



OAKVILLE

REPORT

Planning and Development Council

Meeting Date: March 20, 2023

FROM: Planning Services Department

DATE: March 7, 2023

SUBJECT: Recommendation Report, Zoning By-law Amendment, The Regional Municipality of Halton, 1258 Rebecca Street, File No. Z.1723.08 - By-law 2023-009

LOCATION: South of Rebecca Street, east of Woodside Drive, west of Sandwell Drive, adjacent to Woodside Public Library and the new Halton Region, Paramedic Services Station 15.

WARD: Ward 2

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RECOMMENDATION:

1. That the application for Zoning By-law amendment submitted by The Regional Municipality of Halton, File No. Z.1723.08, be approved on the basis that the application is consistent with the Provincial Policy Statement, conforms with all applicable Provincial plans, the Region of Halton Official Plan, has regard for matters of Provincial interest, and represents good planning for the reasons outlined in the report from the Planning Services Department dated March 7, 2023.
2. That By-law 2023-009, an amendment to Zoning By-law 2014-014, be passed.
3. That notice of Council's decision reflect that Council has fully considered all the written and oral submissions relating to these matters and that those comments have been appropriately addressed; and,
4. That, in accordance with Section 34(17) of the *Planning Act*, no further notice is determined to be necessary.

KEY FACTS:

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

- **Nature of the Application:** The Zoning By-law amendment is required to permit a reduced lot size and frontage for three (3) detached lots, for future development, proposed along Rebecca Street and to permit fourteen (14) single storey semi-detached dwelling units, that comprise the assisted independent living community, subject to site-specific zoning provisions explained herein.
- **Location:** The subject lands (the “**Subject Lands**”) are located on the south side of Rebecca Street, across from the terminus of Warminster Drive, west of Sandwell Drive, east Woodside Drive and adjacent to the Woodside Public Library and the new Halton Region EMS station, and north of Patricia Picknell Elementary School. The subject property is municipally known as 1258 Rebecca Street, has an area of ±0.66 hectares, frontage along Rebecca Street of ±72.53 metres, and is currently vacant.
- **Policy Context:** The subject property is designated ‘Low Density Residential’ and is identified as ‘Residential Areas’ on Schedule A1 (Urban Structure), which represent the areas that provide for stable residential communities. Intensification may occur within ‘Residential Areas’ provided the character of the area is preserved and the overall urban structure of the Town is upheld.
- **Zoning:** The subject lands are zoned RL2-0 (Residential Low), which permits detached dwellings.
- **Proposal:** The applicant is seeking to re-zone a portion of the lands to RL2 SP:419 (Residential Low) with site specific provisions to permit a reduction of the minimum lot area to 658m² and minimum lot frontage to 17m. The applicant is seeking to re-zone the remaining lands to RL7 SP:420 (Residential Low) to permit the construction of seven semi-detached dwellings (14 units) with site specific zoning provisions. This application is subject to site specific provisions (SP:419 & SP:420).
- **Public Consultation:** An applicant-initiated virtual Public Information Meeting (“PIM”) was held on February 23, 2022 and was attended by 21 residents. The statutory public meeting for this application was held on June 27, 2022. All public comments received as of the date of the report have been summarized and included in this report.
- **Timing:** This application was submitted and deemed complete on April 5, 2022. The *Planning Act* provides a 90 day timeline to make a decision on this application (July 5, 2022) failing which the applicant could file an appeal for non-decision. The

applicant has chosen not to file an appeal for non-decision as the applicant and Town staff continue to work through comments provided regarding the first submission.

BACKGROUND:

The purpose of this report is to provide a full staff review of the application and a recommendation on the proposed zoning by-law amendment application that would permit the development of 14 semi-detached dwelling units and three detached dwelling lots, for future development.

The application was submitted and deemed complete on April 5, 2022. The *Planning Act* provides a 90 day timeline to make a decision on this application (July 5, 2022) failing which the applicant could file an appeal for non-decision.

A Public Information Meeting (“PIM”) was held for this application on February 23, 2022. In September of 2013 and 2017, the Region of Halton hosted Open Houses as part of the initial concept development of the subject lands. The statutory public meeting was held on June 27, 2022.

Proposal

The proposed development consists of one lot fronting Rebecca Street that is proposed to be subdivided for three (3) future detached dwellings, and 14 semi-detached dwelling units, for rent. The future subdivision of the lands would result in three created lots and one retained lot. The 14 semi-detached dwelling units will be owned and operated by the Region of Halton and/or Halton Community Housing Corporation as assisted independent living units for seniors. It is anticipated that support services would be provided in partnership with local healthcare agencies and may include light housekeeping, personal hygiene, or meal preparation to assist primarily senior households living independently.

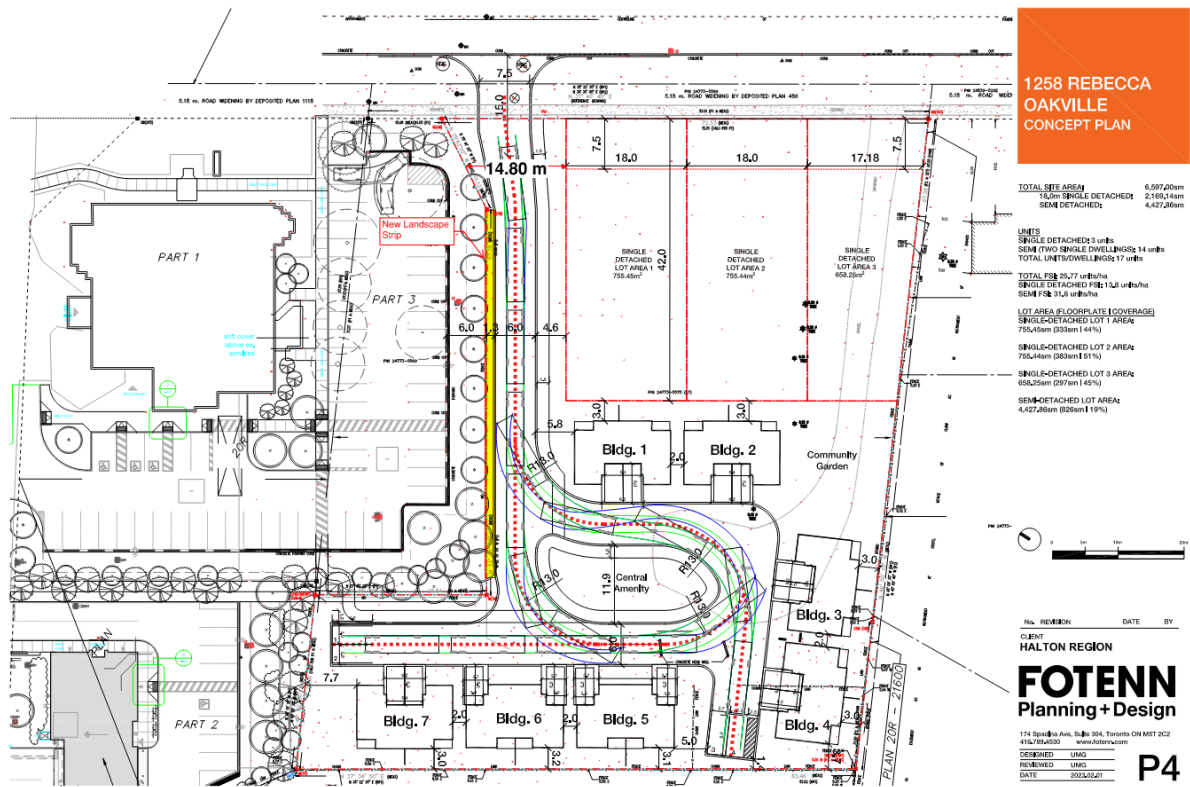


Figure 1: Proposed concept plan

Two of the three lots, proposed for new detached dwellings, would provide 18.0 m of frontage along Rebecca Street and the third providing 17.18 m of frontage. Two of the three lots would provide a lot area of to 755m² (8,126.75ft²), and the third would provide 658m² (7,082.65ft²) of lot area. All three lots would have direct access from Rebecca Street. It is the Applicant's intent that the foregoing three (3) lots would be sold on the open market and be developed by the beneficial purchasers. As a result, there are no specific building plans available, at this time.

