



OAKVILLE

## REPORT

### Special Planning and Development Council

Meeting Date: February 15, 2022

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**FROM:** Planning Services Department

**DATE:** February 1, 2022

**SUBJECT:** **Public Meeting Report, 70 Old Mill Road, 2317511 Ontario Inc., Official Plan and Zoning By-law Amendment, Z.1614.77**

**LOCATION:** 70 Old Mill Road

**WARD:** Ward 3

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#### **RECOMMENDATION:**

1. That the public meeting report prepared by the Planning Services Department dated February 1, 2022, be received.
2. That comments from the public with respect to the proposed Official Plan and Zoning By-law Amendment applications submitted by 2317511 Ontario Inc. (File No.: Z.1614.77), 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:

- The Owner of the subject property, has submitted an Official Plan Amendment and Zoning By-law Amendment application to facilitate a residential development proposal consisting of a twelve storey building, with a total of 154 residential units, and underground parking.
- The subject property is located within the Midtown Oakville Growth Area at the northwest corner of Old Mill Road and Cornwall Road and is planned to accommodate intensification and high density growth.
- The proposal exceeds the density permitted within the High Density Residential land use designation as well as the heights and number of units permitted within Special Provision 191 and therefore requires amendments to the Official Plan and the Zoning By-law to permit the proposal.

- 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 November 1, 2021. The statutory timeframe for processing this application expires on March 1, 2022.
- The applicant held a Virtual Public Information Meeting on September 9, 2021. The applicant did not record the number of attendees that accessed the meeting, however nine members of the public actively participated by asking questions and providing feedback.

### **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.

The Old Mill properties, including this site, have a redevelopment history that started in 1994 when the property was rezoned by Genstar Development Company Ltd., to permit residential apartment buildings and multiple family dwellings as well as a health club and local commercial uses. By-law 1994-144 included regulations for 285 residential dwelling units for the entire parcel (1.75 ha) and 2,300 m<sup>2</sup> of commercial uses. The construction of 50 Old Mill Road (ten storeys) was completed in 1999, and 60 Old Mill Road (ten storeys) was constructed in 2000.

In 2001, Oakridge Heights Limited submitted a rezoning application to increase the maximum height of 40 Old Mill Road to sixteen storeys and to permit an additional 22 units at 70 Old Mill Road. The application was refused by the Town of Oakville and resulted in an Ontario Municipal Board hearing that focused on the development of the lands at 40 Old Mill Road, and a decision to permit a twelve storey residential building which had the effect of increasing the number of residential units across the four sites to 307 units. The OMB decision did not address 70 Old Mill Road and required a separate rezoning application to be submitted for that property.

In 2013, 2317511 Ontario Inc., submitted a rezoning application for 70 Old Mill Road for a nine storey mixed use building. By-law 2013-106 was approved and amended the previous zoning by-law approvals and provided further regulations for the empty lot at 70 Old Mill Road. The effect of this by-law was to limit the number of units to 29 (plus a superintendent unit), provide a maximum height at 36.0 metres and reduce the amount of commercial space to 155 m<sup>2</sup>.

In 2015, the Owner of the property (2317511 Ontario Inc.) submitted a site plan application to permit the construction of a nine storey building with 29 residential units and a superintendent suite that was consistent with special provision 191 of By-law 2014-014. The application received conditional site plan approval, and permits were

issued for excavation and shoring as final approval was imminent. The below grade site works were underway when the Provincial Covid-19 order to cease non-essential construction was issued on April 4, 2020. While construction was halted, the Owner of the lands reached out to Town Staff to discuss opportunities to increase density on the site given its proximity to the GO station.

**Proposal**

The applicant has submitted an Official Plan Amendment and Zoning By-law Amendment application to permit the development of a 12 storey residential building on lands known municipally as 70 Old Mill Road.



