



REPORT

Planning and Development Council

Meeting Date: May 15, 2023

FROM: Planning Services Department

DATE: May 2, 2023

SUBJECT: Recommendation Report – Town-Initiated Official Plan Amendment (File No. 42.24.27) and Official Plan Amendment/Zoning By-law Amendment (File Nos: OPA 1614.80 and Z.1614.80) – Support House – 130 Cornwall Road – By-laws 2023-049, 2023-050 and 2023-051

LOCATION: 130 Cornwall Road

WARD: Ward 3

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RECOMMENDATION:

1. That the Town-initiated Official Plan amendment, File No. 42.24.27, be approved on the basis that the application is consistent with the Provincial Policy Statement, conforms with all applicable Provincial plans, the Region of Halton Official 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 May 2, 2023.
2. That By-law 2023-049, a by-law to adopt Official Plan Amendment 55, be passed.
3. That the application for an Official Plan amendment submitted by Support House, File No. OPA 1614.80, be approved on the basis that the application is consistent with the Provincial Policy Statement, conforms with all applicable Provincial plans, the Region of Halton Official 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 May 2, 2023.
4. That By-law 2023-050, a by-law to adopt Official Plan Amendment 56, be passed.
5. That the application for a Zoning By-law amendment submitted by Support House, File No. Z.1614.80, be approved on the basis that the application is

consistent with the Provincial Policy Statement, conforms with all applicable Provincial plans, the Region of Halton Official 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 May 2, 2023.

6. That By-law 2023-051, an amendment to Zoning By-law 2014-014, be passed.
7. That notice of Council's decision reflect that Council has fully considered all the written and oral submissions relating to these matters and that those comments have been appropriately addressed; and,
8. That in accordance with Section 34(17) of the *Planning Act*, no further notice is determined to be necessary.

KEY FACTS:

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

- **Nature of the Applications:** The landowner has applied for Official Plan and Zoning By-law amendment applications to redevelop the property to allow for a new apartment building containing 37 affordable housing units. The Town-initiated Official Plan amendment will correct a mapping error concurrent with the site-specific development applications.
- **Proposals:** The proposed development consists of a five-storey 37-unit apartment building with site-specific performance standards, which results in a proposed density of 355 units per site hectare. The proposed Town-initiated amendment will correct the land use mapping from *Parks and Open Space* to *High Density Residential*.
- **Location:** The subject land is located on the south side of Cornwall Road, east of Old Mill Road, west of Trafalgar Road and north of Sixteen Mile Creek, and is municipally known as 130 Cornwall Road.
- **Policy Context:** The subject land is designated *Parks and Open Space* (subject to File No. 42.24.27, which will correct it to *High Density Residential*) and is identified as *Residential Areas* on Schedule A1 (Urban Structure). Intensification may occur within *Residential Areas* provided the character of the area is preserved, and the overall Urban Structure of the Town is upheld. The Town-initiated Official Plan amendment will correct a mapping error and re-designate the lands as High Density Residential.
- **Zoning:** The subject land is zoned Residential High subject to Special Provision 198 (RH sp: 198), which permits an apartment dwelling. The

proposed Zoning will modify the existing site-specific regulations to implement the development and a Holding Symbol (H53) required by Halton Region.

- **Public Consultation:** A virtual Public Information Meeting (“PIM”) was held on February 16, 2022, to present the subject applications. The Ward 3 Councillors, Staff and 15 members of the public were in attendance. All public comments received as of the date of the report have been summarized and included in this report.
- **Timing:** The applicant-initiated applications are being considered under Bill 109, which provides a 120-day timeline before the applicant is entitled to a partial refund of fees and could file an appeal for lack of a decision. The applications were deemed complete on January 20, 2023, and a decision must be made by May 21, 2023.

BACKGROUND:

The purpose of this report is to provide a full Staff review, analysis and recommendations on the proposed Official Plan amendments and Zoning by-law amendment applications.

The subject land is located at 130 Cornwall Road. The lands currently contain a single detached building operated by *Support House*, known as *Grace House*. *Grace House* is a transitional housing residence, which is primarily funded by the Region of Halton and the Ministry of Health through the Home Community Care Support Services Mississauga Halton. The purpose of the applications is to construct a five-storey, 37-unit apartment building in order to expand their services.

The Town-initiated Official Plan amendment is required to rectify a mapping error on the subject land. The former Official Plan designated the subject land as *High Density Residential*; however, the lands were incorrectly depicted as *Parks and Open Space* when the Livable Oakville Plan was adopted in 2009. The Town-initiated Official Plan amendment will amend Schedule G – South-East Land Use and correctly designate the subject land as *High Density Residential*.

The applicant’s proposed Official Plan amendment application will include a “Special Exception” on the *High Density Residential* lands, to permit an increased density cap to accommodate the proposed affordable housing development.

The intent of the proposed Zoning By-Law amendment application will modify the existing site-specific regulations on the land to implement the development and to introduce a Holding Provision (H53) required by Halton Region.

The Statutory Public Meeting was hosted by Oakville Town Council on March 6, 2023. All public comments received since the public meeting have been summarized and included in this report.

Proposal

The purpose of the applications is to amend the Town's Official Plan and Zoning By-law to permit a site-specific density and site-specific zone provisions for the subject land. Based on the size of the property, the proposed development will have a density of 355 units per site hectare, whereas the maximum permitted density in the Official Plan is 185 units per site hectare. The Zoning By-law amendment will implement the proposed development and introduce site-specific regulations relating to yards, floor area, height, landscaping and parking.

Location & Site Description

The subject land is located on the south side of Cornwall Road, east of Old Mill Road, west of Trafalgar Road and north of Sixteen Mile Creek, and is municipally known as 130 Cornwall Road. The subject land currently contains a 10-unit transitional housing residence, which is primarily funded by the Region of Halton and the Ministry of Health through the Home Community Care Support Services Mississauga Halton.

