

REPORT

PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: MARCH 20, 2017

FROM: Planning Services Department

DATE: February 27, 2017

SUBJECT: Recommendation Report - Metroly Developments (Sixth Line) - Proposed Zoning By-law Amendment, Z.1316.06, By-law 2017-029

LOCATION: 3058, 3062, 3066, 3070, 3074 and 3078 Sixth Line (previously 3060 & 3072 Sixth Line)

WARD: 5

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RECOMMENDATION:

1. That, in accordance with Section 34 (17) of the *Planning Act*, no further notice is determined to be necessary;
2. That the Zoning By-law Amendment (File Z.1316.06) by Metroly Developments, 2457667 Ontario Inc., as revised, be approved;
3. That By-law 2017-029 be passed; and
4. That comments from the public be received and that notice of Council's decision reflect that the comments from the public have been appropriately addressed.

KEY FACTS:

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

- A zoning by-law amendment application was submitted on June 30, 2016 by Metroly Developments (2457667 Ontario Inc.) to permit a total of 109 stacked and regular townhouse dwellings with underground parking.
- The site is located in North Oakville at 3058, 3062, 3066, 3070, 3074 and 3078 Sixth Line (previously 3060 & 3072 Sixth Line), west of Sixth Line between Kaitting Trail and Lane 139.

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- The application was deemed complete on August 12, 2016.
- The application has been circulated to internal departments and public agencies for review and comment.
- A Public Information Meeting was held on September 29, 2016. Two members of the public attended.
- A Public Statutory Meeting was held on November 28, 2016.
- The application is proceeding in accordance with the 2012 Halton Region Allocation Program.
- The proposed zoning by-law amendment conforms to and implements the objectives and policies of the North Oakville East Secondary Plan.
- Staff recommends approval of the application.

BACKGROUND:

The purpose of this report is to provide a comprehensive staff review of the application and a recommendation on the proposed zoning by-law amendment submitted by Metroly Developments, 2457667 Ontario Inc.

Proposal

A zoning by-law amendment application was submitted on June 30, 2016 by Ruth Victor Associates on behalf of Metroly Developments, 2457667 Ontario Inc. to rezone the site from Existing Development (ED) to Neighbourhood Centre (NC). The applicant seeks approval to permit the lands to be developed for a total of 109 stacked and regular townhouse dwellings with underground parking and an overall density of 150 units per net hectare.

The proposal calls for two blocks of four storey, stacked townhouse dwellings to front directly onto Sixth Line. Two blocks of four storey, stacked townhouses and one block of three storey regular townhouses are proposed on the back portion of the property. A single-level underground parking garage with 134 parking spaces is proposed beneath the entire development.

The figures below highlight the proposed development:

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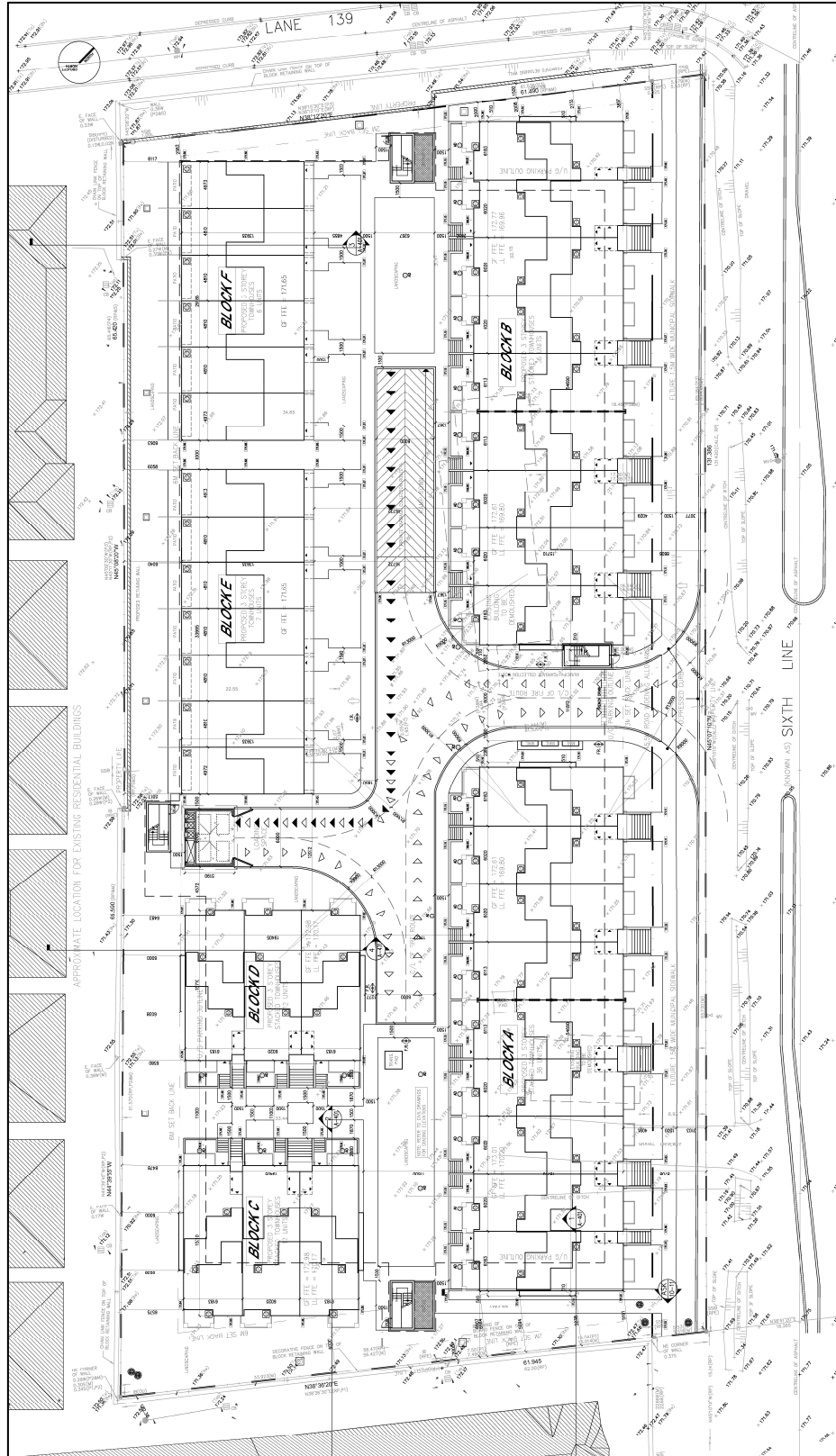


