



OAKVILLE

REPORT

Planning and Development Council

Meeting Date: January 17, 2022

FROM: Planning Services Department

DATE: January 4, 2022

SUBJECT: Public Meeting Report, MGM Development (2652508 Ontario Inc.), Zoning By-law Amendment, Z.1614.76

LOCATION: South of the QEW and north of Cross Avenue

WARD: Ward 3

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RECOMMENDATION:

1. That the public meeting report prepared by the Planning Services Department dated January 4, 2022, be received.
2. That comments from the public with respect to the proposed Zoning By-law Amendment submitted by MGM Development (2652508 Ontario Inc.) (File No.: Z.1614.76), be received.
3. That staff consider such comments as may be provided by Council.

KEY FACTS:

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

- MGM Development, the owners of the subject lands, has submitted a Zoning By-law Amendment application to facilitate a residential development proposal consisting of a 26 storey tower with a total of 295 residential units and underground parking.
- The subject lands are located within the Midtown Oakville Growth Area north of Lyons Lane and south of the South Service Road. Midtown Oakville is one of 25 areas identified as an *urban growth centre* in the Province's *Growth Plan for the Greater Golden Horseshoe: Places to Grow*. The area is planned to accommodate significant intensification to meet prescribed Provincial, Regional and municipal targets.
- In accordance with the Livable Oakville Plan, the subject lands are eligible for bonusing and the applicant is proposing an increase in height from 20

storeys to a maximum height of 26 storeys upon entering into a Section 37 Agreement with the Town of Oakville.

- To develop in accordance with the Livable Oakville land use policies the applicant must submit a zoning amendment application to rezone the property from Existing Development (ED) to Residential High (RH) with a special site provision.
- In the past, the key development constraints within the Midtown Growth Area included transportation and municipal servicing infrastructure limitations. An Area Servicing Plan (ASP) was undertaken by the Region of Halton for Midtown Oakville which included the subject lands. The Region has approved the ASP. Transportation limitations will be further reviewed as part of the recommendation report.
- The application will be considered under Bill 108, which provides for a 120-day timeline before an appeal can be filed for lack of decision. The application was deemed complete on October 6, 2021. The statutory timeframe for processing this application expires on February 6, 2022.
- The applicant held a Virtual Public Information Meeting on February 19, 2020. The meeting was attended by the owners of 599 Lyons Lane and their planning consultant.

BACKGROUND:

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

Proposal

The applicant has submitted a Zoning By-law Amendment application to permit the development of a 26 storey residential building on lands known municipally as 627 Lyons Lane (Figure 1). The building is proposed to accommodate 295 residential units with 295 parking spaces, inclusive of visitor parking, in an underground parking garage. The development will also include 295 bicycle parking spaces. Vehicular access is proposed from the South Service Road. The proposed site plan is included as Figure 2.

