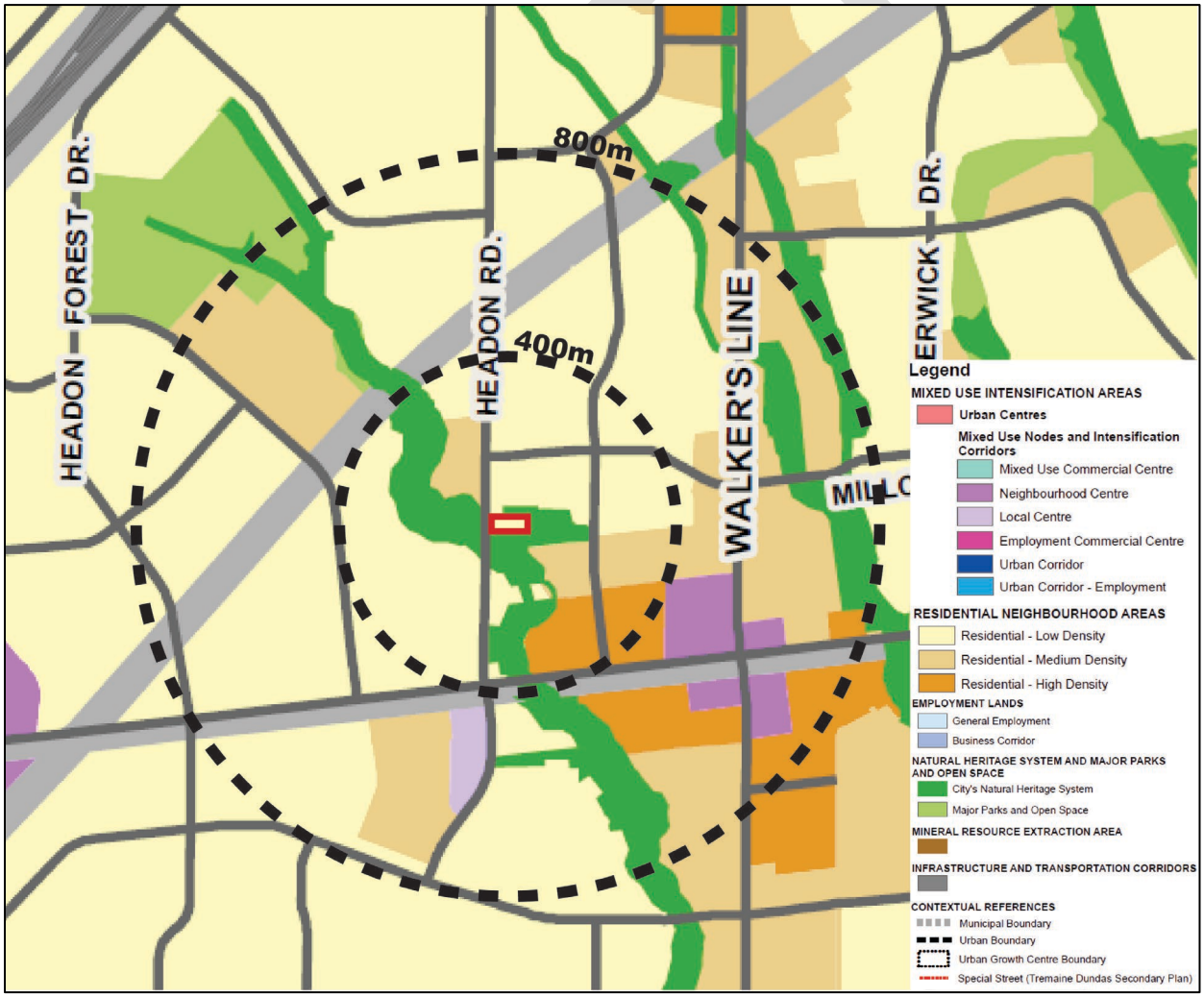
The subject lands are designated as 'Residential Neighbourhood Areas' under Schedule B – Urban Structure; are designated *"Residential – Low Density"* under Schedule C – Land Use – Urban Area in the current *City of Burlington Official Plan (2020)*; and are currently zoned "*Low-Rise Neighbourhoods 5 (LN5)"* in the City of Burlington Zoning By-law (09-2026).

3.0 SPATIAL ANALYSIS AND NEIGHBOURHOOD CONTEXT

3.1 REGIONAL SPATIAL ANALYSIS

Figure 4 illustrates the surrounding land use designations, as per the City of Burlington Official Plan, and Figure 5 (on the following page) illustrates significant landmarks. Each figure shows a 400m and 800m radius from the subject lands, representing an approximate straight-line walking distances of 5 minutes and 10 minutes respectively. However, due to sidewalk networks and physical barriers, the radii may not represent exact walking times. Significant landmarks are identified by numbers 1-13 on Figure 4.

Figure 4 – Regional Spatial Analysis (Land Uses)



Land uses within the 400m radius primarily consist of “Residential – Low Density”, “Residential – Medium Density”, “Residential – High Density” and “City’s Natural Heritage System”. Land uses within the 800m radius consist of the same, as well as “Neighbourhood Centre”, “Local Centre”, and “Major Parks and Open Space”.

Figure 5 – Notable Features Spatial Analysis (subject lands outlined in red)



Notable features within the 400m and 800m radii include (numbers correspond to the figure above):

1. Institutional Use – C.H Norton Public School;
2. Open Space – Cleaver Park;
3. Medium Density Residential – cluster townhouses;
4. High Density Residential – Eaton Hills Apartments and stacked townhouses;
5. Low Density Residential – single-detached dwellings;
6. Open Space – creek through Cleaver Park;
7. Commercial – Subway, Freshco, Shoppers Drugmart, Petro-Can, and additional convenience and service commercial uses;
8. Commercial – Uptown Social House, ICAN Education, pharmacy, Tim Hortons;
9. Institutional – Brock University Burlington Campus and Palmer Park
10. Open Space – Crosstown Trail
11. Institutional – St. Paul the Apostle Parish
12. Medium Density Residential – cluster townhouses

A range of land uses and features are present along Headon Road and Upper Middle. There are townhouses within 400m of the subject lands along Headon Road at 2120 Headon Road (Figure 6) at 2110 Cleaver Avenue and 2040 Cleaver Avenue and low-rise apartment buildings at 3497 Upper Middle Road (Figure 7). The neighbourhood that surrounds the subject lands consists of a range of low, medium and high-density residential, institutional (Figure 8) and commercial land uses (Figure 9) with good access to parks and open space (Figure 10) and a variety of different services. Residential uses are provided in a variety of forms and densities, ranging from single-detached dwellings all the way up to low-rise apartment buildings.

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Figure 6 - Surrounding uses – 2 styles of townhouses at 2120 Headon Road





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Figure 7 - Surrounding uses – Townhouses and Apartments (2110 Cleaver Avenue, 2040 Cleaver Avenue and 3497 Upper Middle Road)



Figure 8 - Surrounding uses – C.H Norton Public School (looking southwest from Cleaver Avenue)

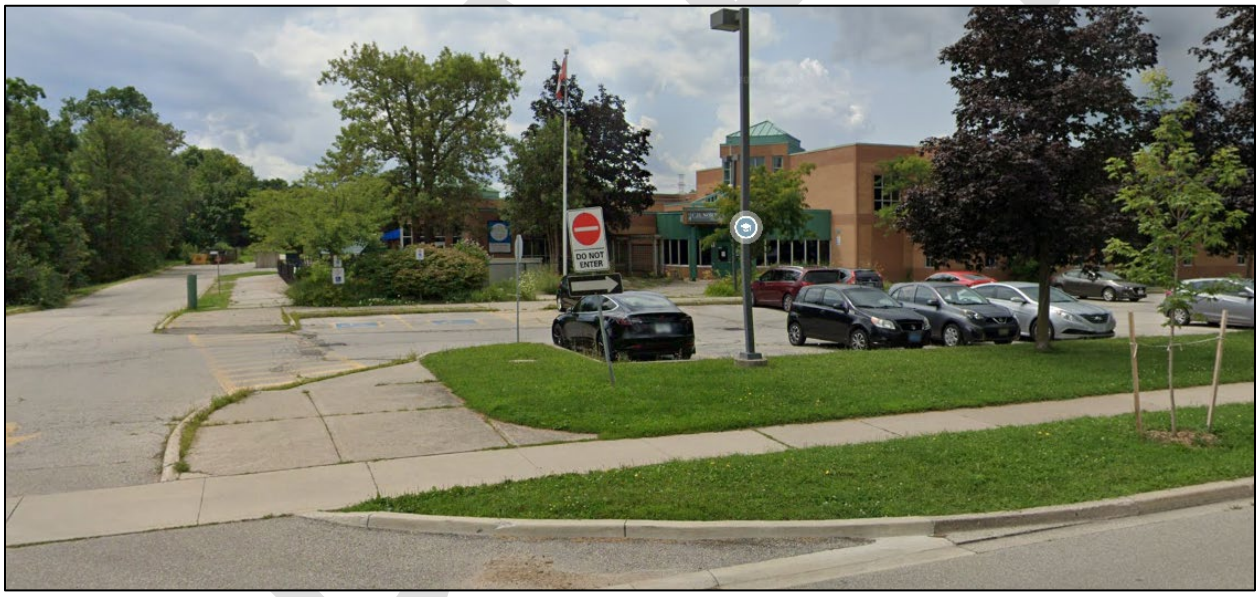


Figure 9 – Commercial Plaza at Walkers Line and Upper Middle Road Intersection



Figure 10 – Cleaver Park (looking southwest from Cleaver Avenue)

