



OAKVILLE

REPORT

PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: APRIL 16, 2018

FROM: Planning Services Department

DATE: March 22, 2018

SUBJECT: Recommendation Report - Plan of Subdivision and Zoning By-law Amendment - Halton Catholic District School Board / Menkes - Coronation Drive - File No. 24T-16008-1410.22 - By-law 2018-049

LOCATION: Southwest of Coronation Drive and North Ridge Trail

WARD: 6

Page 1

RECOMMENDATION:

1. That, in accordance with Section 34(17) of the *Planning Act*, no further notice is determined to be necessary.
2. That Zoning By-law Amendment and Draft Plan of Subdivision applications submitted by Halton Catholic District School Board and Menkes Developments Ltd. (File No. Z.1410.20 and 24T-16008/1410), as revised, be approved on the basis that they are consistent with the Provincial Policy Statement, conform to all applicable Provincial plans, the Region of Halton Official Plan, and the Livable Oakville Official Plan, have regard for matters of Provincial interest, and represent good planning for the reasons outlined in the report from the Planning Services department dated March 22, 2018.
3. That the Director of Planning Services be authorized to grant draft plan approval to the Draft Plan of Subdivision (24T-16008/1410) submitted by Menkes Developments Ltd., prepared by Bousfields Inc. dated December 19, 2017 subject to the conditions contained in Appendix B.
4. That By-law 2018-049, an amendment to Zoning By-law 2014-014, be passed; and
5. That notice of Council's decision reflect that Council has fully considered all written and oral submissions related to this matter and that these comments have been appropriately addressed.

KEY FACTS:

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

- A plan of subdivision and zoning by-law amendment application was submitted on December 13, 2016 by Halton Catholic District School Board to permit development of 52 detached dwellings. The application has since been revised to permit development of 48 detached dwellings.
- The site is located west of Coronation Drive south of North Ridge Trail.
- The applications were deemed complete on January 10, 2017.
- The lands have been deemed surplus lands by the Halton District School Board. The school board has proceeded in accordance with the protocols established by applicable provincial legislation regarding surplus lands and have reached the stage where the surplus lands can be offered for sale to a third party. The school board is currently in negotiations with Menkes Developments Ltd. for the purchase of the subject site.
- The applicant held their own preliminary information meeting for the public on April 6, 2017.
- A Public Information Meeting (PIM) was held at Town Hall on September 13, 2017. A total of 10 people attended the meeting.
- A Statutory Public Meeting was held at Town Hall on October 10, 2017.
- Approval of the revised zoning by-law amendment and draft plan of subdivision applications are recommended based on:
 - The proposed development, as revised, conforms to the Growth Plan (2017), is consistent with the Provincial Policy Statement (2014), and conforms to the Halton Region Official Plan and Livable Oakville Plan.
 - The proposed development, as revised is:
 - Consistent with Low Density Residential land use designation of the Livable Oakville Plan
 - Consistent with the urban design policies of Section 6 of the Livable Oakville Plan
 - Maintains and protects the existing neighbourhood character as evaluated using the criteria in Section 11.1.9 of the Livable Oakville Plan

BACKGROUND:

The purpose of this report is to provide a full staff review and a recommendation on the proposed zoning by-law amendment and draft plan of subdivision applications to permit the development of 48 detached dwellings on public streets.

The subject applications were deemed complete on January 10, 2017. A Public Information Meeting was held on September 13, 2017 where ten residents attended.

The applicant also held their own preliminary information meeting on April 6, 2017. The statutory public meeting was subsequently held by Oakville Town Council on October 10, 2017.

History of the Application

The Halton Catholic District School Board determined that the subject land is not required for the purposes of the school board and, therefore, has been deemed surplus. The school board is allowed to sell surplus land provided that the school board adheres to the property disposition protocol outlined in Ontario Regulation 444/98 of the Education Act. Part of this protocol is that the school board must offer first rights of acquisition of the surplus lands to a prescribed list of preferred Ministry of Education agencies. The preferred list includes other school boards, various public post-secondary institutions, and the local municipality (such as the Town of Oakville). If the school board does not receive an Offer to Purchase from any of the preferred agencies, the school board is able to pursue the sale of the surplus land to a third party.

At its meeting on September 21, 2015, Council directed Town staff to work with the school board to complete planning work for development of the subject land in compliance with the Official Plan, in the event that there were no other public agency expressions of interest in the land. Council elected not to purchase the site because it was determined that there is no suitable municipal use for the property as it is situated in a residential area that is already well serviced by existing municipal facilities, such as North Ridge Trail Park and Iroquois Ridge Community Centre.

The school board did not receive any purchase offers from the preferred agencies. As such, the school board is now able to make the land available for purchase by a third party. The school board is currently in the process of selling the property to Menkes Developments Ltd.

Halton Catholic District School Board submitted the original application for these lands prior to the subject lands being offered for sale to a third party. Staff reviewed the original application and provided preliminary comments to the school board regarding the initial proposal. At that time, staff recommended that the school board wait until a prospective purchaser had been selected and allow the prospective purchaser the opportunity to review the preliminary comments and make a formal resubmission at that time. Similarly, staff advised that a Public Information Meeting and a statutory Public Meeting should be scheduled to obtain public input and provide a technical review after that formal resubmission.

The revised applications reflect the proposal put forth by Menkes Developments Ltd. with permission from the Halton Catholic District School Board.

From: Planning Services Department

Date: March 22, 2018

Subject: Recommendation Report - Plan of Subdivision and Zoning By-law Amendment - Halton Catholic District School Board / Menkes - Coronation Drive - File No. 24T-16008-1410.22 - By-law 2018-049

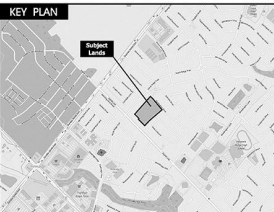


Figure 1 - Location Map



AREA TABLE		
1722 - 18dp dated December 19, 2017		
Residential Singles	Lots 1-48	2.105 ha±
Walkway	Block 49	0.008
17.0m R.O.W.	368m	0.649
Total		2.762 ha±

LEGEND
 - - - - - Boundary of Subdivision



NOTES
 All dimensions are in metres.
 All area measurements are computer generated.
 All elevations refer to Geoidic Datum.

ADDITIONAL INFORMATION REQUIRED UNDER SECTION 51(17) OF THE PLANNING ACT

C. This represents the applicant's entire holding of undeveloped land in this vicinity.
 D. Residential single-detached, walkways, roads.
 H. Piped water to be provided.
 I. Clay loam soil.
 K. Sanitary & storm sewers to be provided.

