



OAKVILLE

REPORT

Planning and Development Council

Meeting Date: December 4, 2023

FROM: Planning Services Department

DATE: November 21, 2023

SUBJECT: Recommendation Report – Official Plan Amendment and Zoning By-law Amendment, 115 Trafalgar Road, Trafalgar Luxury Living Inc., OPA1613.64 and Z.1613.64 By-law 2023-143 and By-law 2023-144

LOCATION: 115 Trafalgar Road

WARD: Ward 3 .

Page 1

RECOMMENDATION:

1. That the proposed Official Plan Amendment and Zoning By-law Amendment applications submitted by Trafalgar Luxury Living Inc. (File Nos. OPA1613.64 and Z.1613.64), 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, 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 November 21, 2023.
2. That By-law 2023-143, a by-law to adopt Official Plan Amendment number 60 to the Livable Oakville Plan, be passed.
3. That By-law 2023-144, an amendment to Zoning By-law 2014-014, be passed.
4. That the 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.
5. 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 Application:** The landowner has applied for an Official Plan Amendment to permit a six-storey mixed-use building, and Zoning By-law Amendment to rezone the subject lands from CBD to MU1 SP 427.
- **Proposal:** Official Plan Amendment and Zoning By-law Amendment that would have the effect of permitting a new six-storey mixed-use building, with three commercial units on the ground floor and 12 residential uses above, together with one level of underground parking.
- **Location:** The subject lands are located on the southeast corner of Trafalgar Road and Church Street and are municipally known as 115 Trafalgar Road. The property is 683 square metres in size and contains an existing two-storey commercial building, with no residential uses.
- **Policy Context:** The subject lands are designated *Growth Area - Main Street 1*, 'eligible for bonusing' within the Livable Oakville (Schedule Q1 – Downtown Oakville Land Use).
- **Zoning:** The subject lands are presently zoned *CBD (Central Business District)* within the Zoning By-law 2014-014, as amended.
- **Public Consultation:** An applicant-initiated virtual Public Information Meeting ("PIM") was held on February 2, 2023 and was attended by the Ward Councillor and eight members of the public. The statutory public meeting for this application was held on October 16, 2023, and no members of the public attended. Four written submissions have been received.
- **Timing:** This application was submitted and deemed complete on August 10, 2023. The *Planning Act* provides a 120 day timeline for Council to make a decision on this application (December 8, 2023) failing which the applicant could file an appeal for non-decision, and be entitled to a refund of fees.
- **Recommendation:** Staff recommend approval of the Official Plan Amendment and Zoning By-law Amendment applications, subject to an 'H' holding provision in the zoning by-law, 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 the achievement of complete communities.

BACKGROUND:

Proposal

The purpose of the Official Plan Amendment and Zoning By-law Amendment is to permit an increase in height from four storeys to six storeys, and to rezone the lands, shown in Figure 1, from Central Business District (CBD) to a modified CBD. To ensure the zoning aligns with the Official Plan, staff will be recommending a change from CDB to a modified Main Street 1 (MU1). The effect of the amendment would permit the development of a six-storey mixed-use building with 12 residential units and three commercial units fronting onto Trafalgar Road. Access is proposed from Trafalgar Road to an underground parking garage with 21 parking spaces, including three spaces for visitors which are accessible to the public. Eight parking spaces are provided in a stacked configuration using a mechanical lift, and two parking spaces are in a tandem configuration.



Figure 1: Air Photo

The proposed Official Plan Amendment (OPA 60) would introduce a site-specific exception for the subject lands to permit a maximum height of six storeys, where four storeys is the maximum height permitted.

The proposed zoning By-law 2023-144 introduces a site-specific provision for the subject lands to reflect the proposed development as well as provides for Holding ('H') provisions that must be satisfied prior to building permit issuance. The 'H' provision would require the owner to address the following:

- Potential Site Contamination
- Site Servicing Capacity

- Access and Parking configuration.

The conceptual site plan and 3D rendering, Figure 2 and Figure 3 below, illustrate the proposed development concept for the subject lands.

