

## REPORT

### Planning and Development Council

Meeting Date: January 22, 2024

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**FROM:** Planning Services Department

**DATE:** January 9, 2024

**SUBJECT:** Recommendation Report – Official Plan Amendment (File No. 1715.25) and Zoning By-law Amendment (File No. 1715.25), Format Lakeshore Inc., 42 Lakeshore Road West – By-law 2024-020 and By-law 2024-021

**LOCATION:** 42 Lakeshore Road West

**WARD:** Ward 2

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#### RECOMMENDATION:

1. That the Official Plan Amendment and Zoning By-law Amendments for 42 Lakeshore Road West, (File No. OPA.1715.25 and Z.1715.25), as modified to an 8 storey building, be approved on the basis that the amendments are consistent with the Provincial Policy Statement, conform with all applicable Provincial Plans, the Region of Halton Official Plan, the Livable Oakville Plan, have regard for matters of Provincial interest, and represent good planning for the reasons outlined in the report from the Planning Services department dated January 9, 2024.
2. That By-law 2024-020, a by-law to adopt Official Plan amendment 63, be passed.
3. That By-law 2024-021, an amendment to Zoning By-law 2014-014, be passed.
4. That the notice of Council's decision reflect that Council has fully considered all of the written and oral submissions relating to these matters and that those comments have been appropriately addressed.
5. That, in accordance with Section 34(17) of the *Planning Act*, no further notice is determined to be necessary.

#### KEY FACTS:

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

- **Location:** The subject property is located on the southwest corner of Lakeshore Road West and Chisholm Street and is municipally known as 42 Lakeshore Road West.
- **Policy Context:** The subject property is located within the Kerr Village Growth Area within the lower Kerr Village District and designated Main Street 1 by Livable Oakville.
- **Zoning:** The subject property is zoned Central Business District as per Zoning By-law 2014-014, and subject to Special Provision 17 (CBD sp: 17), which permits a mixed use building up to 5 storeys in height (with bonusing).
- **Nature of the Application:** The Official Plan and Zoning By-law Amendment applications propose to redevelop the property with a 10 storey to mixed-use building with ground floor commercial and 152 residential units.<sup>1</sup> A total of 183 parking spaces within four floors of underground parking are proposed together with 152 bicycle parking spaces. The existing heritage building would be demolished and replaced with a steel frame heritage structure and interpretive landscape.

Planning staff circulated the development applications to internal departments and external agencies comprised of a multidisciplinary team of experts to undertake a review of these applications. As outlined in this report, the Growth Plan, PPS, Halton Plan, Livable Oakville Plan and other relevant policies and supporting guidelines were reviewed in their entirety, with relevant policies applied. Comments from Council and the public were also considered.

Based on the foregoing, staff do not recommend approval of the 10-storey building design, as proposed. More broadly, the subject property is planned to redevelop in accordance with the Livable Oakville goals, objectives and policies for Kerr Village which provide for a mixed-use building, up to 5 storeys in height. Based on further analysis, staff are recommending several modifications to the proposal, which would reduce building height to 8 storeys (plus rooftop amenity space), reduce density by approximately 28 units, increase setbacks at-grade along Lakeshore Road West by 1.0 metre, provide modifications to address overlook and privacy, include the retention and restoration of the existing McCraney-Robertson House designated under Part IV of the *Ontario Heritage Act*, and include a holding provision to address required updates to reports and studies to the satisfaction of all reviewing departments and agencies before development could proceed.

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<sup>1</sup> For consistency this report will refer to the proposed mixed-use building as 10 storeys however it is technically 11 storeys when accounting for the rooftop amenity space.

While the applicant is aware of these revisions, they have not formally revised the application, and there is insufficient time under the *Planning Act* to continue discussions or for the applicant to provide a revised submission. While staff are recommending approval of the proposal, as revised, the implementing Zoning By-law amendment includes a holding provision to address updates to reports and studies, to the satisfaction of the Region and Town before the development can proceed.

- **Public Consultation:** The applicant-initiated a virtual Public Information Meeting (“**PIM**”) of which was held on July 25, 2023, with approximately forty-four residents in attendance. The statutory public meeting was held in a hybrid format at Planning & Development Council on November 13, 2023, with public delegations. All public comments received as of the date of the report are appended as **Appendix “B”** to this report and have been appropriately addressed.
- **Timing:** This application was submitted and deemed complete on October 3, 2023. The *Planning Act* provides a 120-day timeline to make a decision on the application (January 31, 2024) failing which the applicant can file an appeal for non-decision and would be entitled to a refund of fees.
- **Recommendation:** Staff recommends approval of the proposal, as revised, as it is consistent with the Provincial Policy Statement, conform with all applicable Provincial Plans, the Region of Halton Official Plan, the Livable Oakville Plan, have regard for matters of Provincial interest, and represents good planning for the reasons

## **BACKGROUND:**

### **History**

The subject property has been subject to numerous development proposals and applications over the years. The following is a summary of the most recent planning applications and decisions.

42 Lakeshore Road West is designated under Part IV of the *Ontario Heritage Act*. By-law 2009-074 identifies that the subject property contains the following heritage attributes:

- The rectangular form of the house;
- A floor plan that has a greater depth than width;
- Front gable roof with steep slope;

- Side porch with decorative columns and brackets;
- Wood windows and wood trim;
- Wood shutters; Stucco cladding and wood trim; and,
- The magnolia tree.

A maximum building height of 4-storeys was approved by the Ontario Municipal Board (OMB) in 2015. The approved Zoning By-law Amendment (Special Provision 17) includes specific zone provisions regarding setbacks, commercial area depth, landscaping abutting residential properties, and permits one additional storey (total of 5) subject to a bonusing agreement.

In 2019, a site plan application was submitted to permit a 5-storey mixed-use building with 41 residential units and 594 m<sup>2</sup> of retail space. The McCraney-Robertson Heritage House was proposed to remain in its existing location.

This site plan application was withdrawn in 2023 by the applicant in anticipation of submission of the current Official Plan and Zoning By-law Amendment application proposing a 10-storey mixed use building.

Since the subject property was designated in 2009, the condition of the McCraney-Robertson Heritage House has degraded, and the Magnolia Tree has been removed from the subject property.

### **Current Proposal (2023)**

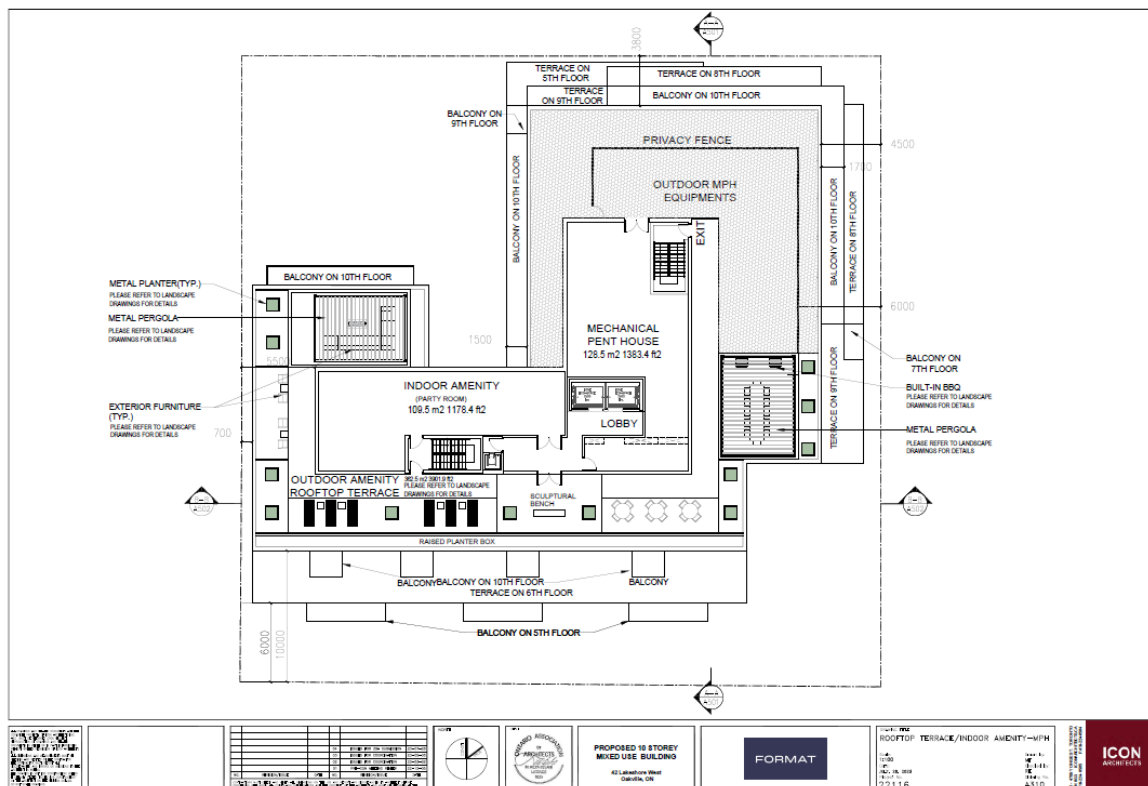
The Official Plan and Zoning By-law Amendment applications propose to redevelop the property with a 10 storey to mixed-use building with ground floor commercial and 152 residential units. A total of 183 parking spaces within four floors of underground parking are proposed together with 152 bicycle parking spaces. The existing heritage building would be demolished and replaced with a steel frame heritage structure and interpretive landscape.

