

ZONING REGULATIONS

Oakville Zoning Summary		
Zoning	Required	Provided
Subject Site	MU3 - SP 358	MU3 - SP 358
Permitted Uses	Retirement Home	Conforms
Min. Front Yard	0.0m	Conforms
Max. Front Yard	5.0m	Conforms
Min. Flankage Yard	0.0m	Conforms
Max. Flankage Yard	5.0m	Conforms
Min. Side Yard	0.0m	Conforms
Min. Side Yard (Residential)	7.5m	Conforms
Max. No Storeys	10 Storeys	Conforms
Min. No Storeys	6 Storeys	Conforms
Maximum Height	30.0m	34.4m
Min. First Storey Height	4.5m	Conforms
Tree Canopy Coverage	20%	
Snow Storage		
	AREA	PERCENTAGE
Total Site Area	5,855.7 sm	
O.B.C. Building Area (footprint):	2,639 sm	45.06%
Paved Area:	1,353.1 sm	23.10%
Landscaped Area:	1,863.6 sm	31.82%
		100%

BUILDING STATISTICS

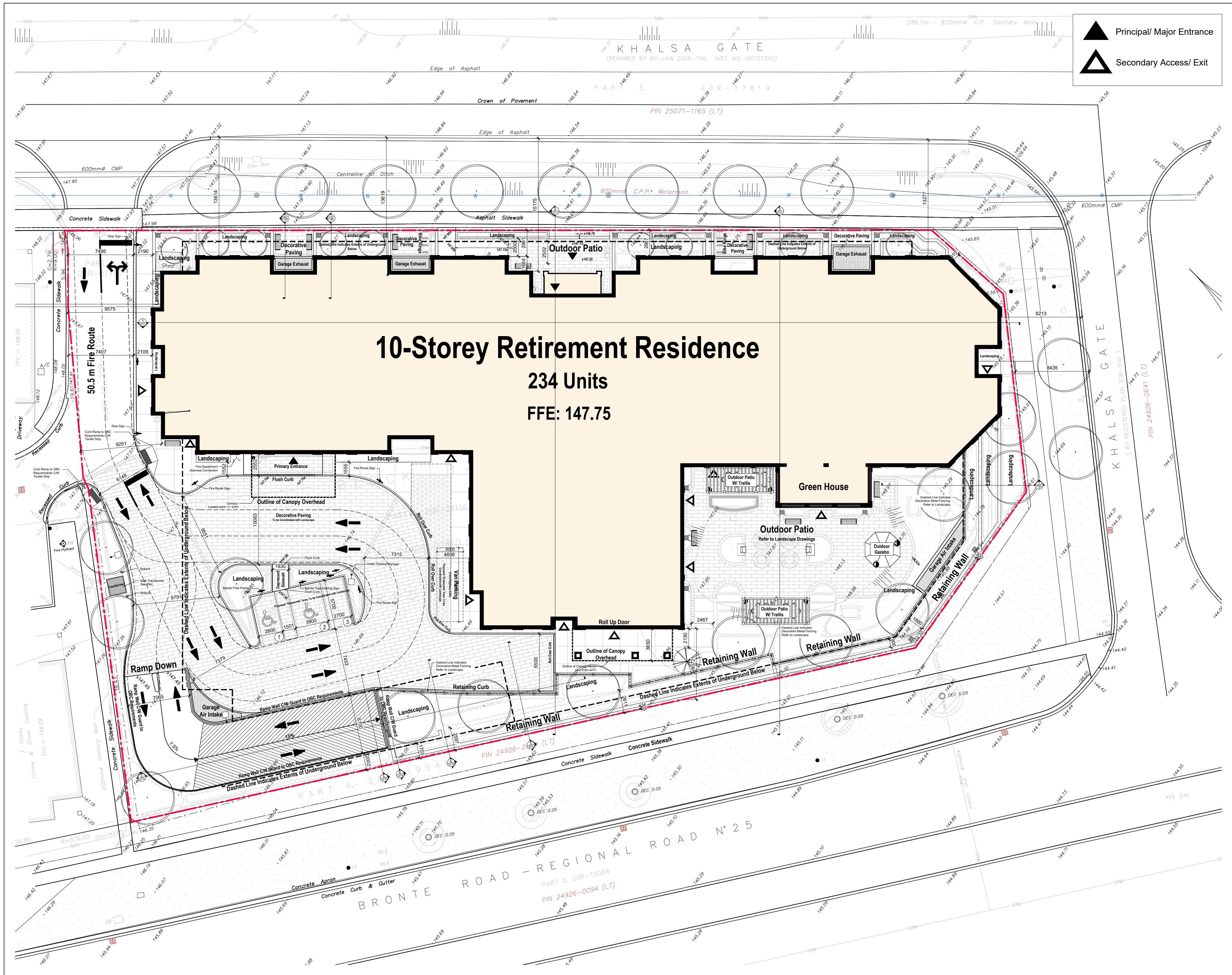
Unit Mix	1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th	
Floor Use	Amenity	MC	MC	AL	AL	IL	IL	IL	PIL	PIL	Total
Studio	-	22	22	23	23	6	6	6	6	0	114
1 bedroom	-	7	7	6	5	13	14	14	14	10	90
1 Bedroom + Den	-	0	0	0	0	1	4	4	4	3	16
2 Bedroom	-	0	0	0	0	4	2	2	2	2	12
2 Bedroom + Den	-	0	0	0	0	0	0	0	0	2	2
Total Dwelling Units		29	29	29	28	24	26	26	17	234	
Gross Floor Area											
Square Meters	2623.0	2405.0	2351.0	2290.0	2045.0	1795.0	1739.0	1739.0	1650.0	20,385.0 sm	
Square Feet	28,233	25,888	25,307	24,650	22,011	19,323	18,719	18,719	17,762	219,331.0 sf	
Total GFA (SM)										20,385.0 sm	
										219,331.0 sf	
Parking Requirements:					Parking Provided:						
Retirement: PL/L/AL/AC	234 Units @ 0.33 = 77.22 Cars				Underground:		97 Cars				
					Surface:		4 Cars				
Total Required:	77 Cars						101 Cars				
							Barrier Free Parking (Prov.: 4)				

