



April 20, 2017

Brad Sunderland, Planner, Policy Planning and Heritage
 Planning Services Department
 Town of Oakville

Re: Draft Policy Changes, Kerr Village

Dear Mr. Sunderland,

The Board of Directors of the Kerr Village BIA on behalf of the Merchants and Commercial Land Owners in the village has reviewed the Draft Policy Changes put forward for Kerr Village and our comments and recommendations follow.

Our principal concern reading your Report dated January 9, 2017, is simply that the specific comments in regards to building heights and their impact on potential new development in Kerr Village as made by N Barry Lyons Consultants Ltd. to your subcommittee are not reflected in the Draft Policy Changes.

Your Report summarizes the conclusions of the consultant as follows: 'The study notes the Kerr Village has weaker market conditions at the time of study in comparison to Bronte Village and Downtown Oakville. The consultant's financial prototype testing illustrates that the increase in height does not currently produce a positive impact on the financial results of development in Kerr Village. This is largely because the move to six storey building forms would increase construction costs and the market is not currently robust enough to offset this hard cost increase while also supporting typical developer profit requirements and market value for land.'

Essentially, in our view, the consultant is saying that, under current market conditions in the village, a six storey as of right height limitation will not allow sufficient developer profit to encourage new development in the area.

Our suggestion as a board is that the town seriously consider allowing as of right building heights up to eight stories in two particular areas along Kerr Street, namely the Gateway Area at the foot of Kerr Street and its intersection with Lakeshore Road and, secondly, in the Village Hub Area in and around the the KerrSt. /Florence Drive intersection currently proposed for Main Street 2 designation.

We hope you will give serious consideration to these recommendations from our board and from the stakeholders we represent. We look forward to hearing back from you and would be appreciative of the opportunity to discuss this very important matter in further detail with you.

Your's sincerely,

A handwritten signature in black ink, appearing to read "Terry Hutchison". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Terry Hutchison
Chair, Development Committee
On behalf of:
Kerr Village BIA Board of Directors

May 1, 2017

carly.dodds@oakville.ca & brad.sunderland@oakville.ca

Carly Dodds, MCIP, RPP, Planner, Policy Planning
Brad Sunderland, MCIP, RPP, Planner, Policy Planning
Town of Oakville
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Re: Kerr Village Growth Area Review – Comments Re: 115-159 Garden Drive (Odd Numbers Only)

Dear Ms. Dodds and Mr. Sunderland,

We act for Revera Inc., which currently has the properties known as 115-159 Garden Drive (“Subject Site”) under contract with the current owners Sharief Zaman and John Matas.

The Subject Site, located one block west of the Kerr Village Growth Area, is designated “Medium Density Residential” and subject to Exception policies under the current Liveable Oakville Plan (“OP”). More specifically, Exception policy 27.2.1 currently permits the Subject Site to be “developed for a maximum of 18 multiple attached dwelling units and at a maximum density of 53 units per *site hectare*”, with the maximum building height being 3 storeys.

Revera is proposing to redevelop the vacant Subject Site for a 4-storey retirement home, which would be consistent and compatible with the types of built forms and building heights immediately adjacent to and surrounding the Subject Site.

Proposed Kerr Village Growth Area Boundary Extension

We understand that the Town is currently undertaking an OP Review, with the Kerr Village Growth Area Review being a specific component of the broader OP Review. One of the recommended changes is to expand the Growth Area boundary in the Lower Kerr Village District “westward to include the area bounded by Dorval Drive to the west, Rebecca Street to the north, Maurice Drive to the east, and Lakeshore Road to the south”. A January 9th, 2017 staff report regarding the draft changes indicated that this would be “a logical extension to the Lower Kerr Village District”, based on recent developments and the current OP policy framework for this extension area.

On behalf of Revera, we wish to outline our support for this proposed boundary extension which would bring the Subject Site and other lands that are part of the larger Dorval Drive/Rebecca Street/Maurice Drive/Lakeshore Road block into the boundaries of the Kerr Village Growth Area. We

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concur with Town staff that this represents a logical extension to the Lower Kerr Village District for a number of reasons, including:

- Dorval Drive is identified as a “Minor Arterial Road” in the Current OP and represents a more logical boundary of the Growth Area than Maurice Drive, which is a local road;
- The extension further recognizes the importance of the Rebecca/Lakeshore corridor, which is the unifying east/west corridor between Kerr Village and Downtown Oakville;
- As a result of the extension, the objectives and policies for Kerr Village, including those related to the public realm, parking and urban design, would also apply to the extension area, thus establishing a more consistent policy and design framework for the entire area; and,
- Existing development in the extension area, and the existing Exception policy framework, permit a mix of low-medium density residential, institutional (i.e. specialized seniors housing) and mixed use development, as reviewed in greater detail below.