Figure 1: Air Photo

The building is proposed to accommodate 154 residential units with 166 parking spaces, inclusive of visitor parking, in an underground parking garage. The development will also include 67 bicycle parking spaces. Vehicular access is proposed from Old Mill Road. The overall site plan is included as Figure 2 and the site plan for 70 Old Mill Road is shown below in Figure 3.



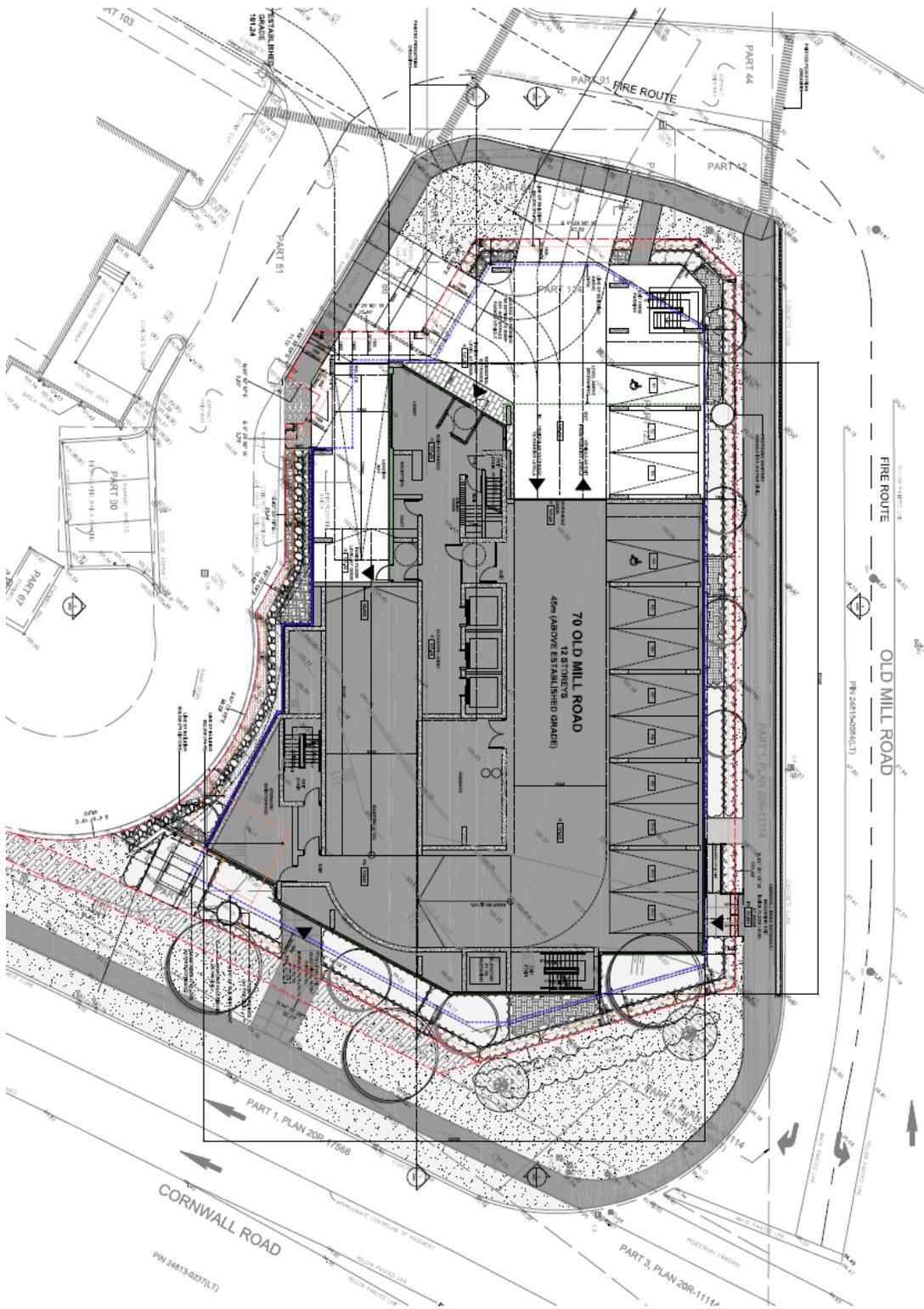


Figure 3: Site Plan

The proposed height falls within the Livable Oakville High Density Residential designation which permits a maximum 12 storeys, however the density exceeds the maximum 185 units per site hectare. The applicant is seeking an amendment to the Official Plan to increase the density limits to 264 units per site hectare. The applicant has also applied to amend the zoning by-law to permit an increase in height from 9 to 12 storeys and to remove the existing 29 unit cap on the site and allow for a maximum of 154 residential dwelling units. In addition, the applicant proposes modifications to the existing zoning to allow for the development as proposed with regard to yard setbacks, parking ratios, etc. The draft by-law submitted by the applicant is included as Appendix 'A'.

Figure 4 provides a conceptual rendering of 70 Old Mill in context with the existing buildings along Old Mill Road.



Figure 4: Conceptual rendering of 70 Old Mill Road looking west towards 60, 50 and 40 Old Mill Road

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## **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 located on the south side of the Oakville GO/VIA Lakeshore West Line, which is the hub of this *major transit station area*. The site has direct pedestrian access to the station. From a *Growth Plan* perspective, Midtown Oakville is considered a major transit station area within a designated settlement area.

The subject property is the last of the four building sites on Old Mill Road to develop. The entire property is 1.75 ha and 70 Old Mill Road has a lot area of approximately 0.158 hectares. The lot has 46.17 metres of frontage on Old Mill Road and 19.95 metres on Cornwall Road.

## **Surrounding Land Uses**

The surrounding land uses are as follows:

North: Canadian National Railway/Lakeshore West Line

East: Old Mill Road and the Oakville GO parking garage

South: Cornwall Road

West: 40, 50 and 60 Old Mill Road residential towers

## **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 'B'.

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

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”, and are located adjacent to a “Priority Transit Corridor”, The lands are also within an “Urban Growth Centre” where intensification is encouraged to efficiently make use of the existing infrastructure, municipal servicing availability and convenient access to services that meet the daily needs of residents. Key principles, set out in Section 1.2.1 include prioritizing intensification and higher densities to make efficient use of land and infrastructure and support transit viability while at the same time considering adjacent 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*

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*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 it is anticipated that a minimum of 50 percent of all residential development occurring annually will 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 400 metres from the Midtown GO/VIA Transit Station to the platforms at the station. 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 subject lands are located within the Midtown 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 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.

