



**Town of Oakville**  
**Planning and Development Council**

**AGENDA**

**Date:** Monday, May 15, 2023  
**Time:** 6:30 p.m.  
**Location:** Council Chamber

Town Hall is open to the public and live streaming video is available on <https://www.oakville.ca/town-hall/mayor-council-administration/agendas-meetings/live-stream> or at the town's YouTube channel at <https://www.youtube.com/user/TownofOakvilleTV>. Information regarding written submissions and requests to delegate can be found at <https://www.oakville.ca/town-hall/mayor-council-administration/agendas-meetings/delegations-presentations>.

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**Pages**

1. Regrets
2. Declarations of Pecuniary Interest
3. Committee of the Whole
4. Consent Items(s)

4.1 Oakville's Urban Structure – Moving Forward

9 - 16

Recommendation:

That the report from Planning Services Department entitled: "Oakville's Urban Structure – Moving Forward" be received.

**4.2 Information and Update Report on Provincial Initiatives – Bill 109, Bill 23, Bill 97 and the proposed Provincial Planning Statement 2023 – May 15, 2023**

17 - 41

Recommendation:

1. That the report titled “Information and Update Report on Provincial Initiatives – Bill 109, Bill 23, Bill 97 and the proposed Provincial Planning Statement 2023 – May 15, 2023” dated May 2, 2023, be received.
2. That the comments within this report related to the “Proposed *Planning Act*, *City of Toronto Act, 2006*, and *Ministry of Municipal Affairs and Housing Act* Changes (Schedules 2, 4, and 6 of Bill 97 - the proposed *Helping Homebuyers, Protecting Tenants Act , 2023*)” be endorsed as the Town of Oakville’s response to the ERO No. 019-6821, as staff submitted these comments to the Ministry of Municipal Affairs and Housing to meet the May 6, 2023, commenting deadline.
3. That the comments within this report related to the “Review of proposed policies adapted from A Place to Grow and Provincial Policy Statement to form a new provincial planning policy instrument” be endorsed as the Town of Oakville’s response to the ERO No. 019-6813 and submitted to the Ministry of Municipal Affairs and Housing, prior to the June 5, 2023, commenting deadline.
4. That the comments within this report related to the “Site Plan for Residential Developments of 10 or Fewer Units – Two Proposed new Minister’s Regulations under the *Planning Act* and the *City of Toronto Act, 2006*” be endorsed as the Town of Oakville’s response to the ERO No. 019-6822 and submitted to the Ministry of Municipal Affairs and Housing, prior to the May 21, 2023, commenting deadline.
5. That the report titled “Information and Update Report on Provincial Initiatives – Bill 109, Bill 23, Bill 97 and the proposed Provincial Planning Statement 2023 – May 15, 2023” dated May 2, 2023, be forwarded by the Town Clerk to the Minister of Municipal Affairs and Housing, Halton Area MPPs, Halton Region, the City of Burlington, the Town of Halton Hills, the Town of Milton, Conservation Halton and Credit Valley Conservation.

**5. Confidential Consent Item(s)**

*Items 5.1, 5.2, and 5.3 see confidential agenda.*

**5.1 Confidential – OLT Hearing – Graywood Developments, 2365-2377 Lakeshore Road West (May 15, 2023)**

**5.2 1463291 Ontario Inc and Taylor Rogers v. Town of Oakville – Court application to quash Dunpar conservation plan**

**5.3 Confidential Staff Report - Brantwood School Site Update - May 15, 2023**

**6. Public Hearing Item(s)**

There are no Public Hearing Items listed for this agenda.

**7. Discussion Item(s)**

- 7.1 Recommendation Report – Town-Initiated Official Plan Amendment (File No. 42.24.27) and Official Plan Amendment/Zoning By-law Amendment (File Nos: OPA 1614.80 and Z.1614.80) – Support House – 130 Cornwall Road – By-laws 2023-049, 2023-050 and 2023-051** 42 - 117

**Recommendation:**

1. That the Town-initiated Official Plan amendment, File No. 42.24.27, be approved on the basis that the application is consistent with the Provincial Policy Statement, conforms with all applicable Provincial plans, the Region of Halton Official Plan, has regard for matters of Provincial interest, and represents good planning for the reasons outlined in the report from the Planning Services Department dated May 2, 2023.
2. That By-law 2023-049, a by-law to adopt Official Plan Amendment 55, be passed.
3. That the application for an Official Plan amendment submitted by Support House, File No. OPA 1614.80, be approved on the basis that the application is consistent with the Provincial Policy Statement, conforms with all applicable Provincial plans, the Region of Halton Official Plan, has regard for matters of Provincial interest, and represents good planning for the reasons outlined in the report from the Planning Services Department dated May 2, 2023.
4. That By-law 2023-050, a by-law to adopt Official Plan Amendment 56, be passed.
5. That the application for a Zoning By-law amendment submitted by Support House, File No. Z.1614.80, be approved on the basis that the application is consistent with the Provincial Policy Statement, conforms with all applicable Provincial plans, the Region of Halton Official Plan, has regard for matters of Provincial interest, and represents good planning for the reasons outlined in the report from the Planning Services Department dated May 2, 2023.
6. That By-law 2023-051, an amendment to Zoning By-law 2014-014, be passed.
7. That notice of Council's decision reflect that Council has fully considered all the written and oral submissions relating to these matters and that those comments have been appropriately addressed; and,
8. That in accordance with Section 34(17) of the *Planning Act*, no further notice is determined to be necessary.



**7.2 Recommendation Report – Draft Plan of Subdivision and Zoning By-law Amendment – Mattamy (Joshua Creek) Limited – Phase 3 – Part of Lots 8 and 9, Concession 1 N.D.S., File No.: 24T-20007/1307, Z.1307.07 – By-law 2023-036**

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Recommendation:

1. That revised Draft Plan of Subdivision and Zoning By-law Amendment applications (File Nos. 24T-20007/1307 and Z.1307.07), submitted by Mattamy (Joshua Creek) Limited, be approved on the basis that the applications are consistent with the Provincial Policy Statement, conforms or does not conflict with all applicable Provincial plans, conforms with the Region of Halton Official Plan and the North Oakville East Secondary Plan, has regard for matters of Provincial interest, and represents good planning for the reasons outlined in the report from the Planning Services Department dated May 2, 2023.
2. That By-law 2023-036, an amendment to Zoning By-law 2009-189, be passed.
3. That the Director of Planning Services is authorized to grant draft plan approval to the Draft Plan of Subdivision (24T-20007/1307) submitted by Mattamy (Joshua Creek) Limited – Phase 3, and prepared by R-PE Surveying Limited, dated November 14, 2022, subject to the conditions contained in Appendix “A.”
4. That once 24T-20007/1307 has been draft approved by the Director of Planning Services, the Town enter into a Subdivision Agreement to the satisfaction of the CAO and Town Solicitor or designates.
5. That the Subdivision Agreement be executed in accordance with By-law 2013-057.
6. That notice of Council’s decision reflect that Council has fully considered all the written and oral submissions relating to this matter and that those comments have been appropriately addressed.
7. That, in accordance with Section 34(17) of the *Planning Act*, no further notice is determined to be necessary.

**7.3 Recommendation Report, Draft Plan of Subdivision and Condominium, 2667711 Ontario Inc., 239-249 Rebecca Street, File No. 24T-22007/1617 & 24CDM- 22005/1617**

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**Recommendation:**

1. That the Draft Plan of Subdivision and Draft Plan of Condominium applications (File No.: 24T-22007/1617 and 24CDM-22005/1617) submitted by 2667711 Ontario Inc., be approved on the basis that the applications are consistent with the Provincial Policy Statement, conforms or does not conflict with all applicable Provincial plans, conforms with the Region of Halton Official Plan and the Livable Oakville Plan, has regard for matters of Provincial interest, and represents good planning for the reasons outlined in the report from the Planning Services Department dated May 2, 2023.
2. That the Director of Planning Services be authorized to grant draft plan approval to the Draft Plan of Subdivision (24T-22007/1617 submitted by 2667711 Ontario Inc., and prepared by J.D. Barnes Limited dated July 20, 2022, subject to the conditions contained in Appendix A.
3. That the Director of Planning Services be authorized to grant draft plan approval to the Draft Plan of Condominium (24CDM-22005/1617) submitted by 2667711 Ontario Inc., and prepared by J.D. Barnes Limited dated July 20, 2022, subject to the conditions contained in Appendix B.
4. That notice of Council's decision reflects that Council has fully considered all the written and oral submissions relating to this matter and that those comments have been appropriately addressed.

**7.4 Heritage Designation Project 2023-2025**

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**Recommendation:**

That the report dated May 2, 2023, from the Planning Services Department, be received.

**8. Confidential Discussion Item(s)**

There are no Confidential Discussion Items listed for this agenda.

**9. Advisory Committee Minutes**

**9.1 Heritage Oakville Advisory Committee Minutes - April 25, 2023**

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Recommendation:

That the Heritage Oakville Advisory Committee minutes from its meeting on April 25, 2023, be received.

**10. Rise and Report to Council**

**11. New Business**

(Emergency, Congratulatory or Condolence)

**12. Consideration and Reading of By-laws**

That the following by-law(s) be passed:

**12.1 By-law 2023-036**

A by-law to amend the North Oakville Zoning By-law 2009-189, as amended, to permit the use of lands described as Part of Lots 8 & 9, Concession 1, North of Dundas Street (Mattamy (Joshua Creek) Limited – Phase 3) – Z.1307.07. **(Re: Item 7.2)**

**12.2 By-law 2023-049**

A by-law to adopt an amendment to the Livable Oakville Plan, Official Plan Amendment Number 55 (130 Cornwall Road – Town-initiated; File No. 42.24.27). **(Re: item 7.1)**

**12.3 By-law 2023-050**

A by-law to adopt an amendment to the Livable Oakville Plan, Official Plan Amendment Number 56 (130 Cornwall Road – Support House; File No. OPA 1614.80). **(Re: Item 7.1)**

**12.4 By-law 2023-051**

A by-law to amend the Zoning By-law 2014-014, as amended, to permit the development of an apartment building on lands described as Part of Lots 13 and 14, Concession 3 S.D.S. – 130 Cornwall Road (Support House) – Z.1614.80. **(Re: Item 7.1)**

**12.5      By-law 2023-061** **243 - 243**

A by-law to confirm the proceedings of a meeting of Council.

**13.      Adjournment**

## REPORT

### Planning and Development Council

Meeting Date: May 15, 2023

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**FROM:** Planning Services Department

**DATE:** May 2, 2023

**SUBJECT:** Oakville's Urban Structure – Moving Forward

**LOCATION:** Town-wide

**WARD:** Town-wide

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### RECOMMENDATION

That the report from Planning Services Department entitled: "Oakville's Urban Structure – Moving Forward" be received.

### KEY FACTS

The following are key points for consideration with respect to this report:

- The Province has enacted various legislation changes over the last several years which have acutely altered how land use planning in Ontario is undertaken.
- The town's on-going Official Plan Review commenced in 2015. As a result of recent legislative changes, the timing to conclude this review has been negatively affected, however, these changes do not alter the intent or trajectory of the Official Plan Review Programme.
- Growth throughout Oakville will occur. The town's Urban Structure is the foundation of the Town's Official Plan and is key to ensuring the Town can accommodate future growth in Strategic Growth Areas.
- With the uncertainty caused by evolving legislation, and changes to Ontario's planning regime, it is important for the town to remain vigilant and continue to rely upon, and implement the Urban Structure. It remains a relevant and discerning

tool which the town can continue to employ for responding to changes in the Province's land use planning regime.

- Any changes to the Urban Structure, in an attempt to respond to legislation changes will negatively effect Oakville. There is no more land in Oakville to designate for residential land uses. Council must remain strategic in responding to growth pressures and directing that growth to assigned areas.

## **BACKGROUND**

### **Land Use Planning in Ontario**

#### **Province of Ontario**

The Province has been busy the last few years with numerous, and on-going, changes to the *Planning Act* and other statutes. The main driver behind these changes has been the Province's desire to enable more housing to come to market as quickly as possible by eliminating bureaucratic "red tape", reducing fees and charges paid by the development industry, and downloading more responsibility to local municipalities.

A Housing Affordability Task Force was created by the provincial government to assist in identifying ways in which to increase housing supply, and where responsibility may be loosened to facilitate action. A final report was issued in February 2022 with 55 recommendations. A number of those recommendations generated some of the recent legislation changes.

Bills 108, 109, 23 and 97 are some of the recent statutes that have caused considerable change to the land use planning system in Ontario. In addition, Bills 3 and 39 fundamentally altered governance across the province.

#### **Halton Region**

Halton Region initiated its Official Plan Review Programme (referred to as a Municipal Comprehensive Review) in 2014, and resulted in the Province approving Regional Official Plan Amendment No. 49 (ROPA 49) in November 2022. A key component of ROPA 49 was the Integrated Growth Management Study (IGMS) which sought to distribute the provincially-allocated growth across the four local municipalities. One of the primary complications the town identified with the IGMS process was ensuring appropriate growth was aligned with the town's urban structure. Town Council noted that it is important to align infrastructure planning needs with growth planning, reduce opportunities for sprawl, and preserve the natural heritage and agricultural systems.

The enactment of Bill 23 included the removal of land use planning responsibilities from upper-tier governments. Although this component has not yet been proclaimed, the effect is Halton Region will no longer have planning authority over the town.

While Halton's local municipalities continue to work co-operatively with the Region, it remains to be seen exactly what the future working relationship will be between Oakville and the Province. The Province now has oversight of Oakville's land use planning matters, but its unknown how the Province will exercise those powers.

### Town of Oakville

The *Livable Oakville* Plan was adopted by Town Council in 2009, and approved by the Ontario Municipal Board (now Ontario Land Tribunal) in 2011. The Official Plan Review Programme began in 2015, per the *Planning Act* requirements, to ensure Official Plan policies are consistent with Provincial and Regional policies, support the Town's strategic goals, and reflect the vision and needs of the community.

The Official Plan establishes the desired land use pattern for the town and co-ordinates land use and infrastructure requirements to ensure that anticipated growth can be accommodated. It establishes a framework and policy context for decision making that provides certainty throughout the town's planning process.

In early 2016, the Urban Structure Review was initiated with the intent of identifying the critical planning framework that would establish where future growth should be directed, and which features throughout the town must be maintained. The Urban Structure Review resulted in Official Plan Amendments in late 2017 that ensconced new land use planning policy for the town.

### Official Plan Review Programme

There are several studies that compose the Official Plan Review Programme (OPR), and some have already been completed: Employment & Commercial study, Bronte GO Major Transit Station Area review, and Hospital District review are the main ones. Other important studies underway include growth area reviews for Uptown, Neyagawa Urban Core and Midtown.

The studies and growth area reviews have continued to focus on implementing the overall direction and mission statement of the *Livable Oakville* Plan which is: "to enhance the Town's natural, cultural, social and economic environments by ensuring that environmental sustainability, cultural vibrancy, economic prosperity and social well-being are incorporated into growth and development decisions".

This mission statement flows into a series of guiding principles that give direction for preserving and creating a liveable community, providing choice throughout the town, and achieving sustainability.

Notwithstanding proposed changes to the Provincial Policy Statement, repeal of the Growth Plan and several other changes resulting from recent Bills, the town continues to analyse legislation changes with the intent of ensuring the town's Official Plan complies with the in-effect legislation and plans, along with designing, planning and building complete communities.

As the OPR continues, staff identify and respond to new provincial policy, while maintaining the overarching mission of the Official Plan. It also means that several studies which have been completed will need minor updates to ensure consistency with, and conformity to, provincial legislation and policy. This will negatively affect the timing to conclude the OPR, but not its intent.

### Urban Structure

Ontario's policy-led land use planning system provides clear direction for municipalities to establish an urban structure which identifies locations of future growth. The Province's Growth Plan (2019), and by extension Halton Region's policy construct, has defined, established and invested in an urban structure.

The town initiated the concept of an urban structure through Council's approval of OPA 275 which identified primary growth areas. This land use planning ideology pre-dates the Growth Plan, and the *Livable Oakville* Official Plan, but was rooted in the recognition that Oakville is becoming more urban and requires a strategic and thoughtful approach to meet this challenge.

The town's urban structure intends to protect natural heritage, open space and cultural heritage, maintain the character of residential areas and direct growth to Strategic Growth Areas – an identified system of centres (such as Midtown, Uptown) and corridors (like Trafalgar Road). That does not mean there will not be some measure of modest growth in established neighbourhoods, however; where there is development, it integrates harmoniously with the existing character.

The urban structure also functions to co-ordinate land use, mobility and infrastructure requirements, ensuring they are aligned and complementary. It facilitates better decision-making for both Oakville and Halton Region Councils as it relates to capital investments and long-term planning.

The town's Urban Structure is used defensively and offensively; and it offers a measure of predictability for the next 50 years, and more. Utilising this type of



structure to direct future growth not only remains valid, but is perhaps more critical at this time given the seemingly unstructured nature of new legislation flowing from the province.

## **COMMENT**

There is no doubt that the recent legislative changes have been disruptive to Ontario's municipalities – both in terms of how they plan, and how they will consider future financial decisions. Notwithstanding the noble cause the Province is trying to address – devising ways to make housing more affordable for all Ontarians – the manner in which the legislation has been deployed, and its broad effect, has forced municipalities to re-think their approach to planning and paying for growth.

Staff has reported to Council on these matters through various reports. In short, recent legislation is layered and complicated. It also generally:

- centres more authority with the government and in particular, the Minister of Municipal Affairs and Housing;
- reduces environmental protection (including potential redevelopment of lands in Ontario's Greenbelt)
- repeals the Growth Plan (including Provincial growth forecasts); and set new housing targets for 29 municipalities
- delegates more responsibilities on natural heritage planning to lower-tiers, removing some Conservation Authority participation
- removes planning responsibilities from upper-tier regional governments
- caps parkland dedication through the development process
- redefines how areas of employment can operate

The changes have been swift and compounding. Most municipalities, Oakville included, have not been able to respond to changes before more are announced.

## **Challenges Ahead**

Although the legislation changes are frustrating for a multitude of reasons, Ontario municipalities must now respond and adapt. It is foolhardy to assume the changes will be rescinded.

The Province has set an ambitious goal of achieving 1.5 million new homes by 2031. The structural modifications made to statute and provincial policy guarantees that Oakville will receive its allocation of that new housing, and the town needs to be prepared. The Province has been clear that where municipalities thwart attempts to facilitate growth, the Province (or Minister) will intervene. This has already occurred in Mississauga, Markham, Richmond Hill, and most recently Guelph.

As the province intends to generate supply, it has stated that intensification is one component, but so too is new greenfield development. In Oakville's case, there is no more land in Oakville to designate for residential land uses to achieve the 33,000 new homes comprising Oakville's housing target. Moreover, continuing to build sprawling subdivisions will not help the Town address the climate emergency, or allow the town to deliver the necessary services in a financially-responsible manner. There will be further strain on environmental and agricultural areas, biodiversity and water resources.

Distributing growth broadly across the town could prove equally challenging as it puts pressure on established neighbourhoods if the available services, infrastructure and transit cannot support the growth.

The 2022 Citizen Survey highlighted some resident priorities such as protection of green space and the character of neighbourhoods. That becomes difficult to manage if there are not alternative locations in which growth can be accommodated.

Oakville must be decisive and vigilant in directing growth to the identified centres and corridors if it wishes to maintain the scale of established neighbourhoods. By managing new developments in this manner, it is possible for the town to address a number of factors:

- Council declaring a climate emergency
- co-ordinate delivery of major infrastructure
- mitigate traffic congestion
- promote land use patterns which do not rely on private automobile
- encourage age-friendly community design

### **Opportunities for Oakville**

The Province has told Oakville that it will continue to grow, and must account for additional population. That is not a bad thing, so long as there is a plan in place.

Fortunately, Oakville Council had the foresight of creating a land use planning framework that leaves the municipality in a good position, and the town will weather these changes.

The town's Urban Structure is the defining element which will ensure the long-term resilience of the municipality in the face of evolving land use planning rule changes, discordant government mandates and simply – it represents sound community planning principles.

Planning for new population allows the municipality to be in a better financial position to meet the commensurate services (i.e. community amenities, transit, infrastructure) and needs of new residents when demanded of the town. In directing where new growth should go, it reduces the risk of disrupting existing neighbourhoods and having new population locate to areas ill-equipped to welcome it.

For example, Council has already made investments in transit, demonstrating its commitment to its viability. Orienting new growth in and around transit-oriented communities (such as Midtown) leverages that investment and maximises its potential. Future development along the Lakeshore West GO line is the obvious choice for transit-oriented communities.

## **CONSIDERATIONS**

### **(A) PUBLIC**

Public notice is not required for this report.

### **(B) FINANCIAL**

Not applicable

### **(C) IMPACT ON OTHER DEPARTMENTS & USERS**

Numerous town departments are engaged in the Official Plan Review Programme to achieve stronger integration between key master plans and the town's Official Plan.

### **(D) CORPORATE AND/OR DEPARTMENT STRATEGIC GOALS**

This report addresses the corporate strategic goal to:

- be the most liveable town in Canada

### **(E) COMMUNITY SUSTAINABILITY**

The Official Plan Review Programme will continue to advance the town's sustainability initiatives in response to Council declaring a climate change emergency in 2019.

## **CONCLUSION**

The implications to Oakville are simple. Growth is coming; it is inevitable. And it is more prudent to account for that growth accordingly rather than wish it away, and run the risk of unfavourable development being done "to the town" instead of administering its guidance. To act otherwise is a disservice to the community.

The in-effect and proposed Provincial legislation will dramatically change how land use planning in Ontario will be undertaken. The Province has made it clear that it intends to do whatever it can to get as much supply to market as fast as possible.

Oakville must be strategic in directing where that growth should go, and in what form it will take, in order to be able to support new population, while respecting the existing neighbourhood character.

The foundational principles of the Urban Structure remain relevant and will continue to be the base from which land use planning policy will evolve in Oakville for decades to come as the Official Plan is updated in response to evolving provincial policy. It remains a the best option the town has to capitalise on the opportunity of welcoming new population, and building complete communities at the same time. There will be growth-related challenges as the town tries to navigate a new way in which to undertake land use planning, handle the anticipated growth, provide new employment opportunities, and move people.

Given the climate with this current provincial government, it is even more critical to stay the course and continue implementation of the town's official plan and urban structure. This is the vehicle that provides the level of certainty needed to continue planning for complete communities during a time of uncertainty.

**Recommended & Submitted by**

Gabriel A.R. Charles, MCIP, RPP  
Director, Planning Services

## REPORT

### Planning and Development Council

Meeting Date: May 15, 2023

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**FROM:** Planning Services Department

**DATE:** May 2, 2023

**SUBJECT:** Information and Update Report on Provincial Initiatives – Bill 109, Bill 23, Bill 97 and the proposed Provincial Planning Statement 2023 – May 15, 2023

**LOCATION:** Town-wide

**WARD:** Town-wide

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#### RECOMMENDATION:

1. That the report titled “Information and Update Report on Provincial Initiatives – Bill 109, Bill 23, Bill 97 and the proposed Provincial Planning Statement 2023 – May 15, 2023” dated May 2, 2023, be received.
2. That the comments within this report related to the “Proposed *Planning Act*, *City of Toronto Act*, 2006, and *Ministry of Municipal Affairs and Housing Act* Changes (Schedules 2, 4, and 6 of Bill 97 - the proposed *Helping Homebuyers, Protecting Tenants Act*, 2023)” be endorsed as the Town of Oakville’s response to the ERO No. 019-6821, as staff submitted these comments to the Ministry of Municipal Affairs and Housing to meet the May 6, 2023, commenting deadline.
3. That the comments within this report related to the “Review of proposed policies adapted from A Place to Grow and Provincial Policy Statement to form a new provincial planning policy instrument” be endorsed as the Town of Oakville’s response to the ERO No. 019-6813 and submitted to the Ministry of Municipal Affairs and Housing, prior to the June 5, 2023, commenting deadline.
4. That the comments within this report related to the “Site Plan for Residential Developments of 10 or Fewer Units – Two Proposed new Minister’s Regulations under the *Planning Act* and the *City of Toronto Act*, 2006” be endorsed as the Town of Oakville’s response to the ERO No. 019-6822 and submitted to the Ministry of Municipal Affairs and Housing, prior to the May 21, 2023, commenting deadline.

5. That the report titled “Information and Update Report on Provincial Initiatives – Bill 109, Bill 23, Bill 97 and the proposed Provincial Planning Statement 2023 – May 15, 2023” dated May 2, 2023, be forwarded by the Town Clerk to the Minister of Municipal Affairs and Housing, Halton Area MPPs, Halton Region, the City of Burlington, the Town of Halton Hills, the Town of Milton, Conservation Halton and Credit Valley Conservation.

## **KEY FACTS:**

These are key facts for this report:

- This report provides updates on three pieces of provincial legislation (Bill 109, Bill 23, Bill 97) and related regulations and materials. These are intended to support Ontario’s Housing Affordability Task Force Report, Ontario’s Housing Supply Action Plan and the province’s commitment to build 1.5 million homes by 2031.
- Each piece of legislation, including associated regulations and plans, are at varying stages of enactment by the province and implementation by the town.

### ***Bill 109***

- The province’s Bill 109, the *More Homes for Everyone Act, 2022* (“Bill 109”) received Royal Assent on April 14, 2022. Some provisions were immediately in force, while others will come into force and effect later.
- Official Plan Amendments 47 and 328, which are in force and effect, were developed in response to Bill 109 to ensure that the town’s pre-consultation and complete application process for site plan applications continue as per current town practice.
- Official Plan Amendments 53 and 329, which are under appeal to the Ontario Land Tribunal, were developed in response to Bill 109 to enable the timely processing of development applications by requiring early public engagement prior to the submission of a development application.
- The town continues to implement Bill 109, as applicable.

### ***Bill 23***

- The province’s Bill 23, the *More Homes Built Faster Act, 2022* (“Bill 23”) received royal assent on November 28, 2022. Some provisions were immediately in force, while others will come into force and effect later.

- Implementation progress on Bill 23 includes amending the Development Engineering Site Plan (DESP) review process to respond to the new legislation; addressing cultural heritage matters including the initiation of the Heritage Designation Project; developing a program to address Council's request to report on potential revenue losses from Bill 23; and addressing new provincial requirements to report on required planning matters.
- The town continues to implement Bill 23, as applicable.

### ***Bill 97 and the proposed Provincial Planning Statement***

- On April 6, 2023, the province introduced Bill 97, the *Helping Homebuyers, Protecting Tenants Act, 2023* ("Bill 97"), and released a proposed Provincial Planning Statement 2023 to replace the current Provincial Policy Statement 2020 and the Growth Plan for the Greater Golden Horseshoe.
- This report summarizes key aspects of the legislation and provides the town's comments on Bill 97, the proposed Provincial Policy Statement, and associated regulations. These comments will be submitted to the province through the applicable ERO postings.

It is important to note that until proposed changes to the legislation comes into effect at a future date, the existing planning framework established by the province continues to apply including the Growth Plan 2020 and Provincial Policy Statement 2020.

## **BACKGROUND:**

### **Bill 109 - More Homes for Everyone Act**

The province's Bill 109, *More Homes for Everyone Act, 2022* received Royal Assent on April 14, 2022. Bill 109 was reported as the province's first step in implementing Ontario's Housing Affordability Task Force Report recommendations. Staff provided a report to Council on the Ontario Housing Affordability Task Force Report at its meeting of [April 4, 2022](#) (Agenda Item 7.2).

Staff provided reports to Council on Bill 109 and its implementation thereto at:

- Town Council on [April 25, 2022](#)  
(Agenda Item 9.2: staff response to Bill 109 and comment report)
- Planning and Development Council on [July 11, 2022](#)  
(Agenda Item 6.4: Public Meeting and Recommendation - OPA 47 and 328)

- Planning and Development Council on [December 5, 2022](#) (Agenda Item 6.3: Public Meeting and Recommendation - OPA 53 and 329)

### **Bill 23 - More Homes Built Faster Act**

On October 25, 2022, the province introduced its main housing initiative, the *More Homes Built Faster: Ontario's Housing Supply Action Plan 2022-2023*. The Action Plan supports the province's commitment to build 1.5 million new homes over the next 10 years to address Ontario's housing crisis.

Central to the Action Plan is Bill 23, the *More Homes Built Faster Act, 2022*. Bill 23 affects several planning and development statutes, including the *Planning Act*, *Development Charges Act*, *Conservation Authorities Act*, *Ontario Land Tribunal Act* and the *Ontario Heritage Act*.

In conjunction with Bill 23, the province announced several updates to regulations and consultations on various provincial plans and policies including the 2020 Provincial Policy Statement and the 2019 Growth Plan.

Bill 23, the *More Homes Built Faster Act, 2022* received royal assent on November 28, 2022. Some provisions were immediately in force, while others will come into force later. A staff report was provided to Planning and Development Council regarding Bill 23 on [December 5, 2022](#) (Agenda Item 7.2), which included detailed comments.

### **Bill 97 - Helping Homebuyers, Protecting Tenants Act**

On April 6, 2023, the Province announced Bill 97, the *Helping Homebuyers, Protecting Tenants Act, 2023*, which received first reading in the Ontario legislature. Bill 97 is the most recent legislation the province is proposing to implement its Housing Supply Action Plan and its commitment to build 1.5 million homes by 2031.

Public engagement on Bill 97 is underway with several opportunities to provide comments as discussed throughout the report. The Bill will be subject to further readings by the legislature, potential committee review, and may be further amended. The Bill proposes amendments to:

- Schedule 1 - *Building Code Act, 1992*
- Schedule 2 - *City of Toronto Act, 2006*
- Schedule 3 - *Development Charges Act, 1997*
- Schedule 4 - *Ministry of Municipal Affairs and Housing Act*
- Schedule 5 - *Municipal Act, 2001*
- Schedule 6 - *Planning Act*
- Schedule 7 - *Residential Tenancies Act, 2006*



Schedule 1 proposes changes to the *Building Code Act* regarding Ministerial powers to appoint provincial building inspectors and is not a concern for the town.

Schedule 2 proposes changes to the *City of Toronto Act* and is not a concern for the town.

Schedule 3 proposes changes to the *Development Charges Act*. This change may be viewed as a refinement to the legislation and does not have an impact to the town.

Schedule 4 proposes changes to the *Ministry of Municipal Affairs and Housing Act* regarding Ministerial powers over responsibilities of Provincial Land and Development Facilitators (PLDF).

The PLDF is intended to help the province, municipalities, developers, businesses and community groups resolve issues related to growth management, land use and infrastructure planning, and environmental protection by providing impartial facilitation services or by acting as a negotiator on behalf of the province. The new agency was made operational on October 1, 2020.

The PLDF is outside the town's purview and there are no comments.

Schedule 5 proposes changes to the *Municipal Act* regarding protective measures for rental housing. This proposal is addressed later in this report.

Schedule 6 proposes changes to the *Planning Act* in several areas. The proposal is detailed later in this report along with staff commentary.

Schedule 7 proposes changes to the *Residential Tenancies Act* regarding rights and protections for tenants of rental housing. These are discussed later in this report.

The province is seeking comments on Schedules 2, 4, and 6 of Bill 97 by May 6, 2023 ([ERO No. 019-6821](#)).

### **Proposed Provincial Planning Statement 2023**

In addition to Bill 97, on April 6, 2023, the province released a draft Provincial Planning Statement (PPS) to integrate and replace the current Provincial Policy Statement 2020 and A Place to Grow: Growth Plan for the Greater Golden Horseshoe. The proposed PPS 2023 is intended as a next step to implement the provincial Housing Supply Action Plan and its commitment to build 1.5 million homes by 2031. The proposed PPS 2023 has been developed with achieving housing outcomes as a top priority. The PPS is intended to remove barriers to housing,

accelerate the development approvals process, support growth and generate housing supply, and provides large and fast-growing municipalities with additional flexibility to help deliver housing.

The opportunity to provide comments on the PPS 2023 closes June 5, 2023 ([ERO No. 019-6813](#)). Staff comments on the proposed PPS 2023 are provided later in this report.

### **Regulation through Bill 97: Site Plan for Residential Development of 10 or Fewer Units**

Two new regulations regarding site plan control are proposed through Bill 97. The new regulations could potentially restore some part of a municipality's ability to require site plan control, which were previously taken away under Bill 23.

If Bill 97 is passed and the regulations are made, the regulations would set out the conditions under which municipalities could use site plan control for residential developments of 10 or fewer units on a single lot. The regulations being proposed would specifically permit the use of site plan for parcels of land where:

- any part of which is located within 120 metres of a shoreline; and
- any part of which is located within 300 metres of a railway line.

Public consultation on the regulations proposed under the *Planning Act* regarding site plan for residential developments of 10 or fewer units is underway. The opportunity to provide comments on the proposal closes May 21, 2023 ([ERO No. 019-6822](#)).

### **COMMENTS:**

This report provides implementation updates on Bill 109 - More Homes for Everyone Act and Bill 23 - More Homes Built Faster Act.

Additional commentary in the sections below provides an overview of Bill 97 - Helping Homebuyers, Protecting Tenants Act and the Proposed Provincial Planning Statement 2023.

### **Bill 109 – Implementation Progress**

#### ***OPA 47 and OPA 328***

At the Public Meeting held on July 11, 2022, Town Council passed By-law 2022-074 to adopt OPA 47 to the Livable Oakville Plan, and By-law 2022-075 to adopt OPA 328 to the 1984 Oakville Official Plan (North Oakville Secondary Planning Areas).

The Official Plan Amendments (OPAs) were developed in response to changes made to the *Planning Act* resulting from Bill 109, which put in place new rules about site plan control, pre-consultations with municipalities before plans and drawings for site plan are submitted for approval, and completeness of site plan applications.

OPA 47 and OPA 328 responded to these changes by updating the town's implementation policies in both the Livable Oakville Official Plan and 1984 Oakville Official Plan (North Oakville Secondary Planning Area). The amended policies ensured the pre-consultation and complete application process for site plan applications continued as per current town practice.

OPA 47 and OPA 328 are in force and effect.

### ***OPA 53 and OPA 329***

At the Public Meeting held on December 5, 2022, town council passed By-law 2022-122 to adopt Official Plan Amendment 329 to the 1984 Oakville Official Plan (North Oakville Secondary Planning Areas), and By-law 2022-123 to adopt Official Plan Amendment 53 to the Livable Oakville Plan.

The OPAs were developed in response to changes made to the *Planning Act* resulting from Bill 109, which put in place new rules about when municipalities are required to refund fees in relation to processing times of development applications, among other matters.

The OPAs responded to these changes by updating the town's implementation policies regarding pre-consultation and complete application submission requirements and alternative notice procedures, requiring early public engagement prior to the submission of a development application, and a public engagement report as part of a complete application submission.

The effect of the changes is intended to ensure appropriate public consultation and development application processing timelines can be met without the need to refund fees.

OPA 53 and OPA 329 are appealed to the Ontario Land Tribunal.

### ***Development Applications***

Under Bill 109, the *Planning Act* was amended requiring municipalities to refund development application fees if the municipality failed to meet statutory deadlines for making decisions on development applications. The refund requirements initially came into force January 1, 2023.

Bill 97, discussed later in this report, would extend the deadline by six months from January 1, 2023, to July 1, 2023. The fee refund framework would apply to applications received on or after July 1, 2023. Any refunds triggered under the previous January 1, 2023, framework would be cancelled.

Notwithstanding the extension provided by Bill 97, it is noted that the town received two development applications within the period (post January 1, 2023) which would have otherwise been subject to the fee refunds requirements. The applications included a site plan (60-day approval) and an OPA/ZBA (120-day approval).

These applications would have been on schedule and delivered to Council without refunds being required. To date, the town has not had to issue any refunds.

Staff notes that that other municipalities have also attempted to improve efficiency through their complete application requirements and these too have been appealed to the Tribunal. These municipalities include the City of Brampton, City of Burlington and the Town of Ajax.

### **Bill 23 – Implementation Progress**

#### ***Development Engineering Site Plans (DESP)***

Staff from numerous departments have been working to refine the process the process changes required by Bill 23, including grading, drainage and tree protection impacts. This included process reviews, gap analysis, communications, template/resource development, and stakeholder engagement.

The work completed to-date, as it relates to the development engineering site plan (DESP) impacts, will be provided in a future staff report to Council. The impacts of Bill 97, including the impacts of reintroducing site plan control within 120 metres of the shoreline (and what the shoreline constitutes), will also need to be considered.

#### ***Cultural Heritage Matters***

*Heritage Designations:* Bill 23 made changes to the *Ontario Heritage Act* requiring listed heritage properties to be removed from municipal heritage registers after two years. This affects the town's 294 listed properties, which would automatically be removed from the Oakville Register of Properties of Cultural Heritage Value or Interest (Heritage Register) on January 1, 2025. In response, the Policy Planning & Heritage section has initiated a [Heritage Designation Project](#) to evaluate the merits of designating approximately 80 listed properties under s. 29, Part IV of the *Ontario Heritage Act* from 2023 to 2025 to conserve Oakville's cultural heritage resources.

*Heritage Register:* Bill 23 imposed new requirements for the municipal heritage register. Municipalities are now required to provide owner names and mailing information for all properties designated under s.29, Part IV of the *Ontario Heritage*

Act. Staff is working to revise the Heritage Register to meet all legislated requirements, including a process to regularly update the Heritage Register to ensure the town has accurate information.

***Timing for Changes to Upper-tier Planning Responsibilities***

Bill 23 made changes to the *Planning Act* that, upon proclamation, will remove planning responsibility and decision making from seven upper-tier municipalities, including Halton Region. The timing for proclamation of these changes is a government decision.

As part of the package of materials released with Bill 97 was the “Proposed Approach to Implementation of the proposed Provincial Planning Statement”. It indicates that the provincial government will not remove the planning responsibilities from upper-tier municipalities until Winter 2024, at the earliest.

***Potential Revenue Losses***

At their meeting March 27, 2023, Town Council requested regular reporting on potential losses in Development Charge revenues stemming from Bill 23. A similar request also was made at Regional Council.

Local municipal and regional staff are in the process of meeting on these matters to develop a program to address these requests. Town staff will report back to Town Council on implementation progress at a future Council meeting.

***Municipal Reporting on Planning Matters***

On April 6, 2023, the Minister of Municipal Affairs and Housing passed Municipal [Planning Data Reporting - O. Reg. 73/23](#) which is now in effect. The regulation requires select municipalities in Ontario to report prescribed information on planning matters to the Ministry. The first quarterly report of planning application data is due June 30, 2023.

The town is actively working on meeting the reporting needs by the deadline which requires substantial effort to prepare the data. Town staff are collaborating with the rest of the 28 municipalities and the province on providing the information through a shared data exchange platform and advocating for provincial funding to cover the initial costs.

**Bill 97 – Schedule 6 – *Planning Act* - Commentary**

The following section provides commentary on Schedule 6 of Bill 97, which amends the *Planning Act*, as well as the companion materials provided by the province regarding implementation matters. A summary of key proposed changes is provided, including the Town’s response.

### **Definition of “area of employment”**

#### *Proposed Change:*

Bill 97 proposes to amend the *Planning Act* definition of “area of employment” to align with the proposed changes to the Provincial Planning Statement 2023, discussed later in this report. Based on the new definition, the scope of what constitutes an “area of employment” would be narrowed.

The new definition of “area of employment” removes institutional, commercial and office uses from the definition, provided such uses are not otherwise related to permitted uses such as manufacturing uses, uses related to research and development, and warehousing uses.

Bill 97 also proposes transition provisions in respect of “area of employment” containing institutional uses and non-associated commercial uses. The provision provides that these uses can still form part of an “area of employment” if the lands are subject to official plan policies authorizing the continuation of the use and the use was lawfully established prior to the modified definition of “area of employment” coming into force.

These amendments will come into force on a day to be named by proclamation of the Lieutenant Governor.

#### *Staff Response:*

- The exclusion of institutional uses, commercial uses, including retail and office uses from an “area of employment,” in conjunction with the uses prohibited by the proposed PPS 2023, will trigger a re-evaluation of the town’s employment areas designated in the Official plan.
- Staff is concerned that this could impact the town’s employment land supply, including planning and maintaining employment lands in a greenfield context.
- Coupled with the changes being proposed to the PPS 2023, as discussed later in this report, staff is concerned that the proposed changes may reduce employment area protections and related mix of employment opportunities given the scope of employment areas has narrowed.

The town’s economic development strategy focuses on attracting investment in four key sectors: professional services, life sciences, advanced manufacturing, and digital media and information and communications technology.

Many of these types of companies would locate within commercial space, including office, which is now excluded from “area of employment.” Knowledge-based industries are well suited to Oakville given the education level of the population. Staff is concerned that this new legislation may impact knowledge-based employment opportunities for residents.

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***Development Application Fee Refund Provisions - Extension***

***Proposed Change:***

As noted in the Bill 109 update section of this report, under Bill 109, the *Planning Act* was amended requiring municipalities to refund development application fees if the municipality failed to meet imposed statutory deadlines for making decisions on zoning by-law amendment applications, combined zoning by-law/official plan amendment applications, and site plan applications. The refund requirements initially came into force January 1, 2023.

Bill 97 extends the deadline by six months from January 1, 2023, to July 1, 2023. The fee refund framework now applies to applications received on or after July 1, 2023. Any refunds triggered under the previous January 1, 2023, framework are cancelled.

Under Bill 97, an amendment was also introduced which would create a regulation-making authority for the Minister to exempt certain municipalities from the fee refund framework. No municipalities have been identified.

***Staff Response:***

- Staff supports the extended deadline.
- Staff notes that it remains unclear how refunding fees will expedite the development application process. A repeal of this provision would allow the planning process to continue more effectively. At the very least a provision could be added that would allow the parties to agree to 'stop the clock' while they work through issues.
- Staff would advocate that the town be exempt from the fee refund regime should the Minister identify exempted municipalities through regulation.

***Restores Right of Appeal to the Initial Passing of an Interim Control By-Law***

***Proposed Change:***

Bill 97 proposes to restore the right to appeal the initial passing of an interim control by-law, in addition to the extension thereof. The requirement to give notice of the adoption of an interim control by-law is reduced to 20 days (from 30), and the appeal deadline is 50 days after the date of passing of the by-law. Transition would apply.

***Staff Response:***

- Staff is concerned that allowing appeals weakens its ability to prevent or pause development in advance of completing comprehensive or proactive studies to guide development appropriately.
- Given the intent of Bill 97 is to provide for increase housing supply at an accelerated pace, staff is unsure how allowing appeals would accelerate housing development.

### ***New Ministerial Powers***

#### **Proposed Change:**

Under Bill 97 and the proposed Provincial Planning Statement, the Minister would be given additional powers to make regulations and orders related to planning functions that previously would have been done by local municipalities, including:

- Requiring landowners and municipalities to enter into agreements where a Provincial Land Development Facilitator has been appointed. These agreements could include matters that go beyond what can be provided in either the *Planning Act* or *Development Charges Act* to address any matter the Minister considers necessary for the appropriate development of the land (e.g., community benefits).
- Requiring that until landowners and municipalities enter into any required agreements, only existing uses would be permitted to continue until the agreement(s) has been signed. This has the same effect as imposing an interim control by-law.
- Exempting lands that are the subject of minister's zoning orders from complying with provincial policies and official plans when other planning approvals are applied for, such as plans of subdivision. This gives the Minister the ability to address circumstances where an minister's zoning orders permits residential uses in an area where the official plan does not.
- Making regulations regarding transition related to the applicability of a new Provincial Planning Statement, including that all decisions, including zoning by-laws and permitting processes, must be consistent with the proposed PPS 2023, even before a municipality has updated its official plan.
- Making regulations regarding the power a municipality must regulate demolition and conversion of residential rental properties, including to pass a by-law requiring a landowner to provide compensation.

#### **Staff Response:**

- Staff has concerns that through the additional Ministerial powers, which empower the Minister to make decisions on behalf of local communities, the community-led planning visions established under local Official plans may be jeopardized.
- The town recognizes that there are opportunities when working with the development community to enter into agreements that benefit the community. However, staff is concerned that the forced requirement to enter into development agreements may be counter to the town's objectives in some instances. Furthermore, staff is concerned that there may be limited and/or reduced transparency with the public regarding decision making within a more litigious environment under a requirement to enter into agreements.
- Staff is concerned that the official plan may be jeopardized under the new framework for minister's zoning orders and lead to ad-hoc decision making.



- Staff is concerned about the transition period to the new PPS 2023 and the requirement that it would apply even when official plans are not brought up to date. This is of particular concern for employment area planning and the potential for conversion requests in the absence of a municipal comprehensive review process.

### **Bill 97 –Schedules 5 and 7 – Residential Tenancies Act and Municipal Act**

#### ***Residential Tenancies Act, 2006***

Bill 97 proposes changes to the *Residential Tenancies Act, 2006* aimed at strengthening renter protections where a landlord proposes to evict for renovations, demolitions, conversions or for a landlord's own use; increase fines for bad-faith evictions; and enhance tenant rights to improve living conditions.

#### ***Municipal Act, 2001***

Bill 97, Schedule 5, if passed, would amend section 99.1 of the *Municipal Act* which is the section that provides the authority to municipalities to pass by-law(s) that prohibits and regulates the demolition of residential rental properties and prohibits and regulates the conversion of residential rental properties to some other use.

The proposed amendment provides that the by-law making power of a municipality would be subject to any regulations passed by the province and in that regard the proposed amendment also greatly expands what the province may do if it decides to pass regulations under section 99.1 of the *Municipal Act* from that which is presently set out in the current section 99.1 of the *Municipal Act*.

Right now, the regulation making power simply states: "The Minister may make regulations imposing limits and conditions on the powers."

The proposed amendment would state:

*"(7) The Minister may make regulations,*

*(a) governing the powers of a local municipality under this section, including regulations,*

*(i) imposing restrictions, limits and conditions on the powers of local municipalities to prohibit and regulate the demolition and conversion of residential rental properties,*

*(ii) prescribing requirements to be contained in by-laws made under this section,*

*(iii) prescribing conditions that local municipalities must include as a requirement for obtaining a permit, and*

- (iv) prescribing requirements that the local municipality must impose on owners of land to which a by-law passed under this section applies;*
- (b) authorizing local municipalities that pass a by-law under this section to require an owner of land to which a by-law passed under this section applies to make payments and to provide compensation;*
- (c) for the purposes of clause (b), prescribing the amounts to be paid, the compensation to be provided, the persons to whom payments and compensation shall be made and the circumstances in which payments and compensation shall be made, and otherwise governing the payments and compensation;*
- (d) prescribing steps local municipalities must take or conditions that must be met before passing a by-law under this section and governing any transitional matters with respect to the implementation of such conditions;*
- (e) defining, for the purposes of this section and any regulations under this section, any word or expression not defined in subsection 1 (1) of this Act.”*

The proposed amendment would also make it clear that any regulations imposed under this section would prevail in the event of any conflict with the by-law or with any other act including the *Residential Tenancies Act*.

With the introduction of this proposed amendment to section 99.1 of the *Municipal Act*, the province published in the Environmental Registry a request for feedback on the future regulations the province indicated it intended to pass under section 99.1 of the *Municipal Act* "to create a balanced framework around Possible Rental Replacement By-laws."

The province states what it fully intends to put in the regulations as follows:

*“Where tenants are displaced due to the demolition/conversion of their rental unit, the government intends to consider future regulations that would regulate matters such as:*

- 1. Prescribe minimum requirements for landowners to give tenants the option to rent a 'replacement unit' at the same location as their demolished unit, and at a similar rent. This requirement would apply in instances where a 'replacement unit' is required to be built at the same location as the demolished unit.*

*2. Set common rules about the types of compensation that would be required to be provided to displaced tenants.*

*3. Prescribe minimum requirements for landowners to build 'replacement units' with the same core features (e.g., same number of bedrooms) as demolished units.*

*4. Limit municipalities from imposing minimum square footage requirements for 'replacement units'.*

The province is seeking feedback on additional elements that could be included as part of this proposal, as follows:

- A. Should rent for replacement units be regulated? If so, how?
- B. Are there any types of entities/institutions that own or operate residential rental properties of six or more units that should be exempt from rental replacement rules? If so, what are they, and why should they be exempt?
- C. Are there any other elements the government should consider?

The province is seeking the feedback through the [Regulatory Registry posting 23-MMAH005](#) on the proposed regulations by May 21.

**Staff Response:**

Currently, staff has been investigating the merits of a section 99.1 By-law prohibiting and regulating the demolition and conversion of residential rental properties containing six or more units.

Staff notes that the City of Mississauga has recently prepared such a By-law that addresses the expected four elements set out above in the newly proposed regulation as well as Items A and C. Town staff suggest that the province's regulations should enable the approach that Mississauga has used in the implementation and enforcement of its by-law including its issuance of permits and the setting of conditions for the proposed demolition and/or conversion to proceed.

**Provincial Planning Statement 2023**

The [proposed Provincial Planning Statement 2023](#) (PPS) represents significant changes to growth management with a new planning approach to support the increase of housing supply throughout Ontario. The changes are intended to leverage housing supportive policies from the existing PPS 2020 and the Growth Plan to further remove barriers and continue to protect the environment through a

streamlined province-wide land use planning framework. Under the *Planning Act*, all municipal decisions will have to be consistent with the proposed PPS 2023.

The province has stated that the proposed changes respond to input received through previous consultation. The proposed PPS 2023 is grounded in five pillars:

- Generate an appropriate housing supply,
- Make land available for development,
- Provide infrastructure to support development,
- Balance housing with resources, and
- Implementation.

The province is currently seeking feedback via ERO [019-6813](#) and the comments period will close on June 5, 2023. The proposed PPS 2023 is expected to come into force by fall 2023. The following section provides a summary of key proposed changes and staff responses as well as a review of the proposed approach to implementation of the proposed PPS 2023.

### ***Planning for People and Homes***

#### **Proposed Change:**

- The requirement for municipalities to plan to accommodate specific population and employment growth forecasts to a horizon year is not carried forward in PPS 2023.
- Local municipalities will eventually undertake their own growth forecasts. Until that time, the province expects that municipalities will meet or exceed the existing Growth Plan 2051 minimum forecasts.
- In instances of a minister's zoning order, the resulting development potential would be added to forecasted needs over the long-term. During a municipality's next official plan (OP) update, this additional growth would be incorporated into the OP and related infrastructure plans.
- Several concepts are not carried forward in the proposed PPS 2023 including the delineated built boundary, municipal comprehensive review, provincially significant employment zones,

#### **Staff Response:**

- Staff supports the importance of long-range growth management planning with population and employment forecasts that are regularly updated.
- Staff supports the direction for municipalities to undertake growth forecasting at the local level, but it must be implementable, and the upper-tier municipalities are needed to deliver infrastructure.
- Staff notes that while the province is proposing policy changes that make it easier to intensify everywhere, the town-wide urban structure will continue to

provide Oakville with a comprehensive framework for managing current and future forecasted growth.

- Good community planning in the public interest suggests that the Council approved urban structure provides for the long-term protection of natural heritage, public open space and cultural heritage resources, maintains the character of Residential Areas and is the foundation to direct growth to identified nodes and corridors.

## ***Housing***

### **Proposed Change:**

- Removes the requirement for implementing minimum targets for the provision of housing which was previously identified as being affordable to low- and moderate-income households.
- In place of the minimum targets, a proposed requirement is for planning authorities to coordinate land use and planning for housing with provincial Service Managers to address full range of housing options, including housing affordability needs.
- Furthermore, a proposed requirement will permit and facilitate conversion of existing commercial and institutional buildings for residential use. It will also permit the development and introduction of new housing options within previously developed areas and redevelopment that results in an overall increase in residential units.

### **Staff Response:**

- Staff supports increased opportunities for creating new housing, however it should be done in a comprehensive manner that considers a range of planning and land use matters.
- Additionally, staff is of the opinion that protecting opportunities for employment and maintaining complete communities is critical.
- Staff supports the provision of a full range and mix of housing, however prioritizing growth and intensification in strategic growth areas should be maintained.
- Overall, staff supports greater alignment with provincial housing targets and welcomes opportunities for expanded tools that support creation of new housing, which should explicitly include affordable housing.

## ***Growth Management and Intensification***

### **Proposed Change:**

- The concept of strategic growth areas has been integrated from the Growth Plan and they are to be identified in official plans as the focus for growth.

- Large and fast-growing municipalities, including the Town of Oakville are defined and will be required to identify strategic growth areas in their official plans along with density targets.
- Major transit station areas are still considered strategic growth areas and have prescribed minimum density targets.
- The concept of an Urban Growth Centre is proposed to be removed from the policies but will persist as a defined term with strategic growth area policies applying.
- As mentioned, municipalities are expected to meet or exceed the Growth Plan 2051 minimum growth forecasts until such time that they can carry out their own growth forecasting.
- When updating an official plan, municipalities will be required to have enough land for at least 25 years with planning expressly allowed to extend beyond this horizon for infrastructure, employment areas and strategic growth area. This is a change from the previous “up to 25 years”.
- While not a change affecting the Town of Oakville directly, PPS 2023 proposes that settlement area expansions may be considered outside of an MCR process and that property owners have greater ability to apply for an expansion.

**Staff Response:**

- Staff notes that the proposed changes signal a fundamental change in growth management in Ontario and a return to pre-Growth Plan approaches.
- Staff notes that Oakville’s town-wide urban structure is comprised of strategic growth areas and major transit areas and have had minimum density targets identified through the ongoing official plan review.
- The proposed policies would require major transit station areas on inter-city rail to be planned for a minimum density target of 150 residents and jobs per hectare, including Midtown Oakville and Bronte GO.
- For major transit station areas served by light rail or bus rapid transit, the proposed policies would require a minimum density target of 160 residents and jobs per hectare, including the Trafalgar Urban Core, Dundas Urban Core, Uptown Core, Hospital District and Palermo Village.
- Staff notes that despite the changes proposed to lower certain minimum density targets, staff does not recommend changing any of Oakville’s current Minimum density targets, including Midtown Oakville at 200 residents and jobs per hectare. These targets remain critical to accommodate the province’s forecasted growth as planned in the town’s urban structure.
- Staff requests that the province clarify how municipalities are expected to implement policies of encouragement when before they were required policies. Will the province provide guidelines or will municipalities have to create a stand-alone approach?
- Staff is concerned that the proposed change to “encourage” rather than “require” intensification will limit the municipality’s ability to protect for long-

term employment growth to provide balanced support to a growing residential base.

- While the proposed changes are intended to deliver housing quickly, there remain concerns related to downloading of planning responsibilities to municipalities, unclear roles/responsibilities in the future and new challenges with long-term land use planning and growth management.

### ***Employment Areas and Land Use Compatibility***

#### **Proposed Change:**

- The definition of “employment areas” would be changed in both the proposed PPS 2023 and the *Planning Act*, to focus on heavy industry, manufacturing and large-scale warehousing. Other uses that can locate in mixed use areas, such as retail, commercial and office, would no longer be considered employment.
- Another proposed change is that employment land conversions would occur at any time, rather than through a comprehensive review process.
- The proposed changes increase flexibility for planning on employment lands, which would make it easier for sensitive land uses, such as residential development, to locate close to employment uses.
- The proposed policies for land use compatibility will focus on minimizing and mitigating impacts on industry and removing requirement to demonstrate “need” and a lack of alternative locations.
- As noted, the concept of provincially significant employment zones would be eliminated, however the province is considering alternative approaches to protect some of these lands, such as using Ministerial powers.

