

REPORT

Planning and Development Council

Meeting Date: May 10, 2021

FROM: Planning Services Department

DATE: April 27, 2021

SUBJECT: **Public Meeting Report, Zoning By-law Amendment and Draft Plan of Subdivision, Star Oak Developments Limited, 90 Burnhamthorpe Road West, File No. Z.1316.10, 24T-21002/1316**

LOCATION: Southwest corner of Burnhamthorpe Road West and Sixth Line

WARD: Ward 7

Page 1

RECOMMENDATION:

1. That the public meeting report, prepared by the Planning Services Department dated April 27, 2021, be received.
2. That comments from the public with respect to the Zoning By-law Amendment and Draft Plan of Subdivision by Star Oak Development Limited, File No.: Z.1316.10, 24T-21002/1316, be received.
3. That staff consider such comments as may be provided by Council.

KEY FACTS:

Star Oak Development Limited has submitted a Zoning By-law Amendment and Draft Plan of Subdivision to redevelop approximately 23.6 hectares of land on the southwest corner of Burnhamthorpe Road West and Sixth Line as follows:

- 68 detached dwellings and 141 townhouse dwellings;
- a stormwater management facility;
- two natural heritage system blocks associated with the West Morrison Creek; (woodlot and creek) and,
- the road network.

Access to the site would be from Sixth Line to the east and the abutting westerly lands, once those properties are developed.

The subject lands are designated *Neighbourhood Area* and *Natural Heritage System Area* within the North Oakville East Secondary Plan (Figure NOE2) and zoned *Existing Development (ED)* within Zoning By-law 2009-189, as amended.

Both the existing Official Plan designations and zoning are consistent with the Provincial Policy Statement as they conform to all applicable Provincial plans and the Region of Halton Official Plan. They also allow for additional development and provide for the conveyance and protection of the natural heritage system in accordance with the Town's established urban structure.

The Zoning By-law Amendment (ZBA) and Draft Plan of Subdivision application were submitted on February 24, 2021 and deemed complete on March 5, 2021. Bill 108 provides for a 90-day Zoning By-law Amendment appeal timeframe, which would end on May 25, 2021 and a 120-day Draft Plan of Subdivision appeal timeframe, ending on June 24, 2021.

BACKGROUND:

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

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

The ZBA and Draft Plan of Subdivision were deemed complete on March 5, 2021.

Proposal

The proposal is for a Zoning By-law Amendment and Draft Plan of Subdivision.

The proposal relates to the development of approximately 23.6 hectares of land as set out below and as seen on Figure 1A below:

- 68 detached dwellings and 141 multiple attached dwellings;
- a stormwater management facility;

- two natural heritage system blocks associated with the West Morrison Creek; (Core 7 and creek) and,
- the road network.

Access to the site would be from Sixth Line to the east and the abutting westerly lands, once those properties develop.

The applicant's Zoning By-law Amendment proposes the following:

1. Amend Map 12(4) of By-law 2009-189.
2. Amend Section 8 Special Provisions of By-law 2009-189 to include new special provisions for each of the proposed zones as follows

From:	To:
Existing Development (ED)	Site specific zoning reflecting the following zones: Neighbourhood Centre; General Urban; Natural Heritage System and Storm Water Management Facility.

The applicant's proposed zoning regulations are found within Appendix A1.

The draft plan of subdivision excerpt, Figure 1a below and contained within Appendix A2, illustrates the proposed development for the site.

