



OAKVILLE

REPORT

PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: OCTOBER 5, 2020

FROM: Planning Services Department

DATE: September 23, 2020

SUBJECT: **Public Meeting Report - Official Plan Amendment and Zoning By-law Amendment - Transmetro Limited - 358 Reynolds Street - File Nos.: OPA.1613.63 and Z.1613.63**

LOCATION: 358 Reynolds Street

WARD: 3

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RECOMMENDATION:

1. That the public meeting report prepared by the Planning Services Department dated September 23, 2020, be received.
2. That comments from the public with respect to the proposed official plan amendment and zoning by-law amendment submitted by Transmetro Limited (File Nos.: OPA.1613.63 and Z.1613.63), be received.
3. That staff consider such comments as may be provided by Council.

KEY FACTS:

- Transmetro Limited has submitted a proposed official plan and zoning by-law amendment to redevelop the subject lands for a three storey, 14 unit residential building with 37 underground parking spaces including six visitor spaces and one accessible parking space. The proposed development would replace the existing three and a half storey legal non-conforming medical building.
- The subject lands are designated as Low Density Residential in the Livable Oakville Official Plan, and is zoned Low Density Residential (RL5-0) in the Zoning By-law 2014-014. The property is designated under Part V of the *Ontario Heritage Act* as part of the Trafalgar Road Heritage Conservation District (HCD).

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- Both the existing Official Plan designation and zoning are consistent with the Provincial Policy Statement, conform to all applicable Provincial plans, the Region of Halton Official Plan and as they allow for urban development in accordance with the Town's established urban structure.
- The applications were submitted and deemed complete on June 19, 2020. Bill 108 provides for a 120 day appeal timeframe, which would have ended on October 17, 2020. However, due to the COVID pandemic, the Province issued a regulation that effectively suspended this timeframe between March 17, 2020 and June 22, 2020. In consideration of this, the 120 day appeal timeframe will end October 20, 2020.

BACKGROUND:

The purpose of this report is to introduce the planning application in conjunction with the statutory public meeting. Council will hear public delegations on the application, ask questions of clarification and identify matters to be considered. The report is to be received and no recommendations on the application are being made at this time.

The report outlines the proposed development and identifies matters raised to date through the technical review and public consultation. Following the statutory public meeting and once the review is complete, staff will bring forward a recommendation report for consideration by Planning and Development Council.

The current applications were submitted and deemed complete on June 19, 2020.

Proposal

The applicant has submitted official plan and zoning by-law amendment applications to redevelop the property for a three-storey, 14-unit residential building with 37 number of underground parking, including six visitor spaces and one accessible space (see Figure 1 below).

The first and second floors of the proposed building will each contain six single-storey residential units with an approximate area of 198m² (2,100 square feet) each. The third floor will have two single-storey residential units with an approximate area of 445m² (4,800 square feet). Private outdoor amenity area is provided for each of the units either at grade or on a balcony, having an approximate area 50m² (537 square feet) for the first and second floor units, and 126m² (1,350 square feet) for the third floor units.

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Driveway access is located at the western side of the property off of Macdonald Road. Access to the building will be provided by way of three separate entry doors located at ground level and oriented to the Macdonald Road frontage. Each of the entries provides lobby access to the units by either ground floor access or an elevator lobby internal to the building.

The proposed siting of the building provides a 9m setback along the western lot line, to provide space for the proposed two-way driveway access and 3m landscape buffer. Additionally, the applicant proposes a 9m setback for the majority of the southern lot line, with the exception of providing 3m to accommodate internal stair wells. The applicant also proposed a 3m landscape buffer along the southern lot line.