#### **Staff Response:**

- Staff is concerned that the proposed policies may reduce employment area protections. The proposed policies could result in residential uses encroaching on important employment areas causing an erosion of the town’s employment base.
- Conversely, the introduction of residential uses into employment areas may pose negative long-term impacts on the new sensitive land uses.
- Staff is supportive of increased flexibility for housing however, there are concerns regarding the use of these policies to advance ad hoc land conversion requests and the introduction of sensitive land uses in unanticipated areas.
- Furthermore, staff is concerned that unanticipated growth may conflict or undermine effective growth management practices that have successfully guided growth in the town.
- Staff notes that the Town’s Official Plan will require further updating and refinement to reflect “areas of employment” which could fracture the overall

employment functionality of an area and the supporting land uses which create viable employment areas.

- Additionally, staff are concerned that removing protections for employment areas to allow residential uses to mix with existing commercial uses, including retail and office, will begin to displace those commercial uses. A trend of this type would undermine employment opportunities in Oakville and impact the town's ability to attract employment opportunities for residents close to home.
- Staff notes that Oakville's workforce is highly educated and presents a competitive advantage for business attraction in the professional services sectors.
- Staff requests that the province provide further details and direction for criteria, methodology and locational considerations and approaches that would maintain protect of certain employment lands. A key component of this direction would be how to protect for employment opportunities outside of employment areas to support work-life balance and continue to provide for all aspects of a complete community.

### ***Climate Change and Environment***

#### **Proposed Change:**

- Generally, the proposed changes continue to loosen environmental protections and prioritize the increase of housing supply.
- The proposed policies would require municipalities to plan for climate change to reduce greenhouse gas emissions with a focus on improving air quality and apply an integrated approach to also plan for infrastructure and community facilities.
- Policies related to natural hazards are unchanged.
- In terms of the connections to Greenbelt policies, the province will introduce amendments to clarify that previous policies in the existing PPS 2020 and the Growth Plan will continue to apply in cases where the Greenbelt Plan refers to them.

#### **Staff Response:**

- Staff maintains dedicated support for environmental protection and carefully balancing the desire for increased housing with the responsibility to respond to climate change through the PPS 2023.
- The province should lead by example to demonstrate their commitment to enhance environmental protection, respond to climate change and promote a truly integrated approach to growth management.
- Staff remain concerned with the transition of planning responsibilities to local municipalities and potential loss of environmental expertise at the local level.
- Staff is encouraged by the province's intent to maintain implementation of Greenbelt Plan policies and continue to coordinate with other provincial plans.



## **Agriculture**

### Proposed Change:

- Generally, the proposed policies make significant changes to the development of lands in prime agricultural areas. For example, the changes remove the requirement for using the provincially mapped Agriculture System.
- The proposed changes also make it easier to build new housing. Municipalities will still designate and protect prime agricultural lands, however, the proposed policies make it easier to create up to two additional residential units in prime agricultural areas and up to three additional residential parcels, provided certain conditions are met such as existing access, appropriate frontage, etc.

### Staff Response:

- The proposed changes to prime agricultural lands do not directly impact Oakville, however, staff generally support a balanced approach across the province.

## **Cultural Heritage**

### Proposed Change:

- Minor changes and refinements are proposed to the Cultural Heritage and Archaeology policies in the PPS 2023.
- A comprehensive definition of “*protected heritage property*” is proposed.

### Staff Response:

- Staff does not have concerns with these proposed policy changes.

## **Natural Heritage**

### Proposed Change:

- Natural heritage policies are unchanged in the proposed PPS and remain under further consideration by the province. Any proposed changes would be released through a separate Environmental Registry of Ontario (ERO) posting.

### Staff Response:

- Staff will monitor for proposed changes related to natural heritage and will report to Council on such changes at a future time.

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## ***Implementation and Transition***

### **Proposed Change:**

- Language stating the municipal official plan is the most valuable tool for implementing the PPS is proposed to be removed from the policies but would remain part of the non-policy preamble.
- In terms of implementation, municipalities would be required to keep zoning by-laws and official plans up to date with the proposed PPS by establishing permitted uses, minimum densities, heights and other development standards in accommodate growth and development.
- In cases where municipalities must make a planning decision before their official plan has been updated to be consistent with the proposed PPS, it must still make a decision that is consistent with the new PPS.
- In terms of transition, the effective date will be specified in the future, subject to applicable provincial legislation. Any planning decision made on or after the effective date would be subject to the new PPS policies.
- Feedback is being sought on any specific transition issues. The province is proposing to release the final policies for a brief period before they take effect, targeted for fall 2023.

### **Staff Response:**

- Staff recommends that policies be maintained to support the official plan as the most important mechanism for implementing the PPS.
- Staff requests the province clarify official plan processes and procedures related to instances where a planning decision must be consistent with the new PPS in absence of an updated municipal official plan.
- To support clear implementation, Staff recommends the province review its defined terminology for existing and added terms related to housing, transit, environment and growth management.
- Opportunities should be maintained for all municipalities to provide feedback and staff welcomes the prospects of meaningful consultation to help inform changes from a local and context-sensitive perspective.

## **Regulation Through Bill 97: Site Plan for Residential Development of 10 or Fewer Units**

Two new regulations regarding site plan control are proposed through Bill 97, which could restore part of a municipality's ability to require site plan control that were previously taken away under Bill 23.

### **Proposed Change:**

If Bill 97 is passed and the regulations are made, the regulations would set out the conditions under which municipalities could use site plan control for residential

developments of 10 or fewer units on a single lot. The regulations being proposed would specifically permit the use of site plan for parcels of land where:

- any part of which is located within 120 metres of a shoreline; and
- any part of which is located within 300 metres of a railway line.

**Staff Response:**

Under Bill 23, the province proposed changes under section 41 of the *Planning Act* that exempts site plan control for any residential development with 10 units or less (e.g., a single-detached house, a townhouse development of 9 units, etc.).

This approach, based on the provinces' feedback received on Bill 23, was not conducive to certain contexts. As such, Bill 97 restores some ability to require site plan control in proximity to shorelines and railway lines, as noted above.

Under the Bill 23 regime, the town made comment to the province that the exemption of site plan control over such developments could result in grading, drainage and flooding possibilities for adjacent and downstream properties, safety issues with respect to inappropriate driveway locations and impacts on the road and traffic network, the inability to acquire identified hazard lands and associated buffers, along with identified road widenings. The cumulative impact could diminish and undermine environmental and flood mitigation protection, vehicular and pedestrian safety. The inability to require robust landscaping could undermine the municipal tree canopy objectives and establishing appropriate screening and buffering from adjacent properties.

Under the revised Bill 97 regime, these comments remain valid. However, having site plan restored in locations which are within 120 metres of a shoreline, and within 300 metres of a railway line, could help to alleviate some of these concerns, particularly for small housing developments in proximity to the Lake Ontario shoreline in the context of Oakville.

The process changes and impacts of Bill 23 and Bill 97 regarding site plan applications and development engineering site plan (DESP) including tree canopy and tree protection, grading and drainage as well as building permit and inspection will be the subject in a future report to Council.

**CONCLUSION AND NEXT STEPS:**

Staff is thankful for the opportunity to comment on Bill 97 and is hopeful that the 60-day comment period will provide the province with a wide range of thoughtful feedback from various stakeholders.

New challenges are ahead for municipalities regarding employment areas, growth management practices, infrastructure planning and settlement boundary policies. The overall shift to a pre-Growth Plan era could increase pressure for greenfield development across the province at the expense of growing in place within existing built areas.

Staff supports increased flexibility to build more housing, however there are concerns pertaining to the fast-pace and sweeping changes in direction to Ontario's planning framework. Given the significant provincial legislative changes over the last few years, staff recommends the province allow for a period of stability for municipalities to conform to the new planning regime.

## **CONSIDERATIONS:**

### **(A) PUBLIC**

The public may provide comments on Bill 97, the proposed Planning Policy Statement 2023 including matters and regulations discussed in this report through the related postings on the Environmental Registry of Ontario (ERO) website (<https://ero.ontario.ca/>) and Ontario's Regulatory Registry (ORR) website: <https://www.ontariocanada.com/registry>, as applicable.

### **(B) FINANCIAL**

There are no financial implications arising from the recommendation in this report.

### **(C) IMPACT ON OTHER DEPARTMENTS & USERS**

This report was prepared by staff from multiple departments.

### **(D) CORPORATE STRATEGIC GOALS**

This report addresses the corporate strategic goal(s) to:

- be accountable in everything we do,
- always act as a team,
- enhance our economic environment, and
- be the most liveable town in Canada.

### **(E) CLIMATE CHANGE/ACTION**

Staff is concerned about the adverse effects that Bill 97 and the proposed Provincial Planning Statement 2023 may have on environmental sustainability.

Prepared and Recommended by Staff from:

Planning Services,  
Development Engineering,  
Finance,  
Transportation & Engineering,  
Economic Development,  
Strategic Business Support and  
Legal Services

Submitted by:

Doug Carr, Town Solicitor  
Corporate Services Commission

Neile Garbe, Commissioner  
Community Development Commission

## REPORT

### Planning and Development Council

Meeting Date: May 15, 2023

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**FROM:** Planning Services Department

**DATE:** May 2, 2023

**SUBJECT:** Recommendation Report – Town-Initiated Official Plan Amendment (File No. 42.24.27) and Official Plan Amendment/Zoning By-law Amendment (File Nos: OPA 1614.80 and Z.1614.80) – Support House – 130 Cornwall Road – By-laws 2023-049, 2023-050 and 2023-051

**LOCATION:** 130 Cornwall Road

**WARD:** Ward 3

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#### RECOMMENDATION:

1. That the Town-initiated Official Plan amendment, File No. 42.24.27, be approved on the basis that the application is consistent with the Provincial Policy Statement, conforms with all applicable Provincial plans, the Region of Halton Official Plan, has regard for matters of Provincial interest, and represents good planning for the reasons outlined in the report from the Planning Services Department dated May 2, 2023.
2. That By-law 2023-049, a by-law to adopt Official Plan Amendment 55, be passed.
3. That the application for an Official Plan amendment submitted by Support House, File No. OPA 1614.80, be approved on the basis that the application is consistent with the Provincial Policy Statement, conforms with all applicable Provincial plans, the Region of Halton Official Plan, has regard for matters of Provincial interest, and represents good planning for the reasons outlined in the report from the Planning Services Department dated May 2, 2023.
4. That By-law 2023-050, a by-law to adopt Official Plan Amendment 56, be passed.
5. That the application for a Zoning By-law amendment submitted by Support House, File No. Z.1614.80, be approved on the basis that the application is

consistent with the Provincial Policy Statement, conforms with all applicable Provincial plans, the Region of Halton Official Plan, has regard for matters of Provincial interest, and represents good planning for the reasons outlined in the report from the Planning Services Department dated May 2, 2023.

6. That By-law 2023-051, an amendment to Zoning By-law 2014-014, be passed.
7. That notice of Council's decision reflect that Council has fully considered all the written and oral submissions relating to these matters and that those comments have been appropriately addressed; and,
8. That in accordance with Section 34(17) of the *Planning Act*, no further notice is determined to be necessary.

**KEY FACTS:**

The following are key points for consideration with respect to this report:

- **Nature of the Applications:** The landowner has applied for Official Plan and Zoning By-law amendment applications to redevelop the property to allow for a new apartment building containing 37 affordable housing units. The Town-initiated Official Plan amendment will correct a mapping error concurrent with the site-specific development applications.
- **Proposals:** The proposed development consists of a five-storey 37-unit apartment building with site-specific performance standards, which results in a proposed density of 355 units per site hectare. The proposed Town-initiated amendment will correct the land use mapping from *Parks and Open Space* to *High Density Residential*.
- **Location:** The subject land is located on the south side of Cornwall Road, east of Old Mill Road, west of Trafalgar Road and north of Sixteen Mile Creek, and is municipally known as 130 Cornwall Road.
- **Policy Context:** The subject land is designated *Parks and Open Space* (subject to File No. 42.24.27, which will correct it to *High Density Residential*) and is identified as *Residential Areas* on Schedule A1 (Urban Structure). Intensification may occur within *Residential Areas* provided the character of the area is preserved, and the overall Urban Structure of the Town is upheld. The Town-initiated Official Plan amendment will correct a mapping error and re-designate the lands as High Density Residential.
- **Zoning:** The subject land is zoned Residential High subject to Special Provision 198 (RH sp: 198), which permits an apartment dwelling. The

proposed Zoning will modify the existing site-specific regulations to implement the development and a Holding Symbol (H53) required by Halton Region.

- **Public Consultation:** A virtual Public Information Meeting (“PIM”) was held on February 16, 2022, to present the subject applications. The Ward 3 Councillors, Staff and 15 members of the public were in attendance. All public comments received as of the date of the report have been summarized and included in this report.
- **Timing:** The applicant-initiated applications are being considered under Bill 109, which provides a 120-day timeline before the applicant is entitled to a partial refund of fees and could file an appeal for lack of a decision. The applications were deemed complete on January 20, 2023, and a decision must be made by May 21, 2023.

## **BACKGROUND:**

The purpose of this report is to provide a full Staff review, analysis and recommendations on the proposed Official Plan amendments and Zoning by-law amendment applications.

The subject land is located at 130 Cornwall Road. The lands currently contain a single detached building operated by *Support House*, known as *Grace House*. *Grace House* is a transitional housing residence, which is primarily funded by the Region of Halton and the Ministry of Health through the Home Community Care Support Services Mississauga Halton. The purpose of the applications is to construct a five-storey, 37-unit apartment building in order to expand their services.

The Town-initiated Official Plan amendment is required to rectify a mapping error on the subject land. The former Official Plan designated the subject land as *High Density Residential*; however, the lands were incorrectly depicted as *Parks and Open Space* when the Livable Oakville Plan was adopted in 2009. The Town-initiated Official Plan amendment will amend Schedule G – South-East Land Use and correctly designate the subject land as *High Density Residential*.

The applicant’s proposed Official Plan amendment application will include a “Special Exception” on the *High Density Residential* lands, to permit an increased density cap to accommodate the proposed affordable housing development.

The intent of the proposed Zoning By-Law amendment application will modify the existing site-specific regulations on the land to implement the development and to introduce a Holding Provision (H53) required by Halton Region.



The Statutory Public Meeting was hosted by Oakville Town Council on March 6, 2023. All public comments received since the public meeting have been summarized and included in this report.

## **Proposal**

The purpose of the applications is to amend the Town's Official Plan and Zoning By-law to permit a site-specific density and site-specific zone provisions for the subject land. Based on the size of the property, the proposed development will have a density of 355 units per site hectare, whereas the maximum permitted density in the Official Plan is 185 units per site hectare. The Zoning By-law amendment will implement the proposed development and introduce site-specific regulations relating to yards, floor area, height, landscaping and parking.

## **Location & Site Description**

The subject land is located on the south side of Cornwall Road, east of Old Mill Road, west of Trafalgar Road and north of Sixteen Mile Creek, and is municipally known as 130 Cornwall Road. The subject land currently contains a 10-unit transitional housing residence, which is primarily funded by the Region of Halton and the Ministry of Health through the Home Community Care Support Services Mississauga Halton.

The subject property and the Sunrise of Oakville property to the east are owned and operated independently, however, they function together as they share common ingress/egress driveways and aisles. It should be noted that the Support House property is comprised of Part 2, 3 and 4 on Plan 20R-13457 and has an access easement over Part 6, while the Sunrise of Oakville property is much larger in area, being comprised of Parts 6, 7, 8 on Plan 20R-12743, as seen below in Figure 1. Part 1 is the Old Mill Parkette, which is not subject to this application.

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The subject land is currently occupied by a two-storey residential building known as the Grace House. The surrounding land uses are as follows:

- *North* – Oakville Go-Train, VIA Station and associated parking lots along the Canadian National (CN) rail line
- *East* – Sunrise of Oakville
- *South* – Town parkland with a walkway and Sixteen Mile Creek
- *West* – Old Mill Parkette

File No.s OPA 1614.80 and Z.1614.80 are Bill 109 applications.

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|--|------------------|
| Application Deemed Complete                      | January 20, 2023 |
| P & D Council – Statutory Public Meeting         | March 6, 2023    |
| P & D Council – Recommendation Meeting           | May 15, 2023     |
| Date Eligible for Appeal/Refund for Non-decision | May 21, 2023     |

## **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, as amended in 2020)
- Halton Region Official Plan
- Livable Oakville Official Plan
- Zoning By-law 2014-014

### **Provincial Policy Statement**

The Provincial Policy Statement (**‘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 affordable housing, as well as residential intensification, to respond to current and future needs for a time horizon of up to 25 years.

The PPS 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.

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

The proposed Official Plan and Zoning By-law amendments represent an efficient use of land and existing resources through compatible residential intensification, and expansion of affordable housing and therefore is consistent with the PPS.

Staff are of the opinion that the proposed Official Plan and Zoning By-law amendments will contribute to a healthy, liveable and safe community and that the proposal is consistent with the PPS.

## **Growth Plan**

The Growth Plan for the Greater Golden Horseshoe (2019, as amended in 2020) (**‘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 (Section 2.2.2). The subject land is located within a “Delineated Built-up Area.”

Municipalities are required to undertake integrated planning to manage forecasted growth to the horizon of this Plan, which, amongst other matters, establishes a hierarchy of settlement areas, and provides direction for an urban form that will optimize infrastructure, particularly along transit and transportation corridors, to support the achievement of complete communities through a more compact built form.

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, including affordable housing, and expand convenient access to transportation options, as provided in Section 2.2.6.

The subject land is located within the “Delineated Built-up Area” where growth will be focused within settlement areas and intensification is encouraged by the Growth Plan. The proposed Official Plan and Zoning By-law amendments to permit the construction of a five-storey residential building containing 37 affordable housing units, is considered intensification. The proposed development of the site will represent an efficient use of existing infrastructure, convenient access to transit, public service facilities and will provide a range and mix of housing options, which helps contribute to complete communities. Therefore, the applications conform to the Growth Plan.

## **Halton Region Official Plan**

The subject land is designated ‘Urban Area’ in the Halton Region Official Plan (ROP). The Urban Area policies of the ROP provide that 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 By-laws. All development, however, shall be subject to all other relevant policies of the Regional Plan, including Section 85 that identifies the objectives for *Housing*.

Section 85(5) states that one of the objectives of the Regional Official Plan, in relation to housing, is to meet the housing needs of the Region through the provision of *Assisted Housing*, *Affordable Housing* and *Special Needs Housing* in Halton. Further, Section 85(6) provides policy for the integration of *Assisted* and *Special Needs Housing* with *Market Housing*; Section 85(7) promotes the provision and management of *Assisted Housing* in *Halton* through the Halton Community Housing Corporation.

Regional Staff have reviewed the applications within the context of the Regional Official Plan (ROP) and offer no objection to the applications, subject to the servicing comments being addressed to Halton Region's satisfaction.

Regional Staff are of the opinion that the proposal is consistent with and conforms to the relevant provincial planning documents, Regional Official Plan and have no objection to the subject applications, subject to the inclusion of the following as part of the proposed Holding Provision (H53):

- “a) That prior to any site alteration, servicing or grading of the site and to the satisfaction of Halton Region, the Owner submits revised Phase One and Two Environmental Site Assessment (ESA) reports, at minimum (and any further subsequent reports/ documentation as recommended per revised Phase One and Two ESA reports). The revised Phase One and Two ESA reports and any other environmental reports/ documentation must be completed in accordance with O. Reg. 153/04, and signed and stamped (professional seal must be affixed) by (a) qualified person(s) as defined under O. Reg. 153/04. The author(s) of the environmental reports/ documentation submitted to the Region must also extend third party reliance to Halton Region. The letter of reliance(s) must be signed by the author(s) and meet Halton Region's letter of reliance template, indicating that liability insurance coverage is no less than \$2,000,000. The Owner complies with O. Reg. 153/04 and Halton Region's Protocol for Reviewing Development Applications with respect to Contaminated or Potentially Contaminated Sites, to the satisfaction of Halton Region.*
- b) That an updated Functional Servicing Report (FSR) be approved by Halton Region and any requirements of Halton Region be addressed to their satisfaction in relation to the findings and/or recommendations of the report.*

- c) *That the downstream sewer upgrades and/or replacement have been constructed and in operation and the downstream sewer constraints have been addressed to the satisfaction of Halton Region.”*

### ***Ontario Heritage Act***

Directly abutting the subject land to the west is the Old Mill Parkette. The parkette is designated under Part IV of the *Ontario Heritage Act* by By-law 2011-098 for its historic steam engine structure that powered the machinery at the Oakville Basket Factory once located nearby. The key heritage attributes of the steam engine include all of its remnant pieces as well as its location within the parkette and the view of the steam engine from Cornwall Road.

Heritage Planning Staff have advised that the heritage attributes are not directly impacted by the proposal at 130 Cornwall Road and therefore, have no concerns with this proposal. A review of the future Site Plan application will fully address other policy requirements such as stormwater management, functional servicing, tree preservation, transportation implications as well as urban design requirements.

### **Livable Oakville Plan**

#### **Official Plan Objectives**

A variety of residential uses are accommodated through the three Residential land use designations: Low Density Residential, Medium Density Residential and High Density Residential. These designations provide for a full range of housing types, forms and densities throughout the Town.

Section 2.2 of the *Livable Oakville Plan* provides the following Guiding Principles:

#### ***2.2.1 Preserving and creating a livable community in order to:***

- a) *preserve, enhance, and protect the distinct character, cultural heritage, living environment, and sense of community of neighbourhoods;*
- b) *direct the majority of growth to identified locations where higher density, transit and pedestrian oriented development can be accommodated; and,*
- c) *achieve long term economic security within an environment that offers a diverse range of employment opportunities for residents.*

#### ***2.2.2 Providing choice throughout the Town in order to:***

- a) *enable the availability and accessibility of a wide range of housing, jobs and community resources to meet the diverse needs of the community through all stages of life;*

- b) provide choices for mobility by linking people and places with a sustainable transportation network consisting of roads, transit, walking and cycling trails; and,*
- c) foster the Town’s sense of place through excellence in building and community design.*

#### *2.2.3 Achieving sustainability in order to:*

- a) minimize the Town’s ecological footprint;*
- b) preserve, enhance and protect the Town’s environmental resources, natural features and areas, natural heritage systems and waterfronts; and,*
- c) achieve sustainable building and community design.*

Section 11 of the Livable Oakville Plan outlines the objectives that shall apply to all Residential Areas:

- a) maintain, protect and enhance the character of existing Residential Areas;*
- b) encourage an appropriate mix of housing types, densities, design and tenure throughout the Town;*
- c) promote housing initiatives to facilitate revitalization, compact urban form and an increased variety of housing alternatives;*
- d) promote innovative housing types and forms to ensure accessible, affordable, adequate and appropriate housing for all socio-economic groups;*
- e) encourage the conservation and rehabilitation of older housing in order to maintain the stability and character of the existing stable residential communities; and,*
- f) discourage the conversion of existing rental properties to condominiums or to other forms of ownership in order to maintain an adequate supply of rental housing.*

*“Affordable means housing with market price or rent that is affordable to households of low and moderate income spending 30 per cent of their gross household income without government subsidies. Such households would be able to afford, at the low end, at least three out of ten rental properties on the market and, at the high end, ownership housing with sufficient income left, after housing expenses, to sustain a basic standard of living.”*

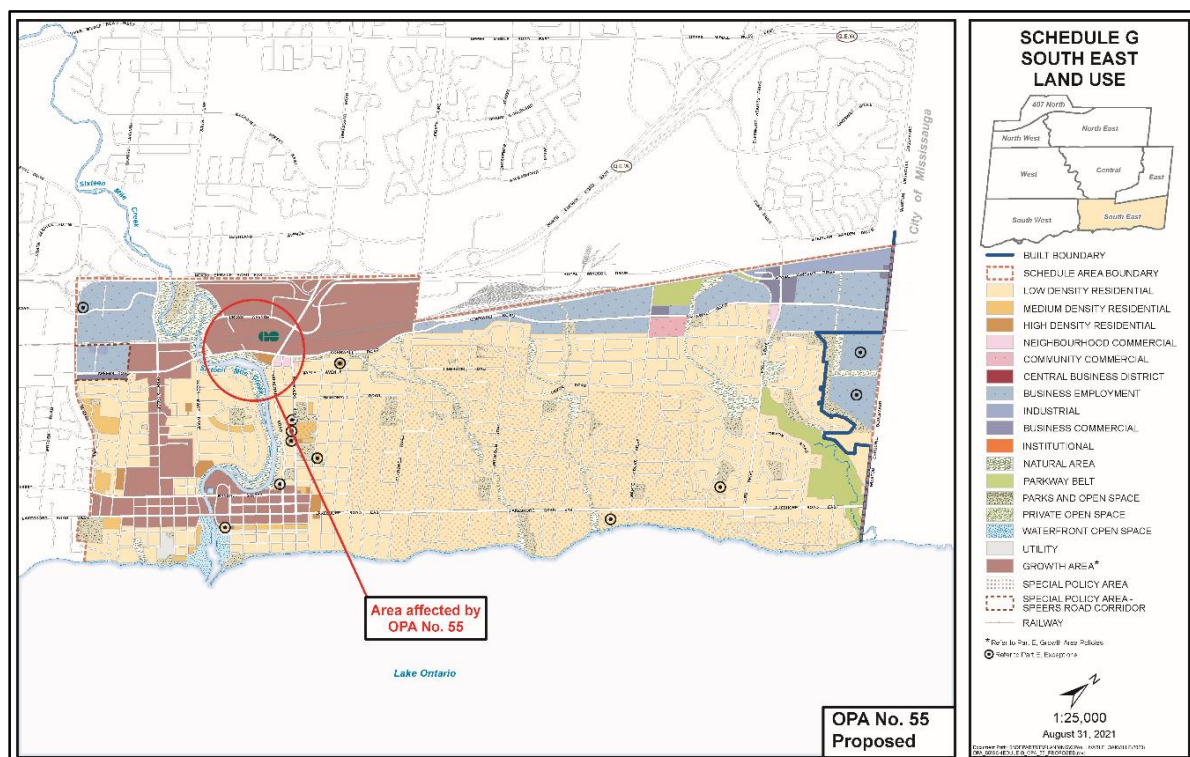
### Urban Structure

Schedule A1, Urban Structure, of the Livable Oakville Plan provides the basic structural elements for the Town and identifies the subject land as being within the ‘Residential Areas’. Residential Areas include low, medium and high density residential uses as well as a range of compatible facilities such as schools, places of

worship, recreation and commercial uses that serve the residents of the Town. Growth and change within Residential Areas may occur provided the character of the area is preserved and the overall urban structure of the Town is upheld.

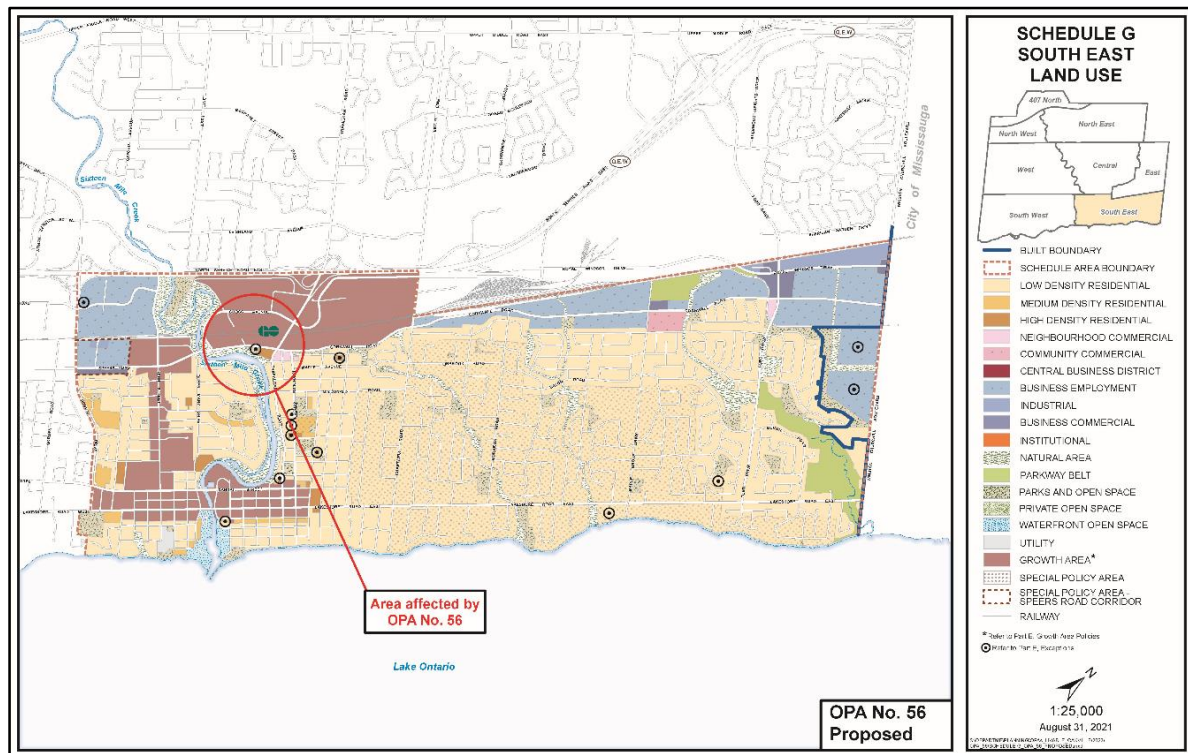
### Land Use Policies

The subject land is designated *Parks and Open Space* (subject to File No. 42.24.27, which will correct it to *High Density Residential*) on Schedule G – South East land use within the Livable Oakville Plan. The Town-initiated Official Plan amendment (OPA 55) will designate the lands from *Parks and Open Space* to *High Density Residential* so that the property can be developed for its intended purpose with a *High Density Residential* land use. The *High Density Residential* designation permits multiple-attached dwelling units, apartment dwellings, retirement homes and long-term care home building types up to a density of 185 dwelling units per hectare. The proposed five-storey, 37-unit development will have a density of 355 units per hectare, hence the requirement for an Official Plan amendment application (OPA 56).



**Figure 2:** File No. 42.24.27 – Town-initiated Official Plan Amendment No. 55





**Figure 3:** File No. OPA 1614.80 – Applicant’s Official Plan Amendment No. 56

The subject land is identified on Schedule A1 – Urban Structure as being within the Town’s system of Residential Areas. Excerpts of the following referenced Official Plan policies are attached as **Appendix “C”**.

Section 3 of the Official Plan establishes Oakville’s Urban Structure, which describes and assigns the basic structural elements of the Town. Section 3.9 describes how some growth and change may occur in Residential Areas provided the character of the area is preserved and the overall urban structure of the Town is upheld.

Section 4 of the Official Plan, Managing Growth and Change, outlines policies of this Plan relating to the management of growth and change, and reflects the significant shift to a more compact urban form and intensification within the built-up area.

Subsection 4.3 of the Official Plan, Residential Intensification Outside of the Growth Areas, states that while the Town’s Growth Areas are to be the key focus for development, growth and change may occur in established stable residential communities, *“provided the character of the areas is preserved and the overall urban structure of the Town is upheld”*.

Section 11 of the Official Plan provides for the Town's Residential policies. It states that intensification *"within the stable residential communities will be subject to policies that are intended to maintain and protect the existing character of those communities."* The Official Plan lists a set of objectives that apply to the Town's Residential Areas, which includes maintaining the character of existing residential areas while encouraging a mix of housing types throughout the Town.

Subsection 11.1.1 states, *"the Town will continue to work directly with the Region to provide opportunities for housing for a wide array of socio-economic groups and those with differing physical needs using all available planning mechanisms and tools and to develop a housing strategy, including preparation of Municipal Housing Statements, which will establish and implement affordable housing targets."*

Subsection 11.1.4 states, *"development shall conform with policies relating to urban design and sustainability set out in Part C"* of the Town's Official Plan.

Subsection 11.1.6 of the Official Plan states, *"special needs housing may be permitted through a range of housing types in all residential land use designations in accordance with section 11.1.9 and where adequate residential amenities and services are provided"*.

*"Special needs housing means any housing, including dedicated facilities in whole or in part, that is used by people who have specific needs beyond economic needs, including but not limited to, needs such as mobility requirements or support functions required for daily living. Examples of special needs housing may include but are not limited to housing for persons with disabilities such as physical, sensory or mental health disabilities, housing for the elderly, group homes, emergency shelter, housing for the homeless, and independent permanent."*

Subsection 11.1.8 c) states, *"within the stable residential communities, on lands designated Medium Density Residential and High Density Residential, there may be underutilized lands on which additional development may be appropriate. Intensification of these lands may occur within the existing density permissions for the lands and may be considered subject to the requirements of section 11.1.9 and all other applicable policies of this Plan."*

Subsection 11.1.9 outlines criteria for which all development within stable residential communities shall be evaluated. A summary of the applicable policies are appended to this report as **Appendix "C"**, but the most relevant to the current applications are listed as follows:

- 
- a) The built form of development, including scale, height, massing, architectural character and materials, is to be compatible with the surrounding neighbourhood.*
  - b) Development should be compatible with the setbacks, orientation and separation distances within the surrounding neighbourhood.*
  - c) Where a development represents a transition between different land use designations or housing forms, a gradation in building height shall be used to achieve a transition in height from adjacent development.*
  - e) Roads and/or municipal infrastructure shall be adequate to provide water and wastewater service, waste management services and fire protection.*
  - f) Surface parking shall be minimized on the site.*
  - h) Impacts on the adjacent properties shall be minimized in relation to grading, drainage, location of service areas, access and circulation, privacy, and microclimatic conditions such as shadowing.*
  - j) Development should maintain access to amenities including neighbourhood commercial facilities, community facilities including schools, parks and community centres, and existing and/or future public transit services.*
  - k) The transportation system should adequately accommodate anticipated traffic volumes.*
  - l) Utilities shall be adequate to provide an appropriate level of service for new and existing residents.*

The applicant will be required to obtain Site Plan approval prior to the issuance of building permits for the construction of the five-storey apartment building. The proposed development exceeds 10 units, which still requires the applicant to proceed through a Site Plan application, even under recent changes to the *Planning Act* from Bill 23. Subsection 28.11 of the Livable Oakville Plan outlines that the entire Town is subject to Site Plan Control and the Town will require the owner to fulfill Conditions of Site Plan Approval and enter into an agreement with the Town relating to said Conditions.

Given the size of the property and a maximum density of 185 units per site hectare, the subject land could accommodate a total of 19 dwelling units without the need for an amendment to the Livable Oakville Plan. The applicant has indicated a need within the community to provide this type of housing and has applied for the

proposed Official Plan amendment to increase the maximum density to 355 units per site hectare in order to accommodate the proposed five-storey 37-unit apartment building. In this particular instance as part of the analysis for the calculation of density based on the undersized lot, Staff is of the opinion that said amendment meets the intent of the *High Density Residential* land use designation. If the applicant were to comply with the maximum permitted 185 units/acre, only an additional nine units could be accommodated on the Support House property. For calculation purposes, if combined with the Sunrise of Oakville property, both will comply with the permitted density of the *High Density Residential* land use designation and the Sunrise property will not be precluded from future development by the proposed development of the Support House land.

Staff are of the opinion that the proposed development is consistent with the objectives for Residential Areas in Section 11 of the Livable Oakville Plan as set out above. The Subject Property is zoned Residential High Special Provision 198 (RH sp: 198) under Zoning By-law 2014-014, which permits an apartment building in accordance with the Residential High Density land use designation. The Official Plan and Zoning By-law amendment applications represent an efficient use of land resulting in an apartment building that will be compatible with the surrounding neighbourhood, which creates affordable housing supported by various Provincial, Regional and Municipal objectives.

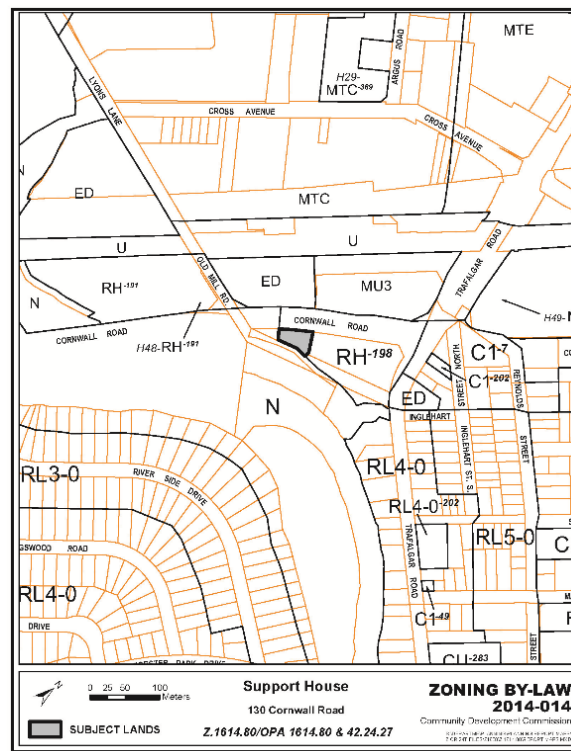
Furthermore, Staff are of the opinion that the proposed Official Plan and Zoning By-law amendments are consistent with all applicable Livable Oakville Plan policies. The proposal upholds the Urban Structure, is compatible with the existing neighbourhood, its surrounding site attributes and complies with the evaluative criteria for development in stable residential communities in subsection 11.1.9.

Finally, the Town-initiated Official Plan amendment (OPA 55) will correct a mapping error and designate the lands as *High Density Residential*, as it formerly was dating back to records in the 1985, 1995 and 2004 Official Plan.

A copy of the Draft OPA 55 and 56 are attached to this report as **Appendix “E”** and **“F”**.

#### Zoning By-law (2014-014)

The lands are zoned *Residential High Special Provision 198* (RH sp: 198) as shown in Figure 4 below.



**Figure 4:** Existing Zoning Map

The *Residential High* zone permits apartment dwellings in addition to:

- daycares;
- long term care facilities/retirement homes; and
- accessory retail stores

Special Provision 198 applies to the subject land and also to the Sunrise of Oakville retirement building (456 Trafalgar Road) directly east of the site. The special provision includes regulations relating to setbacks, lot coverage, landscaping and parking.

### Proposed Zoning By-law Amendment

The applicant proposes to modify Special Provision 198 as it relates to the subject land only to permit the development as proposed. No modifications are being made to the Sunrise of Oakville property. The following is an overview of the principles of the proposed Zoning By-law amendment:

- modifications to the regulations pertaining to lot area and yards;
- permit a maximum height of 17.25 m;

- provide a minimum landscape coverage of 25%;
- permit a maximum floor area of 2,500 m<sup>2</sup>;
- reduce the width of landscaping along any surface parking area to 0.0 m;
- provide a minimum of seven parking spaces; and
- include a Holding Provision (H53) required by Halton Region.

Staff are of the opinion that opinion that the proposed Zoning By-law Amendment application is appropriate for the development of the land and implements the Livable Oakville Plan. The proposed Holding Provision (H53) will enable the applicant to address Regional matters at a later date as part of a future Site Plan application, prior to any site alteration. It should be noted that the Residential Medium 4 Zone (RM4) is the only other Residential Zone that permits apartment dwellings and allows for a maximum height of 15.0 m, whereas 17.25 m is proposed. As the existing Zoning on subject land is specific to the single detached dwelling that is currently owned and operated by Support House, the proposed apartment dwelling will, as a permitted use, increase the usability of the site, be in keeping with the character of the surrounding neighbourhood, and maintain the pattern of development in the area.

A copy of the Draft By-law 2023-051 is attached to this report as **Appendix “G”**.

## **TECHNICAL & PUBLIC COMMENTS:**

### **Technical Review**

The applicant has submitted the required documents as part of the complete application submission, which have been circulated to various public agencies and internal Town departments. A full circulation and assessment of the application was undertaken to ensure that all review matters have been satisfactorily addressed. The following studies and supporting documentation are also accessible on the Town’s website at the following link: [Support House - 130 Cornwall Road - OPA 1614.80 and Z.1614.80](#).

- Planning Justification Report
- Transportation Impact Study
- Conceptual Site Plan
- Building Elevations/Floor Plans
- Phase 1/Phase 2 Environmental Site Assessment
- Function Servicing Report
- Geotechnical Report/Slope Stability Report
- Grading/Servicing Plans
- Landscape Plan/Tree Inventory/Tree Protection Plan

- 
- Noise Feasibility Study
  - Urban Design Brief including Shadow Study

The Statutory Public Meeting hosted by Oakville Council was held on March 6, 2023, and 15 members of the public attended or participated virtually. The following is an overview of the matters that were identified:

*Alignment with the Climate Emergency*

The applicant has advised that their goal is to create a sustainable and low energy-use building. The proposed design/climate change initiatives include:

- achieving a minimum 25% decrease in energy consumption and Greenhouse Gas (GHG) emissions outlined in the requirements of the 2015 National Energy Code for Buildings (NECB);
- the building envelope will exceed the building code in terms of insulation levels;
- air tightness detailing of the building envelope to reduce energy consumption;
- the entire building is to be heated and cooled with low-carbon electricity, rather than fossil fuels;
- low-flow water fixtures; and
- all LED lighting.

*Conformity with applicable policy*

Consistency and conformity to the relevant planning policy has been evaluated in this report. The applications conform with Section 11.1.9 of Livable Oakville, maintains and protects the existing neighbourhood character and contributes to increasing the range and mix of housing options. The proposals also represents an efficient use of land, intensification of an existing affordable housing operation through the creation of additional special needs housing units through Halton Region and provides a built form that will be compatible with the surrounding neighbourhood.

*Proposed use of land and density*

The proposed five-storey 37-unit apartment building is a permitted dwelling type, subject to the Official Plan and Zoning By-law amendment applications noted in this report. The existing undersized lot could only accommodate a maximum of 19 units within the High Density Residential designation, whereas 37 are proposed. The associated site-specific regulations are outlined in the ‘*Special provision regulations*’ section of this report.

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### *Transportation Implications*

- *Road Widening*
  - Staff have identified a 2.75 m road widening requirement along Cornwall Road that will be conveyed to the Town during the Site Plan application process. This land dedication results in a reduced lot area and smaller building envelope with proposed amendments to the existing Residential High Special Provision 198 (RH sp: 198) Zone. Furthermore, it is also related to the Official Plan amendment application required for an increase in the maximum permitted density.
- *Waste Management*
  - The Region has advised that Regional Waste Management will service the site for full cart waste collection from the waste pick-up area proposed on the site. Waste collection will be further reviewed as part of the future Site Plan application.

### *Urban Design*

The Livable by Design Manual provides a comprehensive and detailed design direction for development to ensure designed and built elements are integrated with their surroundings and result in projects that not only function, but also are aesthetically pleasing, support community vitality, and improve the overall livability.

Section 3.3 Low-rise residential buildings states, “*In applying the design directives, low-rise residential buildings are primarily medium and high-density residential, a maximum height of five storeys, and in multi-unit forms, such as apartment-style flats and townhouses. For design direction related to low-rise, low-density residential buildings, primarily detached and semi-detached dwellings, refer to Design Guidelines for Stable Residential Communities (2013).*”

Urban Design Staff have reviewed the proposal and have no objection to the Official Plan Amendment and Zoning By-law Amendment applications, subject to the implementation the Design Guidelines for Stable Residential Communities. Related comments on the submitted applications will be addressed through a more detailed review of a future Site Plan application.

### *Potential medical center use on main floor*

The applicant has confirmed that a medical centre use is not proposed to be combined with the proposed apartment building. A medical use has a higher parking



standard that cannot be accommodated on the site; and in addition, a ground floor medical use will reduce the private amenity space for the future residents.

### *Special provision regulations*

Below is a list and explanation of the required Special Provisions that form the basis of the Zoning By-law amendment in order to facilitate the proposed development:

- *Minimum landscaping coverage of 25%, whereas 25% is required.*
  - **No change** – complies with the existing Special Provision 198.
- *Minimum front yard of 3.0 m, whereas 6.0 m is required.*
  - **Amendment** – due to the 2.75 m width of road widening required and narrow depth of the lot.
- *Minimum easterly side yard of 4.5 m, whereas 7.5 m is required.*
  - **Amendment** – due to the extension of the upper floors cantilevered above the parking spaces.
- *Minimum westerly side yard of 3.0 m, whereas 3.0 m is required.*
  - **No change** – complies with the existing Special Provision 198.
- *Minimum rear yard of 3.0 m, whereas 3.0 m is required.*
  - **No change** – complies with the existing Special Provision 198.
- *Maximum floor area of 2,450 m<sup>2</sup>, whereas 550 m<sup>2</sup> is permitted.*
  - **Amendment** – due to the change in building type from the existing detached dwelling to an apartment building.
- *Minimum lot area of 1,000 m<sup>2</sup>, whereas the legally existing lot area on the effective date of the 2014-014 Zoning By-law is required.*
  - **Amendment** – due to the road widening land required to be conveyed to the Town through the Site Plan application process, resulting in a reduced lot area.
- *Maximum building height of 17.25 m, whereas the legally existing building height on the effective date of the 2014-014 Zoning By-law is permitted.*
  - **Amendment** – due to the change in building type from the existing detached dwelling to an apartment building.
- *Minimum landscaping width of 0.0 m, whereas 3.0 m is required.*
  - **Amendment** – due to the permeable pavers proposed for the pick-up located of the garbage refuse by Halton Region.

- *Minimum number of 7 parking spaces, whereas 17 are required.*
  - **Amendment** – due to the limited lot area, road widening land dedication, parking space dimension regulations, absence of vehicle ownership, operational needs and anticipated Staffing requirements in proximity to public transit.

*Proposed parking for current or anticipated number of staff*

The applicant has submitted a Parking Justification Study and Support House operational information, which indicates the number of staff required to meet the needs of the proposed development is anticipated to be three. The applicant has also indicated that based on the type of affordable housing proposed, occupants typically do not own personal vehicles. As such, Staff are proposing a parking ratio for the *apartment dwelling* owned, operated, or funded by a *public authority* will of 0.19 spaces/unit (7 spaces), of which 0.11 spaces/unit will be for visitors (4 spaces). It should be noted that the applicant will comply with the requirement of providing 30 bicycle parking spaces on site.

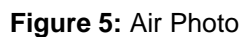
*Loss of green space and potential impacts to adjacent town park land*

Based on the applicant's submitted a Shadow Study attached in **Appendix "D"**, it has been demonstrated that the proposed development will not result in negative adverse shadowing impacts on the abutting public walkway to the south or the Old Mill Parkette to the west. In accordance with the Town's Shadow Impact Analysis Guidelines, the proposed development provides more than five hours of continuous sunlight per day on the 21<sup>st</sup> of April, June, September and December.

*Potential impacts on Town walkway*

The proposed development will be wholly contained within the subject land and there will be no extension onto adjacent lands. As depicted on the Air Photo and Conceptual Site Plan (Figures 5 and 6), the existing Town trees located along the southerly property line abutting the public walkway will remain, resulting in a Canopy Cover of approximately 46.6%:

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*Top of bank and fencing for safety*

Prior to receiving the formal circulation for the current applications, Conservation Halton (CH) worked with the applicant to assess the property given its proximity to the valley associated with Sixteen Mile Creek. CH reviewed the Slope Stability Assessment and Geotechnical Report for proposed development and are satisfied with the analysis and location of the Long Term Stable Top of Slope (LTSTS). CH staff are satisfied that the 7.5 m setback from the erosion hazard is contained within the adjacent publicly owned access. As such, a CH permit will not be required for this development. CH has no concerns with consistency with the PPS from a natural hazards perspective (Parts 3.1.1 to 3.1.7) and has no objection to the applications.

Furthermore, as part of a future Site Plan application, the applicant will be required to install the Town standard 1.2 m high black vinyl-coated chain link fence. This is typically installed 0.15 m on Town property and becomes fully owned by the municipality. It should be noted that there is an existing wood-rail fence located along the south side of the public walkway adjacent to the top of bank.

### **Public Comments**

A virtual Public Information Meeting (“PIM”) was held on February 16, 2022, to present the subject applications. The Ward 3 Councillors, staff and 15 members of the public attended the virtual meeting. Planning and development related questions were raised relating to:

- building design and footprint;
  - Refer to ‘*Urban Design*’ section of this report.
- impact on surrounding park land; and
  - Refer to ‘*Loss of green space and potential impacts to adjacent town park land*’ and ‘*Potential impacts on town walkway*’ sections of this report.
- number of units and sizes.
  - The proposed 37 units will be comprised of studio and 1-bedroom apartments that range in size from 344 to 592 square feet.

The following matters will be addressed as part of the future Site Plan application:

- rooftop access and balconies
- site functionality;
- garbage refuse;
- photometrics;

- canopy cover;
- fencing;
- stormwater management; and
- sanitary and water services.

## **CONSIDERATIONS:**

### **(A) PUBLIC**

A virtual Public Information Meeting (“PIM”) was held on February 16, 2022, to introduce the subject applications to the public. The Ward 3 Councillors, Staff and 15 members of the public attended the virtual meeting. All public comments received since the public meeting has been within **Appendix “H”**.

A Statutory Public Meeting was held on March 6, 2023. Notice for the meeting was distributed in accordance with the *Planning Act*, in addition to notice for the Recommendation Meeting to be held on May 15, 2023.

### **(B) FINANCIAL**

No financial impacts associated with this report.

### **(C) IMPACT ON OTHER DEPARTMENTS & USERS**

The applications were circulated to Agencies and Town Departments for their review and comments. The applicant-initiated applications are being considered under Bill 109, which provides a 120-day timeline before the applicant is entitled to a partial refund of fees and could file an appeal for lack of a decision. The applications were deemed complete on January 20, 2023, and a decision must be made by May 21, 2023.

### **(D) CORPORATE STRATEGIC GOALS**

This report addresses the corporate strategic goal(s) to:

- be the most livable town in Canada

### **(E) CLIMATE CHANGE/ACTION**

The proposed development has been reviewed to ensure compliance with the Town’s sustainability objectives of Livable Oakville. 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 impact on existing trees and naturalized areas. The proposal incorporates the use of permeable pavers, reduced vehicle parking in proximity to public transit, pedestrian connections to existing sidewalks, bicycle parking and surpassing the Town’s Canopy Cover target.

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## **CONCLUSION:**

Staff is satisfied that the applications are consistent with the Provincial Policy Statement and conforms to the Growth Plan and the Halton Region Official Plan, has regard for matters of Provincial interest and represents good planning. Further, the applications are consistent with the principles and overall policy direction of the Livable Oakville Plan.

Staff recommends approval of the Official Plan and Zoning By-law amendments (By-laws 2023-049, 2023-050 and 2023-051) to permit the proposed development of a five-storey, 37-unit affordable housing apartment dwelling on lands municipally known as 130 Cornwall Road for the following reasons:

- The proposed development is consistent with and will implement the vision, development objectives, community design strategy and land use strategy of Livable Oakville;
- The proposed development is consistent with the PPS, conforms to the Growth Plan and the Halton Region Official Plan, has regard for matters of Provincial interest and represents good planning;
- The proposed affordable housing and proposed residential apartment building is permitted by Livable Oakville and will assist in achieving healthy, liveable and safe communities objectives of the PPS and provide an important contribution to achieving the broader, complete community objectives of the Growth Plan;
- Functional and technical design matters will be advanced through the required Site Plan application; and,
- Comments from the public and Council have been appropriately addressed.

By-laws 2023-049, 2023-050 and 2023-051 are attached as **Appendix “E”**, **“F”** and **“G”** respectively.

