



OAKVILLE

REPORT

Planning and Development Council

Meeting Date: June 27, 2022

FROM: Planning Services Department

DATE: June 14, 2022

SUBJECT: Recommendation Report, SmartCentres (on behalf of SmartREIT (Oakville II) Inc./SmartREIT (Oakville) Inc.), Official Plan Amendment and Zoning By-law Amendment, Z.1413.34 and OPA 1413.34 – By-laws 2022-063 and 2022-064

LOCATION: 256, 260 and 294 Hays Boulevard, 271 Oak Park Boulevard

WARD: Ward 5

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RECOMMENDATION:

1. That the proposed Official Plan Amendment and Zoning By-law Amendment applications submitted by SmartCentres (on behalf of SmartREIT (Oakville II) Inc./SmartREIT (Oakville) Inc.), (File Nos. Z. 1413.34, OPA1413.34), 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 June 14, 2022.
2. That By-law 2022-063, a by-law to adopt an amendment to the Livable Oakville Plan, be passed.
3. That By-law 2022-064, 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 'C' to this report from the Planning Services Department dated June 14, 2022.
7. That the Chief Administrative Officer and Town Clerk be authorized to enter into a Section 37 Agreement with the applicant/owner, permitting an agreed upon exchange of height/density for appropriate community benefit in accordance with the adopted "Bonusing Under Section 37 of the *Planning Act* Procedure" and applicable town Official Plan Policies, that will be registered on title of the subject lands, to the satisfaction of the Town Solicitor.

KEY FACTS:

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

- SmartCentres, the owners of the subject lands, submitted an Official Plan Amendment and Zoning By-law Amendment application to facilitate a mixed use development proposal consisting of two towers, 26 and 31 storeys, with 587 residential units, at-grade commercial space, one level of underground parking and three levels of above ground structured parking.
- The subject lands are located within the Uptown Core Growth Area at the northwest corner of Trafalgar Road and Oak Park Boulevard. This area is planned to accommodate intensification and high density growth.
- The Livable Oakville Plan height permissions for this site have a maximum height of six storeys on the southern portion of the site and twelve storeys for the northern portion. The applications exceed the heights permitted within the Main Street 2 and Urban Core land use designations as well as the Mixed Use 4 zone and therefore require amendments to the Official Plan and the Zoning By-law to permit the development of the eastern portion of a larger development block. In accordance with the Livable Oakville Plan, the subject lands are eligible for bonusing to allow for increases of up to four storeys beyond the maximum permitted (ten and sixteen storeys currently permitted through bonusing).
- A Section 37 Agreement is required between the Owner of the lands and the Town of Oakville to permit an agreed upon increase in height for a community benefit. The applicant has applied to increase the number of storeys permitted through bonusing from four storeys for each tower to 20 storeys on the southern tower and 19 on the northern tower.
- 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 April 30, 2021. The statutory timeframe for processing this application expired on October 30, 2021.
- 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 achieving complete communities.

BACKGROUND:

The Uptown Core has a planned development history that dates back to the mid-1980s. In 1987 Official Plan Amendment 14 provided direction for three development areas within the Uptown Business Core. The objectives for this new area included the Uptown Business Core being a commercial, cultural, institutional and recreation heart of the Town of Oakville, north of the QEW, providing locations for high and medium density residential development. A staged growth and development vision focused around the creation of a strong coherent urban plan integrating pedestrian connections, consistent streetscaping and a year round, day and night, active Town centre.

Below is the last ortho photo taken of the Uptown Core prior to the construction of the Walmart and Superstore.



Figure 1: Uptown Core Ortho Photo with planned road pattern overlaid

In 1995 *The Uptown Core – Urban Design Study* was completed adhering to the design philosophy and guidelines set out in OPA 14. The study refined the development block pattern and street network, distribution of land uses, and the provision of parking. The new land use structure identified a Business District, Central Retail Area, and locations for medium and high density residential development (see Figure 2). Heights and intensity of future development were

adjusted to acknowledge transition and permissions for growth. This study incorporated an expanded open space system.

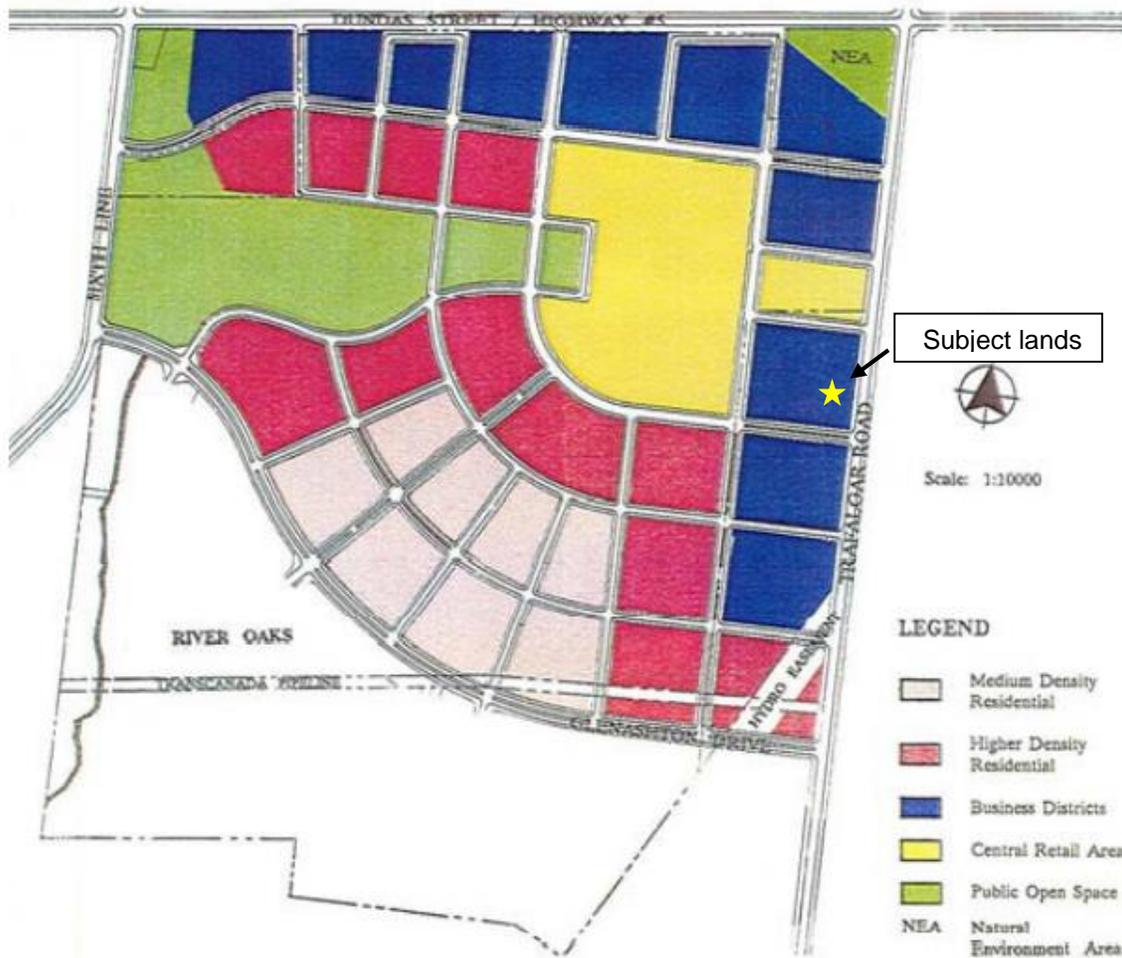


Figure 2: 1995 Proposed Concept Plan: Streets, Blocks and Land Uses

In the late 1990s, several more studies were completed to support the vision of a mixed use node and ultimate build out of the Uptown Core. These studies included the *Uptown Core Community Streetscape Master Plan* and the *Uptown Core Main Street Buildings Architectural Review*. The latter study strictly dealt with the architectural massing along Uptown's Main Street to demonstrate what the existing policies would physically translate into a built form. Recommendations from this study included reduced building setbacks to the public right-of-way, building massing and the placement of surface parking areas behind buildings that front along Oak Park Boulevard.

Building on OPA 14 in 2005, Section E: Land Use Uptown Core of the Official Plan (Figure 3) provides the development framework as a regional centre with emphasis on commercial development, a civic and public presence and mixed use

development to encourage the integration of various daily activities, thereby reducing the reliance on vehicle trips. High and medium density residential uses were again planned within the Core area versus fronting along Dundas Street and Trafalgar Road. In addition, policies were included which had the effect of eliminating large scale surface parking. The policies also recognized the need to accommodate population targets within Uptown Core to achieve the desired vision.

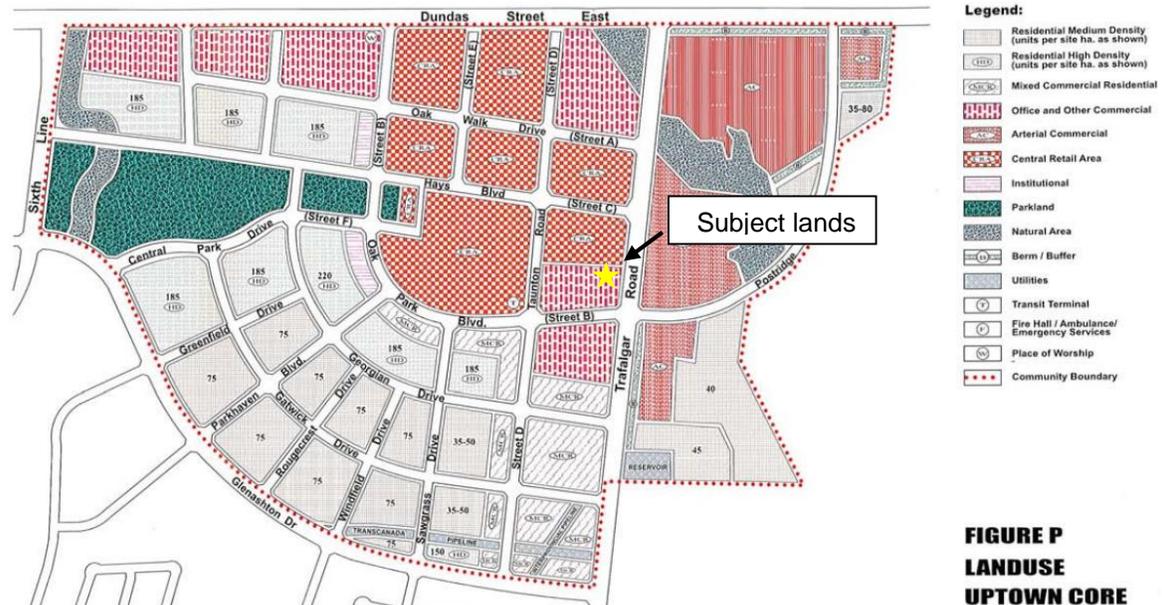


Figure 3: Official Plan, Part E – Community, District and Special Study Area Plans

During 2008 and 2009, the Town was developing the *Livable Oakville Plan* and the concept of identifying Primary and Secondary Growth Areas within the town was introduced. Growth Areas would become locations to direct intensification to, and away from established neighbourhoods. This undertaking resulted in multiple background studies to support the Uptown Core Review, including land use compatibility reviews, transportation assessments, transit strategies, and commercial inventory studies. A notable study that was completed to support the new Official Plan was the Residential Intensification study which looked at keeping intensification out of the Town’s established residential neighbourhoods.

