



OAKVILLE

REPORT

Planning and Development Council

Meeting Date: May 2, 2022

FROM: Planning Services Department

DATE: April 19, 2022

SUBJECT: **Public Meeting – Draft Plan of Subdivision and Zoning By-law Amendment - Bronte River LP - 1300, 1316, 1326, 1342 and 1350 Bronte Road, File Nos. 24T-21009/1531 and Z.1531.03**

LOCATION: 1300, 1316, 1326, 1342 and 1350 Bronte Road

WARD: Ward 1 Page 1

RECOMMENDATION:

1. That the public meeting report prepared by the Planning Services Department dated April 19, 2022, be received.
2. That comments from the public with respect to the proposed draft plan of subdivision and zoning by-law amendment submitted by Bronte River LP (File Nos.: 24T-210009/1531 and Z.1531.03), 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 applicant has submitted draft plan of subdivision and zoning by-law amendment applications to develop approximately 12ha of land with 39 detached residential units (including an existing dwelling), a future condominium block for up to 96 townhouse dwelling units, and one relocated heritage building, along with a new municipal street and natural heritage system.
- The lands were included in the Merton Planning Study, and as a result of an Ontario Municipal Board hearing, subsequently designated Low Density

Residential, Medium Density Residential, Natural Area, and Greenbelt with a Parkway Belt Overlay with specific exemption policies included in Part E of the Livable Oakville Plan.

- At the time of application, a portion of the lands were within the Parkway Belt West Plan and subject to a Minister's Zoning Order, and since then, applications with the Ministry of Municipal Affairs and Housing to revoke these from the Parkway Belt West Plan Amendment was completed by signature on March 22, 2022 as Amendment 238 and an amending regulation was filed on March 24, 2022 as Ontario Regulation 225/22 for the Minister's Zoning Order amendment.
- The lands are currently zoned ED (Existing Development), PB2 (Parkway Belt), N (Natural Area) and GB (Greenbelt) in Zoning By-law 2014-014.
- The proposed draft plan of subdivision and zoning by-law amendment applications are intended to implement the Official Plan land use designations and policies.
- Both the existing Official Plan designation and zoning are consistent with the Provincial Policy Statement, conform to all applicable Provincial plans, the Region of Halton Official Plan.
- The applications were submitted and deemed complete on January 6, 2022. Bill 108 provides for a 120 day appeal timeframe, which will end on May 6, 2022.

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 applications were submitted and deemed complete on January 6, 2022.

The subject lands are included with lands known as the “Bronte Road West Lands” and are within a larger area known as the Merton Lands that are generally located north of the QEW and south of Upper Middle Road between Fourteen Mile Creek and Third Line to the east and Bronte Road to the west. The Bronte Road West Lands comprise the portion of the Merton Lands located west of Bronte Road and east of the Bronte Creek and were initially included in the Town’s Merton Planning Study. The town decided not to proceed with the Merton Planning Study given an appeal filed relating to a development application also within the Merton Planning Area filed by Bronte Green Corporation.

The Official Plan Amendment filed by Bronte Green Corporation, also included the subject lands. Through an OMB hearing, a settlement was reached, which put in place a policy framework for the subject lands to guide future redevelopment.

At the time of application a portion of the subject lands remained subject to the Parkway Belt West Plan, and Ministerial approval. This has since been resolved, and the lands are no longer subject to the Parkway Belt West Plan policies or Minister’s Zoning Order.

Proposal

The applicant submitted a draft plan of subdivision together with a zoning by-law amendment application to develop a portion of the subject lands for residential uses. The subject lands are approximately 12ha in size, with a developable portion of approximately 4.72ha and the remainder being Greenbelt, Natural Area and Buffer Area lands (also considered natural heritage system). The proposal is for 39 residential lots for detached dwelling units which includes the retention of an existing dwelling unit in-situ at the western limit of the property (Lot 16/Purple Lot on Figure 1 below). The proposal also includes a block for future condominium units consisting of 96 townhouse dwelling units and one relocated listed heritage resource. The Greenbelt, Natural Area and Buffer Area lands are to be conveyed to the town as part of the town’s Natural Heritage System in accordance with the Livable Oakville Land Acquisition Policies in Section 28.12. The proposed Draft Plan of Subdivision is included in Appendix “A”.