<b><i>Residential Unit Type</i></b>	<b><i>Number of Units</i></b>	<b><i>Percentage</i></b>
<i>1 Bedroom</i>	44	29%
<i>1 Bedroom + Den</i>	45	30%
<i>2 Bedroom</i>	38	25%
<i>2 Bedroom + Den</i>	12	8%
<i>3 Bedroom</i>	13	8%
<i>Total</i>	152	100%

One vehicular access point is proposed from Chisholm Street leading to a surface loading space, and four levels of underground parking. Underground parking accommodates a total of 183 vehicular parking spaces, 31 of which are proposed for

visitors, along with 114 of the 154 bicycle parking spaces provided on site. The outstanding 40 bicycle parking spaces are located at grade.

Furthermore, the proposal also accommodates for 1,112m<sup>2</sup> of amenity space. As can be viewed on the plan shown below, 471m<sup>2</sup> of amenity space is provided for on the rooftop (11<sup>th</sup> floor), along with the mechanical penthouse, with the remainder being located at ground level.



The proposal seeks to demolish then recognize the heritage of the property with a commemorative heritage structure and plaque at the northwest corner of the site of which acts as a courtyard providing for additional outdoor amenity space.

The plans and reports submitted in support of the application are available on the town's website at the following link: [42 Lakeshore Road West GP Inc. - 42 Lakeshore Road West - 1715.041/02 \(oakville.ca\)](https://www.oakville.ca/42-Lakeshore-Road-West-GP-Inc.-42-Lakeshore-Road-West-1715.041/02).

## Changes to Proposal Since Statutory Public Meeting

Since the statutory public meeting held on November 13, 2023, planning staff circulated the development applications to internal departments and external agencies comprised of a multidisciplinary team of experts to undertake a review of

these applications. As outlined in this report, the Growth Plan, PPS, Halton Region Official Plan, Livable Oakville Plan and other relevant policies and supporting guidelines were reviewed in their entirety, with relevant policies applied. Comments from Council and the public were also considered.

Based on the foregoing, staff do not endorse the 10-storey building design, as proposed. More broadly, the subject property is planned to redevelop in accordance with the Livable Oakville goals, objectives and policies for Kerr Village which provide for a mixed-use building, up to 5-storeys in height. Based on further analysis, staff recommend several modifications to the proposal. Notable modifications to the proposal are as follows:

- Reduce building height by 2-storeys, and density by approximately 28 units to minimize height, massing, and shadow impacts on abutting properties, and maintain the character of the main street area.



Left = Submitted 3D model | Right = With Staff's edits demonstrating the comment

Figure 2

- Incorporating larger setbacks and step-backs adjacent to the residential rear yards, to provide a gradual transition to the abutting residential units and minimize both shadowing impacts and visual dominance.





Left = Submitted 3D model | Right = With Staff's edits demonstrating the comment

Figure 3

- All terraces proposed within the first four storeys of the development through a future site plan application must be provided as inset balconies as to reduce privacy impacts on the adjacent property.



Left = Submitted 3D model | Right = With Staff's edits demonstrating the comment

Figure 4

- Introduce a commercial entrance at the corner of Lakeshore Road West and Chisholm Street to emphasize the corners as opportunities for enhancing

street activation and incorporate a setback of 1.0 metre for the ground floor to facilitate the extension of commercial activities along the Lakeshore frontage.



Figure 5

- Retain and restore the existing McCraney-Robertson House designated under Part IV of the *Ontario Heritage Act*. To optimize visual prominence of the heritage component, the height of the masonry wall treatment proposed should be restricted to four storeys. The final location of the McCraney-Robertson house will be determined as part of the site plan application, and a future heritage permit application.



Left = Submitted 3D model | Right = With Staff's edits demonstrating the comment

Figure 6



- Commercial parking is proposed to be increased from 0 parking spaces to meet By-law requirements and shared with visitor parking. It is noted that due to the reduction in number of units, it is anticipated that one level of underground parking will be removed, and the final number of parking spaces will be confirmed as part of the subsequent site plan application.

While the applicant is aware of these revisions, they have not formally revised the application, and there is insufficient time under the *Planning Act* to continue discussions or for the applicant to provide a revised submission, before Council is required to make a decision. While staff are recommending approval of the proposal, as revised, the implementing Zoning By-law amendment includes a holding provision to address updates to reports and studies, to the satisfaction of the Region and Town before the development could proceed.

### **Location & Site Description**

The subject property is located on the southwest corner of Lakeshore Road West and Chisholm Street and is municipally known as 42 Lakeshore Road West. The property is approximately 2,337.13 m<sup>2</sup> in size, and currently contains the McCraney-Robertson House designated under Part IV of the *Ontario Heritage Act*.

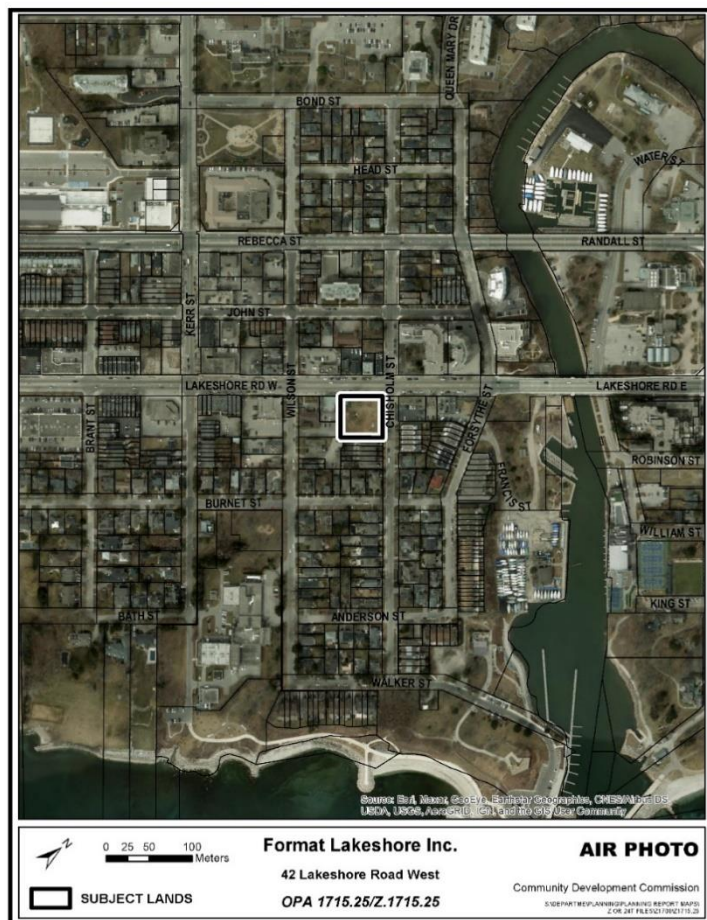


Figure 7: Air Photo

## Surrounding Land Uses

The surrounding land uses are as follows:

North: Lakeshore Road West, followed by two-storey retail and mixed-use buildings.  
East: Chisholm Street, followed by a one-storey commercial building and three-storey townhouse development.  
South: Three-storey townhouses and single detached dwellings.  
West: Two-storey commercial building and the Oakview Funeral Home.

## Key Milestones:

File No. OPA 1715.25 and Z.1715.25 are Bill 109 applications.