The subject property and the Sunrise of Oakville property to the east are owned and operated independently, however, they function together as they share common ingress/egress driveways and aisles. It should be noted that the Support House property is comprised of Part 2, 3 and 4 on Plan 20R-13457 and has an access easement over Part 6, while the Sunrise of Oakville property is much larger in area, being comprised of Parts 6, 7, 8 on Plan 20R-12743, as seen below in Figure 1. Part 1 is the Old Mill Parkette, which is not subject to this application.

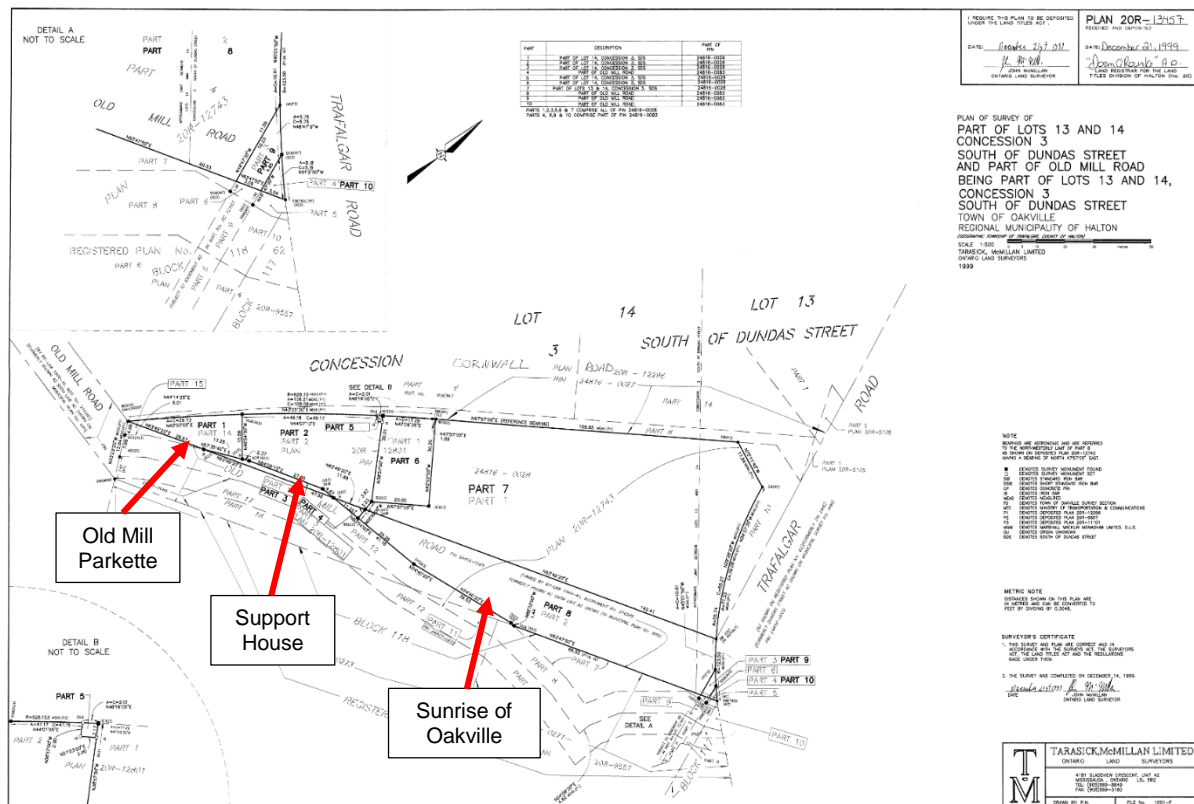


Figure 1: Legal Survey

Surrounding Land Uses

The subject land is currently occupied by a two-storey residential building known as the Grace House. The surrounding land uses are as follows:

- *North* – Oakville Go-Train, VIA Station and associated parking lots along the Canadian National (CN) rail line
- *East* – Sunrise of Oakville
- *South* – Town parkland with a walkway and Sixteen Mile Creek
- *West* – Old Mill Parkette

Key Milestones:

File No.s OPA 1614.80 and Z.1614.80 are Bill 109 applications.

Pre-Consultation Meeting	December 22, 2021
Public Information Meeting	February 16, 2022
Pre-submission Review	N/A

Application Deemed Complete	January 20, 2023
P & D Council – Statutory Public Meeting	March 6, 2023
P & D Council – Recommendation Meeting	May 15, 2023
Date Eligible for Appeal/Refund for Non-decision	May 21, 2023

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, as amended in 2020)
- Halton Region Official Plan
- Livable Oakville Official Plan
- Zoning By-law 2014-014

Provincial Policy Statement

The Provincial Policy Statement (**‘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 affordable housing, 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 land is located within a settlement area, which are to be the focus of growth and development. The land use patterns within the settlement area are based on densities and a mix of land uses that, among other matters, efficiently use land and resources, and appropriately use the infrastructure and public service facilities that are planned or available.

The proposed Official Plan and Zoning By-law amendments represent an efficient use of land and existing resources through compatible residential intensification, and expansion of affordable housing and therefore is consistent with the PPS.

Staff are of the opinion that the proposed Official Plan and Zoning By-law amendments will contribute to a healthy, liveable and safe community and that the proposal is consistent with the PPS.

Growth Plan

The Growth Plan for the Greater Golden Horseshoe (2019, as amended in 2020) (**‘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 (Section 2.2.2). The subject land is located within a “Delineated Built-up Area.”

Municipalities are required to undertake integrated planning to manage forecasted growth to the horizon of this Plan, which, amongst other matters, establishes a hierarchy of settlement areas, and provides direction for an urban form that will optimize infrastructure, particularly along transit and transportation corridors, to support the achievement of complete communities through a more compact built form.

