



OAKVILLE

REPORT

Planning and Development Council

Meeting Date: June 7, 2022

FROM: Planning Services Department

DATE: May 24, 2022

SUBJECT: **North Oakville Driveway Extensions Report for Information**

LOCATION: All lands north of Dundas Street and south of Highway 407

WARD: Ward 6 and Ward 7 Page 1

RECOMMENDATION:

That the report titled *North Oakville Driveway Extensions Report for Information* be received and staff report back in 2023 with any recommended changes to the Zoning By-law or process.

KEY FACTS:

The following are key points for consideration with respect to this report:

- At the July 5, 2021, Council Meeting, Council passed a motion directing staff to review and report on options to amend the North Oakville Zoning By-law 2009-189 to allow for driveway extensions in North Oakville.
- Widened driveways and paving of front yards have occurred in contravention of the North Oakville Zoning By-law 2009-189, as amended, as residents in North Oakville wish to provide additional parking on their properties, in excess of zoning regulations.
- Regulation 4.18.3 provides a maximum width of a driveway on a lot.
- The town has begun a *Parking Strategy* that will consider automobile parking options throughout North Oakville and the town's Growth Areas. An update for Council is expected by the end of June with final recommendations at the end of 2022, or early 2023.
- Based on the initial review, staff have identified the following four options that will be considered further and reported on in 2023 following the completion of the *Parking Strategy*:

- 1) Consider the driveway dimensions in conjunction with the results of the *Parking Strategy* which is currently underway. The purpose of this work is to consider how on-site and on-street parking can be enhanced throughout North Oakville and in the town's Growth Areas;
 - 2) Consider modification of the North Oakville Zoning By-law 2009-189 to further regulate the amount of hard surfaces in front yards to preserve soft landscaping and to determine whether additional parking within front yards is appropriate;
 - 3) Consider resources for increased enforcement to ensure compliance with the Zoning By-law; and
 - 4) Maintain the existing zoning provisions in the North Oakville Zoning By-law 2009-189.
- Zoning by-law 2009-189 is intended to implement the vision for North Oakville, as set out in the Official Plan and North Oakville Secondary Plans. This Vision is characterized by compact forms of development with a pedestrian-oriented focus with less reliance on the vehicle. Current driveway width requirements reflect this vision, respond to urban design direction, and are intended to allow for stormwater management, on-street parking, and the planting of street trees. A reduced reliance of personal vehicles also responds to the Climate Emergency declared by Council in June for the purposes of strengthening the Oakville community's commitment in reducing carbon footprints.

BACKGROUND:

North Oakville was identified and planned for growth in 1987 through a comprehensive process undertaken by Halton Region (the "**Region**") called the Halton Urban Structure Plan ("**HUSP**").

The HUSP process examined growth potential and infrastructure servicing options across the Region and the four local municipalities including Oakville. The outcome of that process recommended a regional structure that identified North Oakville as an urban expansion area and overall reflected an understanding by the Region and the four local municipalities connection between sustainable growth and the need to support that growth with appropriate infrastructure.

Following the HUSP recommended regional structure in 1987, the Town of Oakville undertook a comprehensive land use planning process for North Oakville through the 1990s and 2000s that involved extensive public consultation and participation,

numerous background and technical studies, and detailed analysis of issues and policy development.

This planning process resulted in the North Oakville East Secondary Plan (NOESP) and the North Oakville West Secondary Plan (NOWSP). The NOESP and NOWSP were approved by the Ontario Municipal Board, now named the Ontario Land Tribunal, in 2008 and 2009 respectively.

The North Oakville Plans are intended to guide development in North Oakville and are premised on a sustainable, design-first philosophy that promotes the protection of the natural environment, mixed-use development, and a modified grid road system that enhances transportation options for transit and pedestrians. The vision for North Oakville development is planned for a compact, pedestrian-oriented, urban community containing a broad range of housing opportunities ranging from detached dwellings on large lots to high-rise apartment buildings with a transit-first approach to reduce the reliance on the automobile.

