



REPORT

PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: NOVEMBER 28, 2016

FROM: Planning Services Department

16-280

DATE: November 7, 2016

SUBJECT: Recommendation Meeting Report, Zoning By-law Amendment and Draft Plan of Subdivision, Fernbrook Homes (Lakeshore) Ltd., 1215 and 1221 Lakeshore Road West, File No. Z.1722.03 and 24T-14006/1722, By-law 2016-012

LOCATION: 1215 and 1221 Lakeshore Road West

WARD: 2

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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 applications for Zoning By-law Amendment and Draft Plan of Subdivision by Fernbrook Homes (Lakeshore) Ltd., (File Z.1722.03, 24T-14006/1722), as revised reflecting 22 lots, be approved;
3. That the Director of Planning Services be authorized to grant draft plan approval to the Draft Plan of Subdivision (24T-14006/1722) submitted by Fernbrook Homes (Lakeshore) Ltd., prepared by Korsiak Urban Planning, dated revised September 9, 2016, subject to the conditions contained in Appendices C and D of staff report 16-280;
4. That once 24T-14006/1722 has been draft approved by the Director of Planning Services, the Town enter into a Subdivision Agreement to the satisfaction of the CAO and Town Solicitor, or designates;
5. That the Subdivision Agreement be executed in accordance with By-law 2013-057;
6. That By-law 2016-012 be passed;
7. That the Urban Design Brief document prepared by Hunt Design Associates Inc and dated October 13, 2016, which provides specific direction for rear

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elevations for proposed dwellings on exterior lots, and rear yard landscaping forms the basis for a scoped site plan approval affecting the exterior subdivision lots only;

8. That the Director of Planning Services, in consultation with the Ward Counsellors, be delegated site plan approval authority with respect to the requisite scoped site plan approval referenced in clause 7, above; and
9. That notice of Council's decision reflects that the comments from the public have been appropriately addressed as described in staff report 16-280.

KEY FACTS:

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

- The site (1215 and 1221 Lakeshore Road West) is located on the north side of Lakeshore Road West, opposite Wolfdale Avenue.
- A previous 2012 development proposal on this site was the subject of an Ontario Municipal Board refusal decision dated May 2013.
- This present report recommends approval of a revised Zoning By-law Amendment and revised Draft Plan of Subdivision application related to the development of a 22 lot residential subdivision for detached dwellings. Vehicular access to the proposed lots will be from a public road.
- The application was received on May 29, 2014, deemed complete on July 10, 2014 and originally proposed a 26 lot subdivision with a related Zoning By-law Amendment.
- A Public Information Meeting (PIM) was held on October 7, 2014 and the Statutory Public Meeting was held on December 8, 2014.
- Various concerns were raised as part of the PIM and Public Meeting including but not limited to conformity to existing zoning regulations, density, grading and stormwater management.
- As a result, the applicant considered various changes to the proposal to respond to the issues raised.
- Planning staff met on several occasions over the past two years with the local abutting residents and representatives of the Coronation Park Ratepayers Association to review the proposed changes.
- The applicant formally revised their proposal to 22 lots along with modifying certain regulations.
- The modifications to the proposed Zoning By-law since the public hearing are considered minor in nature and no further notice is recommended. The by-law has been drafted to reflect both of the Town's Zoning By-laws (By-law 1984-63 and 2014-014).

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- The revised proposal ensures development on a public road and meets the requirements of the Town's intensification policies, which are intended to maintain and protect the existing neighbourhood character.

BACKGROUND:

The purpose of this report is to provide a full staff review of the revised application and a recommendation on the proposed Zoning By-law Amendment and Draft Plan of Subdivision to allow for the development of 22 lots for detached dwellings on a public roadway.

September 2016 Revised Proposal

In consideration of the various comments, the applicant revised the development proposal to reflect 22 lots for detached dwellings on a 16-metre municipal road.

The following chart provides an overview of the proposed subdivision as highlighted below as Figure 1 and Appendix A (larger version).

