



OAKVILLE

REPORT

Planning and Development Council

Meeting Date: May 16, 2022

FROM: Planning Services Department

DATE: May 3, 2022

SUBJECT: **Public Meeting and Recommendation Report, Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision, Argo (West Morrison Creek) Limited, Part Lot 16, Concession 1 NDS, File No. OPA 1316.07 , Z.1316.07, 24T-20001/1316, By-laws 2022-038 and 2022-039**

LOCATION: West side of Sixth Line, north of Carnegie Drive

WARD: Ward 7

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RECOMMENDATION:

1. That Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision application submitted by Argo (West Morrison Creek) Limited, (File No.'s: OPA1316.07, Z.1316.07, 24T-20001/1316), as revised, be approved on the basis that the application is consistent with the Provincial Policy Statement, conforms or does not conflict with all applicable Provincial plans, conforms with the Region of Halton Official Plan and North Oakville East Secondary Plan, has regard for matters of Provincial interest, and represents good planning for the reasons outlined in the report from the Planning Services department dated May 3, 2022.
2. That By-law 2022-038, a by-law to adopt an Official Plan Amendment to the North Oakville East Secondary Plan as it applies to 3270 Sixth Line (Argo (West Morrison Creek) Ltd), be passed.
3. That By-law 2022-039, an amendment to Zoning By-law 2009-189, be passed.
4. That the Director of Planning Services be authorized to grant draft plan approval to the revised Draft Plan of Subdivision (24T-20001/1316) submitted by Korsiak Urban Planning dated February 10, 2022, subject to the conditions contained in Appendix E of the staff report prepared by

Planning Services Department dated May 3, 2022.

5. That notice of Council's decision reflects that Council has fully considered all the written and oral submissions relating to this matter and that those comments have been appropriately addressed.
6. That Council directs staff to ensure the site plan approval for the proposed mixed use block development (Block 123) is to be designed in accordance with the urban design requirements in Appendix 'F' of the report from the Planning Services Department dated May 3, 2022.
7. That staff be authorized to enter into agreement(s) as required with one or more property owners near or adjacent to Sixth Line in order to facilitate any financial compensation to the town for the design, construction and approval of local municipal services and utilities for works that would otherwise be carried out by the developer, provided such agreements are at nominal cost to the Town and on terms satisfactory to the Town Solicitor and the Director, Transportation & Engineering.

KEY FACTS:

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

- The subject report is a combined Statutory Public Meeting and Recommendation Meeting. Additional land reflecting the future Preserve Drive to the west has now been included into this development since the previously held statutory public meeting.
- This report recommends approval of a proposed Official Plan Amendment, Zoning Bylaw Amendment and Draft Plan of Subdivision application submitted by Argo (West Morrison Creek) Ltd.
- The proposal has the effect of permitting the development of approximately 13 hectares of land for 193 residential units consisting of 103 detached dwellings, 90 townhouse units, a mixed use block at the corner of Marvin Avenue and Sixth Line, a stormwater management facility and several natural heritage system blocks associated with the West Morrison Creek subwatershed.
- Access to the site will be from Sixth Line and the future Preserve Drive.
- Lands for road widening purposes are required abutting Sixth Line to facilitate future road re-construction works by the town.
- Official Plan Amendment and Zoning By-law Amendments proposed by town staff are attached as Appendices "C" and "D".

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- Draft plan conditions are recommended to address the conditions of approval based on agency comments and are attached as Appendix “E” to this report.
 - The subject lands are designated Neighbourhood Area and Natural Heritage System Area within the North Oakville East Secondary Plan (Figure NOE2).
 - The lands are zoned Future Development (FD) within Zoning By-law 2009-189, as amended.

Staff recommend approval of the official plan amendment, zoning by-law amendment and draft plan of subdivision application as the proposed development conforms to the NOESP and Master Plan. The proposal is also consistent with the Provincial Policy Statement 2020, conform to all applicable Provincial plans, the Region of Halton Official Plan, as they establish applicable policies to guide development including the conveyance and protection of the natural heritage system in accordance with the Town’s established urban structure, and aid in the achievement of complete communities.

BACKGROUND:

The purpose of this report is to provide a full staff review of the application and a recommendation on the proposed Official Plan Amendment (OPA), Zoning By-law Amendment (ZBA) and Draft Plan of Subdivision application.

The ZBA and Draft Plan of Subdivision application was submitted on December 23, 2019. Bill 108 provided for a 120-day appeal timeframe, which would have ended on April 21, 2020. However due to the Covid pandemic, the 120-day appeal timeframe was extended to July 27, 2020.

Subsequent to the ZBA and Draft Plan of Subdivision submission, an Official Plan Amendment was submitted on June 5, 2020. The Bill 108 120-day timeline (after June 22, 2020) ended on October 20, 2020.

The first statutory public meeting on the OPA, ZBA and Draft Plan of Subdivision was hosted by Council on August 4, 2020. No members of the public were in attendance or made submissions.

Proposal

The proposal reflects the development of approximately 13 hectares of land as set out below and as seen on Figure 1a below:

- 103 detached dwellings and 90 townhouses;
- an eight storey mixed use building (Block 123) with ground floor commercial;
- a stormwater management facility;

- several natural heritage system blocks associated with the West Morrison Creek and Core 5; and,
- the public road network.

The future Preserve Drive on lands owned by Mattamy has been included into this draft plan of subdivision. This is necessary for the servicing and coordinated development of the area west of the West Morrison Creek. These additional lands are illustrated on Figure 1 below.

Access to the site will be from Sixth Line to the east and Preserve Drive, once developed from Sawmill Street to the south.

The applicant's revised site specific Official Plan Amendment, related to Block 123 only, proposes to:

- increase the height from six (6) storeys to eight (8) storeys; and,
- increase the Floor Space Index (FSI) from two (2) to 3.7. This is a reduction from 4.2 FSI of the original application.