North Oakville was envisioned as a compact (small lot), pedestrian-oriented community with an ultimate population target of 55,000 people and 25,000 jobs.

As lands north of Dundas Street have developed and residents have moved to the area, the reliance on the automobile has not decreased and in some cases some homeowners have more vehicles than what is available on the individual lot (eg. 2 spaces/dwelling). Given the compact nature of development north of Dundas Street, on-street parking is limited in some areas due to the location of the private driveways. As a result, homeowners have illegally widened their driveways or paved over their front yards in order to provide additional parking on their property in contravention to the Town's Zoning by-law.

To further understand the options for residents north of Dundas Street, at the July 5, 2021, Council Meeting, Council passed the following motion:

“That staff review and report on options to amend the North Oakville Zoning By-law 2009-189 to allow for driveway extensions in North Oakville.”

Staff note that the on-going *Parking Strategy* is expected to provide recommendations that best manage parking conditions on-site and on-street while encouraging alternative transportation methods. Any changes to driveway widths/extensions should be informed by the results of the *Parking Strategy* and any zoning changes that may be considered through this *Strategy*.

In order to respond to Council's request for options to consider widening driveways, staff have identified the following four options that will be considered further and reported on in 2023 following the completion of the *Parking Strategy*:

- 1) Consider the driveway dimensions in conjunction with the results of the *Parking Strategy* which is currently underway. The purpose of this work is to consider how on-site and on-street parking can be enhanced throughout North Oakville and Growth Areas in the town;
- 2) Consider modification of the North Oakville Zoning By-law 2009-189 to further regulate the amount of hard surfaces in front yards to preserve soft landscaping and to determine whether additional parking within front yards is appropriate;
- 3) Consider resources for increased enforcement to ensure compliance with the Zoning By-law; and
- 4) Maintain the existing provisions in the North Oakville Zoning By-law 2009-189.

DISCUSSION:

The intent of this report is to provide background and purpose for the current driveway zoning provisions which may provide context for why they would be appropriate to be maintained.

Location

The area of North Oakville includes the lands located north of Dundas Street and south of Highway 407, between Ninth Line in the east and Tremaine Road in the west (see Figure 1). These lands are also subject to the North Oakville East Secondary Plan and the North Oakville West Secondary Plan, known collectively as the “**North Oakville Plans**” and the North Oakville Zoning By-law 2009-189 (the “**Zoning By-law**”).

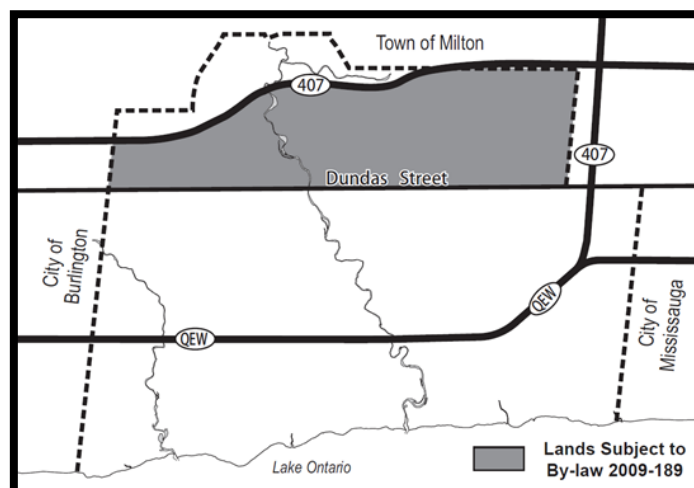


Figure 1: Lands Subject to Zoning By-law 2009-189

North Oakville Urban Design and Open Space Guidelines (2009)

As part of the creation of the NOESP and NOWSP, the North Oakville Urban Design and Open Space Guidelines were prepared to guide development. These guidelines establish the physical design concepts that will lead to the development of a high quality, sustainable and integrated employment and residential community. They are a detailed set of objectives, illustrated recommendations and guidelines that will greatly expand the Town's capacity for urban living, employment and recreation.

