

REPORT

Planning and Development Council

Meeting Date: December 5, 2022

FROM: Planning Services Department

DATE: November 22, 2022

SUBJECT: **Public Meeting Report – Draft Plan of Subdivision (24T-21005/1530) – Part of Lot 30, Concession 2 (SDS), Bronte Green Corporation**

LOCATION: Part of Lot 30, Concession 2 (SDS)

WARD: Ward 4

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RECOMMENDATION

1. That the public meeting report prepared by the Planning Services Department dated November 22, 2022, be received.
2. That comments from the public with respect to the proposed draft plan of subdivision submitted by Bronte Green Corporation. (File No.: 24T-21005/1530), be received.
3. That staff consider such comments as may be provided by Council.

KEY FACTS

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

- The proposed draft plan of subdivision would have the effect of creating six new lots for detached dwellings, and one new block for townhouse dwellings, together with additional reserve blocks to be consolidated with the abutting Bronte Green Subdivision (now Registered Plan 20M-1223) for detached and townhouse dwellings.

- The subject lands are bound by Queens Plate Road, Charles Cornwall Road and Merton Road, and are currently occupied by a stormwater management pond that had been part of the former public works yard when the lands were owned by the Region of Halton.
- The subject lands are designated Low Density and Medium Density Residential, and are zoned RL6 and RM1 respectively, subject to Special Provision 376 and “H30” Holding Provision.
- Although the subject lands were excluded from Plan 20M-1223, the extension of the roads surrounding the subject lands, and the lands use designations and zoning provisions applicable to the lands were approved by the OMB as part of the Bronte Green hearing.
- The proposed draft plan of subdivision are intended to implement the Official Plan land use designations and policies and Zoning regulations.
- Both the existing Official Plan designation and zoning are consistent with the Provincial Policy Statement, conform to all applicable Provincial plans, the Region of Halton Official.

BACKGROUND

The purpose of this report is to introduce the planning application in conjunction with the statutory public meeting. Council will hear public delegations on the application, ask questions of clarification and identify matters to be considered. The report is to be received and no recommendations on the application are being made at this time.

The report outlines the proposed development and identifies matters raised to date through the technical review and public consultation. Following the statutory public meeting and once the review is complete, staff will bring forward a recommendation report for consideration by Planning and Development Council.

The current applications were submitted and deemed complete on October 27, 2021. A Public Meeting was scheduled for June 27, 2022 but was subsequently deferred at the request of the applicant.

During the OMB hearing related to applications filed by Bronte Green Corporation for the development of the former Saw Whet Golf Course (PL141318), Bronte Green Corporation acquired the adjacent Halton Region public works yard. This acquisition allowed for the extension of the road network through the former public works yard, including Merton Road (formerly Street “B”), Queens Plate Road (formerly Street “G”) and Charles Cornwall Avenue (formerly Street “K”). The conveyance and construction of these roads were required as conditions of approval of the draft plan of subdivision.

The OMB's decision, issued on June 21, 2017, also included the approval of amendments to the Official Plan policies and Zoning By-law provisions applicable to the public works yard. These approvals allowed for the subject lands to be used for residential purposes (subject to holding provisions) and a separate remnant parcel created by the road network to be used as part of a neighbourhood commercial plaza.

Notwithstanding the approvals described above, the public works yard was excluded from the plan of subdivision since it was owned by the Region and not included in the original application. In addition, it was partially occupied by a stormwater management pond, located on the subject lands. Now that the public works yard has been relocated, and that the engineering review for the relocation of the stormwater function of the pond to a tank have been sufficiently advanced, the applicant has submitted a draft plan of subdivision application to facilitate land division of lots and blocks for residential land use, as approved by the OMB.

