

PLANNING REPORT

132 Harts Lane West
City of Guelph

Prepared for:
Terra View Custom Homes Ltd.

May 5, 2014

Project No. 1215

Prepared by:



423 Woolwich Street, Suite 201, Guelph, Ontario, N1H 3X3
Phone (519) 836-7526 Fax (519) 836-9568 Email astrid.clos@ajcplanning.ca

Table of Contents		Page
1.	Introduction	1
2.	Description of the Proposed Development	1
3.	Existing Conditions and Surrounding Land Uses	8
4.	Planning Framework	9
4.1	Provincial Policy Statement (2014)	9
4.2	Places to Grow	10
4.3	City of Guelph Official Plan (September 2012 Consolidation)	10
4.4	Natural Heritage System (OPA No. 42)	13
4.5	Envision Guelph Draft Official Plan (OPA No. 48)	13
4.6	Zoning By-law	15
5.	Conclusion	16

List of Figures

Figure 1 -	Draft Plan of Subdivision	1
Figure 2 –	Land Use Schedule	2
Figure 3 –	Specialized Common Amenity Area Apartment Regulations	3
Figure 4 -	Proposed Zoning Map	4
Figure 5 –	Park Locations	5
Figure 6 -	Response to Park Department Comments	6
Figure 7 -	Surrounding Land Use	9
Figure 8 -	Guelph Official Plan	11
Figure 9 -	Places to Grow Density	12
Figure 10 -	OPA No. 48 Land Use Schedule	14

1. Introduction

This report has been prepared in support of an Official Plan Amendment, Zoning Amendment and Draft Plan of Subdivision for the property located south of Kortright Road West and east of Rickson Avenue in the City of Guelph. The lands are legally described as Part of Lot 4 Concession 7 (Geographic Township of Puslinch) City of Guelph. The property is municipally addressed as 132 Harts Lane West.

Terra View Custom Homes Ltd. is the owner of the subject property. A pre-consultation meeting was held with the City on March 5, 2013. This Planning Report is required by the City in order for these applications to be considered complete.

2. Description of the Proposed Development

The property has a total area of 12.65 hectares. The subject property has a frontage of approximately 107 m on Kortright Road West. There are existing municipal road stubs leading into this property from Rodgers Road, Carrington Drive and Harts Lane West.

Figure 1 – Draft Plan of Subdivision (April 16, 2014)

