



OAKVILLE

REPORT

PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: MARCH 18, 2019

FROM: Planning Services Department

DATE: February 25, 2019

SUBJECT: **Public Meeting Report, Zoning By-law Amendment and Draft Plan of Subdivision application for 47 Nelson Street, File No.: Z.1728.65 and 24T-18007/1728**

LOCATION: 47 Nelson Street

WARD: 1

Page 1

RECOMMENDATION:

1. That the public meeting report prepared by the Planning Services Department dated February 25, 2019, be received.
2. That comments from the public with respect to the proposed Zoning By-law Amendment and Draft Plan of Subdivision application for 47 Nelson Street (File No.: Z.1728.65, 24T-18007/1728), be received.
3. That staff consider such comments as may be provided by Council.

KEY FACTS:

The application relates to the development of four townhouses at 47 Nelson Street.

The purpose of the proposed Zoning By-law Amendment is to rezone the site from *Existing Development (ED)* to *Residential Medium (RM1)* with a Special Provision related to an increase in maximum height to 12.8 metres; whereas the RM1 zone has a maximum height of 12 metres.

It is noted from staff's review of the submitted application material that an additional zoning regulation amendment would be necessary. This would reflect the existing lot frontage of 28.31 metres; whereas the RM1 Zone requires a minimum lot frontage of 30.5 metres.

The purpose of the proposed draft plan of subdivision is to create a single lot plan of subdivision, which would allow for a four townhouse development. The land will

From: Planning Services Department

Date: February 25, 2019

Subject: **Public Meeting Report, Zoning By-law Amendment and Draft Plan of Subdivision application for 47 Nelson Street, File No.: Z.1728.65 and 24T-18007/1728**

subsequently be subdivided into individual lots through the Part Lot Control process. Individual vehicular access to the units will be from Nelson Street.

The Zoning By-law Amendment application was submitted on December 17, 2018 and the *Planning Act* timeframe to review is 150 days (May 16, 2019). The draft plan of subdivision application is subject to a timeframe of 180 days.

The subject lands are designated *Medium Density Residential* by the Livable Oakville Plan, which allows for *multiple attached dwellings* to a maximum density of 50 units per site hectare.

The existing Official Plan designation is consistent with the Provincial Policy Statement 2014, conforms to all applicable Provincial plans, the Region of Halton Official Plan and the *Livable Oakville Plan*, as it allows for additional residential development in accordance with the Town's established urban structure.

The existing Zoning regulations are consistent with the PPS, conforms or does not conflict with all applicable Provincial Plans, and conforms with the Halton Region Official Plan, as it limits the expansion of existing uses so that the lands may be redeveloped through a Zoning By-law Amendment, in accordance with the policies and objectives of the Livable Oakville Plan.

BACKGROUND:

Proposal

The application relates to the development of four townhouses at 47 Nelson Street.

The purpose of the proposed Zoning By-law Amendment, also as outlined in the table below, is to rezone the site from *Existing Development (ED)* to *Residential Medium (RM1)* with a Special Provision related to an increase in maximum height to 12.8 metres; whereas the RM1 zone has a maximum height of 12 metres.

It was noted from staff's review of the submitted application material that an additional zoning regulation amendment would be necessary. This would reflect the existing lot frontage of 28.31 metres, whereas the RM1 Zone requires 30.5 metres of lot frontage.

PLANNING AND DEVELOPMENT COUNCIL MEETING

From: Planning Services Department

Date: February 25, 2019

Subject: **Public Meeting Report, Zoning By-law Amendment and Draft Plan of Subdivision application for 47 Nelson Street, File No.: Z.1728.65 and 24T-18007/1728**

| | Existing Zone | Proposed Zone | RM1 Regulation | Proposed Regulation |
|---|----------------------|----------------------|-----------------------|----------------------------|
| Zone | ED | RM1 | | |
| Maximum Height | 10 m | | 12.0 m | 12.80 m |
| Additional Regulation Amendment Necessary – Based upon review of application and acknowledged by applicant | | | | |
| Minimum Lot Frontage | n/a | | 30.5 m | 28.31 m |

The purpose of the proposed draft plan of subdivision is to create a single lot plan of subdivision, which would allow for a four townhouse development. The land will subsequently be subdivided into individual lots through the Part Lot Control process. Individual vehicular access to the units would be from Nelson Street.

Parking would consist of two spaces within a single wide garage utilizing a mechanical lift system. A third parking space could be accommodated in the driveway.

Figures 1a and b, below, illustrate the proposed development concept for the site.