Pre-Consultation Meeting	January 11, 2023
Public Information Meeting	July 25, 2023

Pre-submission Review	N/A
Application Deemed Complete	October 3, 2023
P & D Council - Public Meeting	November 13, 2023
Date Eligible for Appeal and refund of fees (if no decision)	January 31, 2024

## **PLANNING POLICY & ANALYSIS:**

The properties are subject to the following policy and regulatory framework:

- Provincial Policy Statement (2020);
- Growth Plan for the Greater Golden Horseshoe (2019);
- Halton Region Official Plan;
- Livable Oakville Plan; and,
- Zoning By-law 2014-014.

### **Provincial Policy Statement**

The Provincial Policy Statement (2020) (“**PPS**”) is intended to promote a policy led system, which recognizes 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 compact development form by directing growth to settlement areas, conservation of heritage resources, and encourages planning authorities to permit and facilitate a range of housing options to sustain healthy, liveable and safe communities.

The PPS 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.

The subject property is located within a “Settlement Area”, which is to be the focus of growth and development. The land use patterns within the settlement areas are based on densities and a mix of land uses that, among other matters, efficiently use land and resources, and appropriately use the infrastructure and public service facilities that are planned or available.

The proposal, as revised, assists in achieving a broader efficient development pattern, would conserve the McCraney-Robertson House and increase market-based housing options to meet long term needs and make an important contribution to a healthy, liveable and safe community.

On this basis, and for the reasons outlined in this report, the proposal, as revised is consistent with the PPS. Excerpts of relevant PPS policies are attached as “**Appendix ‘C’**”.

### **Growth Plan for the Greater Golden Horseshoe**

The Growth Plan for the Greater Golden Horseshoe (2019) (“**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 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, and expand convenient access to transportation options. The Growth Plan acknowledges the significance of high quality compact urban form, an attractive and vibrant public realm, access to public open spaces through site design and urban design standards, and creating attractive places that support walking and cycling for everyday activities and are transit-supportive. The Growth Plan also speaks to the importance of cultural heritage resources that contribute to a sense of identity, support a vibrant tourism industry, and attract investment based cultural amenities, acknowledging that it is necessary to plan in a way that protects and maximizes the benefits of these resources to make our communities unique and attractive places to live.

The subject property is located within a “Delineated Built-up Area” and a strategic growth area (Kerr Village). The proposal, as revised, would provide for an efficient use of the existing infrastructure, convenient access to public service facilities, and provide the opportunity for a range and mix of housing options, which helps contribute to complete communities. Furthermore, the proposal, as revised, seeks to retain the existing McCraney-Roberton heritage home protecting the cultural heritage resources of the Greater Golden Horseshoe.

On this basis, the Town-initiated amendments are consistent with the Growth Plan. Excerpts of relevant Growth Plan policies to the application are attached as **Appendix “C”**.

### **Halton Region Official Plan**

The subject property is designated “Urban Area” in 2009 Regional Official Plan (“**Halton Plan**”). The Urban Area is “planned to accommodate the distribution of population and employment for the Region and the four Local Municipalities”. The policies of the Urban Area designation support a form of growth that is compact and

supportive of transit, the development of vibrant and healthy mixed-use communities which afford maximum choices for residence, work and leisure.

The subject property is within the “Built-Up Area”. Regional Phasing policies to 2021 require the Town of Oakville to intensify within the built boundary. 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.

One of the objectives 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”.

Halton’s planning vision for a healthy community is found in Policy 31(3) stating that a healthy community is physically designed to minimize the stress of daily living and meet the life-long needs of its residents where a full range of housing, social, health and recreational opportunities are present and where mobility is provided primarily through an affordable, convenient, safe and efficient public transportation system.

The proposal, as revised, conforms to the Halton Plan.

## **Livable Oakville Plan**

### OP Objectives

Section 2.2 of the *Livable Oakville Plan* provides the following guiding principles:

#### *2.2.1 Preserving and creating a livable community in order to:*

- a) preserve, enhance, and protect the distinct character, cultural heritage, living environment, and sense of community of neighbourhoods;*
- b) direct the majority of growth to identified locations where higher density, transit and pedestrian oriented development can be accommodated; and,*
- c) achieve long term economic security within an environment that offers a diverse range of employment opportunities for residents.*

#### *2.2.2 Providing choice throughout the Town in order to:*

- a) enable the availability and accessibility of a wide range of housing, jobs and community resources to meet the diverse needs of the community through all stages of life;*
- b) provide choices for mobility by linking people and places with a sustainable transportation network consisting of roads, transit, walking and cycling trails; and,*



- c) foster the Town's sense of place through excellence in building and community design.*

*2.2.3 Achieving sustainability in order to:*

- a) minimize the Town's ecological footprint;*
- b) preserve, enhance and protect the Town's environmental resources, natural features and areas, natural heritage systems and waterfronts; and,*
- c) achieve sustainable building and community design.*

Section 5 of the Livable Oakville Plan speaks to Cultural Heritage. Objectives for cultural heritage are listed as follows:

*5.1.1 Objections:*

- a) to conserve cultural heritage resources through available powers and tolls and ensure that all new development any site alteration conserve cultural heritage resources; and,*
- b) to encourage the development of a Town-wide culture of conservation by promoting cultural heritage initiatives as part of a comprehensive economic, environmental, and social strategy where cultural heritage resources contribute to achieving a sustainable, healthy and prosperous community.*

The goal for Kerr Village is to revitalize the Village as a vibrant business district and cultural area.<sup>2</sup> Specific objectives for Kerr Village include:

*23.2.1 Create opportunities for new, sustainable growth by promoting compact urban form with higher density development through compatible development and redevelopment opportunities.*

*23.2.3 Create an attractive public realm by:*

- a) promoting high quality streetscapes and open spaces to create a comfortable, accessible and unique community; and,*
- b) ensuring appropriate transitions occur between the main street areas and the lower density residential neighbourhoods.*

## Urban Structure

The Town's urban structure most recently updated through Official Plan Amendment 15 provides for nodes and corridors, where higher intensity forms of mixed-use growth that would support frequent transit service are to be accommodated. The subject lands are identified on Schedule A1 – Urban Structure as being within the Town's

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<sup>2</sup> Section 23.1, Livable Oakville

system of Nodes and Corridors and are located within Kerr Village. Nodes and Corridors are key areas of the Town identified as the focus for mixed use development and intensification. Kerr Village is also recognized in the urban structure as a Main Street Area for its distinctive character and is intent to accommodate a relatively lesser amount of intensification than primary growth areas such as Midtown, Uptown and Palermo Village.

### Land Use Policies

As part of the Town's ongoing [Official Plan Review](#), the land use designations and policies that apply to Kerr Village were studied, reviewed and approved through OPA 19 which is in full force and effect.

Within Kerr Village, the subject property is located within the Lower Kerr Village District and designated Main Street 1, as shown in **Appendix "A"**. The Lower Kerr Village District shall largely be a mixed-use area, allowing for a mixture of commercial, office and residential uses, including some standalone residential uses, extending from Downtown Oakville, with a defined entrance into Kerr Village<sup>3</sup>.

Pursuant to 12.2 of the Livable Oakville Plan, the Main Street 1 designation represents small-scale, mixed-use development along main streets and is intended to reflect a pedestrian-oriented, historic main street character. A wide range of retail and service commercial uses, including restaurants, commercial schools, offices and residential uses, may be permitted in the Main Street 1 designation. The ground floor of buildings in the Main Street 1 designation are to be primarily occupied by retail and service commercial uses. Limited office uses, and ancillary residential uses, may also be permitted on the ground floor of mixed-use buildings<sup>4</sup>.

Pursuant to section 12.2.2 of the Livable Oakville Plan, buildings within the Main Street 1 designation shall be a minimum of two storeys in height and a maximum of four storeys in height. Section 23.7 provides Kerr Village exceptions on properties identified through Schedule O1. The site-specific exception for the subject lands speaks to height, as follows:

*23.7.9 On the lands designated Main Street 1 at the southwest corner of Lakeshore Road West and Chisholm Street, a maximum building height of five storeys may be permitted, conditional on the owner entering into an agreement under section 37 of the Planning Act.*

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<sup>3</sup> Policy 23.3.3, Livable Oakville Plan

<sup>4</sup> Policy 12.2.1. The requirement for and the size and location of retail, service commercial and office uses on the ground floor of buildings shall be determined through the development process and regulated by the implementing zoning.

Bonusing under Section 37 of the *Planning Act* was formerly a tool to exchange additional height and/or density in a development in return for community benefits such as affordable housing, public art, parkland development or active transportation. As Section 37 has been repealed from the *Planning Act*, bonusing is no longer a permission granted to applicants.

