



OAKVILLE

REPORT

Planning and Development Council

Meeting Date: August 12, 2024

FROM: Planning Services Department

DATE: July 30, 2024

SUBJECT: Public Meeting Report, Zoning By-law Amendment, Mattamy (Joshua Creek) Limited – Bressa DUC, File No.: Z.1308.05

LOCATION: 1415 Dundas Street East, and 3004, 3006, 3008, 3010 and 3014 William Cutmore Boulevard

WARD: Ward 6 Page 1

RECOMMENDATION:

1. That the comments from the public with respect to the proposed Zoning By-law Amendment submitted by Mattamy (Joshua Creek) Limited (File No.: Z.1308.05), be received.
2. That staff consider such comments as may be provided by Council.

KEY FACTS:

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

- **Nature of Application:** The applicant has applied for a Zoning By-law Amendment to remove the Floor Space Index (FSI) requirement for the subject site from the Zoning By-law 2008-189, in order to align with the North Oakville East Secondary Plan as modified by Official Plan Amendment 321 (OPA 321). Additionally, the applicant seeks to clarify that the lands subject to SP56 are to be considered as one block for zoning purposes.
- **Proposal:** The effect of the application is to allow greater flexibility in the development of the subject site by eliminating the Floor Space Index (FSI) restriction, thereby enabling development that aligns with the North Oakville East Secondary Plan as modified by OPA 321. Additionally, it ensures that the lands subject to SP56 are treated as one block for zoning purposes. The applicant intends to develop the site over multiple phases in compliance with the NOESP.

- **Public Consultation:** On May 14, 2024, an applicant-initiated virtual Public Information Meeting (“PIM”) was held. In addition to the applicants, town staff, the Ward 6 councillors, and 22 members of the public attended.

BACKGROUND

OPA 321

In September 2018, Halton Region approved OPA 321, which was subsequently approved at the Local Planning Appeal Tribunal (LPAT) (now the Ontario Land Tribunal (OLT)) in July 2019, with modifications. The effect of OPA 321 is to implement the policy directions focused on areas of concern to be addressed through the North Oakville Secondary Plans Review. As it relates to this proposal, OPA 321 removed the Floor Space Index (FSI) maximums from the land use policy framework of the Dundas Urban Core land use designation.

NOTE: Floor Space Index (FSI) means the net floor area of all buildings on a lot divided by the lot area.

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

Draft Plan of Subdivision 24T-12004/1307 (Bressa)

The Bressa draft plan of subdivision and corresponding zoning by-law were submitted in 2012 and approved by the LPAT on February 7, 2019. The LPAT approved zoning by-law permits apartment buildings with a height range of 20 metres (6 storeys) to a maximum of 45 metres (12 storeys).

Following this approval, the subject lands were registered as two blocks:

- Block 146, 20M-1229 – registered November 24, 2020
- Block 20, 20M-1269 – registered November 15, 2023

The purpose of registering Block 146 in advance of Block 20 was to allow Phases 1 and 2, as described later in this report, to progress in advance of the subsequent phases despite the by-law being written assuming the block would stay whole.

Draft Plan of Subdivision 24T-20006/1307 (Mattamy Joshua Creek – Phase 4 (Sliver) – lands to the north of the subject site

The Phase 4 draft plan of subdivision and corresponding zoning by-law were submitted in 2000 and received draft plan approval on May 20, 2021, and registered on October 6, 2022. These lands, located directly north of the subject site, included a requirement for a warning clause to inform purchasers and/or tenants of Lots 1-15 and 25-30 that their properties were adjacent to or near lands that may be

developed for future residential, commercial, or mixed-use buildings up to 12 storeys in height. The town-approved Neighbourhood Information Map also identified the subject lands for a maximum of 12 storeys.

Original Draft Plan of Subdivision 24T-12004/1307 and registered Block 146, 20M-1229 and Block 20, 20M-1269 – **Appendix “C”**.

APPLICATION SUMMARY

Applicant/Owner: Mattamy (Joshua Creek) Limited

Purpose of the Application: The applicant has applied for a Zoning By-law Amendment to remove the Floor Space Index (FSI) requirement for the subject site from the Zoning By-law 2008-189, to conform with the North Oakville East Secondary Plan as modified by OPA 321. Additionally, the applicant seeks to clarify that the lands subject to SP56 are to be considered as one block for zoning purposes.

