



## REPORT

### Planning and Development Council

Meeting Date: August 9, 2021

---

**FROM:** Planning Services Department

**DATE:** July 27, 2021

**SUBJECT:** Public Meeting and Recommendation Report – Draft Plan of Subdivision and Zoning By-law Amendment – Cap oak Inc. and Red oak G&A Inc./Town of Oakville – 1019 and 1059 Dundas Street East – File No.: 24T-20009/1310 and Z.1310.16 – By-laws 2021-103 and 2021-106

**LOCATION:** 1019 and 1059 Dundas Street East and a portion of an Unopened Road Allowance

**WARD:** Ward 6

Page 1

---

#### RECOMMENDATION:

1. That revised Draft Plan of Subdivision application and Zoning By-law Amendment applications (File Nos. 24T-20009/1310 and Z.1310.16), submitted by Cap oak Inc./Red oak G&A Inc. and the Town of Oakville, be approved on the basis that the application is consistent with the Provincial Policy Statement, conforms or does not conflict with all applicable Provincial plans, conforms with the Region of Halton Official Plan and the North Oakville East Secondary 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 July 27, 2021.
2. That By-law 2021-103 an amendment to Zoning By-law 2009-189, be passed.
3. That the Director of Planning Services be authorized to grant draft plan approval to the Draft Plan of Subdivision (24T-20009/1310) submitted by Cap oak Inc./Red oak G&A Inc. and the Town of Oakville prepared by Malone Given Parsons, dated April 14, 2021, subject to the conditions contained in Appendix “A”.

4. That once 24T-20009/1310 has been draft approved by the Director of Planning Services, the Town enter into a Subdivision Agreement to the satisfaction of the CAO and Town Solicitor or designates.
5. That the Subdivision Agreement be executed in accordance with By-law 2013-057.
6. That notice of Council's decision reflect that Council has fully considered all the written and oral submissions relating to this matter and that those comments have been appropriately addressed.
7. That By-law 2021-106, a by-law to stop up and close for all purposes an unopened portion of Eighth line North of Dundas Street identified as PART 1 on Plan 20R-21908, be passed.
8. That the Legal Department be authorized to register By-law 2021-106 in compliance with the *Municipal Act, 2001*.
9. That Realty Services staff be delegated the authority to dispose of Part 1 on Plan 20R-21908 for the purpose of incorporating these lands into the development at fair market value, conditional on zoning approvals, and on terms satisfactory to the Town Solicitor and CAO.
10. That the sale agreement for Part 1 on Plan 20R-21908 be executed in accordance with By-law 2013-057 and all other documents required to complete this transaction be executed by the Town Solicitor.

#### **KEY FACTS:**

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

- This report recommends approval of a proposed draft plan of subdivision and zoning amendment application submitted by Capoak Inc., and Redoak G & A Inc., and the Town of Oakville (unopened road allowance Part 1 on Plan 20R-21908).
- The subject report is a combined Statutory Public Meeting and recommendation report given that additional lands (Town and Regionally owned) have been incorporated into the development since the previous statutory public meeting.
- The proposed draft plan of subdivision and zoning by-law amendment would have the effect of permitting the development of approximately 40.6 hectares of land for 592 residential units consisting of 116 detached dwellings, 476 townhouse units, two Dundas Urban Core blocks, two village squares, a stormwater management facility and a natural heritage system block.

- The owner proposes to acquire from the Town an unopened portion of Eighth Lines (Part 1 on Plan 20R-21908). The road allowance predates the North Oakville East Secondary Plan (NOESP) and is not required for the planned transportation network planned for North Oakville and can be permanently closed.
- The Regional holdout lands are included within the proposed Zoning By-law to ensure an appropriate zone category is in place should these lands be acquired by the applicant.
- Draft plan conditions have been recommended to address the conditions of approval based on agency comments and are attached as Appendix “A” to this report.
- The subject lands are designated a combination of *Neighbourhood Area*, *Dundas Urban Core*, *Park*, and *Natural Heritage System Area* within the North Oakville East Secondary Plan (Figure NOE2).
- The lands are zoned *Existing Development (ED)* within Zoning By-law 2009-189, as amended.
- Staff recommend approval of the zoning by-law amendment and draft plan of subdivision applications as the proposed development is consistent with NOESP and master plan. The proposal is also consistent with the Provincial Policy Statement 2020, conform to all applicable Provincial plans, the Region of Halton Official Plan as they establish applicable policies to guide development including the conveyance and protection of the natural heritage system in accordance with the Town’s established urban structure.
- The application will be considered under Bill 108, which provides for a 120-day timeline before an appeal can be filed for lack of decision. The current applications were submitted and deemed complete on August 21, 2020. An appeal could have been filed as of December 19, 2020.

## **BACKGROUND:**

The purpose of this report is to provide a full staff review of the application and a recommendation on a proposed draft plan of subdivision and zoning by-law amendment applications. A statutory public meeting was hosted by Oakville Town Council on January 18, 2021, and following that meeting the applicant expanded the draft plan of subdivision land area to include a 275 m<sup>2</sup> parcel of unopened road allowance (Part 1, Plan 20R-21908) which when combined with the applicant’s lands will accommodate the future development of four townhouse units (Block 158).

The draft zoning by-law also would have the effect of rezoning a small Regional holdout parcel located along Dundas Street East, west of Street B. The applicant has entered into discussions with the Region of Halton regarding the acquisition of these lands. It is appropriate to rezone the holdout lands to allow these lands to be developed with the surrounding Dundas Urban Core block at the appropriate time.

---

As a result of the inclusion of the Town and Regional lands, this report is a combined public meeting and recommendation report.

The intent of the draft plan of subdivision is to create 592 residential units east of Eighth Line. The proposed zoning amendment intends to rezone the lands from ED – Existing Development to site-specific General Urban, Suburban, Dundas Urban Core, and Neighbourhood Centre zones to implement the land uses of the draft plan of subdivision.

The current applications were submitted and deemed complete on August 21, 2020. The developer initiated a Public Information Meeting/video conference that occurred on September 22, 2020, where 11 members of the public attended.

The Statutory public meeting was hosted by Oakville Town Council on January 18, 2021. No members of the public attended the Public Meeting, and no written submissions were received following the meeting.

### **Proposal**

The applicant has submitted a draft plan of subdivision and zoning By-law amendment application to permit the development of 592 residential units, two village squares, a stormwater management pond, two Dundas Urban Core Blocks, and open space areas associated with the natural heritage system on 40.6 ha of land (Figure 1).



Figure 1 – Proposed Draft Plan of Subdivision

The draft plan of subdivision proposes to create blocks containing a range of uses as described below:

<b>Draft Plan Feature</b>	<b>Number of Units</b>	<b>Area (ha)</b>
Detached Dwellings (11 m)	58	3.84
Detached Dwellings (8.5 m)	58	
Rear Lane townhouses	113	1.45
Street Townhouses	266	5.00
Back to Back Townhouses	78	0.75
Live work Townhouses	8	0.17
Future Development (Blocks 196-197)	11	0.23
Future Development (Blocks 191-195)		0.27
Dundas Urban Core (Blocks 198,199)		2.68
Village Square (Blocks 200, 201)		0.60
Open Space (Block 203)		0.01
Natural Heritage System (Block 204)		17.79
Stormwater Management Facility (Block 202)		0.64
Walkways (Block 205)		0.02
Promenade (Block 206)		0.04
0.3m reserves (Blocks 209-214)		0.01
Road Widening (Blocks 207, 208)		0.10
Roads		7.01
<b>TOTAL</b>	<b>592</b>	<b>40.61</b>

The housing types proposed are outlined in the table below:

<b>Proposed Unit Type</b>	<b>Total</b>
Detached Dwellings	116
Townhouses	476
<b>TOTAL</b>	<b>592</b>

## **Location & Site Description**

### Location

The properties are generally located on the east side of Eighth Line and north of Dundas Street East as shown on Figure 2. The legal description of the properties is Part of Lot 10, Concession 1 N.D.S and is municipally known as 1019 and 1059 Dundas Street East and unopened road allowance described as Part 1 on Plan 20R-21908.

