



OAKVILLE

## REPORT

### Planning and Development Council

Meeting Date: April 12, 2021

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**FROM:** Planning Services Department

**DATE:** March 30, 2021

**SUBJECT:** **Public Meeting Report, Official Plan Amendment, Zoning By-law Amendment, 2507 Dundas Storage GP Corporation, 2507 Dundas Street West, File No. OPA.1330.01, Z.1330.01**

**LOCATION:** 2507 Dundas Street West

**WARD:** Ward 7 Page 1

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#### RECOMMENDATION:

1. That the public meeting report, prepared by the Planning Services Department dated March 30, 2021, be received.
2. That comments from the public with respect to the Official Plan Amendment and Zoning By-law Amendment by 2507 Dundas Storage GP Corporation, File No.: OPA.1330.01, Z.1330.01, be received.
3. That staff consider such comments as may be provided by Council.

#### KEY FACTS:

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

- 2507 Dundas Storage GP Corporation has submitted an Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) to redevelop 2507 Dundas Street West.
- The lands are approximately 0.75 hectares in size on the north side of Dundas Street West, east of Old Bronte Road.

- The applicant proposes a non-residential mixed use development consisting of self-storage, accessory retail and office uses, including the adaptive re-use of the existing heritage house for office uses in a new location on the property.
- Access to the site would be from Dundas Street West, limited to right-in, right-out only.
- The subject lands are designated Special Study Area by OPA 289 in the North Oakville West Secondary Plan and zoned *Existing Development (ED)* within Zoning By-law 2009-189, as amended.
- Council approved OPA 306 (By-law 2011-003) on January 24, 2011, which set out the policy framework for the Palermo Village North area, lands north of Dundas Street West subject of the Special Study Area designation in the Council approved North Oakville West Secondary Plan. It should be noted that both a portion of the North Oakville West Secondary Plan that affects the subject property and OPA 306 are appealed to the LPAT, and as such are presently not in force.
- The subject property, 2507 Dundas Street West, is designated under Part IV of the *Ontario Heritage Act*. The heritage designation was enacted by By-law 1993-120.
- The OPA and ZBA application was submitted and deemed complete on October 30, 2020. Bill 108 provides for a 120-day timeline before an appeal can be filed for lack of decisions. An appeal could be filed as of February 27, 2021.
- This site is also subject to a Town-initiated Official Plan Amendment (File No. 42.24.23) related to the North Oakville West Secondary Plan and Palermo Village.

## **BACKGROUND:**

The purpose of this report is to introduce the planning applications in conjunction with the statutory public meeting. Council will hear public delegations on the application, ask questions of clarification and identify matters to be considered. The report is to be received. No recommendation on the application is being made at this time.

The report outlines the proposed development and identifies matters raised to date through the technical review and public consultation. Following the statutory public meeting and once the review is complete; staff will bring forward a recommendation report for consideration by Planning and Development Council.

The OPA and ZBA were deemed complete on October 30, 2020.

The subject lands are located on the north side of Dundas Street West, which serves as a boundary between the north and south planning areas for the Town. The lands north of Dundas Street are subject to the policies of the North Oakville East and West Secondary Plans, while the lands south of Dundas are subject to the policies of the Livable Oakville Plan. Additionally, the north side of Dundas Street is subject to Zoning By-law 2009-189, which is approved to conform to the policies of the Oakville Official Plan (1984) and the North Oakville East and West Secondary Plans. The lands south of Dundas are subject to Zoning By-law 2014-014, which is approved to conform to the policies of the Livable Oakville Official Plan.

Currently, a portion of the North Oakville West Secondary Plan that affects the subject property and OPA 306 are appealed to the LPAT, and as such are presently not in force. In order to advance development on the subject lands ahead of any resolution of the appeals, the applicant has submitted Official Plan and Zoning By-law amendment applications.

The effect of the Official Plan Amendment application would be to include the subject lands within the jurisdiction of the Livable Oakville Official Plan, while the Zoning By-law Amendment would be to rezone the lands within Zoning By-law 2009-189.

The property at 2507 Dundas Street West is designated under Part IV of the *Ontario Heritage Act* by By-law 1993-120. The property contains the c.1868 Italianate style two-storey red brick house known as the Switzer House. The applicant proposes to relocate the building on-site and convert the building for office uses.

