



OAKVILLE

REPORT

PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: APRIL 16, 2018

FROM: Planning Services Department

DATE: March 22, 2018

SUBJECT: Recommendation Meeting Report, Zoning By-law Amendment
DiCarlo Homes Z.1413.31, 2136 and 2148 Trafalgar Road - By-law
2018-056

LOCATION: 2136 and 2148 Trafalgar Road

WARD: 5

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RECOMMENDATION:

1. That in accordance with Section 34(17) of the *Planning Act*, no further notice is determined to be necessary;
2. That the Zoning By-law Amendment application by DiCarlo Homes, (File No. Z.1413.31) be approved on the basis that it is consistent with the Provincial Policy Statement, conforms to all applicable Provincial Plans, the Region of Halton Official Plan, and the Livable Oakville Official Plan, has regard for matters of Provincial interest, and represents good planning for the reasons set out in the report from the Planning Services Department dated March 22, 2018;
3. That By-law 2018-056 be passed; and,
4. That notice of Council's decision reflect 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:

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

- This report recommends approval of the proposed Zoning By-law amendment submitted by DiCarlo Homes, received on March 15, 2017 and deemed complete on March 27, 2017.
- The effect of the proposed Zoning By-law amendment would be to permit the development of 59 four-storey townhouse dwellings fronting onto Trafalgar Road and Lillykin Street.

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- Intensification of the subject property in the manner proposed is consistent with the Livable Oakville Official Plan, PPS, Growth Plan and the Region of Halton Official Plan.
- The proposed amendments would promote the policies and objectives of the Trafalgar Road Corridor within the Livable Oakville Plan by providing for medium density development along a planned higher order transit corridor with pedestrian connections through the development from Lillykin Street to Trafalgar Road.
- The application has been circulated to internal departments and public agencies for review and comment and no objections to the application were received.
- A Public Information Meeting was held on May 9, 2017 and was attended by nineteen residents. The Statutory Public Meeting was held on September 11, 2017. A resident petition is included as Appendix 'A'.

BACKGROUND:

The purpose of this report is to provide a full staff review of the application and recommendation on the proposed Zoning By-law Amendment application.

The Trafalgar Road Corridor Planning Study (TRCPS) was completed and approved by Council in 2014. Implementing policies were incorporated into the Livable Oakville Plan through Official Plan Amendment No. 5 to permit opportunities for intensification and redevelopment along the Trafalgar Road corridor between Midtown Oakville and Uptown Core. The Trafalgar Road intensification policy also supported future transit levels of service that contributed to the reduction of single occupancy vehicle use. The subject lands were included within the study recommendations for intensification. The 2014-014 InZone By-law zoned the site as Existing Development until such time a development application was submitted to the Town.

Proposal

The purpose of the application is to rezone the subject lands from ED (Existing Development) to Mixed Use 2 to permit a total of 59 four-storey townhouse dwellings, consistent with the zoning in effect for the property to the north (known as the Dunpar development).

Vehicle access is proposed from Lillykin Street. Pedestrian access from Lillykin Street to Trafalgar Road is provided through the site.

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Location

The property is located at 2136 and 2148 Trafalgar Road and fronts onto Trafalgar Road and Lillykin Street to the west. (Figure 2).

