

REPORT

Planning and Development Council

Meeting Date: November 13, 2023

FROM: Planning Services Department

DATE: October 31, 2023

SUBJECT: Update Report – Site Plan Application, 2262 Lakeshore Facility Inc., 77 East Street

LOCATION: 77 East Street, formerly 2262/2266 Lakeshore Road West and 83 East Street

WARD: Ward 1

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RECOMMENDATION:

That the report regarding the Site Plan application related to 77 East Street, File No.: SP.1728.064/01 dated October 31, 2023 from Planning Services, be received.

KEY FACTS:

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

- A site plan application was received in November 2022 for the construction of a 10-storey mixed use building with underground parking at 77 East Street (southeast corner of East Street and Lakeshore Road West).
- Council at its meeting of May 2, 2022 as part of the discussions on the previous Official Plan Amendment (OPA) and Zoning Bylaw Amendment (ZBA) passed a motion that consideration of this site plan application be referred to a future Planning and Development/Council meeting.
- The purpose of this report is to address the May 2022 Council motion.
- Bill 109 made changes to the *Planning Act*, effective July 2022. It required that site plan approvals be delegated to an officer of the municipality. This was implemented with an update to the town's Site Plan By-law in July 2022 (By-law 2022-093) and delegated to the Director of Planning Services.
- The Ontario Land Tribunal (OLT) approved the site's associated Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) application on July 26, 2022 (oral decision) and August 18, 2022 (written decision).
- The site plan application complies with the approved zoning.

BACKGROUND:

Previous Official Plan and Zoning By-law Amendment Motion

At the May 2, 2022 Planning and Development Council meeting, the following Motion was brought forward for consideration related to the future site plan for the subject site.

“That the site plan for this application be brought to Council for final approval”.

Bill 109

Bill 109 became effective on July 1, 2022. It amended the *Planning Act* requiring municipal authorities to delegate the approval of site plans to an officer, an employee or an agent of the corporation.

Town Site Plan Control By-law

To implement the Bill 109 changes, the Town’s Site Plan Control By-law was updated and approved by Council on July 11, 2022. By-law 2022-093 gives the Director of Planning Services the authority to approve site plans.

Site Plan Authority

Site plan applications required under section 41 of the *Planning Act* provide municipalities with an opportunity to review and approve plans and drawings related to a proposed development. These plans and drawings show the proposed location and design of buildings, parking, landscaping and other matters.

The general purpose of the site plan process is to manage implementation details related to a development prior to the issuance of building permits or the commencement of site works. These details generally relate to technical matters such as grading, drainage, tree preservation, landscaping, external design of buildings, the location of garbage facilities, and vehicular and pedestrian traffic movement.

Proposal

The applicant seeks site plan approval for the construction of a 10-storey mixed use building with underground parking. Access would be from East Street.

Three drawings associated with this proposal (site plan, elevations, and landscaping plan) are contained within Appendix A1 - A3.

Location & Site Description

The property is located on the southeast corner of East Street and Lakeshore Road West and is now municipally known as 77 East Street. The site was previously known as 2262/2266 Lakeshore Road West and 83 East Street.



Figure 1 - Airphoto

Site Details

Total Lot Area: 0.38 hectares
Existing Site: All buildings have been recently demolished

Project Details

Proposed Development: 10-storey mixed use building
Number of Units: 244 (1 bedroom to 3 bedrooms)
Retail Space: 598 square metres, units proposed to front onto East Street and onto Lakeshore Road West
Parking: 270 parking spaces, of which 54 are for electric vehicles. All but two parking spaces are located underground.
Vehicle Access: East Street
Proposed Height: 35.5 metres plus 5.9 metre high mechanical penthouse

The project will also include geothermal heating and cooling.

Proposal Compliance

Livable Oakville

The subject property is designated Main Street 2. By-law 2022-080 (OPA 50) approved by the Ontario Land Tribunal (OLT) in July 2022 permits a 10-storey mixed use building with an additional level built into the first storey. The proposal conforms to Livable Oakville Plan.

Zoning By-law (Bylaw 2014-014)

The zoning for the site was also approved by the OLT in July 2022 and is zoned H1/H51 MU-2 Special Provision 417.

The proposal complies with the Zoning By-law.

DESIGN REVIEW

Design Analysis

The following aspects related to overall site design were reviewed and deemed satisfactory.

- Site Organization;
- Landscaping;

- Built Form;
- Grading and Drainage; and,
- Tree removal and preservation.

Technical Analysis

The following report was reviewed and deemed satisfactory by Development Engineering Services:

- Arborist Report; and,
- Stormwater Management and Servicing Report

Next Steps

The following are the next steps.

- Finalization of the site plan drawings.
- Finalization of Site Plan agreement and its registration.
- Removal of holding provisions H1 and H51 process (application has already been submitted and circulated). This is a delegated authority to the Commissioner Community Development.
- Receive final site plan clearance from Halton Region (issuance of service permit).
- Issue final Site Plan approval.
- Building permit(s).

Construction Timing Targets

The following are target dates for the development of the site.

- Geothermal installation (Q1 2024)
- Excavation of the site (Q1 2024)
- Building construction (Q3/4 2024)
- Occupancy (Q1 2027)

CONSIDERATIONS:

(A) PUBLIC

The owner / applicant of the site, and immediate abutting neighbours have been advised of this meeting.

The abutting neighbours (the Lighthouse condominium and OSCR) originally raised questions about proximity of the proposed development, tree

preservation, access and construction activity. The applicant already has initiated discussions with the abutting neighbours throughout the site plan process to resolve concerns, advise of construction techniques and mitigate potential disturbances.

(B) FINANCIAL

Monies and securities related to the final site plan approval process have been submitted.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

The site plan application was reviewed in accordance with the Town's site plan process which involves numerous town departments and external public agencies.

(D) COUNCIL STRATEGIC PRIORITIES

This report addresses the corporate strategic goal(s) to:

- be the most liveable town in Canada

(E) CLIMATE CHANGE/ACTION

Geothermal heating and cooling together with the provision for electric vehicle charging is included in this proposal.

APPENDICES:

Appendix A1 – Site Plan

Appendix A2 – Elevations

Appendix A3 – Landscape Plan

Appendix B – LPAT Decision dated August 18, 2022

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