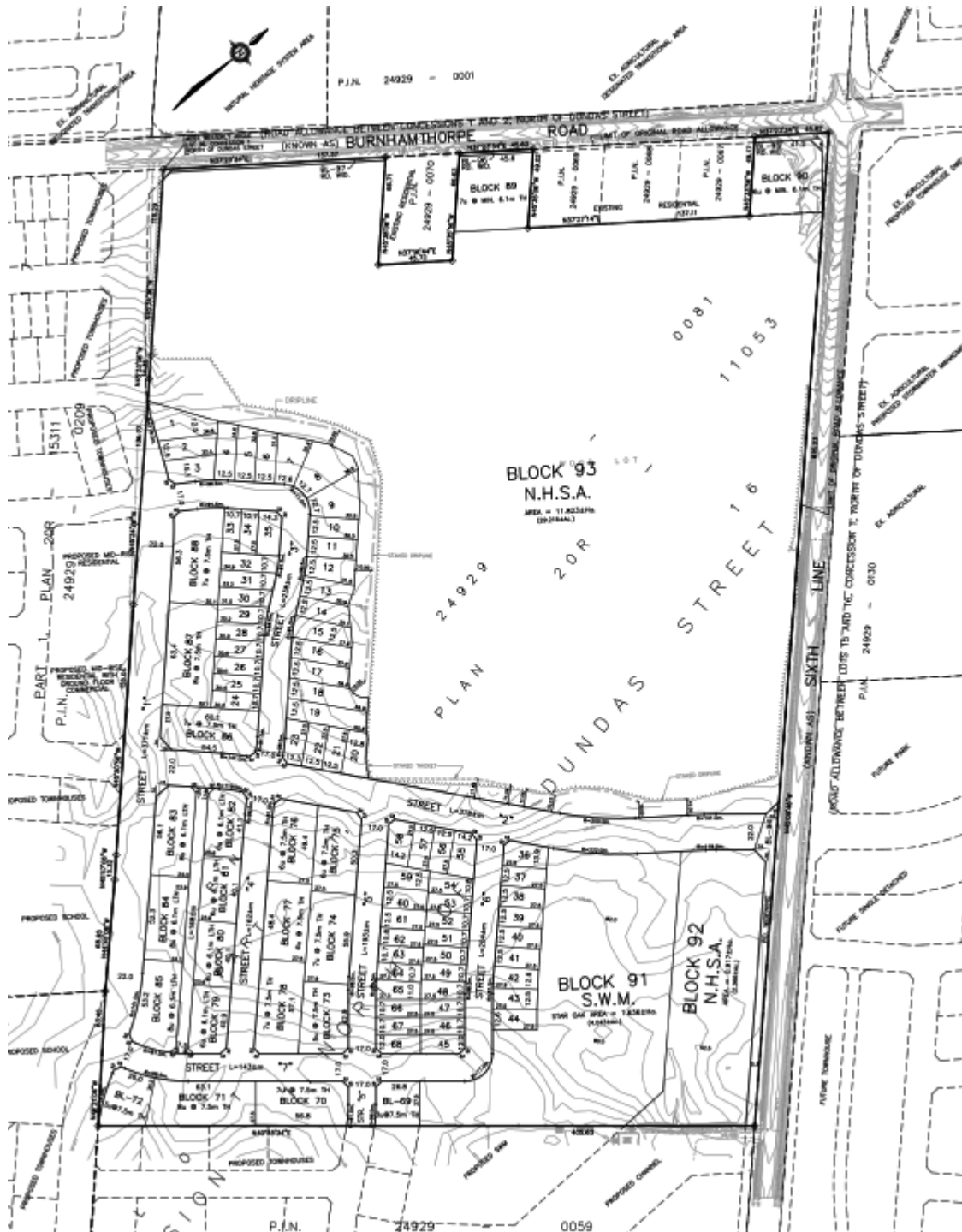


Figure 1A – Proposed Draft Plan Excerpt (NTS)

For contextual purposes, Figure 1B identifies the property in relation to Neighbourhoods 8, 9, 10 and 11 (as illustrated in the North Oakville East Secondary

Plan, Figure NOE1), which reflects the area west of Sixth Line to Neyagawa Boulevard. The number 6 on the plan identifies the Star Oak property.