Specifically, section 3.4.3.5 outlines the design guidelines for driveways and tandem parking in North Oakville and directly informs the current zoning provision related to driveway width:

- a) *"The width of paved driveways on private property as well as driveway curb cuts should be no wider than the width of the garage.*
- b) *Permeable driveway surfaces are encouraged in order to reduce surface run-off.*
- c) *Curb cuts should be spaced to preserve the maximum number of on-street parking spaces where feasible. Strategies could include the pairing of driveways.*
- d) *Corner lots located at the intersection of an Avenue/ Transit Corridor and a Connector/Transit Corridor should generally have driveway access from the minor roadway, with the exception of townhouse blocks, back-to-backs and semi-detached housing.*
- e) *Tandem parking (one car behind another) should be discouraged in the front yard to reduce excessive garage setbacks and large amounts of front yard surface parking."*

Zoning By-law 2009-189:

The Zoning By-law implements the community vision and policies for future growth and development expressed in the North Oakville Secondary Plans. The Zoning By-law puts the Secondary Plan visions and policies into terms, permissions, and numbers that can be measured.

Excerpts of the Zoning By-law are included in Appendix A [regulations 4.15 to 4.28.3 and 5.1.7 and Table 5.1A] but below is a summary of key information related to

driveways for residential uses such as detached, semi-detached, townhouse and stacked townhouses in North Oakville.

**Relevant Zoning By-law Provisions:
4.18.2 Maximum Private Garage Door Width**

The private garage door width shall not exceed 50% of the lot frontage.

4.18.3 Maximum Driveway Width

The maximum width of the driveway shall not exceed the exterior width of the garage, except where the driveway abuts a porch, in which case the width of the driveway may extend to the edge of the porch, or building to a maximum 1.0 metres beyond the width of the garage.



The maximum width for a garage door is tied to the length of the lot frontage. The maximum width for a driveway is tied to the exterior width of the private garage.

Driveway width is directly linked to the width of a garage door and a garage is required to be a minimum of 5.5 metres from the front lot line unless accessed from a lane (regulation 4.18.1). This means that typically, two parking spaces are provided (one within a private garage and one on the driveway) unless a garage is accessed from a lane and a driveway is not required.

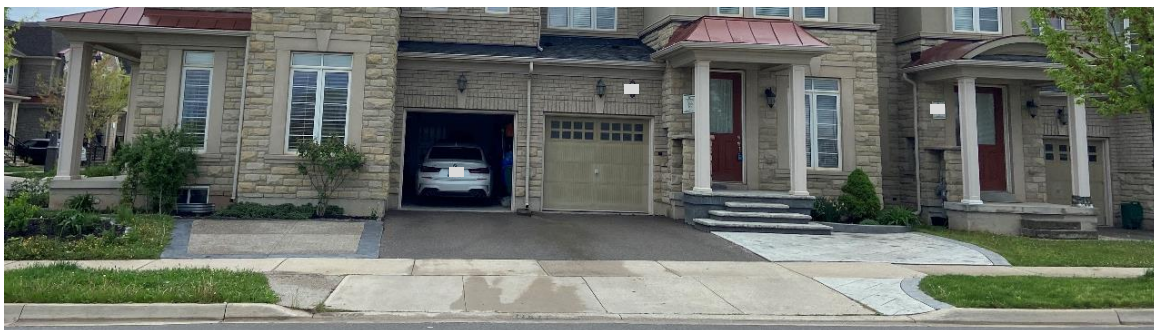
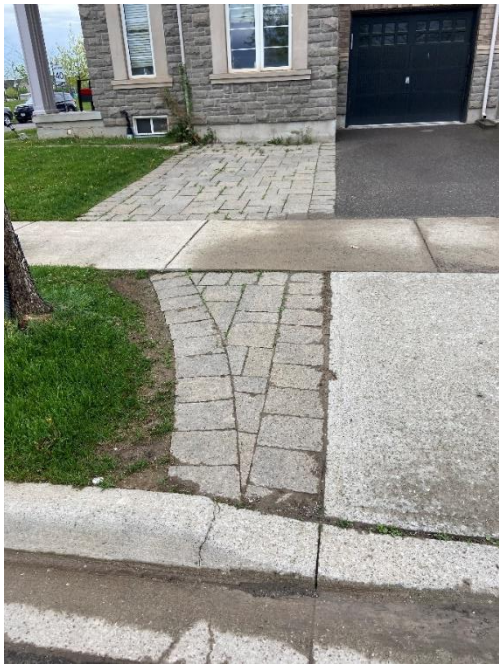
Examples of properties that comply:

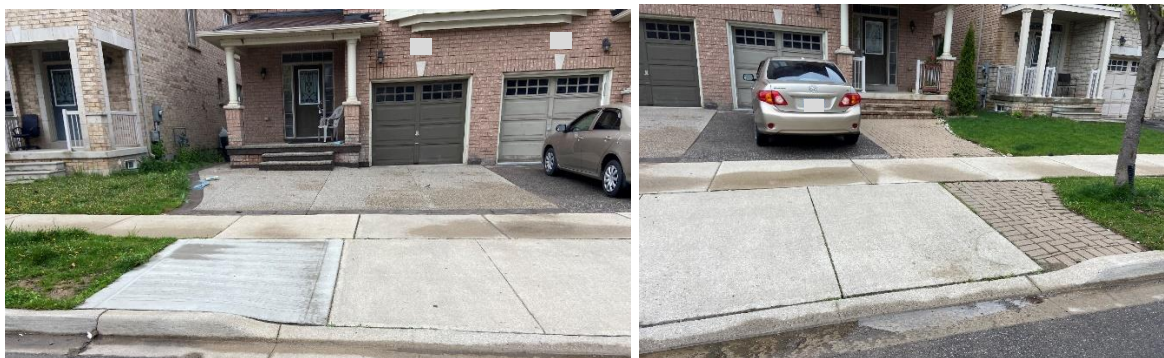
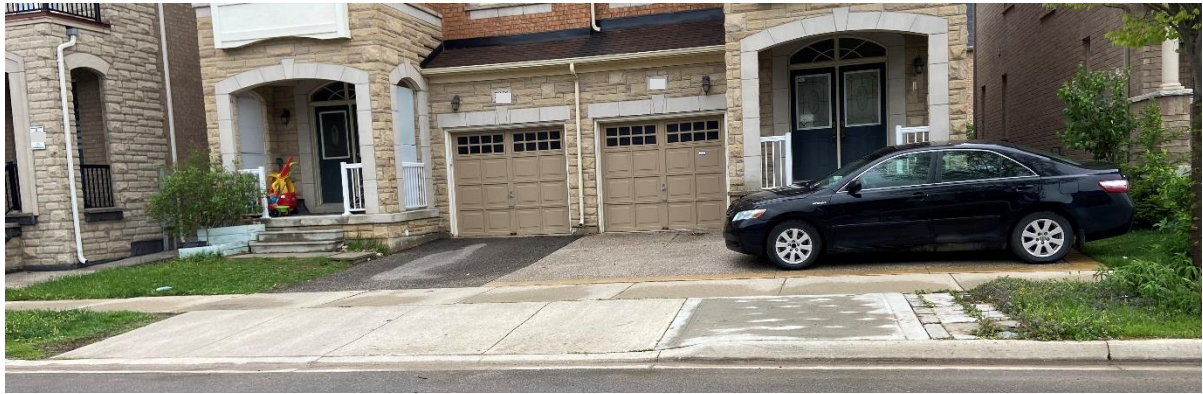


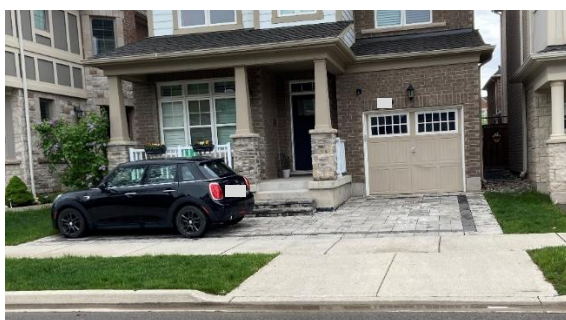


Homeowners have illegally widened their driveway or paved over their front yards in order to provide additional parking on their property in contravention to the Town's Zoning by-law. The following are examples where the widened driveways have been constructed in violation of the Town's Zoning By-law.