The applicant intends to subdivide the single property into four (4) new lots in accordance with the *Planning Act*. The four (4) new lots include the retained parcel that would be used for the assisted independent living community.

Each of the proposed fourteen (14) dwelling units within the assisted independent living community are proposed to be 59m² (635 ft²) in size (Gross Floor Area). The proposed floor plans include a one-bedroom layout, which includes universal design principles (environments intended to be accessed and used by the maximum number of people possible), accessible units, and sustainable and energy efficient standards designed to meet Canada Mortgage and Housing Corporation ("CMHC") Co-Investment program criteria. The vision for the independent living units is to achieve a contemporary community, inspired by a cottage feel, similar to Rotary Gardens on Woodside Drive. Each one-bedroom bungalow unit is proposed to include a private

driveway, accommodating one (1) surface parking space per unit. Four proposed visitor parking spaces are also proposed on-site for shared use.

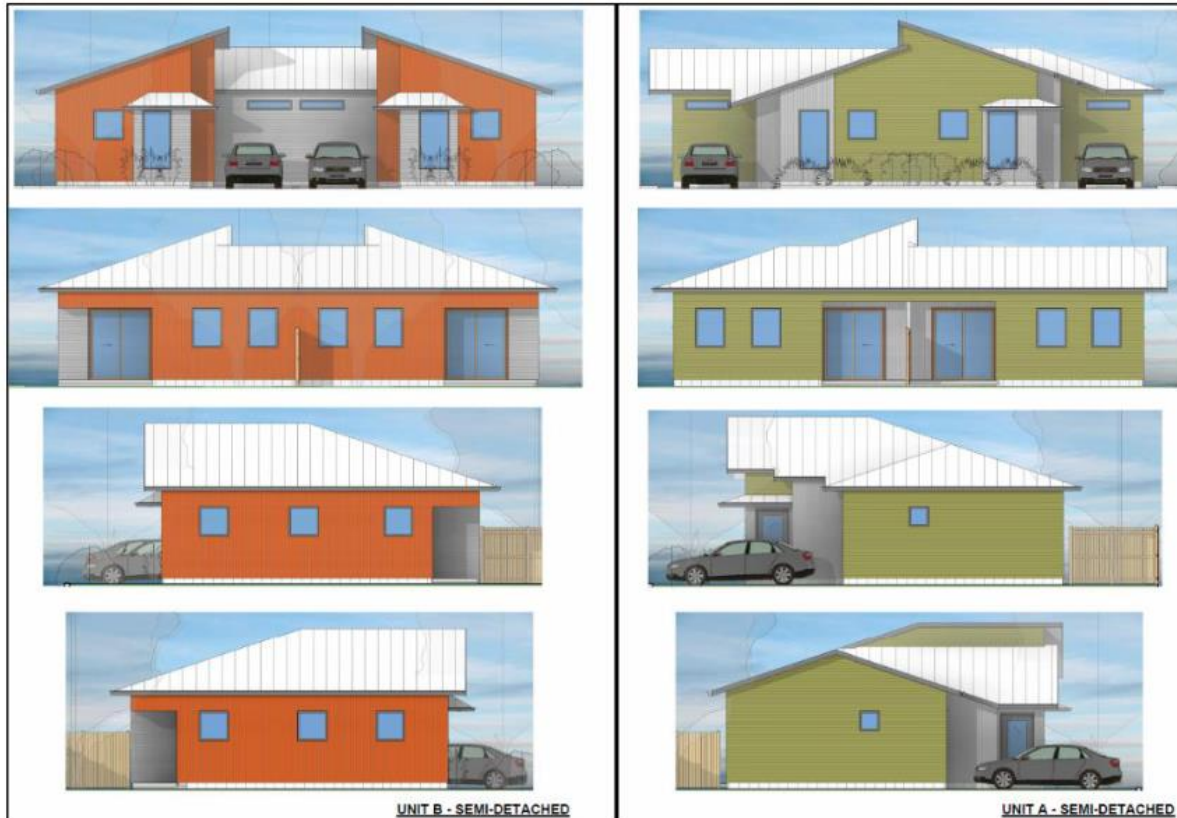


Figure 2: Proposed concept elevations

Access to the assisted independent living community is proposed via a private roadway off Rebecca Street, aligned with the signalized intersection of Rebecca Street and Warminster Drive. The design of the private road includes a separated 1.8 metre wide sidewalk to facilitate pedestrian access to the site from Rebecca Street together with a pedestrian connection to the Woodside Public Library to the West.

The central courtyard is proposed to provide outdoor space for tenants to gather and socialize, together with an additional community garden space near the northeast corner of the community. Both of these shared amenity spaces will serve to provide residents with physical and social connections amongst family and friends of the communities' residents.

Changes to Proposal

Through the review of the subject application and to address staff comments, the proposal has been slightly modified. The applicant has provided revised plans that do not change the fundamental concept layout or proposed use of the lands; site specific

provisions have been revised based on additional feedback from members of the public, Council and Town staff. There is one minor change to the concept plan, which is the inclusion of a 1.3m landscape strip along the shared property boundary with Woodside Public Library. This landscape strip along the adjacent property boundary will provide for additional buffering between the two sites, provide for landscaping enhancements and contribute to stormwater management controls for the site.

A Zoning By-law Amendment is required to amend the site's zoning, for a portion of the lands, from RL2-0 to RL2 SP:419 and RL2-0 to RL7 SP:420. A copy of the proposed Zoning By-law Amendment (By-law 2023-009) is herein appended as "**Appendix 'F'**".

Location & Site Description

The subject lands are located on the south of Rebecca Street, east of Woodside Drive, west of Sandwell Drive, adjacent to Woodside Public Library and the new Halton Region, Paramedic Services Station 15, and north of Patricia Picknell Elementary School. The subject property is municipally known as 1258 Rebecca Street, has an area of 0.66 hectares, frontage along Rebecca Street of 72.53m, and is currently vacant (the "**Subject Lands**").