PARKING STANDARDS

Standard Parking Space
Barrier Free Parking Space
Minimum Driveway Width
2.7m x 5.7m
Type A - 3.65m x 5.7m
Type B - 2.7m x 5.7m
1.5m Travel Width
6m

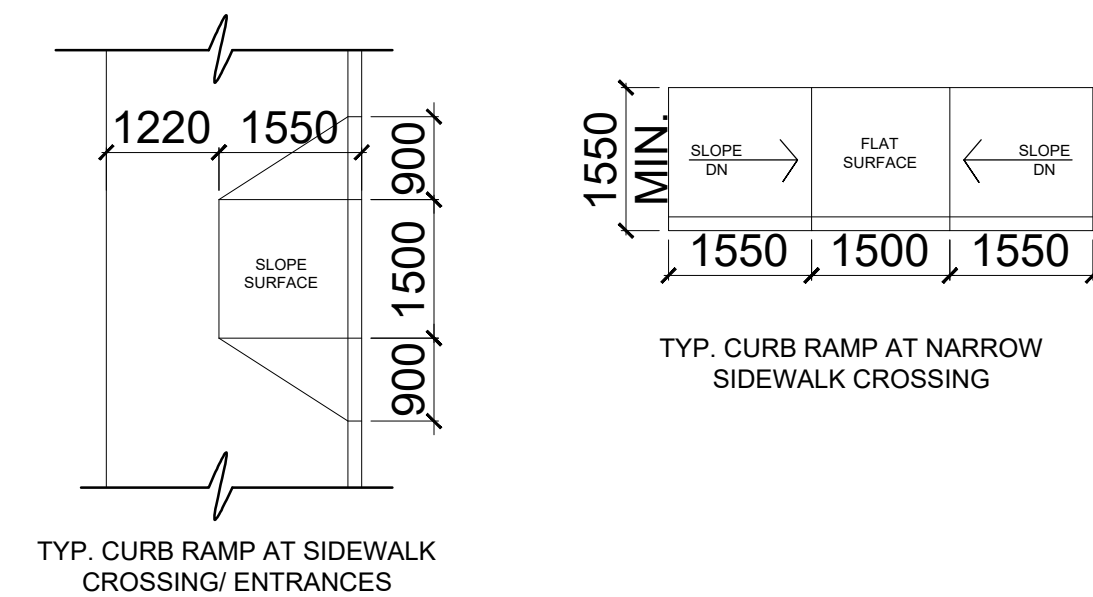
Typical Parking and Driveway Detail
Typical Barrier Free Parking Detail
Typical Underground Parking Size
Barrier Free Parking Space (Type A):
Barrier Free Parking Space (Type B):
Typical Parking Space:

- General Notes:
- All Dimensions are taken to the outside face of exterior walls, unless noted.
 - Soil test information may be obtained at owners office
 - Contractors shall take all necessary precautions when excavating on the site to determine all locations of underground services. See Mechanical and Electrical Drawings for Details.
 - The Contractor shall check and verify all grades and drainage systems prior to commencement of work.
 - Do not scale the drawings. All Discrepancies to be reported to the Architect prior to proceeding with Construction.
 - Grades at slopes at the property lines within the site to be met within 1:3
 - All Fire Access Routes shall be constructed of hard surface material designed to support a load of not less than 11,363 kg. per axle and have a change in gradient not more than 1 in 12.5 over a minimum distance of 15m
 - The drawings shall be read in conjunction with landscape, grading, and site servicing drawings.
 - The spread pattern of exterior lighting shall not infringe on adjacent property.
 - All construction shall comply with the requirements of authorities having jurisdiction.
 - No structural information to be taken from Architectural Drawings.
 - Check all dimensions on site prior to fabrication and/or installation.
 - For framing of roof and floor openings, refer to Mechanical and Structural drawings.
 - Control flow roof drains to be incorporated.
 - All ditches, culverts, boulevards, curbs and roads to be restored to original condition or better.
 - Garbage will be stored within interior refuse area.