Figure 1: Conceptual Site Plan

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Figure 2: Front Elevation Block A (facing Sixth Line)



Figure 3: Front Elevation Block B (facing Sixth Line)

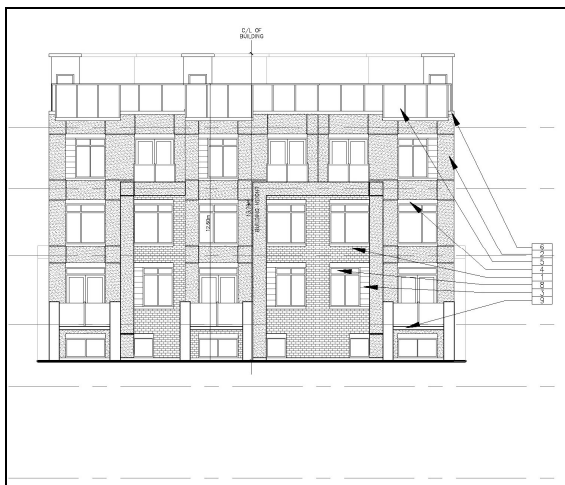


Figure 4: Side Elevation Block C (facing south)

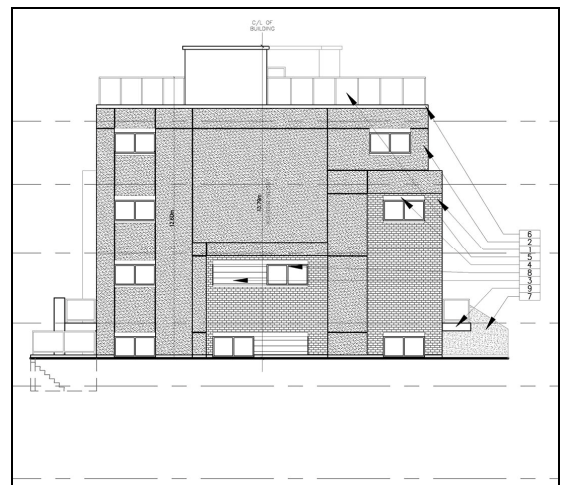


Figure 5: Side Elevation Block A (facing south)

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Figure 6: Rear Elevation Block F (facing west)



Figure 7: Rear Elevation Block E (facing west)

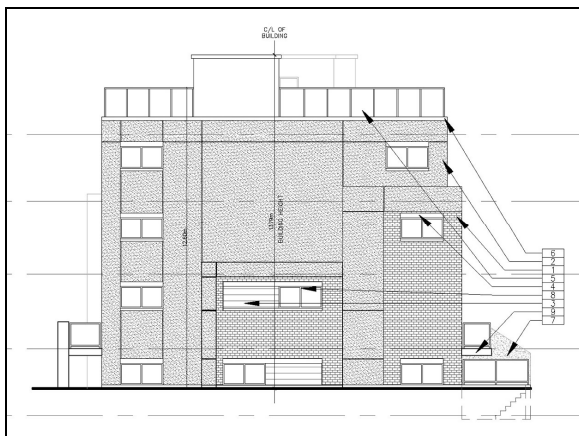


Figure 8: Rear Elevation Block D (facing west)

