

Planning and Development Council Meeting
March 19, 2018

Comments Received Regarding Item No. 5

Public Meeting Report – Zoning By-Law Amendment
IMH Queens Ltd.. – 297 Queens Avenue
File No. Z.1513.28

[REDACTED]

From: Laraine Bowen [REDACTED]
Sent: Sunday, March 04, 2018 11:11 AM
To: Town Clerk
Subject: re: 297 Queens Ave.

Zoning: File No. Z.1513.28, Ward 5

Yes, we wish to be notified of the Town of Oakville's decision regarding the building of a 10 storey apartment building at 297 Queens Avenue. We live on Queens Ave. and already have much traffic on Queens and Parkhill to Sewell. We're very concerned about more traffic and noise. We will be attending the meeting on Monday, March 19th.

Bob & Laraine Bowen
[REDACTED] Queens Ave.

[REDACTED]

From: Glynne Richard [REDACTED]
Sent: Tuesday, February 27, 2018 4:05 PM
To: Town Clerk
Subject: By-Law Notification

I wish to be notified of the decision of the Town of Oakville on the proposed Zoning By-Law Amendment submitted by IMH Queens Ltd. regarding the property municipally known as 297 Queens Avenue, File No. Z.1513.28 Thank You

Glynne Richard
[REDACTED] Queens Ave
Oakville, Ontario
L6H 2R5

[REDACTED]

From: Glynne Richard [REDACTED]
Sent: Tuesday, February 27, 2018 4:17 PM
To: Town Clerk
Subject: Zoning By-Law Amendment submitted by IMH Queens Ltd. regarding the property municipally known as 297 Queens Avenue, File No. Z.1513.28

To whom it may concern,

I oppose allowing the by-law amendment due to the existing population density in this small area. There is already two high rise buildings and a retirement home next to all the townhouses. There is no need to turn a liveable area into a jam packed one just to line somebodies pocket one time who does not live here and will not have to put up with the dense population and all ensuing problems.

Glynne Richard

[REDACTED]

From: Jennifer Schaffer [REDACTED]
Sent: Friday, March 16, 2018 2:17 PM
To: Town Clerk
Subject: Proposed Zoning By-Law Amendment 297 Queens Avenue File No. Z.1513.28

Applicant: IMH Queens Ltd.
Address: 297 Queens Avenue
File No: Z.1513.28

While intensification for population growth in Oakville is mandated by the Province of Ontario, I find it of extreme concern that this has to be done by sacrificing the nature of Oakville's older established neighbourhoods. The application for rezoning to permit an infill development of a 10-storey, 159 unit rental apartment on the vacant portion of 297 Queens Avenue is a perfect example.

If this application is accepted as proposed, it will create additional traffic on McCraney Street East which already is a busy arterial route for College Park commuters. From McCraney/Sewell there is only one direct street into that area of Queens Avenue, so the immediate single family homes will be greatly affected by the increased volume of traffic. The intersection of McCraney/Trafalgar/White Oaks is already a very dangerous crossing with accidents occurring there on a regular basis. This project will add to the congestion that occurs with the morning and evening commutes.

When residents purchase their homes in an established neighbourhood, it is with the anticipation that current zoning will remain in place to protect their investments. Oakville always has strived to maintain a high quality of living, aiming to be the most livable town in the province. If zoning can be changed upon applications by large corporations, Oakville will become just like Mississauga or Brampton and lose its desirability and status of livability. We are already seeing a different type of community in the new developments north of Dundas Street, which makes it even more important to preserve our older neighbourhoods.

The height of this proposed building will also affect the sight lines of the condominiums on Marlborough Court. Some of these units have been purchased with premiums due to the views, which apparently can be taken away with the strike of a pen. When you look at the small size of this so-called vacant land, it would be hard to anticipate that a 10-storey building would be allowed, especially with the grade of the land. However, it is apparent that something has changed in the mandate of Town Council as the new development by Minto on Marlborough has been permitted on space where one would hardly expect another large building to be built, with balconies that almost overhang the sidewalks.

If this project on Queens is to proceed, would it be possible to reduce the scope, perhaps limiting the height of the building? This type of concession may make the development more palatable to the neighbours in its immediate vicinity.

Thank you for your consideration.

Jennifer Schaffer

Planning and Development Council Meeting
March 19, 2018

Comments Received Regarding Item No. 6

Public Meeting Report – Zoning By-Law Amendment
Belyea Developments Inc. 2311, 2319 & 2323 Belyea Street
File No. Z.1728.64

PAGE 1 OF 18 MAR. 3, 2018.
BELYEA TOWNHOUSE PROPOSAL.

RECEIVED
MAR 08 2018
CLERK'S DEPT

1) THIS SITE IS WAY TOO TIGHT FOR THE FOLLOWING REASONS:

A) DENSITY IS FOR 24 UNITS BUT THESE 20 TOWNHOUSES COMPLETELY COVER THE SITE WITH NO GREEN SPACE.

B) THERE IS ABSOLUTE NO ROOM FOR SNOW STORAGE - IMPOSSIBLE TO STORE ANY SNOW ON THIS SITE.

C) THERE ARE NO HAMMER HEAD BACKING AREAS FOR DRIVEWAYS FOR UNITS 7 AND 15.

D) THERE IS NO GREEN SPACE / PLAYGROUND AREA FOR ANY CHILDREN THAT MAY LIVE HERE.

E) THERE IS NO GARBAGE STORAGE AND DISPOSAL AREA FOR RE-CYCLING AND GARBAGE. IT WOULD BE A DISASTER FOR 20 UNITS TO PLACE THEIR GARBAGE AND RECYCLING BOXES OUT ON THE STREET.

MOLLOCKS ARE A POSSIBLE SOLUTION BUT NO ROOM ON THE SITE, FOR THESE.

F) FOUR VISITOR PARKING SPACES FOR 20 UNITS IS A LARGE SHORTFALL. THESE UNITS ACCORDING TO THE BUILDER ARE GOING TO BE MILLION DOLLAR UNITS SO 95% OF THE PURCHASERS WILL HAVE 2 CARS. VISITOR PARKING WITH 4 SPACES MEANS MOST VISITORS WILL BE PARKING ON BELYEA.

- WITH THE REDICULOUS STREET PARKING BYLAW FOR OAKVILLE STREETS BEING 3 HOURS MAXIMUM - THE STREET WILL BE CLOGGED WITH CARS AND THE VISITORS WOULD HAVE TO MOVE THEM EVERY 3 HOURS.

G) HAVING 2 RENTAL PARKING SPACES IN FRONT OF THE BUILDING LINE SET BACK FROM BELYEA IS UNACCEPTABLE.

Plng Pital
J. Choccy
M. Simion

MAR. 3, 2018.

BELYEA TOWNHOUSE PROPOSAL

- 2) ^{TOWNHOUSE} THE STREET SCAP ON BELYEA IS NOT MATCHING WITH SURROUNDING HOMES (SEE PICTURES ENCLOSED). THE HOMES EXISTING AND BEING BUILT ON BELYEA ARE ALL UPSCALE ELEVATIONS WITH BEAUTIFUL FRONT ELEVATIONS. - THE ELEVATIONS OF THE PROPOSED TOWNHOUSES ARE CHEAP LOOKING, AND LOOK LIKE ROW TENEMENT TYPE TOWNHOUSES.
- 3) THE HEIGHT OF THE TOWNHOUSES PROPOSED IS 3 STOREYS AND DOES NOT MATCH THE SURROUNDING HOMES IN THE AREA. THIS WILL BE OVER 36' HIGH, BEING MUCH HIGHER THAN EXISTING HOMES.
- 4) MOST TREES ARE BEING CUT DOWN ON THE SITE, INCLUDING LARGE TREES THAT SHOULD BE SAVED. EVERY NEW HOME BEING BUILT IN THE AREA HAS ORANGE FENCES AROUND LARGE TREES THAT MUST BE PROTECTED AND SAVED. HOW CAN THIS SITE BE EXEMPT FROM THAT REQUIREMENT WHEN ALL OTHERS MUST ABIDE BY IT.
- 5) TRAFFIC NOISE / CONGESTION
THE SCHOOL AT BELYEA AND EAST AVENUE CREATES A LARGE CONGESTED AREA TWICE A DAY AND ADDING 40 TO 50 MORE CARS IN THIS AREA FROM THE TOWNHOUSES WILL SEVERELY AGGRAVATE

PAGE 3 OF 18
BELYEA TOWNHOUSE PROPOSAL

MAR. 3/18.

THIS PROBLEM. BELYEA IS ALREADY USED AS A SHORTCUT TO CUT OFF DOWNTOWN BRONTE.

