



OAKVILLE

REPORT

PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: MARCH 09, 2020

FROM: Planning Services Department

DATE: February 26, 2020

SUBJECT: **Public Meeting and Recommendation Report - Zoning By-law Amendment - Mattamy (Joshua Creek) Limited - 1429 Dundas Street East, File No.: Z.1307.04, By-law 2020-018**

LOCATION: 1429 Dundas Street East

WARD: 6

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RECOMMENDATION

1. That Zoning By-law Amendment application submitted by Mattamy (Joshua Creek) Limited (File No. Z.1307.04), be approved on the basis that the application is consistent with the Provincial Policy Statement, conforms or does not conflict with all applicable Provincial plans, conforms with the Region of Halton Official Plan and North Oakville East Secondary Plan, has regard for matters of Provincial interest, and represents good planning for the reasons outlined in the report from the Planning Services department dated February 26, 2020;
2. That By-law 2020-018 an amendment to Zoning By-law 2009-189, be passed;
3. That notice of Council's decision reflect that Council has fully considered all the written and oral submissions relating to this matter and that those comments have been appropriately addressed; and
4. That, in accordance with Section 34(17) of the *Planning Act*, no further notice is determined to be necessary.

KEY FACTS:

The applicant has proposed a revision to the draft plan of subdivision and zoning by-law which was approved by the Local Planning Appeals Tribunal (LPAT) in February 2019.

The draft plan of subdivision consisted of a total of 226 residential units including a village square, two stormwater management ponds, natural heritage system and two

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Dundas Urban Core blocks which will be developed for a mix of uses. No portions of the Draft Plan of subdivision have been registered and no purchase and sale agreements have been entered into.

The purpose of the Zoning By-law Amendment application is to reconfigure the existing zoning boundaries in the vicinity of the Village Square within the Mattamy (Joshua Creek)/Bressa subdivision.

The effect of the proposed revision to the draft plan of subdivision would be to modify the configuration of the village square and a portion of the adjacent lots. The proposed revision would result in a reduction of 16 townhouse units and the introduction of 8 detached dwellings giving an overall loss of 8 units over the larger subdivision. The proposed changes to the draft plan of subdivision requires corresponding changes to the zoning by-law.

The proposed revision to the draft plan of subdivision and zoning by-law would continue to conform to the *Village Square and Neighbourhood Area on Figure NOE 2- Land Use Plan* in the North Oakville East Secondary Plan.

Staff recommend approval of the Zoning By-law Amendment application as the proposed development is consistent with the Provincial Policy Statement, conforms and does not conflict with the Growth Plan, conforms to the Region of Halton Official Plan and the general intent and purpose of the North Oakville East Secondary Plan. The application conforms to the Town's Urban Structure as the proposed development aids in the achievement of complete communities.

This report has been prepared as a combined statutory public meeting and recommendation meeting given the minor revision to the draft plan of subdivision and the lands affected by the rezoning are located centrally within the larger subdivision not in close proximity to any existing residential uses.

BACKGROUND

The purpose of this report is to introduce the planning application as part of the statutory public meeting and to provide a comprehensive staff evaluation and a recommendation on a proposed Zoning By-law Amendment which would have the effect of reconfiguring the existing zoning in the vicinity of the Village Square.

Proposal

In 2019, the Town and the land owner reached a settlement before the Local Planning Appeals Tribunal (LPAT), where the LPAT approved the draft plan of subdivision 24T-12004/1307 and Zoning By-law 2018-036. The subdivision included a village square, two stormwater management ponds, natural heritage system,

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detached dwellings, townhouses and two Dundas Urban Core blocks which will be developed for a mix of uses.

The LPAT approved plan included a 0.41 ha Village Square to be located centrally within the plan of subdivision with townhouse and detached dwelling units proposed in close vicinity (Figure 2).