While not formally included in the Bronte Green subdivision, the subject lands can be seen in an excerpt from the Zoning By-law shown in Figure 1 below:

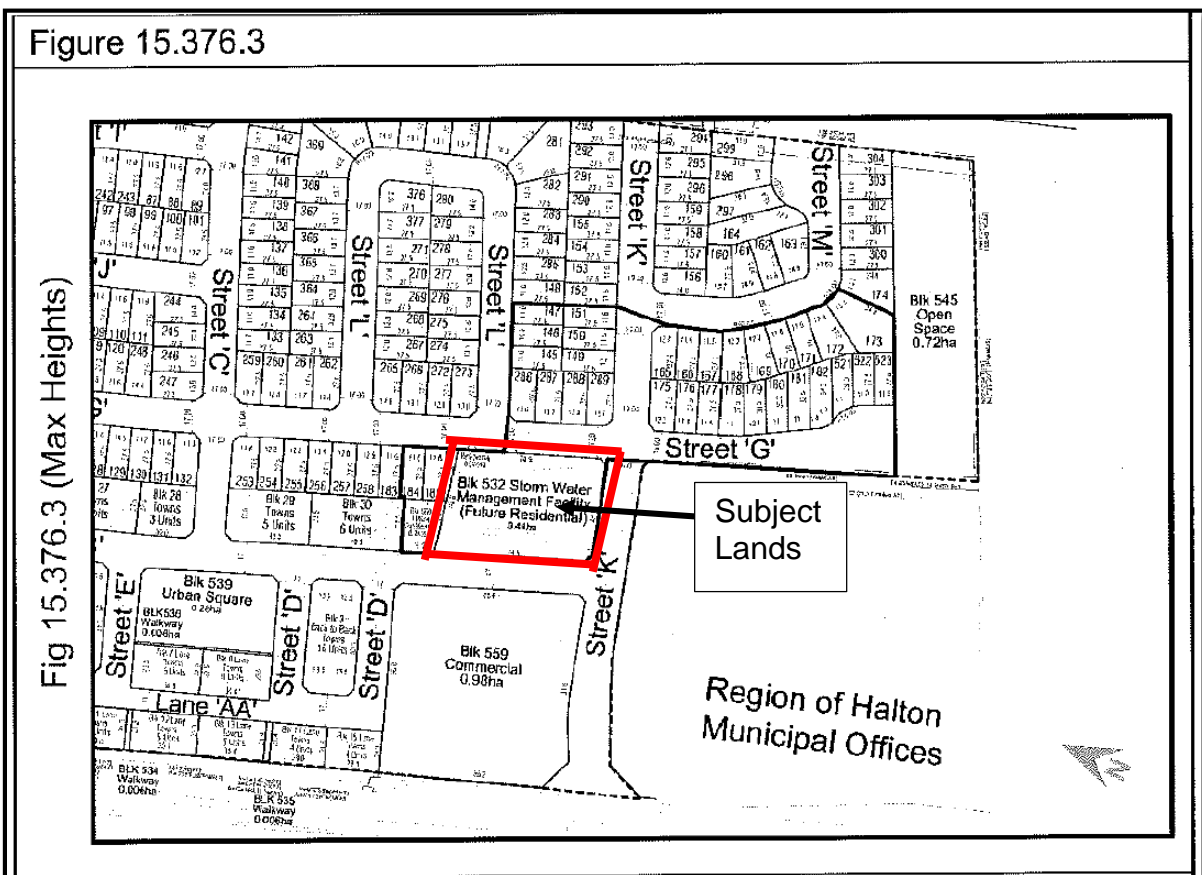


Figure 1 – Subject lands in relation to surrounding subdivision

Proposal

The applicant proposes to subdivide the subject lands for six detached dwelling lots, and one block for six townhouse units, together with two reserve blocks to be merged with the abutting lands to the north for additional detached dwelling and townhouse dwelling lots. The proposed draft plan is provided below as Figure 2.



Figure 2 – Proposed Draft Plan of Subdivision

Location & Site Description

The subject lands are located east of Bronte Road, east of Merton Road, north of Charles Cornwall Avenue, and west of Queens Plate Road as shown in Figure 3 below. The subject lands contain an existing stormwater management facility formerly owned and operated by the Region of Halton, and was acquired by the applicant as part of the settlement of the Bronte Green subdivision (now Registered Plan 20M-1223).



Figure 3 – Aerial Photo

Surrounding Land Uses

As seen above, the subject lands are north of the Region of Halton Woodlands Operations Centre and larger Regional Headquarters, and east of a future commercial block at Bronte Road and Charles Cornwall Avenue and represent a remnant parcel created through the taking of these roads. The subject lands are intended to be merged with lands to the north for future residential uses. There are future residential uses to the east.