Land Use	Lots/Blocks	Area (ha)	# of units
Detached Dwellings	1 - 22	2.13	22
6.0 m Walkway Block	23	0.02	
16 m roadway		0.66	
TOTALS	23	2.82	22

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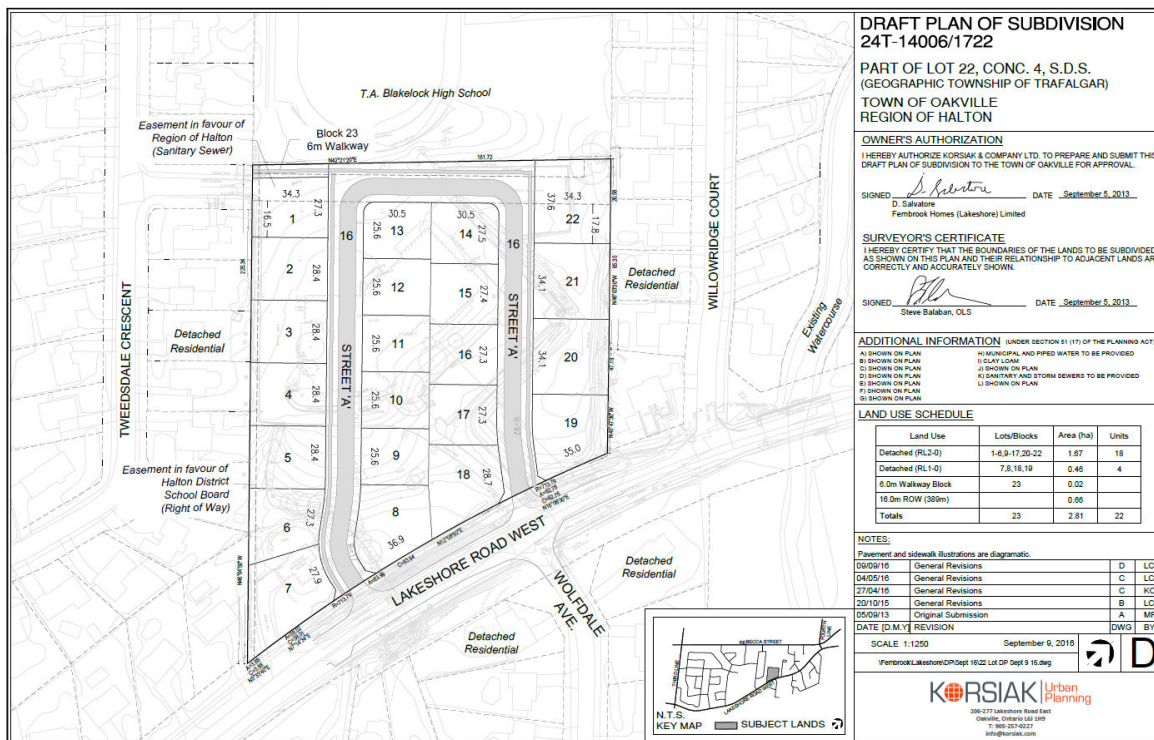


Figure 1 – 22 Lot Draft Plan

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Location and Site Description

This 2.82 ha vacant site, formerly the Harvest Bible Chapel, is located on the north side of Lakeshore Road West, between Willowridge Court and Tweeddale Crescent. Frontage on Lakeshore Road West is approximately 185 metres.

The site formerly contained a church (Harvest Bible) and a sizable surface parking lot. The open areas around the church had minimal landscaping outside of grasses areas and some minor berms. The sites pre-development canopy cover has been calculated to be roughly 10%.

Surrounding Land Uses

Lakeshore Road West and residential (detached dwellings) - to the south
Willowridge Court and residential (detached dwellings) - to the east
Tweeddale Crescent and residential (detached dwellings) - to the west
T.A Blakelock High School - to the north

Easements and Reserves

The property is currently subject to two easements (see Figure 2). The first, a pedestrian access easement, is three metres wide in favour of the Halton District School Board along the western limit of the property.

