



## Memorandum

August 21, 2019

**Memo To:** Mayor and Council

**Copy To:** Neil Garbe, City Manager  
Antonio Dimilta, City Solicitor  
Stephen Huycke, City Clerk

**From:** Kelvin Kwan, Commissioner  
Planning and Regulatory Services

**Subject:** Request for Approval - Zoning By-law Amendment and Draft  
Plan of Subdivision Applications - Pietro and Mary Angaran,  
Susan Peccia and Ringo Canada Ltd. - 251, 253 and 259  
Oxford Street - City Files D02-17034 and D03-17010

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### Recommendations:

- a) That the Memorandum from the Commissioner of Planning and Regulatory Services, dated August 21, 2019, be received;
- b) That the Zoning By-law Amendment and draft Plan of Subdivision applications submitted by Pietro and Mary Angaran, Susan Peccia and Ringo Canada Ltd. for lands known as Part of Lots 76 and 77 and all of Lot 78, Plan 1999 (municipal addresses: 251, 253 and 259 Oxford Street), City Files D02-17034 and D03-17010, be approved subject to the following:
  - (i) that Council approve the draft Zoning By-law Amendment as set out in Appendix 'A' to this memorandum and that it be brought forward to a regular meeting of Council for consideration and enactment;
  - (ii) that the draft Plan of Subdivision application be draft approved, subject to the conditions as set out in Appendix 'B' to this memorandum;
  - (iii) that prior to draft approval for the draft Plan of Subdivision being granted, the applicant pay the applicable processing fees in accordance with the City's Tariff of Fees By-law;

- (iv) that 66.41 persons equivalent of additional servicing allocation be assigned to the subject lands, to be released by the Commissioner of Planning and Regulatory Services in accordance with By-law 109-11, as amended; and,
- c) That Council approve the Site Plan Control By-law as set out in Appendix 'C' to this memorandum to implement the applicant's sustainability commitments and that said by-law be brought forward to a regular meeting of Council for consideration and enactment.

## **Background:**

At the Council meeting held on May 14, 2019, Council considered Staff Report SRPRS.19.059 respecting a request for approval of a Zoning By-law Amendment and draft Plan of Subdivision application to facilitate the construction of 14 single detached dwelling units on the subject lands. A motion to adopt staff's recommendation failed to carry, and instead Council adopted the following motion:

- "a) That Staff Report SRPRS.19.059 with respect to the revised Zoning By-law Amendment and Draft Plan of Subdivision applications submitted by Pietro and Mary Angaran, Susan Peccia and Ringo Canada Ltd. for lands known as Part of Lots 76 and 77 and all of Lot 78, Plan 1999 (Municipal Addresses: 251, 253 and 259 Oxford Street), City Files D02-17034 and D03-17010, be received for information purposes;**
- b) That Council support the revised draft plan for semi-detached lots and that staff be directed to report back to the Committee of the Whole with the appropriate planning instruments to implement this revised plan in two (2) months following the formal submission of a revised development proposal and supporting materials to the City necessary to support the revised plan."**

The purpose of this memorandum is to respond to Council's direction to report back to Committee of the Whole as noted in the aforementioned motion.

## **Revised Zoning By-law Amendment Application (City File D02-17034):**

On May 27, 2019, the applicant submitted a revised conceptual Site Plan to facilitate the development of 20 semi-detached dwelling units and 3 single detached dwelling units on the subject lands (refer to Map 2). The draft Zoning By-law has been revised to include site specific provisions to the existing **Second Density Residential (R2) Zone** for the single detached dwelling units fronting onto Oxford Street, and the southern portion of the lands are proposed to

be rezoned to **Fourth Density Residential (R4) Zone** under By-law 2523, as amended, in order to facilitate the proposed semi-detached dwelling units and one single detached dwelling unit. The draft Zoning By-law Amendment contained in Appendix "A" to this Memorandum implements the proposed development.

### **Revised Draft Plan of Subdivision Application (City File D03-17010):**

On May 27, 2019, the applicant submitted a revised draft Plan of Subdivision to implement Council's direction which proposes 20 semi-detached dwelling units, 3 single detached dwelling units and 2 reserve blocks adjacent to the eastern and western boundaries of the subject lands (refer to Map 1). City staff has reviewed the revised draft Plan and can advise that it implements the proposed development. The draft Plan of Subdivision conditions of approval contained in Appendix "B" to this Memorandum implement the revised draft Plan accordingly.

### **Conclusion:**

The draft Plan of Subdivision conditions of approval and the draft Zoning By-law Amendment contained in Appendices 'A' and 'B' to this Memorandum, respectively, would implement the proposed development in accordance with the Council direction from the May 14, 2019 Council Meeting.

On the basis of the preceding, it is recommended that that the Memorandum from the Commissioner of Planning and Regulatory Services dated August 21, 2019 be received, that Council approve the Site Plan Control By-law as set out in Appendix 'C' hereto, and that the draft Zoning By-law and Conditions of Draft Plan of Subdivision be approved in accordance with the recommendations contained herein.

"Signed version on file in the Office of the Clerk"

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Kelvin Kwan  
Commissioner of Planning and Regulatory  
Services

## **Attachments:**

The following attached documents may include scanned images of appendices, maps and photographs. If you require an alternative format, please call contact person listed in this document.

- Appendix A, Draft Zoning By-law Amendment
- Appendix B, Draft Plan of Subdivision D03-17010 Conditions of Approval
- Appendix C, Draft Site Plan Control By-law
- Appendix D, Extract from Council Meeting C#22-19 held May 14, 2019
- Map 1, Draft Plan of Subdivision
- Map 2, Site Analysis