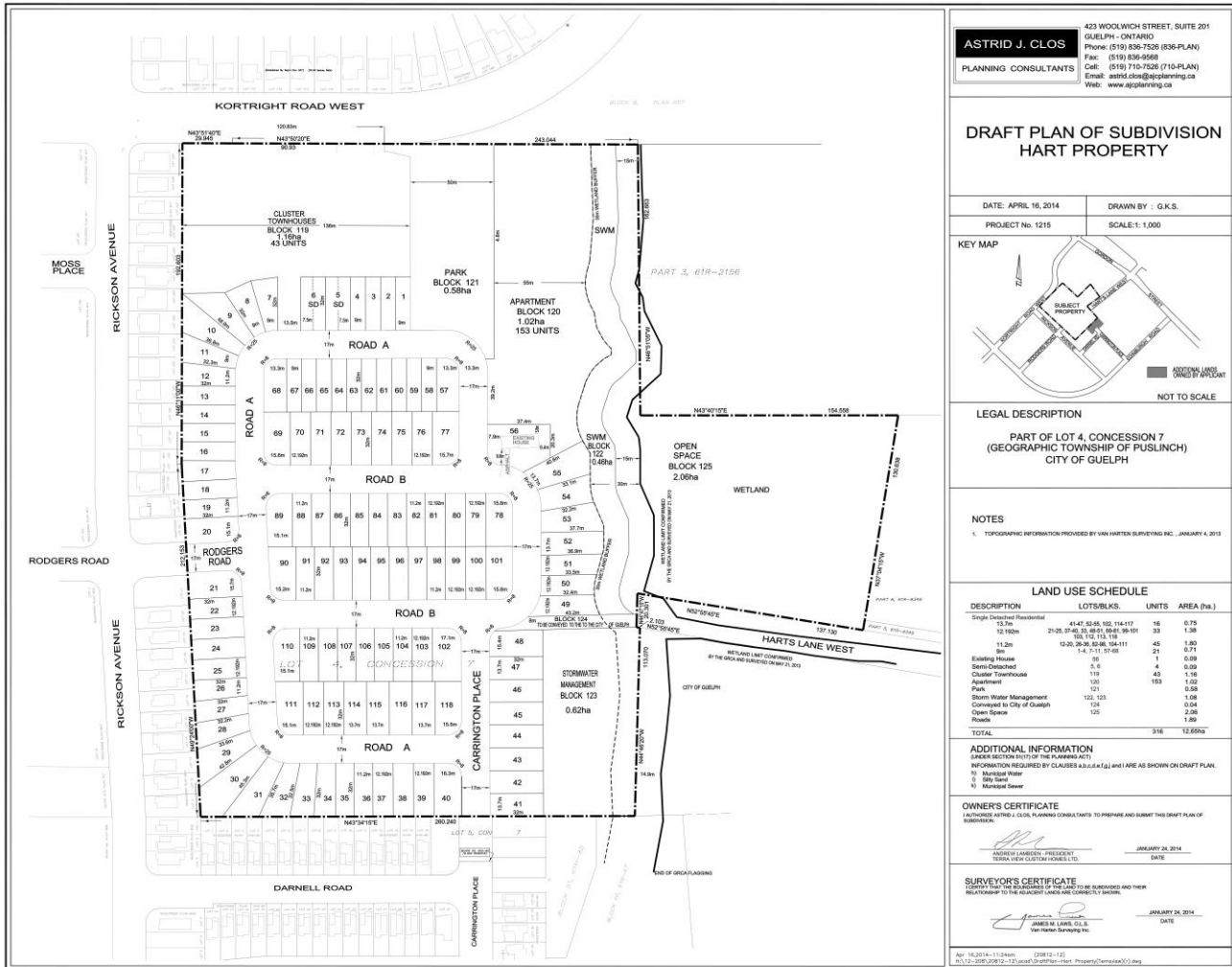


Figure 2 – Land Use Schedule

Land Use	Number of Units	Area (hectares)
Single detached residential (13.7 m)	16	0.75
Single detached residential (12.192 m)	33	1.38
Single detached residential (11.2 m)	45	1.8
Single detached residential (9 m)	21	0.71
Existing house	1	0.09
Semi-detached	4	0.09
Cluster Townhouse	43	1.16
Apartment	153	1.02
Park	---	0.58
Stormwater Management	---	1.08
Walkway/Servicing	---	0.04
Open Space	---	2.06
Roads	---	1.89
TOTAL	316	12.65

Requested specialized Zoning requests:

R.1D - ___ Zone

- Minimum Front Yard for habitable portion of the dwelling of 4.5 m and 6m for garage.
- Driveway width match the width of the garage with the exception of the flare provided at the road access which may exceed the width of the garage.

R.2 - ___ Zone

- Minimum Front Yard for habitable portion of the dwelling of 4.5 m and 6m for garage.
- Driveway width match the width of the garage with the exception of the flare provided at the road access which may exceed the width of the garage.

R.3A- ___ Zone

- In addition to the uses permitted in the R.3A Zone, Multiple Attached Dwelling be added as a permitted use.
- For the purposes of this Zone, a Multiple Attached Dwelling shall mean a Building consisting of 3 or more Dwelling Units which are horizontally and vertically attached, which are entered from an independent entrance directly from the outdoors or from an internal hall or corridor and which share common facilities such as Common Amenity Area, parking and Driveways.

R.4B - ___ Zone

- Minimum Side Yard of 3 m.
- Minimum Rear Yard of 4 m.
- Minimum Common Amenity Area of 9.8 m² per unit
- Maximum Floor Space Index of 2

The Minimum Common Amenity Area required for apartment units within the R.4B Zone is “*an amount not less than 30 m² per dwelling unit for each unit up to 20. For each additional dwelling unit, not less than 20 m² of Common Amenity Area shall be provided and aggregated into areas of not less than 50 m².*”

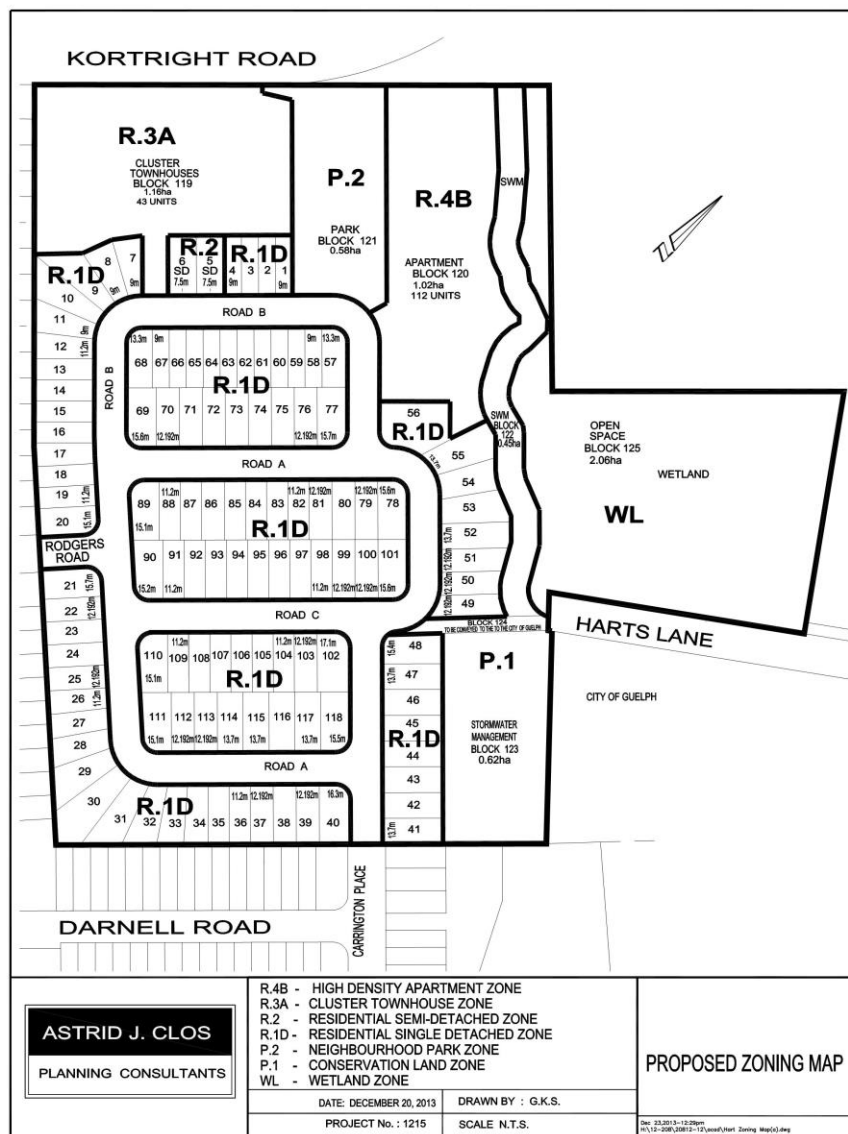
The Common Amenity Area proposed is 9.8 m² per unit. Given that the maximum permitted density of 150 units per hectare has not been exceeded by this proposal and that underground parking is a feature of this proposal, yet the Common Amenity Area zoning regulation cannot be met on site, is indicative that the zoning regulation may be too onerous. In the context of the Provincial Places to Grow legislation which encourages intensification and the efficient use of land, including a specialized zoning regulation to require a minimum common amenity area of 9.8 m² per unit is appropriate.

