



OAKVILLE

REPORT

Planning and Development Council

Meeting Date: June 27, 2022

FROM: Planning Services Department

DATE: June 14, 2022

SUBJECT: Public Meeting and Recommendation Report, Oakville Green Development Inc., Zoning By-law Amendment, Part of Lot 25, Concession 1, NDS, File No. Z.1325.08 – By-law 2022-071

LOCATION: Northeast corner of Dundas Street West and Third Line

WARD: Ward 7

Page 1

RECOMMENDATION:

1. That the public meeting and recommendation report prepared by the Planning Services Department dated June 14, 2022, be received.
2. That comments from the public with respect to the proposed Zoning By-law Amendment submitted by Oakville Green Development Inc. (File No.: Z.1325.08), be received.
3. That the Zoning By-law Amendment application submitted by Oakville Green Development Inc. (File No. Z.1325.08), 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 West 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 June 14, 2022.
4. That By-law 2022-071, an amendment to Zoning By-law 2009-189, be passed.
5. That notice of Council's decision reflect that Council has fully considered all the written and oral submissions relating to this matter and that those comments have been appropriately addressed.

KEY FACTS:

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

-
- **Location:** The subject lands consist of a smaller part of a larger land holding located north of Dundas Street West, east of Third Line and the Oakville-Trafalgar Memorial Hospital. The subject lands are ±5.231 ha (12.93 acres) in size and include a ±0.55 ha part of the Glen Oak Stormwater Management Pond. The subject lands have approximately ±280 m of frontage on Third Line and ±140 m along William Halton Parkway. The site is currently vacant, aside from the existing Glen Oak Stormwater Management Pond.
 - **Policy Context:** The subject lands are designated 'Employment District' on Figure NOW2 of the North Oakville West Secondary Plan, located within the Health Oriented Mixed Use Node, and are identified on Schedule A1 – Urban Structure as being within a "Node and Corridor for Further Study". The node was studied through the 'Hospital District Study', and on June 7, 2021, Council approved Official Plan Amendment 35 ("OPA 35") which adopted policies for the 'Hospital District'. While OPA 35 is not in full force and effect, the subject lands would be located within 'Block 5', and be designated 'Urban Core' which would permit a retirement home up to a maximum building height of 15 storeys. The Council adopted policies would require submission of a block plan, to amongst other matters, demonstrate how a minimum ratio of 55% jobs will be achieved.
 - **Zoning:** The subject lands are zoned H37/H38-LE sp:57 (Light Employment) which permit a mix of primarily employment uses, and a retirement home without dwelling units, up to 9,300 m² (100,000 ft²) in size and up to 15 storeys in height.
 - **Proposal:** The subject Zoning By-law amendment application seeks to increase the maximum total leasable floor area of the retirement home component from up to 9,300 m² (100,000 ft²) to up to 23,226 m² (250,000 ft²).
 - **Nature of Application:** No change to the overall density, building height or zone standards are proposed. The scope of this application is limited to the proposed increase in size of the retirement home. The Zoning By-law would continue to require the retirement home to provide a higher spectrum of care, and the increase in size would generally be in keeping with the size of recent retirement homes approved and constructed in the Town context.
 - **Public Consultation:** The applicant held a public information meeting on March 17, 2022, and it was attended by no residents. Presentation slides and an affidavit to the same effect is appended to this report as "Appendix 'A'". Notice of the public meeting has been provided to property owners within 240m of the subject lands in accordance with the town's current notice

requirements. As of the date of this report, no public comments have been received.

- **Timing:** This application was submitted on April 1, 2022 and deemed complete on April 25, 2022. The *Planning Act* provides for a 90 day timeline to make a decision on this application (July 24, 2022) failing which the applicant could file an appeal for non-decision.

BACKGROUND:

The North Oakville West Secondary Plan (“**NOWSP**”) was adopted by Council on May 25, 2009 and in recognition and in support of the new hospital, provides for a Health Oriented Mixed Use Node (“**HOMUN**”) at Third Line and Dundas Street West. On May 11, 2015, Council endorsed the principles set out in staff report regarding the development of the HOMUN that are to guide the review and evaluation of applications to implement a HOMUN, as contemplated in the *NOWSP*:

That Council endorses the principles set out in the report, that guide the review and evaluation of applications to implement a Health Oriented Mixed Use Node as contemplated in the North Oakville West Secondary Plan;

On September 18, 2015 an Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision application was submitted in support of a proposed Health Science & Technology District on the full extent of the Oakville Green Development Inc. (“**Oakville Green**”) lands.¹ The development applications, at that time, included a residential component within the HOMUN. A Regional Official Plan Amendment application was also submitted concurrently in support of the proposal.

In order to implement Council endorsed principles, a series of more detailed metrics were developed, which were endorsed by Council on July 25, 2016, and addressed the composition of employment land uses, density and approach to parkland.

On November 26, 2018, in part due to amendments to the Growth Plan which prohibit ‘residential uses’ within employment areas, the development applications for the Oakville Green land holdings were withdrawn.

On December 3, 2018, Oakville Green submitted Zoning By-law amendment and Draft Plan of Subdivision applications which were scoped to exclude all residential uses. The effect of the proposed Zoning By-law amendment, as revised, was to permit phase 1 of a health science and technology district, of up to 92,903 m² (1,000,000 ft²), and comprised of the following components:

¹ Generally bound by Third Line, William Halton Parkway Dundas Street and the natural heritage to the east.