The applicant's revised Zoning By-law Amendment proposes to rezone the property from Future Development (FD), as amended by Bylaw 2022-007, to site specific Neighbourhood Centre (NC), General Urban (GU), Sub-Urban (S), Natural Heritage System (NHS) and Storm Water Management Facility (SMF) zones with additional regulations.

The revised draft plan of subdivision excerpt, Figure 1 below and contained within Appendix B, illustrates the proposed development for the site.

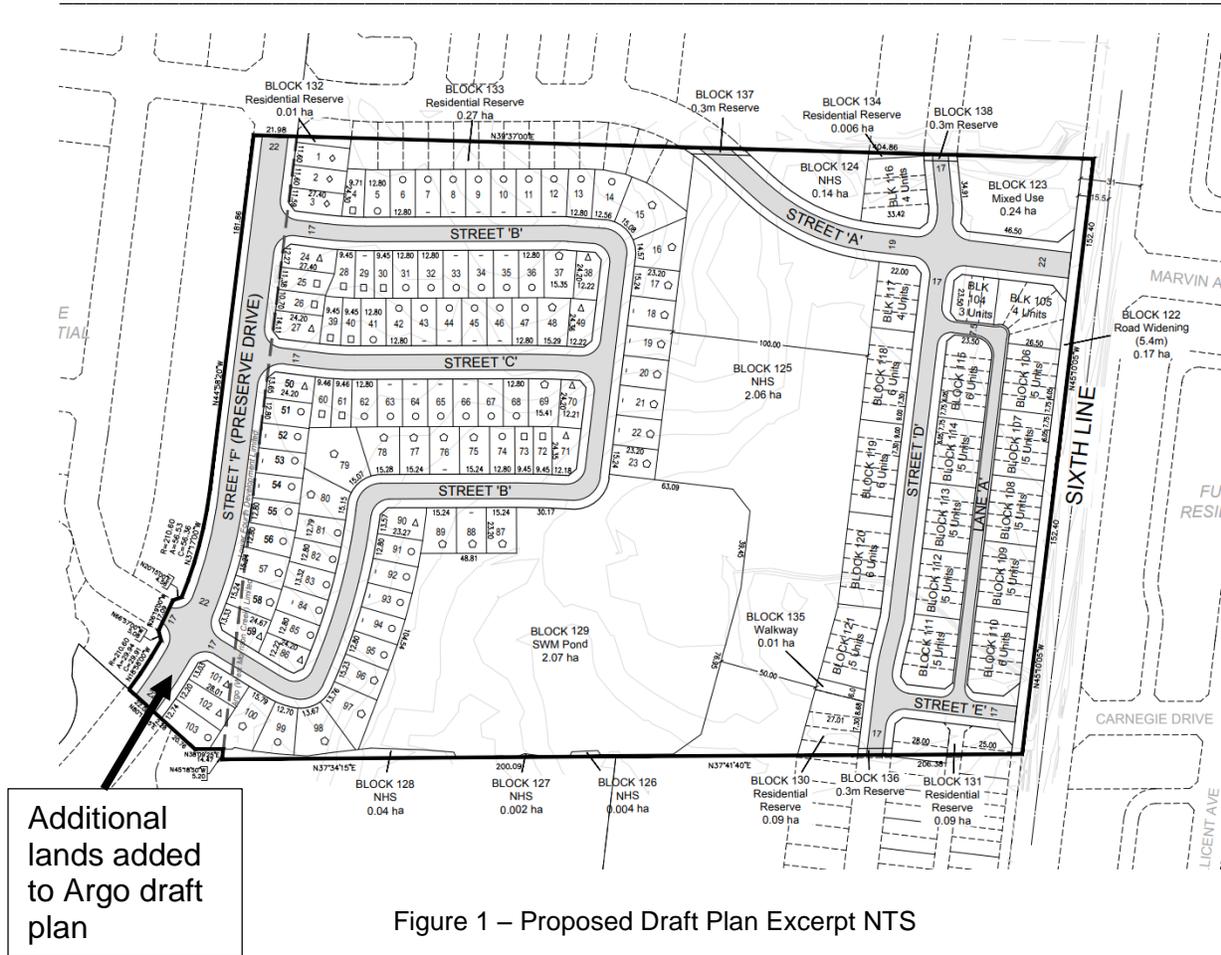


Figure 1 – Proposed Draft Plan Excerpt NTS

The draft plan of subdivision proposes to create blocks containing a range of uses as described below:

Revised Draft Plan Feature	Number of Units	Area (ha)
Detached (11.6 m)	3	0.09
Detached (9.45 m)	12	0.30
Detached (12.2 m)	12	0.39
Detached (12.8 m)	49	1.55
Detached (15.24m)	27	1.05
Rear Lane Townhouses	59	1.05
Street Townhouses	31	0.59
Mixed Use Block (Block 123)	TBD	0.24
NHS		2.25
SWM Pond		2.07
Residential Reserve		0.47
6.0 m Walkway		0.01
0.3m reserves		0.00
Road widening		0.17
7.5 m ROW		0.16
17 m ROW		1.86
19 m ROW		0.25
22 m ROW		0.81
TOTAL	193	13.40

The housing types proposed are outlined in the table below:

Proposed Unit Type	Total
Detached Dwellings	103
Townhouses	90
Apartment Units (Block 123)	TBD
TOTAL	193

All application submission material are found on the town's website site at <https://www.oakville.ca/business/da-34793.html>.

Location / Site Description / Surrounding Land Uses

The subject land, being approximately 13 hectares in size, is located on the west side of Sixth Line, north of Carnegie Drive.

These lands are remnant agricultural lands, as are the lands to the west, north and south. Lands to the east are being developed for residential uses.

The West Morrison Creek traverses the subject land, both in the agricultural field and within the Sixth Line roadside ditch.

