

REPORT

Planning and Development Council

Meeting Date: September 11, 2023

FROM: Planning Services Department

DATE: August 29, 2023

SUBJECT: Public Meeting Report, Official Plan Amendment and Zoning By-law Amendment, 1539059 Ontario Inc., File Numbers OPA.1612.15 and Z.1612.15 - 349 Davis Road

LOCATION: 349 Davis Road

WARD: Ward 3

Page 1

RECOMMENDATION:

1. That comments from the public with respect to the proposed Official Plan Amendment and Zoning By-law Amendment applications submitted by 1539059 Ontario Inc., (File No.: OPA.1612.15 and Z.1612.15), be received.
2. 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:

- **Nature of Application:** The applicant has applied for an Official Plan Amendment and Zoning By-law Amendment to redevelop the property into a mixed-use development containing a mix of retail, office, and residential units.
- **Proposal:** The proposed development consists of one 58-storey mixed-use building with retail, office and residential purposes containing 388 residential units. The mixed-use development will have six floors of underground parking and three floors of above-ground parking.
- **Public Consultation:** A Public Information Meeting ("PIM") was held on March 2, 2023, to present the subject applications. The meeting was held in a hybrid format where residents could attend in person at the Oakville Public Library –

Central Branch, or through Zoom. Nine members of the public attended the meeting, including the Ward Councillors and Town staff.

BACKGROUND:

The Midtown Oakville Growth Area Review is underway as part of the Livable Oakville Official Plan Review to conform to Provincial Legislation. The growth area reviews are updating the Livable Oakville policies that guide growth and change of these communities by planning to 2051 and beyond. The Midtown Oakville Growth Area Review is considering new policies to ensure that the goals and objectives of the overall growth management framework for the Town continues to be realized. Midtown Oakville is planned to be a vibrant, transit-oriented, mixed-use community.

ROPA 48 maintained the minimum gross density target of 200 people and jobs combined per hectare by 2031 and added new mix targets of 65% people and 35% jobs. Applying the required minimum density to the gross area of Midtown Oakville, results in a minimum of 20,600 residents and jobs combined, or approximately 13,390 residents and 7,210 jobs.

The Midtown Oakville draft Official Plan Amendment proposes policies to implement the findings of the Midtown Oakville Growth Area Review by updating the land use policies and mapping related to the Town's urban growth centre. The proposed changes include updates to land use mix, appropriate densities, the transportation network and road realignments as well as the addition of public realm policies and schedules. The draft Midtown Oakville Official Plan Amendment (OPA) was presented at the May 23, 2023, Planning and Development Council meeting for information and public consultation. Town of Oakville Council has established a "*Committee of The Whole – Midtown Oakville*", to better understand the Midtown OPA in greater detail. The OPA is expected to be finalized by Q4, 2023/Q1, 2024.

APPLICATION SUMMARY

Applicant/Owner: 1539059 Ontario Inc.

Purpose of Application(s): The purpose of this application is to:

- retain the existing Davis and Cross Road alignments;
- remove the QEW off-ramp Davis Road underpass;
- redesignate the lands from 'Office Employment' to 'Urban Core' ; and
- to permit a 10 FSI in order to build a 58 storey mixed use building.

An aerial photograph, existing Livable Oakville land use schedules, and an existing zoning excerpt from By-law 2014-014 are included in **Appendix 'A'**.

Effect of Application(s): The effect of the Official Plan Amendment application would remove the right-of-way for the planned realignment of Cross Avenue as approved as part of the Midtown Oakville Transportation and Stormwater Class Environmental Assessment from the Subject Lands. The applicant is proposing to retain the existing Davis Road alignment, which does not conform to the Midtown EA. In addition, the application proposes to remove the QEW off-ramp underpass, and re-designate a portion of the lands from 'Office Employment' to 'Urban Core' to allow for the proposed intensification.

The Official Plan and Zoning By-law Amendment applications would permit the increased height to allow for the proposed intensification and rezone the property from Midtown Transitional Employment (MTE) Zone to a site specific Mixed Use 4 (MU4) Zone category with site-specific provisions to facilitate the development proposal.

A copy of the applicant's concept plans are included as **Appendix 'B'**.

A copy of the applicant's draft Official Plan Amendment is included as **Appendix 'C'**.

A copy of the applicant's draft Zoning By-law is included as **Appendix 'D'**.

