

REPORT

Planning and Development Council

Meeting Date: September 13, 2021

FROM: Planning Services Department

DATE: August 31, 2021

SUBJECT: Public Meeting Report, Zoning By-law Amendment and Draft Plan of Subdivision, Docasa Group Ltd, 160 Burnhamthorpe Road West, File No. Z.1317.06, 24T-21004/1317

LOCATION: South side of Burnhamthorpe Road West, west of Sixth Line

WARD: Ward 7

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RECOMMENDATION:

1. That the public meeting report, prepared by the Planning Services Department dated August 31, 2021, be received.
2. That comments from the public with respect to the Zoning By-law Amendment and Draft Plan of Subdivision by Docasa Group Ltd., File No.: Z.1317.06, 24T-21004/1317, be received.
3. That staff consider such comments as may be provided by Council.

KEY FACTS:

Docasa Group Ltd. has submitted a Zoning By-law Amendment and Draft Plan of Subdivision to redevelop approximately 18.5 hectares of land on the south side of Burnhamthorpe Road West, west of Sixth Line as follows:

- 425 units in total comprising of 114 detached dwellings, 94 semi-detached dwellings, 89 townhouse dwellings and 128 units in mid-rise buildings;
- one natural heritage system block associated with the West Morrison Creek; (Core 7 woodlot);
- a park block;
- a school block to be added to the proposed school block on the southerly abutting draft plan submitted by Mattamy; and

- the road network.

Access to the site would be from Burnhamthorpe Road West, and the abutting southerly and easterly draft plans, once those properties are developed, that are presently under review.

The subject lands are designated *Neighbourhood Area* and *Natural Heritage System Area* with overlays for the Park and School 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, conform to all applicable Provincial plans, the Region of Halton Official Plan as they 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 was submitted on May 31, 2021 and deemed complete on June 17, 2021. Bill 108 provides for a 90-day Zoning By-law Amendment appeal timeframe, which would end on August 29, 2021 and a 120-day Draft Plan of Subdivision appeal timeframe, ending on September 28, 2021.

BACKGROUND:

The purpose of this report is to introduce the planning application in conjunction with the statutory public meeting. Council will hear public delegations on the application, ask questions of clarification and identify matters to be considered. The report is to be received. 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.

Proposal

The proposal reflects a Zoning By-law Amendment to rezone the lands from ED to Neighbourhood Centre (NC), General Urban (GU), Park (P), Institutional (I) and Natural Heritage System (NHS) zones. A concurrent plan of subdivision application has been submitted to develop the lands as follows:

- 425 dwelling units, being comprised of 114 detached dwellings, 94 semi-detached dwellings, 89 townhouse dwellings and 128 units in mid-rise buildings;
- one natural heritage system block associated with the West Morrison Creek;
- a park block;
- a school block to be added to the proposed school block on the southerly abutting draft plan submitted by Mattamy; and
- the road network.

Access to the site will be from Burnhamthorpe Road West, and the abutting southerly and easterly draft plans that are presently under review, once those properties are developed.

