

## REPORT

### Planning and Development Council

Meeting Date: December 7, 2021

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**FROM:** Planning Services Department

**DATE:** November 23, 2021

**SUBJECT:** Public Meeting and Recommendation Report – Zoning By-law Amendment – Kamato Holdings Limited – 1235 Trafalgar Road, 1226-1230 White Oaks Boulevard and 350 Lynnwood Drive, File No.: Z.1512.09, By-law 2021-049

**LOCATION:** 1226-1230 White Oaks Boulevard, 350 Lynnwood Drive and 1235 Trafalgar Road

**WARD:** Ward 6

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#### RECOMMENDATION:

1. That Zoning By-law Amendment application (File No. Z.1512.09), submitted by Kamato Holdings Limited, be approved on the basis that the application is 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 November 23, 2021.
2. That By-law 2021-049 an amendment to Zoning By-law 2014-014, be passed.
3. That notice of Council's decision reflects that Council has fully considered all written and oral submissions relating to this matter and that those comments have been appropriately addressed.
4. That Council directs staff to ensure the site plan approval for the proposed development is to be designed in accordance with the urban design requirements in Appendix 'B' of the report from the Planning Services Department dated November 23, 2021.

5. That the Town Solicitor or designate be authorized to give the Town's consent to the relocation of the parking spaces shared among the subject properties with the expanded Parking Area C identified in By-law 2021-049.

## **KEY FACTS:**

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

- This report recommends approval of a proposed zoning by-law amendment application submitted by Kamato Holdings Limited to permit the development of a new 20-storey, 203 unit rental apartment building on lands municipally known as 1226-1230 White Oaks Blvd. and 350 Lynnwood Drive.
- The subject report is a combined Statutory Public Meeting and recommendation report given that additional lands (1235 Trafalgar Road) have been included in the application since the previous statutory public meeting to allow for the management of the shared parking arrangements.
- The application was further revised to permit a temporary vehicular ramp and associated stairways to the existing parking structure to ensure that parking remains on-site during construction. The parking structure will be removed and replaced with an open space area.
- The proposed zoning amendment would allow an increase in height from 16-storeys to 20-storeys in addition to establishing regulations to accommodate the configuration of the proposed building.
- The proposed development would create 267 new parking spaces in addition to the 311 existing parking spaces. The proposed building is intended to replace a two-storey office-retail building.
- The subject lands are designated High Density Residential, on Schedule I – Central Land Use in the *Livable Oakville Plan*. The site is within or deemed to be within the Trafalgar Road Corridor Special Policy Area which is subject to policies which are intended to accommodate intensification opportunities along the Trafalgar Road corridor at appropriate locations.
- Staff recommend approval of the zoning by-law application as the proposed development is consistent with the Provincial Policy Statement 2020, conform to all applicable Provincial plans, and the Region of Halton Official Plan as they establish applicable policies to guide intensification in accordance with the Town's established urban structure.
- The application will be considered under Bill 108, which provides for a 90-day timeline before an appeal can be filed for lack of decision. This timeline would normally have ended on June 4, 2020. However, due to the Covid pandemic, the Provincial Government issued a regulation that effectively suspended this timeline from March 17 until June 22, 2020. The application could have been appealed on September 6, 2020.

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## **BACKGROUND:**

The purpose of this report is to provide a full staff review of the application and a recommendation on a proposed Zoning By-law Amendment application. The Statutory Public Meeting was hosted by Oakville Town Council on September 8, 2020, and following that meeting, the application was expanded to include the medical building at 1235 Trafalgar Road. As a result of the inclusion of 1235 Trafalgar Road, this report is a combined public meeting and recommendation report.

The proposed zoning amendment intends to modify the existing zoning permissions to allow the development of a 20-storey, 203 unit rental apartment building and to modify the shared parking land area identified within the existing zoning by-law.

The current application was submitted and deemed complete on March 5, 2020. The applicant hosted a tenant information meeting on March 26, 2019, which was attended by approximately 40 existing tenants. An applicant hosted public information meeting that took place on April 6, 2019, and was attended by six residents, Ward 6 Councillors and Town staff.

No members of the public attended the Public Meeting, and no written submissions were received following the meeting.

The applications have been circulated to internal departments and public agencies for review and comment.

## **Proposal**

The applicant has submitted a revised Zoning By-law Amendment application to permit the development of a 20-storey, 203 unit rental apartment building on lands municipally known as 1226-1230 White Oaks Boulevard and 350 Lynnwood Drive (Figure 1).

As part of this rezoning, Town staff have required that 1235 Trafalgar Road be included in the application since a portion of the required parking for the medical building is provided on the subject lands and will be impacted during construction. The requirement of the off-site parking was secured through a special provision applicable to both properties which would require adjustments. No changes are proposed within the property at 1235 Trafalgar Road itself.

In January 2021 and November 2021, the applicant revised their proposal to reduce the height from 21-storeys and 214 units to a 20-storey 203 unit rental apartment building. The refinements to the proposal also included:

- a reduction in the typical floor plate size to reduce the overall massing and width of the building;
- a series of step-backs to create visual interest and to break up the height and massing of the building;
- the colour palette of the building has been modified to better align with the existing buildings;
- the main entrance is oriented to White Oaks Boulevard to enhance the building's street presence;
- the ground floor amenity terrace has been re-located to the west face of the building to allow for more landscaped open space adjacent to White Oaks Boulevard;
- the length of the lay-by parking area on the site has been increased to accommodate Oakville's paratransit service;
- an increase in the number of bicycle parking spaces to 225 (153 spaces for residents and 32 spaces for visitors); and
- introduction of a temporary vehicular ramp to the roof of the existing parking structure to accommodate displaced parking during construction until the new underground parking garage is constructed.

The applicant proposes to demolish the existing two-storey office/retail building which is within the proposed footprint of the new structure.

The tables below contain a breakdown of the key residential and parking statistics:

Residential Units	Existing		Proposed
20-Storey Rental Building (proposed)	n/a		<b>203 Units</b> consisting of: 85 – 1 bedroom units 81 – 2 bedroom units 37 – 3 bedroom units
16-Storey Rental Building (existing)	<b>126 Units</b>	5 – Bachelor units 28 – 1 bedroom units	n/a
12-Storey Rental Building (existing)	<b>94 Units</b>	175 – 2 bedroom units 12 – 3 bedroom units	
<b>TOTAL</b>	<b>220 existing rental units to remain</b>		<b>203 proposed rental units</b>
<b>OVERALL TOTAL</b>	<b>424 rental units</b>		

Parking	Provided	Required
Existing (16 and 12-Storey buildings)	311	311
Proposed (20-Storey Building)	267	267
<b>OVERALL TOTAL</b>	<b>578</b>	<b>578</b>

<b>Breakdown of 578 Parking Spaces*</b>	<b>Resident</b>	<b>Visitor</b>	<b>Shared</b>
Surface	46	9	57
Below Grade (2 levels)	415	51	0
<b>OVERALL TOTAL</b>	461	60	57
*20% of the total # parking spaces will be equipped with electric vehicle supply			

The development will also include 225 bicycle parking spaces whereas the Town's Zoning By-law 2014-014 requires 70 bicycle parking spaces.