PLANNING POLICY & ANALYSIS

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

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

Provincial Policy Statement

The Provincial Policy Statement (2020) ('PPS'), which came into effect on May 1, 2020, continues to recognize that there are complex relationships among environmental, economic and social factors in land use planning. The PPS encourages the wise management of land to achieve efficient development and land use patterns by directing growth to settlement areas and encourages Planning authorities to permit and facilitate a range of housing options, including new development as well as residential intensification, to respond to current and future needs for a time horizon of up to 25 years.

The PPS (2020) promotes the integration of land use planning, growth management and transit supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments and standards to minimize land consumption and servicing costs. Specific policies applicable to this application are included in Appendix "B".

Growth Plan for the Greater Golden Horseshoe (2019)

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

The Growth Plan provides policies for where and how to grow, directing population and employment growth to urban areas and rural settlement areas with delineated built boundaries on full municipal services (policy 2.2.1). The subject lands are located within a "Delineated Built-Up Boundary."

The policies of the Growth Plan are to be applied to support complete communities that feature a diverse mix of land uses with convenient access to local stores, services, and public service facilities, provide a diverse range and mix of housing options, expand convenient access to transportation options. Specific policies applicable to this application are included in Appendix “B”.

Halton Region Official Plan

The subject lands are designated as “Urban Area” on Map 1: Regional Structure of the Plan. Bronte Road is shown on Map 3: Functional Plan of Transportation Facilities as a “Higher Order Transportation Corridor”.

The policies of Urban Area designation support a range of uses and the development of vibrant and healthy mixed use communities which to provide a range of choices for residence, work and leisure. The Region’s Official Plan also provides that the range of permitted uses and the creation of new lots in the Urban Area will be in accordance with Local Official Plans and Zoning By-laws.

The Region of Halton has provided the following comments:

“Policy 143 (12) requires the proponent of sensitive land uses in proximity to industrial, transportation and utility sources of noise, vibration, odour and air pollutants to complete appropriate studies and undertake necessary mitigating actions, in accordance with the Region’s Land Use Compatibility Guidelines, Air Quality Impact Assessment Guidelines, and any applicable Ministry of the Environment guidelines.

In this regard, the Halton Regional Centre/Woodlands Centre is identified as has having potential impacts on the proposed residential uses.

The lands are zoned with a Holding provision that includes a requirement for the construction of a noise wall on the Region’s lands by the Woodland Centre in order to address noise impacts from the facility on the proposed residential uses.

In conjunction with engineering review for the noise wall (Region file DO-1060), alternatives were investigated to the initial proposal for a wing wall to address noise generated from siren testing. A new location was confirmed situated close to the 4.0-metre tall wall in the northeast area of the Woodlands Centre yard. An updated letter report prepared by HGC Engineering and dated February 10, 2022 was submitted which confirmed that the noise wall is sufficient in protecting the subject lots from noise impacts from the revised siren testing location.

On this basis, the Region has requested warning clauses to be included in the conditions of draft approval in relation to the potential impacts from the operations at the Halton Regional Offices lands.

Further, as stated above, the subject lands contain an existing stormwater management pond. This pond is temporary and services the Halton Regional Centre/Woodland Centre lands. In order to facilitate the development of the subject property this pond has to be relocated. The engineering review for the relocation of the stormwater function to a tank located on the Region of Halton's property is underway (Region file DO-1077).

The Region has requested a condition of draft approval to be included which would require all the relocation works to be completed and the new stormwater facility is operational prior to registration.

On this basis, the Region has no objections to this application subject to the inclusion of the requested conditions of draft plan approval to be applied at the appropriate time.

Livable Oakville Official Plan

Urban Structure

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. Schedule A1, Urban Structure, of the Livable Oakville Plan provides the basic structural elements for the Town.

The subject lands are identified on Schedule A1 – Urban Structure as being within the Town's Residential Areas.

Livable Oakville Land Use Policies

The subject lands were included in the approvals for the surrounding Bronte Green subdivision in relation to the Official Plan designation. The lands are designated Low Density Residential on the eastern half of the site, and Medium Density Residential on the western half of the site, as shown in Figure 4 below.

