



OAKVILLE

## REPORT

PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: JUNE 11, 2018

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**FROM:** Planning Services Department

**DATE:** May 18, 2018

**SUBJECT:** **Statutory Public Meeting and Recommendation Report - Town-Initiated Official Plan Amendments - North Oakville Secondary Plans Review - By-law 2018-074 (OPA No. 321, North Oakville East Secondary Plan) and By-law 2018-075 (OPA No. 322, North Oakville West Secondary Plan) - File No. 42.15.56**

**LOCATION:** North Oakville

**WARD:** Multiple Wards: 4,5 and 6

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### RECOMMENDATION:

1. That the proposed town-initiated official plan amendments (File No. 42.15.56, North Oakville Secondary Plans Review) be approved on the basis that they are consistent with the Provincial Policy Statement, conform to all applicable Provincial Plans and Halton's Regional Official Plan, have regard for matters of Provincial interest and represent good planning for the reasons set out in the report from the Planning Services department dated May 18, 2018;
2. That By-law 2018-074, a by-law to adopt Official Plan Amendment Number 321 (OPA 321) to the North Oakville East Secondary Plan be passed;
3. That By-law 2018-075, a by-law to adopt Official Plan Amendment Number 322 (OPA 322) to the North Oakville West Secondary Plan be passed; and
4. That the notice of Council's decision reflects that Council has fully considered all of the written and oral submissions relating to this matter and that those comments have been appropriately addressed.

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## KEY FACTS:

### Location

The area known as North Oakville includes the lands located north of Dundas Street and south of Highway 407, between Ninth Line in the east and Tremaine Road in the west.

### Proposal

The purpose of this report is to present the proposed town-initiated official plan amendments (OPAs) to the North Oakville East Secondary Plan and the North Oakville West Secondary Plan, known collectively as the North Oakville Plans.

The OPAs will revise policies in the North Oakville Plans related to:

- Stormwater Management Facility
- Trafalgar Urban Core Area
- Dundas Urban Core Area
- Neighbourhood Centre Area
- Phasing
- Definitions

These policy revisions will implement the policy directions focused on matters to be addressed in the short-term that have been identified through Part 1 of the North Oakville Secondary Plans Review (NOSPR).

### Timing

It is necessary that the proposed OPAs be approved in a timely fashion for the following reasons:

- The North Oakville Plans are out of date with required planning policy. The North Oakville Plans were approved in 2008-2009 and since that time, the provincial and regional planning framework has evolved. The North Oakville Plans are also past the time for required review under the *Planning Act*.
- Phase 1 is nearing completion and development in Phase 2, which represents a substantial amount of area, could commence within a year. Based on the evaluation of the merits of Phase 1 development, there are required policy revisions to be made in advance of development occurring in Phase 2 to ensure that the Council approved vision for the North Oakville Plans is met.

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- Approved development has only met the minimum policy requirements applicable at the time. Future development should better achieve the community vision, objectives and policy intent established in the North Oakville Plans.
- The NOSPR has been underway for a year and discussions with the Landowners Group have been underway since 2014 to understand issues and seek solutions. Through this process, there has been ample time for engagement and collaboration. The study has been conducted fairly and transparently, the analysis has been thorough and the results appropriate.

## **EXECUTIVE SUMMARY:**

### **Policy Context**

The North Oakville Plans are subject to the following policy framework including *the Planning Act*, Provincial Policy Statement (2014), the Growth Plan for the Greater Golden Horseshoe (2017), the Greenbelt Plan (2017), the Halton Region Official Plan (2009), the 1984 Town of Oakville Official Plan (2006 Consolidation) and the urban structure component of the Livable Oakville Plan (2009 Town of Oakville Official Plan).

The provincial policy framework applicable to North Oakville identifies the lands as a *designated greenfield area*, within a *settlement area*, and establishes the requirements for development in North Oakville to achieve a *complete community*, to support transit viability, to support a mix of uses and a diverse range and mix of housing options.

The regional policies identify North Oakville as a designated greenfield area component of the Urban Area designation located within a settlement area. As with the provincial policies, the regional policies establish requirements for development in North Oakville to provide for a complete community, to support transit viability, to provide a mix of land uses and to a provide diverse range and mix of housing options.

The Council adopted town-wide urban structure as it applied to North Oakville is intended to protect natural and cultural heritage and open space, maintain stable residential neighbourhoods, and direct growth to an identified system of nodes and corridors. Several key urban structure elements provide a framework for North Oakville including:

- Nodes and Corridors (Trafalgar, Dundas and Neyagawa Urban Core Areas),

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- Nodes and Corridors for Further Study (e.g. Health Oriented Mixed Use Node)
  - Natural Heritage System and Parks, Open Space and Cemeteries
  - Residential Areas and Employment Areas
  - Transit Nodes and Major Transportation facilities.

The Council approved vision in the North Oakville Plans is for a community that is based on choice and diversity, support for transit, a mix of uses and a diverse range and mix of housing that responds to the varied needs of the future population. The vision for the North Oakville Plans remains valid, is still appropriate and does not conflict with Growth Plan (2017).

The proposed OPAs to the North Oakville Plans will ensure that the Council approved vision for the North Oakville Plans is met and that development may proceed in an orderly fashion.

The proposed OPAs also represent good planning, are consistent with the Provincial Policy Statement (2014), conform with the Growth Plan for the Greater Golden Horseshoe (2017), conform with Halton's Regional Official Plan and ROPA 38. Further, approval of the proposed OPAs would be in the public interest.

## **BACKGROUND:**

The area known as North Oakville includes the lands located north of Dundas Street and south of Highway 407, between Ninth Line in the east and Tremaine Road in the west. This section of the report highlights North Oakville's planning history, planning vision and the study chronology of the North Oakville Secondary Plans Review (NOSPR).

### **North Oakville - Planning History**

North Oakville was identified and planned for urban growth in 1987 through a process undertaken by Halton Region called the Halton Urban Structure Plan. Following that, a town-initiated comprehensive planning process undertaken for North Oakville through the 2000's resulted in the North Oakville East Secondary Plan (NOESP) and the North Oakville West Secondary Plans (NOWSP), known collectively as the "North Oakville Plans."

The NOESP was approved by the Ontario Municipal Board (OMB) in January 2008. It predates the original 2006 Growth Plan and was developed to have regard for the 1997 Provincial Policy Statement. The NOWSP was approved in May 2009 and was developed to conform to the 2006 Growth Plan and to be consistent with the 2005 Provincial Policy Statement.

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The North Oakville Plans rely on policies from the 1984 Town of Oakville Official Plan (2006 Consolidation) and are not part of the Livable Oakville Plan (2009 Town of Oakville Official Plan).