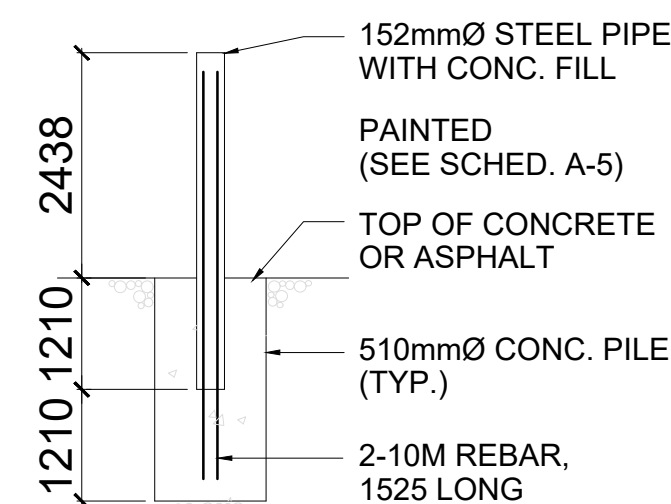


1 Site Plan
Scale: 1:250

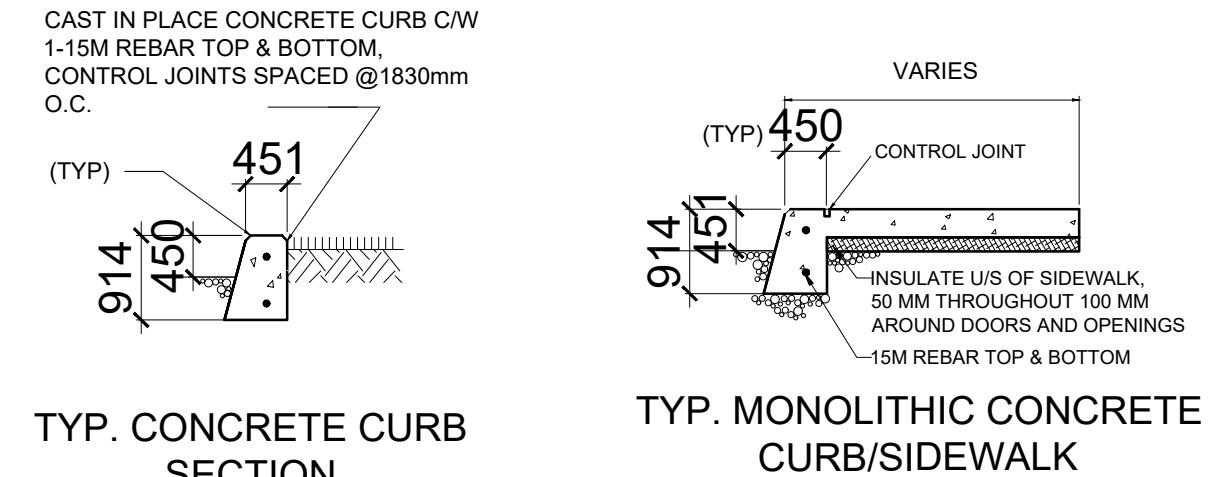
CURB CUTS AND RAMP CURBS



BOLLARD DETAILS

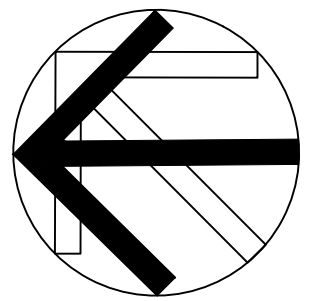


TYP CURB DETAILS



MSAi

MICHAEL SPAZIANI ARCHITECT INC
6 Helene Street N, Suite 100
Port Credit, Mississauga ON L5G 3B2
T 905 893 0851 F 905 893 0514



ONTARIO ASSOCIATION
OF ARCHITECTS
MICHAEL SPAZIANI
LICENCE
3631

2	Issued for SPA Resubmission	Mar. 05, '21
1	Issued for SPA	Jul. 10, 20
NO:	REVISIONS:	ISSUED:

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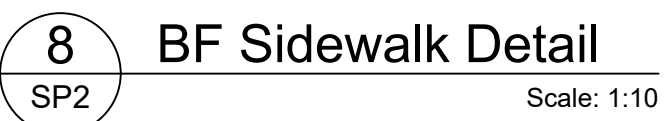
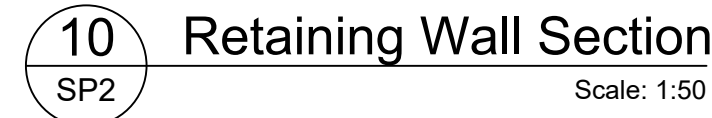
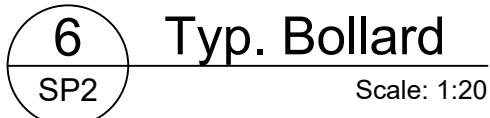
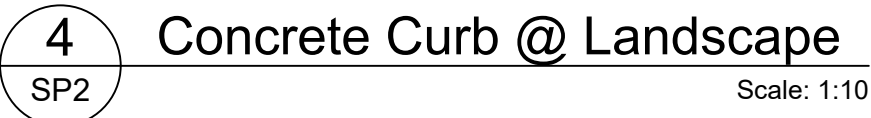
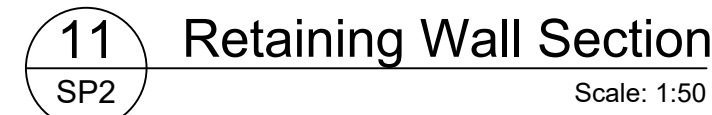
CLIENT:
**Amica
Senior Lifestyles**

Oakville, Ontario

PROJECT:
**North Oakville
Seniors**
2330 Khalsa Gate
Oakville, Ont.
File #: 1493B | SP.1431.023/01

SHEET TITLE:
Site Plan

PROJECT NO. C8028	
SCALE: As Noted	DATE: October 2019
DRAWN:	SHEET NO:
CHECKED: msai	SP1
FILE NO. C8028	





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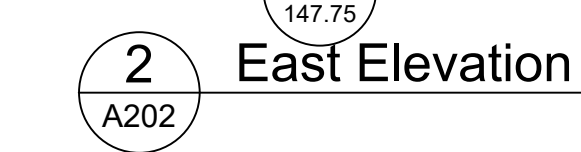
PROJECT NO. C8028	
SCALE:	DATE: October 2019
DRAWN:	SHEET NO:
CHECKED: msai	A201
FILE NO. C8028	