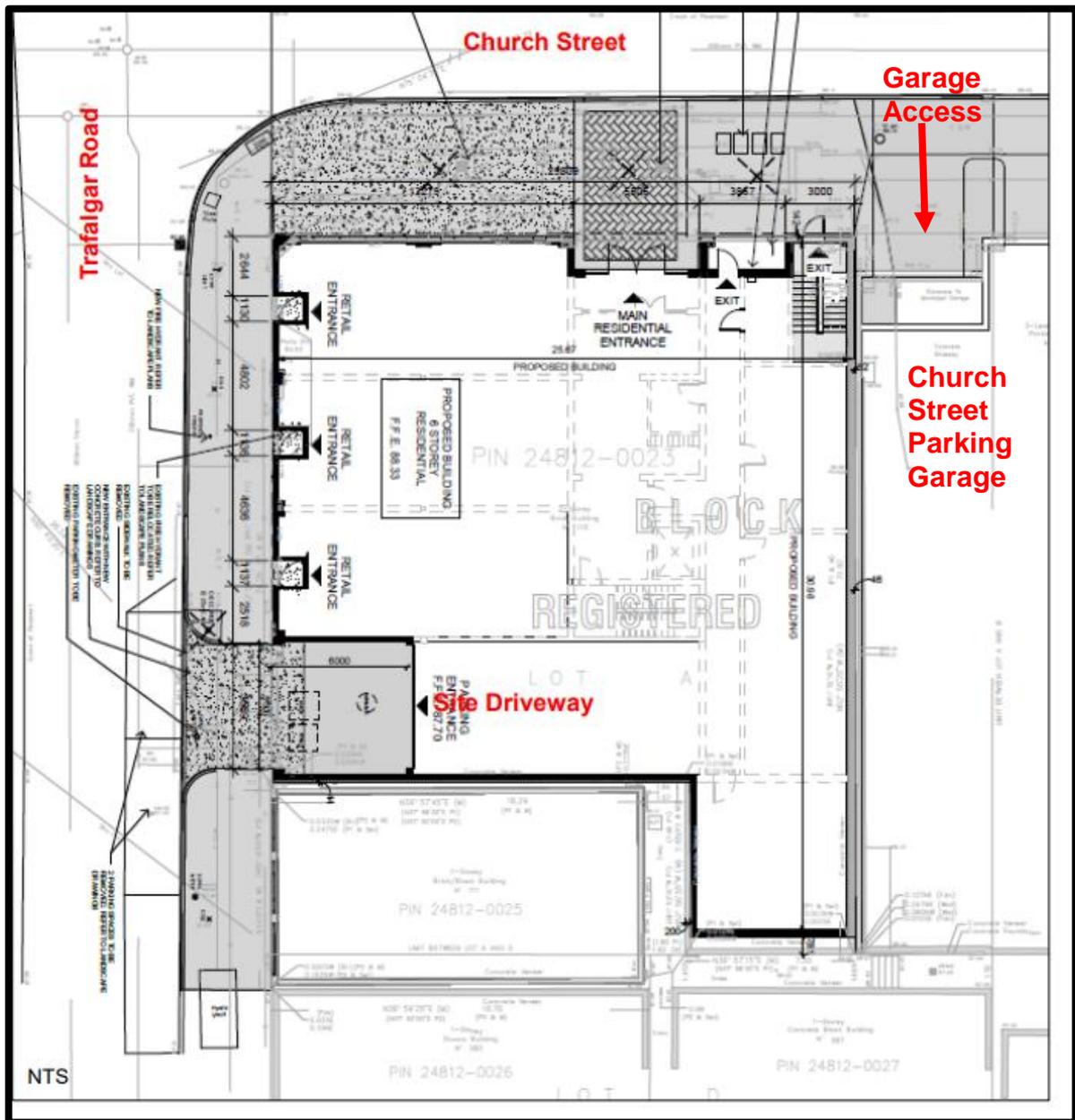


Figure 2: Conceptual Site Plan



Figure 3: Proposed Rendering from the intersection of Trafalgar Road and Church Street

Location and Site Description

The subject property has a lot area of approximately 683 square metres and is located at the southeast corner of Church Street and Trafalgar Road, in Downtown Oakville. The site is serviced by the 14/14a Oakville Transit routes that provides service between the Appleby GO Station and the Oakville Go Station with stops located on Trafalgar Road and Church Street. Currently, the transit routes operate on 30-minute headways during the week.

The property is currently occupied by a two-storey commercial building, with no residential uses and no parking on-site. Commercial parking is accommodated throughout the town's municipal parking network in the downtown, including within the abutting municipal parking garage on Church Street.

Surrounding Land Uses

The surrounding land uses are as follows:

- North – Church Street, One-storey commercial building
- East –Town owned three-storey parking structure, with rooftop parking
- South –One-storey commercial building

-
- West – Trafalgar Road, Four-storey commercial 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, as amended in 2020);
- Halton Region Official Plan;
- Livable Oakville Plan; and,
- Zoning By-law 2014-014

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.

The Subject Property is located within a settlement area, which is the focus of growth and development. Land use patterns within settlement areas 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.

Staff are of the opinion that the proposal would contribute to a healthy, liveable and safe community and that it represents an efficient use of land and existing resources. On this basis, the proposed Official Plan Amendment and Zoning By-law Amendment are 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

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 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 a "Delineated Built-Up Boundary" and a strategic growth centre (Downtown Oakville) 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. On this basis, the proposed Official Plan Amendment and Zoning By-law Amendment 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'.

Halton Region Official Plan

The subject lands are designated "Urban Area" in 2009 Regional 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 support a form of growth that is compact and supportive of transit, and the development of vibrant and healthy mixed-use communities which afford maximum choices for residence, work, and leisure.

The subject lands are within the identified "Built-Up Area". Regional Phasing policies to 2021 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.

One of the objectives of the Urban Area (Policy 72(1)) is to *"accommodate growth in accordance with the Region's desire to improve and maintain regional unity, retain local community identity, create healthy communities, promote economic prosperity, maintain a high quality, sustainable natural environment, and preserve certain landscapes permanently"*.

Halton Region advised Town staff that it has no objection to the proposal, subject to two Holding conditions to address a Phase 1 Environmental Site Assessment, and capacity analysis for the Navy Street pumping station, the details of which are included in By-law 2023-144 included as Appendix “E”. On this basis, the proposed Official Plan Amendment and Zoning By-law Amendment conform to the Region of Halton Official Plan.

Livable Oakville Plan

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. In staff’s opinion, the proposal advances the goals and objectives of the Livable Oakville Official plan by promoting intensification within a growth area, described in further detail below.

Urban Structure

The Town’s urban structure most recently updated through Official Plan Amendment 15, provides for nodes and corridors, where higher intensity forms of mixed-use growth that would support frequent transit service are to be accommodated. Nodes include the Town’s Strategic Growth Areas, such as Downtown Oakville. While Downtown Oakville is a growth area, it is not a primary growth area, and is intended to develop as a smaller scale mixed-use centre with a viable main street. It is expected that these areas will accommodate intensification through development and redevelopment.

As part of the Town’s Official Plan Review, the Downtown Oakville Review was completed in 2017, and OPA 20 was approved in 2018.