## **Proposal**

This application proposes a six-storey building with uses fronting onto Dundas Street West with a total GFA of 17,342 m<sup>2</sup> consisting of self-storage, retail and office uses. The existing heritage building (approximately 279 m<sup>2</sup>) on the subject lands will be retained, relocated on site, and converted to an office use. The development proposes pedestrian and vehicular access from Dundas Street West, and provides a total of 77 surface parking spaces, including two accessible spaces.

The applicant proposes to designate the lands as *Urban Core* land use designation, which is primarily applicable to the Midtown and Uptown Core Growth Areas within the Livable Oakville Official Plan. The proposed OPA would further permit a self-storage facility within the *Urban Core* designation and provide specific floor space index (FSI) and height standards. The applicant proposes zoning regulations that would reflect the proposed development.

The Official Plan Amendment proposes to amend the Livable Oakville Plan by:

- Amending Schedule E - Land Use Schedule to redesignate the subject lands to be included within the land use schedule boundaries of the Livable Oakville Plan.
- Amending Schedule H - West Land Use to designate the subject lands as “Urban Core” with permissions for a commercial self storage facility at this property.
- Adding special exemptions related to FSI (Minimum of 0.5 and Maximum of 4.0) and height (Minimum of 2 storeys and Maximum of 8 storeys).

A copy of the applicant’s proposed Official Plan Amendment can be found in Appendix A.

The Zoning By-law Amendment proposes to amend By-law 2009-189 (North Oakville Zoning Bylaw) from Existing Development Zone (ED) to General Employment Zone 1 Performance zone with Special Provisions (XXX) related to landscaping, parking and loading spaces, which is described in further detail later in this report. The applicant’s proposed zoning regulations can be found within Appendix B.

The applicant’s conceptual site plan provided as Figure 1 below illustrates the proposed development for the site. Figure 2 below illustrates the proposed building.

