



OAKVILLE

## REPORT

### Planning and Development Council

Meeting Date: May 2, 2022

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**FROM:** Planning Services Department

**DATE:** April 19, 2022

**SUBJECT:** Recommendation Report 2317511 Ontario Inc., Official Plan and Zoning By-law Amendment, Z.1614.77, OPA1614.77 – 70 Old Mill Road – By-laws 2022-046 and 2022-047

**LOCATION:** 70 Old Mill Road

**WARD:** Ward 3

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#### RECOMMENDATION:

1. That the proposed Official Plan Amendment and Zoning By-law Amendment applications were submitted by 2317511 Ontario Inc. (File Nos. Z. 1614.77, OPA1614.77), be approved on the basis that the applications are consistent with the Provincial Policy Statement, conforms with all applicable Provincial plans, the Region of Halton Official Plan, the *Livable Oakville* 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 April 19, 2022.
2. That By-law 2022-046, a by-law to adopt an amendment to the *Livable Oakville* Plan, be passed.
3. That By-law 2022-047, an amendment to the Zoning By-law 2014-014, be passed.
4. That the notice of Council's decision reflect that Council has fully considered all of the written and oral submissions relating to these matters and that those comments have been appropriately addressed.
5. That, in accordance with Section 34(17) of the *Planning Act*, no further notice is determined to be necessary.

6. That the site plan for the proposed development be designed in accordance with the urban design requirements in Appendix 'B' to this report from the Planning Services Department dated April 19, 2022.

**KEY FACTS:**

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

- This report recommends approval of an Official Plan amendment and zoning by-law amendment to facilitate the development of a twelve storey residential building consisting of 154 residential units, and underground parking.
- As part of the Town's on-going Official Plan review, Staff are undertaking the Midtown Oakville Growth Area Review and evaluating the development policies for Midtown Oakville within the *Livable Oakville* Plan to confirm future planned intensification and high density growth.
- The statutory public meeting was held on February 15, 2022, comments raised at that meeting are addressed in this report.
- The application is considered under Bill 108, which provides for a 120-day timeline before an appeal can be filed for lack of decision. The application was deemed complete on November 1, 2021. The statutory timeframe for processing this application expired on March 1, 2022.
- Staff recommend approval of the Official Plan and Zoning By-law Amendment applications as the proposed development is consistent with the Provincial Policy Statement, conforms and does not conflict with the Growth Plan, conforms to the Region of Halton Official Plan and the general intent and purpose of the *Livable Oakville* Plan. The application conforms to the Town's Urban Structure as the proposed development aids in the achievement of complete communities.

**BACKGROUND:**

The Old Mill properties, including this site, have a redevelopment history that started in 1994 when the property was rezoned by Genstar Development Company Ltd., to permit residential apartment buildings and multiple family dwellings as well as a health club and local commercial uses. By-law 1994-144 included regulations for 285 residential dwelling units for the entire parcel (1.75 ha) and 2,300 m<sup>2</sup> of commercial uses. The construction of 50 Old Mill Road (ten storeys) was completed in 1999, and 60 Old Mill Road (ten storeys) was constructed in 2000. In 2001, Oakridge Heights Limited submitted a rezoning application to increase the maximum height of 40 Old Mill Road to sixteen storeys and to permit an additional 22 units at 70 Old Mill Road. The application was refused by the Town of Oakville and resulted in an Ontario Municipal Board hearing that focused on the development of the lands at 40 Old Mill Road and a decision to permit a twelve storey residential building which had the effect of increasing the number of residential units across the four

sites to 307 units. The Board decision did not address 70 Old Mill Road and required a separate rezoning application to be submitted for that property.

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

In 2015, 2317511 Ontario Inc. submitted a site plan application to permit the construction of a nine storey building with 29 residential units and a superintendent suite that was consistent with special provision 191 within By-law 2014-014. The application received conditional site plan approval, and permits were issued for excavation and shoring as final approval was imminent. The below grade site works were underway when the Provincial Covid order to cease non-essential construction was issued on April 4, 2020. While construction was halted the owner of the lands reached out to Town Staff to discuss opportunities to increase density on the site given its proximity to the GO station.

The following table summarizes the existing conditions today:

Condominium Building	Height (in storeys)	Number of Units
40 Old Mill Road	12	113 plus superintendent
50 Old Mill Road	10	102 plus superintendent
60 Old Mill Road	10	92 plus superintendent
Permissions for the Vacant lot of 70 Old Mill Road	9	29 plus superintendent

### **Proposal**

The purpose of this report is to provide a full staff review of the application and a recommendation of the Official Plan and Zoning By-law amendment applications.

The effect of Official Plan Amendment No.43 and Zoning By-law 2022-046 would be to permit a twelve storey building with a height limit of 46 metres and an overall maximum site density of 300 units per site hectare, whereas the maximum height is 36 metres (9 storeys), with a residential unit cap of 29 units and a maximum density of 185 upsh. In addition, Zoning By-law 2022-047 proposes to modify the existing Special Provision 191 to facilitate the proposal by regulating yard setbacks, parking ratios, and lot coverage, among other matters, for the subject lands.

In addition, the proposed Zoning By-law 2022-047 provides for Holding (“H”) provisions that must be satisfied prior to building permit issuance. The ‘H’ provision would require the owner to confirm that there is sufficient water and wastewater capacity and provide an updated Functional Services Report to the satisfaction of

Halton Region, as well as an updated Transportation Impact Study to the satisfaction of the Town of Oakville.

The proposed building includes 154 residential units with 166 parking spaces, inclusive of visitor parking, in an underground parking garage. The development will also include 67 bicycle parking spaces. Vehicular access is proposed from Old Mill Road. The residential unit breakdown consists of approximately 70% one bedroom units and 30% two bedroom units. The discussion over possibly incorporating three bedroom units will continue during the future site plan application process.

The subject lands are highlighted in Figure 1 below.



Figure 1: Air Photo

The overall site plan is included as Figure 2 and the site plan for 70 Old Mill Road is shown below in Figure 3.

