

REPORT

Planning and Development Council

Meeting Date: June 16, 2025

FROM: Planning and Development Department

DATE: June 3, 2025

SUBJECT: Recommendation Report - Official Plan Amendment and Zoning By-law Amendment, Garden Residences Corporation, 105-159 Garden Drive, File No. OPA 1617.47 and Z.1617.47; By-law 2025-095, By-law 2025-096

LOCATION: 105, 115 – 159 Garden Drive

WARD: Ward 2

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RECOMMENDATIONS

1. That Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision applications submitted by Garden Residences Corporation (File No. OPA 1617.47, Z.1617.47 and 24T-25001-1617), be approved;
2. That the Director of Planning and Development be authorized to grant draft plan approval to the Draft Plan of Subdivision (24T-25001-1617) submitted by Garden Residences Corporation, prepared by R. Avis Surveying Inc. dated November 25, 2025 subject to the conditions contained in Appendix 'C';
3. That By-law 2025-095, a by-law to adopt an amendment to the Livable Oakville Plan, be passed;
4. That By-law 2025-096, an amendment to Zoning By-law 2014-014, be passed;
5. That, in accordance with Section 34(17) of the *Planning Act*, no further notice is determined to be necessary; and,
6. That notice of Council's decision reflects that the comments from the public have been appropriately addressed.

KEY FACTS

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

- **Location:** The subject lands are located on the northeast corner of Garden Drive and Lakeshore Road West and are municipally known as 105, 115 -159 Garden Drive.
- **Policy Context:** The property is located within the Kerr Village Growth Area within the lower Kerr Village District and designated Main Street 1 in the *Livable Oakville* Official Plan (the “Official Plan”). Further site-specific permissions are under Kerr Village Exceptions, policy 23.7.6.
- **Zoning:** The property is zoned Main Street 1 and subject to Special Provision 418 (MU1 sp:418) within Zoning By-law 2014-014 (the “Zoning By-law”), as amended.
- **Nature of Application:** The application is for an Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision. The purpose of the amendments are to allow for additional density (more units) and site-specific regulations to facilitate three back-to-back townhouse blocks and one mixed-use building. The purpose of the Draft Plan of Subdivision application is to permit the proposed development to proceed as a common element condominium, as the site is not currently within a block in a Plan of Subdivision.
- **Proposal:** The proposed development consists of three back-to-back townhouse blocks oriented perpendicular to Garden Drive, and a mixed-use block with commercial on the main floor along Lakeshore Road West and residential units above. A total of 48 residential units, approximately 170 square metres of commercial space and 76 parking spaces are proposed, 59 of which are in at-grade parking garages below each back-to-back townhouse block. Of the parking spaces, 17 are stacked, with an additional 11 surface parking spaces with six reserved for commercial / visitor parking at the rear of the mixed-use block.
- **Public Consultation:** The applicant hosted an in-person Public Information Meeting (“PIM”) on July 2, 2024, and approximately 17 members of the public attended. Minutes of the PIM are included in Appendix ‘D’. A statutory Public Meeting took place at the [October 15, 2024 Planning and Development Council Meeting](#) for the Official Plan Amendment and re-zoning applications.

An additional Statutory Public Meeting is not required for the Draft Plan of Subdivision.

- **Timing:** The Official Plan Amendment and re-zoning applications were submitted and deemed complete on July 24, 2024, and the Plan of Subdivision application was submitted and deemed complete on January 24, 2025. While all of these applications could be appealed for non-decision, the applicant has used this extra time to work extensively with staff through three submissions to address comments and additional matters to be considered as were presented at the October 15, 2025, Statutory Public Meeting and letters submitted by residents.
- **Recommendation:** Staff recommend approval of the Official Plan Amendment, re-zoning and Draft Plan of Subdivision applications as the proposal is consistent with the Provincial Planning Statement, conforms to the Halton Region Official Plan and the goals and objectives of the Official Plan.

BACKGROUND

The purpose of this report is to provide a full staff review and a recommendation on the proposed Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision applications to redevelop the site.

The property has been subject to two previous development proposals which were not constructed. The most recent proposals were captured through the current site-specific official plan and zoning permissions, which allow for two options for development on the subject property: a five-storey 131-unit apartment building; or, alternatively, a three-storey, 18-unit townhouse development with a mixed-use building facing Lakeshore Road West. Through By-law 2025-095, a by-law to adopt an amendment to the Livable Oakville Plan and By-law 2025-096, an amendment to Zoning By-law 2014-014, those previous permissions are proposed to be removed, and the current proposal be permitted.

The applicant submitted Official Plan and re-zoning applications that were deemed complete on July 24, 2024. As the application progressed, the applicant determined that they would like the development to proceed as a common element condominium. To do that, a property must be part of a block of a Plan of Subdivision. The subject property is not already a block in a Plan of Subdivision. To address this, the applicant later submitted a Plan of Subdivision application that was deemed complete January 24, 2025.

Purpose of Applications: The purpose of the Official Plan Amendment application is to change the site-specific exception policies applying to the lands to allow for the development of four blocks of multiple-attached dwellings, each four storeys in height with commercial uses fronting onto Lakeshore Road West as a further permitted use in addition to the existing permitted uses. The purpose of the Zoning By-law Amendment application is to allow for three blocks of four-storey back-to-back townhouses and a mixed-use building along Lakeshore Road West for a total of 48 units, and approximately 170 square metres of ground floor commercial. The purpose of the Draft Plan of Subdivision application is to create the parcel as a block in a plan of subdivision and dedicate the daylight triangle to the Town. This will permit the proposed development to proceed as a common element condominium. Figure 1 is an excerpt of the site plan and Figure 2 are renderings of the proposed development, both prepared by the applicant.