The subject lands are identified on Schedule A1 – Urban Structure (Figure 5) as forming part of the Growth Area for Downtown Oakville, and in near proximity to local and GO transit services along Lakeshore Road with service to Midtown Oakville. The development proposal for the subject lands responds to provincial and municipal land use directions to assess opportunities within designated growth areas and corridors for intensification.

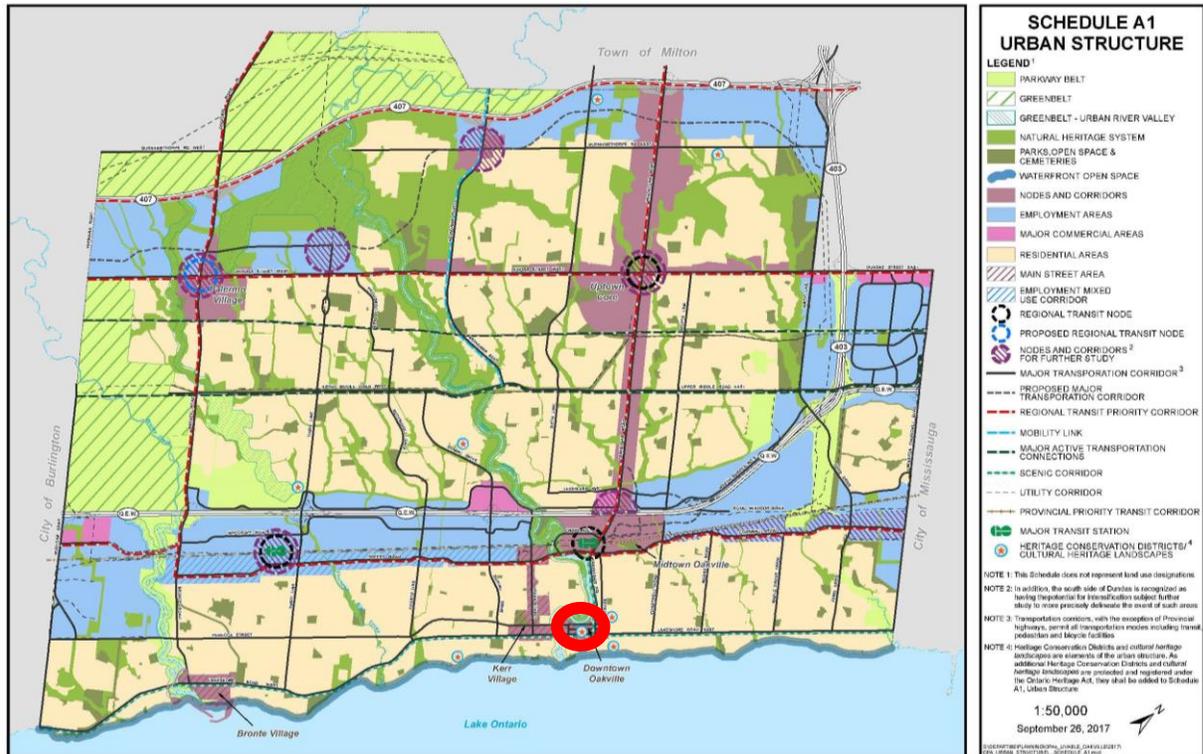


Figure 5: Urban Structure –Schedule A1

The subject lands are located within a Strategic Growth Area (Downtown Oakville) that is planned to accommodate intensification and high density residential land uses 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.”*

Land Use Policies

Downtown Oakville is identified as a Growth Area in the Livable Oakville Plan and the key focus for development and redevelopment to accommodate intensification is within defined Growth Areas. The objective of the Downtown Oakville growth area review is to ensure that the goals of the overall growth management framework and policies continue to be realized. OPA 20 was approved in 2018 and had the effect of redesignating properties from Central Business District to a range of mixed-use designations (such as “Main Street 1”) that recognized location, development potential and contribution to the intensification targets set by the province and region. OPA 20 also provided bonusing opportunities for specific areas within the Growth Area, which included the subject lands.

The subject lands are designated “Main Street 1, eligible for bonusing” on Schedule Q1: Downtown Oakville Land Use Plan in the Livable Oakville Plan, shown in Figure 6 below. Additionally, Trafalgar Road and Church Street are identified as a “Secondary Street” on Schedule Q2 – Downtown Oakville Urban Design.