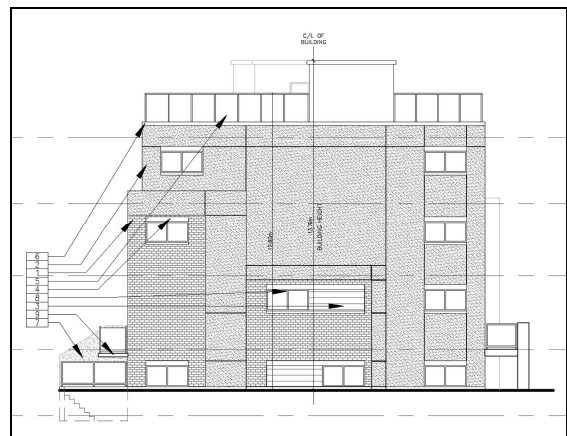


Figure 9: Rear Elevation Block C (facing west)

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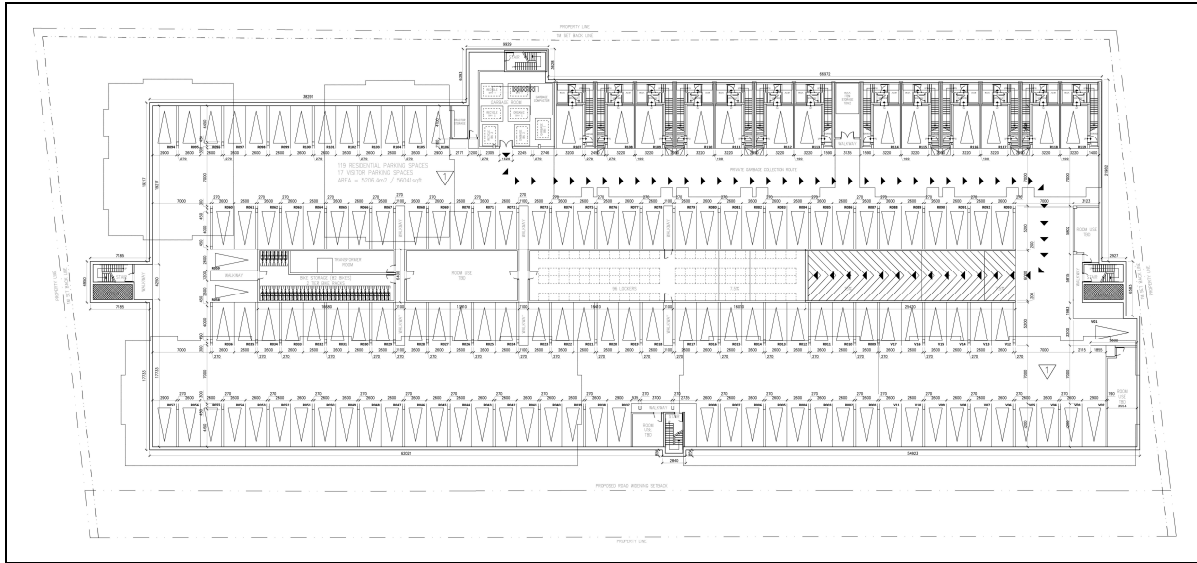


Figure 10: Underground Parking Level

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Location

The site is located in North Oakville at 3058, 3062, 3066, 3070, 3074 and 3078 Sixth Line (previously 3060 & 3072 Sixth Line), west of Sixth Line between Kaitting Trail and Lane 139 (see Figure below).



Figure 11: Site Location

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Site Description

The subject land has a total area 0.8023 hectares with 131.38 metres of frontage on Sixth Line. A portion of the site is required to be conveyed to the Town as a road widening of Sixth Line. The resulting net development area will be 0.7291 hectares. A total of 109 units on the net development area will equate to a density of 150 units per net hectare.

The property at 3060 Sixth Line is currently occupied by a detached one-storey dwelling and associated detached garage. The property at 3072 Sixth Line is currently occupied by a one and a half storey detached dwelling with an attached garage. These are proposed to be removed.

Surrounding Land Uses

The surrounding land uses are as follows:

- North — Two-storey lane-based townhouses fronting onto Sixteen Mile Drive and backing onto Lane 139 have been constructed immediately north of the subject lands.
- South — Two-storey street-oriented townhouses fronting onto Kaitting Trail and backing onto the subject site have been constructed immediately south of the subject lands.
- West — Two-storey street-oriented semi-detached dwellings and townhouse dwellings fronting onto Janice Drive and backing onto the subject site have been constructed immediately west of the subject lands.
- East — The lands to the east of Sixth Line are predominantly vacant and are currently being pre-serviced in accordance with the approved draft plan of subdivision (Sixth Line Corp., 24T-12009). The approved draft plan indicates that a relocated watercourse which forms part of the Natural Heritage System will be situated adjacent to Sixth Line across from the subject lands.

PLANNING POLICY FRAMEWORK

The applications are subject to the following policy framework: the Provincial Policy Statement (PPS 2014), the Growth Plan for the Greater Golden Horseshoe (2006), the Halton Region Official Plan, and the NOESP and North Oakville Zoning By-law.

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Provincial Policy Statement

The Provincial Policy Statement is intended to promote a policy led system, which 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.