From: Planning Services Department
Date: February 25, 2019
Subject: Public Meeting Report, Zoning By-law Amendment and Draft Plan of Subdivision application for 47 Nelson Street, File No.: Z.1728.65 and 24T-18007/1728

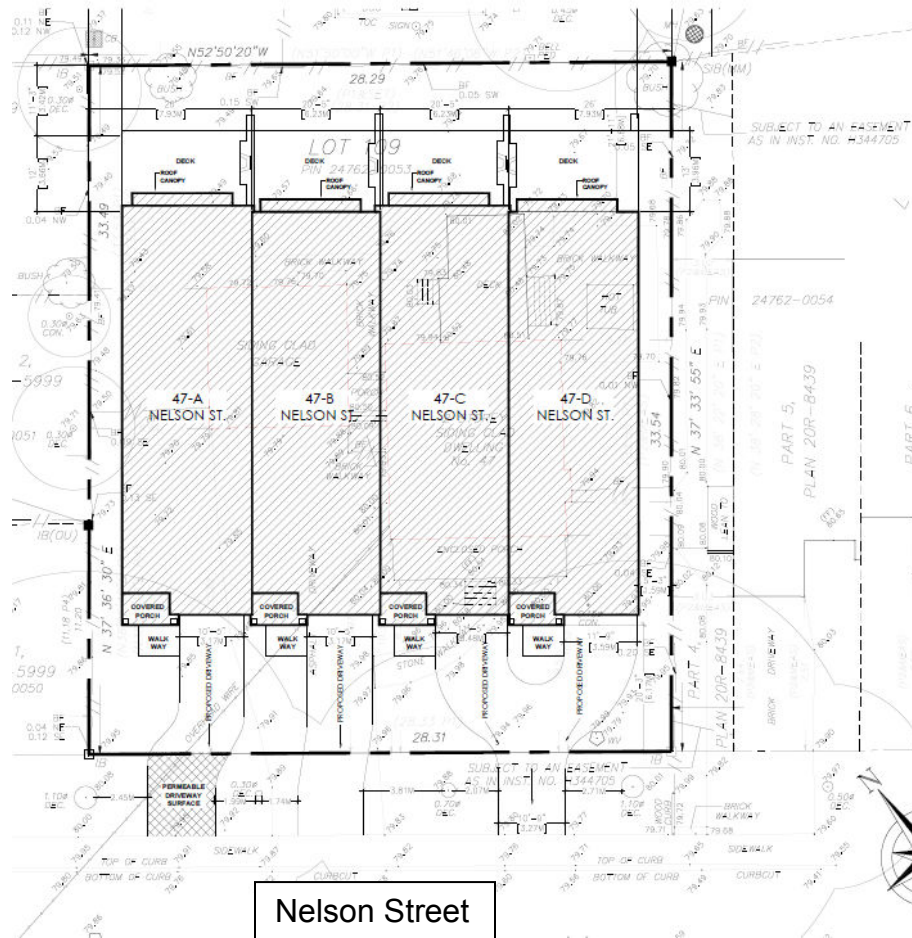


Figure 1a – Development Concept Scale:NTS



FRONT ELEVATION
SCALE:NTS

Figure 1b – Front Elevation

From: Planning Services Department
 Date: February 25, 2019
 Subject: **Public Meeting Report, Zoning By-law Amendment and Draft Plan of Subdivision application for 47 Nelson Street, File No.: Z.1728.65 and 24T-18007/1728**

Application material can be found on the town’s website site at <https://www.oakville.ca/business/da-31763.html>.

Location & Site Description

The subject lands are located at 47 Nelson Street, south of Marine Drive. The site is 0.095 ha (0.23 acres) in size with 28.31 metres of frontage on Nelson Street. A detached dwelling and separate garage presently exist on site.

Surrounding Land Uses

The surrounding land uses are as follows:

- West: two storey detached dwellings;
- North: two storey multiple attached dwellings within a condominium;
- East: two storey multiple attached dwellings; and,
- West: Nelson Street, two and three storey semi-detached dwellings and a six (storey) apartment building



Figure 2 – Airphoto and Area Context Scale: NTS



From: Planning Services Department

Date: February 25, 2019

Subject: **Public Meeting Report, Zoning By-law Amendment and Draft Plan of Subdivision application for 47 Nelson Street, File No.: Z.1728.65 and 24T-18007/1728**

PLANNING POLICY & ANALYSIS

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

- Provincial Policy Statement (2014);
- Growth Plan for the Greater Golden Horseshoe (2017);
- Halton Region Official Plan;
- *Livable Oakville* Plan; and,
- Zoning By-law 2014-014

Provincial Policy Statement (2014)

The Provincial Policy Statement (2014) ('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 development and land use patterns by directing growth to settlement areas and by promoting a compact development form.