- 100,000 sq. ft. of Seniors Living;
- 220,000 sq. ft. of Medical Centre;
- 150,000 sq. ft. of Hotel and Conference Centre; and
- 530,000 sq. ft. of Employment Use.

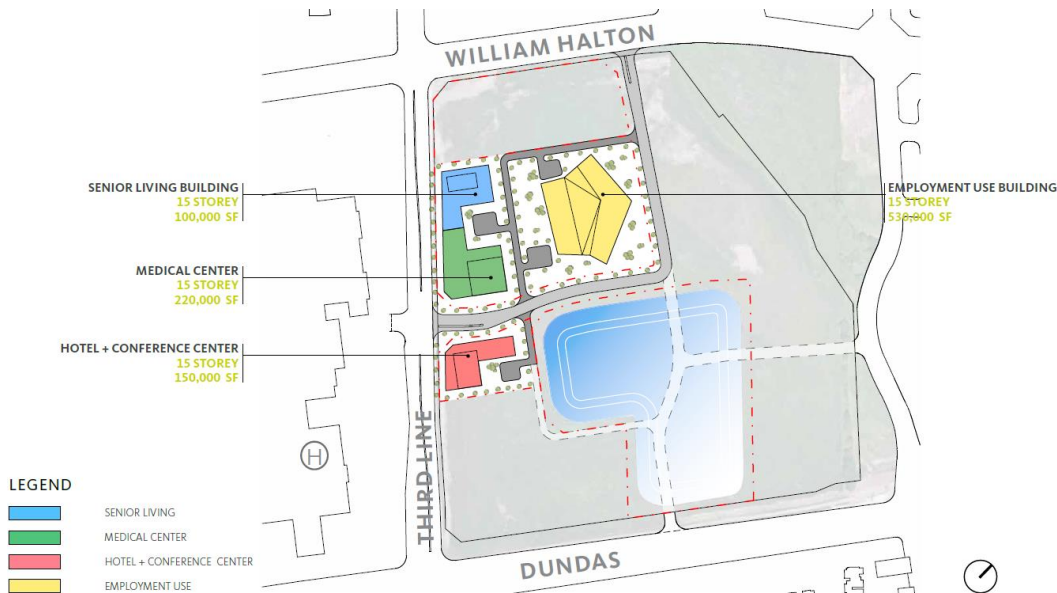


Figure 1: Phase 1, Approved by Council on June 10, 2019

The Draft Plan of Subdivision, as revised, was 5.54 ha (13.6 acres) in size and proposed to divide the land into three blocks, reshape the Glen Oak Stormwater Management Pond, and provide one new public road extending from the Hospital entrance along Third Line through the subject lands to the planned extension of William Halton Parkway. One internal roadway within the proposed block was proposed as a private woonerf style roadway. The reshaping of the pond required a land swap with the town to be coordinated with the registration of the plan of subdivision.

As part of the review of the foregoing applications, an Update Report was considered by Council on April 15th, 2019 (appended to this report as “**Appendix ‘B’**”). The Update Report provided a status update of staff’s review of the applications, and identified concerns related to the capacity of transportation infrastructure and phasing development to coordinate with the provision of infrastructure, financial impact of the proposed development on the town, and health and safety concerns of nearby AM radio tower facilities raised through public consultation. Council subsequently adopted the following resolution:

1. *That Council endorse the direction contained in the report from the Planning Services department dated April 5th, 2019 entitled Update Report, Oakville*

Green Development Inc., Part of Lot 25, Concession 1, NDS, File No. Z.1325.07, 24T-18006/1325.

2. *That consideration of the application be deferred pending completion of:*
 - a. *a town-initiated peer review of the information submitted by Whiteoaks Communications Group Limited, including the identification of related matters to be addressed in planning for the surrounding area;*
 - b. *sensitivity analysis, to be requested of the applicant, regarding employment projections and limited interim transit capacity; and,*
 - c. *scoped financial impact analysis, to be requested of the applicant, to address transit capital and operating needs as well as employment density concerns identifying the financial impact on the town and mitigation measures.*

3. *That up to \$75,000 plus HST be approved, funded 90% from development charges and 10% from capital reserve, to retain a qualified expert to review information submitted by Whiteoaks Communications Group Limited and identify related matters that are necessary to be addressed in planning for the surrounding area.*

In a staff report dated June 5th, 2019, (appended to this report as “**Appendix ‘C’**”), staff reported back to Council through a recommendation report by completing the review of the foregoing applications. This included a detailed analysis, and findings of a peer review of AM radio health and safety matters raised through public consultation, transportation considerations including a sensitivity analysis of the capacity of the existing road network and access to the Oakville Trafalgar Memorial Hospital (without easterly extension of William Halton Parkway), and stormwater management considerations.

On June 10, 2019, Council approved both the Zoning By-law amendment and Draft Plan of Subdivision applications which permitted up to 92,903 m² (1,000,000 ft²) of floor area, subject to two holding provisions which coordinate the development with the provision of new infrastructure by, amongst other matters, limiting the amount of vehicle trips until William Halton Parkway is constructed.

Staff’s analysis in this report builds off the previous work undertaken which addressed the broader land use, transportation and mobility, functional servicing, stormwater management, environmental (site contamination), archaeological, health and safety (AM Radio Towers), urban design, parking considerations and financial impact matters outlined in the April, 2019 Update Report and June, 2019 Recommendation Report.