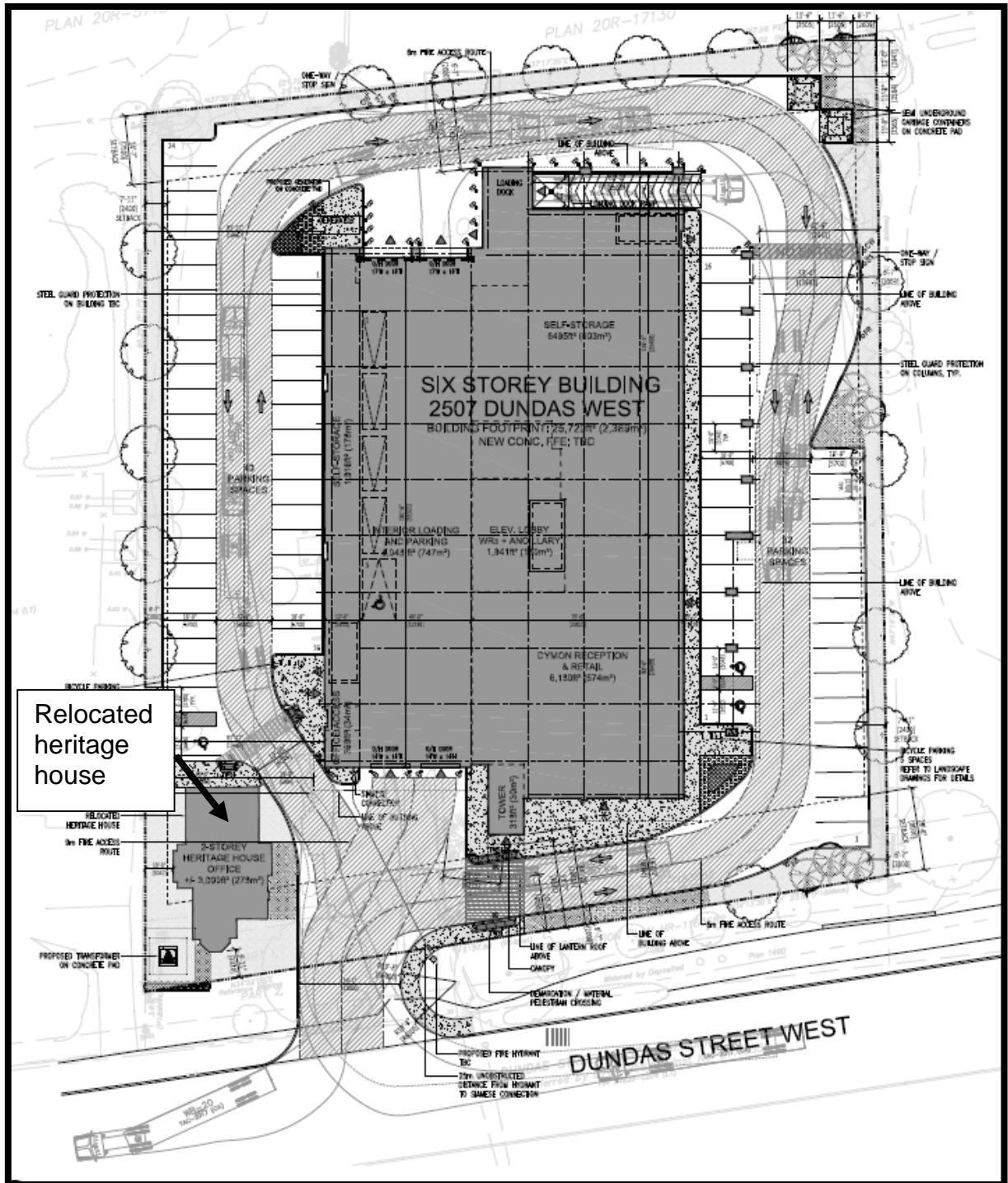


Figure 1 – Proposed Site Plan NTS



*Figure 2 - Rendering*

All application submission material is found on the town's website site at <https://www.oakville.ca/business/da-36698.html>.

### **Location & Site Description**

The subject lands are located on the north side of Dundas Street west, east of Old Bronte Road, and are approximately 0.75 hectares in size (see Figure 3 below). A two-storey heritage designated dwelling exists on the site.

The east side of the site is traversed by a tributary of the Fourteen Mile Creek and is identified within the North Oakville West Secondary Plan as a low constraint stream corridor.

### **Surrounding Land Uses**

North: Natural area associated with the Glenorchy Conservation Area, owned by the Province and managed by Conservation Halton, and a detached dwelling fronting onto Old Bronte Road.

East: Large lot occupied by a garage structure.

South: Five-storey medical building and an elementary school.

West: Palermo United Church (heritage designated) and at the corner with Old Bronte Road is a detached dwelling also heritage designated.