Current Exception Policy

As noted, a very specific Exception policy currently restricts the permitted uses, density and height of development on the Subject Site. In fact, a detailed Exception policy framework applies to the entire extension area. The origin of this policy framework can be partly traced back to a Town-initiated land use policy study for this block that was originally initiated in 2005, 12 years ago. Based on the former composition of the block, being a mix of Town-owned lands and single detached dwellings, and its location adjacent to the Kerr Village Growth Area, Town staff concluded that “the subject lands have significant attributes that make it a good candidate for intensification...” (Staff Report – March 16, 2006).

Following the conclusion of the study and based on much more conservative direction from Town Council and OMB decisions that reviewed both Town-initiated and privately-initiated Official Plan and Zoning By-law Amendments, the Exception policy framework was established. The specific policies that apply to the Subject Site were later refined to provide for one additional townhouse unit (53 vs. 50 units per hectare).

Requested Revision

Although the proposed expansion of the Kerr Village Growth Area boundary represents a logical expansion and is a positive step for appropriate growth management in the Lower Kerr Village District, we believe that it falls short by not giving any consideration to updating the Exception policies in place on the Subject Site to provide flexibility for a broader range of housing options.

It is our opinion that the current Exception policies that narrowly restrict the permitted uses, building form and building height on the Subject Site are unnecessarily restrictive in comparison to the surrounding built form context and the general neighbourhood structure under the OP.

In our view, given the passage of a significant period of time since the initial study, the evolving Provincial growth management policy framework and direction including the proposed changes to the Growth Plan for the Greater Golden Horseshoe with respect to intensification targets, subsequent taller development approvals in the area and the intensification that has occurred in Downtown Oakville, a broader and more flexible policy framework should also be implemented simultaneously as part of the Kerr Village Growth Area Review. As such, we request that the Exception policies that apply to the Subject Site be updated and revised. Specifically, we request that the following changes (bolded and underlined/struck through) be made to the existing Exception policies:

- ~~27.2.1~~ **23.7.5** The lands designated Medium Density Residential and High Density Residential in the general vicinity of Rebecca Street, Garden Drive, and Maurice Drive are subject to the following additional policies:
- a) On the lands designated Medium Density Residential, only multiple attached dwellings may be permitted with a maximum building height of 3 storeys, **except for b) below.**
 - ~~b)~~ **On the lands designated Medium Density Residential that form the development block fronting Garden Drive immediately to the north of lands designated Main Street 1, only townhouses, apartments, retirement homes and long-term care homes may be permitted with a maximum building height not exceeding 4 storeys.**
 - ~~c-d)~~ Redevelopment in accordance with a), ~~and b) and c)~~, above, shall only occur when all of the lands within a *development* block have been acquired for *development* purposes.
 - iii) The remaining lands designated Medium Density Residential, between Garden Drive and Maurice Drive, make up two *development* blocks:
 - one *development* block fronting Garden Drive **immediately to the north of lands designated Main Street 1**, which may be developed for a maximum of 18 ~~multiple attached townhouse~~ dwelling units and at a maximum density of 53 units per site hectare. **Alternatively, the development block may be developed for apartments, retirement homes or long term care homes in accordance with the Medium Density Residential land use and policy provisions of the Plan, except that the permitted density range for the Medium Density Residential designation shall not apply to retirement homes or long term care homes in this development block;**

It is our opinion that these requested updates and revisions will allow for forms of development that are desirable and appropriate for the maturation and revitalization of the Kerr Village Growth Area,

will enhance the character of the neighbourhood, are consistent and compatible with existing and planned development in the immediate and broader surrounding area and will not cause any undue, adverse impacts for the surrounding area, for the following reasons:

- A 4-storey built form is consistent with the objectives and policies, and the existing and planned context of Kerr Village. Specifically, Kerr Village is planned to accommodate intensification with a mix of residential and commercial uses, and continue to function as a location for institutional and other uses. In part through this intensification, the goal is for Kerr Village to “be revitalized as a vibrant business district and cultural area”. Compared to the existing Exception policy, the requested revisions will allow for a broader range of urban forms of development that are appropriate and desirable for growth areas and typically provide other benefits relative to townhouse developments, including the provision of full underground parking and less pavement, and more active street edges.
 - In terms of built form, the Kerr Village policies require buildings taller than 4 storeys to incorporate setbacks if immediately adjacent to the Low Density Residential designation. In contrast, the revisions requested on behalf of Revera Inc. would limit the maximum building height to 4 storeys even though the Subject Site is not adjacent to any Low Density Residential areas. Looking at the proposed changes to Schedule O1, the Main Street 1 and Medium Density Residential designations would apply to the majority of the Lower Kerr Village District. The Main Street 1 designation permits a maximum 4-storey building height.
- A 4-storey built form is also consistent and compatible with the existing and planned context of the Dorval/Rebecca/Maurice/Lakeshore block:
 - The Subject Site is and will be bordered to both the south and west by 4-storey apartment building forms, including a much larger existing 4-storey apartment building directly across the street at 128 Garden Drive and another building at 205 Lakeshore Road West, and the approved 4-storey specialized care retirement home directly to the south at 105 Garden Drive.
 - To the north and east, the Subject Site is/will be bordered by 3 to 3.5+ storey townhouses. The existing townhouses located immediately north of the Site, at 214-224 Rebecca Street, are comprised of three habitable storeys, with the ground floor being approximately 1-2 metres (6 steps) above grade, along with a rooftop amenity area that includes fully enclosed space above the 3rd floor, resulting in an overall height that is similar to a 4-storey building. The proposed retirement home would have an overall height that would only be marginally taller (about 1 to 2 metres) than these built or approved townhouses.
- When the Town originally prepared and commissioned the land use study for the block, it focused on providing built form (including height), density and land use transitions in 2 directions: from east to west, heading away from the Growth Area; and from south (Lakeshore Road) to north (Rebecca Street), transitioning to the lower density areas north of Rebecca Street. As noted, a much larger 4-storey, 15.5 metre tall apartment building was later endorsed

by Town Council, approved by a settlement before the OMB and built to the west of the Subject Site, another 4-storey apartment building is located southeast of the Subject Site, a 4-storey retirement home is approved south of the Subject Site, and 3.5+ storey townhouses are located north of the Site, along Rebecca Street. These transitions north to Rebecca and west to Dorval which were used to rationalize and restrict development to lower heights on the Subject Site, really no longer exist as there is a relatively uniform overall height in the area now.

In conclusion, while we support the proposed boundary extension for the Kerr Village Growth Area, we believe that it falls short by not considering updates or revisions to the existing Exception policy framework, which is unnecessarily restrictive for the Subject Site.

Our requested updates and revisions will provide for a broader and more flexible policy framework that will allow for the appropriate redevelopment of the Subject Site in a manner that is consistent with the existing and planned context of the Rebecca/Maurice/Lakeshore/Dorval block and Kerr Village Growth Area and desirable for the community at large and specifically for the maturation and revitalization of Kerr Village. As a result, the changes will also enhance the character of the neighbourhood, while not causing any undue, adverse impacts for the surrounding area, and as such, represent good planning.

Please do not hesitate to contact the undersigned if you have any questions. We would be pleased to meet with Town staff to review our request in further detail and to provide any additional information that would assist in evaluating our request.

Sincerely,



Bruce Hall, BES, MCIP, RPP, Principal

cc. Rudiger Hanel, Revera Inc.

COMMENTS?

Glad to see designation of increased height at NW corner of Kerr: Speers. Will hopefully increase potential improvement of that corner

Is there any way to get the BEER STORE building upgraded? It's a worn out eyesore.

COMMENTS?

I would support more taller buildings in Kerr Village, especially at the major intersections C Kerr: Lakeshore, Kerr: Rebecca, Kerr: Speers

Taller could be up to 6 stories, with up to 8 possible via bonusing

Not convinced of the need for restrictions to 4 or 6 stories as proposed is necessary to maintain continuity with downtown - Kerr Village is a separate, different environment. It does

not have the same historical/heritage type buildings today.

As well, within the Kerr Village area there are already quite a few buildings greater than even 8 stories

(eg, all bldgs on SE, NE side of Speers, Kerr, the seniors/Retary apt building, apt bldgs behind the senior centre, apt building at Kerr: Bond St)

Plus, the step back requirements help mitigate the effect/impact at street level.

COMMENTS?

Thank requests to slide #6

Not sure about the upper area identified. Could accession a bonus from into 6 stories on the street that backs onto Freeters Dr. All current properties are largely 5 stories. I would be concerned that there is loss of signified eyesore that's needed to preserve but care ok.

Name (optional): Paul Jemison E-Mail: _____



Name (optional): Travis L. Carter E-Mail: _____