The purpose of this report is to introduce the current Zoning By-law amendment application, in conjunction with the statutory public meeting and provide a staff recommendation for consideration by Planning and Development Council.

Proposal

This Zoning By-law amendment application seeks to increase the maximum total leasable floor area of the retirement home component from 9,300 m² (100,000 ft²) to up to 23,226 m² (250,000 ft²) (the “**Proposal**”). The concept plan illustrates the retirement home as comprised of two 15 storey towers with a shared podium which contains medical office uses. While not explicitly shown on the concept plan, limited ancillary ground floor retail is also permitted within the podium. The size of the medical office component would vary, however the concept plan notes ‘up to 100,000 ft² (9,300 m²)’.



Figure 2: Comparison of Original Phase 1 (left) and Updated Area Design and Building Layout Plan (right)

The overall massing and built form is fundamentally the same as approved through the 2019 approval. The proposed towers continue to be 15 storeys in height, and would be stepped back from the podium. However, the building design has been revised to provide a podium stepback from Third Line which is intended to provide space for an outdoor amenity space.

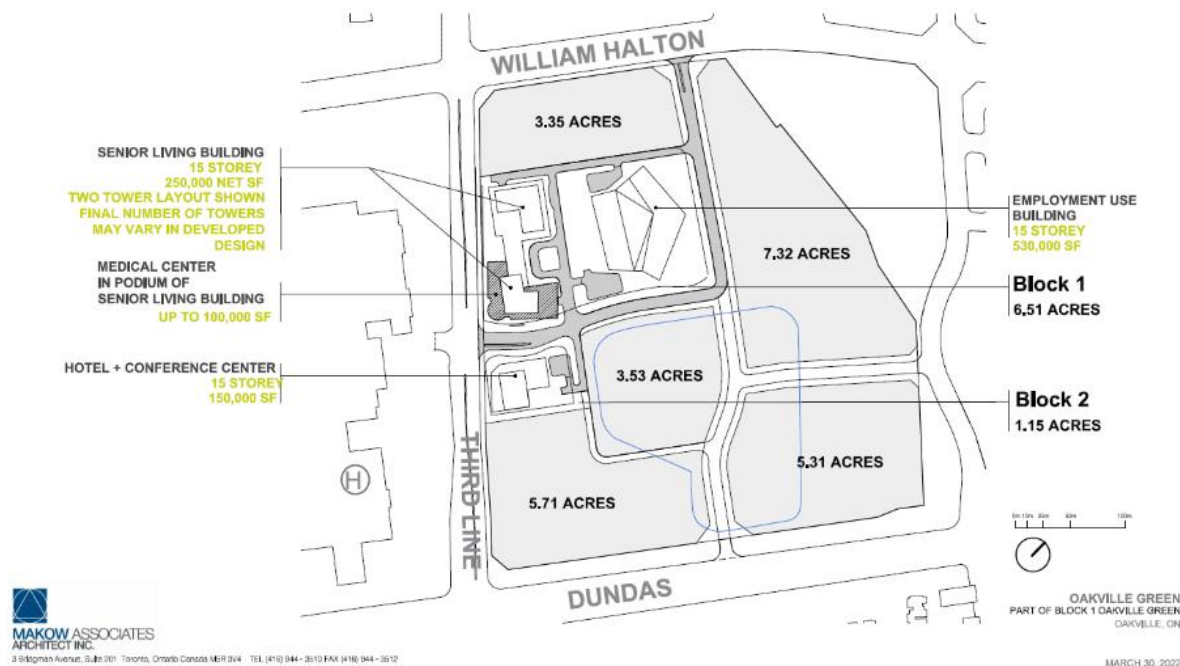


Figure 3: Proposed Area Design and Building Layout Plan for 'Block 5'

No change to the overall density, building height or zone standards are proposed.

Location & Site Description

The subject lands consist of part of a larger land holding located north of Dundas Street West, east of Third Line immediately east of the Oakville-Trafalgar Memorial Hospital (the “**Subject Property**”). The Subject Property is ±5.231 ha (±12.93 acres) in size and has ±280 m of frontage on Third Line and ±140 m along the William Halton Parkway ROW (not built yet).

As outlined in the background section of this report, the site area includes a ±0.55 ha part of the Glen Oak Stormwater Management Pond, which is currently owned by the Town but is planned to be transferred to the Applicant as part of a land swap approved by Council through draft plan of subdivision 24T-18006/1325. The land swap will facilitate alignment of the new public road which will align with the hospital entrance opposite Third Line and form a crescent to the future William Halton Parkway.

The Subject Property is currently vacant, aside from the previously mentioned ±0.55 ha portion of the Glen Oak Stormwater Management Pond.



Figure 4: Air Photo

Surrounding Land Uses

The surrounding land uses are as follows:

- North: William Halton Parkway right-of-way, greenfield designated employment land.
- East: Greenfield designated employment land / natural heritage system then greenfield designated residential land.
- South: Dundas Street West then existing commercial / residential
- West: Third Line then Oakville Trafalgar Memorial Hospital

PLANNING POLICY & ANALYSIS:

The Subject 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 West Secondary Plan
- OPA 35 (Council-adopted Hospital District policies – emerging policy)
- Zoning By-law 2009-189

Provincial Policy Statement

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 ‘housing for older persons’ to sustain healthy, liveable and safe communities.

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 Property is located within an ‘employment area’², until such time as OPA 35 in force. In staff’s opinion, the proposed increase to the size of the proposed retirement home, would continue to provide opportunity for an appropriate mix and range of compact employment uses that would efficiently use municipal infrastructure, contribute to economic development and competitiveness, and be transit-supportive.