In accordance with section 12.2.3 of the Livable Oakville Plan, surface parking shall be provided only within a side and/or rear yard. Surface parking on corner lots shall only be permitted in the rear yard.

Section 23.4.1 b) of the Livable Oakville Plan identifies that through the development process, attractive transit environments are encouraged to include transit passenger amenities, minimal surface parking, and other travel demand management strategies to encourage transit ridership<sup>5</sup>. Further, access to parking and servicing areas should not occur from Kerr Street but from local streets, service lanes and to the side or rear of buildings<sup>6</sup>. Bicycle facilities are also encouraged throughout Kerr Village with the appropriate signage and infrastructure such as bicycle racks and bicycle lockers<sup>7</sup>.

Section 23.4.1 c) (Parking) provides:

- i. *Surface parking lots shall be limited. Where surface parking is provided, the visual impact of large surface lots shall be mitigated by a combination of setbacks and significant landscaping including:*
  - *pavement treatment;*
  - *low walls or decorative fencing;*
  - *landscape material; and,*
  - *trees and lighting throughout parking lots and along the edges.*
- ii. *Access to parking and servicing areas should not occur from Kerr Street but from local streets, service lanes and to the side or rear of buildings.*
- iii. *On-street parking shall be maintained throughout Kerr Village with the exception of Speers Road and Kerr Street north of Speers Road. It is the intent that on-street parking shall be permitted at all times.*

Section 23.5 provides urban design polices, which provides that in addition to the Urban Design policies in section 6 of the Livable Oakville Plan, the following policies apply specifically to Kerr Village. The urban design plan for Kerr Village is provided on Schedule O2.

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<sup>5</sup> Policy 24.4.1 b), Livable Oakville Plan

<sup>6</sup> Section 24.4.1 c) ii), Livable Oakville Plan

<sup>7</sup> Section 24.4.1 d), Livable Oakville Plan

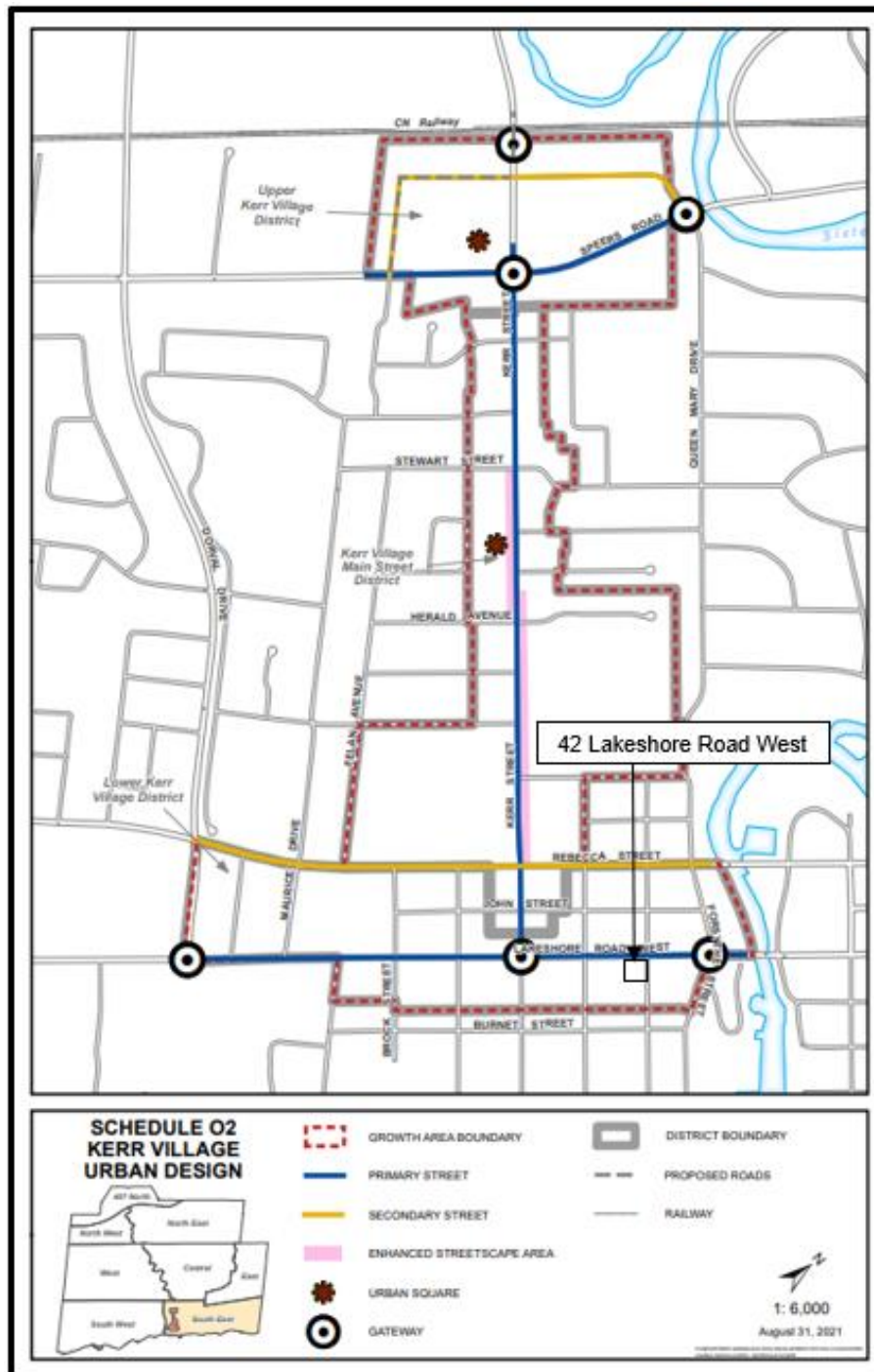


Figure 8: Kerr Village Urban Design

As can be viewed on Figure 8 above, the subject lands are adjacent to a primary street (Lakeshore Road West).

Policy 23.5.3 (streetscapes) provides that:

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- a) *Primary and secondary streets, as identified on Schedule O2, shall provide for pedestrian-oriented streetscapes through the use of wide sidewalks, landscaping and furnishings.*
- b) *Buildings along primary streets, as identified on Schedule O2, shall:*
- i. incorporate a high degree of transparency on the ground floor;*
  - ii. provide building openings and principal entrances facing the street; and,*
  - iii. contain commercial, community, cultural or limited office uses adjacent to the street which foster an active main street environment.*

Policy 23.6.3 of the Livable Oakville Plan provides that on the lands designated Main Street 1 and Main Street 2, residential uses may be permitted on the ground floor, including multiple-attached dwellings and apartments, except where adjacent to Lakeshore Road West, Kerr Street and Speers Road, where commercial, community, cultural or limited office uses shall be provided on the ground floor facing the street, to maintain and enhance a pedestrian-oriented main street function.

#### Official Plan Amendment

The effect of the proposed Official Plan Amendment, as revised, is to add a site-specific exception to the Main Street 1 (MU1) designation to permit a building height of 8 storeys, whereas, a maximum building height of 5 storeys is permitted (with bonusing). This proposal, as revised, would assist in implementing the goals and objectives of Livable Oakville for the following reasons:

- The ground floor area of the proposed building has been reduced to accommodate outdoor amenity space along Lakeshore Road West to promote a high quality, pedestrian-oriented streetscape and open space and to foster an active main street environment (Policy 23.5.3).
- The ground floor of the proposed development accommodates 630 sq m of commercial space, enhancing the pedestrian-oriented main street character by providing opportunities for increased street activation (Policy 12.2)
- This property is subject to a site-specific exception, approved by the OMB, which permits a 5-storey building (with bonusing). Relative to the foregoing, the proposed building has a smaller footprint, generally larger setbacks, increased step backs, however, is 3 storeys taller in height. This was a focus of staff's review. As detailed further in this report, given the surrounding context and unique site attributes and design, the proposed increase of building height conforms with Livable Oakville urban design policies, intent of the main street policies and overall objectives for the Growth Area.
- The McCraney-Robertson heritage dwelling is to be retained and restored, as to maintain and conserve the history of the site and continue the historic main street character (Policy 12.2).



Based on the foregoing, and the reasons outlined in this report, staff recommend approval of the official plan amendment, as revised.

A copy of the Draft OPA 63 is attached to this report as **Appendix “D”**.

#### Urban Design and Livable by Design Manual

Section 6 of the *Livable Oakville* Plan sets out goals, objectives and policies for urban design. The Livable by Design Manual provides a comprehensive and detailed design direction for development to ensure designed and built elements are integrated with their surroundings and result in projects that not only function but achieve a high standard of urban design and architectural quality, support community vitality, and promote a sustainable, dynamic and livable environment.