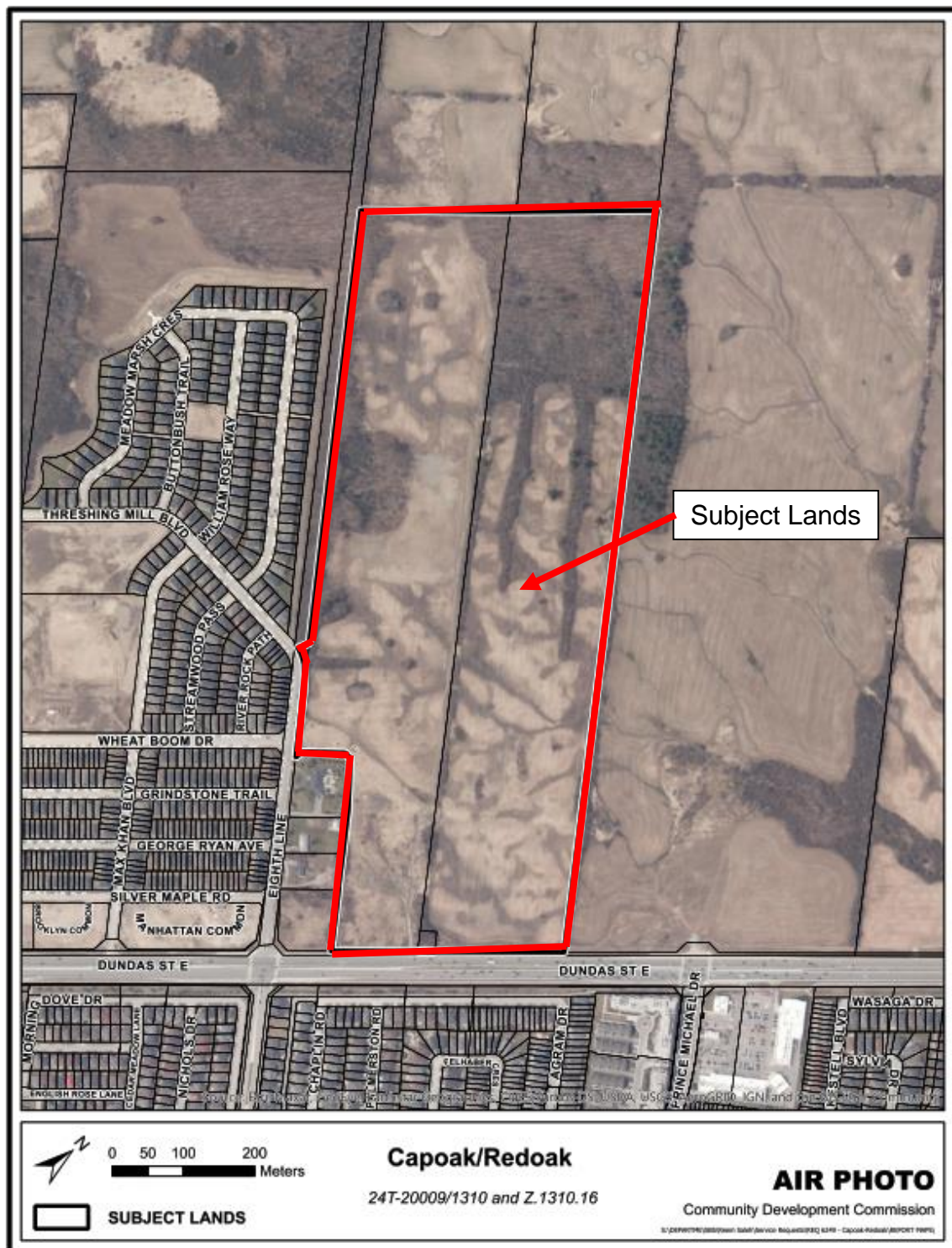


Figure 2: Air Photo

---

### **Site Description**

The subject lands consist of two properties generally located between the Shieldbay subdivision to the west and Dunoak subdivision to the east with approximately 300 m of frontage on Dundas Street East. Approximately 17.8 ha of the 40.61 ha property will be conveyed to the Town as Natural Heritage System.

The owner proposes to acquire from the town at market value approximately 275m<sup>2</sup> of the unopened road allowance. The current revised draft plan of subdivision and zoning amendment application reflects the additional lands.

The Capoak/Redoak lands are generally flat and comprised of natural features and agricultural fields. The site is currently vacant.

### **Surrounding Land Uses**

Generally, the surrounding land uses are as follows:

- South:** Dundas Street East, beyond which are residential uses consisting of two-storey detached and townhouse units as well as commercial uses. At the northeast corner of Dundas Street East and Eighth Line is a site plan application proposing an eight-storey residential apartment building.
- East:** The Dunoak draft plan of subdivision (24T-12003/1309) received draft plan approval by the LPAT on June 11, 2019, and consists of detached dwellings, townhouse units, a Dundas Urban Core block, school block, and stormwater management pond.
- West:** Three holdout properties known as 3043 and 3053 Eighth Line and 1005 Dundas Street East. The property at 1005 Dundas Street East is the subject of a site plan application for an eight-storey residential building. Beyond which is the Shieldbay subdivision which is built and occupied and consists of detached, semi-detached, townhouse units as well as apartment and mixed-use buildings.
- North:** Vacant lands which are designated as Natural Heritage System and for future residential uses but are not subject to a development application.

### **PLANNING POLICY & ANALYSIS:**

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

- Provincial Policy Statement (2020)
- Growth Plan for the Greater Golden Horseshoe (2019)
- Halton Region Official Plan
- North Oakville East Secondary Plan
- Zoning By-law 2009-189, as amended

### **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. On this basis, the proposed rezoning and draft plan of subdivision is consistent with the PPS (2020).

### **Growth Plan for the Greater Golden Horseshoe (2019)**

The Growth Plan (2019) is a long-term plan that intends to manage growth, build complete communities, curb sprawl and protect cultural heritage resources and the natural environment. The Growth Plan provides that it is to be read in its entirety, and the relevant policies are to be applied. When more than one policy is relevant, a decision maker should consider all of the relevant policies to ensure how they work together.

The Growth Plan provides policies for where and how to grow, directing population and employment growth to urban areas and rural settlement areas with delineated built boundaries on full municipal services (policy 2.2.1). The policies of the Growth Plan are to be applied to support complete communities that feature a diverse mix of land uses with convenient access to local stores, services, and public service facilities, provide a diverse range and mix of housing options, and expand convenient access to transportation options. On this basis, the proposed rezoning and draft plan of subdivision conform to the Growth Plan.

### **Halton Region Official Plan**

The subject lands are designated “Urban Area” in the Regional Official Plan (ROP) with portions of “Regional Natural Heritage System” (RNHS). 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, the development of vibrant and healthy mixed-use communities which afford maximum choices for residence, work and leisure. 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.

The subject lands are also located adjacent to a Higher Order Transit Corridor on Map 3 (Dundas Street/Regional Road 5) of the ROP which forms part of a regionally identified Intensification Area. The ROP directs higher, transit-oriented densities to these areas. The ROP further provides for an appropriate transition of built form for Intensification Areas to adjacent areas.

#### 2020 Servicing Allocation Program – water and wastewater

Halton Region has implemented a servicing allocation program that requires proponents of residential development applications to secure servicing allocation from Halton Region through a formal Allocation Agreement.

The proposed development would be subject to the 2020 Regional Allocation program.

On June 17, 2020, Regional Council passed By-law 34-20 which confirmed the Regional allocation agreement conditions and requirements have been met and the appropriate financial commitments by all the parties are in place. On this basis, the proposal conforms to the Regional Official Plan.

Halton Region in a letter dated July 15, 2021, advised Town staff that they have no objection to the proposal subject to the recommended conditions of draft plan approval, and the inclusion of a “H” Holding Provision in the zoning by-law

### **North Oakville East Secondary Plan**

#### Urban Structure

The *Livable Oakville Plan* is currently undergoing a 5-year Official Plan Review to ensure the policies are consistent with the Provincial and Regional policies, support the Town’s strategic goals, and reflect the visions and needs of the community.

*Schedule A1, Urban Structure*, of the *Livable Oakville Plan* provides the basic structural elements for the Town and identifies the site as *Residential Areas and Natural Heritage System*. This is also reflected in Section 3, Urban Structure, of the *Livable Oakville Plan*. Official Plan Amendment 317 to the *North Oakville East Secondary Plan*, confirms the Town’s existing urban structure and was approved by Halton Region on April 26, 2018, and deemed to conform to the Growth Plan and is consistent with the PPS.

### North Oakville East Secondary Plan (NOESP)

The North Oakville East and West Secondary Plans (North Oakville Plans) provide a planning framework for the lands north of Dundas Street and south of Highway 407 between Ninth Line in the east and Tremaine Road in the west. The North Oakville Plans are not part of the Livable Oakville Plan but endure as amendments to the town's 2006 Official Plan. The North Oakville Plans are intended to guide development in North Oakville to the year 2021.

The development of the North Oakville community is premised on a sustainable, design-first philosophy that promotes the protection of the natural environment, mixed-use development, and a modified grid road system that enhances transportation options for transit and pedestrians.

The land use designations which apply to the subject lands consist of *Dundas Urban Core Area*, *Neighbourhood Area*, *Natural Heritage System Area*, and *Avenue/Transit Corridor* on Figure NOE2, Land Use Plan (Figures 3a and 3b).

