



OAKVILLE

REPORT

Planning and Development Council

Meeting Date: May 2, 2022

FROM: Planning Services Department

DATE: April 19, 2022

SUBJECT: Public Meeting Report, Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision, Sixth Oak Inc., 103 Burnhamthorpe Road West, File No.: OPA.1216.01, Z.1216.01, 24T-22002/1216

LOCATION: Northwest corner of Sixth Line and Burnhamthorpe Road West

WARD: Ward 7 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 Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision by Sixth Oak Inc., File No.: OPA.1216.01, Z.1216.01, 24T-22002/1216, be received.
3. That staff consider such comments as may be provided by Council.

KEY FACTS:

- Sixth Oak Inc. has submitted an Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision to redevelop approximately 23 hectares of land at the northwest corner of Burnhamthorpe Road West and Sixth Line as follows:
 - one employment block (Block 1)
 - one secondary school block (Block 2);
 - a stormwater management pond (Block 3); and,
 - three natural heritage system blocks associated with the West Morrison Creek - Core 6 woodlot and linkages (Blocks 4, 5 and 6).

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- Future access to the site will be from Burnhamthorpe Road West, Sixth Line and the future extension of William Halton Parkway.
 - The subject lands are designated *Natural Heritage System Area, Transitional Area and Employment District* within the North Oakville East Secondary Plan (Figure NOE2). The NOESP Master Plan also locates a stormwater management facility on the site. From a zoning perspective, the site is zoned *Future Development (FD)* within Zoning By-law 2009-189, as recently amended by By-law 2022-007.
 - The existing Official Plan designations and Zoning By-law are consistent with the Provincial Policy Statement, conform to all applicable Provincial plans, the Region of Halton Official Plan. The in-effect policy allows for development and provides for the conveyance and protection of the natural heritage system in accordance with the Town's established urban structure.
 - The application was deemed complete on February 17, 2022. The *Planning Act* provides for a 120 day timeline to make a decision on this application (June 17, 2022) after which the applicants can 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. 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.

Proposal

The submitted Official Plan Amendment proposes to:

- re-designate a portion of the site from Employment District to Transitional Area consistent with ROPA 48;
- relocate the secondary school symbol from the northwest corner of Neyagawa Boulevard and Dundas Street West to this site on Block 2; and,
- introduce new Official Plan policies related to the proposed secondary school use.

The applicant's proposed Official Plan Amendment can be found in Appendix A1.

Concurrently, a Zoning By-law Amendment and Draft Plan of Subdivision have been submitted.

The applicant's Zoning By-law Amendment proposes to rezone the site from Future Development (FD) to site specific Light Employment (LE), Institutional (I), Stormwater Management Facility (SMF) and Natural Heritage System (NHS) zones. Specific regulation amendments are proposed for the Light Employment and Institutional zones. The full amendment with proposed regulations can be found in Appendix A2.

The draft plan of subdivision application proposes to develop the lands as follows:

- one employment block (Block 1, approximately 6.5 ha)
- one secondary school block (Block 2, approximately 6.1 ha);
- a stormwater management pond (Block 3); and,
- three natural heritage system blocks associated with the West Morrison Creek (Core 6 woodlot and linkages (Blocks 4, 5 and 6).

Future access to the site will be from Burnhamthorpe Road West, Sixth Line and the future extension of William Halton Parkway.

Figure 1a below is an excerpt from the proposed draft plan of subdivision, as shown in Appendix A3.