A ‘Part B’, urban design direction was prepared for Kerr Village in 2018. The design direction implements the policy goals, objectives and urban design policies as set out in the Kerr Village (Section 23) and Urban Design (Section 6) sections of *Livable Oakville*.

The subject property is located in the Lower Kerr Village District of which is envisioned to remain a mixed-use area, with a blend of commercial, office, and residential uses. Since this portion of Kerr Village may be perceived as an extension of Downtown Oakville, a balance between compatibility and differentiation of the two districts is essential.

Design is a key component of the continuing revitalization of Kerr Village as a vibrant business district and a recreational and cultural destination. To maintain the vibrancy of this district, the design of the built environment must support people as they make their way to and throughout the village. These important considerations are addressed under the following themes:

- A. distinguish the district;
- B. foster activity at street level;
- C. frame the street;
- D. be compatible with surroundings; and,
- E. create links to and throughout the district.

The subject property is located next to a medium-density residential area directly south of subject property. To maintain compatibility and respond to the character of Kerr Village, step backs for building greater than three storeys in height must be provided. The below conceptual illustration depicts desirable built form and pedestrian realm components which reinforce a traditional main street development by addressing both streets and transitioning to the surroundings.

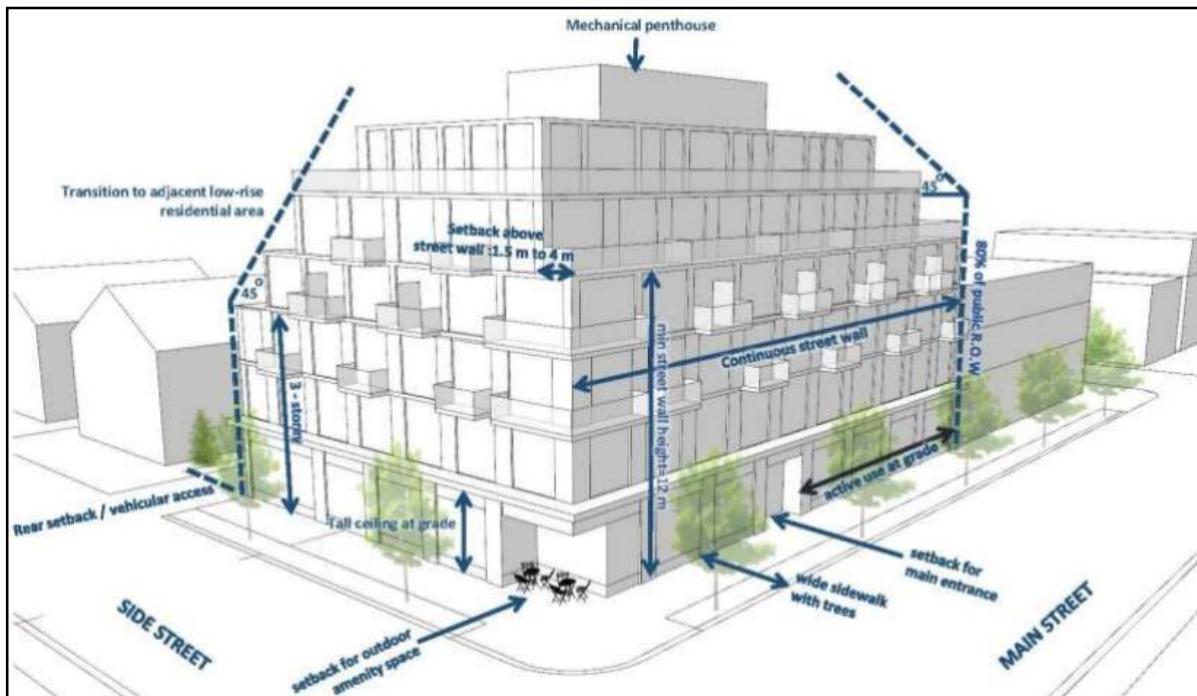


Figure 9: Extract from Urban Design Direction for Kerr Village

As the rear of the subject property is directly abutting a medium-density residential area, setbacks from the rear property line and step-backs above the fourth storey have been increased from that permitted under the Zoning By-law. The minimum rear yard setback required through the Zoning By-law amendment proposed is 6.0 metres, and a 4.0 metres step-back from the main wall of the fifth floor facing the rear lot line will be required to minimize shadow and visual dominance on the abutting properties.

Urban Design Direction for Kerr Village focuses on links to and throughout Kerr Village, to create an enhanced pedestrian network providing access to and through the vibrant and active mixed-use district. The design direction can be accomplished by:

- designing development along primary and secondary streets with a strong focus on enhancing the pedestrian realm, with built form framing the street and ample entrances along the ground level facades; and,
- incorporating visual cues along the streets and public realm such as new streetscape and wayfinding elements, that create interest and navigation tools for visitors and residents to explore the village and its surroundings.

The development as proposed on the subject lands contains approximately 445 square metres of commercial space on the ground floor and seeks to accommodate seven entrance points from both Lakeshore Road West and Chisholm Street. Stone walkways are proposed to as pedestrian connections from the sidewalks to building entrances. The revision also incorporates a 1.0 metre setback for the

ground floor to facilitate the extension of commercial activities along the Lakeshore Road frontage, while allowing for a cantilever of the second floor. Furthermore, the revised proposal seeks to retain and restore the existing McCraney-Robertson Heritage home. This heritage structure may act as a wayfinding point for those navigating the Kerr Village area and the final location will be advanced as part of the subsequent site plan application.

As per 3.1.37 of the Livable by Design Manual, Design buildings abutting built heritage resources that are sympathetic to the context and heritage characteristics and that incorporate compatible proportions, rhythm of façade openings and bays, height and setback transitions, and enhanced façade articulation and materials.

To enhance the visual prominence of the heritage dwelling on the site, a setback of the ground floor main wall, and restrictions to the height of the masonry wall treatment are proposed at the corner to four storeys.

Given the height and context of this building on a main street, adjacent to 3 storey townhouses, a shadow impact study was required, and reviewed by staff. In this context, the shadow study must demonstrate that adequate sunlight is available for residential amenity spaces to maximize their use during spring, summer and fall afternoons and evenings. Accordingly, shadow impacts from proposed development should not exceed two consecutive hourly test times after 12:00pm on April 21, June 21 and September 21. On the main street, the shadow impact analysis must demonstrate that public sidewalks and public plazas receive at least 5 hours of continuous sunlight per day on April 21, June 21 and September 21.

The proposal is sited such that the corner of Lakeshore Road West and Chisholm Street is due north and is located on the south side of Lakeshore Road West. The reduction of height by 2 storeys has a meaningfully positive impact on shadow impacts and based on staff's analysis on revised modeling will meet or exceed the aforementioned standards.

On this basis, and for the reasons outlined in this report, the proposal, as revised is consistent with the Urban Design and Livable by Design Manual. Constancy with the Urban Design and Livable by Design Manual will continue to be reviewed through the future Site Plan Approval process.

### Zoning By-law

The lands are zoned Central Business District, Special Provision 17 (CBD: 17) in the Town of Oakville Zoning By-law 2014-014, as amended, as shown below.