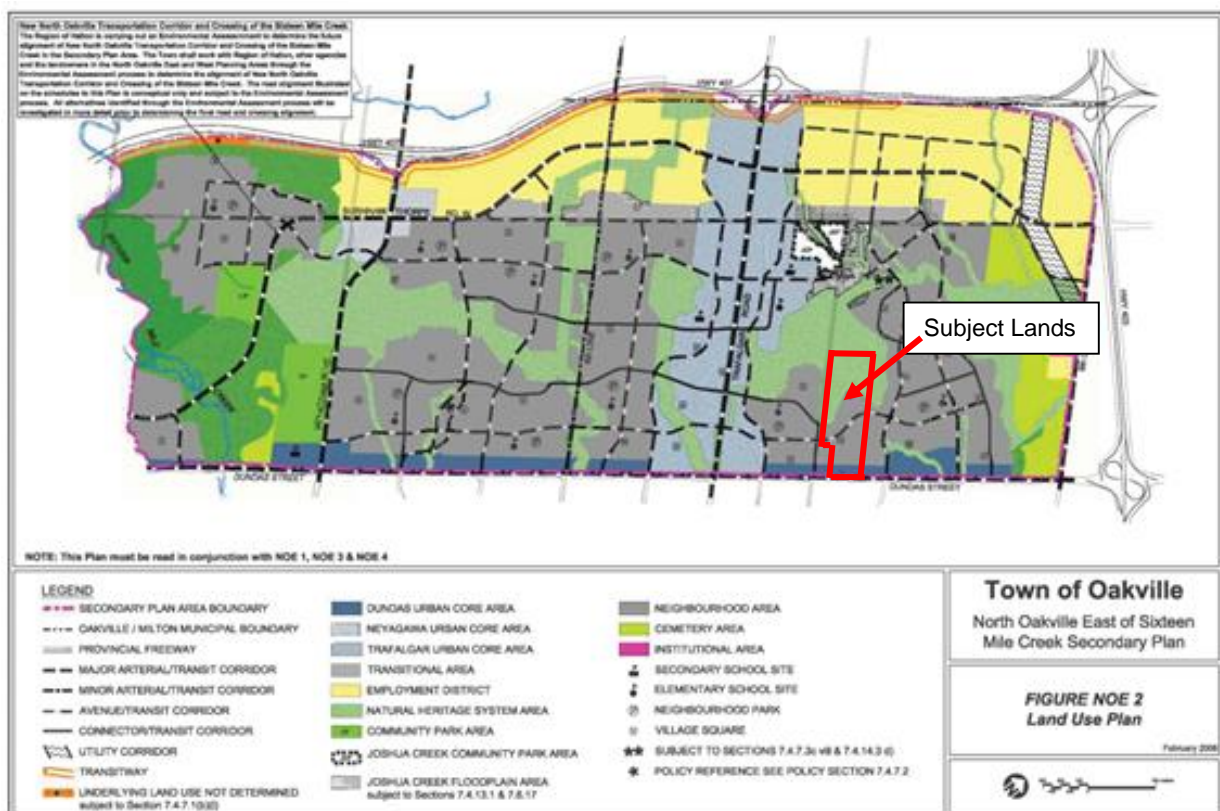


Figure 3a - North Oakville East Secondary Plan - Figure NOE2

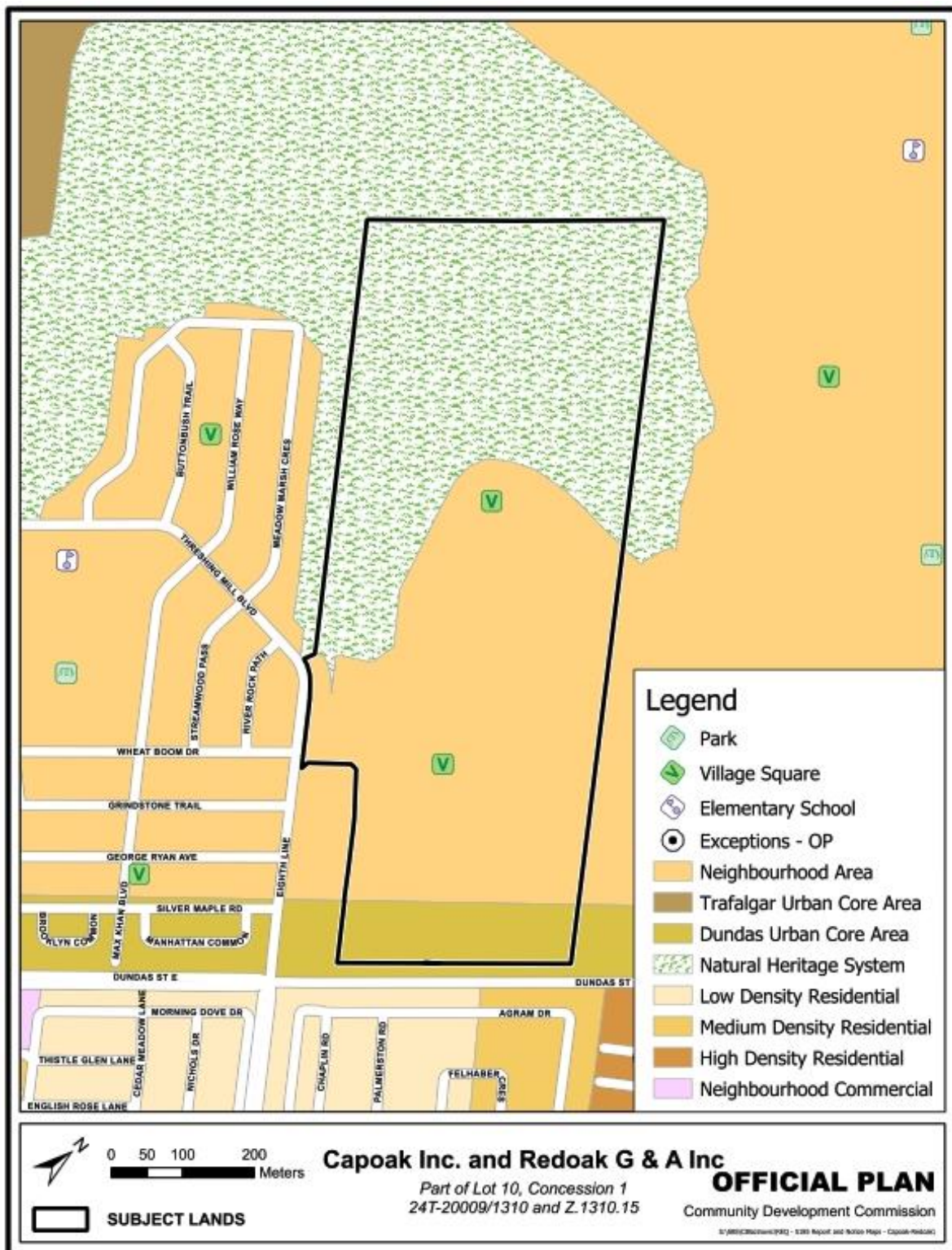


Figure 3b – Extract North Oakville East Secondary Plan – Figure NOE2

---

### OPA 321

In September 2018, Halton Region approved OPA 321 and was subsequently approved at the LPAT in July 2019, with modifications. The effect of OPA 321 was to implement policy directions focused on areas of concern identified through the North Oakville Secondary Plans Review.

Prior to OPA 321, the majority of Neighbourhood Centre Areas were being predominately developed with only residential uses. In these areas, the planned vision was to provide for a mix of small-scale retail and service commercial uses in close proximity to the neighbourhoods which was not being achieved. OPA 321, revised the policies and Section 7.6.7.1 states that the intention is to accommodate a range of medium density residential, mixed use, and limited commercial and civic uses to serve neighbourhood residents from a central neighbourhood activity node. An additional policy was included as part of OPA 321 that requires one mixed use or non-residential buildings at the intersection of each activity node.

OPA 321 also removed FSI maximums and included bonusing provisions into the land use policy framework of the Dundas Urban Core land use designations. Eligible lands for bonusing have the opportunity for increased height up to four additional storeys, subject to approval over and above the maximum height of 8 storeys.

The Dundas Urban Core blocks are intended to allow the creation of a band of mixed-use development and higher densities along Dundas Street and would include retail and service commercial development to be located at the intersections with north/south streets. It is also anticipated that the highest density uses would be encouraged to locate at these intersections.

### Master Plan – Appendix 7.3

The North Oakville Master Plan is intended to assist in providing guidance and coordination of local roads and adjacent land uses for the North Oakville Planning Area. Development applications are reviewed to ensure general coordination and consistency with the intent of the Master Plan. Minor modifications are permitted provided the general intent and direction of the Master Plan are maintained (Section 7.5.2).

Additional land use designations are further identified as *Natural Heritage System Area, General Urban Area, Sub Urban Area, Neighbourhood Centre Area, Stormwater Management Facility, Activity Node, Village Square, and Dundas Urban Core*, as shown in North Oakville Master Plan (Figure 4).



Figure 4 – North Oakville Master Plan Excerpt

---

### **Zoning By-law (By-law 2009-189)**

The North Oakville Zoning By-law sets the zoning standards with the establishment of general regulations and zones reflecting the North Oakville East and West Secondary Plans. Town Council approved the North Oakville Zoning By-law (By-law 2009-189) on November 23, 2009. The subject property is zoned Existing Development (ED) (Figure 5) which allows uses that legally existed on the date the parent by-law came into effect. The purpose of the ED zone is to allow for the future zoning of the land to be considered in the context of a new application and the policies within the NOESP.

The effect of the proposed zoning amendment will allow the development of the property in accordance with the General Urban, Sub-Urban, Neighbourhood Centre, Stormwater Management Facility, Park, Natural Heritage System and Dundas Urban Core (DUC) designations and policies of the NOESP.

A zoning amendment is required to implement the proposal.



Figure 5 – Zoning By-law Extract

---

### Proposed Zoning

A draft zoning by-law has been prepared to rezone the lands from *Existing Development (ED)* to site specific *General Urban, Sub-Urban, Dundas Urban Core, Neighbourhood Centre Area (NCA), Park (P), Stormwater Management Facility (SWM), and Natural Heritage System (NHS)* zones. The proposed zoning would facilitate the development of the lands for approximately 592 residential units, stormwater management pond, neighbourhood park, Dundas Urban Core (DUC) block, and natural heritage system.