The subject lands are located within a settlement area, which are to be the focus of growth and development. The land use patterns within the settlement are based on densities and a mix of land uses that, among other matters, efficiently use land and resources, appropriately use the infrastructure and public service facilities that are planned or available and are transit supportive.

The existing designation is consistent with the PPS (2014), as medium density residential development is currently permitted. The existing designation of the property within the larger context of the surrounding growth area provides for a compact built form that is transit supportive.

The existing zoning of the subject lands is consistent with the Provincial Policy Statement, as the ED zone acts as a placeholder by limiting the expansion of existing uses, so that the lands may be redeveloped through a Zoning By-law Amendment in accordance with the policies and objectives of the *Livable Oakville* Plan.

Growth Plan (2017)

The 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.

From: Planning Services Department

Date: February 25, 2019

Subject: **Public Meeting Report, Zoning By-law Amendment and Draft Plan of Subdivision application for 47 Nelson Street, File No.: Z.1728.65 and 24T-18007/1728**

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 a “Built-up Area.”

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.

The existing *Medium Density Residential* designation conforms or does not conflict with the Growth Plan given that implementation of the development aids in the development of a complete community and development at a density that supports transit services and active transportation.

The existing zoning of the subject conforms or does not conflict with the Growth Plan as the ED zone acts as a placeholder by limiting the expansion of existing uses so that the lands may be redeveloped through a Zoning By-law Amendment, in accordance with the policies and objectives of the Livable Oakville Plan.

Halton Region Official Plan

The subject lands are designated “Urban Area” and included in the “Employment Area” overlay 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.

Regional staff have submitted comments including conditions for draft approval of the subdivision dated February 8, 2019 on the application and are contained within Appendix C.

Livable Oakville Plan

Urban Structure

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. Official Plan Amendment 15 to the *Livable Oakville Plan* confirms the Town’s existing urban structure in terms of nodes and corridors, where higher intensity forms of mixed use growth are to be accommodated. OPA 15

From: Planning Services Department

Date: February 25, 2019

Subject: **Public Meeting Report, Zoning By-law Amendment and Draft Plan of Subdivision application for 47 Nelson Street, File No.: Z.1728.65 and 24T-18007/1728**

was approved by Halton Region on April 26, 2018 and deemed to conform to the Growth Plan and is consistent with the PPS. There is one appeal pertaining to OPA 15.

Schedule A1, Urban Structure, as contained within OPA 15, designates the site as *Nodes and Corridors*.

OPA 18 – Bronte Village Growth Area (in effect June 21, 2018)

OPA 18 was the result of the Bronte Village Growth Area review process. The intent of that review was to assess the Bronte Village policies in the Livable Oakville Plan and consider new or revised policies, as necessary, to ensure the goals and objectives for Bronte Village continue to be realized. No changes were made affecting the subject property. It remains designated *Medium Density Residential*.

Land Use Policies

The policies of the Livable Oakville Plan establish three residential designations to provide for a full range of housing types, forms and densities. The subject lands are located with the *Bronte Village Growth Area* and are designated as “Medium Density Residential” on Schedule P, Bronte Village Land Use, in the Livable Oakville Plan.

The Medium Density Residential land use designation is intended to provide for medium density housing types including multiple attached dwelling units with a density range of 30 to 50 units per site hectare. This is reflected in Section 11.3 of the Livable Oakville Plan and cited in Appendix B.

This proposal would comply with the *Medium Density Residential* designation as multiple-attached dwelling units reflecting a density of 42 units per site hectare are proposed.

From: Planning Services Department

Date: February 25, 2019

Subject: Public Meeting Report, Zoning By-law Amendment and Draft Plan of Subdivision application for 47 Nelson Street, File No.: Z.1728.65 and 24T-18007/1728