The North Oakville Plans are in full force and effect except for lands under appeal to the OMB located north of the intersection of Bronte Road and Dundas Street West. Together, the North Oakville Plans provide policy direction for growth and development to 2021 (Figure 1).

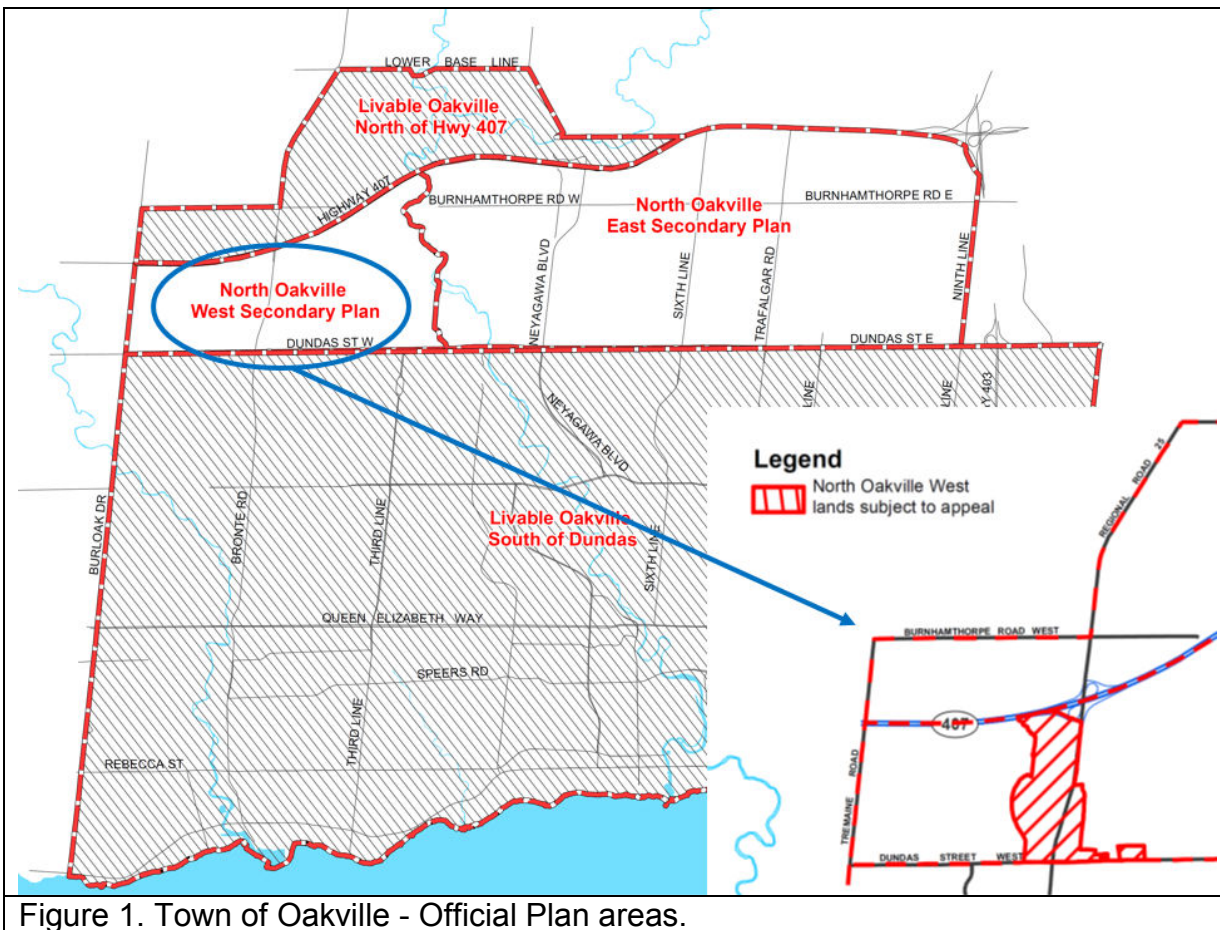


Figure 1. Town of Oakville - Official Plan areas.

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## **North Oakville - Planning Vision**

When the NOESP was approved by the OMB, it found that the settlement conformed to three development objectives:

- *“Establishing as a “first priority of the Town a natural heritage/open space system to protect, preserve, and, where appropriate, enhance the natural environment...”*
- *“New urbanism” which is a planning approach incorporating inter-related patterns of land use, transportation and urban form;*
- *A transit-first approach to transportation designed to create a multi-modal transportation system which should reduce reliance on the automobile.”*

The North Oakville Plans are founded on a vision that includes:

*“North Oakville should also be forward-looking. It should be a model of smart growth and social diversity. It should enhance the Town’s reputation for excellence and its capacity to link the past, present and future...”*

*... [North Oakville] is planned as a compact, pedestrian- oriented, urban community containing a broad range of housing opportunities ranging from executive housing on large lots to high rise apartment units”*

This vision remains valid, is still appropriate and does not conflict with Growth Plan, 2017. The vision of the North Oakville Plans is further established through a series of general development objectives to guide future urban development that includes:

*“...To establish as a first priority of the Town, a natural heritage and open space system, within the context of an urban setting, the majority of which is in public ownership...”*

*...To provide for a variety of residential densities and unit types throughout the planning area, responding to the varied needs of the future population, while directing the highest densities and intensity of use to the Trafalgar Road Corridor in support of a broad range of services including high frequency transit, shopping, personal services and community facilities...*

