

Public Meeting

Local Variance Criteria By-law

Planning and Development Council

May 14, 2018

Background

Existing

Livable Oakville	2011
Zoning By-law	2014
Urban Design Guidelines	2014

Studies

Residential Character Study	2017
Local Minor Variance Criteria	2017
Residential Policy Review	2019

Implementation

Official Plan Policies	2020
Zoning By-law	2022
Urban Design Guidelines	2023

Report and By-law

The report provides:

- An extensive policy evaluation
- Detailed technical review
- Discussion on the By-law

The By-law provides:

- Criteria for a minor variance
- Assessment Area

Considerations

The proposed LVCB is the first in Ontario, and the final By-law needs to respond to:

- Fairness in its application
- Reasonableness
- Defensible values and approach
- Increased predicability

Approach

- What is the By-law trying to do?
 - Strengthen the objectives of Livable Oakville Policy 11.1.9 by addressing large variance requests
- What will it implement?
 - Thresholds for specific regulations for detached homes
 - Assessment Areas for evaluating character
- What will change in the current process?
 - Only impacts variances for detached dwellings
 - The four tests are still applicable in all minor variance applications

What are the criteria?

- Consistency with the Urban Design Guidelines for Stable Residential Communities
 - All variances related to detached dwellings
- Conform to the thresholds, without exceeding the average in the Assessment Area, for Residential Floor Area Ratio (RFA), Lot Coverage, Height, Side-Rear-Flankage Setbacks, and Driveways
 - All variances related to detached dwellings in the “-0” Suffix zone for these specific regulations only

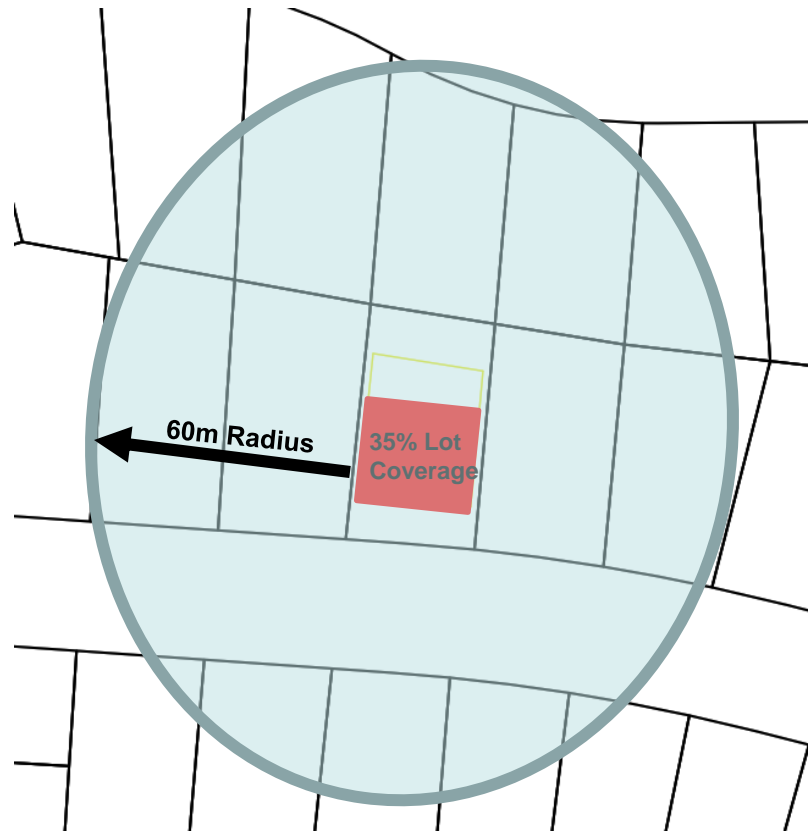
How will it be used?