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, including affordable housing, and expand convenient access to transportation options, as provided in Section 2.2.6.

The subject land is located within the “Delineated Built-up Area” where growth will be focused within settlement areas and intensification is encouraged by the Growth Plan. The proposed Official Plan and Zoning By-law amendments to permit the construction of a five-storey residential building containing 37 affordable housing units, is considered intensification. The proposed development of the site will represent an efficient use of existing infrastructure, convenient access to transit, public service facilities and will provide a range and mix of housing options, which helps contribute to complete communities. Therefore, the applications conform to the Growth Plan.

Halton Region Official Plan

The subject land is designated ‘Urban Area’ in the Halton Region Official Plan (ROP). The Urban Area policies of the ROP provide that the range of permitted uses

and the creation of new lots within the Urban Area will be in accordance with Local Official Plans and Zoning By-laws. All development, however, shall be subject to all other relevant policies of the Regional Plan, including Section 85 that identifies the objectives for *Housing*.

Section 85(5) states that one of the objectives of the Regional Official Plan, in relation to housing, is to meet the housing needs of the Region through the provision of *Assisted Housing*, *Affordable Housing* and *Special Needs Housing* in Halton. Further, Section 85(6) provides policy for the integration of *Assisted* and *Special Needs Housing* with *Market Housing*; Section 85(7) promotes the provision and management of *Assisted Housing* in *Halton* through the Halton Community Housing Corporation.

Regional Staff have reviewed the applications within the context of the Regional Official Plan (ROP) and offer no objection to the applications, subject to the servicing comments being addressed to Halton Region's satisfaction.

Regional Staff are of the opinion that the proposal is consistent with and conforms to the relevant provincial planning documents, Regional Official Plan and have no objection to the subject applications, subject to the inclusion of the following as part of the proposed Holding Provision (H53):

- “a) That prior to any site alteration, servicing or grading of the site and to the satisfaction of Halton Region, the Owner submits revised Phase One and Two Environmental Site Assessment (ESA) reports, at minimum (and any further subsequent reports/ documentation as recommended per revised Phase One and Two ESA reports). The revised Phase One and Two ESA reports and any other environmental reports/ documentation must be completed in accordance with O. Reg. 153/04, and signed and stamped (professional seal must be affixed) by (a) qualified person(s) as defined under O. Reg. 153/04. The author(s) of the environmental reports/ documentation submitted to the Region must also extend third party reliance to Halton Region. The letter of reliance(s) must be signed by the author(s) and meet Halton Region's letter of reliance template, indicating that liability insurance coverage is no less than \$2,000,000. The Owner complies with O. Reg. 153/04 and Halton Region's Protocol for Reviewing Development Applications with respect to Contaminated or Potentially Contaminated Sites, to the satisfaction of Halton Region.*
- b) That an updated Functional Servicing Report (FSR) be approved by Halton Region and any requirements of Halton Region be addressed to their satisfaction in relation to the findings and/or recommendations of the report.*

- c) *That the downstream sewer upgrades and/or replacement have been constructed and in operation and the downstream sewer constraints have been addressed to the satisfaction of Halton Region.”*

Ontario Heritage Act

Directly abutting the subject land to the west is the Old Mill Parkette. The parkette is designated under Part IV of the *Ontario Heritage Act* by By-law 2011-098 for its historic steam engine structure that powered the machinery at the Oakville Basket Factory once located nearby. The key heritage attributes of the steam engine include all of its remnant pieces as well as its location within the parkette and the view of the steam engine from Cornwall Road.

Heritage Planning Staff have advised that the heritage attributes are not directly impacted by the proposal at 130 Cornwall Road and therefore, have no concerns with this proposal. A review of the future Site Plan application will fully address other policy requirements such as stormwater management, functional servicing, tree preservation, transportation implications as well as urban design requirements.

Livable Oakville Plan

Official Plan Objectives

A variety of residential uses are accommodated through the three Residential land use designations: Low Density Residential, Medium Density Residential and High Density Residential. These designations provide for a full range of housing types, forms and densities throughout the Town.

Section 2.2 of the *Livable Oakville Plan* provides the following Guiding Principles:

2.2.1 Preserving and creating a livable community in order to:

- a) *preserve, enhance, and protect the distinct character, cultural heritage, living environment, and sense of community of neighbourhoods;*
- b) *direct the majority of growth to identified locations where higher density, transit and pedestrian oriented development can be accommodated; and,*
- c) *achieve long term economic security within an environment that offers a diverse range of employment opportunities for residents.*

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) provide 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.*

2.2.3 Achieving sustainability in order to:

- a) minimize the Town's ecological footprint;*
- b) preserve, enhance and protect the Town's environmental resources, natural features and areas, natural heritage systems and waterfronts; and,*
- c) achieve sustainable building and community design.*

Section 11 of the Livable Oakville Plan outlines the objectives that shall apply to all Residential Areas:

- a) maintain, protect and enhance the character of existing Residential Areas;*
- b) encourage an appropriate mix of housing types, densities, design and tenure throughout the Town;*
- c) promote housing initiatives to facilitate revitalization, compact urban form and an increased variety of housing alternatives;*
- d) promote innovative housing types and forms to ensure accessible, affordable, adequate and appropriate housing for all socio-economic groups;*
- e) encourage the conservation and rehabilitation of older housing in order to maintain the stability and character of the existing stable residential communities; and,*
- f) discourage the conversion of existing rental properties to condominiums or to other forms of ownership in order to maintain an adequate supply of rental housing.*

"Affordable means housing with market price or rent that is affordable to households of low and moderate income spending 30 per cent of their gross household income without government subsidies. Such households would be able to afford, at the low end, at least three out of ten rental properties on the market and, at the high end, ownership housing with sufficient income left, after housing expenses, to sustain a basic standard of living."