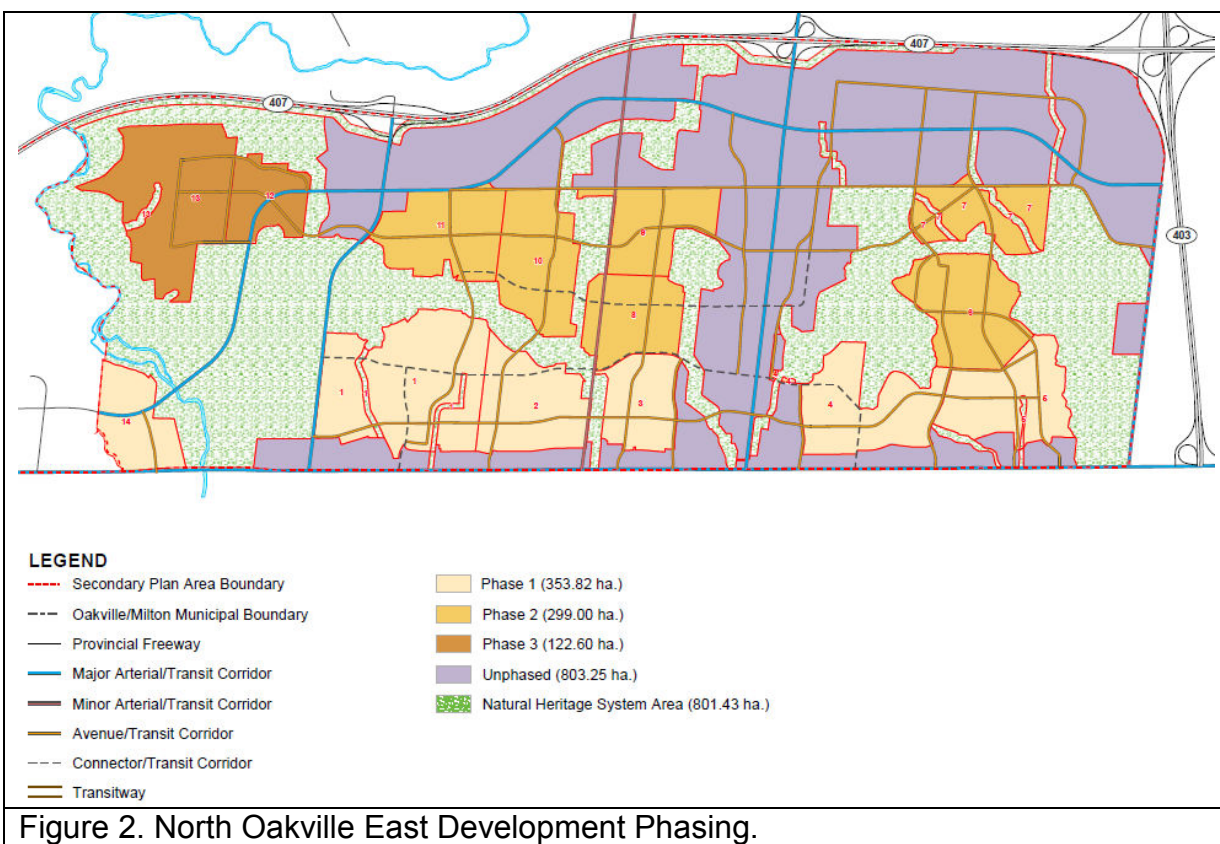
*...To establish an efficient and linked, safe pedestrian movement system (cycleways and walkways) along with an appropriate distribution of*

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*land uses so that residents do not need to rely on the automobile to meet the recreational, shopping and commuter needs of daily life.”*

**North Oakville – Neighbourhood Development Phasing and Status**

Neighbourhood development in North Oakville is planned for three successive phases, moving north from Dundas Street towards Highway 407 (Figure 2). The three phases account for approximately 775 ha with Phase 1 representing 46% of the area, Phase 2 at 39% and Phase 3 at 16%.



Development in North Oakville and the implementation of the North Oakville Plans is in early stages with 13% of planned population and 10% of planned employment growth achieved according the 2016 Census (Table 1). Town of Oakville building permit data from 2017 shows 4,633 permits for dwellings have been issued.

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Table 1. Existing versus Planned Population and Employment		
	Population	Employment
2016 Census	6,340	3,352
Full Build-Out	50,000	35,200

**Study Chronology – North Oakville Secondary Plans Review**

The North Oakville Secondary Plans Review (NOSPR) is part of the town’s ongoing official plan review. The purpose of the NOSPR is to ensure that the North Oakville Plans conform with the latest provincial, regional and town land use policies including Oakville’s updated urban structure.

It is also a major component of the NOSPR to bring the North Oakville Plans into the Livable Oakville Plan so that the town has one official plan document. The NOSPR has completed the following steps in the study process:

- October 2014 – April 2018 – A series of engagements were held between staff and consultants and representatives of the North Oakville Community Builders Inc., trustee to the North Oakville East Developers Group (Landowners Group). At least seven meetings have been held with the Landowners Group for the purpose of exchanging information, identifying concerns and seeking input to the NOSPR.
- May 15, 2017 – The NOSPR was initiated when the Livable Oakville Council Sub-Committee (Sub-Committee) received the report entitled *North Oakville Secondary Plans Review*. This report presented the purpose and scope of the study, the study process, emerging issues identified by staff, and preliminary directions coming through the Official Plan Review and other planning initiatives.
- November 6, 2017 – The Sub-Committee received the report entitled *North Oakville Secondary Plans Review - Directions Report* summarizing study inputs, analysis and confirmation of matters to be addressed in the short term through policy revisions to the North Oakville Plans (2017-18) and matters to be addressed long-term through the balance of the study (2019-20).
- December 6, 2017 – A public information meeting was held with an Open House and Presentation to seek public input on the policy directions for the study.



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- February 12, 2018 – The first statutory public meeting was hosted by Planning and Development Council with staff presenting the proposed OPAs to the North Oakville Plans. The staff report from the first statutory public meeting is attached in Appendix A. It contains the detailed study record including the reports presented to Sub-Committee.

At the first statutory public meeting, Council received information from the public who either spoke at the meeting or provided written submissions via the Town Clerk. Written submissions received in conjunction with that meeting are attached in Appendix B and the analysis of those comments attached in appendix C.

- February 2018 – May 2018 – Additional input from staff, agencies and town departments, planning staff from Halton Region and the Landowners Group engaged in the study.
- May 2018 – Comments from Regional staff received and based on a preliminary review of the proposed OPAs with no suggested modifications at this time.

As a result of the input received, the proposed OPAs were revised and for the most part these revisions were minor in nature. The exception to this is the inclusion of the phasing clarification and the revisions proposed for section 7.9.2.c) in the North Oakville East Secondary Plan. This proposed revision triggered the need for a second statutory public meeting.

This statutory public meeting and recommendation report discusses the input received since the first statutory public meeting and the details of the revisions to the proposed OPAs. The proposed OPAs are listed separately on the June 11, 2018 Planning and Development Council agenda.

It is important to note that the NOSPR is being undertaken in two parts. Part 1 is focused on matters to be addressed in the short-term through policy revisions to the North Oakville Plans, which is the subject of this report. Part 2 of the NOSPR consists of a set of matters to be addressed in the long-term through the balance of the study. These are summarized and attached in Appendix E.

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## COMMENT/OPTIONS:

### **Policy Context and Planning Analysis - General**

The provincial and regional planning framework has evolved since the North Oakville Plans were approved in 2008-2009. Numerous documents to which planning decisions must have regard for, conform to, or be consistent with, have been revised or are in the process of being revised, including:

- The *Planning Act*
- The Provincial Policy Statement (2014)
- The Growth Plan for the Greater Golden Horseshoe (2017)
- The Greenbelt Plan (2017)
- Region of Halton Official Plan (2009) and ROPA No. 38
- Town of Oakville, Livable Oakville OPA 15 and OPAs 317 and 318 to the North Oakville East and West Secondary Plans, respectively, establishing a revised, town-wide urban structure.