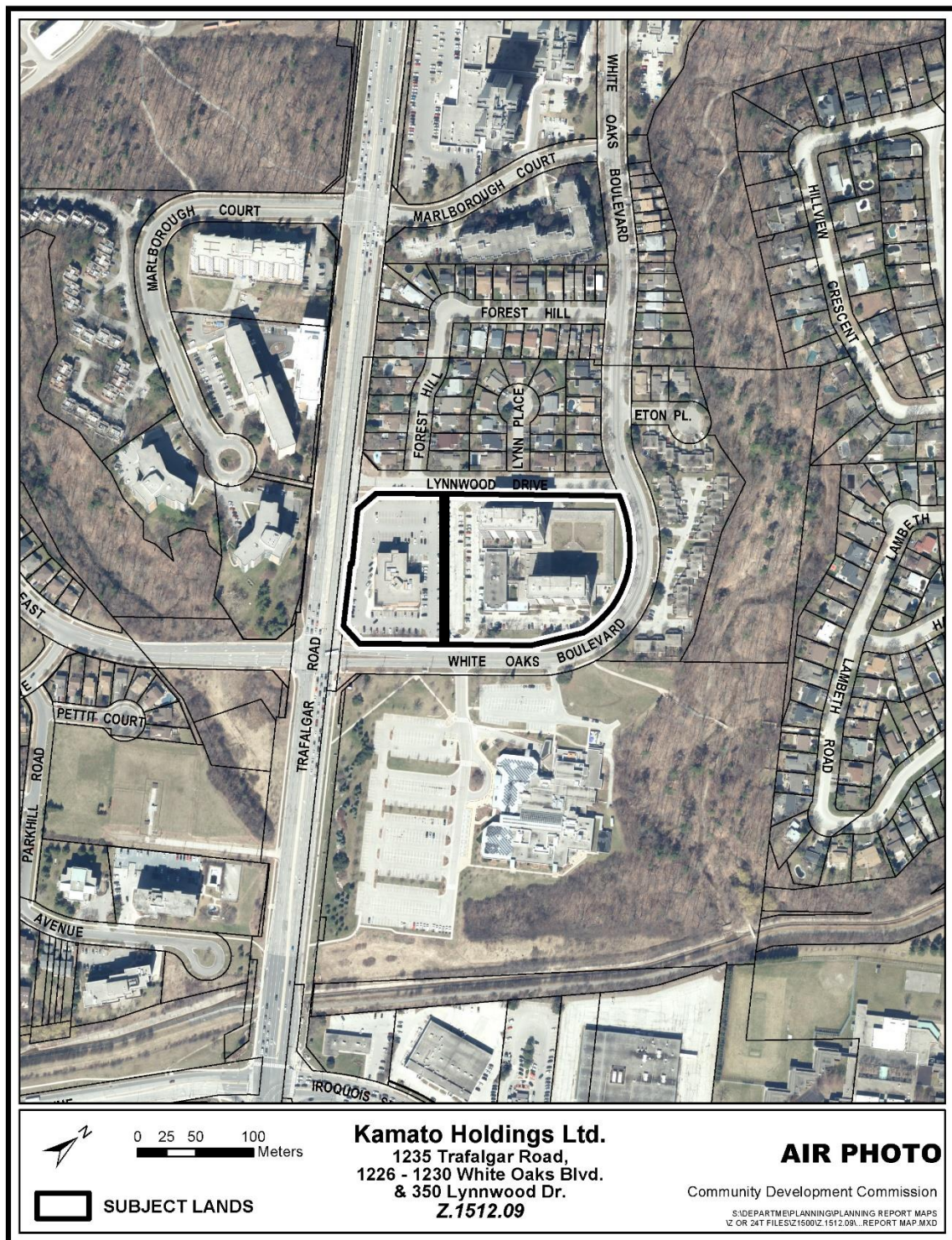


Figure 1: Air Photo

### Site Plan

Given the complexity of the site including the shared parking arrangement with the neighbouring medical building, staff requested that the applicant submit the site plan application in advance of the zoning approvals. The site plan was submitted on August 21, 2021, and the purpose was to ensure the site would be developed appropriately and that the proposed zoning regulations would be appropriate for the proposed development without impacting the medical building.

Final site plan approval would not be granted until the zoning is in place for the development.

### **Location & Site Description**

#### Location

The Kamato Holdings Ltd. lands are approximately 1.9 hectares in area with approximately 130 m of frontage on Lynnwood Drive and 270 m of frontage on White Oaks Boulevard.

#### Site Description

Currently, the site is occupied by a 16-storey rental residential building containing 126 dwelling units, a 12-storey rental residential building containing 94 dwelling units, and a two-storey office/retail building. The 220 rental residential units are proposed to be retained (Figure 2).

A parking structure is located at the northeast corner of the site with surface parking located between the office building and medical building to the east and surface parking between the 12-storey building and White Oaks Boulevard.

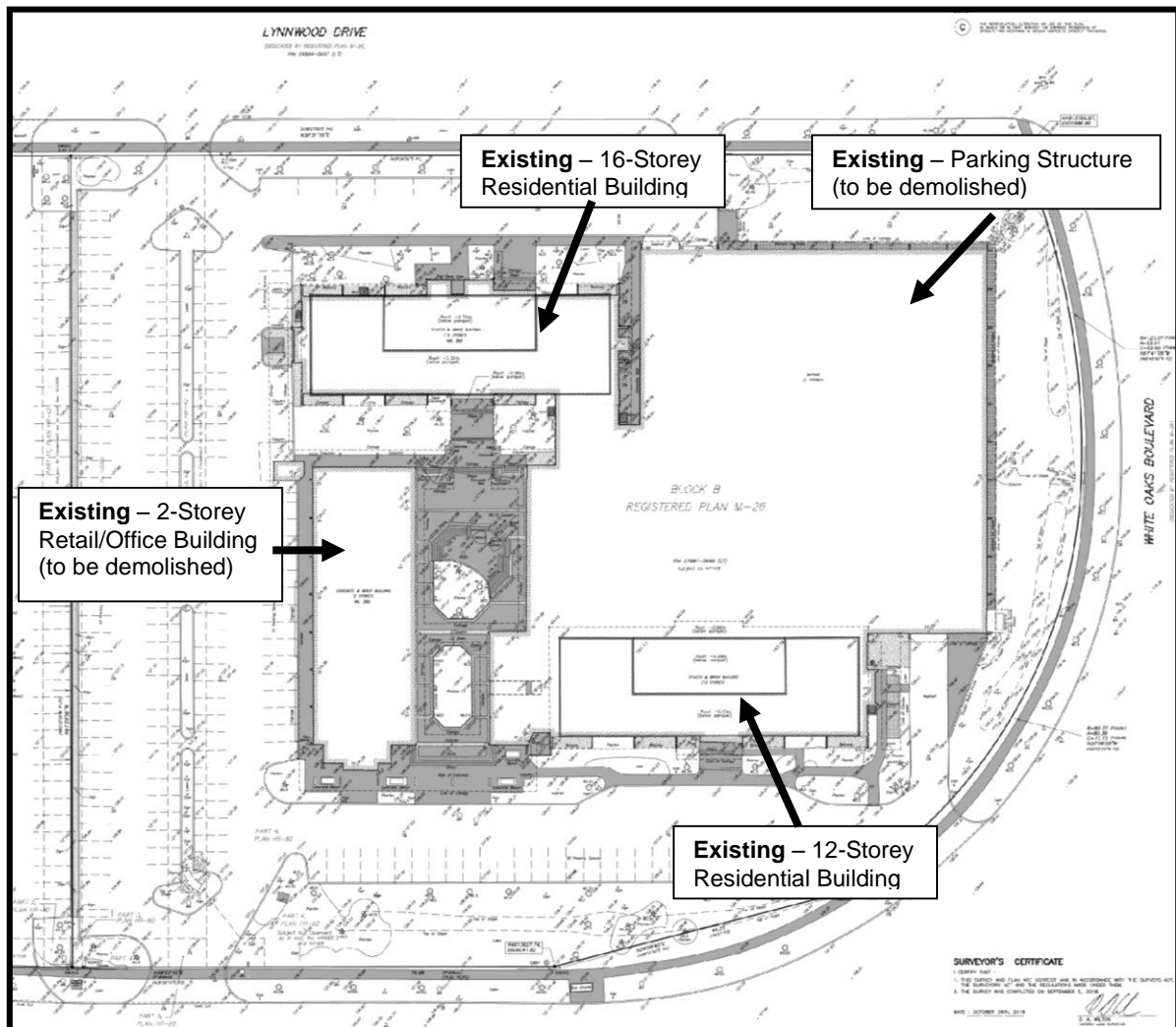


Figure 2: Existing Site Plan

The applicant intends to demolish the two-storey office/retail building, remove the parking structure on the northeast corner of the site and construct a 20-storey rental residential building with two levels of underground parking (Figure 3).



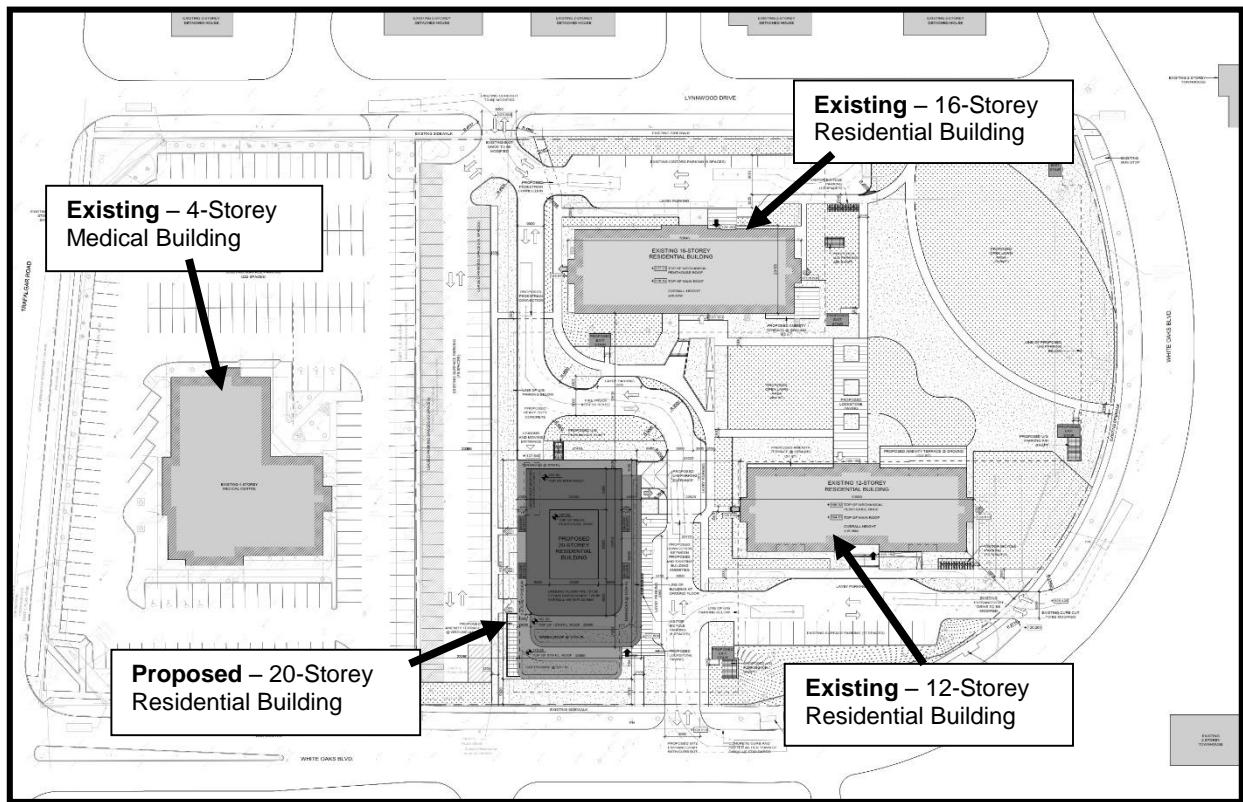


Figure 3: Conceptual Site Plan

Vehicular access is proposed to be maintained from Lynnwood Drive. The most easterly vehicular access on White Oaks Boulevard will also be maintained, however, the westerly access on White Oaks Boulevard is proposed to be relocated further east.