## **APPENDICES:**

Appendix “A”: Mapping

Appendix “B”: Concept Plans

Appendix “C”: Policy Excerpts

Appendix “D”: Shadow Study

Appendix “E”: Draft By-law 2023-049 (Official Plan Amendment No. 55)

Appendix “F”: Draft By-law 2023-050 (Official Plan Amendment No. 56)

Appendix “G”: Draft By-law 2023-051

Appendix “H”: Public Comments

**SUBJECT: Recommendation Report – Town-Initiated Official Plan Amendment (File No. 42.24.27) and Official Plan Amendment/Zoning By-law Amendment (File Nos: OPA 1614.80 and Z.1614.80) – Support House – 130 Cornwall Road – By-laws 2023-049, 2023-050 and 2023-051**

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Prepared by:

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Director, Planning Services

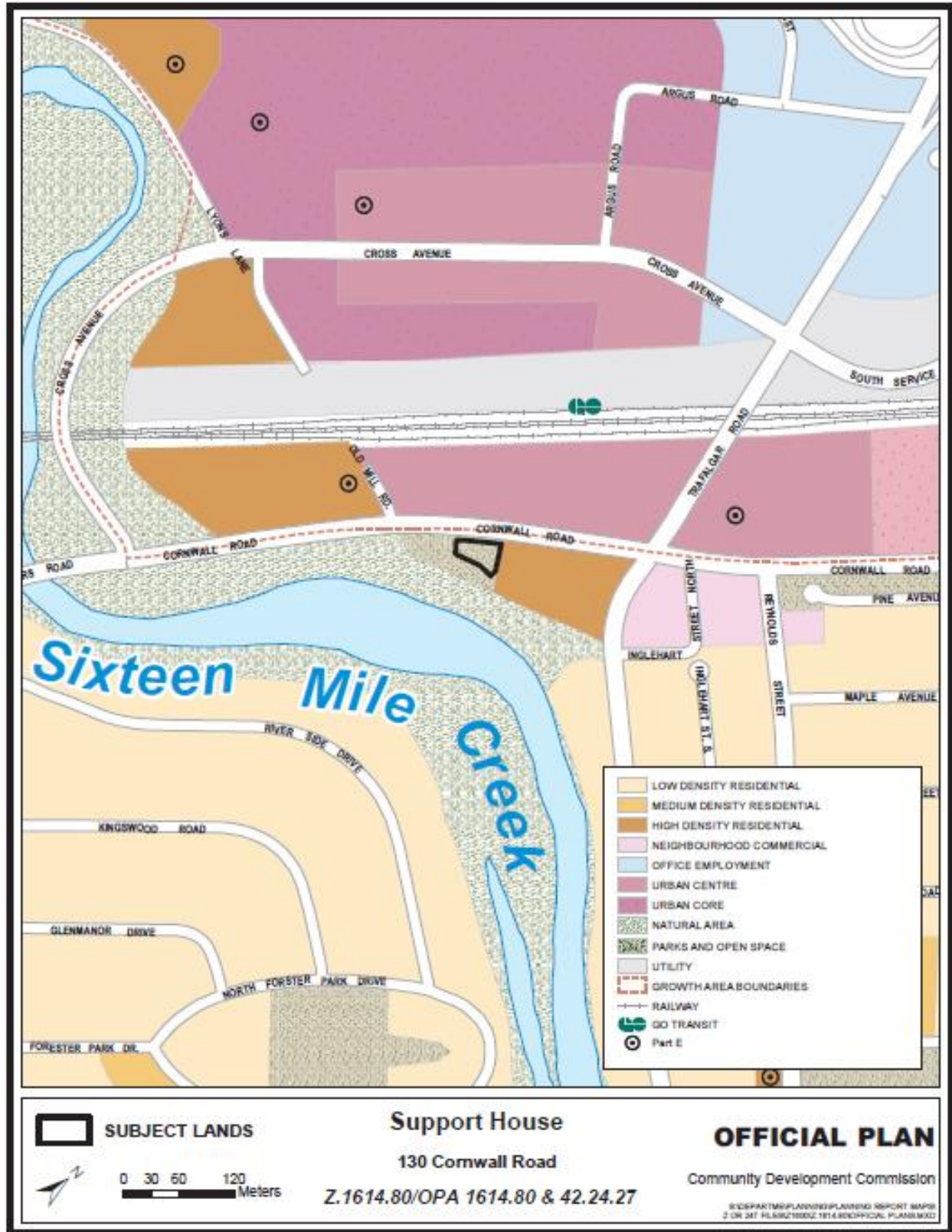


# Appendix "A": Mapping

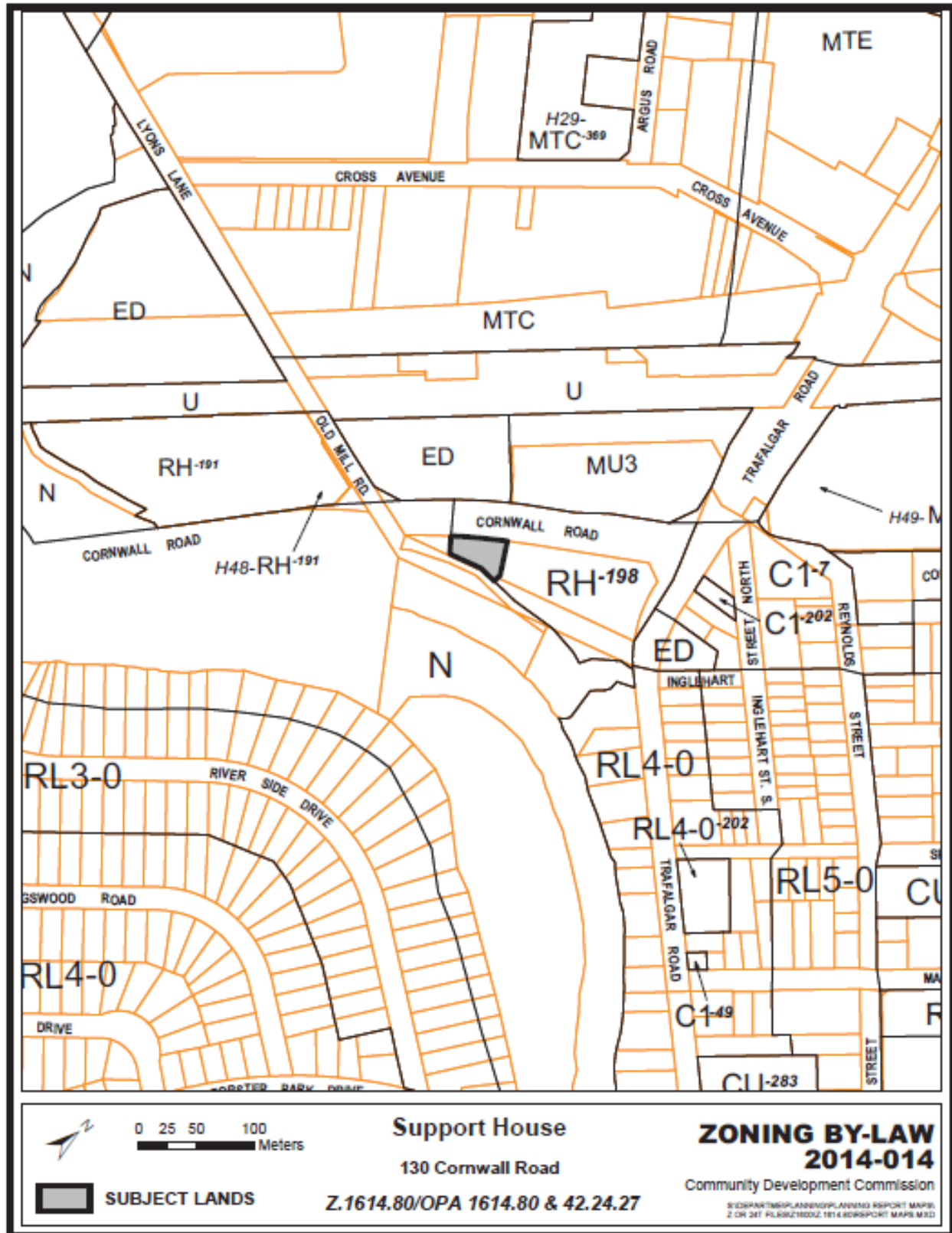




## Appendix "A": Mapping



# Appendix "A": Mapping

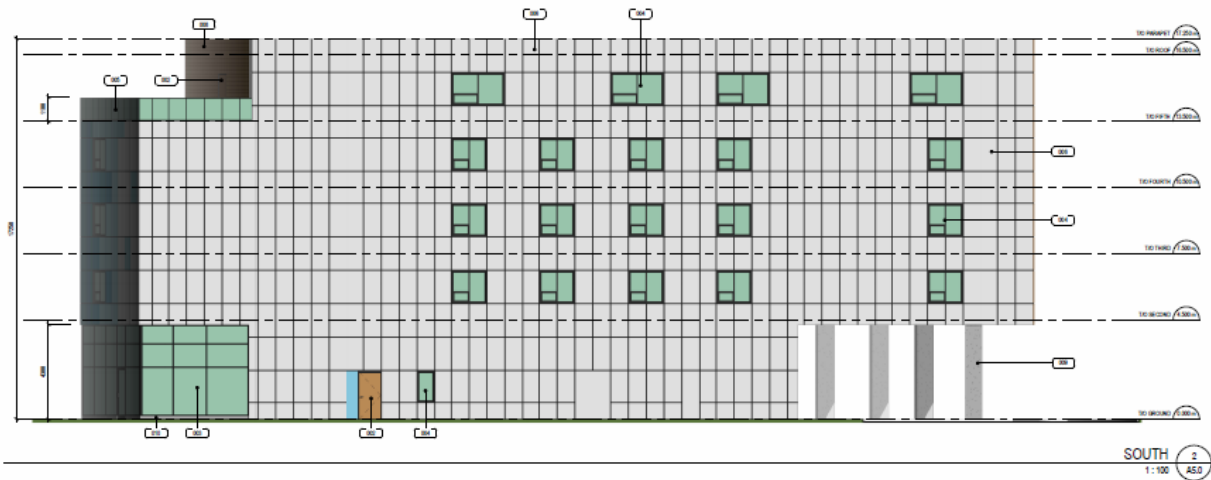




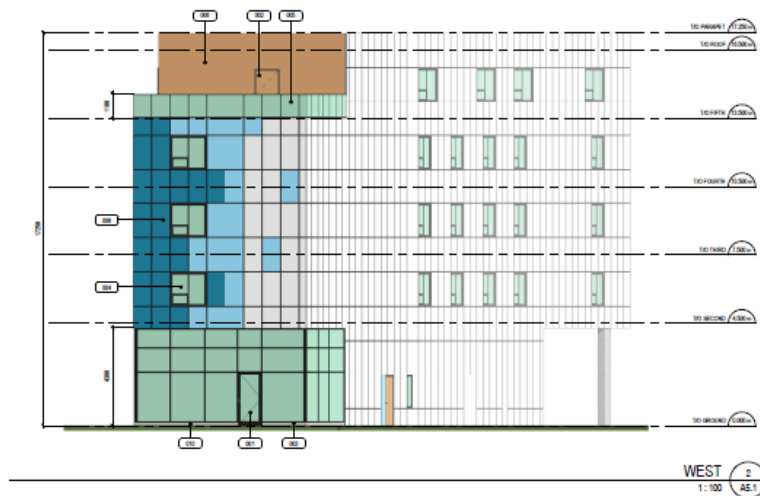
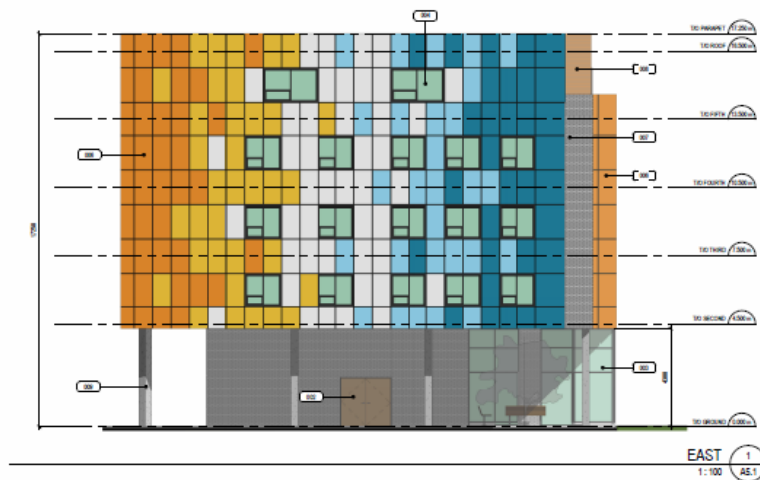


## Appendix "B": Concept Plans

### South Elevation



### East and West Elevations



## **Appendix “C”: Policy Excerpts**

### **Provincial Policy Statement (2020)**

Section 1.1 of the PPS provides policies on managing and directing land use to achieve efficient and resilient development and land use patterns which includes:

#### *1.1.1 Healthy, liveable and safe communities are sustained by:*

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
- b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;*
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;*
- d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;*
- e) promoting the integration of land use planning, growth management, 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;*
- f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;*
- g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;*
- h) promoting development and land use patterns that conserve biodiversity; and*
- i) preparing for the regional and local impacts of a changing climate.*

Section 1.1.2 of the PPS states that, “*Within settlement areas, sufficient land shall be made available through intensification and redevelopment and, if necessary, designated growth areas.*”.

Section 1.1.3 of the PPS provides policies for settlement areas. Policy 1.1.3.1 provides that settlement areas shall be the focus of growth and development. Other applicable policies within this section include:

#### *1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:*

- a) efficiently use land and resources;*
- b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*
- c) minimize negative impacts to air quality and climate change, and promote energy efficiency;*
- d) prepare for the impacts of a changing climate;*
- e) support active transportation;*

## **Appendix “C”: Policy Excerpts**

- f) *are transit-supportive, where transit is planned, exists or may be developed; and*
- g) *are freight-supportive.*

*1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.*

*1.1.3.4 Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.*

*1.1.3.5 Planning authorities shall establish and implement minimum targets for intensification and redevelopment within built-up areas, based on local conditions. However, where provincial targets are established through provincial plans, the provincial target shall represent the minimum target for affected areas.*

*1.1.3.6 New development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.*

*1.1.3.7 Planning authorities should establish and implement phasing policies to ensure:*

- a) *that specified targets for intensification and redevelopment are achieved prior to, or concurrent with, new development within designated growth areas; and*
- b) *the orderly progression of development within designated growth areas and the timely provision of the infrastructure and public service facilities required to meet current and projected needs.*

Section 1.2 of the PPS provides policies regarding coordination, which includes the following policies:

*1.2.1 A coordinated, integrated and comprehensive approach should be used when dealing with planning matters within municipalities, across lower, single and/or upper-tier municipal boundaries, and with other orders of government, agencies and boards including:*

- a) *managing and/or promoting growth and development that is integrated with infrastructure planning;*
- b) *economic development strategies;*
- c) *managing natural heritage, water, agricultural, mineral, and cultural heritage and archaeological resources;*
- d) *infrastructure, multimodal transportation systems, public service facilities and waste management systems;*
- e) *ecosystem, shoreline, watershed, and Great Lakes related issues;*
- f) *natural and human-made hazards;*
- g) *population, housing and employment projections, based on regional market areas; and*
- h) *addressing housing needs in accordance with provincial policy statements such as the Policy Statement: Service Manager Housing and Homelessness Plans.*

## **Appendix “C”: Policy Excerpts**

*1.2.2 Planning authorities shall engage with Indigenous communities and coordinate on land use planning matters.*

*1.2.4 Where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with lower-tier municipalities shall:*

- a) identify and allocate population, housing and employment projections for lower-tier municipalities. Allocations and projections by upper-tier municipalities shall be based on and reflect provincial plans where these exist and informed by provincial guidelines;*
- b) identify areas where growth or development will be directed, including the identification of nodes and the corridors linking these nodes;*
- c) identify targets for intensification and redevelopment within all or any of the lower-tier municipalities, including minimum targets that should be met before expansion of the boundaries of settlement areas is permitted in accordance with policy 1.1.3.8;*
- d) where major transit corridors exist or are to be developed, identify density targets for areas adjacent or in proximity to these corridors and stations, including minimum targets that should be met before expansion of the boundaries of settlement areas is permitted in accordance with policy 1.1.3.8; and*
- e) provide policy direction for the lower-tier municipalities on matters that cross municipal boundaries.*

### **1.4 Housing**

Section 1.4 of the PPS provides policies on housing:

*1.4.1 To provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:*

- a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development; and,*
- b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans.*

*Upper-tier and single-tier municipalities may choose to maintain land with servicing capacity sufficient to provide at least a five-year supply of residential units available through lands suitably zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans.*

*1.4.3 Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:*

- a) establishing and implementing minimum targets for the provision of housing which is affordable to low and moderate income households and which aligns with applicable housing and homelessness plans. However, where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with the lower-tier*

## **Appendix “C”: Policy Excerpts**

*municipalities may identify a higher target(s) which shall represent the minimum target(s) for these lower-tier municipalities;*

- b) permitting and facilitating:
  - 1. all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and*
  - 2. all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;**
- c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;*
- d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed;*
- e) requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations; and*
- f) establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.*

Section 1.5 of the PPS provides policies on public spaces, recreation, parks, trails and open space. Policy 1.5.1 specifically states that healthy, active communities should be promoted by:

- a) planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity;*
- b) planning and providing for a full range and equitable distribution of publicly accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources;*
- c) providing opportunities for public access to shorelines; and*
- d) recognizing provincial parks, conservation reserves, and other protected areas, and minimizing negative impacts on these areas.*

Section 1.6 of the PPS provides policies on infrastructure and public service facilities which includes the following applicable policies:

*1.6.1 Infrastructure and public service facilities shall be provided in an efficient manner that prepares for the impacts of a changing climate while accommodating projected needs.*

*Planning for infrastructure and public service facilities shall be coordinated and integrated with land use planning and growth management so that they are:*

- a) financially viable over their life cycle, which may be demonstrated through asset management planning; and*
- b) available to meet current and projected needs.*



## **Appendix “C”: Policy Excerpts**

*1.6.2 Planning authorities should promote green infrastructure to complement infrastructure.*

*1.6.3 Before consideration is given to developing new infrastructure and public service facilities:*

- a) the use of existing infrastructure and public service facilities should be optimized; and*
- b) opportunities for adaptive re-use should be considered, wherever feasible.*

*1.6.4 Infrastructure and public service facilities should be strategically located to support the effective and efficient delivery of emergency management services, and to ensure the protection of public health and safety in accordance with the policies in Section 3.0: Protecting Public Health and Safety.*

*1.6.5 Public service facilities should be co-located in community hubs, where appropriate, to promote cost-effectiveness and facilitate service integration, access to transit and active transportation.*

*1.6.6.7 Planning for stormwater management shall:*

- a) be integrated with planning for sewage and water services and ensure that systems are optimized, feasible and financially viable over the long term;*
- b) minimize, or, where possible, prevent increases in contaminant loads;*
- c) minimize erosion and changes in water balance, and prepare for the impacts of a changing climate through the effective management of stormwater, including the use of green infrastructure;*
- d) mitigate risks to human health, safety, property and the environment;*
- e) maximize the extent and function of vegetative and pervious surfaces; and,*
- f) promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development.*

Section 1.6.7 of the PPS provides policies on transportation systems which includes the following applicable policies:

*1.6.7.1 Transportation systems should be provided which are safe, energy efficient, facilitate the movement of people and goods, and are appropriate to address projected needs.*

*1.6.7.2 Efficient use should be made of existing and planned infrastructure, including through the use of transportation demand management strategies, where feasible.*

*1.6.7.3 As part of a multimodal transportation system, connectivity within and among transportation systems and modes should be maintained and, where possible, improved including connections which cross jurisdictional boundaries.*

*1.6.7.4 A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.*

## **Appendix “C”: Policy Excerpts**

Section 1.7 of the PPS provides policies on long-term economic prosperity. Policy 1.7.1 provides that long-term economic prosperity should be supported by:

- a) *promoting opportunities for economic development and community investment-readiness;*
- b) *encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce;*
- c) *optimizing the long-term availability and use of land, resources, infrastructure and public service facilities;*
- d) *maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets;*
- e) *encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes;*
- f) *promoting the redevelopment of brownfield sites;*
- g) *providing for an efficient, cost-effective, reliable multimodal transportation system that is integrated with adjacent systems and those of other jurisdictions, and is appropriate to address projected needs to support the movement of goods and people;*
- h) *providing opportunities for sustainable tourism development;*
- i) *sustaining and enhancing the viability of the agricultural system through protecting agricultural resources, minimizing land use conflicts, providing opportunities to support local food, and maintaining and improving the agrifood network;*
- j) *promoting energy conservation and providing opportunities for increased energy supply;*
- k) *minimizing negative impacts from a changing climate and considering the ecological benefits provided by nature; and*
- l) *encouraging efficient and coordinated communications and telecommunications infrastructure.*

Section 1.8 of the PPS provides policies on energy conservation, air quality and climate change. Policy 1.8.1 requires planning authorities to support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the impacts of a changing climate through land use and development patterns which:

- a) *promote compact form and a structure of nodes and corridors;*
- b) *promote the use of active transportation and transit in and between residential, employment (including commercial and industrial) and institutional uses and other areas;*
- c) *focus major employment, commercial and other travel-intensive land uses on sites which are well served by transit where this exists or is to be developed, or designing these to facilitate the establishment of transit in the future;*
- d) *focus freight-intensive land uses to areas well served by major highways, airports, rail facilities and marine facilities;*
- e) *encourage transit-supportive development and intensification to improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion;*
- f) *promote design and orientation which maximizes energy efficiency and conservation, and considers the mitigating effects of vegetation and green infrastructure; and*

## **Appendix “C”: Policy Excerpts**

*g) maximize vegetation within settlement areas, where feasible.*

### **Growth Plan for the Greater Golden Horseshoe (2019, as amended in 2020)**

Guiding principles of the Growth Plan include (policy 1.2.1):

- *Support the achievement of complete communities that are designed to support healthy and active living and meet people’s needs for daily living throughout an entire lifetime.*
- *Prioritize intensification and higher densities to make efficient use of land and infrastructure and support transit viability.*
- *Provide flexibility to capitalize on new economic and employment opportunities as they emerge, while providing certainty for traditional industries, including resource-based sectors.*
- *Support a range and mix of housing options, including second units and affordable housing, to serve all sizes, incomes, and ages of households.*
- *Improve the integration of land use planning with planning and investment in infrastructure and public service facilities, including integrated service delivery through community hubs, by all levels of government.*
- *Integrate climate change considerations into planning and managing growth such as planning for more resilient communities and infrastructure – that are adaptive to the impacts of a changing climate – and moving towards environmentally sustainable communities by incorporating approaches to reduce greenhouse gas emissions.*

Policy 2.2 of the Growth Plan provides policies regarding where and how to grow. The subject lands are located in a ‘settlement area’, where development is concentrated and have a mix of land uses.

*2.2.1.1 Population and employment forecasts contained in Schedule 3 will be used for planning and managing growth in the GGH to the horizon of this Plan in accordance with the policies in subsection 5.2.4.*

*2.2.1.2 Forecasted growth to the horizon of this Plan will be allocated based on the following:*

- a) the vast majority of growth will be directed to settlement areas that:*
  - i. have a delineated built boundary;*
  - ii. have existing or planned municipal water and wastewater systems; and*
  - iii. can support the achievement of complete communities;*
- b) growth will be limited in settlement areas that:*
  - i. are undelineated built-up areas;*
  - ii. are not serviced by existing or planned municipal water and wastewater systems or*
  - iii. are in the Greenbelt Area;*
- c) within settlement areas, growth will be focused in:*
  - i. delineated built-up areas;*
  - ii. strategic growth areas;*
  - iii. locations with existing or planned transit, with a priority on higher order transit where it exists or is planned; and*
  - iv. areas with existing or planned public service facilities;*
- d) development will be directed to settlement areas, except where the policies of this Plan permit otherwise;*

## **Appendix “C”: Policy Excerpts**

- e) *development will be generally directed away from hazardous lands; and*
- f) *the establishment of new settlement areas is prohibited.*

Policy 2.2.1.4 provides that applying the policies of this Plan will support the achievement of complete communities that (2.2.1.4):

- a) *feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;*
- b) *improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes;*
- c) *provide a diverse range and mix of housing options, including second units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes;*
- d) *expand convenient access to:*
  - i. *a range of transportation options, including options for the safe, comfortable and convenient use of active transportation;*
  - ii. *public service facilities, co-located and integrated in community hubs;*
  - iii. *an appropriate supply of safe, publicly-accessible open spaces, parks, trails, and other recreational facilities; and*
  - iv. *healthy, local, and affordable food options, including through urban agriculture;*
- e) *provide for a more compact built form and a vibrant public realm, including public open spaces;*
- f) *mitigate and adapt to climate change impacts, improve resilience and reduce greenhouse gas emissions, and contribute to environmental sustainability; and*
- g) *integrate green infrastructure and appropriate low impact development.*

### **2.2.6 Housing**

2.2.6.1 *Upper and single-tier municipalities, in consultation with lower-tier municipalities, the Province, and other appropriate stakeholders, will:*

- a) *support housing choice through the achievement of the minimum intensification and density targets in this Plan, as well as the other policies of this Plan by:*
  - i. *identifying a diverse range and mix of housing options and densities, including second units and affordable housing to meet projected needs of current and future residents; and*
  - ii. *establishing targets for affordable ownership housing and rental housing;*
- b) *identifies mechanisms, including the use of land use planning and financial tools, to support the implementation of policy 2.2.6.1 a);*
- c) *aligns with applicable housing and homelessness plans required under the Housing Services Act, 2011; and*
- d) *addresses housing needs in accordance with provincial policy statements such as the Policy Statement: “Service Manager Housing and Homelessness Plans”; and*
- e) *implement policy 2.2.6.1 a), b), c) and d) through official plan policies and designations and zoning by-laws.*

2.2.6.2 *Notwithstanding policy 1.4.1 of the PPS, 2020, in implementing policy 2.2.6.1, municipalities will support the achievement of complete communities by:*

- a) *planning to accommodate forecasted growth to the horizon of this Plan;*

## **Appendix “C”: Policy Excerpts**

- b) planning to achieve the minimum intensification and density targets in this Plan;*
- c) considering the range and mix of housing options and densities of the existing housing stock; and*
- d) planning to diversify their overall housing stock across the municipality.*

*2.2.6.3 To support the achievement of complete communities, municipalities will consider the use of available tools to require that multi-unit residential developments incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes.*

*2.2.6.4 Municipalities will maintain at all times where development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units. This supply will include, and may exclusively consist of, lands suitably zoned for intensification and redevelopment.*

*2.2.6.5 When a settlement area boundary has been expanded in accordance with the policies in subsection 2.2.8, the new designated greenfield area will be planned in accordance with policies 2.2.6.1 and 2.2.6.2.*

Section 3.2 of the Growth Plan provides policies for infrastructure to support growth. This includes policy 3.2.1 (1) which specifically provides that infrastructure planning, land use planning, and infrastructure investment will be co-ordinated to implement this Plan.

Section 3.2.2 of the Growth Plan provides policies on transportation. Policy 3.2.2(1) provides that transportation system planning, land use planning, and transportation investment will be co-ordinated to implement this Plan. Further, policy 3.2.3 (1) provides that public transit will be the first priority for transportation infrastructure planning and major transportation investments.

### **3.2.8 Public Service Facilities**

Section 3.2.8 of the Growth Plan provides policies on public service facilities.

*3.2.8.1 Planning for public service facilities, land use planning and investment in public service facilities will be co-ordinated to implement this Plan.*

*3.2.8.2 Public service facilities and public services should be co-located in community hubs and integrated to promote cost-effectiveness.*

*3.2.8.3 Priority should be given to maintaining and adapting existing public service facilities and spaces as community hubs to meet the needs of the community and optimize the long-term viability of public investments.*

## **7 Definitions**

Affordable means:

- a) in the case of ownership housing, the least expensive of:*
  - i. housing for which the purchase price results in annual accommodation costs which do not exceed 30 per cent of gross annual household income for low and moderate income households; or*

## **Appendix “C”: Policy Excerpts**

- ii. *housing for which the purchase price is at least 10 per cent below the average purchase price of a resale unit in the regional market area;*
- b) *in the case of rental housing, the least expensive of:*
  - i. *a unit for which the rent does not exceed 30 per cent of gross annual household income for low and moderate income households; or*
  - ii. *a unit for which the rent is at or below the average market rent of a unit in the regional market area. For the purposes of this definition:*

*Low and moderate income households means, in the case of ownership housing, households with incomes in the lowest 60 per cent of the income distribution for the regional market area; or in the case of rental housing, households with incomes in the lowest 60 per cent of the income distribution for renter households for the regional market area.*

*Regional market area means an area, generally broader than a lower-tier municipality that has a high degree of social and economic interaction. In the GGH, the upper-or single-tier municipality will normally serve as the regional market area. Where a regional market area extends significantly beyond upper-or single-tier boundaries, it may include a combination of upper-, single-and/or lower-tier municipalities.*

Complete Communities means:

*Places such as mixed-use neighbourhoods or other areas within cities, towns, and settlement areas that offer and support opportunities for people of all ages and abilities to conveniently access most of the necessities for daily living, including an appropriate mix of jobs, local stores, and services, a full range of housing, transportation options and public service facilities. Complete communities are age-friendly and may take different shapes and forms appropriate to their contexts.*

### **Livable Oakville**

## **Part B: Mission Statement and Guiding Principles**

### **2. POLICY FRAMEWORK**

#### **2.1 Mission Statement**

To enhance the Town’s natural, cultural, social and economic environments by ensuring that environmental sustainability, cultural vibrancy, economic prosperity and social well-being are incorporated into growth and *development* decisions.

#### **2.2 Guiding Principles**

2.2.1 Preserving and creating a livable community in order to:

- a) preserve, enhance, and protect the distinct *character*, cultural heritage, living environment, and sense of community of neighbourhoods;
- b) direct the majority of growth to identified locations where higher density, transit and pedestrian oriented *development* can be accommodated; and,

## Appendix “C”: Policy Excerpts

- c) achieve long term economic security within an environment that offers a diverse range of employment opportunities for residents.

### 2.2.2 Providing choice throughout the Town in order to:

- a) enable the availability and accessibility of a wide range of housing, jobs and community resources to meet the diverse needs of the community through all stages of life;
- b) provide choices for mobility by linking people and places with a sustainable transportation network consisting of roads, transit, walking and cycling trails; and,
- c) foster the Town’s sense of place through excellence in building and community design.

### 2.2.3 Achieving sustainability in order to:

- a) minimize the Town’s *ecological footprint*;
- b) preserve, enhance and protect the Town’s environmental resources, natural features and areas, natural heritage systems and waterfronts; and,
- c) achieve sustainable building and community design.

## 4. MANAGING GROWTH

### 4.3 Residential Intensification Outside of the Growth Areas

It is the policy of the Plan that the key focus for *development* and redevelopment to accommodate *intensification* will be the locations identified as Growth Areas. Lands outside of Growth Areas are predominantly stable residential communities which consist of established neighbourhoods. While the Plan encourages *intensification* generally throughout the *built up area*, it also recognizes that some growth and change may occur in these areas provided the *character* of the areas is preserved and the overall urban structure of the Town is upheld. *Intensification* outside of the Growth Areas including additional *intensification* opportunities such as infill, redevelopment and *greyfield* and *brownfield sites*, will be considered in the context of this Plan.

## Part D: Land Use Designations and Policies

### 11. RESIDENTIAL

The lands identified as Residential Areas on Schedule A1, Urban Structure, represent the areas that provide for stable residential communities.

A variety of residential uses is accommodated through the three Residential land use designations: Low Density Residential, Medium Density Residential and High Density Residential. These designations provide for a full range of housing types, forms and densities.

The majority of *intensification* and *development* within the Town is to occur within the Growth Areas as described in Part E. *Intensification* outside of the Growth Areas within the stable residential communities will be subject to policies that are intended to maintain and protect the existing *character* of those communities.

*Special Policy Areas* may be defined on lands or areas which are designated Residential and which require further study and/or additional policies as set out in Part E.

## Appendix “C”: Policy Excerpts

The following objectives shall apply to all Residential Areas:

- a) maintain, protect and enhance the *character* of existing Residential Areas; encourage an appropriate mix of housing types, densities, design and tenure throughout the Town;
- b) promote housing initiatives to facilitate revitalization, *compact urban form* and an increased variety of housing alternatives;
- c) promote innovative housing types and forms to ensure accessible, *affordable*, adequate and appropriate housing for all socio-economic groups;
- d) encourage the conservation and rehabilitation of older housing in order to maintain the stability and *character* of the existing stable residential communities; and,
- e) discourage the conversion of existing rental properties to condominiums or to other forms of ownership in order to maintain an adequate supply of rental housing.

### 11.1 General

11.1.1 The Town will continue to work directly with the Region to provide opportunities for housing for a wide array of socio-economic groups and those with differing physical needs using all available planning mechanisms and tools and to develop a housing strategy, including preparation of Municipal Housing Statements, which will establish and implement *affordable housing* targets.

11.1.2 The Town will seek a balance in housing tenure. Conversions of existing rental accommodation to condominium or other forms of ownership shall be discouraged.

11.1.3 The Town will provide for the creation of second units through regulations in the Zoning By-law. Second units shall not be considered as dwelling units for the purpose of calculating density.

11.1.4 *Development* shall conform with the policies relating to urban design and sustainability set out in Part C.

11.1.5 *Development* on private roads shall be discouraged. Where it is demonstrated that a public road is not warranted, to the satisfaction of the Town, *development* through plans of condominium on private roads may be permitted provided all required services are appropriately accommodated and all applicable policies of this Plan are satisfied.

11.1.6 *Special needs housing* may be permitted through a range of housing types in all residential land use designations in accordance with section 11.1.9 and where adequate residential amenities and services are provided.

11.1.7 Home occupations and bed and breakfast establishments may be permitted in accordance with section 11.1.9 and the Town's Zoning By-law and any other applicable by-laws or requirements.

11.1.8 *Intensification* within the stable residential communities shall be provided as follows:

- a) Within stable residential communities, on lands designated Low Density Residential, the construction of a new dwelling on an existing vacant lot, *land division*, and/or the conversion of an existing building into one or more units, may be considered where it is



## Appendix “C”: Policy Excerpts

*compatible* with the lot area and lot frontages of the surrounding neighbourhood and subject to the policies of section 11.1.9 and all other applicable policies of this Plan;

- b) Within the stable residential communities, on lands designated Low Density Residential, there may also be sites at the intersection of arterial and/or collector roads, or sites with existing non-residential uses, that have sufficient frontage and depth to accommodate appropriate *intensification* through *development* approvals. *Intensification* of these sites may occur with Low Density Residential uses in accordance with section 11.1.9 and all other applicable policies of this Plan; and,
- c) Within the stable residential communities, on lands designated Medium Density Residential and High Density Residential, there may be underutilized lands on which additional *development* may be appropriate. *Intensification* of these lands may occur within the existing density permissions for the lands and may be considered subject to the requirements of section 11.1.9 and all other applicable policies of this Plan.

11.1.9 *Development* within all stable residential communities shall be evaluated using the following criteria to maintain and protect the existing neighbourhood *character*:

- a) The built form of *development*, including scale, height, massing, architectural *character* and materials, is to be *compatible* with the surrounding neighbourhood.
- b) *Development* should be *compatible* with the setbacks, orientation and separation distances within the surrounding neighbourhood.
- c) Where a *development* represents a transition between different land use designations or housing forms, a gradation in building height shall be used to achieve a transition in height from adjacent *development*.
- d) Where applicable, the proposed lotting pattern of *development* shall be *compatible* with the predominant lotting pattern of the surrounding neighbourhood.
- e) Roads and/or municipal *infrastructure* shall be adequate to provide water and wastewater service, waste management services and fire protection.
- f) Surface parking shall be minimized on the site.
- g) A proposal to extend the public street network should ensure appropriate connectivity, traffic circulation and extension of the street grid network designed for pedestrian and cyclist access.
- h) Impacts on the adjacent properties shall be minimized in relation to grading, drainage, location of service areas, access and circulation, privacy, and microclimatic conditions such as shadowing.
- i) The preservation and integration of heritage buildings, structures and uses within a Heritage Conservation District shall be achieved.
- j) *Development* should maintain access to amenities including neighbourhood commercial facilities, community facilities including schools, parks and community centres, and existing and/or future public transit services.
- k) The transportation system should adequately accommodate anticipated traffic volumes.
- l) *Utilities* shall be adequate to provide an appropriate level of service for new and existing residents.

11.1.10 *Special Policy Areas* that are designated for residential uses are also described in Part E and are also subject to policies set out in Part E.

### 11.4 High Density Residential

#### 11.4.1 Permitted Uses

## Appendix “C”: Policy Excerpts

The High Density Residential land use designation may permit a range of high density housing types including *multiple-attached dwelling* units, apartments, retirement homes and long-term care homes.

11.4.2 The density range is to be between 51 to 185 units per *site hectare*.

### Part F: Implementation and Interpretation

#### 29.5 Glossary

**Compatible** means the *development* or redevelopment of uses which may not necessarily be the same as, or similar to, the existing *development*, but can coexist with the surrounding area without unacceptable adverse impact.

**Complete communities** means places such as mixed use neighbourhoods or other areas within cities, towns, and *settlement areas* that offer and support opportunities for people of all ages and abilities to conveniently access most of the necessities for daily living, including an appropriate mix of jobs, local stores, and services, a full range of housing, transportation options and *public service facilities*. *Complete communities* are age-friendly and may take different shapes and forms appropriate to their contexts.

**Intensification** means the *development* of a property, site or area at a higher density than currently exists through:

- a) redevelopment, including the reuse of *brownfield sites*;
- b) the *development* of vacant and/or underutilized lots within previously developed areas;
- c) infill *development*; or
- d) the expansion or conversion of existing buildings.

**Special needs housing** means any housing, including dedicated facilities in whole or in part, that is used by people who have specific needs beyond economic needs, including but not limited to, needs such as mobility requirements or support functions required for daily living. Examples of special needs housing may include but are not limited to housing for persons with disabilities such as physical, sensory or mental health disabilities, housing for the elderly, *group homes*, emergency shelter, housing for the homeless, and independent permanent living arrangements where support services such as meal preparation, grocery shopping, laundry, housekeeping, respite care and attendant services are provided. It does not include households that receive community based support services in their own home.

## **Appendix “D”: Shadow Study**

(See attached documents)

## SHADOW IMPACT ANALYSIS SUMMARY

### SUPPORT HOUSE - 130 CORNWALL RD, OAKVILLE

This reduced-scope shadow impact analysis has been completed based on the requirements specified on the document *Development Application Guidelines – Shadow Impact Analysis [v.DE2017]* for the Town of Oakville.

The BIM model for the building has been geolocated to its actual street address at 130 Cornwall Rd, Oakville. The property line, building outline, roof outline, and roof terrace (tenant amenity space) are shown and labelled on each drawing. The site surroundings are shown via satellite image.

The shadows were calculated for the following dates and times, using EDT (Eastern Daylight Savings Time, UTC-4):

|                     | SUNRISE +1.5H              | NOON     | SUNSET -1.5H             |
|---------------------|----------------------------|----------|--------------------------|
| <b>APRIL 21</b>     | 8:00 AM (sunrise 6:32 AM)  | 12:00 PM | 6:30 PM (sunset 8:03 PM) |
| <b>JUNE 21</b>      | 7:15 AM (sunrise 5:43 AM)  | 12:00 PM | 7:30 PM (sunset 8:57 PM) |
| <b>SEPTEMBER 21</b> | 8:45 AM (sunrise 7:09 AM)  | 12:00 PM | 5:45 PM (sunset 7:15 PM) |
| <b>DECEMBER 21</b>  | 10:30 AM (sunrise 8:55 AM) | 12:00 PM | 4:15 PM (sunset 5:40 PM) |

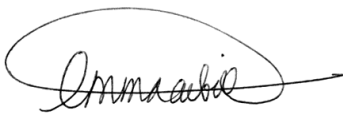
As one can see in the shadow image drawings attached, most of the cast shadows fall onto the pavement on Cornwall Rd, the GO station surface parking across, and the parking area on the neighbouring property to the East.

The roof terrace (tenant amenity space) located on the South-West corner of the building on the 5<sup>th</sup> floor receives unobstructed sunlight to maximize use during spring, summer, and fall afternoons and evenings.

The shadows cast after 12:00 PM on April 21, June 21, and September 21 onto the adjacent site to the North-East do not impact the existing retirement community building nor its amenity spaces, only the surface parking area behind it.

The Old Mill Parkette to the South-West does not receive any shadows from the new development. The existing public sidewalk on Cornwall Rd and the existing path along Sixteen Mile Creek both receive more than 5 hours of continuous sunlight per day, and are more shaded from the existing tree cover than from the new development.

We hope that the shadow image drawings attached and this summary can satisfy any concerns that Planning Services or other departments might have regarding the proposed new development.

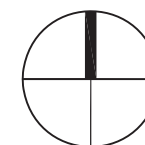


Emma Cubitt | March, OAA, MRAIC, LEED® AP

Principal

ec/jgs

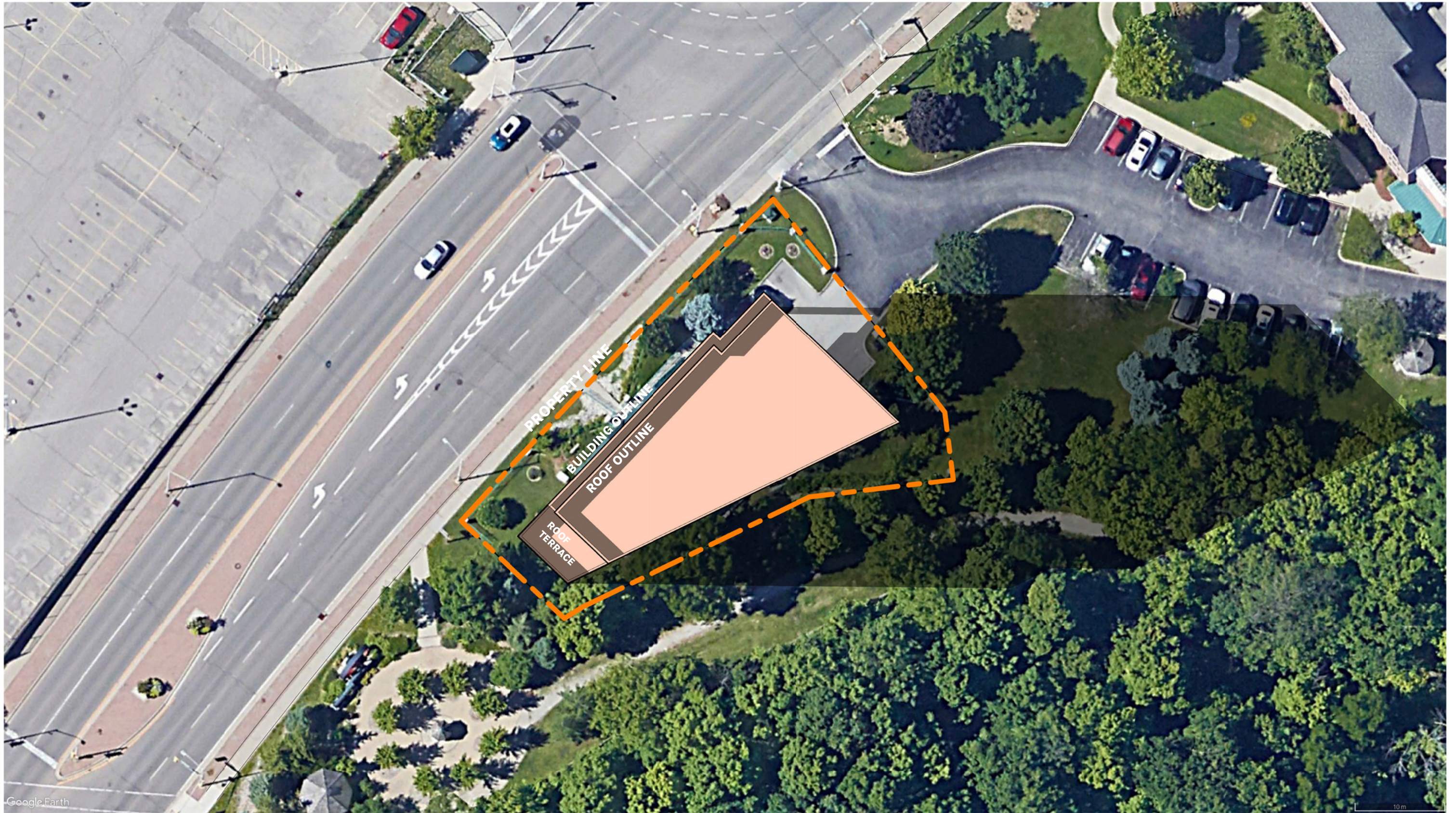




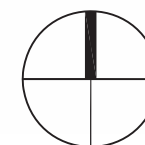












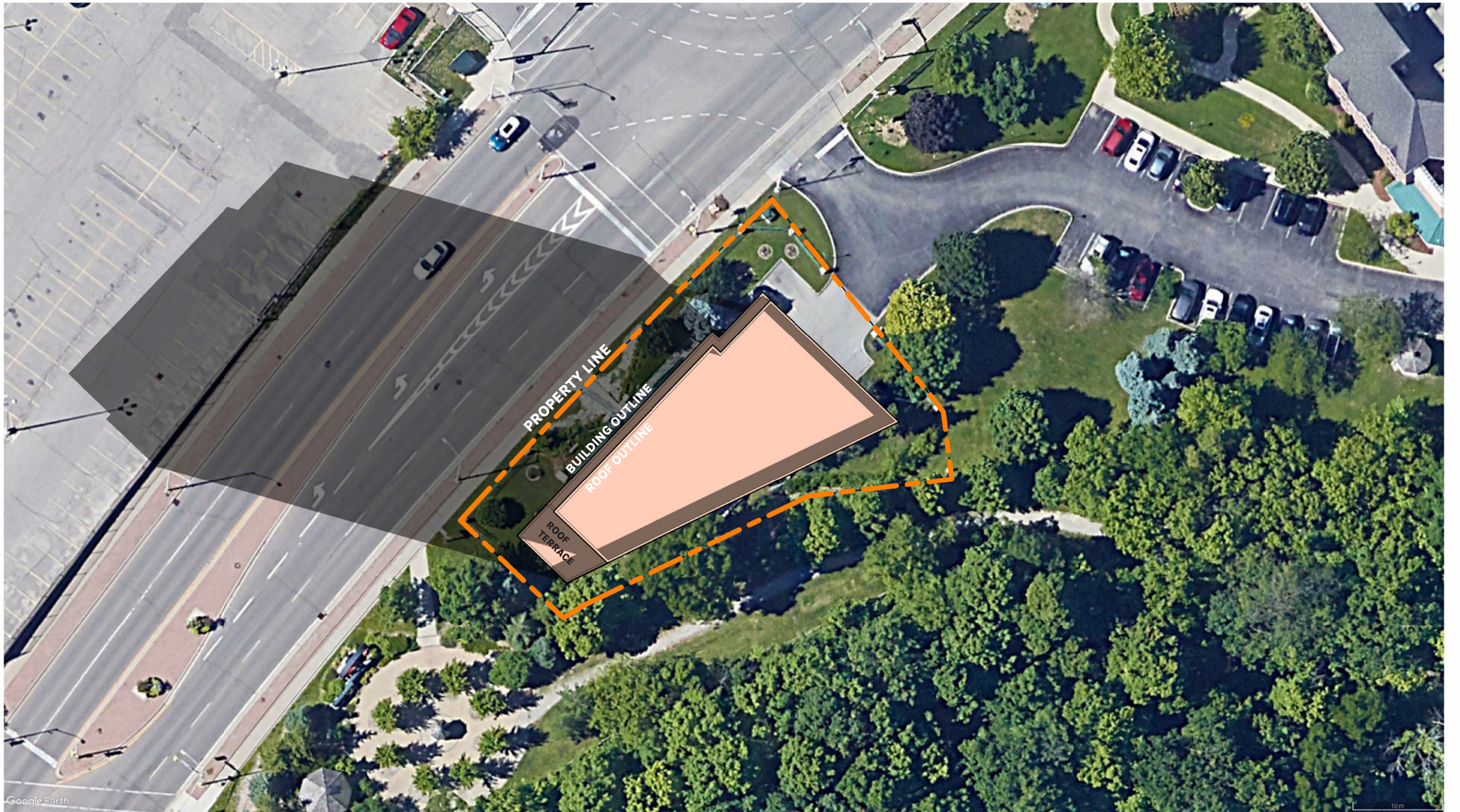




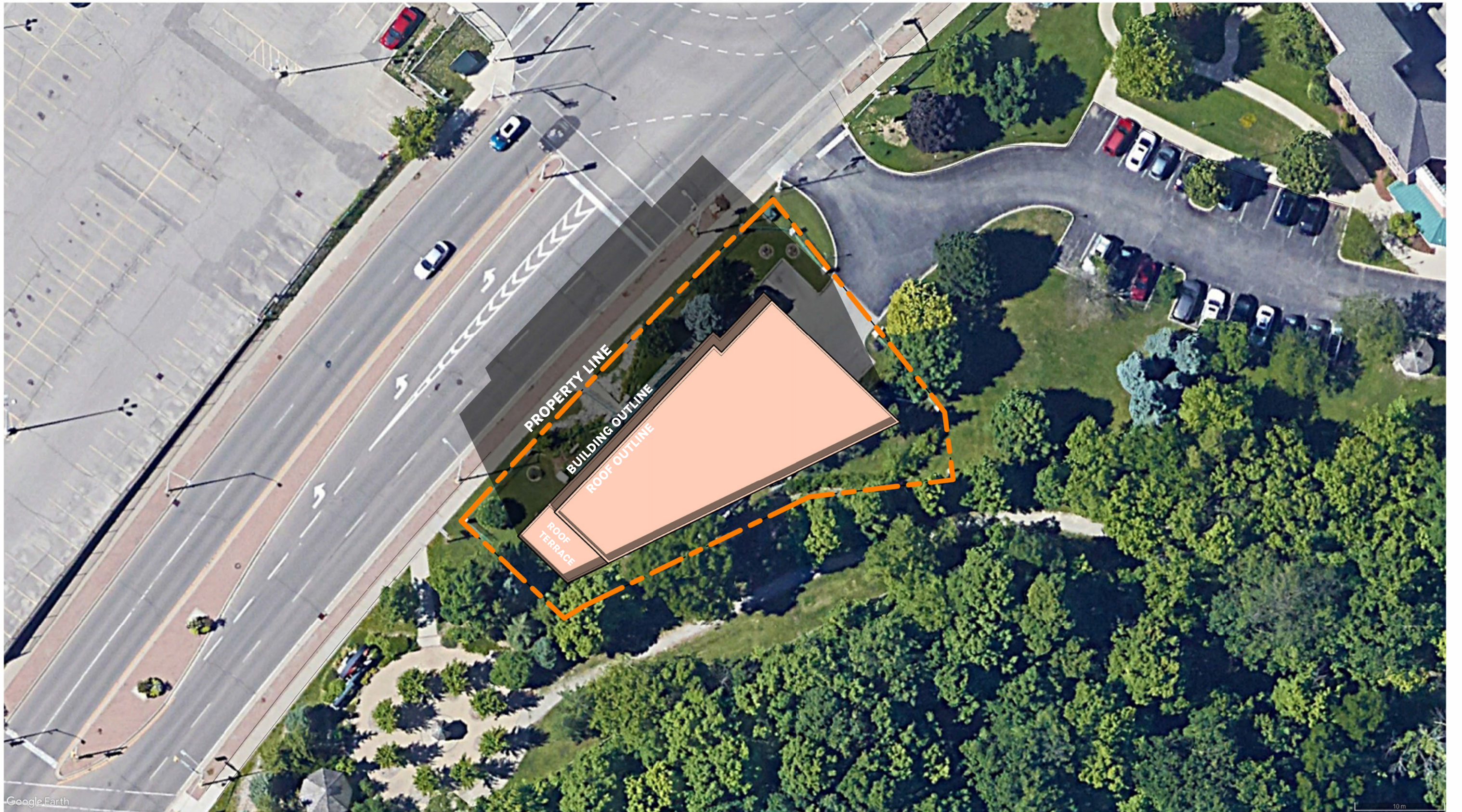






























APPENDIX E

THE CORPORATION OF THE TOWN OF OAKVILLE

BY-LAW NUMBER 2023-049

Official Plan Amendment 55

A by-law to adopt an amendment to the Livable Oakville Plan, Official Plan Amendment Number 55 (130 Cornwall Road – Town-initiated; File No. 42.24.27)

**WHEREAS** the Livable Oakville Official Plan, which applies to the lands south of Dundas Street and the lands north of Highway 407, was adopted by Council on June 22, 2009, and approved with modifications by the Ontario Municipal Board on May 10, 2011; and,

**WHEREAS** subsection 21(1) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, states that a council of a municipality that is within a planning area may initiate an amendment to any official plan that applies to the municipality, and section 17 applies to any such amendment; and,

**WHEREAS** a Town-initiated Official Plan Amendment is required to correct a mapping error and re-designate the lands from *Parks and Open Space* to *High Density Residential* and is being considered concurrently with applicant-initiated Official Plan and Zoning By-law amendment applications (File Nos. OPA 1614.80 and Z.1614.80).

**COUNCIL ENACTS AS FOLLOWS:**

1. The attached Amendment Number 55 to the Livable Oakville Official Plan is hereby adopted.
2. The Pursuant to subsection 17(27) of the Planning Act, R.S.O. 1990, c.P.13, as amended, this Official Plan Amendment comes into effect upon the day after the last day for filing a notice of appeal, if no appeal is filed pursuant to subsections 17(24) and (25). Where one or more appeals have been filed under subsection 17(24) and (25) of the said Act, as amended, this Official Plan Amendment comes into effect when all such appeals have been withdrawn or finally disposed of.
3. In the event that the Regional Municipality of Halton, being the Approval Authority, declares this Official Plan Amendment to be not exempt, the Clerk is hereby authorized and directed to make an application to the Approval Authority for approval of the aforementioned Amendment Number 55 to the Livable Oakville Official Plan.

PASSED this 15<sup>th</sup> day of May, 2023

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MAYOR

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CLERK

**Official Plan Amendment Number 55  
to the Town of Oakville's Livable Oakville Plan**

**Constitutional Statement**

The details of the Amendment, as contained in Part 2 of this text, constitute Amendment Number 55 to the Livable Oakville Plan.

**Part 1 – Preamble**

**A. Purpose**

The purpose of this amendment is to modify the Schedule G of the Livable Oakville Plan to correct a mapping error.

The effect of the proposed amendment will re-designate the subject lands from Parks and Open Space to High Density Residential as it formerly was dating back to records in the 1985, 1995 and 2004 Official Plans.

**B. Location**

The subject land is municipally known as 130 Cornwall Road and legally described as Part of Lot 14, Concession 3 Trafalgar SDS, designated as Parts 2 and 3 on Plan 20R-13457; Part of Old Mill Road by By-law 216285 being part of Lot 14, Concession 3 Trafalgar SDS, designated as Part 4 on Plan 20R-13457, Oakville.

**C. Background**

The Livable Oakville Plan established the desired land use patterns for lands within the Town of Oakville, south of Dundas Street and north of Highway 407, to the year 2031.

The subject land is concurrently subject to Official Plan and Zoning By-law amendment applications (File No. OPA 1614.80 & Z.1614.80) for a proposed five-storey, 37-unit affordable housing apartment dwelling.

**D. Basis**

The Official Plan amendment is based on the following:

A Public Information Meeting (“PIM”) was held on February 16, 2022, to solicit public input on the concurrent aforementioned applications.

The Statutory Public Meeting on the proposed Official Plan amendment was held on March 6, 2023, by the Town’s Planning and Development Council.

Notice of the Statutory Public Meeting regarding the applications was published in the Oakville Beaver, was mailed to property owners within 240 m of the subject land on or before February 8, 2023, and circulated to the agencies and public bodies prescribed by the *Planning Act*.

Notice of the Recommendation Meeting was mailed to persons who requested to be notified, to any persons who provided written and/or oral submission and circulated to the required agencies and public bodies prescribed by the *Planning Act*.

Information related to the applications was available for public review on the Town’s website ([www.oakville.ca](http://www.oakville.ca)), as of January 24, 2023, being at least 20 days before the recommendation meeting.

