



OAKVILLE

REPORT

PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: MARCH 18, 2019

FROM: Planning Services Department

DATE: February 25, 2019

SUBJECT: Recommendation Report, Draft Plan of Subdivision, Majestic Edge Estates Inc., 346 & 362 Lakeshore Road West, File No. 24T-17006/1718

LOCATION: 346 & 362 Lakeshore Road West

WARD: 2

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RECOMMENDATION

1. That Draft Plan of Subdivision application submitted by Majestic Edge Estates Inc. (File No. 24T-17006/1718), as revised, be approved on the basis that the application is consistent with the Provincial Policy Statement, conforms or does not conflict with all applicable Provincial plans, conforms with the Region of Halton Official Plan and the Livable Oakville 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 February 25th, 2019;
2. That the Director of Planning Services be authorized to grant draft plan approval to the Draft Plan of Subdivision (24T-17006/1718) submitted by Majestic Edge Estates Inc. prepared by KLM Planning Partners Inc., dated February 11th, 2019., subject to the conditions contained in Appendix E;
3. That once 24T-17006/1718 has been draft approved by the Director of Planning Services, the Town enter into a Subdivision Agreement to the satisfaction of the CAO and Town Solicitor, or designates;
4. That the Subdivision Agreement be executed in accordance with By-law 2013-057;
5. That staff be delegated authority to convey an easement over a portion of Block 21 & 23 Registered Plan 20M-729, as more particularly described by the Director of Development Engineering, to the Regional Municipality of Halton for the purpose of a servicing easement, and seek reimbursement for

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the market value of such an easement and all costs related to the transaction from Majestic Edge Estates Inc., and the Town Solicitor be authorized to negotiate and settle all documentation required to complete this transaction; and

6. That notice of Council's decision reflects that Council has fully considered all the written and oral submissions relating to this matter and that those comments have been appropriately addressed.

KEY FACTS

A draft plan of subdivision application was submitted by Majestic Edge Estates Inc. which proposes to develop a new plan of subdivision inclusive of 18 lots for single-detached dwellings fronting onto a new public road.

The subject lands are designated 'Low Density Residential' – Special Policy Area on Schedule F, South West Land Use, in the Livable Oakville Plan.

The existing Official Plan policies and Zoning By-law are consistent with the Provincial Policy Statement, conforms or does not conflict with all applicable Provincial plans, and conforms with the Halton Region Official Plan, as they allow for residential intensification that upholds the urban structure of the town, preserves the character of the area, and is considered within the context of other applicable policies of the Livable Oakville Plan.

Staff recommend approval as the proposed draft plan of subdivision, as revised, is consistent with the PPS, conforms to the Growth Plan, Regional Official Plan and the Livable Oakville Plan, and complies with the Zoning By-law. The draft plan of subdivision, as revised, would provide low density residential intensification consistent with the character of the area and would uphold the urban structure of the town. Further, urban design, tree preservation, heritage, environmental, archaeological, servicing, parkland conveyance, shoreline protection and infrastructure policies have been addressed, as detailed in this report.

Based upon the analysis within this report, staff recommend approval of the draft plan of subdivision, as revised.

BACKGROUND

Proposal

A draft plan of subdivision application was submitted by Majestic Edge Estates Inc. which proposes to develop a new plan of subdivision inclusive of 18 lots for single-

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detached dwellings fronting onto a new public road. The plans and reports submitted with the application have been posted to the town’s website at the following link:
<https://www.oakville.ca/business/da-24079.html>

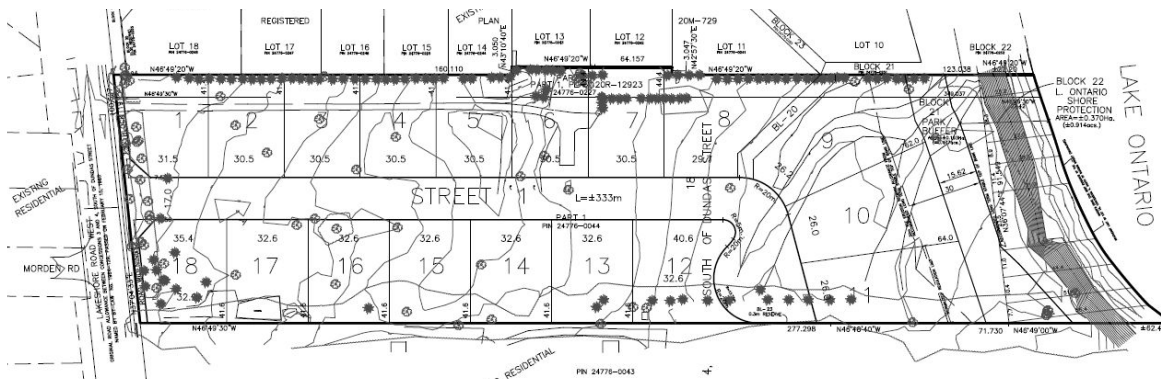


Figure 1: Proposed Draft Plan of Subdivision

Since the statutory public meeting was held on December 5th, 2017, the draft plan of subdivision was amended which resulted in: an overall reduction of one (1) lot from nineteen (19) to eighteen (18) lots; increased lot size and frontage to comply with the RL1-0 zoning performance standards; reorientation of the cul-de-sac toward the west; increased width of public walkway block to a minimum width of 6.0 m; reduction in width of the public street from 18.0 m to 17.0 m and provision of an urban cross section; and adjustments to the size and shape of the linear waterfront parkland dedication based on the technical review.

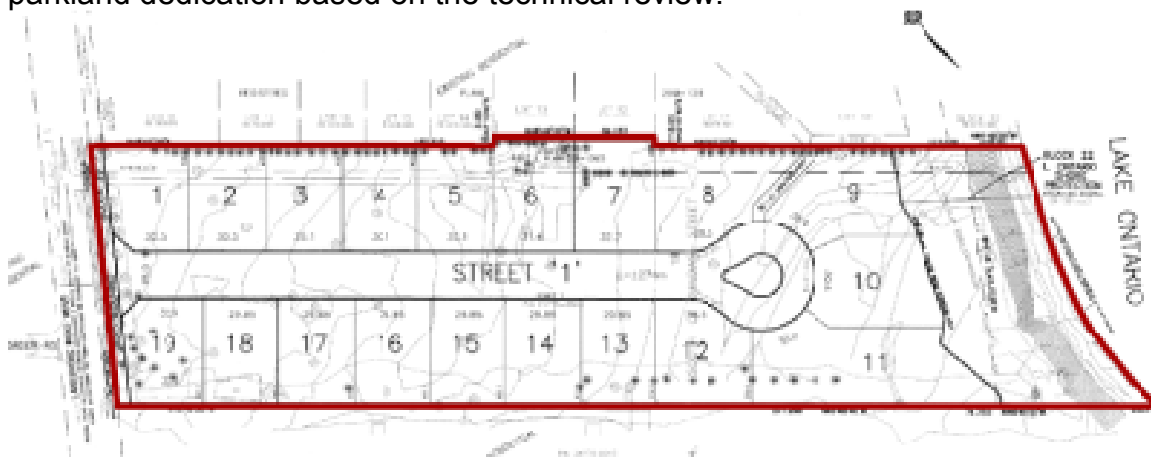


Figure 2: Statutory Public Meeting Draft Plan of Subdivision

In addition to the foregoing amendments to the draft plan, the applicant has addressed a number of staff comments including tree preservation, urban design, servicing and transportation which are detailed in this report.