Urban Structure

Schedule A1, Urban Structure, of the Livable Oakville Plan provides the basic structural elements for the Town and identifies the subject land as being within the 'Residential Areas'. Residential Areas include low, medium and high density residential uses as well as a range of compatible facilities such as schools, places of

worship, recreation and commercial uses that serve the residents of the Town. Growth and change within Residential Areas may occur provided the character of the area is preserved and the overall urban structure of the Town is upheld.

Land Use Policies

The subject land is designated *Parks and Open Space* (subject to File No. 42.24.27, which will correct it to *High Density Residential*) on Schedule G – South East land use within the Livable Oakville Plan. The Town-initiated Official Plan amendment (OPA 55) will designate the lands from *Parks and Open Space* to *High Density Residential* so that the property can be developed for its intended purpose with a *High Density Residential* land use. The *High Density Residential* designation permits multiple-attached dwelling units, apartment dwellings, retirement homes and long-term care home building types up to a density of 185 dwelling units per hectare. The proposed five-storey, 37-unit development will have a density of 355 units per hectare, hence the requirement for an Official Plan amendment application (OPA 56).

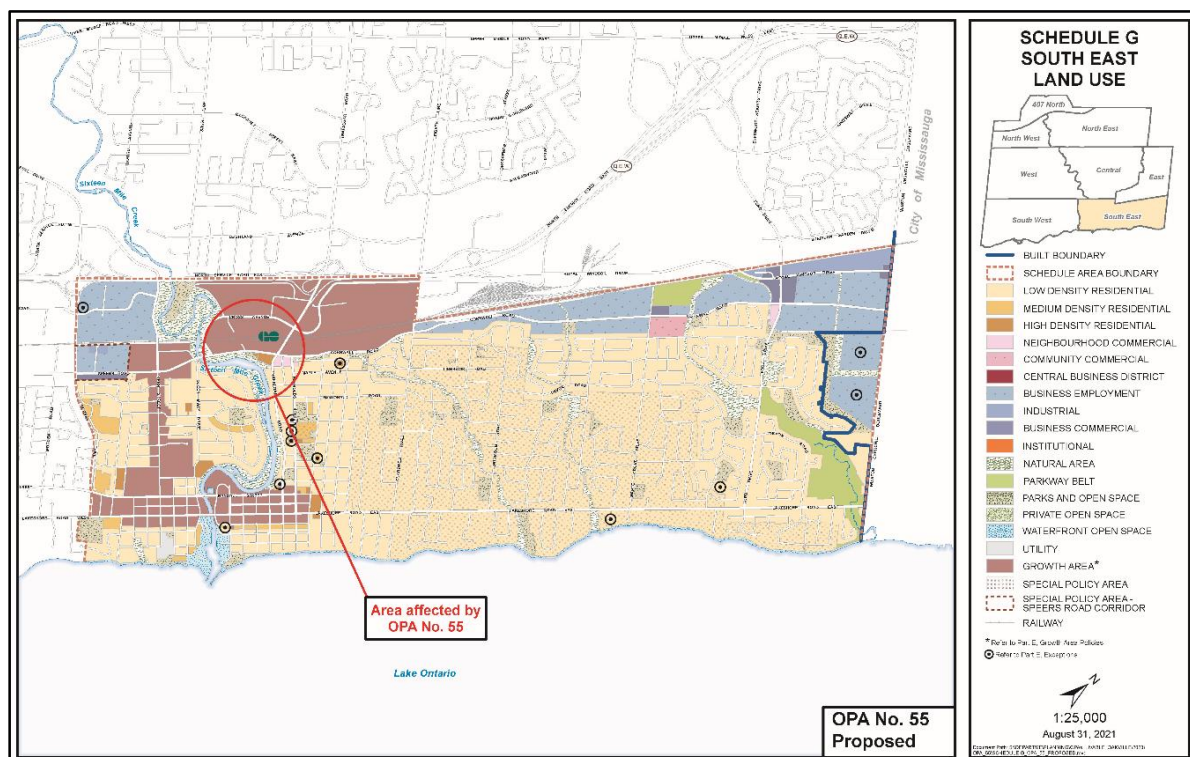


Figure 2: File No. 42.24.27 – Town-initiated Official Plan Amendment No. 55

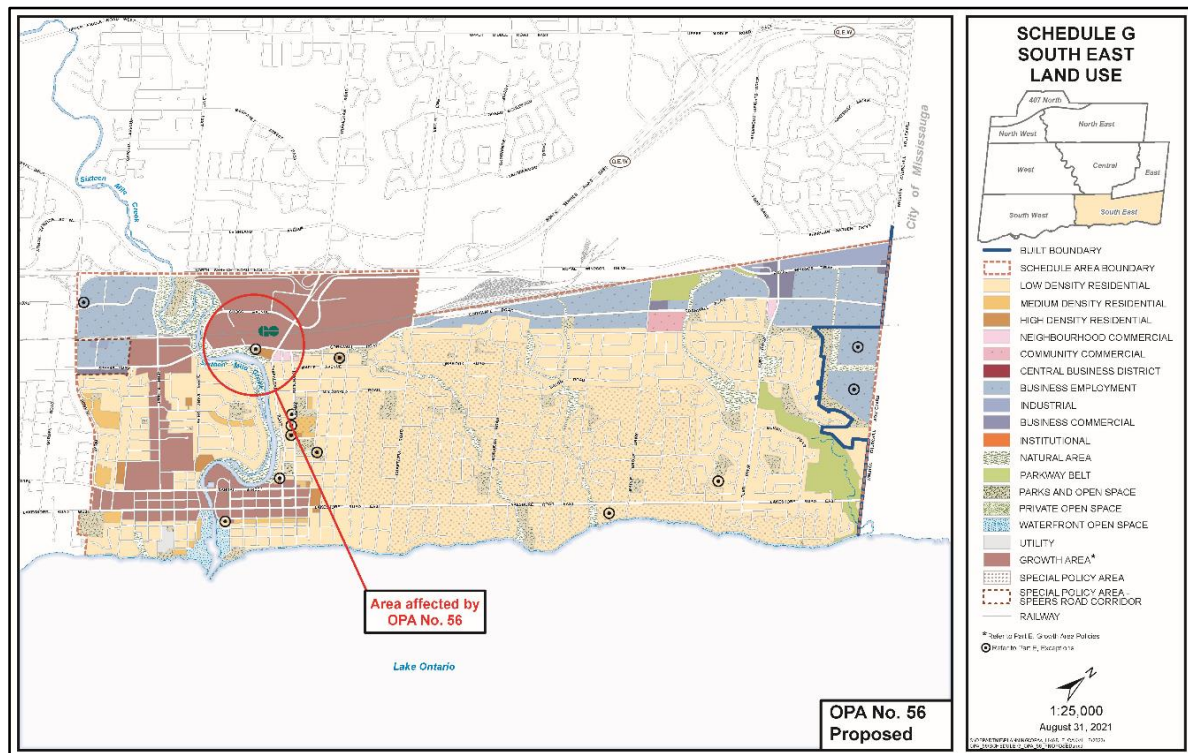


Figure 3: File No. OPA 1614.80 – Applicant’s Official Plan Amendment No. 56

The subject land is identified on Schedule A1 – Urban Structure as being within the Town’s system of Residential Areas. Excerpts of the following referenced Official Plan policies are attached as **Appendix “C”**.

Section 3 of the Official Plan establishes Oakville’s Urban Structure, which describes and assigns the basic structural elements of the Town. Section 3.9 describes how some growth and change may occur in Residential Areas provided the character of the area is preserved and the overall urban structure of the Town is upheld.

Section 4 of the Official Plan, Managing Growth and Change, outlines policies of this Plan relating to the management of growth and change, and reflects the significant shift to a more compact urban form and intensification within the built-up area.

Subsection 4.3 of the Official Plan, Residential Intensification Outside of the Growth Areas, states that while the Town’s Growth Areas are to be the key focus for development, growth and change may occur in established stable residential communities, *“provided the character of the areas is preserved and the overall urban structure of the Town is upheld”*.

Section 11 of the Official Plan provides for the Town's Residential policies. It states that intensification *"within the stable residential communities will be subject to policies that are intended to maintain and protect the existing character of those communities."* The Official Plan lists a set of objectives that apply to the Town's Residential Areas, which includes maintaining the character of existing residential areas while encouraging a mix of housing types throughout the Town.

Subsection 11.1.1 states, *"the Town will continue to work directly with the Region to provide opportunities for housing for a wide array of socio-economic groups and those with differing physical needs using all available planning mechanisms and tools and to develop a housing strategy, including preparation of Municipal Housing Statements, which will establish and implement affordable housing targets."*