## **Part 2 – The Amendment**

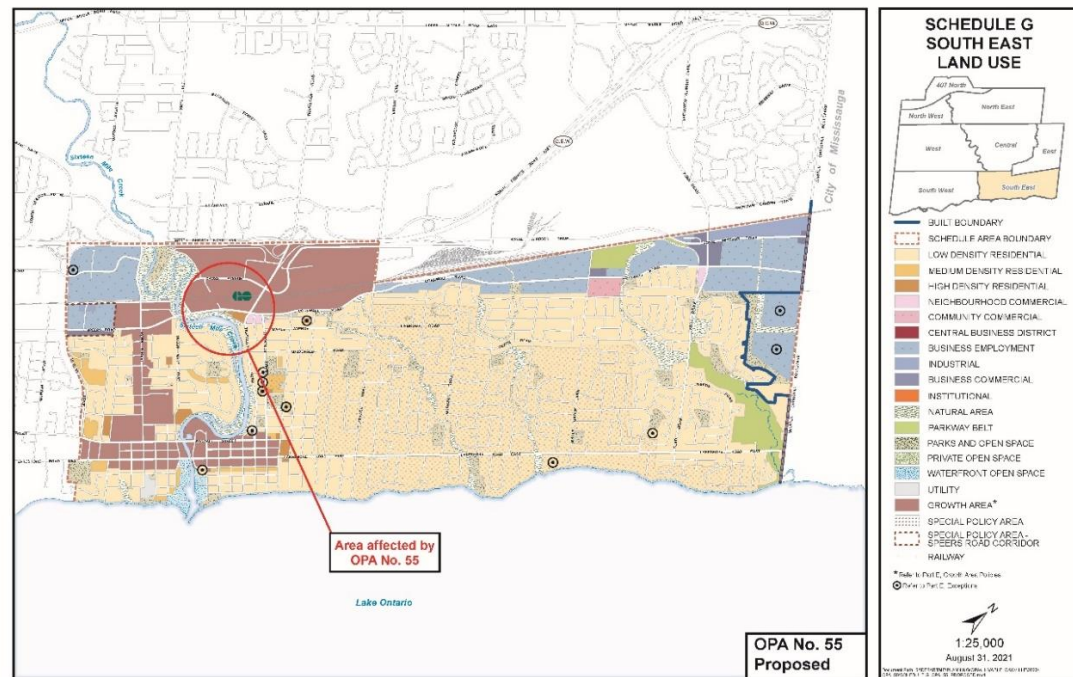
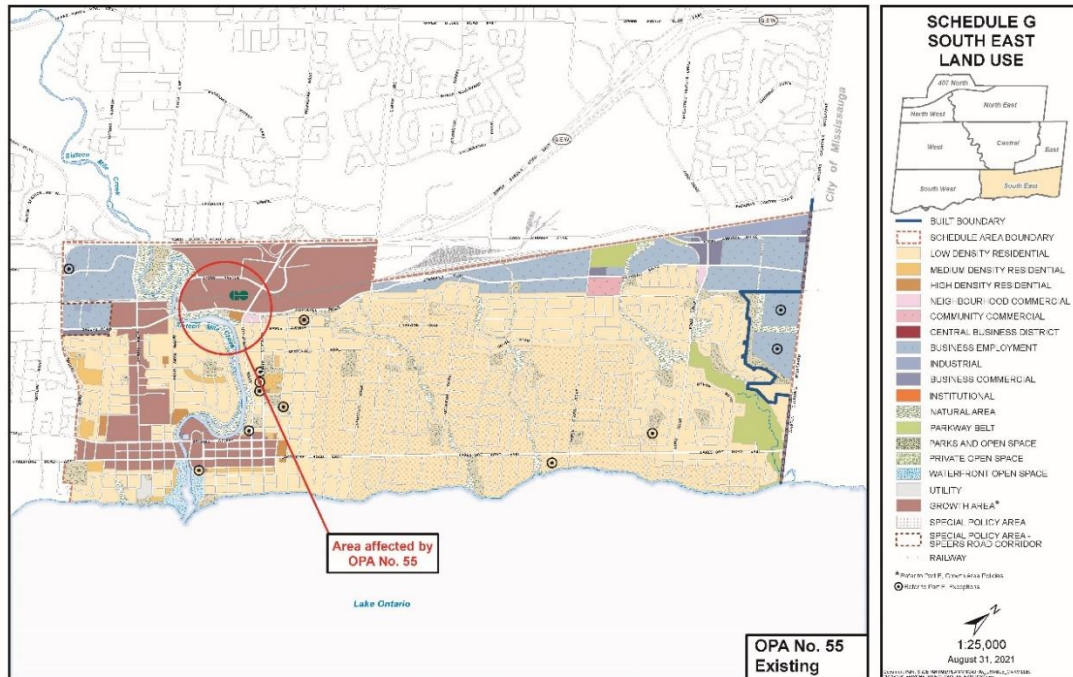
### **A. Schedule Changes**

The amendment includes changes to Schedule G in the Livable Oakville Plan listed in the following table, and shown in Appendix 1.

| <b>Item No.</b> | <b>Schedule</b>                      | <b>Description of Change</b>  |
|-----------------|--------------------------------------|---|
| 1.              | Schedule G<br>South East<br>Land Use | Amend Schedule G by changing the land use designation from Parks and Open Space to High Density Residential |

## APPENDIX 1

### Schedule Changes to the Livable Oakville Plan



APPENDIX F

THE CORPORATION OF THE TOWN OF OAKVILLE

BY-LAW NUMBER 2023-050

Official Plan Amendment 56

A by-law to adopt an amendment to the Livable Oakville Plan, Official Plan Amendment Number 56 (130 Cornwall Road – Support House; File No. OPA 1614.80)

**WHEREAS** the Livable Oakville Official Plan, which applies to the lands south of Dundas Street and the lands north of Highway 407, was adopted by Council on June 22, 2009, and approved with modifications by the Ontario Municipal Board on May 10, 2011; and,

**WHEREAS** subsection 21(1) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, states that a council of a municipality that is within a planning area may initiate an amendment to any official plan that applies to the municipality, and section 17 applies to any such amendment; and,

**WHEREAS** a Town-initiated Official Plan Amendment (File 42.24.27) is required to correct a mapping error and re-designate the lands from *Parks and Open Space* to *High Density Residential* and is being considered concurrently with the subject application.

**WHEREAS** it is deemed necessary to pass an amendment to the Livable Oakville Plan to permit the subject lands that will be re-designated to *High Density Residential* to have a maximum density of 355 units per site hectare to allow for the development of a five-storey, 37-unit affordable housing apartment dwelling.

**COUNCIL ENACTS AS FOLLOWS:**

1. The attached Amendment Number 56 to the Livable Oakville Official Plan is hereby adopted.
2. The Pursuant to subsection 17(27) of the Planning Act, R.S.O. 1990, c.P.13, as amended, this Official Plan Amendment comes into effect upon the day after the last day for filing a notice of appeal, if no appeal is filed pursuant to subsections 17(24) and (25). Where one or more appeals have been filed under subsection 17(24) and (25) of the said Act, as amended, this Official Plan Amendment comes into effect when all such appeals have been withdrawn or finally disposed of.

3. In the event that the Regional Municipality of Halton, being the Approval Authority, declares this Official Plan Amendment to be not exempt, the Clerk is hereby authorized and directed to make an application to the Approval Authority for approval of the aforementioned Amendment Number 56 to the Livable Oakville Official Plan.

PASSED this 15<sup>th</sup> day of May, 2023

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MAYOR

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CLERK



**Official Plan Amendment Number 56  
to the Town of Oakville's Livable Oakville Plan**

**Constitutional Statement**

The details of the Amendment, as contained in Part 2 of this text, constitute Amendment Number 56 to the Livable Oakville Plan.

**Part 1 – Preamble**

**A. Purpose**

The purpose of this amendment is to modify the text and Schedule G of the Livable Oakville Plan to implement the development of a five-storey, 37-unit affordable housing proposal on the subject land.

The effect of the proposed amendment will introduce a new exception policy that will permit a maximum density of 355 units per site hectare.

The proposed amendment will result in changes to Part E, Section 27.2 – South East Exceptions and Schedule G of the Livable Oakville Plan.

**B. Location**

The subject land is municipally known as 130 Cornwall Road and legally described as Part of Lot 14, Concession 3 Trafalgar SDS, designated as Parts 2 and 3 on Plan 20R-13457; Part of Old Mill Road by By-law 216285 being part of Lot 14, Concession 3 Trafalgar SDS, designated as Part 4 on Plan 20R-13457, Oakville.

**C. Background**

The Livable Oakville Plan established the desired land use patterns for lands within the Town of Oakville, south of Dundas Street and north of Highway 407, to the year 2031.

A Town-initiated Official Plan Amendment (File 42.24.27) is also being considered concurrently to correct a mapping error, that will have the effect of re-designating the lands from *Parks and Open Space* to *High Density Residential*.



In addition, Support House has also submitted a Zoning By-law Amendment (File No. Z.1614.80) to allow for the development of a five-storey, 37 unit affordable housing apartment dwelling.

#### **D. Basis**

The Official Plan amendment is based on the following:

A detailed review of the Official Plan and Zoning By-law amendment applications has been undertaken for the subject land; in addition, the proposal will be subject to a Site Plan application in order to review technical and functional aspects of the proposed development.

A Public Information Meeting (“PIM”) was held on February 16, 2022, to solicit public input on the concurrent aforementioned applications.

The Statutory Public Meeting on the proposed Official Plan amendment was held on March 6, 2023, by the Town’s Planning and Development Council.

Notice of the Statutory Public Meeting regarding the applications was published in the Oakville Beaver, was mailed to property owners within 240 m of the subject land on or before February 8, 2023, and circulated to the agencies and public bodies prescribed by the *Planning Act*.

Notice of the Recommendation Meeting was mailed to persons who requested to be notified, and to any persons who provided written and/or oral submissions and circulated to the required agencies and public bodies prescribed by the *Planning Act*.

Information related to the applications was available for public review on the Town’s website ([www.oakville.ca](http://www.oakville.ca)), as of January 24, 2023, being at least 20 days before the recommendation meeting.

### **Part 2 – The Amendment**

#### **A. Text Changes**

The amendment includes changes to the text in the Livable Oakville Plan listed in the following table.

| Item No. | Section | Description of Change                     |
|----------|---------|---|
| 1.       | 27.2    | Insert a new exception policy as follows: |

|  |                                    |   |
|--|------------------------------------|---|
|  | South East Exceptions – Schedule G | 27.2.13 On the lands designated High Density Residential known as 130 Cornwall Road, a maximum density of 355 units per <i>site hectare</i> shall be permitted. |
|--|------------------------------------|---|

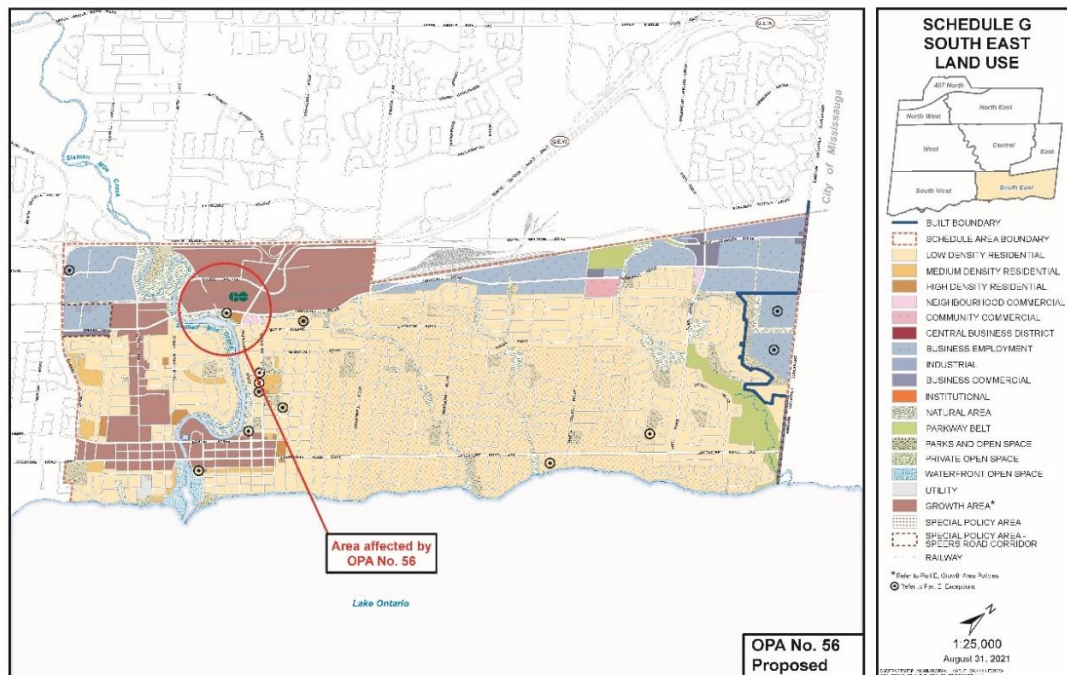
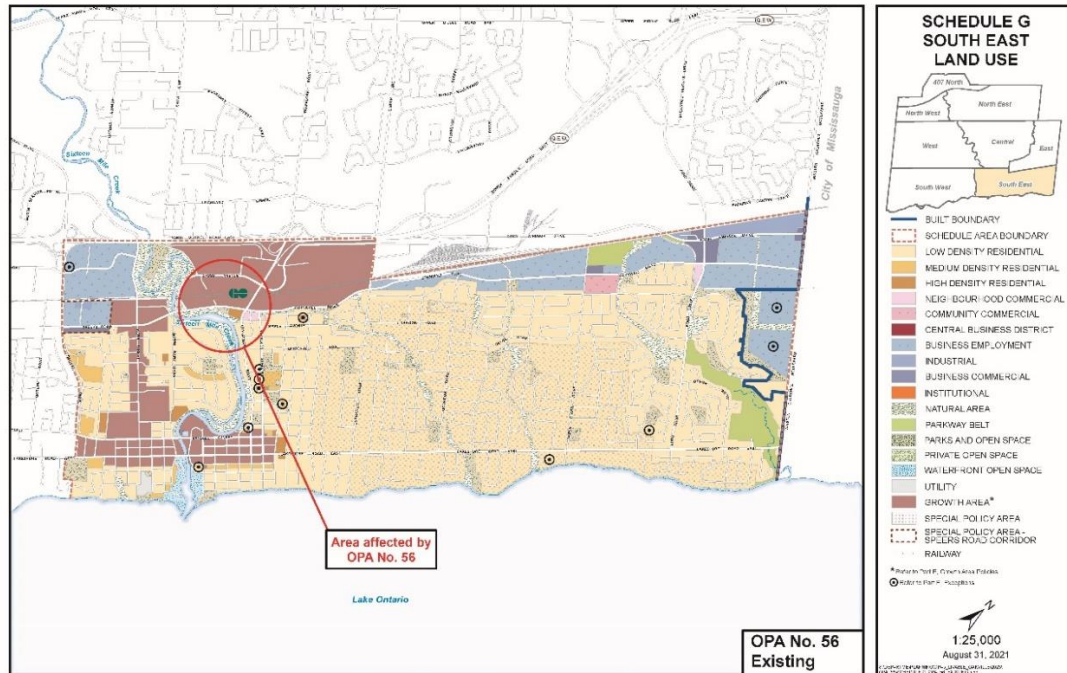
## B. Schedule Changes

The amendment includes changes to the schedules in the Livable Oakville Plan listed in the following table, and shown in Appendix 1.

| Item No. | Schedule                             | Description of Change   |
|----------|--------------------------------------|---|
| 2.       | Schedule G<br>South East<br>Land Use | Amend Schedule G by adding an exception bullet to the subject land. |

## APPENDIX 1

### Schedule Changes to the Livable Oakville Plan



THE CORPORATION OF THE TOWN OF OAKVILLE

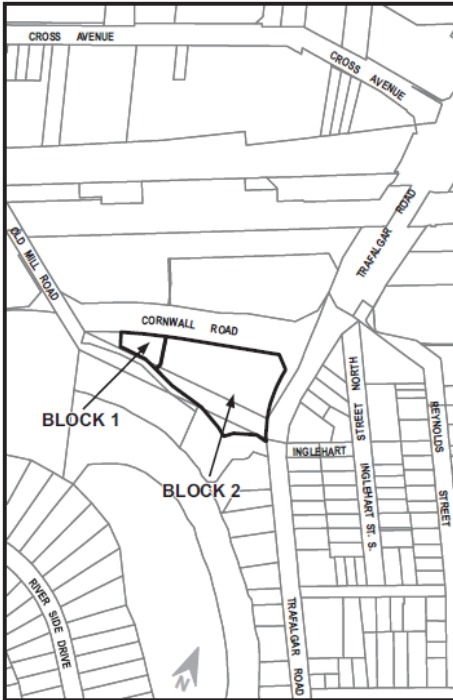
BY-LAW NUMBER 2023-051

A by-law to amend the Zoning By-law 2014-014, as amended, to permit the development of an apartment building on lands described as Part of Lots 13 and 14, Concession 3 S.D.S. – 130 Cornwall Road (Support House) – Z.1614.80

**COUNCIL ENACTS AS FOLLOWS:**

1. Map 19(8) of By-law 2014-014, as amended, is amended by rezoning the lands as depicted on Schedule “A” to this By-law.
2. Section 15, Special Provisions, of By-law 2014-014, as amended, is amended by deleting Section 15.198 and replacing it as follows:

| 198   | 130 Cornwall Road and<br>456 Trafalgar Road<br>(Part of Lots 13 and 14, Concession<br>3 S.D.S.) | Parent Zone: RH  |
|---|---|--|
| Map 19(8)   |   | (1995-213) (1998-126)<br>(1999-219) (2006-002)<br>(2007-096) (2008-051)<br>(2008-074) (2023-051) |
| 15.198.1 Additional Permitted Uses for Block 1  |   |  |
| The following additional <i>use</i> is permitted on lands identified as Block 1 on Figure 15.198: |   |  |
| a)  | <i>Apartment dwelling</i> owned, operated or funded by a <i>public authority</i>                |  |
| 15.198.2 Zone Provisions for Block 1  |   |  |
| The following regulations apply to all lands identified as Block 1 on Figure 15.198:              |   |  |
| a)  | Minimum <i>lot area</i>   | 1,000 m <sup>2</sup>   |
| b)  | Minimum <i>front yard</i>   | 3.0 m  |
| c)  | Minimum easterly <i>side yard</i>   | 4.5 m  |
| d)  | Minimum westerly <i>side yard</i>   | 3.0 m  |
| e)  | Minimum <i>rear yard</i>  | 3.0 m  |
| f)  | Maximum <i>height</i>   | 17.25 m  |
| g)  | Minimum <i>landscaping coverage</i>   | 25%  |
| h)  | Maximum <i>floor area</i> , including area in a <i>basement</i>                                 | 2,450 m <sup>2</sup>   |

|  |   |  |
|--|---|--|
| i)   | Width of <i>landscaping</i> along any <i>surface parking area</i> , for any <i>interior side lot line</i> or <i>rear lot line</i> | 0.0 m  |
| <b>15.198.3 Zone Provisions for Block 2</b>  |   |  |
| The following regulations apply to all lands identified as Block 2 on Figure 15.198: |   |  |
| a)   | Minimum <i>yard</i> , all <i>yards</i>  | 7.5 m  |
| b)   | Minimum <i>landscaping coverage</i>   | 25%  |
| <b>15.198.4 Parking Provisions for Block 1</b>                                       |   |  |
| The following regulations apply for lands identified as Block 1 on Figure 15.198:    |   |  |
| a)   | Minimum number of <i>parking spaces</i> for an <i>apartment dwelling</i> owned, operated or funded by a <i>public authority</i>   | 0.19 per <i>dwelling</i> of which 0.11 per <i>dwelling</i> shall be designated as visitors <i>parking spaces</i> |
| <b>15.198.5 Parking Provisions for Block 2</b>                                       |   |  |
| The following regulations apply for lands identified as Block 2 on Figure 15.198:    |   |  |
| a)   | Minimum number of <i>parking spaces</i> for an <i>apartment dwelling</i>  | 0.45 per <i>dwelling</i>   |
| <b>15.198.6 Special Site Figure 15.198</b>   |   |  |
|  |   |  |

3. Section 16, Holding Provisions, of By-law 2014-014, as amended, is further amended by adding a new Section 16.53 as follows:

|   |   |                 |
|---|---|-----------------|
| H53   | 130 Cornwall Road   | Parent Zone: RH |
| Map 19(8)   | (Part of Lots 13 and 14, Concession 3 S.D.S.)   | (2023-051)      |
| 16.53.1 Only Permitted Uses Prior to Removal of the “H”   |   |                 |
| For such time as the “H” symbol is in place, these lands shall only be used for the following <i>uses</i> :   |   |                 |
| a)  | Legal <i>uses</i> , <i>buildings</i> and <i>structures</i> existing on the <i>lot</i>   |                 |
| 16.53.2 Conditions for Removal of the “H”   |   |                 |
| The “H” symbol shall, upon application by the landowner, be removed from all or part of the lands subject to the “H” symbol by the <i>Town</i> passing a By-law under Section 36 of the <u>Planning Act</u> . The following condition(s) shall first be completed to the satisfaction of the Town of Oakville and the Region of Halton: |   |                 |
| a)  | That prior to any site alteration, servicing or grading of the site and to the satisfaction of Halton Region, the Owner submits revised Phase One and Two Environmental Site Assessment (ESA) reports, at minimum (and any further subsequent reports/ documentation as recommended per revised Phase One and Two ESA reports). The revised Phase One and Two ESA reports and any other environmental reports/ documentation must be completed in accordance with O. Reg. 153/04, and signed and stamped (professional seal must be affixed) by (a) qualified person(s) as defined under O. Reg. 153/04. The author(s) of the environmental reports/ documentation submitted to the Region must also extend third party reliance to Halton Region. The letter of reliance(s) must be signed by the author(s) and meet Halton Region’s letter of reliance template, indicating that liability insurance coverage is no less than \$2,000,000. The Owner complies with O. Reg. 153/04 and Halton Region’s Protocol for Reviewing Development Applications with respect to Contaminated or Potentially Contaminated Sites, to the satisfaction of Halton Region. |                 |
| b)  | That an updated Functional Servicing Report (FSR) be approved by Halton Region and any requirements of Halton Region be addressed to their satisfaction in relation to the findings and/or recommendations of the report.   |                 |
| c)  | That the downstream sewer upgrades and/or replacement have been constructed and in operation and the downstream sewer constraints have been addressed to the satisfaction of Halton Region.   |                 |

4. This By-law comes into force in accordance with Section 34 of the Planning Act, R.S.O. 1990, c. P.13, as amended.

PASSED this 15<sup>th</sup> day of May, 2023

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MAYOR

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CLERK



**SCHEDULE "A"**  
**To By-law 2023-051**



**AMENDMENT TO BY-LAW 2014-014**



Rezoned from Residential High (RH sp:198)  
to Residential High (H53-RH sp:198)

EXCERPT FROM MAP  
19 (8)



SCALE: 1:4,000



## **Appendix “H”: Pubic Comments**

**RE: 130 Cornwall Road, Oakville**

Dear Janet and Dave, I appreciate the opportunity to provide some input on the proposed replacement of the house at 130 Cornwall with a building of 5-6 levels (it's unclear which) housing 37 occupants. Key items:

### **1. LOSS OF NATURAL GREEN SPACE**

Currently, the house allows full use of the natural surroundings. One has no qualms about walking on the path south of it because the feel of the path is that it belongs to everyone in the area. It provides a respite from the busy traffic on Cornwall.

A massive box of a building would feel “looming” and would – certainly for me – forever do away with the natural feel of the place. There is a likelihood that other area residents would likewise cease to use it.

A fence was mentioned as a possibility; it would be detrimental in appearance and further lessen the quality of the area.

A smaller footprint of the building (say, by slightly reducing the size of the apartments) would be a great benefit.

### **2. LACK OF VISUAL FIT WITH THE LOCAL AREA**

The parking garage, with red and white materials for its exterior, once blended in with the Old Mill Road buildings and the Sunrise facility. Then came the hideous Metrolinx data centre, lending an industrial (Speers Road) type of look to the area. Putting yet another clunky, ungainly building across from it would further ruin the feel of a location that is now softened by the landscaping around the Sunrise facility and the proximity to the path going west from Old Mill Parkette down to the creek. The exterior coloring shown in the concept would be better suited for Disneyland and would be a visual blight.

### **3. CONCERNS ABOUT SAFETY FOR AREA RESIDENTS**

Transforming the house from a communal residence of fewer than 10 occupants (with 7 staff) to 37 individual apartments is one way to provide more housing for persons with special needs, but the plan for only 7 parking spaces raises the question “how many staff would be on site at any given time?”. A person in need of professional care is not necessarily served by being cooped up in a small apartment all alone. It is not clear how much communal gathering space is provided for the occupants outdoors; would Old Mill Parkette become the de facto unsupervised recreational area for the building's occupants? In such a case, I would never go near the south side of Cornwall West of Trafalgar. (No disrespect toward persons in need of support, but I value my personal safety.)

Thank you for your consideration.

Ulla de Stricker, [REDACTED]

## REPORT

### Planning and Development Council

Meeting Date: May 15, 2023

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**FROM:** Planning Services Department

**DATE:** May 2, 2023

**SUBJECT:** Recommendation Report – Draft Plan of Subdivision and Zoning By-law Amendment – Mattamy (Joshua Creek) Limited – Phase 3 – Part of Lots 8 and 9, Concession 1 N.D.S., File No.: 24T-20007/1307, Z.1307.07 – By-law 2023-036

**LOCATION:** Part of Lots 8 and 9, Concession 1 N.D.S.

**WARD:** Ward 6

Page 1

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### RECOMMENDATION

1. That revised Draft Plan of Subdivision and Zoning By-law Amendment applications (File Nos. 24T-20007/1307 and Z.1307.07), submitted by Mattamy (Joshua Creek) Limited, be approved on the basis that the applications are consistent with the Provincial Policy Statement, conforms or does not conflict with all applicable Provincial plans, conforms with the Region of Halton Official Plan and the North Oakville East Secondary Plan, has regard for matters of Provincial interest, and represents good planning for the reasons outlined in the report from the Planning Services Department dated May 2, 2023.
2. That By-law 2023-036, an amendment to Zoning By-law 2009-189, be passed.
3. That the Director of Planning Services is authorized to grant draft plan approval to the Draft Plan of Subdivision (24T-20007/1307) submitted by Mattamy (Joshua Creek) Limited – Phase 3, and prepared by R-PE Surveying Limited, dated November 14, 2022, subject to the conditions contained in Appendix “A.”
4. That once 24T-20007/1307 has been draft approved by the Director of Planning Services, the Town enter into a Subdivision Agreement to the satisfaction of the CAO and Town Solicitor or designates.

5. That the Subdivision Agreement be executed in accordance with By-law 2013-057.
6. That notice of Council's decision reflect that Council has fully considered all the written and oral submissions relating to this matter and that those comments have been appropriately addressed.
7. That, in accordance with Section 34(17) of the *Planning Act*, no further notice is determined to be necessary.

## **KEY FACTS**

The following are key points for consideration with respect to this report:

- This report recommends approval of the proposed Draft Plan of Subdivision and Zoning by-law Amendment applications submitted by Mattamy (Joshua Creek) Limited.
- The applications consist of approximately 61.43 hectares of land with 702 detached dwellings, 314 townhouse units, parks, school and Natural Heritage System.
- The subject lands are designated Neighbourhood Area, Neighbourhood Park, Elementary School Site, Village Square and Natural Heritage System Area within the North Oakville East Secondary Plan (Figure NOE2).
- The lands are zoned Future Development (FD) within Zoning By-law 2009-189.
- An applicant-initiated Public Information Meeting ("PIM") took place on February 11, 2020, and was attended by one resident and the Ward 6 Councillors.
- A statutory public meeting was held on November 25, 2020; no public members spoke to the subject application.
- Staff recommend approval of the Draft Plan of Subdivision and Zoning By-law Amendment applications as the proposal is consistent with the Provincial Policy Statement, conforms and does not conflict with the Growth Plan, conforms to all Provincial Plans, the Region of Halton Official Plan and the general intent and purpose of the North Oakville East Secondary Plan. The proposed development aids in achieving complete communities, including the protection of the natural heritage system, in accordance with the Town's established Urban Structure.

## **BACKGROUND**

The purpose of this report is to provide a full staff review of the applications and a recommendation for the proposed Draft Plan of Subdivision and Zoning By-law amendment applications. A statutory public meeting was hosted by Oakville Town

Council on November 25, 2020. No members of the public attended the Public Meeting, and no written submissions were received following the meeting. If approved, the Draft Plan of Subdivision will create 702 detached dwellings, 314 townhouse units, public streets, walkways, open space, a school block and parks. The effect of the Zoning By-law 2023-036 is to rezone the lands from Future Development (FD) to site-specific General Urban, Suburban, Neighbourhood Center, park, institutional, and Natural Heritage System.

The current applications were submitted and deemed complete on May 27, 2020. The developer initiated Public Information Meeting occurred February 11, 2020, which one member of the public attended.

**Proposal:**

The applicant submitted a Draft Plan of Subdivision and Zoning By-law Amendment application to permit the development of the 61.43 hectare parcel into:

- 1,016 residential units;
- one neighbourhood park (NP10);
- one block to be consolidated with an adjoining block to create a second neighbourhood park (NP5);
- two village squares;
- one block to be consolidated with an adjoining block to create a third village square;
- a separate elementary school; and
- conveyance of natural heritage system lands (Figure 1).

The Draft Plan of Subdivision proposes to create blocks containing a range of uses as described below:

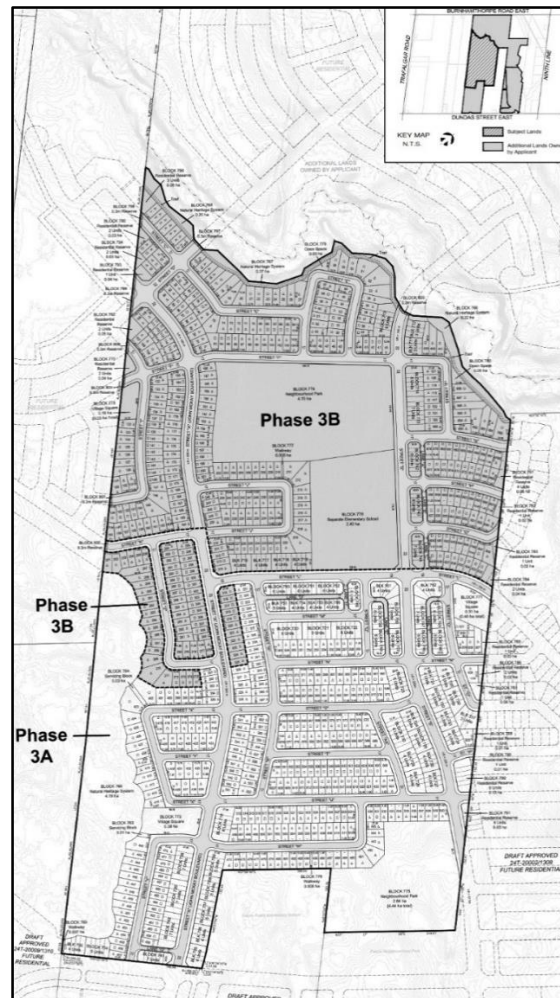
| <b>Draft Plan Feature</b>                | <b>Number of Units</b> | <b>Area (ha)</b> |
|--|------------------------|------------------|
| Detached Dwellings (11.60 m)             | 385                    | 13.76            |
| Detached Dwellings (13.75 m)             | 34                     | 1.63             |
| Detached Dwellings (10.4 m)              | 281                    | 8.22             |
| Detached Dwellings (20.11 m)             | 2                      | 0.14             |
| Street Townhouses                        | 185                    | 4.18             |
| Rear Lane Townhouses                     | 121                    | 1.58             |
| Live-work Townhouses                     | 8                      | 0.22             |
| Servicing Block (Blocks 763, 764)        | 2                      | 0.04             |
| Natural Heritage System (Blocks 765-768) |                        | 5.08             |
| Village Square (Blocks 771-773)          |                        | 0.84             |
| Neighbourhood Park (Blocks 774, 775)     |                        | 6.99             |
| HCDSB Elementary School (Block 776)      |                        | 2.40             |
| Walkway (Blocks 769, 777, 778)           |                        | 0.02             |

|   |             |              |
|---|-------------|--------------|
| Open Space (Blocks 779, 780)              |             | 0.08         |
| Residential Reserve (Blocks 770, 781-796) |             | 0.65         |
| 0.3 m reserves (Blocks 797-804)           |             | 0.00         |
| Roads                                     |             | 15.6         |
| <b>TOTAL</b>                              | <b>1016</b> | <b>61.43</b> |

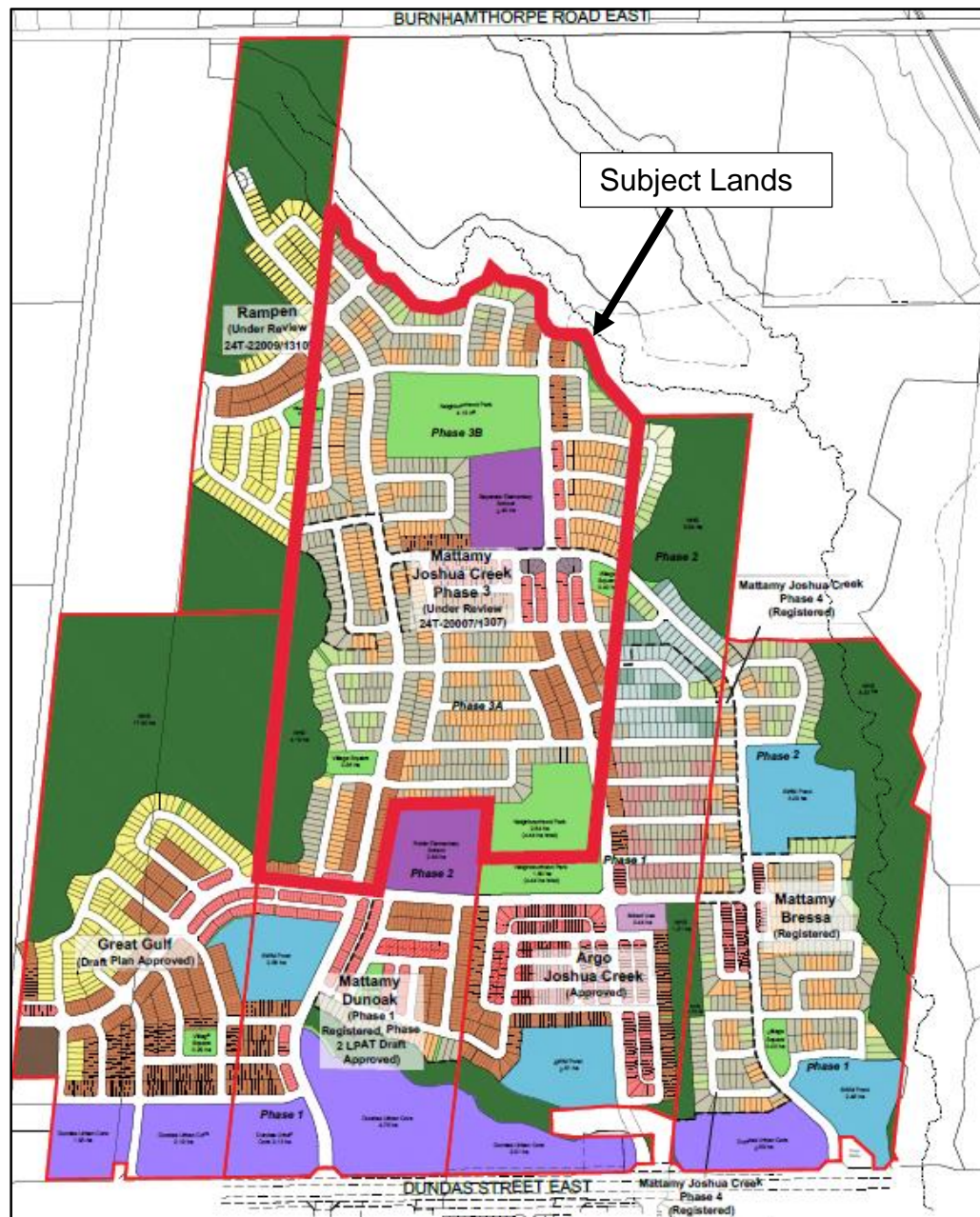
The housing types proposed are outlined in the table below:

| <b>Proposed Unit Type</b> | <b>Total</b> |
|---------------------------|--------------|
| Detached Dwellings        | 702          |
| Townhouses                | 314          |
| <b>TOTAL</b>              | <b>1016</b>  |

The subject development will assist in achieving a complete community in this location with the extension of roads and servicing between the Bressa, Dunoak and Argo lands and the inclusion of a school block, park and village squares (Figure 2).



**Figure 1:** Proposed Draft Plan of Subdivision



**Figure 2: Context Plan**

## **Location and Site Description**

### Location

The property is generally located on the south side of Burnhamthorpe Road East and west of Ninth Line as shown on Figure 3. The legal description of the properties is Part of Lots 8 and 9, Concession 1 N.D.S.





**Figure 3: Air Photo**

#### Site Description

The subject lands are currently located north of Dunoak and the Argo subdivisions. Vehicular access to the subdivision would be coordinated through the abutting Dunoak, Argo and Bressa subdivisions. Approximately 5.08 ha of the 61.43 ha property will be conveyed to the Town as Natural Heritage System.

The subject lands are generally flat and were previously used for agricultural purposes, and the site is currently vacant.

#### **Surrounding Land Uses**

Generally, the surrounding land uses are as follows (Figure 2):



**South:** Dunoak Draft Approved Plan of Subdivision (24T-12003/1309) consisting of (two-storey) detached dwellings and townhouse units, a Dundas Urban Core block, a school block and a stormwater management pond.

**South and East:** Argo (Joshua Creek) Draft Approved Plan of Subdivision (24T-20002/1308) consisting of (two-storey) detached dwellings and townhouse units, park, mixed-use block and Dundas Urban Core Block. Further east is the Bressa Plan of Subdivision application (24T-20006/1307) which has been registered.

**North:** Vacant lands designated as Natural Heritage System and for future residential uses but are not currently subject to a development application.

**West:** Rampen/Coscorp Plan of Subdivision (24T-22009/1310) currently under review.

## **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, as amended in 2020)
- Halton Region Official Plan
- North Oakville East Secondary Plan
- Zoning By-law 2009-189, as amended

### **Provincial Policy Statement**

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) 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.

The subject lands are located within a settlement area, which is to be the focus of growth and development. The land use patterns within the settlement areas 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. On this basis, the proposed Official Plan Amendment and rezoning are consistent with the PPS (2020).

Excerpts of relevant PPS policies to the application are attached as Appendix 'B'.

### **Growth Plan for the Greater Golden Horseshoe (2019)**

The Growth Plan (2019) 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 that it is to be read in its entirety, and the relevant policies are to be applied. When more than one policy is relevant, a decision maker should consider all of the relevant policies to understand how they work together.

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 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, and expand convenient access to transportation options.

The subject lands are located within an identified "Settlement Area", where intensification is encouraged to efficiently make use of the existing infrastructure, municipal servicing availability and convenient access to services that meet the daily needs of residents. Key principles set out in Section 1.2.1 include prioritizing intensification and higher densities to make efficient use of land and infrastructure and support transit viability while at the same time considering adjacent land uses, compatible built form and transitioning.

On this basis, the proposed Official Plan Amendment and rezoning are consistent with the Growth Plan and contributes to the achievement of complete communities.

Excerpts of relevant Growth Plan policies to the application are attached as Appendix 'B'.

### **Halton Region Official Plan**

The subject lands are designated "Urban Area" in the Regional Official Plan (ROP) with portions of the "Regional Natural Heritage System" (RNHS). The Urban Area is "planned to accommodate the distribution of population and employment for the Region and the four Local Municipalities". The policies of the Urban Area

designation support a form of growth that is compact and supportive of transit, the development of vibrant and healthy mixed-use communities which afford maximum choices for residence, work and leisure. 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.

#### 2020 Servicing Allocation Program – water and wastewater

Halton Region has implemented a servicing allocation program that requires proponents of residential development applications to secure servicing allocation from Halton Region through a formal Allocation Agreement.

The subject lands are located outside the urban built boundary and are subject to the 2020 Regional Allocation Program.

On June 17, 2020, Regional Council passed By-law 34-20 which confirmed the Regional allocation agreement conditions and requirements have been met and the appropriate financial commitments by all the parties are in place.

In a letter dated March 3, 2023, Halton Region advised Town Staff that they have no objection to the proposal subject to the recommended conditions of draft plan approval, and the inclusion of a “H” Holding Provision in the Zoning By-law to address allocation.

### **North Oakville East Secondary Plan**

#### Urban Structure

The *Livable Oakville Plan* is 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.

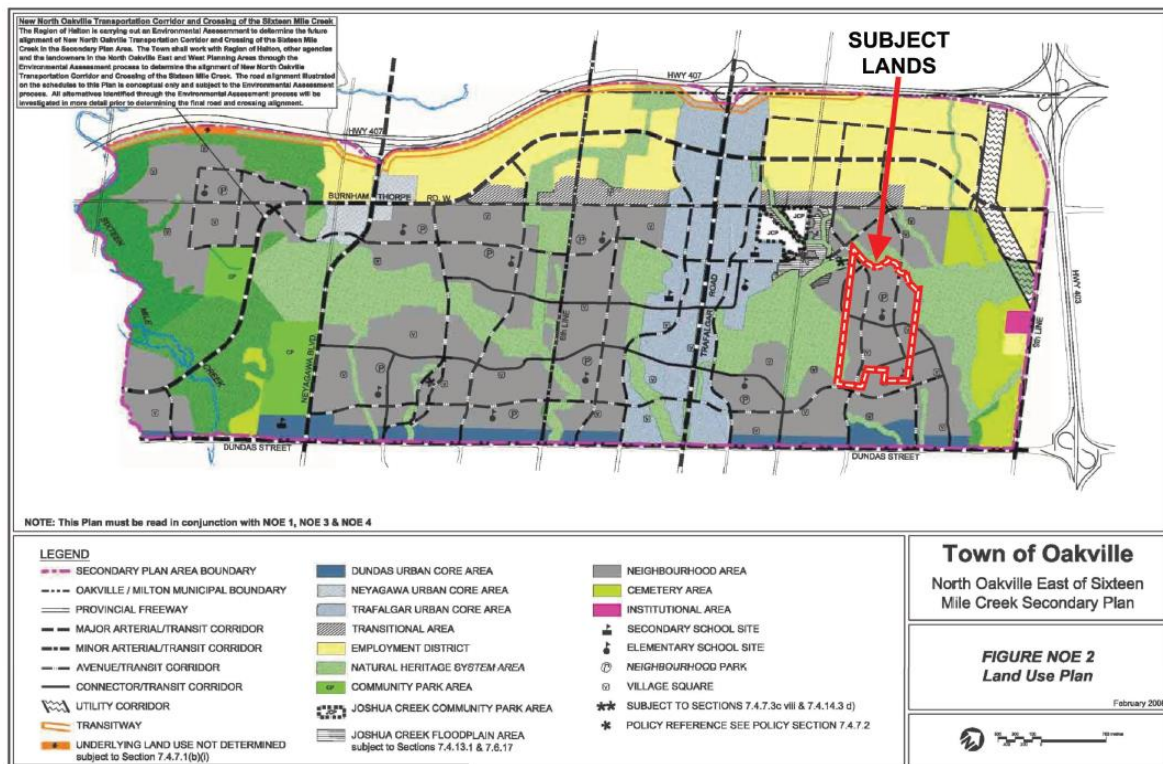
*Schedule A1, Urban Structure*, of the *Livable Oakville Plan* provides the basic structural elements for the Town and identifies the site as *Residential Areas and Natural Heritage System*. This is also reflected in Section 3, Urban Structure, of the *Livable Oakville Plan*. Official Plan Amendment 317 to the *North Oakville East Secondary Plan*, confirms the Town’s existing urban structure and was approved by Halton Region on April 26, 2018, and deemed to conform to the Growth Plan and is consistent with the PPS.

#### North Oakville East Secondary Plan (NOESP)

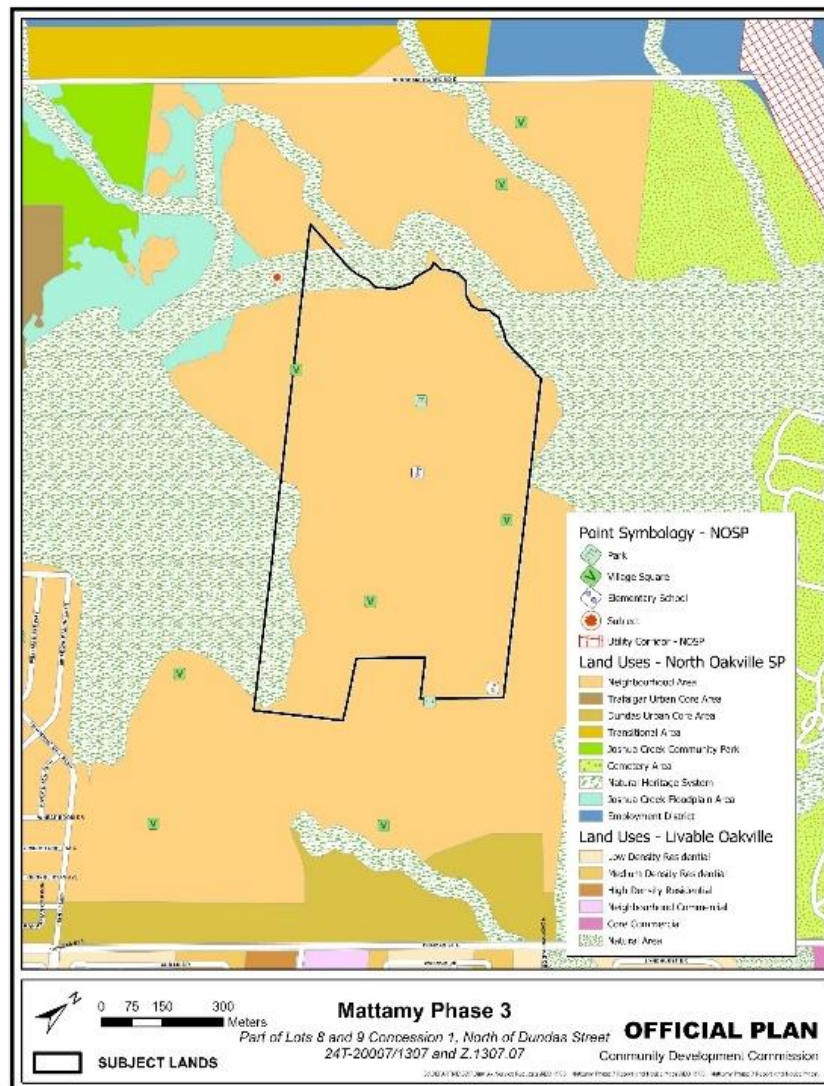
The North Oakville East Secondary Plan (NOESP) provides a planning framework for the lands north of Dundas Street and south of Highway 407 between Ninth Line and Sixteen Mile Creek. The NOESP is not part of the *Livable Oakville Plan* but endures as an amendment to the Town’s 2006 Official Plan.

The development of the North Oakville community is premised on a sustainable, design-first philosophy which promotes the protection of the natural environment, mixed-use development, and a modified grid road system that enhances transportation options for transit and pedestrians.

The land use designations which apply to the subject lands consist of *Neighbourhood Area*, *Neighbourhood Park*, *Elementary School Site*, *Natural Heritage System Area*, *Avenue/Transit Corridor* and *Connector Transit Corridor* in Figure NOE2, Land Use Plan (Figures 4a and 4b).



**Figure 4a: North Oakville East Secondary Plan - Figure NOE2**



**Figure 4b:** Extract North Oakville East Secondary Plan - Figure NOE2

### OPA 321

In 2018, approved OPA 321 updated the Neighbourhood Centre Area policies to enhance clarity, increase the maximum height and require one mixed-use or non-residential building at neighbourhood activity nodes.

Within the Neighbourhood Centre Area, Section 7.6.7.1 states that the intention is to accommodate a range of medium density residential, mixed-use, and limited commercial and civic uses to serve neighbourhood residents from a central neighbourhood activity node. The uses permitted include medium density residential, mixed-use and small-scale convenience retail, personal service commercial, restaurants and business activity, village squares and small-scale offices, medical clinics, workshops and artisan studios.



### Master Plan – Appendix 7.3

The North Oakville Master Plan is intended to assist in providing guidance and coordination of local roads and adjacent land uses for the North Oakville Planning Area. Development applications are reviewed to ensure general coordination and consistency with the intent of the Master Plan. Minor modifications are permitted provided the general intent and direction of the Master Plan is maintained (Section 7.5.2).

Additional land use designations are further identified as *Natural Heritage System Area, General Urban Area, Sub Urban Area, Neighbourhood Centre Area, Neighbourhood Park, Elementary School Site, and Village Square* as shown in the North Oakville Master Plan (Figure 5).



**Figure 5:** North Oakville Master Plan Excerpt

Section 7.2 Community Vision states “*The community will be well served by an interconnected transit network which will provide residents and employees opportunities for an attractive alternative travel mode within North Oakville, and connections to the rest of the Town, as well as transit facilities which will serve the Region and the Greater Golden Horseshoe.*”

### Section 7.2.3.5 – Transportation

- a) To create a system of roads and transportation corridors which promotes the safe, efficient circulation of traffic including transit and non-vehicular traffic.*
- c) To establish a transportation system that complements and supports the existing and future urban structure and land use pattern.*
- d) To promote transit opportunities through community design, including a “transit first” policy to ensure that development including the phasing of development proceeds in a manner which will be supportive of early provision of transit services.*

The road system is discussed later in this report.

#### Optional Linkage Preserve Area – Section 7.3.5

Figure NOE 3 – *Natural Heritage Component of Natural Heritage and Open Space System* identifies the north-west corner of the draft plan of subdivision as containing an *Optional Linkage Preserve Area*.

Section 7.3.5 a) ii) states *Optional Linkage Preserve Areas* include areas which are designed to link the Core Preserve Areas together to maintain and enhance their environmental sustainability. They follow natural features whenever possible and are intended to be of sufficient size and character, including buffers, to ensure the functionality and sustainability of the Natural Heritage component of the System. The *Optional Linkage Preserve Areas* were established based on the potential to relocate an adjacent medium constraint stream into the lands designated as *Optional Linkage Preserve Area*.

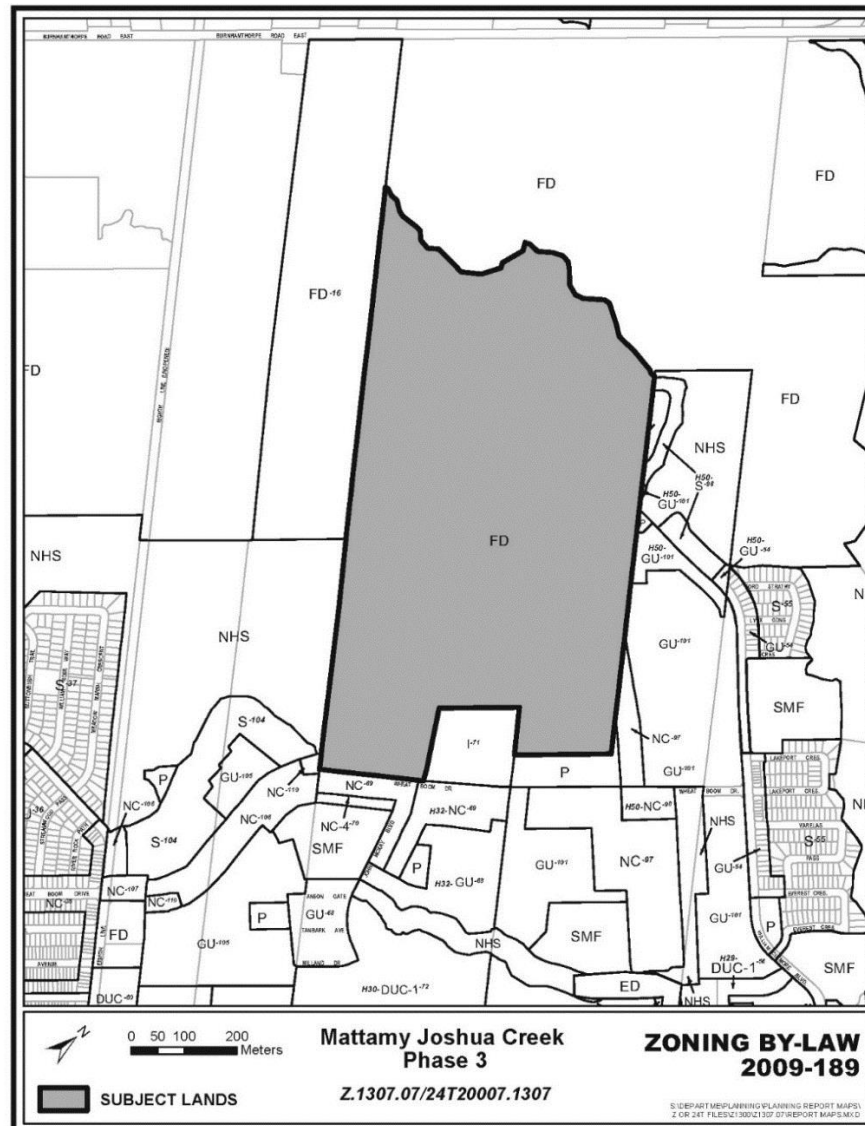
Section 7.3.5 b) ii) states that “...if the adjacent stream is not relocated into the lands designated “*Optional Linkage Preserve Area*”, and remains in place in a manner which satisfies the requirements to serve a linkage function as set out in Subsection 7.4.7.1 d), then the lands in the *Optional Linkage Preserve Area* designation, without the need for amendment to this Plan, may be developed in accordance with the abutting land use designation.”

Through the review of the EIR/FSS the abutting medium constraint stream will not be relocated into the optional linkage preserve area and will remain in place. As such, the lands identified on NOE 3 as an *Optional Linkage Preserve Area* are proposed for development consistent with the abutting land use designation.

### **Zoning By-law (By-law 2009-189)**

The North Oakville Zoning By-law sets the zoning standards by establishing general regulations and zones reflecting the North Oakville East and West Secondary Plans. Town Council approved the North Oakville Zoning By-law (By-law 2009-189) on November 23, 2009. The subject property is zoned Future Development (FD) (Figure 6), which allows uses that legally existed when the parent by-law was enacted. The purpose of the FD zone is to allow for the future zoning of the land to

be considered in the context of a new application and the policies within the NOESP. A zoning amendment is required to implement the proposal.



**Figure 6: Zoning By-law Map**

### Proposed Zoning

A draft Zoning By-law has been prepared to rezone the subject lands from *Future Development (FD)* to site specific *General Urban (GU)*, *Sub-Urban (S)*, *Neighbourhood Centre Area (NCA)*, *Park (P)*, *Institutional (I)*, and *Natural Heritage System (NHS)* zones. The effect of the proposed zoning would facilitate the development of the lands for 1,016 residential units, neighbourhood parks, village squares, and elementary school and the conveyance of the natural heritage system, in accordance with NOESP designations and policies.



The following is an overview of the proposed By-law 2023-036:

- establishes regulations for the Sub-Urban (S) zone, specifically related to minimum lot depth, window width, porch depth and rear yard setbacks for lots abutting the NHS.
- establishes regulations for a Neighbourhood Commercial Area (NCA) block, abutting the NHS, specifically related to rear yard setback for the lot adjacent to a walkway, as well as window width, porch depth and rear yard setbacks.
- establishes regulations for the Neighbourhood Commercial Area (NCA) blocks, specifically related to permitted uses, heights, window width, porch depth and rear yard setbacks for lots abutting the NHS.
- Establishes the requirement for live work units at the activity node.

At the request of the Region of Halton, a Holding “H” Provision has been included within By-law 2023-036 that must be lifted prior to the issuance of building permits. The Holding Provision is related to allocation as follows:

- a) “The Owner shall secure the appropriate amount of water and wastewater Servicing Allocation under the Region of Halton Allocation Program;*
- b) The Owner shall have signed the applicable Allocation Agreement or any required Amending Agreements;*
- c) The Owner shall have made all required payments associated with the Allocation Program; and,*
- d) The Owner shall be in receipt of the Region of Halton Public Works Commissioner’s Notice (PWCN) letter.*

## **TECHNICAL & PUBLIC COMMENTS**

The proponent provided technical supporting studies which were circulated to various public agencies and internal town departments. A full circulation and assessment of the application was undertaken to ensure that all technical matters have been satisfactorily addressed.