### Surrounding Land Uses

The subject lands are located on or adjacent to the Trafalgar Road corridor which serves as a major transportation link connecting the Midtown and Uptown Oakville Growth Areas and the GO Transit/Oakville bus terminals. The surrounding area contains a mix of uses as described below and as shown in Figure 4.

- North: Detached dwellings two-storeys in height beyond which are several residential apartment buildings ranging in heights from 6-21 storeys and commercial uses.
- East: Two-storey townhouse dwellings, beyond which is the Morrison Creek Valley.
- South: Oakville Municipal Offices - Town Hall
- West: Four-storey medical building beyond which is Trafalgar Road, and residential apartment buildings ranging in heights from 12-14 storeys.



Figure 4: Surrounding Context

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## **PLANNING POLICY & ANALYSIS:**

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

- Provincial Policy Statement (2020);
- Growth Plan for the Greater Golden Horseshoe (2019);
- Halton Region Official Plan;
- *Livable Oakville* Plan; and,
- Zoning By-law 2014-014, 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 are 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 rezoning is consistent with the PPS (2020).

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

### **Growth Plan for the Greater Golden Horseshoe**

The Growth Plan (2019) ('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, and expand convenient access to transportation options.

As identified on Schedule 2 to the Growth Plan, the subject lands are located within the “Built-Up Area” and “Settlement Area” and are located in close proximity to Trafalgar Road and can be considered as part of a “Strategic Growth Area”. Strategic Growth Areas are located within settlement areas, nodes, corridors and other areas that have been identified by municipalities or the Province to be the focus for accommodating intensification and higher-density mixed uses in a more compact built form. Lands along major roads, arterials, or other areas with existing or planned frequent transit service or higher order transit corridors may also be identified as a strategic growth area.

Section 1.2.1 includes prioritizing intensification and higher densities in order to make efficient use of land and infrastructure and support transit viability while at the same time considering adjacent uses, compatible built form and transitioning.

Support for the development of complete communities and transit supportive development is emphasized in Section 2.1:

*“To support the achievement of complete communities that are healthier, safer, and more equitable, choices about where and how growth occurs in the GGH need to be made carefully. Better use of land and infrastructure can be made by directing growth to settlement areas and prioritizing intensification ... concentrating new development in these areas provides a focus for investment in transit as well as other types of infrastructure and public service facilities to support forecasted growth, while also supporting a more diverse range and mix of housing options. It is important that we maximize the benefits of land use planning as well as exciting and future investments in infrastructure so that our communities are well-positioned to leverage economic change.”*

Given the location of this property the proposed intensification of the site and corresponding rezoning conforms to the Growth Plan.

Excerpts of relevant Growth Plan policies to the application are attached as Appendix ‘A’.

### **Metrolinx Regional Transportation Plan 2041 (2018)**

The subject lands are in close proximity to Trafalgar Road which is identified in the 2041 Regional Transportation Plan (RTP) as a Bus Rapid Transit/Light Rail Transit



(BRT/LRT) route. The 2041 RTP uses the Growth Plan 2017's planning horizon of 2041 and sets out a series of goals and strategies to complete the delivery of current regional transit projects, integrate transportation and land use and prepare for an uncertain future. One of the priority actions under Strategy 2: Connect More of the Region with Frequent Rapid Transit is to build additional LRT/BRT projects by 2041. Trafalgar Road is identified in the RTP as a proposed BRT/LRT, with transit running in an exclusive right-of-way. Several approaches are identified in the RTP for integrating transportation and land use planning for the successful delivery of the Strategy 2 projects, including among others, the planning and design of the community, including development and redevelopment sites to support the greatest possible shift in travel behaviour, as well as embedding travel demand management (TDM) into planning decisions.

The Town continues to participate as an active stakeholder in the strategic planning for these facilities and will continue coordinating with Halton Region and Metrolinx towards the successful completion of these facilities for Oakville and GTA residents.

### **Halton Region Official Plan**

The subject lands are designated "Urban Area" in the 2009 Regional Official Plan (ROP). 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 and reduces the dependence on the private automobile, and the development of vibrant and healthy mixed-use communities which afford maximum choices for residence, work and leisure. The Urban Area is intended to facilitate and promote intensification and increased densities by attracting a significant portion of population growth, and by achieving higher densities than the surrounding areas that will, in turn, support transit and active transportation for everyday activities.

The subject lands are within the identified "Built-Up Area". Regional Phasing policies to 2021 require the Town of Oakville to intensify within the built boundary. 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.

Halton's planning vision for a healthy community is found in Policy 31(3) stating that a healthy community is physically designed to minimize the stress of daily living and meet the life-long needs of its residents where a full range of housing, social, health and recreational opportunities are present and where mobility is provided primarily through an affordable, convenient, safe and efficient public transportation system.

The subject lands are located on or adjacent to Trafalgar Road, a Higher Order Transit Corridor (Map 3) which is part of a regionally identified *Intensification Area*.

Policy 80 provides that Higher Order Transit Corridors have a concentration of residential and employment uses with development densities and patterns supportive of public transit and pedestrian traffic. Policy 81(1) states that it is the policy of the Region to direct development with higher densities and mix of uses to Intensification Areas/Higher Order Transit Corridors and to require Local Municipalities to do the same. The intent behind a defined Corridor is that all forms of transit (light rail, buses, etc.) will generally operate in a dedicated right-of-way, outside of mixed traffic and therefore can achieve a frequency of service greater than what is feasible when sharing lanes. The vision for Trafalgar Road is for the curb lane to be a dedicated Bus Rapid Transit (BRT) lane providing a facility for greater services levels and encourages a transit supportive behavioural shift.

Halton Region in a letter dated March 8, 2021, advised Town staff that they have no objection to the proposal.

## **Livable Oakville Plan**

### 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 Town's urban structure most recently updated through Official Plan Amendment 15 provides for nodes and corridors, where higher intensity forms of mixed-use growth that would support frequent transit service are to be accommodated. The subject lands are identified on *Schedule A1 – Urban Structure* which identifies a portion of the site as *Nodes and Corridors* and locates the site within a *Regional Transit Priority Corridor* (Figure 5).



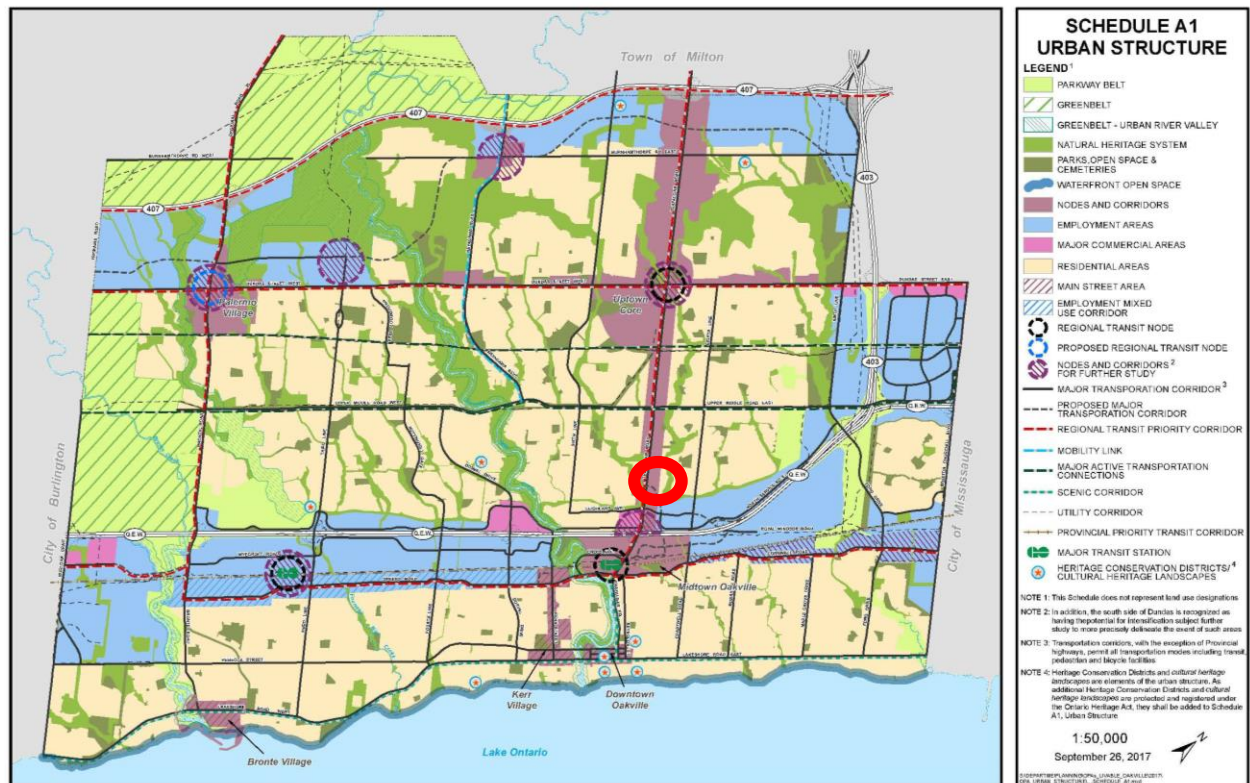


Figure 5: Urban Structure –Schedule A1

### Land Use Policies

The Kamato Holdings Ltd. property is designated *High Density Residential* and the medical building is designated as *Neighbourhood Commercial* as identified on *Schedule I – Central Land Use* and is also located within the *Trafalgar Road Corridor* (Figure 6).