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

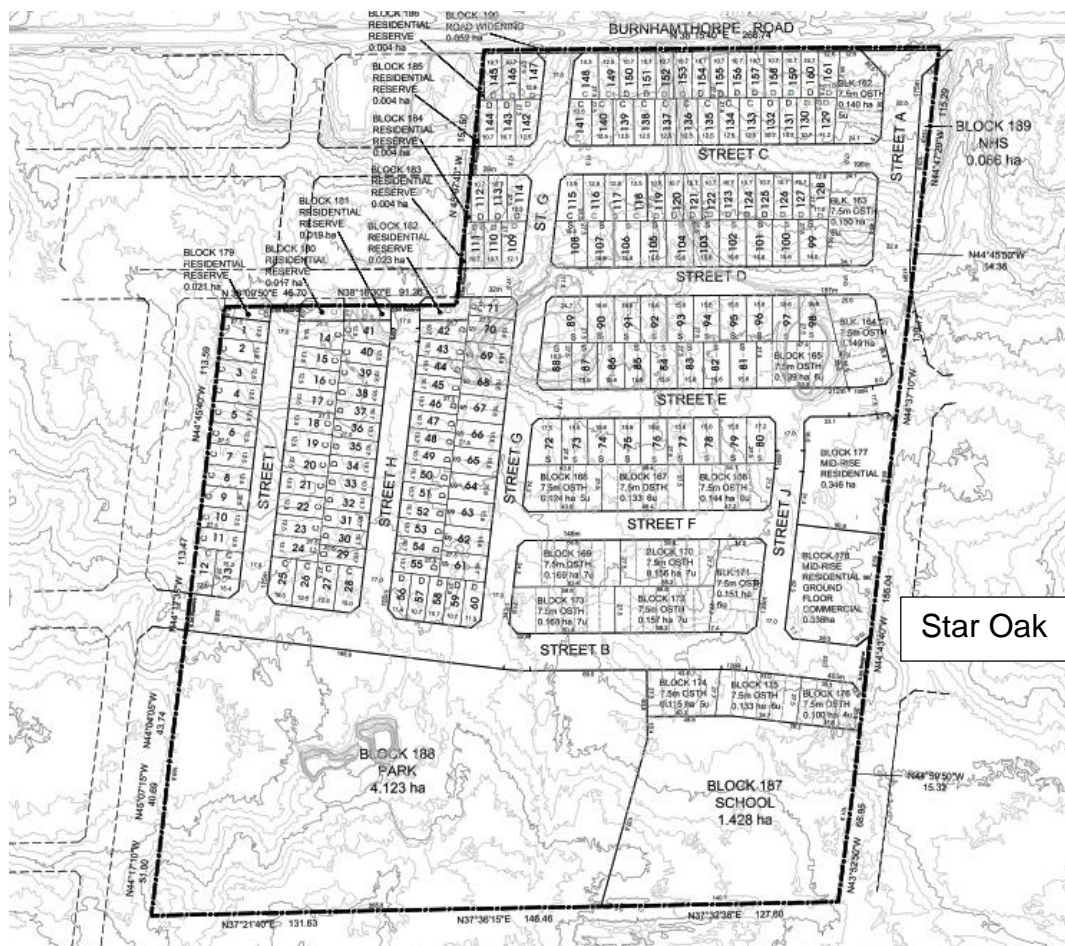


Figure 1 – Proposed Draft Plan Excerpt NTS

The draft plan of subdivision proposes the following:

Draft Plan Feature	Number of Units	Area (ha)
Detached Dwellings	114	3.699
Semi-detached Dwellings	94	2.088
Multiple-attached Dwellings	89	2.130
Mid-rise Units	128	0.684
Residential Reserve		0.096
School		1.428
Park		4.123
NHS		0.066
Roadways		4.123
Road widening		0.052
TOTAL	425	18.489

The proposed housing types are as follows:

Proposed Unit Type	Total
Detached Dwellings (12.5m)	46
Detached Dwellings (10.4m)	68
Semi-detached Dwellings (7.8m)	94
Townhouse Dwellings (street based, 7.5m)	89
Midrise dwelling units (Block 177 and 178)	128
TOTAL	425

All application submission material are found on the town's website site at <https://www.oakville.ca/business/da-38428.html>.

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

The subject land is located on the south side of Burnhamthorpe Road West, west of Sixth Line.

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

The property is contained within the West Morrison Creek subcatchment area.

Lands to the west, east and south are proposed for residential development. Development applications for the lands south and east of the site have been discussed at previous Planning and Development Council meetings.