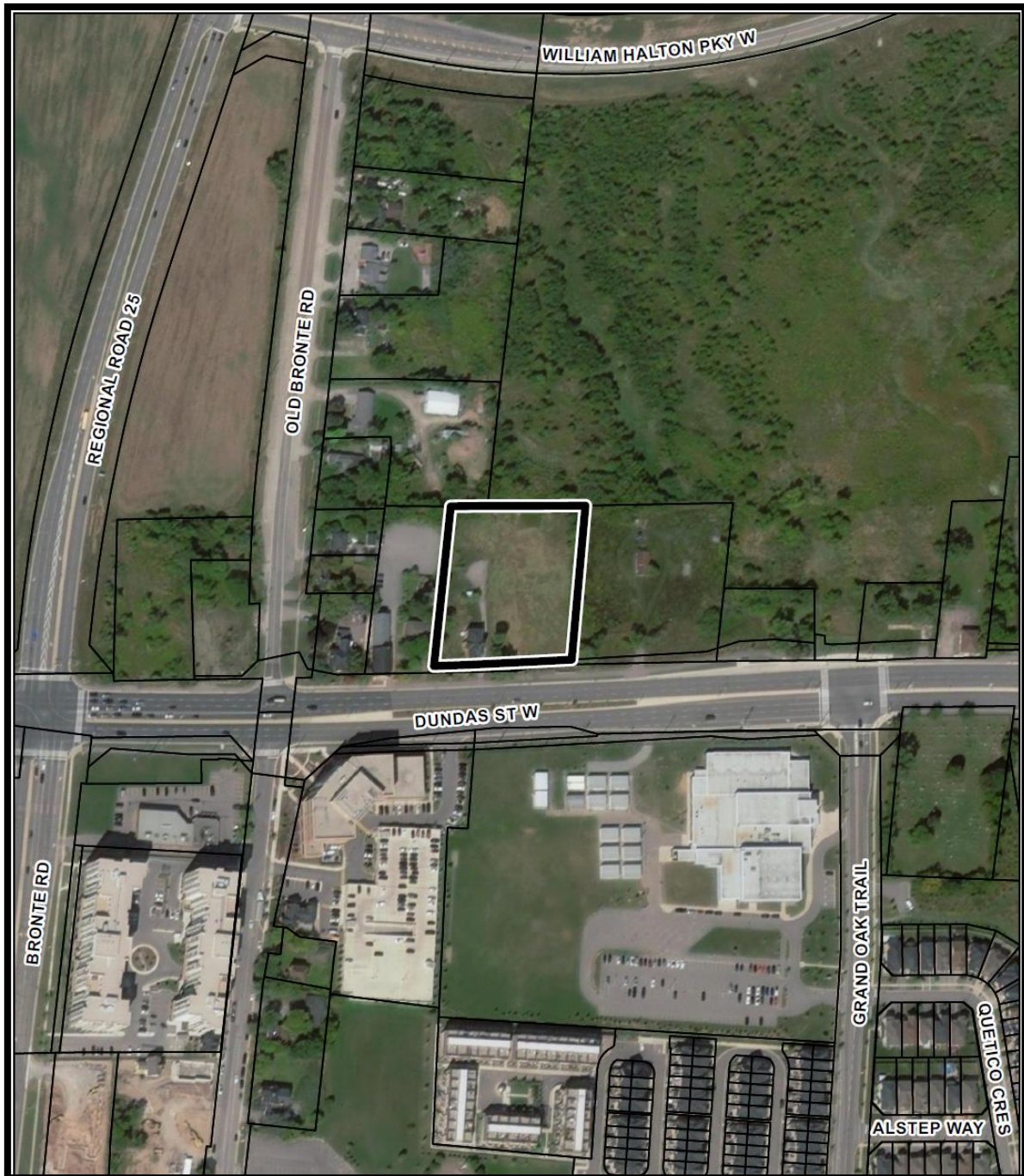


Figure 3 – Aerial Photo

### PLANNING POLICY & ANALYSIS:

The property is subject to the following policy and regulatory framework:

- Provincial Policy Statement (2020)



- Growth Plan for the Greater Golden Horseshoe (2019)
- Halton Region Official Plan
- North Oakville East Secondary Plan
- Livable Oakville Plan
- Zoning By-law 2009-189, as amended

### **Provincial Policy Statement (2020)**

The Provincial Policy Statement (2020) ('PPS') continues to recognize 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 encourages Planning authorities to permit and facilitate a range of housing options, including new development as well as residential intensification, to respond to current and future needs for a time horizon of up to 25 years.

The PPS (2020) promotes the integration of land use planning, growth management and transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments and standards to minimize land consumption and servicing costs.

Policies applicable to this application can be found in Appendix C.

### **Growth Plan (2019)**

The Growth Plan for the Greater Golden Horseshoe ('Growth Plan') is a long-term plan that intends to manage growth, build complete communities, curb sprawl and protect cultural heritage resources and the natural environment.

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, with a focus on strategic growth areas. 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, provide a diverse range and mix of housing options, expand convenient access to transportation options.

Policies applicable to this application can be found in Appendix C.

### **Halton Region Official Plan**

The subject lands are designated "Urban Area" in the Halton Region Plan. Lands within the "Urban Area" are intended for residential and employment growth. Policy

76 notes that the range of permitted uses is to be in accordance with Local Official Plans and Zoning By-laws. All development, however, is subject to the policies of the Regional Plan.

There is currently no existing water or sanitary services available adjacent to the subject lands. The servicing of this part of the North Oakville West Secondary Plan area is addressed in the Sixteen Hollow Employment Area Servicing Plan (ASP) for this area. The ASP provides the overall servicing plan for the ultimate servicing and infrastructure requirements for this part of the NOWSP.

Dundas Street West is a Regional right-of-way and access will be at the discretion of the Region of Halton. Access to the proposed development will be restricted to right-in/right-out movements, as there is an existing centre median along this section of Dundas Street.

The Region is the approval authority for the town-initiated Official Plan Amendment for the Palermo Growth Area review.

### **North Oakville West Secondary Plan - OPA 289 (Bylaw 2009-014)**

The North Oakville West Secondary Plan (OPA 289), which is an amendment to the 1984 Oakville Official Plan, as amended, provides policy direction for growth and development to those lands generally west of the Sixteen Mile Creek valley and north of Dundas Street. It sets out the ultimate plan for the North Oakville West Secondary Plan Area.