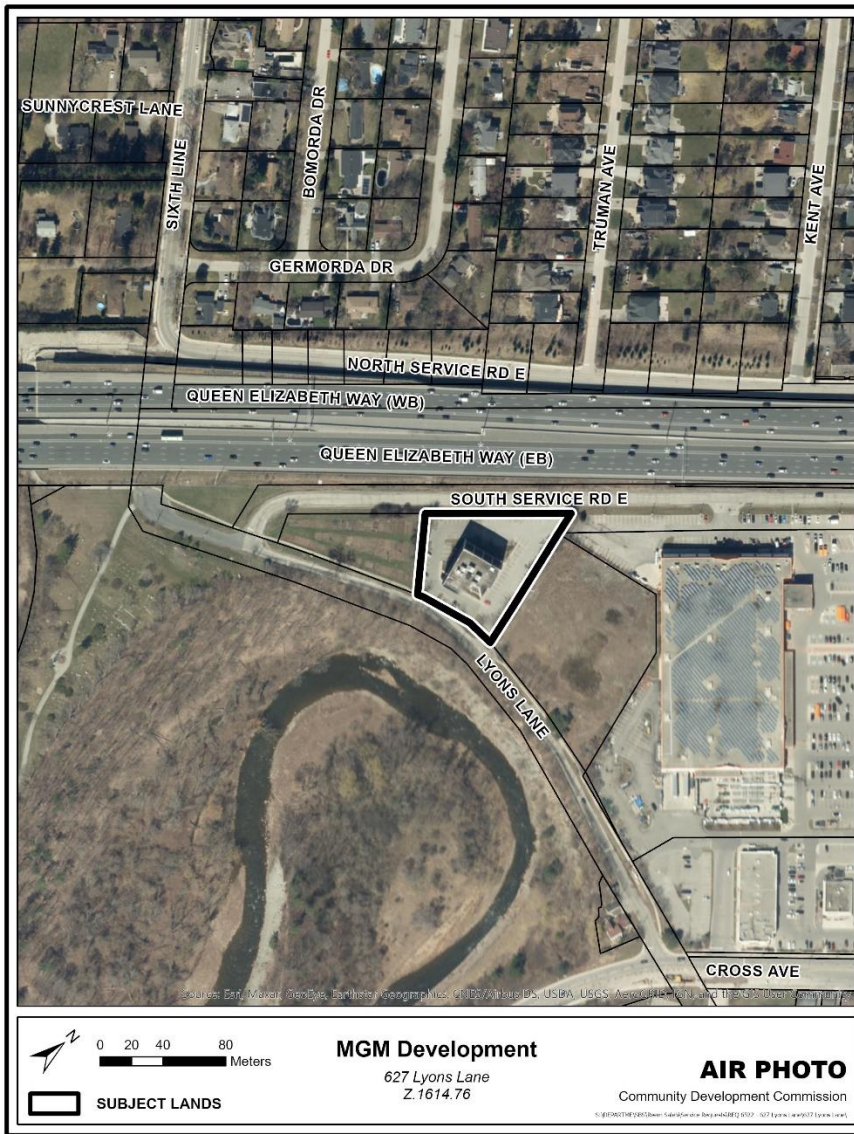


Figure 1: Air Photo

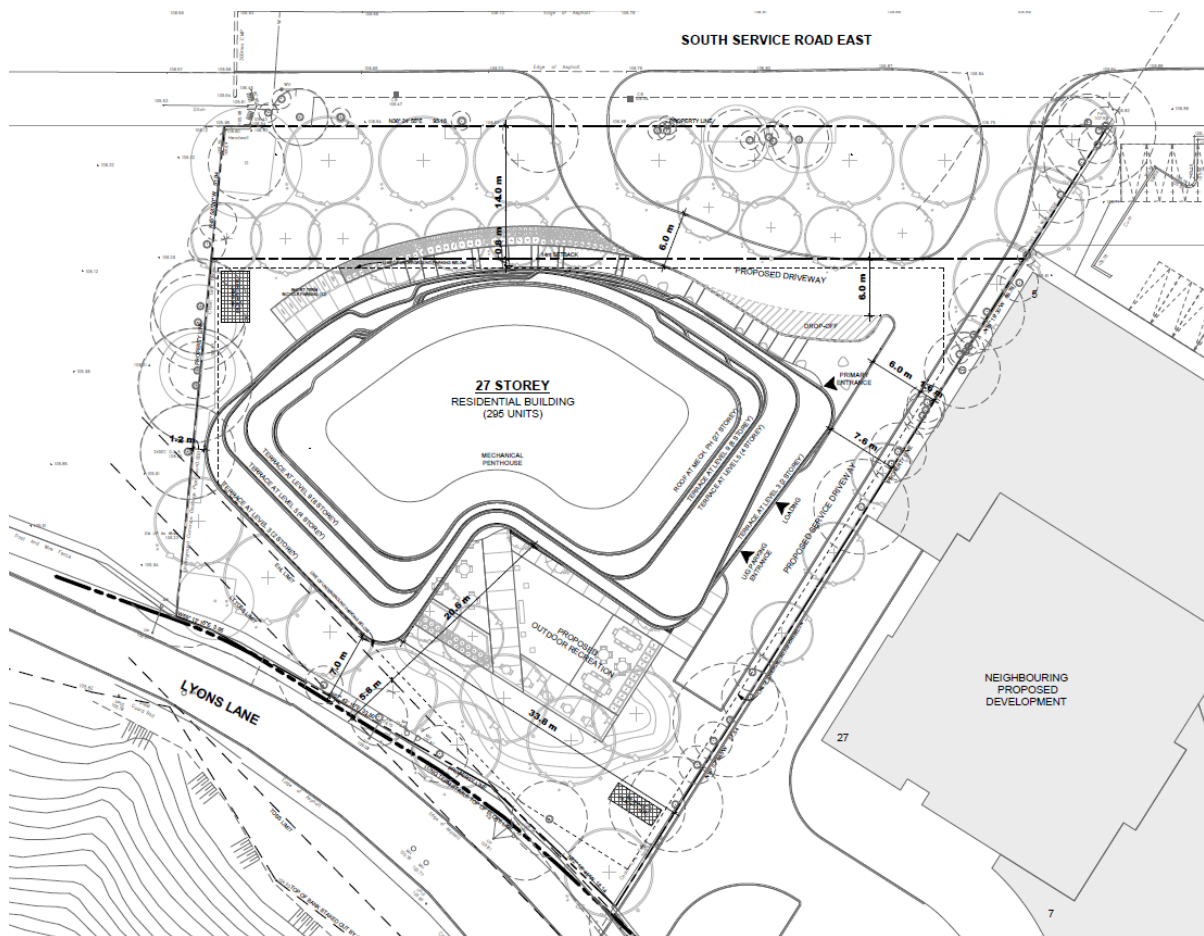


Figure 2: Site Plan

The proposed height exceeds the height range permissions of 20 storeys within the Livable Oakville Plan for the Midtown Oakville growth area. The applicant is proposing to enter into a Section 37 Agreement with the Town to permit the additional six storeys in height. In addition, the applicant proposes modifications to the existing zoning to allow for the development as proposed.

Figures 3 and 4 provides conceptual perspectives of the development from the QEW and Lyons Lane. Figure 3 includes a 'ghosted-in' conceptual concept for the 599 Lyons Lane future development as well as the treatment of the development as it faces Sixteen Mile Creek.