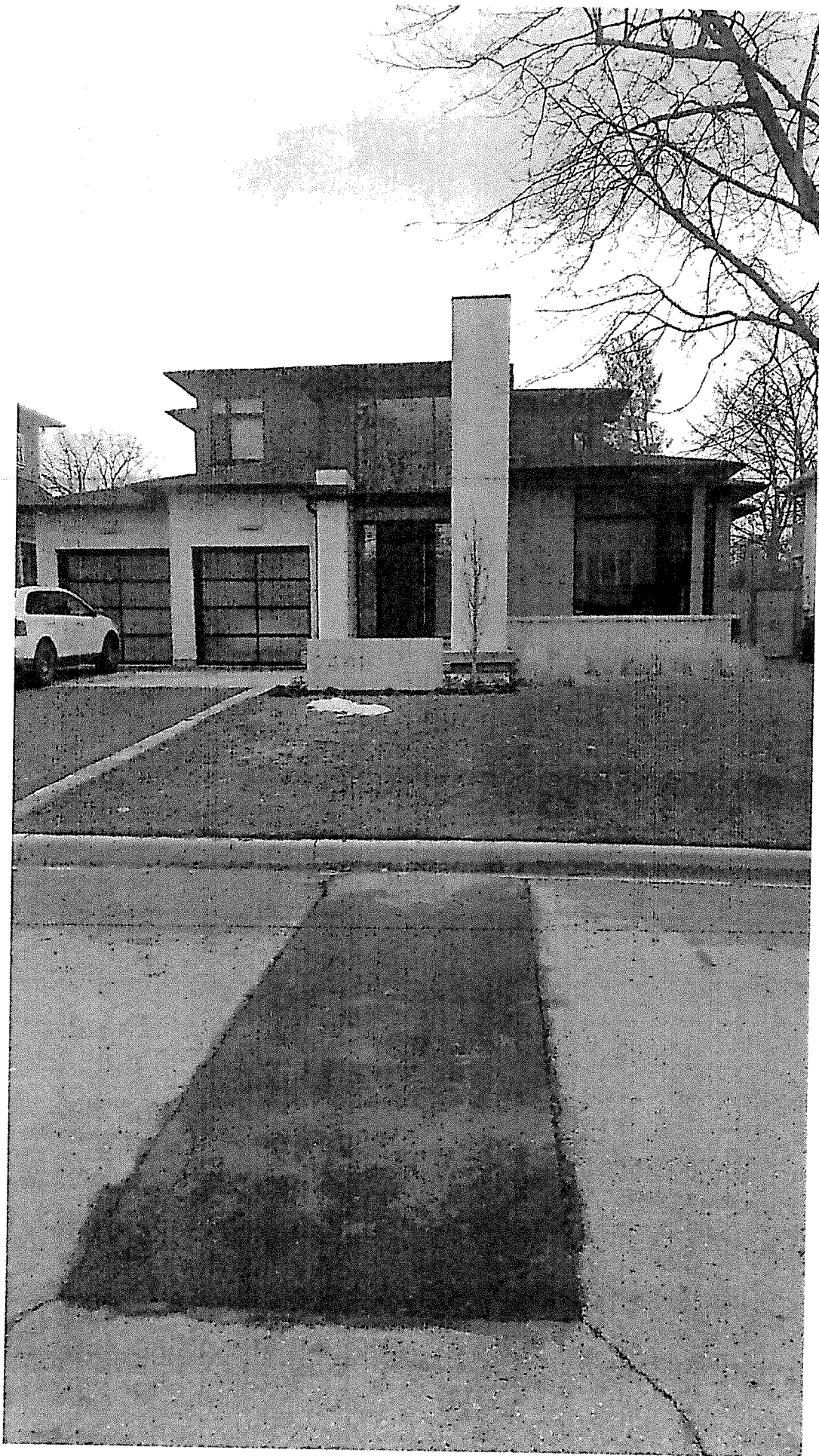
6) WITH ALL THE TREES BEING REMOVED FROM THE SITE TO BUILD THESE TOWNHOUSES, LARGE PLANTED TREES BY THE BUILDER MUST BE PLACED AT THE PERIMETER OF THE SITE ESPECIALLY ALONG THE NEIGHBORING SINGLE FAMILY HOME NEXT DOOR.

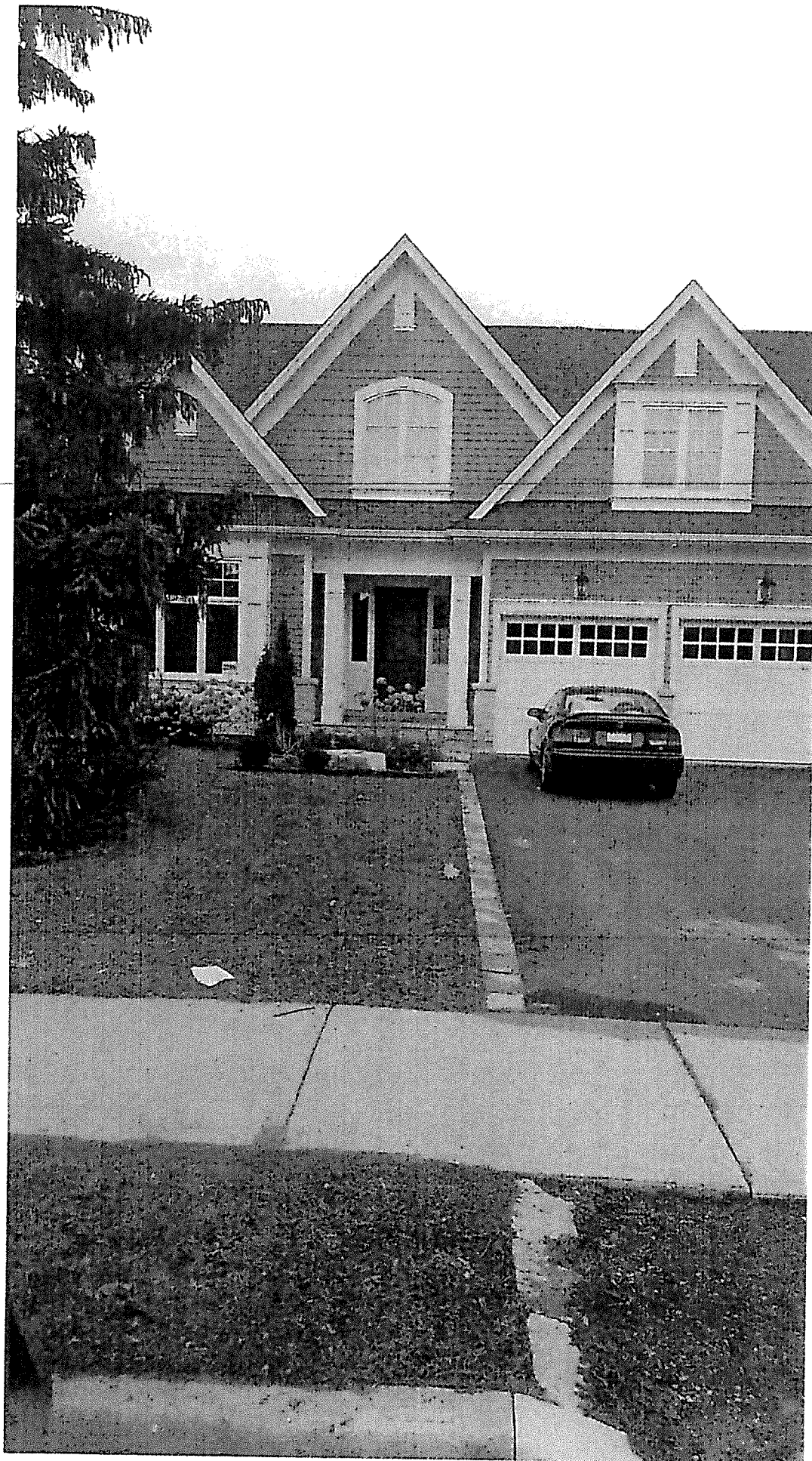
- THE ONLY TREES THAT WOULD ACCOMPLISH A PROPER YEAR ROUND BARRIER WOULD BE COLUMNAR OAKS - 6" CALIPER 15'-20' TALL AND WITH ROOT BALL PROTECTION (BASKET {BURLAP}) WHEN PLANTING.

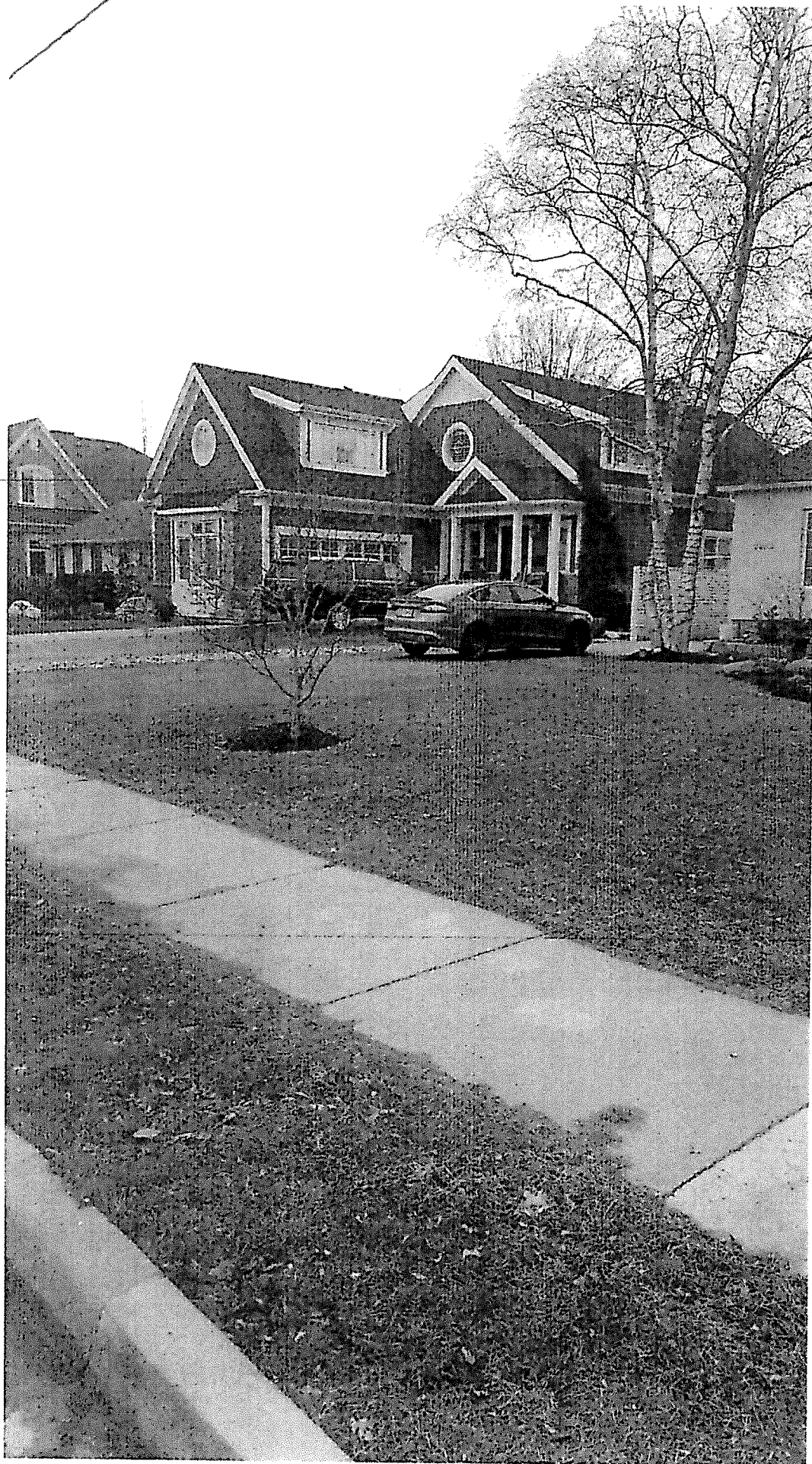
7) FOUNDATIONS ARE A POSSIBLE SOLUTION TO LOWERING THE HEIGHT OF THESE TOWNHOUSES. A FULL BASEMENT IN EACH WITH SUMP PUMPS IS SUGGESTED. ALL HOMES ALONG BELYEA HAVE FULL BASEMENTS WITH SUMP PUMPS IN A HIGH WATER TABLE.