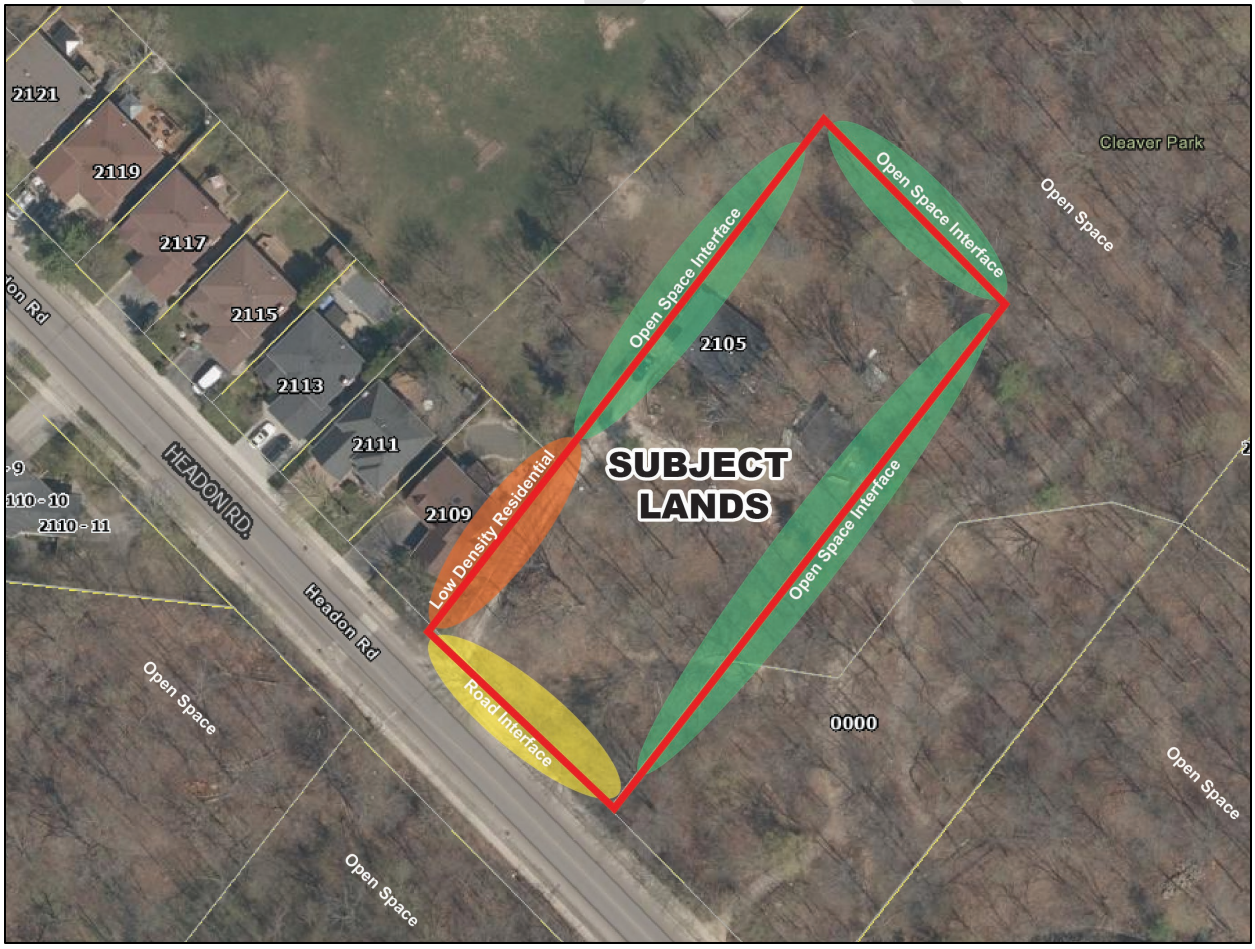


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3.2 SITE SPECIFIC SPATIAL ANALYSIS

Figure 11 illustrates a Site-Specific Spatial Analysis, providing information on the immediate context of the site and the interfaces with abutting properties. The front yard of the property interfaces with Headon Road. There is an existing sidewalk which runs along both sides of Headon Road at this location. The northwesterly interior side yard interfaces a single-family residential lot, which extends approximately 33m off of the Headon Road right of way, and this same side yard also interfaces with Cleaver Park. The rear yard and easterly interior side yard of the property interfaces with Cleaver Park. There are existing trees of varying sizes throughout the property. A tree dripline has been surveyed and established for the purpose of tree preservation; some trees will need to be removed for construction but a large amount is being retained and protected. Due to the fact that this property only abuts one (1) residential dwelling, there is less of a concern regarding compatibility and overlook between the existing land uses and the subject lands.

Figure 11 – Site-Specific Spatial Analysis



4.0 DESIGN GOALS AND OBJECTIVES

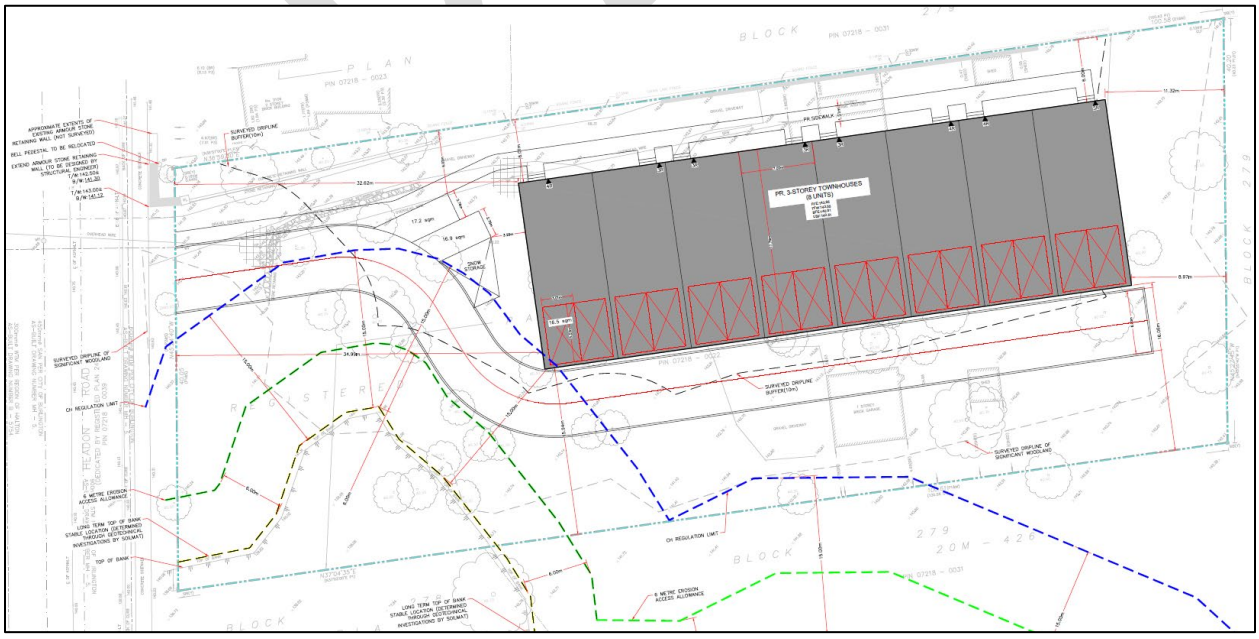
The goal of the proposed development is to provide an attractive, compatible, and complementary addition to the Headon neighbourhood while making efficient use of the subject lands. In order to effectively achieve this goal for the subject lands, the following design objectives have been identified:

- Improve the functionality of the subject lands and interfacing street frontage by adding a high-quality residential townhouse design.
- Implement suitable design standards and privacy elements that ensure compatibility with neighboring uses and the surrounding community.
- Support the residential intensification of the area, which will contribute positively to the development of the Headon neighbourhood; and,
- Effectively integrate the built form into the current land use policy context, particularly concerning massing and height.

5.0 PROPOSED DEVELOPMENT

The subject lands are proposed to be redeveloped for an 8-unit, townhouse development with individual garages and visitor parking (Figure 12).

Figure 12 - Conceptual Development Plan (excerpt)



The proposed townhouse block is located as close to rear and northwesterly interior side yard as possible in order to maintain the surveyed top of bank and tree dripline denoted on the provided conceptual development plan and support a sufficient buffer to protect this feature while still supporting infill development. There is an existing vehicular access on this property for the single-detached dwelling. This existing dwelling is to be removed prior to re-development. The new access proposed for the townhouses is slightly further south along Headon Road, which was at the request of City transportation staff to accommodate proper sightlines. This location also provides for a buffer between the access and the house to the north, and maintains most of the existing landscaping along that property line. This will be a full-turns access to and from the subject lands. A pedestrian sidewalk is proposed to connect to the existing public sidewalk on Headon Road to the pedestrian entrances to the units. Two visitor parking spaces are proposed for the development for a visitor parking rate of 0.25 spaces per unit. Each unit also has a two-car garage for resident parking accessed directly from the drive aisle. Landscaping is proposed throughout the site to provide additional screening of the parking and building.