Effect of Applications: The effect of the Official Plan and Zoning By-law Amendment applications is to:

- Permit three blocks of four-storey back-to-back townhouses and a mixed-use building along Lakeshore Road West for a total of 48 units, and approximately 170 square metres of ground floor commercial uses.
- Remove and replace site-specific Official Plan policies and zoning regulations to permit the proposal.

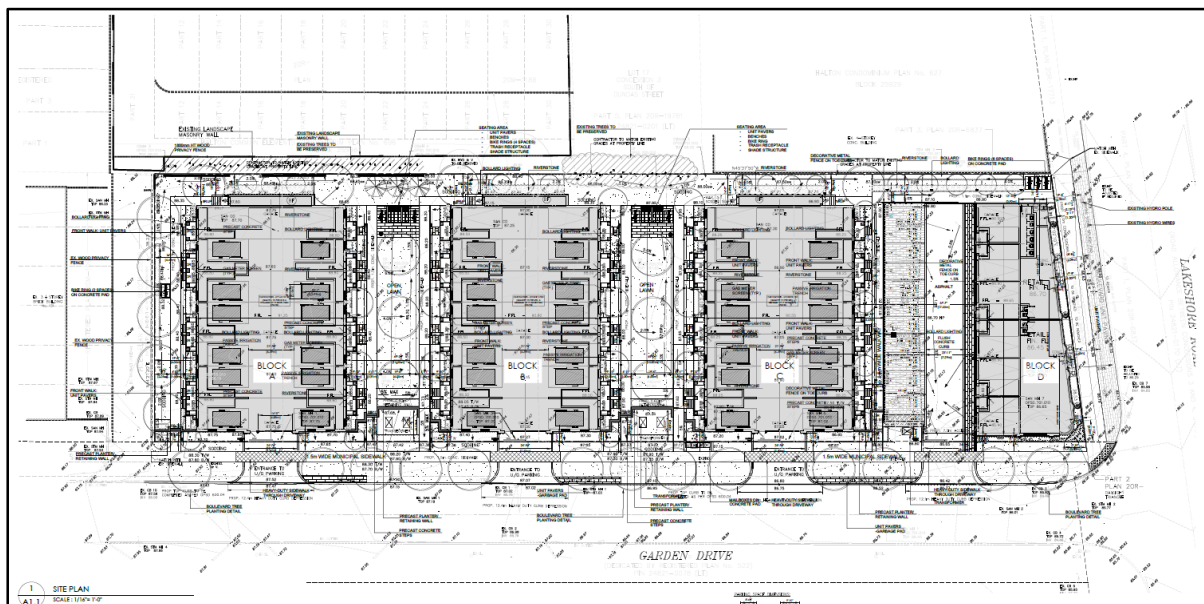


Figure 1 – Excerpt of Applicant's Site Plan



Figure 2 – Renderings prepared by Applicant

Location & Site Description

The subject lands are located on the northeast corner of Garden Drive and Lakeshore Road West and are municipally known as 105, 115-159 Garden Drive. The application was submitted as 105-159 Garden Drive but to be consistent with previous approvals the subject property will be referred to as 105, 115-159 Garden Drive within the Official Plan Amendment and Zoning By-law Amendment. Future development may result in further addressing changes. Figure 3 is an aerial photograph of the subject property.