SEE PICTURES ATTACHED TO THIS SUBMISSION.

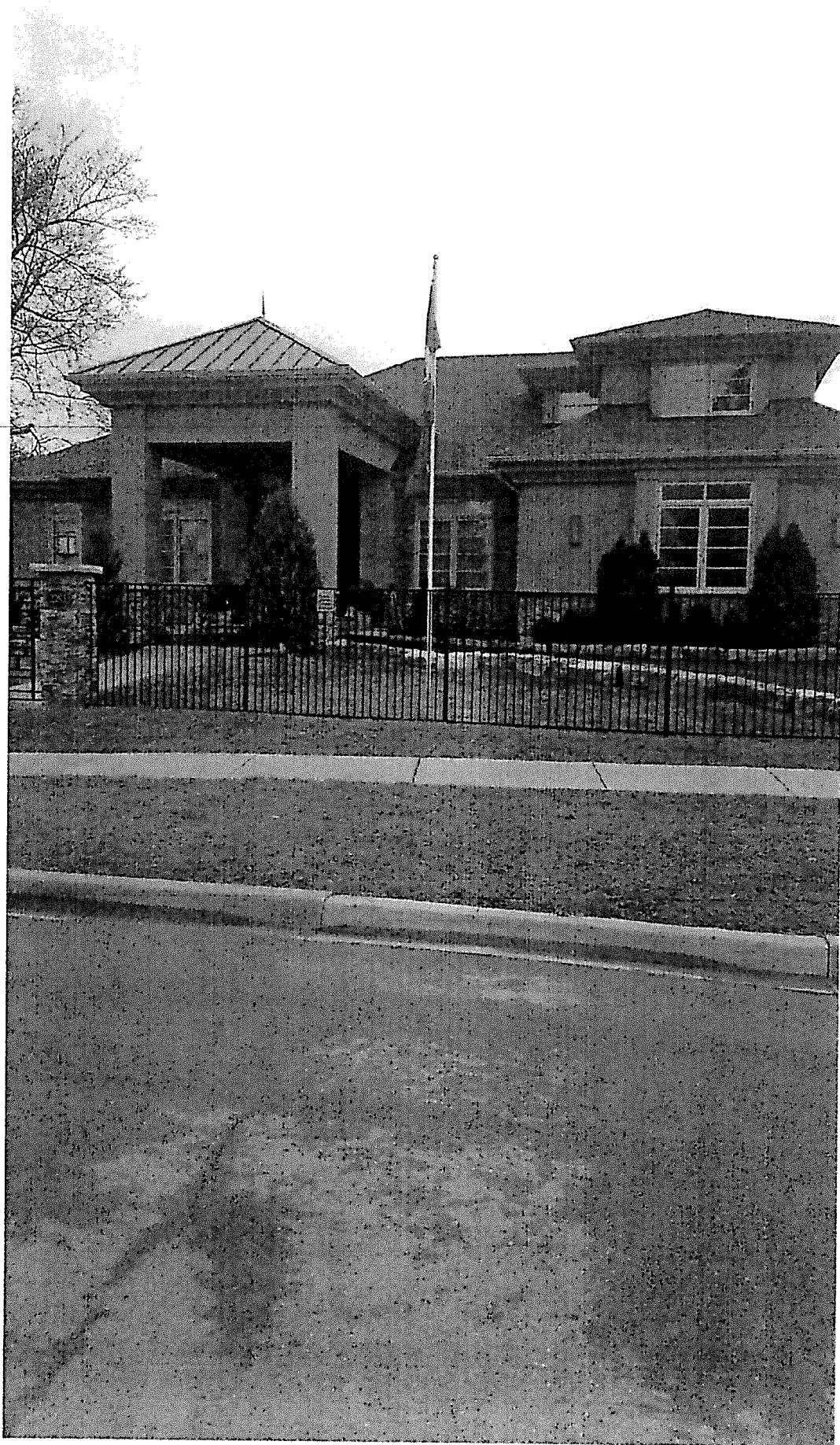
FOR CONTACT ON THIS SUBMISSION PLEASE
E-MAIL GARY AT [REDACTED]
OR CALL [REDACTED].
(I AM ALREADY ON THE MAILING LIST)