Figure 3 – Specialized Common Amenity Area Apartment Regulations

Specialized Zone	Property Address	Specialized Common Amenity Area Regulation
R.4A-5	166 College Ave. W.	Despite Section 5.4.2.4.1, a minimum of 13 m² of Common Amenity Area per Dwelling Unit shall be provided.
R.4A-8	92 Speedvale Ave. W.	Minimum Common Amenity Area Available to Residents 340 m ² .
R.4A-13	135 Oxford St.	Minimum Common Amenity Area 11.2 m² per unit.
R.4A-18	16 Marilyn Dr.	Minimum Common Amenity Area shall not apply in the R.4A-18 Zone.
R.4A-29	400 Edinburgh Road South	14.4 m² per unit
	430 Edinburgh Road South	20.2 m² per unit
	460 Edinburgh Road South	14.3 m² per unit
	480 Edinburgh Road South	16.8 m² per unit
R.4B-5	83, 85 and 87 Neeve St., 60 Wyndham St. S.	Minimum Common Amenity Area - None required.
R.4B-6	70 Silvercreek Pkwy. N.	An amount of not less than 27.9 m ² per Dwelling Unit for each unit up to 20. For each additional Dwelling Unit not less than 18.6 m² of Common Amenity Area shall be provided.
R.4B-7	25 Wellington St. W.	For bachelor Apartment units, a minimum of 14 m² of Common Amenity Area shall be provided for each unit up to 20 and 9.25 m² for each additional unit. Landscaped area in the Front and Exterior Side Yard may be included.
R.4B-12	1440-1448 Gordon Street	Minimum Common Amenity Area - 900 square metres Despite Section 5.4.2.4.3, Common Amenity Areas may be permitted within the Front Yard.

The City has approved both removing the Common Amenity Area requirement entirely (ie. the R.4A-18, R.4B-5 Zones) and reducing the required amount of the Common Amenity Area. Figure 3 summarizes the specialized regulations related to the Common Amenity Area regulation in apartment zones. It should be noted that in the R.4C and R.4D apartment zones there is no requirement to provide a Common Amenity Area. In addition there are considerable open space lands abutting the proposed apartment site where a City-wide trail is planned by the City. Hartland Park as well as Rickson Ridge Public School are both located within close walking distance to the apartment site. A new municipal park, Block 120 is also proposed abutting this apartment site. (See Figure 5) In addition to the 1,500 m² of common amenity area provided on the apartment site there will be parks and trails available to the apartment residents.

Figure 4 - Proposed Zoning Map



The proposed park location satisfies a number of important planning criteria and functions. The park location in proximity to the highest residential densities is good planning. The apartment and townhouse residents are located abutting the proposed park. The proposed park location also provides a pedestrian link to Kortright Road West which increases the walkability of the community. The location of the proposed park is also spatially separated from the existing park and Rickson Ridge School located to the west of the subject property. This will allow more residents to be within close walking distance to a park. The proposed park Block 121 also meets the City's criteria for a minimum of 50 m of road frontage and is relatively flat and usable land for park programming. The location of the park also allows an existing Bur Oak tree to be preserved with its root zone undisturbed by the proposed development.