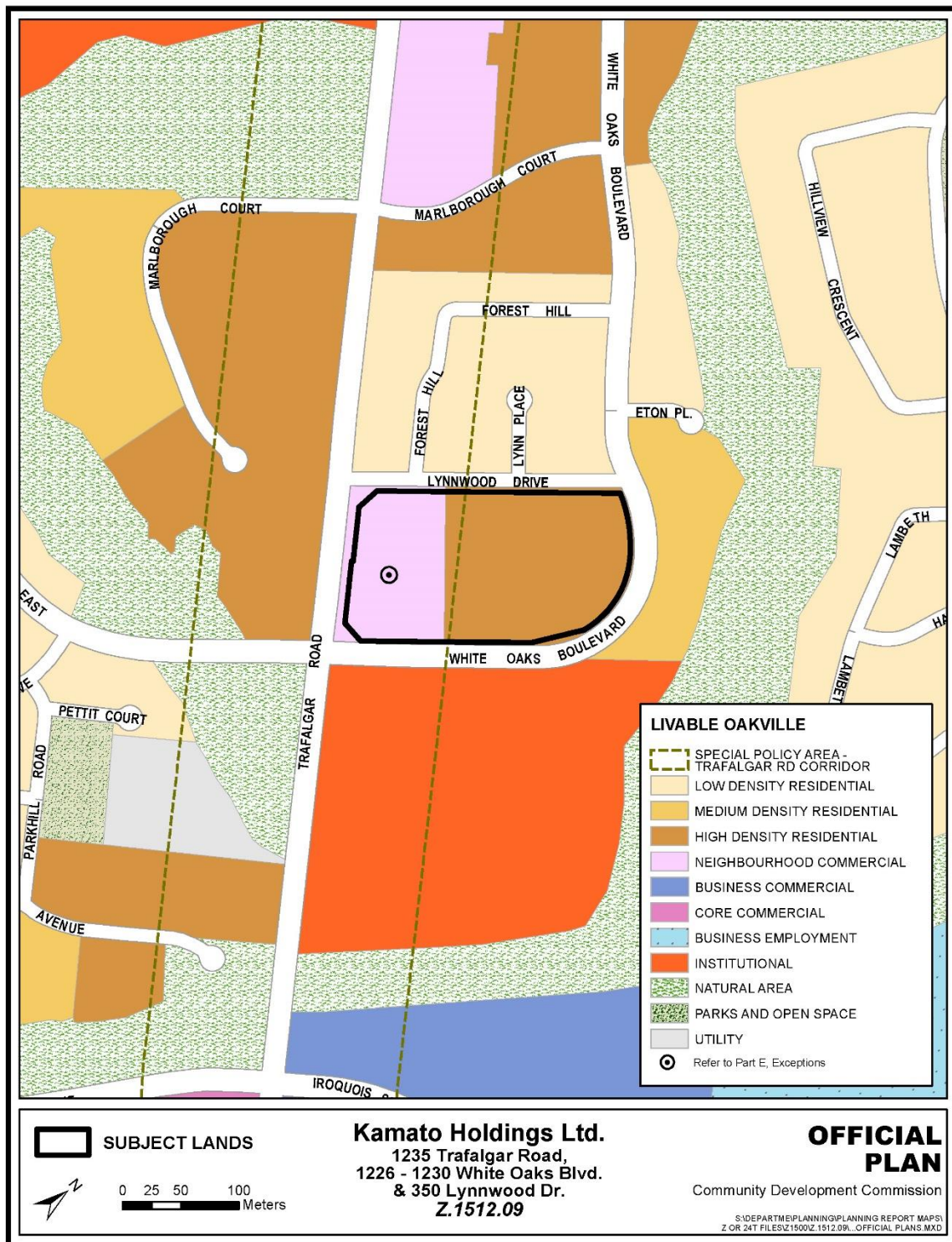


Figure 6: Schedule I – Extract

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

Policy 11.1.8 states that:

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

- c) Within 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.”*

Additionally, Section 11.1.9 provides criteria for evaluating development within stable residential neighbourhoods to better maintain and protect the existing neighbourhood character. The following policies of 11.1.9 apply to the proposed development:

- “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 proposed development is located in a neighbourhood that consists of a mix of uses ranging from two-storey detached dwellings to high rise apartment buildings. The proposed building is situated on the southwest corner of the site to provide a buffer to the existing detached dwellings to the north and the existing multiple attached dwellings to the east. Urban Design requirements are included within this report which will ensure that the building constructed on this site will maintain a distinctive and enhanced architectural design to create a landmark building.

The applicant has provided a Transportation Impact Study which indicates that the traffic generated by the proposal can be accommodated on the existing road network, and it is not anticipated that there will be any significant impacts to the road system resulting from the proposed development. The subject lands are also located near the Trafalgar Road corridor which serves as a major transportation link connecting the Midtown and Uptown Oakville Growth Areas and the GO Transit/Oakville bus terminals. The majority of the vehicular parking for this development will be located within a two-level below-grade parking structure.

Grading, drainage, location of service areas, access and circulation, privacy, and shadowing are being reviewed as part of the site plan approval process. A shadow study was prepared as part of the application and demonstrates the shadows generated by the proposed development fall within the parameters of the Towns terms of reference for shadow impact analysis.

The Region of Halton has reviewed the application and has not raised any concerns concerning servicing the site.

The following specific policies apply to the lands designated as *Residential High Density* and within the *Trafalgar Road Corridor Special Policy Area*.

***“26.3 Trafalgar Road Corridor (QEW to Dundas Street)***

*“The lands adjacent to Trafalgar Road, between the QEW and Dundas Street, are a Special Policy Area known as the Trafalgar Road Corridor. This corridor provides a direct link between Midtown Oakville and the Uptown Core, and contains a number of vacant or underutilized sites that can accommodate transit-supportive intensification.*

*The boundary of the Trafalgar Road Corridor Special Policy Area is identified on Schedule I, Central Land Use. Large sites that are not wholly within the Trafalgar Road Corridor Special Policy Area boundary on Schedule I, Central Land Use, shall be deemed to be within the Special Policy Area.”*

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### **26.3.1 Development Concept**

*“The Trafalgar Road Corridor Special Policy Area is intended to provide for the redevelopment of specific properties along Trafalgar Road to provide transit-supportive development which supports and creates an urban connection between Midtown Oakville and the Uptown Core.*

*The Trafalgar Road Corridor consists of a wide range of existing land uses including low and medium density residential uses. Development shall be designed to respect the built and planned context, and in accordance with the design direction contained in the Livable by Design Manual.”*

### **26.3.3 Land Use Policies**

*“b) Notwithstanding sections 11.1.8 c) and 11.4.2, on lands designated High Density Residential within the Trafalgar Road Corridor Special Policy Area, there may be underutilized lands on which additional development may be appropriate. Intensification of these lands may be considered to occur up to 300 units per site hectare.”*

The subject lands are either within or would be deemed to be within the *Trafalgar Road Corridor Special Policy Area* by virtue of policy 26.3. The above policies identify underutilized lands within the *Trafalgar Road Corridor* as opportunities to accommodate transit-supportive intensification up to 300 units per site hectare. The introduction of a third rental building results in an overall density of 221 units per site hectare.

It is staff’s opinion that the development of the site to permit a third apartment tower is consistent with the policies of section 26.3. Approval of this application will allow for transit-supportive intensification within the corridor that is not negatively impacting the surrounding neighbourhood.

### **Livable by Design Manual**

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 are aesthetically pleasing, support community vitality, and improve the overall livability.

Section 3.1 Tall and mid-rise buildings state *“Successful tall and mid-rise buildings are architecturally interesting and create a cohesive design composition through their proportion, scale, massing, building materials, and architectural character. These building forms typically feature a defined base that can emphasize human scale and create a pedestrianized environment, a middle section that reduces the potential appearance of bulk, and a top section that can create an interesting Skyline.”*



*“Most mid-rise and tall buildings will typically be located within the Town’s Growth Centres and along Intensification Corridors.”*

*“In applying the design directives, tall buildings are those which are greater than twelve storeys, while mid-rise buildings are between six and twelve storeys.”*

Urban Design staff have reviewed the proposal and have no objection to the rezoning application subject to the implementation of the Livable by Design Manual and additional Urban Design Requirements (Appendix ‘B’). Although the site plan application is still under review it is appropriate to include the Urban Design Requirements should the applicant not proceed with the proposal at the current time.

The Urban Design Requirements ensure that the building constructed on this site will maintain a distinctive and enhanced architectural design to create a landmark building. The Urban Design Requirements will also ensure that the landscape features on the proposed concept plan are realized as part of a site plan application.

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

The lands are zoned *C1 – Neighbourhood Commercial* and *RH – Residential High* subject to *Special Provision 65* as shown in Figure 7 below.



