

REPORT

PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: DECEMBER 10, 2018

FROM: Planning Services Department

DATE: November 19, 2018

SUBJECT: Public Meeting Report, Official Plan Amendment, Zoning By-law Amendment, 393 Dundas L.P., 393 Dundas Street West, File No. OPA 1319.07, Z.1319.07

LOCATION: 393 Dundas Street West

WARD: 7

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RECOMMENDATION:

1. That the public meeting report prepared by the Planning Services Department dated November 19, 2018, be received.
2. That comments from the public with respect to the proposed Official Plan Amendment and Zoning By-law Amendment applications (File No: OPA 1319.07, Z.1319.07) submitted by 393 Dundas Street L.P., be received.
3. That staff consider such comments as may be provided by Council.

KEY FACTS:

Timing:

The Official Plan Amendment and Zoning by-law Amendment applications were received on August 14, 2018. Council has until March 12, 2019 (210 days), to make a decision on this application.

Location:

The subject lands are located on the north side of Dundas Street West, east of Gladeside Avenue and West of George Savage Avenue as shown on Figure 1. The lands are irregularly shaped, with approximately 120 m of frontage along Dundas Street West.

Proposal:

The applicant proposes an Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) to permit a mixed use development that includes a ten storey mixed use building containing 290 units and 275 m² of ground floor commercial

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space, with an overall FSI of 2.69, and fifteen, three-storey stacked townhouse units as shown in Appendix A.

With respect to the proposed ten storey building, the North Oakville East Secondary Plan "Dundas Urban Core" designation permits buildings up to eight storeys in height with an FSI of 2.5, and the applicant proposes that the two additional storeys of height be secured as a result of bonusing, for a total building height of ten storeys. Council adopted amendments to the NOESP in June 2018 through OPA 321, which included changes to the Dundas Urban Core policies. Under OPA 321, a maximum building height of up to 12 storeys is permitted in certain locations through bonusing, in exchange for community benefits where appropriate and subject to the Town's approved bonusing procedure. OPA 321 was approved with modifications by Halton Region on September 21, 2018 and is currently under appeal to the LPAT. The subject OPA to permit increased height subject to bonusing, is in accordance with the policies approved by Council through OPA 321, therefore, the subject OPA would not be required if OPA 321 was in full force.

EXECUTIVE SUMMARY:

Policy Context:

The subject lands are designated Dundas Urban Core and Natural Heritage System in the North Oakville East Secondary Plan (NOESP) and are zoned ED (Existing Development) by the North Oakville East Zoning By-law. The Dundas Urban Core designation includes a maximum allowable height of eight storeys. OPA 321, adopted by Council on June 11, 2018, but not yet in force, specifically recognized the potential for bonusing within the Dundas Urban Core to a maximum of four additional storeys. Both the existing and adopted Official Plan policies do not conflict with the Provincial Policy Statement and all applicable provincial plans, and conform with the Halton Region Official Plan, as the policies allow for a range of uses and housing options developed at a density to support existing and planned transit services while requiring the protection of the natural environment. The existing zoning does not conflict with the Provincial Policy Statement and all applicable provincial plans, and conforms with the Halton Region Official Plan and the NOESP, as it limits the expansion of existing uses so that the lands may be redeveloped through a Zoning By-law Amendment, in accordance with the policies and objectives of the NOESP.

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BACKGROUND:

The purpose of this report is to introduce the planning applications in conjunction with the statutory public meeting. Council will hear public delegations on the applications, ask questions of clarification and identify matters to be considered by staff in their evaluation of the application. The report is to be received and no recommendations on the applications are being made at this time.

The report outlines the proposed development and identifies matters raised to date through the technical review. Following the statutory public meeting and once the review is complete, staff will bring forward a recommendation report for consideration by Planning and Development Council.

The subject application was deemed complete on the date of submission, August 14, 2018. The applicant proposes a site specific Official Plan Amendment and Zoning By-law Amendment to permit the development of a mixed use development that includes a 10 storey mixed use building containing 290 units and 275 m² of ground floor commercial space and fifteen three-storey stacked townhouse units as shown in Appendix A. The purpose of the Official Plan Amendment is to increase the maximum building height in the Dundas Urban Core designation from 8 to 10 storeys. The North Oakville East Secondary Plan "Dundas Urban Core" designation permits buildings up to eight storeys in height, and the applicant proposes that the two additional storeys of height be secured as a result of bonusing, for a total building height of ten storeys, in accordance with the policies approved by Council through OPA 321. The purpose of the Zoning By-law Amendment is to re-zone the lands from 'Existing Development' to 'Dundas Urban Core' with a site specific special provision and Holding provision.