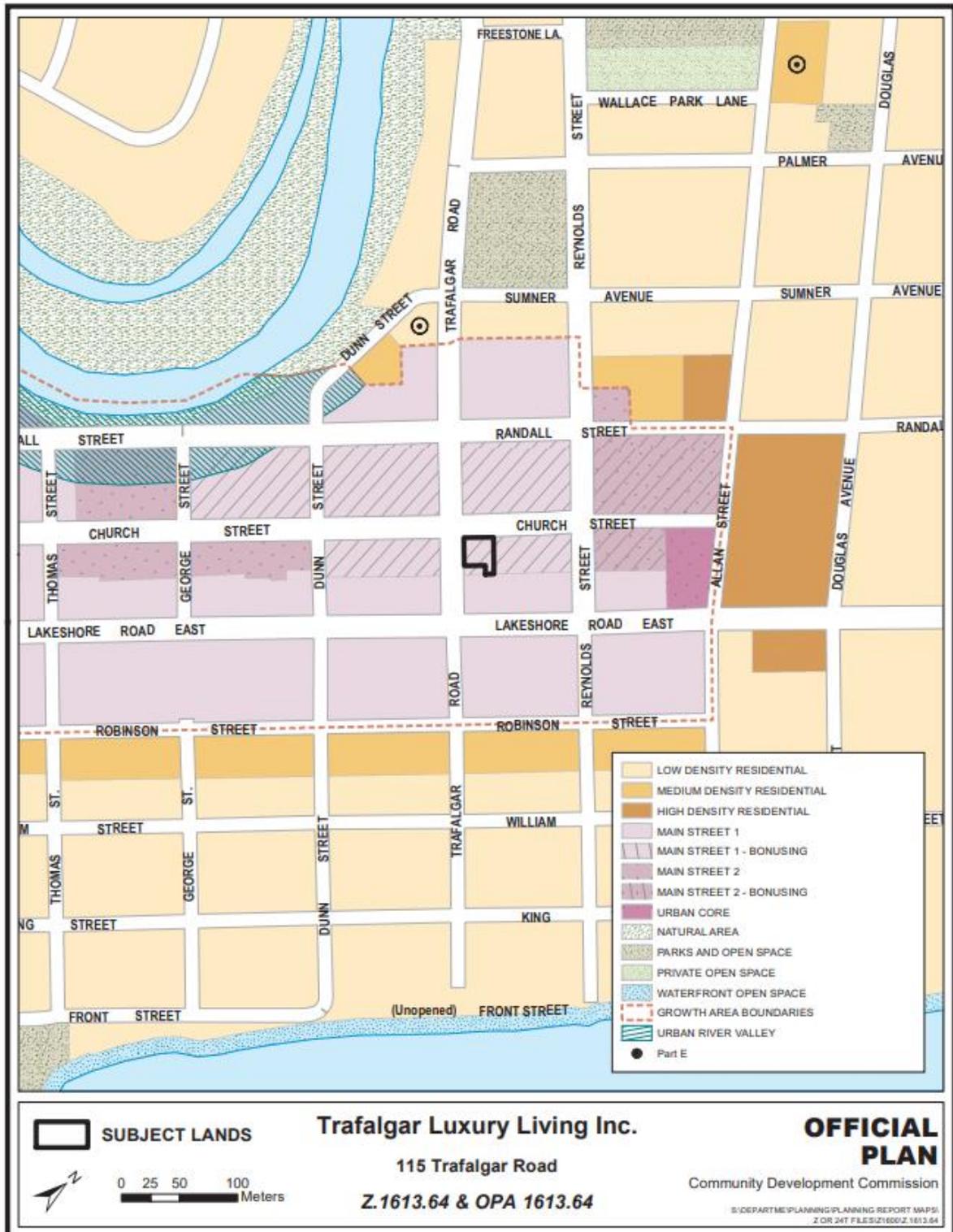


Figure 6: Official Plan Excerpt

The Livable Oakville Plan provides a specific policy framework for the Downtown Oakville growth area in addition to the other policies of the Plan. Part C, Section 12.2 states that the Main Street 1 designation represents small scale, mixed-use development along main streets and is intended to reflect a pedestrian-oriented, historic main street character. Main Street 1 is intended to accommodate buildings with a minimum height of two storeys and a maximum height of four storeys.

Additionally, Part E: Downtown Oakville Section 25 states that new development is anticipated to recognize and enhance the existing buildings and streetscapes, which contribute to its unique heritage character.

This is achieved through area specific policy objectives under Section 25.2. Specifically, policy 25.2.2 – Achieve a high quality level of urban design by:

(b) “Ensuring new development is designed to maintain and enhance the Downtown’s image as an enjoyable, safe, and pedestrian-oriented place, and complement the historical attributes of the area.”

Further, the functional policies in Section 25.4 include:

“ 25.4.1 Parking

a) Parking will primarily be provided in centralized or shared parking areas. It is intended that such facilities be integrated with buildings and provide convenient pedestrian connections to Downtown Oakville’s commercial, office, community and cultural uses.

25.4.2 Urban Design

All development within Downtown Oakville shall be of a high quality design that considers the integration of new and existing buildings, as well as building façade treatment.”

Lastly, area specific Urban Design criteria set out in Policy 25.5.6 - Built Form states:

“a) The consolidation of properties to allow for comprehensive site design and development is encouraged.

b) Buildings greater than two storeys in height should be stepped back above the second storey where they front Lakeshore Road East.

c) Buildings greater than four storeys in height should be stepped back above the fourth storey where they front Church Street and/or Randall Street.”

The proposed building provides new opportunities for residential units within the downtown, while maintaining commercial uses on the ground floor. Additionally, the building has been designed to step back the additional two storeys, consistent with the Official Plan policy framework.

The property is also in proximity to four heritage properties. The properties known as 123 and 127 Trafalgar Road and 297 Church Street are listed as properties of cultural heritage value or interest; and the property known as 293 Church Street is designated under Part IV of the *Ontario Heritage Act* by By-law 2011-062. The proposed building location, height, and massing are not considered to have a negative impact on the nearby cultural heritage resources.

Section 28.2 provides direction when considering site specific Official Plan Amendments. The criteria set out in policy 28.2.3, states that the submission must demonstrate that the proposed amendment:

“a) is consistent with the Town’s mission and guiding principles;

b) does not undermine the Town’s urban structure in terms of:

i) directing growth to identified nodes and corridors, and ensuring their timely development in a manner that makes effective and efficient use of existing and planned investment and achieves the planned objectives for these areas;

ii) protecting natural heritage systems;

iii) protecting waterfront open space, parks and other public open space;

iv) conserving cultural heritage resources; and,

v) the maintenance of the character of established Residential Areas, Employment Areas and major commercial areas;

c) is consistent with Provincial, Regional and Town plans for multi-modal transportation systems, municipal services, infrastructure and public service facilities;

d) does not result in adverse fiscal impacts for the Town;

- e) is an appropriate use for the land;*
- f) is compatible with existing and planned surrounding land uses;*
- g) is not more appropriately considered under a required comprehensive Official Plan review or a municipal comprehensive review;*
- h) does not establish an undesirable precedent if approved;*
- i) satisfies all other applicable policies of this Plan.”*

The applicant proposes an additional two storeys in height which have been designed in a manner that minimizes the massing impact on the street, and further provides additional setbacks at the rear to improve access to natural light for the rear balconies. The additional two storeys facilitate an appropriate form of intensification within the Downtown Oakville Growth Area and does not undermine the town's Urban Structure.