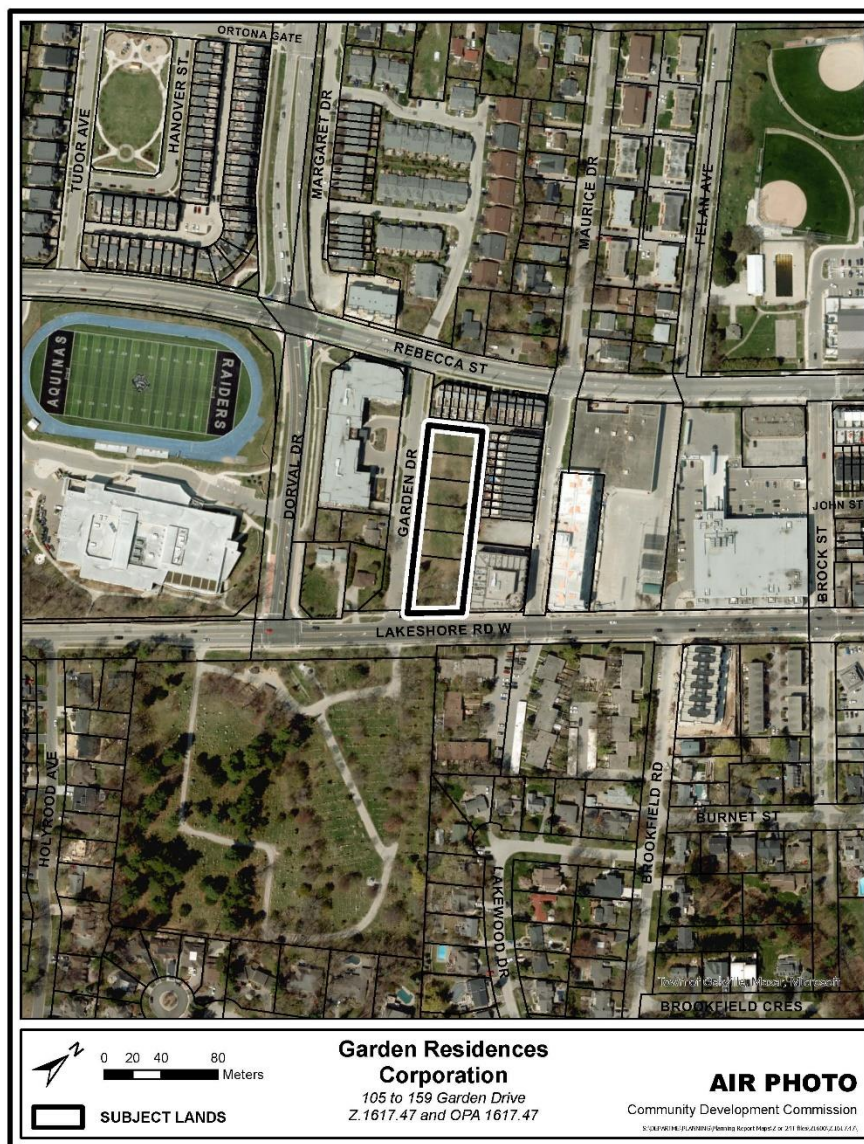


Figure 3 – Aerial Photo

Surrounding Land Uses

Surrounding the site are the following:

- North / East – Three-storey townhouses
- East – A four-storey mixed use building on the corner of Maurice Drive and Lakeshore Road West
- South – Two-storey townhouses and cemetery on south side of Lakeshore Road West
- West – Four-storey apartment building and detached dwellings on west side of Garden Drive

PLANNING POLICY & ANALYSIS:

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

- *Planning Act*
- Provincial Planning Statement (2024)
- Halton Region Official Plan (implemented by the Town)
- Livable Oakville Plan
- Zoning By-law 2014-014

Provincial Planning Statement

On October 20, 2024, the new Provincial Planning Statement, 2024 (PPS) came into effect and replaced the Provincial Policy Statement (2020) and the Growth Plan for the Greater Golden Horseshoe (2019).

The new PPS is intended to promote a policy-led system that recognizes 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 by promoting a compact development form. All planning decisions must be consistent with the PPS.

The property is located within a “Settlement Area”, which is to be the focus of growth and development. The land use patterns within the settlement areas are based on densities and a mix of land uses that, among other matters, efficiently use land and resources, and optimize existing and planned infrastructure and public service facilities.

On this basis, and for the reasons outlined in this report, the application is consistent with the PPS. Excerpts of relevant PPS policies are attached as Appendix ‘E’.

Halton Region Official Plan

As of July 1, 2024 (Bill 185), the responsibility of the Halton Region Official Plan rests with the Town of Oakville.

The subject property is designated “Urban Area” in 2009 Regional Official Plan (“Halton Plan”). 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.

The subject property is within the “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’s planning vision for a healthy community is found in Policy 31(3) stating that a healthy community is physically designed to minimize the stress of daily living and meet the life-long needs of its residents where a full range of housing, social, health and recreational opportunities are present and where mobility is provided primarily through an affordable, convenient, safe and efficient public transportation system.

The proposal, as revised, conforms to the Halton Plan. Excerpts of relevant policies are attached as Appendix ‘E’.

Livable Oakville Plan

The Livable Oakville Plan was approved by the Ontario Municipal Board on May 10th, 2011 and is currently under-going a five-year Official Plan Review to ensure the policies are consistent with the latest Provincial policies, support the Town’s strategic goals, and reflect the vision and needs of the community.

Urban Structure

On September 27, 2017, Council adopted Official Plan Amendment 15 (OPA 15) to the Livable Oakville Plan, which established the Town’s Urban Structure (Figure 4).

It provides for nodes and corridors, where higher intensity forms of mixed-use growth that would support frequent transit service are to be accommodated. The subject lands are identified on Schedule A1 – Urban Structure as being within the Town’s system of Nodes and Corridors and are located within Kerr Village. Nodes and Corridors are key areas of the Town identified as the focus for mixed use development and intensification. Kerr Village is also recognized in the urban structure as a Main Street Area for its distinctive character and is intended to accommodate a less intensification than primary growth areas such as Midtown, Uptown and Palermo.