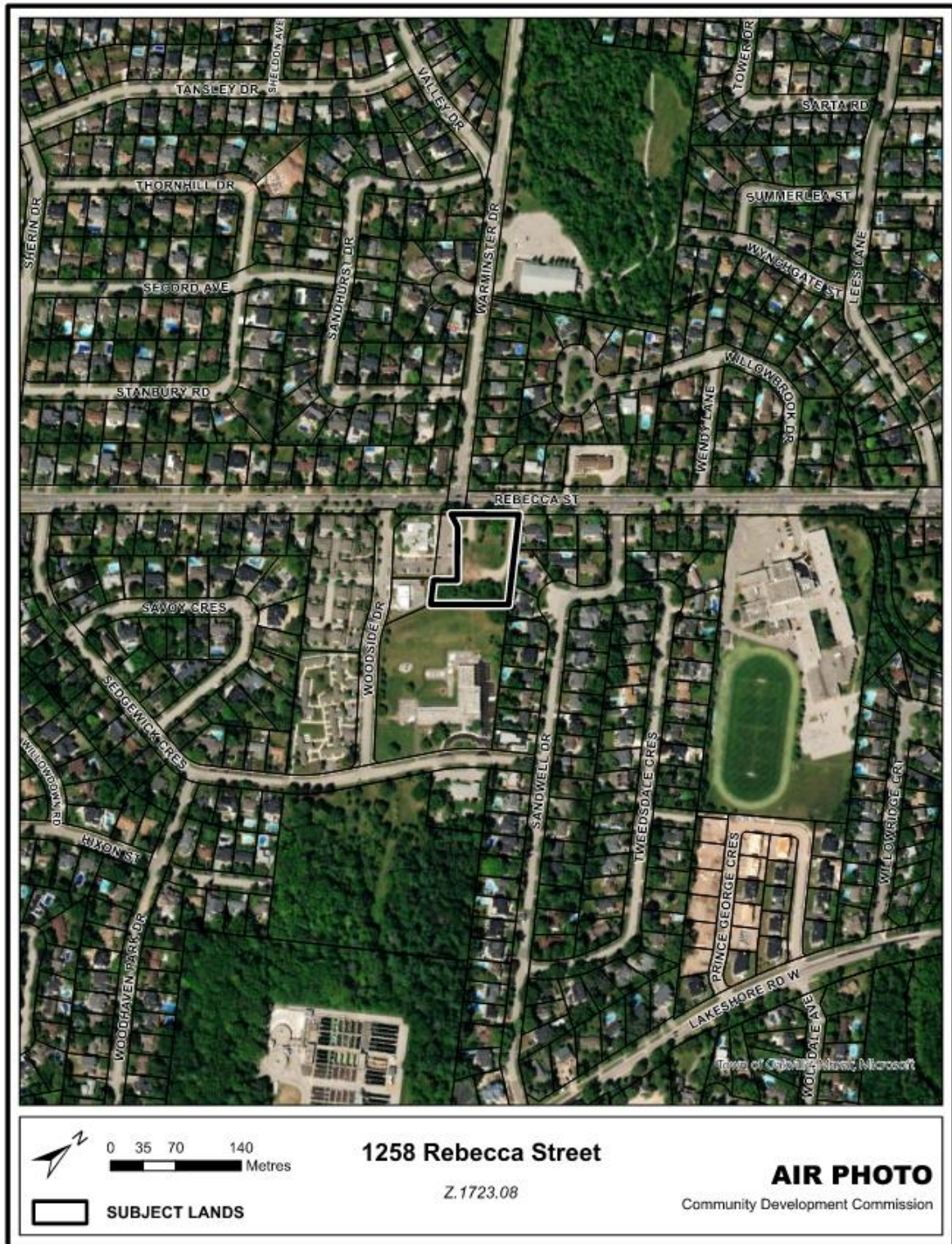


Figure 3: Air Photo

Surrounding Land Uses

The surrounding land uses are as follows:

North – Rebecca Street / Detached Dwellings

East – Detached Dwellings

South – Patricia Picknell Elementary School

West – Woodside Public Library and Halton Region Paramedic Services, Station 15

PLANNING POLICY & ANALYSIS:

The property is subject to the following policy and regulatory framework:

- Provincial Policy Statement (2020)
- Growth Plan for the Greater Golden Horseshoe (2019)
- Halton Region Official Plan
- Livable Oakville Official Plan (2009)
- Zoning By-law 2014-014

Provincial Policy Statement

The Provincial Policy Statement ('**PPS**'), which came into effect on May 1, 2020, continues to recognize that there are complex relationships among environmental, economic and social factors in land use planning. The PPS encourages the wise management of land to achieve efficient development and land use patterns by directing growth to settlement areas and encourages Planning authorities to permit and facilitate a range of housing options, including new development as well as residential intensification, to respond to current and future needs for a time horizon of up to 25 years.

The PPS promotes the integration of land use planning, growth management and transit supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments and standards to minimize land consumption and servicing costs.

The subject lands are located within a settlement area, which are to be the focus of growth and development. The land use patterns within the settlement area are based on densities and a mix of land uses that, among other matters, efficiently use land and resources, and appropriately use the infrastructure and public service facilities that are planned or available.

The proposed Zoning By-law Amendment represents an efficient use of land and existing resources through compatible residential infill and intensification, and therefore is consistent with the PPS.

There are no significant built heritage resources or significant cultural heritage landscapes located on or adjacent to the subject lands. The review of the site plan application will fully address other policy requirements such as stormwater management, functional servicing, tree preservation, transportation implications as well as, landscape and urban design requirements.

Staff are of the opinion that the proposed Zoning By-law Amendment would contribute to a healthy, liveable and safe community and that the proposal is consistent with the PPS.

Applicable policies have been appended to this report as “**Appendix ‘B’**”.

Growth Plan

The Growth Plan for the Greater Golden Horseshoe (2019) (**‘Growth Plan’**) is a long-term plan that intends to manage growth, build complete communities, curb sprawl and protect cultural heritage resources and the natural environment.

The Growth Plan provides policies for where and how to grow, directing population and employment growth to urban areas and rural settlement areas with delineated built boundaries on full municipal services (policy 2.2.2). The subject lands are located within a “Delineated Built-up Area”.

Municipalities are required to undertake integrated planning to manage forecasted growth to the horizon of this Plan, which, amongst other matters, establish a hierarchy of settlement areas, and of areas within settlement areas, and provide direction for an urban form that will optimize infrastructure, particularly along transit and transportation corridors, to support the achievement of complete communities through a more compact built form.

The policies of the Growth Plan are to be applied to support complete communities that feature a diverse mix of land uses with convenient access to local stores, services, and public service facilities, provide a diverse range and mix of housing options, including affordable housing, and expand convenient access to transportation options, as provided in Section 2.2.6.

The subject lands area located within the “Delineated Built-up Area” where growth will be focused within settlement areas and intensification is encouraged by the Growth Plan. The proposed Zoning By-law Amendment, to permit the construction of 14 new semi-detached dwelling units and future severance applications that seek to create three additional parcels for development of detached dwellings, is considered intensification. The proposed intensification of the site would represent efficient use of existing infrastructure, convenient access to local stores, public service facilities

and will provide a range and mix of housing options. This application is consistent with the Growth Plan, 2019.

A summary of applicable policies is appended to this report as “**Appendix ‘C’**”.

Halton Region Official Plan

The subject lands are designated ‘Urban Area’ in the Halton Region Official Plan (ROP). The Urban Area policies of the ROP provide that the range of permitted uses and the creation of new lots within the Urban Area will be in accordance with Local Official Plans and Zoning By-laws. All development, however, shall be subject to all other relevant policies of the Regional Plan, including Section 85 which identifies the objectives for *Housing*.

Section 85(5) states that one of the objectives of the Regional Official Plan, in relation to housing, is to meet the housing needs of the Region through the provision of *Assisted Housing*, *Affordable Housing* and *Special Needs Housing* in Halton. Further, Section 85(6) provides policy for the integration of *Assisted* and *Special Needs Housing* with *Market Housing*; Section 85(7) promotes the provision and management of *Assisted Housing* in *Halton* through the Halton Community Housing Corporation.

Regional Staff have reviewed the application within the context of the Regional Official Plan (ROP) and offer no objection to the above referenced application, subject to the servicing comments being addressed to Halton Region’s satisfaction.

Halton Region staff have reviewed the application to amend the zoning and are of the opinion that the proposal conforms to the relevant planning documents and have no objection to the subject application.

For the reasons outlined in this report, staff are of the opinion that all foregoing matters have been addressed, and that the proposed Zoning By-law amendment conforms to the Halton Region Official Plan.

Livable Oakville Plan

The Livable Oakville Plan was approved by the Ontario Municipal Board on May 10, 2011. The Livable Oakville Plan is currently undergoing a 5-year Official Plan Review to ensure the policies are consistent with the Provincial and Regional policies, support the Town’s strategic goals, and reflect the visions and needs of the community.

OP Objectives

A variety of residential uses is accommodated through the three Residential land use designations: Low Density Residential, Medium Density Residential and High Density

Residential. These designations provide for a full range of housing types, forms and densities throughout the Town.