The site is designated as Special Study Area in the NOWSP. The intent is to develop this area as a pedestrian and transit oriented mixed-use node. In addition, the special study is required to address its cultural heritage features and how those features are to be integrated with new development. Section 8.6.4 cites the following:

#### **8.6.4 SPECIAL STUDY AREA**

*The Special Study Area designation reflects an area which is intended to develop as a mixed use area that is pedestrian and transit oriented. The area is subject to a special study to address its cultural heritage features and how these features can be integrated with the proposed new development. New development shall be limited to expansions of existing uses until this Plan is amended to incorporate detailed policy direction for lands in the Special Study Area.*

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## **OPA 306**

In recognition of the study requirement, town staff undertook a study of the Palermo area (both north and south of Dundas Street). This culminated with the adoption of Official Plan Amendment Number 306 by Council in January 2011, as related to the lands, north of Dundas Street West.

The Palermo *Urban Core* designation for these lands (applied through OPA 306) reflect the most urban part of the North Oakville West Plan Area, with dense development, a mix of uses including residential and commercial, enhanced streetscaping and conservation of cultural heritage. The mixed-use policies included in OPA 306 provide opportunities for flexible growth by accommodating a full range of uses needed for local residents, businesses and visitors. Streetscaping policies are to ensure that Old Bronte Road in Palermo Village becomes a vibrant, pedestrian-friendly environment as future development takes place. In addition, the policies place a high priority in ensuring new growth is compatible with the significant cultural heritage found in Palermo Village.

However, the North Oakville West Secondary Plan and the corresponding OPA 306 remain subject to appeal at the LPAT. Given the outstanding appeals of OPA 289 and OPA 306, land uses are limited to existing uses until such time that the appeals are withdrawn or finally disposed of and replacement policies have come into effect.

### ***Town Initiated OPA – Palermo***

In early 2020, the town began a review of the North West Area of north Oakville, including Palermo Village. At the November 23, 2020 Planning and Development Council meeting, Council passed the following resolution:

1. *That the staff report titled “Public Meeting Report - Town-initiated Official Plan Amendment - The North West Area and Palermo Village, Excluding the Hospital District (File No. 42.24.23),” dated November 11, 2020, including the Palermo Village Growth Area Review Final Report, be received.*
2. *That the comments from the public with respect to the draft town-initiated official plan amendment (File No. 42.24.23) be received.*
3. *That analysis of the following matters of interest to Council be included as part of the recommendation report:*
  - a) *Look at providing consistency with respect to medium and high density designations between north and south of Dundas Street within the Town of Oakville.*
  - b) *Report back on a pedestrian overpass, underpass or other means of crossing Dundas Street and Bronte Road.*

- c) *What is the carbon footprint of the proposed development? What is the number and how many trees will be planted to offset this development?*
- d) *Report back on how to generate character of a neighbourhood that does not exist.*
- e) *Provide a concise definition of employment uses.*
- f) *Report back on an active transportation link between Palermo and the hospital lands.*
- g) *Provide clarification regarding environmental impacts resulting from high density development.*
- h) *Consider regional servicing options for a place of worship on Bronte Road.*

The purpose of the Town initiated Palermo Official Plan Amendment is to:

- move the North Oakville West Secondary Plan area (other than the Hospital District) from the 1984 Oakville Official Plan to the Livable Oakville Plan;
- incorporate policies for those lands into the Livable Oakville Plan; and,
- establish updated policies for an expanded Palermo Village Growth Area, including the former OPA 306 lands and additional lands north of Dundas Street West.

The proposed policy framework established for the Palermo Village Growth Area will result in a high density, transit-supportive and pedestrian-oriented complete community, with additional policies that support the built heritage character of the growth area and require the integration of heritage resources with new development.

On March 22, 2021, staff presented a recommendation to Council for the adoption of the town initiated OPA 34, which affects the subject lands. Council endorsed the amendment subject to further review of the natural heritage, parking, built heritage policies, and expanding the growth area boundary northerly to highway 407. Staff will report back in June with respect to these outstanding matters. The applicant was an active participant in the town initiated OPA process, and it was noted in the staff report that:

*“Comments received asked that staff consider permitting commercial self-storage facilities within the Mixed Use, Urban Core land use designation within Palermo Village.*

*Staff are of the opinion that commercial self-storage facilities are more appropriately located within the town’s employment land use designations, and should be directed away the town’s mixed use nodes and corridors that are intended to support high density residential and high employment generating uses, which support achieving transit supportive densities.*

*Uses within the town's mixed use nodes and corridors are to be provided in a compact built form and which are pedestrian oriented and support active transportation and transit usage. It is staff's opinion that commercial self-storage facilities do not achieve these objectives."*

The applicant has made their application in advance of the town initiated process being completed. The applicant's proposed Official Plan Amendment is more aligned with the policy framework proposed by OPA 306 to the North Oakville West Secondary Plan, and does not reflect the policy direction proposed by OPA 34 to the Livable Oakville Plan.