On August 7, 2018, Planning & Development Council Approved an Official Plan Amendment and Zoning By-law Amendment for the property located to the west, 407 Dundas Street West, to allow a similar mixed use development (File No. OPA 1319.06, Z.1319.06). At the time the applications were submitted, the applicant also submitted a Draft Plan of Subdivision (File No. 24T 17007/1319). The purpose of the Draft Plan of Subdivision application is to provide for the dedication of a portion of Shannon's Creek to the Natural Heritage System and to allow for an extension of a north-south road, being, Trailside Drive, which will connect Dundas Street West to Sixteen Mile Drive. The file is currently on hold until such time that the lands receive Regional allocation. The applicant has indicated that in the future, the subdivision application for 407 Dundas Street West will be amended to incorporate the subject lands.

A combined Public Information Meeting for 393 and 407 Dundas Street West was held on March 1, 2018 where 6 residents attended. An overview of the comments received from the public is contained on page 10 of this report.

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Proposal

The applicant proposes an Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) to permit a mixed use development that includes a 10 storey mixed use building containing 290 units and 275 m² of ground floor commercial space and fifteen three-storey stacked townhouse units as shown in Appendix A.

The purpose of the Official Plan Amendment is to amend the North Oakville East Secondary Plan, creating a site specific exception to increase the maximum building height in the Dundas Urban Core designation from 8 to 10 storeys and increase the maximum FSI from 2.5 to 2.69, implemented through bonusing. The purpose of the Zoning By-law Amendment is to re-zone the lands from 'Existing Development' to 'Dundas Urban Core'. The proposed DUC zone includes a site specific Special Provision to implement the proposed site layout and a Holding Zone, to deal with matters such as Regional servicing allocation and registration of bonusing agreement.

The proposed 10 storey mixed use building is sited at the intersection of Dundas Street West and Trailside Drive, with a block of stacked townhouse units located further north, fronting onto Trailside Drive. The design of the building transitions from 10 storeys at the intersection, to eight storeys, five storeys and two storeys at the north end of the building. The building includes 275m² of ground floor commercial space fronting Trailside Drive. A surface parking lot is provided behind the mixed use building. Access to the surface parking lot and underground parking is by a driveway off of Trailside Drive.

The proposed plan includes a total of 296 underground parking spaces and 70 surface level spaces. The proposed parking supply complies with the regulations of the North Oakville Zoning By-law, therefore no amendments to the Zoning By-law are required to deal with parking. The parking supply is distributed as follows:

	Number of Units	Required Parking	Proposed Parking
Stacked Townhouse	15 units	15 spaces	15 spaces
Mixed Use Building	290 units 275m ² commercial area	0 to max 363 spaces 58 visitor spaces 9 commercial spaces	289 spaces 62 shared visitor and commercial spaces.
Total	305 units, 275m ² commercial area	Minimum 82 spaces	366 spaces

Location

The subject lands are located on the north side of Dundas Street West, east of Gladeside Avenue and West of George Savage Avenue as shown on Figure 1. The