Section 2.2 of the *Livable Oakville Plan* provides the following guiding principles:

2.2.1 Preserving and creating a livable community in order to:

- a) preserve, enhance, and protect the distinct character, cultural heritage, living environment, and sense of community of neighbourhoods;*
- b) direct the majority of growth to identified locations where higher density, transit and pedestrian oriented development can be accommodated; and,*
- c) achieve long term economic security within an environment that offers a diverse range of employment opportunities for residents.*

2.2.2 Providing choice throughout the Town in order to:

- a) enable the availability and accessibility of a wide range of housing, jobs and community resources to meet the diverse needs of the community through all stages of life;*
- b) provide choices for mobility by linking people and places with a sustainable transportation network consisting of roads, transit, walking and cycling trails; and,*
- c) foster the Town's sense of place through excellence in building and community design.*

2.2.3 Achieving sustainability in order to:

- a) minimize the Town's ecological footprint;*
- b) preserve, enhance and protect the Town's environmental resources, natural features and areas, natural heritage systems and waterfronts; and,*
- c) achieve sustainable building and community design.*

Section 11 of the *Livable Oakville Plan* outlines the objectives that shall apply to all Residential Areas:

- a) maintain, protect and enhance the character of existing Residential Areas;*
- b) encourage an appropriate mix of housing types, densities, design and tenure throughout the Town;*
- c) promote housing initiatives to facilitate revitalization, compact urban form and an increased variety of housing alternatives;*
- d) promote innovative housing types and forms to ensure accessible, affordable, adequate and appropriate housing for all socio-economic groups;*

- e) *encourage the conservation and rehabilitation of older housing in order to maintain the stability and character of the existing stable residential communities; and,*
- f) *discourage the conversion of existing rental properties to condominiums or to other forms of ownership in order to maintain an adequate supply of rental housing.*

Urban Structure

Schedule A1, Urban Structure, of the Livable Oakville Plan provides the basic structural elements for the Town and identifies the subject lands as being within the 'Residential Areas'. Residential Areas include low, medium and high density residential uses as well as a range of compatible facilities such as schools, places of worship, recreation and commercial uses that serve the residents of the Town. Growth and change within Residential Areas may occur provided the character of the area is preserved and the overall urban structure of the Town is upheld.

Land Use Policies

The subject lands are designated Low Density Residential by the Town's Official Plan (OP). The Low Density Residential designation permits detached, semi-detached and duplex building types up to a density of 29 dwelling units per hectare. The proposed 17 unit development (includes 14 assisted independent living units and three future detached dwelling units) would have a density of 26 units per hectare.

The subject lands are also identified on Schedule A1 – Urban Structure as being within the Town's system of Residential Areas. Excerpts of the following referenced OP policies are attached as "**Appendix 'D'**".

Section 3 of the OP establishes Oakville's Urban Structure, which describes and assigns the basic structural elements of the Town. Section 3.9 describes how some growth and change may occur in Residential Areas provided the character of the area is preserved and the overall urban structure of the Town is upheld.

Section 4 of the OP, Managing Growth and Change, outlines policies of this Plan relating to the management of growth and change, and reflects the significant shift to a more compact urban form and intensification within the built-up area. Subsection 4.3, Residential Intensification Outside of the Growth Areas, states that while the Town's Growth Areas are to be the key focus for development, growth and change may occur in established stable residential communities, "provided the character of the areas is preserved and the overall urban structure of the Town is upheld".

Section 11 of the OP provides for the Town's Residential policies. It states that intensification "within the stable residential communities will be subject to policies that

are intended to maintain and protect the existing character of those communities.” The OP lists a set of objectives that apply to the Town’s Residential Areas, which includes maintaining the character of existing residential areas while encouraging a mix of housing types through the Town.

Subsection 11.1.1 of Livable Oakville provides that the Town will continuously seek to work with the Region to provide housing opportunities for a variety of socio-economic groups with differing physical needs.

Subsection 11.1.4 provides that development shall conform with policies relating to urban design and sustainability set out in Part C of the Town’s Official Plan.

Subsection 11.1.5 provides that development on private roads shall be discouraged, where it is demonstrated that a public road is not warranted, development through plans of condominium on private roads will be permitted so long as all required services are appropriately accommodated, and all applicable policies of the OP are satisfied. Based on the scale, size and orientation of the proposed development a public roadway would not be required and a privately owned and maintained roadway would better suit the use of the land.

Subsection 11.1.6 of the OP states, “Special needs housing¹ may be permitted through a range of housing types in all residential land use designations in accordance with section 11.1.9 and where adequate residential amenities and services are provided.”

Subsection 11.1.8 provides that intensification within stable residential communities shall be provided on lands designated low density residential at the intersection of arterial and/or collector roads that have sufficient frontage and depth to accommodate appropriate intensification. Additionally, 11.1.8 outlines the objectives and requirements for intensification within stable residential communities shall be provided. For lands designated Low Density Residential, land division “may be considered where it is compatible with the lot area and lot frontages of the surrounding neighbourhood, and subject to the policies of section 11.1.9”.

Subsection 11.1.9 provides criteria for which all development within stable residential communities shall be evaluated. The full list of criteria is provided in Appendix ‘D’, but the most relevant to the current application are listed as follows:

¹ **Special needs housing** means any housing, including dedicated facilities in whole or in part, that is used by people who have specific needs beyond economic needs, including but not limited to, needs such as mobility requirements or support functions required for daily living. Examples of special needs housing may include but are not limited to housing for persons with disabilities such as physical, sensory or mental health disabilities, housing for the elderly, group homes, emergency shelter, housing for the homeless, and independent permanent.

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- a) *The built form of development, including scale, height, massing, architectural character and materials, is to be compatible with the surrounding neighbourhood.*
 - d) *Where applicable, the proposed lotting pattern of development shall be compatible with the predominant lotting pattern of the surrounding neighbourhood.*
 - e) *Roads and/or municipal infrastructure shall be adequate to provide water and wastewater service, waste management services and fire protection.*

Permitted uses for the Low Density Residential designation are provided under subsection 11.2 of the OP. The permitted uses include semi-detached and detached dwellings up to a density of 29 dwelling units per site hectare. The development has a proposed gross density of 26 dwelling units per site hectare, for the entire site (0.66ha).

To facilitate the proposed development, the applicant intends to subdivide the subject lands, in accordance with the *Planning Act*.

Further, the applicant will be required to proceed through site plan approval prior to the issuance of building permits for the construction of the 14 semi-detached dwelling units. The proposed development exceeds 10 units, which does not exempt the applicant from proceeding through site plan control under recent changes to the *Planning Act* from Bill 23. Subsection 28.11 of the Livable Oakville Plan states, the entire town is subject to site plan control and the Town will require the owner to fulfill conditions of site plan approval and enter into an agreement with the Town relating to said conditions.

Town Planning staff are of the opinion that the proposed Zoning By-law amendment is consistent with all applicable OP policies. The proposal upholds the Urban Structure, is compatible with the existing neighbourhood and its surrounding site specifications and complies with the evaluative criteria for development in stable residential communities in subsection 11.1.9.

A summary of applicable policies is appended to this report as “**Appendix ‘D’**”.

Zoning By-law

Zoning By-law 2014-014 is the comprehensive Zoning By-law applying to all properties in Oakville south of Dundas Street and north of Highway 407. It was passed by Council on February 25, 2014 and partially deemed in force by the Ontario Municipal Board on February 23, 2015. The most recent consolidation of the 2014-014 Zoning By-law is dated February 10, 2020.

The proposed Zoning By-law Amendment is comprised of two components, one dealing with the future proposed detached dwelling lots, and the other dealing with the proposed 14 semi-detached dwelling units, as follows:

Detached dwelling units

The second portion of the Zoning By-law amendment is shown as the red hatched area in Figure 5, and is the area proposed to be rezoned from Residential Low (RL2-0) to Residential Low (RL7 SP:420) with site specific provisions. The parcel is proposed to be subdivided into three lots, in accordance with the *Planning Act*. The RL2 SP:419 zone permits the construction of detached dwellings, with site specific provisions. This component of the proposed by-law amendment is to permit the development of the lands for detached dwellings, subject to the future division of the lots.