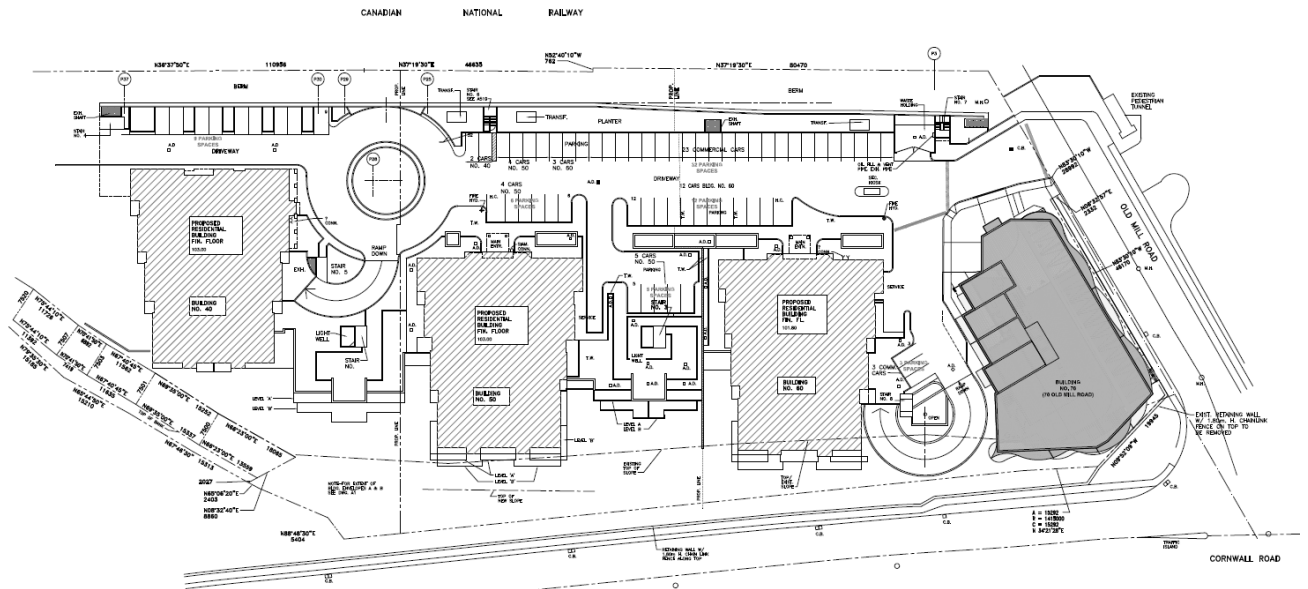


Figure 2: Context Plan identifying 70 Old Mill (grey building) to the east of 60, 50 and 40 Old Mill Road

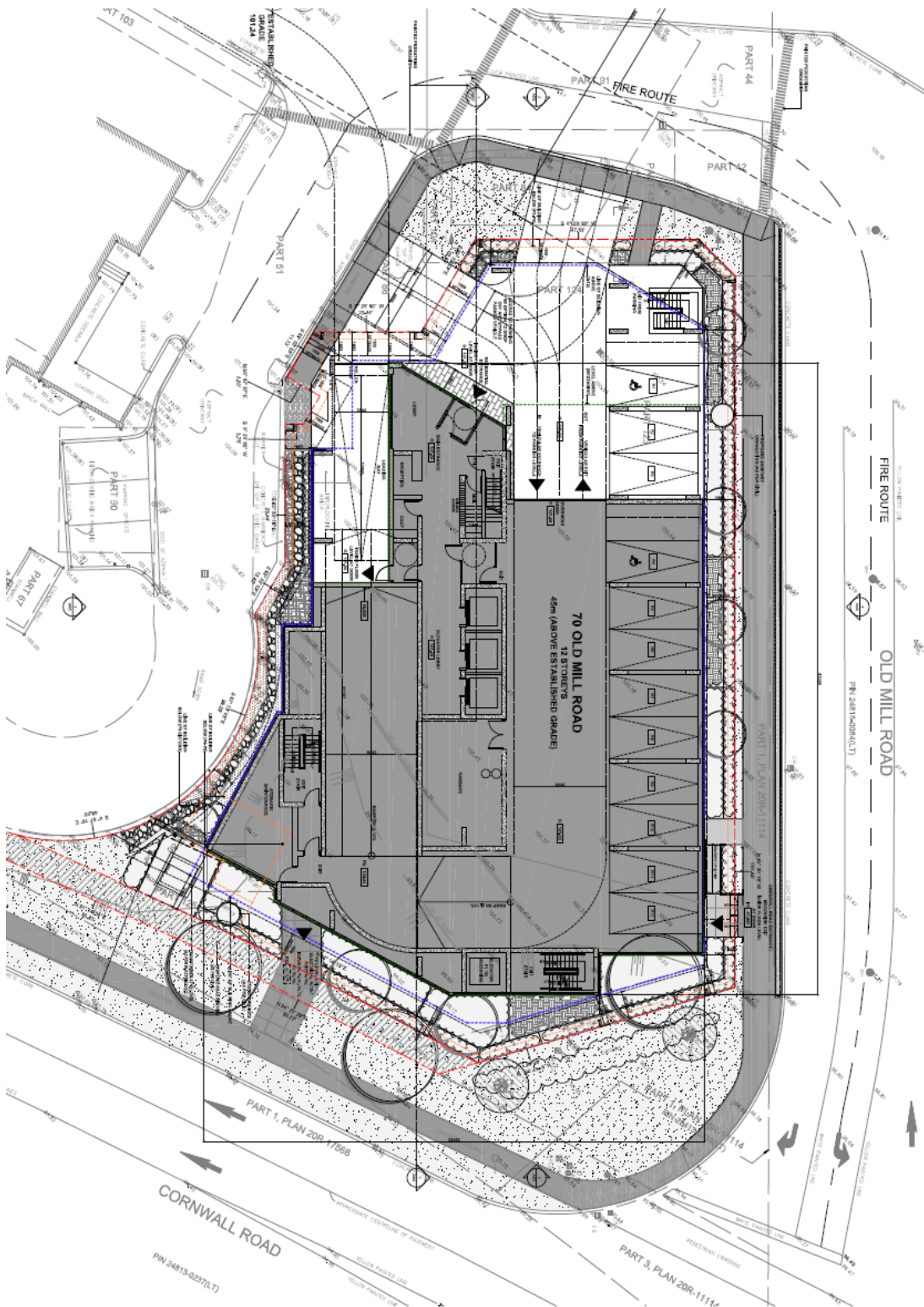


Figure 3: Site Plan

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



Figure 4: Conceptual rendering of 70 Old Mill Road looking west towards 60, 50 and 40 Old Mill Road. The proposed design will be further reviewed as part of the future site plan application.

### **Location & Site Description**

The subject lands are located within the Midtown Oakville growth area, a designated *Urban Growth Centre* by the Province. The property is located on the south side of the Oakville GO/VIA Lakeshore West Line, which is the hub of this *major transit station area*. The site has direct pedestrian access to the station. Midtown Oakville is considered a major transit station area within a designated settlement area.