The following studies and supporting documentation are accessible on the Town’s website at [Mattamy \(Joshua Creek\) Limited - Phase 3 - Z.1307.07 and 24T-20007/1307 \(oakville.ca\)](https://www.oakville.ca/20007/1307)

- Draft Plan of Subdivision
- Planning Justification Report
- Urban Design Brief
- Transportation Impact Study
- Density Plan
- Pedestrian Circulation & Transit Facility Plan

- Environmental Impact Report/Functional Servicing Study
- Archaeological Assessment
- Noise Study
- Garage Detail/Parking Plan

### **Resolution of Issues Raised at the Public Meeting**

The Statutory Public Meeting hosted by Oakville Council was held on November 25, 2020; no members of the public participated virtually. The following is an overview of the matters that were identified at the public meeting and the analysis and resolution of the issues:

#### Alignment with the Climate Emergency declared by Council

The applicant has advised that Mattamy Homes is known as an industry leader in sustainability and has participated in various innovation and sustainability solutions by developing better building home envelopes and leveraging smart home technology that provides ongoing and optimized efficiencies. When constructing their homes, they use various techniques and building practices to improve the project's sustainability and reduce climate change impacts. Through their 'Built-In Smart Technology', buildings are designed, constructed and programmed in a manner that reduce energy consumption to save homeowners an average of 23% on their bills. They partner with various companies to offer a Comfort Tech bundle for new homes that provide optimal heating, cooling, humidity control and on-demand hot water that lowers carbon emissions and offers enhanced energy-efficiency. Additionally, all houses are built to Energy Star standards, which is 20% more efficient than the Ontario Building Code and air tightness testing by 3<sup>rd</sup> party energy advisors, which is not a standard in the industry.

All new homes also include items such as low e-glass windows, low-flow faucets, water-efficient toilets, high-efficiency furnaces, heat recovery ventilators, tankless water heaters, energy-efficient appliances, rough-ins for electric car charge stations and solar power.

#### North Oakville East Developers Group

Parkland dedication requirements shall be in accordance with Section 7.7.4.5 of the North Oakville East Secondary Plan and the North Oakville East Secondary Plan Master Parkland Agreement.

In accordance with Section 7.9.4 of the North Oakville Secondary Plan, documentation was submitted with the application from the Trustee of the North Oakville East Developers Group Cost Sharing Agreement and North Oakville East Master Parkland Agreement confirming that Mattamy (Joshua Creek) Limited are parties in good standing under both agreements.

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Consistency with the PPS and Conformity with the Growth Plan, Regional Official Plan and North Oakville East Secondary Plan

The proposed development is an extension of the draft approved plans to the east and south and the NOESP contemplates the proposed uses. It is staff's opinion that the proposal is consistent with the Provincial Policy Statement 2020 and conforms to the Growth Plan, the Region of Halton Official Plan and the NOESP.

Protect for the envisioned connectivity of Street "B" to Burnhamthorpe Road

Street "B" on the proposed draft plan of subdivision is shown on Figures NOE 2, NOE 4 as an Avenue/Transit Corridor. Figures NOE2, NOE 4 and the Master Plan anticipate that Street "B" would directly connect Dundas Street East and Burnhamthorpe Road East (Figure 7a - yellow highlight).

Staff acknowledge that the Mattamy lands north of the Natural Heritage System (NHS) are not part of this application at this time, however, they have been shown conceptually in a light gray line what is potentially proposed in the future. Staff were concerned that Street "B" if continued with the current geometrics as shown on the proposed draft plan of subdivision would require a 'left-hand' turn to continue to Burnhamthorpe Road East (Figure 7b - yellow highlight) and as such would not provide a direct connection between Dundas Street East and Burnhamthorpe Road East.





**Figure 7a:** Expected Road Layout

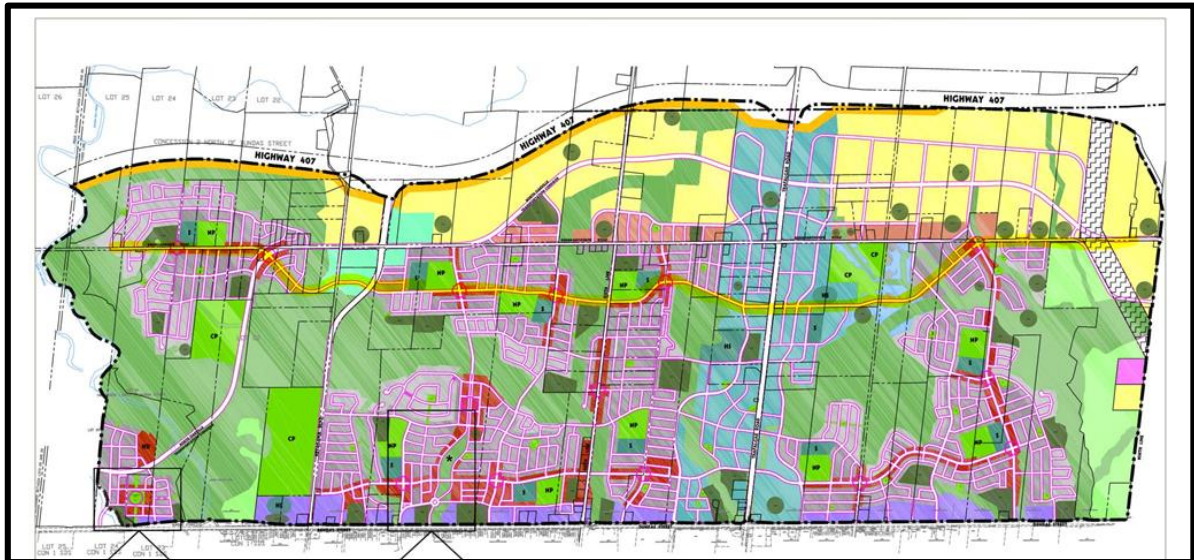


**Figure 7b:** Proposed Road Layout

Following the Statutory Public Meeting, Town staff, Mattamy and Conservation Halton further reviewed the future crossing of the NHS, and it was determined that the current alignment provided the shortest distance over the valley, which would result in the least disturbance to the watercourse. Mattamy has agreed to work with Town staff as part of the future application to refine the road layout and possibly introduce a round-about to ensure the appropriate traffic flow.

Protect for the envisioned East-West connection from Burnhamthorpe Road across the Town

Figures NOE 2, NOE 4 and the Master Plan anticipate a major east-west connection across the Town as shown in yellow highlight on Figures 8a and 8b.



**Figure 8a:** Major East-West road (yellow highlight)



**Figure 8b:** Major East-West road Extract (Yellow Highlight)



The lands to the west of the proposed subdivision contain a heritage landscape designated under the *Ontario Heritage Act* associated with the Joshua Creek Heritage Art Centre. Roads are not permitted within the heritage landscape, and as such, the east-west road is required to “swing” farther south, which would impact the north-east corner of the draft plan of subdivision.

The original application did not anticipate the east-west road (Figure 9a), however following the Statutory Public Meeting the applicant revised the subdivision plan which would protect for this connection (Figure 9b).



**Figure 9a:** Original Proposal



**Figure 9b:** Revised Proposal

Although the east-west road has shifted more southerly than what is shown on the Master Plan, the NOESP includes policies that allow for modifications to the road layout provided the general intent and direction of the Master Plan is maintained (Section 7.5.2).

Staff is satisfied that the revised road layout protects for a future east-west connection across the Town.

Investigate the appropriateness of the configuration of the proposed Street A (John McKay Boulevard)

Figures NOE 2, NOE 4 and the Master Plan anticipate John McKay Boulevard to connect from Dundas Street East to Burnhamthorpe Road. John McKay Boulevard originates within the registered Dunoak plan and is proposed to be extended as part of this subdivision plan and is further proposed to be extended as part of the Rampen/Coscorp to the west. Ultimately, the road will connect to Burnhamthorpe. Staff have no concerns with the current alignment of John McKay Boulevard within this draft plan of subdivision.



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**Neighbourhood Park and Village Squares**

The North Oakville East Parks Facilities Distribution Plan (November 2009) is a document to be used as a guide for the location, configuration, design and development of the parks system for the North Oakville East Secondary Plan, (NOESP). The North Oakville East Parks Facilities Distribution Plan contemplates ten neighbourhood parks, two community parks and 30 village/urban squares based on a population target between 45,000 and 55,000 people.

Consistent with the NOESP Master Parkland Agreement, developers shall provide a total of 64.5 hectares of parkland, generally summarized as follows:

- i) Community Parks - 11.0 ha
- ii) Neighbourhood Parks - 42.5 ha
- iii) Village Squares and Urban Squares - 11.0 ha

These parkland obligations were formalized through the Master Parkland Agreement and are part of the OMB settlement for the NOESP in 2008.

Below is an overview of the parkland requirements for lands east of Trafalgar Road:

- The Mattamy (Phase 3) subdivision provides for land to accommodate Neighbourhood Park 10 (NP10) shown as Block 774. NP10 is proposed to be 4.15 ha in size and is anticipated to include two major soccer fields, one basketball court and a spray pad. In addition, this subdivision contains a portion of Neighbourhood Park 5 (NP5) shown as Block 775, which combined with the corresponding block on Argo (Joshua Creek), will provide for a 4.44 ha Neighbourhood Park. NP5 is anticipated to include two major soccer fields and three tennis courts.
- Neighbourhood Park 4 (NP4) was constructed by Shieldbay and is 4.3 ha in size and includes one softball field, four tennis courts and a spray pad.
- Joshua Creek Community Park is located on the south side of Burnhamthorpe Road East and is not part of a current development application. It is anticipated to be 9.89 ha in size and will accommodate one BMX track, three softball fields, one skateboard track and one hardball field.

In addition to the two Neighbourhood Parks, two Village Squares within the subject lands and proposed, and one Village Square to be shared with the Coscorp/Rampen lands to the west. The proposed draft plan provides for all of the required park and village square blocks at the required size in accordance with NOESP.

**Park and multi-use trail construction**

The North Oakville Landowners Group, through the North Oakville Minutes of Settlement, are required to provide the land and construct the park space and multi-

use trails that are identified in NOESP and the North Oakville Trails Plan. The Town does not assume responsibility for these facilities until they are inspected and deemed constructed to Town standards.

Location of the Activity Node that is identified within the Master Plan

The applicant has provided for two live-work town-house blocks at the intersection of Streets “B” and “L”, in accordance with the NOESP Neighbourhood Centre policies for a mixed use/non-residential building. The proposed zoning by-law has been prepared to ensure at-grade commercial uses are provided.

Confirmation from the Region that the applicant has secured sufficient allocation to allow the full build-out of the subdivision.

Halton Region has implemented a servicing allocation program that requires proponents of residential development applications to secure servicing allocation from Halton Region through a formal Allocation Agreement.

The proposed development is subject to the 2020 Regional Allocation program.

On June 17, 2020, Regional Council passed By-law 34-20 which confirmed the Regional allocation agreement conditions and requirements have been met and the appropriate financial commitments by all the parties are in place. On this basis, the proposal conforms to the Regional Official Plan.

Halton Region in a letter dated March 3, 2023, advised Town staff that they have no objection to the proposal subject to the recommended conditions of draft plan approval, and the inclusion of a “H” Holding Provision in the zoning by-law

Environmental Implementation Report and Function Servicing Study

The Joshua’s Creek Tributaries EIR/FSS covered approximately 187 ha of land which consists of the Bressa Development Phase 1 and Phase 2, Dunoak, Redoak/Capoak, Argo (Joshua Creek), and Rampen Holdings as well as the 61.43 ha of lands associated with this draft plan of subdivision. As part of this application the applicant provided the *Mattamy Phase 3 EIR/FSS addendum #3 to the Final Joshua’s Creek Tributaries EIR/FSS*. The purpose of the addendum was to support the current draft plan of subdivision and specifically to review the crossings of the NHS, NHS delineation, streams, species at risk, grading, drainage, stormwater management, storm ponds, trails etc. *Mattamy Phase 3 EIR/FSS addendum #3 to the Final Joshua’s Creek Tributaries EIR/FSS* was reviewed by the Town, Conservation Halton and the Region, and deemed acceptable in principle as related to the subject property and is consistent with the North Oakville Creeks Subwatershed Study. Conditions of Draft Approval for the subdivision have been included in Appendix A to ensure that various matters, including the items listed above, are satisfactorily addressed through detailed design.

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Urban Design – Built Form, lot sizes, transitions and compatibility, interface with public realms and vehicular access

Southeast of the subject lands is the Argo (Joshua Creek) Draft Plan of Subdivision application consisting of detached dwellings, townhouse units and natural heritage system. To the south of the subject lands is the Dunoak draft approved Plan of Subdivision consisting of detached dwellings, townhouse units, a school, stormwater management facility and Dundas Urban Core Block. To the east is the Bressa Draft Plan of Subdivision, and consists of detached dwelling and townhouse units as well as a park block, village square and Dundas Urban Core Block.

The proposed development is consistent with the surrounding approved developments. The applicant has submitted an Urban Design Brief that addresses proposals compliance with the Livable by Design Manual. Conditions of draft plan approval are included that requires the applicant to submit elevation drawings (all façades), typical floor plans (all levels) and typical lotting plans for all models on lots not subject to Site Plan Approval for review by the Planning Services Urban Design staff before marketing or selling on any units. The applicant must also select a control architect who shall ensure all development exempt from Site Plan Approval process, proceeds per the Town-approved Urban Design Brief.

Vehicular access to this subdivision will be from the abutting developments and Dundas Street East.

On-Street Parking to maximize visitor parking

The applicant provided an on-street parking plan that identifies the possible locations for on-street parking. The analysis proposes 561 on-street parking spaces within the limits of the subdivision. The on-street parking spaces are in addition to parking on driveways and within garages.

The applicant has not requested any modifications to the minimum parking stall regulations. The standard parking regulations require a minimum 3 metre width for a parking space in a private garage and allows one step to encroach into the length of a parking space.

Confirmation of appropriate road and lane widths to ensure the functionality

Transportation staff has evaluated the proposed draft subdivision plan and advised that the proposed road and lane widths meet Town standards and TAC Geometric Design Standards.

Consideration of the need for additional rear lane townhouse units along Streets “B” and “L” to reduce the number of driveways and maximize additional on-street parking opportunities.

To maximize the amount of on-street parking along Street “B”, staff requested the applicant modify the draft plan of subdivision by reducing on-street townhouse units



along Street “B” and replacing them with rear lane townhouses. The applicant revised the plan as requested which added an additional 35 on-street parking spaces on Street “B”.

HCDSB involvement in the planning process

Staff confirm that the HCDSB has been involved in reviewing this application and included the proposed number of units in its long-term forecasting for the provision of future elementary schools. The HCDSB has advised that the school is anticipated to be open for the 2030-2031 school year.

Ensure that if the school is not built, the builder does not automatically get to build residential units

The proposed Zoning By-law (2023-036) has zoned the school *I – Institutional*. The Institutional zone does not permit residential uses. Should the school board choose not to proceed with the school in the future, a Zoning By-law Amendment application would be required to allow for residential uses, which would be a public process.

What can be done to notify more residents of these types of applications?

The subject lands (hatched) are part of a larger land holding (grey) (Figure 10). The Public Information Meeting and Statutory Meeting notice was circulated around the larger land holding (grey), which captured 362 residential addresses. In addition, various agencies and resident associations were also circulated. A sign was placed at the road entrances leading into the subdivision.

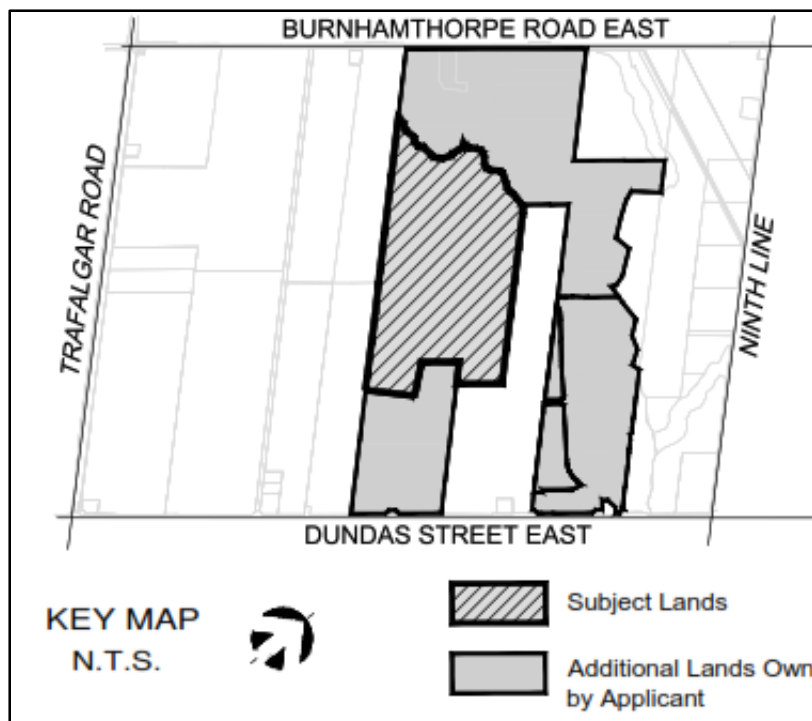


Figure 10: Key Map

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## CONSIDERATIONS

### (A) PUBLIC

The applicant held a public information meeting that took place on February 11, 2020, and was attended by one resident and the Ward 6 Councillors.

A statutory public meeting was held on November 25, 2020, and notice was mailed to all properties described in the staff report. In addition, a sign was placed at the road entrances leading into the subdivision. Resident Associations were notified along with property owners in accordance with the *Planning Act* regulations and Town practices. No concerns were raised by the public at the Public Meeting and no comments have been received since the Public Meeting.

Notice of the May 15, 2023, Planning and Development Council meeting has been provided to those who participated in the process or requested to be notified.

### (B) FINANCIAL

Development Charges would apply to this development. Parkland dedication is applicable and may be satisfied following confirmation that the developer is in good standing with the North Oakville East Developers Group and party to the Cost Sharing Agreement.

### (C) IMPACT ON OTHER DEPARTMENTS & USERS

The application was circulated to internal and external departments and agencies for comment.

Draft Plan conditions have been provided in Appendix “A” to this report. Additional review will be required prior to registration of the subdivision.

### (D) CORPORATE STRATEGIC GOALS

This report addresses the corporate strategic goal(s) to:

- To be the most livable town in Canada

### (E) CLIMATE CHANGE/ACTION

The proposed development generally complies with the Town’s sustainability objectives of the Livable Oakville Plan. The proposal was 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.

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## **CONCLUSION**

Staff recommends approval of the draft plan of subdivision and zoning by-law amendment which will have the effect of developing approximately 1,016 residential units, two neighbourhood parks, three village squares, a separate elementary school, public street network, and the conveyance of natural heritage system lands. The proposed subdivision is appropriate and compatible with the adjacent land uses and in keeping with the intent of the land use policies of the North Oakville East Secondary Plan.

Staff is satisfied that the proposed development is consistent with the Provincial Policy Statement (2020) and conforms to the Growth Plan (2019) and the Halton Region Official Plan, has regard for matters of Provincial interest, and represents good planning. Further, the application is consistent with the Town's approved Urban Structure and the principles and overall policy direction of the North Oakville East Secondary Plan. Staff recommends approval of the draft plan of subdivision subject to the conditions in Appendix "A" and that By-law 2023-036 be passed as the following requirements have been satisfied:

- A full circulation has been undertaken and there are no outstanding financial or planning issues to be resolved. Issues raised by the Conservation Halton and the Region of Halton have been addressed through conditions of approval.
- The proposal implements the vision, development objectives, community design strategy, and land use strategy of the North Oakville East Secondary Plan.
- The draft plan of subdivision is necessary to facilitate future land division into individual residential lots and is appropriate for the orderly development of the lands.
- The proposed plan of subdivision meets the criteria established in Section 51(24) of the *Planning Act*.
- Comments from Council have been appropriately addressed.

By-law 2023-036 is attached as Appendix "C".

## **APPENDICES**

Appendix "A": Conditions of Draft Plan Approval

Appendix "B": Applicable Policy Excerpts

Appendix "C": By-law 2023-036



Prepared by:  
Brandon Hassan, MCIP, RPP  
Planner, Current Planning, East District

Recommended by:  
Leigh Musson, MCIP, RPP  
Manager, Current Planning, East District

Submitted by:  
Gabe Charles, MCIP, RPP  
Director, Planning Services

**APPENDIX A –**  
**CONDITIONS OF DRAFT PLAN APPROVAL**

**Town File No.'s: 24T-20007/1307**

**Draft Plan Dated**  
**November 11, 2022**

**TOWN OF OAKVILLE CONDITIONS FOR FINAL APPROVAL AND  
FOR THE REGISTRATION OF THE DRAFT PLAN OF SUBDIVISION BY  
MATTAMY (JOSHUA CREEK) LIMITED – PHASE 3**

This approval applies to the draft plan of subdivision (24T-20007/1307 prepared by Korsiak Urban Planning dated November 11, 2022, illustrating 102 blocks and 702 lots. The conditions applying to the approval of the final plan for registration are as follows:

|    | <b>CONDITIONS TO BE MET PRIOR TO PRE-GRADING OR<br/>PRE--SERVICING</b>   | <b><i>CLEARANCE<br/>AGENCY</i></b> |
|----|--|------------------------------------|
| 1. | That the Owner shall have an <b>Environmental Audit</b> undertaken by a qualified professional engineer to ensure that the land is suitable for the proposed use. If in the opinion of the professional engineer, the Environmental Audit indicates the land may not be suitable for the proposed uses, the engineer must so advise the Town of Oakville and Regional Municipality of Halton. The Owner undertakes to do further investigative studies and to do all work required to make the lands suitable for the proposed use and any land to be conveyed to the Town including roads, stormwater management facilities, parks and the natural heritage system. | OAK (TE)                           |
| 2. | Prior to pre-servicing the Owner shall update the Clean Water Pipe memo (completed by J.F Sabourin and Associates Inc., dated October 26, 2022) during the detailed design to verify the Clean Water Pipe sizes and slopes are feasible within the Mattamy Lands and connecting to the downstream sections that within Dunoak Development Lands.   | OAK (TE)                           |
| 3. | That the Owner coordinates with the adjacent land owners prior to development of the land with respect to the stormwater management facilities that receive discharge from the subject lands.  | OAK (TE)                           |
| 4. | That the Owner submits the required <b>monitoring plans</b> and <b>completes baseline monitoring</b> in accordance with the approved <b>Mattamy/Bressa Phase 3 Joshua Creek EIR/FSS</b> to the satisfaction of Conservation Halton and the Town of Oakville prior to any site alteration.  | OAK (TE)                           |
| 5. | That the Owner prepares and implements a <b>Tree Preservation Plan</b> , for any tree removal required within the boundaries of the Natural Heritage System (NHS), as per the EIR to the satisfaction of Region of Halton and the Town of Oakville.  | OAK (TE)<br>RMH (LPS)              |
| 6. | That the Owner submits grading plans for all lots and blocks that back onto the (natural heritage system, watercourse, stormwater management block) to the satisfaction of Conservation Halton and Town of Oakville  | OAK (TE)<br>CH                     |
| 7. | The owner agrees to coordinate grading and servicing designs with adjacent developments to meet the general requirements of the Subject Land's EIR/FSS and adjacent studies if applicable.   | OAK (TE)                           |
| 8. | That the Owner prepares and implements a report outlining erosion and siltation controls measures required prior to and during the construction of the subdivision   | OAK (TE)<br>CH                     |

|     |   |                             |
|-----|---|-----------------------------|
|     | to the satisfaction of Conservation Halton and Town of Oakville. A separate sediment and erosion control plan will be required for the following three phases of construction: a) earthworks b) servicing c) home construction.   |                             |
| 9.  | That the Owner erects a suitable temporary barrier to work fence prior to and during construction or regrading along the rear of blocks adjacent to the (natural heritage system, watercourse, stormwater management block).  | OAK (TE)<br>CH              |
| 10. | That Pond 54 must be fully constructed, operational and stabilized prior to connecting services. Prior to connection to the receiving SWMF which is not fully constructed, operational and stabilized, the storm sewer pipe must be plugged and maintained by the developer.  | OAK (TE)                    |
| 11. | That the Owner provide written permission from the adjacent landowners which demonstrates acceptance that the construction, grading and placement of fill, location of temporary cut off swales may result in potential flooding on these abutting lands. If no works are proposed on adjacent properties and there are no negative impacts on the adjacent properties then no permission is required prior to site alteration.   | OAK (TE)                    |
| 12. | That the Owner obtains a Permit from Conservation Halton, pursuant to <b>Ontario Regulation 162/06</b> , for any site alteration within the regulated area associated with pre-grading or pre-servicing   | CH                          |
| 13. | That the Owner shall not install any municipal services on the site until the Owner has entered into a <b>Preservicing Agreement</b> or Subdivision Agreement with the Town. Pre-servicing may occur in accordance with the Town's pre-servicing policy.  | OAK (TE)                    |
| 14. | That the Owner revises/updates the <b>Mattamy Phase 3 EIR and FSS Addendum #3 to Final Joshua's Creek Tributaries EIR/FSS</b> to reflect all comments from the Town of Oakville, Conservation Halton and Halton Region and agree to implement all final recommendations contained within the approved <b>Mattamy Phase 3 EIR and FSS Addendum #3 to Final Joshua's Creek Tributaries EIR/FSS</b> to the satisfaction of the Town of Oakville, Regional Municipality of Halton and Conservation Halton.  | OAK (TE)<br>CH<br>RMH (LPS) |
| 15. | That the Owner prepares and submits a <b>Functional Servicing Report</b> and <b>Stormwater Management Plan</b> in accordance with the approved <b>Mattamy Phase 3 EIR and FSS Addendum #3 to Final Joshua's Creek Tributaries EIR/FSS</b> to the satisfaction of Conservation Halton and the Town of Oakville. Please note that retaining walls in non-accessible areas or adjacent to the NHS will not be permitted.   | OAK (TE)<br>CH              |
| 16. | That the Owner provide a phasing plan and necessary supporting documentation/analysis that considers <b>interim conditions</b> and impacts to the Natural Heritage System (NHS) and municipal infrastructure in all the adjacent development lands to the satisfaction of the Town of Oakville and Conservation Halton prior to pre-grading of Phase 1.   | OAK (TE)                    |
| 17. | The Owner and/or their engineering consultants, shall arrange and hold a pre-construction meeting with the Transportation and Engineering Department and the contractor to review and discuss mitigation measures for all construction related impacts, including mud tracking, dust suppression, truck routes and contractor/trades parking, material storage, stockpile location, working hours, noise mitigation, etc, prior to the commencement of topsoil stripping and earthworks. Prior to the Earthworks Pre-construction Meeting, a Site Alteration Permit from the Town must be secured by the Owner and perimeter erosion and sediment control measures must be installed. A second pre-construction meeting | OAK(TE)                     |



|     |  |          |
|-----|--|----------|
|     | is also required prior to the commencement of any servicing works. Prior to the Servicing Pre-construction Meeting, a complete set of approved Engineering Plans is required.  |          |
|     | <b>CONDITIONS TO BE MET PRIOR TO MARKETING AND SALES</b>   |          |
| 18. | That the Owner agrees to implement the Town approved <b>Urban Design Brief</b> October 2022 to the satisfaction of the Town.   | OAK (PS) |
| 19. | The Owner shall submit elevation drawings (all facades), typical floor plans (all levels) including garage floor plan showing vehicle space and storage areas and typical lotting plans for all models on lots not subject to Site Plan Approval to Planning Services Urban Design staff for review and approval. Upon acceptance, these drawings shall be added as an Appendix to the Urban Design Brief. The Owner agrees that compliance with this condition is required prior to the Owner marketing or selling any such units.  | OAK (PS) |
| 20. | <p>That the Owner shall select a <b>control architect</b> who shall ensure all development which is exempt from Site Plan Approval process, proceeds in accordance with the Town-approved Urban Design Brief. The Owner shall submit a letter to the Town from the selected control architect acknowledging the following:</p> <ul style="list-style-type: none"> <li>i. a control architect has been retained for this subdivision and does not have any perceived or real pecuniary interests or conflicts with performing the required duties;</li> <li>ii. the control architect acknowledges the final Urban Design Brief prepared for this subdivision and agrees to implement the same;</li> <li>iii. the control architect is responsible for ensuring the Town-approved models, as appended to the Urban Design Brief, will be sited in accordance with the Urban Design Brief direction;</li> <li>iv. the control architect will ensure that any sold units meet the design direction and criteria of the Town-approved Urban Design Brief, prior to submitting for building permit review; and,</li> <li>v. the control architect will discuss with Town staff any identified issues; and the control architect will submit stamped/signed drawings with the building permit application in accordance with the foregoing.</li> </ul> | OAK (PS) |
|     | <b>CONDITIONS TO BE MET PRIOR TO INITIATING SALES PROGRAMME</b>  |          |
|     | <b>NEIGHBOURHOOD INFORMATION MAPPING</b>   |          |
| 21. | <p>The developer shall prepare a preliminary neighbourhood information map for the subdivision, to the satisfaction of the Town's Director of Planning Services. The Map is to be posted in a prominent location in each sales office from where homes in the subdivision are being sold <u>and included within the individual purchase and sale agreements</u>. The Map shall include the location and type of parks, open space / valleyland and walkways, a general description of their proposed facilities as well as the following information:</p> <ul style="list-style-type: none"> <li>a) All approved street names,</li> </ul>  | OAK (PS) |

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|  | <ul style="list-style-type: none"> <li>b) The proposed land uses within the subdivision based on the draft approved plan,</li> <li>c) The immediately surrounding existing and proposed land uses and potential building heights,</li> <li>d) For any DUC/TUC or mixed use blocks include the min/max heights permitted within the Zoning By-law including any development file numbers if applications for these blocks are under review,</li> <li>e) Where applicable, a statement indicating that place of worship and school sites may be used for residential uses if they are not acquired for their original purpose within the time period specified in the subdivision agreement,</li> <li>f) Those lots or blocks that have existing and potential environmental noise constraints based on the noise feasibility study. Include all relevant warning clauses on the map,</li> <li>g) The approximate locations of noise attenuation walls and berms,</li> <li>h) The approximate locations and types of other fencing within the subdivision,</li> <li>i) Where parks and open space, stormwater management facilities and walkway / vista blocks / servicing blocks are located,</li> <li>j) The types and locations of village squares, parks, valley lands and other open space (i.e. passive or active) and a general description of their proposed facilities and anticipated level of maintenance,</li> <li>k) The locations of all anticipated Canada Post Community Mailboxes,</li> <li>l) The anticipated Transit routes through the subdivision,</li> <li>m) Garage Floor Plan for each unit type offered showing typical vehicle type accommodation, waste and yard care storage, and bicycle storage.</li> <li>n) All warning clauses.</li> <li>o) The following standard notes: <ul style="list-style-type: none"> <li>1. "This map, and the following list, is intended to provide potential home buyers with general information about the neighbourhood and the surrounding area. If you have specific questions, you are encouraged to call the Town's Planning Department during normal business hours which are 8:30 am to 4:30 pm, Monday to Friday."</li> <li>2. "Please Note: this map is based on information available on _____ (month/year) and may be revised without notice to</li> </ul> </li> </ul> |  |
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|  | <p>purchasers.”</p> <ol style="list-style-type: none"><li>3. “The map shows that there will be several types of proposed and potential housing and building heights in the subdivision.”</li><li>4. “Sites shown on the map for future schools, townhouses, parks, shopping etc. could have driveways anywhere along their street frontage.”</li><li>5. “Some streets in this subdivision will be extended in the future and temporary access roads may be closed.”</li><li>6. “There may be catch basins or utilities easements located on some lots in this subdivision.”</li><li>7. “Some lots and blocks will be affected by noise from adjacent roads, and warnings will apply to purchasers.”</li><li>8. “Some dwelling units are in proximity to commercial, institutional and/or school uses from which activities may at times be audible. The map shows that some of the lots affected by noise will be fitted with noise barriers and some of the homes will be provided with central air conditioning to allow bedroom windows to be closed if necessary due to the noise.”</li><li>9. “Neighbourhood Park Block(s) _____ will be developed as an active park(s) and may contain play equipment, walkways, lighting, landscaping and passive use free-play areas. Residents close to Block(s) _____ may be disturbed by noise and lighting from the park. For detailed information pertaining to park or open space issues, please call the Town’s Parks &amp; Open Space Department 905.845.6601 ”</li><li>10. “Natural Heritage System, valleys, woodlots and stormwater management ponds in this subdivision will be left in a natural condition with minimal maintenance and no grass cutting, only periodic removal of debris. Residents adjacent to these blocks are requested to limit the use of pesticides and fertilizers to reduce adverse effects on the NHS.”</li><li>11. “Community mailboxes will be directly beside some lots.”</li><li>12. “Purchasers are advised that the final location of walkways in Blocks _____ may change without notice.”</li><li>13. “School sites in this subdivision may eventually be converted to residential uses.”</li><li>14. “Most streets contain on-street parking, and may be available for overnight parking, subject to parking permits.”</li><li>15. “The completion of some dwellings in this subdivision may be</li></ol> |  |
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|  | <p>delayed until after the completion of exterior finishes on the adjacent buildings.”</p> <p>16. “There may be Transit bus routes on some streets within this subdivision with stops beside some homes. Oakville Transit reserves the right to introduce transit services and facilities such as bus stops, shelters, pads and associated amenities on any municipal rights-of-way to provide effective service coverage.”</p> <p>17. “Boulevard trees will be planted according to Town standards and a tree will not necessarily be located in front of every home. Purchasers are further advised that home builders are not permitted to charge a purchaser separately for the cost of trees, sodding, fencing and paving of the driveway apron. The Town will not reimburse purchasers, nor assist in any recovery of moneys paid, under any circumstance.”</p> <p>18. “The design of features on public lands may change. Builders' sales brochures may depict these features, however, the Town has no control over builders' sales brochures.”</p> <p>19. “Gates are not permitted in fences when lots abut the Natural Heritage System, a trail, valleyland, active park, woodlot or stormwater management pond.”</p> <p>20. “The Town's Zoning By-law regulates the width of driveways. Please do not have your driveway widened before inquiring about the permitted driveway width for your lot.”</p> <p>21. “Not all vehicle types can be accommodated on the proposed lots whether on the driveway or within a garage area. Check with your builder regarding the particular situation for the model and lot you intend to purchase.”</p> <p>22. “This community is subject to Architectural Control. Models available for sale have to be pre-approved by the Control Architect and certain models may not be available for some of the lots. Check with your builder regarding the particular situation for the model and lot you intend to purchase.”</p> <p>23. “Halton Region is responsible for household garbage, recycling and green bin collection. For further information, please call 311 or visit Halton.ca”</p> <p>24. “For further general information on proposed and existing land use, please call the Town's Planning Department 905.845.6601.”</p> <p>25. “For detailed grading and berming information, please call the Town's Development Services Department 905.845.6601”</p> <p>The developer shall ensure that each builder selling homes within the subdivision:</p> |  |
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|     | a) provides prospective purchasers with a “Notice to New Home Purchasers” from the Town in the prescribed format that includes all of the notes required on the neighbourhood information maps, and, attaches a copy of the most up-to-date neighbourhood information map to each offer of purchase and sale agreement.   |                 |
|     | <b>CONDITIONS TO BE MET PRIOR TO FINAL APPROVAL /<br/>REGISTRATION</b>  |                 |
| 22. | That the Owner shall provide confirmation to the satisfaction of the Town’s Finance Department that <b>all outstanding property taxes</b> and outstanding debts have been paid prior to plan registration.  | OAK (F)         |
| 23. | That the Owner shall provide the Town with a <b>letter from the Trustee</b> confirming that the Owner is in compliance with the Cost Sharing Agreement and s.4.7 of the North Oakville East Master Parkland Agreement prior to the release for registration of each phase of the plan of subdivision.   | OAK (PS)        |
| 24. | That the Owner enter into a standard form <b>subdivision agreement</b> to the satisfaction of the Town to address all matters related to the financial and construction obligations and build out of the subdivision, including but not limited to, development charge reimbursements, works to be completed on behalf of the Town, subdivision assumption and maintenance and monitoring of stormwater management facilities, Transcanada Pipelines Limited (TCPL) requirements, homeowner warning clauses, etc. | OAK(PS)<br>(TE) |
| 25. | That the Owner shall provide a <b>certificate signed by the surveyor</b> and the Owner stating that the plan proposed to be submitted for registration is the same as the latest (most recent) draft approved plan and, if the plans are not the same, that any differences between the proposed registered plan and the latest draft plan are accepted by the Town.  | OAK (TE)        |
| 26. | That the Owner agrees to install a dead end barricades located at the west and north sides of the Street F and Street I intersection, the west and north sides of the Street A and D intersection, the east end of Street D, the east side of the intersection of Street B and Street P, the east side of Street U and the South Side of Street B until such time that these streets are continued when the adjacent lands are developed.   | OAK (TE)        |
| 27. | That the Owner agrees that a temporary turnaround or approved alternative located at the south end of Street B, north end of Street B, south end of Street V, south end of Street A, south end of Street O, east end of Street N, and the east end of Street L, west end of Street K, south end of Street I and north end of Street C are required until such time that these streets are continued when the adjacent lands to the west and east are developed.   | OAK (TE)        |
| 28. | That the Owner agrees that a temporary access road or approved alternative shall be provided connecting street G and H until such time that the lands to the east have been coordinated with and are developed. This is to be reviewed to the satisfaction of the Town prior to proceeding with construction.   | OAK (TE)        |

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| 29. | The owner agrees that Blocks 737 and 781-791, and lots 625-627, 642-655, 661-673 and 685-691 are to be frozen and building permits will not be submitted until the profile design has been completed for Street G and construction is ready to proceed for the lands to the east.  | OAK (TE)               |
| 30. | The owner agrees that Blocks 770, 792, 793, 794, 795 and 796 as well as lots 1, 2, 106-110, 122-131, 138-156, 251 and 252 are to be frozen and building permits will not be submitted until such time that the development is continued when the adjacent lands to the west are developed.   | OAK (TE)               |
| 31. | The owner agrees that Blocks 703-705, 741 as well as lots 456 and 457 are to be frozen and building permits will not be submitted until such time that the development is continued when the adjacent lands to the south are developed.  | OAK (TE)               |
| 32. | The owner agrees that Blocks 712 and 713 are frozen and building permits will not be submitted until such tie that the development is continued when the adjacent lands to the north are developed.  | OAK (TE)               |
| 33. | The owner agrees that grading and servicing design of Street G to be coordinated with the Argo Development Corp (East). This design should be consistent prior to the commencement of pre-grading. Additionally, lots 642-655, 661-673 and 685-691 and blocks 781-783 are to be frozen and building permits will not be submitted until this design has been completely coordinated.   | OAK (TE)               |
| 34. | That the Owner designs, constructs, stabilizes and has in operation all <b>stormwater management facilities</b> and stormwater outfalls, or appropriate alternative measures, in accordance with the approved Stormwater Management Plan. The Owner agrees to plant all vegetation (which is not required for stabilization) within 12 months of draft plan registration as per the approved landscape drawings  | CH                     |
| 35. | That the Owner designs, constructs, stabilizes and has in operation all <b>creek realignments and alterations</b> as well as any other alterations to natural hazards to the satisfaction of the Conservation Halton and the Town of Oakville.   | CH                     |
| 36. | That the owner provide the required analysis to demonstrate that the hydraulic grade line has been appropriately considered in the design of any units with reverse slope driveways, to the satisfaction of the Town.  | OAK (TE)               |
| 37. | That the Owner shall revise/update the <b>Environmental Impact Report / Functional Servicing Study (EIR/FSS)</b> to reflect all comments from the Town, Conservation Halton and Regional Municipality of Halton and agree to implement all final recommendations contained within the approved EIR / FSS including any addendums (inclusive of all transportation infrastructure - roads, transit, pedestrian and cycling) to the satisfaction of the Town, and Conservation Halton. | OAK<br>(POS)(TE)<br>CH |
| 38. | That the Owner is required to submit a revised Functional Servicing Study outlining in detail the proposed servicing of this property that includes water modelling and that addresses secondary watermain connections, flows, pressures and dead-end watermains to Halton Region's Development Project Manager, Regional Planning and Public Works Department for review and approval.  | RMH (LPS)              |

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| 39. | That the Owner is required to submit a revised Functional Servicing Study that includes water modelling for both the interim and ultimate water pressure conditions for the Region's zone realignment that demonstrates the impact these changes will have on the development.   | RMH (LPS)         |
| 40. | That the Owner agrees <b>to phase the development</b> of the subject lands to the satisfaction of Conservation Halton and the Town of Oakville   | OAK(PS)(TE)<br>CH |
| 41. | <p>That the Owner shall provide a <b>construction phasing and sequencing plan</b> to the satisfaction of the Town (and Region where applicable) for the purpose of ensuring an appropriate sequence of development from initial construction to assumption and which reflects all applicable studies including the EIR/FSS and Transit Facilities Plan. The Phasing Plan should identify how transit service will operate within the plan, including provisions for safe pedestrian access to designated bus stop locations, such that:</p> <ul style="list-style-type: none"> <li>• a contiguous transit service area will be maintained that does not result in lengthy transit routes or "leapfrogging"</li> <li>• interim and/or permanent transit streets are to be built first</li> <li>• the Owner is encouraged to construct housing on transit streets first, where practicable</li> <li>• roadways to be upgraded where required to accommodate transit vehicles during initial or interim phases</li> <li>• permanent or temporary pedestrian facilities to be constructed early and maintained during development for access and routing to bus stop locations.</li> </ul> <p>Where mutually agreed upon between the Owner and the Town, a contribution may be made by the Owner to the Town's early implementation initiative relating to Transit service delivery.</p> | OAK (T)           |
| 42. | <p>That the owner shall submit a roadway plan for the subdivision showing following information to the satisfaction of the Town Transportation and Engineering:</p> <ul style="list-style-type: none"> <li>• Right-of-way widths and on-street parking spaces with respect to the location of the driveways. A summary table to provide total number of parking spaces provided in the subdivision.</li> <li>• Active Transportation Plan of the subdivision showing trails, sidewalks, and pedestrian crossing locations in accordance with Active Transportation Master Plan for Transportation Planning staff review and approval.</li> <li>• Transit Plan of the subdivision showing transit services and facilities such as bus stops, shelters, pads and associated amenities on municipal right-of-way for Oakville Transit staff review and approval.</li> <li>• A Traffic Management Plan showing temporary signage and pavement marking plan during construction period for vehicular traffic, pedestrian, parking, municipal services and emergency services for staff review and approval</li> </ul>   | OAK(TE)           |

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| 43. | <p>That the owner prepare and agree to <b>implement the following studies</b> to the satisfaction of the Town (and the Regional Municipality of Halton where applicable):</p> <ul style="list-style-type: none"> <li>• Traffic Impact Study including any required updates</li> <li>• Traffic and Parking Management Plan</li> <li>• Transit Facilities Plan</li> <li>• Street Signage and Pavement Marking Plan</li> <li>• Functional Design Study</li> <li>• Composite Utility Plan</li> <li>• Noise Impact Study</li> <li>• Erosion, Sediment, Dust Mitigation Plan</li> <li>• Community Communication Plan</li> </ul>   | OAK (TE)(T)<br>RMH(LPS) |
| 44. | <p>That prior to registration the Owner is required to provide digital copies of the registered plan of subdivision in AutoCAD 2012 or later version with the following coordinate system NAD 83 / UTM Zone 17 to the Regional Municipality of Halton and the Town of Oakville.</p>   | OAK (TE)<br>RMH (LPS)   |
| 45. | <p>That the Owner <b>provides digital copies of the registered plan of subdivision</b> including all approved natural hazard delineations (e.g., wetland boundaries, stable top of bank, flood plain, meander belt, shoreline flooding limits, dynamic beaches and karst features) to Conservation Halton, prior to registration of the plan. Digital data should be delivered in one of the following formats:</p> <ol style="list-style-type: none"> <li>a) ESRI geodatabasev10.x (or newer) feature classes</li> <li>b) ESRI shape file format.</li> <li>c) AutoCAD DWG or DXF Format, version 2019 or earlier</li> </ol> <p>If the Project Consultant utilizes ESRI products to produce maps, the matching .mxd will be provided that corresponds to the map figure. Digital data will be provided in UTM NAD 83 Zone 17 NAD 83 datum. Data referencing elevations (e.g., floodplains) shall be referenced to appropriate vertical benchmarks. The datum must be specified as one of Canadian Geodetic Vertical Datum of 1928 (CGVD28) with 1978 adjustment, or Canadian Geodetic Vertical Datum of 2013 (CGVD2013). Vertical datums must be clearly identified in the survey documentation. Flood plain models used in the delineation of flood hazards must be provided to Conservation Halton and referenced to the above mapping standards. Questions can be directed to Conservation Halton GIS staff.</p> | CH                      |
| 46. | <p>That the owner obtains a <b>permit from Conservation Halton, pursuant to Ontario Regulation 162/06</b>, for any development or site alteration within the regulated area including, but not necessarily limited to, placement or excavation of fill, grading, stormwater outfalls, watercourse alterations or realignments, and watercourse crossings.</p>   | CH                      |
| 47. | <p>That the Owner shall <b>install information signs</b>, not less than 2 metres by 3 metres, on all commercial, Natural Heritage and park blocks clearly advising of the future use and function of these blocks and the facilities / amenities to be constructed within the Natural Heritage System or park block prior to registration. The Owner agrees to install signs on all frontages of the Natural Heritage or park blocks at locations to be determined by the Town. The Owners is to maintain these signs in good, readable condition until such time as the land is developed.</p>   | OAK (POS)<br>(TE)       |



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| 48. | That the Owner shall provide the Town, together with the final plan, a list of <b>lot and block widths, depths and areas</b> prepared by an Ontario Land Surveyor, to ensure all lot and blocks meet or exceed the minimum requirements of the approved Zoning By-law. The Owner shall agree to revise the draft plan as required in order to comply with all provisions of the approved Zoning By-law.  | OAK (Z)   |
| 49. | That all <b>public streets</b> within the subdivision be named to the satisfaction of the Engineering and Construction Department and in accordance with <b>Street Names for Public Roads</b> procedure.   | OAK (TE)  |
| 50. | That prior to registration of the plan, the Owner's surveyor shall submit to the Town <b>horizontal co-ordinates of all boundary monuments</b> . These co-ordinates are to be based on 6 degree UTM Projection, NAD83 Datum. Exemptions and alternatives to this can only be granted by the Engineering and Construction Department.   | OAK (TE)  |
| 51. | That the Owner pays any <b>outstanding review fees</b> to Conservation Halton, if it is determined that a balance is outstanding. Conservation Halton reserves the right to adjust the fees owing based on the current plan review schedule, if time has lapsed since the initial application.   | CH        |
| 52. | That the Owner submits the final clearance fee to Conservation Halton, pursuant to the Halton Region's Memorandum of Understanding, immediately prior to registration of the draft plan. If the development is phased, each phase will require a separate clearance fee. This request for clearance is to be accompanied by a fully executed copy of the Subdivision Agreement and a detailed response as to how each Conservation Halton condition has been fulfilled.                          | CH        |
| 53. | That the Owner shall enter into a <b>subdivision agreement</b> and satisfy all requirements, financial and otherwise, of the Regional Municipality of Halton, including but not limited to, the phasing of the plan for registration, investigation of soil contamination and soil restoration, the provision of roads and the installation of water and sanitary sewer services, utilities and drainage works. This agreement is to be registered on title to the lands.                        | RMH (LPS) |
| 54. | That the Owner shall prepare a <b>detailed engineering submission</b> to be submitted to the Region's Development Project Manager for review and approval prior to the preparation of the Regional subdivision agreement.  | RMH (LPS) |
| 55. | That the Owner acknowledges, in writing, that registration of all or part of this plan of subdivision may not take place until notified by the Region's Development Project Manager that: <ul style="list-style-type: none"> <li>a) sufficient <b>Water and Wastewater Plant</b> capacity exists to accommodate this development; and,</li> <li>b) sufficient <b>storage and pumping facilities</b> and associated infrastructure relating to both water and wastewater are in place.</li> </ul> | RMH (LPS) |

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| 56. | That temporary easements be provided for watermain looping that are internal and/or external to the site that are not located in an existing road right-of-way and that these easements be dedicated to the Region of Halton for the purpose of watermain protection; these easements shall be dedicated with clear title (free & clear of encumbrances) and a certificate of Title shall be provided, in a form satisfactory to the Director of Legal Services and Corporate Counsel.  | RMH(LPS)             |
| 57. | That the Applicant be required to design and construct a 525 to 675mm diameter trunk sanitary sewer internal to of this subdivision on Street B and Street L (ID #4994) as required by the Area Servicing Plan for the North Oakville East Secondary Plan and as also required as per the Region of Halton's policy for the Design and Construction of Development Charges Projects by the Development Industry. The Applicant will be responsible for paying all costs associated with these works. The Region will make reimbursement for the cost of designing and constructing the works when the appropriate funding is in place as per the policy.  | RMH(LPS)             |
| 58. | That the applicant be required to design and construct a 400mm diameter trunk watermain internal to of this subdivision on Street B (ID #4983/6444) as required by the Area Servicing Plan for the North Oakville East Secondary Plan and as also required as per the Region of Halton's policy for the Design and Construction of Development Charges Projects by the Development Industry. The Applicant will be responsible for paying all costs associated with these works. The Region will make reimbursement for the cost of designing and constructing the works when the appropriate funding is in place as per the policy.  | RMH(LPS)             |
| 59. | The Owner shall provide, to the satisfaction of Halton Region, confirmation that Conservation Halton (CH) concerns have been addressed to their satisfaction  | RMH(LPS)             |
| 60. | That prior to registration, the Owner shall submit to the Town Planning Services Department digital copies of the final draft plan of subdivision along with applicable Land Registry Office Appendix D form for sign off. Upon acceptance, the Town will forward these materials to the Region of Halton for final sign off.   | RMH(LPS)<br>OAK (PS) |
| 61. | <p>That in accordance with Plan of Subdivision 24T-20007/1307, Parts of Lots 8 and 9, Concession 1, NDS Town of Oakville, the Halton Catholic District School Board requires a Catholic Elementary School site identified as Block 776 in the respective plan of subdivision, and that prior to final approval, satisfactory arrangements have been made with the Halton Catholic District School Board to transfer title of the subject lands, identified as Block 776, to the Halton Catholic District School Board for the purpose of an elementary school. In addition to this:</p> <p>a. The owner shall undertake and submit to the satisfaction of the HCDSB appropriate soil and environmental investigations, site grading plans, storm water management plans, and archaeological assessment for Block 776. In the event of an identified concern, the HCDSB may commission its own studies at the cost of the landowner.</p> <p>If there are any concerns from the investigations, all necessary measures, to the Board's satisfaction, must be addressed.</p> <p>b. No fill shall be placed on Block 776.</p> | HCDSB                |

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|     | c. All site work respecting Blocks 776 must be completed in accordance to the site grading plans, storm water management plans and any other relevant plans/reports relating to these lands.   |               |
| 62. | That the Owner agrees that <b>should the development be phased</b> , a copy of the phasing plan shall be submitted prior to final approval to the Halton District School Board and the Halton Catholic District School Board. The phasing plan will indicate the sequence of development, the land area, the number of lots and blocks and units for each phase.   | HDSB<br>HCDSB |
| 63. | That the Owner shall provide the Town with evidence that satisfactory arrangements, financial and otherwise, have been made with Canada Post Corporation for the installation of <b>Community Mail Boxes</b> as required by Canada Post Corporation, prior to registration of the plan.  | CP            |
| 64. | That the Owner shall provide Union Gas/Enbridge Gas the <b>necessary easements and/or agreements required by Union Gas/Enbridge Gas</b> for the provision of local gas services for this project, in a form satisfactory to Union Gas Limited.   | UG/Enbridge   |
| 65. | The Owner shall confirm that <b>sufficient wire-line communication / telecommunication infrastructure</b> is currently available within the proposed development to provide communication / telecommunication service to the proposed development. In the event that such infrastructure is not available, the Developer is hereby advised that the developer may be required to pay for the connection to and/or extension of the existing communication / telecommunication infrastructure. If the Developer elects not to pay for such connection to and/or extension of the communication / telecommunication infrastructure, the Developer shall be required to demonstrate to the municipality that sufficient alternative communication / telecommunication facilities are available within the proposed development to enable, at a minimum, the effective delivery of communication/telecommunication services for emergency management services (i.e. 911 Emergency Services). | BC (Cogeco)   |
| 66. | <p>The Owner acknowledges and agrees to convey any easement(s) as deemed necessary by Bell Canada to service this new development. The Owner further agrees and acknowledges to convey such easements at no cost to Bell Canada.</p> <p>The Owner agrees that should any conflict arise with existing Bell Canada facilities where a current and valid easement exists within the subject area, the Owner shall be responsible for the relocation of any such facilities or easements at their own cost.</p>   | BC            |
|     | <p align="center"><b>CONDITIONS TO BE MET PRIOR TO FINAL APPROVAL/ REGISTRATION</b></p> <p align="center"><b>NEIGHBOURHOOD INFORMATION MAPPING</b></p>   |               |
| 67. | <p>The developer shall prepare a final neighbourhood information map, based on the final M-plan, and approved by the Town's Director of Planning Services, to replace the preliminary neighbourhood information map in all affected sales offices. This map shall contain the following information:</p> <p>a) all of the information required on the preliminary map,</p>   | OAK(PS)       |

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|     | <ul style="list-style-type: none"> <li>b) the locations of all sidewalks and walkways,</li> <li>c) the locations of all rear yard catch basins and utilities easements on private property where applicable,</li> <li>d) the proposed locations of all above ground utilities, where known,</li> <li>e) the proposed locations of all bus stops,</li> <li>f) The proposed locations of all temporary mailboxes.</li> </ul> <p>The developer shall ensure that each builder selling homes within the subdivision:</p> <ul style="list-style-type: none"> <li>a) provides prospective purchasers with a “Notice to New Home Purchasers” from the Town in the prescribed format that includes all of the notes required on the neighbourhood information maps, and, attaches a copy of the most up-to-date neighbourhood information map to each offer of purchase and sale agreement.</li> </ul> |             |
|     | <b>CONDITIONS TO BE INSERTED INTO SUBDIVISION AGREEMENTS<br/>(Town and/or Regional Municipality of Halton)</b>   |             |
| 68. | The Owner acknowledges that the Town may require <b>redline revisions</b> to the draft plan to ensure property alignment with existing or proposed lots, blocks, streets, and/or facilities on lands adjacent to this draft plan.  | OAK (PS)    |
| 69. | That the Owner agrees to submit a revised <b>Planning Statistics Spreadsheet</b> to the satisfaction of Planning Services based upon the registration of M-Plans.  | OAK (PS)    |
| 70. | That the Owner agrees to address any and all driveway encroachments on both public and private lands prior to assumption. If encroachments are found, the Town reserves the right to direct the Developer to remediate the issue.  | OAK (TE)    |
| 71. | That the Owner acknowledges that any eligible <b>Development Charge</b> reimbursements will be in accordance with the Town’s Development Charge By-law. The Owner agrees to submit progress reports for any <b>Development Charge reimbursable</b> items identified to be reimbursed through Development Charge credits, whether repaid through Development Charge credits or other means, in a form satisfactory to the Town’s Finance Department. The Owner further agrees to abide by the Town’s requirements for matters dealing with Development Charge credits.  | OAK (F)     |
| 72. | The Owner acknowledges that <b>work completed on behalf of the Town</b> shall not exceed the estimated values contained within the subdivision agreement and that the Town will not accept any further progress certificates relating to the Schedule  | OAK (TE)(F) |