The following is an overview of the principles of the proposed zoning by-law:

- establishes regulations for the live/work block, specifically related to permitted uses, and heights;
- establishes regulations for the DUC block, specifically related to permitted uses, location of uses, heights, minimum number of dwelling units, and visitor parking;
- inclusion of bonusing provisions for the DUC block which would allow for an increase in height in compliance with the NOESP (a maximum of 12-storeys);
- the expectation that the minimum number of units and non-residential uses will be developed as part of the first phase of the DUC block;
- establish a Holding Provision to ensure sufficient servicing allocation for portions of the subdivision before building permit issuance; and
- rezone a portion of the town's unopened road allowance (8<sup>th</sup> Line) and the Regional holdout parcel to allow for the inclusion of these lands into the development.

### **TECHNICAL & PUBLIC COMMENTS:**

The proponent has provided technical studies in support of the application which have been circulated to various public agencies and internal town departments. A full circulation and assessment of the application were undertaken to ensure that all technical matters have been satisfactorily addressed.

The following studies and supporting documentation are available on the town's website <https://www.oakville.ca/business/da-36132.html>

- Draft Plan of Subdivision
- Planning Justification Report
- Draft Amending Zoning By-law
- Urban Design Brief
- Traffic Impact Study
- Density Plan
- Pedestrian Circulation Plan

- 
- Transit Facility Plan
  - Environmental Impact Report/Functional Servicing Study
  - Archaeological Assessment
  - Environmental Site Assessment
  - Noise Feasibility Study
  - Dundas Urban Core Concept Plan
  - Park/Village Square Concept Plan

The statutory public meeting was held on January 18, 2021, and no members of the public attended. The following is an overview of the matters that were identified:

- Confirmation of being a member in good standing with the North Oakville East Developers Group and party to the Cost Sharing Agreement.
- Consistency with the Provincial Policy Statement, 2020 and conformity to the 2019 Growth Plan for the Greater Golden Horseshoe and the Region of Halton Official Plan.
- Conformity of the proposal with the land use and policies of the North Oakville East Secondary Plan.
- Coordination of the draft plan of subdivision with the Environmental Implementation Study to the satisfaction of Conservation Halton and the Town.
- An Activity Node is identified within the Master Plan to be located at the intersection of Street “A” and Eighth Line. The Neighbourhood Centre policies require a mixed use/non-residential building to be located within the activity node. The west side of Eighth Line contains residential uses. The applicant is proposing residential uses on the northeast corner which would result in a non-residential or mixed use building being located at the southeast corner (holdout property).
- Review opportunities to ensure the Dundas Urban Core blocks (Blocks 202 and 203) contain sufficient retail and service commercial uses in conjunction with the highest density uses.
- Confirmation from the Region that the applicant has secured sufficient allocation to allow the full build-out of the subdivision.
- Conformity with urban design policies on matters such as built form, lot sizes, transitions and compatibility with adjacent properties, interface with public

---

realms, and vehicular access.

- Review of the opportunities to provide on-street parking and investigate options to maximize visitor parking.
- Confirmation of appropriate road and lane widths to ensure functionality.
- Confirmation of the appropriate location of walkways.
- Consideration of the need for additional rear lane townhouse units along street “A” to reduce the number of driveways and maximize additional on-street parking opportunities.
- Additional information is required regarding the number and types of units for “Future Development” Blocks 199 and 200.
- Small holdout property (owned by the Region) along Dundas Street to be incorporated into the abutting Dundas Urban Core block.
- Discussion with Town Planning and Legal staff regarding the acquisition of Town land (Eighth Line) to be consolidated with “Future Development” Block 158

In addition to comments raised by staff, at the Statutory Public Meeting of January 18, 2021, members of the Planning & Development Council approved a resolution that identified the following matters:

- a) Confirm if it is appropriate that the Grindstone Trail right-of-way does not continue through the subdivision.
- b) The plan lacks a link between proposed Street L and J creating a disconnect between the streets.
- c) How will the non-residential units in the activity node be encouraged to create a more active street environment?
- d) This plan removes one access to Dundas Street that is shown in the Master Plan.
- e) Provide a trail plan that will be developed in the NHS and describe how the NHS will be protected.
- f) Explore what material can be used in the construction phase that will limit climate change impacts.

---

**Resolution of Issues:**

**North Oakville East Developers Group**

Parkland dedication requirements shall be in accordance with Section 7.7.4.5 of the North Oakville East Secondary Plan and the North Oakville East Secondary Plan Master Parkland Agreement.

In accordance with Section 7.9.4 of the North Oakville Secondary Plan, documentation was submitted with the application from the Trustee for the North Oakville East Developers Group Cost Sharing Agreement and North Oakville East Master Parkland Agreement confirming that Argo (Joshua Creek) Limited is a party in good standing under both agreements.

**Consistency with the PPS and Conformity with the Growth Plan, Regional Official Plan, and North Oakville East Secondary Plan**

The proposed development is an extension of the draft approved plans to the east and west and the uses are contemplated by the NOESP. It is staff's opinion that the proposal is consistent with the Provincial Policy Statement 2020 and conforms to the 2019 Growth Plan, the Region of Halton Official Plan, and the NOESP.

**Environmental Implementation Report and Function Servicing Study**

The Joshua's Creek Tributaries EIR/FSS covers approximately 187 ha of land which consists of the Bressa Development Phase 1 and Phase 2, Dunoak, Argo (Joshua Creek), Mattamy – Phase 3/4, and Rampen Holdings as well as the 40 ha of lands associated with this draft plan of subdivision. As part of this application, the applicant provided an addendum (Redoak/Capoak EIR/FSS Addendum) to the Joshua's Creek Tributaries EIR/FSS. The addendum responds to comments and support the current draft plan of subdivision and specifically a review of Core 10.

Implementing the long-term drainage and servicing plan for the area requires grading changes to ensure that stormwater flows to the intended pond and sanitary sewers function as designed. These changes include the deposit of fill in the vicinity of Street "C". While the EIR/FSS demonstrates that the ultimate system will function appropriately, interim conditions are complicated by the division of ownership in the area, including several hold-out properties on the west side of Street "C" (1055 Dundas Street, 3043 and 3053 Eighth Line). Achieving the grades required by the EIR/FSS within the plan of subdivision would result in the lands within the subdivision being higher than the adjacent lands. This situation requires interim solutions to provide support to Street "C" and manage the drainage from the other properties

To address the interim drainage solutions the applicant prepared an "Interim Drainage for External Areas" which detailed a stormwater management solution for

the external drainage from the holdout properties at 1005 Dundas Street, 3053 and 3043 Eighth Line.

The property at 1005 Dundas Street East is currently the subject of a site plan application for an eight-storey residential building. The property at 1005 Dundas Street will continue to drain to the East Morrison Creek catchment area and the Capoak/Redoak lands will drain to the Capoak/Dunoak pond within the Joshua Creek catchment area. An approximate 2m retaining wall will be required along a portion of the shared lot line between the two properties. Discussions with the abutting landowner are still ongoing regarding modifications to their development that may result in an alternative grading/building design to reduce the height of the wall.

Fill will be required to convey flow to the Capoak/Dunoak pond which will result in a temporary retaining wall approximately 1.8 m along the western limit of Street “C” adjacent to 3053 and 3043 Eighth Line tapering to 0m. This wall will be required until such time that these lands are developed. With the introduction of the retaining wall, the applicant will be required to capture the drainage from 3043 and 3053 Eighth Line using a swale to direct the flow to a catchbasin on 1005 Dundas Street. Conditions of approval have been included requiring Capoak/Redoak and the developer of 1005 Dundas Street to design, construct and stabilize an interim grading solution to manage the external drainage from 3043 and 3053 Eighth Line.

Based on the above Redoak/Capoak EIR/FSS Addendum the “Interim Drainage for External Areas” memo was reviewed by the Town, Conservation Halton, and the Region and was deemed to be satisfactory.

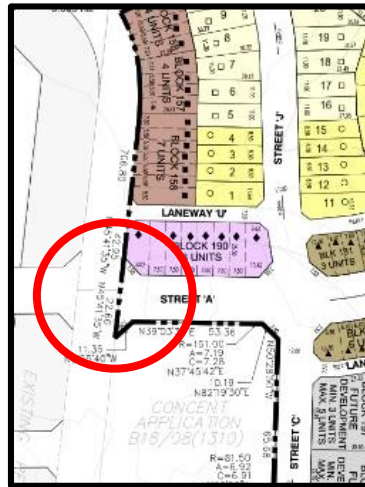
Appropriate development of the Activity Node at the intersection of Street ‘A’ and Eighth Line?

In September 2018, Halton Region approved OPA 321 and was subsequently approved at the LPAT in July 2019, with modifications. The effect of OPA 321 was to implement policy directions focused on areas of concern identified through the North Oakville Secondary Plans Review.