The subject property is the last of the four building sites on Old Mill Road to develop. The entire property is 1.893 ha and 70 Old Mill Road has a lot area of approximately 0.158 hectares. The lot has 46.17 metres of frontage on Old Mill Road and 19.95 metres on Cornwall Road.

## Surrounding Land Uses

The surrounding land uses are as follows:

North: Metrolinx Rail Corridor

East: Old Mill Road and the Oakville GO parking garage

South: Cornwall Road

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

## PLANNING POLICY & ANALYSIS:

The properties are subject to the following policy and regulatory framework:

- Provincial Policy Statement (2020);
- Growth Plan for the Greater Golden Horseshoe (2020);
- Halton Region Official Plan;
- *Livable Oakville* Plan; and,
- Zoning By-law 2014-014, as amended.

## Provincial Policy Statement (2020)

The Provincial Policy Statement (2020) ('PPS') is intended to promote a policy led system, which recognizes that there are complex relationships among environmental, economic and social factors in land use planning. The PPS encourages the wise management of land to achieve efficient compact development form by directing growth to settlement areas, and encourages Planning authorities to permit and facilitate a range of housing options, including new development as well as residential intensification, to respond to current and future needs for a time horizon of up to 25 years.

The PPS promotes the integration of land use planning, growth management and transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments and standards to minimize land consumption and servicing costs.

The subject lands are located within a settlement area, which is to be the focus of growth and development. The land use patterns within the settlement areas are based on densities, and a mix of land uses that, among other matters, efficiently use land and resources, appropriately use the infrastructure and public service facilities that are planned or available and are transit supportive. On this basis, the proposed Official Plan Amendment and rezoning are consistent with the PPS (2020).

Excerpts of relevant PPS policies to the application are attached as Appendix 'A'.



## Growth Plan for the Greater Golden Horseshoe

The Growth Plan (2020) is a long-term plan that intends to manage growth, build complete communities, curb sprawl and protect cultural heritage resources and the natural environment.

The Growth Plan provides policies for where and how to grow, directing population and employment growth to urban areas and rural settlement areas with delineated built boundaries on full municipal services (policy 2.2.1). The policies of the Growth Plan are to be applied to support complete communities that feature a diverse mix of land uses with convenient access to local stores, services, and public service facilities, provide a diverse range and mix of housing options, and expand convenient access to transportation options.

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

Support for the development of complete communities and transit supportive development is emphasized in Section 2.1:

*“To support the achievement of complete communities that are healthier, safer, and more equitable, choices about where and how growth occurs in the GGH need to be made carefully. Better use of land and infrastructure can be made by directing growth to settlement areas and prioritizing intensification ... concentrating new development in these areas provides a focus for investment in transit as well as other types of infrastructure and public service facilities to support forecasted growth, while also supporting a more diverse range and mix of housing options. It is important that we maximize the benefits of land use planning as well as existing and future investments in infrastructure so that our communities are well-positioned to leverage economic change.”*

In addition, the Growth Plan establishes intensification targets for development within “Delineated Built-Up Areas”, stating in Section 2.1 the importance:

*“...on optimizing the use of the existing urban land supply represents an intensification first approach to development and city-building, one which*

*focuses on making better use of our existing infrastructure and public service facilities, and less on continuously expanding the urban area.”*

The Town of Oakville is included within these areas and it is anticipated that a minimum of 50 percent of all residential development occurring annually will be within the delineated built-up area. On this basis, the proposed Official Plan Amendment and rezoning are consistent with the Growth Plan and contributes to the achievement of complete communities.

Excerpts of relevant Growth Plan policies to the application are attached as Appendix ‘A’.

### **Halton Region Official Plan**

The subject lands are designated “Urban Area” in 2009 Regional Official Plan (ROP). The Urban Area is “planned to accommodate the distribution of population and employment for the Region and the four Local Municipalities”. The policies of the Urban Area designation (Policy 72 of Part III) support a form of growth that is compact and supportive of transit and reduces the dependence on the private automobile, and the development of vibrant and healthy mixed-use communities which afford maximum choices for housing, work and leisure. The Urban Area is intended to facilitate and promote intensification and increased densities by attracting a significant portion of population growth, and by achieving higher densities than the surrounding areas that will, in turn, support transit and active transportation for everyday activities.

The subject lands are within the identified “Built-Up Area”. Regional Phasing policies require the Town of Oakville to intensify within the built boundary. Policy 76 notes that the range of permitted uses is to be in accordance with Local Official Plans and Zoning By-laws. All development, however, is subject to the policies of the Regional Plan.

Halton’s planning vision for a healthy community is found in Policy 31(3) stating that a healthy community is physically designed to minimize the stress of daily living and meet the life-long needs of its residents where a full range of housing, social, health and recreational opportunities are present and where mobility is provided primarily through an affordable, convenient, safe and efficient public transportation system.

The subject lands are approximately 400 metres from the Midtown GO/VIA Transit Station platforms, at the station. Policy 80 provides that Major Transit Station Areas (including Metrolinx-designated Mobility Hubs) are areas for a higher concentration of residential and employment uses with development densities and patterns supportive of public transit and pedestrian traffic. Policy 81(1) states that it is the policy of the Region to direct development with higher densities and a mix of uses to Intensification Areas and to require Local Municipalities to do the same.

Halton Region has advised Town Staff that they have no objection to the Official Plan Amendment and Zoning By-law Amendment, subject to the inclusion of two Holding conditions.

### **Livable Oakville Plan**

The *Livable Oakville* Plan was approved by the Ontario Municipal Board on May 10<sup>th</sup>, 2011. The subject lands are located within the Midtown Growth Area that is planned to accommodate intensification and high density growth in accordance with the policies of *Livable Oakville*:

**Section 2.2.1 b)** reinforce the Town's Urban Structure:

*"b) direct the majority of growth to identified locations where higher density, transit and pedestrian oriented development can be accommodated."*

### **Section 2.2.2**

*"Providing choice throughout the Town in order to:*

- a) Enable the availability and accessibility of a wide range of housing, jobs, and community resources to meet the diverse needs of the community through all stages of life;*
- b) Providing choices for mobility by linking people and places with a sustainable transportation network consisting of roads, transit, walking and cycling trails; and,*
- c) Foster the Town's sense of place through excellence in building and community design."*

The *Livable Oakville* Plan is currently undergoing a 5-year Official Plan Review to ensure the policies are consistent with the Provincial and Regional policies, support the Town's strategic goals, and reflect the visions and needs of the community.