Figure 5 – Park Locations

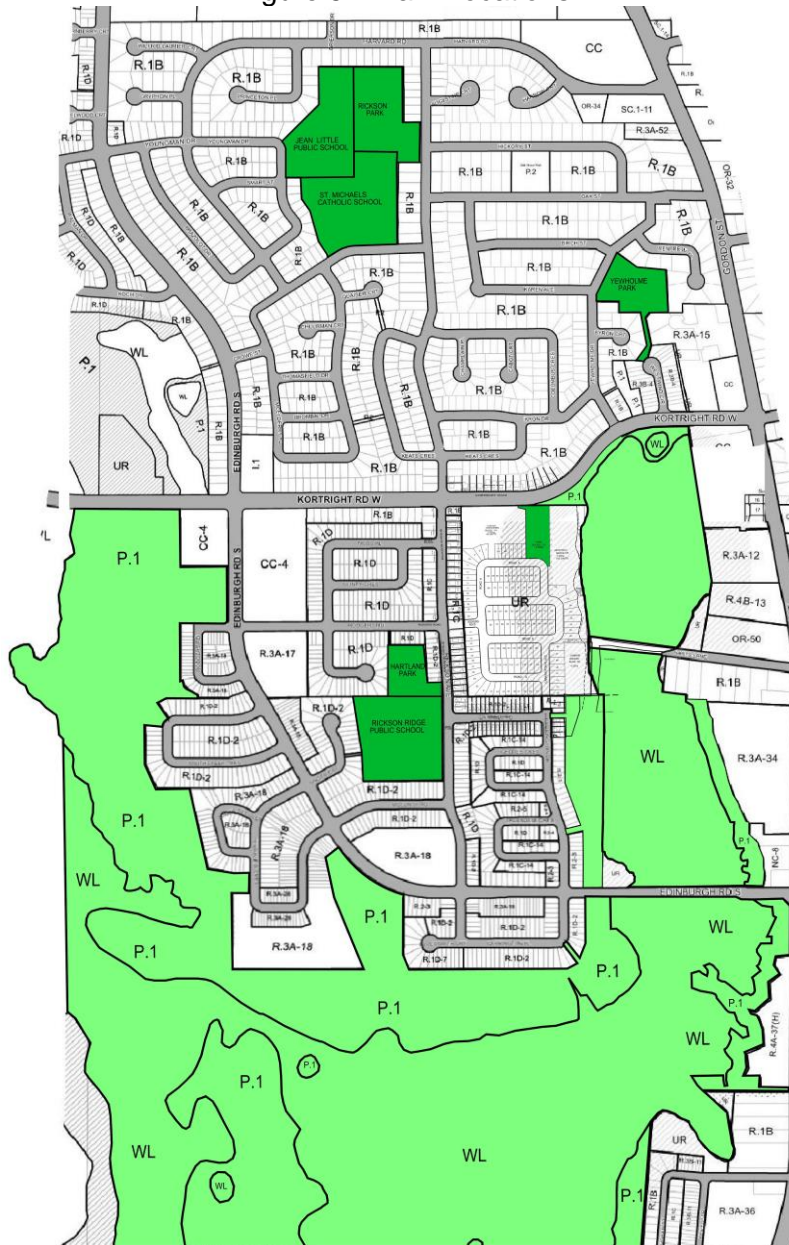


Figure 6 – Response to Park Department Comments

September 18, 2013 email from Karen Sabzali, Manager, Parks and Open Space (comments based on August 20, 2013 park proposal)	
Excerpt from email	Response based on revised April 16, 2014 version of the Draft Plan of Subdivision for the Hart Property
<p>We are encouraged that part of the current proposal attempts to site the park in proximity to the higher density blocks, and we very much appreciate the efforts to address our previous comments.</p>	<p>We agree that locating the park in proximity to the higher density blocks is an important locational criteria for the park.</p> <p>The revised Block 121 provides parkland in proximity to the highest densities proposed in the plan in accordance with the current Official Plan. (section 7.2.7 “<i>Multiple unit residential buildings</i>, such as townhouses, row dwellings and apartments, may be permitted within designated areas permitting residential uses. The following development criteria will be used to evaluate a <i>development</i> proposal for <i>multiple unit</i> housing:</p> <p>b) That the proposal can be adequately served by local convenience and neighbourhood shopping facilities, schools, parks and recreation facilities and public transit;”</p> <p>The proposed park location also provides a buffer from the apartment building to the singles, semis and townhouses proposed within the plan.</p>
<p>Some of the items that are part of our standard requirements for parks cannot be compromised:</p> <ul style="list-style-type: none"> • 80% flat tableland (with slopes not to exceed 2%) • Street frontage requirements for the front face of the park for visibility and safety 	<p>The revised Park Block 121 meets the City’s criteria of 80% flat tableland (with slopes not to exceed 2%) and</p> <p>The street frontage meets the minimum required park frontage of 50 m in the P.2 Zone for street frontage requirements for the front face of the park for visibility and safety on Road B. In addition, the park will have visibility from Kortright Road thereby doubling the visibility and making it a safe park location.</p>
<p>As well there are items that we would like to see happen such as a preferred park size of not less than 1.0ha. Naturally that does not work here. Nonetheless, the park size for this development should be 0.53ha; which due to its size must be contiguous.</p>	<p>The proposed park has been revised to be located as one contiguous park and has an area of 0.58 hectares which exceeds the 5% requirement of 0.53 hectares required for parkland dedication.</p>
<p>In the same vein, linkage to the trail network also needs to be addressed. From preliminary</p>	<p>The engineering department does not support a road connection from this property to</p>