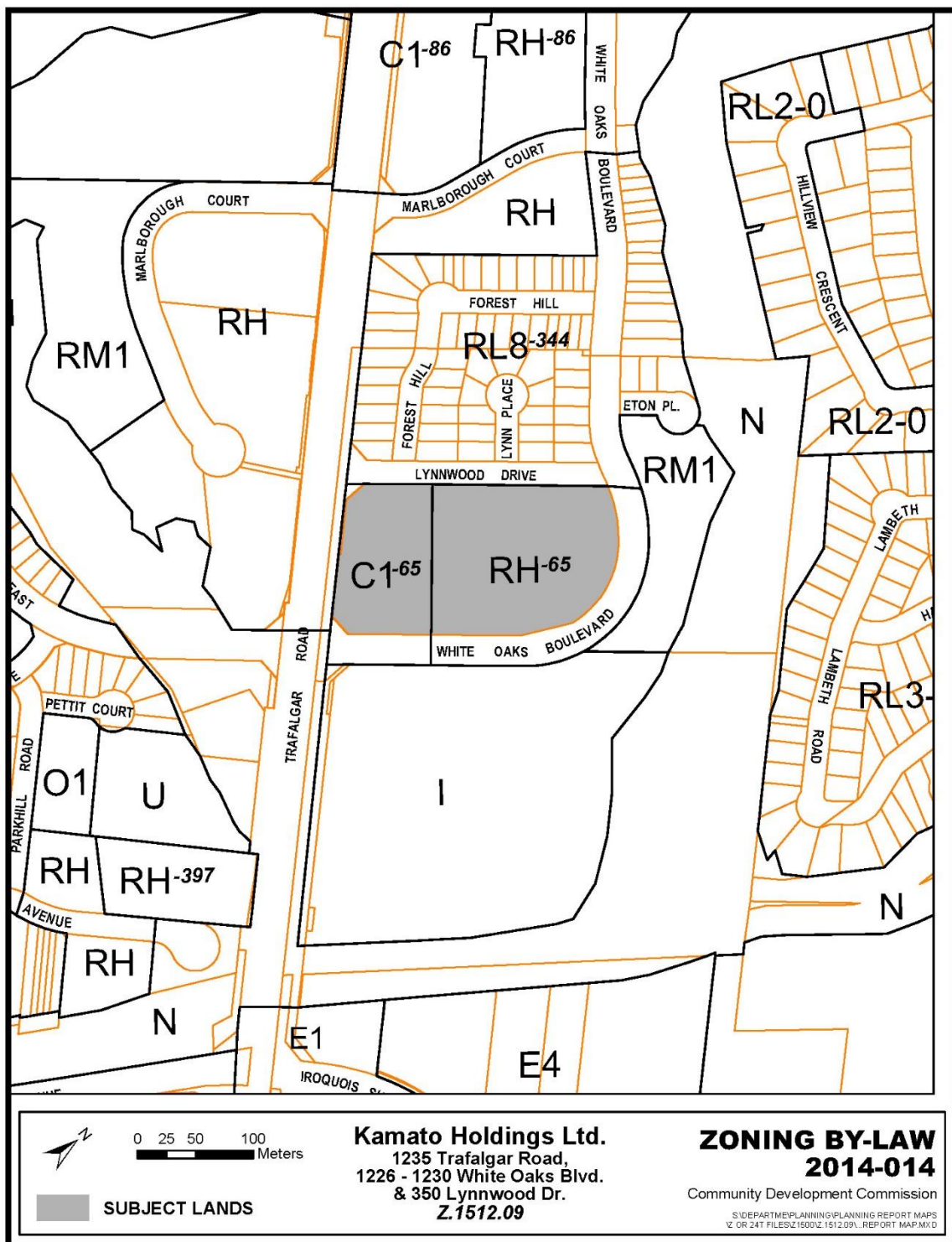


Figure 7: Zoning Extract

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

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

The *Neighbourhood Commercial* zone permits the existing medical building at 1235 Trafalgar Road.

Special Provision 65 applies to the subject lands and also the medical building property (1235 Trafalgar Road) directly west of the site. The special provision further identifies additional uses that are currently permitted on the subject lands to include neighbourhood commercial uses and offices uses (currently existing within the two-storey building proposed to be demolished).

Special Provision 65 also establishes a shared parking arrangement between the subject lands and the medical building site. The applicant has indicated that they will continue to honour the shared parking arrangement as required by the zoning by-law both during and after construction subject to temporary adjustments in the location of some spaces during construction (Appendix C).

#### Proposed Zoning By-law Amendment

The applicant proposes to modify Special Provision 65 to facilitate the development of the lands to allow for the introduction of a third rental apartment building on the site. The *RH – Residential High* zone permits a maximum height as legally existing on the lot on the effective date of the approval of By-law 2014-014.

The following is an overview of the principles of the proposed zoning by-law:

- modifications to the regulations pertaining to stair/air vents associated with the underground parking structure and landscape strip adjacent to lands zoned C1;
- modifications to the yard setbacks to permit the construction of the building in the location as proposed;
- permit an overall maximum height of 20-storeys and 64 m and a minimum height of 5-storeys and 18.5 m for the podium;
- impose rooftop mechanical penthouse setbacks;
- provide for the ability to introduce retail space as part of the development;
- provide for a minimum number of bicycle parking spaces;
- update the shared parking table to reflect additional parking provided on the site;

- expansion of Parking Area C (shared parking area with the medical building) to ensure that the medical building parking requirement remains compliant during construction; and
- introduces Temporary Zone 3 that will allow for a temporary vehicular ramp and associated stairways to the roof of an existing parking structure for a period of three years.

## **TECHNICAL & PUBLIC COMMENTS:**

The proponent has provided technical studies in support of the application which have been circulated to various public agencies and internal town departments. 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 also accessible on the town's website (<https://www.oakville.ca/business/da-35198.html>):

- Planning Justification Report
- Transportation Impact Study
- Conceptual Site Plan
- Functional Servicing Report
- Phase 1 Environmental Site Assessment
- Urban Design Brief including a shadow study
- Building Elevations/Floor Plans
- Pedestrian Circulation Plan
- Construction Phasing Plan
- Conceptual Landscape/Tree Protection Plan
- Arborist Report
- Vehicle Maneuvering Plan
- Noise Feasibility Study
- Waste Management Plan
- Summary of the applicant hosted Public Information Meetings

The Statutory Public Meeting hosted by Oakville Council was held on September 8, 2020, and no members of the public attended or participated virtually. The following is an overview of the matters that were identified:

- Consistency with the Provincial Policy Statement, 2020 and conformity to the 2019 Growth Plan for the Greater Golden Horseshoe.
- Conformity to the policies of the Region of Halton Official Plan.

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- Conformity of the proposal with the land use and policies of the Livable Oakville Plan.
  - Appropriateness of the proposed development relative to the Livable by Design Manual including built form, building heights, scale and massing, shadow impacts, location of amenity areas and appropriate separation distances between buildings.
  - Review of the Traffic Impact Study and the impacts of the existing road network.
  - Appropriateness of overall parking on-site and existing shared parking arrangement.
  - Appropriateness of the proposed zoning regulation modifications.
  - Assessment of the existing and proposed internal vehicular and pedestrian circulation.

In addition to comments raised by staff, at the Statutory Public Meeting of September 8, 2020, members of Planning & Development Council approved a resolution that identified the following matters:

- a) How will parking be accommodated during construction?
- b) Consider the issue of sufficient bicycle parking for this proposal and the location of electric vehicle parking stations.
- c) Consider urban design changes that would help the proposed building blend in with the existing buildings.
- d) Consider the introduction of some retail in the proposal.
- e) Confirmation of what the potential amenity space will consist of.

### **Resolution of Issues:**

#### **Consistency with the PPS and Conformity with the Growth Plan, Regional Official Plan and the Livable Oakville Plan**

The subject lands are identified on *Schedule A1 – Urban Structure* which identifies a portion of the site as *Nodes and Corridors* and locates the site within a *Regional Transit Priority Corridor*. The subject property is designated *High Density Residential* and is also located within the *Trafalgar Road Corridor*. Trafalgar Road is also designated as a Higher Order Transit Corridor as identified in the Regional Official Plan.

Livable Oakville policies identify underutilized lands within the *Trafalgar Road Corridor* as opportunities to accommodate transit-supportive intensification up to 300

units per site hectare. The introduction of a third rental building will result in an overall density of 223 units per site hectare. This is an appropriate location for this form of development because it will allow for transit-supportive intensification within the corridor and as such it is staff's opinion that the proposal is consistent with the Provincial Policy Statement 2020 and conforms to the 2019 Growth Plan, the Region of Halton Official Plan and the Livable Oakville Plan.

Urban Design – Built Form, building heights, scale and massing, shadow impacts, location of amenity areas and appropriate separation distances between buildings

The applicant submitted an updated Urban Design Brief prepared by Bousfields Inc., dated December 2020 to reflect the revised proposal submitted in January 2021.

The January 2021 refinements to the proposal included (Figure 8):

- A reduction in building height from 21-storeys to 20-storeys;
- a series of step-backs to create visual interest and to break up the height and massing of the building;
- the colour palette of the building has been modified to better align with the existing buildings;
- the main entrance is oriented to White Oaks Boulevard to enhance the building's street presence; and
- the ground floor amenity terrace has been re-located to the west face of the building to allow for more landscaped open space adjacent to White Oaks Boulevard.





