



OAKVILLE

REPORT

Planning and Development Council

Meeting Date: April 4, 2022

FROM: Planning Services Department

DATE: March 22, 2022

SUBJECT: **Public Meeting Report, Draft Plan of Subdivision, 404072 Ontario Limited (Mattamy Homes), Block 263, 20M-1212, File No.: 24T-22001/1314**

LOCATION: Block 263, 20M-1212, Part of Lot 14, Concession 1, NDS

WARD: Ward 7 Page 1

RECOMMENDATION:

1. That the public meeting report, prepared by the Planning Services Department dated March 22, 2022, be received.
2. That comments from the public with respect to the Draft Plan of Subdivision by 404072 Ontario Limited (Mattamy Homes), File No.: 24T-22001/1314, 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:

- This report provides an overview of a proposed Draft Plan of Subdivision submitted by 404072 Ontario Limited (Mattamy Homes), which would have the effect of creating eight blocks to permit the development of 32 townhouse units on a public rear lane.
- The subject lands are designated Neighbourhood Area within the North Oakville East Secondary Plan (Figure NOE2).
- The lands are zoned Neighbourhood Centre subject to Special Provision 48 (NC sp:48) within Zoning By-law 2009-189, as amended.
- The applicant initiated public information meeting was held virtually on January 10, 2022, which was attended by four residents and Town Planning Staff.

- The Draft Plan of Subdivision application was deemed complete on January 19, 2022. The *Planning Act* provides for a 120-day time frame to make a decision on this application on or before May 19, 2022, after which the applicant could file an appeal for non-decision.

BACKGROUND:

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

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

The current application was submitted and deemed complete on January 19, 2022. The applicant initiated public information meeting was held on January 10, 2022, which was attended by four residents and Town Planning Staff.

Previous Approvals/Applications

In 2012, the applicant submitted applications for a Draft Plan of Subdivision (24T-12011B/1314) and Zoning By-law Amendment (Z.1314.06B) for a larger landholding that included the subject site. In 2016, Town Council approved the subdivision and rezoning, which had the effect of rezoning the subject lands to Neighbourhood Centre subject to Special Provision 48 (NC sp:48). At the same time, Holding Provision “H17” was incorporated into the zoning for the subject site. The purpose of Holding Provision “H17” was to restrict the use of the land to only permit the following uses to a maximum of 5 storeys in height:

- mixed use building;
- apartment;
- parking garage, built as part of an apartment or mixed use building; or
- stacked townhouse dwelling.

The applicant was permitted to apply to remove the Holding Provision once three years had passed since the date of registration of the underlying draft plan of subdivision. The underlying subdivision was registered in January 2019. In October 2021, the applicant submitted an application to remove Holding Provision “H17” which was approved by Council on January 18, 2022.

Surrounding Land Uses

The surrounding land uses are as follows as seen in Figure 2:

North/East: Residential uses consisting of on-street townhouse units.

South: Residential uses consisting of detached dwelling and Natural Heritage System

West: Residential uses consisting of on-street townhouses units, beyond which will be an elementary school and community park.