The Uptown Core Review anticipated development potential distributed among four districts, each of which had different expectations for a mix of uses and built form. The four districts for development are shown on Figure 4. Oak Park Boulevard was identified as the Main Street of the Uptown Core which was to function as the primary pedestrian destination place with retail at-grade and access to institutional, public and cultural uses to enhance the community’s ‘sense of place’. The districts were established to recognize appropriate transitions to existing uses within the

districts and adjacent lands to the Uptown Core while maintaining the flexibility to allow for evolving provincial intensification targets and market adjustments.



Figure 4: Uptown Core Review Land Use Districts

The outcomes of the major studies supporting the Livable Oakville Plan recommended the introduction of the Mixed Use Land Use designations within the Uptown Core and the rest of the growth areas. The Mixed Use designations were identified on lands fronting onto and within close proximity to the Uptown Core Transit Terminal, as well as Dundas Street and Trafalgar Road to support transit use along these soon to be designated Higher Order Transit Corridors (see Figure 5).

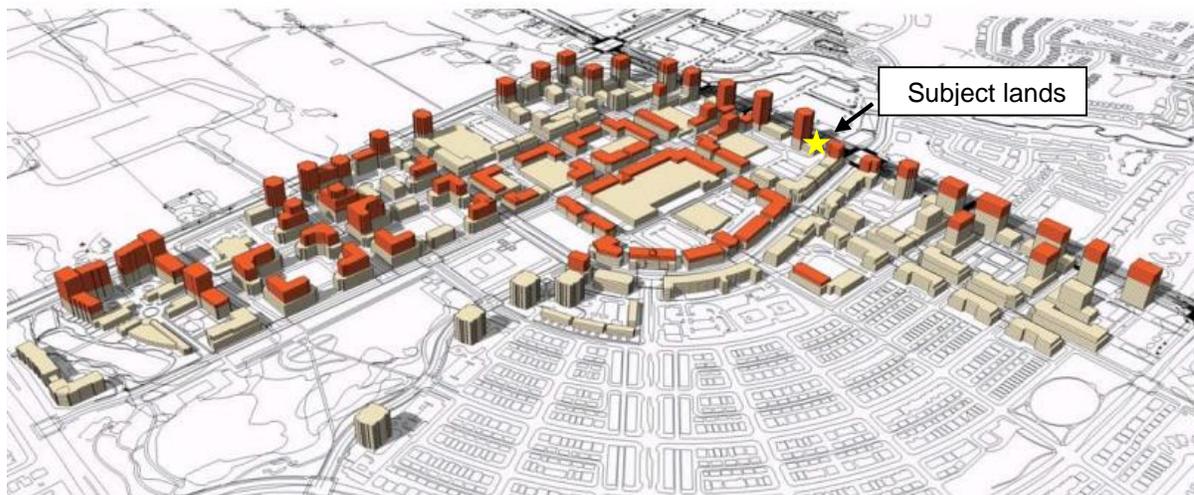


Figure 5: Potential Development Scenario identified in the 2009 Uptown Core Review

An assumption made within the 2009 Uptown Core Review work was that the network of sidewalks and cycling facilities, transit terminal, frequent transit services and future HOV/BRT lanes on Trafalgar Road and Dundas Street East would result in high non-auto mode splits for the Uptown Core. In addition, existing and future congestion levels were thought to encourage changes in behaviour resulting in a greater shift in mode splits, i.e. people leaving their cars at home and walking, cycling or taking transit. The integrated mixed use planning and transportation vision of walkable streets, cycling facilities and increased transit frequencies resulted in recommendations for the inclusion of lower parking ratios and shared parking arrangements within mixed use developments.

The Urban Structure established a position of 'maintaining growth within the urban boundary' in 2017, the Town looked at the best approach for managing development within the town's existing boundaries and Council approved the town's urban structure as shown in Figure 6. The Town's urban structure, most recently updated through Official Plan Amendment 15, provides for nodes and corridors, and identified where higher intensity forms of mixed use growth could occur that would support frequent transit service. Nodes include the Town's strategic growth areas, such as the Uptown Core. Corridors such as Trafalgar Road and Dundas Street are identified as Transit Priority Corridors. These areas will accommodate intensification through development and redevelopment.

At the time of approval, the town-wide urban structure was deemed to be consistent with the Provincial Policy Statement, 2014, to conform to the Regional Official Plan, 2009 and the Growth Plan, 2017.



Figure 6: Urban Structure

Uptown Core Review

As part of the Town’s Official Plan Review, the growth area reviews will examine the policies introduced through Livable Oakville that guide development related decisions. The Uptown Core 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. Work on this study was paused during the Covid-19 pandemic to focus on other priority projects within the Town and is anticipated to continue in the fall of 2022.

The Uptown Core will continue to function as a strategic growth area for mixed use development and intensification as directed by the approved urban structure.

Proposal

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

The effect of the proposed Official Plan Amendment No.46 and Zoning By-law 2022-064 is to permit a mixed use development consisting of a podium and two residential towers beyond six and twelve storeys, with at-grade retail/commercial uses oriented towards Oak Park Boulevard. The applicant is proposing a total of 587 residential

units, eight of which are two storey apartment units within the podium facing Trafalgar Road. The development will create 499 residential parking spaces within one level of underground parking and three levels of above grade, structured parking incorporated within the building. In addition, 590 bicycle parking spaces are located in the underground garage and on the first two storeys of the podium.

The property is currently eligible for an increased height of four storeys per tower subject to an exchange of community benefits with the Town. The applicant is proposing to increase the total number of storeys available for bonusing to a maximum of 39 storeys – split between the two tower elements, thereby permitting two towers of 26 and 31 storeys. The floor space index (FSI) for the site has been calculated at 4.7, which is comparable to the low end of the recently proposed Midtown Oakville FSI range of 4.0 to 10.0 north of the rail line.

The proposed height exceeds the height range permissions within the *Livable Oakville Plan* for the Uptown Core growth area. As a result, the applicant has requested an Official Plan Amendment to evaluate the appropriate heights on this site and zoning modifications to allow for the development as proposed.

The subject lands are eligible, under the Bonusing policies of the *Livable Oakville Plan*, for increased height permissions to a maximum of four additional storeys. Under the existing bonusing permissions, the maximum height of the southern tower (Tower A) could be increased to 10 storeys and the northern tower (Tower B) up to 16 storeys. The subject proposal contemplates a maximum of 20 additional storeys for Tower A and 15 additional storeys for Tower B. A Section 37 Agreement with the Town would be required to increase the maximum height of the two towers.

Table 1: Comparison of height permissions in *Livable Oakville* with the proposal

	As-of-right height permissions	With Bonusing as per <i>Livable Oakville</i>	Development Proposal
Tower A	max 6 storeys	max 10 storeys	max 26 storeys
Tower B	max 12 storeys	max 16 storeys	max 31 storeys
Total number of bonused storeys		8 additional storeys	39 additional storeys

The ability to use bonusing provisions as provided in the *Livable Oakville Plan* is subject to Bill 108 *More Homes, More Choice Act*. Bill 108 removes the existing Section 37 density/height bonus provisions in the *Planning Act* and replaces this section with a capped community benefit charge. The transition provisions of Bill 108 permit the town to continue to pass bonusing by-laws until the earlier of the Town enactment of a community benefits by-law, or September 18, 2022.

Site Layout:

There is an existing vehicular driveway from Taunton road which is proposed as the vehicular access to the site and the above grade parking garage. The existing

vehicular driveway from Hays Boulevard that provides access to the existing commercial uses along the northern portion of the site is expected to be a future private road. The applicant proposes to incorporate the use of the future private road into the subject land's site circulation for a drop-off area.



Figure 7: Air Photo

The western portion of the site, bounded by Oak Park Boulevard and Taunton Road, is not part of this application and is identified for future development (Figure 8).