Examples of widened driveways:









Intent of In-Effect Zoning Provisions:

The following is a summary of the intent of regulating driveway widths in the Zoning By-law.

- **North Oakville Vision:**
 - North Oakville is characterized by smaller, denser lots. This was an intentional shift to implement the vision for a compact, pedestrian-oriented, urban community containing a broad range of housing opportunities. There is an intent to promote an active, safe pedestrian realm within the streetscape.
 - According to Policy 7.2.3.4 of the North Oakville East Secondary Plan, *“development is intended to be designed to promote building forms that address the street and minimize the impact of garages and service areas on the streetscape and to design street sections that promote a sense of scale and provide for pedestrian comfort.”*
 - There is a distinct shift away from reliance on vehicles and as a result resident parking. This was reflected through the minimum parking requirements and subsequent driveway widths which are intended not to exceed approximately half of the lot frontage.

- **Urban Design Objectives:**

- Regulating driveway widths assists in meeting the urban design objectives laid out in the North Oakville Urban Design and Open Space Guidelines (2009) such as paved driveways and curb cuts not being wider than the width of the garage and spaced curb cuts to preserve the maximum number of on-street parking spaces and to reduce the amount of front yard paving.

- **On-street Parking, Street Tree Planting and Street Furniture:**

- Expanding curb cuts by allowing for greater driveway widths could result in the loss of on-street parking. Various policies within the North Oakville East Secondary Plan (7.5.5; 7.5.7.2; 7.7.2.7) speak to the significance of on-street parking. *“On-street parking should be permitted wherever possible to increase animation, reduce vehicle speeds and serve as a protective buffer between pedestrians and moving vehicles.”* Careful consideration should occur if it is decided that widening driveways is appropriate and the impacts to on-street parking.
- Expanding curb cuts could also result in the loss of street trees as widening driveways will have a direct impact on the ability to plant trees within the public boulevard. Policy 7.4.1 of the North Oakville East Secondary Plan speaks to the planting of shade trees as a strategy for improving air quality and reducing the “urban heat island effect”. Policy 7.5.5 speaks to street trees as contributing to the streetscape and its character.
- In response to above, the following conditions are included in the Draft Plan Conditions of Plans of Subdivision to ensure that residents are aware of the impact of driveway widths on street trees and on-street parking:
 - Standard note to be included on Neighbourhood Information Mapping:

“The Town’s Zoning By-law regulates the width of driveways. Please do not have your driveway widened before inquiring about the permitted driveway width for your lot.”
 - That the Owner agrees to place the following **notification in all offers of purchase and sale** for all lots and/or units and in the Town’s subdivision agreement to be registered on title:

*“Purchasers are advised that the Town of Oakville’s current **street tree planting standards**, which are subject to change, are intended to have an average of one tree for every 12 metres of frontage to be considered for planting in order to accommodate future tree growth. This means that not every house is intended to receive a tree. Purchasers are also advised that the ability to accommodate the planting of a street tree within the public road allowance will be influenced by housing form, development setbacks, utilities, driveway width and location. The Town reserves the right, in its sole discretion, to determine whether a street tree will be planted at any particular location within the subdivision particularly on narrow building lots.”*

*“Purchasers are advised that **driveway entrance widenings** or modifications will not be permitted where they impact on the availability of on-street parking space. Property Owners must take note of the available parking space on their own private lot and purchase homes with knowledge that additional space for more personal / family vehicles may be limited or unavailable.”*

- In addition to on-street parking and street trees, driveway widths impact the location of street furniture such as street lights, utility boxes, fire hydrants, etc.
- **Stormwater Management:**
 - Stormwater infrastructure has been designed based on assumptions related to land use and zoning which includes general assumptions around driveway widths and permeable surfaces.
- **Snow Storage:**
 - Adequate space for the storage of snow removed from private driveways and walkways is required within the front yard. If driveways are widened, there would be less room for residents to store snow on their properties and to allow for adequate drainage and infiltration as the snow melts.