Location & Site Description

The subject lands are located on the south side of Lakeshore Road West, west of Shorewood Place. The subject lands are approximately 3.8 ha (9.4 acres) in size with approximately 100.6 m of frontage on Lakeshore Road West. The site is currently vacant.



Figure 3: Air Photo

Surrounding Land Uses

The surrounding land uses are as follows:

- North: Lakeshore Road West then single-detached dwellings
- East: single-detached dwellings
- South: Lake Ontario
- West: single-detached dwellings

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Timing

The application was received on July 19th, 2017 and deemed complete on August 18th, 2017. A Public Information Meeting ('PIM') was held on October 17th, 2017, and was attended by 10 members of the public. The principal concern(s) raised at the PIM was: how stormwater would be managed; how the site would be serviced; size and treatment of waterfront parkland dedication; tree preservation including large Oak Tree adjacent to existing Shorewood Place; and design of future single-detached houses including use of architectural control. These issues were identified in the Statutory Public Meeting report dated November 13th, 2017 which was considered by Council on December 5th, 2017 and have been addressed in this staff report.

This application was submitted prior to Royal Assent of Bill 139. Any appeals made after April 3rd, 2018 will be considered by the Local Planning Appeal Tribunal ('LPAT') under the 'new rules'. The applicant is now in a legal position to appeal the subject draft plan of subdivision application for lack of decision. Staff note that extended processing timeline for the subject application was a result of an extended timeframe required for the developer to address staff's comments on a number of matters including shoreline protection works, tree preservation, functional servicing, urban design and parkland dedication which as detailed in this report, and subject to the draft plan conditions in Appendix E, have now been satisfactorily addressed.

Notice of this recommendation meeting has been provided in accordance with the *Planning Act*, and was also distributed to those members of the public who have participated in this application process.

PLANNING POLICY & ANALYSIS

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

- Planning Act
- Provincial Policy Statement (2014)
- 2017 Growth Plan for the Greater Golden Horseshoe (2007)
- Halton Region Official Plan
- *Livable Oakville* Plan
- Zoning By-law 2014-014

Provincial Policy Statement

The Provincial Policy Statement (2014) ('PPS') is intended to promote a policy led system, which recognizes 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

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use patterns by directing growth to settlement areas and by promoting a compact development form.

The subject lands are located within a settlement area, which is to be the focus of growth and development. The land use patterns within the settlement are based on densities and a mix of land uses that, among other matters, efficiently use land and resources, appropriately use the infrastructure and public service facilities that are planned or available and are transit supportive. Relevant policy extracts are appended to this report as Appendix A.

The proposed draft plan of subdivision, as revised, would provide for intensification of a vacant lot within a settlement area and would provide for the dedication of hazard lands to the town and a park block to allow for the continuation of the Shorewood Promenade linear waterfront park. A total of 18 lots would be created for single-detached dwellings which conforms to the local policy framework and complies with the town's Zoning By-law. Further, there are no significant built heritage resources or significant cultural heritage landscapes located on the subject lands and the technical review of the application has fully addressed other considerations such as stormwater management, functional servicing, environmental suitability of lands for a sensitive land use, archaeological potential, transportation and natural heritage.

Accordingly, the proposed draft plan of subdivision, as revised, is consistent with the PPS.

Growth Plan (2017)

The 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 2.2.1). The subject lands are located within a "delineated built-up area."

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 option, expand convenient access to transportation options and to encourage intensification generally to achieve the desired urban structure. Relevant policy extracts are appended to this report as Appendix B.

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The proposed draft plan of subdivision, as revised, is an appropriate form of intensification¹ of a vacant lot within the delineated built-up area which is consistent with the town's desired urban structure. The hazard land portion of the vacant lot along Lake Ontario is proposed to be dedicated to the town together with an open space block for continuation of the Shorewood Promenade linear waterfront park which will assist in fulfilling parks and open space policies. Further, there are no cultural heritage resources located on the subject lands and the technical review of the application has fully addressed other considerations such as stormwater management, functional servicing, urban design, archaeological potential, transportation and natural heritage.

The proposed draft plan of subdivision, as revised, conforms to the Growth Plan 2017.

Halton Region Official Plan

The subject lands are designated "Urban Area" in the Halton Region Plan. Lands within the "Urban Area" are intended for residential and employment growth. Policy 76 notes that the range of permitted uses is to be in accordance with Local Official Plans and Zoning By-laws. All development, however, is subject to the policies of the Regional Plan.

The proposed draft plan of subdivision, as revised, proposes intensification of a vacant lot which would have the effect of creating a total of 18 lots for single-detached dwellings consistent with the town's desired urban structure and in compliance with the town's Zoning By-law. Further Halton Region staff have reviewed the proposed draft plan of subdivision, as revised, and concluded that it conforms to the Halton Region Plan.

Planning Act

Pursuant to Section 51(24) of the *Planning Act*, in considering a draft plan of subdivision, regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to matters such as: the suitability of the land for the purposes for which it is to be subdivided; the dimensions and shapes of the proposed lots; and the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any

¹ **Intensification**

The development of a property, site or area at a higher density than currently exists through:

- a) *redevelopment*, including the reuse of *brownfield sites*;
- b) the development of vacant and/or underutilized lots within previously developed areas;
- c) infill development; and
- d) the expansion or conversion of existing buildings. (PPS, 2014, Growth Plan, 2017)

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development on the land. The proposed subdivision meets the criteria within Section 51(24) of the *Planning Act* for the reasons contained herein and the following technical review.

Livable Oakville Plan

OP Objectives

Section 2.2.1 of the Livable Oakville Plan provides that it is one of the guiding principles of the Livable Plan is to preserve and create 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.*

Urban Structure

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. Schedule A1, Urban Structure, of the Livable Oakville Plan provides the basic structural elements for the Town. Official Plan Amendment 15 to the *Livable Oakville Plan* confirms the Town's existing urban structure in terms of nodes and corridors, and where higher intensity forms of mixed use growth are to be accommodated. OPA 15 was approved by Halton Region on April 26th, 2018 and deemed to conform to the Growth Plan and is consistent with the PPS. There is one appeal pertaining to OPA 15.