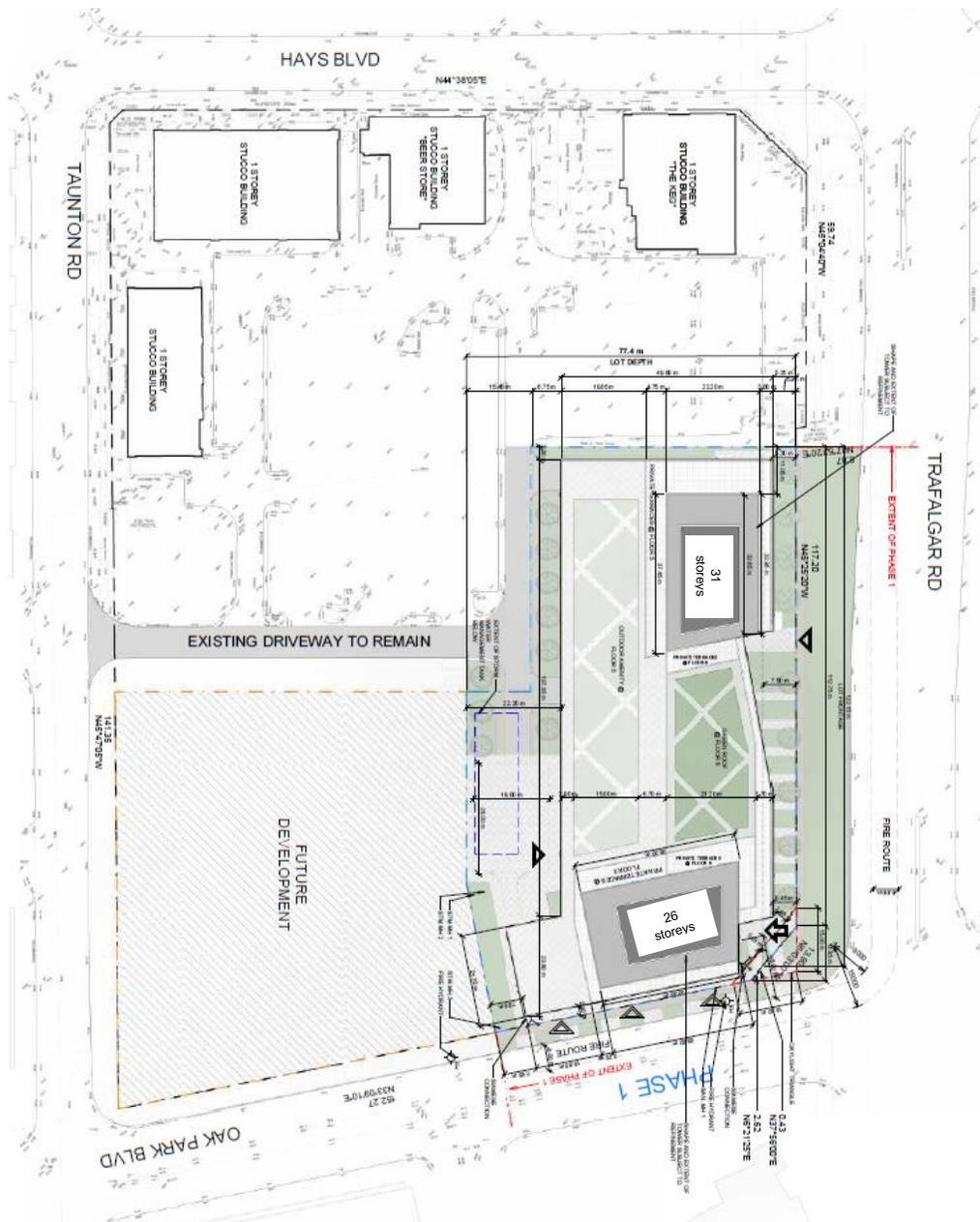


Figure 8: Site context showing entire block and lands for future development

The conceptual site plan, Figure 9, illustrates the siting of the building on the block fronting onto Trafalgar Road and Oak Park Boulevard, as well as the internal road providing access from Taunton Road. In addition, the 842 square metre green roof is visible in the plan view along with the building setbacks from Trafalgar Road and Oak Park Boulevard.

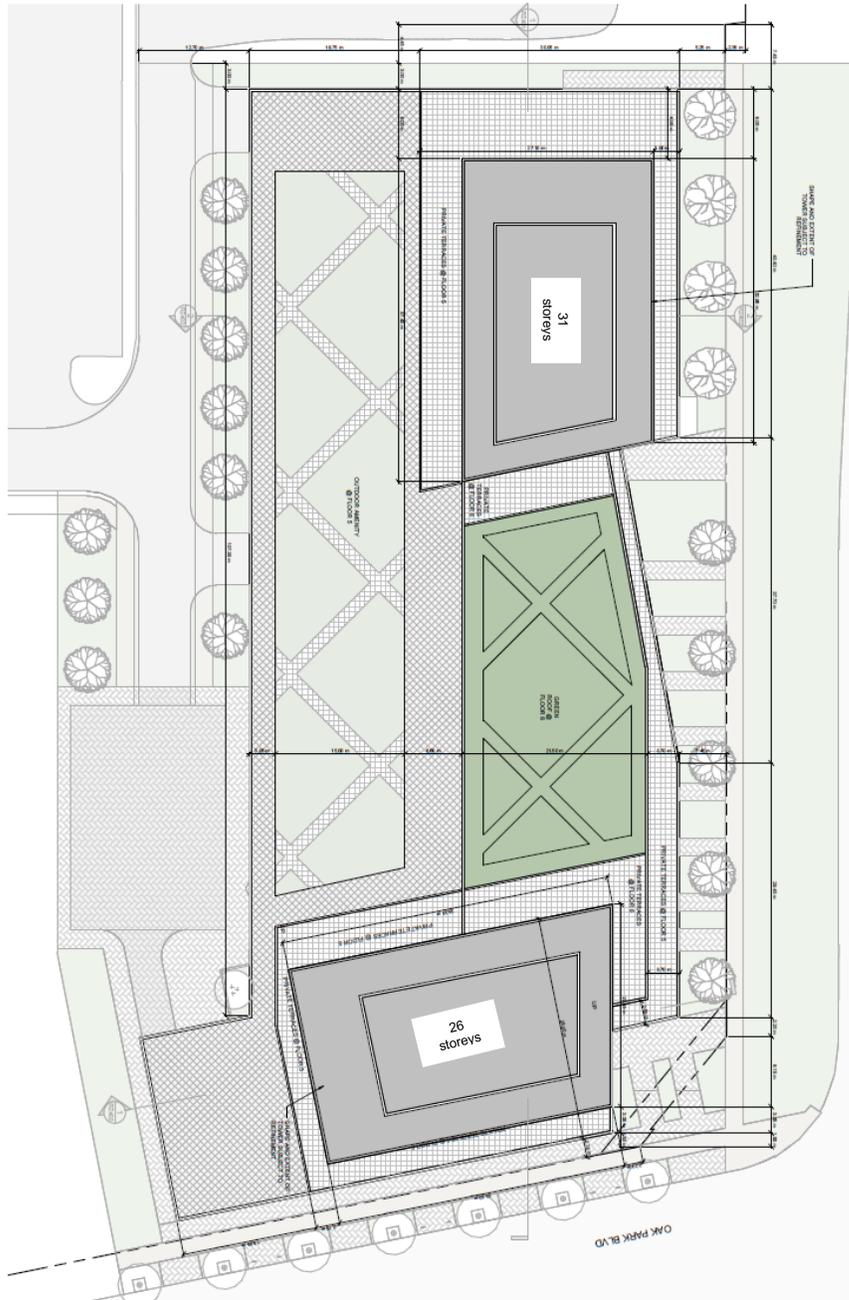


Figure 9: Conceptual Site Plan

Of the 587 total units proposed, 412 units (70%) are 1 bedroom units, 175 units (30%) are 2 bedroom units and there are eight two storey units, marketed as “townhouses” (1.5%). A requirement has been included in the By-law 2022-064 for 30% of the dwelling units to be two bedrooms or greater. Staff will continue to discuss providing larger units for families during the review of the site plan.

The following table summarizes the parking requirements in the parent by-law, what has been proposed by the applicant and the number of parking spaces included in By-law 2022-064. The specific rates applied to this site specific Special Provision are included in the Appendix F: By-law 2022-064.

Table 2: Parking rates

Use	By-law 2014-014	Proposal	By-law 2022-064
Residential Parking	514	501	499
Residential Visitor	117	30	88
Retail Parking	23	0 (proposal uses adjacent commercial site)	23 (shared with visitor)
Total Spaces	657	531	596

The proposed Zoning By-law 2022-064 provides for Holding (“H”) provisions that must be satisfied prior to building permit issuance. The ‘H’ provision would require a record of site condition, to the satisfaction of Halton Region.

Figures 10 and 11 provide street level/pedestrian perspectives of the development from the corner of Trafalgar Road and Oak Park Boulevard as well as from the internal road. These views illustrate the grade related experience from a pedestrian’s perspective. The five storey podium will have active uses at-grade in the form of two-storey apartment units and amenity space which will occupy the ground floor along Trafalgar Road. The podium steps down to 3 storeys at the rear to provide for a large outdoor amenity area. The proposed retail space along Oak Park Boulevard is consistent with the main street vision for this area.

The primary residential lobby entrance is located at the southeast corner of the podium. Two secondary entrances are provided on the east façade of the podium along Trafalgar Road and at the rear of the podium adjacent to the drop-off area. The townhouses will have direct access to Trafalgar Road and internally through the building.



Figure 10: Conceptual perspective from the corner of Trafalgar Road and Oak Park Boulevard. The design will be further reviewed as part of the current site plan application.



Figure 11: Conceptual pedestrian perspective from the corner of Trafalgar and Oak Park Boulevard

Site Plan

Given the complexity of the site, Staff accepted the submission of a site plan application (SP 1413.053/01) in advance of the zoning approvals to ensure the site would be developed appropriately and that the proposed zoning regulations would be appropriate for the proposed development. The site plan was circulated on April 7, 2022.

Final site plan approval will not be granted until the zoning is in place for the development.

Submission materials are available at the following link on the Town's website:
<https://www.oakville.ca/business/da-37956.html>.

Location & Site Description

The subject lands are located at the northwest corner of the Trafalgar Road and Oak Park Boulevard intersection and approximately 400 metres (5 minute walk) to the Uptown Core Transit Terminal.

The subject property is vacant and has a lot area of approximately 0.9 hectares and is bounded on the west by Taunton Road and the Keg Restaurant to the north. The property has 125 metres of frontage on Trafalgar Road, and 70 metres of frontage on Oak Park Boulevard.

Surrounding Land Uses

The surrounding land uses are as follows:

North: The Keg restaurant as well as other 1-storey commercial uses

East: Trafalgar Road, a wide range of 1-storey commercial uses

South: Oak Park Boulevard, Oakville Chrysler car dealership, 12 storey residential building

West: Taunton Road, four storey commercial/office use building

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 (2019);
- Halton Region Official Plan;
- *Livable Oakville* Plan; and,
- Zoning By-law 2014-014

Provincial Policy Statement (2020) – Effective May 1, 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 are 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 is 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 (2019)

The Growth Plan (2019) 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”, 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 in order to make efficient use of land and infrastructure and support transit viability while at the same time consider 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 anticipates that a minimum of 50 percent of all residential development occurring annually is expected to 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’.