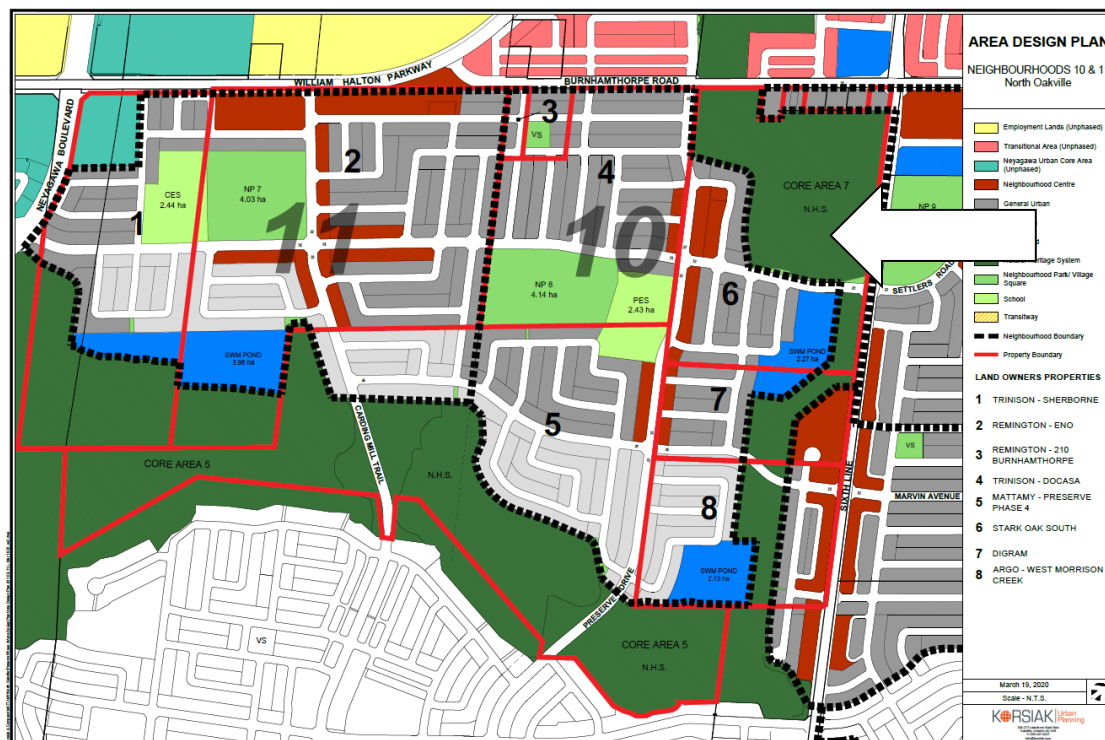


Figure 1B – Context Plan

The draft plan of subdivision proposes the following:

Draft Plan Feature	Number of Units	Area (ha)
Detached Dwellings	68	2.57
Multiple-attached Dwellings	141	3.08
NHS		12.74
SWM Pond		1.64
Roadways		3.37
Road widening		0.189
TOTAL	209	23.6

The proposed housing types are as follows:

Proposed Unit Type	Total
Detached Dwellings (12.5m)	39
Detached Dwellings (10.7m)	29
Townhouse Dwellings (7.5m)	80
Townhouse Dwellings (6.1m, lane based)	48
Townhouse Dwellings (6.1m, block based)	13
TOTAL	209

All application submission materials are found on the town's website site at:
<https://www.oakville.ca/business/da-37461.html>.

Location / Site Description / Surrounding Land Uses (Figure 2)

The subject lands, being approximately 23.6 hectares in size, are located on the southwest corner of Burnhamthorpe Road West and Sixth Line.

These lands are remnant agricultural lands with a portion that is wooded (Core 7 as identified by the North Oakville Creeks Subwatershed Study).

The West Morrison Creek traverses the subject land, both in the agricultural field and within the Sixth Line roadside ditch.

Lands to the west, east and south are proposed for residential development. Development applications are presently under review with the town.



Figure 2: Air Photo NTS

PLANNING POLICY & ANALYSIS:

The property is subject to the following policy and regulatory framework:

- Provincial Policy Statement (2020)
- Growth Plan for the Greater Golden Horseshoe (2019)
- Halton Region Official Plan
- North Oakville East Secondary Plan
- Zoning By-law 2009-189, as amended

Provincial Policy Statement (2020)

The Provincial Policy Statement (2020) ('PPS') 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.

Policies applicable to this application can be found in Appendix B.