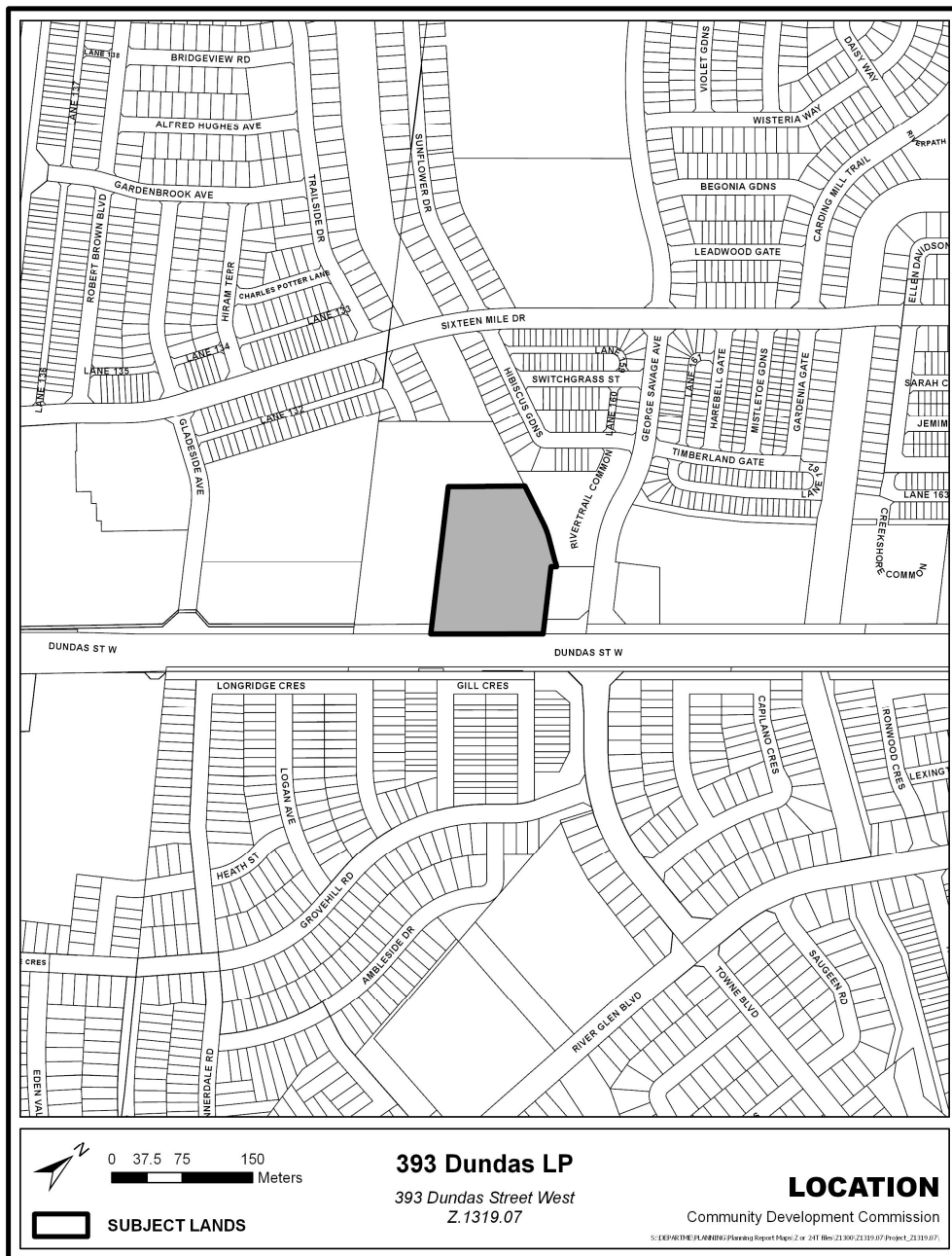
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lands are irregularly shaped, with approximately 120 m of frontage along Dundas Street West.

Figure 1



Site Description

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The lands are irregularly shaped, maintain an area of 1.64ha, with approximately 120 m of frontage along Dundas Street West. The lands are currently vacant and were previously occupied by the Dynasi Family Restaurant.

Surrounding Land Uses

North: Detached dwellings fronting Trailside Drive

East: Shannon's Creek channel and residential uses further east

South: Dundas Street West

West: Trailside Drive and future mixed use development that received Council approval for an Official Plan Amendment and Zoning By-law Amendment in August 2018.

POLICY & REGULATORY FRAMEWORK:

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

- 2014 Provincial Policy Statement
- 2017 Growth Plan for the Greater Golden Horseshoe
- Halton Region Official Plan
- North Oakville East Secondary Plan
- Zoning By-law 2009-189

2014 Provincial Policy Statement

The 2014 PPS 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 (hereinafter 'PPS') under Section 3 of the *Planning Act*. The new PPS replaced the 2005 statement and came into effect April 30, 2014. All planning decisions must be consistent with the PPS.

The subject lands are located within a settlement area, which are to be the focus of growth and development (policy 1.1.3.1). Land use patterns within settlement areas are required to efficiently use land and resources; are appropriate for and efficiently use planned or existing infrastructure and public service facilities; minimize negative impacts to air quality and climate change, and promote energy efficiency; support active transportation; and are both transit and freight supportive (policy 1.1.3 a).

The PPS also recognizes the importance of the protection of natural features for the long term for their economic, environmental and social benefits (policy 2.1.1) and

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that the diversity and connectivity of natural features should be maintained, restored or, improved (policy 2.1.2).

In accordance with section 3 of the *Planning Act*, all planning decisions 'shall be consistent with' the PPS. As part of the forthcoming recommendation report, the proposal will be reviewed for consistency with the PPS, both in the context of efficient use of land use and impact on natural heritage.

2017 Growth Plan for the Greater Golden Horseshoe

The Growth Plan is a long-term plan that works together with the Greenbelt Plan, the Oak Ridges Moraine Conservation Plan and the Niagara Escarpment Plan to manage growth, build complete communities, curb sprawl and protect cultural heritage resources and the natural environment.

The Growth Plan provides policies for where and how to grow, directing population and employment growth to urban areas and rural settlement areas with delineated built boundaries on full municipal services (policy 2.2.1.1). The subject lands are located within the 'Designated Greenfield Area'.