<p>conversations we understand that there may be a desire to link via lands to the north. While this may be the most expedient route there are serious concerns regarding whether or not accessibility and the City's FADM standards can be met via this routing.</p>	<p>Kortright Road. On that basis, the only possible connection from the subdivision lands to Kortright Road is through parkland. The proposed park has been configured to provide a trail access to Kortright Road through the park.</p> <p>It is important to note that the trail route identified in the City-wide Trail Master Plan through the GRCA lands next to the wetland will be required to deal with steep slopes and significant tree removal.</p> <p>The best option for a trail connection to Kortright Road is through Park Block 121.</p>
<p>With respect to the current proposed park block 127, we find that it lacks sufficient street frontage and sightlines for safety.</p>	<p>The park block has been revised to increase the road frontage to 50 m on Road B and provide access to Kortright Road. There will be “eyes on the park” from the proposed apartment building and townhouses.</p>
<p>The current positioning of the adjacent garages (to the east) has effectively created a walled-off park block.</p>	<p>The back of the garage walls are intended to work with the existing grades on site and function as retaining walls on the apartment site. The garages will not be visible from the park and will not “wall-off” the park block. It is possible for the garage roofs to be green roofs which will merge seamlessly with the park area.</p>
<p>As well, with the significant number of trees on site, that may require protection, and its narrow configuration; the usable space within this area could be substantially restricted.</p>	<p>The majority of the trees located on the proposed park block 121 are apple trees which have been removed and were exempt from the City’s Private Tree By-law. The two Chinese Elm Trees located on the park block are proposed to be removed and compensation trees planted. The Chinese Elm trees are not native, are susceptible to disease and have poor structure. The only tree proposed to remain on the Park Block is the Bur Oak which is located in the north portion of the park leaving the majority of the park as usable. This is consistent with policies of OPA 48.</p> <p>OPA 48 section 7.3 “j) To encourage indigenous biological diversity in appropriate open space and park locations.</p> <p>k) To ensure that urban forestry is a key component of park design.”</p>
<p>Also, the park location does not take</p>	<p>Please see Figure 5, the park distribution map</p>

<p>advantage of the opportunity to improve parkland provision for a number of existing residents in this neighbourhood (to the east) who presently have little or no parkland that meets the Official Plan service range.</p>	<p>included in this report. The existing residents located to the east along Gordon Street will have options to access this park via Harts Lane or Kortright Road.</p> <p>The park block 121 is essentially in line with the City's preferred park locations with respect to proximity to residents located to the east.</p>
<p>From the discussion above, Parks Staff suggest that a more suitable park location would be a centralized location near the future accessible Harts Lane connection - perhaps at the junction of Road A & C? See attached redlined. Either of these locations would have the advantage of meeting all of the criteria listed above.</p>	<p>OPA No. 48 section 7.3.2.4 iv) "that the site can be linked, where feasible, to the trail network;" Park Block 121 can be connected to the City trail via lands owned by the GRCA.</p> <p>The proposed park locations suggested by the City cannot be linked to the trail network identified in the City-wide Trail Master Plan. In addition, these park locations proposed by the City are not centralized but located in too close proximity to the existing Hartland Park and Rickson Ridge Public School.</p>

3. **Existing Conditions and Surrounding Land Uses**

The 12.65 hectare property slopes down toward the wetland to the east. On April 8, 2013 Guelph Council approved the dismantling of the existing barn located on the property. The barn has since been dismantled. Council also approved the barn being removed from the City's Heritage Inventory List. Barn Swallow nesting structures were constructed by the owner and installed on the property to replace the nesting habitat previously provided by the barn. The current location of the Barn Swallow nesting structures on the property is temporary. The permanent location will be approved through the Environmental Impact Study reviewed process.

There is an existing house located on the property which will remain and be incorporated into the proposed residential community.

The surrounding land uses include the following existing uses:

North Kortright Road West and existing single detached dwellings.

East wetland.

South Carrington Place and existing single detached dwellings. The last phase of the Southcreek Subdivision is also owned by the applicant.

West Single detached dwellings with frontage on Rickson Avenue.

Figure 7 – Surrounding Land Use



4. **Planning Framework**

4.1 Provincial Policy Statement 2014

The Provincial Policy Statement 2014 (PPS) is issued under the authority of Section 3 of the Planning Act and is in effect as of April 30, 2014. It replaces the Provincial Policy Statement issued March 1, 2005.

In respect of the exercise of any authority that affects a planning matter, section 3 of the *Planning Act* requires that decisions affecting planning matters “shall be consistent with” policy statements issued under the Act.

The Provincial Policy Statement is more than a set of individual policies. It is to be read in its entirety and the relevant policies are to be applied to each situation. When more than one policy is relevant, a decision-maker should consider all of the relevant policies to understand how they work together. The language of each policy, including the Implementation and Interpretation policies, will assist decision-makers in understanding how the policies are to be implemented.

Provincial plans are to be read in conjunction with the Provincial Policy Statement. They take precedence over the policies of the Provincial Policy Statement to the extent of any conflict, except where the relevant legislation provides otherwise.

The Provincial Policy Statement provides policy direction on matters of provincial interest related to land use planning and development.

“1.1.3 Settlement Areas

1.1.3.1 Settlement areas shall be the focus of growth and their vitality and regeneration shall be promoted.

1.1.3.2 Land use patterns within settlement areas shall be based on:

- a. densities and a mix of land uses which:*
- 1. **efficiently use land** and resources;*
 - 2. are appropriate for, and **efficiently use, the infrastructure and public service facilities which are planned or available**, and avoid the need for their unjustified and/or uneconomical expansion;”*

The proposed development for the subject property will be an efficient use of land. On lands where one house is now accommodated, 316 homes are proposed as intensification. This intensification is at a scale and type that is compatible with the existing neighbourhood. Existing municipal infrastructure is being used thus avoiding the need for the unjustified or uneconomical expansion of services. The proposed development is an efficient use of land consistent with the Provincial Policy Statement.