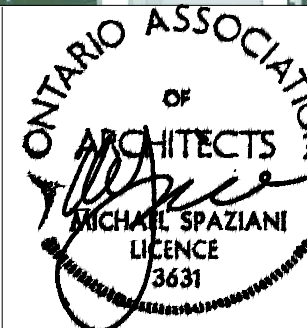




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A202





2	Issued for SPA Resubmission	Mar. 05, '21
1	Issued for SPA	Jul. 10, '20
NO:	REVISIONS:	ISSUED:

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CLIENT:

Amica
Senior Lifestyles

Oakville, Ontario

PROJECT:
North Oakville
Seniors
2330 Khalsa Gate
Oakville, Ont.
File #: 1493B | SP.1431.023/01

SHEET TITLE:
3D Perspective Views

PROJECT NO.
C8028

SCALE:

DATE:

October 2019

DRAWN:

SHEET NO:

CHECKED:
msai

FILE NO.
C8028

A601



1 Perspective View 01
A601 NTS



2 Perspective View 02
A601 NTS



3 Perspective View 03
A601 NTS



2	Issued for SPA Resubmission	Mar. 05, '21
1	Issued for SPA	Jul. 10, '20
NO:	REVISIONS:	ISSUED:

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CLIENT:

Amica
Senior Lifestyles

Oakville, Ontario

PROJECT:
**North Oakville
Seniors**
2330 Khalsa Gate
Oakville, Ont.
File #: 1493B | SP.1431.023/01

SHEET TITLE:

3D Perspective Views

PROJECT NO. C8028	
SCALE:	DATE: October 2019
DRAWN:	SHEET NO:
CHECKED: <u>msai</u>	A602
FILE NO. C8028	

March 23, 2021

Kate Cockburn
Senior Planner
Planning Services Department
Town of Oakville
1225 Trafalgar Road
Oakville, ON, L6H 0H3

Dear Ms. Cockburn:

**RE: APPLICATION FOR MINOR VARIANCE – PLANNING JUSTIFICATION LETTER
2330 KHALSA GATE, OAKVILLE, ONTARIO, L6M 4J2
OUR FILE: 1493B**

On behalf of our client, Willowbay Development Inc., we are pleased to provide this submission in support of a minor variance application for the properties municipally addressed as 2330 Khalsa Gate (the “Subject Lands”). Enclosed with this letter, you will find:

- One (1) PDF copy of the Minor Variance Application Form;
- One (1) PDF copy of the Site Plan;
- One (1) PDF copy of the Floor Plans;
- One (1) PDF copy of the Elevations;
- One (1) PDF copy of the Legal Survey;
- One (1) cheque in the amount of \$3,734.00 representing the application fee made out to the Town of Oakville; and,
- One (1) cheque in the amount of \$36.35 representing the application fee made out to the Region of Halton.

BACKGROUND

Subject Lands

The Subject Lands are situated on the northeast corner of Bronte Road and Khalsa Gate on a 5,855.7 square metre (0.59 hectare) parcel of vacant land. The Subject Lands have a frontage of approximately 90 metres on Khalsa Gate.

Surrounding Land Uses

Directly to the north of the Subject Lands is a new residential development consisting of townhouses.

East of the Subject Lands is Khalsa Gate and further east is a small vacant parcel of land.

South of the Subject Lands is Bronte Road and further south is residential development consisting of detached and semi-detached housing.

West of the Subject Lands is a townhouse development and further west is vacant parcel of land soon to be redeveloped for a 10 storey mixed use building.

THE PROPOSAL

An application for Site Plan Approval (SP.1431.023/01) was submitted to the Town to facilitate the proposed development, being a 10 storey seniors living facility containing a total of 231 suites. The proposal contains a total of 20,385 square metres of gross floor area. The proposed building footprint is 2,623 square metres, representing a building coverage rate of 45.06%. A total of 1,863.6 square metres of landscaped area is proposed, representing a landscape coverage of 31.82%. The proposal incorporates a suite mix as follows:

Unit Type	Provided
Studio	114
1-bedroom	87
1-bedroom with den	10
2-bedroom	18
2-bedroom with den	2
<i>Total</i>	<i>231</i>

The proposed seniors living facility fronts onto Khalsa Gate and is set back approximately 2.98 metres from the street. Private outdoor amenity space and landscaping has been provided between the building and the street in order to buffer the surrounding streetscape from the proposed development and enhance the pedestrian experience. A retaining wall and decorative screening wall is provided along the property line along Bronte Road.