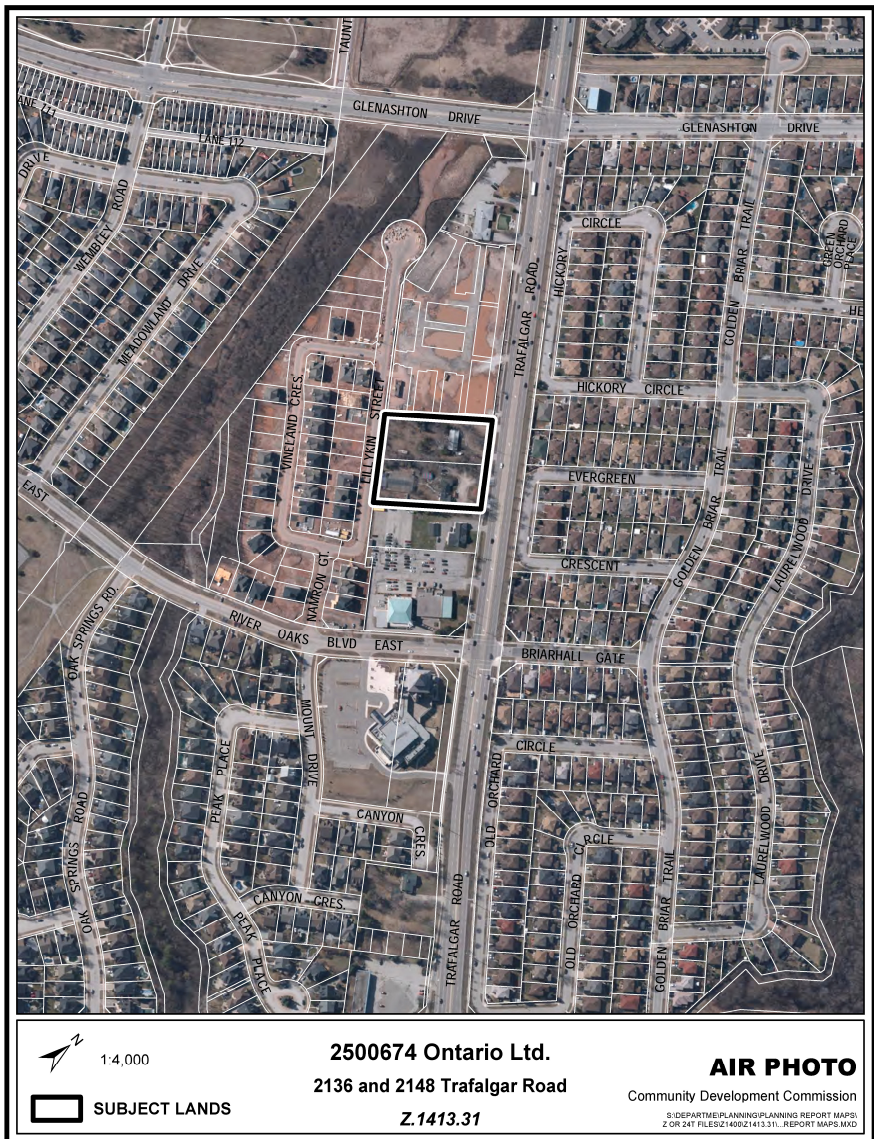


Figure 2: Air Photo subject properties

Site Description

The subject land has a total area of approximately 0.84 hectares with 82.91 metres of frontage along Trafalgar Road.

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There is a detached dwelling on the northern property and two buildings on the southern property that were used for the Wag-a-way animal centre.

Surrounding Land Uses

The surrounding land uses are:

North: Four storey townhouse development
East: Trafalgar Road and two storey residential dwellings
South: Place of Worship
West: Two storey detached dwellings

POLICY FRAMEWORK

Provincial Policy Statement (PPS) – 2014

The Provincial Policy Statement is intended to promote a policy led system, which recognises 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 Provincial Policy Statement (PPS) 2014 under Section 3 of the *Planning Act*. The new PPS replaces the 2005 statement and is effective April 30, 2014.

Staff note that although the existing use permissions do not contravene the policies of the PPS, the 2017 Growth Plan, the Region of Halton Official Plan or the Livable Oakville Official Plan, the proposed Zoning By-law Amendment would have the effect of implementing the policies of the Livable Oakville Plan and Region of Halton Official Plan in a manner consistent with the PPS and in conformity with the 2017 Growth Plan.

Staff is satisfied that the proposal is consistent with the policies of the Provincial Policy Statement (2014).

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 provides a framework for implementing the Province's vision for building stronger more prosperous

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communities by better managing growth. The Plan directs growth to built-up areas through intensification where development proposals can efficiently use existing transportation and servicing infrastructure.

Regional Planning Staff is satisfied that the proposal is in conformity with this new plan.