The subject lands are identified on Schedule A1 – Urban Structure as being within 'residential areas' and front onto a scenic corridor, being Lakeshore Road West. Residential Areas include low, medium and high density residential uses as well as a range of compatible facilities such as schools, places of worship, recreational and commercial uses that serve the residents of the Town. Some growth and change may occur in the Residential Areas provided the character of the area is preserved and the overall urban structure of the town is upheld. The character of the Residential Areas will be significantly influenced by their relationship to the Natural Heritage System, parks and open space areas.

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Scenic Corridors are recognized for their scenic value and for their natural and cultural heritage features. These important features need to be maintained or restored since they add value and contribute to the Town's character.

Land Use Policies

The Livable Oakville Plan was approved by the Ontario Municipal Board on May 10th, 2011. The subject lands are designated 'Low Density Residential' – Special Policy Area on Schedule F, South West Land Use, in the Livable Oakville Plan (Appendix C) and forms part of a stable residential community.

Pursuant to section 4.3 of the Livable Oakville Plan, development to accommodate intensification will be focused within growth areas. However, there is recognition that some growth and change may occur outside growth areas provided that the character of the area is preserved and the overall urban structure of the Town is upheld. Such growth and change is to be considered within the context of the Livable Oakville Plan.

The draft plan of subdivision, as revised, is proposing intensification of a vacant lot outside of identified growth areas, within a stable residential community. Pursuant to Section 11.1.8 a) of the Livable Oakville Plan, intensification 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 and all other applicable policies of the Plan.

Lot Area and Frontage

The subject lands are comprised of a large waterfront estate lot which extends from Lakeshore Road West to Lake Ontario and is located within a special policy area which extends from Shorewood Place to Appleby College. Section 26.2.1 of the Livable Oakville Plan provides that the special policy area is intended to protect the unique character of this area within the town. Due to the special attributes of the large lots and related homes in this special policy area, intensification is to be limited to development which maintains the integrity of the large lots. Densities in the special policy area shall not exceed 10 units per site hectare notwithstanding the Low Density Residential designation which permits up to 29 dwelling units per site hectare.

The draft plan of subdivision, as revised, provides approximately 6.8 dwelling units per site hectare, and meets or exceeds the minimum lot frontage of 30.5 m (100 ft.) and area of 1,393.5 m² requirements of Zoning By-law 2014-014 in the RL1-0 zone.

Within the context of the surrounding neighbourhood, lot sizes and frontages vary considerably. This ranges from the few remaining large estate lots south of Lakeshore Road West to the lots north of Lakeshore Road West which are relatively smaller and have less lot frontage. As the large estate lots south of Lakeshore Road West, within the special policy area, have developed over time the subdivided lots have generally met or exceeded the minimum lot frontage and area requirements of the RL1 zone. As an example, below are the most proximate plans of subdivision within the special policy area which all meet or exceed the minimum lot area and frontage requirements of the RL1 zone:

- i. to the east, plan of subdivision 20M-00729 comprised of 18 lots and the public road Shorewood Place was registered on Jul 19th, 1999;
- ii. to the west plan of subdivision 20M-00793 is comprised of 5 lots and a laneway to Lakeshore Road West and was registered on Jul 22nd, 2001; and,
- iii. to the west Lambert Common was created by a vacant land condominium which is composed of 16 lots (24CDM-09005)

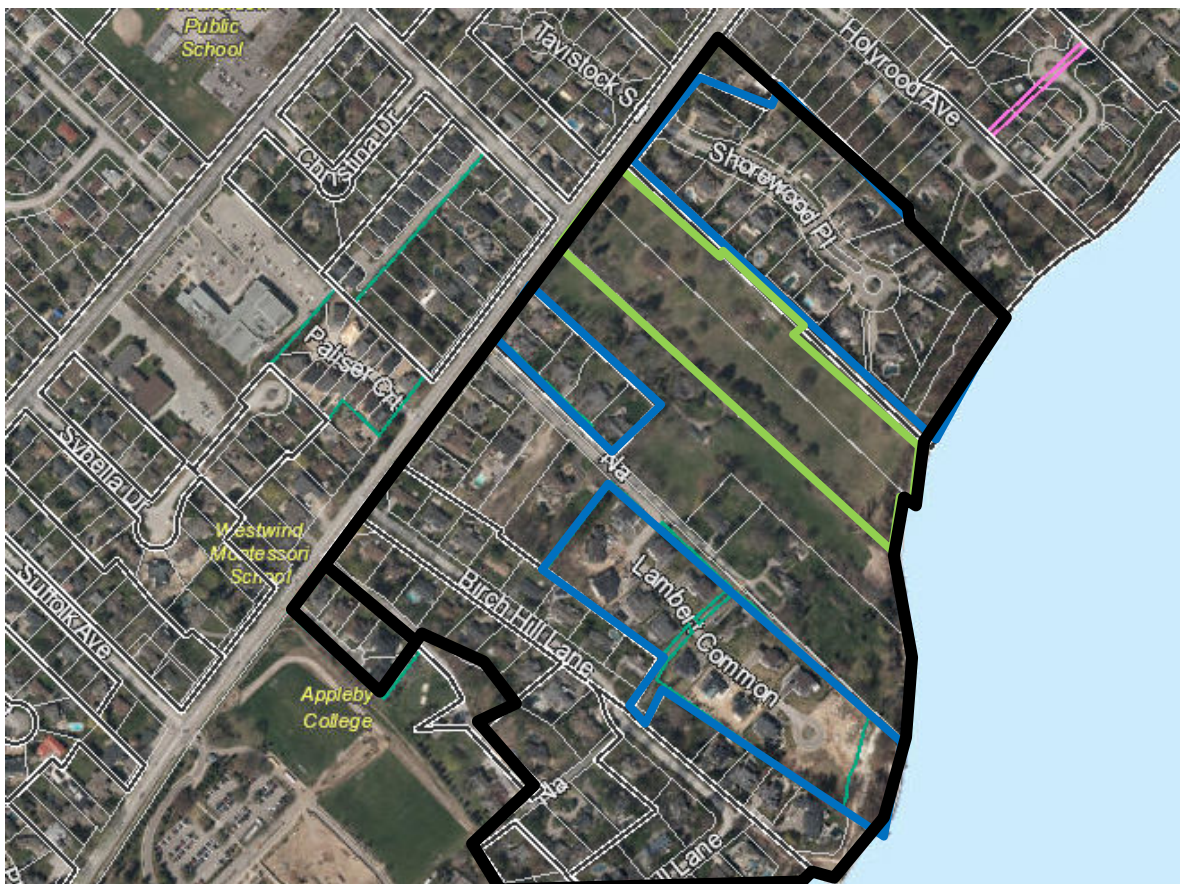


Figure 4: Air photo with Subject Lands (Green), Examples of Subdivision (Blue) within Special Policy Area (Black)