Primary access to the Subject Lands is provided via a driveway connecting to Khalsa Gate. The primary entrance to the building is serviced by a covered drop-off area and a full-turn driveway. A total of 100 parking spaces are proposed, including 3 above ground and 97 below ground spaces. Four accessible parking spaces are proposed, including 2 above ground and 2 below ground. Access to underground parking is provided at the northwestern portion of the site which connects to the primary access driveway to the site.

First submission comments have been received from the Town and a second submission has recently been submitted on March 5, 2021. As part of the Site Plan Application submission comments were received on areas of non-conformity with the Zoning By-law, including the maximum height permitted in metres.

REQUESTED MINOR VARIANCES

A minor variance application is required for the following reasons:

1. To permit an increased building height allowance of 34.5 metres, whereas the By-law permits a maximum height of 30.0 metres.
2. To permit parapets to project 3.5 metres, whereas the By-law permits them to project up to 2 metres.

ANALYSIS AND JUSTIFICATION

Section 45(1) of the Planning Act identifies the four tests which must be satisfied in order for this application to be approved. The proposed variances meet the four tests, as demonstrated in the analysis below.

1. The variances maintain the general intent and purpose of the Official Plan

The Subject Lands are designated “Growth Area” in Schedule H – West Land Use Map, and “Urban Centre” in Schedule N – Palermo Village Land Use Map in the Livable Oakville Plan. In the Urban Centre south of Pine Glen road, permitted uses include multiple-attached dwellings, stand-alone apartment buildings, stand-alone office buildings, and, stand-alone retail and service commercial buildings, which shall not exceed a gross floor area of 6,000 square metres (**Policy 22.5.1.e**). The proposed development of a seniors living facility is a stand-alone apartment building and therefore is permitted by the Official Plan.

The Palermo Village Exception applies to the Subject Lands as identified by Schedule N of the Livable Oakville Plan. **Policy 22.6**, states:

“On the lands designated Urban Centre south of Pine Glen Road, a motor vehicle service station may also be permitted.”

It is a general objective of the Palermo Village Policy area to be developed predominantly for residential, while also encouraging transit-supportive, high density mixed use development along Dundas Street, Old Bronte Road, and Khalsa Gate (**Policy 22**).

Lands designated Urban Centre shall maintain a minimum residential density of 100 units per site hectare (**Policy 22.5.1.a**). The proposed development with 231 seniors living suites on 0.58 hectares maintains the minimum density requirement, providing 399 units per hectare. The proposed development also maintains a floor space index of 3.52, under the maximum permitted of 4.0 (**Policy 22.5.1.b**). Further, the proposed number of storeys is in keeping with the permitted maximum height of a building on a corner site in the Palermo Village, providing 10 storeys (**Policy 22.5.1.c**).

The general policies of the OP support the highest level of intensification to occur within the Growth Areas of Midtown Oakville, the Uptown Core, and Palermo Village (**Policy 4**). The proposed development implements intensification that can adequately be supported by existing infrastructure as reviewed and confirmed in the Traffic Impact Study completed in support of the Site Plan Approval application submitted July 16, 2020. The OP intends for development on the lands designated Urban Centre to be of high quality pedestrian oriented design (**Policy 22.3**). The proposed development is inclusive of a decorative screen wall that can be seen from Bronte Road and landscaping that fronts onto Khalsa Gate.

The proposal also contributes to providing a mix of high, medium, and low density housing along Old Bronte Road (**Policy 22.3**).

The proposed variances to permit an increase to the maximum permitted height and height of the parapets still maintain the general intent and purpose of the Official Plan which identifies storeys rather than metres, and 10 storeys is proposed in keeping with the Official Plan. Therefore, it is our opinion that the proposed variances maintain the general intent and purpose of the Official Plan.