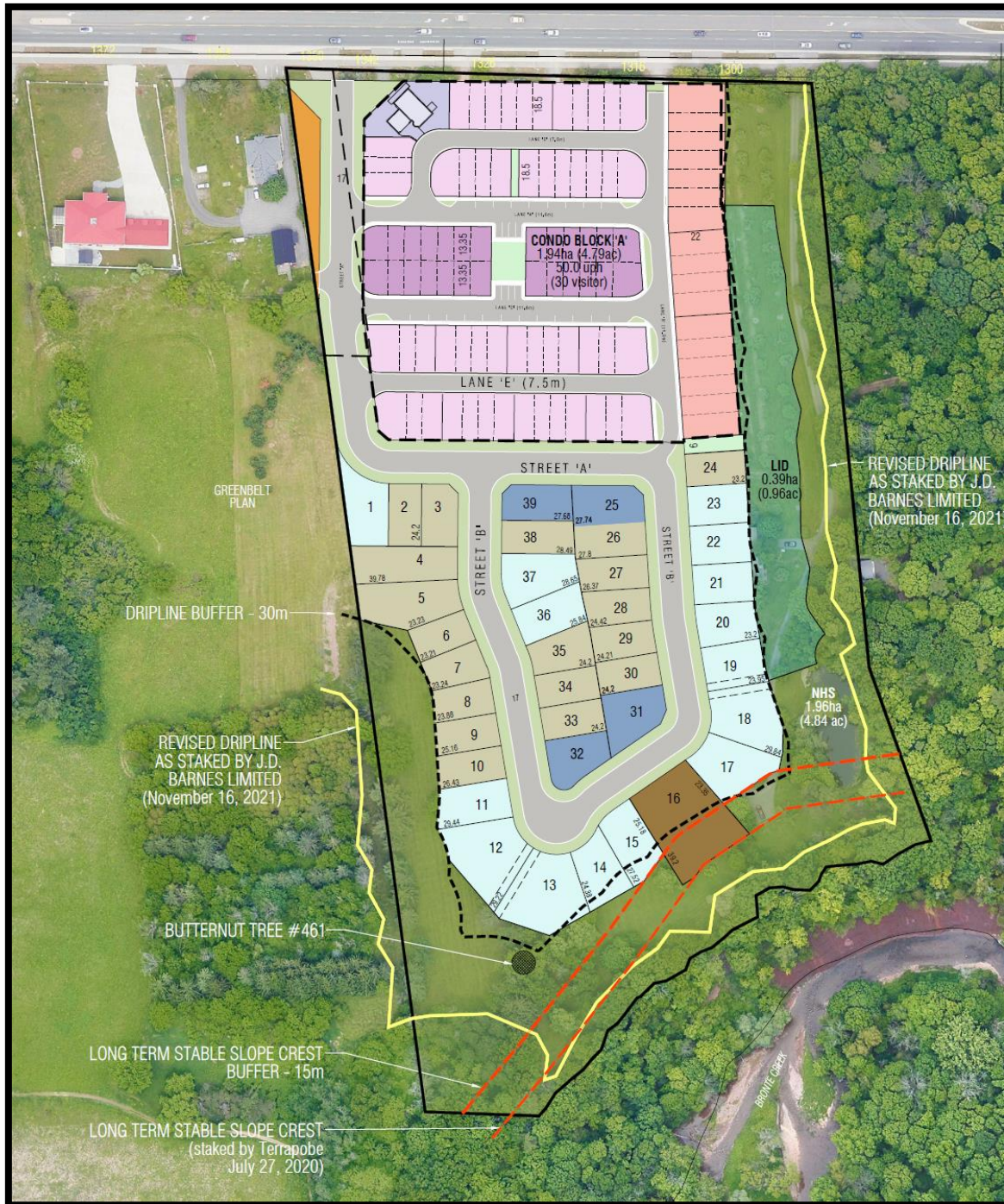


Figure 2 – Proposed Concept Plan

Additionally, a reserve area at the north end of the site (shown in Orange in Figure 2 above) is intended to be merged with lands to the north, also designated for Medium Density Uses. An application for an Official Plan Amendment and Zoning By-law Amendment is currently under review for the lands to the north, and staff will coordinate the reviews of these two development proposals to ensure conformity

with the applicable Official Plan Policies and to optimize the efficient use of land and resources.

Location & Site Description

The subject lands are located on the west side of Bronte Road, south of Upper Middle Road. The subject lands are approximately 12ha in size, with a developable area of approximately 4.72ha and have 434.50m of frontage on Bronte Road, with over half of the frontage being Natural Area that would be conveyed to the town. The site is comprised of five lots known as 1300, 1316, 1326, 1342 and 1350 Bronte Road (see Figure 3) and the legal description of the lands is Part of Lot 31, Concession 2, S.D.S. The properties contain existing dwellings that have not yet been demolished, including one two and a half storey dwelling at 1326 Bronte Road which is listed on the municipal heritage register as a non-designated property. A Heritage Impact Assessment (HIA) had been previously submitted for this property which is discussed later in this report.

Surrounding Land Uses

The surrounding land uses are as follows:

North – Residential and Natural Area
East – Bronte Road, Residential uses
South – Residential and Natural Area
West – Bronte Creek Natural Area



Figure 3 – Aerial Photo

PLANNING POLICY & ANALYSIS:

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

- Greenbelt Plan (2017)
- Provincial Policy Statement (2020)
- Growth Plan for the Greater Golden Horseshoe (2020)
- Halton Region Official Plan
- Livable Oakville Official Plan
- Zoning By-law 2014-014

Greenbelt Plan