Submitted Plans / Reports:

The proponent has provided technical supporting studies which are currently under review by various public agencies and internal town departments. The supporting documentation is accessible on the town's website at [Corbett Land Strategies Inc. - 349 Davis Road - OPA 1612.15 and Z. 1612.15 \(oakville.ca\)](http://Corbett Land Strategies Inc. - 349 Davis Road - OPA 1612.15 and Z. 1612.15 (oakville.ca)).

Property Location: The subject property is located on the northeast corner of South Service Road East and Davis Road and are municipally known as 349 Davis Road.

Surrounding Land Uses:

The surrounding land uses are as follows:

- North – two-storey auto repair shop (359 Davis Rd)
- South – the intersection of South Service Road East and Davis Road
- East – Davis Road, followed by a six-storey building owned by PwC Canada, and three parking lots
- West – South Service Road and the QEW on-ramp from Trafalgar Road

Key Milestones:

Pre-Consultation Meeting	1. December 15, 2021 2. May 11, 2022
Public Information Meeting	March 2, 2023
Pre-submission Review	N/A
Application Deemed Complete	May 11, 2023
P & D Council - Public Meeting	September 11, 2023
Date Eligible for Appeal	September 11, 2023

These applications do not fall under the refund timelines for Bill 109.

PLANNING POLICY & ANALYSIS:

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

- Provincial Policy Statement (2020)
- Growth Plan for the Greater Golden Horseshoe (2019)
- Halton Region Official Plan
- Livable Oakville Official Plan
- Zoning By-law 2014-014

A full analysis of the Provincial Policy Statement (2020), Growth Plan for the Greater Golden Horseshoe (2019), Halton Region Official Plan will be included within the full recommendation report.

Official Plan and Zoning By-law extracts are attached as **Appendix 'E'**.

MATTERS UNDER REVIEW

This application was received in May 2023, and is under review by departments and agencies. The following are the general issues that will be addressed in a future recommendation report, in addition to any comments from the public, Council and commenting agencies:

- Evaluating the proposal compared to the existing Davis Road and Cross Road alignments. In addition, the proposed removal of the QEW off-ramp underpass. The road alignments as shown in the current Livable Oakville Plan were approved through the Midtown EA is part of a comprehensive package of infrastructure improvements and any deviation from the approved road network will need to be assessed through the Midtown Transportation Master Plan and the Midtown Implementation Plan that is underway.
- Integration/Impact on adjoining and adjacent properties
- Conformity with applicable policy

-
- Proposed use, height and density
 - Inclusion/proportion of retail and office uses (consideration taken for loss of existing jobs)
 - Proportion of residential unit types (i.e. unit breakdown by size)
 - Future long-term planning of the school boards
 - Evaluation of the impacts the application presents when compared to the approved Midtown Oakville Transportation and Stormwater Class Environmental Assessment.
 - Evaluation of the MTO setbacks from the QEW highway
 - Transportation Implications (including travel demand management strategies, and parking utilization)
 - Pedestrian connections and walkability
 - Stormwater Management
 - Tree Preservation
 - Functional Servicing
 - Urban Design (including an assessment of the proposed public realm)
 - Shadow/sun impacts
 - MTO Comments/Concerns
 - Public & Council Comments/Concerns
 - Climate Change/Sustainability Goals

CONCLUSION

Staff will continue to review and analyze the subject Official Plan and Zoning By-law Amendment applications and address all technical matters along with submitted public comments. 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.

CONSIDERATIONS:

(A) PUBLIC

The applicant held a virtual Public Information Meeting (“PIM”) on March 2, 2023, to present the proposal for the subject lands at 349 Davis Road which was attended by nine residents. Minutes of the meeting have been included as **Appendix ‘F’**.

Notice of complete application and public meeting were distributed to the property owners within 240m of the subject property in accordance with the town’s current notice requirements.

(B) FINANCIAL

None.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

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

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

APPENDICES:

Appendix "A": Mapping

Appendix "B": Conceptual Plans and Renderings

Appendix "C": Applicant's Draft Official Plan Amendment

Appendix "D": Applicant's Draft Zoning By-law Amendment

Appendix "E": Official Plan and Zoning By-law Extracts

Appendix "F": Developer Hosted Public Information Meeting Minutes

Prepared by:

Riley McKnight

Planner, Current Planning – West District

Recommended by:

Leigh Musson, MCIP, RPP

Manager, Current Planning – East District

Submitted by:

Garbriel A.R. Charles, MCIP, RPP

Director, Planning Services