The proposed building setbacks include a 6.0m interior (north) side yard for the units; an interior side yard on the opposite side (south) of 15.9m; a 32.6m front yard setback; and, an 8.9m rear yard setback. The location of the building and parking has been strategically located to mitigate potential undue impacts on abutting properties and maintain the natural heritage feature on the subject lands. The proposed building setbacks are large enough to accommodate the robust landscaping and fencing to ensure adequate privacy measures.

5.5 BUILT FORM

The building design of the proposed townhouse building provides elements such as: a height from the ground floor to the lower limit of the roof line of 6.45m and an overall height (floor to top peak of roof) of 11.0m; rectangular forms with clean lines and angles; mansard roofing; and, modest colours and materials are proposed. These elements provide a built form consistent with the surrounding townhouse forms in this neighbourhood.

5.6 DESIGN FEATURES MASSING AND ARTICULATION

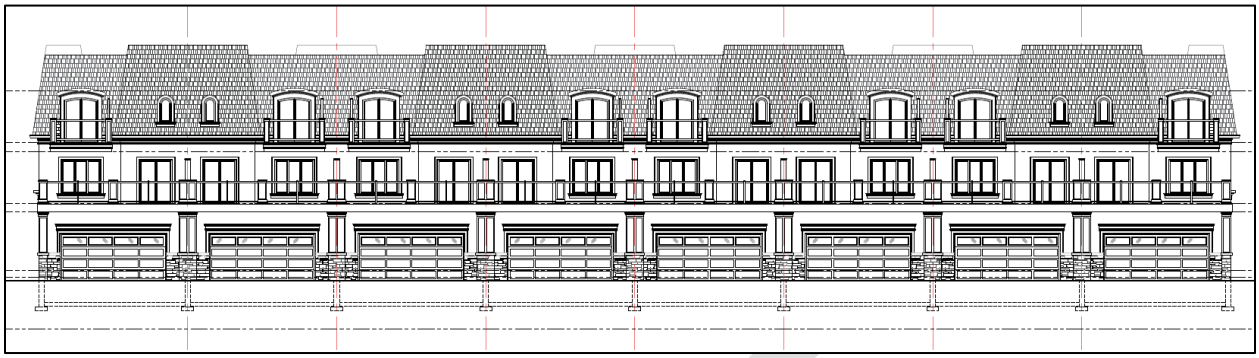
The following figures below are conceptual elevations of the proposed townhouses (Figures 13 - 15).

Figure 13 – Front Elevation



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Figure 14 – Rear Elevation



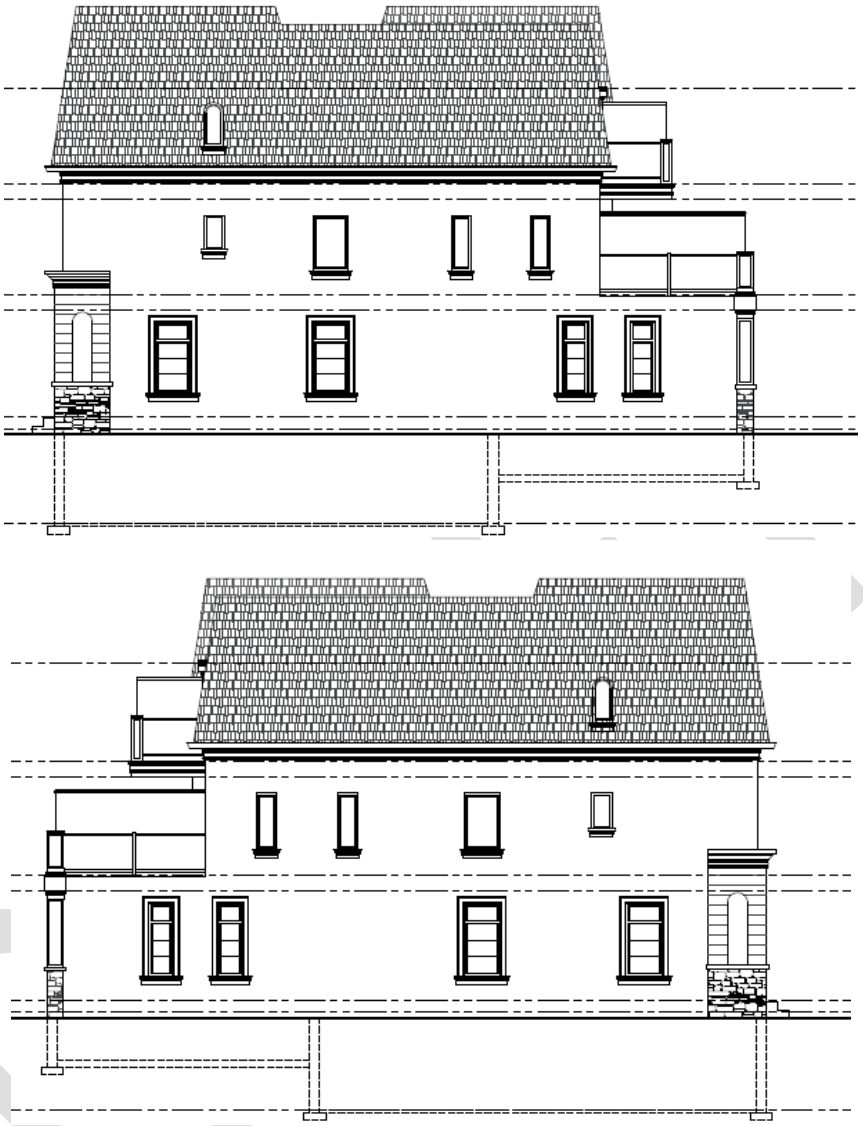
Front and Rear Elevations

The 1st storey of the elevation is made up of front entrances on the north side of the building (front elevation) with ground-level pedestrian and vehicular access to the internal private driveways shown on the 1st storey in the rear elevation. The front entrances feature a small stoop leading up to the door, evoking a traditional low-density residential aesthetic. The materials on the 1st storey consists of stone and stucco. The 2nd storey of the rear elevation consists of small balconies, above the garage for each unit. There area also balconies on the 3rd-storey rear elevation facing south. No balconies are located on the front elevation facing north to protect the privacy of the neighbours.

The front and rear elevations consist of distinct sections of the building defined by a change of materials and slight variations in setbacks. This approach provides a high degree of visual interest in the building, servicing to break up the building's massing, while maintaining a highly-efficient floor plate.

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Figure 15 – Side Elevations



Side Elevations

The side elevations carry through elements of the rear elevation, and are primarily brick and stucco. There is deck fencing shown on the side elevations. The fenestration of the side elevations is minimal and are only shown on the ground floor and 1st floors of the townhouses. The side elevations primarily have a 2-storey profile to maintain the intent of the City of Burlington Official Plan and do not have windows above the ground floor and 1st floor.

Notably, the side elevations will only have minimal visibility from Headon Road due to the tree retention, setback and landscaping.

5.7 LANDSCAPING AND FENCING

Landscaping and fencing will be further refined at the time of building permits; a Restoration Plan and Tree Preservation Plan is provided with this submission for preliminary details. The trees along the southwestern portion of the property are proposed to be maintained for conservation and a landscape buffer is proposed along the north property line for privacy. The combination of robust landscaping, including a variety of coniferous and deciduous trees, and fencing, supports the high priorities for this design which is privacy and tree retention.

5.8 SERVICING

This development will make full use of municipal services including stormwater, sanitary, and water services. On a preliminary basis, there is sufficient capacity to service the proposed development. A Functional Servicing Report was prepared by Everwest Engineering for the submitted Official Plan Amendment and Zoning By-law Amendment applications which concludes that no downstream capacity issues are anticipated as a result of the number of units proposed.

6.0 POTENTIAL IMPACTS TO ABUTTING AND NEARBY LANDS

Redevelopment of the subject lands for a townhouse building consisting of 8 residential units will be noticeable to residents in the immediate area; however, will not have a noticeable impact on the Headon Road streetscape and will not generate overlook in the surrounding area considering the 1.5 and 2-storey heights of the surrounding residential dwellings. Generally, impacts associated with the proposed development may consist of:

Visual: Residents will generally see the proposed building from their properties in areas where landscaping does not already provide a visual barrier. However, the proposed landscaping and tree plantings will serve to aid in visual screening through growth over time. Orientation of the proposed building will minimize loss of privacy for abutting properties.

Auditory: Sound, from such sources as vehicles, conversations, children, and normal residential activities will be audible to abutting residents. However, considering the park which abuts the subject lands, this will not be noticeable.

Light: Light from night-time lighting of the building may be noticeable to abutting properties; however, this is limited by the site design, and can be further mitigated by sensitive landscaping and fencing.