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|     | 'K' works and will not consider the payment of said progress certificates received after the assumption of the subdivision by the Town. The Owner further acknowledges that work done on behalf of the Town may not be reimbursed until funded in the Town's approved capital budget.   |                            |
| 73. | The Owner agrees to provide notice to prospective purchasers upon the completion and approval of the <b>Composite Utility Plan</b> showing the location of all community facilities (community mail boxes, bus shelter and stops, street trees, sidewalks, street light poles, hydrants, cable boxes, transformers or any other above grade facilities) to the satisfaction of staff and that this plan be displayed in the sales office.   | OAK (TE)                   |
| 74. | That the Owner's engineer provide certification that all <b>Erosion and Sediment Controls</b> are in a state of good repair and Stormwater outfalls are operational to the satisfaction of the Development Services Department prior to building permit issuance.   | OAK (TE)                   |
| 75. | That the Owner agrees to implement their applicable <b>Minutes of Settlement/Supplementary Minutes of Settlement/Agreements</b> (i.e North Oakville Master Parkland Agreement) with the Town of Oakville and Conservation Halton to the satisfaction of the Town and Conservation Halton.   | OAK (PS, POS)(TE)( F) (CH) |
| 76. | That the Owner agrees to construct <b>stormwater management facilities</b> according to the approved plans and reports for this subdivision. Additionally the Owner agrees to monitor and maintain the facilities until they are accepted by the town. The Owner shall provide a monitoring procedure and schedule for all stormwater management facilities / works immediately after all stormwater management facilities / works become operational. All monitoring shall be in accordance with the requirements of the approved EIR / FSS, Development Services Procedures and Guidelines Manual and North Oakville Monitoring Guidelines. Monitoring and maintenance is to be undertaken by the Owner for a minimum period of 2 years once all stormwater management works become operational and stabilized or at the Town's discretion for a minimum period of 2 years following construction of the majority of the contributing drainage area in accordance with the approved Operations Maintenance and Monitoring Program. Should the monitoring results fail to demonstrate to the satisfaction of the Town of Oakville, acting reasonably, that the performance of the stormwater management facilities / works is in accordance with acceptable engineering practices, the Owner shall take immediate remedial action. | OAK (TE)                   |
| 77. | That storm sewerage, lot grading and street grading must be in conformity with the Town of Oakville's <b>Storm Drainage Policies and Criteria Manual</b> and to the satisfaction of the Development Services Department, in accordance with the Development Services Procedures and Guidelines Manual.  | OAK (TE)                   |
| 78. | The Owner agrees to pay for <b>electricity supplied to light the streets</b> in the development until such time as the first homeowners take possession. This will include the supply of power to the street lights, the commodity cost, transmission and independent electricity marketing operator charges, distribution charges and administration fees, details of which will be outlined in the subdivision agreement.   | OAK (TE)                   |

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| 79. | The Owner shall agree to <b>deposit mylars and digital discs</b> (.dwg file format) of the registered plan of subdivision to the satisfaction of the Town.   | OAK (TE) |
| 80. | That the Owner agrees to pay for and install all required <b>temporary signage</b> as per the approved Traffic and Parking Management Plan prior to the issuance of any building permits and agrees to ensure that these temporary signs are maintained throughout the construction phase or until the permanent signage is installed.   | OAK (TE) |
| 81. | That the Owner agrees to pay for and install all <b>permanent signage</b> within six (6) months of the first building occupancy as per the approved Traffic and Parking Management Plan. In the event that the Owner fails to install the permanent signage in the required timeframe the Town may carry out the work on behalf of the Owner, and will charge the Owner a 100% administration surcharge for all costs incurred by the Town in carrying out this work   | OAK (TE) |
| 82. | <p>That the Owner agrees within the subdivision agreement to deliver to the Town the following materials to accommodate <b>PSAB requirements</b> (hereinafter in this section referred to as the “Materials”) within the times herein provided:</p> <ul style="list-style-type: none"> <li>a) Prior to registration of the Plan, a table in form and content acceptable to the Town and certified accurate by an Ontario Land Surveyor, setting out the area of all lands to be dedicated to the Town pursuant to this agreement, including rights of way (herein after referred to as the “Dedicated Lands”);</li> <li>b) Prior to acceptance of Maintenance, a table in form and content acceptable to the Town, and certified by the Owner’s Engineer, setting out all materials used in the Town’s Work, the dates of their respective installation, together with certification of their fair market value at installation; and</li> <li>c) Prior to assumption of the Plan, updated certification by the aforementioned Ontario Land Surveyor, Owner’s Engineer or Appraiser as applicable, of the Materials and their current fair market value in form and content acceptable to the Town, together with certification in the manner and by the persons set out herein of any works to be assumed by the Town and not previously certified.</li> </ul> | OAK (TE) |
| 83. | That the Owner agrees that all <b>roadways</b> are to be designed to Town of Oakville standards and partial roads within the draft plans are not permitted, unless other suitable arrangements are made with the Director of Development Services.   | OAK (TE) |
| 84. | In the event that required subdivision land use and <b>notice signage</b> becomes damaged and/or missing from their original approved locations, the Town may re-install signage on the Owner’s behalf and the Owner shall reimburse the Town for such works.  | OAK (TE) |
| 85. | That the Owner satisfies the <b>telecommunications</b> provider with respect to their land requirements and agrees to permit all electrical and telecommunication providers who have signed the Town’s access agreement to locate on the roads within the plan and that the Owner allow these services to connect to the buildings, all to the satisfaction of the Town.   | OAK (TE) |

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| 86. | That the Owner shall provide in each of the sales offices a <b>large coloured map</b> , not less than 1.5 metres by 2 metres, of the approved land use plans to date and/or where applicable, the land use plans approved in the Official Plan for the overall community together with a copy of the Town of Oakville Official Plan and a prominent note indicating that further information can be obtained from the Oakville Planning Services Department.   | OAK (TE)            |
| 87. | <p>a) That the Owner acknowledges that during the active construction process it is anticipated that <b>sediment accumulation</b> in the stormwater management pond will occur at an above average rate compared to the rate for a stabilised condition. Based on this assumption the Owner agrees to monitor the sediment accumulation level and clean the pond periodically to ensure its operational efficiency is maintained. Prior to assumption a condition and monitoring report is to be prepared by the Owner's Engineer which is to outline the monitored performance of the pond as documented over time and the current state of sediment level within the pond. The Engineers report will make recommendations with respect to any maintenance required at the time of the requested assumption and itemise such items which the Owner will be required to remediate prior to the assumption.</p> <p>b) That the Owner agrees, at the time of the requested assumption, to provide an up-to-date <b>bathymetric survey</b> to determine the sediment level within the storm water management pond. If the accumulated sediment level is less than 25% of the design sediment storage volume within the fore-bay and/or main bay area of the pond, the Owner will provide a cash-in-lieu payment to the town for future clean-out based on an amount to be determined. Notwithstanding the above, should the sediment accumulation exceed 25% of the design sediment storage volume, the Owner agrees to clean out the pond.</p> <p>c) That the Owner agrees that the Town shall retain <b>securities for any Stormwater Management Facility</b> for at least a minimum two year maintenance period after the construction and stabilization of the stormwater management pond, or at the Town's discretion, for a minimum 2 year period following the assumption the majority of contributing development plans. The value of this security will be determined by the Town based on the size of any pond as well as the number of contributing plans.</p> | OAK (TE)            |
| 88. | That the Owner install a 1.2 metre high black vinyl coated <b>chain link fence</b> , or equivalent barrier as approved by the Town, along the common boundary line, setback 0.15 metres on Town property, between the Natural Heritage System / parkland / stormwater management facility (where applicable) and the abutting lots and/or blocks. The fence must be installed prior to Building Permit issuance on adjacent lots in order to ensure there is no encroachment by the builder or homeowner into the natural heritage system / parkland / stormwater management facility (where applicable) to the satisfaction of the Planning Services Department, Development Services Department, Conservation Halton and Parks and Open Space Department. And further that the Owner provide a legal survey, prepared and signed by an OLS), confirming the location of all fencing installed in 100% on public property and also confirming that there are no known encroachments at the time of assumption.  | OAK (POS, TE)<br>CH |

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| 89. | That the Owner retain the services of a landscape architect in good standing with the OALA and agrees to provide for the preparation and submission of landscape plans including planting, grading, sodding, fencing and the design of park facilities together with cost estimates for the open space system including parkland, walkways, valley land / natural heritage system buffer areas and stormwater management facilities; and further, that the applicant finance the provision of the park facilities and the implementation of the landscape plans to the satisfaction of the Planning Department, Parks and Open Space Department and Development Services and in accordance with the Town's Development Charges By-law. Native non-invasive species shall be planted for lands adjacent to Natural Heritage System, including swales and stormwater management facilities, and within Conservation Halton's regulated area. And further, that the Owner prepare a <b>facility fit plan</b> for any park blocks confirming that the expected program elements may be incorporated. This will include any and all active sports fields, their associated buffer requirements and all supporting amenities. | OAK ( POS, TE)<br>CH |
| 90. | That the Owner agrees at their cost to implement a <b>municipal tree planting program</b> for all public roads in accordance with the approved Composite Utility Plan and/or Tree Planting Plan. The selection of species, calliper and timing of work shall be undertaken to the satisfaction of the Development Services Department and in accordance with the latest Town standards and specifications within the final and approved North Oakville Urban Forest Strategic Management Plan, where applicable.  | OAK (TE)             |
| 91. | That the Owner agrees to submit <b>prior to Assumption</b> an inventory of all boulevard trees planted by species, size, and x/y coordinates in a digital format acceptable to the Transportation and Engineering Department.   | OAK (TE)             |
| 92. | That the Owner warranty all <b>boulevard street trees</b> and trees planted in open space areas for a period of 2 years from the date of planting and agrees to maintain in a healthy condition all trees until Assumption or to the end of the warranty period, where the warranty extends beyond assumption.  | OAK (TE, POS)        |
| 93. | That the Owner agrees to place <b>topsoil</b> on lots, boulevards and parkland in accordance with approved Town standards.  | OAK (POS, TE)        |
| 94. | That the Owner agrees to provide <b>as-built drawings</b> for works within the natural hazards. Surveys undertaken to delineate any hazard shall be provided to Conservation Halton digital format. Digital data should be delivered in one of the following formats:<br><ul style="list-style-type: none"> <li>a) ESRI geodatabasev10.x (or newer) feature classes</li> <li>b) ESRI shape file format.</li> <li>c) AutoCAD DWG or DXF Format, version 2019 or earlier</li> </ul> If the Project Consultant utilizes ESRI products to produce maps, the matching .mxd will be provided that corresponds to the map figure. Digital data will be provided in UTM NAD 83 Zone 17 NAD 83 datum. Data referencing elevations (e.g., floodplains) shall be referenced to appropriate vertical benchmarks. The datum must be specified as one of Canadian Geodetic Vertical Datum of 1928 (CGVD28) with 1978 adjustment, or Canadian Geodetic Vertical Datum of 2013 (CGVD2013). Vertical datums must be clearly identified in the survey documentation. Flood plain models used in the delineation of flood hazards must   | OAK (TE)<br>CH       |



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|      | be provided to Conservation Halton and referenced to the above mapping standards. Questions can be directed to Conservation Halton GIS staff.  |                        |
| 95.  | That the Owner agrees, that should it be determined through detailed design that <b>grade changes</b> are required in order to accommodate development of lots/blocks adjacent to the NHS block any grade changes must be accommodated outside of the buffer block and the lot lines must be adjusted accordingly, to the satisfaction of Conservation Halton and Town of Oakville.  | OAK (TE)<br>CH         |
| 96.  | That the Owner agrees that <b>native non-invasive species</b> shall be planted in accordance Conservation Halton Landscaping Guidelines for lands adjacent to all natural heritage system, watercourses, and stormwater management facilities blocks and for all lands within Conservation Halton's regulated area.  | OAK (TE)<br>CH         |
| 97.  | That the Owner implements a <b>monitoring program</b> to the satisfaction of the Town and Conservation Halton for Erosion and Sediment control, stormwater management facilities, modified streams and stormwater management works, municipal services and trails with the Natural Heritage System, in accordance with the Water Resources Final Mediation Reports (Ontario Municipal Board) dated 30 August, 2007. The Owner shall submit monthly sediment and erosion control reports during construction to the satisfaction of Conservation Halton and the Town of Oakville. | OAK (TE)<br>CH         |
| 98.  | The owner agrees that the Town holds the right to withhold building permits until applicable downstream Storm Water Management Facilities have been constructed to the satisfaction of the Town and the ECAs are in process.   | OAK (TE)               |
| 99.  | That the Owner agrees to submit monthly (or after significant rainfall equal or greater than 10mm or snowmelt events) sediment and erosion control reports during construction to the satisfaction of Conservation Halton and the Town of Oakville.  | OAK (TE)<br>CH         |
| 100. | That the Owner agrees to <b>post acceptable securities</b> with the Town of Oakville as part of the subdivision agreement, for the purpose of ensuring the construction and completion of all works identified on the approved engineering plans including the rehabilitation of any Natural Heritage System block or open space areas which may be disturbed during the development of the subdivision.   | OAK (TE)<br>CH         |
| 101. | That the Owner shall prepare and implement at no cost to the Town, a <b>landscape, restoration and enhancement plan for the stormwater management facility</b> to the satisfaction of the Development Services Department, Parks and Open Space and Conservation Halton in accordance with the Town's stormwater management Landscaping Standards. The Owner shall be entirely responsible for the implementation of these features including all financial costs.   | OAK (TE,<br>POS)<br>CH |
| 102. | That the Owner agrees to not store <b>construction materials</b> on vacant lots and/or open space blocks that abut lots which are occupied by homeowners.  | OAK (TE,<br>POS)       |
| 103. | That the Owner agrees to implement <b>cycling and trails plans</b> in accordance with the North Oakville Trails Plan, when finalized, and the enacted Development Charges By-law to the satisfaction of the Town.  | OAK (TE,<br>POS)       |

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| 104. | That the Owner provides a <b>fire break plan</b> and other fire prevention measures to the satisfaction of the Town of Oakville, where necessary.   | OAK (FD)              |
| 105. | That the owner agree that <b>any exposed soil</b> within a watercourse block, either as a result of realignment or rehabilitation works, will be seeded or otherwise stabilized within 24 hours of exposure to minimize the transport of sediment downstream;   | CH                    |
| 106. | That the owner agree that <b>no fill from the site may be dumped on or off-site</b> in an area regulated by Conservation Halton without the prior written permission of Conservation Halton.  | CH                    |
| 107. | That the Owner agrees to not <b>stockpile fill</b> within 50 metres of a watercourse or stormwater management block without prior written approval on Conservation Halton   | CH                    |
| 108. | That the Owner acknowledges that all works which are the responsibility of the Owner to complete, shall supervised during construction by a <b>licensed Professional Engineer</b> of the Province of Ontario with all professional engineering fees paid by the Owner. The Owner's engineer must provide competent full time staff on site during construction activities to obtain the required "as constructed" field information, and to ensure general compliance to the best of his/her professional knowledge with the approved drawings and the Town and Region's Current Construction and Design Standards. | RMH (LPS)<br>OAK (TE) |
| 109. | That the Owner agrees to conduct a <b>survey of the static water level</b> and quality of all wells within 500 metres of the plan. The Owner further agrees to resolve any claims of well interruption due to the construction of municipal services to the satisfaction of the Region's Development Project Manager.   | RMH (LPS)             |
| 110. | The Owner agrees to conduct a survey of the property to identify all existing wells related to the former use of the lands. The Owner further agrees to decommission any existing wells in accordance with the Ministry of the Environment, Conservation and Parks (MECP) guidelines prior to commencing the development of these lands to the satisfaction of Halton Region.   | RMH (LPS)             |
| 111. | The Owner agrees to conduct a survey of the property to identify all existing private septic systems related to the former use of the lands. The Owner further agrees to decommission any existing private septic systems in accordance with the Ministry of the Environment, Conservation and Parks (MECP) guidelines prior to commencing the development of these lands to the satisfaction of Halton Region.   | RMH (LPS)             |
| 112. | That the Owner acknowledges that development shall be subject to full <b>municipal water and sanitary sewer services</b> to the satisfaction of the Regional Municipality of Halton.  | RMH (LPS)             |
| 113. | That the Owner has addressed all the requirements of the Allocation Program including, but not limited to, the signing of any additional agreements, provision of any required payments and the issuance of a Region of Halton Public Works Commissioner's Notice (PWCN), to the satisfaction of the Region of Halton.<br><br>Note: For more information on how to obtain a PWCN, please contact: Leila Mirriahi, Intermediate Planner, Community Planning.   | RMH (LPS)             |

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| 114. | <p>The Owner agrees that until notice from Halton Region's Commissioner of Public Works is given to the Owner that development of these lands is able to proceed by the issuance of a building permit with residential water/wastewater capacity or that units under the Region's Allocation Program will be operational within 12 months, that the Owner shall not seek the issuance of building permits for any development in this phase and:</p> <ul style="list-style-type: none"> <li>• shall not sell or offer for sale any lot or block or any part thereof within this phase if such sale obligates the Owner or permits the purchaser to construct a residential building on such lot or block; and,</li> <li>• shall not seek final approval for registration of such lots or blocks or any part thereof.</li> <li>•</li> </ul>  | RMH (LPS) |
| 115. | <p>The Owner agrees to restrict the building occupancy of all the units located within the proposed subdivision until the required watermain and sanitary sewer infrastructure located in the proposed adjacent subdivisions is constructed, operational and that written confirmation has been given by the Region's Senior Planner that this infrastructure has been completed and building occupancy can proceed.</p>  | RMH (LPS) |
| 116. | <p>The Owner agrees to provide and install individual pressure reducing valves (PRV), where required, at the residential units within the subdivision to meet the requirements of the Ontario Building Code to the satisfaction of Halton Region.</p>   | RMH (LPS) |
| 117. | <p>The Owner agrees that Halton Region will provide full collection curbside in front of the individual homes and collection will not begin until development is 90% occupied or Regional waste collection trucks can safely access the site. Until Regional collection commences it is the responsibility of the Owner/Developer to provide appropriate private collection to occupied units. The Owner further agrees that Halton Region will not provide commercial collection services for the live/work townhouse units.</p>   | RMH (LPS) |
| 118. | <p>The Owner is required to comply with Ontario Regulation 153/04 and Halton Region's Protocol for Reviewing Development Applications with respect to Contaminated or Potentially Contaminated Sites, to the satisfaction of Halton Region. Prior to the registration of any portion of Draft Plan of Subdivision and prior to any servicing or grading of the site, the Owner is required to submit all supporting environmental documentation such as Phase One and Two Environmental Site Assessments (as are prepared) prepared and certified by a qualified person as defined under Ontario Regulation 153/04 and indicate that the environmental condition of the site is suitable for its proposed land use and remediation reports etc. (as necessary) to Halton Region for their review. The author of the environmental reports and Record of Site Condition (if secured) must also extend third party reliance to Halton Region.</p> | RMH (LPS) |

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| 119. | The Owner agrees that should the development be phased, the Owner shall submit a <b>phasing plan</b> prior to final approval of the first phase. The phasing plan will indicate the sequence of development, the land area in hectares, the number of lots and blocks for each phase and the proposed use of all blocks including, the proposed number of units, the specific lots to be developed, site access to each phase, grading and the construction of public services. The phasing must be reflected in all engineering reports. The phasing shall be to the satisfaction of the Regional Municipality of Halton, Conservation Halton and the Town of Oakville.   | RMH (LPS)<br>OAK (TE)<br>CH |
| 120. | That the Owner shall submit a copy of the <b>approved sidewalk plan</b> , prepared to the satisfaction of the Town of Oakville, to the Halton District School Board and Halton Catholic District School Board.   | OAK (TE)<br>HDSB<br>HCDSB   |
| 121. | That the Owner agrees in the Subdivision Agreement to the satisfaction of the Halton Catholic District School Board and the Halton District School Board to erect a <b>chain link fence</b> , in accordance with the Board's standards. The fence shall be located along the school block boundaries as determined by the Board(s) and shall be erected at such time as the adjacent development proceeds. Privacy fencing may be required where adjacent to residential units and parking.  | HDSB<br>HCDSB<br>OAK(TE)    |
| 122. | That the Owner provides the School Boards a <b>geo-referenced AutoCAD file</b> of the draft M-plan once all Lot and Block numbering configuration has been finalised. Should any changes occur after the initial submission to Lot and Block configuration or numbering on the draft M-plan the Owner shall provide a new AutoCAD file and a memo outlining the changes.   | HDSB<br>HCDSB<br>OAK(TE)    |
| 123. | That the Owner agrees to erect and <b>maintain signs</b> at all major entrances into the new development advising prospective purchasers that a permanent school is not available and that alternate accommodation and/or bussing will be provided. The Owner will make these signs to the specifications of the respective School Board and erect them prior to the issuance of building permits.   | HDSB<br>HCDSB<br>OAK(TE)    |
| 124. | That the Owner agrees to obtain written permission from the Halton District School Board <b>prior to placing any fill</b> on the adjacent school Block in Dunaok Phase 1.  | HDSB                        |
| 125. | That the Owner agrees to ensure that all new home buyers will be officially notified of the exact <b>Community Mail Box</b> locations prior to any house sales with specific clauses in the Purchase offer, on which the homeowners do a sign off. Also that the owner shall post in a clear site a copy of the plan indicating the Community Mail Box sites at the sales office. This plan is requested to be completed and approved prior to the start of the House sales for the subdivision. Once the homeowner has closed their home sale, the developer shall notify all new homebuyers of the process to initiate Mail Delivery as well as the address of the local Post office where new homeowners can go and show their warranty documentation as well as a license for identification to begin the process of requesting mail delivery. | CP                          |
| 126. | The Owner agrees to provide the location of all <b>Community Mail Boxes</b> on the approved Composite Utility Plan to the satisfaction of the Town and Canada Post.  | CP                          |



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| 127. | The Owner agrees, prior to offering any units for sale, to display and maintain a map on the wall of the sales office in a place readily accessible to potential homeowners that indicates the location of all <b>Community Mail Boxes</b> within the development, as approved by Canada Post. Further, the Owner agrees to inform all homebuyers of the process to initiate mail delivery for their new home address.   | CP         |
| 128. | The owner/developer will consult with Canada Post to determine suitable permanent locations for the placement of Community Mailboxes and to indicate these locations on appropriate servicing plans.   | CP         |
| 129. | The Builder/Owner/Developer will confirm to Canada Post that the final secured permanent locations for the Community Mailboxes will not be in conflict with any other utility; including hydro transformers, bell pedestals, cable pedestals, flush to grade communication vaults, landscaping enhancements (tree planting) and bus pads.  | CP         |
| 130. | The owner/developer will agree to prepare and maintain an area of compacted gravel to Canada Post's specifications to serve as a temporary <b>Community Mailbox</b> location. This location will be in a safe area away from construction activity in order that Community Mailboxes may be installed to service addresses that have occupied prior to the pouring of the permanent mailbox pads. This area will be required to be prepared a minimum of 30 days prior to the date of first occupancy. | CP         |
| 131. | The owner/developer will communicate to Canada Post the excavation date for the first foundation (or first phase) as well as the expected date of first occupancy  | CP         |
| 132. | The owner/developer agrees to install concrete pads at each of the Community Mailbox locations as well as any required walkways across the boulevard and any required curb depressions for wheelchair access as per Canada Post's concrete pad specification drawings.   | CP         |
| 133. | The owner/developer agrees to include in all offers of purchase and sale a statement, which advises the prospective new home purchaser that mail delivery will be from a designated Community Mailbox, and to include the exact locations (list of lot #s) of each of these Community Mailbox locations; and further, advise any affected homeowners of any established easements granted to Canada Post.  | CP         |
| 134. | That the Owner acknowledges that where multi-unit or commercial, office or similar buildings are located, one or more conduit or conduits of sufficient size will be provided from each unit to the room(s) in which the <b>telecommunication facilities</b> are situated and one or more conduits from the room(s) in which the telecommunication facilities are located to the street line.  | BC /Cogeco |
| 135. | The Owner agrees to (a) permit all CRTC-licensed telecommunications companies intending to serve the Subdivision (the "Communications Service Providers") to install their facilities within the Subdivision, and (b) provide joint trenches for such purpose.   | Rogers     |

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| 136. | The Owner agrees to grant, at its own cost, all easements required by the Communications Service Providers to serve the Subdivision, and will cause the registration of all such easements on title to the property.  | Rogers   |
| 137. | The Owner agrees to grant, at its own cost, all easements required by the Communications Service Providers to serve the Subdivision, and will cause the registration of all such easements on title to the property.  | Rogers   |
| 138. | The Owner agrees that, if the Owner requires any existing Rogers facilities to be relocated, the Owner shall be responsible for the relocation of such facilities and provide where applicable, an easement to Rogers to accommodate the relocated facilities.  | Rogers   |
| 139. | That the Owner acknowledge its responsibility to up-front the cost of any extension to the <b>electrical distribution system</b> .  | OH   |
| 140. | <p>That the Owner agrees to place the following <b>notification in all offers of purchase and sale</b> for all lots and/or units and in the Town's subdivision agreement to be registered on title:</p> <p>a) "Purchasers of Blocks 760, 747 are advised that their properties abut lands which may be developed for <b>future residential, commercial or mixed commercial / residential uses</b>."</p> <p>b) "Purchasers and/or tenants of lots or units in Blocks 763, 764, 777, and 778 are advised that they abut a <b>Walkway Block</b> which will allow for public access."</p> <p>c) "Purchasers and/or tenants of lots or units adjacent to or near the Village Square, Neighbourhood Park or any other parkland and open space are advised that these parks, in whole or in part, may be vegetated to create a natural setting. Be advised that, in these areas, the Town may not carry out <b>routine maintenance</b> such as grass and weed cutting."</p> <p>d) "Purchasers and/or tenants of lots or units adjacent to or near the Village Square, Neighbourhood Park and servicing / walkway block abutting Blocks 763, 764, 771-775 and 778 are advised that these <b>open space areas</b> will be used for general active and passive public recreation and leisure uses, including but not limited to walkways (lit and unlit), bikeways, playgrounds, trails, sports field (lit or unlit), splash pad, visitor parking, and/or multi-use courts. In addition to daytime use, park facilities may be used in the evenings and on weekends."</p> <p>e) "Purchasers and/or tenants of Lots 1-7, 13-34, 210, 211, 251, 252, 257-270, 402-414, 439-455, 484, 485, 689-661, 696-698 and Blocks 703, 704, 712, 713 are advised that a <b>walkway</b> may abut the subject property consistent with the North Oakville East Trails Plan. During normal use of, and activity on, the walkway, some noise could occasionally be generated that may potentially interfere with outdoor activities on the subject property."</p> <p>f) "Purchasers and/or tenants of all lots adjacent to the watercourse block or other feature regulated by Conservation Halton, a statement which advises</p> | OAK (PS,<br>TE)(POS)<br>CH<br>HDSB<br>HCDSB<br>CP<br>RMH (LPS) |

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|  | <p>that the feature is regulated by Conservation Halton and that <b>no encroachment is permitted</b>, and that <b>vegetation shall not be manicured</b> in accordance with Ontario Regulation 162/06.”</p> <p>g) “Purchasers and/or tenants for all lots adjacent to the <b>Natural Heritage System</b>, a statement which advises that the Town reserves the right to install a public trail connection within these blocks. Further purchasers are advised that individual gate access to these blocks from their property is prohibited. In addition, dumping of yard waste or other household materials is also prohibited.”</p> <p>h) “Purchasers and /or tenants are advised that <b>gates are not permitted</b> to be installed along any boundary fence adjacent to any lands intended for a school.”</p> <p>i) “Purchasers are advised that the Town of Oakville’s current <b>street tree planting standards</b>, which are subject to change, are intended to have an average of one tree for every 12 metres of frontage to be considered for planting in order to accommodate future tree growth. This means that not every house is intended to receive a tree. Purchasers are also advised that the ability to accommodate the planting of a street tree within the public road allowance will be influenced by housing form, development setbacks, utilities, driveway width and location. The Town reserves the right, in its sole discretion, to determine whether a street tree will be planted at any particular location within the subdivision particularly on narrow building lots.”</p> <p>j) “Purchasers are advised that <b>winter maintenance</b> and snow plowing from public streets and laneways will be done in accordance with the Council approved protocol and policies for snow removal.”</p> <p>k) “Purchasers and/or tenants are advised that the homeowner’s builder is responsible for the timing and coordination of <b>rectifying lot grading</b> matters which occur prior to assumption.”</p> <p>l) “Purchasers and/or tenants are advised that prior to the placement of any <b>structures in side and rear yards</b>, the Zoning By-law should be reviewed to determine compliance and that a Site Alteration Permit may be required prior to proceeding to do any site work.”</p> <p>m) “Purchasers and/or tenants are advised that <b>private landscaping</b> is not permitted to encroach within the Town’s road allowance, public open space or Natural Heritage System area. Any unauthorised encroachments are to be removed by the homeowner prior to Assumption.”</p> <p>n) “Purchasers and/or tenants are advised that an overall grade control plan has been approved for this Plan and further some lots will incorporate the drainage of adjoining lots through the design of <b>swales and rear lot catch basins</b>.”</p> |  |
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|  | <p>o) “Purchasers are advised that any <b>unauthorized alteration of the established lot grading</b> and drainage patterns by the homeowner may result in negative drainage impacts to their lot and/or adjoining lots.”</p> <p>p) “Purchasers are advised that the following street(s) in the area may be designated as <b>interim or permanent bus routes</b>, and that bus stops and shelters may be installed along the street(s): John McKay Boulevard, Wheat Boom Drive, Street B and Street L”</p> <p>q) “Purchasers and/or tenants are advised that home/business mail delivery will be from designated <b>Community Mail Boxes</b> and that purchasers are to be notified by the developer/owner regarding the exact centralized mail box locations prior to the closing of any home sales.</p> <p>r) “Purchasers are advised that the <b>schools</b> on sites designated for the Halton District School Board or Halton Catholic District School Board in the community are not guaranteed. Attendance in the area is not guaranteed. Pupils may be accommodated in temporary facilities and/or be directed to schools outside of the area.”</p> <p>s) “Purchasers are advised that <b>school buses</b> will not enter a cul-de-sac and pick-up points will be generally located on through streets convenient to the Halton Student Transportation Services. Additional pick-up points will not be located within the subdivision until major construction activity has been completed.”</p> <p>t) “Prospective purchasers of lots/units abutting, fronting and adjacent to the school site designated for the HCDSB are advised that temporary facilities/portables will be sited on the school site in order to accommodate pupils in excess of the school building capacity.”</p> <p>u) “The owner of lots adjoining the site intended for use or actually used for a school are prohibited to install or use for any purposes of a gate in any boundary line fence on such school property. In the event a gate is installed, the Board will remove it at the owner’s expense.”</p> <p>v) “Purchasers are advised that Village Squares and parks will contain <b>children’s play equipment</b> that may generate noise or nuisance to those homebuyers who purchase adjacent to parks and open space. Community Mailboxes may be located in close proximity to Village Squares and parks. Community Parks may also include the provisions for sports field lighting that may generate noise or nuisance to homebuyers who purchase adjacent to community parks.”</p> <p>w) “Purchasers are advised that Town <b>Stormwater Management Ponds</b> will be subject to scheduled maintenance and periodic cleanout in accordance with Town requirements.”</p> <p>x) “Purchasers are advised that <b>driveway entrance widenings</b> or modifications will not be permitted. Property Owners must take note of the available parking space on their own private lot and purchase homes with knowledge that additional space for more personal / family vehicles may be</p> |  |
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|   |   |          |
|---|---|----------|
|   | <p>limited or unavailable. If the homeowner modifies their driveway the Town may require the development to remediate the issue”</p> <p>y) “Purchasers of lots/units abutting, fronting and adjacent to the school site designated for the Halton District School Board are advised that <b>temporary facilities/portables</b> may be sited on the school site in order to accommodate pupils in excess of the school building capacity.”</p> <p>z) “Purchasers are advised that <b>Catholic school accommodation</b> may not be available for students residing in this area, and that you are notified that students may be accommodated in temporary facilities and/or bussed to existing facilities outside the area. Halton Catholic District School Board will designate pick up points for the children to meet the bus on roads presently in existence or other pick up areas convenient to the Board.”</p> <p>aa) “Purchasers are advised that North Oakville is founded on the principle of public transit as a priority and as such buses with varying frequencies of services are expected to operate throughout the neighbourhoods. Residents are expected to accept bus operations, with their associated impacts as a reality along roadways of this community. Transit infrastructure including <b>bus stops and bus shelters</b> may be located on municipal streets within subdivisions either as temporary and/or permanent features.”</p> <p>bb) “Purchasers are advised that Public roads are expected to accommodate pedestrians, cyclists and vehicles of all types. Temporary and/or permanent <b>public parking along municipal roads</b> except laneways adjacent to any property can be made available for on-street parking by the public and is not reserved for use by the property Owner. This will be most evident in close proximity to parks, schools, laneways and commercial or mixed use districts where visitors to these locations will be encouraged to park on-street in accordance with municipal requirements as on-site parking space will be minimal or non-existent.</p> <p>cc) “Purchasers are advised that there is the potential for high water pressures within the subdivision”</p> <p>dd) “Purchasers are advised that there is the potential potential water pressures changes within the subdivision resulting from the realignment of the Region’s water pressure zones from the existing zone condition to the interim and ultimate zone pressure conditions.”</p> <p>In cases where offers of purchase and sale have already been executed, the Owner shall send a letter to all purchasers which includes the above statements.</p> |          |
|   | <b>CLOSING CONDITIONS</b>   |          |
| 1 | <p>Prior to signing the final plan the <b>Director of Planning Services</b> shall be advised that all conditions have been carried out to the satisfaction of the relevant agencies, and that a brief but complete statement detailing how each condition has been satisfied has been provided.</p>   | OAK (PS) |

|     |  |                       |
|-----|--|-----------------------|
| 2   | Prior to signing the final plan the Director of Planning Services shall be advised by the <b>Regional Municipality of Halton</b> that conditions 5, 14, 38, 39, 43, 44, 53-60, 108-119, 140 have been carried out to their satisfaction with a brief but complete statement detailing how each condition has been satisfied.   | OAK (PS)<br>RMH (LPS) |
| 3   | Prior to the signing of the final plan the Director of Planning Services shall be advised by the <b>Conservation Halton</b> that conditions 6, 8, 9, 12, 14, 15, 34, 35, 37, 40, 45, 46, 51, 52, 75, 88, 89, 94-97, 99-101, 105-107, 119, 140 inclusive have been carried out to their satisfaction with a brief but complete statement detailing how each condition has been satisfied. | OAK (PS)<br>CH        |
| 4.  | Prior to signing the final plan the Director of Planning Services shall be advised by the <b>Halton District School Board</b> that conditions 62, 120-124, 140 inclusive have been carried out to their satisfaction with a brief but complete statement detailing how each condition has been satisfied.  | OAK (PS)<br>HDSB      |
| 5.  | Prior to signing the final plan, the Director of Planning Services shall be advised by the <b>Halton Catholic District School Board</b> that conditions 61, 62, 120-123, 140 have been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied.   | OAK (PS)<br>HCDSB     |
| 6.  | Prior to signing the final plan, the Director of Planning Services shall be advised by the <b>telecommunications provider</b> that conditions 65, 66 134 have been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied.   | OAK (PS)<br>BC        |
| 7.  | Prior to signing the final plan, the Director of Planning Services shall be advised by the <b>telecommunications provider</b> that conditions 65, 134 have been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied.  | OAK(PS)<br>Cogeco     |
| 8.  | Prior to signing the final plan, the Director of Planning Services shall be advised by <b>Rogers</b> that conditions 135-138 have been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied.   | OAK(PS)<br>Rogers     |
| 9.  | Prior to signing the final plan the Director of Planning Services shall be advised by <b>Canada Post</b> that conditions 63, 125-133, 140 have been carried out to their satisfaction with a brief but complete statement detailing how each condition has been satisfied.   | OAK (PS)<br>CP        |
| 10. | Prior to signing the final plan, the Director of Planning Services shall be advised by <b>Oakville Hydro</b> that condition 139 has been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied.   | OH                    |
| 11. | Prior to signing the final plan, the Director of Planning Services shall be advised by <b>Union Gas/Enbridge Gas</b> that condition 64 has been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied.  | UG/Enbridge           |
|     | <b>All of the above conditions shall be satisfied within 3 years of the granting of draft approval, being Day __, Month ____, 20xx.</b>  | OAK (PS)              |

**LEGEND – CLEARANCE AGENCIES**

|             |  |
|-------------|--|
| BC          | Bell Canada  |
| Cogeco      | Cogeco Cable   |
| CP          | Canada Post  |
| HCDSB       | Halton Catholic District School Board                                      |
| HDSB        | Halton District School Board   |
| CH          | Conservation Halton  |
| MCM         | Ministry of Citizenship and Multiculturalism                               |
| OAK (A)     | Town of Oakville – Planning Administration                                 |
| OAK (F)     | Town of Oakville – Finance   |
| OAK (L)     | Town of Oakville – Legal   |
| OAK (TE)    | Town of Oakville – Transportation and Engineering Department (formerly DE) |
| OAK (PS)    | Town of Oakville – Current Planning Services                               |
| OAK (LR)    | Town of Oakville – Long Range Planning                                     |
| OAK (Z)     | Town of Oakville – Building Services Department, Zoning Section            |
| OAK (FD)    | Town of Oakville – Fire Department   |
| OAK (POS)   | Town of Oakville – Parks and Open Space Department                         |
| OAK (T)     | Town of Oakville – Transit   |
| OH          | Oakville Hydro   |
| RMH (LPS)   | Regional Municipality of Halton – Legislative and Planning Services        |
| Rogers      | Rogers   |
| UG/Enbridge | Union Gas/Enbridge Gas   |

**NOTES:**

1. That the Owner shall obtain a Permit from Conservation Halton, pursuant to Ontario Regulation 162/06, for any development or site alteration within the regulated area including, but not necessarily limited to, dumping of fill, grading, stormwater outfalls, and watercourse crossings.
2. The Owner should obtain authorization from the Department of Fisheries and Oceans (DFO) for the Harmful Alteration, Disruption or Destruction of Fish Habitat, pursuant to the **Fisheries Act**, where necessary.
3. The Owner should obtain the written approval of the Ministry of Natural Resources and Forestry (MNRF) for any work within significant habitat of endangered and threatened species, as per the **Endangered Species Act**, where necessary.

4. The Owner should ensure that any vegetation removal take place outside of the nesting season, pursuant to the **Migratory Bird Convention Act**, where necessary.
  5. The Owner should obtain the written approval of the Ministry of Natural Resources and Forestry (MNRF) for any work pursuant to **the Lakes and Rivers Improvement Act**, where a dam or blockage of the watercourse is proposed, where necessary
  6. That the Owner shall obtain a site alteration permit under By-law 2008-124, as it may be amended from time to time or any successor thereto, prior to any earth moving activities. Matters to be addressed as part of the site alteration permit shall include but not be limited to confirmation of construction access, installation and maintenance of erosion and sediment controls, mud tracking, stabilisation, grading and seeding of non-development blocks.
  7. The owner/applicant is to pay cash-in-lieu of parkland dedication, pursuant to Section 42 of the Planning Act and in accordance with the Towns By-law 2008-105. The owner / applicant is to contact the Town's Manager of Realty Services approximately 120 days and no later than 60 days prior to their intended date to draw the first above grade building permit for the proposed development or redevelopment, to arrange coordination of the necessary appraisal.
  8. This development requires Regional Allocation for the single detached equivalents units (SDEs) proposed. The payments and contributions are payable in accordance with the terms and conditions set out in the applicable Allocation Program Agreement in which the SDEs are being reserved for the Owner.
  9. In order to obtain a Public Works Commissioner's Notice (PWCN), please provide a formal request in an email or letter along with the following information to the Regional Planner on file containing the following:
    - The number of single detached equivalents (SDEs) that the PWCN is being requested for, the respective Law File Number and corresponding Allocation Program, including a copy of the draft plan drawing.
    - A Functional Servicing Report (FSR) OR a Design Brief rationalizing the most current FSR that was approved for the proposed development.
    - Confirmation that the Zone 3/4/5 Boundary Realignment Assessment in relation to your proposed development is deemed satisfactory by the Region's Development Project Manager / Development Engineer (Please contact Ronald Mackenzie, Development Engineer (South) for more details: [Ronald.Mackenzie@halton.ca](mailto:Ronald.Mackenzie@halton.ca)).
- Important Note: A PWCN cannot be issued until all projects listed in the respective group as set out in Schedule G (Engineering and Construction projects) of the applicable Allocation Agreement(s) have been completed
10. The Owner is also required to pay all other applicable Regional Development Charges (DCs) and Front-ending Recovery Payments prior to the issuance of any building permits, unless a subdivision (or other form of development) agreement is required in which case a portion of the DC's and Front-ending Recovery Payment may be payable upon execution of the agreement. Please visit the Region's website at <https://www.halton.ca/The-Region/Finance-and-Transparency/Financing-Growth/Development-Charges-Front-ending-Recovery-Payment> to obtain the most current Development Charge and Front-ending Recovery Payment information, which is subject to change.



Disclaimer: It is the Owner's responsibility to ensure that all applicable payments and development charges for the single detached equivalents units (SDEs) being requested are paid for as required by the terms and conditions of the applicable Allocation Program Agreement.

11. Fees are required by Halton Region for each extension to draft approval and for major revisions to the draft plan or conditions.
12. Please note the Owner should be made aware that Halton Region will have the following requirements at the time of registration of the subdivision:
  - Final draft M plans signed and dated by the Owner, Surveyor and initialled by the Town's Planner
  - Regional Registration fee
  - Registry Office review form
13. Should deeply buried archaeological remains/resources be found on the property during construction activities, the Archaeology Program Unit of the Ministry of Citizenship and Multiculturalism (MCM) be notified immediately. In the event that human remains are encountered during construction, the Owner shall immediately notify the police or coroner, the Registrar, the Ministry of Public and Business Service Delivery (MPBSD), who administers provisions of that Act related to burial sites, and the MCM.
14. Education Development Charges are payable in accordance with the applicable Education Development Charge By-law and are required at the issuance of a building permit. Any building permits that are additional to the maximum yield that is specified by the Subdivision Agreement are subject to Education Development Charges prior to the issuance of a building permit, at the rate in effect at the date of issuance.

## **APPENDIX B – Applicable Policy Excerpts**

### **Provincial Policy Statement - 2020**

The Provincial Policy Statement (2020) ('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 (policy 1.1.3.1). The land use patterns within the settlement area 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.

### **Part V: Policies**

#### **1.1        Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns**

##### **1.1.1      Healthy, liveable and safe communities are sustained by:**

- a)        promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- b)        accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;
- c)        avoiding development and land use patterns which may cause environmental or public health and safety concerns;
- d)        avoiding development and land use patterns that would prevent the efficient expansion of *settlement areas* in those areas which are adjacent or close to *settlement areas*;
- e)        promoting the integration of land use planning, growth management, *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;
- f)        improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;
- g)        ensuring that necessary *infrastructure* and *public service facilities* are or will be available to meet current and projected needs;

- h) promoting development and land use patterns that conserve biodiversity; and
- i) preparing for the regional and local impacts of a changing climate.

1.1.2 Sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 25 years, informed by provincial guidelines. However, where an alternate time period has been established for specific areas of the Province as a result of a provincial planning exercise or a *provincial plan*, that time frame may be used for municipalities within the area.

Within *settlement areas*, sufficient land shall be made available through *intensification* and *redevelopment* and, if necessary, *designated growth areas*.

Nothing in policy 1.1.2 limits the planning for *infrastructure*, *public service facilities* and *employment areas* beyond a 25-year time horizon.

### 1.1.3 Settlement Areas

Settlement areas are urban areas and rural settlement areas, and include cities, towns, villages and hamlets. Ontario's settlement areas vary significantly in terms of size, density, population, economic activity, diversity and intensity of land uses, service levels, and types of infrastructure available.

The vitality and regeneration of settlement areas is critical to the long-term economic prosperity of our communities. Development pressures and land use change will vary across Ontario. It is in the interest of all communities to use land and resources wisely, to promote efficient development patterns, protect resources, promote green spaces, ensure effective use of infrastructure and public service facilities and minimize unnecessary public expenditures.

1.1.3.1 *Settlement areas* shall be the focus of growth and development.

1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- a) efficiently use land and resources;
- b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for unjustified and/or uneconomical expansion;
- c) minimize negative impacts to air quality and climate change, and promote energy efficiency;
- d) prepare for the *impacts of a changing climate*;
- e) support active transportation;
- f) are transit-supportive, where transit is planned, exists or may be developed; and
- g) are freight-supportive.

Land use patterns within *settlement areas* shall also be based on a range of uses and opportunities for *intensification* and *redevelopment* in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

- 1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for *transit-supportive* development, accommodating a significant supply and range of *housing options* through *intensification* and *redevelopment* where this can be accommodated taking into account existing building stock or areas, including *brownfield sites*, and the availability of suitable existing or planned *infrastructure* and *public service facilities* required to accommodate projected needs.
- 1.1.3.4 Appropriate development standards should be promoted which facilitate *intensification*, *redevelopment* and compact form, while avoiding or mitigating risks to public health and safety.
- 1.1.3.5 Planning authorities shall establish and implement minimum targets for *intensification* and *redevelopment* within built-up areas, based on local conditions. However, where provincial targets are established through *provincial plans*, the provincial target shall represent the minimum target for affected areas.
- 1.1.3.6 New development taking place in *designated growth areas* should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, *infrastructure* and *public service facilities*.

## **1.2 Coordination**

- 1.2.1 A coordinated, integrated and comprehensive approach should be used when dealing with planning matters within municipalities, across lower, single and/or upper-tier municipal boundaries, and with other orders of government, agencies and boards including:
- a) managing and/or promoting growth and development that is integrated with *infrastructure* planning;
  - b) economic development strategies;
  - c) managing natural heritage, water, agricultural, mineral, and cultural heritage and archaeological resources;
  - d) *infrastructure, multimodal transportation systems, public service facilities and waste management systems*;
  - e) ecosystem, shoreline, watershed, and Great Lakes related issues;
  - f) natural and human-made hazards;
  - g) population, housing and employment projections, based on *regional market areas*; and
  - h) addressing housing needs in accordance with provincial policy statements such as the Policy Statement: Service Manager Housing and Homelessness Plans.

## **1.4 Housing**

- 1.4.1 To provide for an appropriate range and mix of *housing options* and densities required to meet projected requirements of current and future residents of the *regional market area*, planning authorities shall:
- a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through *residential intensification* and *redevelopment* and, if necessary, lands which are *designated and available* for residential development;



and

- b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate *residential intensification* and *redevelopment*, and land in draft approved and registered plans.

Upper-tier and single-tier municipalities may choose to maintain land with servicing capacity sufficient to provide at least a five-year supply of residential units available through lands suitably zoned to facilitate *residential intensification* and *redevelopment*, and land in draft approved and registered plans.

#### 1.4.2 Where planning is conducted by an upper-tier municipality:

- a) the land and unit supply maintained by the lower-tier municipality identified in policy 1.4.1 shall be based on and reflect the allocation of population and units by the upper-tier municipality; and
- b) the allocation of population and units by the upper-tier municipality shall be based on and reflect *provincial plans* where these exist.

#### 1.4.3 Planning authorities shall provide for an appropriate range and mix of *housing options* and densities to meet projected market-based and affordable housing needs of current and future residents of the *regional market area* by:

- a) establishing and implementing minimum targets for the provision of housing which is *affordable* to *low and moderate income households* and which aligns with applicable housing and homelessness plans. However, where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with the lower-tier municipalities may identify a higher target(s) which shall represent the minimum target(s) for these lower-tier municipalities;
- b) permitting and facilitating:
  - 1. all *housing options* required to meet the social, health, economic and well-being requirements of current and future residents, including *special needs* requirements and needs arising from demographic changes and employment opportunities; and
  - 2. all types of *residential intensification*, including additional residential units, and *redevelopment* in accordance with policy 1.1.3.3;
- c) directing the development of new housing towards locations where appropriate levels of *infrastructure* and *public service facilities* are or will be available to support current and projected needs;
- d) promoting densities for new housing which efficiently use land, resources, *infrastructure* and *public service facilities*, and support the use of *active transportation* and transit in areas where it exists or is to be developed;
- e) requiring *transit-supportive* development and prioritizing *intensification*, including potential air rights development, in proximity to transit, including corridors and stations; and

- f) establishing development standards for *residential intensification, redevelopment* and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.

## **1.6 Infrastructure and Public Service Facilities**

- 1.6.1 *Infrastructure and public service facilities* shall be provided in an efficient manner that prepares for the *impacts of a changing climate* while accommodating projected needs.

Planning for *infrastructure* and *public service facilities* shall be coordinated and integrated with land use planning and growth management so that they are:

- a) financially viable over their life cycle, which may be demonstrated through asset management planning; and
- b) available to meet current and projected needs.

- 1.6.3 Before consideration is given to developing new *infrastructure* and *public service facilities*:

- a) the use of existing *infrastructure* and *public service facilities* should be optimized; and
- b) opportunities for adaptive re-use should be considered, wherever feasible.

- 1.6.4 *Infrastructure* and *public service facilities* should be strategically located to support the effective and efficient delivery of emergency management services, and to ensure the protection of public health and safety in accordance with the policies in Section 3.0: Protecting Public Health and Safety.

- 1.6.5 *Public service facilities* should be co-located in community hubs, where appropriate, to promote cost-effectiveness and facilitate service integration, access to transit and *active transportation*.

### **1.6.7 Transportation Systems**

- 1.6.7.1 *Transportation systems* should be provided which are safe, energy efficient, facilitate the movement of people and goods, and are appropriate to address projected needs.
- 1.6.7.2 Efficient use shall be made of existing and planned *infrastructure*, including through the use of *transportation demand management* strategies, where feasible.
- 1.6.7.3 As part of a *multimodal transportation system*, connectivity with and among *transportation systems* and modes should be maintained and, where possible, improved including connections which cross jurisdictional boundaries.

- 1.6.7.4 A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future uses of transit and *active transportation*.

#### **1.6.8 Transportation and Infrastructure Corridors**

- 1.6.8.1 Planning authorities shall plan for and protect corridors and rights-of-way for *infrastructure*, including transportation, transit and electricity generation facilities and transmission systems to meet current and projected needs.
- 1.6.8.2 *Major goods movement facilities and corridors* shall be protected for the long term.
- 1.6.8.3 Planning authorities shall not permit *development* in *planned corridors* that could preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified.

New *development* proposed on *adjacent lands* to existing or *planned corridors* and transportation facilities should be compatible with, and supportive of, the long-term purposes of the corridor and should be designed to avoid, mitigate or minimize negative impacts on and from the corridor and transportation facilities.

- 1.6.8.4 The preservation and reuse of abandoned corridors for purposes that maintain the corridor's integrity and continuous linear characteristics should be encouraged, wherever feasible.
- 1.6.8.5 The co-location of linear *infrastructure* should be promoted, where appropriate.
- 1.6.8.6 When planning for corridors and rights-of-way for significant transportation, electricity transmission, and *infrastructure* facilities, consideration will be given to the significant resources in Section 2: Wise Use and Management of Resources.

#### **Growth Plan (2020)**

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.

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 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.

#### **Section 1.2.1 – Guiding Principles**

- Support the achievement of complete communities that are designed to support healthy and active living and meet people's needs for daily living throughout an entire lifetime.
- Prioritize intensification and higher densities to make efficient use of land and infrastructure and support transit viability.

- Provide flexibility to capitalize on new economic and employment opportunities as they emerge, while providing certainty for traditional industries, including resource-based sectors.
- Support a range and mix of housing options, including second units and affordable housing, to serve all sizes, incomes, and ages of households.
- Improve the integration of land use planning with planning and investment in infrastructure and public service facilities, including integrated service delivery through community hubs, by all levels of government.
- Integrate climate change considerations into planning and managing growth such as planning for more resilient communities and infrastructure – that are adaptive to the impacts of a changing climate – and moving towards environmentally sustainable communities by incorporating approaches to reduce greenhouse gas emissions.

## Section 2.2 – Policies for Where and How to Grow

### 2.2.1 – Managing Growth

2.2.1.2 Forecasted growth to the horizon of this Plan will be allocated based on the following:

- a. the vast majority of growth will be directed to settlement areas that:
  - i. have a *delineated* built boundary;
  - ii. have existing or planned *municipal water and wastewater systems*; and
  - iii. can support the achievement of *complete communities*;
- c. within *settlement areas*, growth will be focused in:
  - i. *delineated built-up areas*;
  - ii. *strategic growth areas*;
  - iii. locations with existing or planned transit, with a priority on *higher order transit* where it exists or is planned; and
  - iv. areas with existing or planned *public service facilities*;

2.2.1.4 Applying the policies of this plan will support the achievement of *complete communities* that:

- a) feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and *public service facilities*;
- b) improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes;
- c) provide a diverse range and mix of housing options, including second units and *affordable* housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes
- d) expand convenient access to:
  - i. a range of transportation options, including options for the safe, comfortable and convenient use of active transportation;
  - ii. public service facilities, co-located and integrated in community hubs;
  - iii. an appropriate supply of safe, publicly-accessible open spaces, parks, trails, and other recreational facilities; and
  - iv. healthy, local, and affordable food options, including through urban agriculture;



- e) ensure the development of high quality compact built form, an attractive and vibrant public realm, including public open spaces, through site design and urban design standards;
- f) mitigate and adapt to climate change impacts, build resilience, reduce greenhouse gas emissions, and contribute towards the achievement of low-carbon communities; and
- g) integrate green infrastructure and low impact development.

### 2.2.2.3 – Delineated Built-up Areas

All municipalities will develop a strategy to achieve the minimum intensification target and *intensification* throughout *delineated built-up areas*, which will:

- a) encourage *intensification* generally to achieve the desired urban structure;
- b) identify the appropriate type and scale of development and transition of built form to adjacent areas;
- c) identify *strategic growth areas* to support achievement of the intensification target and recognize them as a key focus for development;
- d) ensure lands are zoned and development is designed in a manner that supports the achievement of *complete communities*;
- e) prioritize planning and investment in *infrastructure* and *public service facilities* that will support *intensification*; and
- f) be implemented through official plan policies and designations, updated zoning and other supporting documents.

### 2.2.6.3 – Housing

To support the achievement of complete communities, municipalities will consider the use of available tools to require that multi-unit residential developments incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes

## Section 3 – Policies for Infrastructure to Support Growth

### 3.2.1 – Integrated Planning

1. *Infrastructure* planning, land use planning and *infrastructure* investment will be co-ordinated to implement this Plan.
2. Planning for new or expanded *infrastructure* will occur in an integrated manner, including evaluations of long-range scenario-based land use planning, environmental and financial planning, and will be supported by relevant studies and should involve:
  - a) leveraging *infrastructure* investment to direct growth and development in accordance with the policies and schedules of this Plan, including the achievement of the minimum intensification and density targets in this Plan;
  - b) providing sufficient *infrastructure* capacity in *strategic growth areas*;
  - c) identifying the full life cycle of *infrastructure* and developing options to pay for these costs over the long-term; and
  - d) considering the impacts of a changing climate.
3. *Infrastructure* investment and other implementation tools and mechanisms will be used to facilitate *intensification* and higher density development in *strategic growth areas*.