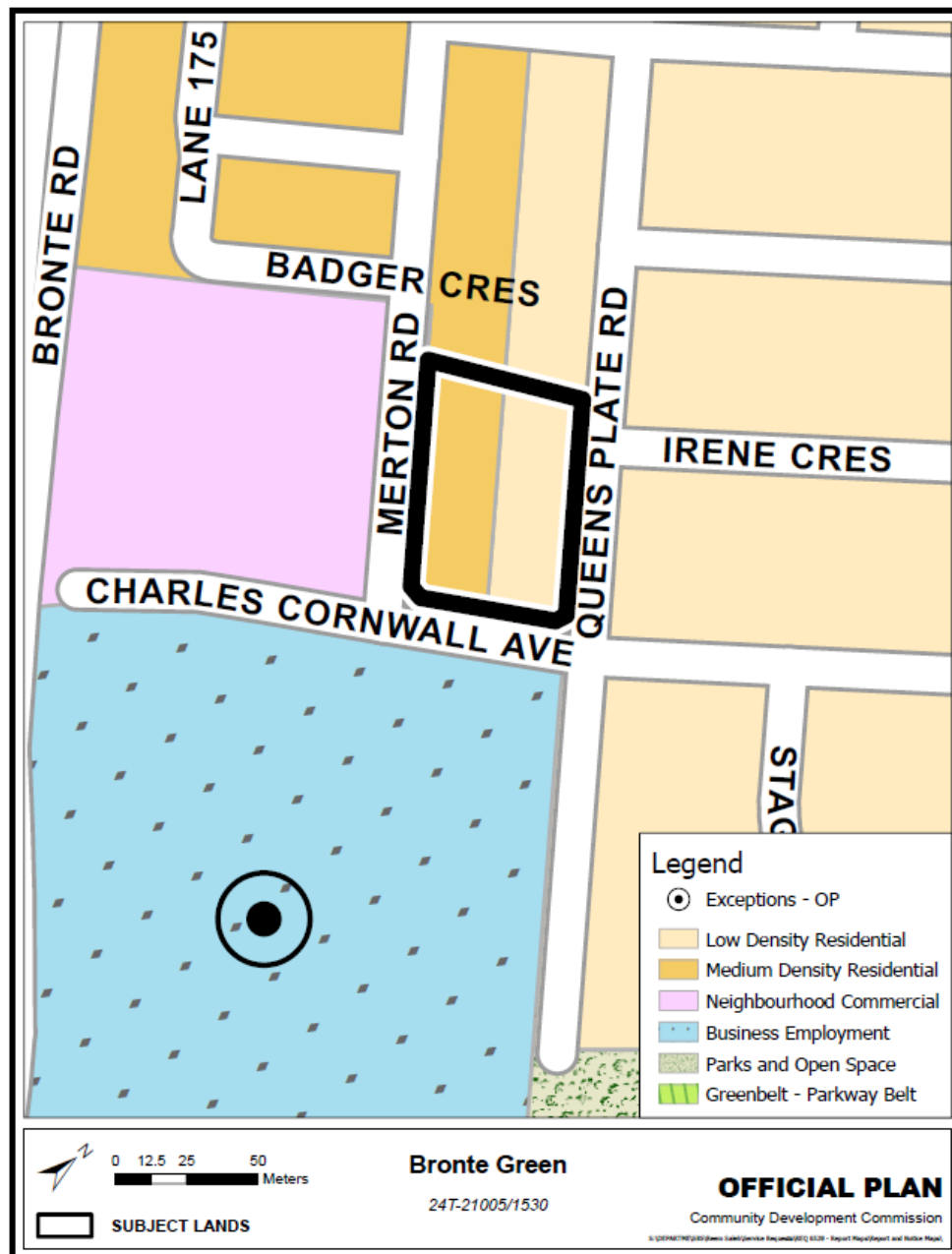


Figure 4 – Official Plan

Site specific policies were applied in the Livable Oakville Official Plan related to the Bronte Green Subdivision and also included the subject lands as stated in Policy 27.3.7:

“The Bronte Green Lands comprise the former Saw-Whet Golf Course known municipally as 1401 Bronte Road. The Bronte Green Lands also include a

portion of lands owned at the time by the Region of Halton situated north of the southerly section of the proposed Collector Road shown on Schedule H.”