2. The variances maintain the general intent and purpose of the Zoning By-law

The Subject Lands are currently zoned as Mixed Use – 3 with special provision 358 (MU3-358). The MU3-358 Zone permits a wide range of uses, including the proposed retirement home use which is defined as:

“a building or part thereof designed exclusively to accommodate seniors or other special needs users with central kitchen and dining facilities, common indoor and outdoor amenity areas, consisting of either dwelling units or assisted living units or both.”

The proposed development contains 231 units that are considered assisting living units based on the Zoning By-law definition as they do not contain kitchens:

“means a place of residence with one or more habitable rooms containing separate bathroom facilities for private use as a single housekeeping unit and where personal support services may be provided.”

While there is a minimum number of dwelling units identified through site-specific provision 358, this does not apply to the proposal which is interpreted as a retirement home use with assisted living units, permitted by the parent zone category.

The zoning provisions applicable to the Subject Lands are identified below along with the proposed provisions and the area of non-conformity identified in grey.

Table 1 – Zoning By-law Provisions and Relief Required

Provision	Requirement	Proposed
MU3 Zone – General Provisions		
Minimum Interior Side Yard	0.0 m	9.25 m
Minimum Number of Storeys	6	10
Minimum Height	19.5 m	34.5 m
MU3-358 Site Specific Provisions		
Maximum Front Yard (Khalsa Gate)	5.75 m	2.98 m
Maximum Flankage Yard	9.2	0.9 m
Minimum Rear Yard for all Portions Of a Building	0.0	8.07 m
Minimum First Storey Height	Shall not apply	5.0 m
Maximum Number Of Storeys	10	10
Maximum Height	30.0 m	34.5 m

Minimum Number of Dwelling Units	240	N/A (suites defined as assisted living units not dwelling units)
Other provisions		
Footnote 3 of Table 8.2, related to the prohibition of dwelling units on the first storey, shall not apply.		
The easterly lot line abutting Khalsa Gate shall be deemed the front lot line.		
Height shall be measured from the finished floor elevation at grade.		
Minimum width of landscaping required along the interior side lot line.		
Stairs and vents associated with a below grade parking structure shall be permitted in any yard.		

Special Provision 358 of the Zoning By-law requires a maximum building height of 30.0 metres. Height is defined in the site-specific provision as being measured from the finished floor elevation at grade.

Also, Section 4.6.3 on Parapets states that a parapet is permitted to project above the top of a roof to a maximum of 2.0 metres.

The proposed development provides a 4.1 metre increase in the maximum permitted height of the building, while remaining consistent with the maximum number of storeys permitted. The proposed increase in height is required to accommodate an increased ground floor height and increased residential floor heights for all floors as retirement uses and care floors have building code requirements that mandate additional HVAC to support life safety and fresh air beyond what is typical in traditional apartment buildings, therefore requiring additional floor-to-floor height.

The standard ground floor height is 4.5 metres whereas 5 metres is proposed for the development to accommodate higher ceilings for the ground floor amenity area which includes dining facilities where food is prepared and commercial kitchens require additional floor-to-floor height as do larger amenity areas due to larger HVAC equipment. The standard height of a residential floor is 3 metres whereas the proposal incorporates a standard floor height of 3.2 metres to accommodate higher ceiling heights for all floors as discussed above. The current maximum height permitted of 30 metres and 10 storeys would only allow for all storeys to be 3 metres and would not allow for an increased ground floor height. Therefore, the proposed height increase from 30 metres to 32 metres is strictly to accommodate an increased ground floor height at 5 metres. The height increase from 32 metres to 34.5 metres is to accommodate the increased floor-to-floor heights for all floors from the standard 3 metres to 3.2 metres for each storey with the fourth storey proposed with a height of 3.5 metres to accommodate amenity area. The proposal therefore incorporates a height increase to 34.5 metres to the top of the roof.

The parapets have a maximum height of 3.5 metres to provide architectural distinction for the building. Parapets are permitted to have a maximum permitted height of 2 metres therefore, this height increase is minor and will assist in achieving the Town's Livable by Design Manual (LBDM) direction for corner lots (Section 3.1. 15) that promote architectural treatments to highlight corner sites, such as taller elements, protruding elements, and balconies as well as the design direction for key sites (Section 3.1. 44) to accentuate the building massing, height and façade through enhanced architectural design.