Subsection 11.1.4 states, *"development shall conform with policies relating to urban design and sustainability set out in Part C"* of the Town's Official Plan.

Subsection 11.1.6 of the Official Plan states, *"special needs housing may be permitted through a range of housing types in all residential land use designations in accordance with section 11.1.9 and where adequate residential amenities and services are provided"*.

"Special needs housing means any housing, including dedicated facilities in whole or in part, that is used by people who have specific needs beyond economic needs, including but not limited to, needs such as mobility requirements or support functions required for daily living. Examples of special needs housing may include but are not limited to housing for persons with disabilities such as physical, sensory or mental health disabilities, housing for the elderly, group homes, emergency shelter, housing for the homeless, and independent permanent."

Subsection 11.1.8 c) states, *"within the stable residential communities, on lands designated Medium Density Residential and High Density Residential, there may be underutilized lands on which additional development may be appropriate. Intensification of these lands may occur within the existing density permissions for the lands and may be considered subject to the requirements of section 11.1.9 and all other applicable policies of this Plan."*

Subsection 11.1.9 outlines criteria for which all development within stable residential communities shall be evaluated. A summary of the applicable policies are appended to this report as **Appendix "C"**, but the most relevant to the current applications are listed as follows:

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- a) The built form of development, including scale, height, massing, architectural character and materials, is to be compatible with the surrounding neighbourhood.*
 - b) Development should be compatible with the setbacks, orientation and separation distances within the surrounding neighbourhood.*
 - c) Where a development represents a transition between different land use designations or housing forms, a gradation in building height shall be used to achieve a transition in height from adjacent development.*
 - e) Roads and/or municipal infrastructure shall be adequate to provide water and wastewater service, waste management services and fire protection.*
 - f) Surface parking shall be minimized on the site.*
 - h) Impacts on the adjacent properties shall be minimized in relation to grading, drainage, location of service areas, access and circulation, privacy, and microclimatic conditions such as shadowing.*
 - j) Development should maintain access to amenities including neighbourhood commercial facilities, community facilities including schools, parks and community centres, and existing and/or future public transit services.*
 - k) The transportation system should adequately accommodate anticipated traffic volumes.*
 - l) Utilities shall be adequate to provide an appropriate level of service for new and existing residents.*

The applicant will be required to obtain Site Plan approval prior to the issuance of building permits for the construction of the five-storey apartment building. The proposed development exceeds 10 units, which still requires the applicant to proceed through a Site Plan application, even under recent changes to the *Planning Act* from Bill 23. Subsection 28.11 of the Livable Oakville Plan outlines that the entire Town is subject to Site Plan Control and the Town will require the owner to fulfill Conditions of Site Plan Approval and enter into an agreement with the Town relating to said Conditions.