Prior to OPA 321, the majority of Neighbourhood Centre Areas were being predominately developed with only residential uses. In these areas, the planned vision was to provide for a mix of small-scale retail and service commercial uses in close proximity to the neighbourhoods which was not being achieved. OPA 321, revised the policies and Section 7.6.7.1 states that the intention is to accommodate a range of medium density residential, mixed use, and limited commercial and civic uses to serve neighbourhood residents from a central neighbourhood activity node.

An additional policy was included as part of OPA 321 that requires one mixed use or non-residential buildings at the intersection of each activity node.

An activity node is located at the intersection of Streets 'A' and Eighth Line.



The Shieldbay development on the west side of Eighth Line was developed with residential uses. Originally the applicant was proposing residential uses on the northeast corner which would result in a non-residential or mixed use building being located at the southeast corner (hold-out property). It is unknown at this time when the hold-out property (which currently contains a detached dwelling) would be redeveloped and staff expressed a desire to accommodate a mixed use development as part of the subject application. The applicant since revised the plan to include a block of live-work units to be developed at the northeast corner of the intersection. Below is a preliminary concept of what could potentially be developed at the northeast corner of Eighth Line and Street A with details to be reviewed as part of a future site plan application.



---

Review opportunities to ensure the Dundas Urban Core blocks (Blocks 202 and 203) contain sufficient retail and service commercial uses in conjunction with the highest density uses

Zoning By-law 2021-103 contains specific regulations for the Dundas Urban Core Block, specifically related to permitted uses, minimum floor area for non-residential uses, location of uses, heights, minimum number of dwelling units, and visitor parking.

The proposed zoning regulations for the DUC blocks:

- permits only apartment, mixed-use, and commercial/residential buildings within 50 m of Dundas Street East;
- establishes a minimum height of 6 storeys;
- establishes a maximum height of 8 storeys with the ability to increase the height to 12 storeys with the execution of a Section 37 Agreement;
- establishes a minimum of 500 dwelling units across the two DUC blocks;
- establishes a minimum of 1600 m<sup>2</sup> floor area of non-residential uses across the two DUC blocks;
- requires non-residential uses to front onto Street “B”; and
- allows residential visitor parking to be used for non-residential uses.

A copy of the proposed by-law is included within Appendix “C”.

Confirmation from the Region that the applicant has secured sufficient allocation to allow the full build out of the subdivision

Halton Region has implemented a servicing allocation program that requires proponents of residential development applications to secure servicing allocation from Halton Region through a formal Allocation Agreement.

The proposed development is subject to the 2020 Regional Allocation program.

On June 17, 2020, Regional Council passed By-law 34-20 which confirmed the Regional allocation agreement conditions and requirements have been met and the appropriate financial commitments by all the parties are in place. On this basis, the proposal conforms to the Regional Official Plan.

Halton Region in a letter dated July 15, 2021, advised Town staff that they have no objection to the proposal subject to the recommended conditions of draft plan approval, and the inclusion of a “H” Holding Provision in the zoning by-law

Urban Design – Built Form, lot sizes, transitions, and compatibility, interface with public realms, and vehicular access

East of the subject lands is the draft approved Dunoak (Mattamy) draft plan of subdivision application consisting of detached dwellings, townhouse units, and

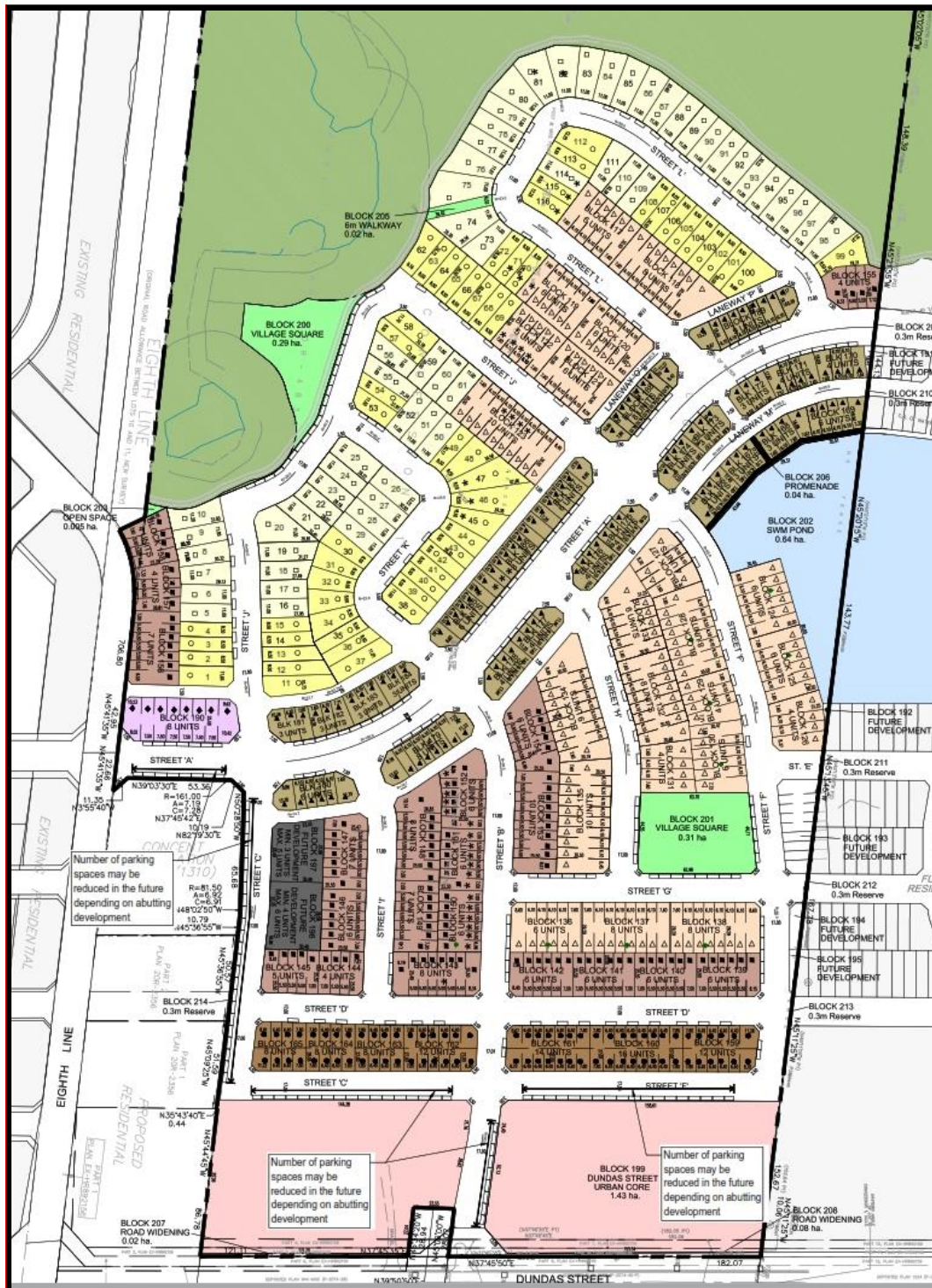
---

natural heritage system. The proposed development is consistent and coordinates with the surrounding LPAT approved development. The applicant has submitted an Urban Design Brief that complies with the Livable by Design Manual. Conditions of draft plan approval are included that requires the applicant to submit elevation drawings (all façades), typical floor plans (all levels), and typical lotting plans for all models on lots not subject to Site Plan Approval for review by the Planning Services Urban Design staff prior to marketing or selling on any units. The applicant is also required to select a control architect who shall ensure all development that is exempt from the Site Plan Approval process, proceeds in accordance with the Town-approved Urban Design Brief.

Vehicular access to this subdivision will be from the abutting development (Dunoak), Eighth Line, and Dundas Street East.

On-Street Parking\Maximize Visitor Parking

As part of the application, an on-street parking analysis was provided.



Under the current zoning by-law, 708 parking spaces are required to be provided on site (garage/driveway). The on-street parking analysis proposes an additional 315 parking spaces within the limits of the subdivision providing a total of 1,023 potential parking spaces to be located in combination on site and on street.

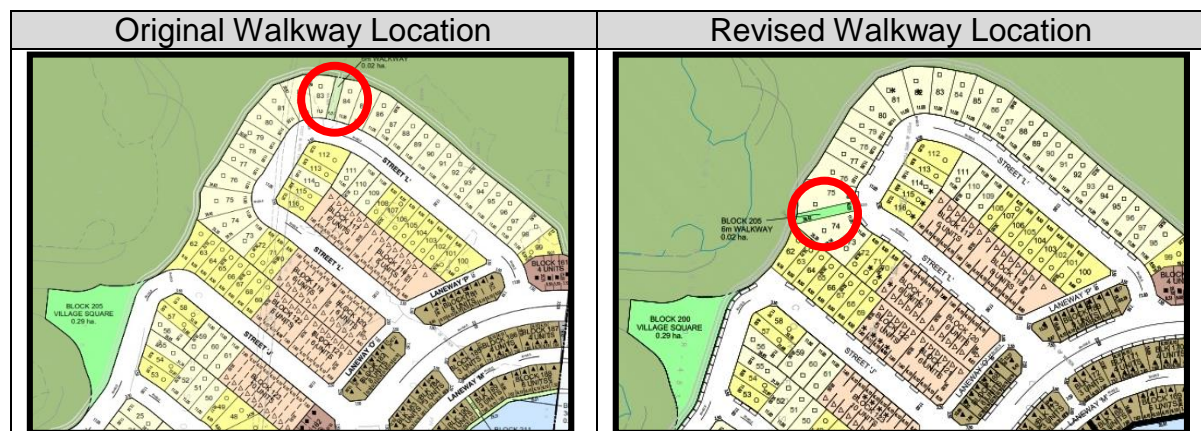
As part of this application, the applicant requested relief from the minimum garage parking stall regulations. The standard parking regulations require a minimum 3 m width for a parking space in a private garage and allows one step to encroach into the length of a parking space. The applicant requested a 2.9 m width for a parking space in a private garage and to allow one step to encroach into the width of the parking space. Staff are of the opinion that a comprehensive review and analysis of the functional impacts of modifying garage dimensions should be undertaken prior to considering site specific zoning revisions. As a result, staff are not supportive of reducing the standard parking space size for private garages or allowing further encroachments into the width of the space despite allowing these reductions in the past.