- The RL3-0 Zone permits 35% Lot Coverage
- The LVCB provides a threshold of 37.8%



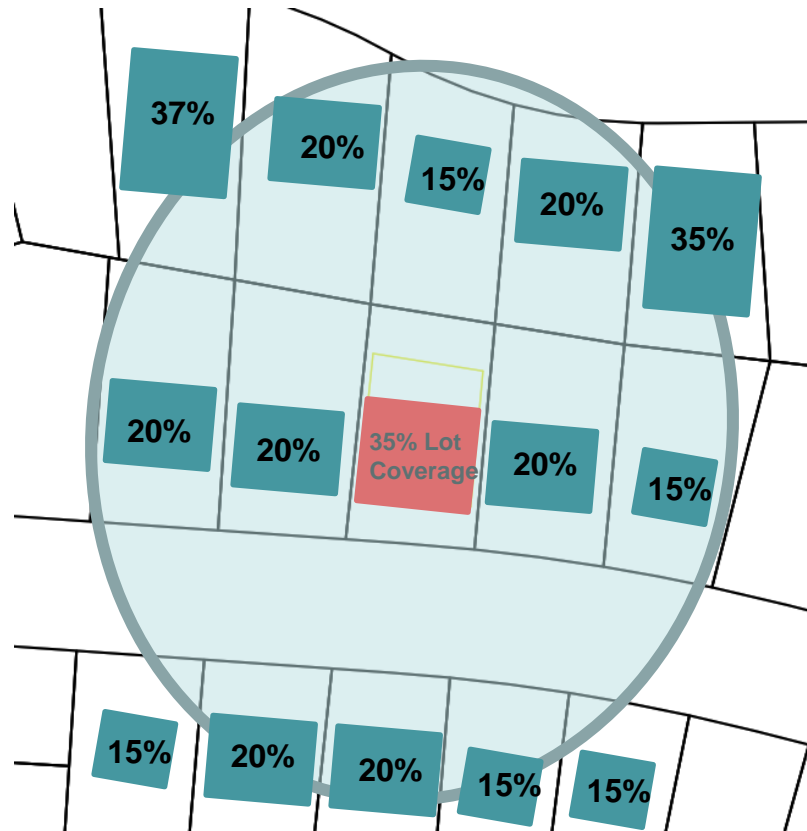
How will it be used?

- If contemplating a minor variance for an increase in coverage, the applicant must assess the dwellings in the Assessment Area