### Urban Structure

*Schedule A1, Urban Structure*, of the *Livable Oakville* Plan provides the basic structural elements for the Town. The Town's urban structure most recently updated through Official Plan Amendment 15 provides for nodes and corridors, where higher intensity forms of mixed use growth that would support frequent transit service are to be accommodated. Nodes include the Town's growth areas, such as Midtown Oakville. These areas will accommodate intensification through development and redevelopment.

As part of the Town's Official Plan Review the growth area reviews will examine the policies introduced through *Livable Oakville* in 2009. The Midtown Oakville Review is underway and will account for revised growth targets (existing population and

employment, and the addition of residential units) to align with the PPS, Growth Plan and Halton Region’s Integrated Growth Management Strategy.

The subject lands are identified on *Schedule A1 – Urban Structure* and within a *Regional Transit Node* and a *Provincial Priority Transit Corridor* (Figures 5a and 5b). Regional Transit Nodes are located at key locations to integrate with the town-wide transportation system and to provide a focus for transit supportive development.



Figure 5a: Urban Structure –Schedule A1



Figure 5b: Urban Structure –Schedule A1- Extract

The Official Plan Amendment and Zoning By-law Amendment are consistent with provincial and municipal land use directions to assess opportunities within designated growth areas and corridors for intensification. The current site permissions do not support the efficient development and utilization of a site that is located on, and has pedestrian access to, the Metrolinx Rail Corridor/Lakeshore West Line. It is Staff's opinion that the proposal does not conflict with the Midtown Oakville Growth Area Review that will be presented at a future Planning and Development Council Meeting.

#### Official Plan Objectives

Midtown Oakville is one of 25 areas identified as an "Urban Growth Centre" in the Province's Growth Plan for the Greater Golden Horseshoe. Urban Growth Centres are to be transit-supportive regional focus areas that accommodate a significant portion of future population and employment growth in the Greater Golden Horseshoe. Midtown Oakville is an area identified for the highest intensification in the Town as an Urban Growth Centre.

The goal for Midtown Oakville, through development and redevelopment, is to create a vibrant, transit-supportive mixed use community and Employment Area. The subject lands are located within the Cornwall District which is planned to include a mix of use uses and taller residential buildings located in the vicinity of Sixteen Mile Creek and Trafalgar Road.

As Midtown Oakville develops, the Town will, through public consultation and through the process of reviewing planning applications, use the objectives below to

guide decisions that contribute to the required growth targets, as outlined in Section 20.2.3:

- a) promoting and enabling the evolution of Midtown Oakville as an urban growth centre and the Town’s primary Growth Area;*
- b) ensuring a minimum gross density of 200 residents and jobs combined per hectare – a combined total of approximately 20,000 residents and jobs – by 2031 in accordance with the Growth Plan;*
- c) providing opportunities for increased building height through bonusing; and,*
- d) ensuring that development occurs in a comprehensive and progressive manner by monitoring key development indicators at regular intervals.*

The subject lands are located within the Midtown Oakville growth area within the *Livable Oakville Plan*. The site is designated High Density Residential on Schedule L1: Midtown Oakville Land Use Plan (Figure 6). Policies within Part D of the *Livable Oakville Plan* state that the High Density Residential designation has a density range up to 185 units per site hectare.

The subject lands are also located within the *Cornwall District* of Midtown Oakville.

#### Section 20.3.5 – Cornwall District

*“The Cornwall District shall include a mix of uses that define the southern edge of Midtown Oakville and are compatible with the residential neighbourhood south of Cornwall Road. Commercial areas and active parkland will serve the needs of residents and workers in Midtown Oakville and the surrounding area. Taller residential and mixed use buildings shall be located in the vicinity of Sixteen Mile Creek and Trafalgar Road.”*

Schedule L1: *Midtown Oakville Land Use* is included as Figure 6 below. The lands are subject to Exception 20.6.1 which states:

*The lands designated High Density Residential at the northwest corner of Cornwall Road and Old Mill Road are subject to the following additional policies:*

- *A neighbourhood shopping centre with a maximum of 930 square metres of gross leasable area may also be permitted.*

- A maximum of 2,300 square metres of non-retail service commercial area, including office and private recreational uses, may also be permitted.