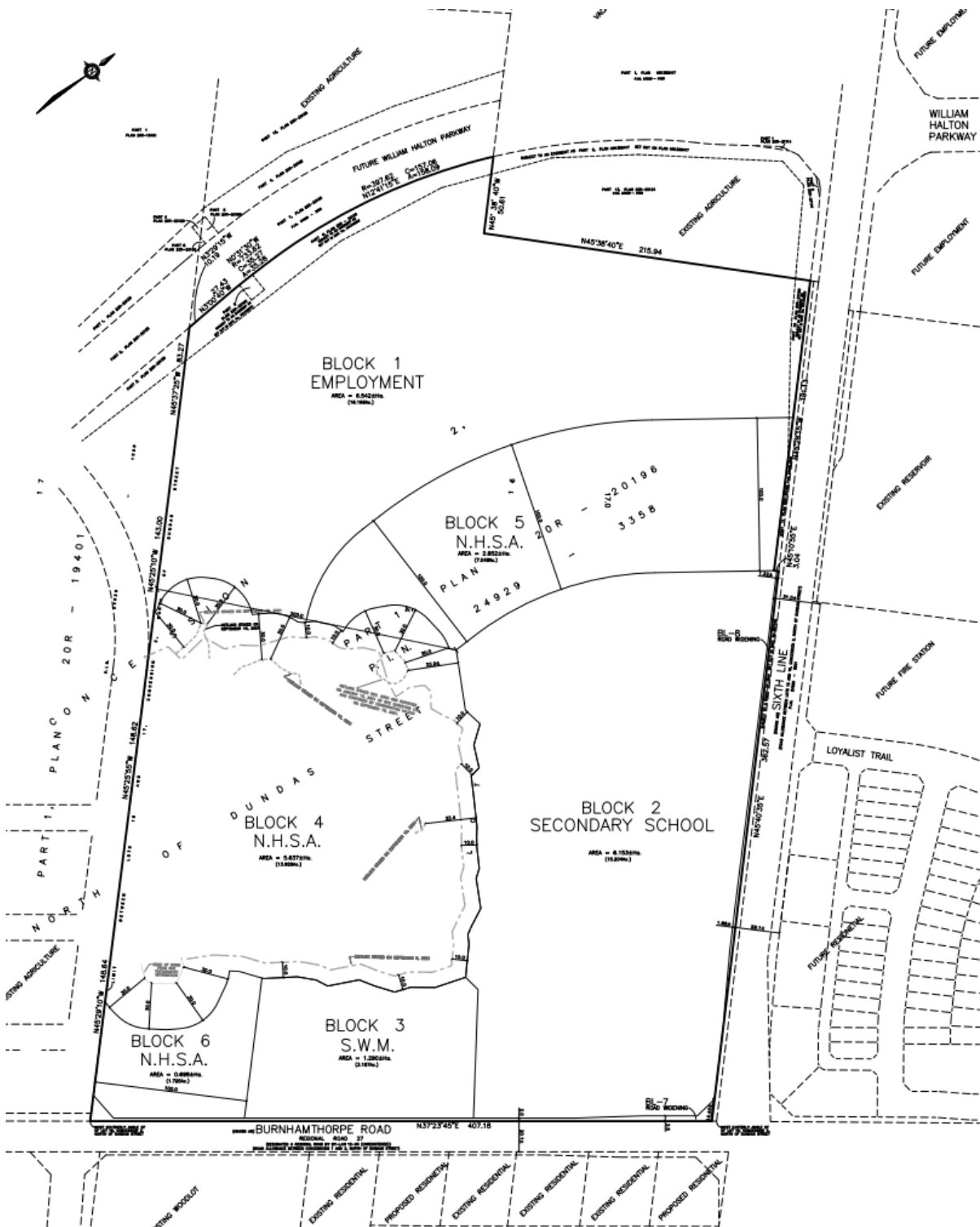


Figure 1a – Draft Plan of Subdivision Excerpt without Contour Lines - NTS

The draft plan of subdivision breakdown is as follows:

Draft Plan Feature	Area (ha)
Block 1 Employment	6.542
Block 2 Secondary School	6.153
Block 3 Stormwater Management Pond	1.290
Block 4, 5 and 6 Natural Heritage System	9.187
Blocks 6 and 7 Road Widening	0.152
TOTAL	23.324

All application submission material are found on the town's website site at <https://www.oakville.ca/business/da-40680.html>.

Specific details for the employment area are not know at the present time. However, access to that portion of the site will be from the future extension of William Halton Parkway and from Sixth Line.

Secondary School Concept Plan

With regard to the proposed secondary school site, the applicant's initial concept is shown below as Figure 1b.

Access to the school site is proposed from Sixth Line across from Loyalist Trail, and from Burnhamthorpe Road West. Block 2 is proposed for the secondary school, a day care, a future administrative building, an area for future portables and at the north end of the site, a lit sport field with consideration of a dome to allow for four season use of the field. The Halton District School Board is continuing to refine the uses and design of this block. Development of this block will also be subject to a future Site Plan approval process.

