

APPENDIX D – Public Comments received prior to February 20, 2019

Angela Biamonte – Nelson Street

Good Day, I am in receipt of your Notice of Complete Application for 47 Nelson St.

I am presently in Florida and will not be returning until May 1st.

Please be kind enough to acknowledge this correspondence and bring it forward as my appeal before the by-law is passed. My concerns are denoted below:

- ✓ They are applying for an amendment to the height of the structure from 12 metres to 12.8 metres. I know it's only 2 1/2 feet but I am worried about the tree canopy since the buildings property line has been pushed up past the existing towns. I made notes of the meeting I attended on Sept. 25th whereby they were going to revise the drawings to bring the building height down to the required 12 metres. Now it seems that they are applying to an amendment to the zoning by-law. I would have to question whether or not they were only placating us at the meeting.
- ✓ One of my neighbor's spoke to a gentlemen named Robert Thun who is the Senior Planner, Current Planning - West District Planning Services for the Town of Oakville. In his conversation he had mentioned that the RM1 noted in the Zone Standard Chart on pg. 27 of the Justification Statement for the Minimum Lot Frontage is 30.5 metres not 30 metres. This is stated that it complies with RM 1, but it does not. I am skeptical if he already didn't know about the error. We need to have full confidence and they need to make guarantees that all of the figures are precise in relation to the build.
- ✓ I would suggest that the building be pushed back to meet the minimum 6.0 metre requirement for a back yard in order to provide for greater protection of the existing town trees in addition to the reduction of height so that there is less interference with the tree canopy. I know it's only 2 1/2 feet in height and a little over 3 feet in depth but we need to be mindful of our trees. My neighbor has called Service Oakville regarding this issue and only the town is allowed to prune these trees. He was told by Services Oakville that if the owners bring in pruners and they don't identify themselves as employees of the town we should be concerned and bring it the attention of the Town.
- ✓ Trees on town property are supposedly protected and will an arborist be engaged to make an assessment, is this going to be executed? Having them designated "Heritage Trees" is my thought. Regarding the designation of properties under the Ontario Heritage Act, the Town must ensure that the property and its heritage feature (in this case, the trees) meet the criteria of Ontario Regulation [9/06](https://www.ontario.ca/laws/regulation/060009)
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- ✓ When other developers built the units behind us (I reside at 42 Nelson) several years ago every public meeting that I attended they *promised* that the very large pine tree right behind us would not be cut down. Then they did it anyways - and may have paid the fine to do it. That's the other problem - developers will often cut them down and simply pay the fine as part of their development costs. We need assurances this will not happen again.

- ✓ This was an article of interest from the Toronto Star. https://www.thestar.com/news/city_hall/2016/07/28/mayor-tory-horrified-over-removal-of-trees-on-bayview.html along with some other stories that were written up in newspapers that have me concerned in relation to the trees fronting the proposed subdivision.

Please note that I would like to be notified of the decision of the Town of Oakville on the proposed Zoning By-Law Amendment.

Thanking you in advance for presenting this to the committee and I hope that the Town takes my concerns and incorporate them with others from the Nelson St. and Marine Drive neighbourhood.

Terrence R. Lukas – Nelson Street

Hi Robert,

Thanks for receiving my call.

As per our discussion about the height of the proposed development and the width of the property I will be working on sending our concerns to the town before the meeting of March 18.

I would like to point out the discrepancy in the current documentation in the meantime. I have attached a clipped portion of the Zone standard Chart from the 27th page of the Justification Statement for your information and use.

The chart below sets out the RM1 zone standards and the proposed Special Provision.

Zone Standard Chart – Zoning By-law 2014-014

Standard	RM1 Requirement	Proposed Development	Complies with RM 1 Standard
Permitted Uses	Townhouse Dwelling	Townhouse Dwelling	Yes
Minimum Lot Area	135 sq. metres per dwelling <small>Should read 30.5 m as per our discussion</small>	208 sq. metres per dwelling	Yes
Minimum Lot Frontage	30 metres	28.31 metres	Yes <small>Should read NO</small>
Minimum Front Yard	4.5 metres	6.20 metres	Yes
Minimum Interior Side Yard	1.2 metres	1.60 & 1.59 metres	Yes
Minimum Rear Yard	6.0 metres	6.86 metres	Yes
Maximum Number of Storeys	3	3	Yes
Maximum Height	12 metres	12.80 metres	No – Special Provision is Required
Minimum Landscaping Coverage	10% <small>Client had stated during our first meeting that they were going to bring the building height down to 12 metres</small>	26.3%	Yes <small>I will be proposing that the building be moved back to the minimum requirement of 6.0 metres in order to provide a better safety zone for the existing town trees</small>
Minimum Number of Parking Spaces	2 per dwelling	3 per dwelling (2 in garage and one on driveway)	Yes