The present school access function (existing 3 metre easement along west side of property) from Lakeshore Road will be removed and accommodated from the proposed 16-metre wide municipal street. The intent is to release this existing easement from the subject lands. The Halton District School Board's comments indicate that this change is acceptable to them.

The second easement, being 12 metres wide, is in favour of Halton Region. It crosses the northern limit of the property from east to west and contains a 900-millimetre diameter trunk wastewater main which services areas to the north and east of the site. The intent is to modify the easement descriptions to only apply to the lots 1 and 22. Halton Region has indicated that they require this arrangement.

A 0.3 m (one foot) reserve exists at the easterly limit of School Gate in favour of the Town.

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Figure 2 – taken from previous staff report. Entire site is currently vacant.

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.

Regional Planning staff is satisfied that the proposed development is consistent with the policies of the Provincial Policy Statement (2014).

Region of Halton Official Plan

The Ontario Municipal Board has issued a series of decisions regarding the partial approval of 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 "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

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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.

Regional staff had no objection to the previous 24 lots proposal. In a letter dated October 27, 2015, attached as Appendix B, Regional staff have recommended a number of the conditions for draft plan approval.

Livable Oakville Plan

The Livable Oakville Plan was approved by the Ontario Municipal Board on May 10, 2011 and is consistent with the Provincial Policy Statement and conforms to the Provincial Growth Plan for the Greater Golden Horseshoe.

The subject land is contained within a stable residential community as identified by the Livable Oakville Plan and is designated Low Density Residential on Schedule F, South West Land Use. A density of up to 29 dwelling units per site hectare may be permitted.



Figure 3 – Official Plan

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The Lakeshore Road West frontage is designated Special Policy Area, and subject to the following policy.

26.2 Residential Lands (R1 / R01 Zones)

26.2.1 The Special Policy Area in Southeast, Central and Southwest Oakville that applies to the Low Density Residential designation is intended to protect the unique character of this area within the Town. Due to the special attributes of the large lots and related homes in this Special Policy Area, intensification shall be limited to development which maintains the integrity of the large lots. Densities in the Special Policy Area shall not exceed 10 units per site hectare notwithstanding the Low Density Residential designation.

Being located in a stable residential community as defined by the Livable Oakville Plan, Part D, Section 11 applies and states the following.

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

... b) Within the stable residential communities, on lands designated Low Density Residential, there may also be sites at the intersection of arterial and/or collector roads, or sites with existing non-residential uses, that have sufficient frontage and depth to accommodate appropriate intensification through development approvals. Intensification of these sites may occur with Low Density Residential uses in accordance with sections 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 follow.

“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.*

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- 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.*
- f) *Surface parking shall be minimized on the site.*
- 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.*
- i) *The preservation and integration of heritage buildings, structures and uses within a Heritage Conservation District shall be achieved.*
- 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.*

Part C, Section 6 of the Livable Oakville Plan contains objectives and policies pertaining to urban design that are to be considered as part of this application review. These include policies related to matters such as the public realm, built form, access and circulation.

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The policies of Section 10.10 Stormwater Management apply to the development application and recognize various techniques that may be used in the design of new developments to control the quality and quantity of stormwater runoff.

Finally, the policies of Section 28: Implementation, describe the tools that the Town may use to implement the relevant policies of the Official Plan, including zoning by-law, plans of subdivision and plans of condominium, with specific reference to the following policies of Section 28.1 Zoning By-laws:

“28.1.1 Zoning by-laws shall be used to implement the objectives and policies of this Plan by regulating the use of land, buildings or structures in accordance with the provisions of the Planning Act and may be more restrictive than the provisions of this Plan. It is not intended that the full range of uses or densities permitted by this Plan will be permitted by the Zoning By-law in all locations.”

Zoning

By-law 1984-63

The site is zoned R01 and R02 and subject to the regulations contained in Part II - Residential Zones of Zoning By-law 1984-63. These zones permit detached dwellings.

By-law 2014-014

Zoning By-law 2014-014 is currently under appeal to the Ontario Municipal Board (OMB). While appeals remain active, building permit and development applications on lands subject to this by-law will need to comply with both this by-law and Zoning By-law 1984-63, as amended.