It is staff's opinion that the proposed Official Plan amendment implements the objectives of the Downtown Oakville growth area, and is also compatible with the existing and planned surrounding land uses. On this basis, the proposed amendment is consistent with the goals and objectives of the Official Plan.

Official Plan Bonusing Policies

In 2019, the Province of Ontario passed Bill 108, the *More Homes, More Choice Act*, and had the effect of introducing changes to Section 37 of the *Planning Act* which dealt with bonus zoning. Subsequently, in 2020, the Province of Ontario passed Bill 197 the *COVID-19 Economic Recovery Act*, which had the effect of changing section 37 by implementing a Community Benefit Charge rather than the use of bonusing. Following Bill 197, the town passed a Community Benefits Charge (CBC) By-law (2022-069) to obtain community benefits through developments that are five storeys in height or greater. As the proposed development is six storeys, the town will be able to collect community benefits as prescribed in the CBC Strategy.

The Livable Oakville Plan contains policies to enable Council to consider increases in height and/or density, in specific areas of the town, in exchange for community benefits (known as bonusing) without amendment to the Plan. The Livable Oakville Official Plan has not yet been updated to reflect the changes from Bill 108 and Bill 197. Therefore, while these bonusing policies are still contained within the Official Plan, they are no longer operative. Increases in height on lands which were previously eligible for bonusing require an Official Plan Amendment.

The subject lands are identified as 'eligible for bonusing' on Schedule Q2 of the Official Plan, which would have allowed for an increase of two storeys in height, from four storeys to six storeys, without amendment to the Official Plan.

Staff have considered the proposed Official Plan Amendment requesting an increase in height from four storeys to six storeys, and assessed the potential impacts to surrounding land uses and the achievement of the Downtown Oakville growth area objectives.

It is staff's opinion that the development of the site to permit a six-storey mixed-use building implements the Livable Oakville Plan policies and contributes to achieving the Downtown Oakville growth area objectives. Approval of the proposed Official Plan Amendment and Zoning By-law Amendment applications will allow for transit-supportive intensification within the Downtown Oakville growth area, as well as provide community benefits consistent with the CBC Strategy. On this basis, the proposed amendments conform with the Official Plan.

Zoning By-law (2014-014)

The subject lands are zoned CBD – Central Business District as shown on Figure 7 below. The CBD zone permits a wide range of uses including stand-alone residential uses with a maximum height of fifteen metres, typically equivalent to four storeys. The zoning by-law was not amended following OPA 20 which changed the designation to Main Street 1. The applicant's proposed zoning by-law requests modifications to the CBD zone to permit six storeys in height along with special regulations for parking stall dimensions and main wall proportionality.