The site is designated under Part IV of the *Ontario Heritage Act* and contains a two-storey brick dwelling. Policy 8.4.14.3 provides for the integration of heritage resources in evaluating development applications and states:

"The Town shall:

- i) encourage the use or adaptive reuse of cultural heritage resources, or key components of such resources, whenever possible as part of the new development in situ, or on an alternate site;"

The applicant proposes to relocate the building on-site, and reuse for office uses. A Heritage Impact Assessment (HIA) was submitted with the application. Staff will require a Peer Review of the HIA, as the document does not provide a thorough analysis of the impact of the new building on the heritage house, or address the appropriateness of the relocation of the heritage house.

## **Livable Oakville Official Plan**

The Livable Oakville Plan was approved by the Ontario Municipal Board on May 10<sup>th</sup>, 2011, and provides a policy framework for lands south of Dundas Street. The Livable Oakville Plan is currently undergoing a 5-year Official Plan Review to ensure the policies are consistent with the Provincial and Regional policies, support the Town's strategic goals, and reflect the visions and needs of the community.

Staff are working towards including the lands north of Dundas into the Livable Oakville Plan to provide a unified framework across the town. Schedule A1, Urban Structure, of the *Livable Oakville Plan* provides the basic structural elements for the Town. This is also reflected in Section 3, Urban Structure, of the *Livable Oakville Plan*. Official Plan Amendment 15: Urban Structure (adopted by Council on September 27, 2017 and approved by the Region on April 26, 2018, subject to an

appeal) confirms the Town's existing urban structure in terms of nodes and corridors, where higher intensity forms of mixed use growth are to be accommodated.

The applicant has applied for an Official Plan Amendment, which would include the subject lands within the Livable Oakville Plan in advance of the town completing the processes required for the transition described above. Further, the applicant is seeking to apply the *Urban Core* designation into the Livable Oakville framework, which is unique to the North Oakville West Secondary Plan. The proposal will have to be considered against both the North Oakville West Secondary Plan and the Livable Oakville Official Plan.

Similar to the North Oakville West Secondary Plan, the Livable Oakville Official Plan contains policies in Section 5 for the conservation of cultural heritage resources. As stated above, the applicant proposes to adaptively reuse the existing heritage building and submitted an HIA with the application. However, a Peer Review of the HIA is required to provide a more thorough analysis of the proposal.

### **Zoning By-law (By-law 2009-189)**

The North Oakville Zoning By-law (By-law 2009-189) sets zoning standards with the establishment of general regulations and zones so as to implement the intent of the North Oakville East and West Secondary Plans. Town Council approved the North Oakville Zoning Bylaw on November 23, 2009. Zoning By-law 2009-189 was not intended to implement the policies of the Livable Oakville Official Plan.

The subject lands are zoned *Existing Development (ED)*, as illustrated on Figure 4 below. The *Existing Development (ED)* zone only allows uses that legally existed on the date of the parent by-law came into effect. The ED zone implements the policies of the North Oakville West Secondary Plan, which requires further study of the lands in advance of development proceeding in this area. In order for the town to consider applications to rezone ED lands, Official Plan land use policies must be in place. As the 1984 Oakville Official Plan (and subsequently the North Oakville West Secondary Plan) is the in effect Official Plan related to the in implementing Zoning, it is unclear if the applicant's proposal to move the lands from the 1984 Official Plan to the Livable Official Plan will provide the needed policy framework to consider a Zoning By-law Amendment. Staff note that the Zoning 2009-189 was not approved to implement the Livable Oakville Official Plan.