Town Planning Staff have also undertaken an analysis of the application in relation to the Growth Plan (2017), wherein the proposal is considered to be in conformity with this Plan, as it aids in achieving forecasted growth targets, is growth within a delineated built boundary, will utilize existing municipal services and supports the achievement of creating complete communities.

Region of Halton Official Plan

The OMB has issued a series of decisions regarding the partial approval of ROPA 38 to the Halton Region's Official Plan. The policies of ROPA 38 to Halton's Official Plan are in force with the exception of site specific and policy specific matters unrelated to this application.

The lands are designated "Urban Area" according to the Region's 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.

The Region of Halton Official Plan identifies Trafalgar Road as a Higher-Order Transit Corridor and includes policies which indicate that development shall not preclude or negatively affect the use of a planned corridor for the purpose for which it has been identified or actively planned.

The proposed Zoning By-law Amendment complies with the policies of the Regional Plan.

Livable Oakville Plan

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

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The lands are designated Main Street 2 on Schedule I: Central Land Use. The Main Street 2 designation is intended to provide for mixed use development that is transit supportive.

The Trafalgar Road corridor is a key element in the Town's Urban Structure, identified on Schedule A1:Urban Structure, as adopted by Council on September 26, 2017, to protect for intensification and growth in order to comply with population targets. The amendments are awaiting approval from the Region of Halton. The subject lands fall within the Trafalgar Road Corridor Planning Study area that was completed in 2014 and implemented in the Livable Oakville Plan, discussed further on in this section.

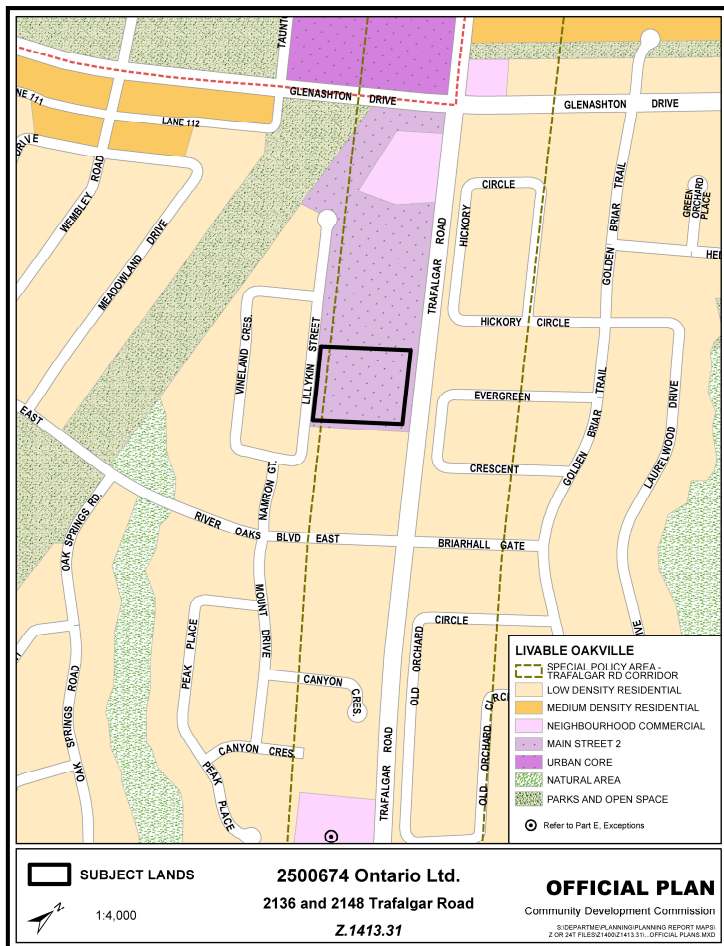


Figure 3: Livable Oakville Excerpt

The Livable Oakville Plan includes an exception for the lands within Policy 26.3.3: Land Use Policies:

“c) on lands designated Main Street 2 within the Trafalgar Road Corridor Special Policy Area, the following policies shall apply:

i) On the portion of lands located adjacent to Trafalgar Road, buildings shall be a minimum of four storeys and a maximum of six storeys in height. On the portion of lands located adjacent to Lillykin Street, only residential buildings shall be permitted with a minimum of two storeys and a maximum of four storeys in height to provide a transition to the lands designated Low Density Residential. Single use residential buildings may be permitted within the Main Street 2 designation.”