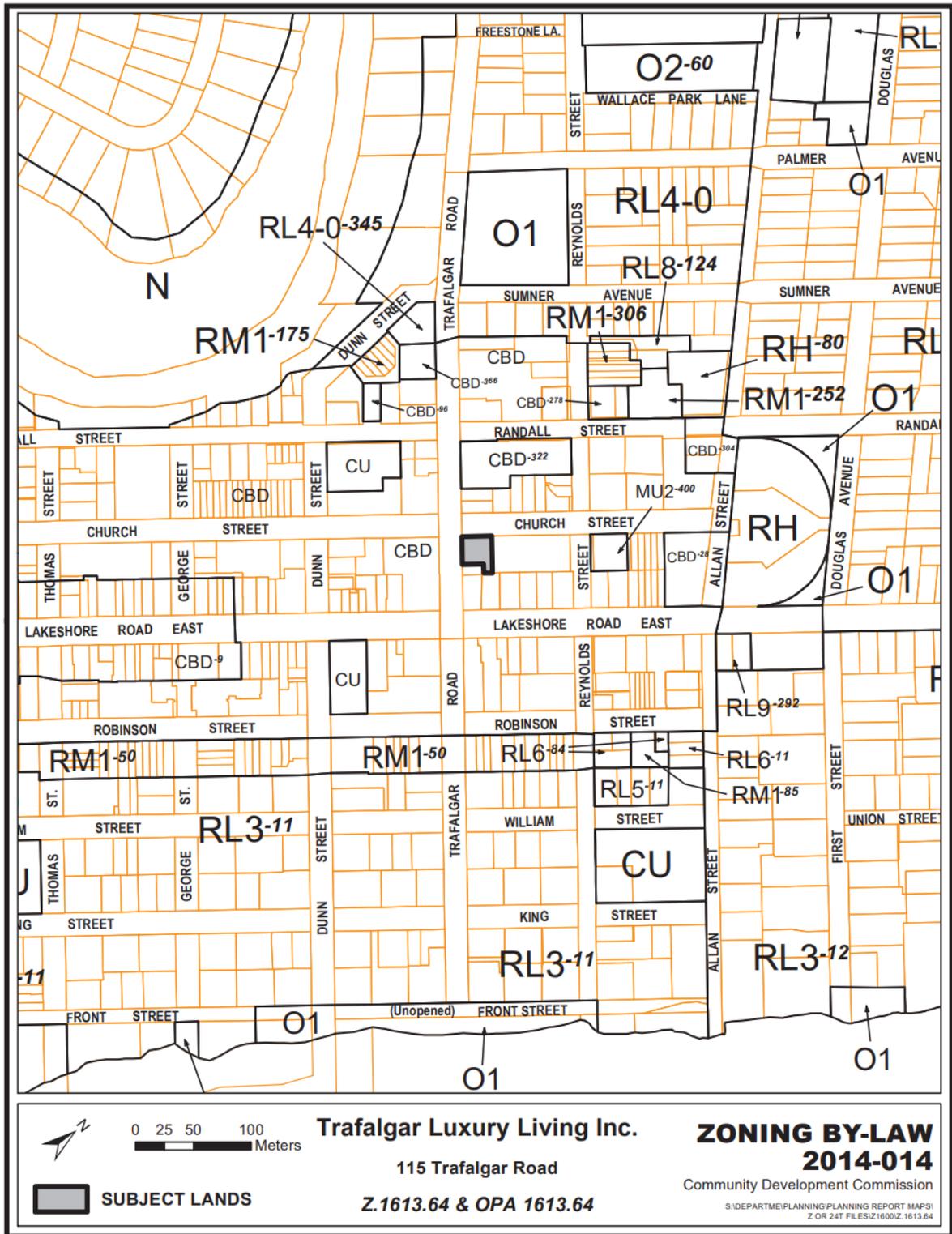


Figure 7: Zoning Excerpt

Proposed Zoning By-law Amendment

The applicant proposes to amend the CBD zoning in By-law 2014-014 to implement their proposal. It is staff’s opinion that since the land use designation was changed as part of OPA 20, the implementing zoning should reflect the current designation. On this basis, staff recommends an alternative Zoning By-law Amendment that incorporates the applicant’s requested modifications under the MU1 zone. This change from CBD to a modified MU1 is consistent with the Livable Oakville Official Plan.

The applicant has requested a change in zoning from CBD to CBD modified:

Requested Change	By-law Requirement	Applicant’s Proposed Amendment
Maximum height	15m	23m (in accordance with the heights figure included in the by-law)
Maximum number of storeys	4	6
Minimum width of a stacked parking space	3.0m	2.7m
Maximum balcony projection for the 6 th storey	1.5m	3.6m
Main wall proportionality	75% of the total main wall height	Only 14m of the main wall height
Future severance (such as condominium)	Not regulated	Notwithstanding any severance, partition, or division of the lands subject to this Special Provision, all lands subject to this by-law shall be considered to be one lot for the purposes of this By-law.

To ensure the by-law adequately implements the objectives of the Official Plan, staff recommend a revised by-law for Council’s consideration, included in Appendix ‘E’ of this report. Staff recommend a change in zoning from CBD to MU1 with modifications. Details of the modifications include:

Town Proposed By-law	By-law Requirement	Town’s Proposed Amendment
Maximum height	15m	23m
Maximum number of storeys	4	6

Minimum width of a stacked parking space	3.0m	2.7m
Minimum setbacks	0m	In accordance with sketch
Minimum step-backs	Not regulated	In accordance with sketch
Minimum setback for a balcony or roof terrace from the interior lot line for the 2 nd to 4 th storey	0.0m	4.15m
Minimum setback for a balcony or roof terrace from the interior lot line for the 5 th and 6 th	0.0m	5.5m
Maximum projection for balcony for the 6 th storey	1.5m	1.9m
Main wall proportionality	75% of the total main wall height	Only 14m of the main wall height
Electric motor vehicle supply equipment	Not regulated	A minimum of 20% of the <i>parking spaces</i> in a <i>building</i> shall include the provision for installation of electric motor vehicle supply equipment.
Future severance (such as condominium)	Not regulated	The provisions of this By-law will apply to the whole lands despite any future severance or division of the lands.

Staff have no objection to the increase in height, the requested main wall proportionality modification, minimum width of a stacked parking space, or the recognition of future land division for the site. Staff also agree with the proposed stepbacks for the fifth and sixth storeys that support transition and reduced massing on the street. Additionally, to further implement the objectives of the Official Plan, it is staff’s opinion that adequate transition and access to light should also be accommodated where it affects the balconies at the rear of the property. On this basis, staff have worked with the applicant to provide additional setbacks for the balconies or roof terrace areas at the rear to support additional access to light.

Similarly, to address the Climate Change emergency, staff have provided a new provision to ensure that a minimum of 20% of the parking spaces provided will be equipped with the opportunity to support electric vehicle equipment.

To address Halton Region's and the town's outstanding matters as indicated earlier in this report the following 'H' Provisions shall be included in proposed By-law 2023-144 to address a Phase 1 Environmental Site Assessment, capacity analysis for the Navy Street pumping station, and the site access.

Staff have evaluated the proposed Zoning By-law Amendment to ensure it adequately implements the proposed development and the Official Plan objectives. Staff's recommended By-law is included in Appendix 'E' of this report, and it is staff's opinion that the by-law implements the objectives of the Downtown Oakville growth area and conforms with the Official Plan.

TECHNICAL & PUBLIC COMMENTS:

Planning staff circulated the development application to internal departments and external agencies for a full assessment of the proposal to ensure technical matters have been satisfactorily addressed. Issues that are to be resolved have been reflected in the H provision of the proposed Zoning By-law. There were no objections to the development proposal subject to the provision of Holding Provisions included in proposed By-law 2023-144 and discussed above.