Figure 3: Conceptual perspective looking east, includes 599 Lyons Lane concept



Figure 4: Conceptual view looking east from the QEW

Submission materials are available at the following link on the Town's website:
<https://www.oakville.ca/business/da-39532.html>

Location & Site Description

The subject lands are located within the Midtown Oakville growth area, a designated *urban growth centre* by the Province. The property is approximately 800 metres (10 min walk) from the Oakville GO/VIA Station, which is the hub of this *major transit station area*. Midtown Oakville is considered a major transit station area within a designated settlement area

The subject property has a lot area of approximately 0.5 hectares and is located on the north side of Lyons Lane and south of the South Service Road. The property has 56 metres of frontage on Lyons Lane and 93 metres of frontage on the South Service Road. The four storey office building that is currently on the site is proposed to be demolished as part of this development.

Surrounding Land Uses

The surrounding land uses are as follows:

North: South Service Road and the QEW

East: Future high density residential development at 599 Lyons Lane and the Home Depot

South: Lyons Lane and Sixteen Mile Creek

West: Town of Oakville Community Gardens

PLANNING POLICY & ANALYSIS:

The properties are 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

Policy excerpts are included as Appendix 'A'.

Provincial Policy Statement (2020)

The Provincial Policy Statement (2020) ('PPS') is intended to promote a policy led system, which recognizes that there are complex relationships among environmental, economic and social factors in land use planning. The PPS

encourages the wise management of land to achieve efficient compact development form by directing growth to settlement areas, and encourages Planning authorities to permit and facilitate a range of housing options, including new development as well as residential intensification, to respond to current and future needs for a time horizon of up to 25 years.

The PPS promotes the integration of land use planning, growth management and transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments and standards to minimize land consumption and servicing costs.

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.

The future recommendation report will provide a full review of the development proposal in accordance with the PPS (2020).

Growth Plan for the Greater Golden Horseshoe

The Growth Plan (2019) is a long-term plan that intends to manage growth, build complete communities, curb sprawl and protect cultural heritage resources and the natural environment.

The Growth Plan provides policies for where and how to grow, directing population and employment growth to urban areas and rural settlement areas with delineated built boundaries on full municipal services (policy 2.2.1). The policies of the Growth Plan are to be applied to support complete communities that feature a diverse mix of land uses with convenient access to local stores, services, and public service facilities, provide a diverse range and mix of housing options, and expand convenient access to transportation options.

The subject lands are located within an identified “Built-Up Area” and a “Settlement Area”, where intensification is encouraged to efficiently make use of the existing infrastructure, municipal servicing availability and convenient access to services that meet the daily needs of residents. Key principles, set out in Section 1.2.1 include prioritizing intensification and higher densities in order to make efficient use of land and infrastructure and support transit viability while at the same time consider 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.”

In addition, the Growth Plan establishes intensification targets for development within “Delineated Built-Up Areas”, stating in Section 2.1 the importance:

“...on optimizing the use of the existing urban land supply represents an intensification first approach to development and city-building, one which focuses on making better use of our existing infrastructure and public service facilities, and less on continuously expanding the urban area.”

The Town of Oakville is included within these areas and anticipates that a minimum of 50 percent of all residential development occurring annually is expected to be within the delineated built-up area.

Halton Region Official Plan

The subject lands are designated “Urban Area” in 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 (Policy 72 of Part III) 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 housing, 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 approximately 800 metres from the Midtown GO/VIA Transit Station, which equates to a ten minute walk. Policy 80 provides that Major Transit Station Areas (including Metrolinx-designated Mobility Hubs) are areas for a higher 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 and to require Local Municipalities to do the same.

Livable Oakville Plan

The Livable Oakville Plan was approved by the Ontario Municipal Board on May 10th, 2011. The subject lands are located within an identified growth area that is planned to accommodate intensification and high density growth in accordance with the policies of Livable Oakville:

Section 2.2.1 b) reinforce the Town's Urban Structure:

"b) direct the majority of growth to identified locations where higher density, transit and pedestrian oriented development can be accommodated."

Section 2.2.2

"Providing choice throughout the Town in order to:

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

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.

Urban Structure

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. Nodes include the Town's growth areas, such as Midtown Oakville. These areas will accommodate intensification through development and redevelopment.

As part of the Town's Official Plan Review the growth area reviews will examine the policies introduced through Livable Oakville in 2009. The Midtown Oakville Review is underway and will account for revised growth targets (existing population and employment, and the addition of residential units) to align with the PPS, Growth Plan and Halton Region's Integrated Growth Management Strategy.

The subject lands are identified on *Schedule A1 – Urban Structure* and within close proximity to a *Regional Transit Node* and a *Provincial Priority Transit Corridor*. Regional Transit Nodes are located at key locations to integrate with the town-wide transportation system and to provide a focus for transit supportive development.