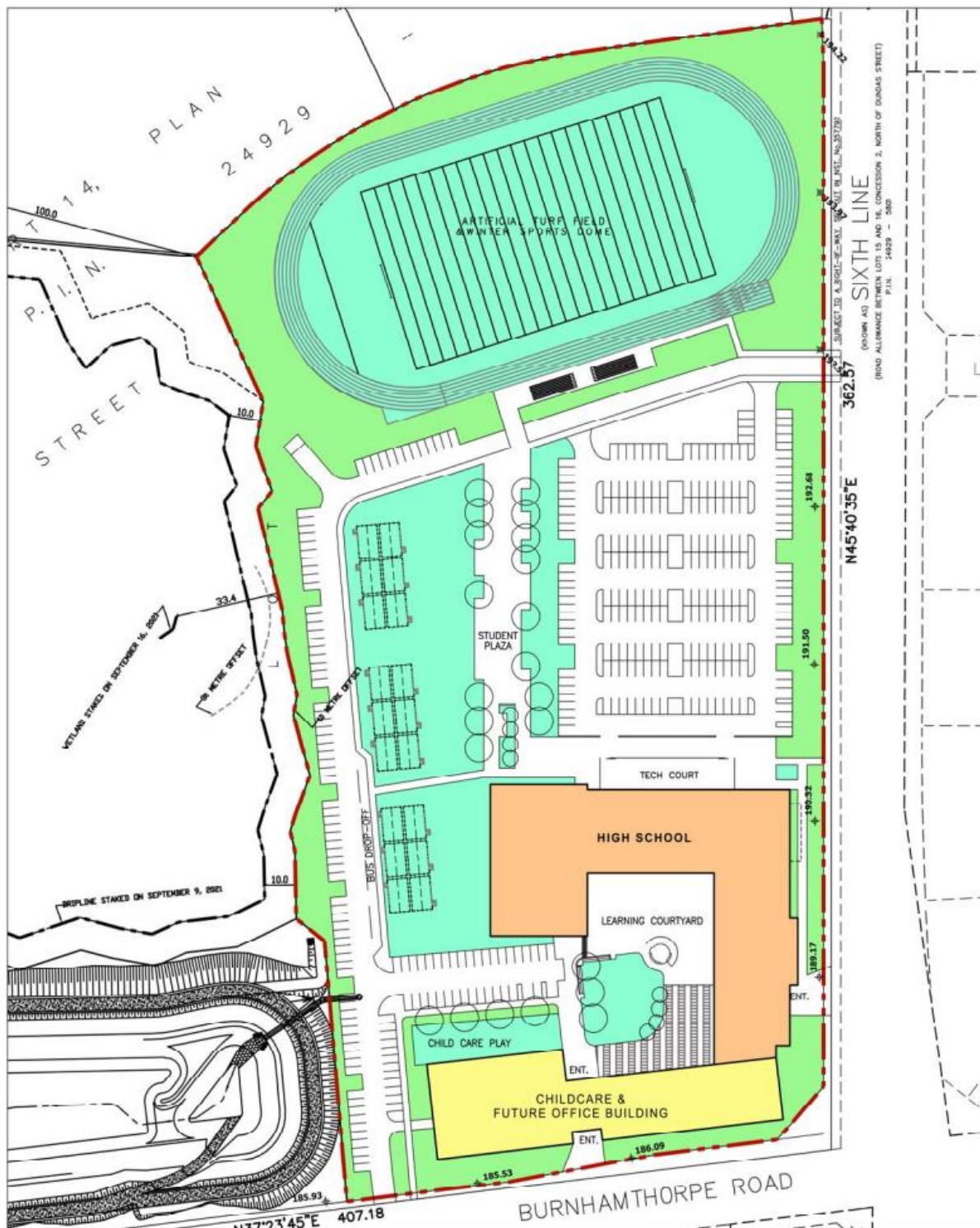


Figure 1b – Secondary School Initial Development Concept

Location / Site Description / Surrounding Land Uses (Figure 2)

The subject land is located at the northwest corner of Burnhamthorpe Road West and Sixth Line.

These lands are remnant agricultural lands with a wooded area (Core 6 as identified by the North Oakville Creeks Subwatershed Study).

The majority of the property is contained within the West Morrison Creek subcatchment area with a portion of the employment area (Block 1) contained with the 16 Mile Creek subcatchment area.

Lands to the east have been developed for residential uses and a Halton Region water reservoir. Development applications for the lands to the south have been presented previously at Planning and Development Council meetings (Statutory Public Meetings).