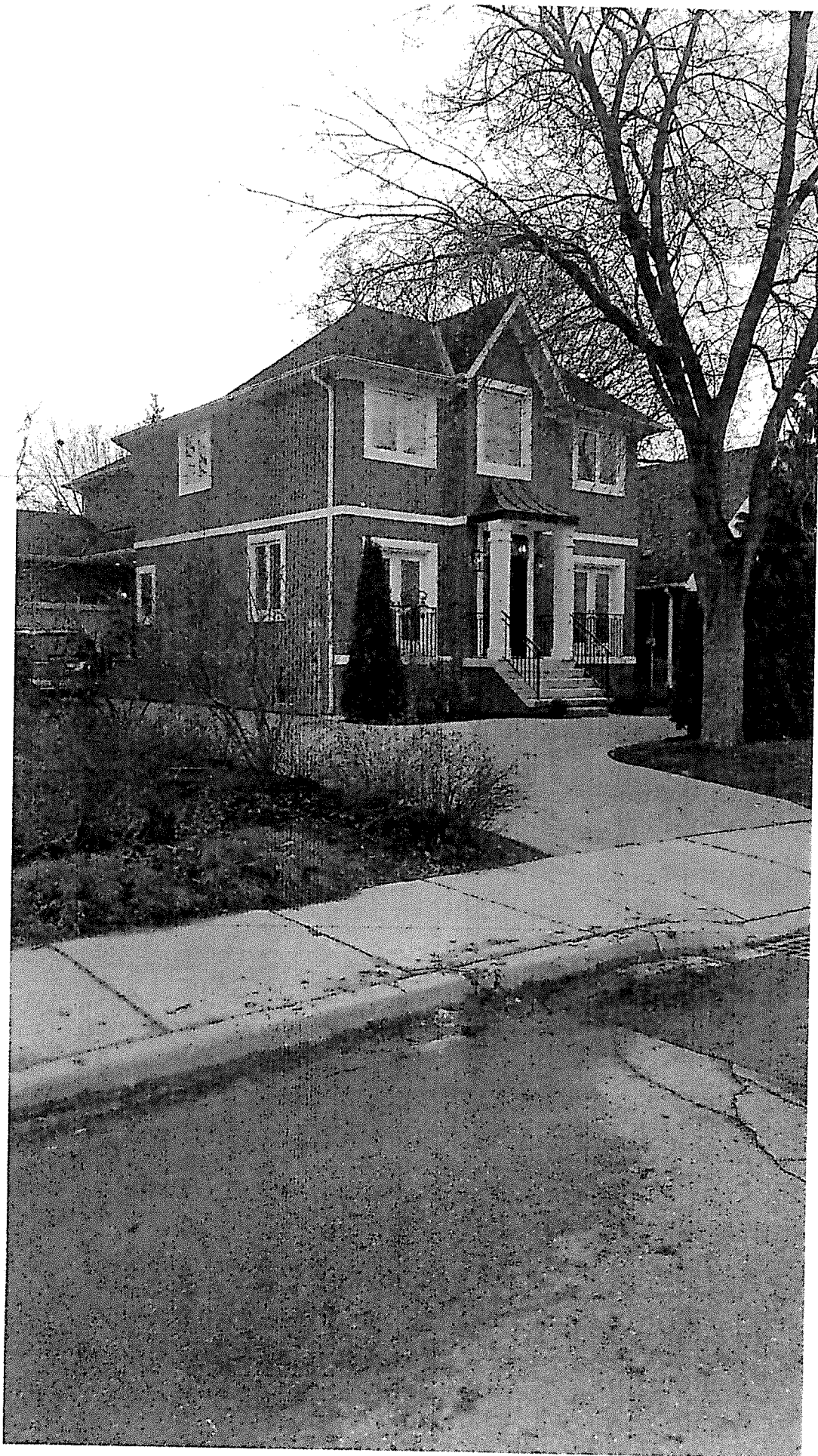






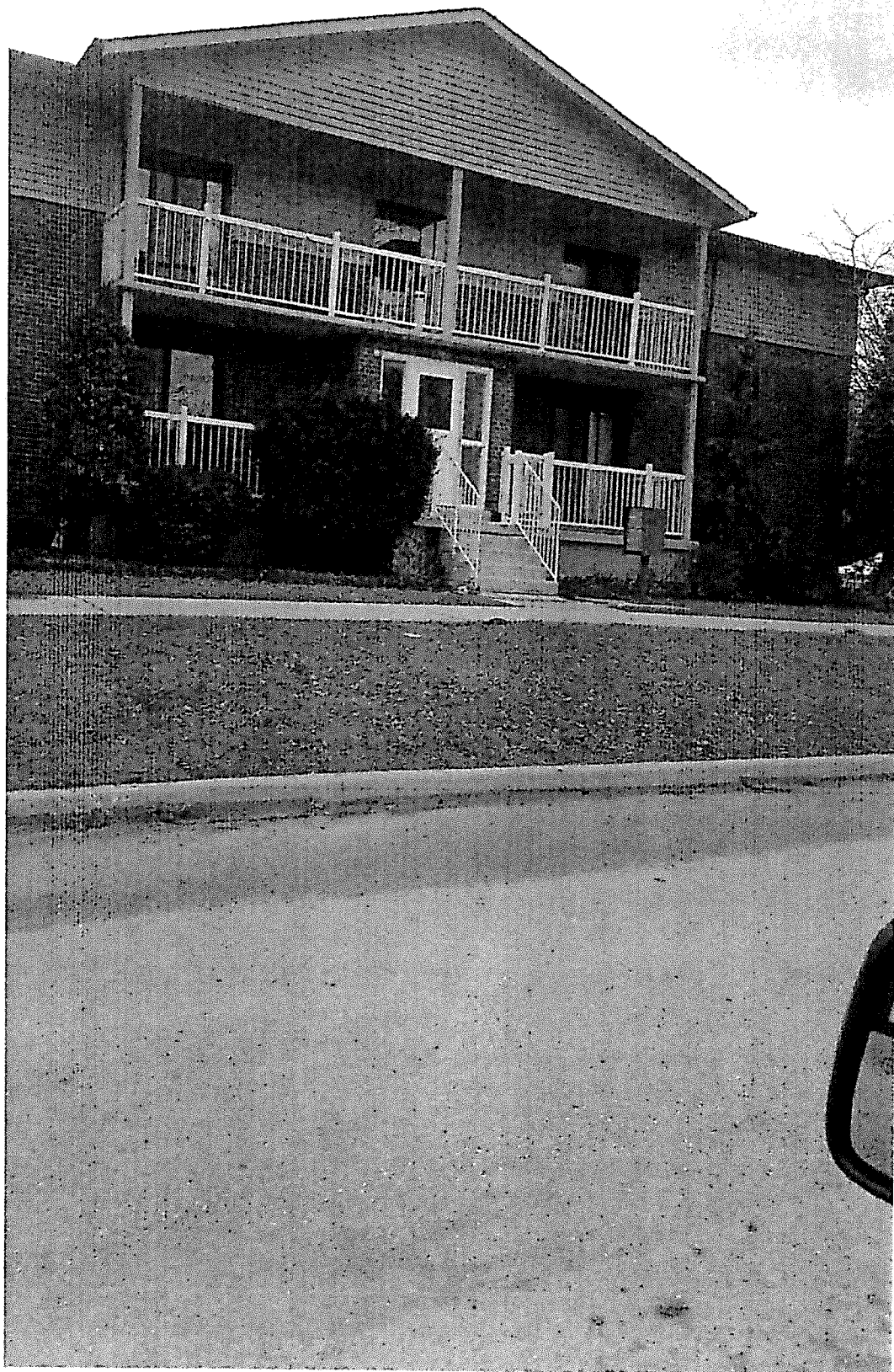










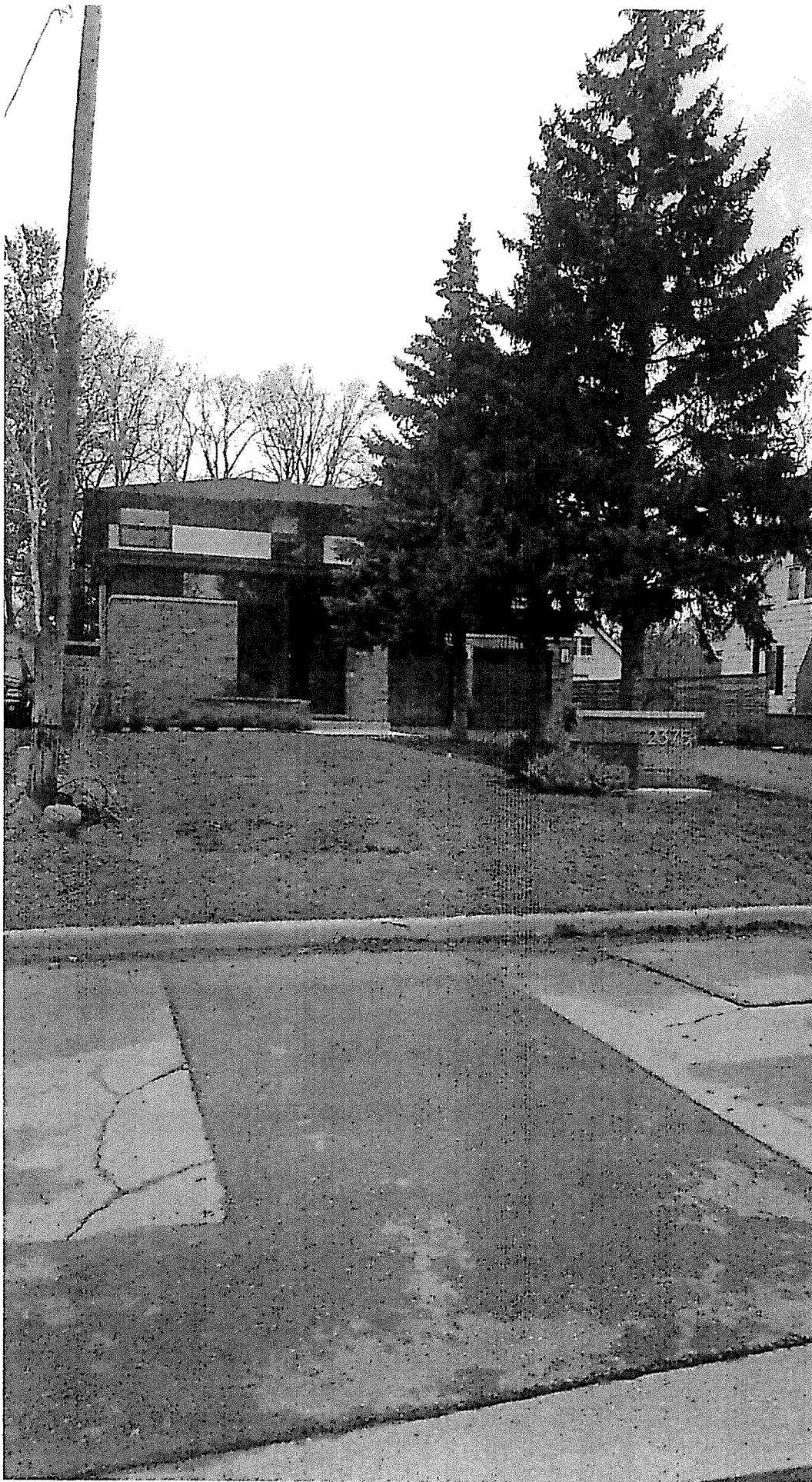








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[REDACTED]

From: Bob Vickers [REDACTED]
Sent: Thursday, March 08, 2018 1:40 PM
To: Town Clerk
Cc: Lynn Vickers
Subject: Proposed Zoning By-Law Amendment, 2311, 2319 & 2323 Belyea Street, File No. Z.1728.64, Ward 1

My wife, Lynn and I own property at [REDACTED] Hixon Street, Oakville.

We find the proposed amendment referenced above to be far outside the parameters of Livable Oakville. The proposed density, the height of the proposed building and the additional traffic on the local streets make this proposal problematic and therefore it should be declined.

Sent from my iPad

[REDACTED]

From: M Kilkenny [REDACTED]
Sent: Wednesday, February 28, 2018 6:43 AM
To: Town Clerk
Cc: Melissa Beausoleil
Subject: Appeal / Comments Re: File Z.1728.64 / 2311,2319 and 2323 Belyea Street Builds

Good morning,

I would like to lodge a formal appeal towards the development of the lands on 2311, 2319 and 2323. The development will have substantial impact on the traffic, safety, and community feel that is present on Belyea Street.

The traffic study for this development states that it will likely increase traffic to and from the area in the range of 40-50 cars daily. Couple this with the traffic already experienced on Belyea due to the school at the east end of the street, I feel the safety of the street will be compromised and I am afraid the safety of the children which currently enjoy the lower traffic of the neighbourhood.