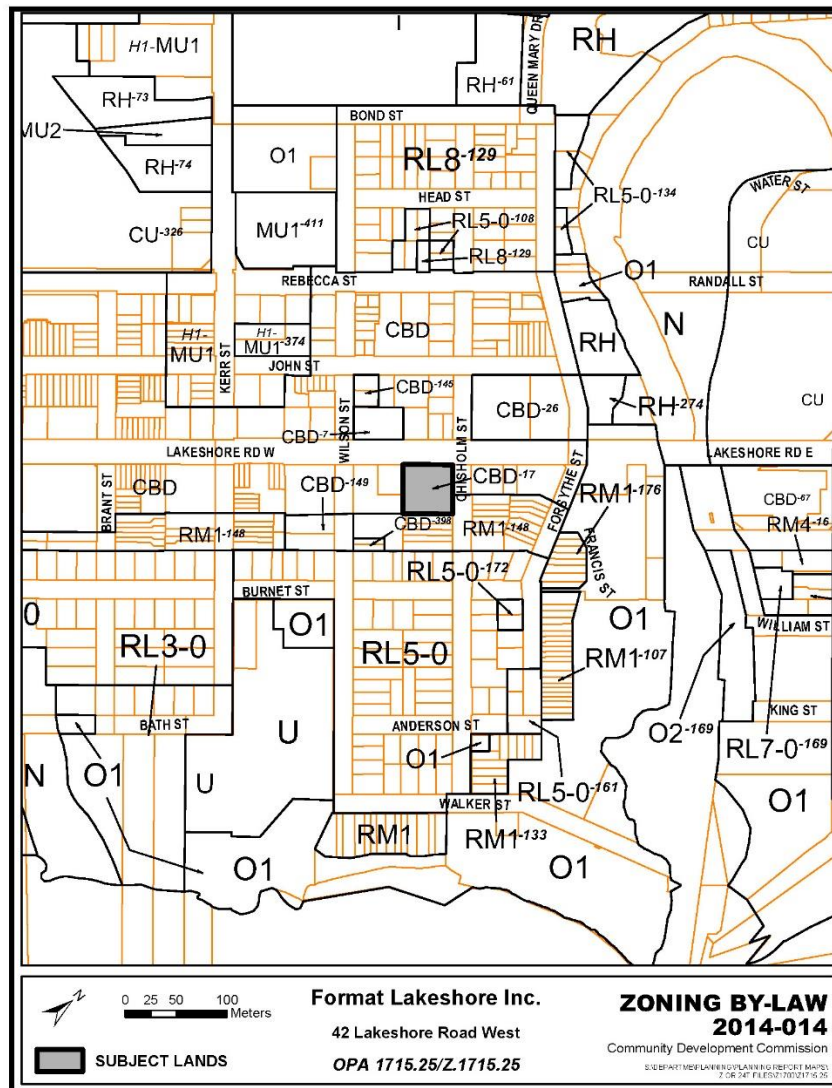


Figure 10: Existing Zoning Map

The *Central Business District* zone is intended to serve as a downtown centre with main street function, provide community shopping facilities for surrounding communities, accommodate retail and service commercial intensification, and allow for a mix of uses intended to maintain viability and vitality of the downtown<sup>5</sup>. Uses that may be permitted in the CBD zone include:

- retail;
- service commercial uses
- offices

<sup>5</sup> Part D Section 13.2, inZone Technical Paper: Mixed Use Zones

- hotels
- convention centres
- entertainment uses
- recreational uses
- other similar functions as those listed above
- residential (residential uses are encouraged in forms and locations that support the primary function of the area)
- community uses

Special Provision 17 applies to the property of 42 Lakeshore Road West. The special provision includes regulations relating to building depth, setbacks, height, landscaping, and bonusing. Specifically, the regulations are as follows:

- Minimum depth of the building on the first storey and below within which residential uses are prohibited: 12.0 m
- Maximum number of storeys: 4
- Maximum number of storeys upon execution of a bonusing agreement: 5
- Maximum height upon execution of a bonusing agreement: 18.0 m
- Minimum rear yard (south lot line abutting 86 Chisholm Street): 0.0 m
- Minimum width of landscaping required along any lot line abutting a residential zone: 0.0 m

With the repeal of the former Section 37 bonusing provisions, the transition provisions provide that the existing zoning by-law (with bonusing) would continue to apply, i.e. the applicant would be entitled to 5 storeys upon execution of a bonusing agreement.

Following the repeal of Section 37, the town passed a Community Benefits Charge (CBC) By-law (2022-069) to obtain community benefits through developments that are 5 storeys in height or greater. As the proposed development is greater than 5 storeys, the town would be able to collect community benefits as prescribed in the CBC Strategy.

#### Zoning By-law Amendment, as revised by town staff

Staff are recommending that By-law 2024-021, an amendment to Zoning By-law 2014-014, be passed. This amendment would rezone the lands to Central Business, Special Provision 17 (CBD: sp 17), by deleting Section 15.17, and replacing it as follows:



Regulation		Proposed	Required
a)	Minimum floor area for non-residential uses on the ground floor	445 m <sup>2</sup>	No Requirement
b)	Maximum number of storeys	8 plus indoor rooftop amenity space	5
c)	Maximum height	35.0 m	18.0m (upon execution of a bonusing agreement)
d)	<i>Minimum yards</i> to an underground parking structure	0.0 m	0.0m
e)	Minimum <i>rear yard (south) above first storey</i>	Shall be in accordance with figure 15.17.1	0.0m
f)	Minimum building step-back from the main wall of the fourth floor facing the rear lot line		No Requirement
g)	Minimum setback from all edges of the roof to the indoor amenity space		No Requirement
h)	Maximum total balcony projection beyond the main wall for the first to fourth storeys	0.0m	1.5m
i)	Minimum width of landscaping abutting the rear lot line	0.0m	0.0m
j)	First storey shall be setback 1.5m from the front lot line		0.0 m
k)	Designated residential visitor <i>parking spaces</i> may be counted toward non-residential <i>parking spaces</i> and may be provided in any combination		<b>Residential visitor:</b> 0.2 parking spaces per dwelling unit. <b>Non-residential uses:</b> 1.0 per 40m <sup>2</sup> net floor area
l)	A minimum of 20% of the parking spaces in a building shall include the provision for the installation of electric motor vehicle supply equipment		N/A
m)	The maximum height shall include a mechanical penthouse		A mechanical penthouse, including any appurtenances thereto, shall not exceed 6.0m above the max. height.

n)	The front lot line shall be deemed to be Lakeshore Road West	The shortest of the lot lines that divide the lot from the road shall be deemed to be the front lot line. Difference between lot lines abutting a street is 1.3%, therefore, either lot line could be deemed the front lot line.
o)	Notwithstanding figure 15.17.1, the first storey shall be set back 1.5m from the front lot line.	0.0m

By-law 2014-014 is proposed to be further amended by adding a Holding Provision. The proposed Holding Provision (H57) requires that updates to reports and studies to the satisfaction of all reviewing departments and agencies be completed before development could proceed. This will allow for the applicant to address Regional and Town matters at a later date as a part of a future Site Plan application.

Conditions for Removal of the H provision are as follows:

- a) Prior to any site alteration, servicing or grading of the site and to the satisfaction of Halton Region, the Owner submits all environmental reports used in the filing of the RSC, to Halton Region.
- b) Prior to any site alteration, servicing or grading of the site and to the satisfaction of Halton Region, that the Owner submits a revised Functional Servicing Report (FSR) which addresses the downstream sewer analysis to the nearest trunk sewer and its impact on the Walker Street PS.

Staff are recommending approval of the proposed Zoning By-law amendment, as revised, for the reasons outlined in this staff report.

## **TECHNICAL & PUBLIC COMMENTS:**

The applicant has submitted the required documents as part of the complete application submission, which have been circulated to various public agencies and internal Town departments. A full circulation and assessment of the application was undertaken. The following studies and supporting documentation are accessible on the Towns website at the following link:

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[Format Lakeshore Inc. - 42 Lakeshore Road West - OPA 1715.25 and Z.1715.25 \(oakville.ca\).](#)

- Aerial Image
- Arborist Report
- Architectural Drawings
- Draft Official Plan Amendment
- Draft Zoning By-law Amendment
- Environmental Site Assessment Phase One Update
- Environmental Site Assessment Phase Two
- Environmental Site Screening Questionnaire
- Environmental Screening Questionnaire Region of Halton
- Functional Servicing and Stormwater Management Report
- Grading Plan
- Heritage Impact Assessment
- Landscape Plan
- Photometric Plan
- Plan and Profile
- Planning Justification Report
- Record of Site Condition
- Reliance Letter
- Shadow Analysis
- Streetscape Plan
- Survey
- Transportation Impact Study
- Tree Canopy Cover Plan
- Tree Preservation Plan
- Truck Turning Plan
- Waste Management Plan

As noted in the ‘Changes to Proposal since Statutory Public Meeting’ section of this report, since the statutory public meeting on November 13, 2023, several modifications to the proposal have been made in response to Council, public and staff feedback. The applicant is aware of the revisions, however, have not formally revised their application as there is insufficient time under the *Planning Act* to continue discussions.

The following is an overview of how the matters identified by staff were addressed, followed by matters identified by Council and the Public.

#### Issues Identified by Staff

##### **i. Conformity with applicable policy**

**Response:** As reviewed in the Planning Policy & Analysis section of this report, the revised Proposal is consistent with the PPS, conforms to all applicable Provincial plans, the Region of Halton Official Plan and aligns with the Livable Oakville Plan and related guidelines.

## ii. Heritage conservation

**Response:** Modifications to the proposal following the statutory public meeting include retaining and restoring the existing McCraney-Robertson House designated under Part IV of the *Ontario Heritage Act*.

