

Planning and Development Council Meeting
November 1, 2021

Comments Received Regarding Item 6.1

Public Meeting and Recommendation Report - Town-initiated
Omnibus Zoning By-law Amendment to North Oakville Zoning
By-law 2009-189 (File No. 42.26.01) - All lands north of Dundas
Street and south of Highway 407 - By-law 2021-125

Sent Via Email

November 1, 2021

Clerk's Office
Town of Oakville**RE: Statutory Public Meeting
Proposed Zoning By-law Amendment Town-Initiated Wards 6 and 7
File No. 42.26.01. By-law 2021-125**

Delta Urban is the Group Manager for NOCBI (North Oakville Community Builders Inc). NOCBI is comprised of the major landowners in the wards subject to this Zoning By-law Amendment.

See attached detailed letter from Ruth Victor & Associates who is the NOCBI group planner, which is summarized by a formal request of NOCBI to have Council defer the adoption of By-Law 2021-125 and direct staff to consult with NOCBI before returning to Council for consideration. This will allow for additional coordination with NOCBI on the proposed and additional changes, not included in the current version so that interpretation of the By-Law is consistent and comprehensive.

Sincerely,
On behalf of the North Oakville Community Builders Inc.



Mr. Michael May, P. Eng., General Manager
Delta Urban Inc.

Sent Via Email

November 1, 2021

Mayor and Members of Council
Town of Oakville

RE: Statutory Public Meeting Proposed Zoning By-law Amendment Town-Initiated Wards 6 and 7 File No. 42.26.01. By-law 2021-125

I am writing to you on behalf of NOCBI. NOCBI is comprised of the major landowners in the wards subject to this Zoning By-law Amendment. We have had the opportunity to review the draft Zoning By-law Amendment, By-law 2012-125, and offer the following comments.

The first point to raise is the serious concern that NOCBI had not been consulted at any point in the process of the preparation of this zoning by-law amendment and only became aware of the proposed changes when the notice of the Statutory Public Meeting was posted on the Town of Oakville website. The group was not contacted earlier in the process to provide additional insight and feedback on the proposed changes and now must come forward in objection at this point in the process.

NOCBI does not support the proposed amendments to Section 7 as set out below.:

The amendments state:

7. Within Section 7, Zoning Regulations, of Zoning By-law 2014-014:

1. Section 7.6.2, Building Types Permitted and Related Standards, is amended by deleting Footnote 1 in its entirety and replacing it with the following:

“¹ The minimum rear yard setback may be reduced to 3.0 m for a one storey addition for a maximum of 45% of the dwelling width measured at the rear of the main building. The one storey addition shall have a maximum vertical distance of 6.0 m measured between grade and the highest point of the building.”

2. Section 7.7.2, Building Types Permitted and Related Standards, is amended by deleting Footnote 1 in its entirety and replacing it with the following:

“¹ The minimum rear yard setback may be reduced to 3.0 m for a one storey addition for a maximum of 45% of the dwelling width measured at the rear of the main building. The one storey addition shall have a maximum vertical

distance of 6.0 m measured between grade and the highest point of the building.”

Section 7.6.2 and Section 7.7.2 footnotes currently read as follows:

“ However, a one *storey* addition may project into the *rear yard* with a minimum setback of 3 m for a maximum of 45% of the *dwelling* width measured at the rear of the *main building*.”

The proposed 6.0m height for the one storey addition does not work in practice. The proposed zoning standard would measure the height of the addition from the grade of the one-storey encroachment to its highest point, the peak of the roof. As stated in the staff report in the recommendation report is to ensure that the addition takes on a one-storey built form. We have no objection to the concept that the addition should be a maximum one storey in height. This proposed 6m height restriction does not work as it does not consider walk-out or rear deck conditions and is not appropriate when considering current basement and first floor ceiling heights. With a standard basement height and an 8’ ceiling, there would only be approximately 3’6” feet for the total height of the roof under this proposed height restriction.

NOCBI has several suggestions of how these concerns can be resolved appropriately due to their knowledge and experiences elsewhere in Oakville. NOCBI is not opposed to the principle that are the basis of this proposed amended provision in the Zoning By-law. Options including increasing the height of the addition permitted to 8.0m and tying the height to the height of the addition to the main floor elevation.

As the town is proceeding with housekeeping amendments to the zoning by-law, we would also suggest that there are other items which may be appropriate to address as part of this ongoing process. There has been inconsistent interpretation of bylaw provisions regarding porches and minimum yard depths. A review of these specific provisions would be helpful to ensure a clear and consistent interpretation of the by-law requirements. NOCBI is willing and able to meet with staff to provide a more detailed explanation of these concerns and assist staff by providing workable options for addressing their concerns.

At this time, we are requesting that adoption of By-law 2021-125 be deferred and that the matter be referred back to staff for further consideration and discussion with NOCBI prior to the By-law returning to Council for consideration.

Yours truly,



Ruth Victor | MCIP RPP MRTPI

DAVID FAYE & Associates Inc.

Land
Management
Group

November 1, 2021

Town Clerk,
Town of Oakville,
1225 Trafalgar Road,
Oakville, Ontario,
L6H 0H3.

Attention: Mayor and Members of Council

Re: **Proposed Zoning By-law Amendment 2021-125
North Oakville Zoning By-law 2009-189**

Dear Mayor and Members of Council:

We are writing on behalf of our client, Star Oak Developments Limited ("Star Oak"), regarding proposed By-law 2021-125 to amend North Oakville Zoning By-law 2009-189. This matter is Item 6.1 on the November 1, 2021 P&D/Council agenda.

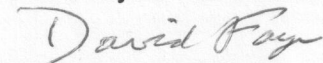
As a landowner in North Oakville, Star Oak is very concerned that this "Housekeeping" by-law has been brought to Council for a statutory public meeting without any prior public consultation and, more particularly, without any discussion at all with North Oakville Community Builders Inc. ("NOCBI") of which Star Oak Developments Limited is a member.

The proposed by-law seeks to delete, in their entirety, the current footnotes to Sections 7.6.2 and 7.7.2 of By-law 2009-189, which permit a modest single storey extension into the rear yard of a new single detached house, and replace them with revised footnotes which incorporate a new maximum 6.0 metres single storey height provision. The current footnotes have been in place for many years and by all accounts continue to work well for those purchasers of new houses in North Oakville who wish to add this single storey feature to their new homes.

Star Oak does not support the staff proposal to amend the footnotes and requests that Council defer consideration of By-law 2021-125 at the November 1, 2021 P&D/Council meeting to allow discussions to take place between Oakville staff and NOCBI regarding the proposed amendments.

Thank you for the opportunity to comment.

Yours truly,
David Faye & Associates Inc.


David Faye, MCIP, RPP

cc. Star Oak Developments Limited