An aerial map, existing NOESP land use schedule and Zoning by-law excerpts are included in **Appendix “A”**.

Effect of the Application: The effect of the application is to allow greater flexibility in the development of the subject site by eliminating the Floor Space Index (FSI) restriction, thereby enabling development that conforms with the North Oakville East Secondary Plan as modified by OPA 321. Additionally, it ensures that the lands subject to SP56 are treated as one block for zoning purposes.

The applicant has provided the following description of the existing and proposed development for the lands (Figure 1):

- **Phase 1:** Two 12-storey buildings (Buildings 1 and 2 – under construction).
- **Phase 2:** A seven-storey building (Building 3 – under construction).
- **Phase 3:** Two 12-storey buildings (Buildings 4 and 6) and a seven-storey building (Building 5).
- **Phase 4:** A future building with an undetermined height.

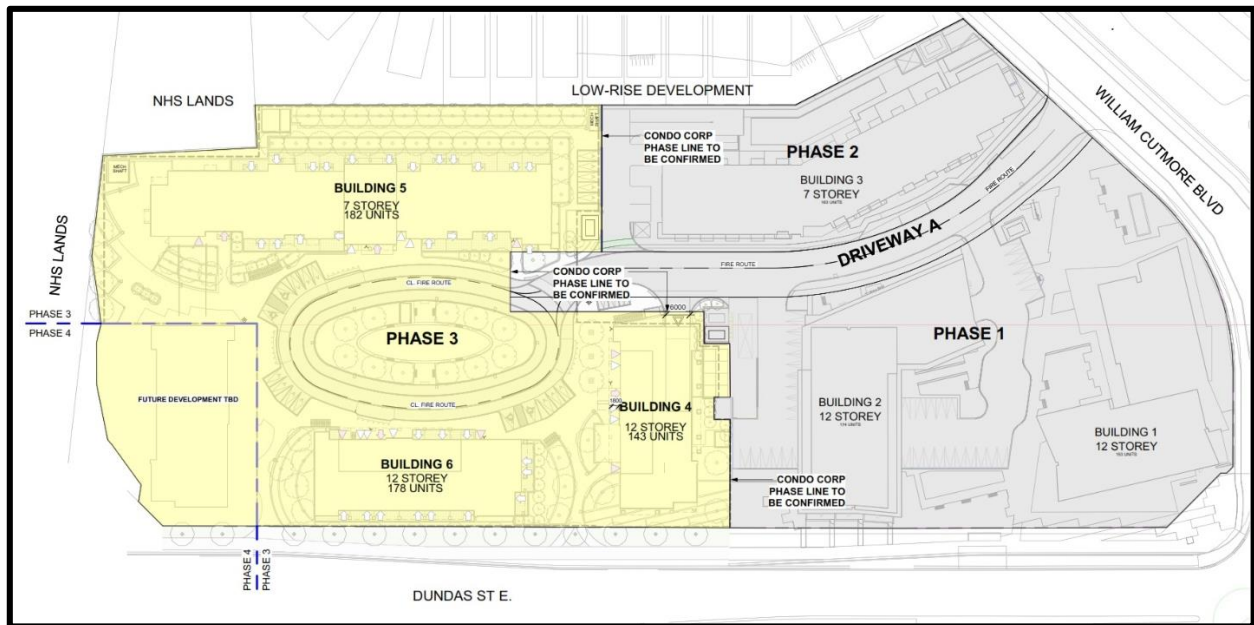


Figure 1: Applicant's concept

Access to the development will be via a private road from William Cutmore Boulevard. The current zoning for these lands allows for buildings up to 12 storeys in height.

Details of the applicant's proposal are included in the following Appendices:

- Applicant's draft Zoning By-law – **Appendix "B"**.
- Original Draft Plan of Subdivision 24T-12004/1307 and registered Block 146, 20M-1229 and Block 20, 20M-1269 – **Appendix "C"**.
- Concept Plan – **Appendix "D"**.