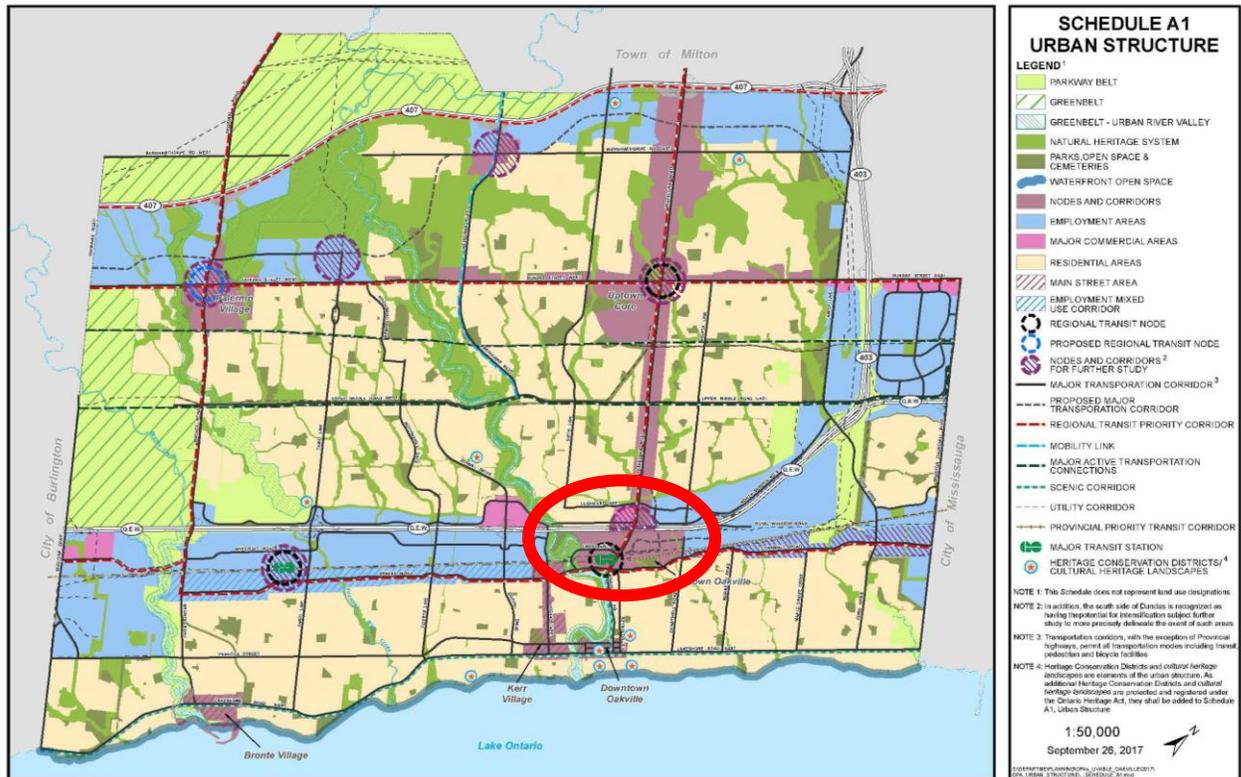


Figure 5a: Urban Structure –Schedule A1



Figure 5b: Urban Structure –Schedule A1- Extract

The development proposal for the subject lands responds 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 an Official Plan Amendment to allow for an increase in density beyond what is currently available through the in-effect land use designations in the *Livable Oakville Plan* and ahead of the Midtown Oakville Growth Area Review being completed.

#### 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 Official Plan state that the Residential High designations have a density range up to 185 units per site hectare.