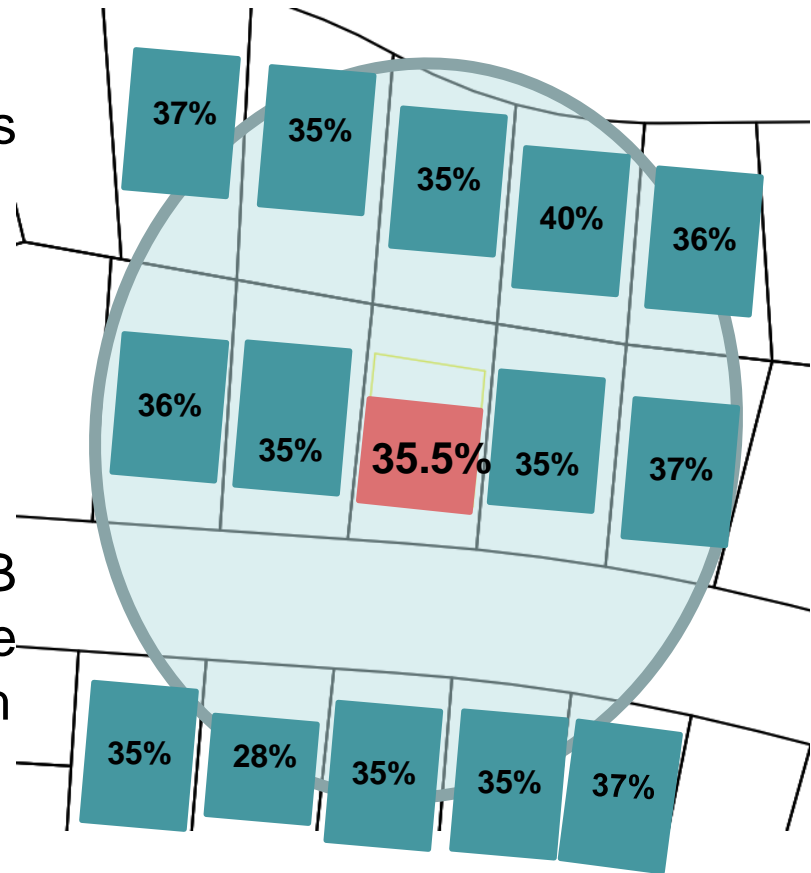
Below the By-law

- The lot coverages for the homes in the Assessment Area are added together and divided by the number of properties within the Assessment Area.
- In this case, the average lot coverage for the 14 properties in the Assessment Area is 20.5%
- The maximum lot coverage permitted for the new development is 35% as prescribed by the Zoning By-law, and a variance would not be supported



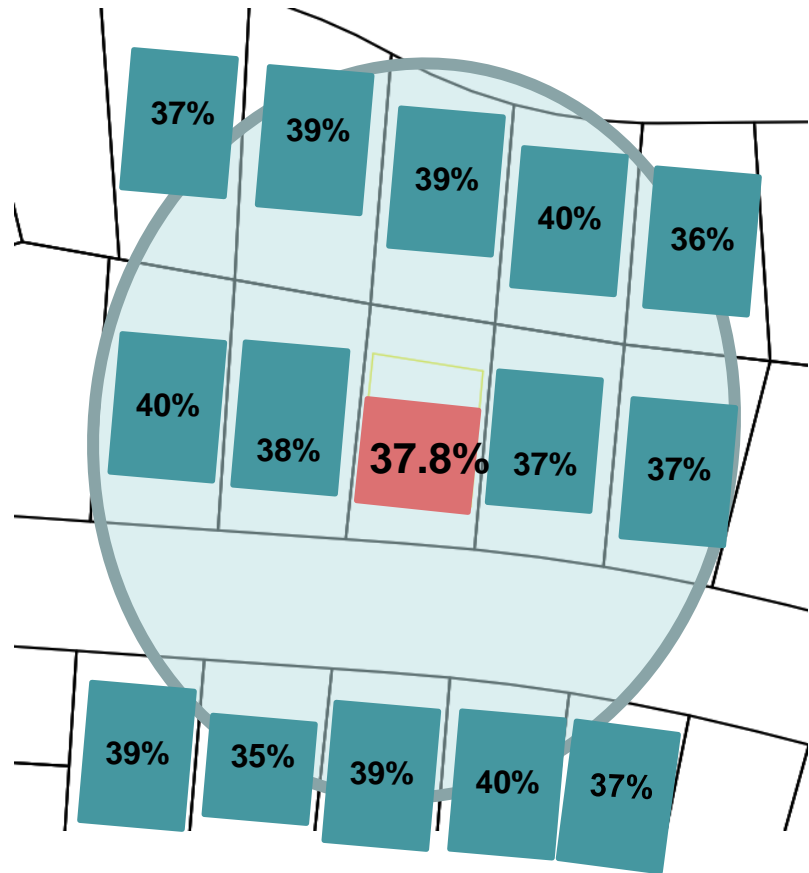
Above the By-law, below the threshold

- In this case, where the dwellings are larger in size within the Assessment Area, the average lot coverage is 35.5%
- The maximum lot coverage permitted for the new development could be 35.5%, not the 37.8% listed in the LVCB
- The four tests still apply, and the dwelling must be consistent with the Design Guidelines before approval can be given to an increase up to 35.5%



Above the threshold

- In this case, where the dwellings are larger in size within the Assessment Area, the average lot coverage is 38%
- The maximum lot coverage permitted for the new development could be 37.8%, as listed in the LVCB, not the average
- The four tests still apply, and the dwelling must be consistent with the Design Guidelines before approval can be given to an increase up to 37.8%



Public Input

- The By-law needs to use clear language
- The Assessment Area should include a certain number of properties
- How will applicants complete the assessment
- What will the exceptions look like
- Why only the “-0” suffix

Next Steps

- Staff will bring forward the final By-law in June 2018
- Staff anticipate completion of the Residential Policy Review in 2020

Recommendation

That comments from the public with respect to the town-initiated Local Variance Criteria By-law be received