The Greenbelt was introduced in 2005 and provides clarity and certainty about urban structure, where and how future growth should be accommodated and what must be protected for current and future generations. The Greenbelt Plan works together with the Oak Ridges Moraine Conservation Plan (ORMCP) and the Niagara Escarpment Plan (NEP) and identifies where urbanization should not occur in order to provide permanent protection to the agricultural land base and the ecological and hydrological features, areas and functions occurring within these areas.

The Greenbelt Plan includes lands within, and builds upon the ecological protections provided by the Niagara Escarpment Plan (NEP) and the Oak Ridges Moraine Conservation Plan (ORMCP). Additionally, the Greenbelt Plan, together with the Growth Plan, the NEP and the ORMCP, builds on the Provincial Policy Statement (PPS) to establish a land use planning framework for the Greater Golden Horseshoe that supports a thriving economy, a clean and healthy environment and social equity.

Portions of the subject lands are designated as “Protected Countryside” within the Greenbelt Plan, and is similarly noted in Figure 4 below. Staff note that these lands are also within natural heritage areas, which are intended to be conveyed to the town in accordance with the applicable Official Plan policies. Through the review of the application, the developable area of the property will be further refined to ensure the areas within the Greenbelt Plan are protected.

A complete list of applicable policies have been included in Appendix “C”.

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.

In consideration of new development the PPS (2020) provides direction to ensure that land use is carefully managed to accommodate appropriate development to meet the full range of current and future needs, while also achieving efficient development patterns that avoid significant or sensitive resources and areas which may pose a risk to public health and safety. Further, efficient development patterns are intended to optimize the use of land and resources, rather than maximize.

A complete list of applicable policies have been included in Appendix “C”.