Given the size of the property and a maximum density of 185 units per site hectare, the subject land could accommodate a total of 19 dwelling units without the need for an amendment to the Livable Oakville Plan. The applicant has indicated a need within the community to provide this type of housing and has applied for the

proposed Official Plan amendment to increase the maximum density to 355 units per site hectare in order to accommodate the proposed five-storey 37-unit apartment building. In this particular instance as part of the analysis for the calculation of density based on the undersized lot, Staff is of the opinion that said amendment meets the intent of the *High Density Residential* land use designation. If the applicant were to comply with the maximum permitted 185 units/acre, only an additional nine units could be accommodated on the Support House property. For calculation purposes, if combined with the Sunrise of Oakville property, both will comply with the permitted density of the *High Density Residential* land use designation and the Sunrise property will not be precluded from future development by the proposed development of the Support House land.

Staff are of the opinion that the proposed development is consistent with the objectives for Residential Areas in Section 11 of the Livable Oakville Plan as set out above. The Subject Property is zoned Residential High Special Provision 198 (RH sp: 198) under Zoning By-law 2014-014, which permits an apartment building in accordance with the Residential High Density land use designation. The Official Plan and Zoning By-law amendment applications represent an efficient use of land resulting in an apartment building that will be compatible with the surrounding neighbourhood, which creates affordable housing supported by various Provincial, Regional and Municipal objectives.

Furthermore, Staff are of the opinion that the proposed Official Plan and Zoning By-law amendments are consistent with all applicable Livable Oakville Plan policies. The proposal upholds the Urban Structure, is compatible with the existing neighbourhood, its surrounding site attributes and complies with the evaluative criteria for development in stable residential communities in subsection 11.1.9.

Finally, the Town-initiated Official Plan amendment (OPA 55) will correct a mapping error and designate the lands as *High Density Residential*, as it formerly was dating back to records in the 1985, 1995 and 2004 Official Plan.

A copy of the Draft OPA 55 and 56 are attached to this report as **Appendix “E”** and **“F”**.

Zoning By-law (2014-014)

The lands are zoned *Residential High Special Provision 198* (RH sp: 198) as shown in Figure 4 below.

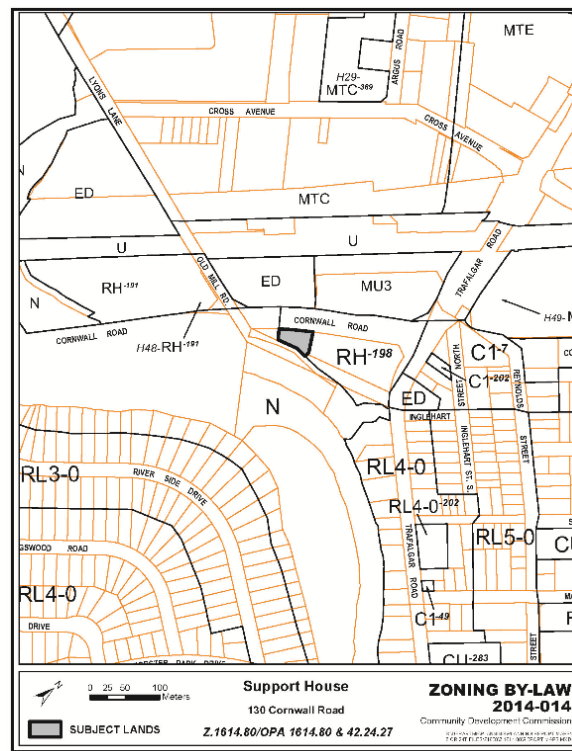


Figure 4: Existing Zoning Map

The *Residential High* zone permits apartment dwellings in addition to:

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

Special Provision 198 applies to the subject land and also to the Sunrise of Oakville retirement building (456 Trafalgar Road) directly east of the site. The special provision includes regulations relating to setbacks, lot coverage, landscaping and parking.

Proposed Zoning By-law Amendment

The applicant proposes to modify Special Provision 198 as it relates to the subject land only to permit the development as proposed. No modifications are being made to the Sunrise of Oakville property. The following is an overview of the principles of the proposed Zoning By-law amendment:

- modifications to the regulations pertaining to lot area and yards;
- permit a maximum height of 17.25 m;

- provide a minimum landscape coverage of 25%;
- permit a maximum floor area of 2,500 m²;
- reduce the width of landscaping along any surface parking area to 0.0 m;
- provide a minimum of seven parking spaces; and
- include a Holding Provision (H53) required by Halton Region.

Staff are of the opinion that opinion that the proposed Zoning By-law Amendment application is appropriate for the development of the land and implements the Livable Oakville Plan. The proposed Holding Provision (H53) will enable the applicant to address Regional matters at a later date as part of a future Site Plan application, prior to any site alteration. It should be noted that the Residential Medium 4 Zone (RM4) is the only other Residential Zone that permits apartment dwellings and allows for a maximum height of 15.0 m, whereas 17.25 m is proposed. As the existing Zoning on subject land is specific to the single detached dwelling that is currently owned and operated by Support House, the proposed apartment dwelling will, as a permitted use, increase the usability of the site, be in keeping with the character of the surrounding neighbourhood, and maintain the pattern of development in the area.

A copy of the Draft By-law 2023-051 is attached to this report as **Appendix “G”**.

TECHNICAL & PUBLIC COMMENTS:

Technical Review

The applicant has submitted the required documents as part of the complete application submission, 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 review matters have been satisfactorily addressed. The following studies and supporting documentation are also accessible on the Town’s website at the following link: [Support House - 130 Cornwall Road - OPA 1614.80 and Z.1614.80](#).