Further, Policy 27.3.73 states:

“b) Low Density Residential

- i) On the lands designated Low Density Residential, a row of townhouses may be permitted on the north side of the southerly section of the proposed collector road shown on Schedule H to buffer from adverse impacts from the Regional lands located to the south. The need for, and design of, the potential townhouse block will be determined through a noise study.*

c) Medium Density Residential

- i) On the lands designated Medium Density Residential, the minimum building height shall be 3 storeys for development abutting Bronte Road.*
- ii) On the lands designated Medium Density Residential, permitted residential uses on the north side of the southerly section of the proposed collector road shown on Schedule H may require a buffer to mitigate adverse impacts from the Regional lands located to the south. The need for a buffer and the design of the buildings will be determined through a noise study.”*

As provided in the comments from Halton Region, noise mitigation measures will be managed on the Halton Regional Centre/Woodlands Centre property. Much of this work is currently underway and the Region has secured agreements with the developer to carry out these works.

Zoning By-law

The subject lands were zoned through the Bronte Green OMB hearing, which intended for the lands to develop as residential uses, shown in Figure 5 below.

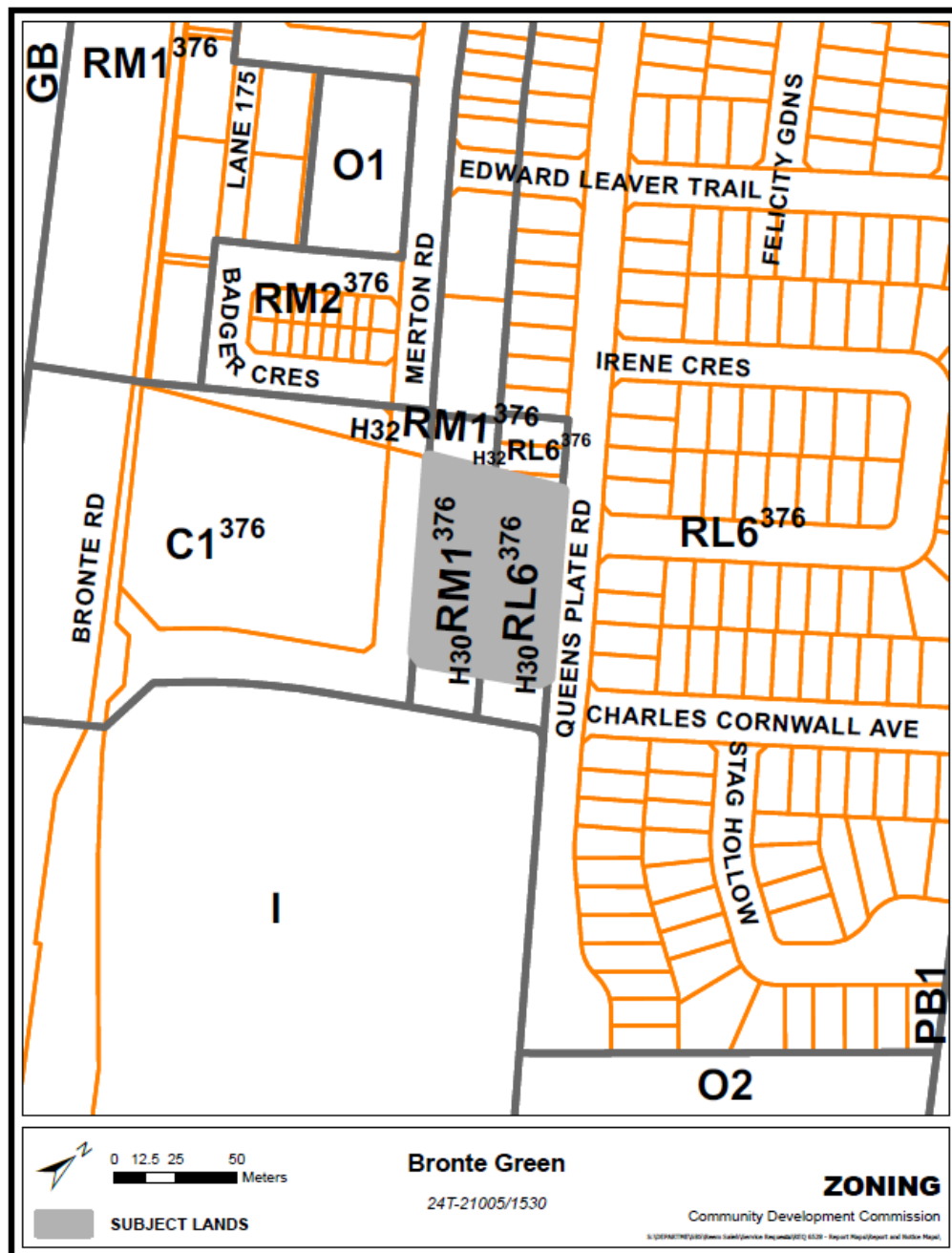


Figure 5 – Zoning Map

The eastern portion of the lands are zoned RL6 special provision 376, and subject to the “H30” holding provision. Similarly, the western portion of the lands are zoned RM1 special provision 376 and also subject to the “H30” holding provision. The RL6 and RM1 special provision 376 are consistent with the zoning to the north, as the proposed development is intended to be an extension of the Bronte Green subdivision. The proposed lots and blocks have the minimum lot area and frontage prescribed by the By-law. However, the “H30” holding provision is specific to the

subject lands, and contains the following conditions before the removal of the holding can be considered:

- “a) That sufficient water and wastewater services are available to the satisfaction of the Regional Municipality of Halton and the Town of Oakville.*
- b) A Ministry of Environment acknowledged Record of Site Condition, certified by a Qualified Person as defined in Ontario Regulation 153/04, is provided to the satisfaction of the Regional Municipality of Halton.*
- c) That a detailed noise study conducted by a qualified Professional Engineer shall be provided which demonstrates compliance with Ministry of Environment sound level limits, to the satisfaction of Halton Region and the Town of Oakville.*
- d) That an updated functional servicing report be submitted which provides for potential decommissioning of the existing stormwater management pond and all grading, drainage and SWM and implications on the Region’s future EMS lands be provided to the satisfaction of Halton Region, Conservation Halton and the Town of Oakville.*
- e) The required noise walls associated with the noise impacts from the Region’s Woodlands Operations Centre and Public Works Yard have been designed, located and installed to the satisfaction of Halton Region.”*