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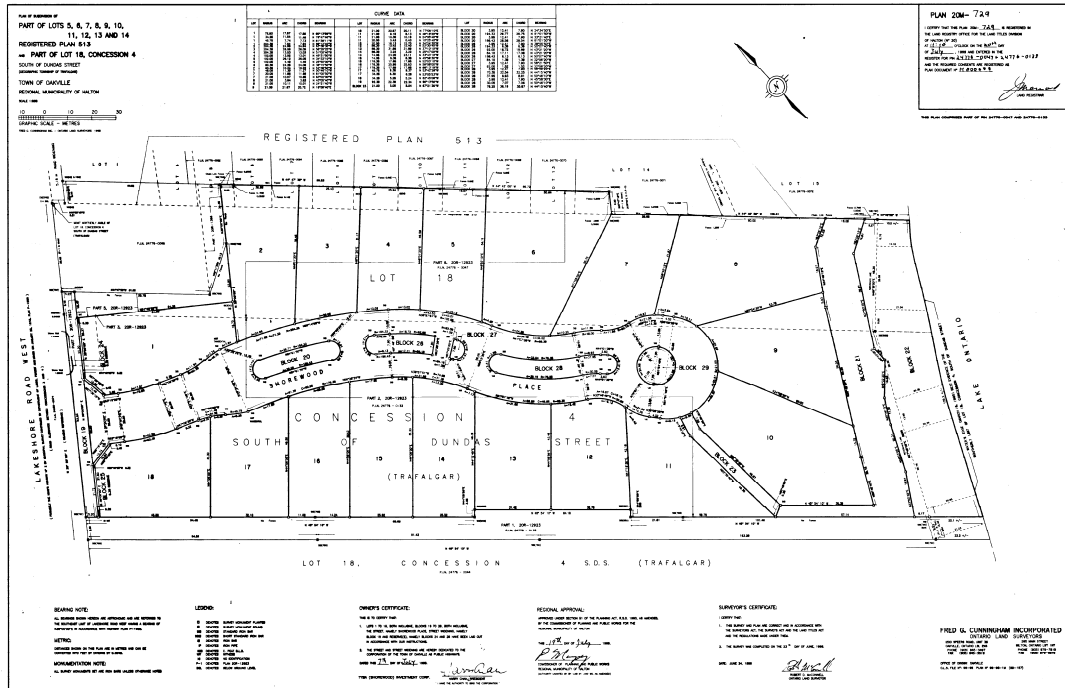


Figure 5: Shorewood Place Plan of Subdivision 20M-00729

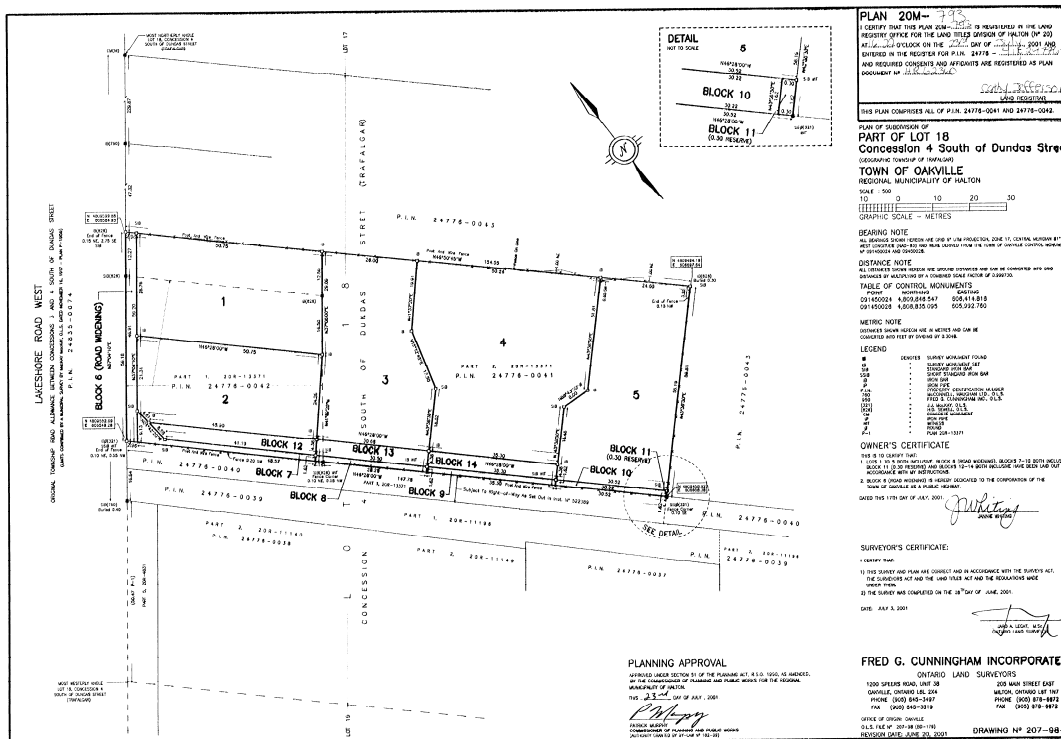


Figure 6: Lakeshore Road West Plan of Subdivision 20M-00793

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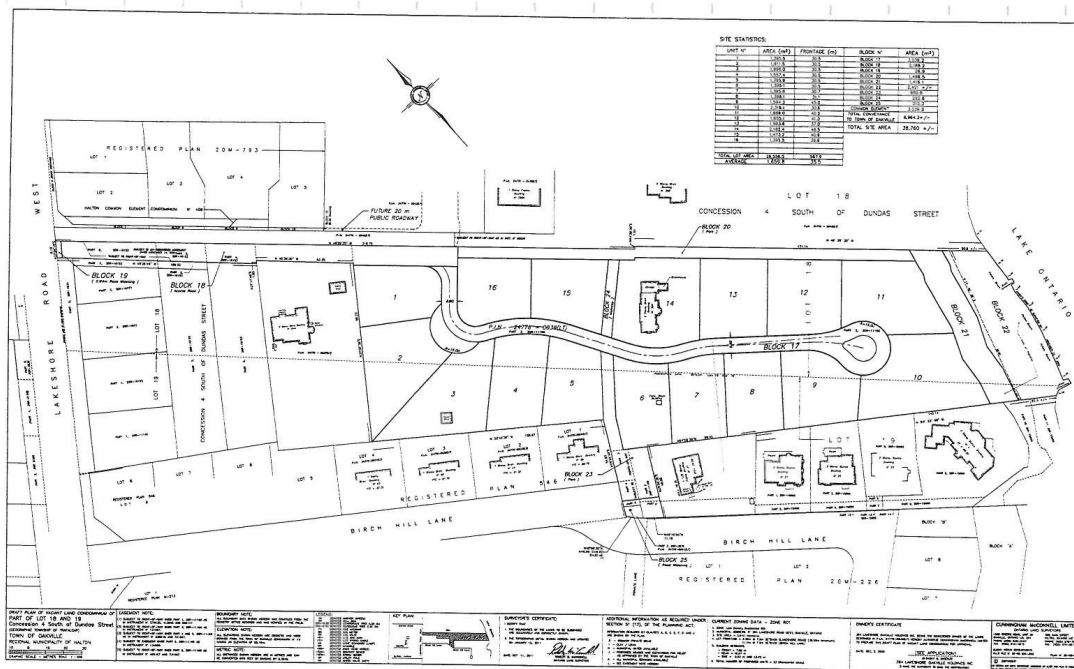


Figure 7: Lambert Common Vacant Land Condominium 24CDM-09005

The draft plan of subdivision, as revised, is consistent with the special policy area intended to protect the unique character of this area and maintain the integrity of the large lots by providing approximately 6.8 dwelling units per site hectare, whereas the special policy area permits a maximum of 10 units per site hectare. In addition, the draft plan of subdivision, as revised, meets or exceeds the minimum lot frontage of 30.5 m (100 ft.) and area of 1,393.5 m² requirements of Zoning By-law 2014-014 in the RL1-0 zone, and is compatible with the lot area and lot frontages of the surrounding neighbourhood.