On February 24, 2014, the Ministry of Municipal Affairs and Housing issued a new Provincial Policy Statement (PPS) 2014 under Section 3 of the *Planning Act*. The new PPS replaces the 2005 statement and is effective April 30, 2014.

The subject application proposes redevelopment of an underutilized site within a newly established residential neighbourhood where infrastructure for services is available. It proposes a compact, higher-density built form and expands the range of housing types in this neighbourhood. The development is supportive of active transportation and public transit. The subject application is consistent with the new PPS.

Growth Plan for the Greater Golden Horseshoe

In 2006, the Growth Plan was approved and provides a framework for implementing the Province's vision for building stronger, prosperous communities by better managing growth. The Plan directs growth to built-up areas through intensification where development proposals can efficiently use existing transportation and servicing infrastructure.

The subject application generally conforms to the Growth Plan as it represents intensification of an underutilized site in a newly developed neighbourhood. Its density and location along Sixth line – a designated transit corridor with a planned bike lane – will support transit, walking and cycling. The proposed development represents a high-quality built-form which achieves appropriate transition to the adjacent neighbourhood.

Region of Halton Official Plan

The OMB has issued a series of decisions regarding the partial approval of ROPA 38 to the Halton Region's Official Plan. The policies of ROPA 38 to Halton's Official Plan are in force with the exception of site specific and policy specific matters unrelated to this application.

The lands are designated "Urban Area" according to the Region's Official Plan. The Urban Area is "planned to accommodate the distribution of population and employment for the Region and the four Local Municipalities". One of the objectives of the Urban Area (Policy 72(1)) is to "accommodate growth in accordance with the

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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". The range of permitted uses and the creation of new lots in the Urban Area will be in accordance with Local Official Plans and Zoning By-laws. All development, however, shall be subject to the policies of the Regional Plan.

Servicing allocation was assigned to the landowner as part of the Region of Halton 2012 Water and Wastewater Servicing Allocation Program for various developments in North Oakville. Development of the subject lands will be proceeding in accordance with the Regional Allocation Program.

The subject application conforms to the policies of the Regional Official Plan. The Region of Halton have also provided their opinion that the application is consistent with provincial planning documents and the Region Official Plan. The Region of Halton has no objection to the proposed zoning by-law amendment.

North Oakville East Secondary Plan

In 2008, the North Oakville East Secondary Plan (NOESP) was approved through OPA 272. The Secondary Plan includes detailed policies establishing general development objectives to guide the future development of the area covered by the Plan.

The subject lands are located within Neighbourhood 2 of the NOESP (Figure NOE1). Figure NOE2 (Land Use) of the NOESP designates the site as Neighbourhood Area.

The North Oakville Master Plan (Appendix 7.3 in the NOESP) graphically illustrates a potential design concept for the NOESP area. The Master Plan identifies the subject lands as Neighbourhood Centre Area.

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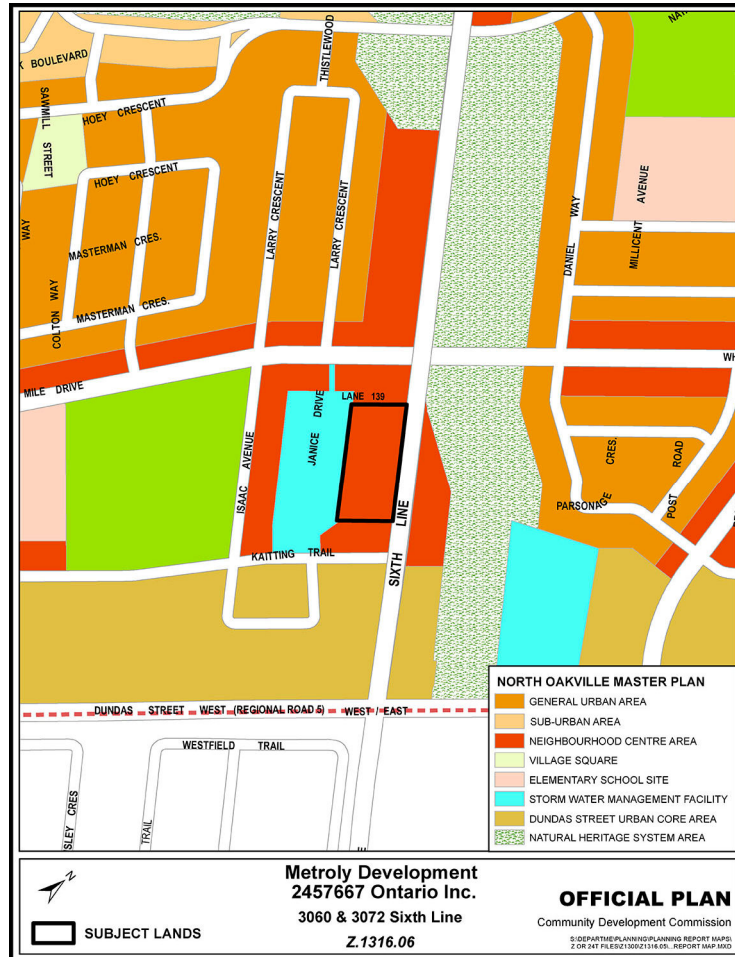