Special Provision 419 is proposed to be placed on the area shown as the red hatched area in Figure 5. The proposed modifications to the zoning by-law will achieve an appropriate use of land and represents a gentle intensification of the lands that meets the policies of the Town's Official Plan. Specifically, these modifications provide an opportunity to increase the Town's housing stock, while ensuring the future development of the lands are consistent with the surrounding area and protects this neighbourhood character.

Zoning Regulation (RL2)	Existing Requirement	Lot #1	Lot #2	Lot #3
Minimum <i>lot area</i>	836m ²	755m ²	755m ²	658m ²
Minimum <i>lot frontage</i>	22.5m	18m	18m	17.18m

Table 1: Future lot breakdowns

The proposed future detached dwelling lots will have frontage along Rebecca Street and can be adequately serviced by existing municipal water, wastewater and sanitary services that are existing within the municipal right-of-way and can be connected directly. Intensification of the subject lands would create lots that are consistent with the surrounding lot fabric, which maintains and protects the character of the neighbourhood. It is Staff's opinion that the proposed future detached dwelling lots conforms to the Livable Oakville Plan, specifically policies concerned with intensification and development in stable residential communities (Sections 11.1.8 and 11.1.9).

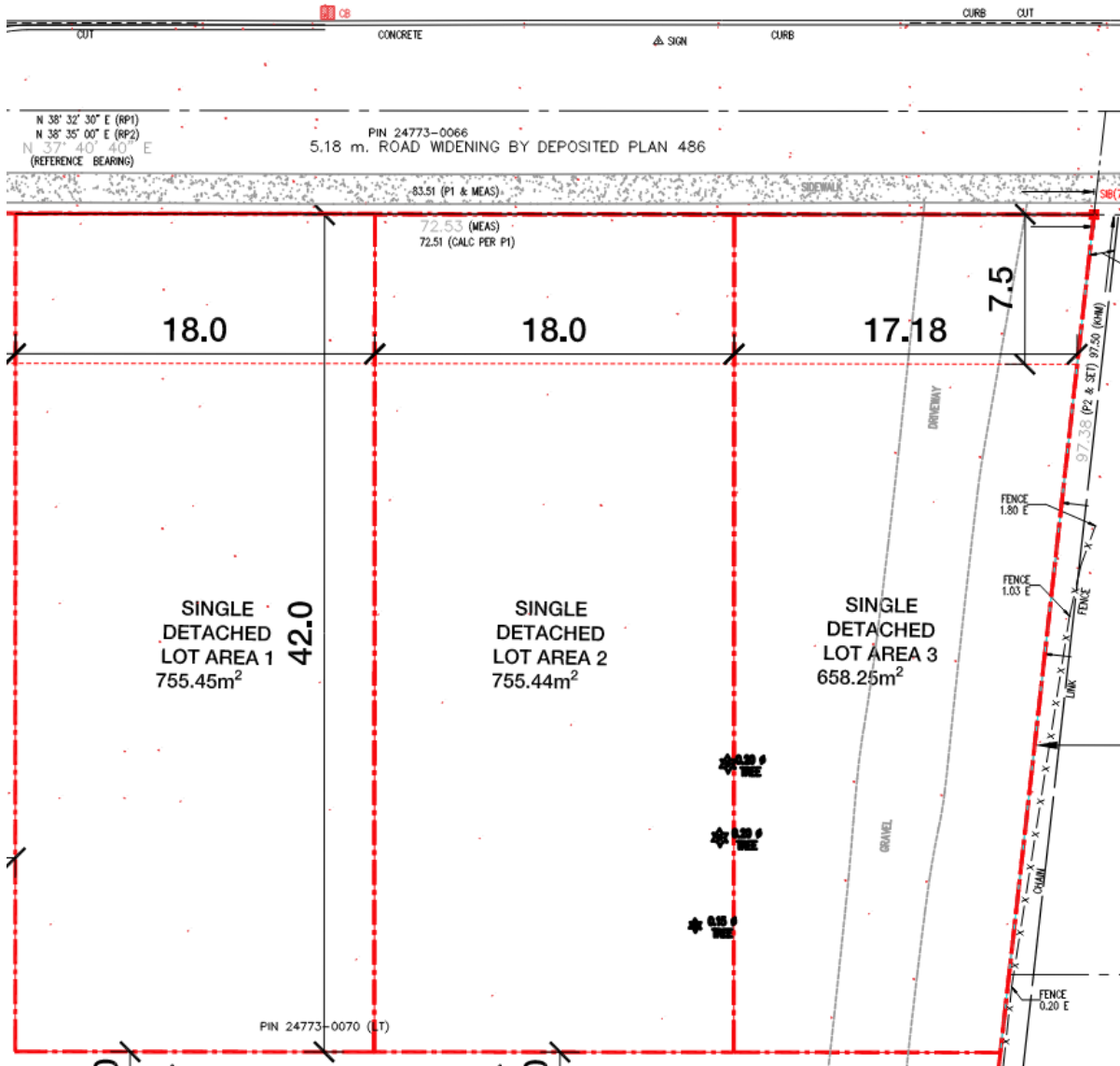


Figure 4: Future detached dwelling lots along Rebecca Street

The site-specific zoning regulations, when considered in relation to the existing neighbourhood, are not out of character and conform with policies related to intensification within stable residential communities for lot area and lot frontages. The proposed modifications to the RL2 zone will protect the existing neighbourhood character while achieving the objectives of intensification within stable residential communities. The large lot sizes and frontage proposed for the future subdivision of the lands are similar to those in the surrounding neighbourhood and promote a type of development consistent with the larger neighbourhood character. Further, the site-specific provisions represent appropriate performance standards, which adequately achieve the objectives of the Town's Official Plan regarding intensification within stable communities, compatibility with surrounding properties, and the overall protection of the existing neighbourhood character.

The proposed future detached dwelling lots comply with all other zoning regulations for the RL2 zone. As a result of changes introduced through Bill 23, the development of these units would not be subject to site plan control.