Growth Plan (2019)

The Growth Plan for the Greater Golden Horseshoe ('Growth Plan') is a long-term plan that intends to manage growth, build complete communities, curb sprawl and protect cultural heritage resources and the natural environment.

The Growth Plan provides policies for where and how to grow, directing population and employment growth to urban areas and rural settlement areas with delineated built boundaries on full municipal services. 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.

Policies applicable to this application can be found in Appendix B.

Halton Region Official Plan

The subject lands are designated "Urban Area" in the Halton Region Plan. Lands within the "Urban Area" are intended for residential and employment growth. 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.

Burnhamthorpe Road is presently a regional road, but will be transferred to the town on April 30, 2021.

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 proposed development is subject to the 2020 Regional Allocation program.

North Oakville East Secondary Plan – NOESP (OPA 272)

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.

Official Plan Amendment 317 to the *North Oakville East Secondary Plan* confirms the Town's existing urban structure. OPA 317 was approved by Halton Region on April 26, 2018 and deemed to conform to the Growth Plan and is consistent with the PPS.

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*.

Land Uses

The North Oakville East Secondary Plan (NOESP) was approved by the Ontario Municipal Board in 2008 through OPA 272 and was prepared to be consistent with the 2005 PPS and in conformity with the 2006 Growth Plan. The Secondary Plan includes detailed policies establishing general development objectives to guide the future development of the area covered by the Plan.

The subject land is designated *Neighbourhood Area* and *Natural Heritage System Area*, on Figure NOE2 of the NOESP and as illustrated on Figure 3A below.

The arrow, on Figure 3A, identifies the location of the subject lands.

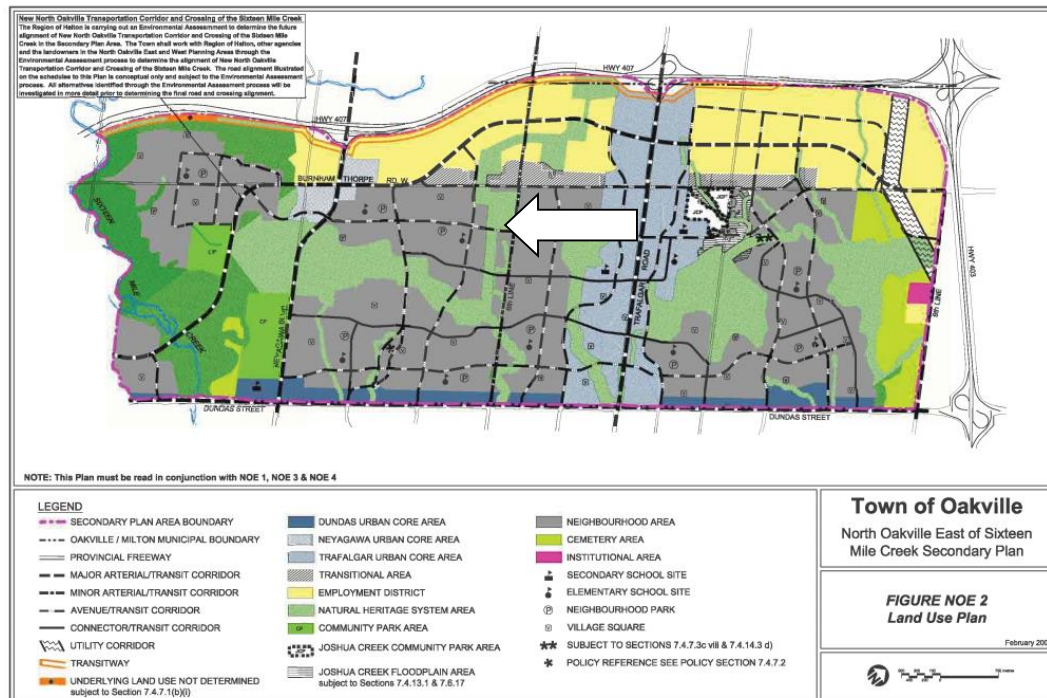


Figure 3A – North Oakville East Secondary Plan - Figure NOE2

Master Plan - Appendix 7.3

The North Oakville Master Plan illustrates a conceptual design and land use categories for the North Oakville East planning area.