The policies of the Growth Plan are to be applied to support complete communities that feature a diverse mix of land uses with convenient access to local stores, services, and public service facilities; improve social equity and overall quality of life; provide a diverse range and mix of housing options; expand convenient access to transportation options, public service facilities, accessible open space and healthy local, affordable food options; ensure development of high quality compact built form; mitigate and adapt to climate change impacts, and integrate green infrastructure and low impact development (policy 2.2.1.4 a-g).

Policy 2.2.7.1 directs that new development in 'Designated Greenfield Areas' will be planned, designated, zoned and designed in a manner that supports the achievement of complete communities, supports active transportation and encourages the integration and sustained viability of transit services.

All decisions made on or after July 1, 2017 in respect of the exercise of any authority that affects a planning matter are required to conform to the 2017 Growth Plan. As part of the forthcoming recommendation report, the proposal will be reviewed for conformity with the Growth Plan, both in the context of efficient use of land use and impact on natural heritage.

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Region of Halton Official Plan

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

The site is designated Urban Area according to the Halton Plan. The lands are also located within the Greenfield Area, and are located along a Higher Order Transit Corridor, which is part of a Regional identified Intensification Area. 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 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.

Livable Oakville - Policy related to Urban Structure:

The Livable Oakville Plan was approved by the Ontario Municipal Board on May 10, 2011 and is currently undergoing a 5 year Official Plan Review to ensure the policies are consistent with the latest Provincial and Regional policies, support the Town's strategic goals, and reflect the visions and needs of the community. Schedule A1, Urban Structure, of the Livable Oakville Plan provides the basic structural elements for the Town. On September 27, 2017, Council adopted Official Plan Amendment 15 (OPA 15) to the Livable Oakville Plan, which confirms the Town's existing urban structure in terms of nodes (growth areas) and corridors. OPA 15 was approved by Halton Region on April 26, 2018 and there is one appeal pending related to portions of OPA 15.

The subject lands are identified on Schedule A1 – Urban Structure as being within the Town's system of Nodes and Corridors and front onto Dundas Street, which is identified as a Regional Transit Priority Corridor. Nodes and Corridors are key areas of the Town identified as the focus for mixed use development and intensification. Regional Transit Priority Corridors provide a town-wide network that connects transit systems throughout the Region as well as to local destinations. From a land use perspective, lands adjacent to Regional Transit Priority Corridors provide a key focus for transit-supportive development, which is considered to be compact, mixed use development with higher levels of employment and residential densities to support frequent transit service.

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North Oakville East Secondary Plan:

The North Oakville East Secondary Plan (NOESP) was approved by the Ontario Municipal Board in 2008 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 North Oakville East Secondary Plan designates the subject property as Dundas Urban Core and Natural Heritage System on figure NOE2, Land Use Plan, as seen in Appendix B. In addition, the lands front onto Dundas Street, which is identified as a Major Arterial/Transit Corridor. The North Oakville Master Plan, identified in Appendix 7.3 of the NOESP illustrates the conceptual design and land use categories for the North Oakville East planning area. Development applications are reviewed in the context of the Master Plan in order to evaluate consistency. Minor variations from the Master Plan may be considered, assuming the general intent and direction of the Master Plan is maintained.

The Official Plan Amendment is proposed in order to increase the maximum permitted height from 8 storeys to 10 storeys. The following policies relate to the Dundas Street Urban Core Area:

“7.6.5.1 Purpose

The Dundas Urban Core Area designation on Figure NOE2 is intended to allow the creation of a band of mixed use development at medium and high densities with a clustering of retail and service commercial development and/or high density buildings at the intersections with north/south streets.

7.6.5.2 Permitted Uses, Buildings and Structures

- a) The permitted uses shall be the full range of office, commercial, including retail and service commercial, health and medical, institutional and medium and high density residential uses.*
- b) Permitted uses shall be primarily located in medium and high density residential, office and institutional buildings. Both mixed use and single use buildings shall be permitted. Commercial uses shall be restricted to locations in nodes primarily in mixed use buildings at the intersections with north-south roads, although single use retail and service commercial buildings will be permitted at such nodes in accordance with the applicable policies of Section 7.6.5, including 7.6.5.2 (c) and 7.6.5.3(c) and the design policies of Section 7.5, particularly 7.5.15.*
- c) ...*
- d) High density residential uses shall generally be clustered at the nodes.*