Figure 8: January 2021 Concept

Planning and Urban design staff continue to work with the applicant to refine the design of the proposed building as part of the ongoing site plan application.

*Built Form, Height and Massing:*

The subject lands are located on the Trafalgar Road corridor which serves as a major transportation link connecting the Midtown and Uptown Oakville Growth Areas and the GO Transit and Oakville bus terminals. The surrounding area contains a mix of uses including residential apartment buildings ranging in heights from 6-21 storeys.

The Livable by Design Manual, section 3.1 Tall and mid-rise buildings states “Successful tall and mid-rise buildings are architecturally interesting and create a cohesive design composition through their proportion, scale, massing, building materials, and architectural character. These building forms typically feature a defined base that can emphasize human scale and create a pedestrianized environment, a middle section that reduces the potential appearance of bulk, and a top section that can create an interesting Skyline.”



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*“Most mid-rise and tall buildings will typically be located within the Town’s Growth Centres and along Intensification Corridors.”*

The proposed building is located south on the property away from the lower density residential area to the north. To reduce the mass and scale of the building the applicant is proposing a 5-storey podium abutting White Oaks Boulevard with step-backs at the 6<sup>th</sup> and 13<sup>th</sup> storey. The floor plates for the 13<sup>th</sup>-20<sup>th</sup> floor have also been reduced to mitigate shadow impacts. The rooftop mechanical penthouse is centrally located on the roof to minimize visibility from the public realm. The design of the building including floor plate size will continue to be reviewed as part of the site plan process.

*Shadow Impacts:*

The submitted Shadow Impact Analysis, dated October 14, 2020, demonstrates the shadows generated by the proposed development fall within the parameters of the Towns terms of reference for shadow impact analysis.

*Amenity Areas:*

The existing amenity areas are located on top of the existing parking garage structure and a small courtyard between the three buildings. Neither area is visible for the public realm are poorly programed.

The current proposal contemplates a 1,826 m<sup>2</sup> open lawn area at the northeast corner of the site and a secondary 464 m<sup>2</sup> area between the two existing buildings (Figure 9). The applicant advises that the larger open area will provide flexible opportunities for active and passive activities. The location of the large open lawn area will assist in animating the adjacent public realm along White Oaks Boulevard and Lynnwood Drive. The smaller open area between the buildings will be intended for more intimate and passive programming catered to the residents.

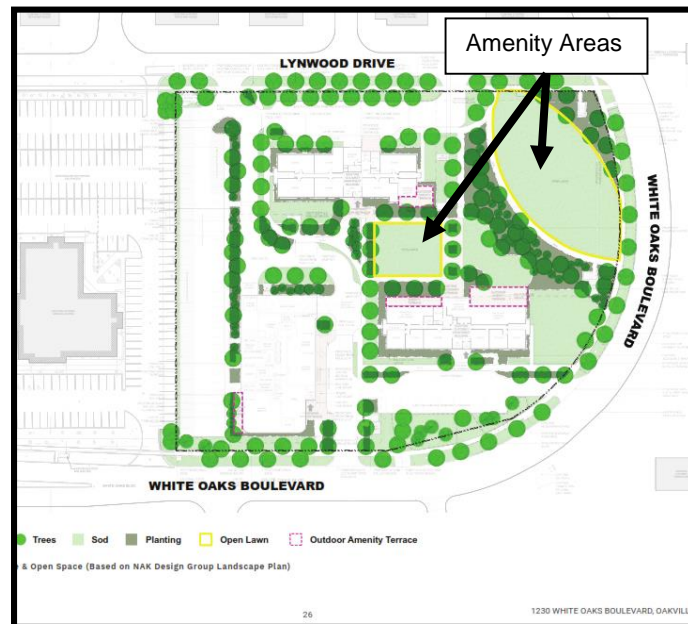


Figure 9: Amenity Areas

The proposal also incorporates approximately 2,600 m<sup>2</sup> of new indoor amenity areas. The programming of the indoor areas is under consideration by the applicant.

*Separation Distance:*

The proposed building provides a separation distance of 22.83 m from the existing 12-storey building (Figure 10). The Livable by Design Manual required 25 m separation distance between buildings. Separation distances between the proposed building and the existing building will continue to be reviewed as part of the site plan application.

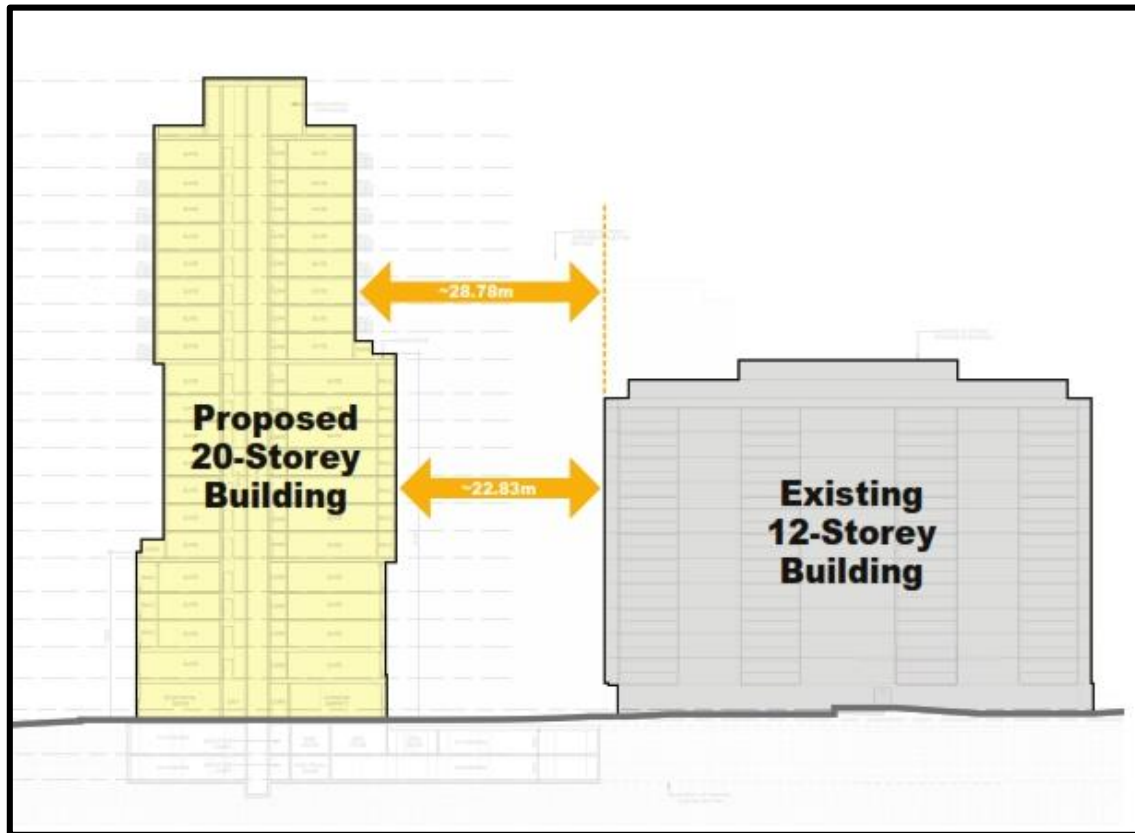


Figure 10: Separation Distances

The modifications to the proposal and updated Urban Design Brief/Shadow Study were reviewed by urban design staff and are generally satisfactory.

A more detailed review is taking place as part of the site plan application process.

Appropriateness of the proposed zoning regulation modifications

The proposed zoning modifications were discussed earlier in this report.

Review of the Traffic Impact Study and the impacts of the existing road network

Regional and Town transportation staff have reviewed the Transportation Impact Study completed by WSP dated November 2019 and have advised that the traffic generated by the proposal can be accommodated on the existing road network and they do not anticipate any significant impacts to the road system resulting from the proposed development.

Assessment of the existing and proposed internal vehicular and pedestrian circulation

The applicant has advised *“The proposal offers a substantial interconnected pedestrian walkway and internal circulation network that provides direct and barrier-*

*free access to existing buildings, the proposed building and outdoor open space areas. These pathways provide residents and the immediate community with improved accessibility within the site subject, and from abutting sidewalks. Furthermore, each apartment building will have pedestrian connections at and below grade that provide access to all buildings to allow residents to safely and comfortably walk between the buildings in order to access shared amenities and outdoor spaces. Although a pedestrian connection to the adjacent medical centre property cannot be incorporated (refer to attached Planning Rationale), an upgraded concrete walkway flanked with trees and vegetation has been provided along the entire east side of the existing surface parking lot. This new walkway connects to the public sidewalk along White Oaks Boulevard and serves as a visual barrier between the surface parking and residential areas.*

*The subject site will continue to be accessible by existing vehicular entryways from Lynnwood Drive and White Oaks Boulevard at the southeast corner of the site (adjacent to the existing 12-storey building). The existing vehicular entryway is currently located at the southwest corner of the subject site from White Oaks Boulevard will be re-located east of the proposed building. The proposed internal vehicular circulation will connect to all four entryways. Access to the underground parking garage for all three residential buildings will be provided from the north-eastern portion of the proposed building. Furthermore, each building will contain their own passenger drop-off lay-by areas.”*

Figure 11 below illustrates the pedestrian/vehicular connectivity throughout the site.