As a result, the North Oakville Plans are not up to date with current and required planning policy. And while it is recognized that approved development to date has met the minimum policy requirements applicable at the time, staff is of the opinion that future development should better achieve the community vision, objectives and policy intent of the North Oakville Plans.

The policy context and planning analysis for the proposed town-initiated OPAs was examined in the February 12, 2018, Statutory Public Meeting Report (Appendix A) with a synopsis presented in the following sections.

### ***Provincial and Regional Policies***

The provincial policy framework applicable to North Oakville includes:

- Provincial Policy Statement (2014)
- Growth Plan for the Greater Golden Horseshoe (2017)
- Greenbelt Plan (2017)

This framework was shown to identify the lands as a *designated greenfield area*, within a *settlement area*, and establishes the requirements for development in North Oakville to achieve a *complete community*, to support transit viability, to support a mix of uses and a diverse range and mix of housing options (Appendix A).

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Growth Plan (2017) provides the following definition of complete community:

*“Complete Communities* - Places such as mixed-use neighbourhoods or other areas within cities, towns, and *settlement areas* that offer and support opportunities for people of all ages and abilities to conveniently access most of the necessities for daily living, including an appropriate mix of jobs, local stores, and services, a full range of housing, transportation options and *public service facilities*. *Complete communities* are age-friendly and may take different shapes and forms appropriate to their contexts.”

The regional policies of the Halton Region Official Plan (2009) were shown to identify North Oakville as a designated greenfield area component of the Urban Area designation located within a settlement area. As with the provincial policies, the regional policies were also shown to establish requirements for development in North Oakville to provide for a complete community, to support transit viability, to provide a mix of land uses and to provide a diverse range and mix of housing options (Appendix A).

### ***Town Policies***

#### *Urban Structure*

The Council adopted town-wide urban structure is intended to protect natural and cultural heritage and open space, maintain stable residential neighbourhoods, and direct growth to an identified system of nodes and corridors. Several key urban structure elements provide a framework for North Oakville including:

- Nodes and Corridors (Trafalgar, Dundas and Neyagawa Urban Core Areas)
- Nodes and Corridors for Further Study (e.g. Health Oriented Mixed Use Node)
- Natural Heritage System and Parks, Open Space and Cemeteries
- Residential Areas and Employment Areas
- Transit Nodes and Major Transportation facilities

At the time of the first statutory public meeting, the urban structure OPAs were in circulation to the province and the town was awaiting approval from the region.

On April 26, 2018, the region issued a Notice of Decision to approve the urban structure OPAs with the Last Date of Appeal of May 16, 2018. Two appeals have been filed to the urban structure OPA 15 with town and regional staff preparing records for submission to the Local Planning and Appeal Tribunal. (LPAT).

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North Oakville - General

The vision of the North Oakville Plans, as well as the land use strategy, designations and policies for the planning area are intended to establish a community and development pattern based on choice and diversity, transit support, mixed use and a mix of housing that responds to the varied needs of the future population.

**Comments Received and Written Submissions**

The public comments received through the study process have raised a number of matters, from general to specific, including:

- The timing of construction of community facilities in north Oakville.
- Comments on policy provisions relating to building heights and floor space index.
- Requests for site-specific exceptions for increased heights, existing permitted uses, development setbacks and school site designations
- Comments relating to the stormwater management facility prohibition.
- Comments that the policy work and revisions are arbitrary and inflexible.
- Comments on study timing, study participation and public availability of information.
- Comments relating to conformity with Growth Plan (2017)

Appendix B contains copies of the written submissions received as of May 18, 2018 and Appendix C contains an analysis of the written submissions.

**Highlights of Matters raised at the First Statutory Public Meeting**

The following table responds to matters outstanding that were raised by Council at the first statutory public meeting February 12, 2018

<b>Matters Raised</b>	<b>Response</b>
A question was asked about how the revised policies would affect ongoing Ontario Municipal Board (OMB) appeals.	The impact of the revised policies contained in the OPAs on existing matters in process before the OMB will be addressed on a case by case basis.
Questions and comments of support were made regarding the property at 3056 Neyagawa Boulevard and the school site designation.	This is addressed in Appendix C, Items 12 and 14: <ul style="list-style-type: none"> <li>• The Halton District School Board is</li> </ul>

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	<p>in discussions with some property owners in the area regarding the development of a secondary school</p> <ul style="list-style-type: none"> <li>• Removal of the school site designation at this time would be premature, and will be examined in Part 2 of the NOSPR.</li> <li>• It would be appropriate at this time for the HDSB to confirm their property requirements for a school.</li> <li>• This would allow other lands in the area to develop into higher density mixed use opportunities and help support achieving the vision for North Oakville.</li> </ul>
<p>Questions and comments were made regarding visitor and commercial parking, live-work viability.</p>	<p>These matters are referred to the Commercial Policy Review and the Transportation Discussion Paper identified in Appendix E.</p>
<p>Questions and comments were made regarding:</p> <ol style="list-style-type: none"> <li>1. performance phasing (requiring high density before low density)</li> <li>2. prescribing the size of apartment units</li> <li>3. fully repudiating live work.</li> </ol>	<p>Item 1 remains an area of inquiry for the Official plan Review and for Part 2 of the NOSPR (Appendix E)</p> <p>Item 2 is referred to Implementation Tools and specifically zoning in Part 2 of the NOSPR (Appendix E).</p> <p>Live work permissions are maintained in the current policies (as a form of mixed use) to provide for flexibility on an interim basis.</p> <p>The Commercial Policy Review in Part 2 of the NOSPR will determine the policy framework for commercial going forward (Appendix E).</p>

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**Overview of the Proposed Official Plan Amendments**

The proposed OPAs from the first statutory public meeting have been revised based on the input received through the study process. For the most part these revisions are minor in nature, except for the clarification revisions proposed to section 7.9.2.c) Phasing in the North Oakville East Secondary Plan (NOESP). These revisions trigger the need for a second statutory public meeting.

The OPAs brought forward in this report provide for policy revisions to the following existing sections of the North Oakville Plans (Table 2). Note that the majority of revisions apply to the NOESP where development consists of mixed use urban core areas and residential neighbourhoods with some employment areas.

Fewer revisions apply to the NOWSP since it is a plan focused mainly on the development of employment lands, with the exception of the Health Oriented Mixed Use Node and Palermo Village mixed use node which remains subject to appeal.