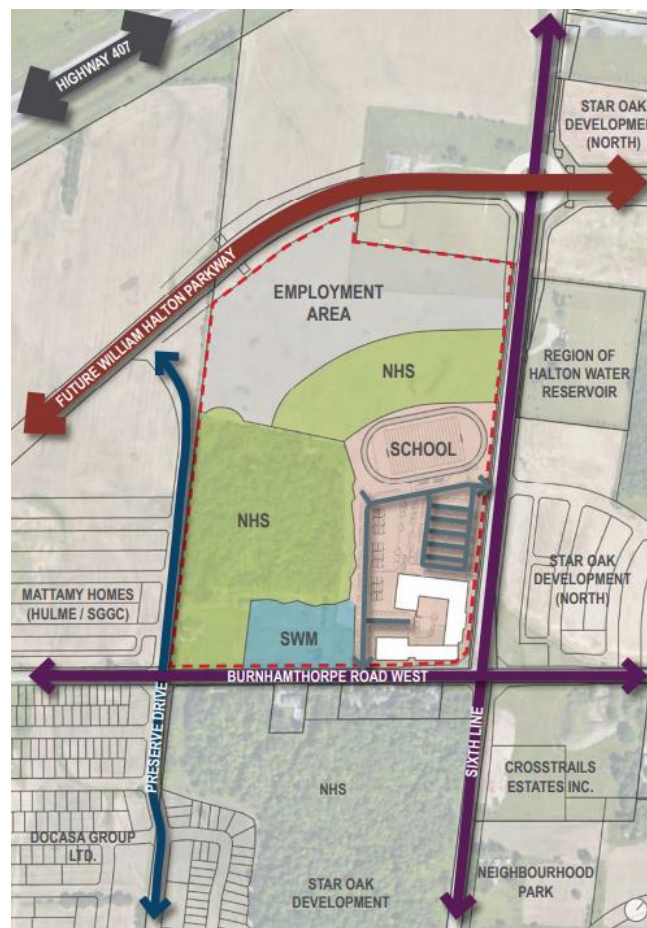


Figure 2: Site Location / Proposed and Surrounding Uses
Taken from Applicant's Urban Design Brief NTS

PLANNING POLICY & ANALYSIS:

Provincial Policy Statement (2020)

The Provincial Policy Statement (2020) ('PPS') 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.

Policies applicable to this application can be found in Appendix B.

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. 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.

Policies applicable to this application can be found in Appendix B.

Halton Region Official Plan

The subject lands are designated "Urban Area" in the Halton Region Plan based upon the provincial approval of Regional Official Plan Amendment 48. Lands within the "Urban Area" are intended for residential and employment growth. 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.

As can be seen from the excerpt below from provincially approved Regional Official Plan Amendment No.48 (ROPA 48), the northerly area of Block 2, the proposed secondary school site, has already been re-designated from Employment Area to Urban Area (see location of arrow). The white area to the north of the arrow remains as Regional Natural Heritage System. Proposed Block 1 remains as part of the regional Employment Area designation. ROPA 48 was undertaken as part of the Region's municipal comprehensive review process.