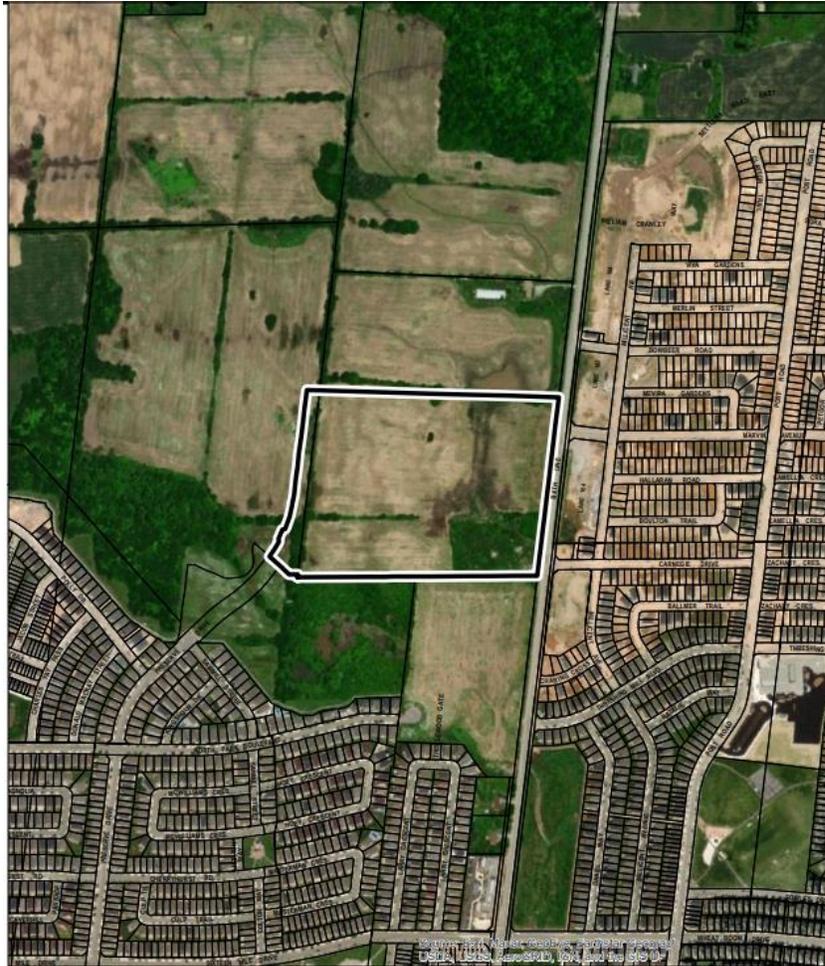


Figure 2 – Airphoto - NTS

PLANNING POLICY & ANALYSIS:

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

- Provincial Policy Statement (2020)
- Growth Plan for the Greater Golden Horseshoe (2019)
- Halton Region Official Plan
- 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, 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.

On this basis, the proposed development is consistent with the PPS (2020).

Growth Plan (2019)

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 "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, provide a diverse range and mix of housing options, expand convenient access to transportation options.

On this basis, the proposed development is consistent with the Growth Plan.

Halton Region Official Plan

The subject lands are designated "Urban Area" in the Regional Official Plan (ROP) with portions of "Regional Natural Heritage System" (RNHS). 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 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.

The proposed development is subject to the 2020 Regional Servicing Allocation program.

Halton Region advised Town staff that they have no objection to the proposal subject to recommended conditions of draft plan approval and the inclusion of holding provisions in the proposed zoning bylaw related to obtaining additional servicing allocation for the mixed use block and provision of regional servicing for the development. A copy of the Region's April 27, 2022 letter can be found in Appendix A.

North Oakville East Secondary Plan

Urban Structure

Schedule A1, Urban Structure, of the *Livable Oakville Plan* provides the basic structural elements for the Town and identifies the site as *Residential Areas* and *Natural Heritage System*. Official Plan Amendment 317 to the *North Oakville East Secondary Plan*, confirms the Town's existing urban structure. OPA 317 was approved by Halton Region on April 26, 2018 and deemed to conform to the Growth Plan and is consistent with the PPS.

Land Use Policies

The North Oakville East Secondary Plan was approved by the Ontario Municipal Board in 2008 through OPA 272 and was prepared to be consistent with the 2005 PPS and in conformity with the 2006 Growth Plan. The Secondary Plan includes detailed policies establishing general development objectives to guide the future development of the area covered by the Plan.

The development of the North Oakville lands promotes the protection of the natural environment, development of mixed use area and incorporates a modified grid road pattern to promote various transportation options for transit and pedestrians.

The subject land is designated *Neighbourhood Area* and *Natural Heritage System Area*, as illustrated on Figure 3a below.



Figure 3a – North Oakville East Secondary Plan Excerpt - Figure NOE2

Appendix 7.3 - Master Plan

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 are maintained (Section 7.5.2).

The lands are further identified as *Natural Heritage System Area, General Urban Area, Suburban, Neighbourhood Centre Area and Stormwater Management Facility*, as shown in Appendix 7.3 North Oakville Master Plan (Figure 3b below).

The North Oakville Master Plan illustrates the conceptual design and land use categories for the North Oakville East planning area.