There is no zoning by-law amendment proposed with this application nor is there a request to remove the “H30” holding provision at this time. However, as a condition of draft plan approval the “H30” holding provision will be required to be lifted prior to registration, and all of these matters are also included as conditions of draft plan approval.

TECHNICAL & PUBLIC COMMENTS

The applicant has provided numerous 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 were undertaken to ensure that all technical matters have been satisfactorily addressed. The following supporting documents, among others are accessible on the town’s website (<https://www.oakville.ca/business/da-39707.html>):

- Air Photo
- Survey
- Draft Plan of Subdivision
- Planning Justification Report
- Functional Servicing Report
- Archaeological Assessment
- Traffic Impact Study
- Arborist Report
- Traffic Noise Feasibility Study Amendment

Issues Under Review / Matters to be Considered

A complete analysis of the applications will be undertaken including the review of the following matters which have been identified to date:

- Consistency with the Provincial Policy Statement 2020 and conformity to the 2020 Growth Plan for the Greater Golden Horseshoe.
- Conformity with the Region of Halton Official Plan.
- Conformity with the Livable Oakville Official Plan.
- Evaluation of the proposal with respect to Sections 2 and 51(24) of the *Planning Act*.
- Technical matters related to the decommissioning of the existing pond.
- Establishing appropriate stormwater management solutions for both the Region's Woodward Centre and the subject lands.

Staff note that these matters must be satisfactorily resolved before the preparation of draft plan of subdivision conditions. As the review of this application continues, resolution of these matters may result in modifications to the application.

CONSIDERATIONS

(A) PUBLIC

Due to the surrounding lands remaining in the ownership of the developer or the Region of Halton, a Public Information Meeting was not required. Notice of Complete Application was distributed to property owners within 120m of the subject lands. Following the Notice of Complete application and installation of the development sign, no public comments have been received to-date. 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.

(B) FINANCIAL

Development Charges would be applicable to this development.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

The application was circulated to internal and external departments and agencies for review. The application remains in technical review.

(D) CORPORATE STRATEGIC GOALS

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

- be the most liveable town in Canada

(E) CLIMATE CHANGE/ACTION

The proposed development will be reviewed to ensure compliance with the Town's sustainability objectives of the Livable Oakville Plan.

CONCLUSION

Planning staff will continue to review and analyze the proposed application and address all technical matters along with any submitted public comments, and report to Council at a future meeting. No further notice is required; however, written notice of any future public meetings will be provided to those who have made written and/or verbal submissions.

APPENDICES

Appendix "A": Draft Plan

Appendix "B": Applicable Policies

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