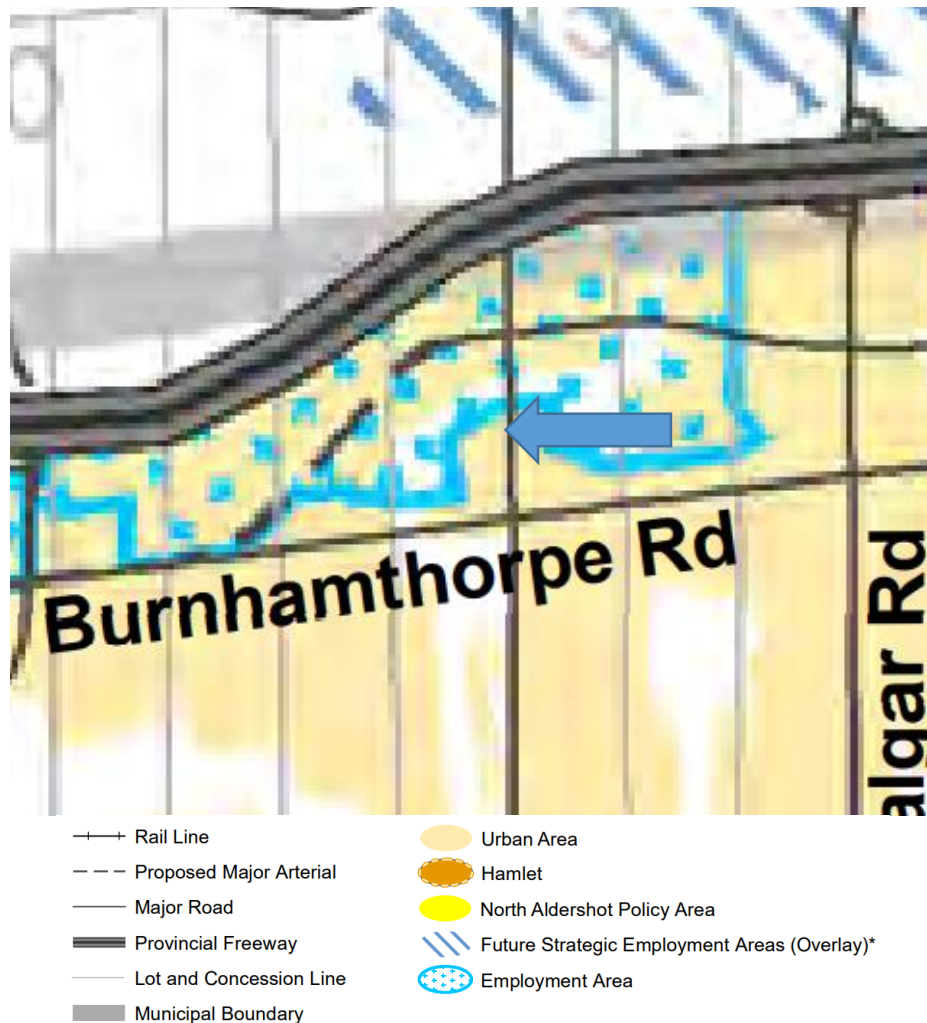


Figure 3 - ROPA 48 Excerpt

Burnhamthorpe Road West, west of Sixth Line, remains a regional road. It is anticipated that this section of roadway will be conveyed to the town in 2025 following the completion of William Halton Parkway.

As of the date of writing this report, regional comments have not been received.

North Oakville East Secondary Plan – NOESP (OPA 272)

Urban Structure

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.

Schedule A1, Urban Structure, of the *Livable Oakville Plan* provides the basic structural elements for the Town and identifies the site as Employment Areas, Residential Areas and Natural Heritage System.

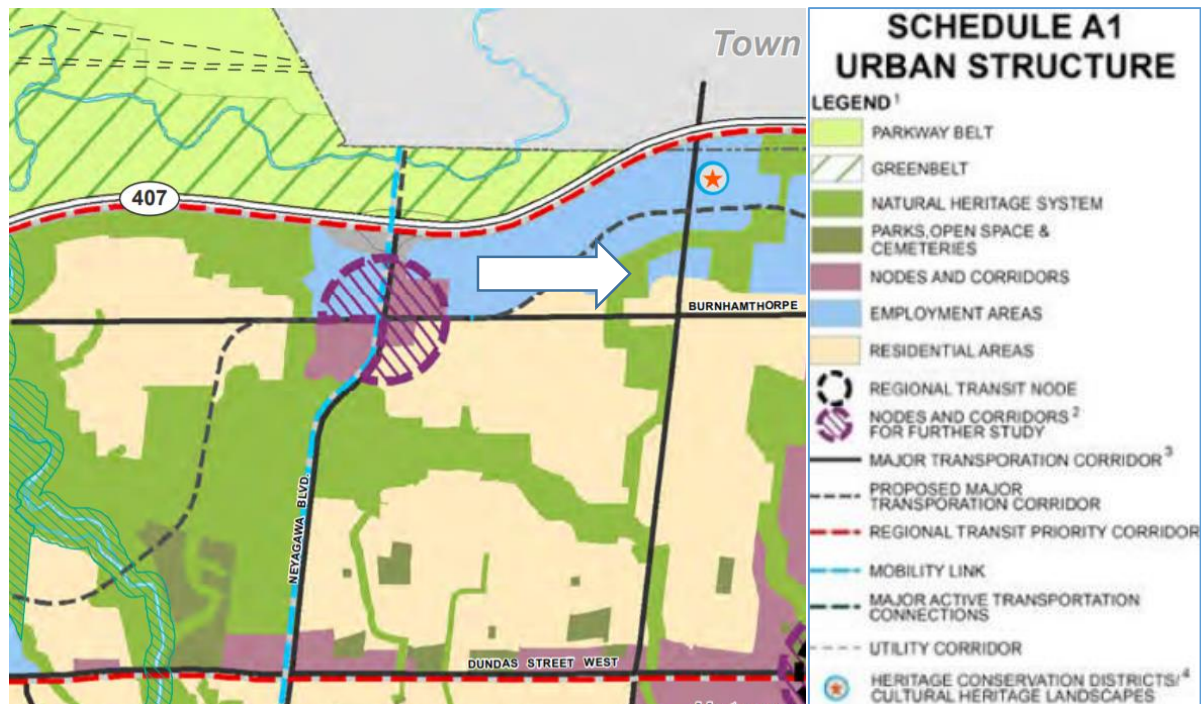


Figure 3 – Schedule A1 Livable Oakville Plan

Land Use Policies

The North Oakville East Secondary Plan (NOESP) 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 subject land, as highlighted below, is designated *Natural Heritage System Area, Employment District and Transitional Area*, on Figure NOE2 of the NOESP and as illustrated on Figure 3a below.