Part C: Section 8 – Transportation includes policies that address access management and the reduction of ingress/egress points along regional arterial roads in coordinating with the Region, such as:

“8.2.6 – The Town shall optimize the use of the existing arterial road system and co-ordinate with the Region on alternative solutions to maximize the person moving capacity of the arterial road system.

8.2.8 – Direct vehicular access to major and multi-purpose arterials, including primary transit corridors, should be limited to road intersections.

8.9.5 – The Town will encourage the increased use of public transit by requiring transit-supportive urban design...

8.12.2 – Development plans shall be design with specific regard to the safe, convenient and efficient provision of public transit as well as pedestrian and cycling facilities...

a) densities supportive of transit, which are commensurate with the type and frequency of transit service planned for the area and/or corridor...”

Part D: Section 11 of the Livable Oakville Plan contains policies that speak to the importance of compatibility within the stable residential neighbourhoods, such as:

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

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- a) *The built form of development, including scale, height, massing, architectural character and materials, is to be compatible with the surrounding neighbourhood.*
- 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 municipal infrastructure shall be adequate to provide water and wastewater service, waste management services and fire protection.*
- f) *Surface parking shall be minimized on the site.*
- h) *Impacts to 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.*
- k) *The transportation system should adequately accommodate anticipated traffic volumes.”*

Trafalgar Road Corridor Planning Study (TRCPS)

Part C: Section 3: Urban Structure speaks to Special Policy Areas that are subject to further study for which additional policies apply beyond the underlying land use designations.

The TRCPS is considered a Special Policy Area with policies for lands within the designated corridor area.

The purpose of the study was to evaluate and identify intensification opportunities, as well as the appropriate densities, built form and mix of land uses along Trafalgar Road to provide for transit-supportive development which supports and creates an urban connection between the Uptown Core and Midtown Oakville. The TRCPS set out a framework of land use policies within Livable Oakville to permit the recommended development of the lands along Trafalgar Road.

Part E: 26.3 Trafalgar Road Corridor (QEW to Dundas Street)

26.3.1 “Development Concept: The Trafalgar Road Corridor Special Policy Area is intended to provide for the redevelopment of specific properties along Trafalgar Road to provide transit-supportive development which supports and creates an urban connection between Midtown Oakville and the Uptown Core.

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The Trafalgar Road Corridor consists of a wide range of existing land uses including low and medium density residential uses. Development shall be designed to respect the built and planned context, and in accordance with the design direction contained in the Livable by Design Manual.”

26.3.2 “Functional Policies:

”ii) The public realm shall accommodate multi-modal transportation, a high quality streetscape, and promote pedestrian and cyclist mobility with connections to transit and amenities.

iii) Development shall promote safe and convenient access to transit stops and stations...

iv) Development and redevelopment should provide a seamless transition between the public and private realms and promote access between the built form and the public realm along the street edge.

v) Buildings adjacent to Trafalgar Road shall be sited parallel to the Trafalgar Road frontage having their principal entrances oriented towards, and accessible from, Trafalgar Road.”

The TRCPS policy recommendations were based on good land use planning principles to protect the planned function of the corridor and surrounding area. A mixed use designation that permitted stand alone residential buildings, with building heights ranging between four and six storeys, were appropriate permissions for the subject lands.

Staff consider the proposed development to be compatible in this location.

Zoning By-law 2014-014

The lands are zoned ED (existing development) and a zoning by-law amendment is required to permit development on the site.