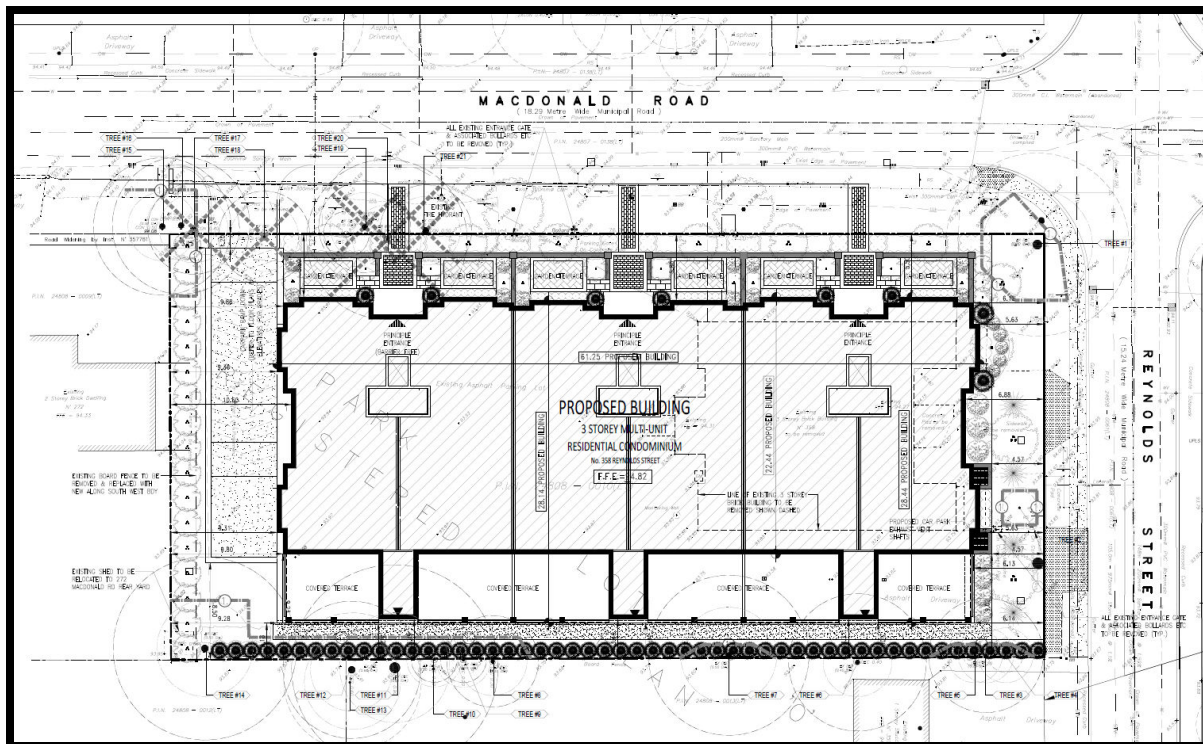


Figure 1 – Proposed Site Plan

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Figure 2 – Rendering, view from Macdonald Road and Reynolds Street

Underground parking is proposed for the site with access from the west end of the property along Macdonald Road. Landscaping is proposed along the west and south property lines, as well as along the street edge on Macdonald Road and Reynolds Street.

The materials submitted for this application can be found online at <https://www.oakville.ca/business/da-35806.html>

Location & Site Description

The subject lands are located at the south west corner of Reynolds Street and Macdonald Road. The subject lands are 2,825 m² (0.2825 ha) in size with approximately 37 m of frontage on Reynolds Street and 76 m of flankage on Macdonald Road. The site is currently contains a vacant three-storey medical building. The legal description of the lands is Part of Lot O, Registered Plan 1. The municipal address is 358 Reynolds Street.

The subject property contains a three and a half storey medical office building that was constructed in 1954. The building was vacated in 2015 after the closure of the Oakville Trafalgar Memorial Hospital, formerly located to the east. The property is located within the Trafalgar Road HCD and is located directly across from the

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property at 293 Macdonald Road which is designated under Part IV of the *Ontario Heritage Act* for its c.1857 brick house known as the Campbell House.

Surrounding Land Uses

The surrounding land uses are as follows:

North: Macdonald Road and two-storey detached dwellings

East: Reynolds Street and future two storey-detached dwellings, community centre and park (under construction)

South: two-storey detached dwelling

West: two-storey detached dwelling

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Figure 3 – Aerial Photo

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PLANNING POLICY & ANALYSIS

The property is 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 Official Plan
- Zoning By-law 2014-014

Provincial Policy Statement (2020)

The Provincial Policy Statement (2020)('PPS'), which came into effect on May 1, 2020, continues to recognize 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 encourages Planning authorities to permit and facilitate a range of housing options, including new development as well as residential intensification, to respond to current and future needs for a time horizon of up to 25 years.

The PPS (2020) provides that development and site alterations on lands adjacent to protected heritage properties is not permitted except where the proposed development has been evaluated and demonstrates that the heritage attributes will be conserved.

Further, the PPS (2020) 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.

Growth Plan for the Greater Golden Horseshoe (2019)

The Growth Plan for the Greater Golden Horseshoe ('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 subject lands are located within a "Designated Greenfield Area."