SURVEYOR'S CERTIFICATE
 I certify that: the boundaries of the lands to be subdivided and their relationship to the adjacent lands are correctly shown

[Signature] 13 May 2017
 C.P. Edward, O.L.S. Signatory Day Month Year

OWNER'S AUTHORIZATION
 I, **HALTON CATHOLIC DISTRICT SCHOOL BOARD** being the registered owner(s) of the subject lands hereby authorize **BOUSFIELDS INC.** to prepare and submit on my behalf a plan of subdivision for approval.

[Signature] 02 06 17
 Signatory Day Month Year



REVISED DRAFT PLAN OF PROPOSED SUBDIVISION
 BLOCK 47 REGISTERED PLAN 20M-881,
 BLOCK 75 REGISTERED PLAN 20M-827,
 BLOCK 212, REGISTERED PLAN 20M-858
 TOWN OF CARVILLE
 REGIONAL MUNICIPALITY OF HALTON

BOUSFIELDS INC.
 3 Church Street, Suite 200
 Toronto, Ontario M5E 1M2
 P 416 593 9744
 F 416 593 0781
 E info@bousfields.com

1:500 December 19, 2017 1722 - 18dp
 Block 49

**Figure 2 - Draft Plan of Subdivision
Proposal**

The applicant has submitted a Plan of Subdivision and Zoning By-law Amendment application to rezone the property from Community Use (CU) to a Residential Low zone with a site specific special provision. The applicant seeks approval to permit the lands to be developed with a total of 48 detached dwellings at a density of 23 units per net hectare. The current draft plan represents an elimination of one proposed lot from the draft plan presented at the public statutory meeting on October 10, 2017 in order to address staff comments with respect to lot configuration.

The draft plan has been configured to reflect to lot frontages of the adjacent lands. A new public street is proposed from Coronation Drive on the southern part of the site. The new public street will then form a loop within the site that will position lots on the outer edge of this road with a backyard condition adjacent to all existing lots in the surrounding area. Smaller lots are proposed on the interior of the public street loop (see Figure 2 above).

A walkway block is proposed to coordinate and extend the existing walkway block linking Tesla Crescent to the subject lands. This walkway block will also contain a watermain to provide a required watermain loop to Tesla Crescent.

Figure 3 below provides an excerpt from the Urban Design Brief showing the potential architectural styles currently proposed for the subject lands.

Appendix C provides a table that shows the site-specific (RL8) Residential Low Zone provisions proposed for the subject lands. It also includes the standard RL8, RL5 sp:32, and RL5 sp:45 provisions that apply to the lands immediately abutting the subject lands for comparison purposes.



Figure 3 - Urban Design Brief Except - Potential Architectural Styles

Location

The site is located west of Coronation Drive and south of North Ridge Trail (see Figure 1 above).

Site Description

The subject land has an area of 2.762 hectares and 133.76 metres of frontage on Coronation Drive. The subject land is vacant.

Surrounding Land Uses

The surrounding land uses are as follows:

- North – two-storey detached dwellings within the RL8 zone which back onto the subject site.
- South – one- and two-storey detached dwellings within the RL5 sp:32 zone which back onto the subject site.
- West – two-storey detached dwellings within the RL5 sp:32 or RL5 sp:42 zones which back onto the subject site.

East – residential lots on the east side of Coronation Drive containing two-storey single detached dwellings within the RL8 zone which front onto Coronation Drive. North Ridge Trail Park is also located across Coronation Drive from the northeast corner of the subject site.

POLICY FRAMEWORK:

The applications are subject to the following policy framework: the Provincial Policy Statement (2014), the Growth Plan for the Greater Golden Horseshoe (2017), the Halton Region Official Plan, and the Livable Oakville Official Plan.

Provincial Policy Statement

The Provincial Policy Statement 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 use patterns by directing growth to settlement areas and by promoting a compact development form.

On February 24, 2014, the Ministry of Municipal Affairs and Housing issued a new PPS under Section 3 of the Planning Act. The new PPS replaces the 2005 statement and is effective April 30, 2014.

The subject lands are located within a settlement area, which are to be the focus of growth and development (policy 1.1.3.1). Intensification is one of the ways planning authorities are to provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents (policy 1.4.3). The PPS states that land use patterns within settlement areas shall be based in part on providing a range of uses and opportunities for intensification and redevelopment (policy 1.1.3.2.b).

With respect to intensification, the PPS states:

1.1.3.3

That planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

1.1.3.4

Appropriate development standards should be promoted which facilitate

intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.

In accordance with section 3 of the *Planning Act*, all planning decisions must be consistent with the PPS.

Staff note that the existing zoning permitting a school is consistent with the PPS and in conformity with the 2017 Growth Plan, the Region of Halton Official Plan and Livable Oakville Official Plan in terms of providing for complete communities. Notwithstanding, the redevelopment of the subject lands for residential uses in a manner in conformity with the Region of Halton Official Plan and the Livable Oakville Official Plan would also be consistent with the PPS and in conformity with the 2017 Growth Plan.

Growth Plan for the Greater Golden Horseshoe

The Growth Plan for the Greater Golden Horseshoe, 2017 was released on May 18, 2017 and came into effect on July 1, 2017, replacing the Growth Plan for the Greater Golden Horseshoe, 2006. The Growth Plan is a long-term plan that works together with the Greenbelt Plan, the Oak Ridges Moraine Conservation Plan and the Niagara Escarpment Plan to manage growth, build complete communities, curb sprawl and protect cultural heritage resources and the natural environment. The Plan directs growth to built-up areas through intensification where development proposals can efficiently use existing transportation and servicing infrastructure.

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 2.2.1.1). 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; improve social equity and overall quality of life; provide a diverse range and mix of housing options; expand convenient access to transportation options, public service facilities, accessible open space and healthy local, affordable food options; ensure development of high quality compact built form; mitigate and adapt to climate change impacts, and integrate green infrastructure and low impact development (policy 2.2.1.4 a-g).

Policy 2.2.2.1 directs that a minimum of 60% of all residential development occurring annually will be within the delineated built-up area. Policy 2.2.2.4 provides that all municipalities develop a strategy to achieve the minimum intensification target throughout the delineated built-up areas. The subject lands are considered within a built up area of Oakville in accordance with the Growth Plan, where growth is intended to be accommodated through intensification, subject to policies developed by local municipalities based on local conditions.

All decisions made on or after July 1, 2017 in respect of the exercise of any authority that affects a planning matter are required to conform to the Growth Plan (2017).

Region of Halton Official Plan

The Ontario Municipal Board has issued a series of decisions regarding the partial approval of Regional Official Plan Amendment (ROPA) 38 to the Halton Region's Official Plan. Development applications are being reviewed in accordance with the approved policies of ROPA 38.