Figure 12: North Oakville Master Plan excerpt showing subject lands

Section 7.6.7.1 of the NOESP contains policies for areas designated as Neighbourhood Centre Area, as follows:

7.6.7.1 Neighbourhood Centre Area

a) Purpose

The Neighbourhood Centre Area land use category on Appendix 7.3 will generally be used for areas located central to each neighbourhood. It is intended to accommodate a range of medium density residential development including live/work units and limited commercial and civic uses focused at a central neighbourhood activity node to serve neighbourhood residents.

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b) Permitted Uses, Buildings and Structures

- *The permitted uses shall be medium density residential uses and small scale convenience retail, personal service, restaurants and business activity, as well as public and institutional uses including village squares. Business activity may include a range of small scale uses including offices, medical clinics, workshops for artisans and artists studios.*
- *Permitted uses shall be primarily located in live/work or medium density residential buildings. Both mixed use and single use buildings shall be permitted and this may include convenience commercial buildings in accordance with the provisions in Subsection c) below.*

c) Land Use Policies

- *Mixed-use development will be focused at neighbourhood activity nodes which will include a transit stop and other public facilities which serve the neighbourhood such as central mail boxes, or mail pickup facilities. In addition, convenience commercial facilities or similar uses will be encouraged to locate in these areas.*
- *A mix of uses shall be permitted at the following heights and densities:*
 - *Minimum density - FSI of 0.5 for mixed use;*
 - *Maximum density - FSI of 2 for mixed use;*
 - *Minimum density - 35 units per net hectare for residential;*
 - *Maximum density - 150 units per net hectare for residential;*
 - *Minimum height - 2 storeys; and,*
 - *Maximum height - 5 storeys.*
- *The zoning by-law shall establish minimum and maximum setbacks and implement densities and other standards to ensure that development achieves the minimum standards required as a basis for the creation of this centre area. In particular, on-street parking will be permitted and may be utilized to meet parking standards for commercial and other nonresidential development, and in such circumstances, live/work buildings may require no additional parking for the “work” component.*
- *The Town will require that a variety of building types be developed throughout the Neighbourhood Centre Area land use category in each*

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neighbourhood. The location of building types shall be controlled through the zoning by-law. In this context, notwithstanding the permitted uses and maximum permitted density and height, consideration may be given by the Town to limited areas of housing, which may include public, convenience commercial or similar uses on the ground floor, with a minimum density of 150 units per net hectare and a maximum density of 250 units per net hectare located in proximity to the Core Preserve Area. However, the Town shall be satisfied that the development is appropriate to the context and may require the submission of studies, models and/or plans which address that consideration. In addition, the Town shall be satisfied that the total number of units and population for the plan of subdivision is the same as, or greater than, that which would be required by land use category distribution in Table 1.

Additionally, Section 7.9.4 of the NOESP indicates that:

7.9.4 Landowners Agreement(s)

In order to ensure the appropriate and orderly development of the Secondary Plan area, and to ensure the costs associated with the development of the Secondary Plan are equitably distributed among all landowners, development within the Secondary Plan area shall only be permitted to proceed when a significant number of landowners in the Secondary Plan area have entered into a cost sharing agreement or agreements amongst themselves to address the distribution of costs associated with development in a fair and equitable manner. Individual developments in the Secondary Plan area shall generally not be approved until the subject landowner has become a party to the landowners' cost sharing agreement.

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North Oakville Zoning By-law (2009-189)

The site is currently zoned Existing Development (ED) within the North Oakville Zoning By-law (2009-189) as highlighted in the figure below. The ED Zone generally restricts use of the subject lands to the use of legally existing buildings and structures on the site.

