

## REPORT

### Planning and Development Council

Meeting Date: October 4, 2021

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**FROM:** Planning Services Department

**DATE:** September 21, 2021

**SUBJECT:** Public Meeting Report, Official Plan and Zoning By-law Amendment, 2266 Lakeshore LP, 2262 – 2266 Lakeshore Road West and 83 East Street , File No. OPA.1728.66 and Z.1728.66

**LOCATION:** Southeast corner of Lakeshore Road West and East Street

**WARD:** Ward 1

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#### RECOMMENDATION:

1. That the public meeting report, prepared by the Planning Services Department dated September 21, 2021, be received.
2. That comments from the public with respect to the Official Plan and Zoning By-law Amendment application by 2266 Lakeshore LP, File No.: OPA.1728.66 and Z.1728.66, 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:

2266 Lakeshore LP has submitted an Official Plan Amendment and Zoning By-law Amendment application to redevelop the southeast corner of Lakeshore Road West and East Street for a fifteen (15) storey mixed use building containing:

- 245 rental apartment units in total, comprising one, two and three bedroom units;
- 446 m<sup>2</sup> at-grade retail with pedestrian access to both Lakeshore Road West and East Street;
- 273 underground parking spaces (245 spaces for residents and 28 commercial/visitor);

- A third floor private amenity space/courtyard located central to the building;
- A privately owned publicly accessible open space (POPS) at the corner of Lakeshore Road West and East Street;
- a roof top amenity space on the 15<sup>th</sup> level and,
- Consideration for geothermal heating and cooling, incorporation of vehicle charging stations and the ability to use greywater for irrigation purposes.

The Official Plan Amendment proposes to maintain the existing *Main Street 2* designation, but increase the maximum height on the site to 15 storeys with bonusing; whereas the site's maximum height is six storeys and 10 storeys with bonusing.

The Zoning By-law Amendment proposes to maintain the existing MU1 zoning, but amend various regulations associated with the MU1 zone.

An applicant initiated virtual Public Information Meeting (PIM) was held on August 10, 2021 and was attended by 70 residents. The applicant continued to engage the public with a second courtesy PIM on September 14, 2021. 56 members of the public attended this meeting. This meeting was held for those members of the public who could not attend the first PIM. In addition, meetings were held with the Bronte Business Improvement Area and Bronte Village Residents Association.

The OPA/ZBA application is considered under Bill 108, which provides for a 120 day timeline before an appeal can be filed for lack of decision. The application was submitted on August 13, 2021 and deemed complete on August 16, 2021. The statutory timeframe for processing this application expires on December 11, 2021.

## **BACKGROUND:**

The purpose of this report is to introduce the planning application 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 and no recommendations on the application are 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.

## **Proposal**

The applicant has submitted an Official Plan Amendment and Zoning By-law Amendment to redevelop the southeast corner of Lakeshore Road West and East

Street for a fifteen (15) storey mixed use building, as shown in Figure 2 below. The proposal contains:

- 245 rental apartment units in total, comprising of one, two and three bedroom units;
- 446 m<sup>2</sup> at-grade retail with pedestrian access to both Lakeshore Road West and East Street;
- 273 underground parking spaces (245 spaces for residents and 28 commercial/visitor);
- A third floor rooftop private amenity space/courtyard located central to the building (green circle on Figure 2);
- A 417 m<sup>2</sup> privately owned, but public accessible open space (POPS) on the corner of Lakeshore Road West and East Street (blue star on Figure 2);
- On the 15<sup>th</sup> level, a roof top amenity space (red diamond on Figure 2); and,
- Consideration is being given to geothermal heating and cooling, incorporation of vehicle charging stations and the ability to use greywater for irrigation purposes.

Vehicular access (blue arrow on Figure 2) would be from East Street via a driveway which would extend to 4 levels of underground parking. The main entrance to the residential component of the building would be from East Street.



Figure 1 – Rendering from Lakeshore Road West and East Street intersection

The site plan, Figure 2 below and contained within Appendix C, illustrates the proposed development concept for the site.