#### Confirmation of Road and Lane Widths

Transportation staff has evaluated the proposed draft plan of subdivision and advise that the proposed road and lane widths meet Town standards.

#### Confirmation of the appropriate location of walkways

Through the review of the application Sustainable Transportation staff and the Ward Councillors expressed an interest in relocating the proposed walkway to provide greater connectivity choices and direct access to the natural heritage system and village square to the west.

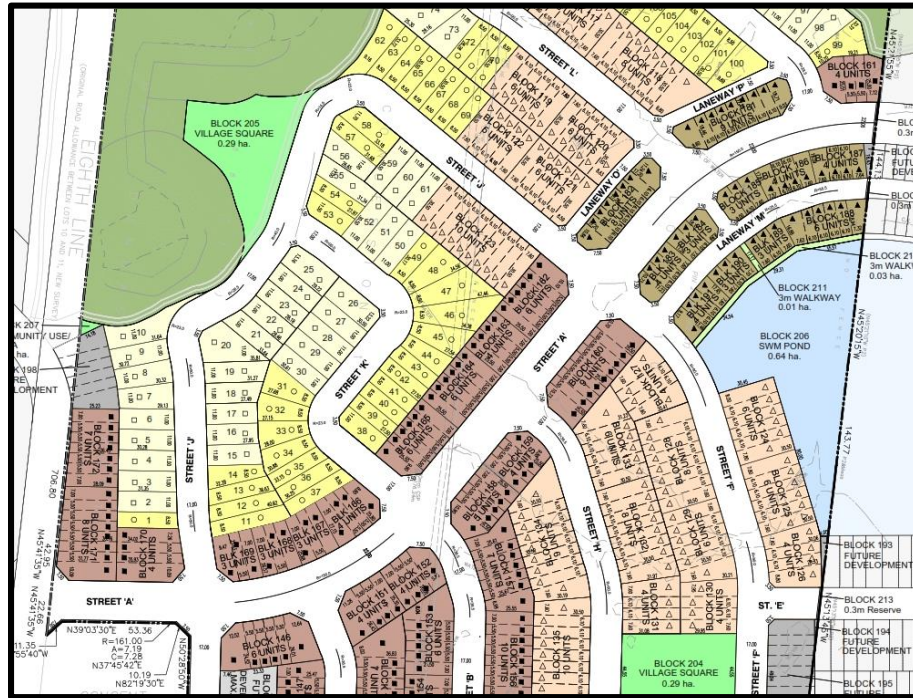


---

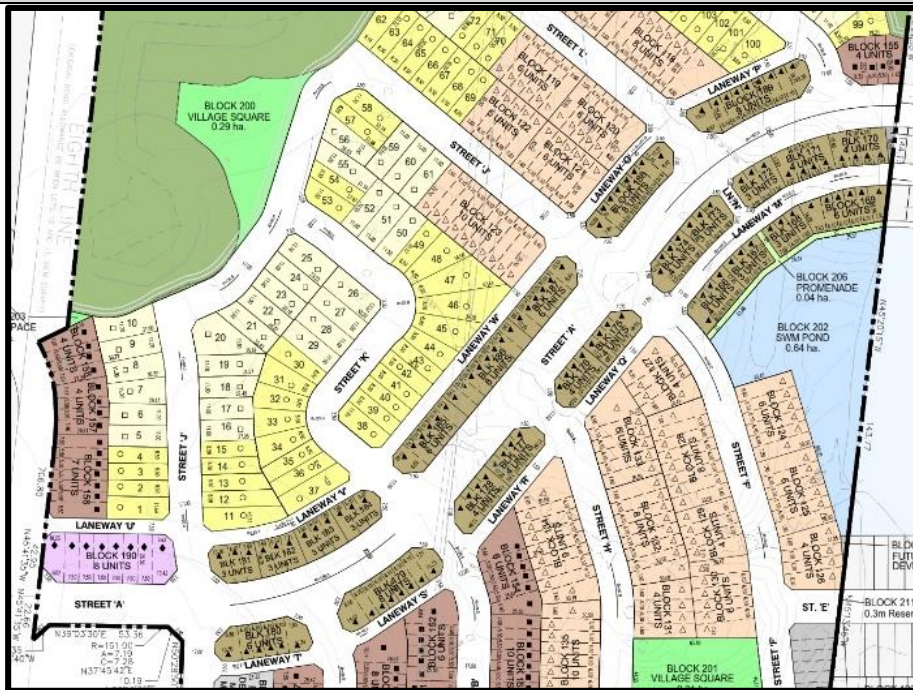
Consideration of the need for additional rear lane townhouse units along street “A” to reduce the number of driveways and maximize additional on-street parking opportunities.

To maximize the amount of on-street parking along Street “A”, staff requested the applicant to modify the draft plan of subdivision by eliminating on-street townhouse units along Street “A” and replacing them with rear lane townhouses. The applicant revised the plan as requested which increased the amount of on-street parking on Street “A” from 42 parking spaces to 88 parking spaces.

## Original Subdivision Submission



## Revised Subdivision Submission

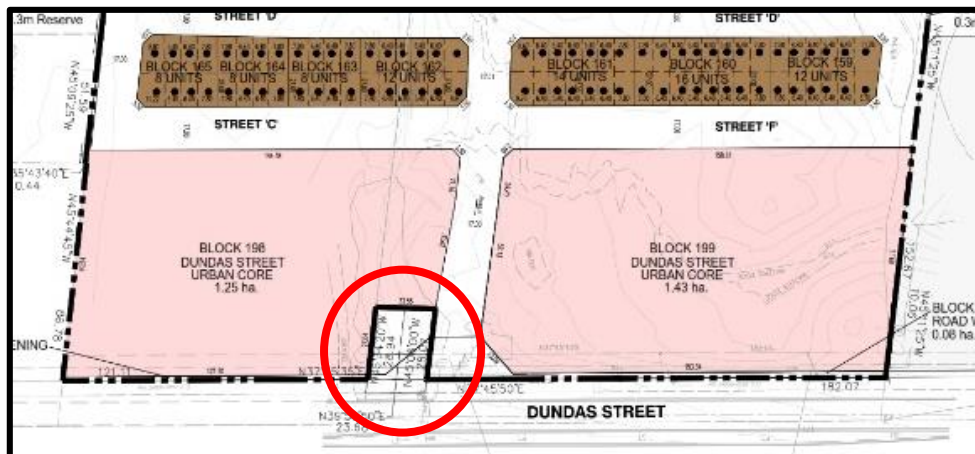


Additional information is required regarding the number and types of units for “Future Development” Blocks 199 and 200 (now Blocks 196 and 197).

As part of the original application, blocks 199 and 200 collectively proposed a maximum of 11 residential units. The type of units nor the minimum number of units was specified. The revised submission anticipates either 7 detached dwellings or 11 street townhouse units on blocks 196 and 197 (formerly blocks 199 and 200).

Small holdout property (owned by the Region) along Dundas Street to be incorporated into the abutting Dundas Urban Core block.