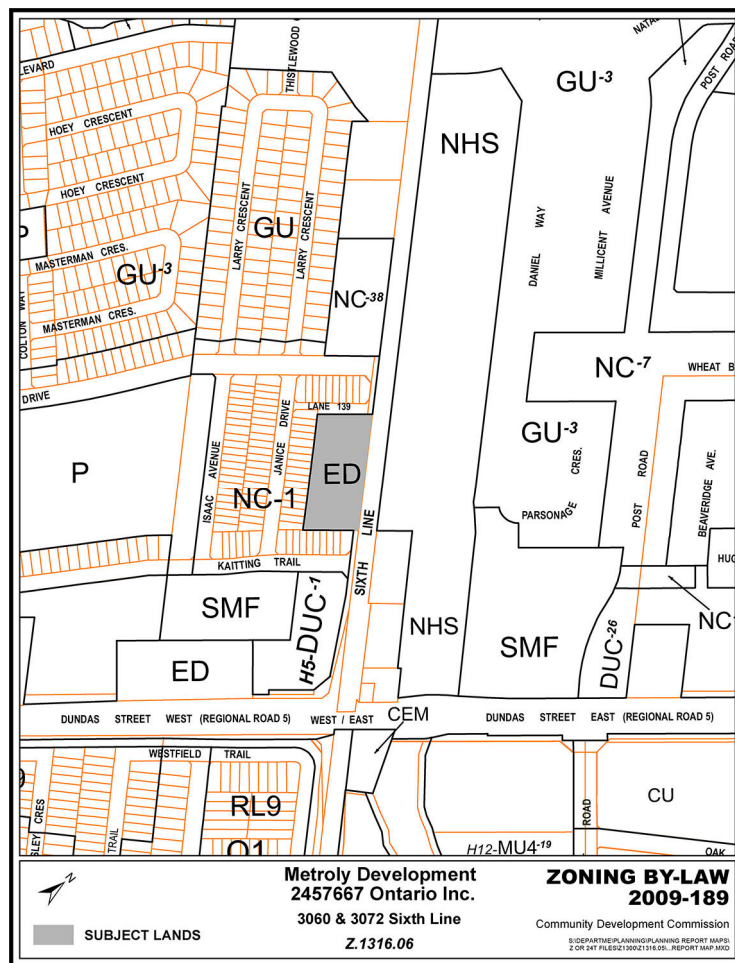
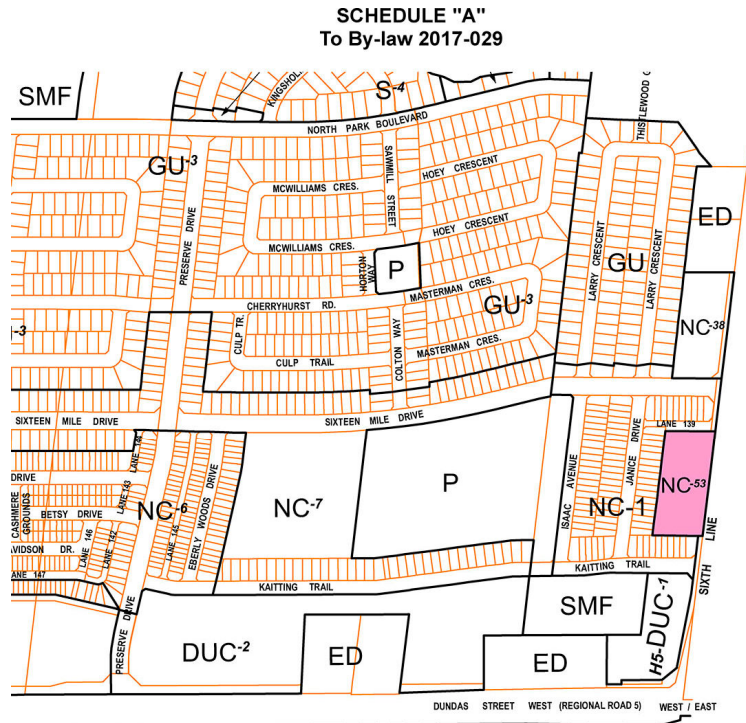


Figure 13: Existing zoning designation for the subject lands

Proposed Zoning By-law Amendment

The applicant proposes to rezone the subject lands from Existing Development (ED) to Neighbourhood Centre (NC) to facilitate the development of 109 stacked and regular townhouse dwellings.



AMENDMENT TO BY-LAW 2009-189

Rezoned from Existing Development (ED) to Neighbourhood Centre (NC sp:53)

EXCERPT FROM MAP
12 (4)

Staff determined that a site-specific zoning by-law amendment was appropriate in this case to ensure that concerns and conditions unique to the subject lands were addressed through the zoning by-law amendment. In addition to the standard Neighbourhood Centre (NC) zoning requested by the applicant, the site-specific special provisions in the proposed zoning by-law amendment include the following:

- permission for unique building types not specifically identified in the standard NC zone, as follows:
 - *stacked townhouse dwelling*, and
 - *townhouse dwelling*, with underground parking;
- zone standards for the above building types;

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- site-specific minimum side yard and rear yard setbacks, to address privacy concerns;
- permission for rooftop terraces, and associated standards to address privacy concerns;
- site-specific maximum building height metrics; and
- site-specific minimum residential and visitor parking space requirements, to address area resident concerns regarding potential impacts to neighbourhood on-street parking supply from the development.

PLANNING ANALYSIS

Planning Matters Considered

Physical Context

The subject site is within Neighbourhood 2 as identified on the Community Structure Plan, Figure NOE1, of the Secondary Plan. The subject lands fall within the Neighbourhood Area and Natural Heritage System designations of the NOESP as identified on the Land Use Plan, Figure NOE2, of the Secondary Plan.

The subject site consists of two properties which did not form part of the overall plan of subdivision (Timsin-Arassa, 20M-1114) which facilitated development of the neighbourhood surrounding the subject lands to the north, west and south. The subject application, therefore, represents development of underutilized lands within this newly established neighbourhood west of Sixth Line.