The lands are designated as 'Urban Area' in the 2009 Regional Official Plan. The Urban Area is "planned to accommodate the distribution of population and employment for the Region and the four Local Municipalities". One of the objectives of the Urban Area (Policy 72(1)) is to "accommodate growth in accordance with the Region's desire to improve and maintain regional unity, retain local community identity, create healthy communities, promote economic prosperity, maintain a high quality, sustainable natural environment, and preserve certain landscapes permanently". The range of permitted uses and the creation of new lots in the Urban Area will be in accordance with Local Official Plans and Zoning By-laws. All development, however, shall be subject to the policies of the Regional Plan.

Livable Oakville Official Plan

The Livable Oakville Plan was approved by the Ontario Municipal Board on May 10, 2011.

The site is designated as 'Low Density Residential' on Schedule I, Central Land Use (see Figure 4).

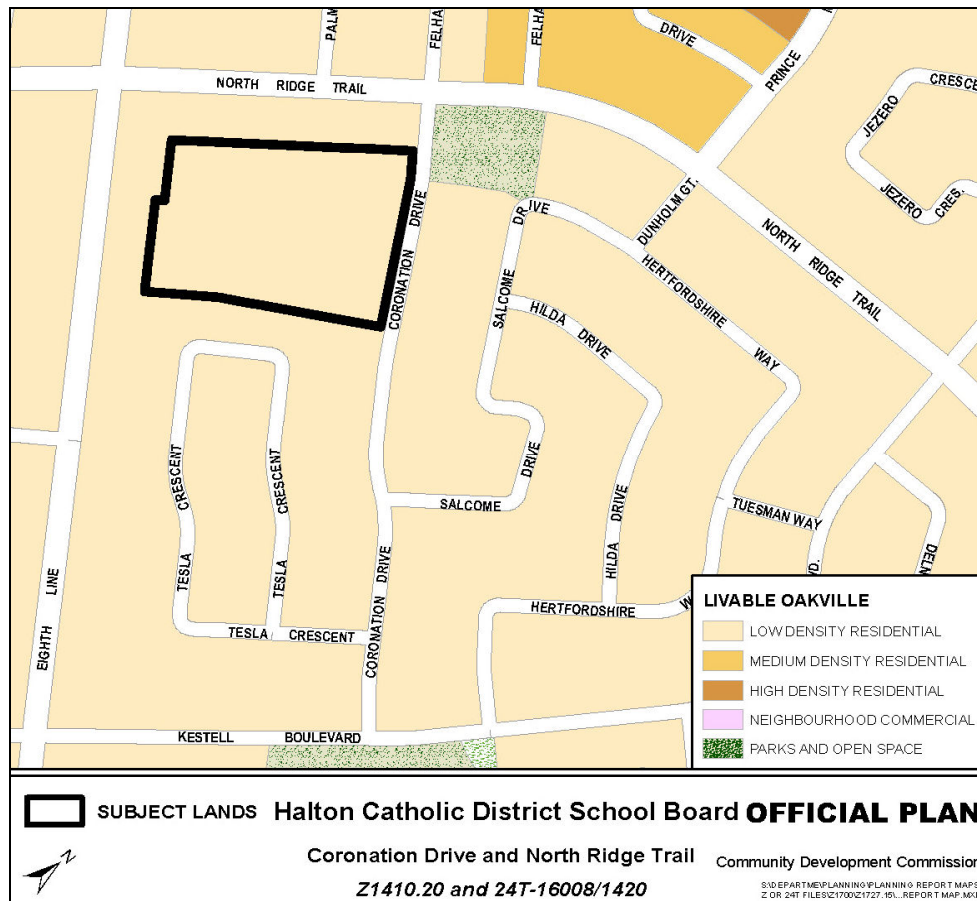


Figure 4 - Livable Oakville Official Plan Excerpt

Section 11.2 outlines the permitted uses and density for the subject lands as follows:

“11.2 Low Density Residential

11.2.1 Permitted Uses

The Low Density Residential land use designation may permit a range of low density housing types including detached dwellings, semi-detached dwellings and duplexes.

11.2.2 A density of up to 29 dwelling units per *site hectare* may be permitted in areas designated Residential Low Density.”

A guiding principle of the Livable Oakville Plan is to preserve and create a livable community in order to:

“preserve, enhance, and protect the distinct *character*, cultural heritage, living environment, and sense of community of neighbourhoods” (Section 2.2.1(a)).

The subject lands are located in a stable residential community as identified by the Livable Oakville Official Plan. Part D, Section 11 applies and states the following:

“11.1.4 *Development* shall conform with the policies relating to urban design and sustainability set out in Part C.

“11.1.8 *Intensification* within the stable residential communities shall be provided as follows:

- a) Within stable residential communities, on lands designated Low Density Residential, the construction of a new dwelling on an existing vacant lot, *land division*, and/or the conversion of an existing building into one or more units, 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 this Plan.”

The policy criteria within Section 11.1.9 for evaluating development applications within all stable residential communities is as follows:

“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.
- c) Where a *development* represents a transition between different land use designations or housing forms, a gradation in building height shall be used to achieve a transition in height from adjacent development.
- 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.

- 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.
- 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.
- j) *Development* should maintain access to amenities including neighbourhood commercial facilities, community facilities including schools, parks and community centres, and existing and/or future public transit services.
- k) The transportation system should adequately accommodate anticipated traffic volumes.
- l) *Utilities* shall be adequate to provide an appropriate level of service for new and existing residents.”