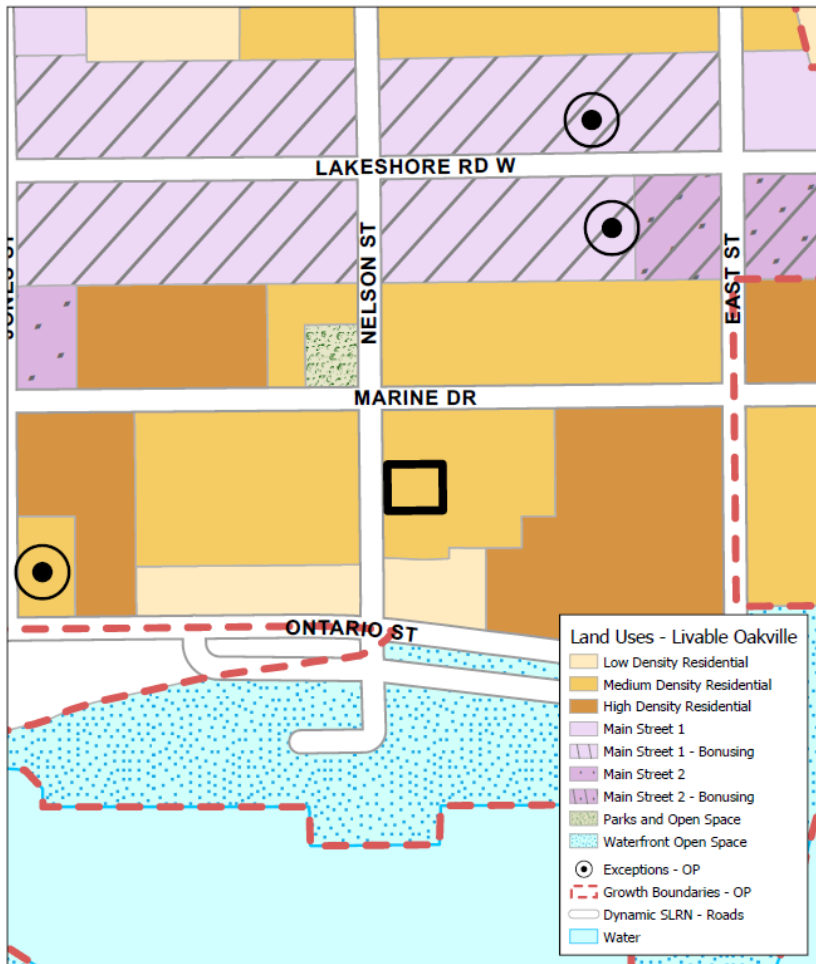


Figure 3 – Official Plan Scale:NTS

Zoning By-law (2014-014)

The subject lands are zoned *Existing Development (ED)*.

The existing zoning (ED) conforms or does not conflict with the Livable Oakville Plan as the ED zone acts as a placeholder by limiting the expansion of existing uses so that the lands may be redeveloped through a Zoning By-law Amendment, in accordance with the policies and objectives of the Livable Oakville Plan.