Metrolinx Regional Transportation Plan 2041 (2018)

The subject lands front onto Trafalgar Road which is identified in the 2041 RTP as a Bus Rapid Transit/Light Rail Transit (BRT/LRT) route. The 2041 RTP uses the Growth Plan 2017’s planning horizon of 2041 and sets out a series of goals and strategies to complete the delivery of current regional transit projects, integrate transportation and land use and prepare for an uncertain future. One of the priority actions under Strategy 2: Connect More of the Region with Frequent Rapid Transit is to build additional LRT/BRT projects by 2041. Dundas Street East and Trafalgar Road are identified in the RTP as a proposed BRT/LRT, with transit running in an exclusive right-of-way. Several approaches are identified in the RTP for integrating transportation and land use planning for the successful delivery of the Strategy 2 projects, including among others, the planning and design of the community, including development and redevelopment sites to support the greatest possible shift in travel behaviour, as well as embedding travel demand management (TDM) into planning decisions.

Metrolinx’s *Making it Happen* paper states that the implementation of the 2041 RTP is “a shared responsibility that requires the participation of all municipal partners. Making the 2041 RTP a reality will also require the involvement of the private sector, civic organizations, universities and colleges, the traveling public, and many others.”

The Town continues to participate as an active stakeholder in the strategic planning for these facilities and will continue coordinating with Halton Region and Metrolinx towards the successful completion of these facilities for Oakville and GTA residents.

Housing Strategies

On May 16, 2022 a Staff report titled “Housing Information Report and Preliminary Policy Analysis” was presented to the Planning and Development Council. The

report provided an overview of legislation, plans and policies at the federal, provincial, regional and town levels regarding housing. In addition, the report included commentary on emerging trends and themes, and identified issues and matters to be addressed in regard to housing and the Livable Oakville Plan review. The Town must ensure that its Official Plan is consistent with and conform to Provincial and Regional legislation and policies.

Notable legislation and strategies highlighting the “housing crisis” theme include:

- Federal – National Housing Strategy and the Federal Budget
- Province – Housing Services Act, Provincial Policy Statement, Growth Plan for the Greater Golden Horseshoe, More Homes, More Choice: Ontario’s Housing Supply Action Plan, More Homes for Everyone Plan
- Regional – Halton Comprehensive Housing Strategy, State of Housing Report, Regional Official Plan

The Town’s role in providing solutions toward housing and housing affordability rests largely in its ability to enable a diverse housing supply, provide greater housing options within its communities and ensure existing affordable and rental housing stock is protected. By way of Official Plans and Zoning By-laws, the Town can create conditions which promote and accommodate a range of housing options.

Integrated Growth Management Strategy (IGMS)

A key component of Halton Region’s Municipal Comprehensive Review and Official Plan Review program conformity exercise with the Growth Plan is the Integrated Growth Management Strategy that has involved a significant amount of testing of growth concepts of “where and how the Region can grow.” The purpose is to better manage future population and employment growth in Halton Region. A Draft Preferred Growth Concept (PGC) for 2031 to 2051 was presented to the Town’s Planning and Development Council on January 18, 2022.

Regional Council directed Regional Planning Staff to look at a Land Needs Assessment option which would emphasize intensification and limit greenfield expansion. The Town has consistently supported a Growth Concept that minimizes settlement area boundary expansions, directs growth to strategic growth areas, encourages transit-supportive, compact mixed use development, and addresses the climate emergency. The PGC proposes to implement the Regional Urban Structure of strategic growth areas and higher order transit corridors, which is consistent with Oakville’s town-wide urban structure. The Town has not been supportive of proposals to expand growth beyond the current settlement area boundaries and has raised concern with concepts that include such expansions.

To be successful in protecting natural heritage systems, open space and cultural heritage as well as maintaining the character of residential areas, growth must be directed to growth areas, nodes and corridors that incorporates a ‘build up versus

build out' strategy. The Town has encouraged Halton Region to plan for growth that is supported by existing local urban structure, minimizes settlement area boundary expansions onto the agriculture land base, and supports the creation of complete communities in a compact urban form with sustainable transportation choices.

Oakville Urban Mobility and Transportation Strategy

On February 15, 2022, the Urban Mobility and Transportation Strategy was presented to the Planning and Development Council. The Strategy recommended a new lens through which Staff and Council evaluate options and make decisions on the prioritization, design, operation and maintenance of town transportation infrastructure. The report warned of the negative impacts of the Town continuing to develop as an auto-dominated community. A key acknowledgement of the Strategy noted that growth directed to strategic growth areas and higher order transit corridors will:

- Accommodate the demands of the future that come from being part of a growing region;
- Adapt to an evolving transportation landscape, or
- Respond to a changing climate.

Linking transportation and land use planning decisions on where and how to grow is vital to making the Town's urban structure successful.

Halton Region Official Plan

The subject lands are designated "Urban Area" in Halton Region's 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 front onto Trafalgar Road, a Higher Order Transit Corridor (Map 3) which is part of a regionally identified *Intensification Area*. Policy 80 provides that Higher Order Transit Corridors have a 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 mix of uses to Intensification Areas/Higher Order Transit Corridors and to require Local Municipalities to do the same. Figure 12 below is an image taken from the IGMS Regional Urban Structure Discussion Paper, prepared by Halton Region, illustrating the strategy behind planning for intensification and complete communities in growth areas and nodes as well as along designated corridors to support higher order transit.

Linking Transportation & Land Use

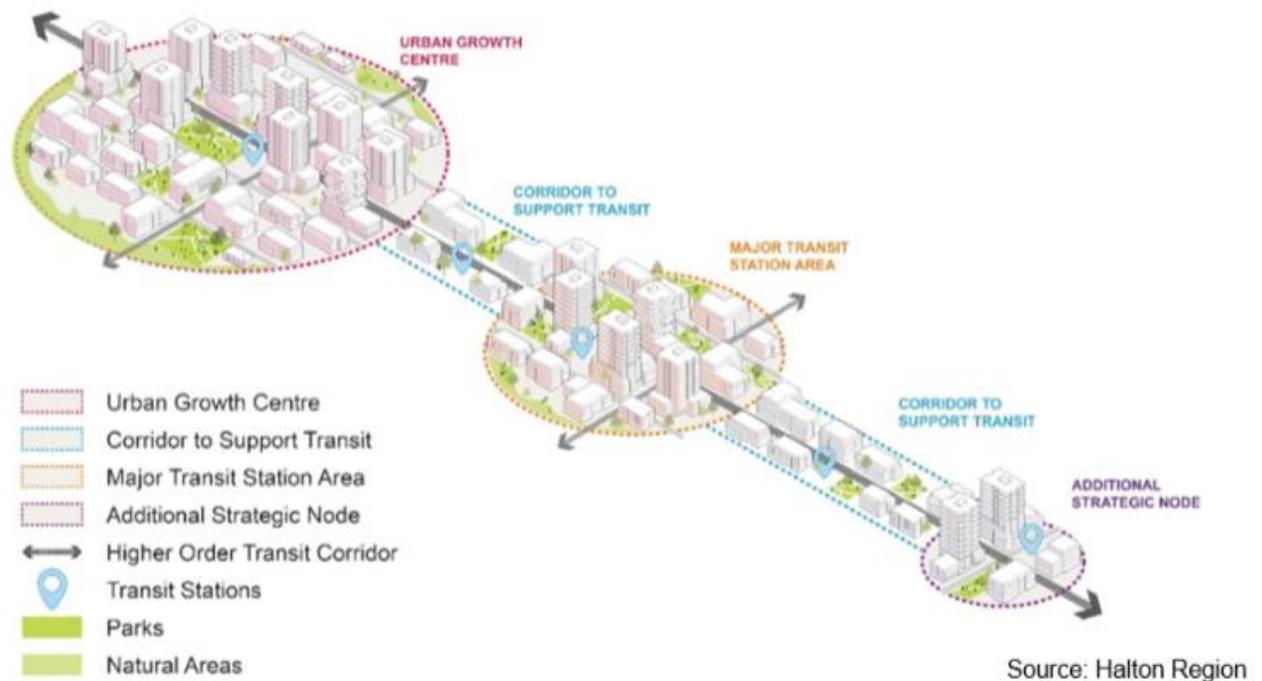


Figure 12: Hierarchy of Strategic Growth Areas

The intent behind a defined Corridor is that all forms of transit (light rail, buses, etc.) will generally operate in a dedicated right-of-way, outside of mixed traffic and therefore can achieve a frequency of service greater than what is feasible when sharing lanes. Halton Region designated Dundas Street East and Trafalgar Road as such corridors with curb lanes that are dedicated for Bus Rapid Transit (BRT) providing a facility with greater services levels that may encourage a transit supportive behavioural shift. Intensification along these corridors is required to ensure success of higher order transit.

On November 20, 2021, the Minister of Municipal Affairs and Housing approved Regional Official Plan Amendment No. 48, which updates the current Regional Structure and identifies a hierarchy of Strategic Growth Areas in the Regional Official Plan to help accommodate population and job growth to 2051, as required by the Provincial Growth Plan.

The Region of Halton have no objections to the approval of these applications subject to the inclusion of a Holding condition requiring a Record of Site Condition.

Livable Oakville Plan

The Livable Oakville Plan was approved by the Ontario Municipal Board on May 10th, 2011. The subject lands are located within an identified 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.

The subject lands are identified on *Schedule A1 – Urban Structure* as being within the Town’s system of Nodes and Corridors and front onto Trafalgar Road, 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. From a land use perspective, lands adjacent to Regional Transit Priority Corridors (within 100 metres) provide a key focus for transit-supportive development, which is considered to be compact, mixed use development with higher levels of employment and residential densities to support frequent transit service.