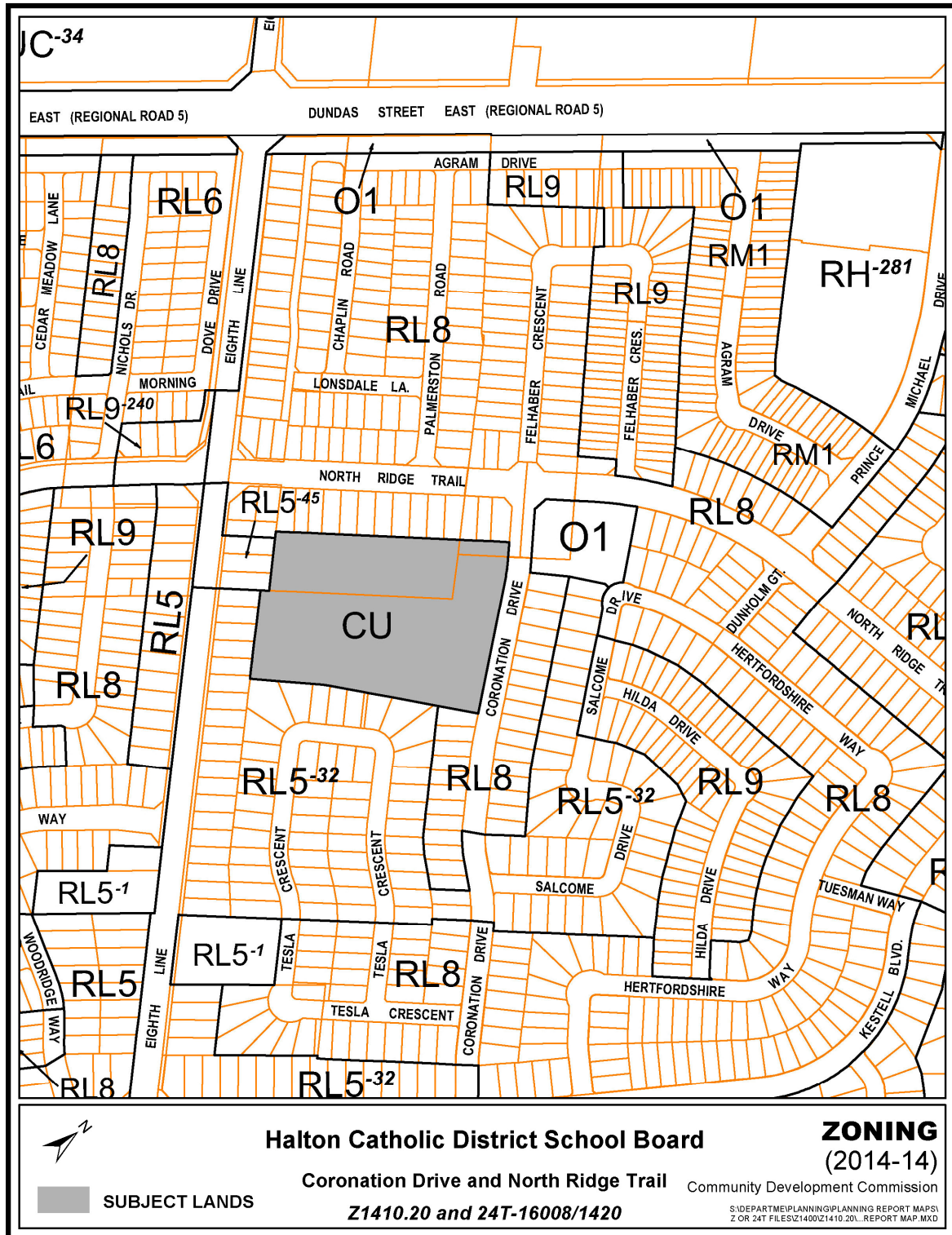


Figure 5 - Zoning By-law Excerpt

Zoning By-law 2014-014

The lands are currently zoned (CU) Community Use and a zoning by-law amendment is required to permit development on the site.

Proposed Zoning By-law Amendment

A site-specific RL8 Residential Low zone is proposed for the subject lands. The zoning by-law amendment has been drafted to reflect the configuration of the proposed plan of subdivision. The following are the principles of the proposed site-specific zoning by-law:

- Permit detached dwellings as the only permitted residential use, in addition to the standard accessory residential, community and open space uses of the RL8 zone.
- Establish minimum lot area, setbacks and maximum height regulations for Blocks 1, 2 and 3 (see Figure 6 below).
- Establish maximum residential floor area provisions to regulate scale and massing and ensure neighbourhood compatibility. The following are the estimated maximum residential floor areas:

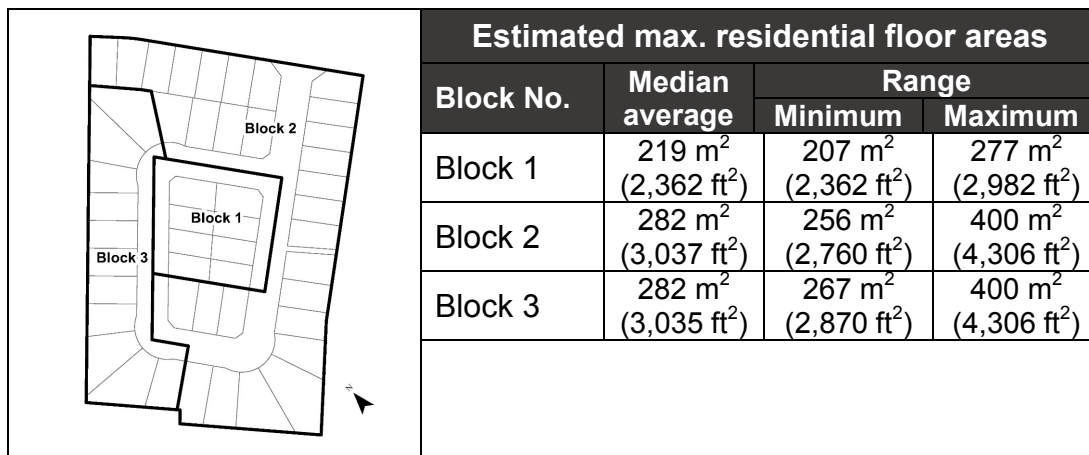


Figure 6 – Estimated maximum residential floor area for proposed lots

PLANNING ANALYSIS:

Planning matters considered

Physical Context

The subject lands are currently vacant.

The subject lands are located kitty-corner to North Ridge Trail Park which is a 0.55 ha public park containing a children's play structure, two shade pavilions, and passive open space. An existing walkway block with a concrete sidewalk connects the site from Tesla Crescent to the south which shows evidence of use by nearby residents to access the site and/or cross the vacant site to access Coronation Drive.

The east side of the subject lands front directly onto Coronation Drive. The remaining three sides of the site abut residential lots with rear yards that back onto the site. There are 45 lots in total that surround the subject lands and exhibit the following characteristics:

- 8 lots have one-storey detached dwellings
- 37 lots have two-storey detached dwellings
- 35 lots have rear or side yards that directly abut the subject lands
- 10 lots are located opposite the subject lands across Coronation Drive
- The median average estimated residential floor area of the dwellings located on lots abutting the subjects lands is 280 m² (3,014 ft²).

Staff developed a virtual three-dimensional model of the immediate area as a tool to visualize and evaluate the proposed development (see Figure 7) and compiled a number of metrics – included in Appendix D – as a means to summarize the character of the adjacent lots (see Table 2 and Figure 8). This metric characterization assisted staff in evaluating the appropriateness of the proposed application.