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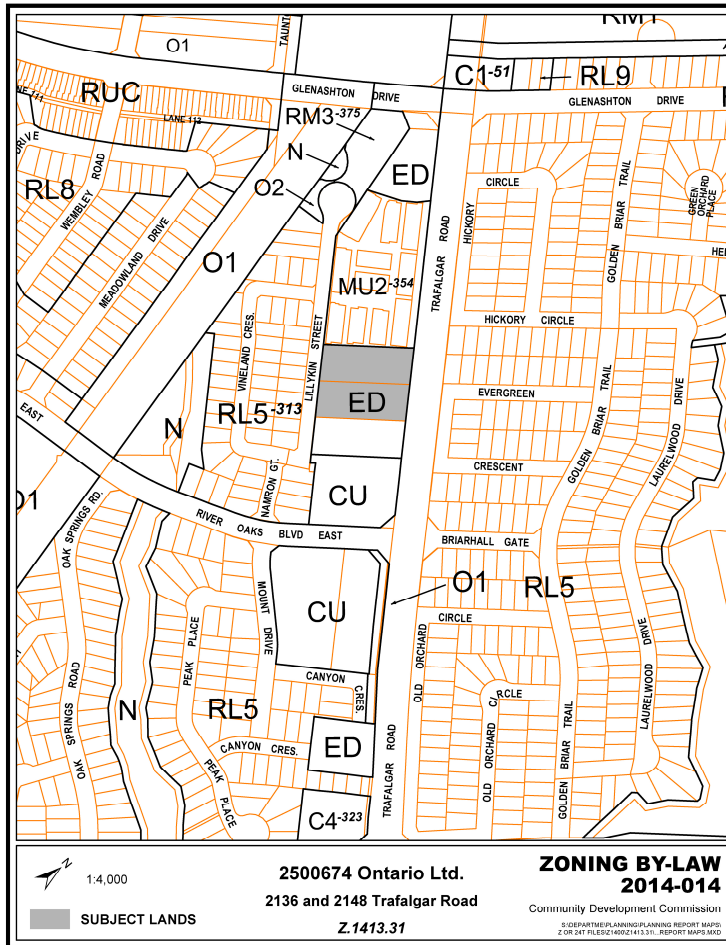


Figure 4: Zoning By-law Excerpt

Proposed Zoning By-law

The proposed site specific MU 2 zone includes the following regulations:

2014-014 MU2 Zoning Provision	2014-014 Regulation	Proposed
Minimum Front Yard	0.0m	2 m
Minimum Interior Side Yard	0.0m	0/1.2 m
Minimum Interior Side Yard abutting a residential zone	3.0m	1.2 m
Minimum number of stories	4	2
Maximum number of stories	6	4
Parking Provisions for Townhouses	2/dwelling	2/dwelling
Visitor Parking Provision	0.25/dwelling	0.2/dwelling

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The following is an overview of the proposed zoning by-law:

- Establish a site specific MU2 – Mixed Use 2 zone to permit townhouse dwellings only.
- Establish a maximum building height of 15 metres (four storeys) adjacent to Trafalgar Road.
- Establish a maximum building height of 12.4 metres (four storeys) adjacent to Lillykin Street
- Establish a minimum parking ratio of 2.2 spaces, per unit of which 0.2 shall be designated visitor spaces.
- Establish a 'H' - holding provision until such time a Record of Site Condition (RSC) is acknowledged by the Ministry of Environment to the satisfaction of the Region of Halton, and such time that the Ministry of Natural Resources and Forestry confirms the absence of any species at risk on site.

Staff are of the opinion that the proposed zoning amendment is appropriate as it implements the objectives and policies of the Livable Oakville Plan.

PLANNING ANALYSIS:

Planning matters to be considered

Physical Context

The subject property is located along the Trafalgar Road corridor, between Glenashton Drive and River Oaks Boulevard, with vehicular access from Lillykin Street.

The subject lands are surrounded by development and redevelopment in keeping with the intensification targets of the TRCPS and provides a transition of built form from detached dwellings to townhouses that abut a planned higher order transportation corridor.

Analysis and Evaluation of Section 11.1.9 of Livable Oakville

Staff have analyzed the proposed development in the context of Section 11.1.9 of the Livable Oakville Official Plan.

- The proposed development has been designed and configured to coordinate with the setbacks, orientation and separation distances of the Dunpar development abutting the subject property to the north.
- The height of the four storey townhouse development has been designed to transition from 15 metres adjacent to Trafalgar Road to 12.4 metres adjacent

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to Lillykin Street. This results in an appropriate transition to the existing two storey dwellings on Lillykin Street which are 12 metres in height.