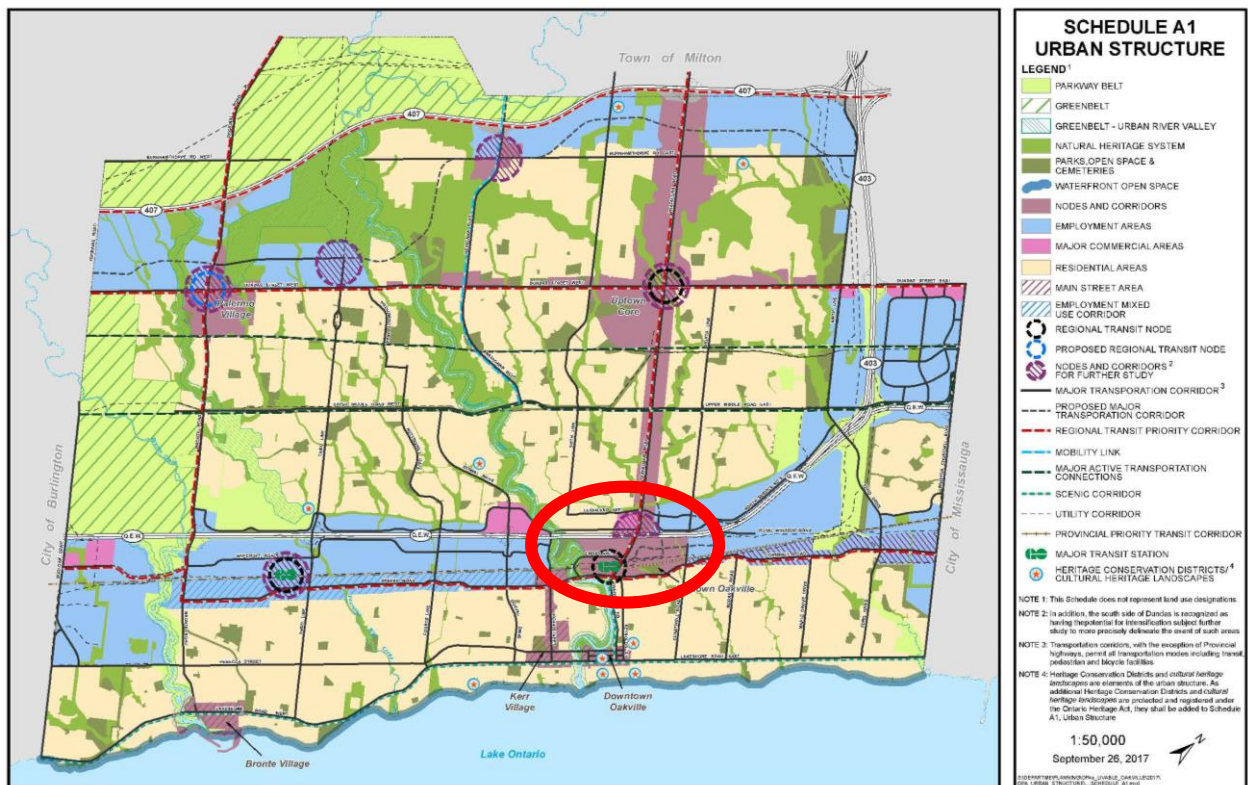


Figure 5a: Urban Structure –Schedule A1

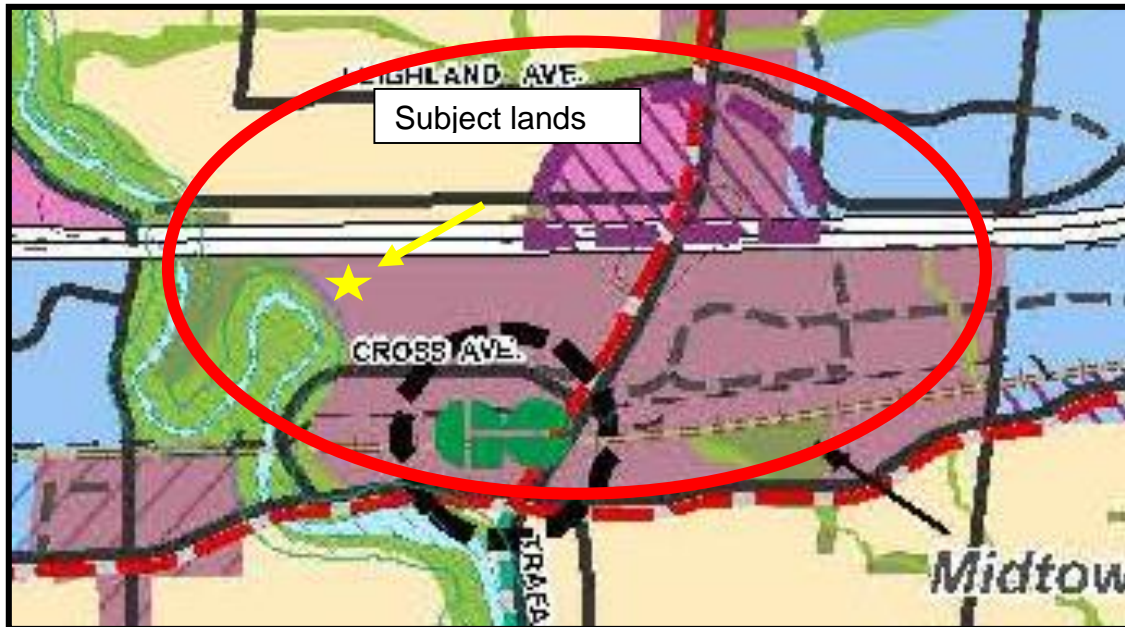


Figure 5b: Urban Structure –Schedule A1- Extract

The development proposal for the subject lands is responding to provincial and municipal land use directions to assess opportunities within designated growth areas and corridors for intensification. To efficiently utilize the site, as well as the location to a priority transit corridor, the applicant is requesting to enter into a Section 37 Agreement to allow for height increases beyond what is currently available through the in-effect land use designations in the Livable Oakville Plan.