The proposed Zoning By-law amendment would continue to prohibit dwelling units. Accordingly, any occupancy within the proposed retirement home would be in the form of assisted living units which would be accompanied by a high level of skilled care, supervision, personal care and support. This land use is defined as ‘special needs’ housing within the context of the PPS, and may be permitted as an institutional land use. The proposed increase to the size of the proposed retirement home has no impact on staff’s previous analysis undertaken as part of the approval

² **Employment area:** means those areas designated in an official plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities. (PPS)

of Phase 1 which concluded the application demonstrates that sensitive land uses would be appropriately separated from other planned employment uses to prevent adverse impact on viability of the larger employment area.

There are no significant built heritage resources or significant cultural heritage landscapes located on or adjacent to the Subject Property and the review of the application has fully addressed other policy requirements such as stormwater management, functional servicing, environmental suitability of lands, archaeological potential, transportation, natural hazards and natural heritage.

On this basis, the Proposal is consistent with the PPS. Excerpts of relevant PPS policies are attached as “**Appendix ‘D’**”.

Growth Plan

The Growth Plan for the Greater Golden Horseshoe (2019) (“**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 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 Growth Plan acknowledges the significance of high quality compact urban form, an attractive and vibrant public realm and access to public open spaces through site design and urban design standards.

The Subject Property is located in a settlement area, within a “Designated Greenfield Area” and along the Dundas Street transit corridor. Within the context of the Growth Plan, the Subject Property is also located within a ‘strategic growth area’.³ Pursuant to Policy 2.2.1 2) c) growth is to be focused in delineated built up areas, strategic growth areas, locations with existing or planned transit, with a priority on higher order transit where it exists or is planned, and areas with existing or planned public service facilities are areas where growth is to be focused. Policy 2.2.1 4) of the Growth Plan provides that applying the policies of the Plan is to support the achievement of complete communities that:

³ **Strategic Growth:** Areas Within settlement areas, nodes, corridors, and other areas that have been identified by municipalities or the Province to be the focus for accommodating intensification and higher-density mixed uses in a more compact built form. Strategic growth areas include urban growth centres, major transit station areas, and other major opportunities that may include infill, redevelopment, brownfield sites, the expansion or conversion of existing buildings, or greyfields. Lands along major roads, arterials, or other areas with existing or planned frequent transit service or higher order transit corridors may also be identified as strategic growth areas. (Growth Plan, 2019)

- a) feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;*
- b) improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes;*
- c) provide a diverse range and mix of housing options, including second units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes;*

Lands adjacent to or near to existing and planned frequent transit should be planned to be transit-supportive and supportive of active transportation and a range and mix of uses and activities (Policy 2.2.4 10)).

The Subject Property is located within an 'employment area'⁴, until such time as OPA 35 in force. Policy 2.2.5 (7) a) provides policy direction regarding planning for employment areas by: prohibiting residential uses and prohibiting or limiting other sensitive land uses that are not ancillary to the primary employment use; prohibiting major retail uses or establishing a size or scale threshold for any major retail uses that are permitted and prohibiting any major retail uses that would exceed that threshold; and providing an appropriate interface between employment areas and adjacent non-employment areas to maintain land use compatibility.

In staff's opinion, the Subject Property is located within a strategic growth area, and considering the proposed increase in size of the retirement home, would continue to support the employment function of the HOMUN in a compact urban form with limited surface parking, that would efficiently use municipal infrastructure, would contribute to economic development and competitiveness, be transit-supportive and contribute to achieving complete community objectives.

The site-specific zoning would continue to prohibit dwelling units and the assisted dwelling units would be accompanied by a high level of skilled care, supervision, personal care and support. The size of the retirement home would also continue to be limited. Both the Applicant's concept plan for phase 1, and in force zoning, provide for up 1,000,000 ft² of floor area for phase 1. Accordingly, the retirement home would comprise of ± one quarter of the proposed / maximum permitted floor area of phase 1, thereby maintaining the original intent of encouraging a mix of primary employment uses.

There are no significant built heritage resources or significant cultural heritage landscapes located on or adjacent to the subject lands and the review of the application has fully addressed other policy requirements such as stormwater

⁴ **Employment Area:** Areas designated in an official plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities. (Growth Plan)

management, functional servicing, environmental suitability of lands, archaeological potential, transportation, natural hazards and natural heritage. The foregoing matters were reviewed, and will be advanced further, through registration of the plan of subdivision and the required site plan control application.

On this basis, the Proposal is consistent with the Growth Plan. Excerpts of relevant Growth Plan policies are attached as “**Appendix ‘D’**”.

Halton Region Official Plan

Regional Official Plan Amendment 48 (“**ROPA 48**”) was approved by the Ministry of Municipal Affairs and Housing, with modifications, on November 11, 2021 and implements components of the Regional Urban Structure to establish a hierarchy of strategic growth areas in the Regional Official Plan. It is the first amendment to be adopted by Regional Council as part of the Regional Official Plan Review.

The Subject Property is designated “Urban Area” and are located with a Primary Regional Node. 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.

It is the policy of Halton Region to direct development with higher densities and mixed uses to Regional Nodes in accordance with a hierarchy of Strategic Growth Areas, and based on the level of existing and planned transit service. The Subject Property is located adjacent to a planned higher-order transit corridor on Map 1h - Regional Urban Structure.