Priority will be given to *infrastructure* investments made by the Province that support the policies and schedules of this Plan.

4. Municipalities will assess *infrastructure* risks and vulnerabilities, including those caused by the impacts of a changing climate, and identify actions and investments to address these challenges, which could be identified as part of municipal asset management planning.
5. The Province will work with public sector partners, including Metrolinx, to identify strategic infrastructure needs to support the implementation of this Plan through multi-year infrastructure planning for the transportation system and public service facilities.

### **3.2.2 – Transportation General**

1. *Transportation system* planning, land use planning, and transportation investment will be co-ordinated to implement this Plan.
2. The *transportation system* within the *GGH* will be planned and managed to:
  - a. provide connectivity among transportation modes for moving people and for moving goods;
  - b. offer a balance of transportation choices that reduces reliance upon the automobile and promotes transit and *active transportation*;
  - c. be sustainable and reduce greenhouse gas emissions by encouraging the most financially and environmentally appropriate mode for trip-making and supporting the use of zero- and low-emission vehicles;
  - d. offer *multimodal* access to jobs, housing, schools, cultural, and recreational opportunities, and goods and services;
  - e. accommodate agricultural vehicles and equipment, as appropriate; and
  - f. provide for the safety of system users.
4. Municipalities will develop and implement *transportation demand management* policies in official plans or other planning documents or programs to:
  - a. reduce trip distance and time;
  - b. increase the *modal share* of alternatives to the automobile, which may include setting *modal share* targets;
  - c. prioritize *active transportation*, transit, and goods movement over single-occupant automobiles;
  - d. expand *infrastructure* to support *active transportation*; and
  - e. consider the needs of *major trip generators*.

### **North Oakville East Secondary Plan**

#### **7.3 COMMUNITY STRUCTURE**

##### **7.3.3 RESIDENTIAL NEIGHBOURHOODS**

Residential neighbourhoods as designated on Figure NOE1 (Community Structure) are comprised of a range of residential densities including significant areas appropriate for ground related housing and live/work opportunities:

- a) Neighbourhood Centre

Neighbourhood Centres are located in the centre of each neighbourhood, within walking distance of most residents. While predominately residential in character, Neighbourhood Centres will permit a range of uses. These uses will be permitted throughout the area but will be focused at a central activity node for the neighbourhood. Neighbourhood Centres have denser development than other parts of the neighbourhood but are predominantly ground related, and, in addition to residential development, will include a range of convenience and service commercial, civic, institutional and live-work functions in buildings at a scale and with a design appropriate to the area.

b) General Urban

General Urban areas, while predominately residential, also provide for live-work functions. Development will be at lower densities than those found in the Neighbourhood Centre.

c) Sub-urban

The least dense and most purely residential context is found in areas in a neighbourhood termed "Sub-urban". While live-work functions are permitted, these areas are primarily residential in nature.

### **7.3.5 NATURAL HERITAGE AND OPEN SPACE SYSTEM**

The Natural Heritage and Open Space System for North Oakville East is part of a larger system which is intended to extend through all of North Oakville. It forms a central feature of the North Oakville East Planning Area. It is comprised of two components, a Natural Heritage component and an Open Space component.

a) The Natural Heritage component of the System is comprised of the following key areas as identified by the policies in the Plan:

iii) High Constraint Stream Corridor Areas

High Constraint Stream Corridor Areas include certain watercourses and adjacent riparian lands, including buffers measured from the stable top-of-bank or meander belts. These areas are located primarily inside Core and Linkage Preserve Areas, but are also found outside such areas. They must be protected in their existing locations for hydrological and ecological reasons.

b) The Open Space component of the Natural Heritage and Open Space System includes open space areas such as stormwater facilities, cemeteries, public parks and schools. The Open Space component of the System will be designed, where possible, to connect to, and enhance the Natural Heritage component of the System

## **7.4 SUSTAINABLE DEVELOPMENT STRATEGY**

### **7.4.7 NATURAL HERITAGE COMPONENT OF THE NATURAL HERITAGE AND OPEN SPACE SYSTEM**

#### **7.4.7.1 Natural Heritage Designations**

The Natural Heritage component of the Natural Heritage and Open Space System, reflecting an alternative Greenlands System as intended by the Regional Plan, is comprised of lands designated “Natural Heritage System Area” on Figures NOE1, NOE2 and NOE4 and “Core Preserve Area”, “Linkage Preserve Area”, “Optional Linkage Preserve Area”, “High Constraint Stream Corridor Area” and “Medium Constraint Stream Corridor Area” on Figure NOE3. It also includes watercourses and features designated as “Other Hydrological Features” on Figure NOE3, to the extent that they are maintained after development occurs, in accordance with the policies in Section 7.4.8.

The Natural Heritage System Area designation is comprised of the following key areas:

c) High Constraint Stream Corridor Areas

High Constraint Stream Corridor Areas as designated on Figure NOE3 include certain watercourses with associated riparian lands, including buffers measured from stable top-of-bank and meander belts. These areas are located primarily inside Core and Linkage Preserve Areas, but are also found outside such areas

They must be protected in their existing locations for hydrological and ecological reasons in accordance with the directions established in the North Oakville Creeks Subwatershed Study.

### **7.5 COMMUNITY DESIGN STRATEGY**

#### **7.5.1 PURPOSE**

This section outlines general design policies for North Oakville East, as well as specific policies for the Neighbourhoods as designated on Schedule NOE1, and the Trafalgar Urban Core Area, Neyagawa Urban Core Area, the Dundas St. Urban Core Area, Employment Districts, and existing development.

#### **7.5.2 MASTER PLAN**

- a) The North Oakville East Master Plan in Appendix 7.3 to the Official Plan is intended to illustrate graphically the design of the North Oakville East Planning Area and how the policies and Figures of the North Oakville East Secondary Plan are to be implemented. The spacing, function and design of intersections of Local Roads with Major Arterial/Transit Corridors (i.e. Regional arterials) shown on Appendix 7.3 have not been approved by the Region, and such intersections shown on Appendix 7.3 and on any subsequent area design plan, plan of subdivision, or other development plan, are subject to Regional approval.
- b) Prior to the commencement of the development of any:



- i) neighbourhood in accordance with the neighbourhood boundaries established on Figure NOE1 and, where applicable, the portion of the Dundas Urban Core that abuts the neighbourhood;
- ii) sub-area within the Trafalgar Urban Core Area identified on Figure NOE1, except that lands in any sub-area on one side of Trafalgar Road may proceed independently of the lands in that sub-area on the other side of Trafalgar Road;
- iii) part of the Neyagawa Urban Core Area;
- or
- iv) sub-area within the Employment Area or the Transitional Area identified by the Town, in consultation with all affected landowners, based on boundaries created by Arterial, Avenue or Connector roads or natural features, provided that a sub-area may include adjacent Employment and Transitional Areas.

The Town shall determine, after consultation with all affected landowners in the specific area, whether proposed plans of subdivision or other development plans for the affected lands are generally consistent with the Master Plan in Appendix

7.3. Where such plans are determined to be generally consistent with the Master Plan, development may be permitted to proceed without the preparation of an area design plan.

- c) The Town shall require the preparation of an area design plan to the satisfaction of the Town, prior to draft plan approval or approval of other development plans in a specific area identified in subsection b), where:
  - i) proposed plans of subdivision or other development plans for the area are not generally consistent with the Master Plan in Appendix 7.3;
  - ii) the Town after consultation with all affected landowners, determines that an area design plan is required to address coordination issues between landowner plans;
  - iii) the Town, after consultation with all affected landowners, determines that an area design plan is required to address coordination issues between areas identified in 7.5.2 b) i) to iv); or
  - iv) any significant development is proposed in the Transitional Area designation.
- d) The area to be addressed by the area design plan will include, as applicable, one or more of the areas identified in subsection b).
- e) The area design plan will be designed to demonstrate conformity with the policies and Figures of the Secondary Plan and will provide details including:
  - i) the size and location of schools, neighbourhood parks, village squares and urban squares;
  - ii) the location, size and general configuration of stormwater management ponds;
  - iii) the detailed road pattern;
  - iv) the specific boundaries of neighbourhood land use categories and other designations;
  - v) the density and distribution of housing types;
  - vi) how the proposal addresses the Town's Implementation Strategy;

- vii) the location, alignment and boundaries of Medium Constraint Streams;
  - viii) co-ordination with land uses and road patterns for lands outside, but adjacent to the lands which are the subject of the area design plan; and
  - ix) the requirements for Transitional Areas as set out in Section 7.6.9.3 a).
- f) Such area design plans shall be prepared in accordance with terms of reference approved by the Town and the applicant(s), by a consultant approved by the Town and the applicant(s), and retained by, and at the cost of, the applicant(s).
- g) In the preparation of the terms of reference, the Development Review provisions of Section 7.8 of this Plan will be used as a guide.
- h) A proposed plan of subdivision or other development plan shall be considered to be inconsistent with the Master Plan, as referenced in subsection c) i), if it does not conform to the General Design Directions in Section 7.5.4, or results in coordination issues between areas identified in subsection b. The following will generally not be considered to be inconsistent with the Master Plan, provided that the Town determines that the plan of subdivision or other development plan conforms with the policies and Figures of the Secondary Plan:
  - i) modifications to, or relocations of portions of the road pattern;
  - ii) modifications to Medium or Low Constraint Stream Corridors or Hydrologic Features “A” and “B”;
  - iii) relocation of public facilities including parks, schools and stormwater ponds; or
  - iv) reconfiguration of the neighbourhood land use categories generally in accordance with the neighbourhood land use category requirements of Table 1. However, any reconfiguration of neighbourhood land use categories proposed by a plan of subdivision or other development plan that necessitates significant changes to the distribution of neighbourhood land use categories on other land ownerships, in order to maintain general conformity with Table 1, will require the preparation of an area design plan.
- i) The approval of an area design plan by the Town shall not require an amendment to this Plan.

#### **7.5.4 GENERAL DESIGN DIRECTIONS**

- a) All development, particularly in the Urban Core Areas, Neighbourhood Centre and General Urban Areas, shall be designed to be compact, pedestrian and transit friendly in form. Mixed use development will be encouraged.
- c) Development shall be based on a modified grid road system with interconnected networks of roads designed to disperse and reduce the length of vehicular trips and support the early integration and sustained viability of transit service. For local roads not shown of Figure NOE4, the modified grid road system will respond to topography and the Natural Heritage System component of the

Natural Heritage System and Open Space System. Cul-de-sacs will generally be permitted only when warranted by natural site conditions.

#### **7.5.5.3 Avenue and Connector/Transit Corridors**

Avenue/Transit Corridors and Connector/Transit Corridors as designated on Figure NOE4 connect neighbourhoods together and to Urban Core Areas and other major focal points of the community. These roads will have a higher level of design than the Local Streets through the extended use of tree and feature planting, paving, lighting and signage design. The design will complement the planned abutting land uses. For example, where these streets provide access to street related retail and mixed use development, in the Urban Cores and Neighbourhood Centres, their design shall include on-street parking, wider sidewalks, and street furniture such as benches.

### **7.5.12 NEIGHBOURHOODS**

Figure NOE1 identifies the neighbourhood structure for North Oakville East. Each neighbourhood will have distinctive characteristics, but with the following common features:

- a) Each neighbourhood will include at its centre, approximately a five minute walk from most areas of the neighbourhood, a neighbourhood activity node which would include a transit stop and other public facilities which serve the neighbourhood such as central mail boxes or mail pickup facilities. In addition, convenience commercial facilities or similar uses will be encouraged to locate at the neighbourhood activity node.
- b) Neighbourhoods shall be primarily residential in character, but will include mixed use development including commercial, institutional, live-work and civic facilities;
- c) Within neighbourhoods, a range of lot sizes, building types, architectural styles and price levels shall be provided to accommodate diverse ages and incomes;

## **7.6 LAND USE STRATEGY**

### **7.6.1 PURPOSE**

The land use designations on Figure NOE2 establish the general pattern of development for the existing and future use of the North Oakville East Planning Area during the planning period. The policies for these designations are set out in this section.

### **7.6.7 NEIGHBOURHOOD AREA**

#### **a) Purpose**

The Neighbourhood Area designation on Figure NOE2 is applicable to areas intended for the development of residential neighbourhoods. Each neighbourhood is identified on Figure NOE1. The neighbourhoods will each include a neighbourhood central activity node, a five minute walk from most residences, which will include public facilities that serve the neighbourhood. Live/work units and limited commercial uses will also be encouraged to locate in this area.

b) Land Use Policies

Each neighbourhood will be developed with a mix of development based on the following land use categories. The land use categories, Neighbourhood Centre, General Urban and Sub-urban, shall be represented in each neighbourhood, with the exception of Neighbourhood 14, generally in accordance with the percentages in Table 1 to this Secondary Plan.

**7.6.7.1 Neighbourhood Centre Area**

a) Purpose

The Neighbourhood Centre Area land use category on Appendix 7.3 will generally be used for areas located central to each neighbourhood. It is intended to accommodate a range of medium density residential , mixed use, live/work units and limited commercial and civic uses focused at a central neighbourhood activity node to serve neighbourhood residents.

b) Permitted Uses, Buildings and Structures

- The permitted uses shall be medium density residential, mixed use and small scale convenience retail, personal service, restaurants and business activity, as well as public and institutional uses including village squares. Business activity may include a range of small scale uses including offices, medical clinics, workshops for artisans and artists studios.
- Permitted uses shall be primarily located in mixed use or medium density residential buildings. Both mixed use and single use buildings shall be permitted and this may include convenience commercial buildings in accordance with the provisions in Subsection c) below.
- Notwithstanding the above, a minimum of one mixed use or non-residential building, in accordance with the provisions of Section 7.6.7.1c) is required at the intersection of each neighborhood activity node identified on Figure NOE1.

c) Land Use Policies

- Mixed-use development will be focused at neighbourhood activity nodes, identified on Figure NOE1, which will include a transit stop and other public facilities which serve the neighbourhood such as central mail boxes, or mail pickup facilities. In addition, convenience commercial facilities or similar uses will be encouraged to locate in these areas.
- A mix of uses shall be permitted at the following heights and densities:
  - Minimum density - FSI of 0.5 for mixed use;
  - Maximum density - FSI of 2 for mixed use;
  - Minimum density - 35 units per net hectare for residential;
  - Maximum density - 150 units per net hectare for residential;
  - Minimum height - 2 storeys; and,
  - Maximum height - 6 storeys (OPA321).
- The zoning by-law shall establish minimum and maximum setbacks and implement densities and other standards to ensure that development achieves the minimum standards required as a basis for the creation of this centre area. In particular, on-street parking will be permitted and may be



utilized to meet parking standards for commercial and other non-residential development, and in such circumstances, live/work buildings may require no additional parking for the “work” component.

- The Town will require that a variety of building types be developed throughout the Neighbourhood Centre Area land use category in each neighbourhood. The location of building types shall be controlled through the zoning by-law. In this context, notwithstanding the permitted uses and maximum permitted density and height, consideration may be given by the Town to limited areas of housing, which may include public, convenience commercial or similar uses on the ground floor, with a minimum density of 150 units per net hectare and a maximum density of 250 units per net hectare located in proximity to the Core Preserve Area. However, the Town shall be satisfied that the development is appropriate to the context and may require the submission of studies, models and/or plans which address that consideration. In addition, the Town shall be satisfied that the total number of units and population for the plan of subdivision is the same as, or greater than, that which would be required by land use category distribution in Table 1.

#### **7.6.7.2 General Urban Area**

a) Purpose

The General Urban Area land use category on Appendix 7.3 is intended to accommodate a range of low and medium density residential development.

b) Permitted Uses, Buildings and Structures

- The permitted uses shall be low and medium density residential uses and home occupation and home business uses.
- Permitted uses shall be located in low or medium density residential buildings.

c) Land Use Policies

- A mix of housing types shall be permitted at the following heights and densities:
  - Minimum density - 25 units per net hectare;
  - Maximum density - 75 units per net hectare; and,
  - Maximum height - 3 storeys.
- The Town will require that a variety of residential building types be developed throughout the General Urban Area designation in each neighbourhood. The location of building types shall be controlled through the zoning by-law. In this context, notwithstanding the minimum density, consideration may be given by the Town to limited areas of housing at a minimum density of 20 units per net hectare in areas abutting the Core Preserve Area designation or other significant open space features. In this addition, notwithstanding the permitted uses and maximum permitted density and height, the Town may also give consideration to limited areas of housing with a minimum density of 75 units per net hectare and a maximum density of 250 units per net hectare located in proximity to the

Core Preserve Area and to the Neighbourhood Centre Area. However, the Town shall be satisfied that the development is appropriate to the context and may require the submission of studies, models and/or plans which address that consideration. In addition, with respect to any development which results in a density exception, the Town shall be satisfied that the total number of units and population for the plan of subdivision is the same as, or greater than, that which would be required by land use category distribution in Table 1.

- Home occupations and home businesses shall be permitted in dwellings and accessory buildings in accordance with the regulations of the zoning by-law.
- The zoning by-law shall establish minimum and maximum setbacks, and implement densities and other standards to ensure that development achieves the minimum standards required as a basis for the creation of this residential area.
- Village squares may also be permitted within the General Urban Area designations subject to the provisions of Section 7.6.13.

### **7.6.7.3 Sub-urban Area**

#### **a) Purpose**

The Sub-Urban Area land use category on Appendix 7.3 is intended to accommodate a range of low density residential development.

#### **b) Permitted Uses, Buildings and Structures**

- The permitted uses shall be low density residential uses and home occupation and home business uses.
- Permitted uses shall be located in low density residential buildings.

#### **c) Land Use Policies**

- Residential uses, which shall primarily consist of single, semi-detached and duplex residences, shall be permitted at the following heights and densities:
  - Minimum density – 15 units per net hectare;
  - Maximum density – 35 units per net hectare; and,
  - Maximum height – 3 storeys.
- Notwithstanding the minimum density, consideration may be given by the Town to some very limited areas of housing at a minimum density of 10 units per net hectare in areas abutting the Core Preserve Area designation or other significant open space features. However, the Town shall be satisfied that the total number of units and population for the plan of subdivision is the same as, or greater than, that which would be required by land use category distribution in Table 1.
- Home occupations and home businesses shall be permitted in the dwelling and accessory buildings in accordance with the regulations of the zoning by-law.
- Village squares may also be permitted within the Sub-urban Area

designations subject to the provisions of Section 7.6.13;

## **7.6.12 NEIGHBOURHOOD PARK AREA**

### **7.6.12.1 Purpose**

The Neighbourhood Park Area designation on Figure NOE2 is a conceptual designation which is intended to identify the general location of Neighbourhood Parks. It applies to parkland which provides a variety of outdoor recreational experiences and which serve one or more neighbourhoods. Typically, these parks will contain creative playground apparatus, sports fields and other recreation facilities which may be illuminated, a park building with washrooms, as well as general use open space and seating areas. Generally, Neighbourhood Parks will be maintained as active parkland, although there may be areas which are maintained as natural, passive parkland.

### **7.6.12.2 Permitted Uses, Buildings and Structures**

The main permitted uses shall be the range of active and passive recreation uses appropriate to the neighbourhood scale ranging from sports fields, splash pads, tennis courts, seating areas and nature viewing. Accessory parking areas shall also be permitted.

### **7.6.12.3 Land Use Policies**

- a) Ten Neighbourhood Parks will be provided in North Oakville East. The conceptual designation of Neighbourhood Parks on Figure NOE2 will be refined during the preparation of detailed plans of subdivision. The Town shall carry out a Parks Facilities Distribution Plan as set out in Section 7.7.4.2 to determine the function and facilities which will be developed for each park. Where a Neighbourhood Park is not developed on all or a portion of a particular site, uses permitted in the underlying land use designation on Figure NOE2 shall be permitted.
- b) The size and configuration of each park shall be consistent with the policies of the Town and this Plan. Neighbourhood Parks shall generally meet the following criteria:
  - Walk to and/or drive to facilities;
  - Designed and located to be well served by transit facilities;
  - Generally located within neighbourhood boundaries as shown on Figure NOE1;
  - Approximately 4.25 ha in size with a minimum of 2 major sports fields, but may range from 4.0 ha. to 4.5 ha.
- c) Whenever possible, to minimize impacts on residential development, Neighbourhood Parks shall be:
  - located adjacent or abutting non-residential uses including elementary school sites, places of worship, commercial development and/or Core or Linkage Preserve Areas, and,

- designed to mitigate the impacts of activities which generate light and noise on residential properties through the use of measures such as separation distances within the park, directional lighting and buffering such as landscaping and fences.

### **7.6.13 VILLAGE SQUARE AREA**

#### **7.6.13.1 Purpose**

The Village Square Area designation on Figure NOE2 is a conceptual designation that represents a general location for generally passive open space areas which are intended to serve as focal points for portions of a neighbourhood.

#### **7.6.13.2 Permitted Uses, Buildings and Structures**

The main permitted uses shall include a range of active and passive recreation uses from gazebos, seating areas, and nature viewing to junior playgrounds and areas for unorganized recreational and leisure activities.

#### **7.6.13.3 Land Use Policies**

- a) Approximately 30 Village Squares will be provided in North Oakville East, and where they are in public ownership, Urban Squares in the Trafalgar Urban Core Area, with the total number related to the ultimate size of individual facilities. The exact location and configuration of Village Squares on Figure NOE2 will be established during the preparation of plans of subdivision or other development plans. The Town shall carry out a Parks Facilities Distribution Plan as set out in Section 7.7.4.2 to determine the function and facilities which will be developed for each Village Square. Where a Village Square is not developed on all or a portion of a particular site, uses permitted in the underlying land use designation on Figure NOE2 shall be permitted.
- b) Village Squares shall generally meet the following criteria:
  - Walk to facilities;
  - Approximately 0.3 hectares in size with a tot lot and other passive recreational facilities, but may be larger or smaller depending on the location and facilities accommodated, but will have a maximum area of 0.5 ha, except for one larger Village Square that will be provided in Neighbourhood 14 which will be no more than 1.0 hectare in area.

### **7.6.14 ELEMENTARY AND SECONDARY SCHOOL SITES**

#### **7.6.14.1 Purpose**

- The Elementary and Secondary School Site designation on Figure NOE2 is a conceptual designation intended to recognize general potential locations for publicly funded elementary and secondary schools.

#### **7.6.14.2 Permitted Uses, Buildings and Structures**



- The main permitted uses shall be schools, and other public and institutional uses including day care centres, as well as community and neighbourhood parks.

#### 7.6.14.3 Land Use Policies

- a) The School Area designation denotes general potential locations for publicly funded elementary and secondary schools. The exact number, location and configuration of school sites will be established during the preparation of plans of subdivision in consultation with the Boards of Education, and without further amendment to this Plan.
- b) The number of schools and the size and configuration of each school shall be consistent with the policies and requirements of the respective School Board and the policies of this Plan.
- c) Whenever possible, schools shall be located adjacent to Community or Neighbourhood Park sites. Schools, particularly secondary schools, will also be located so that they will be well served by transit. The Town shall continue to pursue, and shall work with the School Boards to achieve, multiple public use facilities as part of the subdivision design process as well as innovative urban design and building design approaches for schools, community facilities and other institutional uses with the objectives of maximizing the utility of the land while ensuring that the needs of those uses are met.
- d) Where a school is not developed on all or a portion of a particular site, uses permitted in the underlying land use designation on Figure NOE2 shall be permitted. Other uses which are compatible in scale and provide a service to the surrounding community may also be permitted, subject to the approval of the Town, including:
  - Open space uses particularly parks or linkages which contribute to the creation of the Natural Heritage and Open Space System where deemed to be required, appropriate for such uses and financially feasible by the Town; and,
  - Institutional uses such as private schools, places of worship, day care centres, and community service or cultural buildings.

#### 7.9.4 LANDOWNERS AGREEMENT(S)

In order to ensure the appropriate and orderly development of the Secondary Plan area, and to ensure the costs associated with the development of the Secondary Plan are equitably distributed among all landowners, development within the Secondary Plan area shall only be permitted to proceed when a significant number of landowners in the Secondary Plan area have entered into a cost sharing agreement or agreements amongst themselves to address the distribution of costs associated with development in a fair and equitable manner. Individual developments in the Secondary Plan area shall generally not be approved until the subject landowner has become a party to the landowners' cost sharing agreement.

**APPENDIX C**

**THE CORPORATION OF THE TOWN OF OAKVILLE**

**BY-LAW NUMBER 2023-036**

A by-law to amend the North Oakville Zoning By-law 2009-189, as amended, to permit the use of lands described as Part of Lots 8 & 9, Concession 1, North of Dundas Street (Mattamy (Joshua Creek) Limited – Phase 3) – Z.1307.07

**COUNCIL ENACTS AS FOLLOWS:**

1. Map 12(6) of By-law 2009-189, as amended, is amended by rezoning the lands as depicted on Schedule 'A' to this By-law.
2. Section 8, Special Provisions, of By-law 2009-189, as amended, is further amended by deleting the header on Section 8.97 as follows:

|           |  |                          |
|-----------|--|--------------------------|
| <b>97</b> | <b>Argo (Joshua Creek) Developments Ltd. - Part of Lot 8, Concession 1, NDS</b>      | Parent Zone: NC          |
| Map 12(6) | <b>Mattamy (Joshua Creek) Limited</b><br>Part of Lots 8 & 9, Concession 1,<br>N.D.S. | (2021-040)<br>(2023-036) |

3. Section 8, Special Provisions, of By-law 2009-189, as amended, is further amended by deleting the header on Section 8.101 as follows:

|            |  |  |
|------------|--|--|
| <b>101</b> | <b>Mattamy (Joshua Creek) Limited</b>  | Parent Zone: GU                        |
| Map 12(6)  | Part of Lots 7, 8 and 9, Concession 1,<br>NDS<br><b>Argo (Joshua Creek) Developments Ltd. - Part of Lot 8, Concession 1, NDS</b> | (2021-040)<br>(2021-046)<br>(2023-036) |

4. Section 8, Special Provisions, of By-law 2009-189, as amended, is further amended by adding a new Section 8.128, as follows:

|            |                                       |                |
|------------|---------------------------------------|----------------|
| <b>128</b> | <b>Mattamy (Joshua Creek) Limited</b> | Parent Zone: S |
| Map 12(6)  | Part of Lot 8 & 9, Concession 1, NDS  | (2023-036)     |

| 8.128.1 Zone Provisions for all lands   |  |       |
|---|--|-------|
| The following regulations apply to all lands identified as subject to this Special Provision:                         |  |       |
| a)  | Notwithstanding the maximum width in Table 4.21(g), the maximum width of Bay, Box Out and Bow Windows with or without foundations which may be a maximum of three <i>storeys</i> in <i>height</i> and which may include a door.  | 4.0 m |
| b)  | For <i>corner lots</i> or lots abutting the Natural Heritage System (NHS) zone, a <i>porch</i> shall have a minimum depth from the exterior of the <i>building</i> to the outside edge of the <i>porch</i> of 1.5 metres. Required depths shall be provided for a minimum of 40% of the <i>porch</i> . However, steps and other obstructions may encroach a maximum of 0.3 metres into the required depth. |       |
| c)  | <i>Porches</i> shall have walls that are open and unenclosed for at least 40% of the total area of the vertical planes forming its perimeter, other than where it abuts the exterior of the <i>building</i> or insect screening.   |       |
| d)  | Notwithstanding the minimum <i>rear setback yard</i> in Section 7.6.2, the minimum <i>rear yard setback</i> for a <i>single detached dwelling street access</i> attached <i>private garage</i> abutting the Natural Heritage System (NHS) zone.  | 6.0 m |
| 8.128.2 Additional Zone Regulations for Blocks 1 and 2  |  |       |
| The following additional regulations apply to the lands identified as Blocks 1 and 2 on Figures 8.128.1, and 8.128.2: |  |       |
| a)  | Minimum <i>lot depth</i>   | 20 m  |
| 8.128.3 Special Site Figure   |  |       |

Figure 8.128.1

Special Provision 128

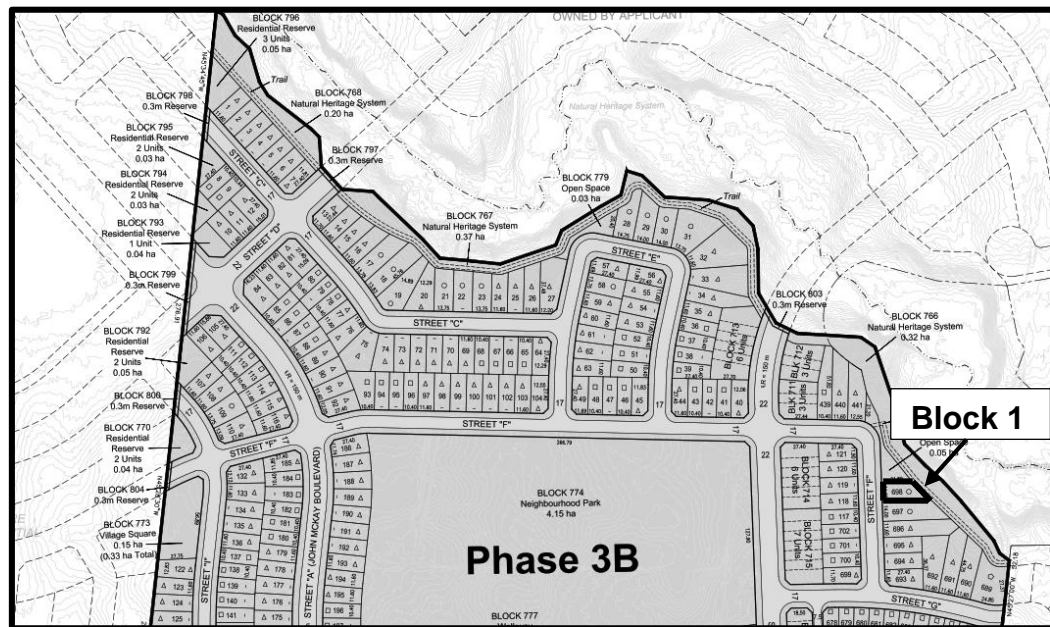
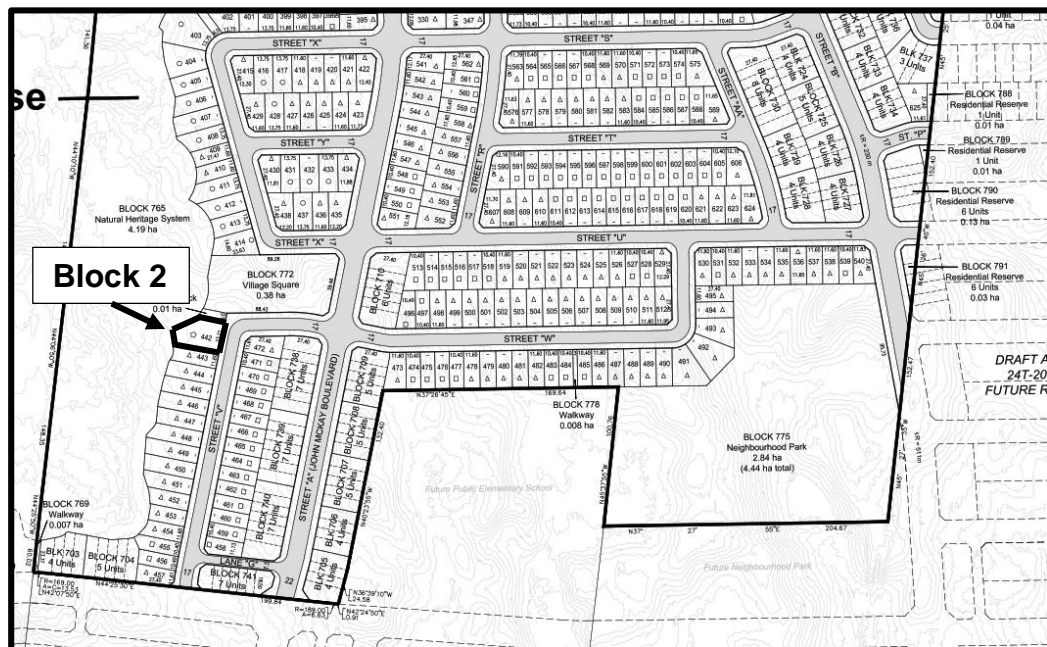
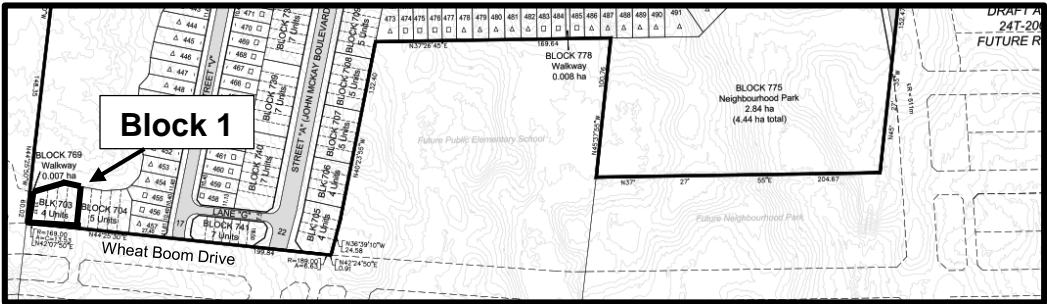


Figure 8.128.2





5. Section 8, Special Provisions, of By-law 2009-189, as amended, is further amended by adding a new Section 8.129, as follows:

|  |  |                 |
|--|--|-----------------|
| <b>129</b>   | <b>Mattamy (Joshua Creek) Limited</b>  | Parent Zone: NC |
| Map 12(6)  | Part of Lot 8 & 9, Concession 1, NDS   | (2023-036)      |
| <b>8.129.1 Zone Provisions for all lands</b>   |  |                 |
| The following regulations apply to all lands identified as subject to this Special Provision:    |  |                 |
| a)   | Notwithstanding the maximum width in Table 4.21(g), the maximum width of Bay, Box Out and Bow Windows with or without foundations which may be a maximum of three <i>storeys</i> in <i>height</i> and which may include a door.  | 4.0 m           |
| b)   | For <i>corner lots</i> or lots abutting the Natural Heritage System (NHS) zone, a <i>porch</i> shall have a minimum depth from the exterior of the <i>building</i> to the outside edge of the <i>porch</i> of 1.5 metres. Required depths shall be provided for a minimum of 40% of the <i>porch</i> . However, steps and other obstructions may encroach a maximum of 0.3 metres into the required depth. |                 |
| c)   | <i>Porches</i> shall have walls that are open and unenclosed for at least 40% of the total area of the vertical planes forming its perimeter, other than where it abuts the exterior of the <i>building</i> or insect screening.   |                 |
| <b>8.129.2 Additional Zone Regulations for Block 1</b>   |  |                 |
| The following additional regulations apply to the lands identified as Block 1 on Figure 8.129.1: |  |                 |
| a)   | Minimum <i>rear yard</i> setback for the end <i>dwelling unit</i> adjacent to the walkway  | 3.5 m           |
| <b>8.129.3 Special Site Figure</b>   |  |                 |
| Figure 8.129.1 Special Provision 129   |  |                 |
|              |  |                 |

6. Section 8, Special Provisions, of By-law 2009-189, as amended, is further amended by adding a new Section 8.130 as follows:

|   |  |                 |
|---|--|-----------------|
| <b>130</b>  | <b>Mattamy (Joshua Creek) Limited</b>  | Parent Zone: NC |
| Map 12(6)   | Part of Lot 8 & 9, Concession 1, NDS   | (2023-036)      |
| <b>8.130.1 Only Permitted Building Types</b>  |  |                 |
| The following <i>Building Types</i> are the only <i>Building Types</i> permitted:               |  |                 |
| a)  | <i>Connected commercial/residential building</i>   |                 |
| <b>8.130.2 Zone Provisions</b>  |  |                 |
| The following regulations apply to all lands identified as subject to this Special Provision:   |  |                 |
| a)  | Minimum and maximum <i>Floor Space Index</i> shall not apply to a <i>connected commercial/residential building</i>                               |                 |
| b)  | Each <i>dwelling unit</i> shall include a <i>commercial</i> component on the ground floor for a <i>connected commercial/residential building</i> |                 |
| c)  | Section 4.17.1 i) shall not apply.   |                 |
| <b>8.130.3 Parking Regulations</b>  |  |                 |
| The following parking regulations apply to a <i>connected commercial/residential building</i> : |  |                 |
| a)  | For the <i>commercial</i> component up to 90 square metres – 2 <i>parking spaces</i> which may be provided in tandem                             |                 |

7. Section 8, Special Provisions, of By-law 2009-189, as amended, is further amended by adding a new Section 8.131, as follows:

|   |   |                 |
|---|---|-----------------|
| <b>131</b>  | <b>Mattamy (Joshua Creek) Limited</b>   | Parent Zone: GU |
| Map 12(6)   | Part of Lot 8 & 9, Concession 1, NDS  | (2023-036)      |
| <b>8.131.1 Zone Provisions for all lands</b>  |   |                 |
| The following regulations apply to all lands identified as subject to this Special Provision: |   |                 |
| a)  | Notwithstanding the maximum width in Table 4.21(g), the maximum width of Bay, Box Out and Bow Windows with or without foundations which may be a maximum of three <i>storeys</i> in <i>height</i> and which may include a door. | 4.0 m           |

|    |  |       |
|----|--|-------|
| b) | For <i>corner lots</i> or lots abutting the Natural Heritage System (NHS) zone, a <i>porch</i> shall have a minimum depth from the exterior of the <i>building</i> to the outside edge of the <i>porch</i> of 1.5 metres. Required depths shall be provided for a minimum of 40% of the <i>porch</i> . However, steps and other obstructions may encroach a maximum of 0.3 metres into the required depth. |       |
| c) | <i>Porches</i> shall have walls that are open and unenclosed for at least 40% of the total area of the vertical planes forming its perimeter, other than where it abuts the exterior of the <i>building</i> or insect screening.   |       |
| d) | Notwithstanding the minimum <i>rear setback yard</i> in Section 7.6.2, the minimum <i>rear yard setback</i> for a <i>single detached dwelling street access</i> attached <i>private garage</i> abutting the Natural Heritage System (NHS) zone.  | 6.0 m |

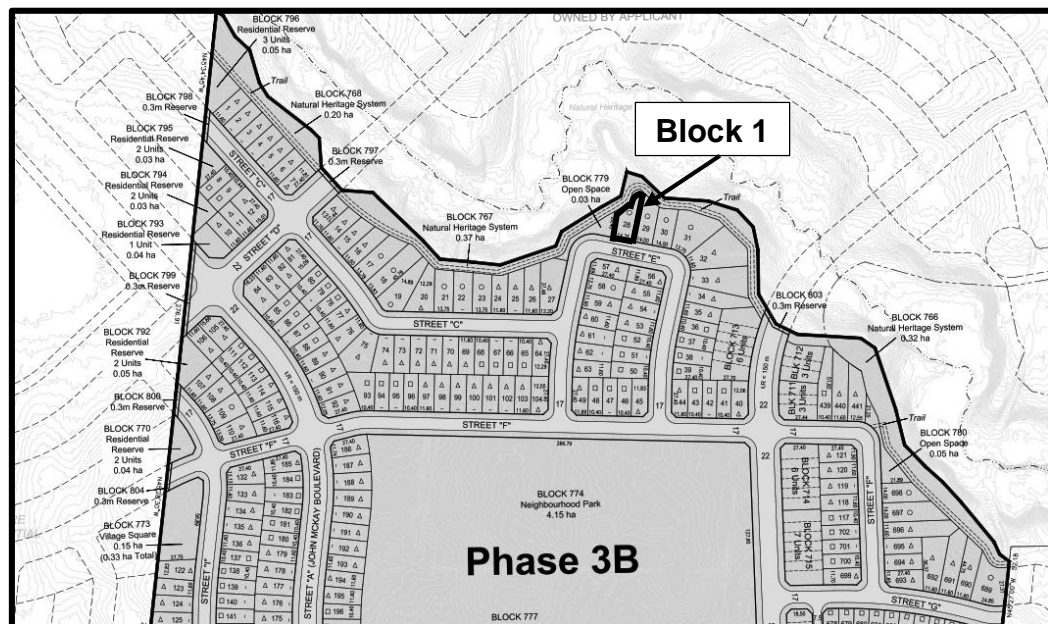
### 8.131.2 Additional Zone Regulations for Block 1

The following additional regulations apply to the lands identified as Block 1 on Figure 8.131.1:

|    |                          |      |
|----|--------------------------|------|
| a) | Minimum <i>lot depth</i> | 20 m |
|----|--------------------------|------|

### 8.131.3 Special Site Figure

Figure 8.131.1 Special Provision 131



8. Part 9, Holding Provisions, of By-law 2009-189, as amended, is further amended by adding a new Section 9.60 as follows:

|   |   |                           |
|---|---|---------------------------|
| H60   | Mattamy (Joshua Creek) Limited<br>Part of Lot 8 & 9, Concession 1, NDS  | Parent Zone: GU, S,<br>NC |
| Map 12(6)   |   | (2023-036)                |
| 9.60.1 Only Permitted Uses Prior to Removal of the “H”  |   |                           |
| For such time as the “H” symbol is in place, these lands shall only be used for the following <i>uses</i> :   |   |                           |
| a)  | Legal <i>uses, buildings</i> and <i>structures</i> existing on the <i>lot</i>   |                           |
| 9.60.2 Conditions for Removal of the “H”  |   |                           |
| The “H” symbol shall, upon application by the landowner, be removed from all or part of the lands subject to the “H” symbol by the <i>Town</i> passing a By-law under Section 36 of <i>the Planning Act</i> . The following condition(s) shall first be completed to the satisfaction of the Town of Oakville and the Region of Halton: |   |                           |
| a)  | The Owner shall secure the appropriate amount of water and wastewater Servicing Allocation under the Region of Halton Allocation Program; |                           |
| b)  | The Owner shall have signed the applicable Allocation Agreement or any required Amending Agreements;                                      |                           |
| c)  | The Owner shall have made all required payments associated with the Allocation Program; and   |                           |
| d)  | The Owner shall be in receipt of the Region of Halton Public Works Commissioner’s Notice (PWCN) letter.                                   |                           |

9. This By-law comes into force in accordance with Section 34 of the *Planning Act*, R.S.O. 1990, c. P.13, as amended.

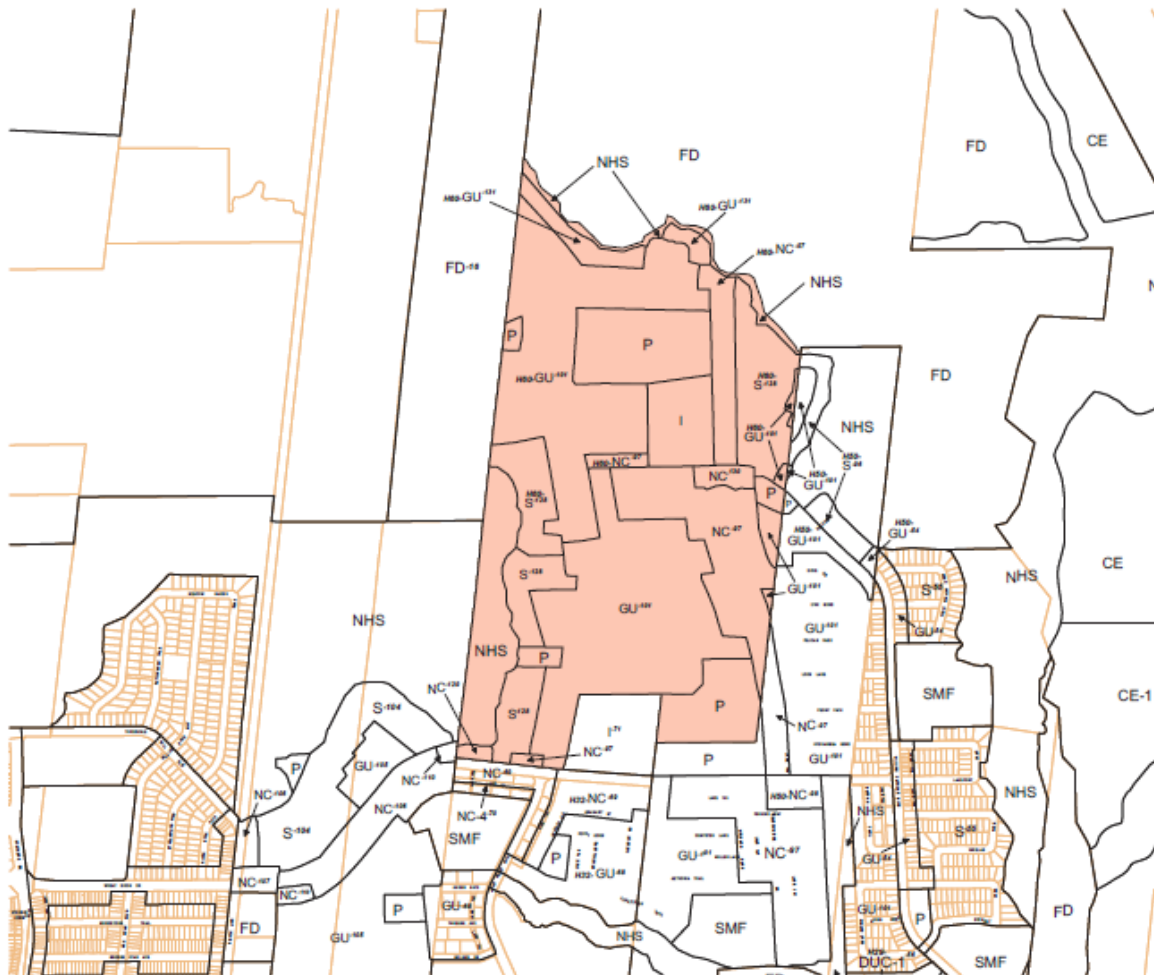
PASSED this 15th day of May, 2023

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CLERK



**SCHEDULE "A"**  
**To By-law 2023-036**



**AMENDMENT TO BY-LAW 2009-189**



Rezoned from Future Development (FD)  
to General Urban (H60-GU sp:131);  
General Urban (H60-GU sp:101);  
Natural Heritage System (NHS);  
Institutional (I);  
Sub-urban (H60-S sp:128);  
Sub-urban (S sp:128);  
Neighbourhood Centre (NC sp:97);  
Neighbourhood Centre (H60-NC sp:97);  
Neighbourhood Centre (NC sp:129);  
General Urban (GU sp:101);  
Neighbourhood Centre (NC sp:130);and,  
Park (P)

EXCERPT FROM MAP  
12 (6)



SCALE: 1:10,000

## REPORT

### Planning and Development Council

**Meeting Date: May 15, 2023**

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**FROM:** Planning Services Department

**DATE:** May 2, 2023

**SUBJECT:** Recommendation Report, Draft Plan of Subdivision and Condominium, 2667711 Ontario Inc., 239-249 Rebecca Street, File No. 24T-22007/1617 & 24CDM- 22005/1617

**LOCATION:** 239-249 Rebecca Street

**WARD:** Ward 2

Page 1

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#### RECOMMENDATION:

1. That the Draft Plan of Subdivision and Draft Plan of Condominium applications (File No.: 24T-22007/1617 and 24CDM-22005/1617) submitted by 2667711 Ontario Inc., be approved on the basis that the applications are consistent with the Provincial Policy Statement, conforms or does not conflict with all applicable Provincial plans, conforms with the Region of Halton Official Plan and the Livable Oakville Plan, has regard for matters of Provincial interest, and represents good planning for the reasons outlined in the report from the Planning Services Department dated May 2, 2023.
2. That the Director of Planning Services be authorized to grant draft plan approval to the Draft Plan of Subdivision (24T-22007/1617 submitted by 2667711 Ontario Inc., and prepared by J.D. Barnes Limited dated July 20, 2022, subject to the conditions contained in Appendix A.
3. That the Director of Planning Services be authorized to grant draft plan approval to the Draft Plan of Condominium (24CDM-22005/1617) submitted by 2667711 Ontario Inc., and prepared by J.D. Barnes Limited dated July 20, 2022, subject to the conditions contained in Appendix B.
4. That notice of Council's decision reflects that Council has fully considered all the written and oral submissions relating to this matter and that those comments have been appropriately addressed.

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## KEY FACTS:

The following are key points for consideration with respect to this report:

- **Background:** The subject property is a consolidation of two former lots with detached dwellings known as 231 and 237 Rebecca Street. An Official Plan Amendment and Zoning By-law Amendment were submitted to redesignate the subject property to Medium Density Residential and rezone the subject property to Residential Medium 1 Zone to permit 6 townhouse units. Both applications were denied by Council on April 18, 2017. This decision was appealed then subsequently approved by the Ontario Municipal Board on July 6, 2018. Final Site Plan Approval was granted on February 14, 2020, and the six townhouse units are under construction.
- **Location:** The subject property is generally located at the northeast corner of Dorval Drive / Margaret Drive and Rebecca Street. It is comprised of 0.12 hectares (0.3 acres) with frontage of 38.16 m (125.2 ft.) along Rebecca Street, 29.92 m (98.2 ft) frontage along Margaret Drive and is municipally known as 239-249 Rebecca Street.
- **Policy Context:** The subject property is designated 'Medium Density Residential' and is identified as 'Residential Areas' on Schedule A1 (Urban Structure), which represent the areas that provide for stable residential communities. Intensification may occur within 'Residential Areas' provided the character of the area is preserved and the overall urban structure of the Town is upheld.
- **Zoning:** The subject property is zoned RM1, which permits townhouse dwellings, and is subject to Special Provision 377 which provides for site-specific zoning regulations, parking provisions and special site provisions.
- **Proposal:** The purpose of the draft plan of subdivision application is to permit future land division through part-lot control exemption which would create individual parcels of tied land for each of the six townhouse units. The parcels of tied land would be tied to the proposed draft plan of common element condominium comprised of a private laneway and landscaping.
- **Public Consultation:** An applicant-initiated virtual Public Information Meeting ("PIM") was held on September 13, 2022 and was attended by 7 residents. Minutes of the PIM are appended as **Appendix 'C'**. As of the date of this report, no public comments have been received.
- **Timing:** The applications were deemed complete on October 26, 2022. The *Planning Act* provides for a 120-day timeline from when the application is

deemed complete to decide (February 23, 2023), failing which the Applicant could have filed an appeal for non-decision.

- **Recommendation:** Staff recommend approval of the draft plan of subdivision and draft plan of condominium applications as the proposed development is consistent with the Livable Oakville Plan. The proposal is also consistent with the Provincial Policy Statement 2020, conforms to all applicable Provincial plans, and the Region of Halton Official Plan. Draft plan conditions have been recommended to address the conditions of approval based on agency comments and are attached as **Appendix 'A' & 'B'** to this report.

## **BACKGROUND:**

The purpose of this report is to provide a comprehensive staff review of the application and a staff recommendation on the proposed draft plan of subdivision and condominium by 2667711 Ontario Inc.

The purpose of the draft plan of subdivision application is to permit future land division through part-lot control exemption which would create individual parcels of tied land for each of the six townhouse units. The parcels of tied land would be tied to the proposed draft plan of common element condominium comprised of a private laneway and landscaping. The effect of the proposed draft plan of subdivision and condominium is to facilitate transfer of each of the six townhouse units to the beneficial purchasers with condominium tenure.

## **Proposal**

The subject property is a consolidation of two former lots with detached dwellings known as 231 and 237 Rebecca Street. An Official Plan Amendment and Zoning By-law Amendment were submitted to redesignate the subject property to Medium Density Residential and rezone the subject property to Residential Medium 1 Zone to permit 6 townhouse units. Both applications were denied by P&D Council on April 18, 2017. This decision was appealed then subsequently approved by the Ontario Municipal Board on July 6, 2018. Final Site Plan Approval (SP.1617.057/01) was granted on February 14, 2020, and the six townhouse units are under construction.



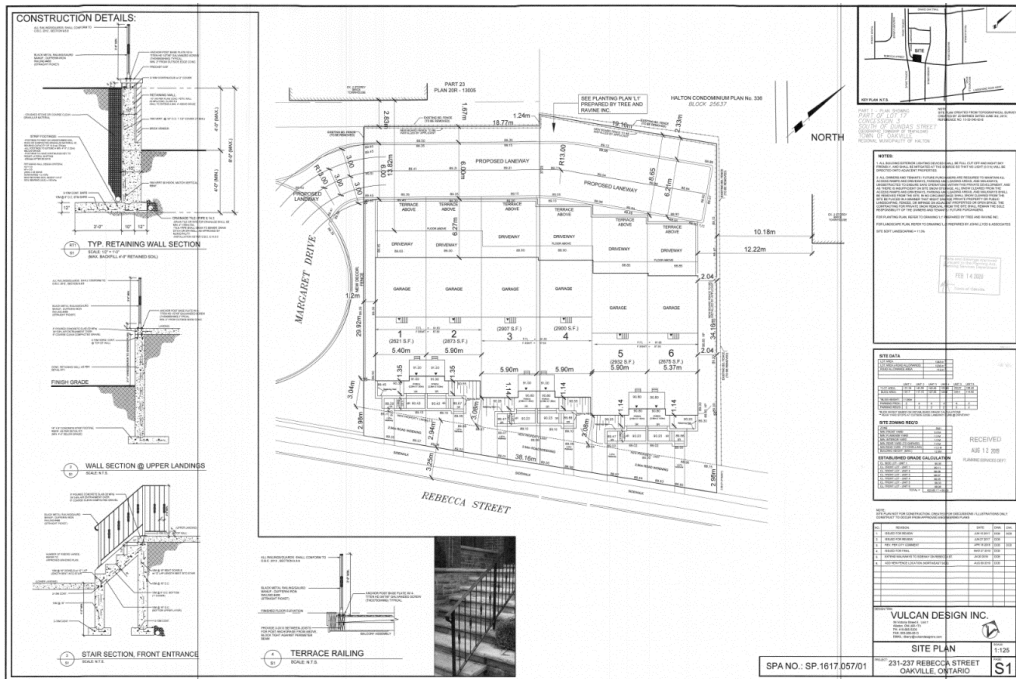


Figure 1: Approved Site Plan

The proposed common element condominium block, will encompass the private laneway, fencing, as well as associated landscaping, as illustrated in Figure 3:

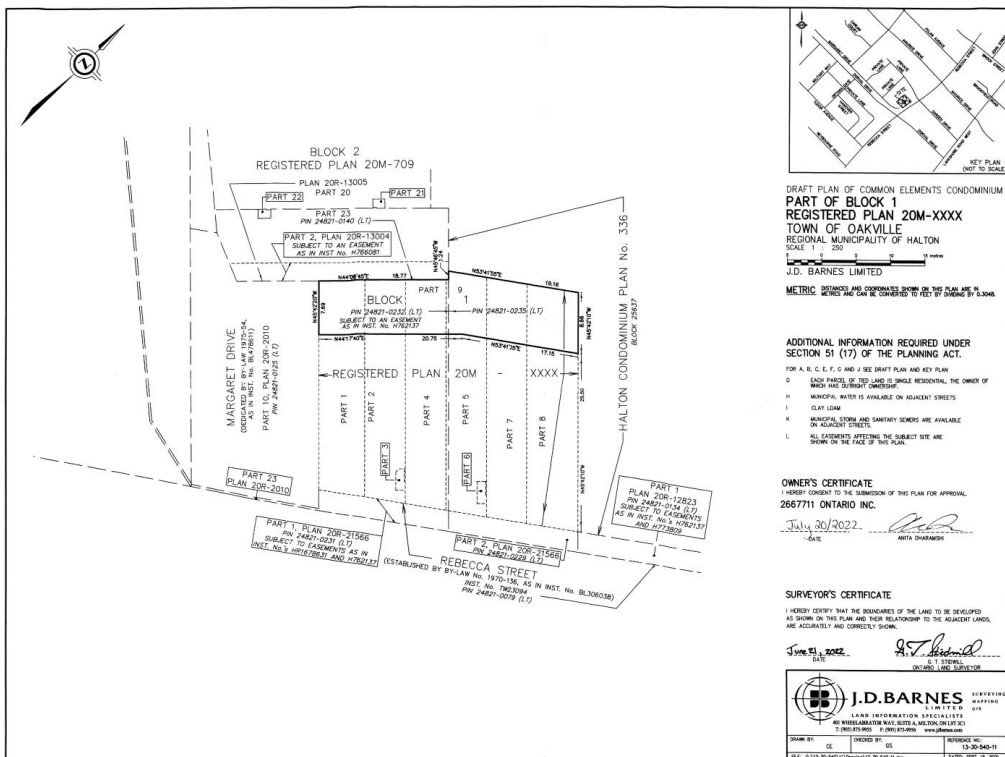


Figure 2: Proposed Draft Plan of Condominium

The proposed draft plan of subdivision is one block and is required permit future land division through part-lot control exemption<sup>1</sup> which would create individual parcels of tied land for each of the six townhouse units.