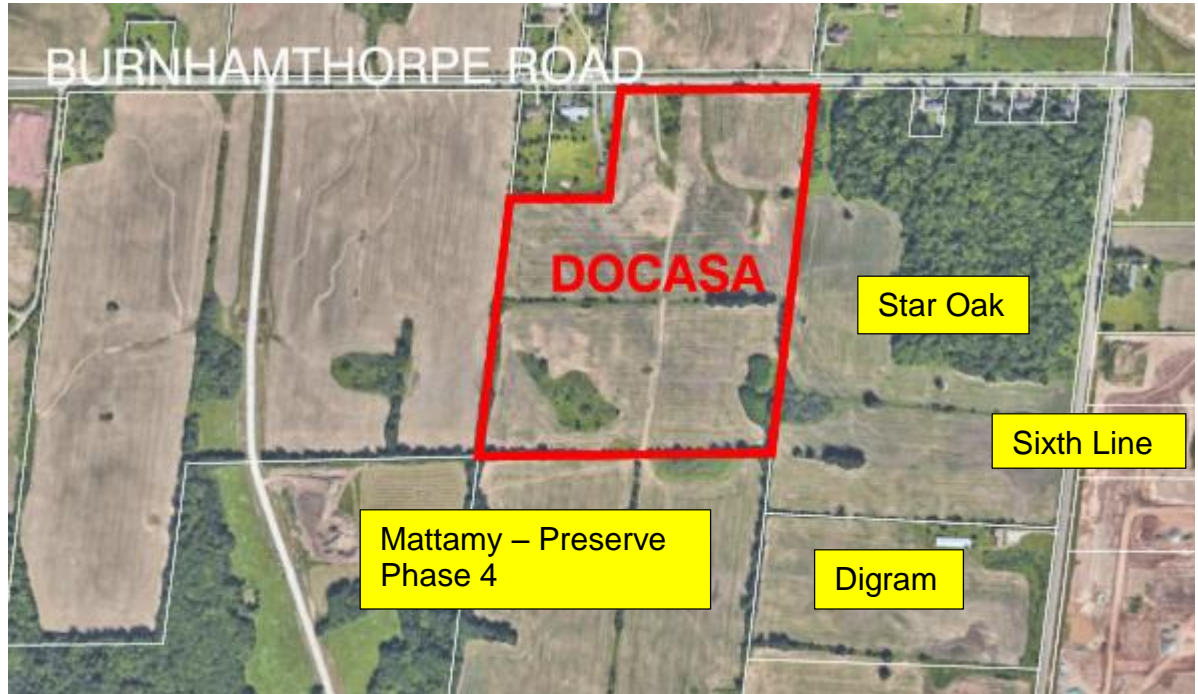


Figure 2a: Air Photo NTS

For contextual purposes, Figure 2b identifies the property in relation to Neighbourhoods 8, 9, 10 and 11, which principally reflects the area west of Sixth Line. The number 4 and arrow on the plan identifies the Docasa property.

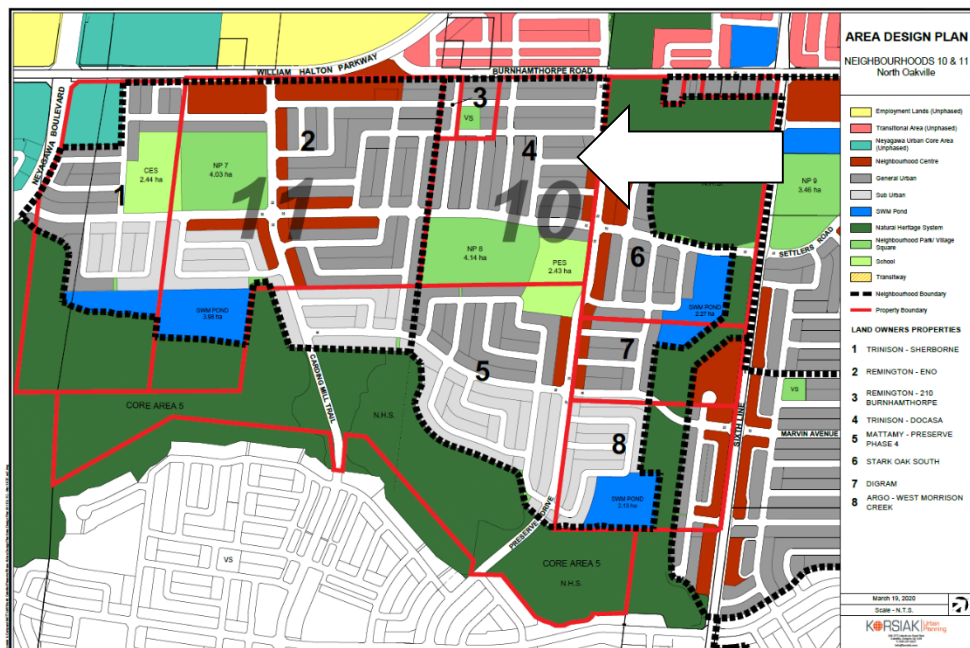


Figure 2b – Context plan

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 West in this location is presently a regional road. It is anticipated that this section of roadway will be conveyed to the town in 2025 following the completion of the section of William Halton Parkway.