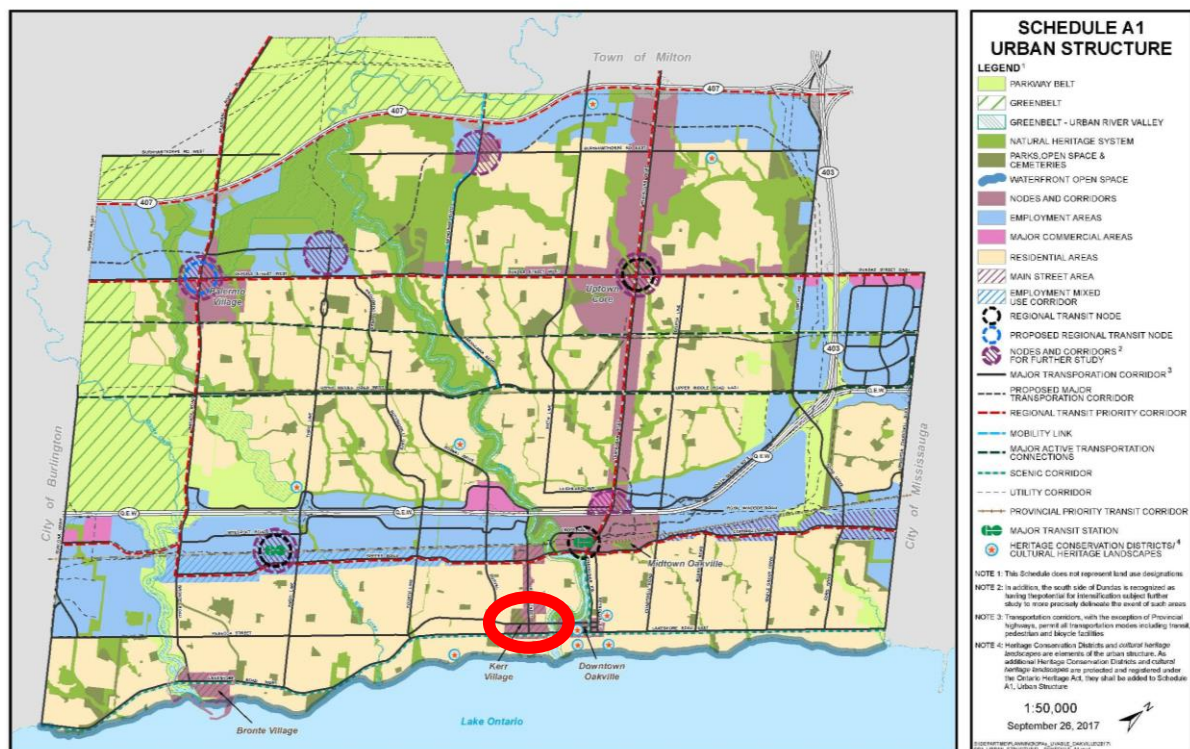


Figure 4 – Urban Structure

The proposed amendment is consistent with the Town’s Urban Structure.

Land Use Policies

As part of the Town’s ongoing [Official Plan Review](#), the land use designations and policies that apply to Kerr Village were studied, reviewed and approved through OPA 19, which is in full force and effect.

Within Kerr Village, the subject property is located within the Lower Kerr Village District and designated Main Street 1, as shown in Figure 5 below. The Lower Kerr Village District shall largely be a mixed-use area, allowing for a mixture of

commercial, office and residential uses, including some standalone residential uses, extending from Downtown Oakville, with a defined entrance into Kerr Village¹.

Pursuant to 12.2 of the Livable Oakville Plan, 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. A wide range of retail and service commercial uses, including restaurants, commercial schools, offices and residential uses, may be permitted in the Main Street 1 designation. The ground floor of buildings in the Main Street 1 designation are to be primarily occupied by retail and service commercial uses. Limited office uses, and ancillary residential uses, may also be permitted on the ground floor of mixed-use buildings².

Pursuant to section 12.2.2 of the Livable Oakville Plan, buildings within the Main Street 1 designation shall be a minimum of two storeys in height and a maximum of four storeys in height.

¹ Policy 23.3.3, Livable Oakville Plan

² Policy 12.2.1. The requirement for and the size and location of retail, service commercial and office uses on the ground floor of buildings shall be determined through the development process and regulated by the implementing zoning.