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7.6.5.3 Land Use Policies

- a) *Development will be visually connected by establishing a coherent streetscape along Dundas Street through a number of design features and mechanisms, identified in the applicable urban design guidelines, including provisions for landscaping, signage, street furniture and other features in the public right of way, and guidelines for the siting and massing of adjacent buildings. Development will also be physically connected by road, transit, pedestrian and bicycle linkages.*
- b) *A mix of uses shall be permitted at the following heights and densities:*
 - *Minimum density - FSI of 0.5, with the exception of service station sites and as set out in Subsection c);*
 - *Maximum density - FSI of 2.5*
 - *...;*
 - *Minimum height*
5 metres for a commercial building,
3 storeys for other development within nodes,
2 storeys for other development; and,
 - *Maximum height - 8 storeys”.*

The following policies relate to the General Urban Area:

“7.6.7.2 General Urban Area

- a) Purpose
The General Urban Area land use category on Appendix 7.3 is intended to accommodate a range of low and medium density residential development.
- b) Permitted Uses, Buildings and Structures
 - *The permitted uses shall be low and medium density residential uses and home occupation and home business uses.*
 - *Permitted uses shall be located in low or medium density residential buildings.*
- c) Land Use Policies
 - *A mix of housing types shall be permitted at the following heights and densities:*
Minimum density - 25 units per net hectare;

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*Maximum density - 75 units per net hectare; and,
Maximum height - 3 storeys."*

The following policies relate to the Natural Heritage System:

"7.4.10 Natural Heritage and Open Space System Securement:

- b) the Town recognizes that public securement of the lands in the Natural Heritage component of the Natural Heritage and Open Space System will provide opportunities for enhanced management of the lands in the System. The Town will investigate all options for the securement of lands in the Natural Heritage component of the Natural Heritage and Open Space System.*

7.6.3 Natural Heritage System Area:

- a) Purpose
The Natural Heritage System Area designation on Figure NOE2 reflects the Natural Heritage component of the Natural Heritage and Open Space System. The primary purpose of the Natural Heritage component of the System is to protect, preserve and, where appropriate, enhance the natural environment. The focus of the Natural Heritage component is on the protection of the key ecological features and functions of North Oakville. It will also contribute to the enhancement of air and water resources, and provide for limited, passive recreational needs."*

A number of Implementation Guidelines were approved by Council in November 2009 in accordance with Section 7.10.1 of the Secondary Plan. These Guidelines relate to such matters as Urban Design, Transit, Sustainability, and Cycling Facilities, among others. The proposal will be reviewed in the context of the land use policies of the NOESP and implementing documents and evaluated in the future recommendation report.

North Oakville East Secondary Plan - Council Adopted Policy:

As part of the Town's ongoing Official Plan Review, the North Oakville Secondary Plans Review was formally initiated by the Livable Oakville Council Subcommittee in May 2017. On June 11, 2018, Council adopted Official Plan Amendment 321 to amend the North Oakville East Secondary Plan. OPA 321 was approved with modifications by Halton Region on September 21, 2018 and is currently under appeal to the LPAT. These amendments are in conformity with the Growth Plan and consistent with the PPS 2014.

Among other changes, OPA 321 amended land use policies for the Dundas Urban Core Area designation including:

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Dundas Urban Core Land Use Policies 7.6.5.3:

b) Minimum Density:

Development within the Dundas Urban Core Area shall achieve an overall minimum density target of 72 units per gross hectare or 160 residents and jobs combined per gross hectare.

Building Heights:

c.v) increases of up to 4 storeys beyond the maximum permitted building height may be considered through bonusing, subject to Section 7.10.2.

Through OPA 321, Council adopted amendments to the NOESP, including changes to the Dundas Urban Core policies, in order to allow for opportunities for higher density, mixed use transit supportive development for undeveloped Dundas Urban Core lands. Specification of a minimum density implements the density suggested in Ontario's Transit Supportive Guidelines for a transit service type of dedicated rapid transit service (LRT/BRT), which is intended to service Dundas Street West in the future. Land use permissions related to maximum building height remain unchanged; both existing and adopted policy permit a maximum building height of 8 storeys. Under the adopted policies, additional building height of up to 4 storeys, an overall maximum height of 12 storeys may be determined to be appropriate in certain locations through bonusing, in exchange for community benefits and subject to the Town's approved bonusing procedure.

Bonusing:

Bonusing is a planning tool provided for in Section 37 of the *Planning Act* that allows municipalities to secure public benefits in exchange for permitting additional height and density in a development through a Zoning By-law Amendment where appropriate. Candidate developments for Section 37 must first conform to all the other policies and criteria of the Official Plan before any increases in height or density may be considered.