A site specific appeal remains outstanding on the subject site.

The site is zoned RL1-0 and RL2-0 and subject to the regulations contained in Part 6 - Residential Zones of Zoning By-law 2014-014. These zones permit detached dwellings.

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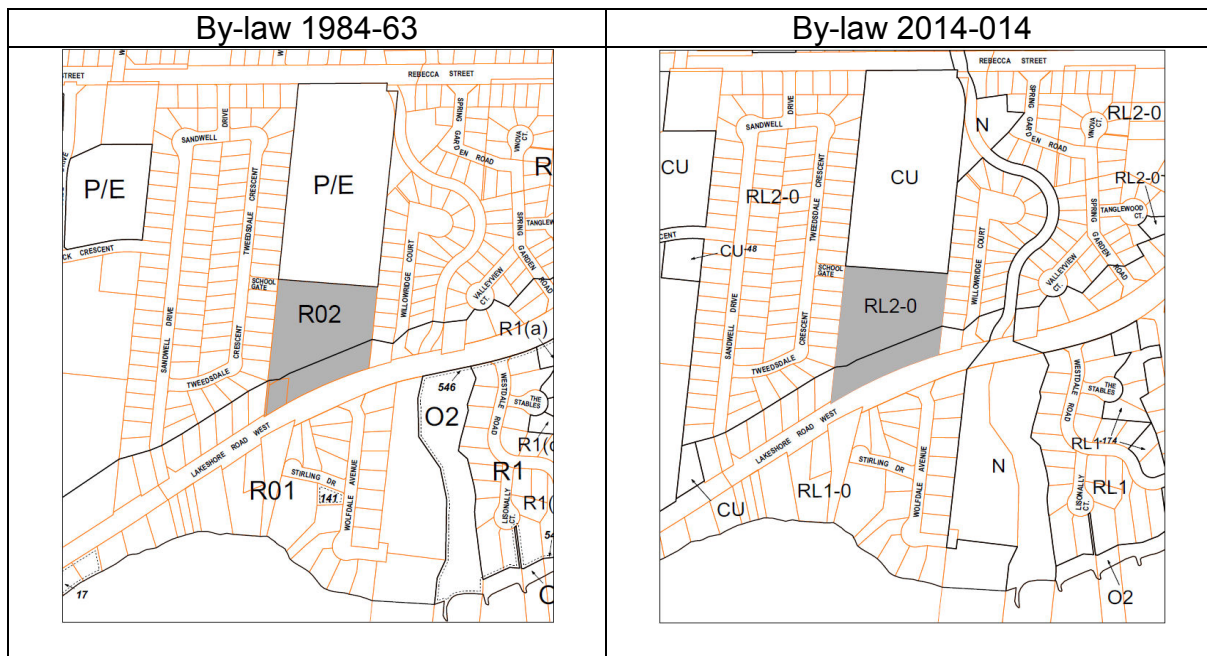


Figure 4 – Zoning By-law excerpts

The revised Zoning By-law Amendment proposes to re-zone the subject land to permit 22 lots for detached dwelling units on a 16 metre wide public street. The proposed zoning is principally based upon the 2014 zoning by-law and more particularly, the RL1-0 and RL2-0 parent zoning categories.

PLANNING ANALYSIS:

Planning matters considered

Previous OMB Considerations

The 2012 proposed development of the site reflected a 48 unit residential development proposed lots to accommodate four detached dwellings and 44 semi-detached dwellings on a private road. This development was recommended for refusal by staff and refused by Town Council. Staff in its report on this earlier proposal suggested a potential development for this site ranging from 23 to 25 lots for detached dwelling units could be considered on a public road.

At the Ontario Municipal Board, the development proposal was modified to accommodate 33 lots for detached dwelling units on a 9.5 m private condominium road. This version of the proposal was opposed by Council on recommendation from staff.

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The development of the site, as proposed in 2012/2013, was denied by the OMB in its decision dated May 8, 2013. The decision mentions the potential for a 23 to 25 unit development, with public roads, no increase in height and compatibility with the neighbourhood character as matters for consideration in developing this site.