Conformity with the North Oakville East Secondary Plan

Natural Heritage Component

The Natural Heritage Component of the Natural Heritage System plan, Figure NOE3, in the Secondary Plan shows that a medium constraint stream corridor is partially located on the subject lands. The Environmental Implementation Report – Functional Servicing Study (EIRFSS) approved for the surrounding neighbourhood (Timsin-Arassa, 20M-1114), however, confirmed that the stormwater management facility was sized to accommodate the subject property and an approved drainage area exchange removed the subject site from being part of the regulated Natural Heritage System identified in Figure NOE3. There are no NHS lands on the property. This has been confirmed by Conservation Halton and Development Engineering staff.

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Master Plan

Prior to development in North Oakville, the Town shall evaluate development plans to ensure their general conformance with the North Oakville East Master Plan (Appendix 7.3). The Master Plan graphically illustrates the design of the North Oakville East Planning Area and how the policies and Figures of the NOESP are to be implemented (s.7.5.2).

The Master Plan identifies the subject lands as Neighbourhood Centre Area. This land use category is intended to accommodate a range of medium density residential and commercial development (s.7.6.7.1).

The subject application proposes a combination of single-use residential stacked townhouses and block townhouses. Stacked townhouses, block townhouses and similar dwelling types are considered medium density residential development by the NOESP. Single-use buildings are permitted.

The proposed density falls within the permitted density range for residential uses of 35 to 150 units per net hectare. The subject land has a total area 0.8023 hectares with a portion of the site to be conveyed to the Town as a road widening of Sixth Line. The resulting net development area will be 0.7291 hectares. A total of 109 dwelling units on the net development area will equate to a density of 150 units per net hectare.

The stacked townhouse buildings are proposed to be four storeys in height. The proposed block townhouse buildings are proposed to be three storeys in height. The proposed building heights fall within the permitted building height range of 2 to 5 storeys inclusive of the proposed rooftop terraces.

The proposed zoning by-law amendment will establish regulations to ensure that any development on this site will comply with the density and height policies of the NOESP. It will establish permitted building types to ensure that the development contributes to a variety of building types in the neighbourhood. It will also establish minimum setback requirements, and other design features, to ensure an appropriate transition to the existing, established neighbourhood.

Master Parkland Agreement / Cost Sharing Agreement

A letter has been received from the trustee of North Oakville Community Builders Inc. (the North Oakville landowners group) indicating that the owner of the subject lands is a signatory to both the North Oakville Cost Sharing Agreement and the North Oakville Master Parkland Agreement and that the owner is a party in good standing under both agreements.

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Phasing

The NOESP outlines a growth management strategy for new urban development that is designed to make sure that growth occurs in an orderly, well-planned manner (s.7.9). It sets out a phasing strategy intended to ensure that progression of residential development will follow a logical, contiguous sequence (generally south to north), is contingent on the availability and efficient utilization of public infrastructure and services, and provides adequate schools, parks, transit and healthcare facilities in a timely fashion.

The secondary plan identifies a three-phase approach to the development of residential neighbourhoods. The subject lands fall within Neighbourhood 2 that forms part of Phase 1 within the secondary plan. Development in Phase 1 is permitted to proceed provided that all financial and other requirements of the Town and Region of Halton are satisfied (s.7.9.2).

Staff are of the opinion that the proposed development generally conforms to the Master Plan and implements the policies of the NOESP.

Technical Review

Servicing Allocation

Servicing allocation was assigned to the landowner as part of the Region of Halton 2012 Water and Wastewater Servicing Allocation Program for various developments in North Oakville. Development of the subject lands will be proceeding in accordance with the Regional Allocation Program.

Urban Design

A conceptual site plan was submitted in support of the zoning by-law amendment application. Urban Design staff have reviewed the conceptual site plan and have worked with the applicant to ensure the proposed design provides high quality architecture and appropriately transitions to the surrounding neighbourhood in order to ensure future development on the property will be compatible with the existing surrounding neighbourhood.

The proposed site-specific zoning by-law amendment incorporates regulations that have resulted from the urban design review of the application. These regulations include site-specific setbacks, building heights, privacy-protection requirements and parking provisions to implement the agreed-upon design of the proposed development.

The subject site is also subject to site plan approval prior to building permit issuance. In addition to the requirements set out in the proposed site-specific zoning

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by-law amendment, further refinements to the design of the proposed development will likely occur as part of the Site Plan approval process.

Transportation and Parking

The subject application is proposing a full-moves access with a northbound left turn lane on Sixth Line generally located mid-point on the site. Details of vehicular site access will be finalized as part of the site plan application process to the satisfaction of the Town.

The applicant is proposing 136 parking spaces in an underground parking structure on site, of which 119 parking spaces will be private residential parking spaces and 17 will be publicly-accessible and permanently reserved for visitor parking. Minimum parking requirements reflecting the proposal have been included in the proposed site-specific zoning by-law amendment.

The applicant is currently in discussion with Town staff regarding the possibility of including lay-by parking on Sixth Line in front of the development to further complement the on-site parking to be provided as part of the proposed development. For more details, see *Issues Raised at the Public Meeting* below.