Growth Plan

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

The Growth Plan provides policies for where and how to grow, directing population and employment growth to urban areas and rural settlement areas with delineated built boundaries on full municipal services (policy 2.2.1). The subject lands are located within a “Built-Up 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, provide a diverse range and mix of housing options, expand convenient access to transportation options.

Similar to the PPS (2020), growth and development shall occur in manner which optimizes land and resources, and protects significant or sensitive resources and areas that may pose a risk to public health and safety, such as hazard lands. A complete list of applicable policies have been included in Appendix “C”.

Halton Region Official Plan

The subject lands are designated ‘Urban Area’ and ‘Parkway Belt West’ in the Region of Halton Official Plan. The policies of Urban Area designation support the

development of vibrant and healthy mixed use communities which afford maximum choices for residence, work and leisure. As mentioned above, the lands have since been removed from the Parkway Belt West Plan.

At the time of preparing this report, the Region had advised that comments were under internal circulation and therefore, formal comments were not received. However, they were able to provide that at a high level cursory review, the Region may have some concerns with respect to the proposed water servicing and storm drainage impact to Bronte Road, but other matters may be raised as their review continues.

A complete assessment of the Region of Halton Official Plan will be provided through a future Planning Report.

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 subject lands are identified on Schedule A1 – Urban Structure as being within the Parkway Belt Area. As discussed above, the lands have since been removed from the Parkway Belt West Plan. On this basis, staff will update the Official Plan schedules through a future housekeeping amendment, and the underlying land use designations will now be in effect.

For reference, Policy 3.2 states:

“The Parkway Belt and the Greenbelt are areas within the Town where development is limited in accordance with Provincial policy. Lands in the Parkway Belt in Oakville are primarily designed to provide a linked system of open space and recreational facilities and to achieve other objectives including, but not limited to, the protection of infrastructure corridors, utilities, and an inter-urban transitway. Lands in the Greenbelt are part of a broad area of land that is permanently protected, primarily for the purpose of protecting the natural heritage and water resource systems within. Lands in the Greenbelt that are also within the Parkway Belt are only subject to Greenbelt Plan policies 3.2 Natural System and 3.3 Parkland, Open Space and Trails.”

Further, Policy 27.3.8.3 a) i, which provides more specific direction for the development of the subject lands states:

“The lands identified by Parkway Belt – Overlay form part of the Parkway Belt West Plan. Until such time that these lands are removed from the Parkway Belt West Plan and come under the jurisdiction of the Town and this Plan, the policies of the Parkway Belt West Plan shall govern the use of land.”

However, in accordance with Policy 28.1.6:

“Detailed land use designations and policies for development are found in Part D, Land Use Designations and Policies and on the Land Use Schedules E through K. In the event of a conflict between the boundaries identified on Schedule A1, Urban Structure and the Land Use Schedules E through K, the Land Use Schedules E through K shall prevail.”

The land use designation as provided on Schedule H – West Land Use Map, provided in Figure 4 below, is further described below.