Official Plan Objectives

The subject lands are located within the Midtown Oakville growth area. The site is designated High Density Residential on Schedule L1: Midtown Oakville Land Use Plan in the Livable Oakville Plan, shown in Figure 6. Policies within Part D of the Livable Oakville Plan state that the Residential High designations have a density range up to 185 units per site hectare.

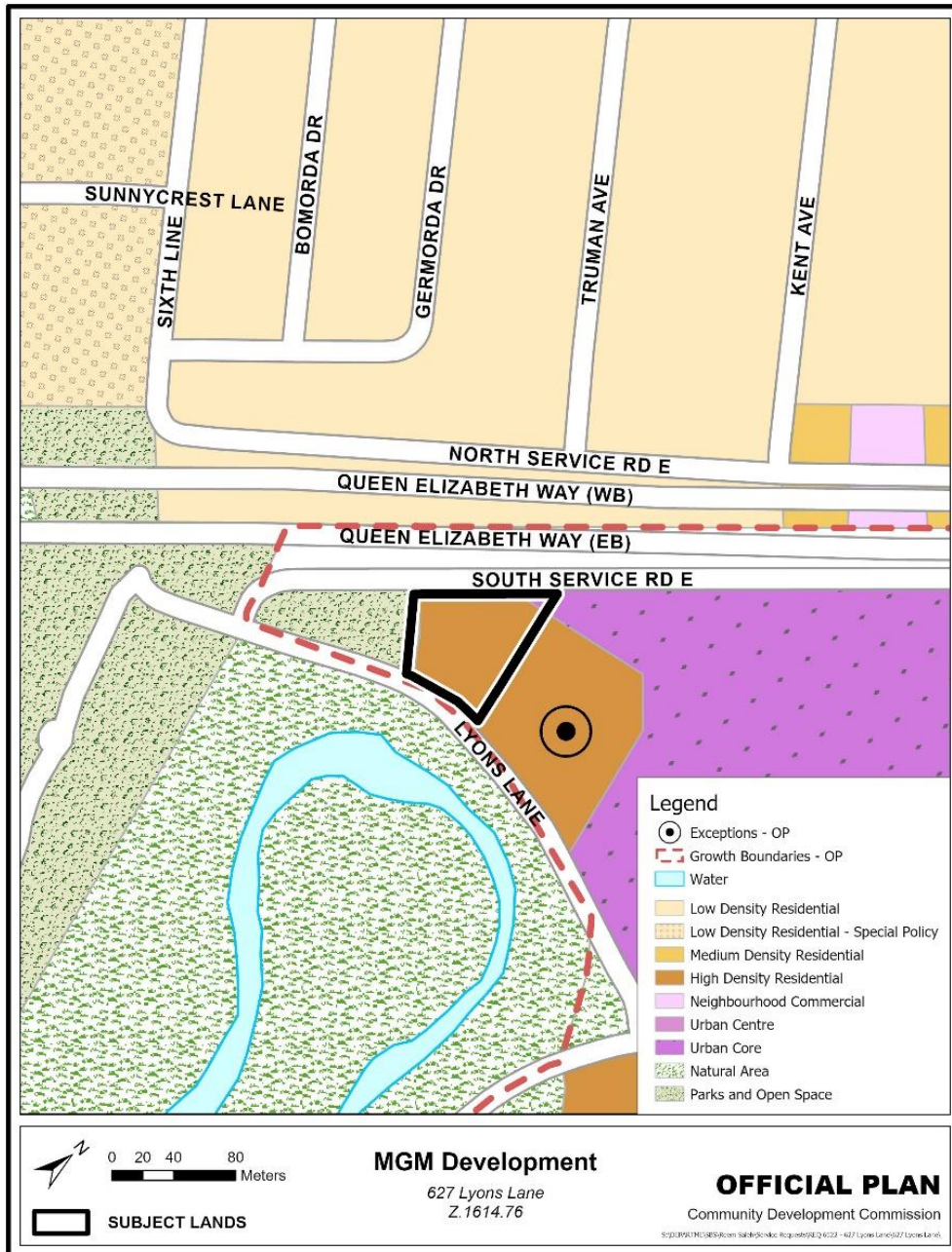


Figure 6: Official Plan Land Use Excerpt

Schedule L2: Midtown Oakville Building Heights identifies building heights for the subject lands as eight to 20 storeys, with potential bonusing opportunities.