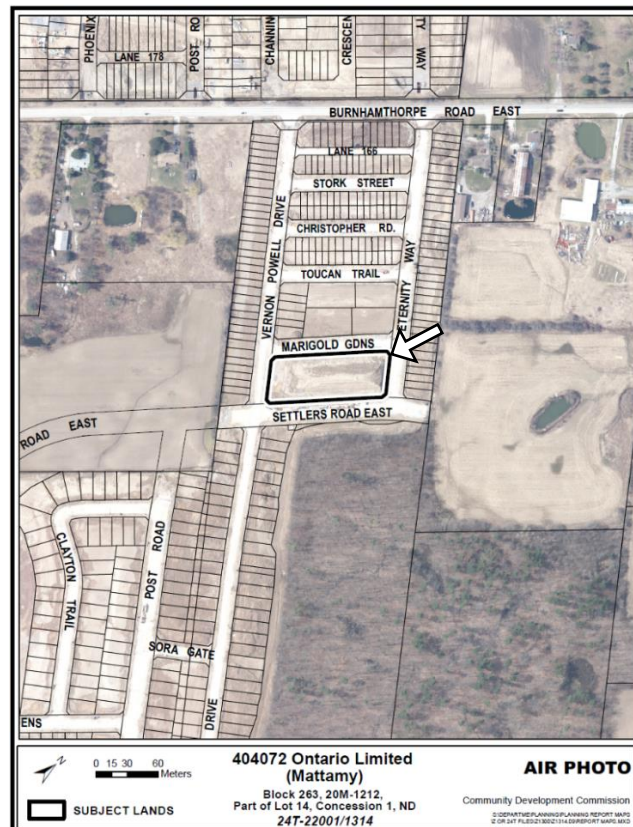


Figure 2: Air Photo (*outdated image – dwellings in the area are constructed and occupied*)

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 (2020)
- Halton Region Official Plan
- Oakville Official Plan
- North Oakville East Secondary Plan
- Zoning By-law 2009-189, as amended

Provincial Policy Statement (2020)

The Provincial Policy Statement 2020 (“PPS”), which came into effect on May 1, 2020, 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 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 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, and appropriately use the infrastructure and public service facilities that are planned or available.

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 (2020)

The Growth Plan (2020) 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 subject lands are located within a “Designated Greenfield Area”. 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, and provide a diverse range and mix of housing options.

The future recommendation report will provide a full review of the development proposal in accordance with the Growth Plan.

Halton Region Official Plan

The subject lands are designated “Urban Area” in the Halton Region Official Plan. 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, the development of vibrant and healthy mixed-use communities which afford maximum choices for residence, work and leisure. Policy 76 notes that the range of permitted uses in accordance with Local Official Plans and Zoning By-laws. All development, however, is subject to the policies of the Regional Plan.

2020 Servicing Allocation Program – Water and Wastewater

Halton Region has implemented a servicing allocation program that requires proponents of residential development applications to secure servicing allocation from Halton Region through a formal Allocation Agreement.

On June 17, 2020, Regional Council passed By-law 34-20 which confirmed the Regional allocation agreement conditions and requirements have been met and the appropriate financial commitments by all the parties are in place. The proposed development would be subject to the 2020 Regional Allocation program.

A full analysis of the proposal in the context of the Halton Regional Official Plan will be provided as part of a future recommendation report.

Oakville Official Plan

As Section 51(24) of the *Planning Act* deals with the criteria for considering a Draft Plan of Subdivision, applications for Consent dealt with under Section 53 of the Act are subject to the same criteria for the severance of land. Noting this, the Official Plan contains policies that deem a Plan of Subdivision the appropriate process for the development of land in most cases:

“12.2 URBAN SEVERANCE POLICIES

- a) *Severances for any form of Urban Development shall comply with the Phasing provisions of Part C, Section 2 and Figures "C", "D" and "D1" of this Plan.*
- b) *Although urban severances may be permitted, development in urban areas is generally to take place in accordance with comprehensively designed registered plans of subdivision. Land division by a plan of subdivision, rather than by a consent, shall generally be deemed necessary in the following cases:*
 - i) ***where the extension of a public road is required or a new road allowance is required;***

Therefore, it is necessary as per the Official Plan policies for the development of the subject lands to proceed by way of a Plan of Subdivision in order for the creation of the proposed public lane to occur prior to the 32 townhouses being built.

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 and identifies the site as *Residential Areas*. This is also reflected in Section 3, *Urban Structure, of the Livable Oakville Plan*. Official Plan Amendment 317 to the *North Oakville East Secondary Plan*, confirms the Town's existing urban structure and was approved by Halton Region on April 26, 2018 and deemed to conform to the Growth Plan and is consistent with the PPS.

North Oakville East Secondary Plan (NOESP)

The North Oakville East Secondary Plan provides a planning framework for the lands north of Dundas Street and south of Highway 407 between Ninth Line and Sixteen Mile Creek in the west.