Official Plan Objectives

The subject lands are located within the Uptown Core growth area. The site is split by the Urban Core designation on the north area of the parcel and the Main Street 2 designation on the southern portion of the site on Schedule M1: Uptown Core Land Use Plan in the Livable Oakville Plan, shown in Figure 13. Policies within Part C of the Livable Oakville Plan state that the Mixed Use designations are to be:

“primarily focused within the Growth Areas and in specified locations reflective of an area’s planned function. The six Growth Areas provide for a concentration of mixed use, higher density development: Midtown Oakville (urban growth centre), Uptown Core, Palermo Village, Downtown Oakville, Bronte Village and Kerr Village.”

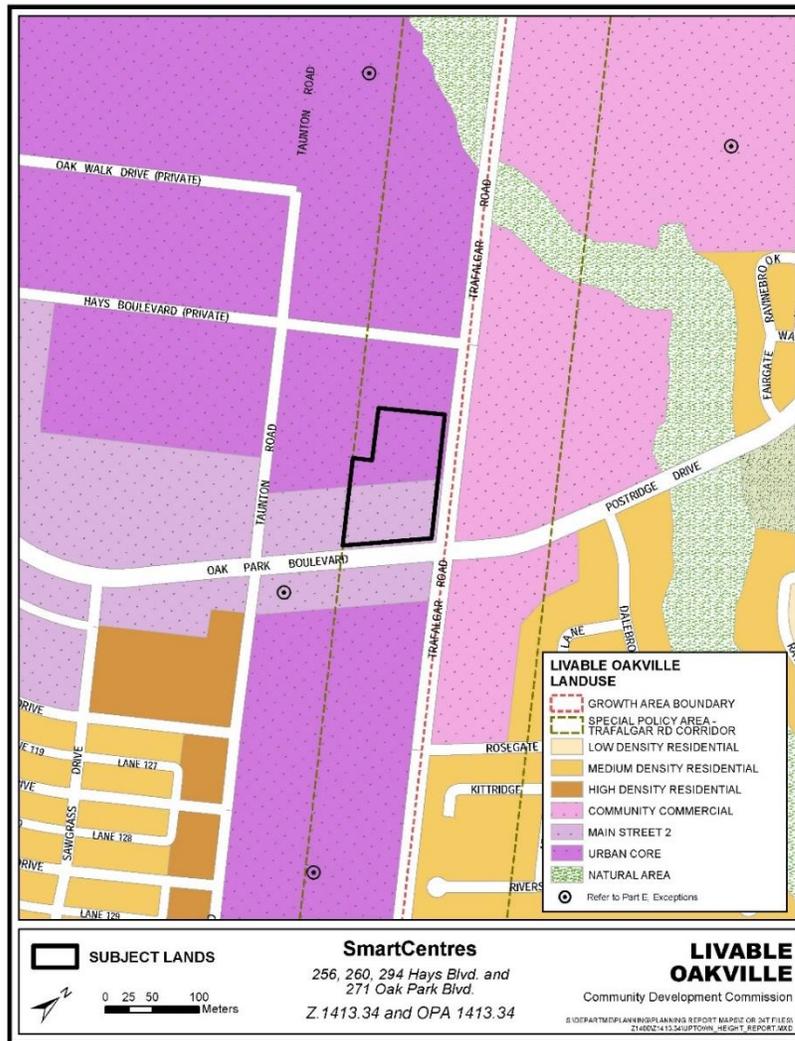


Figure 13: Official Plan Land Use Excerpt

Schedule M2: Uptown Core Building Heights identifies building heights for Main Street 2 as four to six storeys and Urban Core as twelve to sixteen storeys for the subject lands, with potential bonusing opportunities.

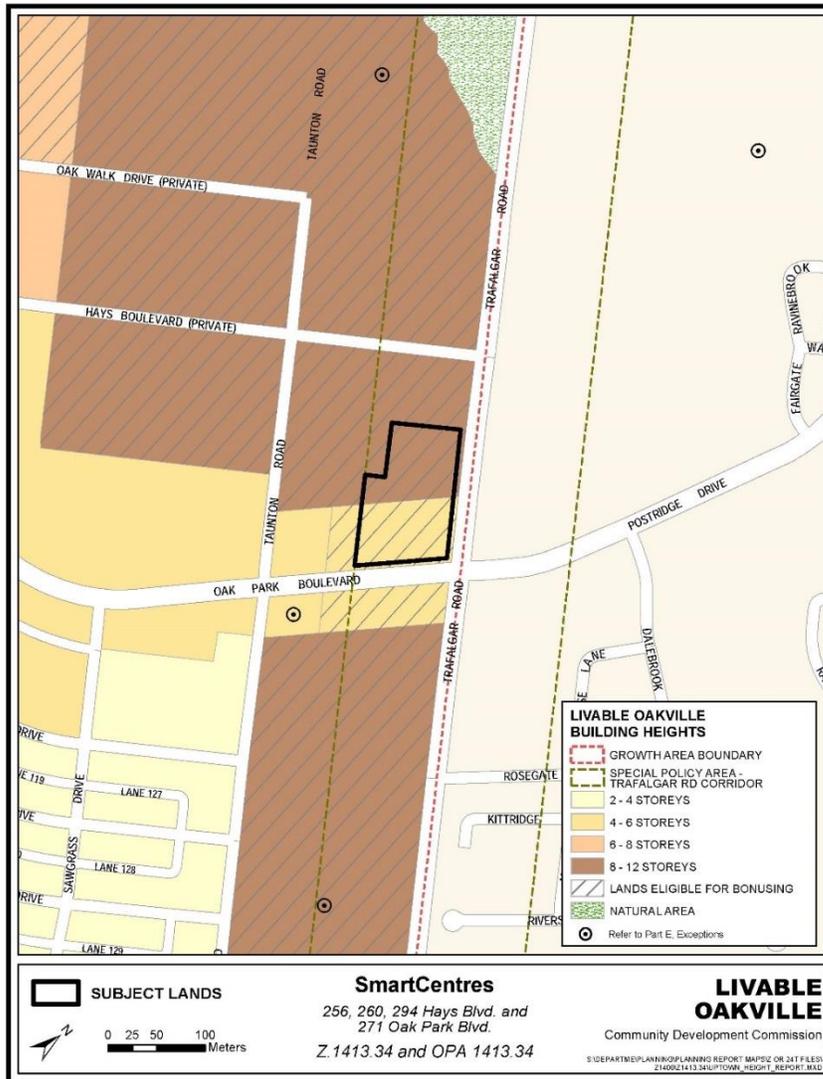


Figure 14: Official Plan Building Heights Excerpt

Section 21 of the Livable Oakville Plan states that the Uptown Core will function as an urban community with an emphasis on mixed use development that supports pedestrian-oriented and transit-supportive development and redevelopment. The policies and objectives for the Uptown Core include promoting high density forms of residential and mixed use development by coordinating land use, transportation infrastructure and urban design.

The lands are located within the Main Street District which is intended to develop as the focal point of pedestrian and community activity in the Uptown Core. Trafalgar Road is designated as a Transit Priority Corridor and the Town encourages a high

degree of transit usage that in turn attracts intensification opportunities within the Uptown Core.

Section 21.7.1d) states that the Uptown Core shall evolve and transition in such a way not to preclude or undermine the long-term vision for higher density mixed use development, and to incorporate urban design policy requirements as set out in Part C of Livable Oakville. The Uptown Core Review is underway as part of the overall Livable Oakville Plan review. Current land use policies require updating to incorporate revised growth targets (existing population and employment, and the addition of residential units) to align with the 2020 PPS, 2019 Growth Plan and Halton Region's Integrated Growth Management Strategy.

Community Benefits

The Livable Oakville Plan includes bonusing policies that provide permissions for additional height on eligible lands within the Uptown Core in exchange for community benefits. The policies that establish height limits, Section 28.6 of the Livable Oakville Plan (included in Appendix 'B') set out a number of public benefits that may be acceptable in exchange for bonused development throughout the town. Section 21.7.2 (included in Appendix 'B') describes particular benefits identified as being appropriate within the Uptown Core.

The current policy framework requires that the applicant enter into a Section 37 Agreement with the Town to secure public benefits in exchange for increased height. The total height increase would be 39 storeys across the two towers, and would be subject to a Section 37 agreement.

As part of the Town's approved Bonusing Protocol the applicant will be required to conduct a market appraisal of the project to assist the Town in determining the appropriate bonused "amount" to be paid to the Town. Affordable housing is identified as a public benefit that can be exchanged for additional height and is considered an excellent opportunity within the Uptown Core due to its proximity to services, retail and transit. Other opportunities could include the sale of an agreed upon number of units to Halton Region to support affordable housing needs, investment in transit, and public art.

In lieu of the identified benefits described in Livable Oakville, an alternative is for the Town to accept an exchange of community benefits for additional height in the form of cash. Funds received in exchange for bonused height are required to be held by the Town in a reserve fund and spent only on eligible community benefits in close proximity of the subject site. This approach allows bonusing funds for various sites to be combined and spent in a manner that allows for flexibility in meeting the needs of the area.

The subject lands are in an optimal location when evaluating the opportunities to increase heights and extend bonusing permissions, in exchange for community benefits, beyond what is currently included in the Livable Oakville Plan. The following summarizes a few of the site specific advantages of allowing increased height/density:

- Oakville Transit and GO Transit operate frequent transit service along Trafalgar Road and off transfer options to other routes from the nearby Uptown Core Transit Terminal.
- Metrolinx, in conjunction with Halton Region, is currently preparing an implementation strategy for BRT along Trafalgar Road and Dundas Street.
- Cycling facilities are in place along Trafalgar Road and surrounding areas.
- Access to programmed park space and green space is available within walking distance.
- The pedestrian network in, and around the Uptown Core, is complete and provides safe routes to the commercial and retail businesses in the area.
- Municipal servicing is in place.

Urban Design Requirements

The proposal was reviewed in context of the Livable by Design Urban Design Manual for the Town of Oakville. The Livable by Design Manual provides a comprehensive and detailed design direction for development to ensure designed and built elements are integrated with their surroundings and result in projects that are functional, support community vitality, and improve the overall livability of the area.

The location of the site within the Uptown Core plays an important role in the evaluation of the urban design principles for this site. Fronting onto Oak Park Boulevard, the site is considered the first main street block as you enter the Uptown Core from Trafalgar Road. Taking this into consideration, urban design principles to ensure the intent of the main street vision is met have been included in the Urban Design Appendix 'C'. Relevant urban design policies can be found in Section 21.4.3 – Urban Design

Livable by Design Manual Section 3.1: Tall and mid-rise buildings states, *“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.”