Traffic: The proposed development will not significantly increase traffic levels on the streets surrounding the subject lands. A Traffic Impact Brief was noted as a requirement for submission; however, considering the minimal number of dwellings proposed, traffic to and from the subject

lands will be negligible and the vehicular entrance location has been discussed with transportation staff and strategically positioned for traffic safety.

7.0 NEIGHBOURHOOD COMMUNITY MEETING

A Neighbourhood Community Meeting was held on Tuesday, May 13th, 2025 at Tansley Woods Community Centre to provide area residents with an opportunity to review the proposed development and provide feedback. Twelve (12) of the area residents attended the meeting as per the sign in sheet provided. Concerns voiced by residents at the community meeting included increased traffic, loss of privacy, fencing material and detail and landscaping being proposed and removed. These concerns are discussed and addressed throughout this report.

8.0 PROPOSED OFFICIAL PLAN AMENDMENT

As noted in this report, the subject lands are designated "*Residential Neighbourhood Areas*" under Schedule B – Urban Structure and are designated *"Residential – Low Density"* under Schedule C – Land Use – Urban Area in the current City of Burlington Official Plan (2020). An Official Plan Amendment is proposed to add a special policy to the "*Residential Neighbourhoods I"* area for the subject lands to permit more than 4 principal dwelling units and permit a height of 3 storeys notwithstanding Section 8.3.3 of the Official Plan. The site-specific policy is proposed as follows:

*x) **2105 Headon Road**: Notwithstanding Section 8.3.3(1) c) of this plan, these lands are permitted to have up to a maximum of eight (8) principal dwelling units and development of these lands may be permitted to a maximum height of three (3) storeys.*

9.0 PROPOSED ZONING BY-LAW AMENDMENT

As noted in this report, the subject lands are currently zoned "*Low-Rise Neighbourhood 5 (LN5)"* in the City of Burlington Zoning By-law (09-2026), which permits single-detached and semi-detached dwellings. A Zoning By-law Amendment is proposed to re-zone the subject lands to a site-specific "*Low-Rise Neighbourhood 8 (LN8(_))"* zone to permit the block townhouse use on the subject lands, and an "*Open Space (O2)*" zone is proposed to apply to the top of bank and top of bank buffer as outlined on the submitted draft schedule and draft by-law.

The following special provisions are proposed for the LN8(_) zone:

- *The minimum distance from an integral private garage of a block townhouse unit to an internal roadway is 0.0m, whereas 5.5m is the minimum permitted in the LN8 zone.*

- *Notwithstanding the definition of the above noted provisions, the provisions shall apply to the entire property despite any future severance, partition, or division of the lot within a condominium plan, the provisions of this By-law shall apply to the whole lot as if no severance, partition or division had occurred.*

Below is a table of the regulations in the LN8 zone and how they compare to the conceptual development plan provided with this submission:

Table 1 – LN8 Regulations

LN8 Zone Regulations (Block Townhouse)	**Required**	**Shown on Plan**
Lot Frontage or Unit Width	5.5m	40m
Lot Area	4,000m^2	4,000m^2
Front Yard Setback	4.5m	32.6m
Rear Yard Setback	7.5m	8.9m
Interior Yard Setback	1.2m	6.0m
Common Amenity Area	10m^2/unit	2,087.0m^2 or 260m^2/unit
Maximum Number of Attached Units	8	8
Building Height	14m (peaked roof) or 10m (flat roof)	3-storeys (11m)
Side wall to an internal roadway, parking aisle, parking area, parking lot or parking space	1.5m	
The minimum distance from an integral private garage of a block townhouse unit to an internal roadway.	**5.5m**	**0.0m**
Landscaped Open Space	30%	53%
Parking	16 occupant spaces 2 visitor spaces	16 occupant spaces (including garage) 2 visitor spaces

The above table highlights where the proposal exceeds the minimum provisions in the Zoning By-law (i.e. landscaped open space, front yard, and side yard setbacks). The submitted Zoning By-

law Amendment seeks relief from certain provisions, which are shown in **bold,** to make efficient use of the property.

The proposal does not require any site-specific provisions to the O2 zone.

10.0 PLANNING POLICY ANALYSIS

The following section of this Planning and Design Report provides analysis evaluating the proposed Official Plan Amendment and Zoning By-Law Amendment through applicable land use policies and regulations, including the following policy documents:

- 2024 Provincial Planning Statement (PPS);
- Region of Halton Official Plan
- City of Burlington Official Plan; and,
- City of Burlington Zoning By-Law.

10.1 PROVINCIAL PLANNING STATEMENT, 2024

The Provincial Planning Statement (PPS), issued under the authority of Section 3 of the Planning Act, *"provides policy direction on matters of provincial interest related to land use planning"* in order to ensure efficient development and the protection of resources. This document was released as a new streamlined provincial planning document that replaced the Provincial Policy Statement, 2020 and A Place to Grow: Growth Plan for the Greater Golden Horseshoe 2019, as amended in 2020. All planning applications, including the proposed Official Plan and Zoning By-law Amendment applications, are required to be consistent with these policies. An analysis of these policies is provided below:

- The proposed residential development is a suitable addition to the existing range of housing options in the surrounding area, which includes apartment buildings, townhouses, and single detached dwellings (**Policy *2.1.4)***.

- This development is designed to be compact, efficient, and cost-effective. It will utilize existing municipal services within one of Burlington's built-up neighbourhoods, thereby minimizing servicing costs and land consumption (**Policy *2.1.4)***.

- The site is conveniently located near a commercial centre at Walkers Line and Upper Middle Road, a high-order intersection containing public transit bus stops, ensuring convenient transportation throughout the City of Burlington for the proposed residential units (**Policy *2.1.4)***.

- The proposed density makes efficient use of the property and provides a density which can be supported by the other zoning provisions (i.e. parking and landscaped area) (**Policy *2.2.1 c)***.

- The proposed development is considered infill and intensification in the City of Burlington's built-up area. The subject lands are within a neighbourhood with a variety of housing forms (***Section 2.3.1.1)***

- The proposed development contributes to the range of residential uses in an established Burlington neighbourhood. The proposed density is expected to positively impact the neighborhood's housing supply by providing high-quality housing options close to employment and educational institutions, while making efficient use of land and resources **(Policy *2.3.1.2)***.

- The closest transit stop to the subject lands is located at the corner of Upper Middle Road and Headon Road. The proposal encourages the use of existing transit services by providing a pedestrian sidewalk from the development to Headon Road to support walkability **(Policy *2.3.1.2).***

- The proposal exemplifies intensification by promoting medium-density housing supported by municipal infrastructure, contributing to the development of complete communities (***Policy 2.3.1.3)***.

- The subject lands are located in a neighbourhood with a large population and employment opportunities. The surrounding uses include institutional, commercial, and recreational. The proposal has a strategic location as it supports more affordable, and accessible housing (***Policy 2.4.2)***.

- The proposed development aims to provide a suitable housing type and density that addresses the needs of both current and future residents within the City of Burlington ***(Policy 2.4.3)***.

- This project is characterized as residential intensification and has been planned to be compatible within the surrounding context of the residential neighbourhood. Furthermore, the subject lands are capable of supporting the proposed development without generating any significant adverse impacts on surrounding land uses ***(Policy 2.4.3)***.

- The proposed development will make use of full municipal services. These details will be further reviewed and refined through the Site Plan Approval process (***Policy 3.6.2***).

Based on this analysis, the proposed Official Plan Amendment and Zoning By-Law Amendment is consistent with the 2024 Provincial Planning Statement.

10.2 HALTON REGION OFFICIAL PLAN

The subject lands are designated as '*Urban Area'* and are located within the *Built Boundary* in accordance with Map 1 – Regional Structure and Map 1H – Regional Urban Structure in the Region of Halton Official Plan (ROP). In accordance with Section 77, the '*Urban Area'* policies support a compact form of growth that is supportive of transit and non-motorized forms of transportation and is focused on the development of Strategic Growth Areas. Development within the '*Urban Area*' is subject to Local Official Plan policy and direction. In accordance with Section 84 of the ROP, the goal for housing is to supply the Region with an adequate mix of housing types. Additional housing polices in the ROP speak to making efficient use of serviced lands to increase the supply of housing and encouraging Local Municipalities and the development industry to be innovative in housing designs. The subject lands are not located within a defined or identified *Strategic Growth Ares.* In accordance with Section 89, approvals for all new development within the Urban Area be on the basis of connection to Halton's municipal water and wastewater systems, unless otherwise exempt by other policies of this Plan. The proposed development will utilize municipal water and wastewater systems.

As a result of Bill 185, effective July 1st, 2024, the Region of Halton was designated an upper-tier municipality, which no longer has planning responsibilities. Low-tier municipalities, such as the City of Burlington, now have primary responsibility for planning matters within their boundaries. As per our Record of Consultation (May 2024), the Region did provide comments from a Regional Interests perspective. These comments are addressed below:

Waste Collection:

The Region has requested a Waste Management Plan to address waste collection for the proposed development. Based on the site layout and site restrictions, private waste collection will be accommodated for the proposed development. This avoids the need for Regional waste truck drivers to back out onto Headon Road. The location of waste collection is to be determined at the time of Building Permits.