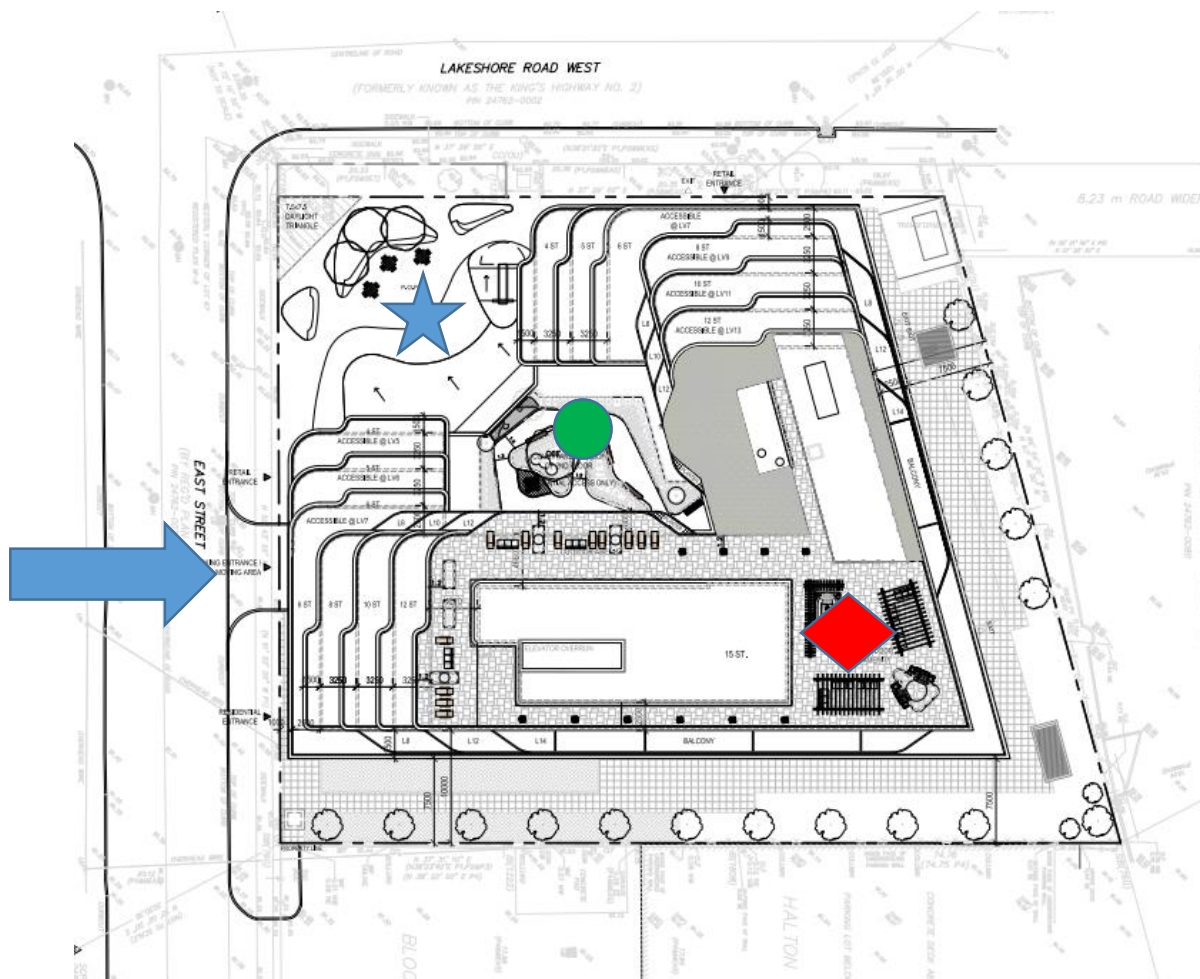


Figure 2 – Site Plan



The Official Plan Amendment proposes to maintain the existing Main Street 2 designation. The maximum height of the Main Street 2 designation is six storeys with bonusing up to 10 storeys. The proposal seeks to increase the height from a maximum of 10 storeys, inclusive of bonusing, to 15 storeys, inclusive of bonusing. The proposed bonusing provisions would permit an increase in the number of storeys eligible for bonusing from four to nine storeys.

The Zoning By-law Amendment proposes to maintain the existing MU1 zone, but amends/introduces various regulations and include bonusing provisions. The existing Holding Provision H1 is to be maintained.

One metre building setbacks are proposed from East Street and Lakeshore Road West with a minimum 7.5 metre southerly and easterly setback for the first 6 storeys. Building stepbacks progressively increase on the north (Lakeshore Road West) and west (East Street) elevations as the number of storeys increase. The proposed building setback along the southerly and easterly property boundaries is 10 metres above six storeys. The proposed building separation to the 9 storey building to the east is approximately 21 metres with the southerly building separation to the 17 storey building, being approximately 25 metres. The stepbacks can be seen on the elevations (Figures 3a and 3b) below.