- Planning Justification Report
- Transportation Impact Study
- Conceptual Site Plan
- Building Elevations/Floor Plans
- Phase 1/Phase 2 Environmental Site Assessment
- Function Servicing Report
- Geotechnical Report/Slope Stability Report
- Grading/Servicing Plans
- Landscape Plan/Tree Inventory/Tree Protection Plan

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- Noise Feasibility Study
 - Urban Design Brief including Shadow Study

The Statutory Public Meeting hosted by Oakville Council was held on March 6, 2023, and 15 members of the public attended or participated virtually. The following is an overview of the matters that were identified:

Alignment with the Climate Emergency

The applicant has advised that their goal is to create a sustainable and low energy-use building. The proposed design/climate change initiatives include:

- achieving a minimum 25% decrease in energy consumption and Greenhouse Gas (GHG) emissions outlined in the requirements of the 2015 National Energy Code for Buildings (NECB);
- the building envelope will exceed the building code in terms of insulation levels;
- air tightness detailing of the building envelope to reduce energy consumption;
- the entire building is to be heated and cooled with low-carbon electricity, rather than fossil fuels;
- low-flow water fixtures; and
- all LED lighting.

Conformity with applicable policy

Consistency and conformity to the relevant planning policy has been evaluated in this report. The applications conform with Section 11.1.9 of Livable Oakville, maintains and protects the existing neighbourhood character and contributes to increasing the range and mix of housing options. The proposals also represents an efficient use of land, intensification of an existing affordable housing operation through the creation of additional special needs housing units through Halton Region and provides a built form that will be compatible with the surrounding neighbourhood.

Proposed use of land and density

The proposed five-storey 37-unit apartment building is a permitted dwelling type, subject to the Official Plan and Zoning By-law amendment applications noted in this report. The existing undersized lot could only accommodate a maximum of 19 units within the High Density Residential designation, whereas 37 are proposed. The associated site-specific regulations are outlined in the ‘*Special provision regulations*’ section of this report.

Transportation Implications

- *Road Widening*
 - Staff have identified a 2.75 m road widening requirement along Cornwall Road that will be conveyed to the Town during the Site Plan application process. This land dedication results in a reduced lot area and smaller building envelope with proposed amendments to the existing Residential High Special Provision 198 (RH sp: 198) Zone. Furthermore, it is also related to the Official Plan amendment application required for an increase in the maximum permitted density.
- *Waste Management*
 - The Region has advised that Regional Waste Management will service the site for full cart waste collection from the waste pick-up area proposed on the site. Waste collection will be further reviewed as part of the future Site Plan application.

Urban Design

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 not only function, but also are aesthetically pleasing, support community vitality, and improve the overall livability.

Section 3.3 Low-rise residential buildings states, “*In applying the design directives, low-rise residential buildings are primarily medium and high-density residential, a maximum height of five storeys, and in multi-unit forms, such as apartment-style flats and townhouses. For design direction related to low-rise, low-density residential buildings, primarily detached and semi-detached dwellings, refer to Design Guidelines for Stable Residential Communities (2013).*”

Urban Design Staff have reviewed the proposal and have no objection to the Official Plan Amendment and Zoning By-law Amendment applications, subject to the implementation the Design Guidelines for Stable Residential Communities. Related comments on the submitted applications will be addressed through a more detailed review of a future Site Plan application.

Potential medical center use on main floor

The applicant has confirmed that a medical centre use is not proposed to be combined with the proposed apartment building. A medical use has a higher parking

standard that cannot be accommodated on the site; and in addition, a ground floor medical use will reduce the private amenity space for the future residents.

Special provision regulations

Below is a list and explanation of the required Special Provisions that form the basis of the Zoning By-law amendment in order to facilitate the proposed development:

- *Minimum landscaping coverage of 25%, whereas 25% is required.*
 - **No change** – complies with the existing Special Provision 198.
- *Minimum front yard of 3.0 m, whereas 6.0 m is required.*
 - **Amendment** – due to the 2.75 m width of road widening required and narrow depth of the lot.
- *Minimum easterly side yard of 4.5 m, whereas 7.5 m is required.*
 - **Amendment** – due to the extension of the upper floors cantilevered above the parking spaces.
- *Minimum westerly side yard of 3.0 m, whereas 3.0 m is required.*
 - **No change** – complies with the existing Special Provision 198.
- *Minimum rear yard of 3.0 m, whereas 3.0 m is required.*
 - **No change** – complies with the existing Special Provision 198.
- *Maximum floor area of 2,450 m², whereas 550 m² is permitted.*
 - **Amendment** – due to the change in building type from the existing detached dwelling to an apartment building.
- *Minimum lot area of 1,000 m², whereas the legally existing lot area on the effective date of the 2014-014 Zoning By-law is required.*
 - **Amendment** – due to the road widening land required to be conveyed to the Town through the Site Plan application process, resulting in a reduced lot area.
- *Maximum building height of 17.25 m, whereas the legally existing building height on the effective date of the 2014-014 Zoning By-law is permitted.*
 - **Amendment** – due to the change in building type from the existing detached dwelling to an apartment building.
- *Minimum landscaping width of 0.0 m, whereas 3.0 m is required.*
 - **Amendment** – due to the permeable pavers proposed for the pick-up located of the garbage refuse by Halton Region.

- *Minimum number of 7 parking spaces, whereas 17 are required.*
 - **Amendment** – due to the limited lot area, road widening land dedication, parking space dimension regulations, absence of vehicle ownership, operational needs and anticipated Staffing requirements in proximity to public transit.

Proposed parking for current or anticipated number of staff

The applicant has submitted a Parking Justification Study and Support House operational information, which indicates the number of staff required to meet the needs of the proposed development is anticipated to be three. The applicant has also indicated that based on the type of affordable housing proposed, occupants typically do not own personal vehicles. As such, Staff are proposing a parking ratio for the *apartment dwelling* owned, operated, or funded by a *public authority* will of 0.19 spaces/unit (7 spaces), of which 0.11 spaces/unit will be for visitors (4 spaces). It should be noted that the applicant will comply with the requirement of providing 30 bicycle parking spaces on site.