Staff reviewed the Proposal in the context of the approval of ROPA 48, and are of the opinion that the proposal to increase the size of the retirement home is in conformity with the Halton Region Official Plan.

North Oakville West Secondary Plan

OP Objectives

The development objectives outlined in Section 8.2.3 of the NOWSP are to guide the future urban development of the Plan and are appended to this report as “**Appendix ‘D’**”.

Urban Structure

Official Plan Amendment (‘OPA’) 318 (NOWSP), confirms the Town’s existing urban structure in terms of nodes and corridors, where higher intensity forms of mixed use

growth are to be accommodated. OPA 318 was approved by Halton Region on April 26, 2018 and is in full force and effect.

The Subject Property is identified on Schedule A1 – Urban Structure as being within a “Node and Corridor for Further Study” and fronts onto Dundas Street West, which is identified as a Regional Transit Priority Corridor. Nodes and Corridors are key areas of the Town identified as the focus for mixed use development and intensification. Regional Transit Priority Corridors provide a town-wide network that connects transit systems throughout the Region as well as to local destinations. Land uses adjacent to Regional Transit Priority Corridors provide a key focus for transit-supportive development, which is considered to be compact, mixed use development with higher levels of densities to support frequent transit service.

Land Use Policies

The Subject Property is designated ‘Employment District’ on Figure NOW2 and is located within the HOMUN.⁵

Pursuant to Section 8.6.5.2 of the Plan, a range of employment uses are permitted within the Employment District designation including institutional uses such as places of worship and vocational schools, and additional uses specific to the HOMUN including a hospital, research and development facilities, medical and other offices, laboratories, clinics, supportive housing, long term care facilities, and rehabilitation facilities. Certain employment land uses such as general industrial operations, transportation terminals, outside storage and operations incidental to industrial operations, waste processing and waste transfer stations including noxious uses, are restricted within and abutting the HOMUN.

Section 8.6.5.3 of the NOWSP provides that limited retail and service commercial uses permitted in Section 8.6.5.2 shall be clustered at the intersections with Arterials and Avenues.

Section 8.6.5.4 a) of the NOWSP provides that:

It is not intended that the full range of employment uses will be permitted in all locations designated “Employment District”. The precise range of uses and density of development shall be stipulated in the zoning by-law. In particular, the lands in the Employment Area designation abutting the HOMUN will be subject to a site specific zoning regulations including the use of a holding zone, and any proposed use will be carefully evaluated to ensure that it does not adversely impact on the uses in the Health Oriented Mixed Use Node.

⁵ See Recommendation Report in “Appendix ‘C’” for more detailed analysis on the boundary of the health oriented mixed use node.

The LE sp: 57 zone, approved by Council in June, 2019 permitted a mix of employment land uses such as medical office, general office and research and development which are permitted within the HOMUN. The ancillary retail was limited to 10% of the floor area of the building and intended to be supportive of the overall area (not a commercial node). Dwelling units were prohibited in the nursing / retirement home, and the permitted assisted living units were intended to provide a higher level of skilled care, supervision, personal care and support.

The LE sp: 57 zone limited the maximum leasable floor area of a hotel to 14,000 m² (150,700 ft²) and nursing / retirement home to 9,300 m² (100,100 ft²). The intent of limiting the maximum leasable floor area of the hotel, nursing home, and retirement home (secondary employment) was to encourage the development of primary employment uses such as research and development and medical offices which are supportive of the employment function of the node. Both of the foregoing maximum floor areas were based on the floor area of each respective land use proposed by the Applicant, at that time.

In staff's opinion, the Proposal conforms to the NOWSP, and Livable Oakville (urban structure). The retirement home land use (with dwelling units prohibited) together with the proposed building height of 15 storeys (Section 8.6.5.4 d)) are permitted. The proposed increase to the size of the retirement home would be within the range of the size of retirement homes⁶ constructed within the context of the Town. It would maintain the originally intended focus on a higher spectrum of care and maintain the limit on floor area to encourage the development of a mix of employment uses. This would be supportive of the overall goals and objectives of the HOMUN.

Together, the proposed land use, building height and massing, site layout and building design conform to the NOWSP, and Livable Oakville (urban structure) in achieving broader policy objectives of development of the HOMUN, optimizing use of infrastructure and public service facilities, an efficient development of a compact built form within a node, and transit-supportive development.

Hospital District (OPA 35)

The North Oakville Secondary Plans Review ("**NOSPR**") was initiated in May 2017 and is a component of the town's ongoing Official Plan Review. The purpose of the NOSPR is to review the North Oakville Plans as required by the *Planning Act* in conjunction with the Official Plan Review of Livable Oakville. It is a major component of the NOSPR to bring the North Oakville Plans into the Livable Oakville Plan so that the town has one official plan.

⁶ As an example, the six storey retirement home being constructed west of the Hospital at 3000 Hospital Gate is 21,319 sq.m. (229,473 sq.ft.) (gross) in size.

As part of the Official Plan Review, and to implement the town's urban structure, the town completed the Hospital District Study. This is a land use study of the lands north of Dundas Street at Third Line that considered the existing framework of policies within the North Oakville West Secondary Plan, as well as regulations, guidelines and other emerging policy directions. On June 7, 2021, OPA 35 was approved by Council which implemented the findings of the Hospital District Study. OPA 35 is currently being reviewed by the approval authority (Halton Region), and is not in full force and effect, but illustrates the emerging policy intent for this area.