The development of the North Oakville community is premised on a sustainable, design-first philosophy which promotes the protection of the natural environment, mixed use development, and a modified grid road system that enhances transportation options for transit and pedestrians.

The North Oakville East Secondary Plan designates the subject lands as Neighbourhood Area on Figure NOE 2 Land Use Plan, as seen in Figure 3.



Figure 3: Official Plan – NOE 2 Map

Master Plan – Appendix 7.3

The North Oakville Master Plan is intended to assist in providing guidance and coordination of local roads and adjacent land uses for the North Oakville Planning Area. Development applications are reviewed to ensure general coordination and consistency with the intent of the Master Plan. Minor modifications are permitted provided the general intent and direction of the Master Plan is maintained (Section 7.5.2).

Additional land use designations are further identified as General Urban Area, as shown in North Oakville Master Plan (Figure 4).

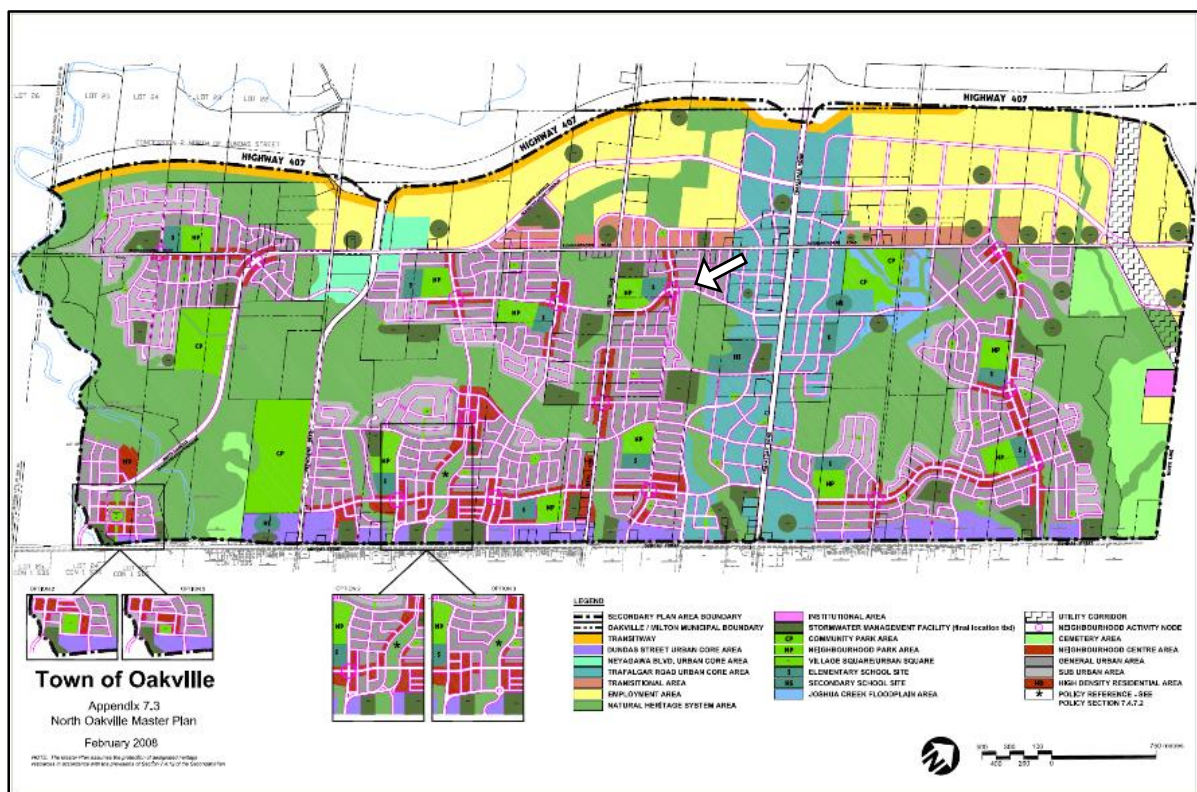


Figure 4: North Oakville Master Plan Map Excerpt

North Oakville Zoning By-law

Zoning By-law 2009-189, as amended is the comprehensive Zoning By-law in order to implement the North Oakville Secondary Plans, for all properties in Oakville north of Dundas Street, and south of Highway 407. It was passed by Council on November 23, 2009 and approved by the Ontario Municipal Board on October 25, 2010.