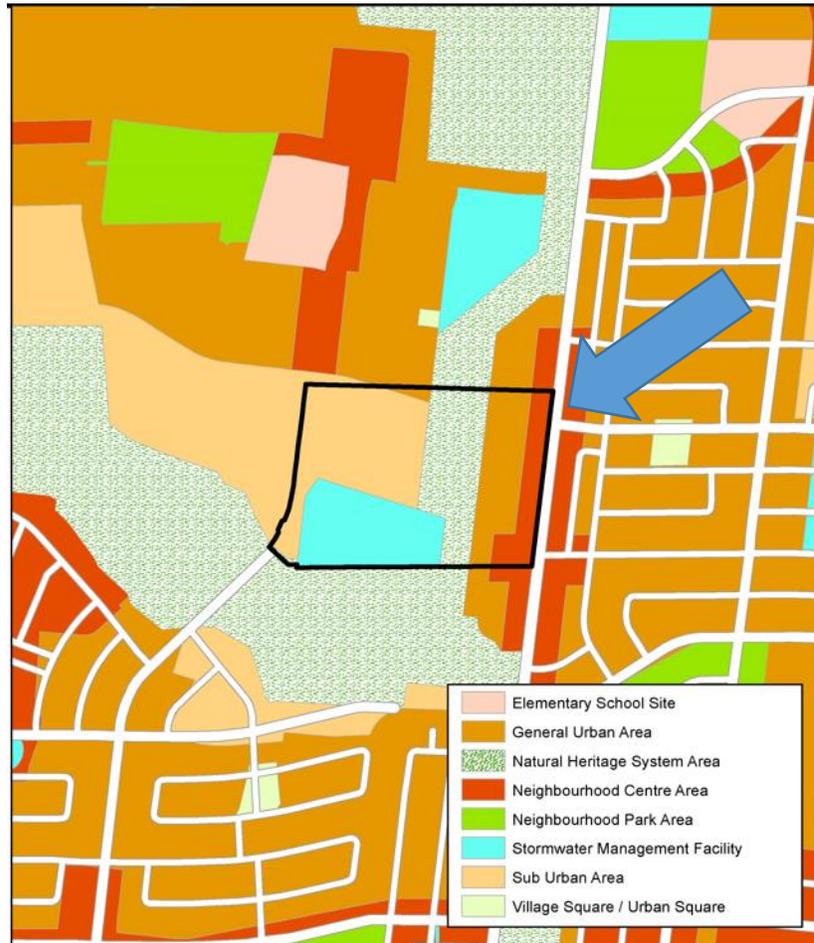


Figure 3b – North Oakville Master Plan Excerpt

It should be noted that the Neighbourhood Activity Node has been shifted from Carnegie Drive and Sixth Line to Marvin Avenue and Sixth Line (arrow).

OPA 321

In September 2018, Halton Region approved OPA 321, which was subsequently approved at the LPAT in July 2019, with modifications. The effect of OPA 321 was to implement policy directions focused on areas of concern identified through the North Oakville Secondary Plans Review.

Prior to OPA 321, the Neighbourhood Centre Areas were predominately being developed for only residential uses. The vision within the NOESP was to provide for a mix of small-scale retail and service commercial uses in close proximity to the neighbourhoods which was not being achieved. OPA 321, revised the policies and Section 7.6.7.1 reinforced that vision is to accommodate a range of medium density residential, mixed use, and limited commercial and civic uses to serve neighbourhood residents from a central neighbourhood activity node. An additional policy was included as part of OPA 321 that requires at least one mixed use or non-residential buildings at the intersection of each activity node.

Additionally, the definition of Medium Density Residential Development was revised to remove detached, semi-detached and duplex dwelling and added apartments as permitted building types.

Proposed Official Plan Amendment

Staff have prepared an Official Plan Amendment related to Block 123 only that proposes to:

- increase the height from six (6) storeys to eight (8) storeys; and,
- increase the Floor Space Index (FSI) from 2 to 3.7.

A mixed use building is a permitted use within the Neighbourhood Area land use designation and is compatible with the surrounding area. In addition, the mixed use building is a part of, and will contribute to, the function of this Neighbourhood Centre Activity Node centred at the intersection of Sixth Line and Marvin Avenue. Commercial uses are proposed at grade level.

The site is located directly on Sixth Line, a Minor Arterial/Transit Corridor, and Marvin Avenue, a Connector/Transit Corridor and will be well served by the proposed transportation and transit system.

Design principles have been established to assist in ensuring that the proposed development will be constructed as intended as part of the future Site Plan process. Appendix F, Urban Design Principles are attached to this report that will provide further guidance to the mixed use blocks development and are also included as a recommendation for Council's consideration.

Zoning By-law

The North Oakville Zoning By-law (By-law 2009-189) sets zoning standards with the establishment of general regulations and zones, so as to implement the intent of the

North Oakville East and West Secondary Plans. Town Council approved the North Oakville Zoning By-law on November 23, 2009.

The subject lands are zoned *Future Development (ED)*, as amended with the recent approval of Bylaw 2022-007, and as illustrated on Figure 4 below. The *Future Development (FD)* zone only allows uses that legally existed on the date of the parent by-law came into effect.