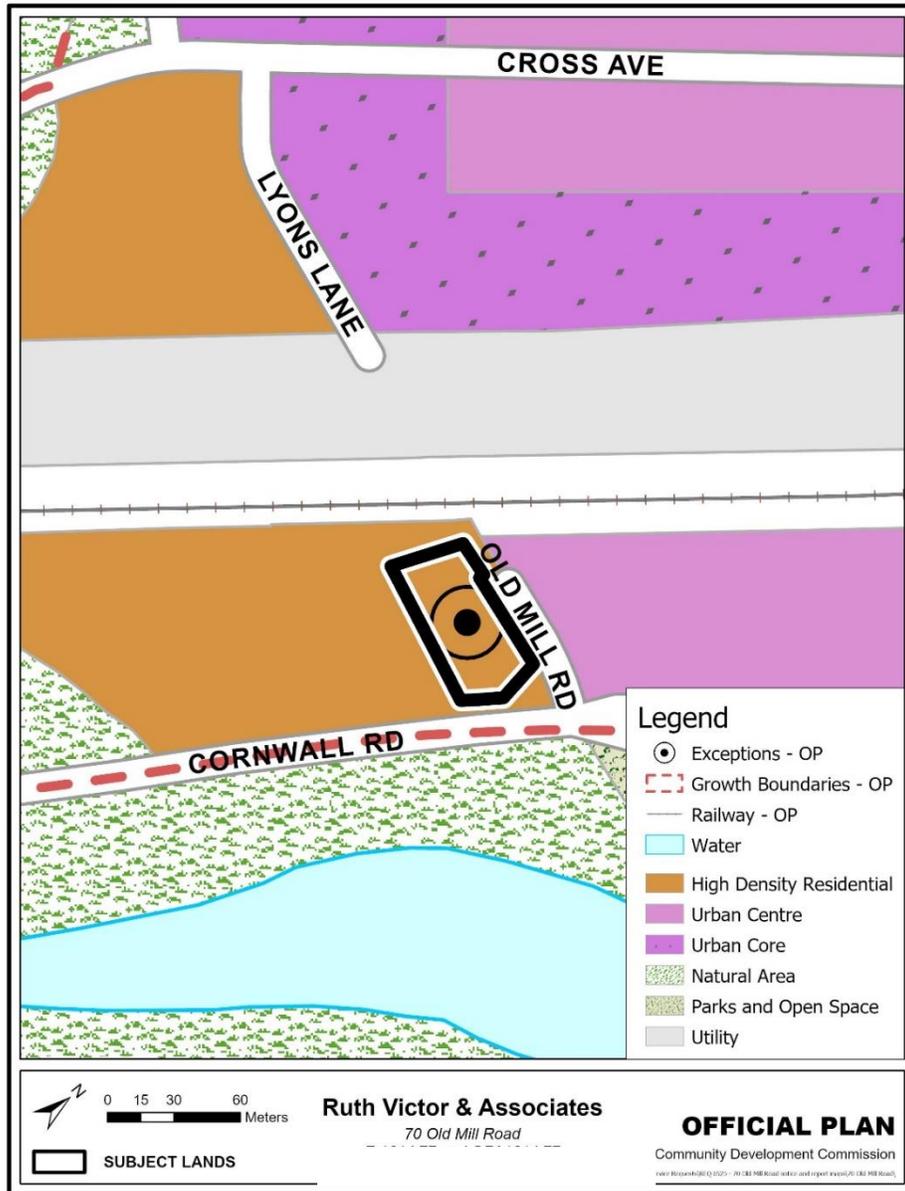


Figure 6: Official Plan Land Use Excerpt

Schedule L2: Midtown Oakville Building Heights identifies building heights for the subject lands as six to twelve storeys.