Section 11.1.9 of the Livable Oakville Plan

Relevant policies of Section 11.1.9 are presented in the following section together with staff’s analysis:

11.1.9 Development within all stable residential communities shall be evaluated using the following criteria to maintain and protect the existing neighbourhood character:

- a) *The built form of development, including scale, height, massing, architectural character and materials, is to be compatible with the surrounding neighbourhood.*
- b) *Development should be compatible with the setbacks, orientation and separation distances within the surrounding neighbourhood.*

- h) *Impacts on the adjacent properties shall be minimized in relation to grading, drainage, location of service areas, access and circulation, privacy, and microclimatic conditions such as shadowing.*

Single-detached dwelling built form is proposed, which is the same as the surrounding area. The subject lands will retain the RL1-0 zone which will provide performance standards which will regulate development similar to the surrounding area within the special policy area. The RL1 zone provides the largest setbacks, minimum lot size and minimum lot frontage out of all of the low density residential zones and these regulations will assist in maintaining the unique character of this area including estate homes on large lots with spacious separation distances.

The urban design brief, as revised, provides that 1- to 2-storey homes utilizing traditional and contemporary architecture will be proposed and that new homes shall be designed with similar massing, height, setbacks and quality as other recent developments within the vicinity in order to ensure compatibility of character while reflecting a unique identity.

Repetition of dwelling design will not be permitted in order to create a vibrant and varied streetscape.



Figure 8 – Conceptual Front Elevation (Bungalow)



Figure 9 – Conceptual Front Elevation (2-Storey)

Lots 1 and 18, which are situated at the corner of the proposed new public road and Lakeshore Rd. W. are priority lots and subject to the conditions of approval in

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Appendix E will be subject to site plan control together with the waterfront lots (lots 9, 10 & 11). The front façade of these dwellings will face Lakeshore Rd. W. and will include the main entrance and a large number of windows facing the Lakeshore Rd. W.

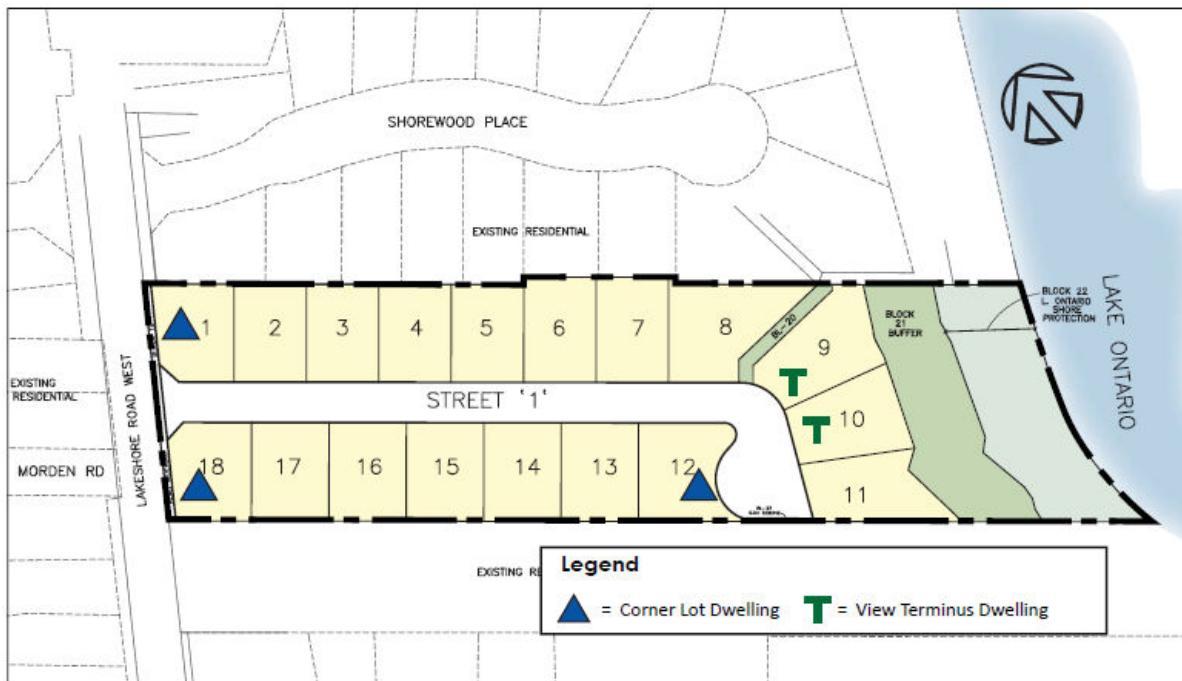


Figure 10: Priority Lots

The proposed residential dwellings along the east side of the proposed new public road will have a rear yard to rear yard condition with the adjacent existing dwellings on Shorewood Place. The minimum 10.5 m rear yard setback will apply. Further, the Preliminary Tree Preservation Plan Assessment indicates that several mature coniferous trees will be preserved along the site's eastern edge close to the property boundary with residences on Shorewood Place to provide screening between the proposed and existing dwellings. As a condition of approval in Appendix E, tree preservation will be advanced further through the detailed design of the subdivision.



Figure 11: Tree Preservation

In response to staff comments, the grade of the public road has been lowered to the extent feasible which will assist in minimizing the number of walkout lots along the eastern edge of the subdivision. To further diminish the perceived height of new homes the urban design brief provides that second storey living space shall be incorporated into the roofline, particularly for rear elevations (other methods may be considered to diminish the height and to ensure that none of the homes will have greater than a two-storey appearance from the rear).



Figure 11: Massing Section Extract from Urban Design Brief

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To implement the foregoing, and the approved Urban Design Brief, all lots not subject to site plan control will be required to be reviewed by a control architect to ensure all development proceeds in accordance with the Town-approved Urban Design Brief.