As per Livable by Design Manual, height, massing, placement, and design of the proposed building must be compatible with the heritage structure on site, and with the existing neighbourhood and emerging mixed-use main street. To optimize the visual prominence of the heritage component within the site, it is recommended that the ground floor main wall be setback to enhance the clarity of the view towards the heritage structure and proposed open space, fostering a more distinct and visually appealing integration of these elements within the overall design. In addition, the height of the masonry wall treatment proposed at the corner of the mixed-use building should be restricted to four storeys, as illustrated below.



Left = Submitted 3D model | Right = With Staff's edits demonstrating the comment

Figure 11

Furthermore, the designation by-law identifies the former magnolia tree as a heritage attribute on the subject property. A magnolia tree has been proposed to commemorate the original magnolia at the property of 42 Lakeshore Road West.

In 2016, staff received confirmation that 75 samples of the magnolia tree were taken by PAO Horticulture, which were sent to a nursery in British Columbia that specializes in magnolias for rooting and growth. Staff note that the proposed magnolia tree on site should be a propagated tree from the original magnolia and encourage the applicant to determine where the propagated trees are currently located.

**iii. Proportion of commercial uses**

**Response:** Approximately 630 sq m of commercial floor area is proposed to be accommodated for at ground level through the proposed development, accounting for 4.9% of the total floor area. Commercial space is currently proposed to be divided among 5 commercial units.

This exceeds the minimum requirement of the Zoning By-law, however further review of the proportion of commercial uses will continue through the future site plan application. It is anticipated that the commercial area will increase through integration of the heritage building.

**iv. Proportion of residential unit types (i.e. unit breakdown by size)**

**Response:** Through the initial proposal, a total residential net floor area of 12,066.00 sq m was proposed accommodating for a total of 152 residential units. A breakdown of unit types as identified through the Architectural Drawing package dated July 28, 2023, can be found under the 'Proposal' section of this report. Unit sizes range from 43 sq m to 96 sq m.

Unit types and sizes are expected to change following a building height reduction of 2 storeys. Staff will continue a review of unit types for the purpose of ensuring a reasonable mix of unit sizes through the future site plan application.

**i. Report back on considerations for mitigating transportation implications (including travel demand management strategies and parking utilization).**

**Response:** A Transportation Impact Study has been submitted for the review of the Town of Oakville Transportation Engineering team and Halton Region Engineering Department. The Transportation Impact Study includes a Transportation Demand Management Plan, and a Parking and Loading review, among other detailed analysis. The Transportation Demand Management Plan seeks to achieve an efficient transportation network by influencing travel behaviour through parking-based strategies, cycling and pedestrian-based strategies, and transit-based strategies. Specifically, the Transportation Demand Management Plan, as prepared by LEA Consulting



Ltd., recommends the inclusion of additional bicycle parking and amenities, and consideration towards securing transit incentives.

Following review of the submission materials, reviewing departments and agencies require that a revised Transportation Impact Study, inclusive of a revised parking plan, be submitted. Furthermore, the Transportation Impact Study is subject to change as the impact is expected to alter in tandem with a reduction in building height and associated residential units. The review of a revised Transportation Impact Study will be completed through the future site plan application.

**v. Pedestrian connections and walkability**

**Response:** The proposal incorporates ground floor commercial space and residential uses at the second storey and above. The mixed-use development proposed will help contribute to a pedestrian oriented streetscape, activating the site with street-related commercial uses, consistent with the objectives for Kerr Village. Stone walkways are proposed to as pedestrian connections from the sidewalks to building entrances. Furthermore, the subject property is approximately 3-minutes walking distance from the nearest bus stop to bus 14 and 14A, providing for connections to stops along the 14 and 14A bus routes.

As part of the future site plan application, the applicant will be required to prepare a streetscape plan and make improvements to the public realm along Lakeshore Road West and Chisholm Street.

**vi. Tree preservation**

**Response:** Urban forestry staff have completed a review of the Tree Inventory and Preservation Plan Report and associated plan and note that no tree related matters will conflict with the Official Plan and Zoning By-law amendments at hand.

**vii. Stormwater management and functional servicing**

**Response:** The Town of Oakville Development Engineering Department and Halton Region Engineering Department have completed a review of the submitted Functional Servicing Report – Water, Sanitary, and Stormwater Management. In a memo dated November 7, 2023, as received from the Town of Oakville Development Engineering Department, and letter dated November 2, 2023, as received from Halton Region, it is noted that a revised Functional Servicing Report is required to address outstanding servicing information.

The implementing Zoning By-law amendment includes a holding provision to address updates to the Functional Servicing Report, along with other reports and studies, to the satisfaction of all reviewing departments and agencies before development could proceed. Review of a revised Functional Servicing Report will be completed through the future site plan application.

**viii. Urban design (including an assessment of the transition of building height, proposed public realm, and shadow/sun impacts)**

**Response:** The applicant submitted an Urban Design Brief to reflect the proposed development. An assessment of the proposed development was undertaken by staff and concluded that a revised proposal with a building height of 8-storeys (plus rooftop amenity space) would conform. The Zoning By-law amendment prepared proposes increased setbacks at grade, and increased step-backs above the fifth storey to assist with the building height transition to abutting properties of which are permitted a maximum building height of 4 storeys. Increased setbacks along Lakeshore Road West and minimum outdoor amenity space provisions will allow for a pedestrian-oriented streetscape to foster an active street and enhance the public realm.

Increased setbacks and step-backs above the 4<sup>th</sup> storey will also assist in minimizing both shadow and visual dominance on abutting properties. Staff have completed a review of the sun/shadow impacts of the revised proposal, and have found that the development, as revised, falls within the parameters of the Town's terms of reference for shadow impact analysis and that adequate sunlight on adjacent properties and the public realm are met.

Review of the sun/shadow impacts will continue through the future site plan application to ensure development of the subject property continues to meet the parameters of the Town's terms of reference for shadow impact analysis.

**ii. Explore opportunities for sustainable development.**

**Response:** Mixed-use buildings with increased densities are more transit supportive as the market attracts residents utilizing alternative modes of transport, therefore, reducing the carbon footprint. Findings of the Oakville Energy Task Force show that transportation accounts for almost half of community-wide greenhouse gas emissions and total dollars spent on energy in Oakville, and over 70% of transportation activity is person vehicle use. Intensifying properties in a designated growth area supports the objectives of the Town's urban structure and can have an impact on the amount of transportation emissions measured in the Town.

Staff will continue discussions with the applicant through the future site plan application to encourage more sustainable construction and building practices to reduce the carbon footprint.

### Matters identified by Council and the Public

The following items identified by Council and the Public, which have not already been addressed above:

#### **i. Integration / Impact on adjoining and adjacent properties**

**Response:** Changes to the proposal presented at the Statutory Public Meeting are recommended by Staff to address comments and concerns pertaining to setbacks and privacy impacts on abutting properties.

As per the Urban Design direction for Kerr Village, buildings must be designed and positioned to create appropriate transitions towards abutting residential neighbourhoods to minimize potential overlook impacts.

In response to comments pertaining to setbacks and privacy impacts on abutting properties, changes to the proposal include a 2-storey reduction in building height (from 10 to 8 storeys), larger step-backs to adjacent residential properties as to provide for a gradual transition to residential units, and permitting only inset balconies from floor 1-4, as demonstrated on the modified 3D model below.



Left = Submitted 3D model | Right = With Staff's edits demonstrating the comment

Figure 12

Through the approval of the proposed Zoning By-law amendment, increased provisions will be in place, further directing development permitted on the

subject property requiring increased setbacks, and privacy measures. Setbacks and privacy impacts on abutting properties will continue to be analyzed upon receipt of a future site plan application.

ii. **Evaluate whether the height and density proposed is appropriate for the subject lands.**

**Response:** The proposal brought forward to the statutory public meeting held on November 13, 2023, has been circulated to the applicable internal departments and external agencies for review. Following significant analysis, staff recommend refusal of the 10-storey building proposed. Given the context, Staff recommend a building height reduction of 2-storeys from that originally proposed. Additional provisions have been incorporated into the Zoning By-law amendment to direct the appropriate development of the subject property. A more detailed analysis is included in this report.

Provisions proposed through the Zoning By-law amendment also result in a reduced building footprint from that of which is permitted by-right on the subject property. As a result of a reduced height and building footprint, density will ultimately decrease.

iii. **Analyze parking rates and shared parking considerations.**

**Response:** Per Table 5.2.2 of Zoning By-law 2014-014, as amended, a total of 144 parking spaces are required to accommodate residential and commercial uses within the 10-storey mixed-use development formerly proposed. That proposal provided for a surplus of 8 parking spaces, seeking to reallocate parking, as displayed in the table below.