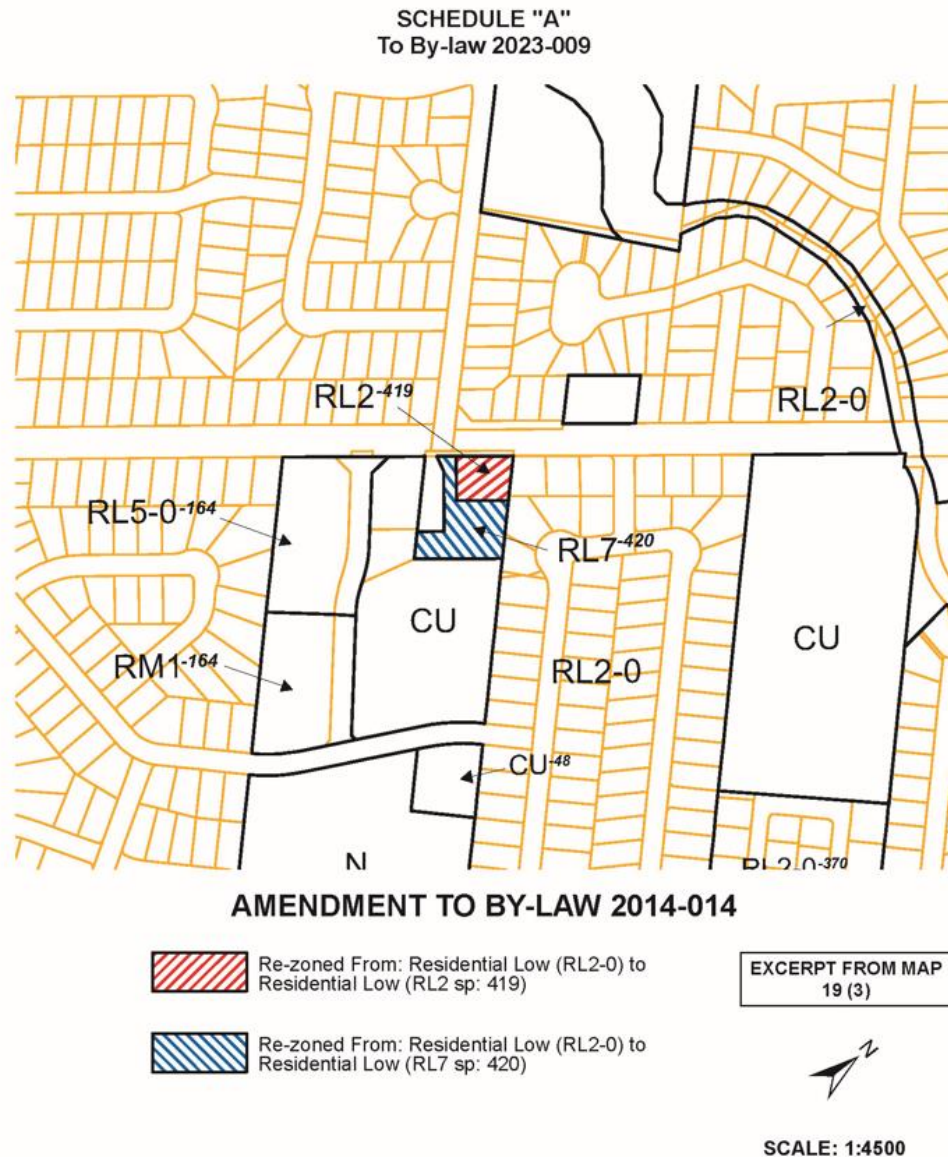


Figure 5: Schedule A to By-law 2023-009

Semi-detached dwelling units

The second portion of the Zoning By-law amendment is shown as the blue hatched area in Figure 5, and is the area proposed to be rezoned from Residential Low (RL2-

0) to Residential Low (RL7 SP:420) with site specific provisions. The parcel will be the lands retained by Halton Region after the subject lands are subdivided into the three future detached dwelling lots fronting Rebecca Street. The RL7 SP:420 zone permits the construction of detached dwellings, with site specific provisions. This component of the proposed by-law amendment is to permit the development of the lands for the 14 assisted independent living dwelling units, subject to the future division of the lots.

The proposed modifications to the zoning by-law will achieve an appropriate use of land and represents a transitional use of the lands that meets the policies of the Town’s Official Plan. Specifically, these modifications provide an opportunity to increase the Town’s ability for residents to age in place, while ensuring the future development of the lands protect the character of the surrounding neighbourhood area. The development of semi-detached dwellings represents a transitional use between the surrounding lower-density detached dwellings to the east and the denser senior’s community to the west of Woodside Drive.

A table of the special provisions is shown in Table 1 below, and the full by-law 2023-009 is provided as “**Appendix ‘F’**”.

420	1258 Rebecca Street	Parent Zone: RL7
Map 19(3)	(Part of Lot 23, Concession 4)	(2023-009)
15.420.1 Zone Provisions		
The following regulations apply:		
a)	Minimum <i>lot frontage</i>	14.0 m
b)	Minimum <i>rear yard</i>	3.0 m
c)	Maximum number of <i>dwelling units</i>	14
d)	Minimum <i>separation distance</i> between <i>buildings</i> containing <i>dwelling units</i>	2.0 m
e)	Maximum encroachment for all <i>uncovered platforms</i> and/or <i>balcony</i> into a <i>minimum yard</i>	0 m
15.420.2 Parking Regulations		
The following parking regulations apply:		
a)	Minimum number of <i>parking spaces</i> for <i>semi-detached dwellings</i>	1.0 per <i>dwelling</i>

Table 2: Special Provision 420 of By-law 2023-009

Special Provision 420 is proposed to be placed on the lands shown as the blue hatched area in Figure 5. The special provision will provide specific development regulations to permit the use of the land for the proposed 14 semi-detached dwelling units which constitutes the assisted independent living community.

The proposed assisted independent living dwelling units comply with all other zoning regulations for the RL7 zone. This proposed development would still need to proceed through the Town's site plan control process and be granted site plan approval by the Director of Planning, prior to the issuance of any building permits.

A discussion of the rationale for the site-specific regulations contained in the special provision is provided below:

The existing zoning for the subject lands is RL2-0, which permits detached dwellings and the corresponding development regulations as noted in the Town's Zoning By-law (2014-014). This proposal seeks to change a portion of this zoning to RL7 with site specific provisions that would permit the development of 14 assisted independent living dwelling units. Through the site plan process, these site specific details will be reviewed and implemented to ensure the development is consistent with Council's decision. The development of the assisted independent living community contributes to addressing a growing need for the provision of housing that will provide existing and future residents of Oakville, an opportunity to age in place.

As part of the site specific provisions, the applicant is requesting a 4.5m reduction in the rear yard setback, from the required 7.5m under the RL7 zone. This would result in a total rear yard setback of 3m. The subject lands' rear yard is the boundary that is shared with Patricia Picknell Elementary School, directly opposite of Rebecca Street. The rear yard for dwellings 5, 6 and 7 and interior side yard of dwelling 4 shares a boundary with the open space of the adjacent elementary school lands.

The proposed reduction in rear yard setback will ensure that there is adequate room on site for the safe maneuvering of emergency service vehicles and personal automobiles while also providing safe and accessible pedestrian circulations for residents. The proposed rear yard setback reduction will still accommodate for the effective use of private amenity space at the rear of the dwellings, as shown in Figure 6, through the inclusion of private patios. The inclusion of on-site shared amenity areas is a design instrument to enhance social and physical connections of future residents. The community use garden will contribute to enhancing resident experience on-site, will contribute to enhancing inter-personal relationships and provide an opportunity for recreation and leisure. This proposal includes a centralized shared amenity space with a gazebo and landscape features as well as a secondary shared amenity space that is to be used as a community garden.