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 would be 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 Neighbourhood Park and School are also shown.

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

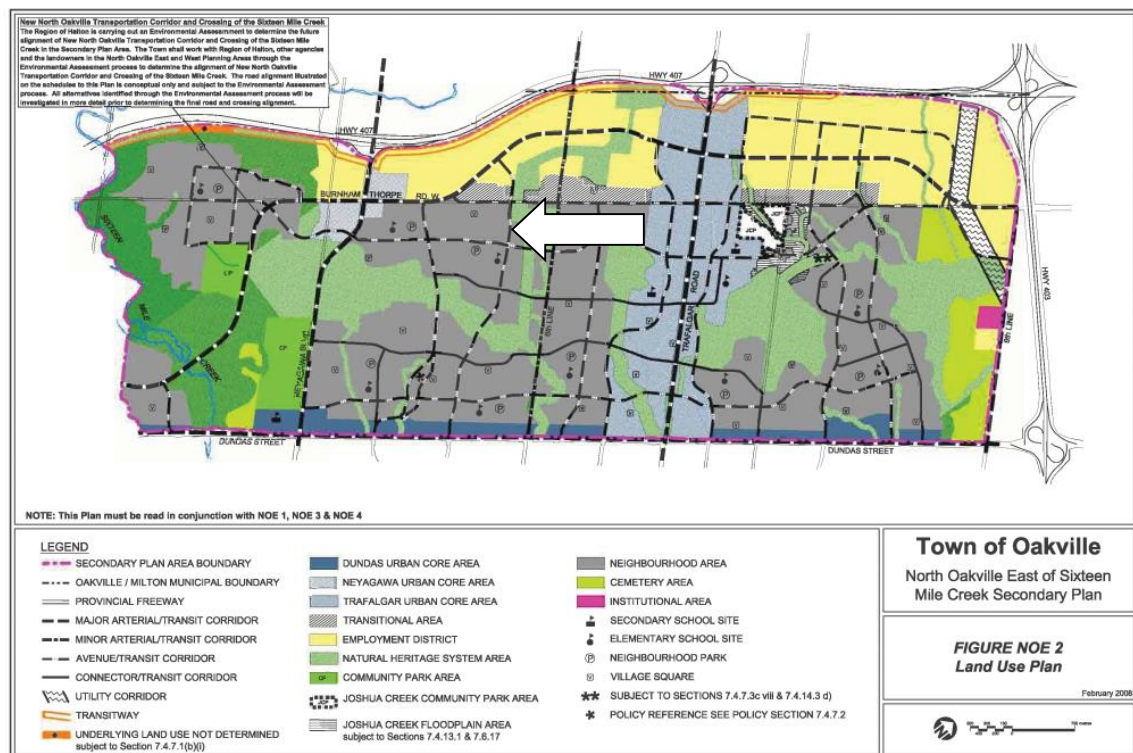


Figure 3a – North Oakville East Secondary Plan - Figure NOE2

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 subject property, identified by the arrow below, is further identified on the North Oakville Master Plan as *Natural Heritage System Area*, *General Urban Area* and *Neighbourhood Centre Area*, *Neighbourhood Park and School* (Figure 3b, excerpt below). The circle on the Master Plan at the intersection of the two Avenues reflects

the proposed Neighbourhood Activity Node, where a mix of uses including small scale commercial and live works are envisioned.



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 neighborhood residents from a central neighborhood 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. The intersection of Street A (extension on the Star Oak easterly draft plan) and Street B has been identified as a Neighbourhood Activity Node, wherein mixed use development is envisioned.

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, east of Sixth Line has been transferred to the town. The remaining westerly section will be conveyed at a future date. 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, 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 serve the evolving needs of the North Oakville community. Varying cross-sections along the Burnhamthorpe Road corridor will support the proposed land uses.