Submitted Plan / Reports: The proponent has provided supporting plans and documentation which are currently under review by various public agencies and internal Town departments. The supporting documentation is accessible on the Town's website at [Mattamy \(Joshua Creek\) Limited - Bressa DUC - Z.1308.05 \(oakville.ca\)](http://Mattamy (Joshua Creek) Limited - Bressa DUC - Z.1308.05 (oakville.ca)).

Property Location: The subject lands are located on the northwest corner of Dundas Street East and William Cutmore Boulevard and are municipally known as 1415 Dundas Street East, and 3004, 3006, 3008, 3010 & 3014 William Cutmore Boulevard. Currently, these lands are under construction, including buildings 1 and 2 in Phase 1, building 3 in Phase 2, and the private road access from William Cutmore Boulevard.

Surrounding Land Uses: The surrounding land uses are as follows:

- North – detached dwellings.
- East – Region of Halton pumping station and municipal stormwater pond.
- South – detached dwellings and Natural Area across Dundas Street East.
- West – Natural Heritage System and the registered Argo (Joshua Creek) subdivision (24T-20002/1308).

Key Milestones:

Pre-Consultation Meeting	November 29, 2023
Public Information Meeting	May 14, 2024
Application Submitted	May 31, 2024
Application Deemed Complete	May 31, 2024
P & D Council - Public Meeting	August 12, 2024
Date Eligible for Appeal for Non-decision	August 29, 2024

The date for the Planning and Development Meeting recommendation meeting is yet to be determined.

PLANNING POLICY & ANALYSIS:

The subject lands 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
- North Oakville East Secondary Plan
- Zoning By-law 2009-189

A full analysis of the Provincial Policy Statement (2020), Growth Plan for the Greater Golden Horseshoe (2019, as amended in 2020), Halton Region Official Plan and North Oakville East Secondary Plan will be included within the future recommendation report.

Official Plan excerpts are included as **Appendix “E”**.

MATTERS UNDER REVIEW

The complete application was received in May 2024 and is under review by departments and agencies. The following are general issues that will be addressed in a future recommendation report, in addition to any comments from the public, Council, and commenting agencies:

- Impact on adjoining and adjacent properties
- Conformity with applicable policy
- Proposed density and use of land
- Transportation implications
- Stormwater Management/Functional Servicing
- Public & Council Comments/Concerns
- Climate Change/Sustainability Goals

CONCLUSION:

Planning staff will continue to review and analyze the submitted Zoning By-law Amendment application and address all technical matters, along with submitted public comments. No further notice is required however, written notice of any future public meetings will be provided to those who have made written and/or verbal submissions.

CONSIDERATIONS:

(A) PUBLIC

The applicant held a virtual Public Information Meeting (“PIM”) on May 14, 2024, and it was attended by 22 members of the public, the applicants, Town staff, and Ward 6 Councillors. Minutes of the meeting have been included as **Appendix “F”**.

All public comments received after the submission of the application and as of the date of the writing of this report are included as **Appendix “G”**.

Notice of complete application and statutory public meeting were distributed to property owners within 240 m of the subject lands in accordance with the Town’s current notice requirements and the *Planning Act*.

(B) FINANCIAL

None

(C) IMPACT ON OTHER DEPARTMENTS & USERS

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

(D) COUNCIL STRATEGIC PRIORITIES

This report addresses Council’s strategic priority/priorities: Growth Management, Community Belonging, Environmental Sustainability and Accountable Government.

(E) CLIMATE CHANGE/ACTION

The proposed development will be reviewed to ensure compliance with the Town's Sustainable Development Strategy of the North Oakville East Secondary Plan.

APPENDICES:

Appendix "A": Mapping

Appendix "B": Applicant's Draft Zoning By-law

Appendix "C": Draft Plan of Subdivision 24T-12004/1307 and Blocks 146 and 20

Appendix "D": Concept Plan

Appendix "E": Policy Excerpt

Appendix "F": Applicant Hosted Public Information Meeting Minutes

Appendix "G": Public Comments

Prepared by:

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Planner, East District – Current Planning

Recommended by:

Leigh Musson, MCIP, RPP

Manager, East District – Current Planning

Submitted by:

Gabriel A.R. Charles, MCIP, RPP

Director, Planning and Development