Table 2 – Policy Revisions Identified by Topic, Secondary Plan, and Section		
Policy Topic	NOESP Policy Section	NOWSP Policy Section
Stormwater Management Facility	7.6.2.2 a)	8.6.2.2.a)
Trafalgar Urban Core Area	7.6.4	n/a
Dundas Urban Core Area	7.6.5	n/a
Neighbourhood Centre Area	7.6.7.1	n/a
Phasing	7.9.2.c)	n/a
Definitions	7.10.13	8.10.13

These policy revisions continue to implement the policy directions focused on areas of concern to be addressed in the short-term that have been identified through Part 1 of the NOSPR. This section of the report discusses the details of the revisions to the proposed OPAs.

***Stormwater Management Facility***

It is necessary to integrate stormwater management facilities appropriately into the development of the North Oakville community. As outlined in the staff report from the February 12, 2018 Statutory Public Meeting (Appendix A), staff is aware that there are opportunities where alternative stormwater management facilities and designs could be employed to reduce the infrastructure footprint experienced within the Urban Core Areas.

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While the Urban Core Areas may provide for a range of densities, it is essential that densities are maximized in these areas in order to provide the best support for planned higher order transit systems which will run immediately adjacent to these land uses.

To maximize the potential of the available opportunities in the Urban Core Areas, it is prudent to minimize the footprint of necessary stormwater management facilities within these areas. However, an outright prohibition was not supportable since this type of approach is not always technically feasible.

In response to this issue and the realities of good and reasonable stormwater management facility location and design, the policy is revised to provide clarity and firmer direction as shown in the following table.

OPA Item No.	Section	Description of Change
1	7.6.2.2 (NOESP) & 8.6.2.2 (NOWSP)	<p>The policy is more narrowly focused on:</p> <ul style="list-style-type: none"> <li>• “Surface ponds’ specifically as opposed to “facilities” previously, and</li> <li>• Locations associated with Dundas Street and Trafalgar Road (Major Arterials/Transit Corridors)</li> </ul> <p>The policy intent is revised from a “prohibition” to a “permission” with criteria that include:</p> <ul style="list-style-type: none"> <li>• minimizing the pond frontage along Dundas Street or Trafalgar Road,</li> <li>• transferring developable area from pond locations onto adjacent lands,</li> <li>• exempting ponds where the environmental and engineering work is sufficiently advanced, and where all other policies of the plan are being met.</li> </ul>

***Trafalgar Urban Core Area***

As outlined in the staff report from the February 12, 2018 Statutory Public Meeting (Appendix A), the Trafalgar Urban Core Area (TUC) in North Oakville is centred on

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Trafalgar Road between Dundas Street and Highway 407. The TUC is planned to accommodate the highest densities in North Oakville in the form of taller, mixed use buildings and sites in order to support planned higher order transit. The TUC is planned for building heights ranging from 15 up to 30 storeys in height.

Trafalgar Road is currently serviced by two transit systems (GO Transit and Oakville Transit) and in the longer term, higher order transit in the form of bus rapid transit (BRT) in dedicated lanes is planned for Trafalgar Road.

Provincial, regional and local policies require support for the achievement of a complete community and transit oriented development including a mix of land uses and a diverse range and mix of housing. Section 7.5.14 of the NOESP states that the TUC is:

“intended as the focal point for development in North Oakville East. The Trafalgar Urban Core Area is of particular significance because of the magnitude and mix of uses which it is planned to accommodate and the important roles it is designed to play as a service, employment, residential and community activity focus. It will ultimately be a pedestrian oriented mixed use area with a full range of uses at the highest densities in the Planning Area.”

The TUC should be protected to ensure future higher density development is achieved in taller buildings. This would ensure support for the achievement of a complete community, support for future transit and the vision for North Oakville and the implementation of the town’s Urban Structure.

#### Policy Rationale 100 m Distance and Townhouse Permission Criteria

As presented at the February 12, 2018 Statutory Public Meeting (Appendix A), the TUC is proposed to be revised to establish minimum building heights within certain distances of the Trafalgar Road right-of-way, to include a prohibition on Medium Density development within 100m of the Trafalgar Road right-of-way and to establish criteria for the consideration of Medium Density Residential Density Development in other parts of the TUC.

The proposed revisions to the TUC establish a minimum height requirement of 8 storeys for buildings within 100m of the Trafalgar Road right-of way, a minimum height of 6 storeys within 100-300m of the right-of-way and a minimum height of 3 storeys beyond 300m from the right-of-way (Figure 3).

It is important to note that at the level of the Official Plan, these distances are intended to be interpreted more generally and not precisely.



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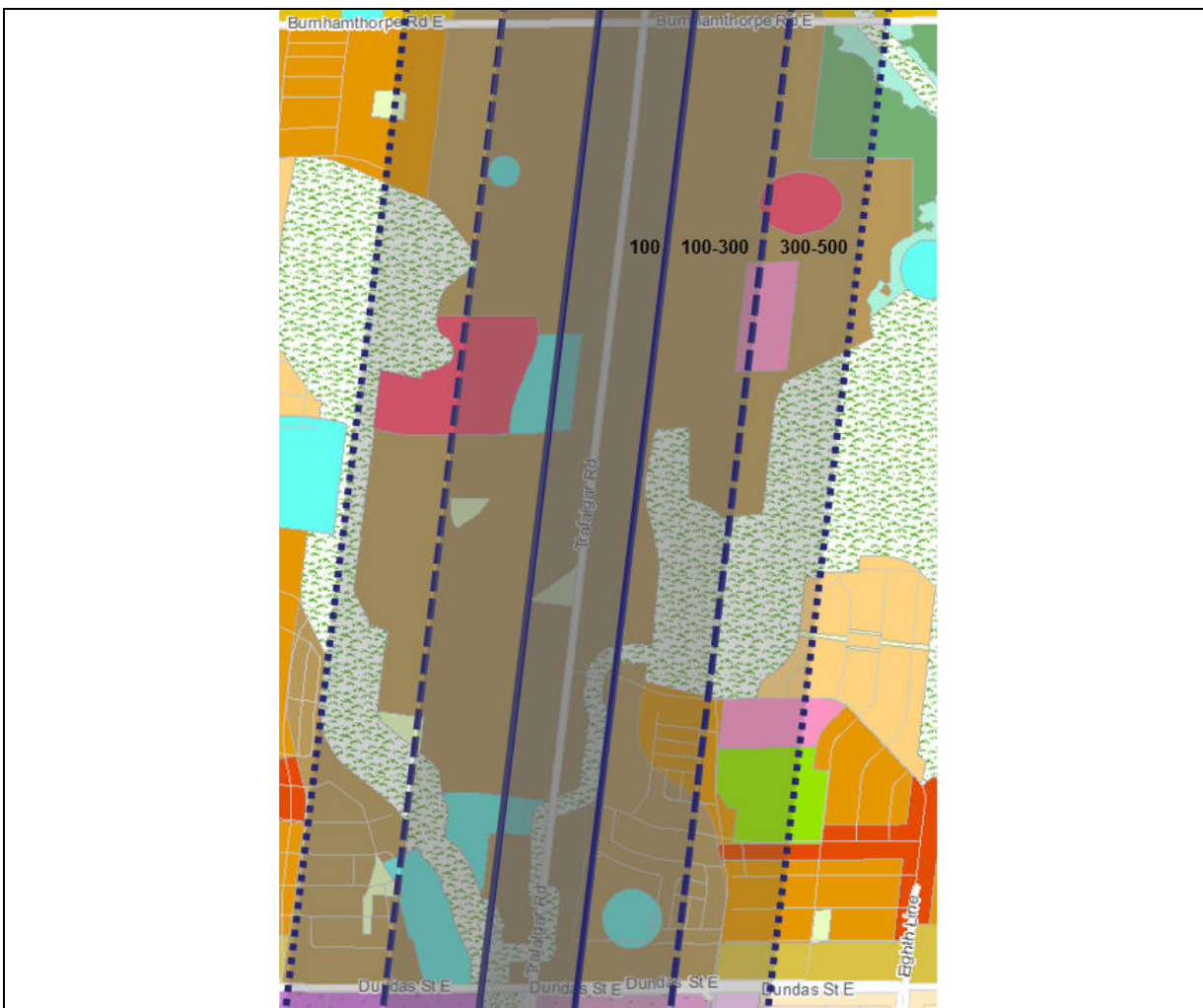