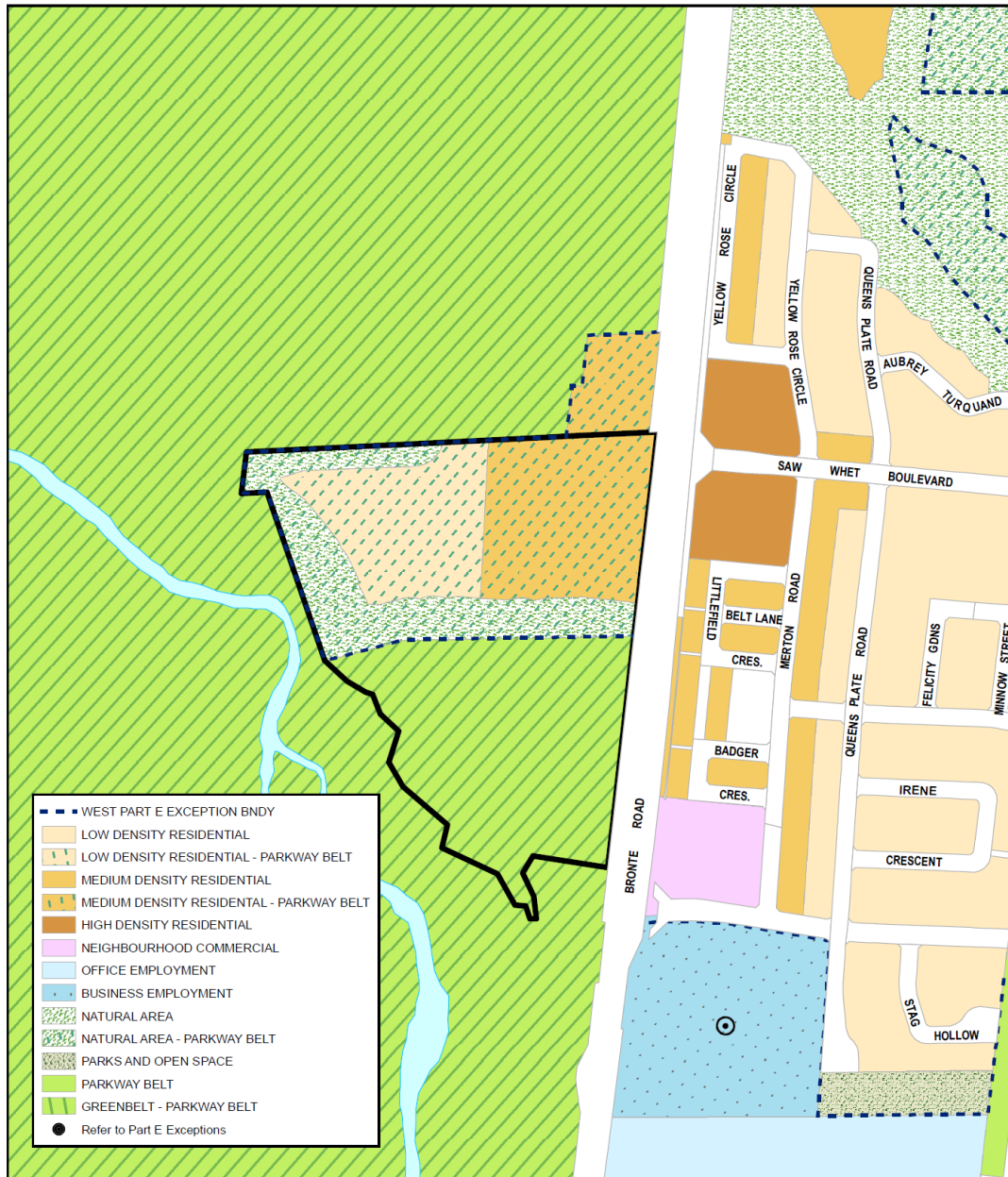


Figure 4 – Official Plan Excerpt

Livable Oakville Land Use Policies

The subject lands are designated Low Density Residential, Medium Density Residential, Natural Area and Greenbelt, all with a Parkway Belt Overlay, making the lands also subject to the Parkway Belt West Plan (1978), as shown in Schedule H – West Land Use Map (Figure 4 above). As discussed above, the Parkway Belt West Plan is no longer applicable for the subject lands.

As discussed above, the subject lands were initially included in the Merton Planning Study. Through a subsequent OMB hearing, a settlement was reached and as a result, a policy framework was established for the future development of the “Bronte West Lands” which include the subject lands. Section 27.3.8 titled “Bronte West Lands” provides a detailed policy framework for the lands at 1300, 1316, 1326, 1342, 1350, 1354 and 1372 Bronte Road. While the proposal only addresses 1300-1350 Bronte Road, consideration must be given to the future development potential of the abutting properties to the north. As discussed, an application for an Official Plan Amendment and Zoning By-law Amendment has been submitted for 1354 Bronte Road, which is currently under review. These developments will also be required to consider the future development potential of the abutting property at 1372 Bronte Road.