Municipal Servicing:

It is noted that there is a Halton Region local watermain toward the west side of Headon Road adjacent to the subject lands. There is a Halton Region trunk watermain toward the east side of Headon Road adjacent to the subject lands. No trunk watermain service connection laterals are permitted. There is a Halton Region trunk wastewater main (sanitary sewer) within Headon Road adjacent to the subject lands. Any proposed trunk wastewater main connection lateral requires special review and Regional permission to connect into. A Functional Servicing Report (FSR) has been submitted with this report which demonstrates that a 150mmø water service connection to the existing 300mmø water main located on the far side of Headon Road will be required to support the proposed development. A new 200mmø sanitary lateral connection discharging to the existing sanitary manhole on Headon Road is also required for the wastewater. The proposed sanitary lateral has sufficient capacity to service the development.

The proposed development is adjacent to a Regional Natural Heritage System, and the development would therefore trigger the need for an Environmental Impact Assessment (EIA). An

EIA is submitted with this application which demonstrates that the proposed development will result in no negative impacts to the portion of the Regional Natural Heritage System adjacent to the property. An Environmental Site Assessment and Archaeological Assessment have also been completed as part of the Region's submission requirements for a complete application.

While the Region of Halton was designated an upper-tier municipality, which no longer has planning responsibilities, the application and proposed development have consideration for the comments received from the Region and utilizes municipal services as per the Region's requirements. All required materials requested by the Region have also been submitted with this application.

10.3 BURLINGTON OFFICIAL PLAN, 1997

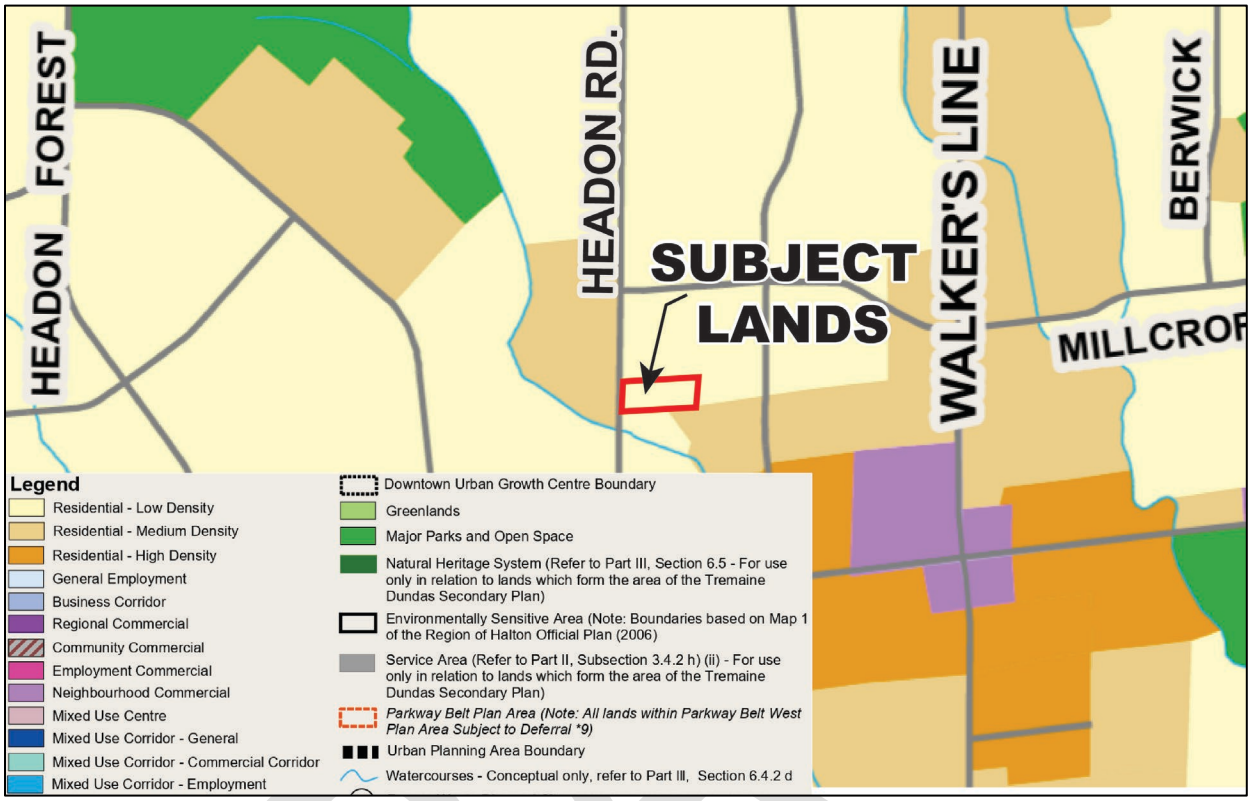
The Burlington Official Plan, 1997 is largely still in effect for the City of Burlington due to ongoing appeals with the City's new Official Plan, 2020, referenced in the next section. Both the 1997 and the 2020 Burlington Official Plan have been considered for the proposed Official Plan and Zoning By-law Amendment. Only an amendment to the 2020 Burlington Official Plan is required to permit the development.

The subject lands are designated as '*Residential Areas*' on Schedule 'A' Settlement Pattern in the Burlington Official Plan, 1997. In accordance with Part III, Section 2.2.1 a), the objective of 'Residential Areas' is to encourage new residential development and residential intensification within the Urban Planning Area in accordance with Provincial growth management objectives, while recognizing that the amount and form of intensification must be balanced with other planning considerations, such as infrastructure capacity, compatibility and integration with existing residential neighbourhoods.

The subject lands are further designated as "*Residential – Low Density*" on Schedule 'B' – Comprehensive Land Use Plan – Urban Planning Area (Figure 16).

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Figure 16 – Excerpt of Schedule 'A' in Burlington Official Plan, 1997



In accordance with Part III, Section 2.2.2 c), lands designated as 'Residential – Low Density' permits single-detached and semi-detached housing units with a density up to a maximum of 25 units per net hectare. In addition, other forms of ground-oriented housing units with a density up to a maximum of 25 units per net hectare may be permitted, provided that these forms are compatible with the scale, urban design and community features of the neighbourhood. The proposed development is for 8 residential units or 20 units per hectare, which is consistent with the 'Residential – Low Density' designation. While townhouses are not explicitly listed in the Official Plan as a permitted use in the 'Residential – Low Density' designation, it does state that "*other forms of ground-oriented housing units with a density up to a maximum of 25 units per net hectare may be permitted, provided that these forms are compatible with the scale, urban design and community features of the neighbourhood*". The proposed townhouses are a form of ground-oriented housing and the proposed density is less than 25 units per hectare. The proposed townhouses are also compatible with the scale of the neighbourhood, considering there are townhouses across Headon Road; they are compatible with the urban design qualities in this neighbourhood utilizing stone and siding as cladding materials; and, the proposed development supports the community features of the neighbourhood through the use of a sidewalk and through the maintenance of several trees on the property to accommodate an environmental buffer to Cleaver Park.

In accordance with Section 2.5, Environmental Evaluation Reports shall be prepared by the proponent of a development and to the satisfaction of the City as part of the consideration of a development application for lands adjacent to Natural Heritage Features. An Environmental Site Assessment and Environmental Impact Assessment have been submitted with this application which conclude that minimal impact is anticipated on the adjacent Natural Heritage Feature and mitigation measures and retention of features are proposed where feasible.

Based on the above analysis, the proposed development is consistent with the Burlington Official Plan, 1997, and does not require an amendment to this Official Plan.

10.4 BURLINGTON OFFICIAL PLAN, 2020

On November 30th, 2020, the City's new Official Plan (Burlington Official Plan, 2020) was approved by Halton Region. On January 4th, 2023, the Ontario Land Tribunal (OLT) formally confirmed which parts of the Burlington Official Plan, 2020 came into effect on December 22nd, 2020 and which parts are under appeal.

Until all broad appeals to the Region's approval of the Burlington Official Plan, 2020 are resolved, parts of the old Official Plan (Burlington Official Plan 1997, as amended) will stay in effect. Parts of the Burlington Official Plan, 2020 that are broadly appealed may be considered on an informative, but not determinative, basis. The policies applicable to the subject lands are in force and effect.