The proposed height increase is considered minor in nature as the proposal still maintains the permitted maximum amount of storeys with the increased height required to accommodate an increased ground floor height and residential floor heights as required to accommodate building code requirements for seniors living facilities. The proposed parapet height increase is also minor and assists in distinguishing the building architecturally along Bronte Road in accordance with the LBDM.

The building siting has been strategically planned to ensure all required setbacks are maintained with the massing directed to Bronte Road. The proposal incorporates a step-back at the fifth storey to the remainder of the storeys as well as architectural details such as articulation and variation in materials to break up the building massing and to lessen the visual impact of the proposed height of the building.

When all of these elements are considered together, it is our opinion that the proposed increase in height in metres and additional height requested for the parapets still maintain the general intent and purpose of the Zoning By-law.

Based on the analysis above, it is our opinion that the proposed variances meet the general intent and purpose of the Zoning By-law.

3. *The requested variances are desirable for the appropriate development or use of the land.*

The proposed development of a 10 storey retirement residence is intended to provide intensification of the Urban Centre in the Palermo Village that is consistent with the Town's goals. It enhances the character of the overall Palermo Village area and is respectful of the surrounding land uses. Palermo Village is to be developed predominantly for residential, and transit-supportive, high density mixed uses. High, medium and low density residential uses are to provide a transition to adjacent neighbourhoods (**Policy 22**). The proposed seniors living facility will be consistent with the height of the proposed mixed use development at 2418 Khalsa Gate, adding to the mix of housing types and phasing of densities from the core of Palermo Village to adjacent neighbourhoods. The seniors living facility will provide a use, height and density planned for the Subject Lands.

The proposed height increase from 30 metres to 34.5 metres, and allowance for additional height for parapets, does not impact the desirability of the proposed use on the Subject Lands which has been appropriately sited and architecturally designed to ensure that the proposed height increase fits into the surrounding context as described above.

Based on the above analysis, it is our opinion that the proposed variances are desirable for the appropriate development and use of the land.

4. *The requested variances are minor in nature*

An assessment of whether a variance is minor in nature is an assessment of impacts, and we have found that the proposed variances do not give rise to a level of unacceptable impacts of a planning nature. The proposed variance to permit an increase in the maximum height permitted to facilitate the redevelopment of the Subject Lands for a seniors living facility will not result in any unacceptable adverse impacts to the manner in which the proposed use will operate, both on the Subject Lands and in the surrounding area. The proposed variances will serve to permit the redevelopment of the Subject Lands to provide for a use permitted on the Subject Lands that will support growth in the Palermo Village, consistent with the applicable policies of the Livable Oakville Plan.

The proposed 4.1 metre increase in the maximum permitted height of the building still maintains the appearance of 10 storeys architecturally. As mentioned above, the building siting has been strategically planned to ensure all required setbacks are maintained with the massing directed to Bronte Road. The proposal incorporates a step-back at the fifth storey to the remainder of the storeys as well as architectural

details such as articulation and variation in materials to break up the building massing and to lessen the visual impact of the proposed height of the building. The proposed parapet height increase also assists in distinguishing the building architecturally along Bronte Road in accordance with the LBDM. When all of these elements are considered together, it is our opinion that the proposed increase in height in metres and additional height requested for the parapets are both minor in nature.

Based on the above analysis, it is our opinion that the proposed variances individually and collectively do not create any undue adverse impact and are minor in nature.

CONCLUSION

In conclusion, the requested variance conforms to the general intent and purpose of the Official Plan and Zoning By-law, are desirable for the use of the Subject Lands, and are minor in nature. For the reasons set out above, it can be concluded that the requested variance satisfies the four texts set out in Section 45(1) of the Planning Act and should be approved.

If you require further information please do not hesitate to contact us.

Yours Truly,

MHBC

A handwritten signature in black ink, reading "Melinda MacRory". The signature is written in a cursive, flowing style with a large, stylized 'M' and 'R'.

Melinda MacRory, M.P.I., MCIP, RPP
Associate