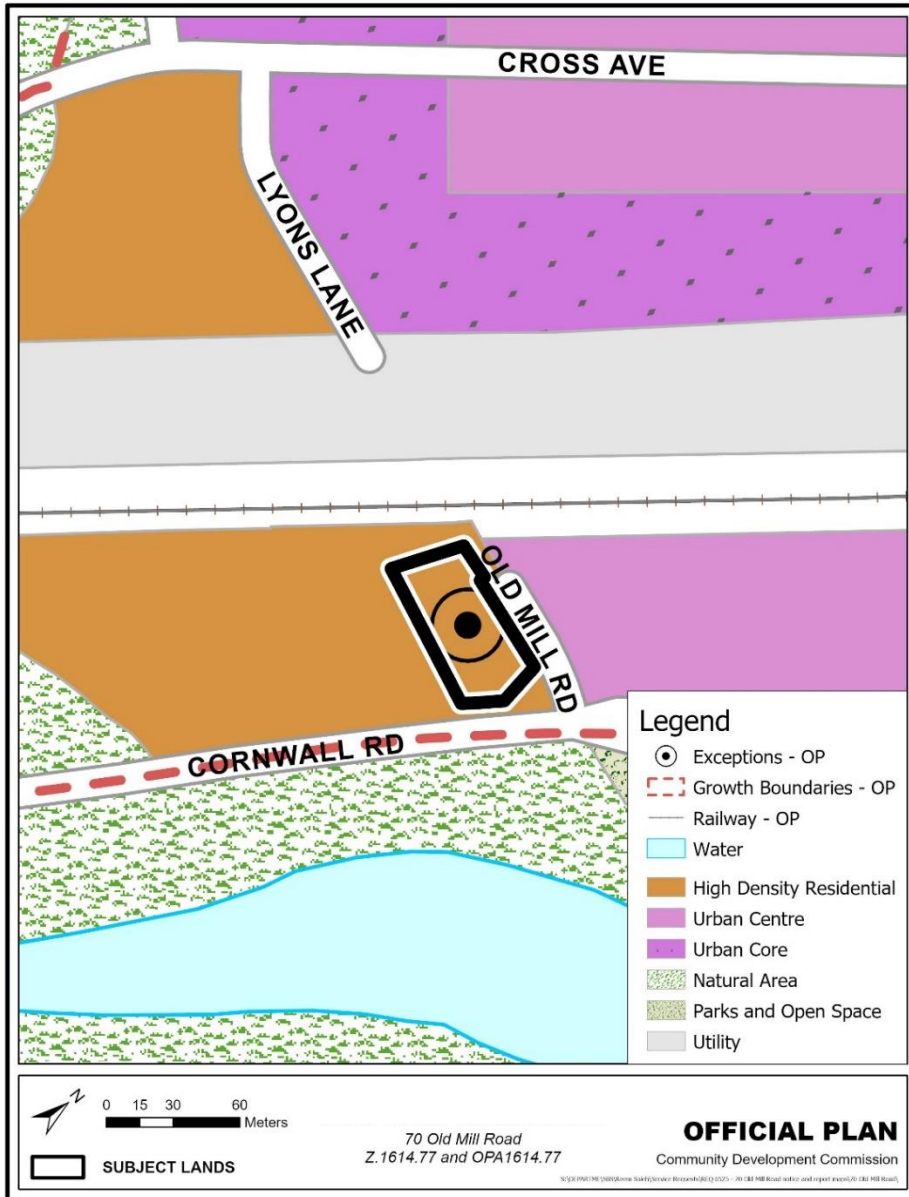


Figure 6: Official Plan Land Use Excerpt

Schedule L2: Midtown Oakville Building Heights identifies building heights for the subject lands as six to twelve storeys (Figure 7).

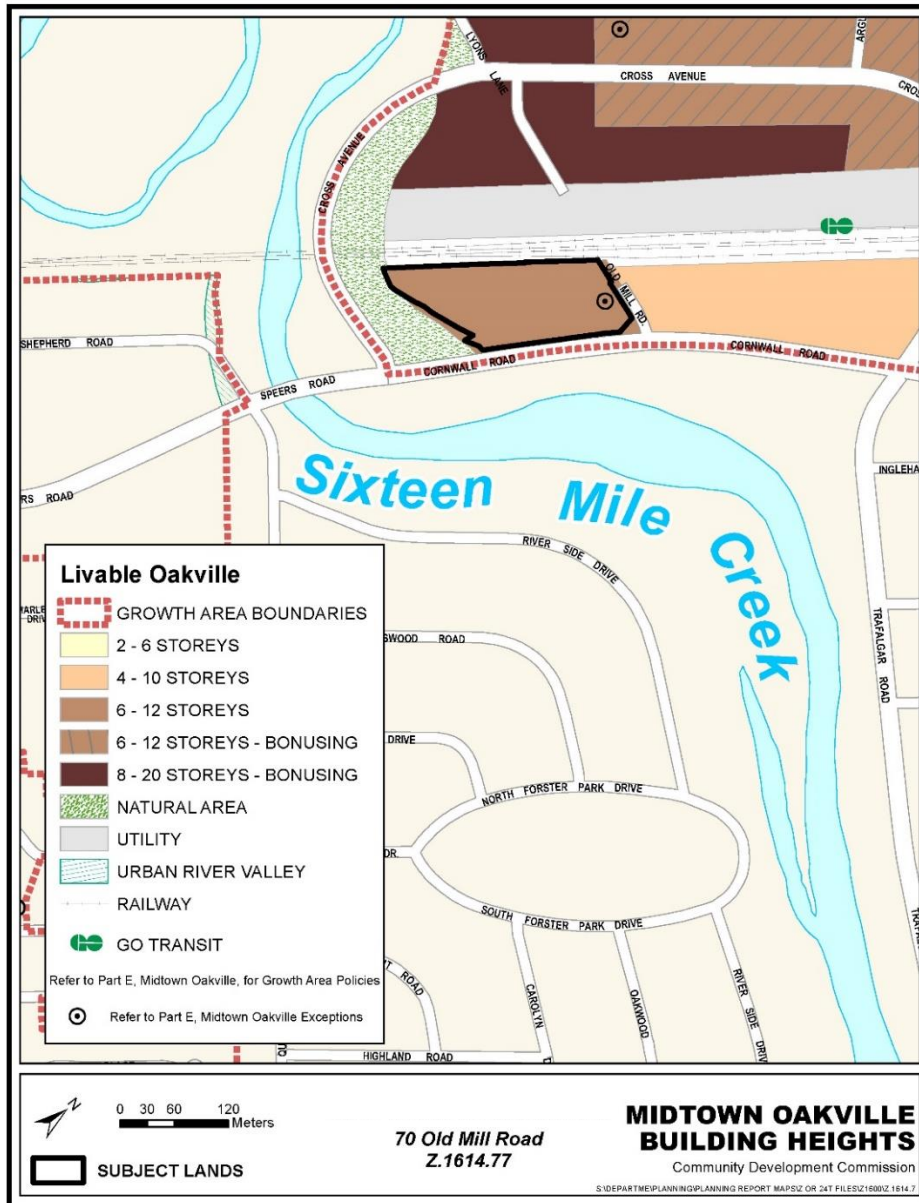


Figure 7: Official Plan Building Heights Excerpt

The *Livable Oakville* Plan objectives and policies encourage transit-supportive intensification within Midtown Oakville. It is staff’s opinion that the proposed amendments to the Official Plan and Zoning By-law to facilitate the development of the site to permit a twelve storey residential building, with increased densities, contributes to meeting the minimum growth target objectives of 200 units per site hectare listed in Section 20.2.3 (above).



### Urban Design Requirements

The proposal is being reviewed in context of the Livable by Design Manual and the Designing Midtown Oakville guidance document. The Livable by Design Manual provides a comprehensive and detailed design direction for development to ensure new development is integrated with its surroundings and results in projects that are functional, support community vitality, and improve the overall livability of the area.

Section 3.1 Tall and mid-rise buildings state *“Successful tall and mid-rise buildings are architecturally interesting and create a cohesive design composition through their proportion, scale, massing, building materials, and architectural character. These building forms typically feature a defined base that can emphasize human scale and create a pedestrianized environment, a middle section that reduces the potential appearance of bulk, and a top section that can create an interesting Skyline.”*

*“Most mid-rise and tall buildings will typically be located within the Town’s Growth Centres and along Intensification Corridors.”*

The location of the site within Midtown Oakville, fronting Old Mill Road and Cornwall Road, adjacent to the Lakeshore West rail line will play an important role in the evaluation of the urban design principles used on this site. Relevant urban design policies can be found in Section 20.4.2 – Urban Design.