Figure 3a - North Elevation (from Lakeshore Rd West)



Figure 3b - West Elevation (from East Street)

### Privately Owned Publicly Accessible Open Space (POPS)

On the southeast corner of Lakeshore Road West and East Street, the applicant is proposing a private open space area, approximately 446 square metres, that is publicly accessible. This privately maintained area would be programed as flexible space for passive recreational uses. This area would include the 7.5 metre daylight triangle typically required at the street intersections.

The applicant's Official Plan Amendment and Zoning By-law Amendment can be found in Appendices A1 and A2 to this report.

Application submission material can also be found on the town's website site at <https://www.oakville.ca/business/da-38994.html>

### **Location & Site Description**

The site, being 0.38 hectares in size, is located on the southeast corner of Lakeshore Road West and East Street as shown on Figure 3 below. The addresses are 2262 - 2266 Lakeshore Road West and 83 East Street.





Figure 3 - Airphoto

## **Surrounding Land Uses**

Surrounding the site are the following:

- 15 plus storey buildings in the area to the east;
- 9 to 12 storey senior residences to the immediate east
- 17 storey building to the immediate south;
- A gas station and bank to the north; and,
- One storey commercial and two storey residential uses to the west.

## **PLANNING POLICY & ANALYSIS:**

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

The Provincial Policy Statement ('PPS'), which came into effect on May 1, 2020, 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) provides that development and site alterations on lands adjacent to protected heritage properties is not permitted except where the proposed development has been evaluated and demonstrates that the heritage attributes will be conserved.

Further, 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.

Applicable Policies have been included as Appendix B.

### **Growth Plan for the Greater Golden Horseshoe (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 (policy 2.2.1). The subject lands are located within the "Delineated Built-Up Boundary".

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.

Applicable Policies have been provided in Appendix B.

### **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.

As the property is within the Bronte Village Growth Area in the Livable Oakville Plan, it is considered an "Intensification Area" under the ROP policies. Intensification



Areas are a component of the overall urban structure and are identified as locations where intensification and mixed-uses are to be directed such that they develop into transit-supportive areas with integrated active transportation facilities.

It is the objective of the ROP for Intensification Areas to, among other matters, create a vibrant, diverse and pedestrian-oriented urban environment; cumulatively attract a significant portion of population and employment growth; provide high quality public open spaces with site design and urban design standards that create attractive and vibrant places; generally achieve higher densities than the surrounding areas; and, achieve an appropriate transition of built form to adjacent areas.

## **Livable Oakville Plan**

### Urban Structure

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

Schedule A1, Urban Structure, of the *Livable Oakville Plan* provides the basic structural elements for the Town and identifies the site as *Node and Corridor and Main Street Area*. This is also reflected in Section 3, Urban Structure, of the *Livable Oakville Plan*. In terms of nodes and corridors, these are areas where higher intensity forms of mixed use growth are to be accommodated.

### OPA 18

Prior to the adoption of OPA 18, the subject site was designated as *Main Street 1* and *Lands Eligible for Bonusing*. With the approval of OPA 18 by Halton Region on June 21, 2018, the designation of the site changed to *Main Street 2* and *Lands Eligible for Bonusing*. With this approval, the associated height for the site changed from two to four storeys in the *Main Street 1* designation, to four to six storeys in the *Main Street 2* designation. The Town's comprehensive Zoning By-law (2014-014) has not yet been updated to reflect this change in designation. In the interim, the subject application has been submitted; wherein the number of storeys and height for the site are proposed to be amended in the applicant's proposed official plan amendment and zoning by-law amendment.

## Land Use Policies

The key focus for development and redevelopment is to accommodate intensification within one of the town's defined Growth Areas. Section 4.1 identifies Bronte Village as one such growth area. Bronte Village is intended to develop as a mixed use centre with viable main streets.

The subject land is designated *Main Street 2*, as illustrated on Figure 4a below. The site is located within the Bronte Village Main Street District.