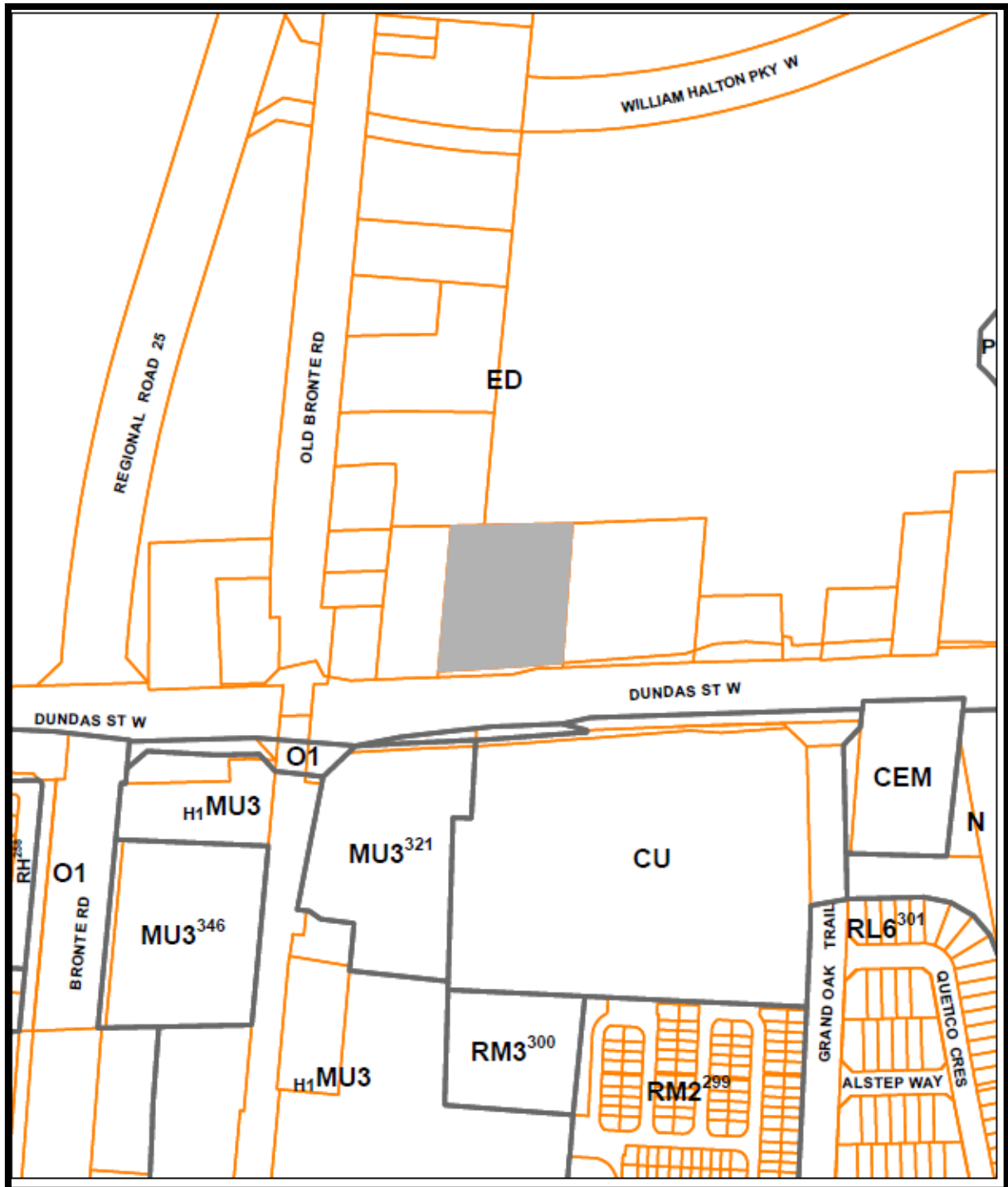


Figure 4 – Zoning By-law Excerpt

The applicant proposed to rezone the site from Existing Development Zone to General Employment Zone 1 Provision with Special Provisions (XXX) related to landscaping, parking and loading spaces.

Table 1 below provides a comparison of the General Employment Zone 1 standards and the applicants proposed modifications.

Table 1 – Zoning Comparison

Regulation	General Employment Zone 1	Proposed Modification
Maximum Floor Space Index	3.0	2.03
Maximum Height	15 Storeys	6 Storeys
Minimum Landscape Strip and Setback (Interior Yard and Rear Yard)	3.0m	2.0m
Minimum Landscape Area	10%	14%
Minimum non-residential parking spaces	70	75
Minimum accessible parking spaces	3	2
Minimum Loading Spaces	2 (3.6m x 9m)	1 (3.6m x 18m)

The applicant's proposed zoning regulations can be found within Appendix B.