Physical Context

The vacant subject property, former Harvest Bible Church and associated manse, fronts onto Lakeshore Road West and has frontage of approximately 185 metres.

Access to the subdivision is proposed from a municipal 16 metre wide street. The easterly leg of this street will be directly across from Wolfdale Avenue. Individual access to the lots will be from this proposed street.

The site has a somewhat undulating topography with the lands generally draining in a north to south direction. Stormwater from this site drains through a roadway culvert under Lakeshore Road located in the southwest corner of the site. The downstream drainage system has limited capacity and therefore re-development plans for this site will need to develop a quantity control plan in addition to normal quality control requirements. This will be achieved through the implementation of appropriate conditions of draft approval.

This site currently has a canopy cover of approximately 10%. A tree preservation and protection plan has been provided for the site. The trees interior to the site will be removed to support the required grading, servicing and new home construction. Some trees along the perimeter of the site will be preserved and protected. A draft tree planting plan has been submitted that demonstrates the sites ability to meet and exceed the required canopy target of 20% for this site. This development, once achieved will improve the site current canopy (currently 10%) to 20% or more.

The surrounding neighbourhood features public streets, similar to that proposed by this application.

The proposed topography for the site will rise northward from Lakeshore Road West, consistent with the existing conditions.

Conformity with the Livable Oakville Plan

The proposal reflects the following:

- 22 detached dwellings; a built form contained within the abutting neighbourhood.
- Increased RL2 minimum rear yard setbacks from 7.5 to 9 metres.

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- Increased RL2 minimum side yard setbacks from 2.4 /1.2 metres to 2.4/2.4 metres;
- No increase in maximum allowable height of 9.0 metres.
- No increase in lot coverage for the exterior lots abutting Tweedsdale Crescent, Lakeshore Road or Willowridge Court. Increase in coverage for interior RL2 lots to 30%.
- Maximum 2% increase in Floor Area Ratio (FAR) for RL1 lots abutting Lakeshore Road West. No increase in FAR for exterior lots abutting Tweedsdale Road or Willowridge Court lots. A maximum increase of 6% in FAR for Street A interior lots (Lots 9 -17).
- No requested relief for permitted projections (i.e.: balconies or porches) from parent zoning by-law.
- Provision for tandem garages in the RL2 zone. The front façade of the affected buildings is to remain that of a two car garage.
- Grading, based upon minimizing cover overtop municipal services, is proposed.

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

The subject lands are designated *Low Density Residential* and are located within a stable residential area.

Density Analysis

Under the Livable Oakville Plan, the area proposed for residential development is designated as *Low Density Residential*. This designation permits detached dwellings units to a maximum density of 29 units per site hectare. The *Special Policy Area* designation along Lakeshore Road West has a maximum density of 10 units per site hectare.

Based upon the proposed draft plan, lots 7, 8, 18 and 19 that front onto Lakeshore Road West within the *Special Policy Area* have a density of 8.7 upha. The remaining internal lots have a density of 10.8 upha.

The applicant is proposing detached dwelling units.

The proposal conforms to the use and density requirements of the Livable Oakville Plan.

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These lands are subject to the policies of Part D, Section 11 – Residential, including Section 11.1.8 and 11.1.9 that govern intensification within stable residential communities.

Section 11.1.8

The subject land has historically been used as a place of worship, being the Harvest Bible Church and a former manse. The subject site has a frontage along Lakeshore Road West of approximately 185 metres and a width along the rear property limit of approximately 161 metres. The depth along the east property limit is approximately 133 metres with a depth along the west limit of approximately 225 metres. Staff considers the existing site as satisfying the criteria to merit consideration to accommodate appropriate intensification.

Section 11.1.9

“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”.

The proposed scale, height, massing and architectural character as proposed by town staff is considered to be compatible with the surrounding neighbourhood. The proposed zoning introduces a built form that is compatible with the surrounding area.

“b) Development should be compatible with the setbacks, orientation and separation distances within the surrounding neighbourhood.”