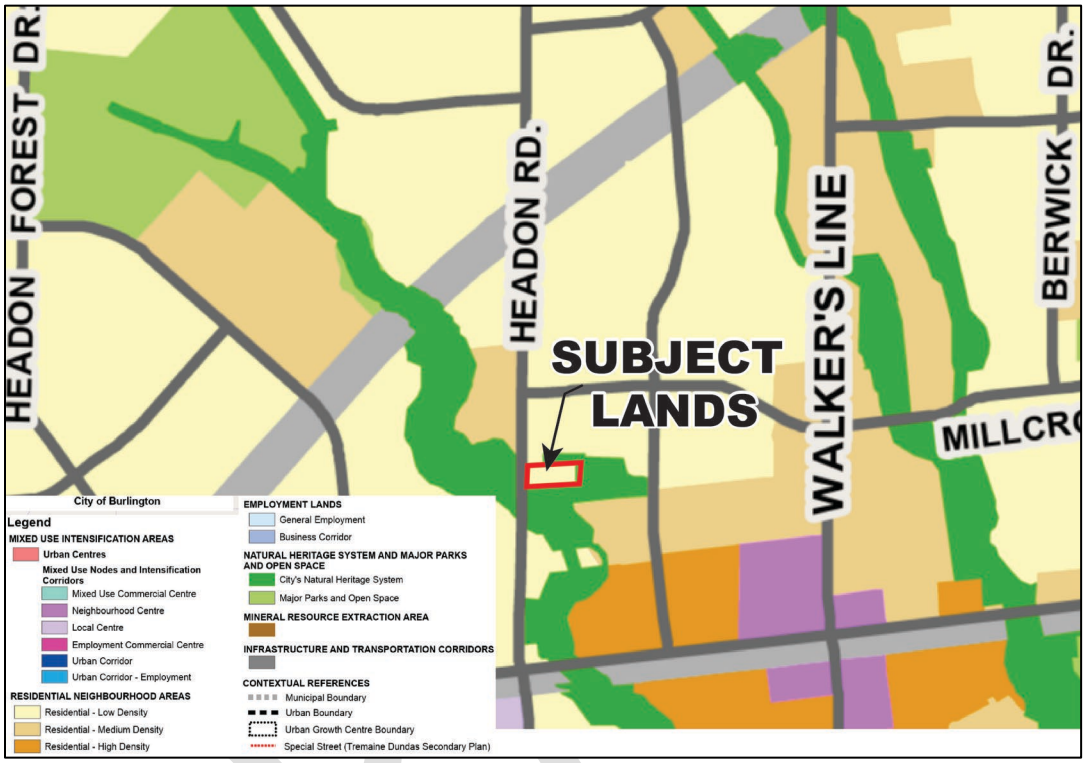
The subject lands are designated "*Residential Neighbourhood Area*" under Schedule B – Urban Structure in the Burlington Official Plan, 2020 (Figure 17).

Figure 17 – Excerpt of Schedule 'B' in Burlington Official Plan, 2020



The subject lands are in the "*Established Neighbourhood Area*" on Schedule B-1; and, are designated as "*Residential-Low Density*" on Schedule C – Land Use Urban Area in the Burlington Official Plan, 2020 (Figure 18).

Figure 18 – Excerpt of Schedule 'C' in Burlington Official Plan, 2020



At the time this Planning Justification Report was written the "*Residential Neighbourhood Areas*" under Section 8.3 of the Official Plan 2020 are in effect and include amendments from the original policies of this designation.

In accordance with Section 8.3.1, the objective of the "*Residential Neighbourhood Areas*" is to encourage new residential development and residential intensification within the "*Residential Neighbourhood Area*" in accordance with Provincial, Regional and City growth management objectives, while recognizing that the density and form of new development must be balanced with other planning considerations, such as the availability of infrastructure and public service facilities, and also ensuring that new development achieves compatibility and integration within existing residential neighbourhoods. The subject lands have available City infrastructure and public service facilities nearby. The scale and massing of the development is appropriate based on the surrounding residential and recreational uses.

The subject lands are further classified as '*Low-Rise Neighbourhoods I*' in the City's Official Plan, those policies are outlined in 8.3.3 of the Official Plan.

Section and pr states that: *Notwithstanding Subsection 8.3.3(1) a) of this Plan, townhouses may be considered by the City on lands designated Low-Rise Neighbourhoods I, through a site-specific Zoning By-law Amendment application subject to the fulfillment of the following criteria:*

(i) the development shall include up to a maximum of 4 principal dwelling units;

The intent of the maximum number of dwelling units within this designation in the City's Official Plan is to limit development to be small in scale and permit gentle intensification in established neighbourhoods. The policy notes that 4 primary dwelling units are permitted, but does not take into account accessory residential units (ARUs), which presumably, there could be as many as 4 ARUS on this lot for a total of 8 units. Through the site-specific Official Plan and Zoning By-law Amendment, the proposed development is seeking to permit a maximum of 20uph or 8 residential units, this is similar to the intent of this policy whereby 4 primary units and 4 ARUs may be permitted. The Zoning By-law is further restricting the site to a total of 8 units without any provisions for ARUs. The size of the site is able to accommodate this gentle intensification and still restricts the property to a maximum number of units contemplated through the intent of this policy. A site-specific amendment to this Official Plan policy is proposed to permit the 8 townhouse units.

(ii) the development form is compatible with the surrounding area;

The intent of the compatibility policy in the City's Official Plan is to ensure that new development in the City is compatible in height, scale, massing and density with the surrounding area. The proposed development is 11.0m in height, which is not a significant difference from the surrounding 2 and 2.5 storey dwellings in the immediate surrounding area. The townhouse form, scale and massing are generally consistent with the nearby townhouses located at 2110 and 2120 Headon Road, 2166 Headon Road and 2110 Cleaver Avenue. The height of the buildings at these properties are similar to the height of the proposed townhouses, being a 3-storey townhouse, but architectural details more consistent with 2-storey townhouses. The density of the proposed development, being 20 uph or 8 dwelling units, while greater than the existing density of a single detached dwelling, is not seen as over-intensification as there are several trees able to be maintained and a portion of the property being zoned as open space to ensure the tree protection is maintained in the future.

(iii) the development form is respectful of the physical character of the neighbourhood by incorporating built form and landscape qualities that are prevalent in the surrounding area; and

The intent of the development form being respectful of the physical character of the neighbourhood policy in the City's Official Plan is similar to the above, whereby new development should be well integrated into established neighbourhoods and represent a form that does not stand out significantly from the height and scale of the surrounding uses. The proposed development represents a form that is respectful and compatible

with the physical character of the neighbourhood. The proposed elevations have similar characteristics to a 2-storey townhouse and do not have any significant overlook to the surrounding residential uses. Several of the existing trees along the south of the property and along Headon Road are proposed to be retained and protected where possible, maintaining the landscape of the Headon Road frontage.

(iv) the development includes the provision of a functional amenity area, at grade;

The intent of the at-grade amenity policy in the City's Official Plan is to provide future residents of new development with outdoor amenity, a healthy environment, and provide the opportunity for an active quality of life. The proposed development provides for private rear yard amenity, as well as individual decks for additional amenity area. Trees are proposed to be retained where possible to provide for a naturalized environment.

(v) the development may be permitted to a maximum height of two (2) storeys;

The intent of the maximum height policy in the City's Official Plan is to minimize shadow and impact on neighouring properties, protect privacy of residents and minimize the overall appearance of new development from the street within the "*Established Neighbourhoods*" designation. The metric height for a 2-storey building is often between 7m-10m depending on its form and roof type. The proposed townhouses are 11m in height, which does not differ significantly from the metric height of a 2-storey building. The architectural style of the proposed building supports the appearance of 2-storey built form, with the upper floor being within the mansard roof, evident from the front elevation. There are no balconies on the front elevation (north), only the rear elevation (south). The front elevation faces the north portion of the property with the garages to the south, both of which will be heavily treed. The side elevations only have windows on the ground floor and first floor and the setback to the north property line is 6m to minimize potential impacts on abutting residential properties.

Section 8.3.3 (1) d) states that the maximum height in the "*Low-Rise Neighbourhoods I*" designation shall be established through the implementing Zoning By-law. As per the proposed provisions in this report, the Zoning By-law Amendment establishes a maximum height for the subject lands of 11.0m or 3-storeys.

Based on the metric height of the proposed townhouses, the roof line, and the architectural detail of the townhouses, the proposed development is consistent with the general intent of this policy. A site-specific amendment to this plan is proposed to permit the 3-storey height of the townhouses.

(vi) Healthy mature trees contribute to physical character. Development shall be consistent with the policies of Section 4.3, Urban Forestry of this Plan.

> The intent of this policy in the City's Official Plan is to protect the City's mature trees and maintain a healthy natural environment. The subject lands contain several trees and are next to a woodlot and park. The property has undergone extensive surveying work, and ecological studies to determine a developable area that supports residential development while maintaining many of the mature trees on the property and generating a natural heritage feature buffer. The City of Burlington, Conservation Halton and the Region of Halton were consulted when determining the development limits for this proposal to balance a new form of housing for the property and a healthy natural environment consistent with Section 4.3 of the City's Official Plan.

Based on the above, an Official Plan Amendment is required to the Burlington Official Plan, 2020. The proposed development is consistent with the general intent of the policies of the City of Burlington Official Plan.

The subject lands are also within the "*Established Neighbourhood Areas*" designation. This designation is not the City's focus for intensification. However, the proposed development is modest intensification compared to the lot size of the subject lands, which is a lot that is generally larger than the surrounding lots. The proposed development provides the features of a well-functioning residential development including amenity, parking, privacy and sufficient building setbacks (Section 2.4.2 (3)).