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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.

Halton Region Official Plan

The subject lands are designated 'Urban Area' in the Regional Official Plan (ROP). The development is located within the Built Boundary. The range of permitted uses and the creation of new lots within the Urban Area will be in accordance with Local Official Plans and Zoning Bylaws. All development shall be subject to the policies and plan in effect.

The proposed development can be accommodated within the existing water system in the area, and there are no impacts to Halton Region's water or sanitary sewer system from this proposed development.

However, in accordance with Provincial requirements, the proposed development triggers a mandatory Record of Site Condition as the proposed development would result in a change in land use to a more sensitive land use. The Owner is required to submit a Ministry of the Environment, Conservation and Parks (MOECP) acknowledged Record of Site Condition (RSC) to Halton Region that identifies the subject lands are suitable for their intended use. The owner is required to comply with Ontario Regulation 153/04 and Halton Region's Protocol for Reviewing Development Applications with respect to Contaminated Sites, to the satisfaction of the Halton Region.

Livable Oakville Plan

The Livable Oakville Plan was approved by the Ontario Municipal Board on May 10th, 2011.

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

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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.

The subject lands are identified on Schedule A1 – Urban Structure as being within the Town’s Residential Areas.

Livable Oakville Land Use Policies

The subject lands are designated Low Density Residential on Schedule G: South East Land Use plan (shown as Figure 4 below).

The Low Density Residential designation permits detached, semi-detached and duplex building types, up to a density of 29 dwelling units per site hectare. The applicant proposed to amend the Official Plan to change the designation to Medium Density Residential which permits multiple attached dwellings, apartments, retirement homes, and long-term care homes, at a density range between 30 and 50 dwelling units per site hectare.

The applicant’s proposal would result in a density of 49.5 units per site hectare.

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Figure 4 – Official Plan

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The Official Plan provides for a variety of residential uses accommodated through three land use designations: Low, Medium, and High Density Residential. The applicant has submitted an Official Plan Amendment to permit Medium Density Residential uses.

In general, development within all residential areas shall maintain, protect, and enhance the character of existing residential area and also encourage an appropriate mix of housing types, densities, design and tenure. The majority of the residential neighbourhoods within the Town are designated for low density residential uses to ensure a continuation of the existing neighbourhood structure. Medium and high density areas are provided to primarily reflect existing developments within communities.

While the majority of intensification is to be directed to the Town's Growth Areas, some intensification within residential areas can be accommodated. Intensification within residential areas are subject to the policies of 11.1.8 and 11.1.9, and will be evaluated using criteria that maintains and protects the existing neighbourhood character. These include, but not limited to, ensuring the built form of development is compatible with the surrounding neighborhood, minimize the impacts on adjacent properties on matters such as grading, access, privacy and shadowing, and to ensure the preservation and integration of heritage buildings within the Heritage Conservation Districts. Excerpts of relevant Livable Oakville policies to the application are attached as Appendix "B".

Trafalgar Road Heritage Conservation District Plan

The subject lands are located within the Trafalgar Road Heritage Conservation District. The application was presented to the Heritage Oakville Advisory Committee on August 18, 2020 to obtain feedback on the matters that impact the cultural heritage value of the heritage conservation district and the adjacent individually designated property at 293 Macdonald Road.

Heritage Planning staff note that while the Trafalgar Road HCD Plan does not label individual properties as being 'contributing' or 'non-contributing' (and therefore having cultural heritage value or not), the document does speak to buildings constructed in the 1940s and earlier as having cultural heritage value. The existing medical building was constructed in 1954 and its architectural style and its history is not identified in the plan as being significant or worthy of protection and conservation. Heritage Planning Staff do not consider the building to be of significant cultural heritage value and support its removal.

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When evaluating the changes to the subject property, the district plan for the Trafalgar Road HCD is the primary policy document to use. Excerpts from the district plan have been included in Appendix “C” and sections relevant to the subject proposal have been highlighted.

Zoning By-law (2014-014)

The subject lands are zoned Low Density Residential (RL5-0) as shown on Figure 5 below. The existing medical office is legal non-conforming, and is currently vacant. The applicant is proposing a Zoning By-law Amendment to change from the RL5-0 to RM4 zone to permit a three-storey, 14-unit apartment building.

The following table provides a comparison for as-of-right zoning provisions with the applicant’s proposed changes.