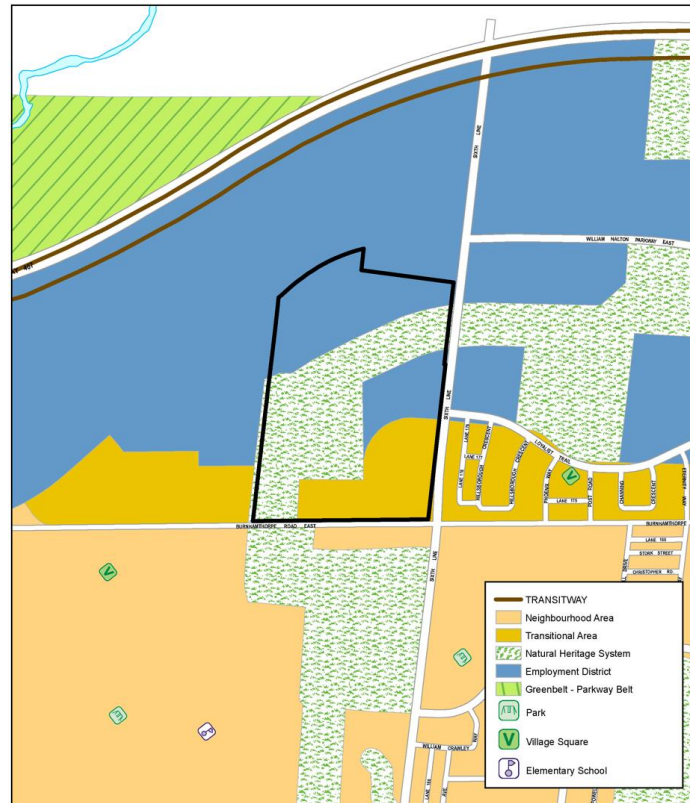


Figure 3a – North Oakville East Secondary Plan - Figure NOE2

Educational Facilities are a permitted use in most land use designations subject to some conditions within the North Oakville East Secondary Plan as outlined in Section 7.6.2.2. Within Section 7.6.9.2, Transition Area, institutional uses are a permitted use. The full policies can be found in Appendix B.

This development application, if approved, would bring this area of the North Oakville East Secondary Plan into alignment with Regional Official Plan Amendment 48, as discussed above.

Master Plan - Appendix 7.3

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

Development applications are reviewed in the context of the Master Plan in order to evaluate consistency. Minor variations from the Master Plan may be considered, assuming the general intent and direction of the Master Plan is maintained.

The land are further identified in the North Oakville Master Plan as Natural Heritage System Area, Transitional Area, and Employment Area with an overlay for a stormwater management facility (Figure 3b, excerpt below).



LEGEND

	SECONDARY PLAN AREA BOUNDARY		INSTITUTIONAL AREA		UTILITY CORRIDOR
	OAKVILLE / MILTON MUNICIPAL BOUNDARY		STORMWATER MANAGEMENT FACILITY (final location tbd)		NEIGHBOURHOOD ACTIVITY NODE
	TRANSITWAY		COMMUNITY PARK AREA		CEMETERY AREA
	DUNDAS STREET URBAN CORE AREA		NEIGHBOURHOOD PARK AREA		NEIGHBOURHOOD CENTRE AREA
	NEYAGAWA BLVD. URBAN CORE AREA		VILLAGE SQUARE/URBAN SQUARE		GENERAL URBAN AREA
	TRAFALGAR ROAD URBAN CORE AREA		ELEMENTARY SCHOOL SITE		SUB URBAN AREA
	TRANSITIONAL AREA		SECONDARY SCHOOL SITE		HIGH DENSITY RESIDENTIAL AREA
	EMPLOYMENT AREA		JOSHUA CREEK FLOODPLAIN AREA		POLICY REFERENCE - SEE POLICY SECTION 7.4.7.2
	NATURAL HERITAGE SYSTEM AREA				

Figure 3b – North Oakville Master Plan Excerpt

Applicable North Oakville East Secondary Plan policies are contained within Appendix B attached to this report.

The applicant's site specific Official Plan Amendment proposes to:

- re-designate for a portion of the site from Employment District to Transitional Area consistent with ROPA 48;
- relocates the secondary school symbol at the northwest corner of Neyagawa Boulevard and Dundas Street West to the site on Block 2; and,
- introduce new Official Plan policies related to the proposed secondary school use.