Development within the "*Established Neighbourhood Area*" designation are to be consistent with Section 7.3.2 in the City's Official Plan, which is analyzed below:

The subject lands do not have a consistent lot pattern with the surrounding single-detached lots, and is a larger residential lot than those surrounding it. This offers the opportunity for additional and varying housing forms and the ability to age in place and downsize in this neighbourhood. This neighbourhood has existing, varying housing forms (i.e. single-detached dwellings, townhouses, low rise apartments) and the proposed townhouses have regard for, and fit within the existing building typology. The height and scale of the proposed development compared to the nearby residential properties is minor and subtle intensification, being only 8 units. The setback of the proposed townhouses from Headon Road and from the interior and rear yard of the property is appropriate to maintain the character of the neighbourhood and not encroach on the privacy areas of the surrounding residential properties. Landscape buffering surrounds the entire property and surrounds the proposed townhouses for privacy, visual screening and to prevent overshadowing on adjacent properties. The subject lands are adjacent to a public open space (Cleaver Park) supporting a pedestrian friendly development with access to public facilities. There are minimal anticipated changes to the overall streetscape of the subject lands as a result of the proposed development being set back from the street and surrounded by several existing trees. The location of the driveway is proposed to change slightly, however will be close to its existing location. The sidewalk along the new driveway connects the development internally and connects to the public sidewalk on Headon Road. The proposed sidewalk provides safe, convenient and barrier-free pedestrian travel within the site, between buildings, and to public streets. Therefore, the proposed development has been designed in a way that enhances the

existing physical character of the surrounding area and is consistent with Section 7.3.2 (2) a) and 7.3.2 a) of the City's Official Plan.

The subject lands are adjacent to lands designated in the 'City's Natural Heritage System'. In accordance with Section 4.2.5 b), for development applications involving lands in or adjacent to the Natural Heritage System, the City seeks the dedication of those lands and associated buffer lands to the City, Conservation Halton, another public authority or a non-government conservation organization. A portion of the property, denoted on the conceptual development plan submitted, is shown as a buffer between the 'City's Natural Heritage System' and the proposed development and will be zoned as such (O2).

Section 4.2.4 a) iii) states that for developments or site alterations proposed, including infrastructure, that are located wholly or partially inside or within one hundred and twenty (120m) of the City's Natural Heritage System, the proponent shall be required to carry out an Environmental Impact Study (EIS) in accordance with the Region of Halton's Environmental Impact Study Guidelines to the satisfaction of the City and Conservation Halton. An EIS has been submitted with this application for the proposed development.

The submitted application also has regard for the City's Official Plan policy Section 12.1.2(2.2) c), which states that the following criteria shall be satisfied when evaluating all development applications, where applicable:

(ii) the development achieves built form compatibility;

The proposed development is of a similar height to the surrounding residential uses and is a form of residential development that is small-scale and subtle intensification.

(iii) the development shall be consistent with the intent of the Urban Structure as outlined in Section 2.3, Urban Structure of this Plan and maintains the land use vision established in the land use designations of this Plan;

According to Section 2.3 of the City's Official Plan, lands within the "Residential Neighbourhood Areas" are intended to accommodate a wide range of residential uses and forms along with other features that comprise residential neighbourhoods (i.e. parkland and commercial). This section also states that development should enhance the physical character of the surrounding area. The proposed development seeks to retain trees where possible and as a result, will not be overly visible from Headon Road. The height and form and density of the proposed development, while slightly greater than the surrounding area, does not cause any anticipated undue adverse impacts.

(iv) the development achieves high quality urban design and is consistent with the policies contained in Chapter 7: Design Excellence, of this Plan;

As per the analysis in this section of the Planning and Design Report, the proposed development is consistent with the applicable policies in Section 7 of the City's Official Plan.

(vi) the development can be supported by available infrastructure and public service facilities;

As per the provided Functional Servicing Report, the proposed development can be supported by existing City infrastructure and public service facilities.

(vii) the development preserves and protects trees, consistent with the policies contained in Section 4.3, Urban Forestry, of this Plan;

As per the analysis in this section of the Planning and Design Report, the proposed development is consistent with Section 4.3 of the City's Official Plan.

(viii) the development provides buffering, setbacks and amenity area so that an appropriate transition between existing and proposed buildings are provided;

As per the provided conceptual development plan, the proposal provides landscape buffers and natural heritage feature buffers to support tree retention where possible. The proposed development setbacks provide for building separation, privacy and access. Private amenity area is provided for each unit in the form of a deck and rear yard with the natural heritage feature to support onsite landscaping.

(ix) the development shall:

a. *demonstrate that future development on the adjacent property(ies) will not be compromised by the proposal;*
b. *be designed to facilitate future pedestrian, cycling and/or private street connections across one or more adjacent properties, where such opportunities exist, as determined by the City; and*

Based on the provided landscaping and setbacks of the proposed development, future development on adjacent lands will not be compromised and can be supported by this proposal. The proposal supports active transportation through a new pedestrian sidewalk connection to the existing sidewalk on Headon Road.

(x) the development maintains, enhances and restores the City's Natural Heritage System in accordance with the policies in Section 4.2, Natural Heritage System, of this Plan;

The proposed development maintains the adjacent natural heritage features and proposes an acceptable development buffer to conform to the policies of Section 4.2 of the City's Official Plan. New landscaping is proposed where feasible to enhance the feature.

(xi) the development, where residential uses are proposed demonstrates, the degree to which public service facilities and other neighbourhood conveniences, such as community centres, recreation, neighbourhood shopping centres and healthcare are located within walking distance or accessible by transit;

The proposed residential use and the location of the subject lands is proximate to neighbourhood facilities (lands at the intersection Upper Middle Road and Walkers Line), and community institutions such as CH Norton Public School and St. Paul the Apostle Parish). Additional commercial conveniences are located furth southeast on Headon Road, all within walking distance of the proposed development.

(xii) The development addresses multi-modal transportation considerations and is consistent with the policies in Section 6.2: Multi-modal Transportation, of this Plan, including but not limited to:

- *a. the development shall mitigate potential impacts on the municipal transportation system to an acceptable level with regard to transportation flow and capacity;*
- *b. the development accommodates sufficient off-street parking and transportation demand management measures in accordance with the policies in Subsection 6.2.10 of this Plan;*

The proposed development of 8 dwelling units does not cause undue impacts on the existing transportation system or the level of flow or capacity capable on Headon Road due to the small scale of development. The proposed does not require relief from the off-street parking provisions and therefore parking for the proposed development can be managed on site.

(xiv) the development provides stormwater management in accordance with the policies of Subsection 4.4.2(2) of this Plan;

Stormwater management for the subject lands is proposed to meet pre-development flows in accordance with City standards. The submitted Functional Servicing Report further outlines the proposed stormwater management controls.

(xv) the development addresses hazardous lands and hazardous sites in accordance with Subsection 4.4.2(3) of this Plan;

The subject lands are adjacent to Tuck Creek and a stable top of bank of the creek has been surveyed and established on the subject lands. As a result of the location of Tuck Creek, a buffer from the creek was required as per Section 4.4.2(3). The buffer and O2 zone proposed on the subject lands is proposed to support the retention and protection of the creek.

(xvii) the development complements and connects with the public realm, including walking and cycling facilities;

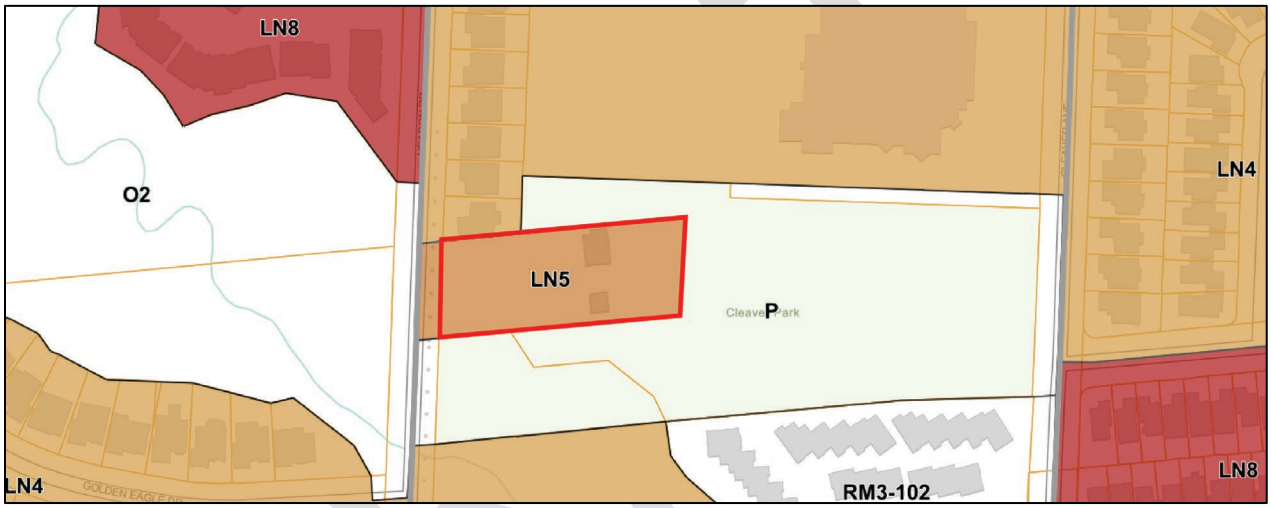
A new sidewalk is proposed through the townhouse development which will connect to the existing sidewalk and Headon Road complementing the public realm.