It is intended that the Hospital District develop as an employment focused, compact, mixed-use, transit supportive urban community that provides for institutional, office, retail and service commercial uses in combination with high density residential uses in a predominantly mid-rise built form. There is an overall objective of a target proportion of 60% jobs to 40% residents for the whole District, to support the employment focus.



Figure 5: Hospital District Demonstration Plan with Approximate Boundary of 'Phase 1' and 'Block 5'

In order to realize this employment focus, six development blocks were identified.

Pursuant to Section 26.3 of OPA 35, the following development concept is provided for the Subject Property:

The lands east of Third Line and south of William Halton Parkway will have a focus on health science innovation and technology with a diverse range of employment opportunities, including offices, technology incubators, pharmaceutical and biotechnology, post-secondary educational facilities,

hotels and entertainment facilities, in addition to complementary residential uses.

The Subject Property is located within 'Block 5' and designated 'Urban Core'. A retirement home is a permitted land use and a maximum building height, of 15 storeys is permitted.

Section 26.7.3 of OPA 35 (Block Plans) requires that as part of any development application in the Hospital District, a block plan shall be submitted for the entirety of the development block in which the subject lands are located, which shall:

- i. provide a comprehensive development scheme for the entirety of the block in which the subject lands are located, as identified in Figure 26.3.1;*
- ii. demonstrate how the development achieves a minimum of 55% jobs;*
- iii. demonstrate compliance with section 6.1.2 and the Livable by Design Manual; and,*
- iv. be prepared in accordance with a terms of reference approved by the town.*

The comprehensive development scheme submitted by the Applicant for Block 5, is provided in Figure 3. It provides for the overall road layout, parcel fabric, and context for the Proposal.

As part of the Hospital District Study (Appendix J), population and employment densities were calculated based on ratios from the Halton Region Development Charge Study. On this basis, a 250,000 sq.ft. retirement home would generate approximately 410 jobs. Since the balance of land uses permitted in the phase 1 of Block 5 are largely employment-oriented, and the balance of Block 5 is vacant without Zoning By-law permissions in place, staff are of the opinion that the Applicant has demonstrated that phase 1 is on track to provide more than the minimum 55% jobs.

The precise number of units in the proposed retirement home is not available, nor size of units (e.g. one or two bedroom), or exact range of use (e.g. outpatient care component for adjacent Hospital). Consistent with Statistics Canada methodology for counting population, any permanent residents in the proposed retirement home and / or long-term care home is expected to be calculated as population for the purpose of calculating the employment to resident ratio within the Hospital District.

As part of subsequent development phases, and future Zoning By-law amendment application(s), the actual resident and employee count of phase 1, including the retirement home, will be required to be provided as part of a complete application. Accordingly, it is anticipated that the resident and employee count will 'ground-truth' the number of employees, residents, and be used to implement the minimum employment target of 55% jobs for Block 5.

In staff's opinion, the Proposal has regard to OPA 35, as adopted by Council, and is in keeping with the development concept for the lands east of Third Line and south of William Halton Parkway. The retirement home land use together with the proposed building height of 15 storeys (Section 26.5.1b)) are already permitted. Pursuant to Section 26.4.3 the Applicant is encouraged to incorporate the necessary infrastructure and design elements for district energy in the future building and engineering design.

It is anticipated that the full implementation of functional policies of OPA 35 including transportation, parking, stormwater management, and urban design will take place as part of the requisite site plan application.

Zoning By-law 2009-189

The Subject Property is zoned H37/H38-LE sp:57 (Light Employment). Special Provision 57 permits retirement and nursing homes. Assisted living units are permitted in both (dwelling units are prohibited). SP 57 includes the following maximum leasable floor area for the following uses:

- i. Hotel: 14,000 m² (150,700 ft²);
- ii. Nursing / Retirement Home: 9,300 m² (100,100 ft²); and,
- iii. Ancillary Uses (e.g. retail, restaurant, café, etc...)⁷: 1,400 m² (15,069 ft²).

Two holding zones (H37/H38) are applicable to the Subject Property, which were enacted to ensure that technical considerations are fully addressed, and to coordinate the size of the overall development with the availability of planned transportation infrastructure:

⁷ Per premises and located on the first storey

H37	Oakville Green Development Inc. (Part of Lot 25, Concession 1, NDS)	Parent Zone: LE
Map 12(3)		(2019-026) (2022-007)
9.3.37.1 Only Permitted Uses Prior to Removal of the "H"		
For such time as the "H" symbol is in place, these lands shall only be used for the following:		
a)	Legal uses, buildings and structures existing on the lot.	
9.3.37.2 Zone Regulations Prior to Removal of the "H"		
For such time as the "H" symbol is in place, the regulations of the FD, Future Development, zone shall apply.		
9.3.37.3 Conditions for Removal of the "H"		
The "H" symbol shall, upon application by the landowner, be removed by Town Council passing a By-law under Section 36 of the <u>Planning Act</u> . The following condition(s) shall first be completed to the satisfaction of the Town of Oakville:		
a)	That updated Phase I and II Environmental Site Assessments be provided which is compliant with Ontario Regulation 153/04, current within 18 months, and completed by a qualified professional to the satisfaction of Regional Municipality of Halton.	
b)	Confirmation that the proposed development does not negatively impact the flight path of the Oakville Trafalgar Hospital helipad, to the satisfaction of Navigation Canada.	
c)	That an updated Transportation Impact Study be provided for a proposed interim development with a maximum site traffic generation rate of not exceeding 1,000 total peak hour two-way site vehicle trips to the satisfaction of the Regional Municipality of Halton and the Town of Oakville. The site peak hour trips are to be calculated using: <ul style="list-style-type: none"> i. standard ITE trip generation rates, (or in the absence of such standards, comparable industry standards generally applied by or acceptable to the Town of Oakville); and, ii. a total 7% modal split until such time as bus rapid transit is operating along Dundas Street West, and thereafter may utilize a corresponding higher modal split agreed to by the Director of Engineering & Construction. 	