- a) *In addition to the urban design policies of this Plan, development and the public realm shall address the urban design direction provided in the Livable by Design Manual and the Designing Midtown Oakville document.*
- b) *Midtown Oakville shall be designed as a regional destination and an urban centre with a focus on creating a safe and attractive public realm that encourages walking, cycling and transit use. New development shall support this objective through its form, scale and detail.*
- c) *A network of public spaces, or varying sizes and activity, should be planned for Midtown Oakville to support residents and employees throughout.*
- d) *Development shall promote safe, convenient and attractive pedestrian access to transit stops or stations. Barriers, such as boundary fences, shall be discouraged.*
- e) *It is intended that some of the town’s tallest buildings locate in Midtown Oakville. These buildings shall be designed to the highest architectural quality and detail to create landmark buildings and contribute to a distinct skyline.*

Urban Design staff have reviewed the proposal and have no objection to the amendments subject to the implementation of the Livable by Design Manual and additional Urban Design Requirements (Appendix 'B'). Staff have had the opportunity to hold a pre-consultation meeting with the owner of the lands to discuss the future site plan application and feel it is appropriate to include the Urban Design Requirements as part of this report, and approvals.

The Urban Design Requirements are included to raise awareness of the distinctive and enhanced architectural design that is encouraged on this corner site due to the multiple façades of the building being highly visible from the public realm. There is a unique change in grade at this site which must be considered in the design of the building to accentuate the main entrances as well as ensure they are functional and accessible. Staff are supportive of the massing of the building and the architectural style will be reviewed in greater detail at the site plan stage to ensure it complements the existing built form to the west.

#### Proposed Official Plan Amendment

In 2013, By-law 2013-106 was approved, which had the effect of amending the previous zoning approvals for the Old Mill Road property, specifically 70 Old Mill Road. This by-law capped the maximum number of units, provided a maximum building height, included specific parking provisions, and reduced the maximum net floor area of non-residential uses to 155 square metres. Section 20.6.1 of the *Livable Oakville* Plan was not updated at that time to modify the existing site exceptions for 70 Old Mill Road, which remained as follows:

“20.6.1 The lands designated High Density Residential at the northwest corner of Cornwall Road and Old Mill Road are subject to the following additional policies:

- a) A neighbourhood shopping centre with a maximum 930 square metres of gross floor leasable area may also be permitted.
- b) A maximum of 2,300 square metres of non-retail service commercial area, including office and private recreational uses, may also be permitted.”

Proposed OPA No. 43 will delete the existing Site Exception and replace it with the following:

“20.6.1 The lands designated High Density Residential at the northwest corner of Cornwall Road and Old Mill Road are subject to the following additional policies:

- a) A maximum of 300 units per hectare is permitted.
- b) A maximum of 12 storeys, plus an additional storey may be permitted as a mezzanine for 70 Old Mill Road.

- c) A maximum of 155 square metres of net leasable commercial floor area may also be permitted for 70 Old Mill Road.”

### **Zoning By-law (2014-014)**

The subject lands are zoned RH - Residential High, subject to special provision 191 (Figure 8). The *Residential High* zone permits apartment dwellings in addition to:

- daycares;
- long term care facilities/retirement homes; and
- accessory retail stores

The current zoning for this development site has a maximum height of 36 metres and a residential unit cap of 29 units. The special provision also permits shared visitor parking for the four condominium buildings within the existing surface parking area, relief from landscape requirements as well as a reduced setback to the railway corridor.

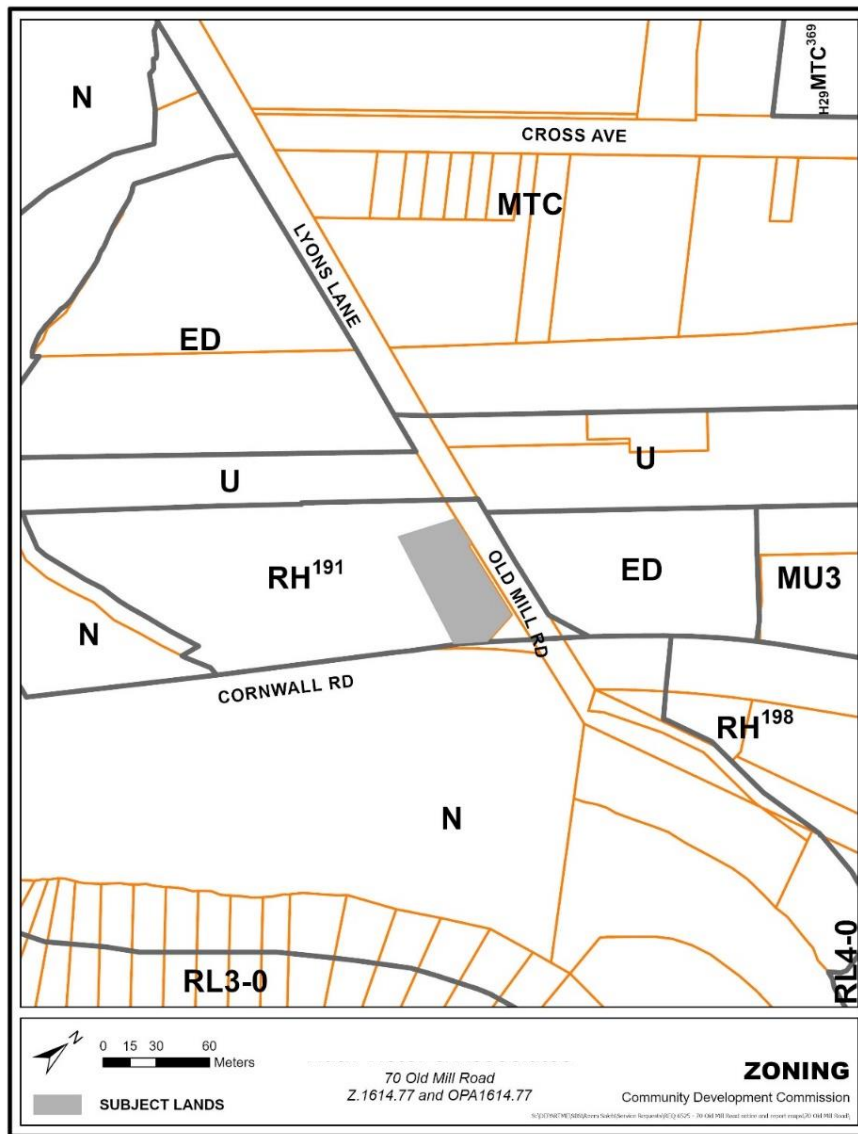


Figure 8: Zoning Excerpt

Proposed Zoning By-law Amendment

The entirety of the Old Mill Road property (40, 50, 60 and 70 Old Mill Road) is subject to Special Provision 191 which was placed on the lands in 2013 (By-law 2013-106). This by-law recognized existing development on the site and allowed for the future development of vacant block 70 Old Mill Road. The regulations and permissions included as part of the existing special provision does not anticipate the level of intensification that is planned for Midtown Oakville as an Urban Growth Centre.