The applicant's proposed OPA is found in its entirety in Appendix A1 to this report.

Burnhamthorpe Road Character Study

On February 9, 2015, town council approved the Burnhamthorpe Road Character and Environmental Assessment Study.

Burnhamthorpe Road (Regional Road 27) is currently designated as a regional arterial road under the jurisdiction of Halton Region. However, once constructed and in service, the William Halton Parkway will replace Burnhamthorpe Road's regional road function. Burnhamthorpe Road East, east of Sixth Line, was transferred to the town on April 30, 2021. The section of Burnhamthorpe Road, west of Sixth Line, is to be transferred to the town upon completion of the construction of William Halton Parkway. Construction is currently scheduled to be complete at the end of 2024 and the transfer of this section of roadway is currently anticipated in 2025. It is classified as a "character road" as described in the North Oakville East Secondary Plan (NOESP). Burnhamthorpe Road will retain its name.

The NOESP envisions Burnhamthorpe Road as a vibrant, pedestrian-friendly and transit supportive roadway that acts as the transition between the residential to the south and employment land uses to the north. Additionally, the NOESP notes that design standards will respect the existing character of the road and its abutting uses, to which may require unique considerations to matters such as grading and preservation of vegetation along this roadway. The Burnhamthorpe Road Character Study implements the NOESP's vision by establishing an appropriate road design for Burnhamthorpe Road between Ninth Line and Sixteen Mile Creek to serve the evolving needs of the North Oakville community. Varying cross-sections along the Burnhamthorpe Road corridor will support the proposed land uses.

Within this section of the overall Burnhamthorpe Road, a 24 metre right-of-way is required by this study.

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 Bylaw on November 23, 2009.

The subject lands are zoned Future *Development (FD)*, as amended by the recently approved By-law 2022-007 as illustrated on Figure 4 below. The *Future Development (FD)* zone only allows uses that legally existed on the date the parent by-law came into effect.

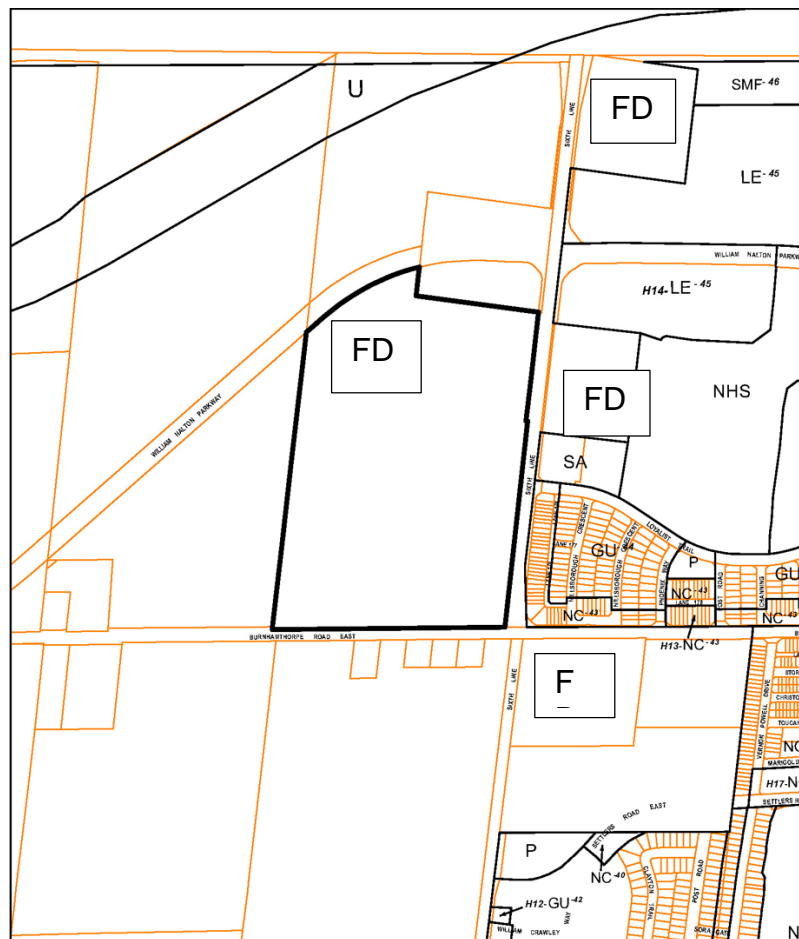


Figure 4 – Zoning By-law Excerpt

The Zoning Bylaw Amendment proposes to rezone the site from Future Development (FD) to site specific Light Employment (LE), Institutional (I), Stormwater Management Facility (SMF) and Natural Heritage System (NHS) zones. Specific regulations for the Employment Area and Institutional zone are proposed

The applicant's proposed zoning regulations can be found within Appendix A2.