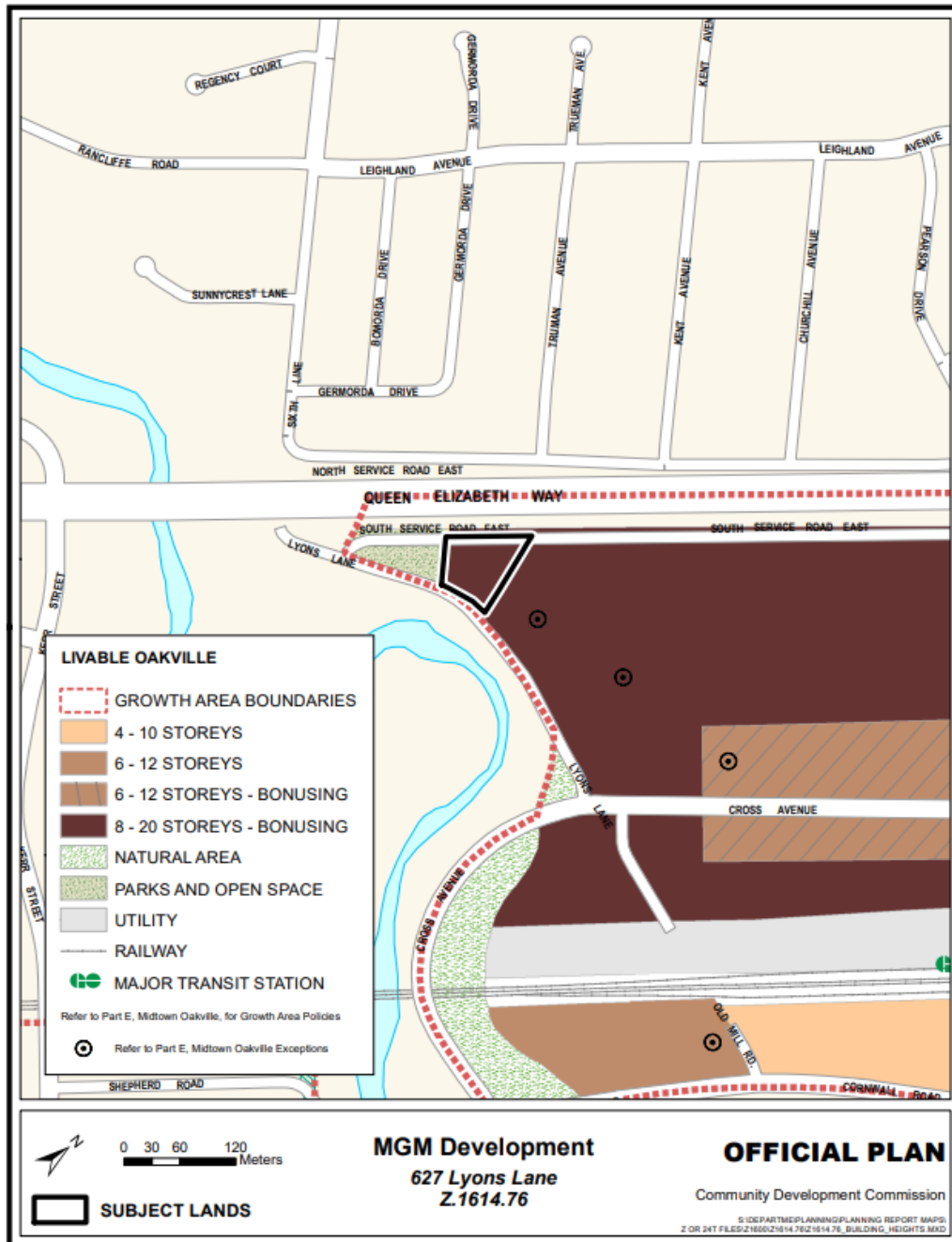


Figure 7: Official Plan Building Heights Excerpt

Section 20 of the Livable Oakville Plan states that Midtown Oakville:

“is one of 25 areas identified as an urban growth centre in the Province’s Growth Plan for the Greater Golden Horseshow: Places to Grow, 2006 (the Growth Plan). Urban growth centres are to be transit-supportive regional focal areas that accommodate a significant portion of future population and employment growth in the Greater Golden Horseshoe.”

The goal for Midtown Oakville, through development and redevelopment, will be the creation of a vibrant, transit-supportive mixed use community and Employment Area. The subject lands are located within the Lyons District which is intended to evolve into a compact mixed use neighbourhood with taller residential buildings located in the vicinity of Sixteen Mile Creek.