The following is an overview of the proposed By-law 2022-047 modifications to SP191:

- modifications to the yard setbacks and lot coverage to permit the construction of the building as proposed;
- reduction of the setback from a railway corridor from 30 metres to 25 metres;
- provisions for a minimum and maximum height limit of eight to twelve storeys;
- set the maximum number of residential units at 154;
- provisions for balconies to project into any yard;
- reduce requirements for landscape setbacks;
- establish a minimum (0.75/unit) and maximum (1.1/unit) parking rate for residential and visitor parking (0.15/unit);
- permit visitor parking within the overall site's surface parking to be shared with the subject lands;
- require electric vehicle charging stations; and
- restrict locations of air vents and stairs associated with the parking garage;

At the request of the Region of Halton the following "H" Provisions are included within By-law 2022-047:

1. That sufficient water and wastewater services are available to the satisfaction of the Regional Municipality of Halton and the Town of Oakville. In this regard, downstream sewer constraints shall be addressed and any upgrades and/or replacement be constructed and in operation, or arrangements, satisfactory to Halton Region, have been made for the provision of wastewater services.
2. That an updated FSR be approved by Halton Region and any requirements of Halton Region be addressed to their satisfaction in relation to the findings and/or recommendations of the report.
3. That an updated Transportation Impact Study be approved to the satisfaction of the Town of Oakville demonstrating that sufficient road infrastructure capacity is available to accommodate the development.

#### **TECHNICAL & PUBLIC COMMENTS:**

The proponent has provided technical studies in support of the application which have been circulated to various public agencies and internal town departments. A full circulation and assessment of the application was undertaken to ensure that all technical matters have been satisfactorily addressed.

The following studies and supporting documentation are also accessible on the town's website <https://www.oakville.ca/business/da-39703.html>:

- Planning Justification Report
- Transportation Impact Study

- Conceptual Site Plan
- Functional Servicing Report
- Phase 1 Environmental Site Assessment
- Urban Design Brief
- Shadow study
- Building Elevations/Floor Plans
- Streetscape Plan
- Pedestrian Plan
- Arborist Report, Tree Inventory Plan
- Vehicle Maneuvering Plan
- Noise Impact Study
- Waste Management Plan
- Summary of the applicant hosted Public Information Meeting

### **Resolution of Issues Raised at the Public Meeting**

The Statutory Public Meeting hosted by Oakville Council was held on February 15, 2022, and four members of the public participated virtually. The following is an overview of the matters that were identified in the public meeting report and the analysis and resolution of the issues:

Alignment with the Climate Emergency declared by Council:

- Compact urban form with its increased densities is inherently more transit supportive as the market tends to attract residents that will utilize alternative modes of transport, thereby lessening the carbon footprint.
- Findings of the Oakville Energy Task Force show that 48% of the greenhouse gas emissions in Oakville are coming from transportation related sources (i.e. the use of personal and commercial vehicles). Intensifying sites in a designated growth area, along a Provincial Priority Transit Corridor, supports the objectives of the Town's urban structure, nodes and corridors, and can have an impact on the amount of transportation emissions measured in the town.
- Staff will continue discussions with the applicant, through the future site plan application, to encourage more sustainable construction and building practices to reduce the carbon footprint of the construction process and the operation of the building.
- The requirement to provide electric vehicle equipment is included within the by-law (see Proposed Zoning section for details).
- Transportation Demand Management (TDM) initiatives such as real-time transit information in the lobby, car and cycling share programs on-site, and unbundling parking opportunities are options to explore during the review of a future site plan application.

Consistency with the Provincial Policy Statement, 2020 and conformity to the 2019 Growth Plan for the Greater Golden Horseshoe, Metrolinx's RTP 2041, Regional Official Plan and the *Livable Oakville* Plan:

- The site is located within a Settlement Area and a Built-Up Area, providing growth in an Urban Growth Centre. The Midtown Growth Area and Major Transit Station Area must be supported by intensification (see Appendix A for relevant policies).
- This particular site is a key location for transit supportive density as it abuts the Oakville GO Station. The property is the last block to develop on Old Mill Road and the proposal is consistent with achieving an urban fabric that provides a mix of residential units and sizes along a priority transit corridor.
- The proposed development contributes to provincial and municipal complete community objectives for the number of units in the built-up areas.
- The addition of housing units supports Metrolinx's planned delivery of the future rail improvements for the Midtown Oakville Mobility Hub along the Lakeshore Line.
- The proposal to develop the last block on this site at a density of 264 units per site hectare is consistent with the densities permitted along the Trafalgar Road Corridor (up to 300 units per site hectare) and the Midtown Oakville Growth Centre (200 units per site hectare). This is considered an appropriate location for this form of development because it will allow for transit-supportive intensification along the GO Lakeshore Rail Line and the site is located within a Provincial Urban Growth Centre. 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 *Livable Oakville* Plan.

Compliance with the Livable by Design Guidelines Parts A and C, including scale, massing, appropriate existing and proposed separation distances and shadow impacts:

- The applicant submitted an Urban Design Brief to reflect the proposal as well as address staff comments.
- An assessment of the proposed density and height was undertaken by staff and concluded that the built form and density proposed by the applications is considered compatible with the surrounding context of 40, 50 and 60 Old Mill Road, and aligns with the policies and growth objectives of the *Livable Oakville* Plan. The other three buildings along Old Mill Road are ten and 12 storeys with 307 units among the sites. The height of the proposed building sits lower in grade than the rest of the buildings and will not appear out of context.
- Separation distances between the proposed building and the existing buildings are appropriate.
- The applicant's sun / shadow study demonstrates the shadows generated by the proposed development fall within the parameters of the Towns terms of

reference for shadow impact analysis and that adequate sunlight on adjacent properties and the public realm are met.

- The Cornwall Road/Old Mill Road building façade and treatment of the ground floor enhances the public-private interface and will be further reviewed through the future site plan application.
- Planning and Urban Design Staff will continue to work with the applicant on the proposed design, colour palette and materials through the future site plan application.