- d) *Where applicable, the proposed lotting pattern of development shall be compatible with the predominant lotting pattern of the surrounding neighbourhood.*

As previously outlined, the draft plan of subdivision, as revised, is consistent with the special policy area intended to protect the unique character of this area and maintain the integrity of the large lots by providing approximately 6.8 dwelling units per site hectare, whereas the special policy area permits a maximum of 10 units per site hectare. The draft plan of subdivision, as revised, meets or exceeds the minimum lot frontage of 30.5 m (100 ft.) and area of 1,393.5 m² requirements of Zoning By-law 2014-014 in the RL1-0 zone, and the proposed lotting pattern of development is 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.*
- l) *Utilities shall be adequate to provide an appropriate level of service for new and existing residents.*

The new public road will be designed to accommodate a fire route, as required by the Ontario Building Code, full access for waste management trucks and adequate water and wastewater service. The wastewater for part of the development is proposed to utilize the pump station within Shorewood Place, and stormwater will connect to the existing Shorewood Place outlet via the public pathway.

- g) *A proposal to extend the public street network should ensure appropriate connectivity, traffic circulation and extension of the street grid network designed for pedestrian and cyclist access.*
- k) *The transportation system should adequately accommodate anticipated traffic volumes.*

While the proposed roadway would terminate in a cul-de-sac, the revised orientation toward the property to the west could allow for an extension of this roadway in the future. This orientation does not presuppose an extension of the proposed roadway and a one-foot reserve is provided for which the town will own to ensure that any future access is restricted unless approved through a development application.

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Pedestrian connectivity has been provided by a sidewalk which connects Lakeshore Road West to the existing Shorewood Place pathway and promenade.

Based on staff's analysis of the Transportation Impact Study, the off-set intersection proposed with Morden Road is appropriate and the existing transportation system can adequately accommodate anticipated traffic volumes. A more detailed review of these and other transportation matters is provided in the 'transportation and mobility' section of this report.

- i) *The preservation and integration of heritage buildings, structures and uses within a Heritage Conservation District shall be achieved.*

The subject lands are not identified on Oakville's Register of Properties of Cultural Heritage Value or Interest (Heritage Register). The adjacent property to the west, municipally known as 372 Lakeshore Road West, is a listed heritage property on the Heritage Register and is identified to have potential cultural heritage value as an example of Oakville's historic lakefront estates. In addition, this property was identified as a potential cultural heritage landscape in the Phase One implementation of Oakville's Cultural Heritage Landscape Strategy, which was endorsed by Oakville Town Council on February 26th, 2016. The property was identified as a low priority and additional work would be required to determine whether it might hold cultural heritage value or interest, and if so, what those values might be, and which heritage attributes contribute to those values.

Heritage Planning staff reviewed the proposed application in regards to the adjacent potential heritage resource and determined that the proposed work would have limited impacts on the adjacent potential heritage property, due to the low scale of the built form and the required setbacks of the proposed new lots. Proposed future works that directly impact the adjacent potential heritage property, including the construction of new or continued roads from the subject property onto the heritage property, would be subject to a Heritage Impact Assessment to determine if the property has cultural heritage value, either through its built heritage resources or as a cultural heritage landscape, and then identify the impact of any proposed development on that property.

Waterfront Land Dedication

As a condition of approval in Appendix E, an independent peer review of the shoreline protection works will be required to the satisfaction of the town, and Conservation Halton. Pursuant to Section 28.10.4 of the Livable Oakville Plan², and

² Land conveyed to the Town shall be in a condition acceptable to the Town (policy 28.10.4 of the Livable Oakville Plan)

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the conditions of approval, the developer will be required to construct the approved shoreline protection works prior to registration of the plan of subdivision.

As part of the draft plan of subdivision, and in accordance with 28.10.7 of the Livable Oakville Plan, a dedication of waterfront lands will be required for the purpose of extending the Shorewood Place promenade west. As a condition of approval in Appendix E, the owner will be required to dedicate all lands below the stable top-of-bank³ to the town at no cost, and a park block (Block 21) which is approximately 16 m in width at no cost. Only block 21, the 'park buffer' block may be eligible to be considered for the required parkland dedication. In accordance with the conditions of approval in Appendix E, no payment for over dedication of parkland will be required.

As a condition of approval in Appendix A, the Owner would be required to design and implement the Linear Waterfront Park at its cost. This would be reimbursable as town works to the upset limit set out in a subdivision agreement in accordance with the town's most recently approved Development Charge Study, Capital Forecast and Budget.

Pursuant to Section 28.10.4 of the Livable Oakville Plan, lands dedicated to the town shall include suitable access. The Owner has agreed to dedicate an additional 2.5 m along the existing Shorewood Place walkway block to widen this access to the Shorewood Place Promenade, which will facilitate construction and maintenance access. Access to the shoreline protection works is proposed either through the existing access to the stormwater outfall within the Shorewood Promenade, or by barge. Should the existing stormwater outfall access be utilized during construction of the shoreline protection works, the developer will be responsible for remediation of these lands, to the satisfaction of the town.

Based on the analysis provided herein and the technical review, the draft plan of subdivision, as revised, conforms to the Livable Oakville Plan.

Zoning By-law 2014-014

The subject lands are zoned RL1-0 by Zoning By-law 2014-014 (Appendix D). This zone permits detached dwellings, amongst other uses, with specific performance standards including minimum lot area, frontage and setbacks. The draft plan of subdivision, as revised, complies with the Zoning By-law.

³ **Stable top-of-bank:** As it pertains to land dedication along the shorelines, stable top-of-bank means a bank inclination of 3:1 (H:V), or as determined by a geotechnical study which satisfies the minimum design Factor of Safety of 1.2 – 1.3. (Livable Oakville Plan)

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TECHNICAL & PUBLIC COMMENTS

Transportation & Mobility

The Traffic Impact Study submitted with the application was reviewed by staff. Overall, the proposed plan of subdivision would generate approximately 5 and 8 two-way trips during the weekday morning and afternoon peak hours, respectively. This magnitude of vehicle demand would be accommodated by the existing roadway network.

The proposed public road would be located approximately 30 m east of Morden Road, measured centre to centre, and would be aligned well within the range of an acceptable angle of intersection. Along the Lakeshore Road West frontage, a 7.5 m by 7.5 m daylight triangle would be dedicated to the town on either side of the proposed public road and a crosswalk would be provided across the proposed public road parallel to Lakeshore Road West including curb depressions with accessibility tactile plates.

As part of the Study, intersections in the surrounding area were reviewed, and it was found that they operate in a satisfactory manner and would continue to do so accounting for the additional traffic from the proposed development and the location of the proposed public road, being offset from the Morden Road intersection. Given the foregoing, the proposed geometry of the proposed intersection and the relatively low traffic volumes generated by the proposed development there is no concern with the location of the proposed public road.

Within the draft plan of subdivision, as revised, a sidewalk will be provided on one side of the proposed public road and will connect the sidewalk along Lakeshore Road West to Shorewood Place and Shorewood Promenade. The proposed cul-de-sac would provide an 18 m radius however would be modified in an offset configuration. As a condition of approval in Appendix E, the geometry of the cul-de-sac will be confirmed to ensure a fire truck can turn around at the modified cul-de-sac in one forward motion.