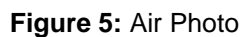
Loss of green space and potential impacts to adjacent town park land

Based on the applicant's submitted a Shadow Study attached in **Appendix "D"**, it has been demonstrated that the proposed development will not result in negative adverse shadowing impacts on the abutting public walkway to the south or the Old Mill Parkette to the west. In accordance with the Town's Shadow Impact Analysis Guidelines, the proposed development provides more than five hours of continuous sunlight per day on the 21st of April, June, September and December.

Potential impacts on Town walkway

The proposed development will be wholly contained within the subject land and there will be no extension onto adjacent lands. As depicted on the Air Photo and Conceptual Site Plan (Figures 5 and 6), the existing Town trees located along the southerly property line abutting the public walkway will remain, resulting in a Canopy Cover of approximately 46.6%:

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Top of bank and fencing for safety

Prior to receiving the formal circulation for the current applications, Conservation Halton (CH) worked with the applicant to assess the property given its proximity to the valley associated with Sixteen Mile Creek. CH reviewed the Slope Stability Assessment and Geotechnical Report for proposed development and are satisfied with the analysis and location of the Long Term Stable Top of Slope (LTSTS). CH staff are satisfied that the 7.5 m setback from the erosion hazard is contained within the adjacent publicly owned access. As such, a CH permit will not be required for this development. CH has no concerns with consistency with the PPS from a natural hazards perspective (Parts 3.1.1 to 3.1.7) and has no objection to the applications.

Furthermore, as part of a future Site Plan application, the applicant will be required to install the Town standard 1.2 m high black vinyl-coated chain link fence. This is typically installed 0.15 m on Town property and becomes fully owned by the municipality. It should be noted that there is an existing wood-rail fence located along the south side of the public walkway adjacent to the top of bank.

Public Comments

A virtual Public Information Meeting (“PIM”) was held on February 16, 2022, to present the subject applications. The Ward 3 Councillors, staff and 15 members of the public attended the virtual meeting. Planning and development related questions were raised relating to:

- building design and footprint;
 - Refer to ‘*Urban Design*’ section of this report.
- impact on surrounding park land; and
 - Refer to ‘*Loss of green space and potential impacts to adjacent town park land*’ and ‘*Potential impacts on town walkway*’ sections of this report.
- number of units and sizes.
 - The proposed 37 units will be comprised of studio and 1-bedroom apartments that range in size from 344 to 592 square feet.

The following matters will be addressed as part of the future Site Plan application:

- rooftop access and balconies
- site functionality;
- garbage refuse;
- photometrics;

- canopy cover;
- fencing;
- stormwater management; and
- sanitary and water services.

CONSIDERATIONS:

(A) PUBLIC

A virtual Public Information Meeting (“PIM”) was held on February 16, 2022, to introduce the subject applications to the public. The Ward 3 Councillors, Staff and 15 members of the public attended the virtual meeting. All public comments received since the public meeting has been within **Appendix “H”**.

A Statutory Public Meeting was held on March 6, 2023. Notice for the meeting was distributed in accordance with the *Planning Act*, in addition to notice for the Recommendation Meeting to be held on May 15, 2023.

(B) FINANCIAL

No financial impacts associated with this report.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

The applications were circulated to Agencies and Town Departments for their review and comments. The applicant-initiated applications are being considered under Bill 109, which provides a 120-day timeline before the applicant is entitled to a partial refund of fees and could file an appeal for lack of a decision. The applications were deemed complete on January 20, 2023, and a decision must be made by May 21, 2023.

(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 has been reviewed to ensure compliance with the Town’s sustainability objectives of Livable Oakville. The proposal has also been reviewed in the context of Council declaring a Climate Change Emergency on June 24, 2019, to provide opportunities to reduce the impact on existing trees and naturalized areas. The proposal incorporates the use of permeable pavers, reduced vehicle parking in proximity to public transit, pedestrian connections to existing sidewalks, bicycle parking and surpassing the Town’s Canopy Cover target.

CONCLUSION:

Staff is satisfied that the applications are consistent with the Provincial Policy Statement and conforms to the Growth Plan and the Halton Region Official Plan, has regard for matters of Provincial interest and represents good planning. Further, the applications are consistent with the principles and overall policy direction of the Livable Oakville Plan.

Staff recommends approval of the Official Plan and Zoning By-law amendments (By-laws 2023-049, 2023-050 and 2023-051) to permit the proposed development of a five-storey, 37-unit affordable housing apartment dwelling on lands municipally known as 130 Cornwall Road for the following reasons:

- The proposed development is consistent with and will implement the vision, development objectives, community design strategy and land use strategy of Livable Oakville;
- The proposed development is consistent with the PPS, conforms to the Growth Plan and the Halton Region Official Plan, has regard for matters of Provincial interest and represents good planning;
- The proposed affordable housing and proposed residential apartment building is permitted by Livable Oakville and will assist in achieving healthy, liveable and safe communities objectives of the PPS and provide an important contribution to achieving the broader, complete community objectives of the Growth Plan;
- Functional and technical design matters will be advanced through the required Site Plan application; and,
- Comments from the public and Council have been appropriately addressed.

By-laws 2023-049, 2023-050 and 2023-051 are attached as **Appendix “E”**, **“F”** and **“G”** respectively.

APPENDICES:

Appendix “A”: Mapping

Appendix “B”: Concept Plans

Appendix “C”: Policy Excerpts

Appendix “D”: Shadow Study

Appendix “E”: Draft By-law 2023-049 (Official Plan Amendment No. 55)

Appendix “F”: Draft By-law 2023-050 (Official Plan Amendment No. 56)

Appendix “G”: Draft By-law 2023-051

Appendix “H”: Public Comments

SUBJECT: Recommendation Report – Town-Initiated Official Plan Amendment (File No. 42.24.27) and Official Plan Amendment/Zoning By-law Amendment (File Nos: OPA 1614.80 and Z.1614.80) – Support House – 130 Cornwall Road – By-laws 2023-049, 2023-050 and 2023-051

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