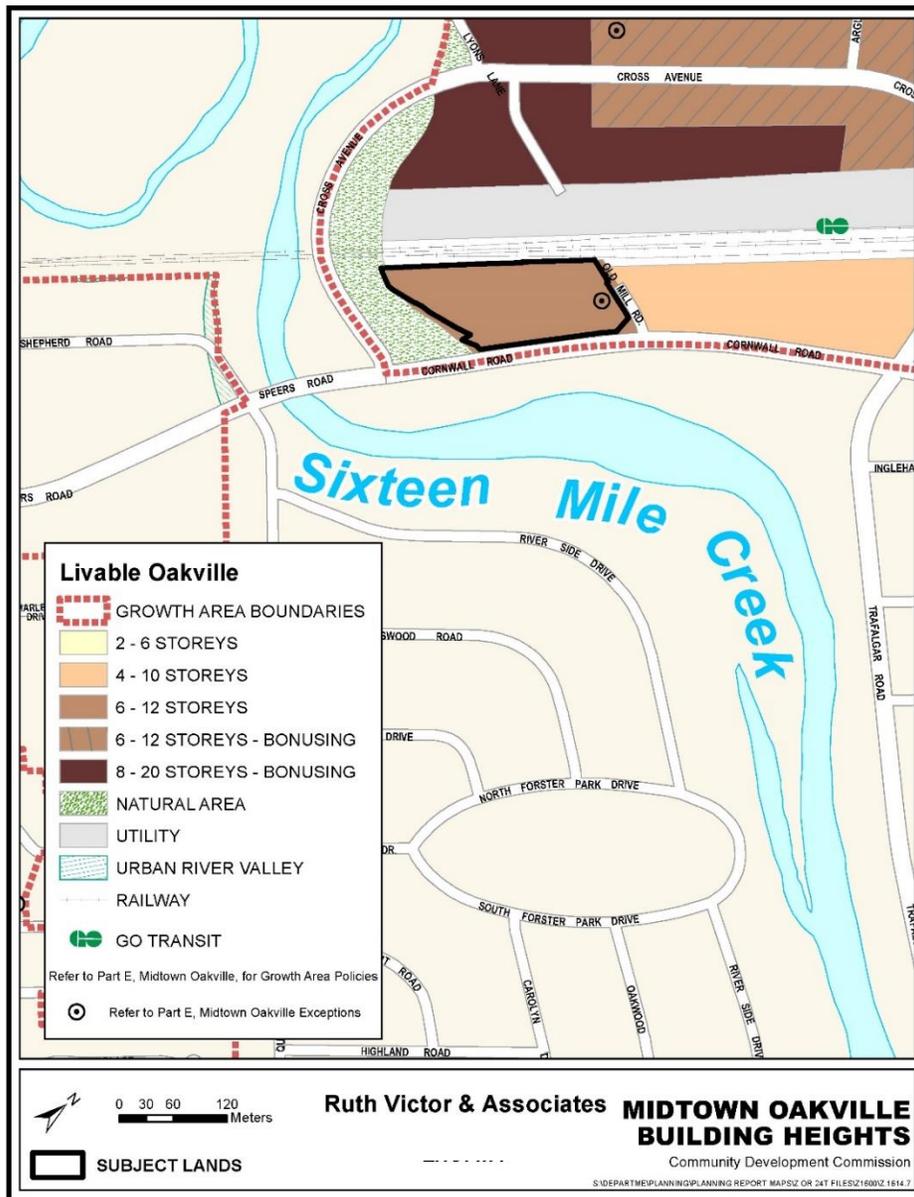


Figure 7: Official Plan Building Heights Excerpt

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 Horseshoe: 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.”*

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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 Cornwall District which is planned to include a mix of use uses and taller residential buildings located in the vicinity of Sixteen Mile Creek and Trafalgar Road.

#### Urban Design Requirements

The proposal is being reviewed in context of the Livable by Design Urban Design Manual and the Designing Midtown Oakville guidance document. 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 Old Mill Road and Cornwall Road, adjacent to the Lakeshore West rail line 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, of 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 Residential High (RH-191), shown in Figure 8 below. The current zoning has a maximum height of 36 metres and a residential unit cap of 29 units. A copy of the applicant's proposed draft by-law is included as Appendix 'A' to this report.

The applicant proposes to amend the current special provision and rezone the property with the following modifications:

- Minimum and maximum yard flexibility
- Maximum height provisions
- Maximum height of rooftop mechanical equipment
- Regulating the number of dwelling units
- Minimum number of parking spaces for unit owners and visitors