Due to the building's multiple façades being highly visible from the public realm and residential neighbourhoods the Urban Design Requirements are included (see Appendix 'C') to ensure that the building constructed on this site will maintain a distinctive and enhanced architectural design to create a landmark building. It is important that the proposal for the new retail uses along Oak Park Boulevard complement the existing nearby commercial uses and contribute to the intent of the Main Street pedestrian destination goals. Staff are supportive of the massing of the building, floorplate size of each tower, podium height along Trafalgar Road and Oak Park Boulevard, and the podium stepbacks facing the interior of the site. Staff will continue to discuss architectural expectations and the ground floor/grade related uses through the review of the site plan application.

Staff have no objection to the amendments from an urban design perspective, subject to bonusing, and the implementation of the Livable by Design Manual and additional Urban Design Requirements (Appendix 'C'). Although the site plan application is still under review, it is appropriate to include the Urban Design Requirements should the applicant not proceed with the proposal at the current time.

Proposed Official Plan Amendment

Proposed OPA No. 46 will introduce a Site Exception by adding the following Section 21.6.6 to the Livable Oakville Plan:

The lands designated Main Street 2 and Urban Core at the northwest corner of Oak Park Boulevard and Trafalgar Road, known as 2380 and 2400 Trafalgar Road **respectively**, are subject to the following additional policies:

- a) *Development* shall be in the form of a mixed use building composed of a podium and two towers, and subject to the applicable *bonusing* policies of this Plan.
- b) On the lands designated Main Street 2 (2380 Trafalgar Road), a maximum height of 26 storeys is permitted, inclusive of *bonusing*.
- c) On the lands designated Urban Core (2400 Trafalgar Road), a maximum height of 31 storeys is permitted, inclusive of *bonusing*.
- d) The total number of additional storeys permitted through *bonusing* shall must not exceed 39 storeys across the site.
- e) A minimum height variation of five storeys is required between the two towers.

- f) A minimum of 520 square metres of net leasable commercial floor area shall be provided on the ground floor, oriented towards, and accessible from, Oak Park Boulevard.”

Zoning By-law (2014-014)

The subject lands are zoned MU2-178 (Mixed Use Main Street 2), MU4-178 (Mixed Use Urban Core), and MU4-42 shown in Figure 15 below. The Mixed Use zone permits a range of residential and non-residential uses, including apartment dwellings, long term care facilities, restaurants, retail stores and business offices, as well as other uses.

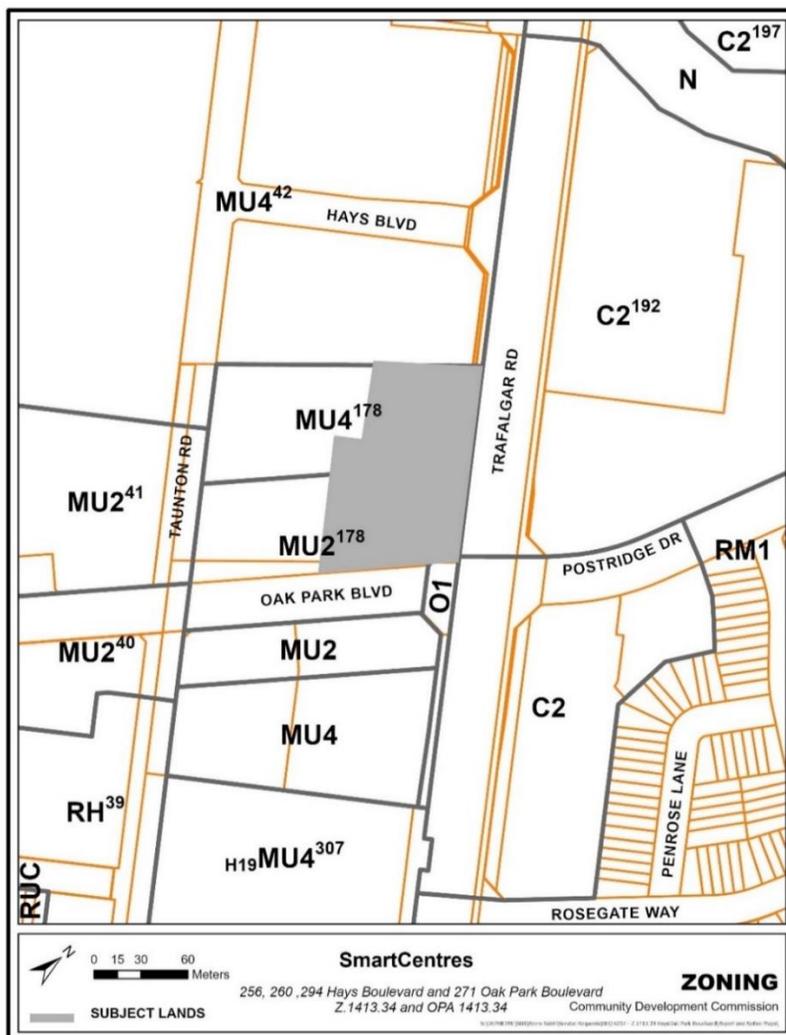


Figure 15: Zoning Excerpt

Proposed Zoning By-law Amendment

The following is an overview of the proposed By-law 2022-064:

- Rezoning the subject lands MU4
- Minimum and maximum yard flexibility
- Maximum height provisions for the towers subject to bonusing
- Maximum height of rooftop mechanical equipment
- Maximum floorplate size for both towers
- Requirement for at-grade retail/commercial uses fronting onto Oak Park Boulevard
- Number of parking spaces for all uses and visitors
- Shared parking permissions
- Requirement for electric vehicle charging stations
- Restricts the locations of air vents and stairs associated with the parking garage
- Minimum requirement for dwelling units with two or more bedrooms

At the request of the Region of Halton the following “H” Provision is included within By-law 2022-064:

Prior to any servicing or grading of the site and to the satisfaction of Halton Region, the Owner submits to Halton Region a Ministry of the Environment, Conservation and Parks (MECP) acknowledged Record of Site Condition (RSC), that is certified by a qualified person as defined in Ontario Regulation 153/04 and indicates that the environmental condition of the site is suitable for its proposed land use. The Owner also submits all supporting environmental documentation such as Phase One and Two Environmental Site Assessment and remediation reports etc. to Halton Region for review.

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-34287.html>):

- Planning Justification Report/ Urban Design Brief
- Transportation Study
- Conceptual Site Plan

-
- Functional Servicing and Stormwater Management Report
 - Phase 1 Environmental Site Assessment
 - Urban Design Brief including a shadow study
 - Building Elevations/Floor Plans
 - Pedestrian and Cyclist Plan
 - Conceptual Landscape Plan
 - Noise and Vibration Study
 - Waste Management Plan
 - Summary of the developer hosted Public Information Meeting

Resolution of Issues Raised at the Public Meeting

The Statutory Public Meeting hosted by Oakville Council was held on September 13, 2021, and five 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:

- Council passed a resolution January 18, 2022 to not sprawl beyond Halton Region's approved built boundaries and support intensification and the provision of a range of housing units, especially along a Higher Order Transit Corridor, through the Integrated Growth Management Strategy process. The subject application is consistent with this position and reduces the need for urban area expansion requests.
- 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 Regional Transit Priority Corridor, supports the objectives of the Town's urban structure, nodes and corridors, and can have a positive impact in reducing the amount of transportation emissions measured in the town.
- Staff will continue discussions with the applicant, through the current 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, extended waiting area on Trafalgar Road, dedicated car and cycling share services on-site, and unbundling parking

opportunities are options to explore during the review of the current 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 Uptown Core growth area is a location that supports intensification (see Appendix 'A' for relevant policies).
- This particular site is a key location for transit supportive density as it is adjacent to a Regional Transit Priority Corridor and within walking distance to the Uptown Core Transit Terminal and numerous commercial and retail uses that will serve the residents daily needs. The proposal is consistent with achieving an urban fabric that provides a mix of residential units and sizes with commercial and retail uses, and the potential for private offices spaces, along a priority transit corridor.
- The proposed development contributes to provincial and municipal complete community objectives through the compact urban form and increased densities and commercial opportunities in the built-up area.
- The addition of housing units supports Metrolinx's planned delivery of the future higher order transit via Bus Rapid Transit along Trafalgar Road and Dundas Street in the future.
- The proposal aligns with the intensification permitted along the Trafalgar Road Corridor. This is considered an appropriate location for this form of development as it will allow for transit-supportive intensification along the Trafalgar Road corridor from Uptown to the Midtown Oakville GO Station. 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.

Justification for the proposed modifications to the existing Official Plan policies at this location set in the Livable Oakville Plan in 2009:

- The development proposal is consistent with, and contributes to the Provincial Policy Statement and Growth Plan for 'better growth' to 2051. Recent provincial legislation and policies that require municipalities to determine "where and how to grow" are directed towards reducing sprawl and encroachments onto agricultural and natural heritage system lands and intensity where possible.
- The mix of uses and densities proposed within this development is consistent with the Livable Oakville Plan's urban structure. The intention behind designating growth areas, nodes and corridors is to absorb a significant amount of growth in the Uptown Core by supporting complete communities, creating choices for housing and jobs, and provides transit supportive development along a Higher Order Transit Corridor.