The Town is reviewing the future public roadway function of Lyons Lane, drawing from recommendations of the Midtown Oakville Transportation and Stormwater Class Environmental Assessment and subsequent Official Plan Amendments to update Livable Oakville as well as a recent town initiated Geotechnical review of the current conditions. Relevant policies in regard to evaluating the future road network for Midtown Oakville can be found in Section 20.4.1: Transportation that speak to:

- a) *Significant road, transit and active transportation infrastructure to the Midtown Oakville as shown on Schedules C, D and L3, is needed to accommodate the growth the Town is required to achieve in Midtown Oakville. Many existing roads shall be realigned, widened, extended or replaced.*

Urban Design Requirements

The proposal is being reviewed in context of the Livable by Design Urban Design Manual for the Town of Oakville. The Livable by Design Manual provides a comprehensive and detailed design direction for development to ensure new development is integrated with its surroundings and results in projects that are functional, support community vitality, and improve the overall livability of the area.

The location of the site within Midtown Oakville, fronting onto the QEW and Sixteen Mile Creek as well as its proximity to the GO/VIA Station will play an important role in the evaluation of the urban design principles used on this site. Relevant urban design policies can be found in Section 20.4.2 – Urban Design.

- a) *In addition to the urban design policies of this Plan, development and the public realm shall address the urban design direction provided in the Livable by Design Manual and the Designing Midtown Oakville document.*

- b) *Midtown Oakville shall be designed as a regional destination and an urban centre with a focus on creating a safe and attractive public realm that encourages walking, cycling and transit use. New development shall support this objective through its form, scale and detail.*
- c) *A network of public spaces, or varying sizes and activity, should be planned for Midtown Oakville to support residents and employees throughout.*
- d) *Development shall promote safe, convenient and attractive pedestrian access to transit stops or stations. Barriers, such as boundary fences, shall be discouraged.*
- e) *It is intended that some of the town's tallest buildings locate in Midtown Oakville. These buildings shall be designed to the highest architectural quality and detail to create landmark buildings and contribute to a distinct skyline.*

Zoning By-law (2014-014)

The subject lands are zoned Existing Development (ED), shown in Figure 8 below. The current zoning requires a development proposal to implement the goals, objectives and policies of the Livable Oakville Plan, including taller residential apartment dwellings.

The applicant proposes to rezone the property to a Residential High special provision with the following modifications:

- Minimum and maximum yard flexibility
- Maximum height provisions for the podium and towers, including bonusing
- Maximum height of rooftop mechanical equipment
- Regulating the number of dwelling units
- Minimum number of parking spaces for all uses and visitors