The “Development Concept” for the Bronte West Lands, including the subject site shall provide for the long-term protection, preservation and enhancement of the related features, functions and linkages of the natural environment area. Additionally, matters related to Cultural Heritage, Urban Design, Transportation, Community Facilities, Sustainability, and Stormwater Management must be addressed in conformity with the policies set out in Section 27.3.8 and other applicable policies of the Official Plan.

Additionally, lands designated as Greenbelt and Natural Area on the subject lands, including any buffer areas, are required to be conveyed to the town through the draft plan of subdivision in accordance with the Land Acquisition and Parkland Dedication policies of Section 28.12.

The property contains a listed Heritage Resource at 1326 Bronte Road. A Heritage Impact Assessment (HIA) submitted for the application concluded that the property did not form an intact Cultural Heritage Landscape but that the home itself retained cultural heritage value under the criteria in Ontario Regulation 9/06. The applicant has proposed to relocate the building and incorporate it into the proposed development. However, further evaluation respecting the location, position, orientation and proposed additions is still required, which may affect the design of the site.

The applicant has proposed the medium density portion to be developed on a variety of private roads, and also proposes to maintain an existing dwelling on the western portion of the site, which needs to be evaluated further in relation to the “Development Concept” and other applicable policies set out in the Official Plan. Further, the design of the site requires further review with respect to the applicable town’s standards and guidelines in order to best protect the natural heritage features, including an existing Butternut Tree. Therefore, staff will continue to review the layout, orientation, and density of the proposed development and related studies

and reports. Further, approval of the applicable studies and reports may also inform suitable zoning regulations for the proposed development.

In accordance with the “Development Concept” policies provided in the Official Plan (27.3.8.1), Stormwater management facilities and practices shall take into consideration the ecological sensitivity of Bronte Creek and Fourteen Mile Creek and shall adhere to all local, provincial and federal requirements. In this regard, the site is regulated by Conservation Halton and will provide input and approval of the stormwater management scheme for this development.

Town and Conservation Halton staff have identified concerns related to the feasibility of the proposed outfall down the Bronte Creek valley slope. The provided Functional Servicing Study does not provide any other options other than to direct the majority of the sites stormwater down the valley slope, which appears to conflict with the policy direction to protect the natural environment and its features as discussed above. Further review of the Environmental Implementation Report and Functional Servicing Study is required, and the approved document may result in corresponding regulations in the proposed zoning by-law.

A complete list of applicable policies is included in Appendix “C”

Zoning By-law

The subject lands are zoned ED (Existing Development), PB2 (Parkway Belt), N (Natural Area), and GB (Greenbelt) in Zoning By-law 2014-014, shown in Figure 5 below. The applicant has prepared a draft zoning by-law, which is included in Appendix “B”.

The applicant’s draft zoning by-law proposes a change to the zoning to align with the proposed subdivision. The proposed zones include RM1 (Residential Medium 1) to permit street and lane based townhouse units, RM2 (Residential Medium 2) to permit back-to-back townhouse units, and RL6 (Residential Low 6) to permit detached dwelling units. The applicant also proposes further modifications to these zones such as reduced parking space sizes and quantity, reduced lot areas, frontages and yard setbacks, increase in height and balcony permissions, among others. The applicant also proposes to maintain the N (Natural Area) and GB (Greenbelt) zones, but slightly modified to reflect the dimensions of the proposed developable area.

The zoning by-law at this stage has not been fully reviewed, and may be further modified through the review of the application to ensure the by-law adequately implements the “Development Concept” policies set out in the Official Plan.