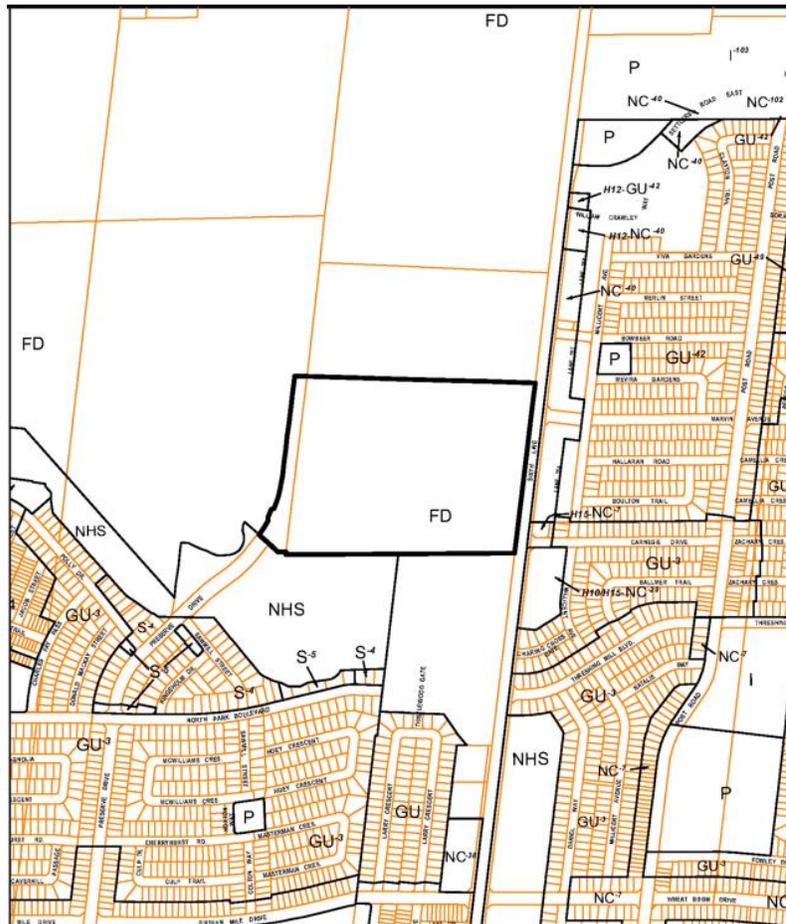


Figure 4 – Zoning By-law Excerpt

Proposed Zoning Bylaw Amendment

Staff have prepared a Zoning By-law Amendment (By-law 2022-039) to rezone the lands from *Future Development (FD)* to site specific *Neighbourhood Centre (NC)*, *Sub-Urban*, *General Urban*, *Natural Heritage System (NHS)* and *Stormwater Management Facility (SWM)*. The proposed zoning would facilitate the development of the lands for approximately 193 residential units, stormwater management pond and natural heritage system.

In addition to the map change reflecting the parent zones, staff's proposed ZBA proposes to:

- Amend the width regulation for encroachments for bay, box and bow windows to 4 metres in Section 4.21 and percentages and vertical plane definition for porches in Section 4.27.
- Amend the 7 metre rear yard setback regulation for the detached dwellings in the Sub-Urban zone to 6 metre for only those lots abutting the NHS and stormwater management pond. Staff consider this unique situation acceptable as appropriate separation distances between dwellings are maintained by the NHS.
- Due to the unique nature of reverse pie-shaped lots backing onto lanes, related to Block 105, Section 4.17.1 i), maximum garage rear yard setback shall not apply. This would allow for additional parking on the driveway.
- The minimum lot depth for townhouse in the NC zone abutting the NHS zone only has been amended from 23 metres to 22 metres. This resulted from the redesign of the area between Sixth Line and the NHS addressing Council's previous concerns related to lane widths and the proposed original back to back townhouses. Deeper lane-based townhouses along Sixth Line were included, while maintaining the original NHS limits associated with the West Morrison Creek NHS as defined by the associated EIR/FSS. The required 6 metre rear yard setback will be maintained.
- establish regulations for the mixed use block, such as density, height and minimum ground floor commercial space abutting the Sixth Line and Marvin Avenue;
- introduction of the zoning from the abutting Timsin and Digram zoning bylaw amendments to avoid split zoning with abutting draft plans; and,
- establish three Holding Provisions related to servicing allocation for portions of the subdivision, to the completion of Sixth Line road works and associated servicing, and the installation of regional municipal services. These are the same as the proposed Digram and Timsin holding provisions, as found in the May 16, 2022 Planning and Development agenda.

Staff's proposed Zoning By-law Amendment can be found in Appendix D.

Revised Draft Plan of Subdivision

Preserve Drive was previously shown on the Mattamy Lower Fourth Development and Pendent Development Ltd lands (Preserve North Phase 4) draft plan reviewed by Council at the March 9, 2020 Statutory Public Meeting. However, due to construction coordination matters related to the development of the Digram, Argo and Mattamy subdivisions, principally related to servicing and the Argo stormwater

management pond, the draft plans of Argo and Digram were revised to include Preserve Drive.

This is the reason why a second Statutory Public Meeting is being held and combined with the Recommendation Meeting.

Also on the draft plan, there are a number of part lots shown from the adjacent Mattamy lands that will need to be merged with part lots on the Argo owned lands to create viable building lots. Mattamy is a signatory to the draft plan. Both Argo and Digram to the north will be constructing Preserve Drive. Conveyance of Preserve Drive will be addressed in the associated subdivision agreement with Mattamy being required to be a signatory to the subdivision agreement, but in a limited capacity related to Preserve Drive and the identified part lots.

To achieve all development north of Core 5, Argo will be required to construct Preserve Drive from Sawmill Street, south of Core 5 within the Mattamy Preserve Phase 3 lands, through Core 5 (road location already established) to that shown on this proposed Argo draft plan. A condition of draft approval has been included to reflect this matter.

TECHNICAL AND PUBLIC COMMENTS

The proponent 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 supporting documents are accessible on the town's website (<https://www.oakville.ca/business/da-34793.html>):

- Aerial;
- Archaeological Report - Stage 1 & 2;
- Conceptual Architectural Plans for Block 107;
- Density Plan;
- Updated Zoning By-law Amendment;
- Draft Official Plan Amendment
- Updated Draft Plan of Subdivision;
- Environmental Site Assessment - Phase 1 and 2;
- Geotechnical Investigation Report;
- Neighbourhood 8 - Area Design Plan;
- Parking Management Plan;
- Pedestrian Circulation & Transit Facility Plan;
- Updated Planning Justification Report;
- Staking Survey;
- Survey;

- Updated Traffic Impact Study;
- Shadow Study
- Block 107 Concept Plan;
- Tree Inventory & Preservation Plan Report; and,
- Updated Urban Design Brief.

Resolution of Issues

The first Statutory Public Meeting was held on August 4, 2020 and no members of the public were in attendance. The following is an overview of the matters raised by staff to be considered and staff's response to those items.

Confirmation of being a member of the North Oakville East Developers Group and party to the Cost Sharing Agreement

The landowner has been confirmed as a member in good standing with the North Oakville East Development Group. A condition has also been included within the draft plan conditions to ensure that prior to registration the landowner is still a member in good standing with the landowners group.

Consistency with the Provincial Policy Statement, 2020 and conformity to the 2019 Growth Plan for the Greater Golden Horseshoe, Region of Halton Official Plan, North Oakville East Secondary Plan.

The proposed development is an extension of the draft approved plans to the south and east. The uses are contemplated by the NOESP. It is staff's opinion that the proposal is consistent with the Provincial Policy Statement 2020 and conforms to the 2019 Growth Plan, the Region of Halton Official Plan, and the NOESP.