Archaeological Assessment

A Stage 1 and 2 Archaeological Assessment was prepared for the subject lands. The Stage 2 field assessment identified small areas of disturbance associated with the removal of two former residences, and areas identified as steeply sloped and permanently wet. The remaining lands were assessed by means of a test pit survey at five metre intervals and no archaeological resources were encountered during the course of this work. Accordingly, no further archaeological assessment of the property was required and the Assessments has been entered into the Ontario

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Public Register of Archaeological Reports.

Environmental Site Assessment

A Phase One Environmental Site Assessment was prepared for the subject lands. The purpose of the Assessment was to assess the potential presence of environmental impacts due to activities at and near the at the subject property in support of filing a Record of Site Condition in accordance with O. Reg. 153/04. Based on the findings of the Assessment, nothing was identified that is likely to have resulted in impacts to the soil and groundwater and it was found that the subject lands are suitable for the proposed future residential land use. A letter of reliance has been submitted to the town.

Tree Preservation

The Arborist Report prepared for the subject lands identified a total of 234 trees⁴ consisting of 166 trees located on the subject lands, 2 town trees, and 66 neighbouring trees within 6 m of the subject lands.

Based on a Preliminary Tree Protection Plan, 72 trees are in conflict with the proposed development and 21 trees on the subject lands are proposed to be removed due to poor condition and/or to ensure tree species appropriate for this area. Recognizing the relatively large minimum rear yard setback of 10.5 m within the RL1-0 zone, and applying appropriate site design with respect to grading and servicing, all 66 neighbouring trees could be preserved, and of the 92 boundary trees located on the subject lands all trees are proposed to be preserved with the exception of trees not suitable for preservation due to poor condition and/or to ensure tree species appropriate for this area and 16 trees which are proposed to be reviewed for tree preservation as part of the detailed design of the plan of subdivision. To that end, as a condition of approval in Appendix E, the Owner will be required to prepare and implement a tree preservation plan prior to site alteration and to the satisfaction of the town.

Tree no. 788 is a large northern red oak tree with a diameter of 137 cm (4'6") located on Lot 9 adjacent to the existing town pathway connecting Shorewood Promenade to Shorewood Place. Since the statutory public meeting, the applicant undertook exploratory exploration with air spade technology to assess the potential impact of the construction of the stormwater and sanitary services in proximity to this tree. Based on the results of this assessment, a 7.4 m tree protection zone is recommended. To preserve this tree, as a condition of approval in Appendix E, staff are recommending that the Owner be required to use minimally invasive construction techniques adjacent to Tree no. 788 such as vertical trenching and

⁴ equal to or greater than 15cm diameter

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directional drilling and implement necessary arboricultural measures, such as root pruning, to mitigate long-term tree injury. Further, tree protection will be required to be erected around the 7.4 m tree protection zone of Tree no. 788, with limited grading within, in accordance with approved plans and town standards.

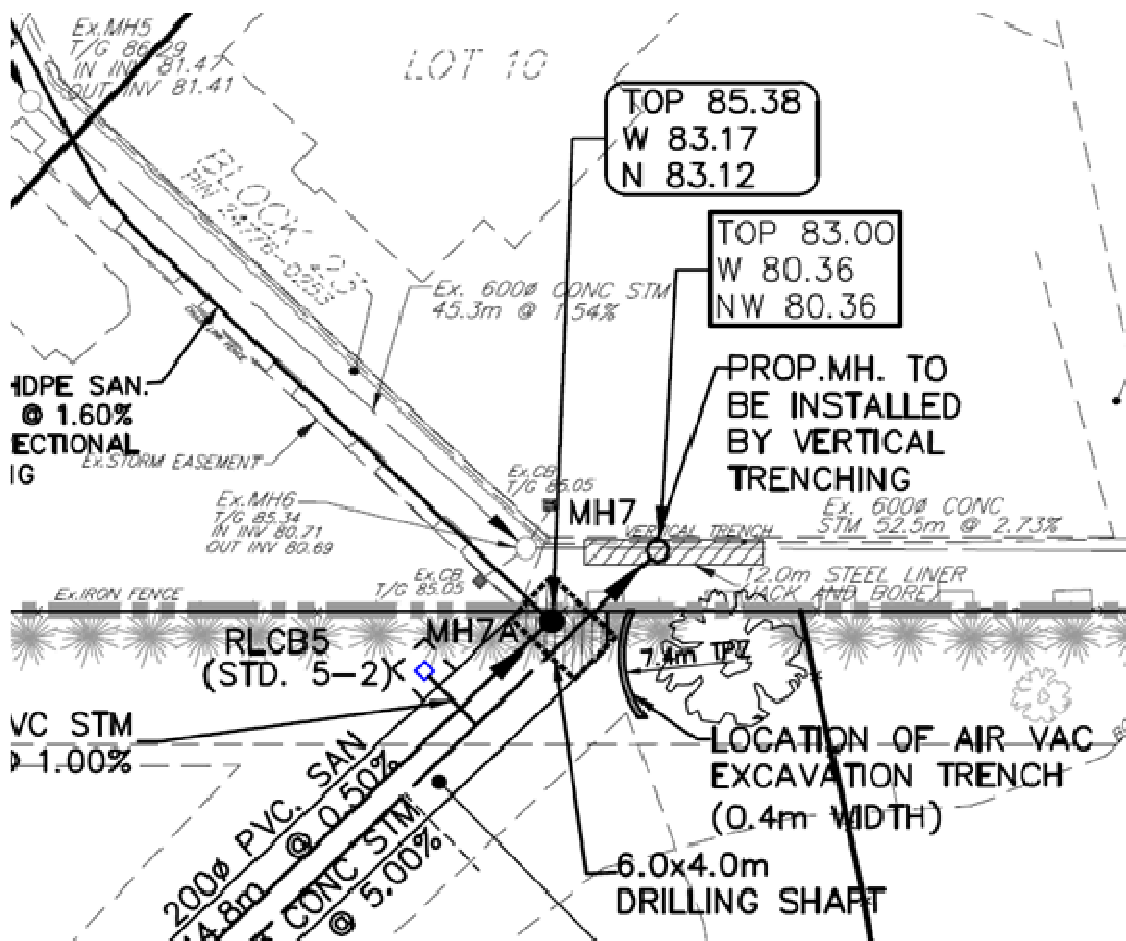


Figure 12: Extract of General Plan with Location of Services and Air Vac Excavation Trench

As a condition of approval in Appendix E, the existing Shorewood Place walkway abutting lot 9 will be required to be widened by 2.5 m. This widening is required to facilitate construction and maintenance access and would result in Tree no. 788 being at least a boundary tree which would be partially owned by the town, and as a result, would be provided a higher level of protection.