Within this section of the overall Burnhamthorpe Road, a 24 metre right-of-way is required by this study.

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

The North Oakville Zoning By-law (By-law 2009-189) sets zoning standards with the establishment of general regulations and zones so as to implement the intent of the North Oakville East and West Secondary Plans. Town Council approved the North Oakville Zoning Bylaw on November 23, 2009.

The subject lands are zoned *Existing Development (ED)*, as illustrated on Figure 4 below. The *Existing Development (ED)* zone only allows uses that legally existed on the date of the parent by-law came into effect.

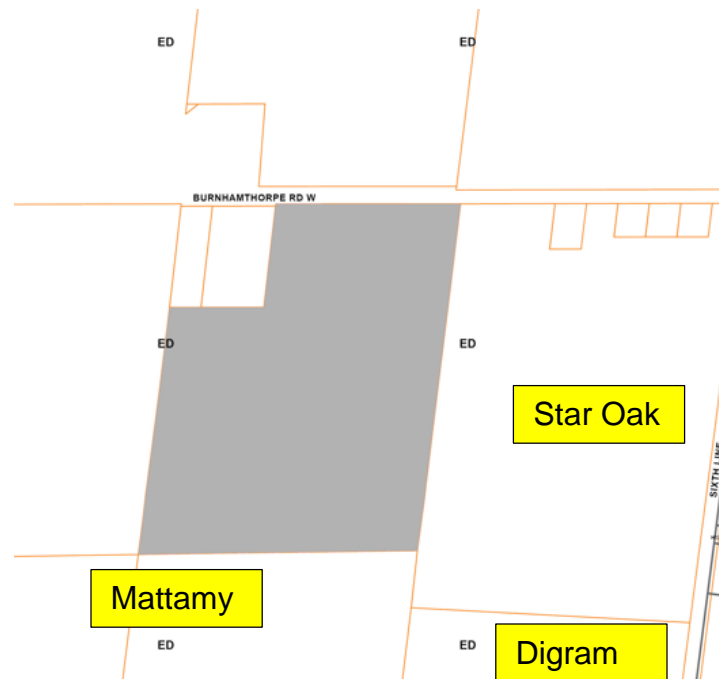


Figure 4 – Zoning By-law Excerpt

The application proposes to rezone the site from Existing Development (ED) to site specific Neighbourhood Centre (NC), General Urban (GU), Park (P), Institutional (I) and Natural Heritage System (NHS) zones to permit the redevelopment of the site for residential units, one NHS block, a school and park, as referenced 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-38428.html>):

- Aerial
- Archaeological Assessment
- Density Analysis
- Draft Plan of Subdivision
- Draft Zoning By-law Amendment
- Environmental Site Assessment
- Environmental Site Screening Questionnaire
- Noise Study
- Park Concept
- Parking Justification Plan
- Survey
- Transportation Impact Study
- Traffic and Parking Memo
- 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.

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- Does the EIR/FSS appropriately implement the North Oakville Creeks Subwatershed Study? Have the Natural Heritage System limits (i.e. 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 the public realm, particularly Burnhamthorpe Road West.
 - 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. Surface parking will be provided in accordance with the Town of Oakville Parking Zoning By-Law requirements for various residential units. 234 parking spaces are provided via on-street parking within the development.

The location and number of on-street parking stalls is subject to minor changes and will need to be refined as part of the detailed engineering submission once curb locations, utilities, and fire hydrants have been established.

- From a transportation perspective, additional information is required related to the proposed midrise commercial and trip generation.
- 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?
- Have the proposed widenings along Burnhamthorpe Road West been appropriately identified in relation to the requirements as outlined within the Burnhamthorpe Road Character Study? Does the proposed built form along Burnhamthorpe Road West appropriately implement the design directions of the Burnhamthorpe Road Character Study?
- Has the development appropriately identified the size of the school site? Co-ordination is necessary with the Halton District School Board.
- 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.

The applicant undertook a combined community consultation process with a virtual meeting held on July 28, 2021 for both the Docasa and Timsin applications. Four members of the public attended this virtual meeting. Based upon the information submitted, 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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