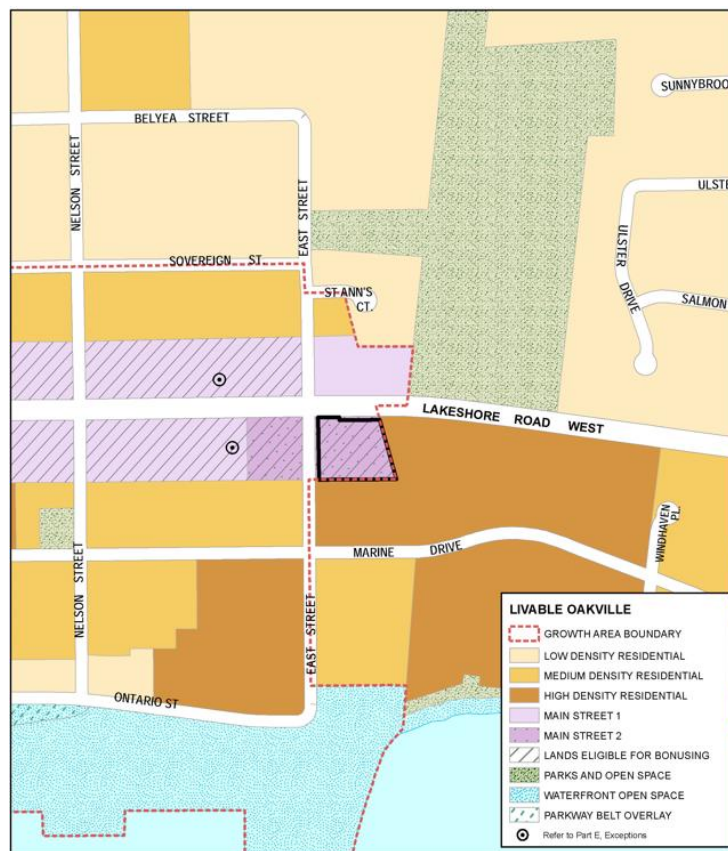


Figure 4a – Schedule P1 – Bronte Village Land Use Excerpt

Section 24.3.1 addresses the vision for the Bronte Village Main Street District as set out below.

### *Bronte Village Main Street District*

*New development in the Bronte Village Main Street District shall primarily be provided in mixed use buildings.*

*New commercial and office uses provided in developments shall be reflective of the existing street-related and pedestrian-oriented main street function. Commercial and office uses shall occur along frontages facing Lakeshore Road West and Bronte Road, south of Lakeshore Road, at grade level. The community commercial retail function should be retained and integrated with redevelopment.*

*New residential uses shall primarily be provided in mixed use buildings. However, apartments and multiple-attached dwellings may also be permitted in single use buildings when they form part of a comprehensive redevelopment proposal and there are no residential uses on the ground floor facing Lakeshore Road West or Bronte Road, south of Lakeshore Road. Lakeshore Road West and Bronte Road shall provide a commercial main street function.*

*Higher residential densities shall be directed to the gateways of the District and serve to anchor Lakeshore Road West within Bronte Village as the main street.*

*The District shall provide for well-defined landscaped streetscapes and integrated open spaces which provide opportunities for enhanced pedestrian focused activity and connections. A public urban square shall be located along Lakeshore Road West between Bronte Road and Jones Street. Community uses and facilities which support daily pedestrian activity are encouraged to locate within the District.*

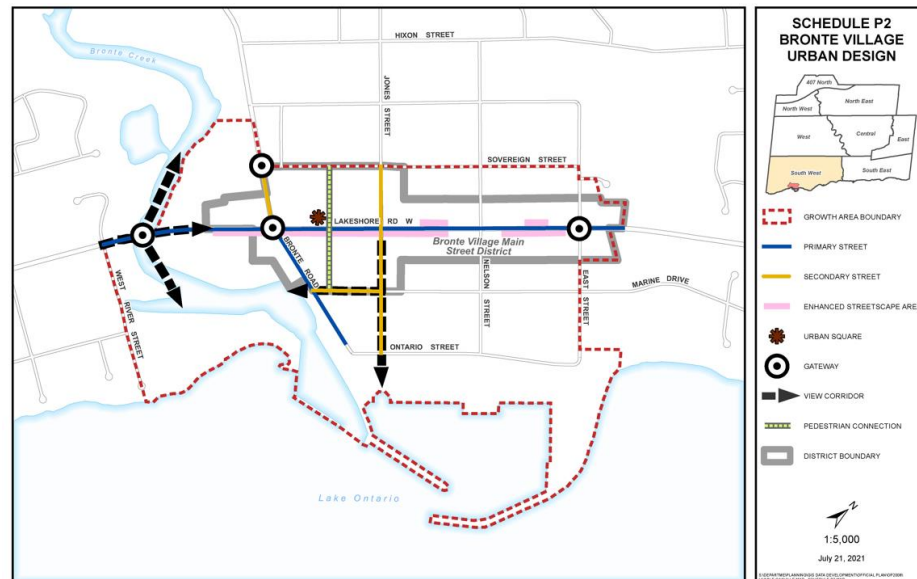
*Jones Street, between Sovereign Street and Marine Drive, will be animated by a mix of retail and residential uses, which are intended to strengthen it as an important link to the waterfront.*