OPTIONS FOR FURTHER CONSIDERATION

As mentioned, in order to respond to Council's request for options to consider widening driveways, staff have identified the following four options that will be considered further and reported on in 2023 following the completion of the *Parking Strategy*:

- 1) Consider the driveway dimensions in conjunction with the results of the *Parking Strategy* which is currently underway. The purpose of this *Strategy* is to consider how on-site and on-street parking can be enhanced throughout North Oakville and Growth Areas in the town;
- 2) Consider modification of the North Oakville Zoning By-law 2009-189 to further regulate the amount of hard surfaces in front yards to preserve soft landscaping and to determine whether additional parking within front yards is appropriate;
- 3) Consider resources for increased enforcement to ensure compliance with the Zoning By-law; and
- 4) Maintain the existing zoning provisions in the North Oakville Zoning By-law 2009-189.

The following is a brief explanation for why each of the options may be appropriate to consider.

Option 1)

- Option one allows the opportunity to review the results of the *Parking Strategy* and not provide any recommendations as part of this report that would preclude the outcome of that *Strategy*.

Option 2)

- Option two allows staff to consider the results of the *Parking Strategy* and consider the potential effects of widening driveways in certain situations and consider additional regulations to regulate hard/soft surfaces.

Option 3)

- Option three allows the opportunity to explore with Enforcement staff the feasibility of enforcing the current Zoning By-law regulations regarding driveways.

Option 4)

- Option four allows for the current standards to continue which meets the current vision for North Oakville as laid out in the North Oakville Secondary Plans.

CONCLUSION:

The zoning by-law is intended to implement the vision for North Oakville, as set out in the Official Plan and North Oakville Secondary Plans, which is characterized by compact/smaller lots and forms of development that is envisioned to be pedestrian focused with less reliance on the vehicle. Current driveway width requirements reflect this vision, respond to urban design direction, and are intended to allow for stormwater management, on-street parking, and the planting of street trees. A reduced reliance on the personal vehicle also responds to the Climate Emergency declared by Council in June for the purposes of strengthening the Oakville community commitment in reducing carbon footprints.

As noted, staff will continue to review the options regarding driveway widening in North Oakville and will report back in 2023 following the completion of the *Parking Strategy*.

CONSIDERATIONS:**(A) PUBLIC**

A public information meeting was not held as this is a report for information.

(B) FINANCIAL

There are no financial impacts arising from this report.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

- No changes are proposed at this time.
- Any future changes to driveway widths in North Oakville would have impacts on Transportation and Engineering, Urban Design, Zoning and Municipal Enforcement.

(D) CORPORATE STRATEGIC GOALS

This report addresses the corporate strategic goal(s) to:

- Continuously improve our programs and services
- Mobility and Environment
- Be accountable in everything we do
- Be the most liveable town in Canada

(E) CLIMATE CHANGE/ACTION

A Climate Emergency was declared by Council in June 2019 for the purposes of strengthening the Oakville community's commitment in reducing carbon footprints.

The vision for North Oakville aligns well with the need to take action. Compact urban form with its increased densities is inherently more transit supportive as the market tends to attract residents that will utilize alternative modes of transport, thereby lessening the carbon footprint.

Findings of the Oakville Energy Task Force show that 48% of the greenhouse gas emissions in Oakville are coming from transportation related sources (i.e. the use of personal and commercial vehicles).

By regulating driveway widths, there is more greenspace and landscaping which will assist in reducing impacts of climate change.

APPENDICES:

Appendix A: Zoning By-law 2009-189 Excerpts

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