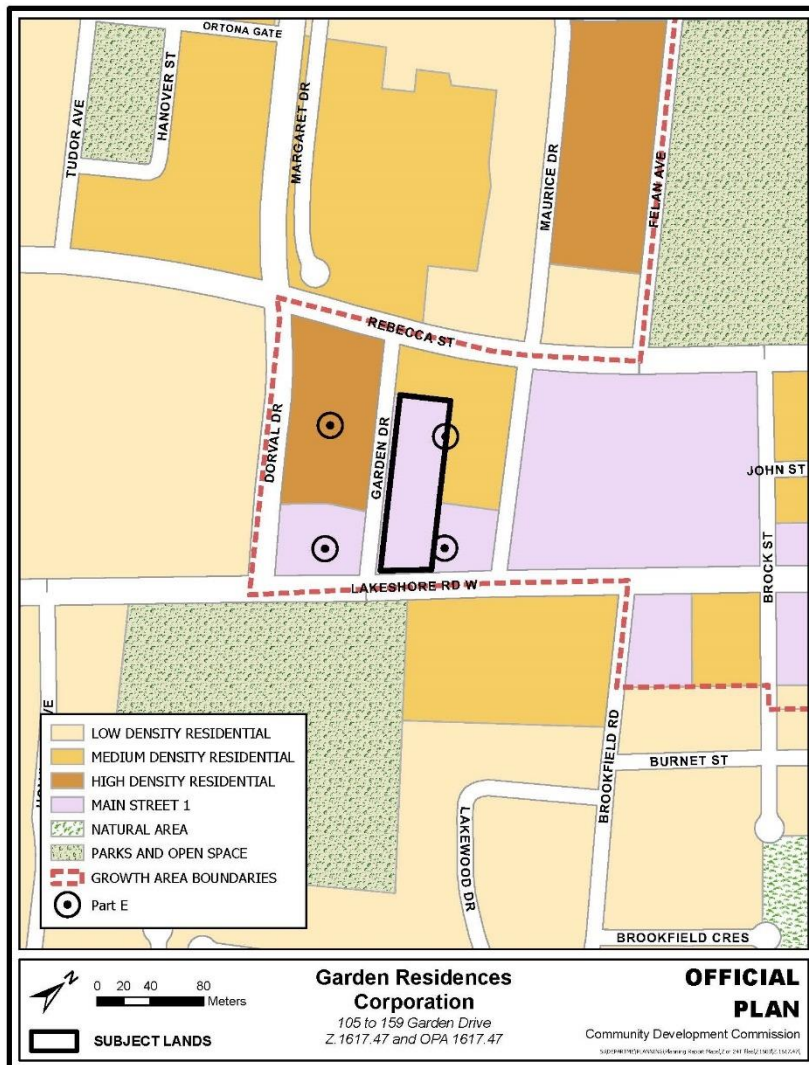


Figure 5: Livable Oakville Plan

Section 23.5 include urban design polices, which provides that in addition to the Urban Design policies in section 6 of the Livable Oakville Plan, the following policies apply specifically to Kerr Village. The urban design plan for Kerr Village is provided on Schedule O2. As can be viewed on Figure 6 below, the subject lands are adjacent to a primary street (Lakeshore Road West).

Policy 23.5.3 (streetscapes) provides that:

- a) *Primary and secondary streets, as identified on Schedule O2, shall provide for pedestrian-oriented streetscapes through the use of wide sidewalks, landscaping and furnishings.*
- b) *Buildings along primary streets, as identified on Schedule O2, shall:*

- i. incorporate a high degree of transparency on the ground floor;*
- ii. provide building openings and principal entrances facing the street; and,*
- iii. contain commercial, community, cultural or limited office uses adjacent to the street which foster an active main street environment.*

Policy 23.6.3 of the Livable Oakville Plan provides that on the lands designated Main Street 1 and Main Street 2, residential uses may be permitted on the ground floor, including multiple-attached dwellings and apartments, except where adjacent to Lakeshore Road West, Kerr Street and Speers Road, where commercial, community, cultural or limited office uses shall be provided on the ground floor facing the street, to maintain and enhance a pedestrian-oriented main street function.



Figure 6 – Schedule O2 Kerr Village Urban Design

Section 23.7 provides Kerr Village exceptions on properties identified through Schedule O1. Policy 23.7.6 includes policies to permit the two previous proposals which included a five-storey 131-unit apartment building; or, alternatively, a three-storey, 18-unit townhouse development with a mixed-use building facing Lakeshore Road West.

Urban Design and Livable by Design Manual

Section 6 of the *Livable Oakville* Plan sets out goals, objectives and policies for urban design. The Livable by Design Manual provides a comprehensive and detailed design direction for development to ensure designed and built elements are integrated with their surroundings and result in projects that not only function but achieve a high standard of urban design and architectural quality, support community vitality, and promote a sustainable, dynamic and liveable environment.

A 'Part B', urban design direction was prepared for Kerr Village in 2018. The design direction implements the policy goals, objectives and urban design policies as set out in the Kerr Village (Section 23) and Urban Design (Section 6) sections of *Livable Oakville*.

The subject property is in the Lower Kerr Village District which is envisioned to remain a mixed-use area, with a blend of commercial, office, and residential uses. The proposal responds to this by incorporating a mixed-use building fronting on Lakeshore Road West.

Official Plan Amendment

The subject property is located within the Kerr Village Growth Area within the lower Kerr Village District and designated Main Street 1 in the Official Plan with further site-specific permissions under policy 23.7.6.

Setting aside the site-specific provisions intended to implement previous development proposals, this proposal aligns with the Main Street 1 designation as it:

- Provides ground floor commercial uses along Lakeshore Road West;
- Complies with the maximum height limit of four storeys;
- Includes limited surface parking screened from the street; and
- Proposes a permitted land use.

While the internal buildings are oriented perpendicular to, and flank Garden Drive, and their ground floors are designed primarily for parking with no living space – an approach generally not recommended – in reviewing the policies staff also considered the surrounding neighbourhood character, the internal buildings' limited

visibility from Lakeshore Road West, and the proposed design's benefits. Specifically, the orientation allows for better stepping of the buildings to respond to site grading and eliminates the need for underground parking, enabling enhanced tree canopy.

Staff are reviewing a concurrent site plan application, and have been implementing urban design policies, in particular streetscape improvements, landscaping as well mitigating overlook conditions to respond to the surrounding context better.

The proposed OPA is required to repeal the special provision which was intended to implement previous proposals. Staff are also recommending a cap on density and to specify the amount of commercial along Lakeshore Road West which will assist in implementing the Main Street 1 policies on a site-specific basis.

Based on the foregoing, and the reasons outlined in this report, staff is recommending that By-law 2025-095, Official Plan Amendment 71 (OPA 71) an amendment to *Livable Oakville*, be passed which is attached as Appendix 'A'.

OPA 71 is intended to remove the previous permissions applied to the subject property and permit the proposed development. This includes permitting multiple attached dwellings, a maximum of 48 units, a maximum of four storeys and a minimum of 155 square metres of non-residential floor area for publicly accessible retail and/or service commercial uses.

Relevant *Livable Oakville* Plan policies are included in Appendix 'E'.

Zoning By-law

The subject property is zoned Main Street 1 and subject to Special Provision 418 (MU1 sp:418) within Zoning By-law 2014-014, as amended (Figure 7).

Staff are recommending that By-law 2025-096, an amendment to Zoning By-law 2014-014, as amended, be passed which is attached as Appendix 'B'.