The subject lands are currently zoned Neighbourhood Centre subject to Special Provision 48 (NC sp:48) as seen in Figure 5, which permits various uses, including townhouse dwellings, apartment buildings and commercial uses. The current application would allow 32 rear lane townhouse uses.

Once the blocks have been created through the Draft Plan of Subdivision process, the applicant would be eligible to apply for Building Permits in accordance with the in-effect Zoning regulations. A Zoning By-law Amendment application is not required to permit the proposed development.

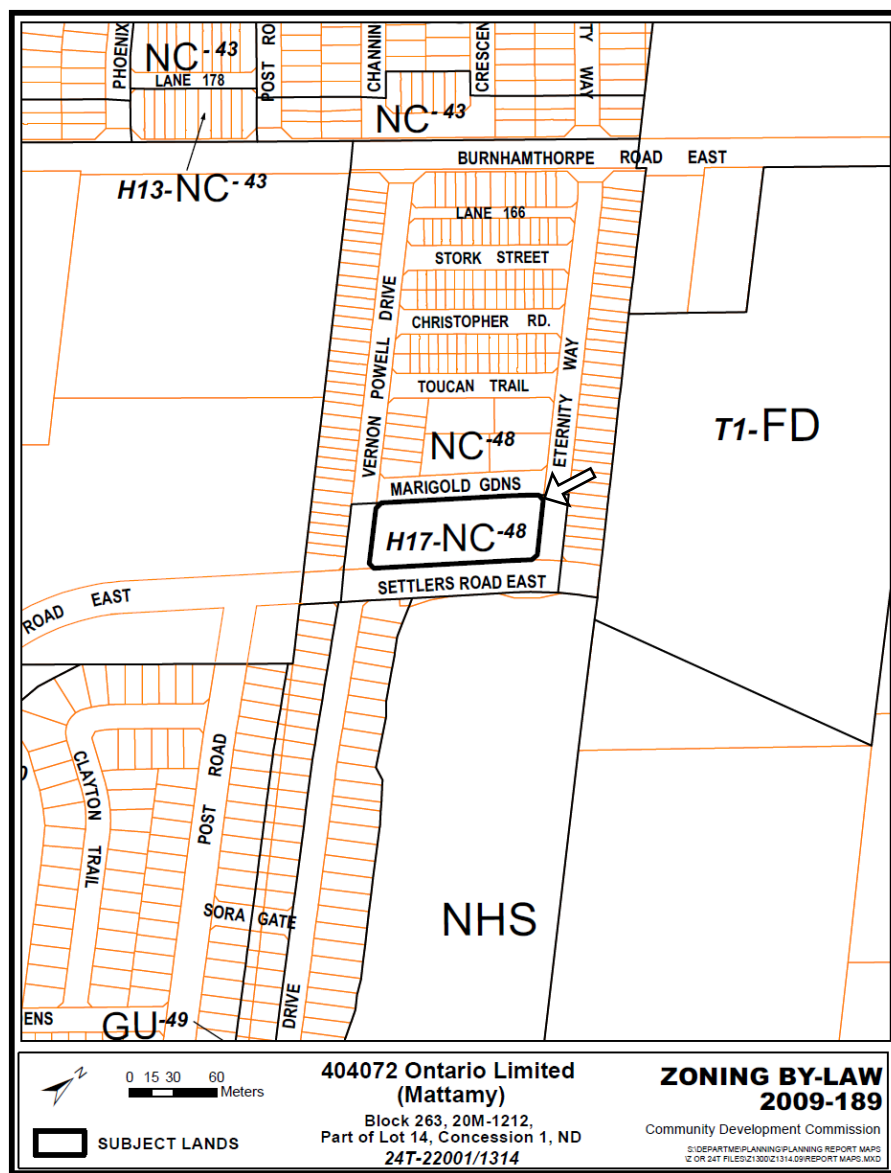


Figure 5: Zoning By-law 2009-189 Map

TECHNICAL & PUBLIC COMMENTS:

The applicant has submitted the following documents as part of the application submission, which have been circulated to various public agencies and internal Town departments and are currently under review. The studies and documentation are also accessible on the Town's website at the following link:

<https://www.oakville.ca/business/da-40345.html>

- Draft Plan of Subdivision
- Concept Plan
- Urban Design Brief
- Streetscape Plan
- Canopy Cover Plan
- Environmental Site Screening
- Record of Site Condition
- Archaeological Clearance Letter

Public Comments

The applicant initiated public information meeting was held on January 10, 2022, which was attended by four residents and Town Planning Staff. Questions were raised relating to:

- the type of housing being proposed, specifically related to the use of the land for an apartment building;
- timing of the proposed construction;
- location for on-street parking; and
- amenity areas for the townhouse units.

Minutes of the meeting are included in Appendix "C". At the time of writing this report, one written submission was received and can be found in Appendix "D".

Issues Under Review/Matters to be Considered

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

- Alignment with the Climate Emergency declared by Council in June 2019 for the purposes of strengthening the Oakville community commitment in reducing carbon footprints.
- Confirmation of being a member in good standing with the North Oakville East Developers Group and party to the Cost Sharing Agreement.
- Consistency with the Provincial Policy Statement 2020 and conformity with the 2020 Growth Plan.
- Conformity to the Region of Halton Official Plan.

- Conformity of the proposal with the land use and policies of the North Oakville East Secondary Plan.
- Evaluation of the appropriateness for the proposed development and that the lane based townhomes are compatible with the character of the neighbourhood.
- Evaluation of the proposed built form design and its suitability for the subject lands within the context of the surrounding area as per the Urban Design Guidelines and Livable by Design Manual.
- Evaluation of the appropriateness for the proposed development, specifically the introduction lane based townhomes and whether this type of housing form is compatible with the character of the neighbourhood.
- Evaluation of the proposed built form design and its suitability for the subject lands within the context of the surrounding area as per the Urban Design Guidelines and Livable by Design Manual.
- Confirmation of appropriate lane width to ensure functionality.
- Confirmation from the Region that the applicant has secured sufficient allocation to allow for the development.
- Review of the opportunities to provide on-street parking and investigate opportunities to maximize visitor parking

A complete analysis of this application will be undertaken including the matters identified above and any comments received at this public meeting.

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.

The applicant held a community consultation Public Information Meeting (PIM) virtually via Microsoft Teams on January 10, 2022, and four members of the public attended. Minutes from the meeting can be found at Appendix "C". One written submissions can be found in Appendix "D".

(B) FINANCIAL

Development Charges would be applicable to this development. Parkland dedication is satisfied as the developer is in good standing with the North Oakville East Developers Group and party to the Cost Sharing Agreement.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

The application was circulated to internal and external departments and agencies for review. The application remains in technical review.

The Draft Plan of Subdivision application was deemed complete on January 19, 2022. The *Planning Act* provides for a 120-day time frame to make a decision on this application on or before May 19, 2022, after which the applicant could file an appeal for non-decision.

(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 in full prior to providing a recommendation to confirm compliance with the sustainability objectives of the Livable Oakville Plan and the Climate Emergency Declaration and associated Progress Reports brought to Council, the latest being dated June 8, 2021.

CONCLUSION:

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

APPENDICES:

Appendix A – Applicant’s Proposed Draft Plan of Subdivision

Appendix B – Policy Excerpts

Appendix C – Applicant Initiated Public Information Meeting Minutes (January 10, 2022)

Appendix D – Written Submissions

Prepared by:

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Recommended by:

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Submitted by:

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