The proposal contains the following:

- Exterior lots in the RL2 zoned lands with greater than the minimum RL2 lot area regulations of 836 square metres.
- Increased RL2 rear yard setback from 7.5 metres to 9 metres.
- Increased RL2 side yard setback from 2.4/1.2 metres to 2.4 /2.4 metres.
- Removal of any requested relief for projections from the parent zoning permissions.
- Dwelling orientations the same as the surrounding neighbourhood.

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The development introduces setbacks, separation distances and building orientations that are compatible with the existing character of 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.”

The proposed built form is consistent with the existing neighbourhood. No height relief is being sought. The proposed building heights are the same as the zoning permissions in the surrounding neighbourhood. No shadow study is required as the existing abutting uses and proposed uses are the same. As such, transition in height is not a concern.

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

As seen on Figure 5, the proposed lotting pattern and proposed 16-metre wide public road is considered to be compatible with the predominant lotting pattern of the surrounding neighbourhood.



Figure 5 – Proposed Draft Plan excerpt

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“e) Roads and/or municipal infrastructure shall be adequate to provide water and wastewater service, waste management services and fire protection.”

Municipal services shall be provided within the proposed 16 metre roadway.

Halton Region and the town's Development Engineering department have reviewed the proposed roads and municipal infrastructure and determined these to be acceptable. Conditions have been included into Appendices C and D.

Stormwater management objectives for this development will be met through employing an underground storm water pipe system. The underground system will be oversized to ensure stormwater runoff is controlled and released at a rate that is considerate of downstream drainage limitations.

Surface drainage will be directed to the underground pipe system via a combination of swales and inlet basins (including rear lot basins) designed to effectively drain the area and the surrounding lands that have historically drained through these lands.

Modern municipal servicing and basement foundation drains can reduce/lower the groundwater table within and around new developments. This groundwater, in the case of sump pumps, can become a nuisance drainage issue where groundwater tables are high. To mitigate this, sump drains will be connected directly to the underground storm sewer system. Groundwater issues noted by some of the adjacent residents may be (and traditionally are) alleviated by the impacts of the new development. The stormwater management system as a whole will be designed to effectively remove stormwater runoff and sumpwater/weeper discharge from the area, resulting in overall drainage improvements for the area.

“f) Surface parking shall be minimized on the site.”

Parking will be provided within the proposed garages and on the associated driveways. Zoning modifications have been introduced to permit 3 car tandem garages in the RL2 lots to mitigate having separate garages. The garages for the RL2 lots would appear as double car garage width from the street. This also addresses the Town's urban design concerns of garages not dominating the streetscape.

‘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.’

The proposal conforms to this policy, as the plan is proposing a 16 metre wide, public roadway extending from Lakeshore Road West.

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The present school access function from Lakeshore Road (easement) will be removed and accommodated from the proposed 16 metre wide street via public sidewalks.

“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.”

No negative impacts are anticipated on adjacent properties as a result of this proposed development.

Standard engineering practices shall be utilized. The preliminary road design has been optimized to achieve the lowest profile elevation practical based on all road, servicing and servicing requirements for the site to develop. The result is to minimize site grade changes, and thus reduce the impacts on perceived building heights.

Attention shall be given during the detailed engineering review to grading and stormwater management. Staff have included specific draft plan of subdivision conditions (Appendix D) to reflect this matter. Similarly, vehicular access and circulation will come from the proposed roadway.

From a privacy perspective,

- Boundary fencing exists. A condition has been included related to new exterior boundary fencing.
- Second floor balconies are not permitted as per the parent 2014 zoning by-law.
- The minimum RL2 rear yard setback has been increased as discussed previously.

The geotechnical report did not identify any significant ground water flow systems.

Below are several photos taken in the summer of 2015, which depict the easterly and westerly property boundaries. The majority of the trees are either located off the site or right at the property edge.

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West property limit looking south



West property limit looking north

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East property limit looking north

Visual screening between the proposed development and the surrounding adjacent residential lands will be minimized through the preservation of boundary trees (where possible and appropriate) and through the required introduction of a new boundary screening fence.

“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.”