As set out in Part D, Section 12, Mixed Use, of the Livable Oakville Plan, a wide range of retail and service commercial uses, including restaurants, commercial schools, offices and residential uses may be permitted in the *Main Street 2* designation. The ground floor of buildings shall be primarily occupied by retail and service commercial uses.

Heights range from four to six storeys with the ability of certain areas within the Bronte Village Main Street District eligible for an additional two to four storeys with bonusing provisions.

Pertaining to this site, the maximum height with bonusing is 10 storeys. The Bronte Village Growth Area bonusing policies within Part E Section 28.8.2 b) sets out a number of public benefits to be considered appropriate for additional height. In addition, Part F, Section 28.6 of the Livable Plan also sets out a number of public benefits that may be considered for additional height.

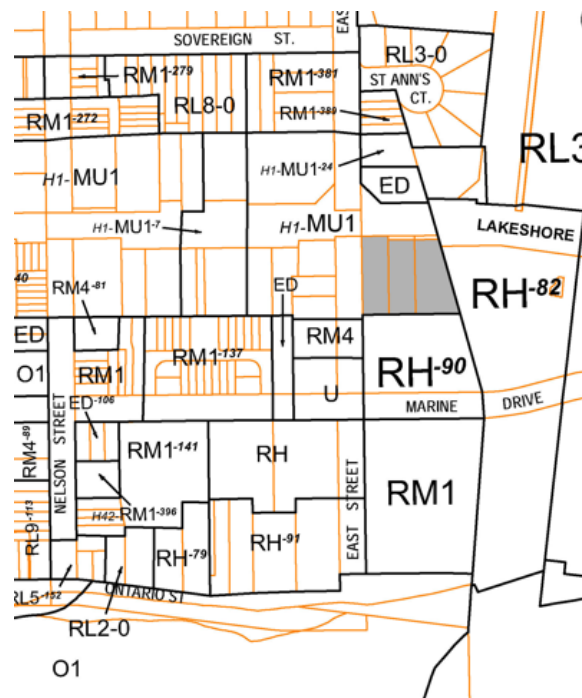
The intersection of Lakeshore Road West and East Street is also identified as a Gateway into Bronte Village as shown on Figure 4b, Schedule P2 below



Appendix B sets out the policies of the Livable Oakville Plan applicable to this site.

## Zoning By-law (By-law 2014-014)

The subject property is zoned H1 – MU1, as seen on Figure 5 below.



The H1 holding provision is a holding provision that is a zone specific provision and relates to the MU1, MU2 and MU3 zones in Bronte, Kerr and Palermo. The purpose of this holding provision is to ensure that matters such as water and wastewater, stormwater management, road infrastructure and Section 37 bonusing agreements have been satisfactorily addressed.

The MU1 zone is a mixed use zone that permits a variety of uses including but not limited to apartment dwellings, restaurants and service commercial establishments.

The following regulations pertain to the MU1 zone.

<b>Regulations</b>	<b>Existing Regulations</b>	<b>Applicant Proposed Regulation</b>
Minimum Front Yard	0.0 m	
Maximum Front Yard	3.0 m (1)	
Minimum Flankage Yard	0.0 m	
Maximum Flankage Yard	3.0 (1)	
Minimum Interior Side Yard	0.0 m	
Minimum interior side yard abutting a lot in any Residential Zone, Institutional (I) Zone, or Community Use (CU) Zone	3.0 m	
Minimum rear yard	0.0 m	
Minimum rear yard abutting a lot in any Residential Zone, Institutional (I) Zone, or Community Use (CU) Zone	3.0 m	
Minimum number of storeys	2 (7)	
Maximum number of storeys	4	15
Minimum first storey height	4.5 m (7)	
Minimum height	7.5 m (7)	
Maximum height	15.0 m	50.5 m