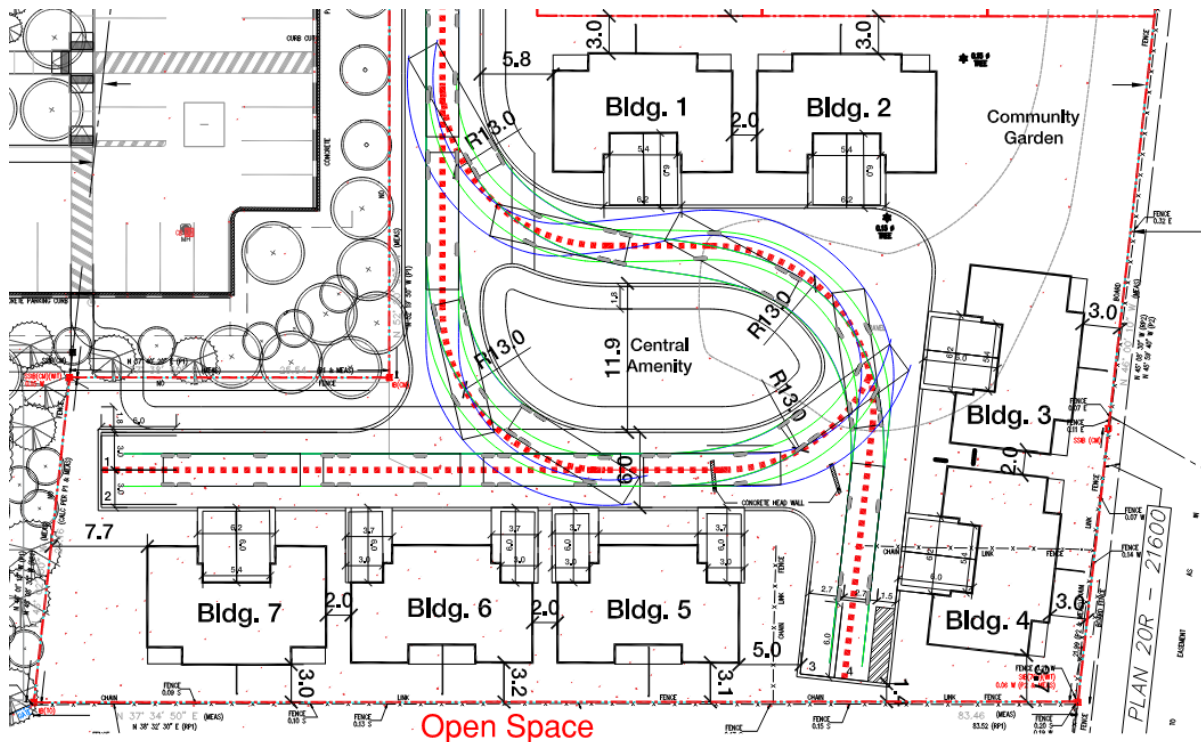


Figure 6: Proposed concept plan of semi-detached block

The special provisions included as part of this zoning by-law amendment will permit the development of the site as an assisted independent living community for senior citizens, with community supports. The special provisions included as part of this application seek to implement key design concepts presented to Council and approved by Regional Council without negatively impacting adjacent properties and protecting the character of the neighbourhood. The modifications to the zoning are considered appropriate given the nature of the development, existing site constraints and considerations of Council, members of the public and staff. Through the site plan control process, these details and modified site development specifications will be reviewed and evaluated by Town staff to the satisfaction of the Director of Planning.

The by-law amendment, as proposed, will modify regulations that contributes to increasing the Town's housing for seniors. The modified regulations, collectively align with the criteria related to intensification in stable neighbourhoods and criteria for the protection of the existing character of those existing neighbourhoods. The performance standards proposed through this amendment help to achieve the objectives of the Town's Official Plan, is compatible with surrounding uses and provides for a gentle intensification of currently vacant lands.

The proposed use of semi-detached dwellings is a permitted use is considered appropriate on the subject lands in relation to the surrounding area, provides greater opportunities for Oakville residents to age in place, will provide for physical and social

connections through user focused design paradigms and enhance existing connections to Town facilities.

TECHNICAL & PUBLIC COMMENTS:

At the Statutory Public Meeting held at Planning and Development Council on June 27, 2022, Council approved a resolution to (1) receive the Public Meeting report for this application dated June 13, 2022, (2) to receive any comments from the public, and (3) consider comments provided by Council. Town staff received public comments after the public meeting held at Planning and Development Council on June 27, 2022.

A revised Functional Servicing Report (FSR) and preliminary site servicing, grading and proposed drainage plans were submitted as part of this application. The FSR demonstrates that there will be no impacts to the Region's water or sanitary system because of this development. The FSR also demonstrates that the proposed infrastructure will be able to effectively manage and mitigate stormwater flows on-site through below ground storm sewers.

As noted in the 'Changes to Proposal' section of this report, since the statutory public meeting on June 27th, 2022 revisions to the proposal, together with the supporting plans and reports were made to address comments and considerations of the public, Council and staff. The current version of the reports and plans submitted in support of this application are available on the Town's website at the following link: <https://www.oakville.ca/business/da-41238.html>

The following is an overview of how the matters identified by staff at the Public Meeting were addressed, followed by matters identified by the Public.

Issues Identified by Staff at Public Meeting

i. Impact/integration of the proposed development on adjoining properties, including adequate provision / extension of pedestrian walkways;

Comment: The proposed development integrates well with the surrounding neighbourhood where the prevailing dwelling units are low-rise detached dwellings. The proposal complements the existing neighbourhood through both the form of development and density of development on the subject lands. The proposal also provides a connection to and an extension of the pedestrian walkway at the rear of the public library (Woodside Branch) to the subject lands. Enhancements to pedestrian pathways will be required through the site plan process, subject to the satisfaction of the Director of Planning.

ii. *Conformity with applicable policy, including criteria in Section 11.1.9 of Livable Oakville to maintain and protect the existing neighbourhood character;*

Comment: Consistency and conformity to the relevant planning policy has been evaluated in this report. The application conforms with Section 11.1.9 of Livable Oakville, maintains and protects the existing neighbourhood character and contributes to increasing the range and mix of housing options. The proposal also represents a gentle intensification of previously vacant lands and provides a transitional use between densities and types of residential dwellings.

iii. *Lotting pattern and proposed density of development*

Comment: The proposed lotting pattern contributes to the feasibility of the proposal and complements the existing lotting patterns of the surrounding neighbourhoods. The proposed density for the entire site of 26 Units/ha (units per hectare) is in keeping with the maximum permitted density for the low density residential land use designation of 29 Units/ha. The three street fronting future detached lots are consistent with lotting patterns in the surrounding neighbourhood. The semi-detached dwellings will not have individual lots as they will be owned and operated as rental units.

iv. *Design of proposed private road, and transportation considerations*

Comment: The proposed private road conforms to Section 11.1.5 of Livable Oakville as all required services can be appropriately accommodated through this mechanism. Transportation Engineering has not identified any concerns with the proposed private road. The site design provides for a safe and effective circulation for emergency vehicles, pedestrian vehicles and pedestrian circulations on-foot. Enhancements to the proposed pedestrian pathways will be required as part of the site plan process.

v. *Suitability of lands for intended use (environmental)*

Comment: The lands are currently vacant and were previously used for an institutional purpose. One finding of the Phase Two ESA was that a Record of Site Condition (RSC) under Ontario Regulation 153/04 is not required. A RSC is not required for the proposed development because the previous use of the land is of a comparable sensitivity to the proposed future use. However, a RSC has been filed in the Environmental Site Registry. No known contaminants were identified, as such, remediation measures are not required.

Members of the public expressed concern that existing vacant land on the adjacent lands (CSV – Patricia Picknell) was not being used for this proposal. Staff

acknowledge that this land is not owned by the Region, is currently used as open play ground space for the elementary school and is not part of the proposed development application.

vi. *Tree preservation*

Comment: As part of the zoning by-law amendment process, the applicant has provided a Tree Inventory and Preservation Plan Report completed by Kuntz Forestry Consulting Inc. The applicant is proposing the removal of 19 privately owned trees and two municipally owned trees. The two municipally owned trees are to be removed to facilitate the private entrance to the site containing the proposed 14 assisted independent living dwelling units. The applicant is proposing to retain 10 trees throughout the site through tree protection measures. Permits will be required to remove any trees on-site. Urban Forestry staff have noted that further, detailed tree protection and preservation matters will be dealt with during the site plan approval process.

vii. *Functional servicing and stormwater management;*

Comment: The applicant has submitted a revised Functional Servicing Report (FSR) that recommends the site be serviced for water and sanitary by connecting to the existing mains on Rebecca Street. The analysis of the FSR demonstrates that the existing water system in the area can accommodate for the proposed development and that the existing sanitary sewer system can accommodate for the proposed flows from this development. The revised FSR address the initial concerns of Town Development Engineering staff and that the site will adequately manage stormwater flows through subsurface infrastructure. Further, detailed design drawings and plans will be required as part of the site plan application process.

viii. *Urban design considerations*

Comment: The applicant has provided the Town of Oakville with an updated Urban Design Brief, as part of the resubmission, that demonstrates how the proposal supports Town objectives. The proposed locations of the assisted living dwelling units are setback deep onto the vacant lands and will not have any direct interface with Rebecca Street. The nature of the units being single-storey low rise dwellings along with the landscape buffer will limit any overlook impacts from adjacent lands. Therefore, the proposed dwellings will have a limited impact on the greater public realm, immediately adjacent properties and the surrounding neighbourhood.