The proposed street pattern accommodates the informal existing school access between Lakeshore Road West and TA Blakelock high school. Transit is on Lakeshore Road West.

“k) The transportation system should adequately accommodate anticipated traffic volumes.”

Traffic generated by this development can be accommodated on the existing road network. No traffic or transportation issues or concerns were raised through the process. Traffic is directed onto Lakeshore Road West; not the neighbouring local road system.

“l) Utilities shall be adequate to provide an appropriate level of service for new and existing residents.”

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All required utilities shall be provided to this development.

The development was evaluated in accordance with the applicable policies of 11.1.9 and determined to maintain and protect the character of the existing neighbourhood.

Urban Design and Site Plan Approval

Staff have been working with the applicant to finalize a revised Urban Design Brief dated October 13, 2106. The following principles are to be implemented in the future design for rear elevation for exterior lots 1 to 6 and 20 to 22 through a scoped site plan approval process:

- “The use of rear or side wall and roof articulation will be required for all dwellings within this development. This can be achieved through the use of bay features, projections, garden kitchens, covered porches/balconies, roof gables, etc.
- Publicly exposed rear and/or side elevations should include the application of the same materials, colours, design treatments and style used for the front elevation to a reasonable extent.
- The roof form at the rear of the dwelling will have enhancements similar to that of the front elevation where exposed. Detailing shall reflect the same architectural style as the front elevation.”

It should be noted that the rear elevations of the dwellings depicted in the Urban Design Brief are simply illustrative of the foregoing principles from the Urban Design Brief, and that the actual final rear elevation of the affected lots will be determined through the site plan approval process. In addition to the foregoing, the scoped site plan approval process will also address the matter of landscaping within the rear yards of the affected lots.

Given that the intent of the scoped site plan process is to evaluate only specific design elements of only those proposed dwelling units backing onto Tweedsdale Crescent and Willowridge Court in the context of the endorsed Urban Design Brief, and the rear lot landscaping, it would be appropriate that the site plan approval authority be granted to the Director of Planning Services, who will in turn consult with the Ward Councillors.

In addition to the foregoing, and to ensure that the development of these units properly addresses these principles, the following condition has been included within the conditions of draft approval related to a scoped site plan approval process for the exterior lots abutting the existing lots on Tweedsdale Crescent and Willowridge Court:

From: Planning Services Department

Date: November 7, 2016

Subject: Recommendation Meeting Report, Zoning By-law Amendment and Draft Plan of Subdivision, Fernbrook Homes (Lakeshore) Ltd., 1215 and 1221 Lakeshore Road West, File No. Z.1722.03 and 24T-14006/1722, By-law 2016-012

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Subdivision Agreement clause - Appendix D

“2. The applicant agrees that development of Units 1 through 6 and 20 to 22, inclusive, as shown on the 22 lot draft plan of subdivision shall be subject to site plan control. The Town agrees that the intention of the scoped site plan control in respect to these lots is to review and confirm that the rear elevations of said Units is being undertaken in general conformity with the final and approved Urban Design Brief dated October 13, 2106 and in accordance with the Council approved design principles as outlined within the associated staff report dated November 7, 2016, and rear yard landscaping.”

An additional condition has been included for rear yard fencing along Lots 1 - 7 and 19-22 with consideration being given to the existing boundary vegetation.

The proposed development has been designed to respond to these urban design objectives and policies and as such, has aided in the preparation of the proposed Zoning By-law Amendment and provided guidance to the site design.

Proposed Zoning By-law Amendment

A site specific Zoning By-law Amendment has been created principally based upon the town's new Zoning By-law for the purpose of accommodating the proposed development.

The current application was subject to a notice that the town's Zoning By-law (then 1984-63) was to be amended to permit the proposed development. Since that time, the new town Zoning By-law 2014-014, was approved by Council. Portions of By-law 2014-014 that are relevant to this application remain subject to appeals to the Ontario Municipal Board or Divisional Court. Until the new town Zoning By-law is in full force and effect, any proposed development requires conformity with both the new and old by-laws. The draft by-law has been drafted in a manner that includes both general and site specific provisions to ensure that it will not be affected by the outcome of the various appeals.