Is the proposed OPA for Block 107, now Block 123 appropriate and does it maintain the intent of the NOESP?

The Neighbourhood Activity Node has been shifted to the intersection of Marvin Avenue and Sixth Line. The node, as re-enforced by OPA 321, is to contain mixed uses on at least one corner of the intersection. It is staff's opinion that the mixed use proposal on Block 123 maintains the intent of the NOESP.

Does the EIR/FSS appropriately implement the North Oakville Creeks Subwatershed Study? Have the Natural Heritage System limits (Core 5 and the West Morrison Creek) been adequately defined?

Both Conservation Halton and Town staff have reviewed the West Morrison Creek EIR/FSS. It has been deemed acceptable as related to the subject property and is consistent with the North Oakville Creeks Subwatershed Study.

Urban design - built form, lot sizes, transitions and compatibility with adjacent properties, interface with public realms and vehicular access.

The applicant has submitted an Urban Design Brief that complies with the Livable by Design Manual. Conditions of draft plan approval are included that requires the applicant to submit elevation drawings (all façades), typical floor plans (all levels) including garage floor plans showing vehicle spaces and storage areas and typical lotting plans for all models on lots not subject to Site Plan Approval for review by the Planning Services staff prior to marketing or selling on any units. The applicant is also required to select a control architect who shall ensure all development that is exempt from the Site Plan Approval process, proceeds in accordance with the Town-approved Urban Design Brief. Additionally, Appendix F outlines further matters to be considered at the Site Plan stage for the mixed use block.

Vehicular access to this subdivision will be from Sixth Line and the abutting westerly subdivisions when developed.

Justification for the proposed modifications to the parent zoning by-law ensuring the proposed zoning by-law amendment appropriately implements the vision of the North Oakville East Secondary Plan.

Staff consider the proposed modifications to the zoning by-law maintain and support the vision of the NOESP.

Appropriate residential, on-street parking and visitors parking.

The concern was principally raised to the area east of the NHS. The draft plan for the east side of Street D has been revised to reflect lane based townhouses. With this revision, the concern with on-street parking has been resolved as shown on the plan below. The east side of Street D, now has the ability for an increased number of on-street parking space for this section of the neighbourhood. In addition, the applicant has located the on-street parking in relation to the future proposed driveways and on-site parking. This plan will assist the detailed engineering stage.



Figure 5 – Proposed On-street and Driveway Parking

With regard to the mixed use block, all resident, visitor and commercial parking required by that development will be contained on the site; either at or below grade. No relief from parking standards are proposed. To complement this overall development and developments on both east and west sides of Sixth Line, the Town through the Town's Sixth Line reconstruction project will construct additional on-street parking.

Comprehensive Transportation Impact Study for Neighbourhoods 9, 10 and 11

All concerns of Transportation Services staff have been addressed through the coordinated review of the various draft plans.

Design of the mixed-use block located at the Neighbourhood Activity Node and corresponding zoning.

As mentioned above, the mixed use block is located on one of the corners of the relocated Neighbourhood Activity Node. It reflects an 8 storey building with a minimum of 300 square metres of ground floor commercial (requirement of the proposed zoning bylaw amendment) and residential above. Rooftop amenity space is proposed on the roof of the 8th floor. Parking will be a combination of at-grade and below grade parking. Below is the initial proposed ground floor plan, conceptual elevation and the roof plan. Additional requirements for the development of this block as part of the future site plan process are contained within Appendix F.

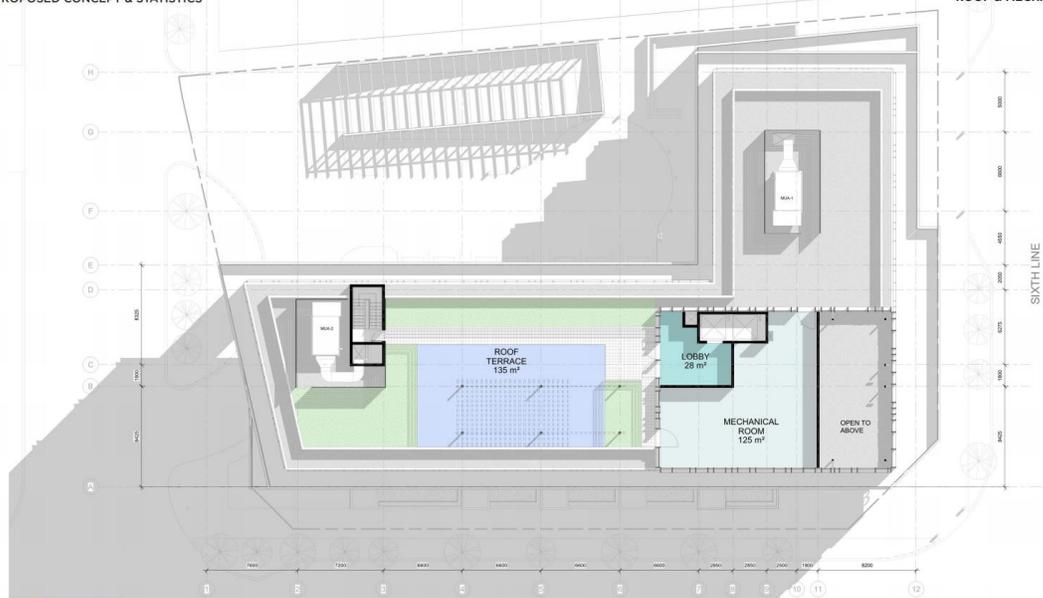
WEST MORRISON
PROPOSED CONCEPT & STATISTICS

FLOOR PLANS
GROUND FLOOR PLAN



WEST MORRISON
PROPOSED CONCEPT & STATISTICS

FLOOR PLANS
ROOF & MECHANICAL



WEST MORRISON
PROPOSED CONCEPT & STATISTICS

ELEVATION
EAST



Q4A

Figures 6 – Conceptual plans for Mixed Use block

Coordination with the town's Sixth Line reconstruction project. Have all road widenings been identified?