The following studies and supporting documentation are also accessible on the town's website ([115 Trafalgar Road – Trafalgar Luxury Living Inc.](#)):

- Environmental Site Assessment – Phase 1
- Functioning Servicing Report
- Landscape Plan
- Shadow Study
- Traffic Impact Study
- Urban Design Brief
- Architectural Drawings

Four written letters of correspondence received since the public meeting are included in Appendix 'C', including one letter of objection.

The following is an overview of the matters identified:

1. Conformity with applicable policy

- Applicable policy was reviewed and evaluated in the preceding section of this report. The proposal is consistent with the PPS, conforms to the

Growth Plan and Halton Region Official Plan. Furthermore, the proposal implements the goals and objectives of the Main Street 1 designation for the Downtown Oakville, Main Street growth area.

- The site is located within a Settlement Area and a Built-Up Area, providing growth in a Growth Area. The Main Street 1 designation reflects a mixed-use form that supports a range of commercial and residential uses that implement the Livable Oakville plan and the development concept for Downtown Oakville.
- The site is serviced by Oakville Transit and is highly walkable to amenities and open spaces.
- The proposal meets the criteria in Section 28.2 of Livable Oakville to evaluate site-specific amendments.
- In addition to staff's analysis above, Council asked staff to consider the development with respect to the provincial housing targets and affordable housing needs as follows:

a. consider if the development will include affordable housing, and how does it support housing targets.

- The proposed development is not intended to accommodate affordable residential units, as defined by the Provincial Policy Statement.
- The proposed development does introduce 12 new residential housing units within the Downtown Oakville growth area, which helps achieve the town's and provincial housing targets.

2. Integration/Impact on adjoining and adjacent properties, specifically related to access to light and privacy/overlook conditions

- The applicant has provided a shadow analysis in accordance with the town's terms of reference.
- There are no additional shadow impacts from the proposed additional two storeys in height.
- The design for the outdoor amenity spaces for floors five and six includes additional step-backs, which reduces the building mass and overall impact on the street and surrounding future development.

3. Appropriateness of additional height

- The additional two storeys were already contemplated in the Official Plan given the in-effect bonusing policies.
- The proposed additional storeys have been stepped back to reduce the overall massing.

- There are no negative shadow impacts as a result of the additional height.
- A Community Benefit Charge will be applicable to the proposed development as it will be over five storeys and more than 10 units.

4. Proposed use and density

- The proposed development would introduce new residential units on the property where there are currently no residential units.
- Ground floor commercial uses will be maintained and oriented toward Trafalgar Road.
- The proposed development implements the Downtown Oakville growth area objectives.
- New publicly accessible commercial parking is contemplated as part of the proposed development, where commercial parking is not required.

5. Transportation Implications, including safety and accessibility of vehicles/cyclists/pedestrians/transit, parking, and location of vehicle access

- In accordance with the recommendations set out in the Downtown Transportation and Streetscaping Study (DTS), Trafalgar Road and Church Street are identified as a “Secondary Street” on Schedule Q2: Downtown Oakville Urban Design. Secondary Streets are intended for enhanced streetscape treatments and pedestrian-oriented amenities with wider sidewalks, additional street furniture and landscaping.
- The DTS envisioned that the implementation of the Streetscape Master Plan would primarily be achieved through development applications within the Downtown. The DTS includes public street cross sections identifying the location and dimensions of the tree and furnishing zones, as well as the sidewalks, to ensure the consistent incorporation of public realm improvements.
- Church Street is considered to be a Primary Street in the DTS, with plans to be converted from a one-way to a two-way street (currently implemented), with dedicated bike lanes, and on-street parking, as well as accommodating transit.
- The property is currently serviced by Oakville Transit route 14/14a which runs between Appleby GO Station and Oakville GO Station.
- The proposed development proposes to introduce a new access from Trafalgar Road for residential and visitor and commercial purposes.
- The access currently proposed on Trafalgar Road has the potential to interfere with the long term planned function of Trafalgar Road.
- Access from Church Street could present a potential conflict with the existing town owned parking structure and potential for back up queuing into the Trafalgar Road and Church Street intersection.

-
- Staff recommend an ‘H’ holding provision with the proposed Zoning By-law Amendment to further evaluate the location of the access through an updated Transportation Impact Study.
 - The applicant proposes an over supply of parking, in a stacked and tandem configuration. Staff require additional information on how the parking will be used by residents and the public and have applied an ‘H’ Holding provision with the zoning to require an updated Transportation Impact Study/Parking Operation Report with details on the parking conditions, operation, and configuration.
 - In addition to the analysis above, Council asked staff to consider a variety of transportation and parking matters as follows:
 - a. consider queuing impacts on Trafalgar Road due to location of access.
 - The applicant has submitted a Transportation Impact Study (TIS) which has evaluated the location of the proposed entrance and the impacts of turning movements in to the site.
 - Planning staff recommend an ‘H’ holding provision to provide additional information through an updated TIS.
 - To support long term development objectives for the block bound by Trafalgar Road, Lakeshore Road East, Church Street and Reynolds Street, the town will investigate opportunities for shared access from the subject lands.
 - b. consider the use of publicly accessible visitor parking spaces.
 - The applicant has identified three parking spaces that are for visitors and commercial uses.
 - The zoning by-law does not require parking for commercial uses in Downtown Oakville.
 - The three parking spaces will be shared for visitor and commercial uses and are intended to be publicly accessible.
 - Operational details for the use and access of the visitor parking spaces will be required through an updated Transportation Impact Study required as a condition of the ‘H’ holding provision.
 - c. verify on-street parking availability on Trafalgar Road and Church Street adjacent to the subject lands.