The amendment replaces the current special provision 418 and removes special provision 343 which is specific to 105 Garden Drive. The intent is for this proposal to be the only permission for the subject property which is consistent with how other properties in the town are treated.

Staff is recommending approval of the proposed Zoning By-law amendment, for the reasons outlined in this staff report. Relevant Zoning By-law excerpts are found in Appendix 'E'.

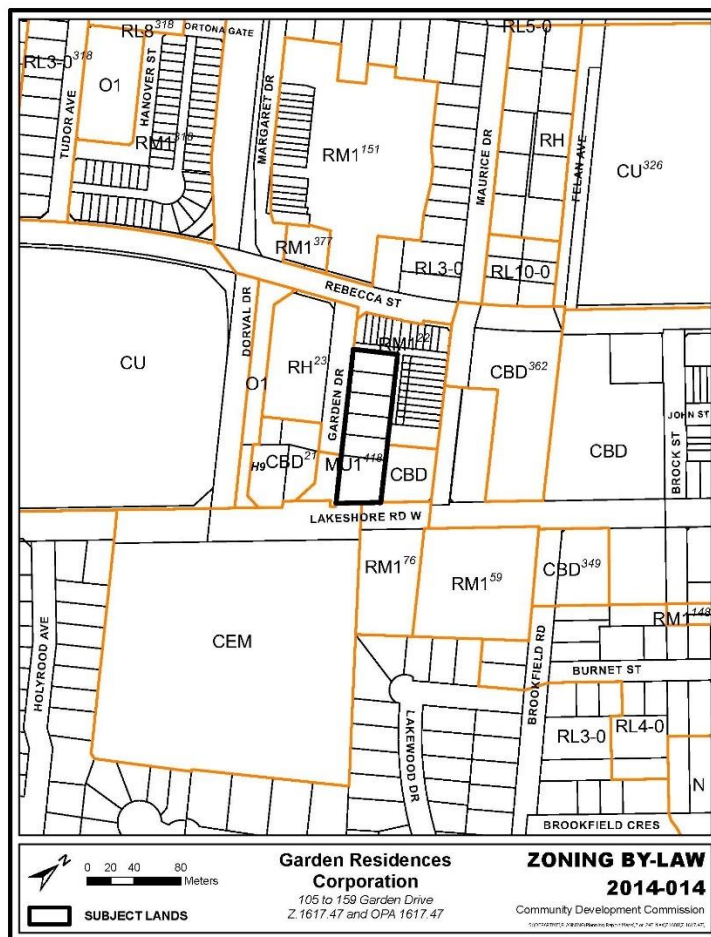


Figure 7: Existing Zoning Map

Draft Plan of Subdivision

Pursuant to Section 51(24) of the *Planning Act*, in considering a Draft Plan of Subdivision, regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to matters such as: the suitability of the land for the purposes for which it is to be subdivided; the dimensions and shapes of the proposed lots; and the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land. The proposed subdivision meets the criteria within Section 51(24) of the *Planning Act* and is consistent with the *Livable Oakville Plan* for the reasons contained herein.

As a condition of the subdivision approval, the owner will be required to enter into an agreement with the Town to satisfy all requirements: financial; engineering; and

otherwise including but not limited to, urbanization of public road boulevards, street trees, the installation of services, drainage, the provision of roads, watermain, wastewater mains, stormwater facilities and utilities to the satisfaction of the Director of Transportation & Engineering. Since the subject property is also subject to Site Plan approval, many of the conditions can be addressed through the Site Plan process and secured through the Site Plan Agreement. This approach is being taken since only two blocks are being created through this application, the main development block and a sight triangle. The Plan of Subdivision is only necessary to facilitate a future Common Element Condominium and is not required for the development of the property.

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. A variety of studies and supportive materials were submitted with the application and are available on the town's website.

The applicant has submitted the required documents as part of the complete application submission, which have been circulated to various public agencies and internal Town departments. A full circulation and assessment of the application was undertaken. The required studies and supporting documentation are accessible on the Town's website by visiting www.oakville.ca and searching "Z.1617.47" for the Official Plan and Rezoning Applications and "24T-25001/1617" for the Plan of Subdivision Application.

Analysis

The following matters to be considered were identified in the Public Meeting Report and at the Public Meeting held on October 15, 2024:

- Public & Council Comments/Concerns
- Climate Change/Sustainability Goals
- Consideration of applicable Provincial and Regional policy
- Conformity with Livable Oakville
- Zoning performance standards
- Proposed use and density
- Context and transition to adjacent properties and built form
- Integration/Impact on adjoining and adjacent properties
- Proposed height and setbacks
- Urban design
- Shadow/sun impacts
- Proportion of commercial uses

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- Transportation implications (including travel demand management strategies, and parking utilization)
 - Pedestrian connections and walkability
 - Tree preservation
 - Stormwater management
 - Functional servicing

Council also included the following items for consideration:

- a) Parking supply
 - Explore potential provision of parking stackers
 - Maneuverability
- b) Bedroom mix
 - all three bedrooms currently proposed
- c) Waste disposal and how it will be handled
- d) Green standards – Climate Perspective
 - Requirement for green roofs / solar

The town received a written letter of correspondence dated March 4, 2025, on behalf of the neighbouring properties and is included in Appendix 'F'. The same letter of concern was received 10 times with signatures from residents of the following addresses:

- 196 Rebecca Street
- 202 Rebecca Street
- 204 Rebecca Street
- 108 Maurice Drive
- 110 Maurice Drive
- 112 Maurice Drive
- 114 Maurice Drive
- 120 Maurice Drive
- 124 Maurice Drive
- 126 Maurice Drive
- 196 Maurice Drive
- 202 Maurice Drive

The concerns can be summarized as follows:

- Public safety and traffic concerns (vehicular volumes at peak times, stacking issues)
- Parking
- Building height and shadows
- Density

After the Public Meeting, the applicant submitted two more technical submissions for circulation for review by staff and external agencies and provided responses to address the matters to be considered.