Section 7.10.2 of the North Oakville East Secondary Plan refers to the general bonusing policies of the 2006 consolidated Official Plan as follows:

"1.3.b Bonus By-law Provisions

i. Oakville may make use of bonus zoning to authorize increases in height and/or density of development beyond that permitted by the comprehensive by-law in return for the provision of such facilities, services, or matters as are set out in the bonusing by-law. The use of bonus zoning shall be carefully controlled and shall only be undertaken after a thorough study of the effects of such a by-law. The Town may consider increased height and/or density

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with regard to the following matters and any other matters that secure the provisions of this Plan:

- *provision of additional public parking;*
- *provision of additional open space;*
- *provision of Natural Areas;*
- *provision of improved access to public transit;*
- *provision of arcades and public walkways within development;*
- *provision of assisted or other low income housing;*
- *provision of public institutional facilities;*
- *protection of heritage buildings and features;*
- *protection of significant vistas and views;*
- *provision of affordable housing, above and beyond the basic requirement of 25%.”*

The proposed Zoning By-law Amendment includes a Holding Provision subject to fulfillment of conditions, including, execution of the Section 37 Agreement.

North Oakville Zoning By-law

The North Oakville Zoning By-law (By-law 2009-189) sets zoning standards with the establishment of general regulations and zones reflecting the North Oakville East and West Secondary Plans. Town Council approved the North Oakville Zoning By-law on November 23, 2009.

The subject property is zoned Existing Development (ED) by Zoning By-law 2009-189, which allows only uses that legally existed on the date of the By-law coming into effect. In order to allow the proposed development, a Zoning By-law amendment proposes to rezone the lands to Dundas Urban Core (DUC) Special Provision Zone, and Natural Heritage System zones, subject to a Holding Provision. A copy of the proposed zoning map change is attached in Appendix E.

Natural Heritage System:

The eastern portion of the subject lands are traversed by a portion of Shannon's Creek channel and are proposed to be zoned NHS. The Natural Heritage System zone allows for fish, wildlife and conservation uses and trails and fences maintained by a public authority and legally existing buildings and structures. The proposed Zoning By-law Amendment does not propose any regulation changes to the Natural Heritage System base zone.

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Dundas Urban Core:

On the lands proposed to be zoned DUC, in order to recognize the development of stacked townhouse dwellings and a mixed use building, a Special Provision is required. The proposed Special Provision requested by the applicant, includes the following regulations:

- To permit only stacked townhouses as an additional building type;
- To specify the maximum building height of mixed use of 10 storeys subject to bonusing for the mixed use building and 4 storeys for the stacked townhouses;
- To specify that stairs and air vents associated with an underground parking garage are permitted in any yard.
- To specify a 4.5 m minimum height for the first storey of the mixed use building;
- To specify a minimum rear yard of 0 m;
- To specify that the maximum Floor Space Index is not applicable; and
- To establish Bonusing Provisions.

Holding Provision:

A Holding Provision is proposed to be applied to the lands being rezoned Dundas Urban Core. A Holding Provision specifies the requirements that must be satisfied prior to any development taking place, including any conditions, studies or requirements related to a zoning change. Conditions proposed to be addressed prior to removal of the Holding Provisions, include approval of allocation to the satisfaction of the Region of Halton and execution of a Section 37 agreement, to allow for bonus development.

COMMENTS:

Technical Review:

The applicant has provided numerous studies in support of the application which have been circulated to public agencies and internal Town departments, and are currently under review. The following studies and supporting documentation are available on the Town's website for review (<https://www.oakville.ca/business/da-30663.html>):

- | | |
|---------------------------------|---------------------------------------|
| • Aerial photograph | • Planning Justification Report |
| • Archaeological Assessment | • Preliminary Intrusive Investigation |
| • Architectural Plans | • Reliance Letter |
| • Density Plan | • Survey |
| • Draft Official Plan amendment | • Transportation Impact Study |
| • Draft Zoning By-law amendment | • Transit Facility Plan |

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| • Environmental Impact Report/Functional Servicing Report | • Urban Design Brief |
| • Environmental Site Assessment | • Pedestrian Circulation Plan |
| • Vehicle Swept Path Analysis | • Waste Management Plan |
| • Noise Assessment | • Landscape Concept Plan |
| | • Tree Canopy Cover Plan |

Public Comments:

A combined Public Information Meeting for 393 and 407 Dundas Street West was held on March 1, 2018 where 6 residents attended. Comments raised by residents included:

- Concern for the negative impacts of increasing the building height from 8 storeys to 10 storeys in terms of sun shadowing and obstruction of views.
- Concern that existing land use permissions in the Dundas Urban Core designation allow for an 8 storey building height. Residents expected that future development along Dundas Street would maintain lower building heights that exist within the surrounding area and that taller buildings will appear out of place.
- Concern for the impact of increased traffic congestion from the proposed development during rush hour on Trailside Drive, Gladeside Avenue and George Savage Avenue.
- Concern for traffic safety and potential for speeding along the extension of Trailside Drive between Sixteen Mile Drive and Dundas Street.
- Concern for availability of school accommodation within the neighbourhood.