Additionally, with the current residential construction going on on Belyea it has become evident how disruptive this construction is to the neighbourhood. Destruction of the streets, increased dirt and mess, and the traffic of construction vehicles disrupt the flow of the street, increase noise substantially, as well impact the safety of the area. I.e. finding nails and building materials from a site in the middle of the street, neighbouring homes receiving trash from the workers into their lots, as well as in my instance damage to my home from abuse of property lines and mis use of tools with the workers.

I live at [REDACTED] Belyea and the development beside me has been incredibly disruptive and frustrating. I can only imagine how much more frustrating and disruptive a build of this level will be on the neighbourhood and the people that live adjacent to the lots. Bylaw enforcement needs to increase and the Town needs to take responsibility of enforcing the bylaws they have in place during development. The tax paying citizens suffer during a new build because builders abuse the bylaws and no the bylaws are not actively enforced.

For the safety of the current residents, their children and the children who arrive in the area for school, I believe this build needs to be halted or tamed down substantially.

Best regards,
Matthew Kilkenny
[REDACTED] Belyea Street

[REDACTED]

From: Amanda Magda [REDACTED]
Sent: Monday, February 26, 2018 1:05 PM
To: [REDACTED]
Sarahdewees@gmail.com
Subject: Fwd: BELYEA DEVELOPMENTS INC., ET AL - FILE # Z.1728.64

Good Morning,

I am writing to provide you with my comments to the proposed townhouse development on Belyea. I am not opposed to the development of the townhouses on Belyea. I do have concerns around the height, streetscape, increased traffic, parking, and additional rental units within the townhouses.

I think that the rule regarding including rental units within the townhouse is short sighted considering that there is an entire rental development being built within the neighbourhood at Bronte and Lakeshore. If you look at the history of these townhouse developments it is a fair projection that some of the properties will be purchased by investors who will be renting out the entire property. This will bring in more renters into the complex then anticipated. This will put an increased demand on parking, and roadways. The town needs to address the traffic issues on third line, Lakeshore, Rebecca and Bronte during rush hour. Currently it is very congested on these roadways and with the addition of the rental units going up in the proposed development at Bronte and Lakeshore it will get much worse. While the rule indicates that rental properties that are removed need to be replaced. I think the development of the entire neighborhood needs to be taken into consideration and the Bronte Mall development more then covers the lost rental properties on Belyea.

If the town has a concern about affordable housing it should be looking at the maintenance and upkeep of the current rental housing infrastructures. The low income buildings on Hixon and Neilson are in a complete state of disrepair. The town should be focusing on enforcing bylaws and putting pressure on the landlords to maintain their buildings in a habitable state and to lease with appropriate contracts and leases instead of “monthly agreements.”

In terms of the height of the units. I think the townhouses should maintain the same height required of the houses on the street. They are currently designed with a modern look I think designing them to look similar to the townhouses on Neilson will help them keep the look of the neighbourhood.

Thank you for your time.

Regards,

Amanda Magda

[REDACTED]

From: Louise G Preston [REDACTED] on behalf of Louise Preston
[REDACTED]
Sent: Thursday, February 22, 2018 8:07 AM
To: Town Clerk
Subject: BELYEA DEVELOPMENTS INC., ET AL - FILE # Z.1728.64

Good morning,

I was at the presentation last night and I have the following comments:

- Most of us who live in Bronte are not fond of the intensification to the degree that it is being done. However, I understand that this particular piece of land is zoned for multiples and the townhouse format is preferable to six-plexes.
- My major opposition is to adding rental units. I understand there is a rule that states that when rental units are taken away, they must be replaced, but one might have thought that the hundreds of rental units that are coming on the Bronte Mall lands would more than make up for the 6 units that are being taken away on Belyea. I understand the need for rental units, but in my professional experience, there is ALWAYS a percentage of units in any given development that are purchased by investors to rent out, therefore creating a number of rental units, organically.
- Additionally, any new rental units coming on in Bronte will most likely price the current tenants out of that market, therefore not really creating an alternative for them. I'm not sure this rule serves those it intends to serve.
- My concern here is that by creating 6 units with accessory rental units, the ENTIRE unit will be purchased by an investor to rent out, therefore bringing in a much higher percentage of renters into the complex than anticipated.
- I understand the need for rental units. However, too many of them in one area creates a very transient community and takes away from the fabric of the community for the homeowners of that community.
- Any traffic study should take into consideration that it is CURRENTLY challenging to come down Third Line or Bronte at dinner time (anytime starting around 4pm and until about 6:30pm). Adding hundreds of units in Bronte village is going to make that worse, much worse.
- I don't oppose the project, I just think we need to be very careful that we don't just fulfill guidelines in plans written on paper that theoretically make sense without taking a really good, long look at how it affects a neighbourhood in a practical, day-to-day way.
- I live north east of the project. Although the third story in the current rendition will be visible from my yard (and vice versa), I won't be affected by it as much as my neighbours on Belyea. I concur with them that when the project is given the green light (I believe it will eventually be), the building exterior should be more in keeping with the look of the neighbourhood. There are some modern homes being built and some of them are quite nice, but they are nowhere near the size of these units. Perhaps something along the lines of the townhouses on Nelson would be more appropriate.

If the Town is under pressure to create "affordable" housing, it should perhaps take a look at 2312, 2316 and 2320 Hixon (and the house at 2308 Hixon for that matter). Those buildings are in such a state that, I'm told, even government-subsidized tenants aren't allowed to live there. Putting by-laws in place that force an owner to maintain his buildings in an habitable state would go a long way in providing rental units for lower-income families while contributing to the fabric of the neighbourhood that homeowners buy into.

Regards,
Louise Preston

[REDACTED]

From: Stephen McGarvey [REDACTED]
Sent: Monday, February 05, 2018 2:38 PM
To: Town Clerk
Cc: Melissa Dalrymple; 'Natalie Sarlo-McGarvey'
Subject: Preserving Appeal Rights

To whom it may concern,

I am writing to request that I be kept updated on the proposed By-Law amendment for the project 2311, 2319 and 2323 Belyea Street. I also want to make sure that I preserve my appeal rights and understand that this letter serves that purpose.

I am the owner of a six plex [REDACTED] Belyea, that is adjacent to the proposed project and have concerns as to how this development may negatively impact our tenants.

To your continued success!

Stephen McGarvey

Solutions In Mind
[REDACTED] Warwick Ave.
Oakville, ON L6L 2W1

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: Emilio Fabris [REDACTED]
Sent: Wednesday, March 14, 2018 2:19 PM
To: Town Clerk
Cc: Emilio Fabris
Subject: Belyea developments

To whom it may concern,

Please accept this as my formal submission to preserve appeal rights for Belyea developments proposal of townhomes adjacent to my property.

Thank you
Emilio Fabris
[REDACTED] Belyea
OAKVILLE
[REDACTED]

[REDACTED]

From: Karen Moore [REDACTED]
Sent: Thursday, March 15, 2018 5:56 PM
To: Town Clerk
Subject: Proposed Zoning By-law Amendment
Attachments: Letter to the City.jpg

Applicant: Belyea Developments Inc., et al.
Address: 2311, 2319 and 2323 Belyea Street
File # Z.1728.64

Please see attached letter from the residents of Belyea Street.

I would like an opportunity to speak at the meeting on March 19th as my property is directly in front of the proposed development and I feel I have some very good points to address the community, builder and council.

Sincerely,
Karen Moore
[REDACTED] Belyea Street

March 15, 2018

Re: Proposed Zoning By-law Amendment

2311, 2319, and 2323 Belyea Street.

To: Town Clerk of Oakville, Council Members, Melissa Dalrymple,

We, Belyea neighbours, agree with the proposed rezoning of the above Belyea lots from RM4 to RM1.

We do have concerns with the current builder's proposal, namely

1. Overbuild
2. The streetscape in keeping with the character of the neighbourhood
3. Sufficient parking on the property for visitors, reducing on street parking.

In future we will support the townhouse development within the Oakville building code. We look forward to working with the builder to promote the Livable Oakville Official Plan.

Respectfully,

Carol Todd-Skuce	██████ Belyea Street	Carol Todd-Skuce
Karen Moore	██████ Belyea Street	K. Moore
Steve	KERNOHAN ████████ BELYEA	Steve Kernohan
Nicolete MacDonald	██████ Belyea	N. MacDonald

[REDACTED]

From: Kelly Oksenberg [REDACTED] >
Sent: Friday, March 16, 2018 10:49 AM
To: Town Clerk
Cc: Christopher Tanzola
Subject: 2311, 2319 and 2323 Belyea Street -- Zoning By-law Amendment Application No. Z.1728.64 -- Public Meeting March 19, 2018
Attachments: 2311, 2319 and 2323 belyea street ltr to city re zba public meeting signed march 16, 2018.pdf

We are the lawyers for the owners of the property located at [REDACTED], [REDACTED] and [REDACTED] Belyea Street and the applicant in the above-noted matter.

We ask that you provide a copy of our correspondence to members of Council at the March 19, 2018 Public Meeting for this matter.