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- The development supports Metrolinx's Long Range Transportation Plan for 2041 as it provides new housing starts on Trafalgar Road.
 - The subject lands are served by Oakville Transit and GO Transit with frequent service to the Oakville GO Station.
 - Municipal infrastructure (water, sanitary and stormwater) has sufficient capacity to support the proposed development. The widening of Trafalgar Road to support current traffic flow and the future Bus Rapid Transit lanes is completed.
 - The creation of new dwelling units, within a mixed use area served by frequent transit, responds to the identified housing crisis that the province of Ontario is experiencing and the directions coming from the Bill 108, *More Homes More Choices Act*, 2019.
 - The proposal provides a five storey podium with grade-related retail uses that are minimally setback from Oak Park Boulevard creating an animated and active street edge that contributes to the planned Main Street function along Oak Park Boulevard, as well as active uses and amenity space fronting onto Trafalgar Road. The five storey podium provides an active street edge, while the towers are stepped back from the street to maintain the midrise and grade-related character of the area. The width of Trafalgar Road and the suburban setbacks of the residential neighbourhood east of Trafalgar Road allow for an appropriate transition.
 - The retail/commercial uses will introduce new jobs into the area that are easily accessible using existing transit service.
 - The proposed development accommodates a mix of units (one bedroom, one bedroom plus a den, two bedroom plus a den and townhouses) for different household sizes, incomes and ages within walking distance to the existing commercial services and the Uptown Core Transit Terminal.
 - The provision of private office space allows for flexible work from home arrangements for the residents of the buildings.
 - Residents of the proposed development are less likely to be solely dependent on vehicle ownership. The provision of daily services, transit, flexible working spaces and access to nearby park and open space will encourage walking and cycling within the area.
 - Current permissions would allow the applicant to build a six and twelve storey building, however Staff are of the opinion that increased height beyond the Livable Oakville maximum heights has merit and will be considered through the on-going Uptown Core Review to coincide with provincial intensification and housing crisis directives.

Appropriateness of the proposed zoning regulation modifications:

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

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 and address Staff comments.
- An assessment of the proposed density and height was undertaken by Staff and concluded that the built form and density proposed is considered compatible with the surrounding context of commercial uses and surrounding residential areas, and aligns with the policies and growth objectives of the Livable Oakville Plan.
- The applicant has maintained slim tower floorplates that mitigate shadow impacts on the residential neighbourhood to the east of Trafalgar Road. The sun /shadow study demonstrates that the shadowing is minimal and within the Town's guidelines for acceptable impacts on the surrounding residential dwellings and adequate sunlight is provided on the public realm.
- The Oak Park Boulevard/Trafalgar Road and interior yard building façades and treatment of the ground floor enhances the public-private interface and will be further reviewed through the current 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 site plan application.

Assessment of the transportation impacts on the existing road network.

- There are typically 110,000 new residents every year moving to the Greater Toronto and Hamilton Area and it is anticipated to hit a population of over 10 million people by 2041 in the GTHA. The Dundas Street BRT and Trafalgar Road BRT aims to address the growth in communities by supporting the steady paced growth with faster, more reliable public transit and in turn reducing greenhouse gas emissions, improving connectivity and aligning investment to support a shift in travel behaviour.
- The proposal is in alignment with the thinking behind the town's Urban Mobility Strategy (received by Council on February 15, 2022). The Strategy prioritizes linking lands use and transportation decisions to support the Urban Structure by locating future growth in the appropriate areas that support alternative transportation modes.
- The site is served by an extensive road network carrying all modes of transportation and frequent transit service (four Oakville Transit routes and one GO bus route). The lands are within close proximity to bike lanes, sharrows, signed routes and multi-use trails that connect to a wider cycling network.
- It is anticipated that the forecasted trips generated by development (195 in the am peak hour and 225 in the pm peak hour), will have a negligible impact on the Dundas Street and Trafalgar Road intersection.

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- The Transportation Impact Assessment recommends continued monitoring of the study intersections as increased transit service and the future BRT are brought on-line.
 - The new vehicle trips, when added to the existing area traffic, will not require additional infrastructure to support this application and are anticipated to be dealt with through travel demand management strategies and multi-modal improvements.
 - The site's loading area is proposed to be located in the rear courtyard area and not visible from the public realm.

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

- Staff are in agreement with the parking conclusions outlined in the Transportation Impact Analysis that justified a lower parking standard than what is required in the parent by-law for mixed use zones. The findings take into consideration the locational context and proximity to the Uptown Core Transit Terminal, frequent transit service on Trafalgar Road and Dundas Street, commercial and retail uses, pedestrian and cycling infrastructure as well as open space and community uses.
- A Travel Demand Management (TDM) plan is being reviewed under the site plan application to look at opportunities to reduce reliance on owning and/or using a vehicle.
- Spillover parking from the subject lands can be accommodated within the existing surface parking lot at the north end of the block as an interim means of addressing any parking shortages that may occur until such time as transit service is more frequent and changes in behaviour are realized.
- The Owner is contemplating unbundling 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 the flexibility in choosing not to 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.
- The Owner is looking into options for a dedicated car share service to operate within the parking garage, further alleviating the need to own a vehicle. Staff will continue to discuss the details of such an arrangement and potential reduction to parking rates through the review of the site plan application.
- In discussions with active developers along the Trafalgar Road and Dundas Street East corridors, Staff have requested the submission of parking utilization studies that are reporting on current trends in parking rates and uptake of parking spaces per dwelling units. The trends in residential parking space uptake as well as retail/commercial parking spaces point to an overbuild in mixed use development parking.

- Figure 16 identifies the existing transit routes in the surrounding area. It is understood that 2021 service levels were reduced as a direct result of the COVID-19 pandemic, however, Oakville Transit anticipates increasing the existing 15-minute headways on several of the routes that serve the Uptown Core.

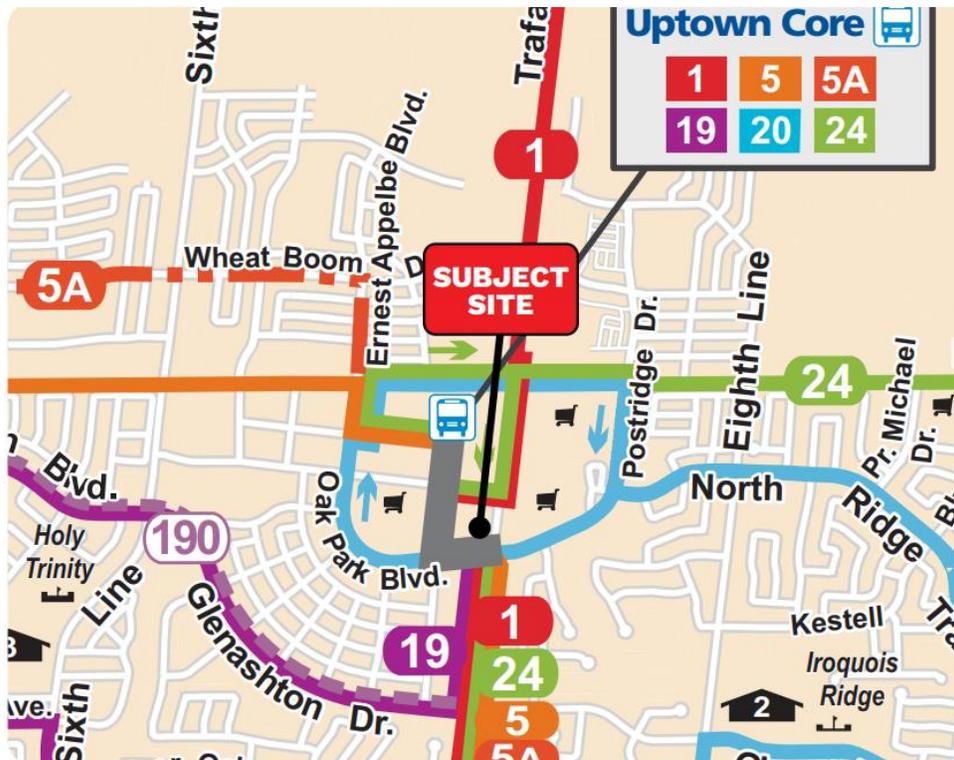


Figure 16: Existing Local Transit Service

Additional issues raised by Council at the September 13, 2021, Statutory Public Meeting:

Review the functional servicing matters (i.e. water, sanitary servicing and stormwater management):

- The Regional servicing evaluation on the demand on water and sanitary sewer infrastructure is based on an estimated commercial and residential population of the proposed development. The Region of Halton has concluded that water and sanitary sewers are sized appropriately to accommodate the development.
- The applicant has proposed a number of stormwater management measures including an underground storage tank, runoff into the Trafalgar Road storm sewer and sustainable stormwater management strategies such as green roofs. These tools are acceptable to the Town and the Region and will be further reviewed through the site plan application.

How will the proposed reduction of parking spaces for commercial zones affect the viability of commercial in the area (existing and proposed):

- The proposed reduction in commercial parking is indicative of the shift in built form that is taking shape in the Uptown Core. The utilization of the large surface parking lots supporting the big box retailers and commercial units are anticipated to experience reduced demand as a greater number of new residents move in to the area that are less dependent on a personal vehicle to run many of their daily errands. When the variety of existing uses and services within walking distance is taken into consideration (grocery stores/large format retail, day-care opportunities at the Oak and Co. site at Dundas Street and Trafalgar (southwest corner), pet care establishments, restaurants, etc.). It is likely that most daily needs can be met on foot or cycling.
- The proposed full build out of Uptown Core is developing towards the full vision of an active mixed use node slowly. The increased number of residents in the area will continue to support the viability of the existing commercial and likely encourage more businesses to look for space in the area. The demand for more commercial space opportunities will likely coincide with less demand for the existing surface parking areas and subsequent redevelopment as travel patterns change.
- The provision of private office space opportunities within the building will allow for flexibility of work from home arrangements and increase the foot and cycle traffic within the area during a typical work day that would have been less common pre-Covid.

Examine the appropriateness of transition of land uses to adjacent properties.

- Trafalgar Road is an arterial road with a right of way between 45 and 50 metres in most cases, providing a significant transition and separation from the surrounding neighbourhoods.
- The tower components of the building are setback from the edge of the podium to reduce the prominence of the built form along the public realm.
- Vehicular access to the site will be provided from Oak Park Boulevard, and through the commercial development at the north end of the block, which will provide access to the underground and structured parking garage. Surface parking may be permitted within the existing surface parking areas. The need for reciprocal agreements to allow for shared parking and access to the surface parking lots will be reviewed with the site plan application.
- Staff are of the opinion that the proposal provides for an appropriate building base height and tower setbacks to create a positive pedestrian experience at the ground level.
- The design intent incorporates active uses and transparent materials at ground level to animate and enhance the shared experience of the public realm that will be further reviewed through the site plan application.

- Vehicular and loading/servicing areas are also proposed away from public streets to minimize their impact on the pedestrian environment and nearby residents.