Table 1 – Zoning Comparison

Zone Regulation	Existing RL5-0	Proposed RM4, modified
Minimum Front Yard	7.5m	5.5m*
Minimum Interior Side Yard	1.2m	3.0m*
Minimum Flankage Yard	3.5m	3.0m
Minimum Rear Yard	7.5m	6.0m
Maximum Height	9.0m	15.0m
Maximum Number of Storeys	2	4
Minimum Lot Coverage	35%	N/A
Minimum Landscaping Coverage	N/A	10%
Balconies	Prohibited	Permitted up to 1.5m in depth*

**Regulations have been modified as per the application*

The applicant proposes to provide private amenity area in the form of balconies for the second and third floor units. The proposed balconies appear to be 6.0m in depth, where the maximum is 1.5m. The applicant has not requested to increase the balcony depth in their application.

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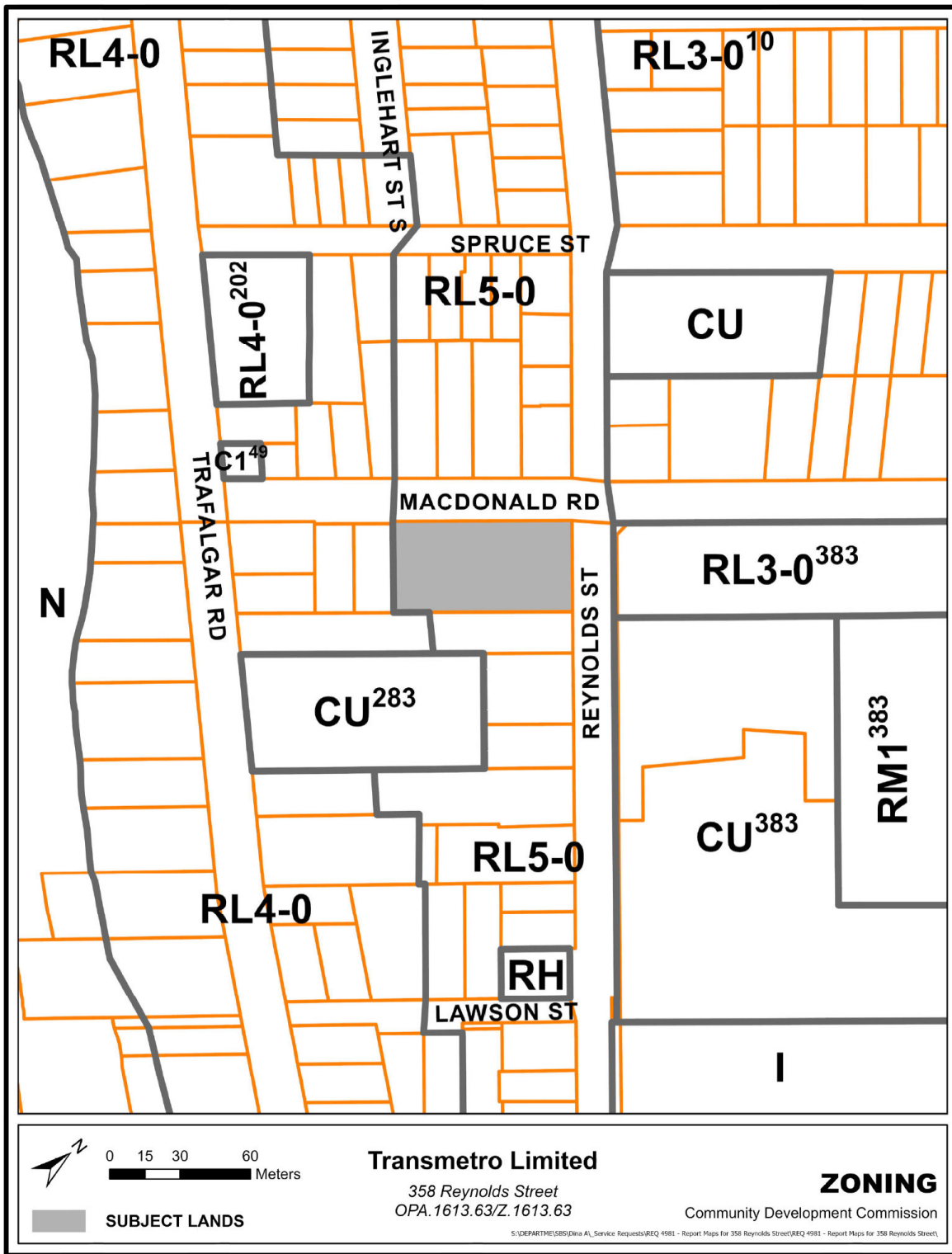