Figure 7 – 3D visualization of immediate vicinity of subjects lands

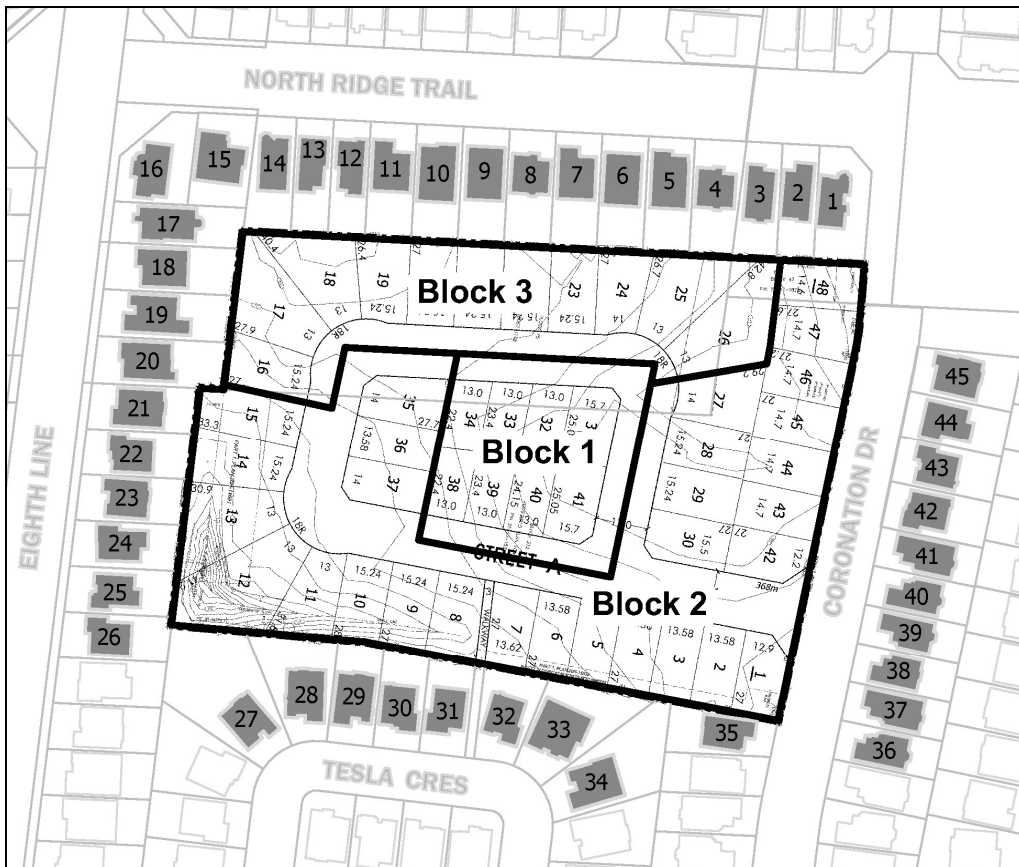


Figure 8 – Surrounding Adjacent Lots and Proposed Zoning Blocks

Table 2 – Lot characteristics of lots immediately adjacent to the subject lands

Characteristic		Median average	Range	
			Minimum	Maximum
Lot Area	All Lots	522 m ²	428 m ²	1186 m ²
	Lots 1 – 20	570 m ²	455 m ²	1189 m ²
	Lots 21 – 34	522 m ²	472 m ²	649 m ²
	Lots 34 – 45	428.5 m ²	428 m ²	545 m ²
Estimated Lot Frontage	All Lots	15.0 m	12.0 m	19.1 m
	Lots 1 – 20	15.0 m	12.0 m	19.1 m
	Lots 21 – 34	15.0 m	14.9 m	16.7 m
	Lots 34 – 45	12.8 m	12.8 m	15.0 m
Estimated Residential Floor Area	All Lots	278.5 m ² (56%)	154.1 m ² (22%)	393.9 m ² (76%)
	Lots 1 – 20	283.9 m ² (56%)	154.2 m ² (24%)	393.9 m ² (69%)
	Lots 21 – 34	273.0 m ² (51%)	154.1 m ² (22%)	380.2 m ² (59%)
	Lots 34 – 45	279.7 m ² (59%)	245.6 m ² (53%)	326.1 m ² (76%)
Estimated Rear Yard Depth*	All Lots*	13.1 m	6.9 m	19.8 m
	Lots 1 – 20*	14.3 m	11.4 m	16.9 m
	Lots 21 – 34	10.8 m	6.9 m	19.8 m
	Lots 34 – 45*	-	-	-

*Rear yard depth was not estimated for adjacent lots that do not back onto the subject lands

Livable Oakville Official Plan

LAND USE DESIGNATION

The subject lands are designated Low Density Residential (see Figure 4). The application proposes 48 residential detached dwellings with a proposed density of 22.7 units per site hectare.

This complies with section 11.2 of the official plan which permits residential detached dwellings with a density of up to 29 units per site hectare in the Low Density Residential designation.

COMPATIBILITY WITH SURROUNDING NEIGHBOURHOOD

Intensification is permitted by the Livable Oakville Official Plan in section 11.1.8 provided the proposed development is compatible with the lot area and lot frontages of the surrounding neighbourhood and subject to the policies of section 11.1.9. While the proposed development does not need to be identical to the surrounding area, the primary objective is to achieve compatibility with the surrounding neighbourhood.

LOT FRONTAGES

The lot frontages within the proposed subdivision range from approximately 13.0 metres to 16.2 metres with a median average of 14.7 metres. The lot frontage of the properties immediately adjacent to the subject lands range from approximately 12.0 metres to 19.1 metres with a median average of 15.0 metres. The proposed lot frontages exhibit less variability in size and fall within the range of lot frontages that exist in the surrounding neighbourhood.

Staff are satisfied that the proposed lot frontages are comparable to, and compatible with, the surrounding neighbourhood.

LOT AREAS

The shape and configuration of the subject lands creates planning challenges with respect to the creation of an efficient lotting pattern while incorporating a public road.

The proposed lot areas are generally smaller than the surrounding neighbourhood as a result of constraints with respect to the shape and configuration of the subject lands and the result of achieving other important design characteristics in the design of the proposed subdivision.

Livable Oakville policies indicate that new subdivisions should establish or reinforce a modified grid street pattern (s.6.5) and that cul-de-sacs shall only be considered where warranted by physical conditions or neighbourhood character (s.6.5.2). The surrounding neighbourhood does not contain any cul-de-sacs and exhibits a modified grid street pattern. Reverse frontage lots (i.e. lots that back on to a public street) should be avoided (s.6.5.3).