As a way to further minimize impacts on Tree no. 788, staff are investigating accelerating plans for the shoreline works planned for the easterly section of Shoreline Promenade. Normally, such works would utilize the existing Shorewood Promenade access adjacent to Tree no. 788, and would utilize a temporary access to the shoreline. However, if the town works were coordinated with the developer's

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shoreline protection works, the town may be able to gain access through the subject property thereby limiting the disturbance within the tree protection zone of Tree no. 788 and both projects could utilize the same temporary access to the shoreline which would minimize disturbance to the slope. Staff expect to report back on the ability to advance these town works and which projects may be deferred to allow for the re-prioritization of the shoreline projects.

In addition, as a condition of approval in Appendix E, the Owner will be required to implement a municipal tree planting program for all public roads in accordance with the approved Composite Utility Plan and/or Tree Planting Plan. The selection of species, calliper and timing of work shall be undertaken to the satisfaction of the Development Engineering Department and in accordance with the latest Town standards and specifications within the final and approved North Oakville Urban Forest Strategic Management Plan.

Tree protection and detailed grading for the lots flanking onto Lakeshore Road West will be advanced further through the required site plan control applications.

Infrastructure

As a condition of approval, the Town's standards regarding functional servicing and stormwater management will be required to be fully satisfied through a revised functional servicing report and grading plans prior to registration of the plan of subdivision. This will include detailed engineering plans of the wastewater connection to the pumping station on Shorewood Place, which will be reviewed to minimize disturbance on surrounding properties.

As part of the conditions of approval in Appendix E, Halton Region is requiring an easement over the adjacent town walkway block connecting to Shorewood Place to service the proposed plan of subdivision. Staff are recommending that Council delegate authority to convey this easement to Halton Region, and seek reimbursement for the market value of such an easement and all cost related to the transaction from Majestic Edge Estates Inc.

Environmental Matters

Town and Conservation Authority staff have reviewed a Geotechnical Investigation, Coastal Analysis and Seawall Design, Coastal Erosion Hazard Delineation and Erosion Protection Design, Slope Stability Analysis and shoreline protection plans defines the limit of development from Lake Ontario and the shoreline protection works required. As a condition of approval in Appendix E, a peer review of the shoreline protection plans will be required. The detailed engineering design will continue to be reviewed through the associated draft plan of subdivision application. All shoreline protection works will be required to be fully in place prior to registration of the plan of subdivision.

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Public Comments

The public meeting report dated November 13th, 2017 identified the following matters to review:

- Impact/integration of the proposed development on adjoining properties;
- Conformity with applicable policy;
- Lotting pattern and proposed density of development;
- Adequate road widening and waterfront land dedication;
- Traffic, road alignment, adequate turning movements;
- Suitability of lands for intended use (environmental);
- Tree preservation;
- Functional servicing and stormwater management;
- Urban design; and,
- Privacy

In addition, at the statutory public meeting on December 5th, 2017 and through comments received from the public (Appendix G) tree protection and the alignment of the proposed public road with Morden Road were raised as concerns. The foregoing matters have been reviewed in detail in the transportation and mobility and tree preservation sections of this report.

Based on the above, staff have included a recommendation that *'comments from the public have been appropriately addressed'*, in satisfaction of the new requirements introduced through *Bill 73, The Smart Growth for Our Communities Act*.

If additional public input is received, the recommendations of this report could be amended to address how such submissions have affected Council's planning decisions.

OPINION & CONCLUSIONS

A full circulation and assessment of the application was undertaken to ensure that all technical and financial matters have been satisfactorily addressed. Staff has concluded that the proposed plan of subdivision, as revised, conforms to the Official Plan, complies with the Zoning By-law, does not conflict with all applicable Provincial plans and conforms to the Region of Halton Official Plan. Further, the proposed development represents good planning and approval is in the public interest. More specifically, staff recommends approval of the proposed plan of subdivision, as revised, as the following requirements have been satisfied:

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- The proposal, as revised, conforms to the low density residential designation and special policy area of the Livable Oakville Plan, and is an appropriate form of intensification.
- The proposed lotting pattern, as revised, is compatible with the lot area and lot frontages of the surrounding neighbourhood and the draft plan of subdivision meets the criteria within Section 51(24) of the *Planning Act*.
- Comments from the public and Council have been appropriately addressed.
- The proposed development meets the criteria in Section 11.1.9 of the Livable Oakville Plan to maintain and protect the existing neighbourhood character.
- There are no unacceptable adverse impacts on the surrounding area identified as part of the review of the development application.
- The owner is required to enter into a development agreement with the Town where further technical considerations such as, tree preservation and new plantings, stormwater management and servicing, shoreline protection, and detailed design of the linear waterfront park.
- The Design Guidelines for Stable Residential Communities will be implemented through required site plan approval and architectural control of the plan of subdivision.
- A full circulation has been undertaken and there are no outstanding concerns with the proposed Zoning By-law Amendment, draft plan of subdivision and draft plan of condominium.

IMPLEMENTATION

Should the draft plan of subdivision, as revised, be approved by Council, further planning approvals will be required to implement the development. It is anticipated that the applicant will work toward satisfying the conditions of draft plan approval, including a peer review of the shoreline protection works, and as part of that process staff will bring forward a subdivision agreement for Council's consideration.

The Owner will be responsible for securing all permits for the shoreline protection works, constructing the linear waterfront park which is expected to be completed prior to registration of the plan of subdivision. In addition, site plan approval will be required for the three lots backing onto the new linear waterfront park, and the two lots flanking Lakeshore Road West and architectural control will be required for the remaining lots to implement the approved Urban Design Brief.

CONSIDERATIONS:

(A) PUBLIC

A Public Information Meeting was held on October 17th, 2017 and a Public Meeting was held on December 5th, 2017. All comments from the public have been responded to in this report.

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Notice of this meeting has been provided in accordance with the *Planning Act* and to residents who have requested notice of future meetings.

(B) FINANCIAL

Growth related capital works associated with this proposal that are eligible for DC reimbursement are currently reflected in the Town's most current DC study, capital budget and forecast. Reimbursement shall be limited to the standards for such works and will only be paid in the year(s) that the project is funded in an approved capital budget.

Parkland and development charges requirements applicable to the development will be determined at the rates in effect at building permit issuance.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

The application was circulated to internal and external departments and agencies for review and their comments have been included as conditions of approval and/or reflected in the refinement of plan of subdivision design.

(D) CORPORATE AND/OR DEPARTMENT STRATEGIC GOALS

This report addresses the corporate strategic goal to:

- be the most livable town in Canada

(E) COMMUNITY SUSTAINABILITY

The proposal generally complies with the sustainability goals and objectives of Livable Oakville.

CONCLUSION

Staff recommend approval of the Draft Plan of Subdivision application as the proposal represents good planning and is in the public interest.

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APPENDICES

- Appendix A – Provincial Policy Statement Extracts
- Appendix B – Growth Plan for the Greater Golden Horseshoe Extracts
- Appendix C – Livable Oakville
- Appendix D – Zoning By-law 2014-014
- Appendix E – Conditions of Draft Plan Approval
- Appendix F – Matters to be Dealt with in Subdivision Agreement or Town Standards
- Appendix G – Public Comments

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