The following is an overview of how the matters identified by Council and the Public were addressed.

- **Traffic and Parking Supply**

Response: A Transportation Impact Study (TIS) was completed by NextEng Consulting Group Inc. which supports the proposal. The proposed development will provide 76 parking spaces, which meets the total number of required parking spaces required by Zoning By-law 2014-014, as amended, for residents, visitors, and commercial uses. 70 spaces are allocated for the residential uses, 17 of which will be provided by parking stackers. Per Zoning By-law regulation 5.1.10, "...stacked parking spaces are permitted for any dwelling". As such, stacked car parking is a permitted parking solution. The buildings have been designed with a first-floor ceiling height that can safely accommodate a parking stacker; with 3.81m (12'-6") being proposed to be provided to the ceiling. The parking stacker will take approximately 30 seconds to operate which, as outlined in the TIS, is not anticipated to result in any significant queueing issues due to the low volume of peak hour vehicle trips from each residential garage. In a situation where a resident wants to reorder their cars (i.e. moving the primary vehicle to access the secondary vehicle or vice versa), due to the short time it takes to lower the parking stacker, this will not take a significantly different amount of time than reordering cars in a conventional driveway.

- **Bedroom Mix**

Response: Each unit within the development is proposed as three-bedroom units.

- **Waste Disposal**

Response: In consultation with Halton Region, each block will be outfitted with a separate waste storage room within the building (not external). Waste will be carted to the curb on collection day and the bins retrieved after collection by condominium management staff (not individual owners). All waste will be collected curbside and waste collection vehicles will not have to reverse.

- **Green Standards and Sustainability**

Response: The proposed development will incorporate the following sustainable design measures to reduce energy emissions, mitigate the impacts of climate change, and implement green building standards, as directed in Part C Section 10 of the *Livable Oakville* Plan.

- The proposed residential density of the development combined with its mixed-use design, central location, and provided bicycle parking will encourage public and active transit usage. This is appropriately supported by the location of the subject property within proximity to local and regional transit options and existing bicycle routes. The Transportation Impact Study (TIS) submitted as part of this application further details Transit Demand Management measures that can be put in place to support alternative forms of transportation.
- All building roof water to be splashed to grade promoting natural absorption through vegetation, resulting in passive irrigation. In addition, courtyard downspouts are directed to a culic (bottomless) storage system promoting natural soil infiltration. Also, stormwater from visitor parking will be infiltrated through permeable paving. Finally, the quality control of the runoff will be achieved through treatment using an oil grit interceptor structure.
- High-albedo reflective surfaces will be used for all landscape paving including concrete and light coloured unit pavers.
- Permeable unit pavers are proposed for surface parking areas to assist in stormwater management.
- The proposed landscape is rich in native species which supports pollinators.
- The majority of the proposed plant species are drought tolerant.
- The proposed tree planting will provide more than 45% canopy coverage which exceeds the Town's target of 20% coverage.
- The development will incorporate low flow and high efficiency appliances that will support water conservation.
- New energy efficient windows will be implemented throughout all units.
- An energy modelling consultant has been retained to advise on other opportunities to reduce energy consumption. It is noted that green roofs and solar energy were specifically mentioned at council. As the roofs of the units function as outdoor amenity space for the individual units, they cannot be used as green roofs or for solar energy gathering. However, the roofs of the stair enclosures will utilize a white membrane to mitigate solar heat gain.

- **Building Heights and Shadow Studies**

Response: The proposed buildings are four storeys and a maximum of 16.5 metres in height. The development's proposed height and massing are appropriately scaled to the immediate context. The residential uses to the

north/east of the subject property are townhouse dwellings that are 3 to 3½-storeys in height and to the immediate west and south/east are 4-storey apartment buildings. The proposed development will be consistent with the heights of adjacent buildings, and the block lengths will be comparable to the townhouse block located to the immediate east. The grading of the subject property is lower than the adjacent lands to the east and north, which will result in the height of the proposed development being less apparent relative to the surrounding townhouse buildings - reducing overlook/privacy and shadowing concerns. The dormer roofline further mitigates the minor height differences.

The applicant submitted an Urban Design Brief which included a Sun/Shadow Study, prepared by the Biglieri Group, to assess the potential shadowing impact of the proposed development on neighbouring land uses. The Shadow Study assessed shadows cast in the months of April, June, September and December. It is the town standard that shadow impact analysis must demonstrate that adequate sunlight is available for residential amenity spaces to maximize their use during spring, summer and fall afternoons and evenings, they must demonstrate that public sidewalks, public plazas, public parks, and school yards receive at least 5 hours of continuous sunlight per day on April 21, June 21 and September 21 and demonstrate that proposed development allows adequate sunlight on building faces and roofs for the possibility of using solar energy. Staff are satisfied that the shadows cast by the new buildings are not undue and meet the criteria set out by the town. It is also noted that the current permission on the subject property allows for a five-storey building that would have greater impact on the adjacent properties.