While the ultimate goal of a new subdivision within an established neighbourhood is to provide lots with an equivalent lot depth to the surrounding area, the limited north-south dimension of the subject lands prevents this from being possible in this case. A looped street configuration is needed to achieve a looped street network comparable to the existing modified grid pattern of the community and avoid cul-de-sacs within the proposed subdivision. As such, two public streets (17 m right-of-way width) are required within the north-south dimension of the subject lands. Four rows of lots are also needed within this dimension in order to avoid reverse frontage lots in the inner block created by the looped street configuration. It is not possible for all four rows of lots to provide an equivalent lot depth to the lots in the surrounding area.

Staff provided direction to the applicant that every effort should be given to maximize the depth of the lots proposed for the perimeter of the subject lands where existing lots back onto the subject lands. The result of this effort is that the depth of the lots in the inner block have been reduced as much as is feasible.

Staff are satisfied that the resulting lot pattern and configuration of the proposed subdivision is appropriate despite providing generally smaller lot areas than the surrounding neighbourhood. The proposal achieves a lot pattern and configuration that fulfills Livable Oakville subdivision design policies and is compatible with the surrounding neighbourhood.

SCALE, HEIGHT, MASSING AND SEPARATION DISTANCE

Section 11.1.9 of Livable Oakville specifies that the scale, height, massing, setbacks, and separation distances of the proposed development be compatible with the surrounding neighbourhood.

SETBACKS

Residential floor area, minimum setbacks, maximum heights and maximum number of storeys are metrics that work together to govern the scale and massing of proposed houses as well as separation distances between new houses and between existing and proposed houses.

With respect to yard setbacks (i.e. front, flankage, rear, side, etc.), the proposed site-specific zoning provision maintains the standard yard setbacks of the RL8 zone. The only exception to this is the minimum rear yard requirement for the interior lots (Block 1) where the minimum required rear yard has been reduced from 7.5 m to 6.5 m due to the restricted lot depths on these lots while accommodating adequately-sized building footprints on the smaller lots in Block 1.

While the RL5 zone has a larger minimum front yard setback (7.5 m) than the RL8 zone (4.5 m), the minimum rear yard requirement (7.5 m) and the interior side yard separation distances between houses (2.4 m) are the same as the RL8 zone. As the adjacent RL5 lots only back onto the subject lands, it is only the rear and side yard setbacks that need to be considered in relation to the subject lands.

Staff are satisfied that the proposed minimum required yard setbacks are compatible with the surrounding neighbourhood.

BUILDING HEIGHT

With respect to dwelling height, the maximum height in the RL8 zone is 10.5 m with a maximum of 2 storeys and the maximum height in the RL5 zone is 12.0 m. The RL5 zone does not regulate the number of storeys. The proposed height for Block 1 and Block 2 is 10.5 m, comparable to the standard RL8 zone and less than the standard RL5 zone.

One difference between the building height provisions in standard RL8 zone and the proposed site-specific by-law is that the standard RL8 includes a footnote that permits floor space above the second storey provided that upper floor space is not more than 35% of the floor space of the storey beneath it. This is a provision that essentially allows a small third-storey “loft” space in a house. However, the loft space has the potential to make some facades of a house appear as a three-storey structure. In order to ensure compatibility of height and the number of storeys of the proposed subdivision with the surrounding neighbourhood which are characterized by one- and two-storey dwellings, it would not be appropriate to include the ability to provide loft space in this manner for lots that abut the surrounding neighbourhood. As such, this footnote of the standard RL8 zone has not been carried over into the proposed site-specific by-law for the subject lands.

The proposed height in the interior (Block 1) is 12.5 m with a maximum of 3 storeys. The applicant requested permission for an additional storey on Block 1 lots due to their smaller size than the proposed perimeter lots. The reasoning behind this request is that with a shallower lot and the requirement to inset the attached garage into the front façade of the house, there is limited space to then provide the main living areas of a house on the ground level with the garage (i.e. kitchen, living room, dining room, etc.). The houses in Block 1 have been designed with the main living areas on the second storey with the bedroom level above that on a third storey.

Special consideration is required to accommodate dwellings on Block 1 as it is located internal to the site and does not abut any lots of the surrounding neighbourhood. The additional height requested for Block 1 is 2 metres greater than the maximum permitted height for RL8 lots and only 0.5 metres greater than the maximum permitted height for the RL5 lots. Additionally, the new houses proposed for the perimeter lots with a maximum permitted height of 10.5 metres will provide a buffer or transition between the proposed three-storey houses and the existing houses surrounding the subject lands.

Staff are satisfied that the buildings heights proposed for the subject lands are compatible with the surrounding neighbourhood.

RESIDENTIAL FLOOR AREA AND SEPARATION DISTANCE

With respect to residential floor area, the existing RL8 lots backing onto Block 3 have a maximum residential floor area of 65%. This would be consistent with the actual estimated floor areas of the existing houses on these lots range from 45% to 65%.

The existing RL5 zones backing onto the subject lands have maximum lot coverage regulations as opposed to maximum residential floor area regulations (see Figure 8).

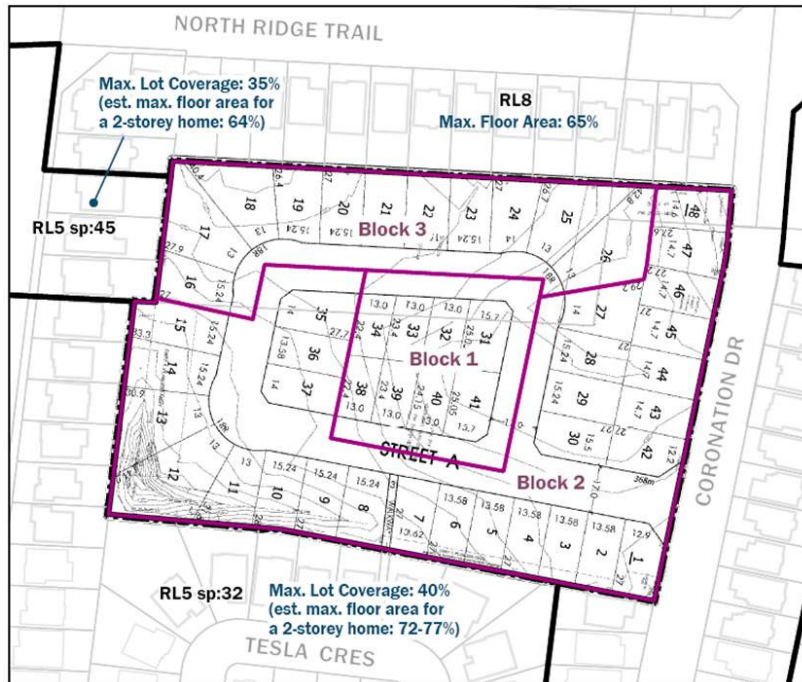


Figure 8 – Maximum Residential Floor Areas and Lot Coverages of Adjacent Zones

Staff estimate that a two-storey house in RL5 sp:45 (with a max. lot coverage of 35%) would equate to an estimated floor area of 64% if two-storey dwellings were built on these lots. It is important to note, however, that these lots currently have one-storey houses with estimated floor areas of 24%-27%.