Development applications are reviewed in the context of the Master Plan in order to evaluate consistency. Minor variations from the Master Plan may be considered, assuming the general intent and direction of the Master Plan is maintained.

The lands are further identified on the North Oakville Master Plan as *Natural Heritage System Area*, *General Urban Area* and *Neighbourhood Centre Area*, *Stormwater Management Facility* (Figure 3B, excerpt below).



LEGEND

	SECONDARY PLAN AREA BOUNDARY		INSTITUTIONAL AREA		UTILITY CORRIDOR
	OAKVILLE / MILTON MUNICIPAL BOUNDARY		STORMWATER MANAGEMENT FACILITY (final location tbd)		NEIGHBOURHOOD ACTIVITY NODE
	TRANSITWAY		COMMUNITY PARK AREA		CEMETERY AREA
	DUNDAS STREET URBAN CORE AREA		NEIGHBOURHOOD PARK AREA		NEIGHBOURHOOD CENTRE AREA
	NEYAGAWA BLVD. URBAN CORE AREA		VILLAGE SQUARE/URBAN SQUARE		GENERAL URBAN AREA
	TRAFALGAR ROAD URBAN CORE AREA		ELEMENTARY SCHOOL SITE		SUB URBAN AREA
	TRANSITIONAL AREA		SECONDARY SCHOOL SITE		HIGH DENSITY RESIDENTIAL AREA
	EMPLOYMENT AREA		JOSHUA CREEK FLOODPLAIN AREA		POLICY REFERENCE - SEE POLICY SECTION 7.4.7.2
	NATURAL HERITAGE SYSTEM AREA				

Figure 3B – North Oakville Master Plan Excerpt

Applicable North Oakville East Secondary Plan policies are contained within Appendix B attached to this report.

OPA 321

In September 2018, Halton Region approved OPA 321 and was subsequently approved at the LPAT in July 2019, with modifications.

The effect of OPA 321 is to implement the policy directions focused on areas of concern to be addressed in the short-term through the North Oakville Secondary Plans Review. As it relates to this proposal, the Neighbourhood Centre Area policies were updated to enhance clarity, provide opportunities to increase the maximum height and require one mixed use or non-residential building at neighbourhood activity nodes. Further, the definition for Medium Density Residential Development was updated to remove detached, semi-detached and duplex dwellings as permitted uses.

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.

Burnhamthorpe Road Character Study

On February 9, 2015, town council approved the Burnhamthorpe Road Character and Environmental Assessment Study.

Burnhamthorpe Road (Regional Road 27) is currently designated as a regional arterial road under the jurisdiction of Halton Region. However, once constructed and in service, the William Halton Parkway will replace Burnhamthorpe Road's regional road function. Burnhamthorpe Road (east of Sixth Line) is to be transferred to the town on April 30, 2021. It is classified as a "character road" as described in the North Oakville East Secondary Plan (NOESP). Burnhamthorpe Road will retain its name.

The NOESP envisions Burnhamthorpe Road as a vibrant, pedestrian-friendly and transit supportive roadway that acts as the transition between the residential to the south and employment land uses to the north. Additionally, the NOESP notes that design standards will respect the existing character of the road and its abutting uses, to which may require unique considerations to matters such as grading and preservation of vegetation along this roadway. The Burnhamthorpe Road Character Study implements the NOESP's vision by establishing appropriate road designs for the sections of Burnhamthorpe Road between Ninth Line and Sixteen Mile Creek to

The application proposes to rezone the site from Existing Development (ED) to site specific Neighbourhood Centre Zone, General Urban, Natural Heritage System (NHS) and Storm Water Management Facility (SMF) to permit the redevelopment of the site for residential units, a stormwater management facility and two NHS blocks, as reference above.

The applicant's proposed zoning regulations can be found within Appendix A1.