Use	Required for 10-storey development	Proposed for 10-storey development
Residential	128	152
Visitor - Residential	31	31 (Shared Visitor/Commercial Parking)
Commercial	16	
Total	175	183

An oversupply of residential parking does not align with the Town policy to promote active/use of other modes of transportation and shift away from auto-oriented developments. Through Transportation and Engineering comments on the 10-storey mixed-use development formerly proposed, it was recommended that the parking supply be revised to dedicate excess parking to the deficient shared visitor/commercial components. Transportation and Engineering required a revised parking table and associated plans be submitted for review.

Parking requirements are subject to change in tandem with a reduction in residential units. A new parking plan will be completed through the future site plan application.

**iv. Evaluate the inclusion of affordable housing.**

**Response:** No affordable housing is proposed as part of this project; however, staff have encouraged the applicant consider affordable housing opportunities and will continue to do so as the project progresses.

**v. Review vehicular access points.**

**Response:** One vehicular access point to the subject property is proposed to be provided for along Chisholm Street. Following a review of the Transportation Impact Study prepared by LEA Consulting Ltd., it is found that traffic volumes, specifically pertaining to vehicular queuing near the Lakeshore Road West and Chisholm Street intersection, are not of concern. From the data provided through the Transportation Impact Study, it has been indicated that the existing intersection can accommodate the traffic volumes proposed to accommodate the development.

Information gathered through public comments received on this matter indicate that traffic is of concern in Kerr Village, specifically along Lakeshore Road West. Transportation and Engineering staff require a scope change in the traffic study to address concerns brought up by residents of the area. Traffic impacts are subject to change in tandem with a reduction in site density. The review of additional traffic counts will be completed through the future site plan application.

**vi. Explore additional soft landscaping options.**

**Response:** A fulsome assessment of the public realm will take place at the site plan review stage as the town intends to undertake a public realm study and develop a streetscape masterplan for the Kerr Village Area in 2024. This work will inform the streetscape design and treatment on Lakeshore Road West and Chisholm Street. The streetscape drawings for this proposal must be revised and coordinated with the Streetscape Masterplan for the Kerr Village Area, once final. Specific consideration will be dedicated to soft landscaping opportunities.

**vii. Explore opportunities to mitigate construction disturbance on neighbouring properties (Noise pollution, soil disturbance, etc.)**

**Response:** Disturbance resulting from the development of the subject property will be addressed through a Construction Management Plan at the site plan review stage. The Construction Management Plan and all other documents submitted as part of the site plan application will be available on the Town of Oakville Development Applications webpage.

## **IMPLEMENTATION:**

Should Council approve of the Official Plan amendment and Zoning By-law amendment application, site plan matters would continue to be advanced through a required site plan application.

## **CONSIDERATIONS:**

### **(A) PUBLIC**

A virtual Public Information Meeting was held on July 25, 2023, and a statutory public meeting was held, in a hybrid format, on November 13, 2023. Written correspondence received since the public meeting is included as “**Appendix “B”**”.

Notice for the meeting regarding this development application was provided in accordance with the *Planning Act* regulations and Town practices.

### **(B) FINANCIAL**

No financial impacts associated with this report.

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

The applications were circulated to Agencies and Town Departments for their review and comments. The applicant-initiated applications are being considered under Bill 109, which provides a 120-day timeline before the applicant is entitled to a partial refund of fees and could file an appeal for lack of a decision. The applications were deemed complete on October 3, 2023, and a Council decision must be made by January 31, 2024.

### **(D) COUNCIL STRATEGIC PRIORITIES**

This report addresses Council’s strategic priorities to:  
Growth Management, Environmental Sustainability and Accountable Government.

### **(E) CLIMATE CHANGE/ACTION**

The proposed development has been reviewed in the context of Council declaring a Climate Change Emergency on June 24, 2019. Overall, the proposed development constitutes a transit-supportive compact built form which

is supportive of the town's urban structure and would efficiently use public infrastructure. Staff encourage any future site plan application to consider a reduced footprint through use of construction methods which support sustainable development including:

- i. renewable energy systems such as wind, geothermal and solar power installations;
- ii. energy-efficiency technologies that are consistent with high energy efficiency standards (such as Energy Star and LEED buildings), design features and construction practices;
- iii. green roofs or high albedo roofs that contribute to the reduction of the urban heat island effect;
- iv. permeable paving and other innovative stormwater management methods;
- v. water conservation and efficiency measures; and,
- vi. conserving heritage resources, which contributes to sustainability by reducing landfill and lessening the demand for energy and resources needed for new construction.

These opportunities to reduce the development footprint of the proposal will be explored in greater detail and encouraged as part of a future site plan application.

## **CONCLUSION:**

The subject property is located within a Node and Corridor (Kerr Village) and Main Street Area on Schedule A1, Urban Structure on an established main street (Lakeshore Road West). Growth, albeit at a lesser extent than primary growth areas, is directed towards Kerr Village at an appropriate scale for the context to achieve broader policy goals and objectives.

For context, the subject property is relatively large relative to typical main street properties, is in proximity to older apartment buildings which range in height north of Lakeshore Road West and is not located on the edge of the growth area. The corner of the property at Lakeshore Road West and Chisholm Street faces due north, which helps minimize shadow impacts of the building. The subject property has also been subject to a previous Ontario Municipal Board decision which permits up to 5 storeys in height, with bonusing. Given this context, and the policy goals and objectives detailed herein, staff are recommending approval of an 8-storey building, which based on the analysis in this report will meet or exceed urban design standards and technical standards.

It should be noted that while the height of the building would increase by 3 storeys from that permitted, the setbacks and step backs to the townhouses to the south



would increase, the heritage building will be conserved, and an open amenity space centred around the heritage building will be provided along the main street. This will assist in achieving specific policy objectives regarding transitions and achieving a vibrant main street.

Furthermore, the proposal would contribute to achieving broader objectives such as achieving complete communities, provision of a range of housing to respond to current and future needs, revitalization of Kerr Village, and efficient development patterns that optimize the use of land, resources and public investment in infrastructure and public service facilities.

On this basis staff recommend approval of the Official Plan and Zoning By-law amendments to permit an 8-storey building.

In summary, staff recommends approval of the Official Plan amendment and Zoning By-law amendment, as revised by Staff, for the following reasons:

- The revised Proposal is consistent with the PPS and conforms to the Growth Plan and the Halton Region Official Plan, and has regard for matters of Provincial interest and represents good planning;
- The subject property is located within a Node and Corridor (Kerr Village) and Main Street Area on Schedule A1, Urban Structure on an established main street (Lakeshore Road West). Growth, albeit at a lesser extent than primary growth areas, is directed towards Kerr Village at an appropriate scale for the context to achieve broader policy goals and objectives.
- The Official Plan amendment, as revised, proposing a 3-storey increase in the maximum building height from that permitted, allows for the appropriate intensification of the subject property of which is located in the Town's system of Nodes and Corridors, and within the Kerr Village Growth Area, supporting the objectives of the Towns urban structure;
- The Zoning By-law amendment, as revised, will support the appropriate intensification of the subject property to encourage the vitality of the Kerr Village Growth Area, in keeping with the intent of the Central Business District zone;
- The implementing Zoning By-law amendment includes a holding provision to address required updates to reports and studies to the satisfaction all reviewing departments and agencies before development could proceed.
- The Official Plan and Zoning By-law amendments, as revised, foster the maintenance of the existing neighbourhood character by ensuring the existing McCraney-Robertson heritage dwelling be restored, as to commemorate the history of the site and continue the historic main street character, and encouraging a public square along Lakeshore Road West;
- Site design matters will continue to be advanced through the required site plan application;

- Comments from the public have been appropriately addressed; and,
- Comments from Council have been appropriately addressed.

## **APPENDICES:**

Appendix “A” Mapping

Appendix “B” Public Comments

Appendix “C” Policy Excerpts

Appendix “D” Official Plan Amendment (By-law 2024-020)

Appendix “E” Zoning By-law Amendment (By-law 2024-021)

Prepared by:

Riley McKnight

Planner

Current Planning – West District

Recommended by:

Paul Barrette, MCIP, RPP

Manager, Current Planning – West District

Submitted by:

Gabe Charles, MCIP, RPP

Director, Planning Services