Figure 5 – Zoning By-law

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TECHNICAL & PUBLIC COMMENTS

The proponent has provided technical studies in support of the application which have been circulated to various public agencies and internal town departments, and which are under review. The following studies and supporting documentation are also accessible on the town's website:

- Arborist Report
- Archaeological Report
- Canopy cover Plan
- Elevations
- Floor Plans
- Functional Servicing Report and Stormwater Management Report
- Heritage Impact Assessment
- Landscape Plan
- Planning Justification Report
- Public Consultation Strategy Report
- Renderings
- Servicing and Grading Plans
- Site Plan
- Traffic Impact Assessment
- Urban Design Brief

Issues Under Review / Matters to be Considered

The following reflects issues and matters have been identified to date for further review and consideration. Not all circulation comments have been received to date but will be considered in the future recommendation report.

- Consistency with the Provincial Policy Statement, 2014 and conformity to the 2019 Growth Plan for the Greater Golden Horseshoe.
- Conformity to the Region of Halton Official Plan and the inclusion of a Holding Provision to ensure that a Record of Site Condition is obtained.
- Conformity with Livable Oakville policies including the intensification policies of 11.1.9.
- Compliance with the Livable by Design Guidelines Parts A and C, including scale, massing, privacy, and shadow impacts.

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- Consistency with the Trafalgar Road Heritage Conservation District Plan, including ensuring that new development respects and complements the prevailing character of the heritage district and discouraging land uses which would be out of keeping with or have detrimental effects upon the residential and open space character of the district.
- Providing the required road widening and daylight triangle requirements may alter the proposed design.
- Preservation and treatment for the boundary trees located along the interior (southerly) lot line of the property.

Comments received at this public meeting will be considered and included in a forthcoming recommendation report.

CONSIDERATIONS:

(A) PUBLIC

The applicant held a Public Information Meeting (PIM) on November 6, 2019. There were 95 mailings provided and 30 members of the public were in attendance.

Issues raised at the PIM included:

- Traffic and Parking
- Density
- Light Pollution
- Heritage matters
- Building materials and window placement

The applicant has identified that no changes were made to their proposal following the Pre-Consultation meeting with staff or the PIM, and anticipates addressing specific Urban Design matters through the future site plan process.

Notice for the meeting regarding this development application was provided through a mailing of all properties within 120 meters of the subject lands. Resident Associations were notified along with property owners in accordance with the *Planning Act* Regulations and Town practices. No written correspondence from the public has been received at the time of the writing of this report.

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(B) FINANCIAL

Development Charges would be applicable to this development. In 2019 the More Homes, More Choices Act (Bill 108), received Royal Assent. Parts of the Bill are now in force while others await proclamation. The COVID-19 Economic Recovery Act, 2020 (Bill 197) received Royal Assent on July 21, 2020, and would reverse many of the changes introduced through Bill 108, restoring the financial tools available to the town. Bill 197 provides more certainty in municipal financing and assists the town in providing complete communities while ensuring that “growth pays for growth” to the maximum extent possible.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

The application was circulated to internal and external departments and agencies for review and remains in technical review.

The applications will be considered under Bill 108, which provides for a 120 day timeline before an appeal can be filed for lack of decision. This timeline would normally have ended on October 17, 2020. However, due to the COVID pandemic, the Provincial Government had issued a regulation that effectively suspended this timeline from March 17 until June 22, 2020. The new date before an appeal can be file is October 20, 2020.

(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 generally complies with the Town’s sustainability goals and objectives of the North Oakville East Secondary Plan. The proposal has also been reviewed in the context of Council declaring a Climate Change Emergency on June 24, 2019 to provide opportunities to reduce the development footprint of the proposal.

CONCLUSION:

Planning staff will continue to review the proposed application, including departmental, agency and public feedback and report back to Council with a recommendation. No further notice is required, however, written notice of any future public meetings will be provided to those who have made written submissions.

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APPENDICES:

Appendix “A” – Location Map

Appendix “B” – Applicable Policies

Appendix “C” – Trafalgar Road HCD Plan Excerpts

Appendix “D” – Applicant’s Proposed Official Plan Amendment

Appendix “E” – Applicant’s Proposed Zoning Regulations

Prepared by:

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