Figure 3. Minimum height bands in the TUC for 100m, 100-300m and 300-500m.

The 100m distance is based on analysis of a recent precedent site in the town on the west side of Trafalgar, north of Glenashton Drive (Public Works Site). Staff is of the opinion that the 100m distance is an appropriate a common lot depth for siting and designing combinations of taller buildings of a mid-rise and high-rise form.

As well, the 100m band, and the distances of the other bands, are consistent with the building height analysis and building form studies developed for the North Oakville Urban Design and Open Space Guidelines approved by Council November 9, 2009 as part of the North Oakville Implementation Strategy.

The proposed revisions to the TUC also prohibit townhouses within 100m of the Trafalgar Road right-of way but then permit 15% stand-alone townhouse in the

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second band between 100 and 300 m. The precedent analysis on the Public Works Site provided the basis for the 15% townhouse permission in the TUC, staff is of the opinion that this is an appropriate amount to transition from taller buildings to low rise residential buildings.

In addition to the revisions proposed at the February 12, 2018 Statutory Public Meeting, the TUC policies have been further revised to:

OPA Item No.	Section	Description of Change
3.	7.6.4.8	<ul style="list-style-type: none"> <li>• clarify the language for transit-supportive minimum density targets apply to <u>gross</u> area and only to lands within the core area designation.</li> <li>• clarify minimum building heights within certain distances of the Trafalgar Road right-of-way</li> <li>• provide for additional height beyond the maximum for lands adjacent to stormwater management ponds</li> </ul>

***Dundas Urban Core Area***

The Dundas Urban Core (DUC) is identified in the North Oakville Plans as an area “intended to allow the creation of a band of mixed use development at high and medium densities along the Dundas St. corridor”.

Dundas Street through the DUC is also planned for higher order transit. The Metrolinx 2041 Regional Transportation Plan identifies Dundas Street as one of the next rapid transit projects to be delivered in the Greater Toronto and Hamilton Area.

Metrolinx is currently undertaking a Dundas BRT Initial Base Case study to examine initial service concepts and forecasts and that will conclude with a preferred option for further review.

Staff is of the opinion that there are still opportunities remaining within the Dundas Urban Core lands for achieving the planned vision from the North Oakville Plans for mixed use and transit supportive development.

In keeping with the policy direction from the NOSPR presented at the February 12, 2018 Statutory Public Meeting (Appendix A) to “consider how opportunities to protect for higher density development in a range of building types might be applied

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to other Urban Core Areas in North Oakville,” the DUC policies are revised as follows:

OPA Item No.	Section	Description of Change
4	7.6.5.2	<ul style="list-style-type: none"> <li>• stand-alone townhouse adjacent to Dundas Street are prohibited</li> <li>• remove the Floor Space Index (FSI requirement) which conflicts with the Maximum Height requirements.</li> <li>• clarify the language for transit-supportive minimum density targets apply to gross area and only to lands within the core area designation</li> <li>• provide for additional height beyond the maximum for lands adjacent to stormwater management ponds</li> </ul>

***Neighbourhood Centre Area***

The policy revisions from the first Statutory Public Meeting (Appendix A) continue to maintain the requirement for one mixed use building within a Neighbourhood Central Activity Node in order to protect for commercial uses in the short-term.

There has been a revision from the February draft OPA to the NOESP to clarify the nature of the non-residential uses required within the Neighbourhood Central Activity Nodes, it is now proposed as “non-residential”. A refined commercial policy for the Neighbourhood Centre Areas will be determined through the Commercial Policy Review in Part 2 of the NOSPR (Appendix E).

The revisions maintain the prohibition on single detached dwellings in the Neighbourhood Centre Areas to strengthen the overall policy vision for higher density transit supportive development and pedestrian oriented environments. The Neighbourhood Centre Area represents proportionally smaller areas than the General Urban Area and Sub-urban Area designations as per the table below excerpted from the NOESP. This approach maintains sufficient opportunity for detached housing development outside of the Neighbourhood Centre Areas.

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<b>Neighbourhood Land Use Category Requirements</b>			
Neighbourhood	Neighbourhood Centre Area	General Urban Area	Sub-urban Area
<b>1</b>	26%	47%	27%
<b>2</b>	36%	56%	8%
<b>3</b>	10%	90%	0%
<b>4</b>	15%	57%	28%
<b>5</b>	15%	56%	29%
<b>6</b>	12%	51%	37%
<b>7</b>	10%	76%	14%
<b>8</b>	15%	63%	22%
<b>9</b>	12%	82%	6%
<b>10</b>	9%	62%	29%
<b>11</b>	9%	53%	38%
<b>12</b>	16%	84%	0%
<b>13</b>	2%	23%	75%
<b>14</b>	See Section 7.6.7.4 (minimum of 800 units and 2,000 population)		

***Phasing***

This section of the OPA is an update to the phasing policies to clarify the unphased development requirements. As indicated previously through NOSPR, the existing phasing policies of the North Oakville Plans are to be examined in Part 2 of the study to determine if they are relevant. While this is still the case, the proposed revision being advanced at this time responds to an unforeseen technicality related to the timing of infrastructure to support growth. It is important to note that this proposed revision would assist in the implementation of a series of Council decisions approving development applications.