Review the proposal in terms of being night sky friendly:

- The photometric plan prepared by a professional electrical engineer was included as part of the site plan application. The purpose of this plan is to demonstrate the location of light fixtures and the illumination levels. The Town requires all exterior lighting fixtures are full cut-off in order to direct illumination downward and dark sky compliant to reduce light pollution, sky glare, and light trespass onto neighbouring properties. The plans will need to demonstrate illumination levels of 0.0 lux measured at all property lines and to provide readings that extend 6 m beyond the property lines of the subject site. The plans received to date comply with these requirements but will continue to be reviewed as part of the ongoing site plan process.

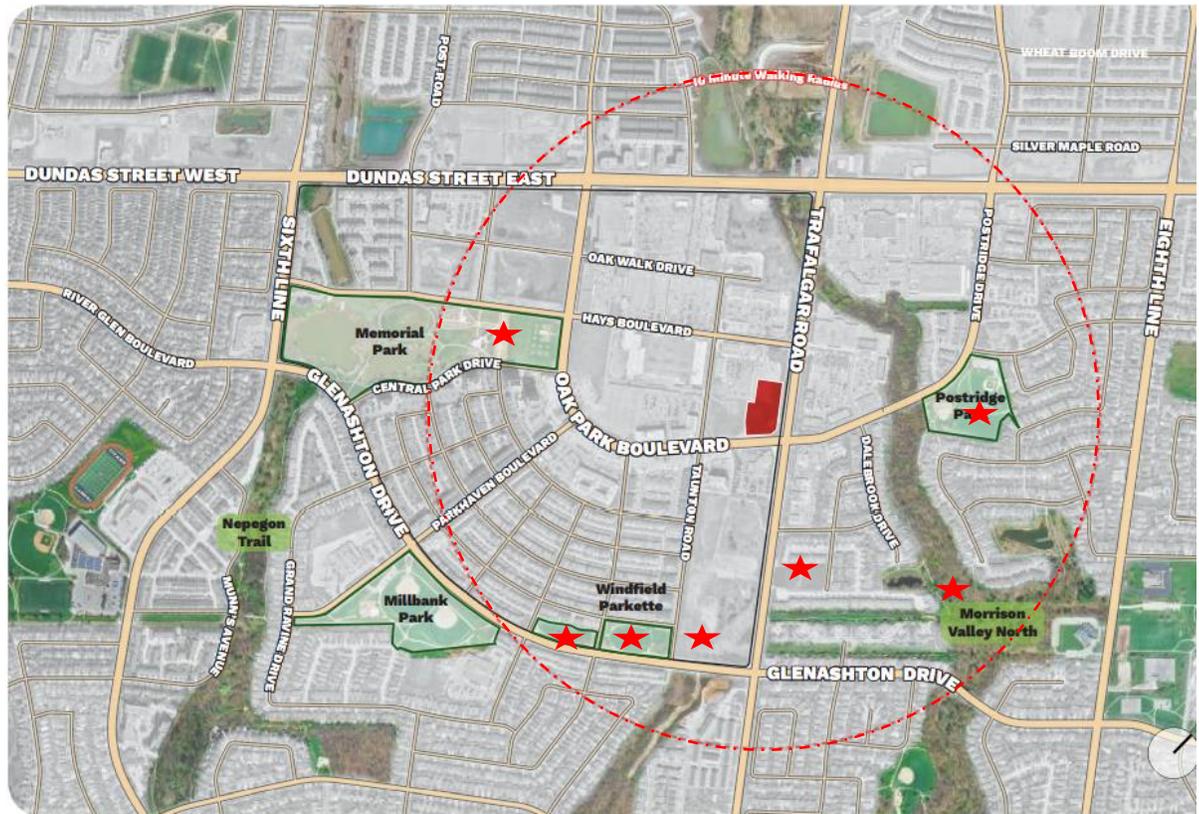
Review the proposal in context of potential noise increases from the proposed development to the surrounding residents:

- The expected full build out of the Uptown Core has always been as a vibrant, active urban centre that will generate a certain level of noise that is different from an established neighbourhood. It is the opinion of Staff that the noise generated from this development will not be greater than that generated by Trafalgar Road vehicular traffic.

Staff note that the noise study completed to support the application reports that the proposal will not be adversely impacted by air traffic.

Determine whether there is sufficient outdoor and green space as part of the proposal:

- The Town's Parks and Open Space Department has commented that cash-in-lieu of parkland will be required at a rate to be determined at the time of building permit issuance. A lack of parkland within proximity of the development was not identified through the review of the subject applications. Figure 17 identifies a ten minute walking radius to existing and proposed (see red stars) parks and open space opportunities.



Legend

- Subject Site
- Parks
- 10 Minute Walking Radius

Figure 17: Existing and Future Parks and Open Space

- The applicant has shared with staff that as part of the overall development of the entire block (which includes developing further along Oak Park Boulevard and along Taunton Road) an outdoor amenity area/open space is to be programmed for the residents and will include public access easements.
- The development includes several outdoor terraces, green roofs, and indoor amenity space (still to be programmed) for the use of the residents.

Examine the potential mix of land uses and the effect that could have on the overall viability of the Uptown area:

- See the Justification for Official Plan Amendment section above.
- The design approach has been to include a four to six storey podium height to be consistent with the heights among the surrounding buildings which will enhance and animate this section of Oak Park Boulevard. The grade-related uses are intended to be active uses with retail entrances, canopies, landscaping and possible patios.
- Providing private office space within the building allows for flexible work space opportunities for the residents.

-
- At-grade retail/commercial uses could serve the needs of the building's residents as well as nearby neighbours.

Identify ways in which affordable housing opportunities could be incorporated into the proposal:

- The applicant is working with Town and Region Staff to determine what the needs are for affordable housing within Oakville and what types of units and programs are available to pursue as part of a bonusing exchange for increased height.
- An increase in housing choices may appeal to first time home buyers and provide opportunities for younger generations to afford to stay in Oakville.
- It is a reality that a number of units will be purchased by Owners that intend on renting out a unit. This adds private rental units to the overall rental market providing additional housing options.
- Staff are discussing with the Owner opportunities to provide a dedicated car share service on-site as well as unbundling the parking spaces from the sale of the units. Giving purchasers the option of not purchasing a parking space with their unit reduces additional costs that are typically passed on automatically to all purchasers regardless of vehicle ownership.

Ensure there is sufficient electrical infrastructure to accommodate electric vehicles:

- Electric vehicle (EV) charging stations requirements have been included as part of By-law 2022-064. Through the site plan application, the location of EV spaces in the underground garage will be reviewed.

CONSIDERATIONS:

(A) PUBLIC

The applicant held a Virtual Public Information Meeting on April 8, 2021. The meeting was attended by 28 members of the public.

Written correspondence received since the public meeting, held on September 13, 2021, is included as Appendix 'D'. Notice of the June 27, 2022 Planning and Development Council meeting has been provided to those who participated in the process or requested to be notified.

(B) FINANCIAL

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

(C) IMPACT ON OTHER DEPARTMENTS & USERS

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

The application was 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 April 30, 2021. The statutory timeframe for processing this application expired on October 30, 2021.

(D) CORPORATE STRATEGIC GOALS

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

- be the most livable town in Canada.

(E) CLIMATE CHANGE/ACTION

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

CONCLUSION:

Staff recommend approval of the Official Plan Amendment and Zoning By-law Amendment which will permit a mixed use development proposal consisting of two towers, 26 and 31 storeys, with a total of 587 residential units, at-grade commercial space and structured parking.

The justification for the amendments to the Official Plan and Zoning By-law Amendment to permit the proposal is consistent with provincial and municipal policy to direct appropriate levels of growth and new housing within the built boundary in proximity to higher order transit corridors. Current Uptown Core growth objectives and policies for 'how and where to grow' were brought forward in 2009 and are not yet in conformity with the most recent provincial and municipal growth and housing strategies. Re-evaluating the land use policies through the Uptown Core Review is essential to ensuring conformity with the increased population and employment forecasts in the Growth Plan's 2051 horizon. It is Staff's opinion that despite the subject application coming forward prior to the Uptown Core Growth Area Review, there is support for this type of proposal stemming from the Integrated Growth Management Strategy, housing strategies and the Urban Mobility and Transportation Strategy to reinforce the intensification of Strategic Growth Areas, such as the Uptown Core.

The proposed mix of uses, densities, siting of the towers and inclusion of retail along Oak Park Boulevard is considered an appropriate and compatible built form within

the existing context as well as the planned future development of the Trafalgar Road corridor. An exploration of affordable housing units within this development, as a community benefit, responds to the emerging housing shortage and need for a range of housing types. The proposed Official Plan amendment and implementing zoning promotes the Town's growth management and transit supportive development policies while at the same time protecting established neighbourhoods. And finally, the site will be well-served by the existing transit system infrastructure and planned transportation network.

The Urban Design requirements (Appendix 'C') 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. Further evaluation of the final heights will be assessed through the review of the submitted 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. The development reduces the need for urban area expansion requests and is in alignment with Town Council's resolution (January 18, 2022) to not sprawl beyond Halton Region's approved built boundaries by supporting intensification and the provision of a range of housing units, especially along a Higher Order Transit Corridor. 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. 46 be adopted and By-law 2022-064 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 is consistent with Halton Regional policy to direct development with higher densities and mix of uses to Intensification Areas/Higher Order Transit Corridors and to require Local Municipalities to do the same.
- The proposal implements the vision, development objectives, community design strategy and land use strategy of the Livable Oakville Plan.
- Comments from Council and the public have been appropriately addressed.

By-laws 2022-063 and 2022-064 are attached as Appendix 'E' and 'F'.

Should the applicant pursue the exchange of community benefits for additional height, a recommendation has been included in this report to authorize the Chief Administrative Officer or Town Clerk to enter into a Section 37 Agreement with the applicant/owner, permitting an agreed upon exchange of height/density for appropriate community benefit.

APPENDICES:

Appendix “A” – PPS (2020), Growth Plan (2019) and Livable Oakville policy excerpts

Appendix “B” – Bonusing policies

Appendix “C” – Urban Design Requirements

Appendix “D” – Public Comments

Appendix “E” – By-law 2022-063

Appendix “F” – By-law 2022-064

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