The RL5 sp:32 zone permits a lot coverage of 40% for two-storey houses. Staff estimate that this equates to an estimated maximum residential floor area of 72% to 77% for these lots. The actual estimated floor areas of the existing two-storey houses on these lots ranges from 26% to 58%.

The applicant requested a maximum residential floor area of 70% for all lots on the subject lands. Staff undertook an analysis that estimated the resulting residential floor areas on the proposed lots and compared them with the actual estimated floor areas of the existing houses on the lots surrounding lots. In general, the resulting floor areas of the proposed lots at 70% fall within the range of the smallest and largest house sizes immediately surrounding the subject lands suggesting that the scale of the proposed houses are not out of line with the existing house sizes surrounding the site.

The exceptions were the six pie-shaped lots with lot areas greater than 600 m² (proposed Lots 12, 13, 17, 18, 25, and 16). To account for these exceptions, the maximum residential floor area regulation in the proposed site-specific by-law caps residential floor area at 400 m² for lots with an area greater than 600 m². This ensures that the scale and massing of dwellings on the larger lots (i.e. pie-shape lots) are compatible with the neighbourhood. It is also important to note that houses built on pie-shape lots do not typically achieve the maximum residential floor area permitted due to the non-rectangular shape of the lot.

While one of the metrics analyzed is how the proposed house sizes compare to the sizes of the surrounding houses, separation distance between existing and proposed houses is another important factor to be considered. For the proposed perimeter lots that back onto existing lots, which in turn back onto the subject lands, the actual existing rear yard depth of existing lots (not just the minimum required) needs to be considered in order to assess the appropriate separation distance between the proposed houses and the existing houses.

The RL8 lots backing onto Block 3 have existing rear yard depths that are 3.9 metres to 9.4 metres greater than the minimum required rear yard setback of 7.5 metres. Because the proposed Block 3 lots are shallower than the abutting RL8 lots (for reasons discussed previously), it is not possible to match the larger rear yard depths on the proposed lots. As a result, houses developed on the proposed Block 3 lots, even when located as far away from the rear lot line as possible by locating these houses at the minimum required front setback, will be located closer to the rear property line than that existing RL8 houses are from the rear lot line.

Maximum residential floor area contributes to the separation distance between the existing RL8 houses and the proposed Block 3 houses. Staff are of the opinion that the establishment of a maximum 65% residential floor area for Block 3 is appropriate to regulate the scale and massing impacts on adjacent lots. Any further increase to the standard RL8 maximum residential floor area would likely result in a further decrease in the separation distance between proposed Block 3 houses and existing RL8 houses. Even with a 65% maximum residential floor area, the separation distance between the proposed houses and the existing RL8 houses is less than it would be if it were possible to provide proposed lots in Block 3 with equivalent lot depths to the abutting RL8 lots to the north. As such, proposed zoning regulations for Block 3 should maintain the 65% maximum residential floor area of the standard RL8 zone.

Block 3 also abuts RL5 sp:45 lots to the west of the subject lands. These lots also have rear yard depths that exceed the minimum required rear yard setback by 5.6 metres to 8.6 metres. The existing houses on these lots are one-storey houses. As described earlier, staff estimate that two-storey dwellings developed

on these lots could potentially reach a residential floor area of 64% as-of-right. As such, the same concerns with respect to separation distance discussed above for the RL8 lots apply to the RL5 sp:45 lots and is why Lots 16 and 17 of the proposed subdivision have been included in zoning regulations for Block 3.

Separation distance is less of a concern for Block 2 lots that back onto the RL5 sp:32 lots for two reasons. First, proposed Lots 12 to 15 are not shallow lots and have lot depths comparable to the abutting existing RL5 sp:32 lots that back onto them. In this context, a house built at the requested maximum residential floor area of 70% will be able to maintain a rear yard depth (and hence, separation distance) that is equivalent to the abutting existing lots.

The second reason is that the existing RL5 sp:32 lots abutting the southern site boundary have rear yard depths that only exceed the minimum required rear yard setback by 0 metres to 4.1 metres and have lot depths that are similar to the abutting proposed Block 2 lots. In this context, a house built at the requested maximum residential floor area of 70% on the shallow perimeter lots will still be able to maintain a rear yard depth (and hence, separation distance) that is equivalent to the lesser rear yard depth of the abutting existing lots. In light of this, and that the maximum lot coverage of the RL5 sp:32 zone equates to an estimated maximum residential floor area of 72% to 77% in this area (as discussed earlier), staff are of the opinion that a maximum residential floor area of 70% for Block 2 lots would be compatible with the surrounding neighbourhood.

With respect to maximum residential floor area for the three-storey houses in Block 1, the applicant requested that the first storey (i.e. the ground floor level with the garage) not be counted in the calculation of floor residential floor area. The reason behind the request is that the floor space surrounding the garage on this level would effectively function as a basement for these houses. The three-storey house designs for Block 1 do not include below-grade basement space beneath the garage. The number of actual levels in the proposed house would be comparable to a two-storey house built with a true basement below grade. For a two-storey house, the basement area is not included in the calculation of residential floor area. As such, the proposed site-specific regulations for Block 1 prohibit basement space (i.e. floor space beneath the first storey) for three-storey houses and indicate that floor space on the first storey shall not be counted towards for the three-storey houses.

In consideration of the above, staff are satisfied that the residential floor areas and separation distances of the proposed development are compatible with the surrounding neighbourhood.

Matters Raised by the Public

A Public Information Meeting was held on September 13, 2017 where a total of 10 people attended. The statutory public meeting was subsequently held on October 10, 2017 with a number of public submissions. Written submissions received as of the date of this report are included in Appendix C.

The public comments received to date have ranged from support for the proposal to opposition based on a number of concerns which include:

- desire for the subject lands to be used for a school or public open space
- potential construction disturbance
- anticipated increase in vehicle traffic / congestion
- insufficient lot depth for proposed lots
- desire to eliminate the public walkway from Tesla Crescent
- over-crowding of existing neighbourhood schools if a school is not built on the subject lands

Table 3 below identifies where these concerns have been reviewed in the planning analysis section of this report or provides a response for how this concern has been addressed.