The proposed semi-detached dwellings provide a gentle intensification and transition between dwelling typologies and densities in the neighbourhood. The

units are not anticipated negatively impact the existing neighbourhood character and will complement the overall massing and scale of the area.

ix. *Climate change / sustainability goals and objectives.*

Comment: Staff applied best practices to reduce the carbon footprint of the proposal and to align with the ongoing climate emergency by encouraging the applicant to incorporate natural infiltration measures on site.

Public Comments

An applicant-initiated virtual Public Information Meeting (“PIM”) was held on February 23, 2022 and was attended by 21 residents, followed by a statutory public meeting on June 27, 2022. All public comments received as of the date of this report have been summarized and included in this report.

Several concerns were raised by the public.

a) Setbacks to adjacent properties and impacts on property value

Comment: The shared property boundary of the assisted independent living community will have a 1.8 m tall wooden fence installed to screen adjacent properties from the subject site. There are two semi-detached units with an interior side yard setback of 3m to existing residential properties, which exceeds the setback requirement in the by-law. Staff are proposing a minimum interior side yard setback of 3m, whereas the by-law requires a 2.4m setback to ensure adequate buffering and conformity of private amenity area is provided. There is no evidence to indicate that the development of these vacant lands will have any negative impact on neighbouring property values. The modifications to the zoning by-law are considered appropriate, as identified in this report.

b) Impacts on naturalized areas (incl. tree removals and wildlife)

Comment: As part of this proposal, the applicant has provided a Tree Inventory and Preservation Plan to demonstrate which private trees and which municipal trees are to be either protected or removed. Two municipal trees along Rebecca Street are proposed to be removed, the two trees have an appraised value of \$3,562.55. Therefore, prior to receiving final site plan approval the applicant must submit the sum of \$3,562.55 for the removal of the two trees. The development considers the protection of private and municipal trees and wildlife in the area. No adverse impacts on birds or other local wildlife has been identified as part of the tree inventory and preservation plan.

c) Traffic light control at entrance

Comment: Existing traffic light controls are located at the intersection of Warminster Drive and Rebecca Street. The entrance to the site, as proposed, will line up with the existing intersection to ensure all moves access can be accommodated through the signalized intersection.

d) Provision of garages with each unit

Comment: Due to site constraints and the nature of the proposed use of the semi-detached dwelling units for independent assisted living, garages are not a necessary requirement. Providing garages would reduce the viability of the project as proposed and would result in a reduction to the total number of dwelling units that could be built.

e) Use of vacant land at the rear of the site (Patricia Picknell Elementary School)

Comment: The applicant currently owns the subject lands, any additional lands are already owned and utilized by their respective owners. The Town and Region do not own any vacant lands adjacent to this site and therefore, are not available for use.

f) Impacts on curb appeal of adjacent detached dwellings

Comment: The proposed design of the semi-detached dwelling units is complementary and consistent with the design of existing single and semi-detached dwelling units in the surrounding neighbourhood. The design of the units, as proposed, achieves the objectives of the Town's Livable by Design Manual and implements the architectural strategies found therein.

The following matters will be addressed as part of the future site plan application in addition to reviewing/implementing all of the above matters as part of this application.

a) Visitor parking

Comment: A total of four visitor parking spaces have been allocated and are presented on the concept plan provided. Technical specifications for the parking stalls will be dealt with during the site plan process.

b) Drainage concerns

Comment: Based on the preliminary stormwater management plan, all stormwater runoff is to be directed away from adjacent properties and into appropriate catch basins/channels. Based on preliminary design information, the

site will adequately manage stormwater flows through subsurface infrastructure. Further, detailed design drawings and plans will be required as part of the site plan application process to the satisfaction of the Director of Planning.

c) Tree preservation/removals

Response: The applicant is proposing the removal of 19 privately owned trees and the removal of two municipally owned trees. There is a total of nine dead Ash trees on the site and three trees that are less than 15cm in diameter at breast height. The two municipally owned trees that would need to be removed to accommodate for the entrance have an appraised value of \$3,562.55. Prior to receiving final site plan approval, the applicant must submit the sum of \$3,562.55 to the Town for the removal of the two trees fronting Lakeshore Road West.

Notice of this recommendation meeting was mailed to those members of the public who have participated in this application process.

Issues Under Review/Matters to be Considered

This Zoning By-law Amendment application will set the permitted uses for the subject lands and provide regulations for the development of the lands for the 14 assisted independent living dwelling units. The future subdivision of the lands, in accordance with the *Planning Act*, will be required to implement the proposed development.

The next step for this proposal is to subdivide the lands, in accordance with the *Planning Act* and submit a site plan application to coordinate the technical development review of the site, to the satisfaction of the Director of Planning Services.

As part of conditional site plan approval, the owner of the lands will need to secure an easement over the adjacent property to accommodate for an emergency overland flow route. If this easement cannot be obtained, the owner of the subject lands will need to establish an alternative, engineered, solution to the satisfaction of Town staff and the Director of Planning Services.

CONSIDERATIONS:

(A) PUBLIC

A Public Information Meeting (PIM) was hosted by the applicant on February 23, 2022 that was attended by 21 members of the public. All public comments received since the public meeting have been summarized and included in this report.

A statutory public meeting was held on June 27, 2022. Notice for the meeting was distributed in accordance with the *Planning Act*. Written submissions with the concerns highlighted in the above 'Public Comments' section was received during the processing of this application.

(B) FINANCIAL

Town Development Charges will not be collected for the development of the site containing the proposed 14 assisted living dwelling units as the lands will be owned and operated by the Region of Halton and/or Halton Community Housing Corporation. The three proposed parcels along Rebecca Street will be subject to Town Development Charges as they will be sold on the open market. Education Development Charges will be required at the time of Building Permit issuance.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

The application was circulated to internal and external departments and agencies for review and comment.

(D) CORPORATE STRATEGIC GOALS

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

- be the most livable town in Canada

(E) CLIMATE CHANGE/ACTION

The proposed development has been reviewed to ensure compliance with the Town's sustainability objectives of Livable Oakville. The proposal has also been reviewed in the context of Council declaring a Climate Change Emergency on June 24, 2019 to provide opportunities to reduce the impact on existing trees and naturalized areas of the site. The proposal incorporates the use of permeable pavers on all roadways, pedestrian walkways and shared amenity areas.

CONCLUSION:

A full circulation and assessment of the application was undertaken to ensure that all technical and financial matters have been satisfactorily addressed.

Staff is of the opinion that the zoning by-law amendment is consistent with the Provincial Policy Statement, conforms to all applicable Provincial plans, the Region of Halton Official Plan, and the Livable Oakville Official Plan.

Staff is satisfied that the application, as amended, is consistent with the Provincial Policy Statement and conforms to the Growth Plan and the Halton Region Official Plan, has regard for matters of Provincial interest and represents good planning. Further, the application is consistent with the principles and overall policy direction of the Livable Oakville Plan.

Staff recommends approval of the zoning by-law amendment (By-law 2023-009) to permit the Proposal for the following reasons:

- A full circulation has been undertaken and there are no outstanding planning issues to be resolved;
- The Proposal is consistent with and would implement the vision, development objectives, community design strategy and land use strategy of Livable Oakville;
- The Proposal is consistent with the PPS and conforms to the Growth Plan and the Halton Region Official Plan, has regard for matters of Provincial interest and represents good planning;
- The proposed assisted independent living community and proposed low rise residential land use is permitted by Livable Oakville and would assist in achieving healthy, liveable and safe communities' objectives of the PPS and provide an important contribution to achieving the broader, complete community objectives of the Growth Plan
- Site design matters and considerations will be advanced through the required site plan approval applications; and,
- Comments from the public have been appropriately addressed.

APPENDICES:

Appendix A – Urban Design Brief
Appendix B – PPS Extracts
Appendix C – Growth Plan Extracts
Appendix D – Livable Oakville Extracts
Appendix E – Zoning By-law (2014-014)
Appendix F – By-law 2023-009

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