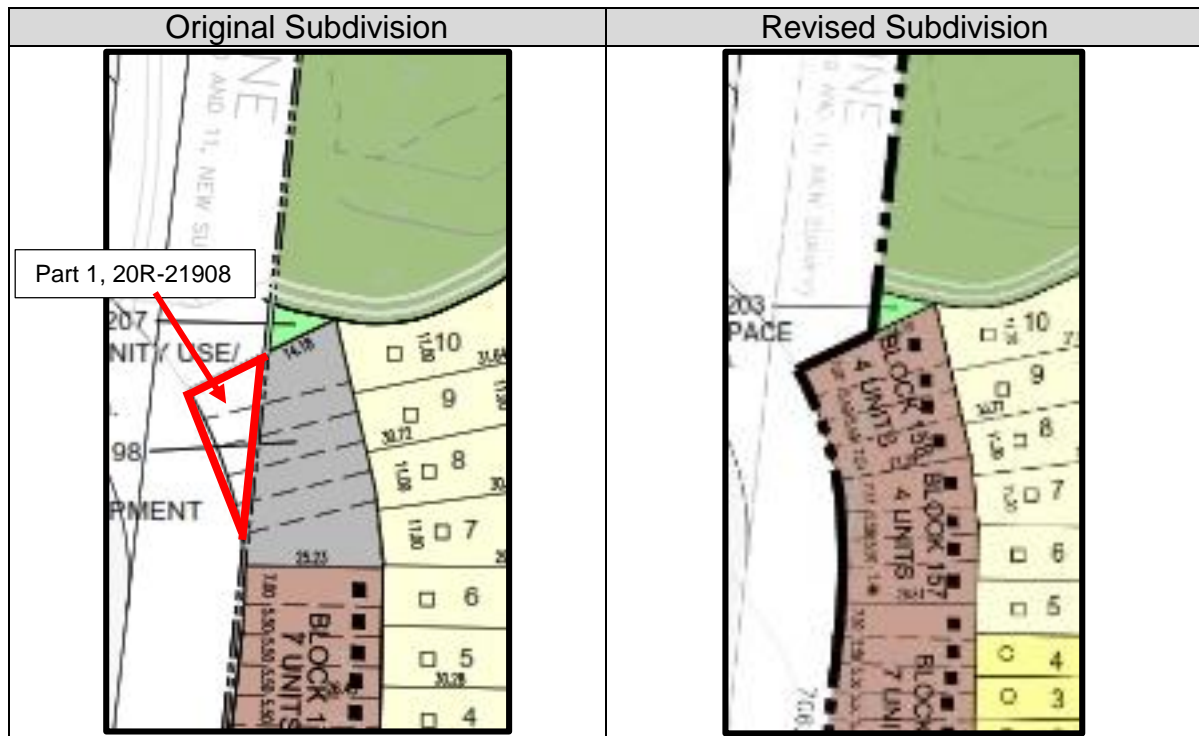
Along the north side of Dundas Street, west of the proposed Street “B” is a small holdout property that has been under the ownership of the Region of Halton since 1974. In 2011, Halton Region used portions of the property to accommodate the Dundas Street road widening in this location. The remainder of the property is approximately 0.11 ha in size.



Town Planning staff requested the applicant contact the Region of Halton to initiate discussions concerning the acquisition of the lands, and be incorporated into the Dundas Urban Core block. In January 2020, Regional Council considered a report (LPS04-20) declaring these lands surplus to the Regional requirements.

Although discussions between the Region and the applicant are still ongoing it is appropriate to rezone these lands consistent with proposed zoning on the abutting Dundas Urban Core block.

Discussion with Town Planning and Legal staff regarding the acquisition of Town land (a small portion of Eighth Line) to be consolidated with “Future Development” Block 158



Following the statutory public meeting, the applicant deposited a reference plan (Part 1, Plan 20R-21908 – Appendix “E”) which describes that portion of the unopened road allowance to be transferred from the Town to the applicant. Part 1, Plan 20R-21908 is 275 m<sup>2</sup> in size and when combined with the applicant’s land will be developed for four townhouse units.

The unopened portion of Eighth Line to the north of this parcel is within an area designated Natural Heritage System and is not part of the planned transportation network planned for North Oakville. Threshing Mill Blvd., constructed through a previous plan of subdivision, provides a connection to Eighth Line to the south of these lands. As such, these lands are not required for transportation purposes and this portion of the road can be permanently closed.

Within the NOESP, these lands are designated as Neighbourhood Area and are further designated within the Master Plan as Neighbourhood Centre Area and as such are designated for residential uses. Expanding the subdivision and zoning applications to capture these lands allows the lands to be appropriately zoned and since they form part of the subdivision creation of individual lots can occur through the Part Lot Control process.

Incorporating the Town land within these applications was authorized by the Town Solicitor to allow the application to be evaluated. Since the parcel is surplus to the

Town's need and is subject to an application under the *Planning Act*, this report satisfies the notice obligations under By-law 1995-71 as amended by By-law 2010-104.

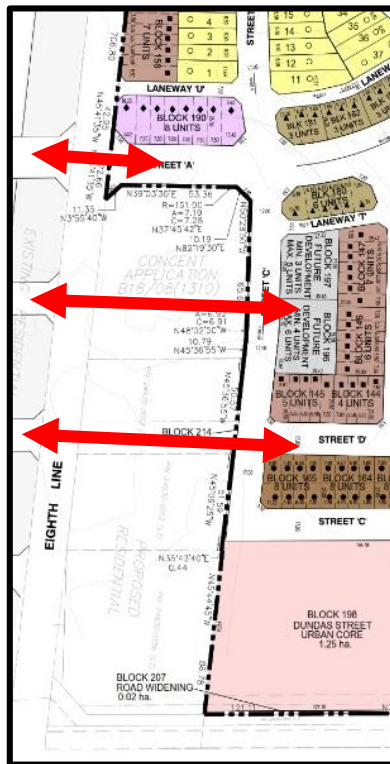
A sign was placed at the location of the road closure advising the public of the road closure as well as notice to the abutting landowners. The public are given two weeks to respond with any objections. By-law 2021-106, a by-law to stop up and close for all purposes an unopened portion of Eighth line North of Dundas Street identified as PART 1 on Plan 20R-21908 is included within this agenda.

A condition of draft plan approval requires the owner to acquire Part 1, 20R-21908 from the town at fair market value. Fair market value will be determined through an appraisal to the satisfaction of the Town. The proposed draft plan of subdivision incorporating these lands cannot be registered until such time the owner has acquired the town lands.

Confirm if it is appropriate that the ROW for Grindstone Trail does not continue through the subdivision.

The North Oakville Master Plan is intended to assist in providing guidance and coordination of local roads and adjacent land uses for the North Oakville Planning Area. Development applications are reviewed to ensure general coordination and consistency with the intent of the Master Plan.

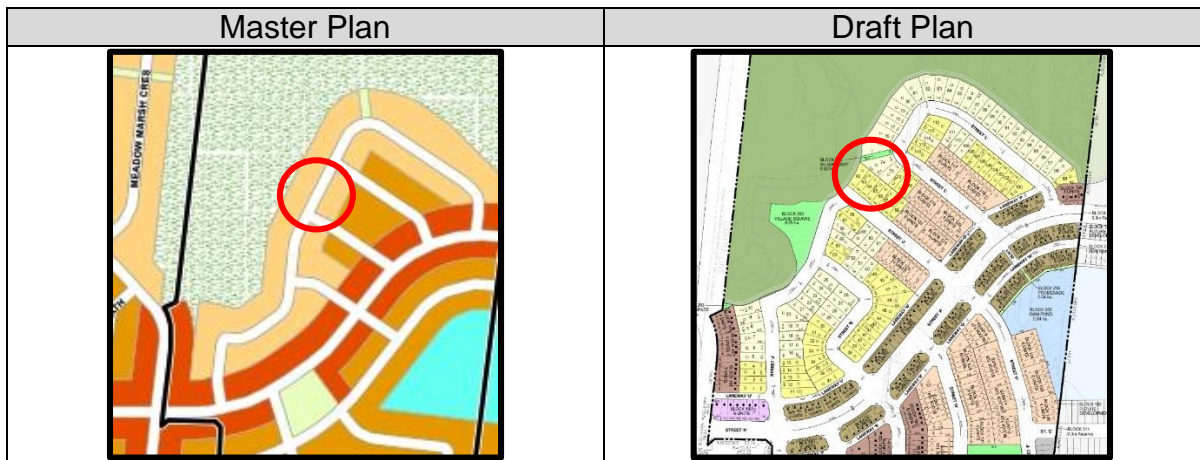
The Master Plan contemplates three road connections to Eighth Line as shown by the red arrows. Street 'A' is connecting to Eighth Line as anticipated. Street 'D' is expected to be extended to Eighth Line once the holdout lands are redeveloped. The extension of the right-of-way for Grindstone Trail on the Shieldbay subdivision to the west is not anticipated to continue as part of this current application. The extension of Grindstone Trail (middle arrow) would bisect a larger holdout property (Capobianco) which may reduce the development potential of this property in the future. The Capobianco property is located at the southeast corner of an activity node and as such a larger parcel could be developed more efficiently as a mixed use block.



Section 7.5.2 allows for minor modifications to the road layout provided the general intent and direction of the Master Plan is maintained. It is the staff's opinion that the intent and direction of the Master Plan will be maintained with the abutting proposed road system.

The plan lacks a link between proposed Street "L" and "J" creating a disconnect between the streets.

The Master Plan contemplates a road connection between Street "L" and Street "J" (red circle). The Master Plan also anticipates that the dwellings along these two roads back onto the Natural Heritage System. The proposed subdivision contains a mixture of rear lotted dwellings onto the Natural Heritage System and a window street thereby increasing the accessibility of the Natural Heritage System to the larger community. The applicant also relocated a pedestrian connection to the Natural Heritage System to provide greater connectivity between the two areas.