- There is sufficient water and wastewater infrastructure to accommodate the development.
- The development maintains bicycle and pedestrian access to Trafalgar Road, transit services and community facilities.
- The transportation impact study concludes that traffic generated by the proposed development can be accommodated on the existing road network.

Matters raised through the processing of this application

Staff have received written correspondence from the public regarding the proposal. A petition was submitted in November, 2017 and is included as Appendix ‘A’. Concerns raised by the public through the application review include:

- Access – residents of the subdivision to the west of the subject lands have concerns with the use of the local roads providing access to the proposed development versus access provided off of Trafalgar Road.

Staff response: In discussions with the Region of Halton, town Engineering and Construction staff as well as considering Livable Oakville policies with regards to arterial roads and transit service levels, the recommended access is from Lillykin Street.

- Traffic, noise and pollution impacts

Staff response: A transportation impact study was provided which indicated that the traffic generated could be accommodated on the existing and planned road network.

- Density

Staff response: The increase in density and traffic generation for the lands along Trafalgar between Glenashton Boulevard and River Oaks Boulevard has been accommodated for in the planning for road infrastructure and municipal servicing in the area.

- Placement of height within the site and ensuring quality urban design – residents raised concerns with the transitioning of height to their single detached homes.

Staff response: The proposal is consistent with the Livable Oakville plan height permissions for the Main Street 2 designation and is considered an

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appropriate transition from the heights of the detached dwellings on the east side of Lillykin Street. Lillykin Street separates the detached dwellings from the proposed development. The proposal is also consistent with the approved heights in the Dunpar development to the north.

- Loss of trees

Staff response: It is anticipated that the majority of the trees will be removed to allow for the planned densities on the site. A tree canopy target of 20% will be implemented at the site plan approval stage.

- Visitor parking spaces and ensuring there will not be spillover onto Lillykin Street

Staff response: Through the site specific zoning by-law a provision is included that the applicant increase the proposed parking ratio to be consistent with the Dunpar Development to the north of the subject lands. It is Staff's opinion that the proposed parking ratio is appropriate for the development.

The supporting studies and reports that were submitted to support the application to develop the subject lands conclude that the development does not adversely impact the surrounding properties or the road network. The above concerns will continue to be addressed throughout the remainder of the development and site plan process for the lands.

CONCLUSION:

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

Staff is satisfied that the application is consistent with the PPS and conforms to the Growth Plan and the Halton Region Official Plan. Further the application is consistent with the Livable Oakville Plan and recommends approval of the Zoning By-law Amendment, as the following requirements have been satisfied:

- The subject application constitutes a redevelopment and intensification of under-utilized lands along the Trafalgar Road which would support the planned higher order transit function along the corridor.
- The proposal has been evaluated in the context of Section 11.1.9 of the Livable Oakville Plan and considered appropriate.

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- The scale and massing of the proposed townhouse development is appropriate for the subject lands.
- A full circulation has been undertaken and there are no outstanding planning issues to be resolved.
- Comments from the public have been appropriately addressed.

CONSIDERATIONS:

(A) PUBLIC

A Public Information Meeting (PIM) was held on May 9, 2017. There were nineteen members of the public that attended the meeting. The Statutory Public Meeting was held on September 11, 2017. Notice of the April 16, 2018 Planning and Development Council meeting has been provided to those who participated in the process.

(B) FINANCIAL

None arising from this report.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

The various internal departments and external agencies have been part of the technical review of the application and have provided their input into this report.

(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 proposed development generally complies with the sustainability objectives of the Livable Oakville Plan.

APPENDICES:

Appendix A: Public Comment

Prepared by:
Tricia Collingwood, MCIP, RPP
Senior Planner
Current Planning – East District

Recommended by:
Heinz Hecht, MCIP, RPP
Manager
Current Planning – East District

Submitted by:
Mark H. Simeoni, MCIP, RPP
Director, Planning Services