4.2 Places to Grow

Pursuant to the Places to Grow Act, 2005: the Growth Plan for the Greater Golden Horseshoe, 2006 was approved by the Lieutenant Governor in Council, Order-in-Council No 1221/2006 took effect on June 16, 2006; minor amendments were made to the Growth Plan for the Greater Golden Horseshoe, 2006 by Minister's Order dated December 19, 2011; and Amendment 1 (2012) to the Growth Plan for the Greater Golden Horseshoe, 2006, was approved by the Lieutenant Governor in Council, Order-in-Council No 1702/2011 to take effect on January 19, 2012. Amendment 2 came to the Growth Plan for the Greater Golden Horseshoe into effect on June 17, 2013.

“1.2.2 Guiding Principles

The vision for the Greater Golden Horseshoe is grounded in the following principles that provide the basis for guiding decisions on how land is developed, resources are managed and public dollars invested:

- **Build compact, vibrant and complete communities.***
- **Plan and manage growth to support a strong and competitive economy.***
- **Optimize the use of existing and new infrastructure to support growth in a **compact, efficient form.*****

The proposed Zoning Amendment and Draft Plan of Subdivision will create a compact, vibrant community. The development proposal is in conformity with the Provincial Growth Plan.

4.3 City of Guelph Official Plan (September 2012 Consolidation)

The property is designated General Residential, Core Greenlands and Non-Core Greenlands Overlay as shown on the Schedule 1- Land Use Plan. (Figure 5) The General Residential

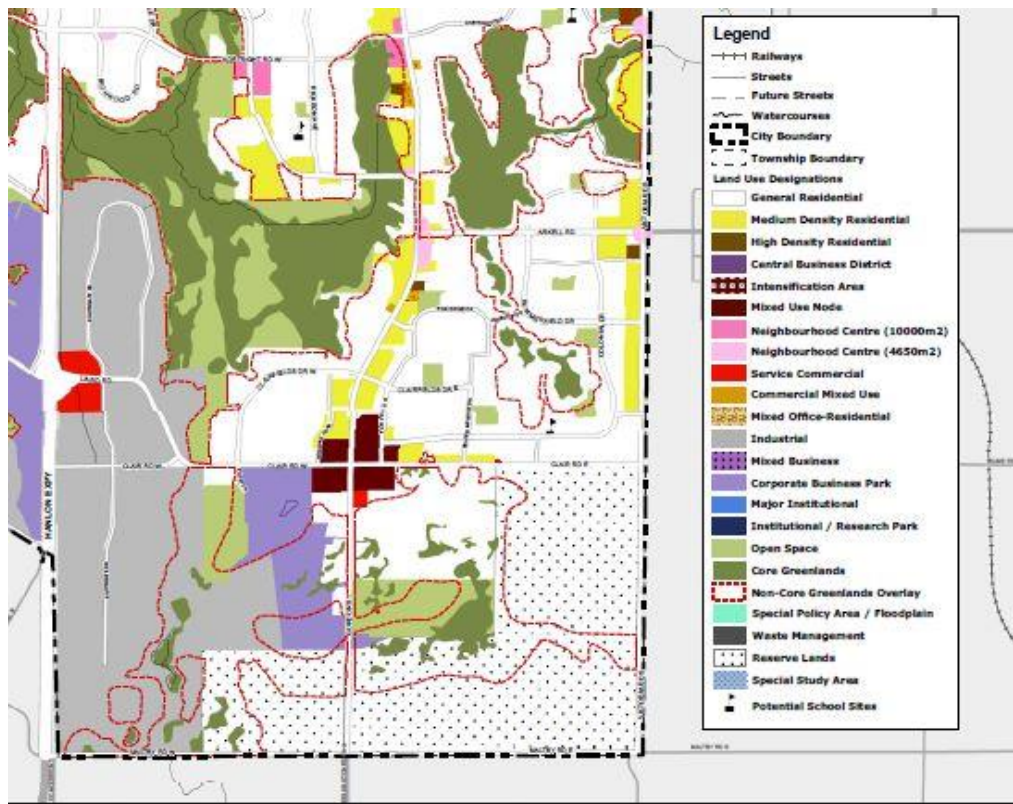
designation permits low-rise housing forms and multiple unit residential buildings. The density of 26 units per hectare is less than the maximum permitted density of 100 units per hectare.

“General Residential' Land Use Designation

7.2.31 *The predominant use of land in areas designated, as 'General Residential' on Schedule 1 shall be residential. All forms of residential development shall be permitted in conformity with the policies of this designation. The general character of development will be low-rise housing forms. Multiple unit residential buildings will be permitted without amendment to this Plan, subject to the satisfaction of specific development criteria as noted by the provisions of policy*

7.2.32 *Within the 'General Residential' designation, the net density of development shall not exceed 100 units per hectare (40 units/acre).”*

Figure 8 – Guelph Official Plan



2001 Official Plan, December 2012 Consolidation

**CITY OF GUELPH
OFFICIAL PLAN
SCHEDULE 1:
LAND USE PLAN**



The November 2013 CN Watson Development Charge Background Study uses the following persons per unit:

- low density: 3.24
- medium density: 2.44
- high density: 1.71

In addition, on pages 3-6 and 3-7 of the CN Watson Report the “work at home employment” is comprised of 5% of the employment estimate. 5% of the 10 year employment increase of 16,260 jobs is 813 work at home jobs. 813 jobs divided by the 10 year housing unit increase of 11,540 units equals 0.7 work at home jobs per unit.