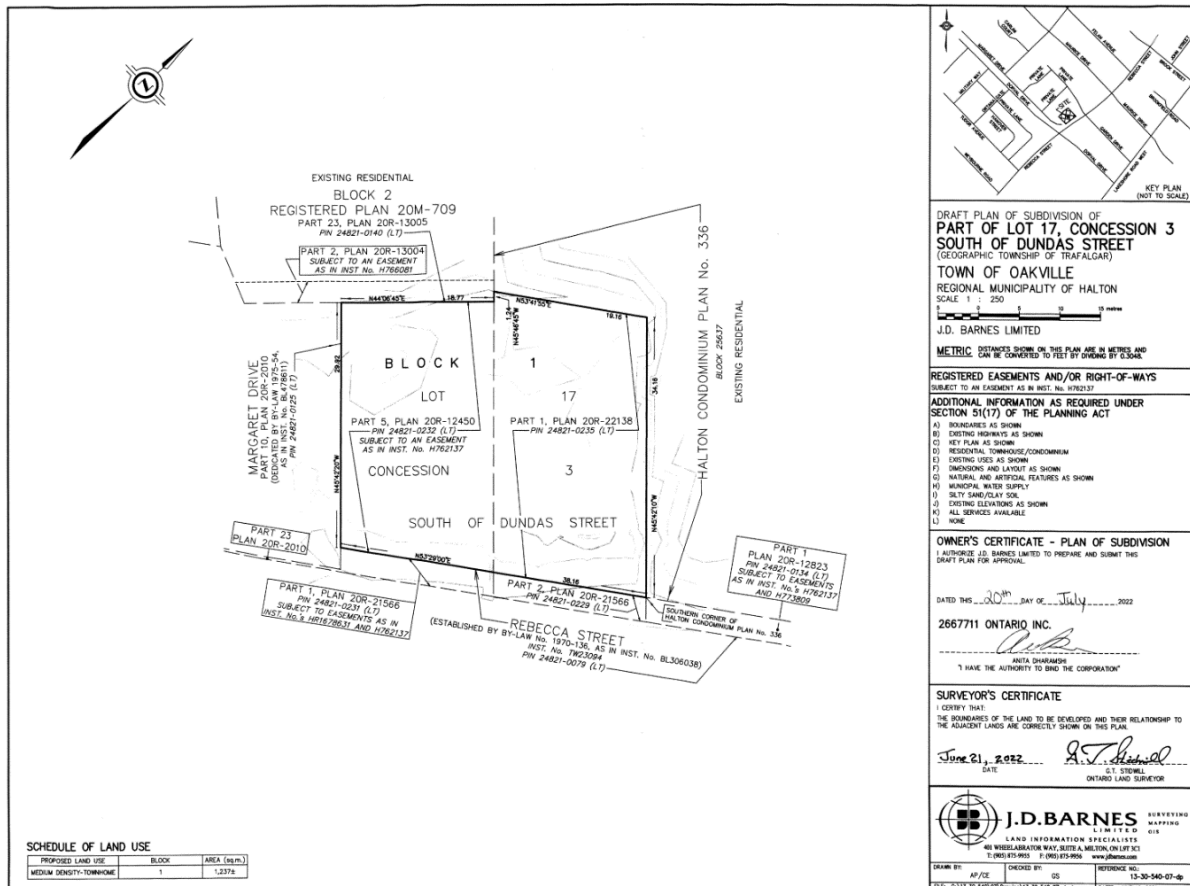


Figure 3: Proposed Draft Plan of Subdivision

The effect of the proposed draft plan of subdivision and condominium is to facilitate transfer of each of the six townhouse units to the beneficial purchasers with condominium tenure.

## Location & Site Description

The subject property is generally located at the northeast corner of Dorval Drive / Margaret Drive and Rebecca Street. It is comprised of 0.12 hectares (0.3 acres) with frontage of 38.16 m (125.2 ft.) along Rebecca Street, 29.92 m (98.2 ft) frontage along Margaret Drive and is municipally known as 239-249 Rebecca Street.

<sup>1</sup> Part lot control exemption only applies to blocks / lots within a registered plan of subdivision.

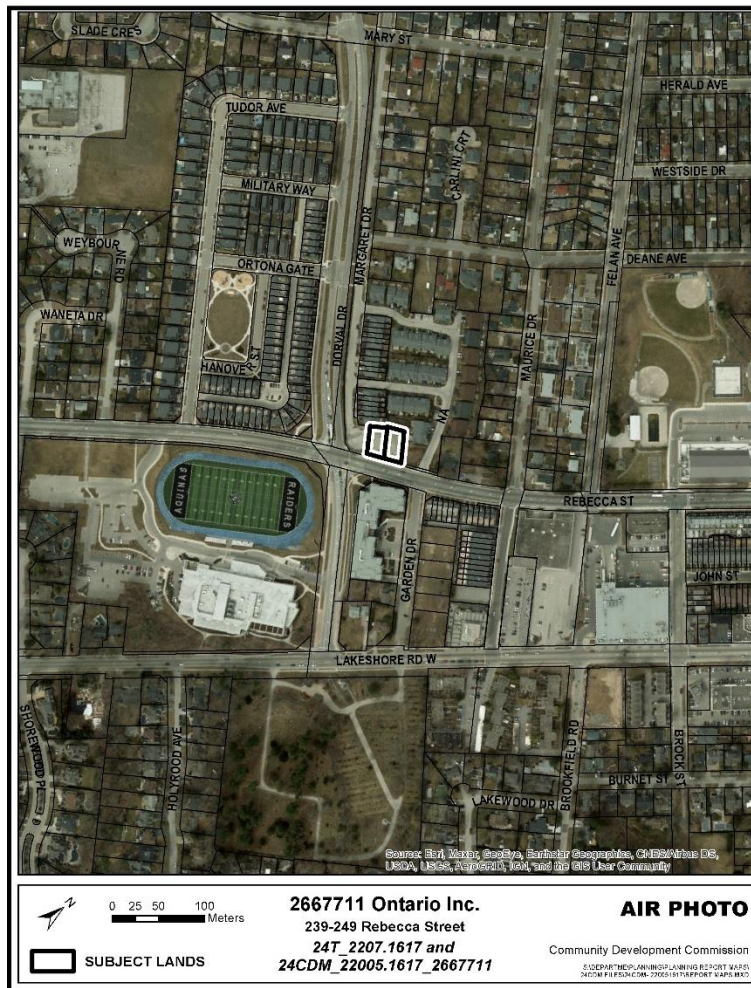


Figure 4: Air Photo

## Surrounding Land Uses

The surrounding land uses are as follows:

North – Townhomes

East – Townhomes & Single-Detached Dwellings

South – Rebecca Street then 4 Storey Apartment

West – Margaret Drive, Dorval Drive then Townhomes

## PLANNING POLICY & ANALYSIS:

### Provincial Policy Statement

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 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.

In consideration of new development, the PPS provides direction to ensure that land use is carefully managed to accommodate appropriate development to meet the full range of current and future needs, while also achieving efficient development patterns that avoid significant or sensitive resources and areas which may pose a risk to public health and safety. Efficient development patterns are intended to optimize the use of land and resources.

The proposed draft plan of subdivision and draft plan of condominium implement the previously approved Official Plan Amendment, Zoning By-law Amendment, and site plan approval where consistency with the PPS was reviewed. Both will facilitate transfer of the townhouse units to the beneficial purchasers, and the plan of condominium will provide for shared vehicular access to each of the units and establish long-term maintenance obligations. On this basis, it is staff's opinion that the draft plan of subdivision and draft plan of condominium are consistent with and do not conflict with the PPS.

### **Growth Plan for the Greater Golden Horseshoe**

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 "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.



Similar to the PPS, growth and development shall occur in manner which optimizes land and resources and protects significant or sensitive resources and areas that may pose a risk to public health and safety, such as hazard lands.

Growth Plan conformity was reviewed through the previously approved Official Plan Amendment, Zoning By-law Amendment and site plan applications. The draft plan of subdivision and draft plan of condominium will facilitate transfer of the townhouse units to the beneficial purchasers, and the plan of condominium will provide for shared vehicular access to each of the units and establish long-term maintenance obligations. On this basis, it is staff's opinion that the draft plan of subdivision and draft plan of condominium conform to, and do not conflict with the Growth Plan.

### **Halton Region Official Plan**

The Subject Property is designated 'Urban Area' in the Halton Region Official Plan. The policies of Urban Area designation support the development of vibrant and healthy mixed-use communities which afford maximum choices for residence, work and leisure.

In a letter dated November 23, 2022 Halton Region advised that it is the opinion of Regional Staff that the Plan of Subdivision application conforms to the Halton Region Official Plan, subject to the Conditions of Draft Approval set out in **Appendix 'A' & 'B'**.

### **Livable Oakville Plan**

#### Objectives

Pursuant to Section 11 of Livable Oakville, the following objectives shall apply to all Residential Areas:

- a) maintain, protect and enhance the character of existing Residential Areas;*
- b) encourage an appropriate mix of housing types, densities, design and tenure throughout the Town;*
- c) promote housing initiatives to facilitate revitalization, compact urban form and an increased variety of housing alternatives;*
- d) promote innovative housing types and forms to ensure accessible, affordable, adequate and appropriate housing for all socio-economic groups;*
- e) encourage the conservation and rehabilitation of older housing in order to maintain the stability and character of the existing stable residential communities; and,*
- f) discourage the conversion of existing rental properties to condominiums or to other forms of ownership in order to maintain an adequate supply of rental housing.*

## 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.

The Subject Property is identified on Schedule A1 – Urban Structure as being within the 'Residential Areas'. Residential Areas include low, medium and high-density residential uses as well as a range of compatible facilities such as schools, places of worship, recreational and commercial uses that serve the residents of the Town.

Pursuant to Section 3.9 of Livable Oakville, some growth and change may occur in the Residential Areas provided the character of the area is preserved and the overall urban structure of the Town is upheld. The character of the Residential Areas will be significantly influenced by their relationship to the Natural Heritage System, parks and open space areas.

## Land Use Policies

The Subject Property is designated 'Medium Density Residential' on Schedule G: South East Land Use, as shown on Figure 5.



Figure 5: Livable Oakville Extract

Section 4.3 (Residential Intensification Outside of the Growth Areas), of Livable Oakville provides that:

*It is the policy of the Plan that the key focus for development and redevelopment to accommodate intensification will be the locations identified as Growth Areas. Lands outside of Growth Areas are predominantly stable residential communities which consist of established neighbourhoods. While the Plan encourages intensification generally throughout the built up area, it also recognizes that some growth and change may occur in these areas provided the character of the areas is preserved and the overall urban structure of the Town is upheld. Intensification outside of the Growth Areas including additional intensification opportunities such as infill, redevelopment and greyfield and brownfield sites, will be considered in the context of this Plan.*

Section 11.1.9 of Livable Oakville provides that development within all stable residential communities shall be evaluated using the following criteria to maintain and protect the existing neighbourhood character:

- a) *The built form of development, including scale, height, massing, architectural character and materials, is to be compatible with the surrounding neighbourhood.*
- b) *Development should be compatible with the setbacks, orientation and separation distances within the surrounding neighbourhood.*
- c) *Where a development represents a transition between different land use designations or housing forms, a gradation in building height shall be used to achieve a transition in height from adjacent development.*
- d) *Where applicable, the proposed lotting pattern of development shall be compatible with the predominant lotting pattern of the surrounding neighbourhood.*
- e) *Roads and/or municipal infrastructure shall be adequate to provide water and wastewater service, waste management services and fire protection.*
- f) *Surface parking shall be minimized on the site.*
- g) *A proposal to extend the public street network should ensure appropriate connectivity, traffic circulation and extension of the street grid network designed for pedestrian and cyclist access.*
- h) *Impacts on the adjacent properties shall be minimized in relation to grading, drainage, location of service areas, access and circulation, privacy, and microclimatic conditions such as shadowing.*
- i) *The preservation and integration of heritage buildings, structures and uses within a Heritage Conservation District shall be achieved.*
- j) *Development should maintain access to amenities including neighbourhood commercial facilities, community facilities including schools, parks and community centres, and existing and/or future public transit services.*

- k) The transportation system should adequately accommodate anticipated traffic volumes.*
- l) Utilities shall be adequate to provide an appropriate level of service for new and existing residents.*

As outlined in more detail in the technical comment section of this report, this development has been subject to a detailed technical analysis where matters such as the built form, site layout, pedestrian circulation, landscaping, urban design, grading, stormwater management and vehicle access have been addressed.

The proposed draft plan of subdivision and draft plan of condominium implement the previously approved Official Plan Amendment, Zoning By-law Amendment, and site plan. It will facilitate transfer of the townhouse units to the beneficial purchasers, and the plan of condominium will provide for shared vehicular access to each of the units and establish long-term maintenance obligations as detailed in **Appendix 'A' & 'B'**, and the technical comment section of this report.

On this basis, and for the reasons outlined in this report, it is staff's opinion that the draft plan of subdivision and draft plan of condominium conform to Livable Oakville.

## Zoning By-Law

The Subject Property is zoned 'RM1' Special Provision 377 as shown in Figure 6 below.

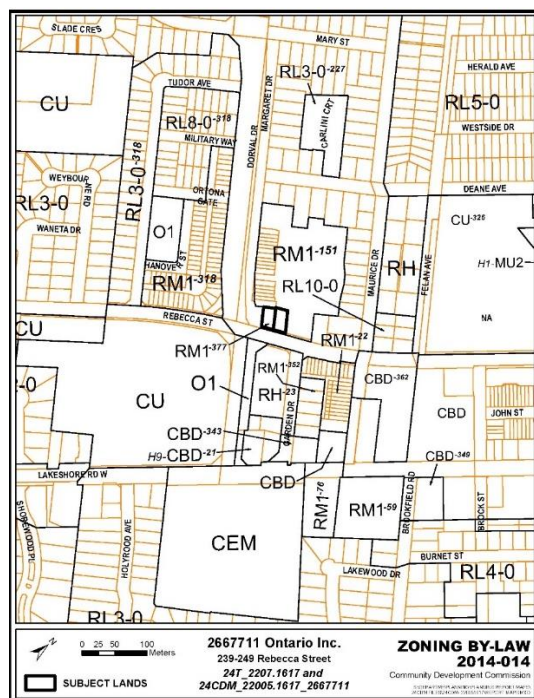


Figure 6: Zoning By-law 2014-014 Extract



The subject townhomes have been constructed in accordance with the Zoning By-law aside from an as-built deficient front yard setback to the access stairs of 0.33m – 0.36m whereas a minimum of setback of 0.6m required by the Zoning By-law<sup>2</sup>. The applicant has advised that they will be submitting a minor variance application requesting relief to permit the front yard setback of 0.33m – 0.36m to the access stairs.

As a condition of approval in **Appendix ‘A’ & ‘B’**, the Owner will be required to provide the Town with an as-built survey prepared by an Ontario Land Surveyor which confirms that all the minimum requirements of the approved Zoning By-law, are met. The intent of this condition is to ensure that Zoning compliance, and any remediation work (if necessary), are complete prior to registration of the condominium, and transfer of the townhouse units to the beneficial purchasers.

## **PUBLIC COMMENTS & TECHNICAL REVIEW:**

### Public Comments

An applicant-initiated virtual Public Information Meeting (“**PIM**”) was held on September 13, 2022 and was attended by 7 residents. Minutes of the PIM are appended as **Appendix ‘C’**. As of the date of this report, no public comments have been received.

It is noted that pursuant to Bill 23, a statutory public meeting is not required prior to Council considering a plan of subdivision application.<sup>3</sup>

### **Technical Review**

The purpose of the draft plan of subdivision application is to permit future land division through part-lot control exemption which would create individual parcels of tied land for each of the six townhouse units. The parcels of tied land would be tied to the proposed draft plan of common element condominium comprised of a private laneway and landscaping.

Through the review and approval of the site plan application the development has been subject to detailed technical analysis. Specifically, the following matters were addressed through previous processes:

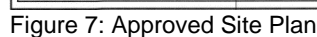
- built form and site layout;
- elevations;
- pedestrian circulation;

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<sup>2</sup> Part 1, 4 and 7

<sup>3</sup> This change applies to the subject plan of subdivision application since a public meeting had not been hosted prior to Bill 23 receiving Royal Assent (November 28, 2022).

- As part of the approved site plan, a privacy board fence (as bolded in Figure 7) will be constructed along the northern property boundary. The fence will be located within the common element block and will be required to be maintained by the condo corporation.



[illegible]

As a condition of approval in **Appendix 'A' & 'B'**, the condominium declaration is required to be amended to contain wording which specifies that the condominium is responsible to maintain the buffer tree planting installed within the landscape strip abutting the north and east property line and that any tree removals granted by way of Town permits will require the replanting of trees so as to maintain this buffer to the satisfaction of the Town. The intent of the foregoing, it to ensure that the condo corporation is aware of the obligations of the site plan agreement registered on title and to provide for long-term maintenance of this landscaping by the future condominium corporation.

As part of the site plan approval, a site plan agreement was registered on title, where associated financial, design and technical requirements were addressed. As part of the site plan agreement, the Town holds sufficient securities to allow for the completion of the required site works. Since the foregoing matters have been addressed, a separate subdivision agreement is not required.

Both the draft plan of subdivision and the draft plan of condominium application were circulated to internal departments and external agencies for comments and subject to the conditions in **Appendix 'A' & 'B'**, there are no outstanding issues to be resolved.

## **CONSIDERATIONS:**

### **(A) PUBLIC**

An applicant-initiated virtual Public Information Meeting ("PIM") was held on September 13, 2022, and was attended by 7 residents. Minutes of the PIM are appended as **Appendix 'C'**. As of the date of this report, no public comments have been received.

Notice of this meeting has been distributed to everyone who has requested notice in accordance with the *Planning Act* Regulations and Town practices.

### **(B) FINANCIAL**

Financial requirements specific to construction, such as the payment of development charges and parkland requirements, have been satisfied.

### **(C) IMPACT ON OTHER DEPARTMENTS & USERS**

The application was circulated to Agencies and Town Departments for their review and comments. All concerns have been addressed, and any conditions of approval have been provided in **Appendix 'A' & 'B'**.

### **(D) CORPORATE STRATEGIC GOALS**

This report addresses the corporate strategic goal(s) to:

- be the most livable town in Canada

### **(E) CLIMATE CHANGE/ACTION**

For the reasons detailed in this report, the proposed development generally complies with the Town's sustainability objectives of the Livable Oakville Plan. The proposal has also been reviewed in the context of Council declaring a Climate Change Emergency on June 24, 2019.

## **CONCLUSION:**

Staff recommend approval of the draft plan of subdivision and draft plan of condominium for the following reasons:



- They are consistent with the PPS and conforms to the Growth Plan and the Halton Region Official Plan, has regard for matters of Provincial interest and represents good planning.
- They conform to Livable Oakville.
- They meet the criteria established in Section 51(24) of the *Planning Act*.
- A full circulation has been undertaken and there are no outstanding financial or planning issues to be resolved.
- The development has been granted final site plan approval where site servicing, grading and stormwater management, landscaping, urban design and financial obligations were addressed through the conditions of site plan approval.
- Halton Region has no objection to approval to the draft plan of subdivision or draft plan of condominium and their conditions have been included in **Appendix 'A' & 'B'**.
- Building permits have been issued in accordance with the approved Site Plan.
- Public participation occurred through the PIM, as well as well as the previous Official Plan Amendment and Zoning By-law Amendment applications, and no public comments were received as part of the subject applications.
- The draft plan of subdivision and condominium are necessary to create each unit as a legal parcel, to create the common element condominium and are appropriate for the orderly development of the lands.

#### **APPENDICES:**

Appendix "A": Conditions of Draft Plan of Subdivision

Appendix "B": Conditions of Draft Plan of Condominium

Appendix "C": Minutes of Public Information Meeting

Prepared by:

Paul Barrette, MCIP, RPP

Senior Planner, Current Planning - West

Recommended by:

Charles McConnell, MCIP, RPP

Manager, Current Planning - West

Submitted by:

Gabe Charles, MCIP, RPP

Director of Planning

**APPENDIX A –**  
**CONDITIONS OF DRAFT PLAN APPROVAL**

**Town File No.: File 24T-22007/1617**  
**Draft Plan Dated July 20, 2022**

**TOWN OF OAKVILLE CONDITIONS OF DRAFT APPROVAL**  
**FOR THE REGISTRATION OF DRAFT PLAN OF SUBDIVISION 24T-22007/1617**

This approval applies to the draft plan of subdivision (24T-22007/1617) prepared by J.D. Barnes Limited dated July 20, 2022 illustrating one development block. The conditions applying to the approval of the final plan for registration are as follows:

| <i><b>CONDITIONS</b></i>   | <i><b>CLEARANCE<br/>AGENCY</b></i> |
|--|------------------------------------|
| 1. <b>GENERAL</b><br>That the Owner provides a <b>certificate</b> signed by the surveyor and the Owner stating that the plan proposed to be submitted for registration is the same as the latest (most recent) draft approved plan and, if the plans are not the same, that any differences between the proposed registered plan and the latest draft plan are accepted by the Town.   | OAK(A)                             |
| 2. That the Owner provides confirmation to the satisfaction of the Town's Finance Department that all outstanding <b>property taxes</b> have been paid prior to plan registration.   | OAK(F)                             |
| 3. <b>CANADA POST</b><br><br>The owner shall obtain a clearance letter from Canada Post indicating that their requirements have been satisfied.  | CP                                 |
| 4. <b>Halton District School Board</b><br><br>That the Owner agrees to place the following notification in all offers to purchase and sale for all units:<br><br>a) Prospective purchasers are advised that pupils may be accommodated in temporary facilities and/or be directed to schools outside of the area.<br><br>b) Prospective purchasers are advised that school busses will not enter cul-de-sacs and pick up points will be generally located on through streets convenient to Halton Student Transportation Services. Additional pick up points will not be located within the subdivision until major construction activity has been completed.<br><br>In cases where offers of purchase and sale have already been executed, the owner shall send a letter to all purchasers which includes the above statements. | HDSB                               |

|   |   |           |
|---|---|-----------|
| 5.  | That the Owner shall supply, erect and maintain signs at all major entrances into the new development advising prospective purchasers that pupils may be directed to schools outside of the area. The Owner will make these signs to the specifications of the Halton District School Board and erect them prior to the final approval.   | HDSB      |
| 6.  | That a copy of the approved sidewalk plan, prepared to the satisfaction of the Town of Oakville be submitted to the Halton District School Board.   | HDSB      |
| 7.  | <b>Halton Catholic District School Board</b>  | HCDSB     |
| That the owner agrees to place the following notification in all offers to purchase and sale for all units:   |   |           |
| a) Prospective purchasers are advised that Catholic school accommodation may not be available for students residing in this area, and that you are notified that students may be accommodated in temporary facilities and/or be bussed to existing facilities outside of the area.    |   |           |
| b) Prospective purchasers are advised that HCDSB will designate pick up points for the children to meet the bus on roads presently in existence or other pick up areas convenient to the Board, and you are notified that school busses will not enter cul-de-sacs and private roads. |   |           |
| In cases where offers of purchase and sale have already been executed, the owner shall send a letter to all purchasers which includes the above statements.   |   |           |
| 8.  | The owner agrees to the satisfaction of the HCDSB, to erect and maintain signs at all major entrances into the new development advising prospective purchasers that if a permanent school is not available alternative accommodation and/or busing will be provided. The owner will make these signs to the specifications of the HCDSB and erect them prior to final approval. | HCDSB     |
| 9.  | <b>Halton Region</b>  | RMH (LPS) |
| The Owner is required to provide digital copies of the registered plan of subdivision in AutoCAD 2012 or later version with the following coordinate system NAD 83 / UTM Zone 17 to the Regional Municipality of Halton and the Town of Oakville.                                     |   |           |
| 10.   | That the Owner shall submit to the Town of Oakville Planning Services Department digital copies of the final draft plan of subdivision along with applicable Land Registry Office Appendix D form for sign off. Upon acceptance, the town will forward these materials to the Region of Halton for final sign off.  | RMH (LPS) |
| 11.   | <b>Development Engineering</b><br>That the Owner provide an updated Utility Plans that reflect the Road Widening obtained by the Town to the satisfaction of Development Engineering.   | OAK (DE)  |
| 12.   | That the Owner provide as built drawings for the work completed in the Town Right of Way to support the development to the satisfaction of Development Engineering.   | OAK (DE)  |

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### CLOSING CONDITIONS

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|    |   |           |
|----|---|-----------|
| 1. | Prior to signing the final plan the Director of Planning Services shall be advised that all conditions have been carried out to the satisfaction of the relevant agencies, and that a brief but complete statement detailing how each condition has been satisfied has been provided. | OAK(A)    |
| 2. | Prior to signing the final plan, the Director of Planning Services shall be advised by Canada Post that condition 3 has been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied.                                    | CP        |
| 3. | Prior to signing the final plan, the Director of Planning Services shall be advised by Halton District School Board that conditions 4, 5 & 6 have been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied.          | HDSB      |
| 4. | Prior to signing the final plan, the Director of Planning Services shall be advised by Halton Catholic District School Board that conditions 7 & 8 have been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied.    | HCDSB     |
| 5. | Prior to signing the final plan, the Director of Planning Services shall be advised by Halton Region that conditions 9 & 10 have been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied.                           | RMH (LPS) |
| 6. | All of the above conditions shall be satisfied within 3 years of the granting of draft approval, being [Date of Draft Approval to be inserted as the day after the last date for appeals if no appeals are received].   | OAK(A)    |

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Director of Planning Services  
(Authority by By-law 1998-272)

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**NOTES** – The owner/agent, their successors and assigns are hereby notified:

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1. Fees are required by Halton Region and may be required by the Local Municipality for each extension to draft approval and for major revisions to the draft plan or conditions.
2. Please note the Owner should be made aware that Halton Region will have the following requirements at the time of registration of the subdivision:
  - Final M plans signed and dated by the Owner, Surveyor and initialled by the Town's Planner
  - Regional Registration fee
  - Registry Office review form

#### **LEGEND – CLEARANCE AGENCIES**

BC                      Bell Canada

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|           |  |
|-----------|--|
| CP        | Canada Post  |
| OAK (PS)  | Town of Oakville – Planning Services                                   |
| OAK (A)   | Town of Oakville – Planning Administration                             |
| OAK (F)   | Town of Oakville - Finance   |
| OAK (L)   | Town of Oakville – Legal   |
| OAK (DE)  | Town of Oakville – Development Engineering Department                  |
| OAK (PS)  | Town of Oakville – Current Planning Services                           |
| OAK (EC)  | Town of Oakville – Engineering and Construction Department             |
| RMH (LPS) | Regional Municipality of Halton – Planning and Public Works Department |
| UG        | Union Gas  |
| OH        | Oakville Hydro   |
| HDSB      | Halton District School Board   |
| HCDSB     | Halton Catholic District School Board                                  |



## APPENDIX 'B'

### TOWN OF OAKVILLE CONDITIONS FOR FINAL APPROVAL FOR THE REGISTRATION OF THE PLAN OF CONDOMINIUM 2667711 Ontario Inc. – 24CDM- 22005/1617

This approval applies to the plan of condominium (File 24CDM- 22005/1617) prepared by J.D. Barnes Limited dated July 20, 2022, one block comprised of a private road, landscaping, and privacy fence. The Town of Oakville conditions applying to the approval of the final plan for registration of condominium are as follows:

| <i>CONDITIONS</i>   | <i>CLEARANCE<br/>AGENCY</i> |
|---|-----------------------------|
| 1. <b>GENERAL</b><br>That the Owner provides a certificate signed by the surveyor and the Owner stating that the plan proposed to be submitted for registration is the same as the latest (most recent) draft approved plan and, if the plans are not the same, that any differences between the proposed registered plan and the latest draft plan are accepted by the Town.   | OAK(A)                      |
| 2. That the Owner provides confirmation to the satisfaction of the Town's Finance Department that all outstanding property taxes have been paid prior to plan registration.   | OAK(F)                      |
| 3. The Owner shall provide an as-built survey prepared by an Ontario Land Surveyor which confirms compliance with the approved Zoning By-law, as varied.  | OAK(Z)                      |
| 4. The Owner shall provide a certificate from a Professional Engineer stating that all grading, drainage and general servicing matters have been completed in accordance with the Site Plan Agreement, or that arrangements have been made for their completion to the satisfaction of the Director of Development Engineering.   | OAK (DE)                    |
| 5. <b>LEGAL</b><br><br>The Owner shall file with the Director of Planning, a complete copy of the final version of the Declaration and Description to be registered, which includes the following schedules:<br><br>a) Schedule "A" containing statement form the declarant's solicitor that in his or her opinion, based on the parcel register or abstract index and the plans and drawings recorded in them, the legal description is correct and any easements mentioned in the schedule will exist in law upon the registration of the Declaration and Description; and<br><br>b) Schedule "G" being the certification of the project engineer and/or architect that all buildings have been constructed in accordance with the regulations under the Condominium Act. | OAK (L)                     |

When the Owner files a copy of the Declaration with the Director of Planning, it shall be accompanied with a letter of undertaking, stating that, "This is our undertaking to register the Declaration in the same form and content as was provided to you, subject to any changes the Land Registrar may require. This is also our undertaking to provide you with a registered copy of the Declaration once it is registered. If the Land Registrar requires any amendments to the Declaration, we will advise you."

|     |   |              |
|-----|---|--------------|
| 6.  | The Declaration shall contain wording which specifies that the condominium is responsible to maintain the buffer tree planting installed within the landscape strip abutting the north and east property line. (Lake Ontario being considered south) and that any tree removals granted by way of Town permits will require the replanting of trees to maintain this buffer to the satisfaction of the Town.  | OAK (PS) (L) |
| 7.  | <b>CANADA POST</b><br><br>The Owner shall obtain a clearance letter from Canada Post indicating that their requirements have been satisfied.  | CP           |
| 8.  | <b>Bell Canada</b><br><br>That the Owner acknowledge and agree to convey any easement(s) as deemed necessary by Bell Canada to service this new development at no cost to Bell Canada. The Owner shall further agree that should any conflict arise with existing Bell Canada facilities or easements with the subject area, the Owner shall be responsible for the relocation of any such facilities or easements, at their own cost.  | BC           |
| 9.  | <b>Enbridge Gas</b><br><br>That the Owner provide to Enbridge Gas Inc. the necessary easements and/or agreements required by Enbridge Gas Inc. for the provision of gas services for this project, in a form satisfactory to Enbridge Gas Inc.  | ENB          |
| 10. | <b>Halton District School Board</b><br><br>That the Owner agrees to place the following notification in all offers to purchase and sale for all units:<br><br>a) Prospective purchasers are advised that pupils may be accommodated in temporary facilities and/or be directed to schools outside of the area.<br><br>b) Prospective purchasers are advised that school busses will not enter cul-de-sacs and pick up points will be generally located on through streets convenient to Halton Student Transportation Services. Additional pick-up points will not be located within the subdivision until major construction activity has been completed.<br><br>In cases where offers of purchase and sale have already been executed, the owner shall send a letter to all purchasers which includes the above statements. | HDSB         |

|                           |   |        |
|---------------------------|---|--------|
| 11.                       | That the Owner shall supply, erect and maintain signs at all major entrances into the new development advising prospective purchasers that pupils may be directed to schools outside of the area. The Owner will make these signs to the specifications of the Halton District School Board and erect them prior to the final approval.   | HDSB   |
| 12.                       | That a copy of the approved sidewalk plan, prepared to the satisfaction of the Town of Oakville be submitted to the Halton District School Board.   | HDSB   |
| 13.                       | <b>Halton Catholic District School Board</b><br><br>That the owner agrees to place the following notification in all offers to purchase and sale for all units:<br><br>a) Prospective purchasers are advised that Catholic school accommodation may not be available for students residing in this area, and that you are notified that students may be accommodated in temporary facilities and/or be bussed to existing facilities outside of the area.<br><br>b) Prospective purchasers are advised that HCDSB will designate pick up points for the children to meet the bus on roads presently in existence or other pick up areas convenient to the Board, and you are notified that school busses will not enter cul-de-sacs and private roads.<br><br>In cases where offers of purchase and sale have already been executed, the owner shall send a letter to all purchasers which includes the above statements. | HCDSB  |
| 14.                       | The owner agrees to the satisfaction of the HCDSB, to erect and maintain signs at all major entrances into the new development advising prospective purchasers that if a permanent school is not available alternative accommodation and/or busing will be provided. The owner will make these signs to the specifications of the HCDSB and erect them prior to final approval.   | HCDSB  |
| 15.                       | <b>Rogers</b><br>The Owner shall, with consultation with the applicable utilities and Communications Service Providers, prepare an overall utility distribution plan that shows the locations of all utility infrastructure for the Condominium, as well as the timing and phasing of installation.   | R      |
| 16.                       | Prior to registration of the plan of Condominium, the Developer/Owner will, at its own cost, grant all necessary easements and maintenance agreements required by those CRTC-licensed telephone companies and broadcasting distribution companies intending to serve the Condominium (collectively, the "Communications Service Providers"). Immediately following registration of the Plan of Condominium, the Developer/Owner will cause these documents to be registered on title.   | R      |
| <b>CLOSING CONDITIONS</b> |   |        |
| 1.                        | Prior to signing the final plan the Director of Planning Services shall be advised that all conditions have been carried out to the satisfaction of the relevant agencies, and that a brief but complete statement detailing how each condition has been satisfied has been provided.   | OAK(A) |

|    |  |        |
|----|--|--------|
| 2. | Prior to signing the final plan, the Director of Planning Services shall be advised by Canada Post that condition 7 has been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied.                                   | CP     |
| 3. | Prior to signing the final plan, the Director of Planning Services shall be advised by Bell Canada that condition 8 has been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied.                                   | BC     |
| 4. | Prior to signing the final plan, the Director of Planning Services shall be advised by Union Gas that condition 9 has been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied.                                     | ENB    |
| 5. | Prior to signing the final plan, the Director of Planning Services shall be advised by Halton District School Board that conditions 10, 11 & 12 have been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied.      | HDSB   |
| 6. | Prior to signing the final plan, the Director of Planning Services shall be advised by Halton Catholic District School Board that conditions 13 & 14 have been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied. | HCDSB  |
| 7. | Prior to signing the final plan, the Director of Planning Services shall be advised by Rogers that conditions 15 & 16 have been carried out to their satisfaction with a brief but complete statement detailing how the condition has been satisfied.                                | R      |
| 8. | All of the above conditions shall be satisfied within 3 years of the granting of draft approval, being [Date of Draft Approval to be inserted as the day after the last date for appeals if no appeals are received].  | OAK(A) |

\_\_\_\_\_  
 Director of Planning Services  
 (Authority by By-law 1998-272)

**NOTES** – The owner/agent, their successors and assigns are hereby notified:

1. The applicant should be aware that Halton Region will have the following requirements at the time of registration regarding the Plan of Condominium:
  - Final draft plans signed and dated by the Owner and Surveyor and initialed by the Town's Planner.
  - Regional Final Approval / Registration fee.
  - Registry Office form.
  - Letter from Applicant/Owner indicating how the Region's conditions of draft approval have been addressed.

**LEGEND – CLEARANCE AGENCIES**

|           |  |
|-----------|--|
| BC        | Bell Canada  |
| CP        | Canada Post  |
| OAK (PS)  | Town of Oakville – Planning Services                                   |
| OAK (A)   | Town of Oakville – Planning Administration                             |
| OAK (F)   | Town of Oakville - Finance   |
| OAK (L)   | Town of Oakville – Legal   |
| OAK (DE)  | Town of Oakville – Development Engineering Department                  |
| OH        | Oakville Hydro   |
| RMH (LPS) | Regional Municipality of Halton – Planning and Public Works Department |
| R         | Rogers   |
| ENB       | Enbridge Gas Inc.  |
| HDSB      | Halton District School Board   |
| HCDSB     | Halton Catholic District School Board                                  |



## Appendix “C”: Minutes of Public Information Meeting



Notes of PIM for The Matheson Townhouses  
239-249 Rebecca Street, Oakville  
September 13, 2022, 7:00 pm.

### In attendance:

David Harris, HCC 336  
Kathryn Webb HCC 336  
Francis Satterthwaite, Margaret Drive Resident  
Sandra McGregor, HCC 336  
Norman Achen  
George Sharp  
Evelyn Uvalkov  
Mark Zanette, The Matheson  
Nitin Joshi, The Matheson  
Anil Jasuja, The Matheson  
David Faye, David Faye & Associates Inc.

### 1. Introduction

David Faye welcomed the attendees and advised that the agenda includes a presentation outlining the existing planning approvals for The Matheson townhouses, a review of the proposed draft plan of subdivision and draft plan of common element condominium applications, and a question and answer session.

### 2. Presentation

- the project has received official plan amendment, zoning by-law amendment, and site plan approvals;
- a building permit has been issued. The townhouses are under construction;
- in order to create 6 townhouses parcels of land for freehold ownership of the townhouse units via a part-lot control exemption by-law, a registered plan of subdivision is required;
- in order to convey title to the townhouse parcels and dwellings to purchasers, a registered plan of common element condominium is required.

### 3. Questions/Comments

Q How is surface drainage being handled on The Matheson site?

A Surface runoff will be directed to a holding tank under the laneway with a controlled outlet to the existing municipal sewer system on Margaret Drive.

Q Has the stormwater management plan been approved by the Town of Oakville?

A The plans were approved by the Town's Development Engineering Department and the installation was inspected by the Town's Building Department.

Q Who is responsible to maintain the stormwater management system?

A The Matheson condominium corporation will be responsible.

Q How will the privacy of abutting townhouse owners be addressed?

A Installation of dense landscape planting approved by the Town along the northerly and a portion of the easterly Matheson property lines.

Q Why are trades parking on Margaret Drive north of The Matheson project and not on the cul-de-sac?  
A Vehicle parking is not permitted by the Town on the cul-de-sac due to public safety concerns.

Q How will snow be dealt with on The Matheson site?  
A The snow will be removed off-site by a private contractor retained by The Matheson condominium corporation.

Q Can the The Matheson condominium declaration prevent new owners from using the Barclay Square private road?  
A No.

Q When will the wood fence removed along the Barclay Square west property line be replaced?  
A. The fence will be replaced at the end of construction of The Matheson townhouses.

Q When will The Matheson sales program commence?  
A Spring, 2023.

Q Please confirm that reference to access by a private road to The Matheson site is not referring to the Barclay Square private road.  
A Confirmed.

**Next Steps**

- Formal submission of the draft plan of subdivision and draft plan of common element condominium applications to the Town of Oakville.
- Approval of both applications by Oakville Council in 2023.
- Registration of the subdivision and condominium plans in 2023.
- Occupancies by new purchasers commencing in 2023.

Notes prepared by David Faye, David Faye & Associates Inc.  
September 16, 2022

## REPORT

### Planning and Development Council

Meeting Date: May 15, 2023

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**FROM:** Planning Services Department

**DATE:** May 2, 2023

**SUBJECT:** Heritage Designation Project 2023-2025

**LOCATION:** Town-wide

**WARD:** Town-wide

Page 1

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#### RECOMMENDATION:

That the report dated May 2, 2023, from the Planning Services Department, be received.

#### KEY FACTS:

The following are key points for consideration with respect to this report:

- The town's Heritage Register contains 294 listed properties that have been identified as having cultural heritage value and that may meet the criteria for heritage designation.
- Amendments have been made to the *Ontario Heritage Act* through Bill 23 requiring listed heritage properties to be removed from the Heritage Register after two years. This affects the town's 294 listed properties.
- In response, the Policy Planning & Heritage section has initiated a Heritage Designation Project to designate approximately 80 listed properties from 2023 to 2025 to conserve Oakville's cultural heritage resources.

#### BACKGROUND:

In October 2022, Ontario's Ministry of Municipal Affairs and Housing introduced Bill 23, *More Homes Built Faster Act, 2022*. The bill received Royal Assent on November 28, 2022.

The bill included several amendments to the OHA, all of which came into effect as of January 1, 2023. There was one exception of a requirement related to online registers which will come into effect July 1, 2023.

Within these changes are two specific amendments related to listed properties that led to this Heritage Designation Project. The amendments impact the 294 listed properties that are on the town's Heritage Register. These are properties that have been identified as having cultural heritage value that may meet the criteria for heritage designation but have not yet been designated.

The two amendments are as follows:

(15) In the case of a property included in the register under subsection (3) on or after the day subsection 3 (4) of Schedule 6 to the *More Homes Built Faster Act, 2022* comes into force, the council of a municipality shall remove the property from the register if the council of the municipality does not give a notice of intention to designate the property under subsection 29 (1) on or before the second anniversary of the day the property was included in the register. 2022, c. 21, Sched. 6, s. 3 (4).

(16) In the case of a property included in the register under a predecessor of subsection (3), as of the day before subsection 3 (4) of Schedule 6 to the *More Homes Built Faster Act, 2022* comes into force, the council of a municipality shall remove the property from the register if the council of the municipality does not give a notice of intention to designate the property under subsection 29 (1) on or before the second anniversary of the day subsection 3 (4) of Schedule 6 to the *More Homes Built Faster Act, 2022* comes into force. 2022, c. 21, Sched. 6, s. 3 (4).

This first amendment requires that listed properties added to the Register *after* January 1, 2023 be removed from the Register on or before the second anniversary of the property being added to the Register. This does not apply to cases where Council has given notice of intention to designate the property.

The second amendment requires that listed properties added to the Register *before* January 1, 2023 be removed from the Register by January 1, 2025. This does not apply to cases where Council has given notice of intention to designate the property.

These amendments require that properties only be listed for a period of two years. After they are removed from the Register following these two years, they cannot be added back on the Register as listed properties for another five years.

In Oakville, this means that the existing 294 listed properties are at risk of being removed from the Register as of January 1, 2025.

**COMMENT/OPTIONS:**Heritage designation project initiated

To respond to these amendments, the Policy Planning & Heritage section determined that the best course of action is to designate as many of the listed properties as possible, provided that they meet the criteria for designation, before January 1, 2025.

The Community Development Commission supported this goal and endorsed the hiring of two additional heritage planners to undertake research and evaluation of listed properties for potential designation. These two full-time contract positions are for approximately two years, ending in early 2025.

During the two-year timeframe, both heritage planners will be producing Cultural Heritage Evaluation Reports (CHERs) for listed properties. These documents will provide an overview of the property's history and current conditions. The CHERs will also include an evaluation against Ontario Regulation 9/06. This is the criteria prescribed by the OHA to determine if a property is worthy of designation under Part IV of the OHA. Each CHER will make a recommendation as to whether the property should be designated under Part IV of the OHA.

Given that it takes approximately two weeks of full-time work to complete a CHER, and that we have two full-time staff who can complete the work over the course of about 24 months, Heritage Planning staff has set an ambitious goal of completing CHERs for 80 properties by January 1, 2025.

These 80 properties account for approximately one third of the total amount of listed properties. However, several listed properties have already been evaluated for designation and are currently protected through Heritage Easement Agreements. Additionally, many properties on the Register do not meet the criteria for designation.

Assessment of existing listed properties

To determine how many properties have strong potential to meet the criteria for designation, Heritage Planning staff completed a preliminary and general assessment of each listed property. This assessment was done in accordance with Ontario Regulation 9/06 criteria and included an evaluation of each property's design/physical value, historical/associative value and contextual value. Staff looked at questions such as:

- Design/physical value



- i.e., in viewing the physical property, is it a strong example of a particular architectural style, does it retain many of its architectural features, is it an early example of its kind, etc.
- Historical/associative value
  - i.e., in looking at records we already have on the property, are there known connections to significant people, events, organizations, etc.
- Contextual value
  - i.e., in viewing the physical property in its surrounding context, does it play a significant role in the surrounding streetscape, is it a landmark, etc.

After completing this initial assessment of the 294 listed properties, Heritage Planning staff determined that there were approximately 100 properties that have strong potential to meet the criteria for designation. Since not all 100 properties will be designated within the two-year timeframe, staff is prioritizing properties that have development potential to ensure they are designated before January 1, 2025.

This is especially important since one of the recent amendments to the OHA requires that any property that is subject to a planning application (i.e. Zoning By-law Amendment, Official Plan Amendment or Plan of Subdivision) must be listed prior to being designated. If a listed property is removed from the Register after January 1, 2025, Council may only give notice of intention to designate if the property is not subject to a planning application. Therefore, it is imperative that candidates for designation with development potential be designated prior to January 1, 2025.

#### Policy basis for heritage designation

Legislative and policy documents at the provincial, regional and municipal levels provide clear direction and support for the protection of cultural heritage resources through designation under the OHA. An overview of these documents is provided below.

##### *Provincial Policy*

The Province of Ontario has made a clear commitment to the conservation of significant cultural heritage resources through its legislation and policies, including the *Ontario Heritage Act* (1990, as amended), *Planning Act* (1990, as amended) *Provincial Policy Statement* (2020), the *Growth Plan for the Greater Golden Horseshoe* (2019).

Section 2.6 of the *Provincial Policy Statement (PPS)* relating to Cultural Heritage and Archaeology states:

*2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved.*

The *PPS* defines “significant”, in regard to cultural heritage and archaeology, as:

*...resources that have been determined to have cultural heritage value or interest. Processes and criteria for determining cultural heritage value or interest are established by the Province under the authority of the Ontario Heritage Act.*

Further, the *PPS* and *Growth Plan* both define “conserved” as:

*the identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained...*

The *PPS* and *Growth Plan* function together with the *Ontario Heritage Act* (OHA) by the shared principle that cultural heritage resources shall be conserved. The OHA sets out the procedures for evaluating and protecting heritage resources at the provincial and municipal levels. This includes the use of Ontario Regulation 9/06 as the means for determining if a property has cultural heritage value.

*Regional Policy – Region of Halton Official Plan*

The Region’s Official Plan includes the following objective for Strategic Growth Areas: “To conserve cultural heritage resources in order to foster a sense of place and benefit communities in Strategic Growth Areas.”

Section 165 of the Official Plan further confirms that “The goal for Cultural Heritage Resources is to protect the material, cultural and built heritage of Halton for present and future generations.”

*Town Policy – Livable Oakville Plan*

Section 5 of the Livable Oakville Plan states, “Conservation of cultural heritage resources forms an integral part of the town’s planning and decision making. Oakville’s cultural heritage resources shall be conserved so that they may be experienced and appreciated by existing and future generations, and enhance the Town’s sense of history, sense of community, identity, sustainability, economic health and quality of life.”

Further, Section 5.3.1 of the Livable Oakville Plan states, “The Town shall encourage the conservation of cultural heritage resources identified on the register and their integration into new development proposals through the approval process and other appropriate mechanisms.” The Livable Oakville Plan is clear that cultural

heritage resources should not only be conserved, but also incorporated into new developments. Commemoration is not considered 'conservation'.

Section 7.2.3.7 of the North Oakville East Secondary Plan (NOESP) and section 8.2.4.6 of the North Oakville West Secondary Plan (NOWSP) include the following development objective for the lands north of Dundas Street: "To encourage, where appropriate and feasible, the incorporation of cultural heritage resources, including their adaptive reuse, as part of the development."

In evaluating development applications, both the NOESP and the NOWSP state that the Town shall "Encourage the use or adaptive reuse of cultural heritage resources, or key components of such resources, whenever possible as part of the new development in situ, or on an alternate site."

More detailed conservation strategies, including guidelines on pro-actively designating cultural heritage resources, are included in the North Oakville Heritage Resources Review and Strategy and the Bronte Heritage Resources Review and Strategy.

All of these documents support the designation of cultural heritage resources as a way of improving communities. Designation is not meant to prevent change, but to help manage it to protect the character and uniqueness of place.

#### Future considerations

This project has raised questions about how the Heritage Planning section in Oakville will be impacted by these designations in the future. For example, will the additional designations result in a significant increase in heritage permits and heritage grant applications? Will this workload be manageable for the regular Heritage Planning team once the additional contract positions have ended?

Heritage Planning staff will be monitoring these issues during the next two years and in the years that follow.

A separate report on this matter was presented to the Heritage Oakville Advisory Committee on April 25, 2023. The Committee supported the staff recommendation to receive the report.

### **CONSIDERATIONS:**

#### **(A) PUBLIC**

Heritage Planning staff will continue to communicate and work with owners of property recommended for heritage designation.

**(B) FINANCIAL**

Additional properties to be designated will be eligible for the Heritage Grant Program, which is funded by the Heritage Reserve Fund.

**(C) IMPACT ON OTHER DEPARTMENTS & USERS**

Heritage Planning staff will continue to work with Legal, Clerk's and Strategy, Policy and Communications to process designations and provide public notice.

**(D) CORPORATE STRATEGIC GOALS**

This report addresses the corporate strategic goals to:

- enhance our cultural environment
- be the most livable town in Canada

**(E) CLIMATE CHANGE/ACTION**

A Climate Emergency was declared by Council in June 2019 for the purposes of strengthening the Oakville community commitment in reducing carbon footprints. The designation and conservation of properties of cultural heritage value contributes to the town's initiatives to reduce carbon footprints.

Prepared by:

Carolyn Van Sligtenhorst, MCIP, RPP, CAHP  
Supervisor, Heritage Conservation

Recommended by:

Kirk Biggar, MCIP, RPP  
Manager, Policy Planning and Heritage

Submitted by:

Gabe Charles, MCIP, RPP  
Director, Planning Services

## **Heritage Oakville Advisory Committee**

### **MINUTES**

**Date:** April 25, 2023  
**Time:** 9:30 am  
**Location:** Council Chamber

**Members:** Drew Bucknall, Chair  
Gerarda (Geri) Tino, Vice-Chair  
Councillor Duddeck  
Councillor Gittings  
Russell Buckland  
Kerry Colborne  
George Gordon  
Jason Judson  
Bob Laughlin  
Susan Hobson

**Regrets:** Brenda Sweeney

**Staff:** Gabe Charles, Director of Planning Services  
Kirk Biggar, Manager of Policy Planning and Heritage  
Carolyn Van Sligtenhorst, Supervisor of Heritage Conservation  
Susan Schappert, Heritage Planner  
Kristen McLaughlin, Heritage Planner  
Jill Marcovecchio, Council and Committee Coordinator

**A meeting of the Heritage Oakville Advisory Committee was held on April 25, 2023, in the Council Chamber of the Oakville Municipal Building, commencing at 9:30 a.m.**

**These minutes will go forward to the Planning and Development Council meeting of May 15, 2023 for approval. Please view those minutes to note any changes Council may have made.**

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**1. Regrets**

Regrets as noted above.

**2. Declarations of Pecuniary Interest**

No declarations of pecuniary interest were declared.

**3. Confirmation of Minutes of Previous Meeting(s)**

Moved by Councillor Duddeck

That the minutes of the Heritage Oakville Advisory Committee meeting of February 28, 2023, be approved.

CARRIED

**4. Discussion Item(s)**

*In accordance with Section 2(8) of the Procedure By-law, the items were considered out of order.*

**4.1 Election of Chair and Vice-Chair 2023**

Jill Marcovecchio, Council and Committee Coordinator, called for nominations for the position of Chair of the Heritage Oakville Advisory Committee for the year 2023. George Gordon nominated Drew Bucknall for the position of Chair. Drew Bucknall accepted the nomination.

There being no further nominations put forth, the nominations were closed on a motion by Councillor Duddeck.

Moved by George Gordon

That Drew Bucknall be appointed Chair of the Heritage Oakville Advisory Committee for the year 2023.

CARRIED

Jill Marcovecchio called for nominations for the position of Vice-Chair of the Heritage Oakville Advisory Committee for the year 2023. Kerry Colborne nominated Gerarda (Geri) Tino for the position of Vice-Chair. Gerarda (Geri) Tino accepted the nomination.

There being no further nominations put forth, the nominations were closed on a motion by Councillor Duddeck.

Moved by Kerry Colborne

That Gerarda (Geri) Tino be appointed Vice-Chair of the Heritage Oakville Advisory Committee for the year 2023.

CARRIED

#### **4.2 Heritage Designation Project 2023-2025**

A separate staff report will be forwarded to the May 15, 2023 Planning and Development Council for consideration.

Moved by Kerry Colborne

That the report “Heritage Designation Project 2023-2025” dated April 11, 2023, from the Planning Services Department, be received.

CARRIED

### **5. Information Item(s)**

#### **5.1 Delegated Heritage Permits - December 2022 - March 2023**

#### **5.2 Heritage Conservation District Update**

Moved by Bob Laughlin

That the information item(s) be received.

CARRIED

### **6. Date and Time of Next Meeting**

Tuesday, May 30, 2023

Oakville Municipal Building

Council Chamber - 9:30 a.m.

**7. Adjournment**

Moved by Jason Judson

That this meeting be adjourned.

CARRIED

The meeting adjourned at 10:05 a.m.



**THE CORPORATION OF THE TOWN OF OAKVILLE**

**BY-LAW NUMBER 2023-061**

A by-law to confirm the proceedings of a meeting of Council.

**COUNCIL ENACTS AS FOLLOWS:**

1. Subject to Section 3 of this by-law, every decision of Council taken at the meeting at which this by-law is passed and every resolution passed at that meeting shall have the same force and effect as if each and every one of them had been the subject matter of a separate by-law duly enacted.
2. The execution and delivery of all such documents as are required to give effect to the decisions taken at the meeting at which this by-law is passed and the resolutions passed at that meeting are hereby authorized.
3. Nothing in this by-law has the effect of giving to any decision or resolution the status of a by-law where any legal prerequisite to the enactment of a specific by-law has not been satisfied.

PASSED this 15<sup>th</sup> day of May, 2023

\_\_\_\_\_  
Rob Burton

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Kathy Patrick

\_\_\_\_\_  
Acting Town Clerk