**Policy Framework**

The requirement for planning authorities to establish phasing policies to guide the orderly development of complete communities is found in provincial and regional policy as shown in the following section.

**Provincial Policy Statement (2014)**

“1.1.3.7 Planning authorities shall establish and implement phasing policies to ensure:

- a) that specified targets for *intensification* and *redevelopment* are achieved prior to, or concurrent with, new development within *designated growth areas*; and

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- b) the orderly progression of development within *designated growth areas* and the timely provision of the *infrastructure* and *public service facilities* required to meet current and projected needs”

Growth Plan (2017)

“2.2.7.1 New *development* taking place in *designated greenfield areas* will be planned, designated, zoned and designed in a manner that:

- a. supports the achievement of *complete communities*;

Halton Region Official Plan (2009)

The ROP (2009) provides *designated greenfield area* policies applicable to North Oakville as follows:

“77(2.4) Require development occurring in *Designated Greenfield Areas* to...

- d) provide a diverse mix of land uses, **including residential and employment uses** to support vibrant neighbourhoods ...”

As reported previously, the North Oakville East Secondary Plan (NOESP) identifies a three-phase approach to the orderly development of residential neighbourhoods. Within this, the NOESP offers two opportunities (sets of requirements) to allow the commencement of development in Phase 2.

One opportunity is identified in Section 7.9.2.e.ii) and stipulates that all financial and other requirements of the Town and Region of Halton are satisfied, and that:

*“a minimum of 75% of the gross developable area in the previous phase shall be within registered plans of subdivision or sites which are zoned to permit the development contemplated by this plan”*

The second opportunity in Section 7.9.2.c) would permit development to commence in a portion of Phase 2 lands (Neighbourhoods 8 and 9 including the Petgor 2 and EMGO subdivisions and a piece of the Sixth Line Corporation subdivision) according to the following requirements:

*“without reference to any phasing policies, subject to the availability of suitable urban infrastructure, provided that as a condition of development:*

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- i) *municipal sewer and water services are extended to the lands in the Employment Area designation to permit the development of a plan of subdivision with a minimum gross area of 25 hectares, which is draft plan approved, and which the Town is satisfied can be registered provided services are made available; and*
- ii) *municipal sewer and water services are extended to the lands in the Trafalgar Urban Core Area designation to permit the development of a plan of subdivision with a minimum gross area of 10 hectares, which is draft plan approved, and which the Town is satisfied can be registered provided services are made available”*

Progression of Development and Timing of Infrastructure

The registration of the Green Ginger 1 plan of subdivision (20M-1173 and 20M-1176) containing TUC lands and servicing satisfied requirement (ii) above.

The Star Oak North (24T-13002) subdivision will supply the Employment Area lands to satisfy requirement (i) above, once the town is satisfied that the subdivision is capable of being registered.

A holding provision has been applied to the Petgor 2, EMGO and a portion of Sixth Line Corporation subdivisions to prevent the construction of dwelling units while still allowing a sequence of approvals and agreements for water and wastewater servicing needed for the development of Neighbourhoods 8 and 9. The holding provision may be lifted when either of the requirements under the two opportunities for advancing Phase 2 lands have been addressed.

Staff anticipates that the Star Oak North subdivision may progress later this year or next year where municipal services are extended to sufficient lands in the Employment Area designation and that the Town is satisfied that the subdivision can be registered to meet the requirement (i) above, with the exception of the municipal sewer and water services that are to be installed as part of Halton Region’s construction of William Halton Parkway (WHP).

The construction of WHP by Halton Region is delayed and it is anticipated that the WHP project will not be tendered until 2019 with an anticipated project completion in 2021 or later. This unforeseen delay to the WHP project has the potential to delay the orderly progression of development in Neighbourhoods 8 and 9.

Policy 7.9.2(c) states that as a condition of development, municipal sewer and water services “are extended” to Employment and Trafalgar Urban Core lands. The interpretation of this policy is that these services must physically be in the ground in order to satisfy the condition.

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However, staff is of the opinion that securing in an agreement for the installation of the services that are the responsibility of the public authority gives a similar level of comfort as the requirement for a developer to have physically installed these same services in the ground. Accordingly, the proposed OPA contains the following revisions:

OPA Item No.	Section	Description of Change
7	7.9.2.c) (NOESP)	<p>The requirements of the phasing policy are clarified:</p> <ul style="list-style-type: none"> <li>• By indicating that the region and the town must be satisfied that services are extended</li> <li>• By providing for an agreement to secure for the extension of services</li> </ul> <p>As well, the revisions provide additional clarity to the policies regarding the gross amount of Employment Area and Trafalgar Urban Core area referenced in the policy.</p> <p>The latter clarification provides greater certainty that the areas referenced in the policies referred to 25 gross hectares of land within the Employment Area designation and 10 gross hectares of land within the TUC designation, and not the size of plans of subdivision that were to contain these designations.</p>

Staff is of the opinion that the proposed revision conforms to the NOESP by maintaining the intent of the phasing policies and providing certainty around the specified targets for Employment and Trafalgar Urban Core lands prior to the release of Phase 2 lands.

Staff is also of the opinion that these revisions are consistent with the phasing and infrastructure requirements of PPS 2014, and conform to the requirements for the orderly progression of greenfield development, the timely provision of infrastructure to support growth and the development of complete communities of Growth Plan 2017 and the Halton’s Regional Official Plan.

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**Definitions**

This section in both OPAs has been revised by restoring the High Density Residential Development definition to its original state. This is consistent with the approach in the Livable Oakville Plan.

It is anticipated that the classifications and permitted uses for residential development will be further examined through Part 2 of the NOSPR (Appendix E) and in conjunction with the Region’s Official Plan Review.

OPA Item No.	Section	Description of Change
6	7.10.13	– The definition of High Density Residential Development has stacked townhouse and back-to-back townhouse added back in to the permitted uses.

**CONCLUSION:**

The next steps in the NOSPR include the initiation of matters identified under Part 2 of the study (Appendix E) including the Transportation Discussion Paper, the Commercial Policy Review and the Urban Design Review. The timing for completion of this stage of the NOSPR is anticipated for 2020.