To date, no additional comments have been submitted in response to the notice of complete application for the subject lands.

PLANNING ANALYSIS:

EXISTING POLICY:

The following section explains how the existing NOESP designations (Dundas Urban Core and Natural Heritage System) do not conflict with the Provincial Policy Statement and applicable Provincial plans, and conforms with the Region of Halton Official Plan.

Consistency with Provincial Policy Statement 2014:

The PPS 2014 encourages the wise management of land to achieve efficient development and land use patterns by directing growth to settlement areas and by providing a compact development form. In doing this, the PPS recognizes that

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healthy, liveable and safe communities are sustained by, among other matters, accommodating an appropriate range and mix of densities and land uses and protection of natural features.

The NOESP was approved by the Ontario Municipal Board (OMB) as Amendment 272 to the Town's 1986 Official Plan, in January 2008. It was developed to have regard for the 1997 Provincial Policy Statement. The NOESP has not undergone a conformity exercise with the PPS 2014. However, in the opinion of staff, the existing NOESP designations, including amendments adopted to the Dundas Urban Core by OPA 321, do not conflict with the PPS 2014, as a range residential uses, medium and high density development and mixed use development are currently permitted. The land use designations are arranged to support connectivity with transportation systems, and support current and future use of transit. In addition, the protection of natural features is established through policies for securement of the Natural Heritage System. The existing designation of the property within the larger context of the surrounding neighbourhood provides higher density transit supportive uses, increases the range of housing choice available while requiring the addition of lands into the publicly owned Natural Heritage System. Amendments adopted by OPA 321, including changes to the Dundas Urban Core policies to permit additional building height subject to bonusing and requiring a minimum density of development conforms with the PPS, given that the policies allow for opportunities for higher density, mixed use transit supportive development for undeveloped lands located on Dundas Street.

Conformity with the Growth Plan 2017:

The subject lands are within the 'Designated Greenfield Area', which will be planned, zoned and designated, in a manner that supports the achievement of complete communities, supports active transportation and encourages the integration and sustained viability of transit services.

The NOESP was approved by the Ontario Municipal Board (OMB) as Amendment 272 to the Town's 1986 Official Plan, in January 2008. Although the NOESP was not required to conform to the 2006 Growth Plan, the 2006 Growth Plan was in effect prior to the approval of the NOESP and was considered in the development of the Plan. The NOESP has not undergone a full conformity exercise with the Growth Plan 2017. However, the recent amendments to the NOESP through OPA 321 were made in the context of the 2017 Growth Plan and conformed to that Plan. As a result, in the opinion of staff, the existing NOESP designations including amendments adopted to the Dundas Urban Core by OPA 321, conform with the Growth Plan given that implementation of the development objectives identified in the NOESP result in the development of a complete community, developed at a density that supports existing and planned transit services and active transportation. The existing designation of the property within the larger context of the surrounding

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neighbourhood provides for an increased range of housing choice, a mixture of uses, compact built form and convenient access to planned and existing transit on Dundas Street. Amendments adopted by OPA 321 conform with the Growth Plan, given that the policies implement a minimum transit supportive density and allow increased building height subject to bonusing, allowing the opportunity for higher density, mixed use development for undeveloped lands on Dundas Street.

Conformity with the Regional Official Plan:

The subject lands are designated Urban Area and located within the Greenfield Area and along a Higher Order Transit Corridor, which is part of a Regionally identified Intensification Area. The policies of the Urban Area designation support a form of growth that is compact, supportive of transit and the development of vibrant and healthy mixed use communities, which afford maximum choices for residence, work and leisure. Sections 77, 78 and 81 of the Regional Official Plan further supports providing opportunities for live/work relationships, and achieving higher greenfield densities as defined and prescribed by Local Official Plan policies. The existing designation conforms to the Regional Official Plan, given that a range of uses and density permitted help contribute to the development of a mixed use transit supportive community. Amendments adopted to the Dundas Urban Core Area through OPA 321, are currently under appeal to the LPAT, but conform with the Regional Official Plan, given that OPA 321 allows for the development of transit supportive mixed use development on Dundas Street, which is identified as a Regional Transit Priority Corridor.