Thank you,
Kelly

Overland LLP

Kelly Oksenberg

koksenberg@overlandllp.ca

Main: (416) 730-0337 x. 116

Direct: (416) 730-1529

Fax: (416) 730-9097

www.overlandllp.ca



Overland LLP
Christopher J. Tanzola
Tel: (416) 730-0337 x. 112
Direct: (416) 730-0645
Email: ctanzola@overlandllp.ca

March 16, 2018

VIA EMAIL

Mayor Burton and Members of Council
Town of Oakville
1225 Trafalgar Road
Oakville, ON L6H 0H3

Attention: Town Clerk

Your Worship and Members of Council:

**RE: Zoning By-law Amendment Application No. Z.1728.64
 2311, 2319 and 2323 Belyea Street, Oakville
 Public Meeting – March 19, 2018**

We are the lawyers for the owners of the property located at 2311, 2319 and 2323 Belyea Street (the “**Site**”) and the applicants in this matter (the “**Applicant**”). The Applicant proposes to develop the Site with townhouses as permitted by the Official Plan. We are writing in advance of the Public Meeting to be held on March 19, 2018, with the intention that these comments and our request set out below form part of the public record in these proceedings.

Request

We request that Town Council give direction to Town Staff to continue processing this application and allow adequate time for the Applicant to make revisions in response to comments received from the community at the February 21, 2018 Public Information Meeting and at the forthcoming statutory Public Meeting on March 19, 2018, as well as to comments that have been received and that are still forthcoming from Town Staff and commenting agencies.

Town Council should *not* consider any premature refusal recommendations from Town Staff before the Applicant has been given an adequate opportunity to respond to all comments and make the necessary revisions to the proposed development.

Proposed Development

The Site is located on the north side of Belyea Street just east of Nelson Street and has an area of approximately 0.44 ha (1.1 acres). The Site currently contains a sixplex apartment and a single detached home. A second single detached home on the Site was recently demolished. The Site is surrounded by single detached homes to the east and south and sixplexes to the north and west. The lands are designated in the Town’s Livable Oakville Plan for medium density residential development. The lands are zoned for apartments.

Over the past two years, the Applicant has assembled a project team to carefully consider the redevelopment of the Site with an appropriate infill development in conformity with the Town's Official Plan policies. The Applicant submitted a complete application in December 2017 for a rezoning to permit townhouses in accordance with the existing RM1 townhouse zoning, with one exception to permit the accessory apartments to meet the Region of Halton's requirement to maintain rental units on site.

The application as originally submitted in December 2017 (and deemed complete by the Town in January 2018) proposes 20 townhouses and 6 accessory apartment units on the Site, with three blocks of townhouses arranged around a T-shape internal private roadway.

Background

The Applicant went through a rigorous pre-application process that began in March 2017. The Applicant's efforts prior to the submission of the application involved discussions and meetings with Town and Regional Staff, outreach to the local community and the local Councillors, the acquisition of additional landholdings (namely 2319 Belyea Street) at the encouragement of Town Staff, an informal community meeting held on June 19, 2017, and the assembly of a professional consulting team to prepare the plans, studies, and reports necessary to submit a complete application.

The Zoning By-law Amendment application was submitted on December 22, 2017, and was determined by the Town to have been a complete application by notice issued January 16, 2018.

At the time of writing this letter, the application has been before the Town for approximately two months. In that time, a Public Information Meeting has been held on February 21, 2018, a statutory Public Meeting has been scheduled for March 19, 2018, and the Applicant has begun to receive formal Town Staff and agency comments as part of the circulation of the application.

In these early stages of consideration of the application by the Town, the Applicant has been receiving feedback and comments and considering revisions to the proposed development, consistent with the normal, iterative planning process. The Applicant made a commitment to continuing discussions with the local Councilors and surrounding neighbours at the Public Information meeting. At the time of this letter the Applicant did not have comments from the Region of Halton on the issue of the rental replacement housing which we understand was an issue of concern by the neighbouring residents.

Following the February 21, 2018 Public Information Meeting, the Applicant was advised that Town Staff were preparing a recommendation report for the May 13, 2018 Development Committee meeting in respect of this application, and that, unless revisions could be made to the proposal prior to the report deadline in early-April, Town Staff would be bringing forward a recommendation for refusal.

It was quite surprising for the Applicant and its team to learn that Town Staff were considering bringing forward a recommendation report to the May 13, 2018 Development Committee

meeting, and that such recommendations would include a refusal of the application at this early stage.

“Deadlines” under Bill 139

It is our understanding that the *Planning Act* changes pursuant to Bill 139 have been cited as the reason for requiring a recommendation report to come forward on May 13, 2018. The Applicant has been referred to a 150-day timeline under the new legislation as creating a new requirement that Town Staff bring forward its recommendation on the application now. We do not agree that this is the case. Bill 139 does not contain any new legislative provisions indicating that the Town of Oakville, or any other municipality, should fundamentally alter the iterative planning process. Certainly the new legislation should not be interpreted such that it results in recommendation reports being brought forward to Town Council prematurely, particularly where an applicant demonstrates a good-faith willingness to receive feedback and make revisions to its proposed development in order to address comments provided in good faith by interested parties and commenting agencies.

It has also been suggested that, rather than face a refusal report, the Applicant might withdraw its application (and forfeit its application fees), and then reapply with a revised proposal (and pay another application fee). With respect, this should not be the new planning process that the Town of Oakville embraces under Bill 139. This would be an unfair and expensive outcome that would waste the time and resources of applicants, Town Staff and commenting agencies, and the local community and Ward Councillors who are engaged in the public planning process.

Next Steps

As noted, the Applicant is interested and willing to continue to work through revisions to the proposed development. The Applicant's planning consultants submitted two alternative plans to staff on March 12, 2018. We understand the Applicant's planners are also meeting with Town Staff on March 16, 2018 to discuss potential revisions to the application. However, it is likely not possible to make a full resubmission in time for the Town's internal reporting deadline for the May 13, 2018 Development Committee meeting or present these revised submissions for further discussion and input from the neighbours and local community.

Our client will continue to make good faith efforts to be responsive to comments that have been received through the process to date and those that are forthcoming. Revisions to the proposal will be submitted in a timely and comprehensive manner, so that they can be reviewed properly and thoroughly by Town Staff and commenting agencies.

We submit that a recommendation report should not be prepared prematurely by Town Staff, nor considered prematurely by Town Council, as a result of a perceived deadline. There is still productive and positive work that can be accomplished in respect of this development application for a medium density residential form of development that conforms with the Town's Official Plan and supports efficient use of land as required by the Province's planning policies.

Notice

The Applicant's planning consultant intends to make a deputation at the Public Meeting on March 19, 2018.

Please provide us with written notice of Town Council's consideration of this matter, including any decisions, statutory Public Meetings, other public and community meetings, or any reports considered by Town Council or any committee of council. Our contact information is provided herein.

Thank you for your consideration of this correspondence.

Yours truly,

Overland LLP



FOR ~~Per~~: Christopher J. Tanzola
Partner
c. J. Andriano/S. Ditta (Applicant)
D. Anderson/K. Martel (MHBC)

[REDACTED]

From: Scott Niewland [REDACTED]
Sent: Friday, March 16, 2018 11:14 AM
To: _Members of Council; Town Clerk
Cc: Kenny Price; info kdesign; beata@activetherapy.ca; Sean O'Meara
Subject: Proposed Zoning By-Law Amendment, 2311, 2319 & 2323 Belyea Street. File No. Z.1728.64, Ward 1
Attachments: Residents Concerns Regarding Belyea Zoning Ammendment.pdf

Hello,

Please find attached a letter signed by residents of Belyea Street in the immediate area concerning the proposal that will be brought to council on March 19th.

Thank you,

Residents of Belyea Street

March 9, 2018

Town of Oakville
c/o Melissa Dalrymple, Planner
1225 Trafalgar Road
Oakville, ON
L6H 0H3

Re: Zoning By-law Amendment, 2311, 2319 and 2323 Belyea Street, File Z.1728.64

Dear Melissa and Esteemed Members of Town Council,

As residents of Belyea Street and Bronte Village we would like to officially communicate our shared concerns with the redevelopment proposal by Belyea Developments Inc. (the "Applicant") on the properties 2311, 2319 and 2323 Belyea Street referred to as File Z.1728.64 (the "Proposal"). We would like to start by saying that we are unanimously in favour of re-zoning the site to RM1 from RM4 to allow for townhouse dwellings to be constructed. Although we would all prefer single family detached dwellings to match the immediate land uses on Belyea Street, we understand the current zoning and further understand that it is not a reasonable expectation. However, the Town of Oakville Livable Oakville Official Plan (LOP) sets out and provides very detailed guidance and policies for how this development should be built so that it blends seamlessly into our predominantly low-density residential neighbourhood. Unfortunately, after reviewing the Proposal that was presented to us on Wednesday February 21st, 2018, it is apparent that the Applicant has focused more on creating a proposal that will maximize the number of units and profit, instead of creating a proposal that fully incorporates the provisions of the LOP and provides the appropriate quality, density and character that will blend into the fabric of the Street and compliment our community.

There are several key principles of the LOP that the Applicant has not adequately accounted for in their design, and we would like to ensure that these are addressed before any further progress is taken:

6.9.2 Building design and placement should be compatible with the existing.

The orientation of the proposal submitted does not comply with the existing streetscape and is offside in several different ways. The current design has seven (7) proposed townhomes, including twenty (20) plus windows, abutting the adjacent single family detached dwelling on 2305 Belyea Street. This is a significant encroachment on their privacy. We would encourage the Applicant and Town of Oakville to modify the existing proposal and provide a site plan that provides a building design and placement consistent with the existing streetscape. **Please refer to Addendum "C" for an example site plan.**

6.9.6 Buildings should be oriented to the public sidewalk

We all strongly agree with this. If a portion of the redevelopment was facing the street it would provide greater interest, pedestrian access and be more aligned with the existing single family detached properties. The built form of the proposed townhomes should complement the existing streetscape and not create an entirely separate street. **Please refer to Addendum "B" for images of similar townhome redevelopments in the immediate area.**

6.9.9 New development shall ensure that proposed building heights and form are compatible with adjacent existing development by employing appropriate transition of height.