This report has shown how the North Oakville Plans are out of date with required planning policy and are past the time for required review under the Planning Act.

It has set out the requirements of the provincial and regional policy framework applicable to North Oakville, including the PPS (2014), Growth Plan (2017), Halton Region Official Plan (2009) and ROPA 38 for development to achieve a complete community, to support transit viability, to support a mix of uses and a diverse range and mix of housing options.

This report has reviewed how the Council approved vision of the North Oakville Plans, as well as the land use strategy, designations and policies for the planning area are intended to establish a community and development pattern based on choice and diversity, transit support, mixed use and a mix of housing that responds to the varied needs of the future population.

The report showed that the North Oakville plans are based on a flexible policy framework and has demonstrated how approved development within this framework



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has only met the minimum policy requirements applicable. Development is not achieving minimum transit supportive densities in key locations nor is it achieving mix of uses and a diverse range of housing options.

Development that continues on this trajectory may not serve the broad range of socio-demographic needs anticipated for the future population, may not accommodate the required amounts of future population and raises concerns about supporting future planned levels of transit.

In terms of timing, recall that development in North Oakville is planned for three successive phases, moving north from Dundas Street towards Highway 407. Phase 1 is nearing completion and development in Phase 2, which represents a substantial amount of area, could commence within a year.

Based on the evaluation of the merits of development to date in the context of the provincial and regional requirements as well as the for these lands,

In this context, the report proposed required policy revisions to be made in advance of future development occurring in North Oakville to ensure that the Council approved vision is achieved and that the provincial and regional planning requirements are satisfied. The proposed revisions update, clarify and strengthen the North Oakville policy framework while maintaining an appropriate amount of flexibility in key areas.

In consideration of the foregoing, staff is of the opinion that the proposed OPAs represent good planning, are consistent with the Provincial Policy Statement (2014), conform with the Growth Plan for the Greater Golden Horseshoe (2017), and conform with Halton's Regional Official Plan and ROPA 38. Further, approval of the proposed OPAs would be in the public interest. Accordingly, it is recommended:

1. That the proposed town-initiated official plan amendments (File No. 42.15.56, North Oakville Secondary Plans Review) be approved on the basis that they are consistent with the Provincial Policy Statement, conform to all applicable Provincial Plans and Halton's Regional Official Plan, have regard for matters of Provincial interest and represent good planning for the reasons set out in the report from the Planning Services department dated May 18, 2018;
2. That By-law 2018-074, a by-law to adopt Official Plan Amendment Number 321 (OPA 321) to the North Oakville East Secondary Plan be passed;
3. That By-law 2018-075, a by-law to adopt Official Plan Amendment Number 322 (OPA 322) to the North Oakville West Secondary Plan be passed; and

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4. That the notice of Council’s decision reflects that Council has fully considered all of the written and oral submissions relating to this matter and that those comments have been appropriately addressed.

**CONSIDERATIONS:**

**(A) PUBLIC**

A Public Information Meeting was held on December 6, 2017 to solicit public input on the draft policy directions for the NOSPR. The first statutory public meeting on the proposed Official Plan Amendments (OPAs) was held on February 12, 2018.

Notice of the first statutory public meeting regarding the proposed Official Plan Amendment was circulated to the agencies and public bodies prescribed by the *Planning Act*, mailed to property owners within the North Oakville East Secondary Plan Area, and emailed to the Official Plan Review E-blast distribution list, on or before January 26, 2018 and was published in the local newspaper on January 25, 2018.

The proposed OPAs for the first statutory public meeting were available for public review in the Planning Services Department at Town Hall, 1225 Trafalgar Road, and on the town’s website ([www.oakville.ca](http://www.oakville.ca)), on or before January 23, 2018, being at least 20 days before the statutory public meeting.

The second statutory public meeting and recommendation meeting on the proposed OPAs are to be held on June 11, 2018. A second statutory public meeting was deemed necessary due to nature of the revisions to the proposed Official Plan Amendment from February 12, 2018 resulting from staff review and public comment.

Notice of the second statutory public meeting and recommendation meeting regarding the proposed OPAs was circulated to the agencies and public bodies prescribed by the *Planning Act*, mailed to property owners within the North Oakville Plans area, and emailed to the Official Plan Review E-blast distribution list, on or before May 21, 2018 and was published in the local newspaper on May 17, 2018.

The proposed OPAs for the second statutory public meeting and recommendation meeting were available for public review in the Planning

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Services Department at Town Hall, 1225 Trafalgar Road, and on the town's website ([www.oakville.ca](http://www.oakville.ca)), as of May 22, 2018, being at least 20 days before the second statutory public meeting.

**(B) FINANCIAL**

The North Oakville Plans, and the Council approved vision contained within the Plans, resulted from a comprehensive planning exercise that involved extensive public consultation and participation, contentious negotiations at the OMB, numerous background and technical studies, and detailed analysis of issues and policy development.

In order to achieve the implementation of the policies of the North Oakville Plans and to deliver on the vision, a coordinated and comprehensive approach to implementation involving package-based solutions is also required, particularly in the areas of urban design, parks facilities, transit, urban forestry and parking.

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

The North Oakville Secondary Plans Review is a study in the town's ongoing Official Plan Review. Numerous town departments are engaged in the Official Plan Review to achieve stronger integration between key master plans and the town's Official Plan.

**(D) CORPORATE AND/OR DEPARTMENT STRATEGIC GOALS**

This report addresses the corporate strategic goal to:

- be accountable in everything we do
- be the most livable town in Canada

**(E) COMMUNITY SUSTAINABILITY**

The proposed official plan amendments comply with the sustainability objectives of the Livable Oakville Plan.

**APPENDICES:**

Appendix A – Statutory Public Meeting Report - Town-Initiated Proposed Official Plan Amendments - North Oakville East Secondary Plan and North Oakville West Secondary Plan - North Oakville Secondary Plans Review, File No. 42.15.56

Appendix B – Written Submissions as of May 18, 2018

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Appendix C – Analysis of Written Submissions

Appendix D – NOSPR Part 2 – Matters to be Addressed in the Long-term

**BY-LAWS:**

The following by-laws, recommended for passage by this report, are listed separately on the June 11, 2018 Planning and Development Council agenda:

**By-Law Number 2018-074:** Official Plan Amendment 321, a by-law to adopt an amendment to the North Oakville East Secondary Plan forming part of the Official Plan of the Oakville Planning Area (File No. 42.15.56)

**By-Law Number 2018-075:** Official Plan Amendment 322, a by-law to adopt an amendment to the North Oakville West Secondary Plan forming part of the Official Plan of the Oakville Planning Area (File No. 42.15.56)

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