North Oakville East Secondary Plan and Existing Zoning:

The subject lands are designated Dundas Urban Core and Natural Heritage System in the NOESP. The NOESP acknowledges that the Plan will be implemented by appropriate amendments to the zoning by-law. The existing zoning of the subject lands (ED-Existing Development) does not conflict with the Provincial Policy Statement and applicable provincial plans, as the zone acts as a placeholder by limiting the expansion of existing uses so that the lands may be redeveloped through a Zoning By-law Amendment, in accordance with the policies and objectives of the NOESP.

MATTERS TO BE CONSIDERED

A complete analysis of the application is underway and includes a review of the following matters, which have been identified to date:

- Provincial Policy Statement (PPS):
 - Consideration for policies related to mix of residential uses, efficient use of land, infrastructure, services that support transit and natural heritage.

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- Growth Plan:
 - Consideration for complete communities; intensification that efficiently uses land, infrastructure and supports transit viability; demonstrated mix of housing options, and protection of natural features
 - Regional Official Plan:
 - Consideration by Regional staff to review conformity with Regional Official Plan.
 - Livable Oakville:
 - Regard for policies related to urban structure implementation.
 - North Oakville East Secondary Plan:
 - Consistency with the goals and objectives of the Master Plan.
 - Consistency with policies of Dundas Urban Core and General Urban Area with respect to use and density to ensure the development contributes to a compact, walkable and transit supportive community.
 - Evaluation of the amount of floor area proposed for commercial use to ensure a viable mixed use building that meets the intent of the Dundas Urban Core Area policies.
 - Evaluation of increased 10 storey building height.
 - Impact and interface of the proposed built form with the existing and planned neighbourhood context.
 - Consistency with the vision and principles of the North Oakville Urban Design and Open Space Guidelines.
 - Consistency with the policies and objectives of the Town and Regional transportation plans.
 - Bonusing:
 - Potential community benefits in exchange for the proposed bonus development in the form of two additional storeys of building height.
 - Zoning By-law:
 - Evaluation of the suitability of the proposed zone and regulation amendments in relation to the proposed development, policies of the NOESP and the existing neighbourhood.
 - Technical Review:
 - Functional Servicing and Stormwater Management
A review of the Functional Servicing and Stormwater Management Report in order to demonstrate that the development can be feasibly serviced with full municipal services including sanitary, water and fire

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protection, and that stormwater and storm drainage can be adequately managed to Town standards.

- **Transportation Impact Study**
A review of the Transportation Impact Study, to demonstrate that site will not negatively impact existing and future road conditions in the area and that the vehicle maneuvering plan and sightlines are suitable.
- **Environmental Site Assessment**
A review of the Environmental Site Assessment in order to provide information and recommendations on potential areas of environmental concern to the satisfaction of the Region of Halton and Conservation Halton.
- **Overall design of the proposed development, including review of design of Trailside Drive and proposed building design.**

CONCLUSION

Planning staff will continue to review the proposed application, including departmental, agency and public feedback and report back to Council with a recommendation. No further notice is required, however, written notice of any future public meetings will be provided to those who have made written and/or verbal submissions.

CONSIDERATIONS:

(A) PUBLIC

Notice of this meeting was provided through a mailing to all properties within 120 m of the subject property and placed on one sign posted on the site. A response to public comments will be provided in the future recommendation report.

(B) FINANCIAL

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

In accordance with Section 7.9.4 of the North Oakville Secondary Plan, documentation was submitted with the application from the Trustee of the North Oakville East Developers Group Cost Sharing Agreement and North Oakville East Master Parkland Agreement confirming the owners of 407 Dundas Street are parties in good standing under both agreements.

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(C) IMPACT ON OTHER DEPARTMENTS & USERS

The proposal has been circulated to the various agencies and departments for consideration. As such, the application remains in technical circulation.

(D) CORPORATE AND/OR DEPARTMENT STRATEGIC GOALS

This report addresses the corporate strategic goal to:

- enhance our natural environment
- be the most livable town in Canada

(E) COMMUNITY SUSTAINABILITY

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

APPENDICES:

Appendix A – Proposed Layout

Appendix B – North Oakville Secondary Plan (NOE2, Land Use Plan)

Appendix C – North Oakville Master Plan

Appendix D – Zoning By-law 2009-189

Appendix E - Draft Zoning Amendment Prepared By Applicant

Appendix F –Draft Official Plan Amendment Prepared By Applicant

Prepared by:

Melissa Dalrymple, MCIP, RPP
Planner

Current Planning – West District

Recommended by:

Charles McConnell, MCIP, RPP
Manager

Current Planning – West District

Submitted by:

Mark H. Simeoni, MCIP, RPP
Director, Planning Services