The proposed by-law has been drafted to include the following:

- Schedule change to reflect the lot pattern and parent zoning categories;
- Block plan created to reflect both proposed zone categories (RL1-0 SP370 and RL2-0 SP370)
- Creation of general zone provisions for all blocks
- Establishment of specific RL1 and RL2 zone provisions for each block (repetition of various parent zone provisions and adjustments to several provisions based upon the 22 lot design (i.e.: minimum lot areas, frontages,

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side yards, coverages and floor area ratios, increase in garage size for RL2 lots)

- Repetition of presently appealed definitions.

The proposed site specific by-law appropriately recognizes the design to accommodate this development which is in keeping with the general intent of the Livable Oakville Plan and maintains the character of the existing neighbourhood.

Staff have evaluated the proposed overall development in the context of the Livable Oakville Plan, surrounding neighbourhood and the site's characteristics and support the proposed Zoning By-law Amendment. The modifications to the zoning are minor compared to those presented at the statutory public meeting; therefore, no further notice for a public meeting is required. The proposed Zoning By-law 2016-012 can be found within the by-laws sections of the November 28, 2016, Planning and Development Council agenda.

CONCLUSION

In reviewing the latest proposal, the following improvements have been made from all previous proposals, either at the OMB or as originally submitted with this latest application:

- Incorporation of a 16 metre wide public road;
- Proposed 22 lots is consistent with the number of lots referenced in the OMB decision (mentions 23-25 lots for detached dwellings);
- No height variance requested;
- Removal of the introduction of an RL3-0 zone into the proposal;
- Reductions/eliminations from the originally proposed floor area ratios;
- Increase in RL2 rear yard and side yard setbacks;
- Removal of balcony/projection relief requests;
- Increase in garage size to permit tandem garage parking (three cars) in the RL2 zone (reflects a two door garage);
- Minimization of grading over top the municipal services under the proposed roadway; and,
- Accommodation of stormwater management in an enlarged pipe under the proposed road. Additionally, the use of rear yard catch basins, drainage swales and sump pump connections to the underground pipe system to help mitigate drainage concerns.

The proposal represents good planning. The proposal completes the development of this area.

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The subject subdivision was reviewed in relation to Section 51 (24) of the *Planning Act* and has been determined to satisfy the requirements of this section.

On this basis, staff recommends approval of the application.

CONSIDERATIONS:

(A) PUBLIC

A Public Information Meeting together Statutory Public Meeting was held on this application. A courtesy notice for the recommendation meeting has been provided to those who participated in the process.

Further, meetings were held with a number of the local residents who provided comments during the process and abut directly to the subject development. Also, in attendance were representatives of the Coronation Ratepayers Association. Similar comments to the public meeting were raised and are contained in this report.

(B) FINANCIAL

Payment of cash in lieu of parkland will be prior to building permit issuance in accordance with town bylaw and Section 42 of the *Planning Act*.

Development Charges are also payable at building permit issuance at the rates in effect at that time. It is noted that demolition credits associated with the Place of Worship are restricted to only the areas of worship for the purpose of DC's within the structure.

All capital works associated with the redevelopment of this site are local works and therefore not subject to reimbursement by the town.

(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 Livable Oakville.

PLANNING AND DEVELOPMENT COUNCIL MEETING

From: Planning Services Department

Date: November 7, 2016

Subject: **Recommendation Meeting Report, Zoning By-law Amendment and Draft Plan of Subdivision, Fernbrook Homes (Lakeshore) Ltd., 1215 and 1221 Lakeshore Road West, File No. Z.1722.03 and 24T-14006/1722, By-law 2016-012**

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APPENDICES:

Appendix A – Proposed Draft Plan

Appendix B – Regional comments on previous 24 lot subdivision

Appendix C and D – Conditions of Draft Approval

Recommended by:

Charles McConnell, MCIP, RPP
Manager Current Planning – West
District

Submitted by:

Mark H. Simeoni, MCIP, RPP
Director, Planning Services