- **Density**

Response: The proposed density is appropriate for the subject property. The subject property is located within the Kerr Village Growth Area where intensification is intended and directed. The subject property is approximately one-half of a hectare resulting in the density being consistent with high density residential which is between 51 to 185 dwelling units per site hectare. The density is considered appropriate as the built form appropriately transitions to the adjacent developments, adequate parking is provided, and the functional servicing and stormwater management are satisfactory. The proposal also falls within the ranges established by previous approvals on the subject property (five-storey, 132-unit retirement building; as well as an 18-unit, three-storey townhouse development).

Staff is of the opinion that the matters to be considered identified by staff have been addressed. Matters of note which have not already been discussed are as follows:

- **Conformity with applicable policy**

Response: As reviewed in the Planning Policy & Analysis section of this report, the revised proposal is consistent with the PPS, conforms to all applicable Provincial plans, the Region of Halton Official Plan and aligns with the *Livable Oakville* Plan and related guidelines.

- **Stormwater management and functional servicing**

Response: The Town's Development Engineering staff and Halton Region Engineering department have completed a review of the submitted Functional Servicing Report – Water, Sanitary, and Stormwater Management.

- **Tree preservation**

Response: Urban forestry staff have completed a review of the Tree Inventory and Preservation Plan Report and associated plan and note that no tree related matters will conflict with the proposed Official Plan and Zoning By-law Amendments.

- **Pedestrian connections and walkability**

Response: The proposal incorporates ground floor commercial space fronting on Lakeshore Road West and residential uses above and within the three back-to-back townhouse buildings. The mixed-use development proposed will help contribute to a pedestrian oriented streetscape, activating the site with street-related commercial uses, consistent with the objectives for Kerr Village. Walkways are proposed as pedestrian connections from the sidewalks to building entrances. The subject property is approximately three minutes walking distance from the nearest bus stop to bus 14 and 14A, providing for connections to stops along the 14 and 14A bus routes.

As part of the future site plan application, the applicant will be required to prepare a streetscape plan and make improvements to the public realm along Lakeshore Road West and Garden Drive.

- **Proportion of commercial uses**

Response: Approximately 170 square metres of commercial floor area is proposed to be accommodated for at the first floor of the mixed-use building fronting on Lakeshore Road West. A minimum of 155 square metres of commercial floor area is proposed to be required through the Official Plan

Amendment and Zoning By-law Amendment. The proposed area allows for flexibility through the detailed design of the building. This minimum requirement will result in a viable commercial unit that will bring animation to the street and meet the intent of the Kerr Village Growth Area policies.

CONCLUSION

Staff is satisfied that the application is consistent with the Provincial Planning Statement, 2024 and conforms to the Halton Region Official Plan. Further, the application is consistent with the principles and overall policy direction of the *Livable Oakville* Plan. Staff recommends approval of the Official Plan Amendment (OPA No. 71), Zoning By-law Amendment (By-law 2025-096) and the Draft Plan of Subdivision application, subject to the conditions in Appendix 'C', as the following requirements have been satisfied:

- The proposed development, provides an appropriate form of intensification within an identified growth area while providing an appropriate transition to the adjacent community, which will be further advanced as part of the required site plan approval;
- The proposed development is consistent with the principles of the *Livable Oakville* Plan, the goals, objectives and general policy direction of the Kerr Village Growth Area, and is generally consistent with the urban design policies of Section 6 of the *Livable Oakville* Plan, subject to further refinement through the required site plan approval application;
- The application for a Draft Plan of Subdivision is necessary to facilitate future common element condominium 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*;
- Staff expect to bring forward a subsequent staff report with respect to a future related Draft Plan of Condominium application to address related matters once the site design has been sufficiently advanced;
- Comments from the public have been appropriately addressed;
- A full circulation has been undertaken and there are no outstanding financial or planning issues to be resolved; and

Staff recommend approval of the Official Plan Amendment application, Zoning By-law Amendment application and Draft Plan of Subdivision application as the proposal represents good planning and is in the public interest.

IMPLEMENTATION

Implementation of the Official Plan Amendment and Zoning By-law Amendment will occur through the Site Plan application (SP.1617.058/02). Improvements to the streetscape, tree canopy cover, grading and stormwater management are being reviewed. As the proponent is proposing condominium tenure, draft plan of condominium approval will be required and staff will review related matters as part of that application and report to Council in a separate report.

CONSIDERATIONS

(A) PUBLIC

The applicant held a Public Information Meeting on July 2, 2024, and approximately 17 members of the public attended. The applicant has included a Public Information Meeting Report which includes a summary of the comments received. All other public comments received as of the date of this report are included as Appendix 'F'.

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

Statutory Public Meeting was held on October 15, 2024.

(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 the corporate strategic goal(s) to be a vibrant and liveable community for all.

(E) CLIMATE CHANGE/ACTION

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

APPENDICES

Appendix 'A': Official Plan Amendment 71 (By-law 2025-095)
Appendix 'B': Zoning By-law Amendment (By-law 2025-096)
Appendix 'C': Draft Plan of Subdivision Conditions
Appendix 'D': Public Information Meeting (PIM) Minutes
Appendix 'E': Policy Excerpts
Appendix 'F': Public Written Submissions
Appendix 'G': Draft Plan of Subdivision

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