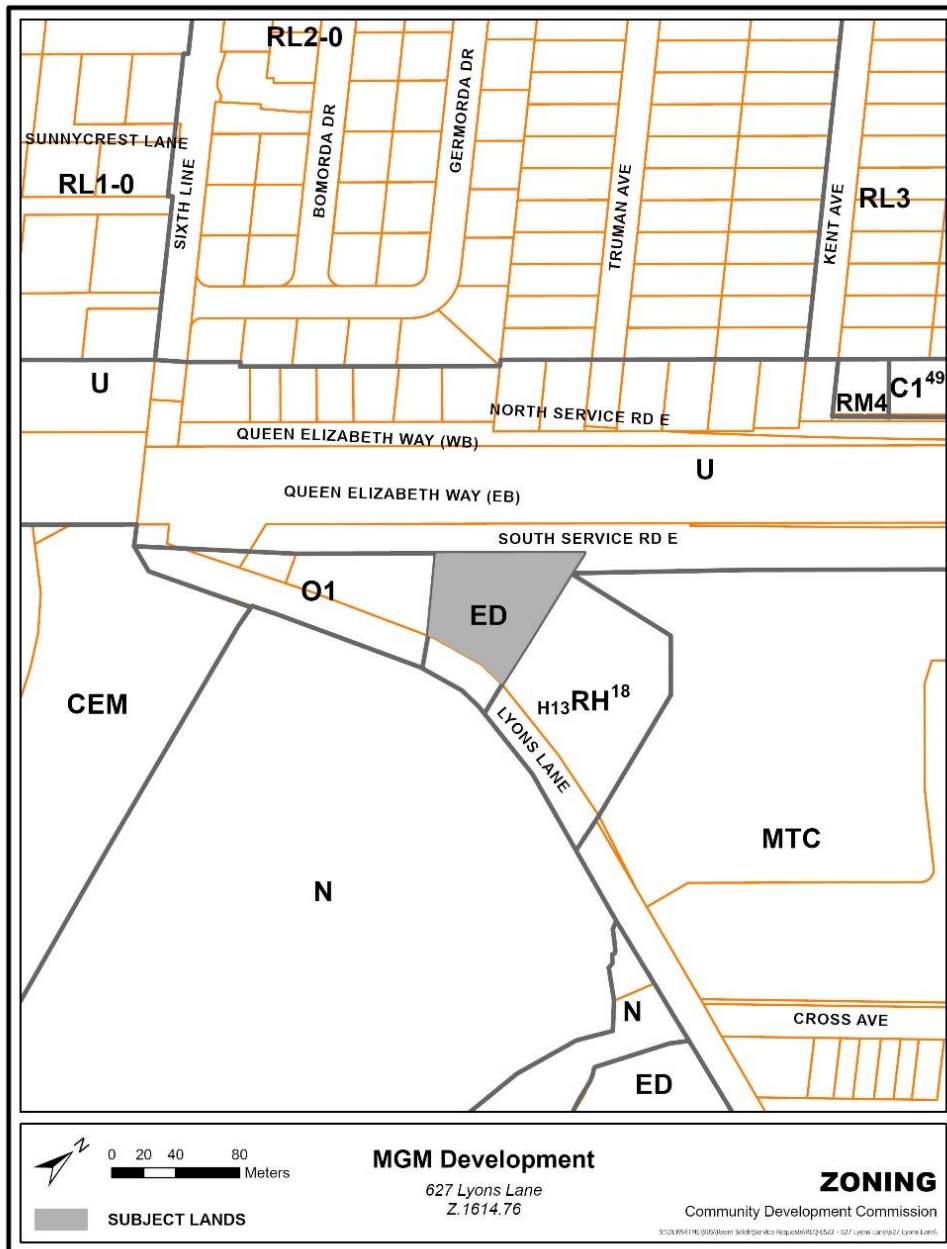


Figure 8: Zoning Excerpt

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, and which are under review. The following studies and supporting documentation are also accessible on the town's website:

- Planning Justification Report
- Site Plan
- Building Elevations and Coloured Renderings
- Functional Servicing and Stormwater Management Report
- Urban Design Brief
- Transportation Impact Assessment
- Shadow Impact Analysis
- Landscape Plan
- Species at Risk Study
- Air Quality Study
- Noise Study
- Phase 1 and 2 Environmental Site Assessments
- 3-D model

Issues Under Review / Matters to be Considered

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

- 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 policies regarding density, intensification, transit-supportive and to ensure there is adequate water and wastewater capacity available in accordance with regional regulations and policies.
- Does the proposal contribute to the healthy communities objectives identified by the Region for meeting the life-long needs of its residents by offering additional housing units, daily services, recreational opportunities and access to convenient and efficient public transportation.
- Does the proposal support Metrolinx's RTP 2041 planned delivery of the future rail improvements for the Midtown Oakville Mobility Hub along the Lakeshore Line.
- Conformity with Livable Oakville policies including whether the development proposal is appropriate for its context.
- Does the proposal meet the intent of the intensification objectives of the Midtown Oakville growth area by appropriately addressing building height, density, massing and form while meeting intensification targets.

- Does the proposal meet the locational criteria for a transit-supportive development that will adhere to the Town's Transportation Master Plan goals of encouraging transit use and modal shifts from single occupant vehicles.
- Compliance with the Livable by Design Guidelines Parts A and C, including scale, massing, maximum floorplate standards for tall buildings and shadow impacts.
- Will the proposal be contextually appropriate and not limit the development potential on the adjacent 599 Lyons Lane property.
- Through the application review have the impacts of the future development of 599 Lyons Lane and the redevelopment of the Home Depot site been taken into consideration.
- The 2014 Environmental Assessment, and resulting Official Plan Amendment for Midtown, considered a refined local road network. Implementing that road network needs to be considered through this development proposal, along with the long term role the Lyons Lane right-of-way will play in the overall Midtown transportation network.
- Will the proposal contribute to the transit supportive environment as well as the envisioned public realm of the *major transit station area*.
- Justification for the proposed modifications to the parent zoning by-law ensuring the proposed zoning by-law amendment appropriately implements the vision of the Livable Oakville Plan.
- Establishment of an appropriate parking standard for residential parking including visitor parking.
- Assessment of the transportation impacts on the existing local road network.
- Travel Demand Management (TDM) measures proposed for consideration that will support a resident's choice to use transit or other means of alternative transportation.
- Alignment with the Climate Emergency declared by Council in June 2019 for the purposes of strengthening the Oakville community commitment in reducing carbon footprints.

Public Comments

There have been no comments from the public received to date for this application. Comments received at this public meeting will be considered and included in a forthcoming recommendation report.

CONSIDERATIONS:

(A) PUBLIC

Notice for the public meeting has been distributed in accordance with the *Planning Act*. In recognition of the scale of the proposal the limits of the public notification were expanded to include surrounding neighbourhoods that were outside of the 120 metre legislative requirements. As of the date of this report there have been no submissions of public comments received.

A Virtual Public Information Meeting was held by the applicant on February 19, 2020. The meeting was attended by the owners of 599 Lyons Lane and their planning consultant.

(B) FINANCIAL

Development charges and parkland dedication would be applicable to this development.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

The application is currently in circulation to internal departments and public agencies for comment.

(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. The proposal will also be reviewed in the context of Council declaring a Climate Change Emergency on June 24, 2019, and where there are opportunities to reduce the development footprint of the proposal and the future residents.

CONCLUSION:

Planning staff will continue to review the proposed application, including departmental, agency and public feedback and report back to Council with a recommendation. No further notice is required, however, written notice of any future public meetings will be provided to those who have made written submissions.

APPENDICES:

Appendix A: Provincial Policy Excerpts

Prepared and Recommended by:
Tricia Collingwood, MCIP, RPP
Acting Manager

Submitted by:
Gabriel A.R. Charles, MCIP, RPP
Director, Planning Services