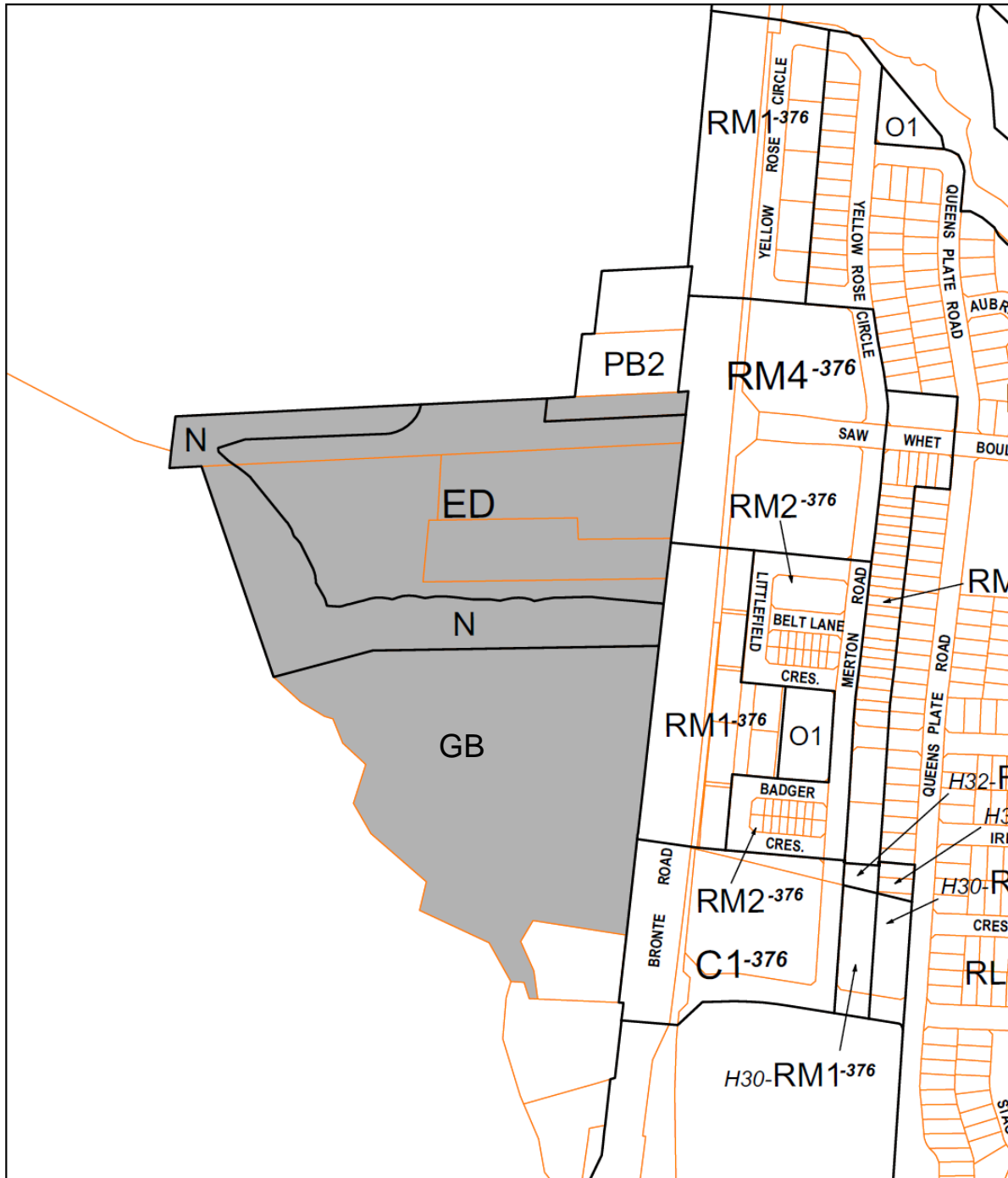


Figure 5 - Zoning

TECHNICAL & PUBLIC COMMENTS:

The applicant has provided numerous studies in support of the application which have been circulated to various public agencies and internal town departments, and which are under review. The following studies and supporting documentation are also accessible on the town's website