- There are presently two on-street parking spaces on Trafalgar Road, which will be impacted by the proposed access.
 - In compensation for the loss of these two spaces, the applicant is proposing three publicly accessible spaces within the development for visitors and commercial uses.
 - There is no on-street parking available on Church Street.
- d. consider parking number and allocation (residential/visitor/commercial).
- The Zoning By-law requires 15 parking spaces per residential unit, of which 3 are for visitors. No parking is required for the commercial uses.
 - This allows a minimum of 1 parking space per unit, plus 3 parking spaces for visitors.
 - The applicant is proposing 21 parking spaces which is an over supply of parking, in a stacked and tandem configuration.
 - Staff require additional information on how residents and the public will use the parking and have applied an 'H' Holding provision with the zoning to require an updated Transportation Impact Study with details on the parking conditions, operation, and configuration.
- e. consider the gate / opening for the parking area.
- The gate location is setback 6 metres from the property line and sidewalk, which allows for one vehicle to idle on the property while the gate opens.
 - Details of the gate operation is to be provided through an updated Transportation Impact Study, which is required through an 'H' Holding provision noted above.

6. Stormwater Management and Functional Servicing

- Town staff have received and reviewed technical documents to support the proposed development.
- The development does not present any negative impacts for stormwater management and the Region has requested an 'H' holding provision to ensure sufficient capacity for servicing can be accommodated through the Navy Street Pumping Station.

7. Urban Design

- The applicant has prepared an Urban Design Brief which has been reviewed by staff.
- The massing, orientation, and design does not present any negative health and safety impacts with respect to the streetscape or shadowing impacts.
- Setbacks are recommended in the proposed Zoning By-law to ensure appropriate transition to adjacent properties

8. Climate Change/Sustainability Goals

- 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.
- Through the future site plan application, Staff will continue discussions with the applicant to encourage more sustainable construction and building practices.
- Transportation Demand Management (TDM) initiatives such as real-time transit information in the lobby, car and cycling share programs on-site, and unbundling parking opportunities are options to explore during the review of a future site plan application.
- The requirement to provide electric vehicle equipment is included within the by-law (see Proposed Zoning section for details).
- The applicant proposes a green roof to support climate change objectives.

9. Written comments from the Public:

- One letter of objection was received following the Statutory Public Meeting and is included within Appendix C.
- The letter of objection indicated concerns with respect to height, density, and access to Trafalgar Road. As discussed throughout this report, staff have evaluated the technical studies and reports submitted for this application and is of the opinion that the proposed development supports the Downtown Oakville growth area objectives. The proposed development maintains commercial uses at-grade, introduces residential units in a compact urban form that is supported by transit, cycling, and other active transportation infrastructure. The access is to be further evaluated as a condition of the 'H' holding provision included with the Zoning By-law Amendment.

CONSIDERATIONS

(A) PUBLIC

The applicant held a Public Information Meeting on February 2, 2023, and it was attended by 8 residents. A Statutory Public Meeting was held on October 16, 2023 and no members of the public attended.

Notice for the Statutory Public Meeting was provided through a mailing of all properties within 240 metres of the subject lands. Resident Associations were notified along with property owners in accordance with the *Planning Act* regulations and Town practices.

Written correspondence received since the public meeting is included as Appendix 'C'.

(B) FINANCIAL

Development charges, Community Benefit Charge, and parkland dedication are applicable to this development, net of any demolition credits, and would be payable at building permit.

Following Bill 197, the town passed a Community Benefits Charge (CBC) By-law (2022-069) to obtain community benefits through developments that are five storeys in height or greater. As the proposed development is six storeys, the town will be able to collect community benefits as prescribed in the CBC Strategy.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

The Official Plan Amendment and Zoning By-law Amendment applications were circulated to internal and external departments and agencies for comment. All technical issues have been addressed or will be addressed through the Removal of the Holding Provision and Site Plan processes.

The application must be considered within the prescribed 120-day timeline before an appeal can be filed for lack of decision, and the applicant becomes entitled to a refund of fees. The application was deemed complete on August 10, 2023. The statutory timeframe for processing this application expires on December 8, 2023.

(D) CORPORATE STRATEGIC GOALS

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

- To be a vibrant and livable community for all.

(E) CLIMATE CHANGE/ACTION

The proposed development generally complies with the Town’s sustainability objectives of the Livable Oakville Plan. The proposal will also be 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. The developer is encouraged to explore options to reduce the development footprint of the proposal. This will be reviewed in greater detail through a future site plan approval process.

CONCLUSION

Staff recommends approval of the Official Plan and Zoning By-law Amendments which would permit the development of a six-storey mixed-use building with 12 residential units, and three commercial uses with a total of 21 parking spaces within an underground garage at 115 Trafalgar Road.

Staff is 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. 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 By-laws 2023-143 and 2023-144 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 implements the vision, development objectives, community design strategy and land use strategy of the Livable Oakville Plan.
- Functional and technical design matters will be fully addressed through a future site plan application.
- Comments from the public and Council have been appropriately addressed.

Official Plan Amendment 60 and corresponding By-law 2023-143 is attached as Appendix ‘D’, and Zoning By-law Amendment By-law 2023-144 is attached as Appendix “E”

APPENDICES:

Appendix “A” – PPS (2020), Growth Plan and Livable Oakville policy excerpts
Appendix “B” – Concept Plan
Appendix “C” – Public Comments
Appendix “D” – Official Plan Amendment By-law 2023-143
Appendix “E” – Zoning By-law Amendment By-law 2023-144

Prepared by:

Kate Cockburn, MCIP, RPP
Senior Planner, Current Planning
East District

Recommended by:

Leigh Musson, MCIP, RPP
Manager, Current Planning
East District

Submitted by:

Gabriel A.R. Charles, MCIP, RPP
Director, Planning Services