The proposed draft plan of subdivision proposes the following breakdown of units as shown in Figure 4.

Figure 9 – Places to Grow Density

	Persons and jobs per unit	Units	People and Jobs
Low Density	3.24 p.p.u.	120	388.8
Medium Density	2.44 p.p.u.	43	104.92
High Density	1.71 p.p.u.	153	261.63
Employment	0.7 work at home jobs per unit	316	221.2
TOTAL	---	316	976.55

The net area of the property, without the inclusion of the Open Space Block, is 10.59 hectares. The density of the proposed development is therefore 92.21 people and jobs per hectare. The Official Plan does not include a density target for the Built-Up Area.

Schedule 1B - Growth Plan Elements includes the subject property within the designated Built-Up Area. The site is not located in an area designated for higher densities, such as an intensification corridor as per section 2.4.4 of the Official Plan.

“2.4.4 Settlement Area Boundary

2.4.4.1 The City will meet the forecasted growth within the settlement area through:

- a) *promoting compact urban form;*
- b) ***intensifying generally within the built-up area, with higher densities within Downtown Guelph, the community mixed use nodes and within the identified intensification corridors; and***
- c) *planning for a minimum density of 50 residents and jobs per hectare in the greenfield area.”*

*“2.4.5.1 Within the built-up area the following **general intensification policies** shall apply:*

- a) ***By 2015 and for each year thereafter, a minimum of 40% of the City’s annual residential development will occur within the City’s built-up area as identified on Schedule 1B. Provisions may be made for the fulfillment of this target sooner than 2015.”***

The general intensification policies which apply to the Built-Up Area from section 2.4.5.1 of the Official Plan direct a minimum of 40% of the annual residential development to this area by 2015 and for each year thereafter.

The proposal is located within the adjacent lands to a wetland environmental feature. An Environmental Impact Study has therefore been prepared in conformity with section 6.3 of the Official Plan.

“6.3 Environmental Impact Studies

General Policies

6.3.1 Where a development proposal, may negatively impact a natural heritage feature or its ecological function, the proponent will be required to prepare an environmental impact study.”

The proposed land use is permitted within the General Residential designation. The density proposed is appropriate within the Built-Up Area of the City. The proposed applications are in conformity with the Official Plan.

4.4 Natural Heritage System (OPA No. 42)

Official Plan Amendment No. 42 introduced policies for the Natural Heritage System throughout the City. OPA No. 42 is currently under appeal to the Ontario Municipal Board and not yet in effect.

Detailed OPA No. 42 Mapping has been provided by the City. A Significant Natural Area designation is identified on the property which appears to correspond generally with the wetland located to the east and the required buffer. The limit of the wetland has been flagged in the field and confirmed with the GRCA as identified on the Draft Plan of Subdivision.

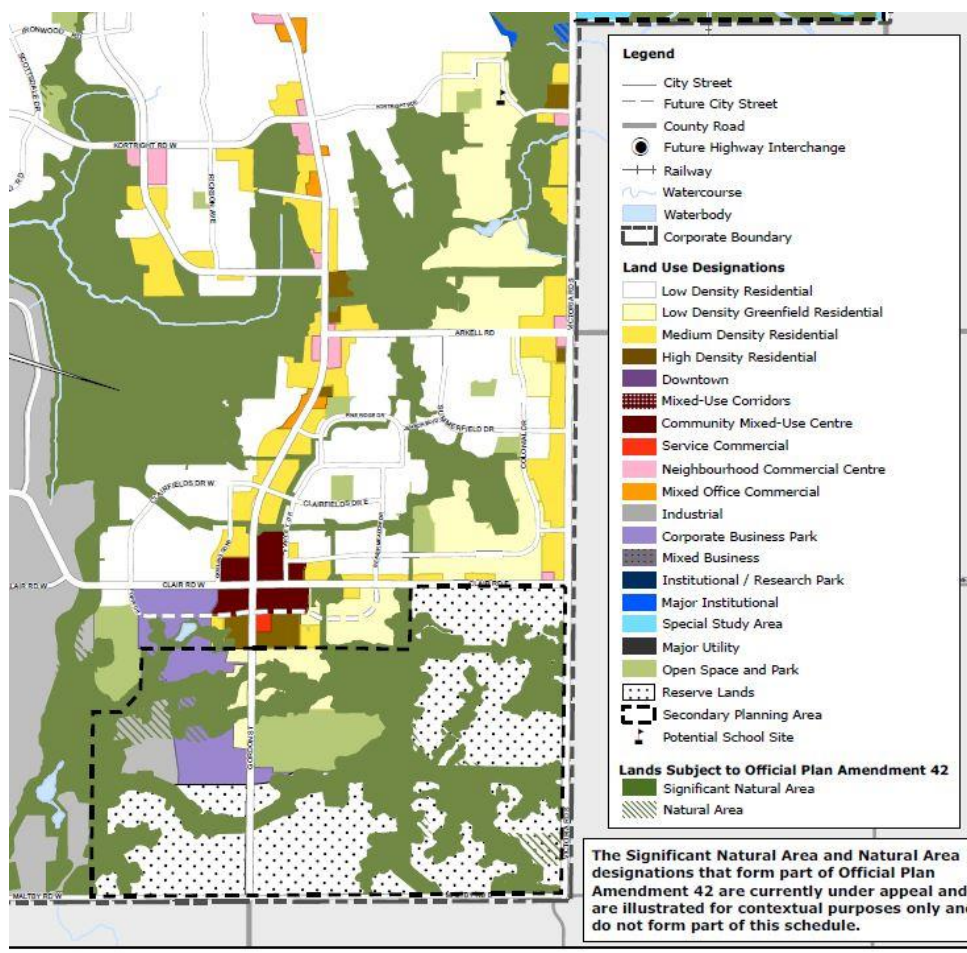
4.5 Envision Guelph Draft Official Plan (OPA No. 48)