Phasing for construction is shown in Figure 7 below.

Phase 1 of the road reconstruction is presently underway and is targeted for completion in Fall 2022.

Phase 2 engineering drawings are nearing completion. The project is expected to commence with the relocation of hydro services in the Fall 2022. The target start-up date for the reconstruction of the road is April/May 2023.

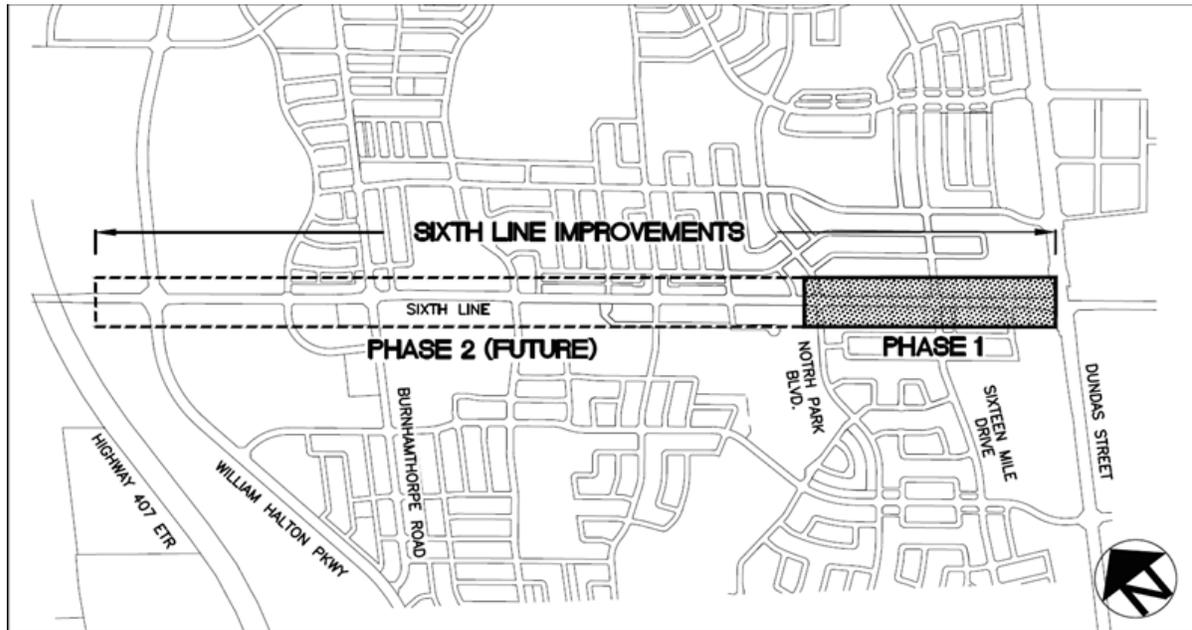


Figure 7 – Sixth Line Reconstruction Phases

As part of the previous Emgo III subdivision that was reviewed by Council at the September 13, 2021 Planning and Development meeting, the following recommendation was approved:

That staff be authorized to enter into construction access agreements or easements with this owner and any other owners within the Sixth Line corridor which are necessary to complete the Sixth Line Road Widening project in respect of the future road widening lands not yet conveyed to the Town, or acquire such road widening lands prior to subdivision registration, provided such agreements, easements or transfers are at a nominal cost to the Town and on terms satisfactory to the Town Solicitor.

This allowed staff to address the matter of additional lands (future road widenings shown on abutting draft plans) necessary to reconstruct Sixth Line. Block 122, the Sixth Line road widening, is required to be conveyed to the town.

Regarding the Phase 2 road reconstruction, local municipal services and utilities that benefit the individual developments are the expense of the affected developer(s) and traditionally are built by that developer. However with Sixth Line being a town road and its reconstruction in the near future, staff have put forth a recommendation below.

That staff be authorized to enter into agreement(s) as required with one or more property owners near or adjacent to Sixth Line in order to facilitate any

financial compensation to the town for the design, construction and approval of local municipal services and utilities for works that would otherwise be carried out by the developer, provided such agreements are at nominal cost to the Town and on terms satisfactory to the Town Solicitor and the Director, Transportation & Engineering.

This recommendation allows for the coordination of local servicing with the timing of the town's capital project in order to reduce the amount and duration of construction activity on Sixth Line, avoids future disruptions for the installation of local services and ensures financial compensation for installation of local municipal services and utilities that would benefit the individual developments in Phase 2. This is a road reconstruction coordination matter.

As mentioned above, a holding provision has also been included into the proposed zoning related to the reconstruction of Sixth Line.

Alignment with the Climate Emergency

The proposed subdivision provides opportunities for various non-motor vehicle options including cycling, transit usage (along Sixth Line and along Marvin Avenue) sidewalks, and trails through the NHS and around the proposed stormwater management pond. Additional opportunities can be explored with the developer once the formal site plan application has been submitted for the mixed use block. The required mixed use block supports the Neighbourhood Center Activity Node and the walkability of this area.

Town Council Matters Raised at the Previous Public Meeting - August 4, 2020

In addition to the comments raised by staff in the previous Public Meeting report and cited/addressed above, the following additional matters were raised by Council. Staff responses to these additional matters are also cited below.

Look at a fulsome transportation plan, including street connection of Street 'B' to Street 'A', and walking trails to the Natural Heritage System and accessibility.

Staff re-examined the draft plan in relation to the Master Plan. Revisions to the Master Plan are permitted, but must maintain the principles of the Secondary Plan.

Marvin Avenue is deemed to be a connector/transit corridor with a maximum road allowance width of 19 metres; whereas Preserve Drive is deemed an Avenue/Transit Corridor with a maximum road allowance width of 24m, but mainly 22 metres.