The existing Proposal suggests one uniform height across the entire redevelopment and it is significantly higher than the adjacent single family detached properties. Further, it is important to note, the existing grade of the subject site at its peak is also higher than the adjacent property to the east which will indirectly provide greater height than what is being proposed. The Applicant has not incorporated a basement or below-grade parking feature within the Proposal. In our opinion, this consideration would allow for heights to be greater maintained at a level aligned with the rest of the streetscape, provide varying rooflines, and employ a more appropriate transition of height.

6.13.2 Surface parking should be located in the rear or side yard or in areas that can be appropriately screened, so they do not dominate the streetscape.

The Proposal has twelve (12) parking locations that are highly visible from the sidewalk and in our opinion will dominate the existing streetscape. Similar to other townhome redevelopments in the nearby area the preferred solution is to have all the garages and parking in the rear of the buildings. **Please refer to Addendum "B" for example.**

Other concerns that we share as a community are Waste Collection and Intensification specifically related to traffic loads on Belyea Street (Traffic). The Applicant's intention for curbside municipal garbage pickup is simply not reasonable or practical under the current proposal. In our opinion, it would produce a significant number of bins crowding our sidewalk, create potentially hazardous conditions during winter months, and would be both unsightly on a weekly basis and, attract more vermin. We greatly value the walkability and safety of our neighbourhood which also raises serious concerns about the intensification that this Proposal will add to an existing and growing traffic problem. With many redevelopments being proposed within Bronte Village and those specifically in the immediate area on East Street the safety of our children and those who attend Eastview Public School will be at risk due to the significant increase in vehicles. If not already, Belyea will soon become a passthrough street connecting Lakeshore Road to Bronte Road. This issue requires immediate attention irrespective of this Proposal.

We have also identified several other significant concerns that we would like the Town to be aware of. A complete list can be found in **Addendum "A"**, along with pictures of a similar development at 2370-2378 Marine Drive (**Addendum "B"**). As a reference and example, this particular development has a frontage that provides varying features and heights that make it visually appealing and complement the existing streetscape and neighbourhood.

Thank you for your time. We appreciate your careful review and consideration with these matters and look forward to discussing the possible enhancements to the Proposal at our next meeting.

Signed by:

Concerned Residents of Bronte Village

Signature Page

[illegible]

Addendum A – List of concerns

Environmental

- Lack of water infiltration (into soil), excess run-off into surrounding areas and properties that are lower. Developer would need to show remediation to site to negate this impact.
- Question about ability to manage storm water and snow melt during significant rain event or melting in the spring.
- Vegetation on both sides of the property lines will be impacted by salt and chemicals in snow piles as they melt.
- Shared infrastructure may not be maintained to the appropriate levels and will cause conflicts within the units and/or the community/town
- Trees will be virtually wiped clean (5 left of 86 trees removed) off of the property, and will significantly reduce the mature greenery in the neighbourhood. 17 good/very good specimens are being removed

Maintenance (To be addressed at Site Plan)

- Who will be responsible for managing the shared services? (lawn, snow, building maintenance, etc.)
- No location for snow piling & storage during large snow events. Only logical spots will be against fences which will block driveways as well as endanger stability of fence and trees, pushing them into neighbouring yards.
- Curbside garbage: There is no plan to deal with this effectively.

Character of Neighbourhood

- Character of design is more modern than most of the local houses.
- Planned private “curbside” garbage and recyclable pick-up for 26 units will be a significant eyesore on Belyea, and logistically challenging. It will also attract vermin to the area.
- Cookie-cutter nature of the design creates a “Blocking” feeling on the street, whereby the variation of design and frontage is part of the charm and appeal to its residents.
- Height of buildings will be approximately 40ft from ground level, which will tower over all building heights. Average height of buildings on Belyea Street is 1.5 stories.
- Garages will likely be used for storage, so vehicles will inevitably be parked on roadways.

Intensification and Traffic

- The development will significantly intensify the density of East Belyea St. This area is outside of the official growth area for Bronte and combined with new developments on East & Lakeshore and East & Sovereign will create significant increases in traffic on Belyea.
- The site has identified (50) parking spots for residents, including garages. Broken down it equates to 2 spots per household, and one per rental with 4 visitor spots and 1 barrier free site. As we know most households do not park cars in garages, which will only leave one outside location.
- Transportation impact.
- Safety of local children & Eastview Students

Privacy

- Unsure if proposal calls for roof-top patios? If so, this will create an entertaining area that is much higher than ground level, and will create opportunities for loud gatherings where noise will travel significantly farther than at ground level.
- Direction of Front Units are facing property on 2305 Belyea, which will create significant loss of privacy for this property and 2301 to an extent. **(6 units backing onto the property + one adjacent)**. Also there will be a privacy issue for town home residents.
- No basement, which could be a more private area in town homes.
- Balcony projections (1.6m) will look into back yard of existing homes.

Other:

- Population of Belyea Street estimated to increase by 59 people by this development alone.
- Original plan included notice of a parking deficiency. Why wasn't this corrected?
- Developer originally proposed 13-18 units, which is more in keeping with the realistic number of units.
- No indication in the environmental report about the groundwater ("underground river") concerns that the developer mentioned in the meeting. No borehole samples taken at the site. This was the reason given for not making basements. It is our belief that cost is the driving factor in not constructing below grade.
- Parking by-law is .25 visitor spots per required spot. This would mean that there are 8.5 more visitor spots required as well as 1 more additional Handicap spot.

Addendum B – Example Designs in keeping with Character of Belyea Street

How could the plan be re-organized to provide better privacy and blend larger more expensive units in the front and smaller units on the back? Here is an example of another Bronte Village property at 2370-2378 Marine Drive that would add appeal and character to our neighbourhood.



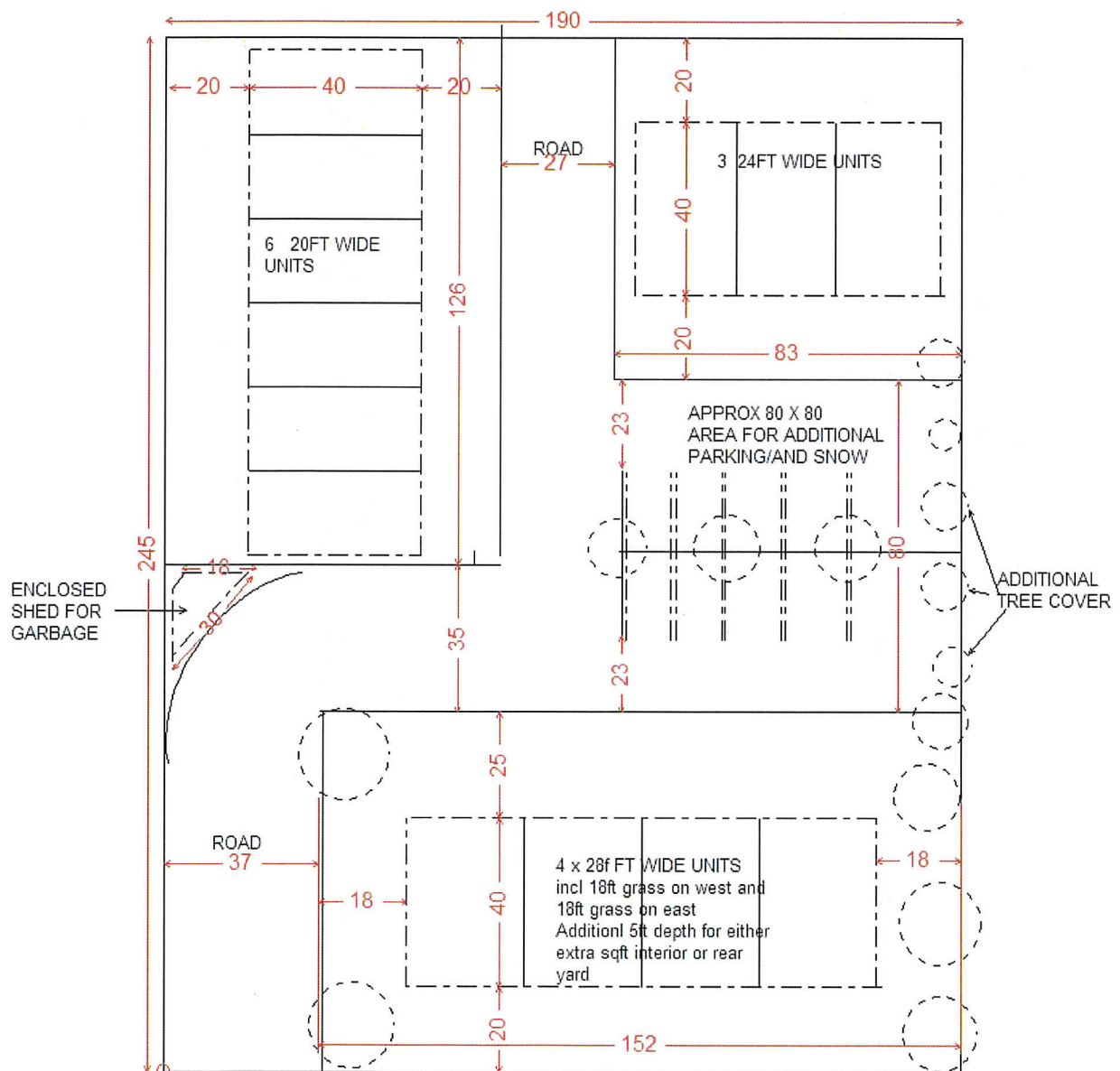
Frontage has nice pedestrian appeal and variations in rooflines and building materials.