TECHNICAL & PUBLIC COMMENTS:

The proponent has provided numerous studies in support of the application which have been circulated to various public agencies and internal Town departments, and which are under review. The following supporting documents are accessible on the town's website (<https://www.oakville.ca/business/da-37461.html>):

- Aerial
- Archaeological Assessment - Stage 1 and 2
- Density Analysis Plan
- Draft Plan of Subdivision
- Draft Zoning By-law Amendment
- Drainage Plan
- Environmental Site Assessment - Stage 1
- Environmental Site Screening Questionnaire
- Grading Plan
- Natural Features Limits Plan
- Noise Study
- Parking Justification Plan
- Pedestrian Circulation Plan
- Planning Justification Report
- Survey
- Transportation Impact Study
- Transportation Impact Study - Addendum
- Tree Preservation Plan
- Transit Facility Plan
- Tree Canopy Cover Plan
- Urban Design Brief
- West Morrison Creek EIR/FSS (being reviewed as a separate review as part of the larger subwatershed)

Issues Under Review/Matters to be Considered

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

- Confirmation of being a member of the North Oakville East Developers Group and party to the Cost Sharing Agreement.
- Consistency with the Provincial Policy Statement, 2020 and conformity to the 2019 Growth Plan for the Greater Golden Horseshoe.
- Conformity to the Region of Halton Official Plan.
- Conformity of the proposal with the land use and policies of the North Oakville East Secondary Plan.
- Does the EIR/FSS appropriately implement the North Oakville Creeks Subwatershed Study? Have the Natural Heritage System limits (Core 7 and the West Morrison Creek) been appropriately defined?
- Conformity with urban design policies on matters such as built form, lot sizes, transitions and compatibility with adjacent properties, interface with public realms and vehicular access.
- Justification for the proposed modifications to the parent zoning by-law ensuring the proposed zoning by-law amendment appropriately implements the vision of the North Oakville East Secondary Plan.
- Appropriate residential, on-street parking and visitors parking.
- The Landowners Group created a comprehensive Transportation Impact Study for Neighbourhoods 9, 10 and 11. Staff have raised concerns with this parent document that would need to be addressed including any interim transportation and coordination matters.
- The Neighbourhood Activity Node is located at the intersection of Street 1 and Street 2. Only half of the activity node is on this site. How will the activity node function?
- Coordination with the town's Sixth Line reconstruction project. Have all road widenings been identified?

- Have the proposed widenings along Burnhamthorpe Road West been appropriately identified in relation to the requirements as outlined within the Burnhamthorpe Road Character Study?
- How does the proposed development of Blocks 89 and 90 reflect the requirements of the Burnhamthorpe Road Character Study and the West Morrison Creek EIR/FSS?
- Alignment with the Climate Emergency declared by Council in June 2019 for the purposes of strengthening the Oakville community commitment in reducing carbon footprints. This can involve staff working with developers to incorporate travel demand strategies to reduce the transportation emissions from single occupant vehicles and increase the transit, pedestrian and cycling mode split.

A complete analysis of this application will be undertaken including the foregoing matters, and other matters, which may be subsequently identified.

CONSIDERATIONS:

(A) PUBLIC

Notice for this meeting was distributed to all properties within 120 m of the subject property and is included on the sign posted at the site.

Prior to submission of the application, the applicant undertook a community consultation process. A virtual meeting was held on February 2, 2021. Six members of the public and the Ward 7 Councillors attended this virtual meeting. The discussion reviewed several topics including the proposed development on Burnhamthorpe Road West, but no concerns were raised.

(B) FINANCIAL

Development Charges would be applicable 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 review. The application remains in technical review.

(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 will be reviewed to ensure compliance with the Town's sustainability objectives of the Livable Plan.

CONCLUSION:

Planning staff will continue to review and analyze the proposed application and address all technical matters along with submitted public comments, and report to Council at a future meeting. No further notice is required, however, written notice of any future public meetings will be provided to those who have made written and/or verbal submissions.

APPENDICES:

- Appendix A1 - Applicant's Proposed Zoning Regulations
- Appendix A2 - Applicant's Draft Plan of Subdivision
- Appendix B - Applicable Policies

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