The Master Plan conceptually shows the limits of a proposed stormwater management pond. That pond shape and size have been revised, reviewed and accepted as part of the ongoing EIR/FSS work.

For the area west of the West Morrison Creek/NHS block, three road connections are being maintained to the major road system of North Oakville; that being Preserve Drive.

In addition, the residents of that area will have access to the NHS Trails system, (east side of creek block – Block 125), through the stormwater management pond (Block 129). Thus the pedestrian circulation through the proposed subdivision is being maintained and allows for east/west access; either by sidewalks or trails.

Provide clarity on the built form or concept for the mixed use building.

The mixed use building is proposed to be eight (8) storeys in height, focused on the intersection of Marvin Avenue and Sixth Line. The ground floor will principally be commercial with seven floors of residential above. Access will be from proposed Street D. Amenity spaces will be within the building and on the rooftop. See conceptual plans in Figure 6.

Review how the financial aspect for the development will be addressed with respect to Bill 197.

With regard to parkland and as part of the overall North Oakville East Secondary Plan process, the development in North Oakville requires the town be provided with 64.5 hectares of parkland, comprising of a community park, neighbourhood parks and village squares, through the development process. The required parkland is identified on the Master Plan.

Investigate options for maximizing visitor parking.

With the revision to the built form on the east side of Street D, staff were able to increase the number of on-street parking spaces as shown above in Figure 5. Details of the on-street parking will be confirmed through the future detailed engineering process.

Investigate residential tenure for the mixed use block in terms of whether it would be rental or condominium, and explain how FSI is working for that particular block.

The tenure of the mixed use building is proposed to be condominium. The FSI is proposed to be increased from 2 to 3.7; allowing for ground floor commercial at a required minimum of 300 m², and seven floors of residential uses.

The block is 0.24 hectares (2,400m²) in size. Floor space index is defined in the North Oakville East Secondary Plan as “the gross floor area of all buildings on a lot

divided by the lot area”. At 2 FSI, the building could be 4,800 m² and at the proposed 3.7, it would be 8,880 m². The applicant has reduced the FSI from its original proposal of 4.2. Staff have no concerns with the proposed FSI or height as the proposed building maintains the intent of the Neighbourhood Centre Activity Node. No adverse impacts are anticipated and the location of taller and denser buildings along proposed transit corridors is deemed appropriate.

Look at what is the best dimension for the public lane as part of the transportation work.

The built form for the block of land originally considered for back to back townhouses has been changed to lane-based townhouses. The public lane has also been reduced to the town’s standard of 7.5 metres wide. Access to the garages for units fronting onto both Sixth Line and proposed Street D will be from the lane. This results in the ability to maximize the east side of Street D for on-street parking.

Public Comments

No public comments were submitted to staff related to the previous Public Meeting report or for this public meeting/recommendation report.

The first Statutory Public meeting was held on August 4, 2020.

CONCLUSION:

Staff recommends approval of the OPA, ZBA and Draft Plan of Subdivision, which would have the effect of developing approximately 13 hectares of land consisting of 103 detached dwellings, and 90 townhouse units, a stormwater management pond, mixed use block and Natural Heritage System. The proposed subdivision is appropriate and compatible with the adjacent land uses and in keeping with the intent of the land use policies of the North Oakville East Secondary Plan.

Staff is satisfied that the proposed development is consistent with the Provincial Policy Statement (2020) and conforms to the Growth Plan (2019) and the Halton Region Official Plan, has regard for matters of Provincial interest and represents good planning. Further, the application conforms with the Town’s approved Urban Structure, and the principles and overall policy direction of the North Oakville East Secondary Plan.

Staff recommend approval of the Official Plan Amendment, Zoning Bylaw Amendment and revised Draft Plan of Subdivision, subject to the conditions in Appendix “E” and that By-laws 2022-038 and 2022-039 be passed as the following additional requirements have been satisfied:

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- A full circulation has been undertaken and there are no outstanding financial or planning issues. Matters raised by the Conservation Halton and the Region of Halton have been addressed through conditions of approval.
 - The proposal implements the vision, development objectives, community design strategy and land use strategy of the North Oakville East Secondary Plan.
 - The draft plan of subdivision is necessary to facilitate future land division into individual residential lots, and is appropriate for the orderly development of the lands.
 - The proposed draft plan of subdivision and zoning by-law amendment reflects a logical extension of the draft plan of subdivision to the south.
 - The proposed plan of subdivision meets the criteria established in Section 51(24) of the *Planning Act*.
 - Comments from Council have been appropriately addressed.

By-law 2022-038 (OPA) is attached as Appendix “C” with By-law 2022-039 (ZBA) attached as Appendix “D”.

CONSIDERATIONS:

(A) PUBLIC

A notice reflecting this meeting was mailed out to all properties within 240 metre radius of the site and placed on the sign on the property. Resident Associations were notified along with property owners in accordance with the *Planning Act* regulations and Town practices. No concerns were raised by the public at the time of writing this report.

(B) FINANCIAL

Development Charges would be applicable to this development. Parkland dedication is applicable and may be satisfied following confirmation that 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 comment.

Draft plan conditions have been provided in Appendix E to this report. Additional review will be required prior to registration of the draft plan.

(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 generally complies with the Town's sustainability goals and objectives of the North Oakville East Secondary Plan. The proposal has also been reviewed in the context of Council declaring a Climate Change Emergency on June 24, 2019 to provide opportunities to reduce the development footprint of the proposal.

APPENDICES:

Appendix A – Regional comments

Appendix B – Revised Draft Plan of Subdivision

Appendix C – Bylaw 2022-038 (OPA)

Appendix D – By-law 2021-039 (ZBA)

Appendix E – Conditions of Draft Approval

Appendix F – Urban Design Requirements for Mixed Use Block

Prepared by:

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Recommended by:

Paul Barrette on behalf of Charles McConnell, MCIP, RPP, Manager. Current Planning, West District

Submitted by:

Gabe Charles, MCIP, RPP, Director, Planning Services