H38	Oakville Green Development Inc. (Part of Lot 25, Concession 1, NDS)	Parent Zone: LE
Map 12(3)		(2019-026)
9.3.38.1 Only Permitted Uses Prior to Removal of the "H"		
Until such time as the "H- 38" Holding Provision is lifted, and subject to the removal of H-37, the lands may be used for any use permitted by the LE, Light Employment, Special Provision 57 zone with a maximum site traffic generation rate of the existing and proposed uses within all lands zoned LE, Light Employment, Special Provision 57 not exceeding 1,000 total peak hour two-way site vehicle trips, as validated within a Transportation Impact Study prepared to the satisfaction of the Regional Municipality of Halton and the Director of Engineering & Construction.		
9.3.38.2 Zone Regulations Prior to Removal of the "H"		
For such time as the "H" symbol is in place, the regulations of the LE, Light Employment, Special Provision 57 zone shall apply.		
9.3.38.3 Conditions for Removal of the "H"		
The "H" symbol shall, upon application by the landowner, be removed by Town Council passing a By-law under Section 36 of the <u>Planning Act</u> . The following condition(s) shall first be completed to the satisfaction of the Town of Oakville:		
a)	William Halton Parkway being open to vehicular traffic between Third Line and Neyagawa Boulevard.	

The subject Zoning By-law amendment application seeks to increase the maximum total leasable floor area of the retirement / nursing home component from 9,300 sq² (100,000 ft²) to up to 23,226 sq² (250,000 ft²).

In addition, as requested by Halton Region, a holding zone is proposed to be added to the Subject Property, which would apply to only the proposed retirement / nursing home use, and require the allocation matters be addressed as follows:

“That prior to the lifting of the H, the Owner shall have addressed the following requirements for all the units proposed for development to the satisfaction of the Region of Halton. The Region of Halton shall provide written confirmation that these matters have been addressed:

a) The Owner shall secure the appropriate amount of water and wastewater Servicing Allocation under the Region of Halton Allocation Program;

b) The Owner shall have signed the applicable Allocation Agreement or any required Amending Agreements;

c) The Owner shall have made all required payments associated with the Allocation Program; and,

d) The Owner shall be in receipt of the Region of Halton Public Works Commissioner’s Notice (PWCN) letter.”

No other changes to the Zoning By-law are sought.

TECHNICAL & PUBLIC COMMENTS

Transportation Impact Study

As detailed in the June 2019 recommendation report, given the size of the development, existing level of service on area roadways, and that the proposed development would share an intersection with the Oakville Trafalgar Memorial Hospital, a transportation sensitivity analysis was previously undertaken to ensure that the area roadways would continue to operate at adequate levels of service.

Based on an independent analysis, it was found that at full build out of the planned transportation infrastructure, the planned transportation network could support the development, with relatively minor upgrades (signal timing, addition of turning lanes at congested intersections, etc...). However, until William Halton Parkway is completed between Third Line and Neyagawa Boulevard, phase 1 would have one full moves intersection which would be shared with the Oakville Trafalgar Memorial Hospital. In this interim scenario the movement of vehicles attempting to travel eastbound on Dundas Street would cause intersections to fail, and create unacceptable queuing lengths which would negatively impact the western access to the Hospital.

This analysis informed implementation of holding provision 38 which limits development to 1,000 total peak hour two-way site vehicle trips during this interim

period until the transportation infrastructure is built to support it (i.e. construction of William Halton Parkway is completed). No change to the holding provisions (37 & 38) are proposed, and together, they will allow for more detailed study once the design of the larger development is advanced, and will account for level of infrastructure, including transit available at that time.⁸

No change to the foregoing holding provisions are sought. Overall, the proposed retirement home would have a lower trip generation rate than medical office. Accordingly, by increasing the size of the retirement home and reducing the size of the medical office, the forecasted number of vehicular trips is expected to decrease compared to original analysis. As a result, the intersections analyzed would be expected to perform better than originally forecasted.

Urban Design

Overall, the Urban Design Brief was limited by the conceptual nature of the proposed plans. It is noted that the site-specific zoning, provides enhanced regulations to implement urban design objectives, such as limiting surface parking, appropriate building setbacks for an urban development which would provide a strong street edge, limits on the size of floor plates and minimum separation distance between towers which, amongst other matters, would allow for adequate natural lighting within buildings for patrons.

Overall, a high-quality architectural design that reflects the Oakville context which creates an interesting building fabric and a diverse image is envisioned. It is anticipated that the design of the proposed development will be advanced as part of a future site plan application in accordance with the urban design brief, site-specific zoning and Livable by Design Manual. The Applicant has been informed that as part of a future site plan application, a peer review may be required for the architectural design.