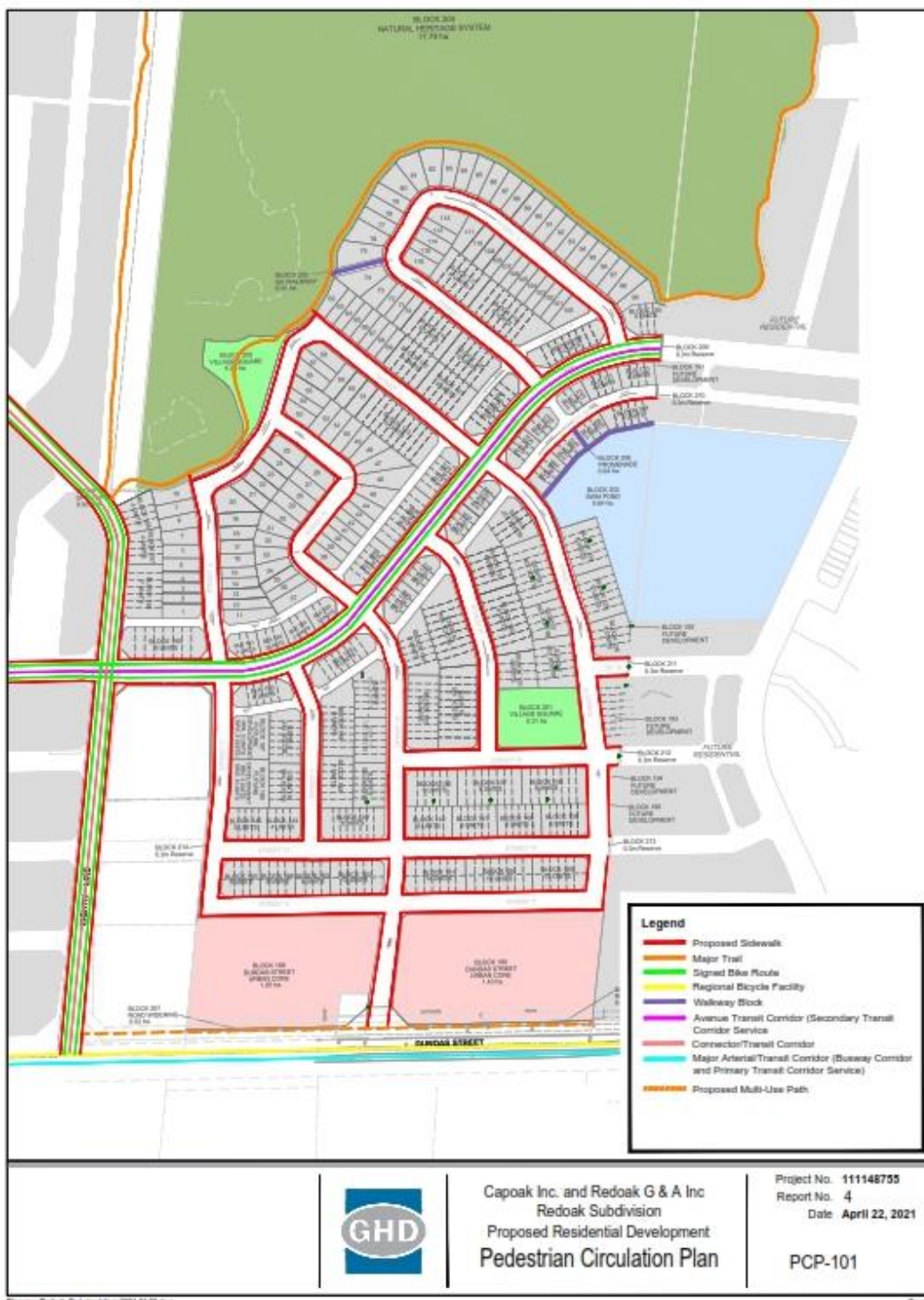


It is staff's opinion that the proposed plan of subdivision meets the general intent of the Master Plan as pedestrian connectivity is maintained and the Natural Heritage System is accessible to the larger community.

This plan removes one access to Dundas Street that is shown in the Master Plan. The Master Plan contemplates a road connection through the eastern Dundas Urban Core block connecting to Dundas Street. Dundas Street is a Regional road and the Region has specific intersection spacing requirements. As part of the future Site Plan application for the Dundas Urban Core block, right-in/right-out access can be explored. Staff is satisfied that the proposed road system meets the general intent and direction within the Master Plan.

Provide a trail plan that will be developed in the NHS and describe how the NHS will be protected.

The applicant prepared a preliminary "Pedestrian Circulation Plan" which illustrates sidewalk location, walkways, bike routes, trail systems, bus corridors, and transit routes. A trail system is proposed within the Natural Heritage System connecting to the Dunoak subdivision to the east and the Shield Bay subdivision to the west. The applicant will be responsible to construct the trail system to Town standards.



Explore what material can be used in the construction phase that will limit climate change impacts.

The applicant has advised that Great Gulf is known as an industry leader in sustainability and has participated in a variety of green building standard programs including actively investigating using technologies such as geothermal heating in projects across the GTA. When constructing their homes, they use a variety of technologies and building practices to improve the sustainability of the project and reduce climate change impacts. Through their 'Home Technology' program, buildings are designed and constructed using panels created in a manufacturing facility, which reduces energy consumption and material waste during construction by up to 70%. Additionally, to reduce energy consumption in transportation, they employ local suppliers and manufacturers, use locally sourced materials where possible, and accept wood only from sustainable forestry vendors and use low VOC products.

All new dwellings also include low e-glass windows, water-efficient toilets, high-efficiency furnaces, heat recovery ventilators, tankless water heaters, energy-efficient appliances, and rough-ins for electric car charge stations and solar power.

**Public Comments**

The applicant hosted Public Information Meeting on September 20, 2020. Eleven residents and well as the Ward Councillors were in attendance. Questions were raised relating to:

- Construction timelines and access routes
- Eighth Line/traffic calming and bike route locations
- Type of development (i.e. residential/commercial)
- Location of schools

Two written submissions were received and were included within the Public Meeting Report. The issues raised related to the disposition of Eighth Line and concerns regarding high density uses north of Dundas Street, construction issues, decrease in property values, and lack of trees and greenspace. No new comments were received since the Public Meeting.

**CONCLUSION:**

Staff recommends approval of the draft plan of subdivision and zoning by-law amendment which would have the effect of developing approximately 40 hectares of land consisting of 116 detached dwellings, and 476 townhouse units, stormwater management pond, two village squares, and Natural Heritage System. The proposed subdivision is appropriate and compatible with the adjacent land uses and in keeping with the intent of the land use policies of the North Oakville East Secondary Plan.

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 North Oakville East Secondary Plan. Staff recommends approval of the draft plan of subdivision subject to the conditions in Appendix "A" and that By-law 2021-103 be passed as the following requirements have been satisfied:

- A full circulation has been undertaken and there are no outstanding financial or planning issues to be resolved. Issues raised by the Conservation Halton and the Region of Halton have been addressed through conditions of approval.
- The proposal implements the vision, development objectives, community design strategy, and land use strategy of the North Oakville East Secondary Plan.
- The draft plan of subdivision is necessary to facilitate future land division into individual residential lots and is appropriate for the orderly development of the lands.
- The proposed plan of subdivision meets the criteria established in Section 51(24) of the *Planning Act*.
- Comments from Council have been appropriately addressed.

By-law 2021-103 is attached as Appendix "C".

The unopened portion of Eighth Line to the north of this parcel is within an area designated Natural Heritage System and is not part of the planned transportation network planned for North Oakville. Threshing Mill Blvd., constructed through a previous plan of subdivision, provides a connection to Eighth Line to the south of these lands. As such, these lands are not required for transportation purposes and this portion of the road could be permanently closed.

Since the parcel is surplus to the Town's need and is subject to an application under the *Planning Act*, By-law 2021-106, a by-law to stop up and close for all purposes an unopened portion of Eighth line North of Dundas Street identified as PART 1 on Plan 20R-21908 (Appendix "E") be passed.

By-law 2021-106 is attached as Appendix "D".

---

## CONSIDERATIONS:

### (A) PUBLIC

A Public Meeting was held on January 18, 2021. No written correspondence was received issuance the Public Meeting.

Notice for the meeting regarding this development application was provided through a mailing of all properties within 120 metres of the subject lands. Resident Associations were notified along with property owners in accordance with the *Planning Act* Regulations and Town practices.

Notice of Intention to close the portion of these public highways has been provided to the public in accordance with the town policy and the *Municipal Act, 2001*. This report being published on the town's website as part of a public agenda satisfies the rest of the requirements of the town's policy.

### (B) FINANCIAL

Development Charges would apply to this development. Parkland dedication is applicable and may be satisfied following confirmation that the developer is in good standing with the North Oakville East Developers Group and party to the Cost Sharing Agreement.

### (C) IMPACT ON OTHER DEPARTMENTS & USERS

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

The application will be considered under Bill 108, which provides for a 120-day timeline before an appeal can be filed for lack of decision. The current applications were submitted and deemed complete on August 21, 2020. An appeal could have been filed as of December 19, 2020.

### (D) CORPORATE STRATEGIC GOALS

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

- be the most livable town in Canada

### (E) CLIMATE CHANGE/ACTION

The proposed development generally complies with the Town's sustainability goals and objectives of the North Oakville East Secondary Plan. 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 development footprint of the proposal.

**APPENDICES:**

- Appendix “A” – Conditions of Draft Plan Approval
- Appendix “B” – Applicable Policy Excerpts
- Appendix “C” – By-law 2021-103
- Appendix “D” – By-law 2021-106
- Appendix “E” – Part 1, 20R-21908

Prepared and Recommended by:  
Leigh Musson, MCIP, RPP  
Acting-Manager, Current Planning  
East District

Submitted by:  
Gabe Charles, MCIP, RPP  
Director, Planning Services