TECHNICAL & 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-40680.html>):

- Aerial
- Secondary School Concept Plan
- Draft Official Plan Amendment
- Draft Zoning Bylaw Amendment
- Draft Plan of Subdivision
- Drainage Plan
- EIR/FSS Report, Appendices and Drawings
- Phase One ESA
- ESSQ
- Public Information Meeting Minutes
- Planning Justification Report
- Planning Statistics
- Survey
- Transportation Impact Study
- Urban Design Brief
- Waste Management Brief

Issues Under Review/Matters to be Considered

The following issues and matters 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 of the North Oakville East Developers Group and party to the Cost Sharing Agreement.
- Consistency with the Provincial Policy Statement, 2020 and conformity to the 2019 Growth Plan for the Greater Golden Horseshoe.

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- 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.
 - Justification for the proposed modifications to the North Oakville East Secondary Plan and North Oakville Zoning By-law ensuring the proposed amendments appropriately implements the vision of the North Oakville East Secondary Plan.
 - West Morrison Creek - EIR/FSS Addendum – does it appropriately implement the North Oakville Creeks Subwatershed Study? Have the Natural Heritage System limits (Core 6) been appropriately identified? Has the proposed stormwater management pond (Pond 17), its various functions and the lands on the south side of Burnhamthorpe Road West been appropriately assessed? This study remains in technical review and coordination with Conservation Halton and Halton Region is necessary.
 - Sixteen Mile Creek - EIR/FSS information related to the 16 Mile Creek subcatchment area is required since the north portion of the site within the proposed Employment block is part of the 16 Mile Creek drainage area.
 - Proposed trail to be relocated so it does not bisect the secondary school site.
 - Conformity with urban design policies on matters such as built form, interface with public realms, such as Burnhamthorpe Road West, Sixth Line, future William Halton Parkway, the stormwater management pond and the existing residential east of Sixth Line.
 - Proposed school playing field with potential dome
 - does it appropriately consider the easterly residential development?
 - lighting information for the playing field, both domed and not domed, is necessary in consideration of the town's Property Standards (Bylaw 2007-143, as amended) and Nuisance Bylaw (Bylaw 2017-007, as amended). Staff presented a report at the Community Services Committee meeting of March 30, 2010, wherein the lighting of sports fields in residential neighbourhoods was reviewed.
 - how will a proposed dome be operated, by the school board or by a third party? Specific operational details necessary to further review the proposal.
 - Proposed school parking. While zoning provides a standard rate for secondary schools/daycare/office, what is actually necessary for the site considering the proposed operation of Block 2?

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- Sixth Line Coordination - 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 startup date for the reconstruction of the road is April/May 2023. Coordination with the town's Sixth Line reconstruction project is necessary. Have all road widenings been appropriately identified?
 - Transportation
 - Assessment of the number of buses to be accommodated during peak hours and associated number of laybys.
 - Reassessment of traffic controls for future horizon years (2025 and 2030)
 - Burnhamthorpe Road West - Has the proposed widening along Burnhamthorpe Road West been appropriately identified in relation to the requirements as outlined within the Burnhamthorpe Road Character Study?

A complete analysis of this application will be undertaken including the foregoing matters, and other matters, which may be subsequently identified.

CONSIDERATIONS:

(A) PUBLIC

Notice of the complete application and for this meeting was distributed to all properties within 240 m of the subject property and is included on the sign posted at the site.

The applicant undertook a combined community consultation process with a virtual meeting held on December 6, 2021. Two members of the public attended this virtual meeting. Based upon the information submitted, no concerns were raised at the virtual PIM. As of the date of writing this report, no public comments have been submitted.

(B) FINANCIAL

Development Charges will 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 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 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 A1 - Applicant's Proposed Official Plan Amendment
- Appendix A2 - Applicant's Proposed Zoning By-law Amendment
- Appendix A3 - Applicant's Proposed Draft Plan of Subdivision
- Appendix B - Applicable Policies

Prepared by:

Robert Thun, MCIP, RPP, Senior Planner, Planning Services

Recommended by:

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

Submitted by:

Gabe Charles, MCIP, RPP, Director, Planning Services