Table 3 – Response to Matters Raised by the Public

Matter raised by the public	<i>Response</i>
<ul style="list-style-type: none"> • desire for the subject lands to be used for a school or public open space 	<p>The lands have been deemed as surplus lands by the Halton District School Board. The school board has proceeded in accordance with the protocols established by applicable provincial legislation regarding surplus lands and have reached the stage where the surplus lands can be offered for sale to a third party.</p> <p>As part of the above process, Council elected not to purchase the site because it was determined that there is no suitable municipal use for the property as it is situated in a residential area that is already well serviced by existing municipal facilities, such as North Ridge Trail Park and Iroquois Ridge Community Centre.</p>

From: Planning Services Department

Date: March 22, 2018

Subject: Recommendation Report - Plan of Subdivision and Zoning By-law Amendment - Halton Catholic District School Board / Menkes - Coronation Drive - File No. 24T-16008-1410.22 - By-law 2018-049

Page 26

<ul style="list-style-type: none">• potential construction disturbance	<p>The developer is required to comply with the Town of Oakville Property Standards By-law and the Noise By-law during construction. The developer or builder is responsible for managing the work site so that debris and mud tracking is kept to a minimum and public space is reasonably clean at the end of each day. Generally, noise from construction is permitted during the hours of 7 a.m. to 7 p.m. (excluding Sundays and statutory holidays).</p> <p>More detailed information regarding construction protocols and regulations can be found on the Town's website at:</p> <p>www.oakville.ca/residents/my-neighbours-construction.html</p>
<ul style="list-style-type: none">• anticipated increase in vehicle traffic / congestion	<p>The applicant submitted a Traffic Impact Study in support of the application which determined that the proposed development will have minimal impact to the operation of the existing study area intersections in the future. The study also determined that there is adequate maneuvering space provided for passenger vehicles and trucks to access / egress the site driveway system.</p> <p>Transportation staff have reviewed the Traffic Impact Study and indicated that they do not have any concerns with its findings.</p>
<ul style="list-style-type: none">• insufficient lot depth for proposed lots	<p>Lot depth of the proposed lots is discussed under the section '<i>Planning matters considered</i> → <i>Compatibility with Surrounding Neighbourhood</i>' above in this staff report.</p>
<ul style="list-style-type: none">• do not want the existing walkway from Tesla Crescent – neither the existing portion or the proposed extension on the subject lands	<p>Elimination of the walkway connection to Tesla Crescent is not possible because it is required for a servicing connection and for pedestrian access and circulation, as</p>

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Page 27

	<p>supported by the Livable Oakville Official Plan.</p> <p>The walkway block connecting to Tesla Crescent currently contains an existing watermain which provides looped water service to Tesla Crescent through an easement on the subject lands.</p> <p>The Function Servicing Report submitted in support of the application proposes to abandon the existing easement on the subject lands and instead loop the watermain to the proposed Street A watermain for “looping service and redundancy”. This service connection is needed in order to provide Fire Service for the proposed subdivision and along Tesla Crescent.</p> <p>In addition, the proposed walkway will provide a pedestrian connection between Tesla Crescent and Street A to Coronation Drive. This connection will create a convenient pedestrian connection in the neighbourhood and will improve pedestrian access to transit routes for residents on Tesla Crescent. This is supported by Livable Oakville Policies which require development proposals to provide pedestrian and cycling facilities network that provide for direct pedestrian and cycling access to transit routes and stops, for example (s.8.12.2(b)).</p>
<ul style="list-style-type: none">• over-crowding of existing neighbourhood schools if a school is not built on the subject lands	<p>Both the Halton Catholic District School Board and the Halton District School Board were circulated this application for review.</p> <p>The Halton Catholic District School Board indicated they have no objection to the application. Elementary students generated from this proposal would be</p>

	<p>accommodated at St. Andrew Catholic Elementary School and secondary students would be directed to Holy Trinity Catholic School.</p> <p>The Halton District School Board also indicated that they have no objection to the application.</p>
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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 at the public meeting, the recommendations of this report could be amended to address how such submissions have affected Council’s planning decisions.

CONCLUSION:

The Planning Department undertook a circulation of the application to ensure that all technical and financial matters have been satisfactorily addressed.

Staff is satisfied that the proposed plan of subdivision and zoning by-law amendment applications are consistent with the Provincial Policy Statement and conforms to the Growth Plan for the Greater Golden Horseshoe (2017) and the Halton Region Official Plan. Further, the applications are consistent with the principles and overall policy direction of the Livable Oakville Official Plan. Staff recommends approval of the zoning by-law amendment (By-law 2018-049) and the plan of subdivision application, subject to the conditions in Appendix B, as the following requirements have been satisfied:

- The proposed development, as revised, provides an appropriate and compatible form of intensification within a stable residential community.
- The proposed development is consistent with the principles of the Livable Oakville Official Plan including the criteria of Section 11.1.9 regarding criteria to maintain and protect existing neighbourhood character and the urban design policies of Section 6.
- The proposed development conforms to the Growth Plan (2017), is consistent with the Provincial Policy Statement (2014), and conforms to the Halton Region Official Plan.
- The proposed plan of subdivision meets the criteria established in Section 51(24) of the *Planning Act*.

- Comments from the public have been appropriately addressed.
- A full circulation has been undertaken and there are no outstanding planning issues to be resolved.
- The application for a draft plan of subdivision is necessary to facilitate future land division into individual detached dwellings, and is appropriate for the orderly development of the lands.

Staff recommend approval of the zoning by-law amendment and the draft plan of subdivision as the proposal represents good planning and is in the public interest.

CONSIDERATIONS:

(A) PUBLIC

Notice for the meeting regarding this development application was provided through a mailing to all properties within 120 metres of the subject lands and to other residents who expressed interest in the application.

Public comments received to date have been addressed including the 'matters raised by the public' section of this staff report.

(B) FINANCIAL

Capital works associated with the proposal are local requirements and not anticipated to have any impact on the town. The value of cash-in-lieu of parkland and development charges that may be 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. Concerns from the circulated departments and agencies raised have been addressed in this staff report and, if required, have been included as zoning performance standards in By-law 2018-049 or conditions of draft plan approval contained in Appendix B.

(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.

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Page 30

APPENDICES:

- Appendix A – Draft Plan
- Appendix B – Conditions of Draft Plan Approval
- Appendix C – Proposed Zoning Provisions with Comparison to Abutting Zones
- Appendix D – Characteristics of Lots Adjacent to the Subject Lands
- Appendix E – Additional Comments received by the Public

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