Parking is below grade in the back which alleviates surface parking concerns.

Addendum C – Alternative Site Plan Concept

The concept illustrated below is a concept for including a number of townhome dwellings of varying size to appeal to different family sizes and stages. The more substantially sized units would face onto Belyea, and have 2-car garages. In order to maintain the building heights at a similar level to the rest of the street it is proposed that the parking be at least partially below grade and maintain 2 stories above that. The privacy of the adjacent single detached dwelling at 2305 Belyea will be maintained by limiting the number of windows on the East side of the buildings as well as by adding sufficiently mature trees on the border that will provide screening throughout the year. There is a provision for adding a garbage storage receptacle in a convenient location for 3rd party collection. The visitor parking is centrally located and there is sufficient room on the perimeter of the roadways so that snow can be stored during the winter months.



Planning and Development Council Meeting
March 19, 2018

Comments Received Regarding Item No. 7

Public Meeting Report – Zoning By-Law Amendment
All Seniors Care Acquisitions Ltd. – 2135 Dundas Street West
File No. Z.1327.01

[REDACTED]

From: Karanjit Singh [REDACTED]
Sent: Tuesday, March 13, 2018 12:50 PM
To: Town Clerk
Subject: Notice of Meeting - Proposed Zoning By-Law Amendment File No Z.1327.01, Ward No 4

Attention of Planning and Development Council

I am responding to the Proposed Zoning By-Law Amendment at 2135 Dundas Street West - All Seniors Care Acquisitions Ltd, File No Z.1327.01, Ward No 4

Thanks for providing the residents living beside the proposed construction site this opportunity to voice our opinions.

What we are concerned about is:

- the height of the buildings which will block sunlight to our homes
- the construction dust which blankets our homes, gardens, decks/furniture, cars and yards with dust/dirt daily
- the construction traffic and noise which prevents us to open windows to let in fresh air.

We have two infants and all the above issues will make it difficult for our family.

Can this building be pushed back to towards the Willian Halton Parway and Hosptal Gate corner? This will prevent all of the issues mentioned.

Or at least limit the height to two stories which could help speed things up and alleviate some of the concerns.

Thanks,
Karanjit Singh and Family
[REDACTED] Tovell Drive
Oakville ON
[REDACTED]

Planning and Development Council Meeting
March 19, 2018

Comments Received Regarding Item No. 9

Recommendation Report – Licensing By-law 2018-045 and
Town-initiated Zoning By-law Amendment for Short-Term
Accommodations and Bed and Breakfast Establishments

By-law 2018-037 and By-law 2018-038

(Zoning By-law 2014-014 and Zoning By-law 2009-189)

File No. 42.03.90

From: Polus, Asia (MTO)

Sent: March-13-18 1:05 PM

To: [REDACTED]

Cc: McBride, Connor (MTO)

Subject: FW: 42.03.90_Short Term Accommodations and Bed and Breakfast Establishments_Town Wide

RE: Notice of Meeting

Proposed Zoning By-law Amendment

Short-term accommodation and Bed and Breakfast Establishments

Oakville

Town-wide

This e-mail is to advise that MTO has received the correspondence regarding the above noted subject and has had an opportunity to review it and offers the following:

- **Please accept this e-mail as a confirmation that in principle the ministry has no objections to the proposed zoning By-law amendment**, however please be aware that MTO permit control provisions apply to the property along ministry's highways and/or within 396m of Highways and municipality road intersections.
- Please note that if any properties along the ministry's highway effected by the zoning-By-law Amendment will require an additional parking spots and these parking will be essential to the operation of the site therefore parking spots must will be placed outside 14m set back requirements.

I trust this is sufficient.

If you require any further information, please do not hesitate to contact me.

Regards

W. Asia Polus

Corridor Management Planner

Ministry of Transportation

Central Region, Highway Corridor Management Section

159 Sir William Hearst Ave. 7th Floor

Toronto, ON M3M 0B7

Tel. 416 - 235-3991

Fax 416 - 235-4267



From: David Gittings
Sent: Wednesday, March 07, 2018 9:43 PM
To: _Members of Council
Cc: Jim Barry; Town Clerk
Subject: SHORT TERM ACCOMMODATIONS >> March 19th council meeting <<

Comments received from a concerned resident, input for March 19th Public Meeting.

Dave

March 2, 2018

I moved with my husband and three young children to Oakville thirty years ago, drawn to the green spaces, quiet and safe neighbourhoods and reputation for a strong sense of community to be found here.

I am aware of the growing popularity of home-sharing and short-term rentals through Airbnb and similar organizations.

I am aware that some home owners are renting respectfully and carefully, and they are doing so for a variety for reasons, including to help defray their own cost of living. But others are buying homes in Oakville (and around the world) for the express purpose of renting by the night, year-round, in order to make a great deal of money: these are in fact businesses. They are effectively running hotels within our safe, quiet neighbourhoods, where actual hotels would never be allowed, and they are doing so without appropriate supervision of their guests. We have all read news articles that describe the obvious, possible down-side to Airbnb-type renting in a residential neighbourhood: the use of homes by short-term renters for prostitution, drug-selling, and large parties.

<https://globalnews.ca/news/3843222/ontario-family-shocked-to-discover-airbnb-renters-using-basement-to-distribute-drugs/>

http://www.huffingtonpost.ca/2018/02/22/toronto-airbnb-rentals-human-trafficking_a_23368855/

While Airbnb stresses that these are unusual events, the fact remains that when residents lose the ability to know their neighbours, they lose the safety and peace of mind that comes from living in established neighbourhoods.

I believe that the by-law changes as proposed would have the effect of permitting these home-owners to run their homes as hotels, without the rules of a hotel, and I have little faith that by-law enforcement officers could ever enforce the by-laws as proposed.

I acknowledge that short-term accommodations are prolific across the globe, and are being supported and promoted by large (and powerful) organizations such as Airbnb. These organizations refuse to release the names of home-owners in any jurisdiction, making monitoring very difficult.

I understand the need for the Town of Oakville to address this growing phenomenon through by-law changes, and I thank the Town for the opportunity to provide input.

I note that in other jurisdictions with greater tourism numbers, such as Toronto and San Francisco, they have been scrambling for years to address the issue and to reduce the impact on neighbourhoods as much as possible, and they have also recently changed their by-laws. As a satellite city to Toronto, Oakville is quickly becoming an appealing alternative for potential Airbnb guests and home-owners.

Concerns and input re: changes to By-law 2014-014:

- Short-term accommodations permitted across all residential neighbourhoods in Oakville would allow for wide-spread changes to the quiet, safe neighbourhoods we have in Oakville
- Short-term accommodations permitted throughout Oakville would be certain to reduce the number of available, affordable rental homes, townhomes and apartments in Oakville

Concerns and input re: changes to By-law 2017-__:

- the Town proposes expanding permitted number of bedrooms rented within a home from two to three; this will unnecessarily allow for a greater degree of traffic, and heavier use of neighbourhoods
- the Town proposes to limit rentals to primary residences – this is very good
- the Town proposes to allow secondary suites to be rented – I assume this means coach houses and basement apartments by their legal description. This is a very big concession on the part of the Town in favour of renting home-owners, and will impact the availability of long-term rental properties. In January 2018, the City of Toronto excluded secondary suites when they revised their by-laws (<https://www.theglobeandmail.com/news/toronto/toronto-passes-strict-airbnb-rules-aimed-at-preserving-long-term-rental-supply/article37265435/>). This will push those wanting to avoid this constraint to buy homes in Oakville, if we permit this.

Currently the Town is suggesting limiting the total number of days to 28 in a month; this needs to be further enforced with a LIMIT to the total number of days per year that a homeowner can rent through short-term accommodation; this is a serious drawback to the suggested changes. 90 Days is my suggestion, and matches many other jurisdictions' recently revised by-laws. I propose that we keep our by-law changes largely in line with Toronto's to avoid losing our existing and shrinking stock of long-term rental properties and to avoid further spill-over from Toronto.

San Francisco's recently changed by-laws limit renting to 90 nights per year, by permanent residents only, by registered fee-paying residents only (<https://www.nolo.com/legal-encyclopedia/overview-airbnb-law-san-francisco.html>). They are struggling to rein in a very serious problem in their city, where Airbnb has changed their neighbourhoods permanently. (<https://www.sfchronicle.com/business/item/Window-into-Airbnb-s-hidden-impact-on-S-F-30110.php>)

Further, San Francisco has hired by-law officers to monitor and enforce the Airbnb home rentals, and has further committed to an ongoing citizen education plan that includes flyers and news ads so that residents ALL know the by-laws and know how to report infractions. These new by-law changes have had an immediate positive impact in San Francisco.

To summarize, I am strongly asking you to please consider:

- limiting the number of nights a home-owner can rent their property to 90 nights per year
- requiring renting homeowners be PRIMARY residents of Oakville
- dedicating by-law officers to enforcement of these by-laws
- engaging in an education campaign so that all citizens of Oakville understand the rules around renting parts of their home, and how to report infractions
- not permitting secondary suites to be rented

David Gittings

Ward 3 Town and Regional Councillor

Office of the Mayor & Council

Town of Oakville | 905-844-5513 | www.oakville.ca

Vision: To be the most livable town in Canada

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<http://www.oakville.ca/privacy.html>