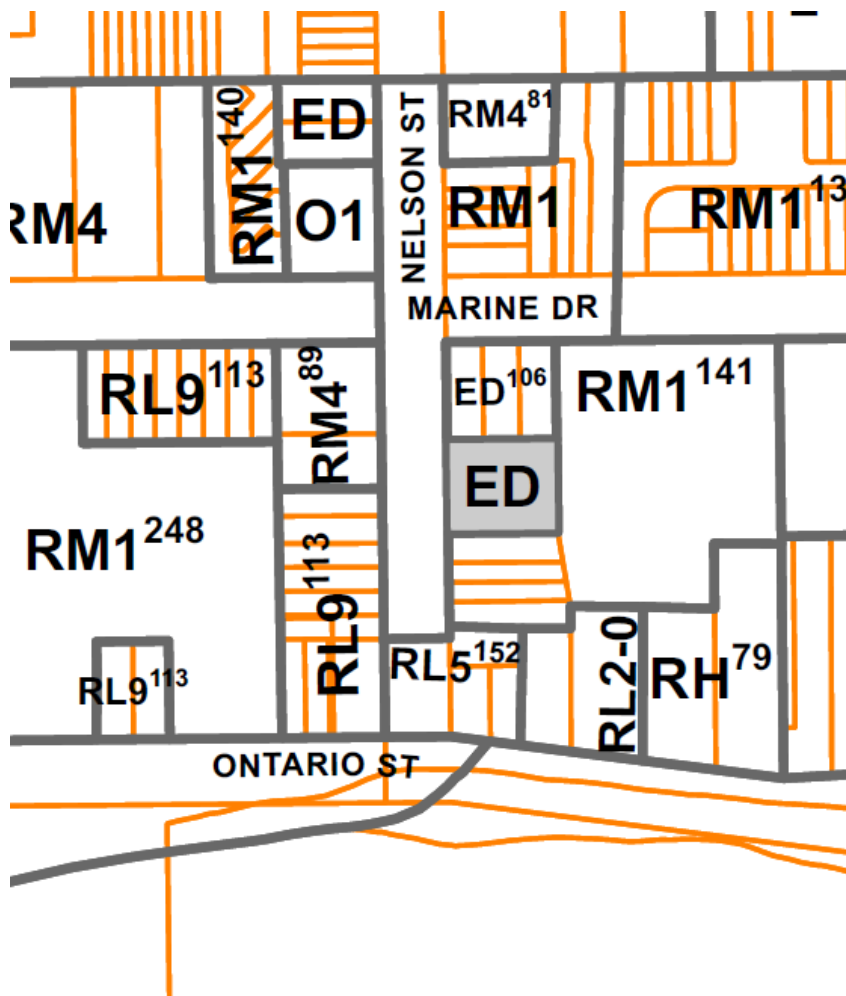


Figure 4 – Zoning By-law Excerpt Scale:NTS

The applicant proposes to rezone the lands to *Residential Medium (RM1)* with a Special Provision related to a maximum height of 12.8 metres; whereas the maximum height for the RM1 zone is 12 metres, to permit a four townhouse development.

As noted previously from staff’s review of the submitted application material, additional zoning relief would be necessary to reflect the existing lot frontage of 28.31 metres, whereas the RM1 zone requires a minimum lot frontage of 30.5 metres.

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

From: Planning Services Department

Date: February 25, 2019

Subject: **Public Meeting Report, Zoning By-law Amendment and Draft Plan of Subdivision application for 47 Nelson Street, File No.: Z.1728.65 and 24T-18007/1728**

which are under review. The following studies and supporting documentation are also accessible on the town's website

This included the following:

- Aerial;
- Arborist report;
- Archaeological Report;
- Floor Plans including Roof Plan and Renderings;
- Canopy Cover Plan;
- Draft Plan of Subdivision;
- Draft Zoning By-law;
- Functional Servicing Report;
- Grading and Servicing Plan;
- Landscape Plan;
- Phase One Environmental Site Assessment;
- Planning Justification Report;
- Site Plan;
- Survey; and,
- Urban Design Brief.

Issues Under Review / Matters to be Considered

- Four town street trees - Impact of development related to service installation, driveway construction and the proposed built form. Hydrovacing or similar technique is necessary to determine impacts of proposal on the existing street trees.
- Ability to park within the proposed u-shaped driveway for proposed unit 47C;
- Increase in maximum height in relation to the surrounding built form;
- Additional zoning relief to reflect existing frontage at 28.3 metres, whereas the RM1 zone requires 30.5 metres;
- Confirmation of zoning regulations associated with each proposed lot;
- Provision for easements related to the built form, for access to rear yards for middle townhouses and for rear yard drainage; and,
- Provision of a driveway access easement on Unit 47D for Unit 47C.

CONSIDERATIONS:

(A) PUBLIC

An applicant-initiated Public Information Meeting was held on September 25, 2018 and 12 members of the public attended the meeting. Comments raised at that meeting related to the protection of the four town trees within

From: Planning Services Department

Date: February 25, 2019

Subject: **Public Meeting Report, Zoning By-law Amendment and Draft Plan of Subdivision application for 47 Nelson Street, File No.: Z.1728.65 and 24T-18007/1728**

the boulevard, dwelling unit details and construction timelines. This is discussed within the Planning Justification Report dated November 22, 2018.

Notice of this meeting was mailed out on February 15, 2019 and was placed on the sign.

Public comments received up to February 19, 2019 are contained within Appendix D.

(B) FINANCIAL

None associated with this report.

Cash in Lieu of Parkland and Development Charges applicable to the development shall be determined and payable at building permit issuance at the rates in effect at that time, net of any eligible demolition credits.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

The proposal has been circulated to the various agencies and departments for consideration. As such, the application remains in technical circulation.

(D) CORPORATE AND/OR DEPARTMENT STRATEGIC GOALS

This report addresses the corporate strategic goal to:

- be the most livable town in Canada

(E) COMMUNITY SUSTAINABILITY

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 applications and address all technical matters, if any, along with submitted public comments, and report to Council at a future meeting. No further notice is required; however, notice of any future public meetings will be provided to those who have made submissions.

From: Planning Services Department

Date: February 25, 2019

Subject: **Public Meeting Report, Zoning By-law Amendment and Draft Plan of Subdivision application for 47 Nelson Street, File No.: Z.1728.65 and 24T-18007/1728**

APPENDICES:

Appendix A – Applicant’s submitted Zoning By-law Amendment

Appendix B – Applicable Policies

Appendix C – Halton Region comments

Appendix D – Public Comments

Prepared by:

Robert H. Thun, MCIP, RPP

Senior Planner

Current Planning – West District

Recommended by:

Charles McConnell, MCIP, RPP

Manager

Current Planning – West District

Submitted by:

Mark H. Simeoni, MCIP, RPP

Director, Planning Services