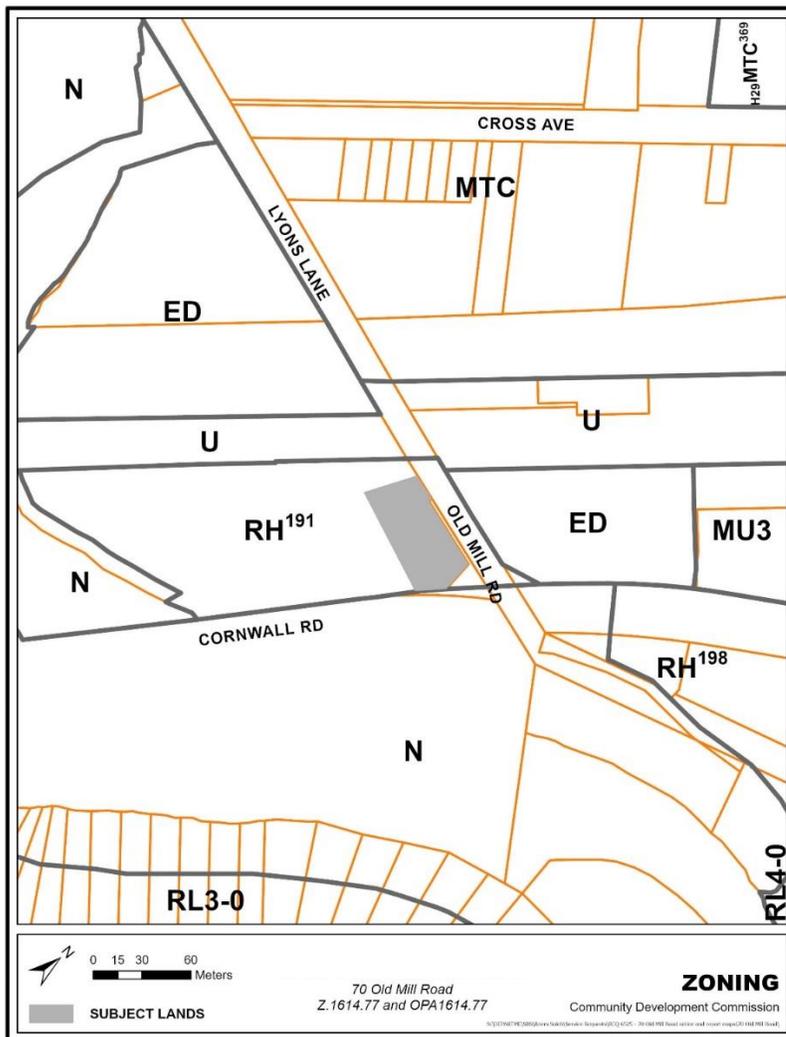


Figure 8: Zoning Excerpt

## 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 accessible on the Town's website at: <https://www.oakville.ca/business/da-39703.html>.

- Planning Justification Report
- Site Plan
- Building Elevations and Coloured Renderings
- Grading and Servicing Plans
- Functional Servicing and Stormwater Management Report
- Urban Design Brief
- Transportation Impact Assessment
- Shadow Impact Analysis
- Landscape Plan
- Arborist Report
- Noise Study
- Phase 1 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.

- Alignment with the Climate Emergency declared by Council in June 2019 for the purposes of strengthening the Oakville community commitment in reducing carbon footprints.
- 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 High Density Residential land use policies as well as 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 Designing Midtown and the Livable by Design Guidelines Parts A and C, including scale, massing, maximum floorplate standards for tall buildings and shadow impacts.
- Is the proposal contextually appropriate and designed to complement the adjacent condominium buildings (40, 50 and 60 Old Mill Road) with minimal negative impacts on the existing Old Mill Road residents?
- Will the Shared Use Facilities Agreement between the condo boards for the four residential properties need to be updated to reflect the increase in density, the expansion of the waste storage area and the shared use of the surface visitor parking spaces?
- Will the proposal contribute to the transit supportive environment as well as the envisioned public realm of the *major transit station area*?
- Does the Cornwall Road/Old Mill Road building façade and treatment of the ground floor enhance the public-private interface?
- Justification for the proposed modifications to the Official Plan policies to permit the increase in density in this location.
- 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 and that of the proposed Official Plan Amendment.

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- 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.

### **Public Comments**

Public comment received to date is included as Appendix 'C' to this report. 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 addition, as of January 1, 2022, the Town has implemented extended notification limits for development applications from 120 metres to 240 metres.

A Virtual Public Information Meeting was held by the applicant on September 9, 2021. Nine members of the public actively participated in the virtual meeting by asking questions and providing feedback.

#### **(B) FINANCIAL**

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

#### **(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 or oral submissions.

**APPENDICES:**

Appendix A: Applicant's Draft Zoning By-law  
Appendix B: Provincial Policy Excerpts  
Appendix C: Public Comment

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Recommended by:  
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