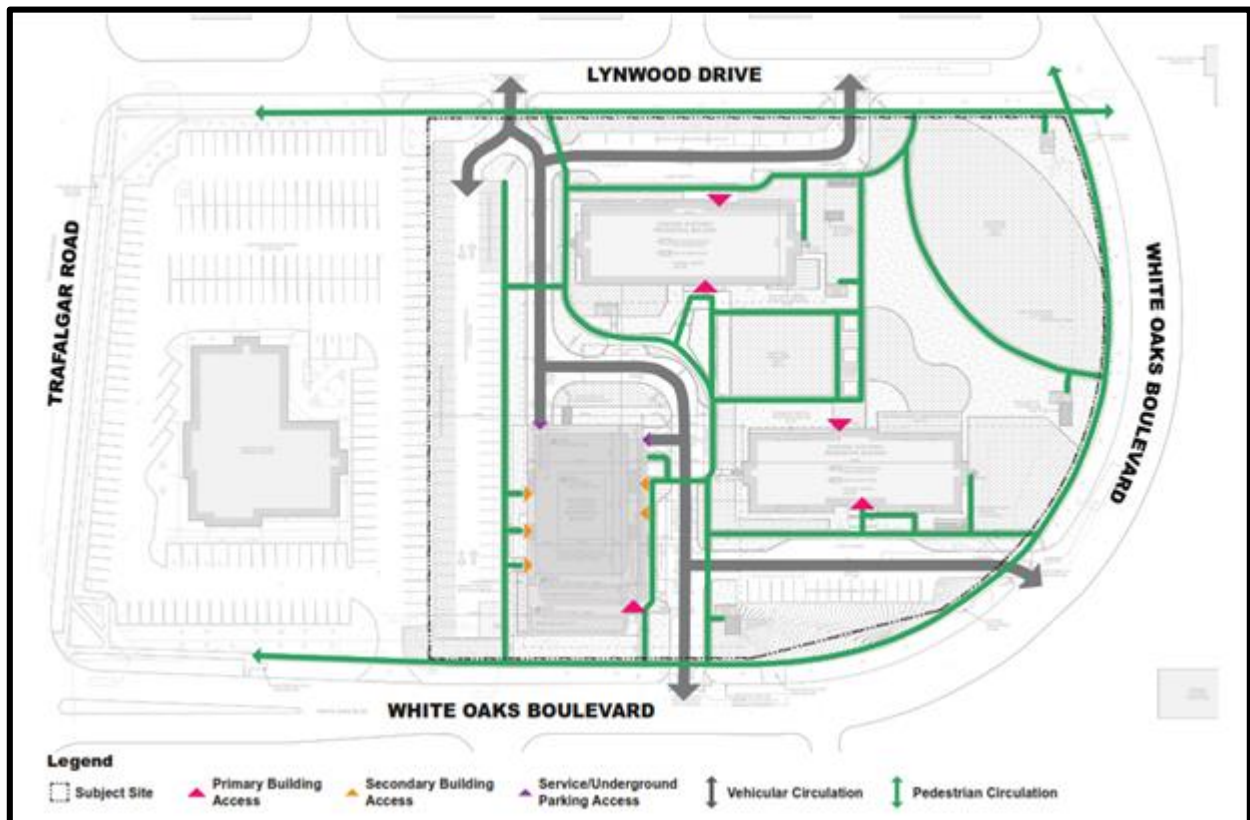


Figure 11: Pedestrian/Vehicular Connectivity

Transportation and Urban Design staff have reviewed the concept plans and are satisfied with the internal vehicular and pedestrian circulation. A more detailed review is taking place as part of the site plan process. As part of the site plan process staff will request the applicant to provide a public pedestrian access easement to the landscape area along the eastern portion of the site.

Appropriateness of overall parking on-site and existing shared parking arrangement

The applicant is proposing to provide a total of 578 tenant parking spaces which complies with the Towns Zoning By-law 2014-014.

There are currently 311 parking spaces on-site to accommodate a total of 220 rental units. To accommodate the proposed 20-storey building an additional 267 parking spaces are required combined with the existing parking a total of 578 parking spaces are required. The applicant is proposing to provide 578 parking spaces. The applicant is not proposing to modify the parent by-law as it relates to the parking standards.

In March 2010, the applicant and Healthcare Properties Holdings Ltd. “Medical Building” (landowner at 1235 Trafalgar Road) entered into a Parking License

Agreement that allows the Medical Building occupants use of a minimum of 50 parking spaces and a maximum of 79 parking spaces within an area identified as “Parking Area C” (Figure 12) in the Town’s existing site specific zoning for this site. Currently, the medical building uses 57 parking spaces on the subject lands which are reflected in the proposed by-law. This shared parking arrangement and the corresponding provisions of the zoning by-law related to parking on the two sites were implemented as part of a settlement of an Ontario Municipal Board hearing (PL090580). The applicant intends to honour the parking arrangement with the Medical Building as required for zoning compliance. It is noted the proposed underground garage does not extend beneath this parking area.

The applicant has provided a preliminary construction phasing plan that addresses how existing parking will be accommodated and managed on the site during the construction. The phasing plan is discussed in Appendix “C”.

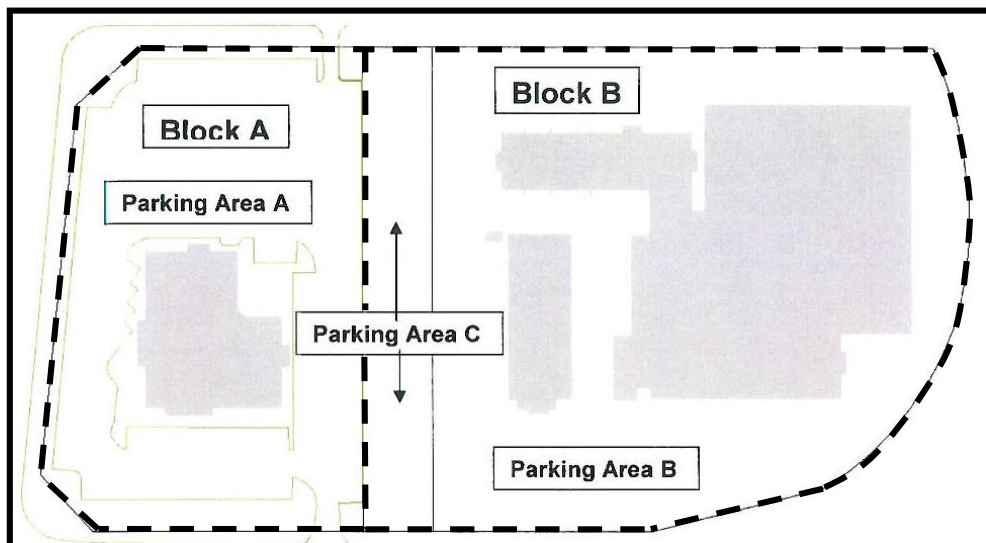


Figure 12 – Parking Areas

The applicant and the owner of Healthcare Properties Holdings Ltd. (1235 Trafalgar Road) are in the process of finalizing a private agreement that will outline the location of the shared parking during the first phase of construction. Since a portion of the medical building parking will temporarily be relocated onto Parking Area B the proposed zoning by-law figure 16.65.1 expands Parking Area C to ensure zoning compliance as shown in Figure 13 below. The area remains proximate to the medical building and provides suitable off-site parking for that facility.



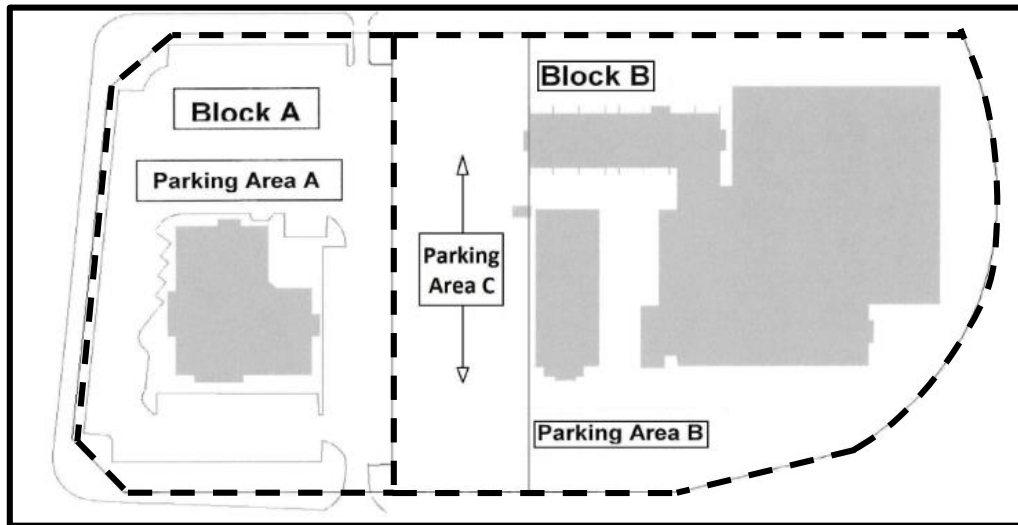


Figure 13 - Expanded Parking Area C

How will parking be accommodated during construction?

Originally the applicant was going to explore off-site parking arrangements in the vicinity of the property to accommodate displaced parking during construction. However, the applicant has submitted a preliminary construction phasing plan prepared by BDP Quadrangle which would allow all parking to remain on site through the various stages of construction.