Issues Raised at the Public Meeting

Area residents who spoke at the public statutory meeting on November 28, 2016 identified three main areas of concern with the subject application: (1) parking, (2) potential shadowing, and (3) privacy concerns.

Visitor Parking

Area residents voiced concerns that the development was not providing adequate visitor parking as part of their development. Adequate on-street parking within the neighbouring subdivision to the west is already a concern prior to the subject lands being developed and residents felt that the lack of visitor parking on the subject lands to serve the subject site would result in even more demand for the existing on-street parking areas provided along local roads within the subdivision.

Since the date of the public statutory meeting, staff have met with the applicant to discuss this public concern. The applicant has modified the design to provide 17 publicly-accessible parking spaces reserved for visitors within the underground parking structure on site. A requirement to provide these visitor parking spaces has also been incorporated into the proposed zoning by-law amendment.

In addition, the applicant has submitted drawings at the Town's request showing lay-by parking possibilities along Sixth Line in front of the proposed development within the public right-of-way. Town staff are currently reviewing the submitted drawings to

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determine whether lay-by parking on Sixth Line in this location is functionally feasible. Should staff determine that lay-by parking on Sixth Line is functionally feasible, staff will determine how and if these can be implemented.

The provision of additional visitor parking on-site and/or the provision of lay-by parking on Sixth Line in front of the subject lands (which is not required by the zoning by-law amendment) will assist in mitigating area resident concerns regarding the impacts on existing on-street parking within the surrounding neighbourhood.

Shadowing

A number of area residents who live in dwellings on lots that back onto the subject lands were concerned that the development would provide unacceptable shadowing of the rear yard amenity spaces.

The applicant has provided shadow impact analysis drawings to identify potential shadowing impacts from the proposed development on the adjacent residential properties. These drawings show that the rear yards of the existing properties to the west and south of the subject lands are more impacted by shadows from the existing residential dwellings than they will be from development on the subject lands.

Urban Design criteria for the evaluation of the shadow impact analyses require that it be demonstrated that adequate sunlight is available for residential amenity spaces to maximize their use during spring, summer and fall afternoons and evenings. The submitted shadow impact analysis shows that sunlight will continue to be available in the rear yard amenity spaces during these periods of the day for the surrounding residential properties after the proposed development is completed.

Privacy

Area residents also identified concerns regarding a reduction in their privacy in their homes or while using their rear yard amenity areas due to overlook from the proposed rooftop terraces of the proposed development.

Staff have worked with the applicant to ensure that overlook from proposed rooftop terraces have been mitigated and/or effectively eliminated through changes to the architectural design of the proposed development. Examples of the design changes include a required setback of rooftop terraces on the three storey block townhouses of a minimum 2.0m from the edge of the building. For the four storey stacked townhouses where this minimum setback from the roof edge is not possible, the building design features 1.8m high opaque screening along rooftop terrace edges facing neighbouring residential homes.

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These requirements to protect the privacy of the adjacent residential properties have been incorporated into the proposed site-specific zoning by-law amendment to ensure they will be implemented in the proposed development.

Conclusion

The subject report recommends approval of a zoning by-law amendment which would have the effect of permitting the development of 109 residential dwelling units (a combination of stacked townhouses and block townhouses) in conjunction with an underground parking structure on the site.

The application conforms to the overall policy direction of the North Oakville East Secondary Plan and all other relevant policy documents, reflects servicing requirements of the Region of Halton, and meets all requirements of the Town of Oakville. The proposal provides for a compact, medium-density development that supports public transit and active transportation and contributes to the range of building types within North Oakville on a currently underutilized site.

Staff recommends approval of the application.

CONSIDERATIONS:

(A) PUBLIC

A public information meeting was held on September 29, 2016 and a statutory public meeting on November 28, 2016, which provided an opportunity for public comment. Public comments are summarized and discussed in this report.

(B) FINANCIAL

The Town's Development Charge Study and capital forecast sets out growth-related capital works eligible for development charge reimbursement. Reimbursement of eligible works associated with the subject proposal shall be limited to the standards for such works contained the study and will only be paid in the year(s) that the project is funded in an approved capital budget.

Parkland requirements will be addressed as part of the Master Parkland Agreement and North Oakville East Secondary Plan minutes of settlement.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

Agencies and Town Departments were consulted during the review of this application.

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(D) CORPORATE AND/OR DEPARTMENT STRATEGIC GOALS

This report addresses the corporate strategic goal to:

- be the most livable town in Canada

(E) COMMUNITY SUSTAINABILITY

The development proposal furthers the sustainability principles established within the North Oakville East Secondary Plan.

APPENDICES: N/A

Prepared by:

Geoff Abma, MCIP, RPP

Planner, Current Planning – East District
Planning Services

Recommended by:

Heinz Hecht, MCIP, RPP

Manager, Current Planning – East District
Planning Services

Submitted by:

Mark H. Simeoni, MCIP, RPP

Director, Planning Services