Justification for the proposed modifications to the Official Plan policies to remove the density cap of 185 units per site hectare, and to By-law 2014-014 to permit an increased height in this location:

- The development proposal contributes to Provincial and municipal policies and objectives for complete communities, intensification and transit supportive development.
- The massing is in keeping with the High Density Residential land use designation and height provisions.
- Developing an under-utilized vacant property adjacent to the GO Lakeshore Rail Line is a realized opportunity in the build out of Midtown Oakville.
- There is the potential to provide a range of residential units (e.g. sizes and number of bedrooms).
- Through the review and evaluation of the proposal it has been determined that there are minimal negative impacts to the existing Old Mill Road residents and surrounding area.

Appropriateness of the proposed zoning regulation modifications:

- The proposed zoning modifications are discussed earlier in this report.

Establishment of an appropriate parking standard for residential parking including visitor parking.

- All required parking is to be located within an underground garage and a minimum (0.75/unit) and maximum (1.0/unit) parking ratio have been provided to control the parking supply available to residents while reflecting the locational context and proximity to the GO Station, access to local transit, commercial services, pedestrian and cycling facilities.
- Visitor parking is regulated (0.15/unit) and it is recognized that visitor spaces may be provided within the underground garage as well as shared with the visitor parking spaces existing within the surface parking area of 40, 50 and 60 Old Mill Road.

In addition to comments raised by Staff, at the Statutory Public Meeting of February 15, 2022, members of Planning & Development Council approved a resolution that identified the following matters:



Provide clarity on the density calculation over the entirety of the site:

- The High Density Residential land use designation has a density capacity of 185 units per site hectare.
- The entire property consisting of 40, 50, 60 and 70 Old Mill Road is 1.893 hectares in size with a total number of 307 residential units.
- With the addition of 154 residential units at 70 Old Mill Road, the updated total of residential units across the site is 461 giving a density of 264 units per site hectare.

Consider options to increase the mix of unit sizes/types:

- Currently, the proposed unit mix is approximately 70% one-bedroom and 30% two-bedrooms.
- The request for the applicant to further consider increasing the percentage of two and possibly three-bedroom units has been raised by Council and Staff, and will be further discussed with the owner of the lands during the future site plan application.
- Encourage the owner to unbundle the residential parking spaces from the sale of the units. Unbundling the parking from the purchase of a condo unit can reduce the cost of a unit and allow a future resident of this building the flexibility in choosing to not own a vehicle. Providing this opportunity to allow residents to opt out of a parking space leaves additional spaces for those interested in purchasing/renting additional spaces.

In reviewing the transportation study, consider the future development potential of the adjacent Metrolinx parking lot, as well as better understand future growth rates and how that could affect the road network:

- The applicant has provided a Transportation Impact Study that is being updated to respond to Staff and public comments regarding future growth rates and the planned road network improvements. It is not anticipated that there will be any significant impacts on the road system resulting from the proposed development. A Holding Provision is included in the by-law to allow for that study to be submitted and reviewed by Staff.
- The adjacent Metrolinx vacant lot has the potential to be developed as a 2<sup>nd</sup> GO parking garage or as a future residential or mixed use development. Regardless of the type of development, future improvements to the Old Mill Road ingress/egress will likely be required to ensure the safe utilization or closure of the access point. Staff are aware of the concern and will require the appropriate studies to assess the development impact when a pre-consultation meeting is scheduled.

Can the site accommodate an underground parking garage of six levels:

- A geo-technical study has been prepared to support the development and evaluated the viability of the proposed depth of the underground garage. The study will be submitted as part of a future site plan application.

What are the options for reducing the number of cars parked at the termination of Old Mill Road and the entrance to the GO parking garage:

- Staff have been made aware that this is an on-going concern of the existing residents of Old Mill Road. The applicant has asked a surveyor to prepare a sketch showing a reconfiguration of the existing treatment that would discourage the use of the turnaround as a waiting area for drivers wishing to avoid the GO Kiss & Ride.
- Through the future site plan application staff will work with the applicant to resolve this matter.

## **CONSIDERATIONS:**

### **(A) PUBLIC**

A Public Meeting was held on February 15, 2022. Written correspondence received since the public meeting is included as Appendix 'C'. Notice of the May 2, 2022 Planning and Development Council meeting has been provided to those who participated in the process.

### **(B) FINANCIAL**

Development charges and parkland dedication are applicable to this development, net of any demolition credits, and will be payable at building permit stage.

### **(C) IMPACT ON OTHER DEPARTMENTS & USERS**

The applications were circulated to internal and external departments and agencies for comment.

The application will be considered under Bill 108, which provides for a 120-day timeline before an appeal can be filed for lack of decision. The application was deemed complete on November 1, 2021. The statutory timeframe for processing this application expired on March 1, 2022.

### **(D) CORPORATE STRATEGIC GOALS**

This report addresses the corporate strategic goal(s) to:  
The proposed development generally complies with the Town's sustainability objectives of the *Livable Oakville* Plan.

### **(E) CLIMATE CHANGE/ACTION**

The proposed development generally complies with the Town's sustainability objectives of the *Livable Oakville* Plan. The proposal has 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. A

detailed description of the merits of the development with respect to the Climate Change Emergency starts on page 21.

**CONCLUSION:**

Staff recommend approval of the Official Plan Amendment and Zoning by-law Amendment which will permit the development of a twelve storey residential building, with a maximum of 154 residential units and an underground parking garage at 70 Old Mill Road.

The proposed development conforms to the applicable policy framework of the *Livable Oakville* Plan and is considered an appropriate level of intensification for this site as it is within a Provincial Growth Centre and Regional Transit Node, as well as abuts the Oakville GO Station. The site will be well-served by the existing transit system infrastructure and planned transportation network. The proposed Official Plan amendment and implementing zoning promote the Town's growth management and transit supportive development policies.

The Urban Design requirements (Appendix 'B') will ensure that the proposed building will maintain a distinctive and enhanced architectural design and that the design criteria and standards of the Livable By Design Manual are implemented through the site plan application.

Staff are 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 is consistent with the Town's approved Urban Structure and the principles and overall policy direction of the *Livable Oakville* Plan. Staff recommend that OPA No. 43 be adopted and By-law 2022-047 be passed as the following requirements have been satisfied:

- A full circulation has been undertaken and there are no outstanding planning issues to be resolved.
- The proposal implements the vision, development objectives, community design strategy and land use strategy of the *Livable Oakville* Plan.
- Comments from Council have been appropriately addressed.

By-laws 2022-046 and 2022-047 are attached as Appendix "D" and "E".

**APPENDICES:**

Appendix “A” – PPS (2020), Growth Plan and *Livable Oakville* policy excerpts

Appendix “B” – Urban Design Requirements

Appendix “C” – Public Comments

Appendix “D” – By-law 2022-046

Appendix “E” – By-law 2022-047

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