Based on the above, an Official Plan Amendment is required to the Burlington Official Plan, 2020. The proposed development is generally consistent with the intent of the policies of the City of Burlington Official Plan by way of the provisions as specified through the Official Plan and Zoning By-law Amendment applications.

10.5 CITY OF BURLINGTON ZONING BY-LAW (09-2026)

The subject lands are currently zoned *"Low-Rise Neighbourhoods 5 (LN5) Zone"* in the City of Burlington Zoning By-Law 09-2026, which permits only single detached and semi-detached dwellings (Figure 19). A Zoning By-law Amendment is proposed to re-zone the subject lands to a site-specific, special provision *"Low-Rise Neighbourhoods 8 (LN8(_)) Zone"* to permit the proposed block townhouses on the subject lands. An *"Open Space (O2)"* zone is proposed to apply to the top of bank and top of bank buffer shown on the provided concept plan, as per Conservation Halton comments. The delineation of both of these zones is outlined on the submitted draft schedules.

Figure 19 - *City of Burlington Zoning By-Law Mapping (subject lands outlined in red) (excerpt)*



The following special provisions are proposed for the LN8(_) zone:

- *The minimum distance from an integral private garage of a block townhouse unit to an internal roadway is 0.0m, whereas 5.5m is the minimum permitted in the LN8 zone.*
- *Notwithstanding the definition of the above noted provisions, the provisions shall apply to the entire property despite any future severance, partition, or division of the lot within a condominium plan, the provisions of this By-law shall apply to the whole lot as if no severance, partition or division had occurred.*

No special provisions are required for the O2 zone proposed for the natural heritage feature (i.e. top of bank and buffer) on the subject lands.

An explanation of all special provisions requested in the LN8(_) zone are as follows:

Private Garage

The general intent of the minimum distance from an integral private garage of a townhouse unit to an internal roadway is to provide enough space in front of the garage for parking a vehicle. As per the conceptual development plan provided, there are no private driveways proposed for this

development and the private garage of each unit connects directly to the internal private drive aisle which connects out to Headon Road. That being said, the minimum 5.5m minimum setback for a private garage in a block townhouse is not necessary, as parking a car in front of the garage will not be permitted. A minimum setback of 0.0m is being requested as future residents of these units would go directly from the shared drive aisle, into their private garage. This provision still allows for the minimum required number of parking spaces to be provided in the private garage and through visitor surface parking. The setback reduction also allows for less encroachment of the development into the natural heritage feature or proposed O2 zone which further protects the trees on the property.

The proposed 0.0m private garage and shared drive aisle setback supports natural heritage preservation and maintains the purpose and intent of the City of Burlington Zoning By-Law, and is appropriate for the efficient use of the subject lands.

Provisions of the Proposed Zoning By-law

If the tenure of the proposed townhouses is either rental or condominium, this amendment seeks the relevant provisions to apply to the entire property. In the event that a severance or condominium is proposed to the property, the amendment seeks that provisions not apply to those new partitions, but only to the property as a whole at the time of the passing of this by-law. This would prevent the need for future amendments in the event that the tenure for the proposed development changes based on market conditions.

Given the analysis above, the proposed site specific, special regulation *"Low Rise Neighbourhoods 8 (LN8(_))"* zone is appropriate for the subject lands and is an appropriate zone to implement the policies of the City of Burlington Official Plan 1997 and 2020.

11.0 SUPPORTING MATERIALS

11.1 FUNCTIONAL SERVICING REPORT

A Functional Servicing Report was prepared by Everwest Engineering which support the proposed 8-unit townhouse development. This report concluded the following:

- The proposed redevelopment of 2105 Headon Road can be constructed to meet the requirements of the City of Burlington and Region of Halton. Therefore, it is recommended that:
    - The development is to be graded and serviced in accordance with the Grading Plan and Servicing Plans prepared by Everwest Engineering.
    - Erosion and sediment controls need to be installed as described in the Functional Servicing Report to meet the City of Burlington's requirements.
    - The proposed sanitary and water servicing system are to be installed as per the Servicing Plan and the Functional Servicing Report.

- A stormwater management system is proposed to provide post to pre stormwater control for the 5 and 100-year storms. The system designed exceeds the city of Burlington's minimum standards for stormwater management.

The provided Functional Servicing Report supports the number of units and form of the proposed development. The proposal also provides for a servicing solution in conformity with the Region of Halton and City of Burlington requirements.

11.2 ENVIRONMENTAL IMPACT STUDY

An Environmental Impact Study was prepared by Pinchin in July 2024 which was prepared to identify natural heritage features present on or immediately adjacent to the subject lands and characterize their ecological functions; to evaluate the environmental effects of the development proposal that might reasonably be expected to have an impact on natural features; and provide recommendations of mitigation measures to avoid or minimize the potential impacts.

The report concludes that there are environmental opportunities and constraints on the subject lands. The potential impacts can be avoided or mitigated through effective stormwater and environmental management measures. With the proposed Stormwater Management Plan, Erosion and Sediment Control Plan and Landscape Plan, the proposed development is able to preserve the ecological functions of the adjacent natural features and enhance the natural landscape on the subject lands though the installation of restoration and enhancement measures.

11.3 GEOTECHNICAL REPORT

A Geotechnical Report was prepared by Soil-Mat Engineers & Consultants Ltd. in October 2024.

The purpose of the geotechnical investigation was to assess the subsurface soil and groundwater conditions, and to provide recommendations with respect to the design and construction of the proposed development, from a geotechnical point of view.

The report concluded that the subsurface conditions of the subject lands predominantly consist of very stiff to hard native silty clay and clayey silt soils beneath a variable topsoil layer and existing pavement structures. Groundwater levels were found to be relatively shallow, below the anticipated depth of construction. The site's slope on the south side of the property was assessed as stable with factors of safety exceeding the minimum requirements for active land use, indicating no negative impact from the proposed construction uphill of the stable slope line.

The provided Geotechnical Report supports the development of the subject lands for townhouses.

11.4 ENVIRONMENTAL SITE ASSESSMENT

An Environmental Site Assessment (ESA) was prepared by Soil-Mat Engineers & Consultants Ltd. in September 2024. The Phase One report conducted for this property consisted of a historical records review, interviews and a reconnaissance of the subject lands. The Phase One ESA research did not reveal any current or historic operations on the subject lands that are considered

a significant potentially contaminating activity. The properties in the general vicinity of the subject lands are comprised of a mixture of residential, institutional, park use and forested lands that based on the information currently available to are not considered significant and not likely to cause an area of potential environmental concern on the subject lands.

Based on the findings of the Phase One Environmental Site Assessment, Soil-Mat Engineers & Consultants Ltd. find the potential of Site contamination to be considered **low** and therefore recommend that additional investigations **are not** required at this time.

The subject lands are not proposed for a redevelopment plan that includes a change in land use to a more sensitive land use. A Record of Site Condition (RSC) is not required for the subject lands.

12.0 ADDITIONAL CONSIDERATIONS

12.1 CONSERVATION HALTON

The subject lands are regulated by Conservation Halton (CH). The subject property is adjacent to Tuck Creek and CH regulates a distance of 15 metres from the greatest hazard associated with this creek system, which is the stable top of bank erosion hazard on the subject lands. Through the pre-consultation process, CH was consulted and have disclosed that given the nature of the proposal and site (i.e. urban infill), CH current policies allow for new buildings up to 6m from the stable top of bank where the building and site grading is designed to mitigate hazard risks and does not create new hazards or aggravate existing hazards on neighbouring properties. As CH regulates 15m from the stable top of bank, a permit from CH will be required for any development activity within 15m of the hazard limit. CH Staff conducted a site visit on July 30, 2020. The physical top of bank was staked at this time. A geotechnical report has been provided to assess slope stability and has determined the location of the stable top of bank. An O2 zone is proposed to apply to this erosion control feature. This setback was provided to the CH in advance of this application and have accepted the approach and Geotechnical Report approach has generally been supported. This setback will satisfy the requirements of the Natural Hazards policies of the PPS, which requires that all development activities be outside of hazard lands (including an access allowance). CH will continue to be consulted through future planning applications for this property.

12.2 NATURAL HERITAGE LAND DEDICATION

A portion of the property is proposed to be zoned "*Open Space 2 (O2)*" in order to preserve the natural heritage feature which is on the subject lands, and to protect the buffer which has been outlined on the submitted conceptual development plan and shown in the EIS. In order to ensure protection of these features, the portion of the property, which is proposed to be zoned O2, as delineated on the draft schedules submitted, will be dedicated to the City of Burlington at no cost. This dedication would ensure that the feature and its buffer are maintained to City standards and protected from future development. This dedication will occur subject to approval of the Official Plan and Zoning By-law Amendments.

13.0 CONCLUSIONS

The proposed Official Plan and Zoning By-Law Amendment applications seeks to permit an 8-unit townhouse development on the subject lands. Based on the analysis throughout this report, the proposal is consistent with the 2024 Provincial Planning Statement; maintains the purpose and intent of the policies in the City of Burlington Official Plan (1997 and 2020); and, maintains the purpose and intent of the regulations in the City of Burlington Zoning By-Law. As such, the proposed Official Plan and Zoning By-Law Amendment applications represents good planning practice, is appropriate for the subject lands, and is in the public interest.

DRAFT