*Footnote 1 - The maximum front yard and maximum flankage yard requirements do not apply when an urban square measuring no less than 300.0 square metres in area and having a minimum length of 10.0 metres is provided along the length of the main wall oriented toward the front or flankage lot line.*

*Footnote 7 - Any building legally existing on the effective date of this By-law not complying with this provision shall be permitted.*



In addition to the above, the applicant's proposed Zoning By-law Amendment includes additional regulations as follows:

- maximum number of dwelling units of 245;
- maximum gross floor area of non-residential uses of 450 square metres;
- maximum area of all rooftop structures at 30%;
- mechanical equipment may project 3 metres above the rooftop;
- various storey heights and storey setbacks;
- minimum number of residential and visitors parking spaces of 273 spaces;
- minimum area of 417 m<sup>2</sup> including a daylight triangle, for the urban square, on corner of site;
- inclusion of height and established grade definitions; and,
- inclusion of bonusing provisions from a maximum of four storeys to a maximum of nine storeys.

The applicant's proposed Zoning By-law Amendment can be found in Appendix A2.

#### **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-38994.html>):

- Aerial
- Arborist Report
- Concept Plan
- Draft Official Plan Amendment
- Draft Zoning By-law Amendment
- Elevations
- Environmental Site Assessment - Phase 1
- Environmental Site Assessment - Phase 2
- Floor Plans
- Functional Servicing Report
- Landscape Plans
- Planning Justification Report
- Renderings
- Shadow Study
- Site Plan
- Survey
- Traffic Impact Study
- Traffic Noise

- Urban Design Brief
- 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 of the proposal with the vision for Bronte Village and policies of the Livable Oakville Plan.
- Bonusing opportunities / community benefits appropriate for this site.
- Conformity with urban design policies on whether the proposal is contextually appropriate, as well as matters such as built form and the additional height request, transitions and compatibility with adjacent properties, interface with the public realms, shadowing, rooftop structures and equipment.
- Privately Owned Publicly Accessible Open Space (POPS)
  - appropriateness of the proposed POPS
  - size and design to function as a gateway to Bronte Village and the use of the daylighter
  - proposed tenure
  - Operational issues: On-going maintenance costs/who pays, easements, legal obligations/agreements.
- Appropriateness of the proposed modifications to the MU1 zone - ensuring the proposed zoning by-law amendment appropriately implement the vision of the Livable Oakville Plan.
- Adequacy of the proposed amount of commercial space.
- Appropriateness of the number of parking spaces – proposed minimum 273 parking spaces reflecting an approximate 20% reduction of the sites overall residential, commercial and visitors parking standard
- Access off/onto East Street and potential pedestrian impacts.

- Traffic impacts on Lakeshore Road West and local streets.
- Alignment with the Climate Emergency declared by Council in June 2019 for the purposes of strengthening the Oakville community commitment in reducing carbon footprints. What sustainable design techniques/systems are being explored to address the town's Climate Emergency?

## **CONSIDERATIONS:**

### **(A) PUBLIC**

Notice for this meeting was distributed to all properties within 120 m of the subject property including the local resident's association, residents that participated in the August 10, 2021 virtual PIM meeting and is included on the signs on the site.

The applicant initiated a community consultation process, wherein a virtual Public Information Meeting (PIM) was held on August 10, 2021. 70 members of the public attended the virtual meeting.

In addition, a courtesy PIM was held on September 14, 2021 for members of the public not previously in attendance. There were 56 attendees. Separate meetings were held with the BIA and BVRA.

At the time of writing this report, written submissions received are included in Appendix "D" to this staff report.

### **(B) FINANCIAL**

Development charges and parkland dedication are 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:

- To be 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 A1 - Applicant's Official Plan Amendment
- Appendix A2 - Applicant's Zoning By-law Amendment
- Appendix B - Applicable Policies
- Appendix C - Site Plan and Elevations
- Appendix D - Written Public Comments

Prepared by:

Robert Thun, MCIP, RPP, Senior Planner, Planning Services

Recommended by:

Charles McConnell, MCIP, RPP, Manager, West District, Planning Services

Submitted by:

Gabe Charles, MCIP, RPP, Director, Planning Services