Stormwater Management

The development scheme illustrates roads through the Glen Oak Stormwater Management Pond and a reduction in size beyond the land swap approved Council through draft plan of subdivision 24T-18006/1325. This is beyond the scope of the current Zoning By-law amendment application, and would require further study through a plan of subdivision application to determine if it is feasible. Approval of the subject Zoning By-law amendment application would not constitute an endorsement of modifications to the Town's Glen Oak Stormwater Management Plan or stormwater management strategy for the entirety of Block 5.

⁸ This includes a scenario where a lower level of transit service (total of 7% modal split) is provided until the planned Dundas Bus Rapid Transit ("BRT") is constructed and operational.

Servicing

Halton Region advised that their servicing requirements were secured through the processing of the related plan of subdivision application 24T-18006/1325, and are not impacted by this proposed Zoning By-law amendment. Furthermore, Halton Region noted that the proposed retirement/nursing home would be subject to their allocation program.

In consideration of the Region's interest in ensuring that growth occurs on the basis of a sound, integrated and co-ordinated fiscal and infrastructure plan, Halton Region requested that the Town include a new holding provision requiring allocation matters to be addressed for the proposed nursing home / retirement home. The requested holding zone has been included in the draft Zoning By-law amendment.

Detailed site servicing would be reviewed as part of the requisite site plan application.

Navigation Canada

The design of the Oakville-Trafalgar Memorial Hospital includes a helipad located along the Dundas Street West frontage which is regulated by Canadian Aviation Regulations. While staff has confirmed that the subject lands are located outside of the flightpath for the helipad shown on the approved site plan for the Hospital, confirmation from Navigation Canada is required as part Holding Zone 37 that the proposed development does not negatively impact the flight path of the Hospital's helipad. It is anticipated that this clearance will take place concurrent with a future site plan application.

Public Comments

The applicant held a Public Information Meeting on March 17, 2022, and it was attended by no residents. Notice of complete application, and of this public meeting were provided to property owners within 240m of the Subject Property, and no public comments were received as of the date of this report.

As outlined in the background section of this staff report, the Subject Property was subject to Zoning By-law Amendment and Draft Plan of Subdivision applications in 2019, where public comments were received, and addressed as part of the Recommendation Report appended as "**Appendix 'C'**".

CONCLUSION

A full circulation and assessment of the application was undertaken to ensure that all technical and financial matters have been satisfactorily addressed. Staff has

concluded that the proposed zoning by-law amendment conforms to the NOWSP, has regard to OPA 35, does not conflict with all applicable Provincial plans and conforms to the Region of Halton Official Plan. Further, the proposed development represents good planning and approval is in the public interest. More specifically, staff recommends approval of the proposed Zoning By-law amendment, as the following requirements have been satisfied:

- The proposed development would be supportive of the overall goals and objectives of the health oriented mixed use node, and the proposed sensitive land uses would be appropriately separated from other planned employment uses to prevent adverse impact / impact on viability of larger employment area.
- The proposed development has regard for emerging policies which Council approved through OPA 35 for the 'Hospital District'.
- The proposed development is located within a strategic growth area, would be transit-supportive, and supportive of the town's urban structure.
- The proposed development would assist in achieving healthy, liveable and safe communities objectives of the PPS and is consistent with the policies of the PPS.
- The proposed development would provide an important contribution to achieving broader complete community objectives and would conform to the policies of the Growth Plan.
- Site design matters will continue to be advanced through the required site plan approval application.
- Comments from the public, have been appropriately addressed.
- A full circulation has been undertaken and there are no outstanding financial or planning issues to be resolved;

IMPLEMENTATION

Should this Zoning By-law amendment be approved by Council, further planning approvals will be required to implement the development.

First, in order to subdivide and service the Subject Property, the Owner will be required to satisfy the draft plan conditions approved by Council in 2019 (file 24T-18006/1325). This will allow for the public road (Street A) to be built, land parcel(s) to be created, municipal services to extended, and the Glen Oak Stormwater Management Pond to be modified / reconstructed, as originally approved.

Secondly, it will be necessary for the Applicant to advance the detailed design of the proposed development. Doing so would facilitate submission of a site plan application where the building and site design will be further advanced. It is anticipated that the criteria related to remove holding provision 37 will be reviewed

concurrently with the site plan application, upon submission of a holding zone removal application. Once William Halton Parkway is extended to Neyagawa, holding provision 38 could be removed which would allow for the full extent of 'phase 1' to be developed.

CONSIDERATIONS:

(A) PUBLIC

The applicant held a Public Information Meeting on March 17, 2022, and it was attended by no residents. Presentation slides and an affidavit to the same effect is appended to this report as "**Appendix 'A'**"

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

As of the date of this report, no public comments have been received.

(B) FINANCIAL

None.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

The application was circulated to internal and external departments and agencies for review and their comments have been included in this report or reflected in the zoning by-law amendment.

(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 proposal generally complies with the sustainability goals and objectives of the NOWSP.

APPENDICES:

Appendix "A" - Public Information Meeting Minutes

Appendix "B" – Update Report Dated April 4th, 2019

Appendix "C" – Recommendation Report Dated June 5th, 2019

Appendix "D" - Applicable Policies

Appendix "E" – By-law 2022-071

SUBJECT: Public Meeting and Recommendation Report, Oakville Green Development Inc., Zoning By-law Amendment, Part of Lot 25, Concession 1, NDS, File No. Z.1325.08 – By-law 2022-071

Page 24 of 24

Prepared by:
Paul Barrette, MCIP, RPP
Senior Planner, Current Planning

Recommended by:
Charles McConnell, MCIP, RPP
Manager, Current Planning - West

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