The Ministry of Municipal Affairs and Housing is the approval authority for Official Plan Amendment No. 48 which is the 5 year review of the Guelph Official Plan. OPA No. 48 was approved by the Minister on December 11, 2013. OPA 48 has been appealed to the Ontario Municipal Board and is not yet in effect.

OPA No. 48 proposes to designate the subject property as Low Density Residential and Medium Density Residential. Within the Low Density Residential portion of the plan 120 singles and semis are proposed on 4.83 net hectares. This is a density of 24.84 units per hectare which is within the required density range between 15 and 35 units per hectare for the Low Density Residential designation. Within the Medium Density Residential portion of the plan 196 townhouse and apartment units are proposed on 2.18 net hectares. This is a density of 89.9 units per hectare which is within the required density range between 35 and 100 units per hectare for the Medium Density Residential designation. The proposed single detached and semi-detached dwellings are permitted land uses within the Low Density Residential designation. The proposed townhouse and apartment units are permitted land uses within the Medium Density designation.

Section 1.3.7 of the Official Plan states that, “The boundaries of the designations on the Schedules to the Plan shall be considered approximate, except where they coincide with roads, railways, former township lots and concession lines, major water courses or other well defined natural or physical features. Where the general intent of the Plan is maintained, minor boundary adjustments will not require an amendment to this Plan.” The boundary between the Low and Medium Density designations does not coincide with a well defined feature and is considered approximate. The proposed applications are intended to maintain the general intent of the Official Plan.

Figure 10 - OPA No. 48 Land Use Schedule



**CITY OF GUELPH
OFFICIAL PLAN
SCHEDULE 2:
LAND USE PLAN**

“9.3.2 Low Density Residential

This designation applies to residential areas within the built-up area of the City which are currently predominantly low-density in character. The predominant land use in this designation shall be residential.

Permitted Uses

1. *The following uses may be permitted subject to the applicable provisions of this Plan:*
 - i) **detached, semi-detached** and duplex dwellings; and
 - ii) **multiple unit residential buildings, such as townhouses and apartments.**

Height and Density

The built-up area is intended to provide for development that is compatible with existing neighbourhoods while also accommodating appropriate intensification to meet the overall intensification target for the built-up area as set out in Chapter 3. The following height and density policies apply within this designation:

2. *The **maximum height shall be three (3) storeys.***
3. *The **maximum net density is 35 units per hectare and not less than a minimum net density of 15 units per hectare.***

“9.3.4 Medium Density Residential

The use of land within the Medium Density Residential Designation will be medium density housing forms.

Permitted Uses

1. *The following uses may be permitted subject to the applicable provisions of this Plan:*
 - i) **multiple unit residential buildings, such as townhouses and apartments.**

Height and Density

2. *The **minimum height is two (2) storeys and the maximum height is six (6) storeys.***
3. *The **maximum net density is 100 units per hectare and not less than a minimum net density of 35 units per hectare.***

4.6 Zoning By-law

The subject property is included within the Urban Reserve (UR), Wetland (WL) Zones and lands adjacent to Provincially Significant Wetlands overlay.

The requested specialized zoning regulations outlined in Section 2 of this report and repeated below are in keeping with zoning regulations approved for other sites in the City.

R.1D - ___ Zone

- Minimum Front Yard for habitable portion of the dwelling of 4.5 m and 6m for garage.
- Driveway width match the width of the garage with the exception of the flare provided at the road access which may exceed the width of the garage.

R.2 - ___ Zone

- Minimum Front Yard for habitable portion of the dwelling of 4.5 m and 6m for garage.
- Driveway width match the width of the garage with the exception of the flare provided at the road access which may exceed the width of the garage.

R.3A- ___ Zone

- In addition to the uses permitted in the R.3A Zone, Multiple Attached Dwelling be added as a permitted use.
- For the purposes of this Zone, a Multiple Attached Dwelling shall mean a Building consisting of 3 or more Dwelling Units which are horizontally and vertically attached, which are entered from an independent entrance directly from the outdoors or from an internal hall or corridor and which share common facilities such as Common Amenity Area, parking and Driveways.

R.4B - ___ Zone

- Minimum Side Yard of 3 m.
- Minimum Rear Yard of 4 m.
- Minimum Common Amenity Area of 9.8 m² per unit
- Maximum Floor Space Index of 2

5. **Conclusion**

This Planning Report has been prepared in support of the proposed Official Plan Amendment, Zoning Amendment and approval of a Draft Plan of Subdivision.

The development proposal is consistent with the Provincial Policy Statement 2014, is in conformity with the Growth Plan and in my professional opinion represents good planning.

This report has been prepared and respectfully submitted by,

Astrid Clos, RPP, MCIP

Date

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