#### **TECHNICAL & PUBLIC COMMENTS:**

The proponent has provided numerous studies in support of the application which have been circulated to various public agencies and internal Town departments, and which are under review.

The following supporting documents are accessible on the town's website (<https://www.oakville.ca/business/da-36698.html>):

- Arborist Report
- Civil Plans
- EIR
- Elevations and Renderings
- Phase 1 Environmental Assessment
- Functional Servicing Report/Stormwater Management
- Grading Plan
- Heritage Impact Study
- Hydrogeological Report



- Landscape Plan
- Parking Study
- Planning Justification Report
- Site Plan
- Stage 1 Archaeological Report
- Statistic Spreadsheet
- Survey
- Sustainable Checklist
- Tree Inventory
- Urban Design Brief; and,
- Waste Management Plan.

### **Issues Under Review / Matters to be Considered**

The following issues and matters have been identified to date for further review and consideration. Not all circulation comments have been received to date, but will be considered in the future recommendation report.

- Consistency with the Provincial Policy Statement, 2020 and conformity to the 2019 Growth Plan for the Greater Golden Horseshoe.
- Conformity to the Region of Halton Official Plan.
- Conformity with the North Oakville West Secondary Plan, and the Livable Oakville Official Plan.
- Does the commercial self storage facility meet the general objectives of the Town's emerging policies including but not limited to a mixed use, transit supportive and pedestrian oriented community.
- Does the EIR/FSS appropriately implement the North Oakville Creeks Subwatershed Study? Have the Natural Heritage System limits (Core 2) been adequately defined?
- Conformity with current urban design policies, and consistency with emerging policies on matters such as built form, transitions and compatibility with adjacent properties, interface with public realms, and vehicular access.
- Impacts to the existing heritage resource on the property, including the completion of a Peer Review of the Heritage Impact Study.
- Adequacy of Water and Sanitary servicing for the property.

- Timing of the proposal with respect to the Regional review of OPA 34 to the Livable Oakville Official Plan.
- Consideration for how the proposed Zoning By-law Amendment can be passed, if the parent Zoning By-law was not approved to implement the Official Plan the lands would be moving into.
- Alignment with the Climate Emergency declared by Council in June 2019 for the purposes of strengthening the Oakville community commitment in reducing carbon footprints. This can involve staff working with developers to incorporate travel demand strategies to reduce the transportation emissions from single occupant vehicles and increase the transit, pedestrian and cycling mode split.

A complete analysis of this application will be undertaken including the foregoing matters, and other matters, which may be subsequently identified.

## **CONSIDERATIONS:**

### **(A) PUBLIC**

Notice for this meeting was distributed to all properties within 120m of the subject property and is included on the sign posted at the site.

The applicant undertook a community consultation process with a virtual Public Information Meeting on January 11, 2021. Only one person attended at this virtual meeting. In the applicant's meeting summary, the following was stated:

1. "There was no concern with the relocation of the heritage building as it was being relocated closer to the street frontage and other heritage buildings adjacent to the site to create a cluster of the existing heritage buildings on Dundas Street.
2. No concerns/issues were raised in regards to the proposed uses on site;
3. Mrs. Knoll suggested the proposed retail use at grade incorporate an area to acknowledge the history of Palermo Village."

### **(B) FINANCIAL**

Development charges would be applicable, including any potential impact of the conversion of use for the existing heritage house. Parkland dedication is also applicable to this development.

**(C) IMPACT ON OTHER DEPARTMENTS & USERS**

The application was circulated to internal and external departments and agencies for review. The application remains in technical review.

**(D) CORPORATE STRATEGIC GOALS**

This report addresses the corporate strategic goal(s) to:  
Make Oakville the most livable town in Canada

**(E) CLIMATE CHANGE/ACTION**

The proposed development will be reviewed to ensure compliance with the Town's sustainability objectives of the Livable Oakville Plan.

**CONCLUSION:**

Planning staff will continue to review and analyze the proposed application and address all technical matters along with submitted public comments, and report to Council at a future meeting. No further notice is required, however, written notice of any future public meetings will be provided to those who have made written and/or verbal submissions.

**APPENDICES:**

- Appendix A - Applicant's Official Plan Amendment
- Appendix B - Applicant's Proposed Zoning Regulations
- Appendix C - Applicable Policies

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Recommended by:  
Charles McConnell, MCIP, RPP, Manager

Submitted by:  
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