The detailed phasing plan is included within Appendix C, but generally, the existing medical building parking within Parking Area C will continue to remain on site but within the expanded Parking Area C shown in Figure 13. As part of the first phase of development, a temporary parking ramp will be constructed providing access to the roof of the parking structure resulting in 112 temporary parking stalls (Figure 14). During the demolition of the existing two-storey office/retail building and various stages of construction displaced parking will be accommodated on the roof of the existing parking structure. As construction progresses and as the new underground garage is completed displaced tenant parking will be relocated into the new structure. The existing parking structure and temporary ramp will be demolished as part of the third phase of construction.

The proposed zoning by-law introduces temporary use permissions that would allow for the vehicular ramp to provide access to the roof for temporary parking for a maximum of three years. Details surrounding the temporary parking and ramp will be captured as part of the future site plan agreement.

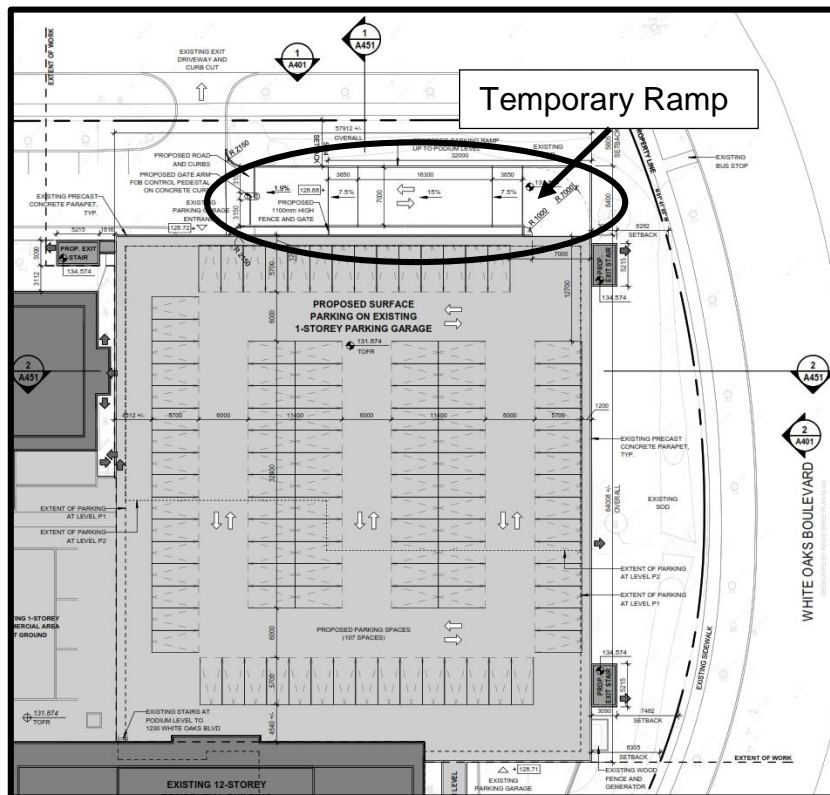


Figure 14 – Temporary ramp structure

Consider the issue of sufficient bicycle parking for this proposal and the location of electric vehicle parking stations

Zoning By-law 2014-014, Section 5.4.1b) the minimum number of bicycle parking spaces states *"In no circumstances shall the number of minimum bicycle parking spaces required on a lot be greater than 30."* The original application proposed 30 bicycle parking spaces. The January 2021, revised submission includes 225 bicycle parking spaces (193 resident bicycle parking spaces (for the three buildings) and 32 visitor bicycle parking spaces).

The January 2021, submission includes 115 vehicular parking spaces equipped with electric vehicle supply equipment. These spaces are located within the two levels of underground parking and are accessible by tenants and visitors.

Consider urban design changes that would help the proposed building blend in with the existing buildings

Following the Statutory Public Meeting, the applicant refined the proposal to include a series of step-backs to create visual interest and to break up the height and massing of the building. In addition, the applicant revised the colour palette to complement and better align with the existing buildings. The overall 'fit' of the

building in relation to the existing buildings is currently being reviewed as part of the current site plan application process.

Consider the introduction of some retail in the proposal

In November 2020, the applicant conducted a tenant survey which included a question about the tenant's preference for 1) a secure package drop-off room 2) a coffee facility or vending machines 3) a convenience/retail space or 4) a coffee shop. The preference from the respondents was for a secure package drop-off room. The applicant has advised that a secure package drop-off area will be further explored.

The January 2021, submission does not incorporate a retail component within the building. The applicant's rationale is as follows:

*"First, the subject site does not have frontage on a major street (such as Trafalgar Road). Small-scale retail is typically successful along major streets or within downtowns where retail has a prominent frontage with high visibility. This is not the case for the subject site.*

*Second, the proposed building's orientation provides for very limited frontage on White Oaks Boulevard (not a major street). In order to activate this frontage, part of the indoor amenity space, the residential lobby and the rental office have all been located adjacent to White Oaks Boulevard.*

*Third, the existing medical office building located at 1235 Trafalgar Road contains nonresidential uses on the ground floor including a Guardian Pharmacy which sells some products typically found in a convenience retail store. There is also an existing Retail plaza located at 1289 Marlborough Court, approximately 300 metres north of the subject site, which contains a food store (Rabba), restaurants and personal service shops. Therefore, residents of the subject site are in close walking distance of convenient retail....*

*Finally, the owner has advised that as long as it has owned the building (just over 30 years) retail on the subject site has never been consistently successful. The convenience store that was mentioned by a member of Planning & Development Committee on September 8, 2020 has been vacant for over two years (although the signage remains)."*

Notwithstanding the above, the proposed zoning by-law has been prepared to allow for a maximum of 1,524 m<sup>2</sup> of retail space on the site should the need for retail area change over time. No additional parking requirements were included within the by-law as retail in this location would most likely be utilized by residents within the

complex or residents in the immediate area. It is not anticipated that retail in this location would be 'destination oriented'.

Confirmation of what the potential amenity space will consist of.

With respect to amenity space on the site the applicant has provided the following response:

*"The revised proposal incorporates a total of approximately 479 square metres of new amenity space in the new building (434 square metres indoor and 45 square metres outdoor). In addition to the amenity area provided for in the existing buildings, both the central and northeast open space areas (lawn areas), which are 464 square metres and 1,826 square metres in size respectively, will be available for use by all existing and prospective residents."*

*The existing buildings will incorporate new indoor and outdoor amenity areas for residents. An indoor amenity area, approximately 128 square metres in size, is proposed for the existing 12-storey building which will connect directly to an outdoor amenity area (approximately 137 square metres in size), located adjacent to the large open space area at the northeast corner of the subject site. A second outdoor amenity area (57 square metres in size) is proposed adjacent to the outdoor central open space area and will connect to a newly renovated laundry room.*

*The existing 16-storey building will also incorporate a new indoor amenity room (46 square metres in size), directly connected to a new outdoor amenity area (62 square metres).*

*Overall, a total of 608 square metres of indoor amenity space and 2,591 square metres of outdoor amenity space will be provided for use by all the residents of the three apartment buildings."*

Following the Statutory Public Meeting, the applicant prepared a tenant survey that reviewed a number of issues, including the types of amenity the current residents would find beneficial ranging from BBQ areas, gym, party room, landscaped areas including benches and gazebo, pet relief areas, and secure package drop off areas. The breakdown of the types of amenity spaces this development will provide has not been determined.

## **CONSIDERATIONS:**

### **(A) PUBLIC**

A Public Meeting was held on September 8, 2020. No additional written correspondence was received since the public meeting.

Notice for the meeting regarding this development application was provided through a mailing of all properties within 120 metres of the subject lands and 1235 Trafalgar Road. Resident Associations were notified along with property owners in accordance with the *Planning Act* regulations and Town practices.

**(B) FINANCIAL**

Development charges would be applicable, net of any demolition credits. Development charges may be payable in instalments beginning at occupancy as an institutional development (rental apartment). Parkland dedication is applicable.

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

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

The application will be considered under Bill 108, which provides for a 90-day timeline before an appeal can be filed for lack of decision. This timeline would normally have ended on June 4, 2020. However, due to the Covid pandemic, the Provincial Government issued a regulation that effectively suspended this timeline from March 17 until June 22, 2020. The new date before an appeal could have been filed was September 6, 2020.

**(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 will also be reviewed in the context of Council declaring a Climate Change Emergency on June 24, 2019, to provide opportunities to reduce the development footprint of the proposal.

**CONCLUSION:**

Staff recommends approval of the zoning by-law amendment which would allow the development of a new 20-storey, 203 unit rental apartment building at 1226-1230 White Oaks Blvd. and 350 Lynnwood Drive.

The Urban Design Requirements (Appendix "B") will ensure that the proposed building will maintain a distinctive and enhanced architectural design to create a landmark building. The Urban Design Requirements will also ensure that the



landscape features on the proposed concept plan are realized as part of the site plan application.

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 Livable Oakville Plan. Staff recommend that By-law 2021-049 be passed as the following requirements have been satisfied:

- A full circulation has been undertaken and there are no outstanding planning issues to be resolved.
- The proposal implements the vision, development objectives, community design strategy and land use strategy of the Livable Oakville Plan.
- Comments from Council have been appropriately addressed.

By-law 2021-049 is attached as Appendix "D".

#### **APPENDICES:**

Appendix "A" – PPS (2020) and Growth Plan excerpts

Appendix "B" – Urban Design Requirements

Appendix "C" – Preliminary Construction Phasing Plan

Appendix "D" – By-law 2021-049

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