(<https://www.oakville.ca/business/da-40445.html>)

- Draft Plan of Subdivision
- Archaeological Assessment
- Concept Plan
- Draft Zoning By-law Amendment
- Geotechnical Report
- Noise Study
- Environmental Implementation Report and
- Functional Servicing Study
- Environmental Site Screening Questionnaire
- Planning Justification Report
- Tree Canopy Coverage Plan
- Urban Design Brief
- Transportation Impact Study
- Slope Stability Study

Issues Under Review / Matters to be Considered

A complete analysis of the applications will be undertaken including the review of the following matters which have been identified to date:

- 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 Greenbelt Plan 2017 and Provincial Policy Statement 2020 and conformity to the 2020 Growth Plan for the Greater Golden Horseshoe.
- Conformity with the Region of Halton Official Plan.
- Conformity with the Livable Oakville Official Plan, including the “Development Concept” for the Bronte Road West Lands and other applicable policies included in Section 27.3.8.
- Coordination of the draft plan of subdivision and zoning with the future development to the north.

- Protection of the natural heritage system, including significant woodlands, Bronte Creek and associated valley lands and other natural features together with required buffers.
- The final type, size and location of stormwater management facilities, taking into consideration the ecological sensitivity of Bronte Creek and Fourteen Mile Creek together with all local, provincial and federal requirements.
- Appropriateness of the proposed private roads, considering function, accommodation of required services, intensity of development, provision of visitor parking, landscaping, and sidewalks and conformity to Livable Oakville.
- Design and alignment of proposed public roads, and coordination of roadways and driveways with lands to the north.
- Ensure the efficient and optimized use of the developable area of the subject lands, which protects the surrounding natural environment.
- Conformity with all applicable urban design policies and guidelines, on matters including but not limited to built form, transitions and compatibility with adjacent properties, trees, interface with public realms and vehicular access.
- Conservation of existing cultural heritage resources, and conformity with all applicable Cultural Heritage policies.
- Conveyance of the natural heritage system to the town.
- Design, coordination and location of a new top-of-bank trail system.
- Evaluation of on-street and visitor parking opportunities.
- Evaluation of the proposal with respect to Sections 2 and 51(24) of the *Planning Act*.

Staff note that these matters must be satisfactorily resolved before the preparation of draft plan of subdivision conditions. Further, resolution of these matters are likely to inform suitable regulations for the proposed amending zoning by-law to implement the policies of the Official Plan including the “Development Concept” provided Section 27.8.3 of the Official Plan. As the review of this application continues, resolution of these matters may result in modifications to the application.

CONSIDERATIONS:

(A) PUBLIC

The applicant held a Public Information Meeting on July 14, 2021, and it was attended by the Ward Councillors and the owner of the property to the north. The minutes have been included as Appendix “D”.

Notice of Complete Application was distributed to property owners within 240m of the subject lands in accordance with the town’s current notice requirements.

Following the Notice of Complete application and installation of the development sign, no public comments have been received to-date.

Notice of the Public Meeting has been provided to property owners within 240m of the subject lands in accordance with the town's current notice requirements.

(B) FINANCIAL

None at this time. Financial implications will be discussed through a future recommendation report.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

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

(D) CORPORATE STRATEGIC GOALS

This report addresses the corporate strategic goal(s) to:

- be the most liveable 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 Oakville Plan.

CONCLUSION:

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

APPENDICES:

Appendix "A": Draft Plan of Subdivision
Appendix "B": Applicant's Proposed Zoning By-law
Appendix "C": Applicable Policies
Appendix "D": Public Information Meeting Minutes

Prepared by:
Kate Cockburn, MCIP, RPP
Senior Planner, Current Planning

Recommended by:
Paul Barrette, MCIP, RPP
Acting Manager, Current Planning - West

Submitted by:
Gabe Charles, MCIP, RPP
Director of Planning