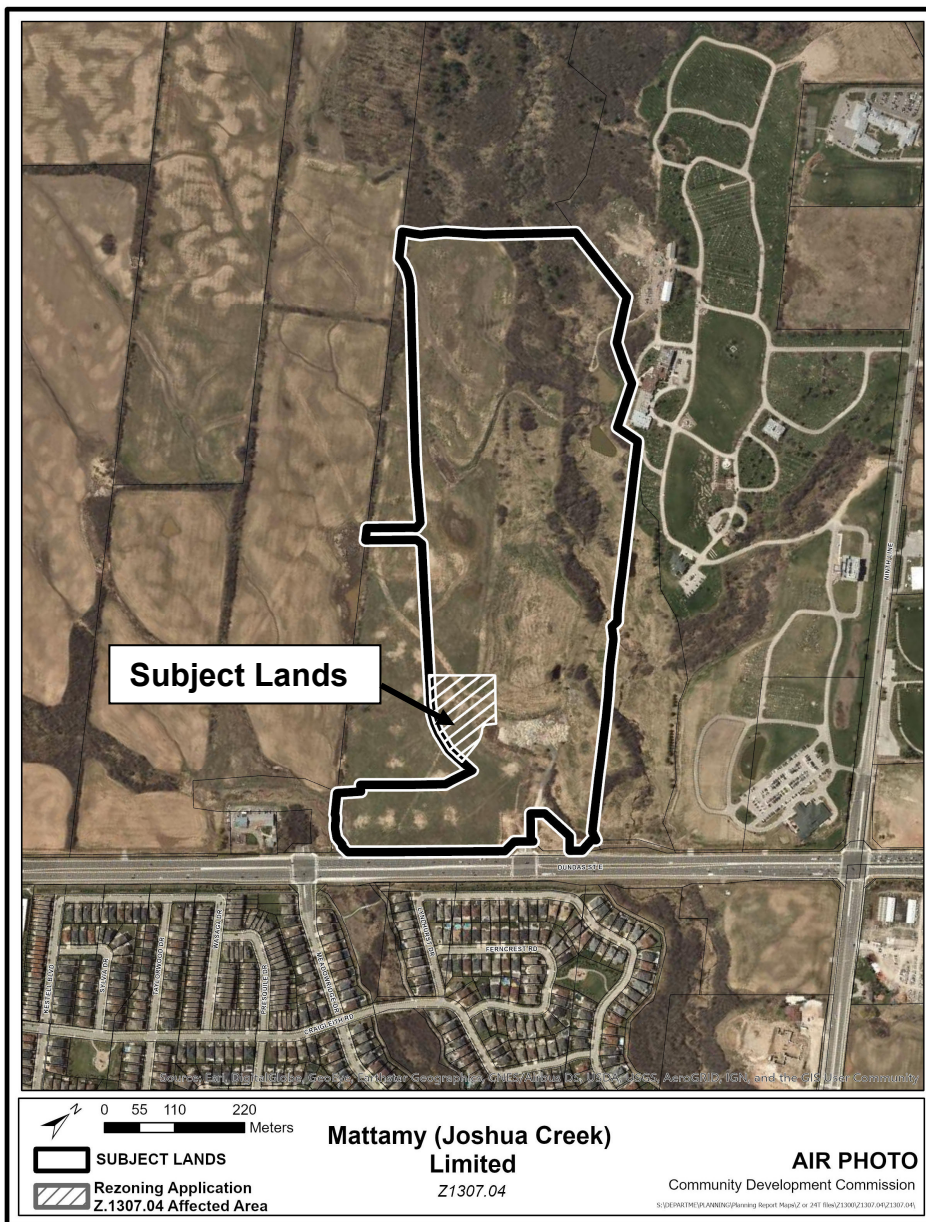


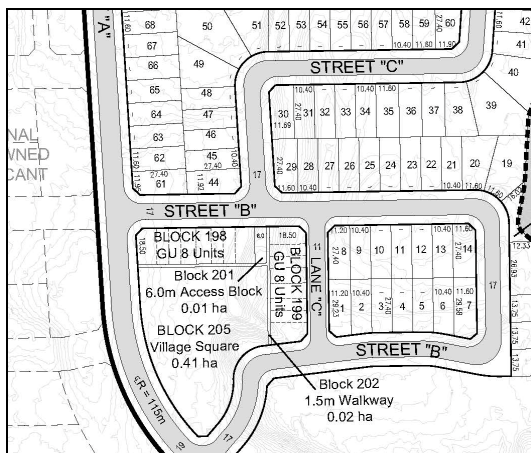
Figure 1: Aerial

The applicant advised planning staff that their intended townhouse layout could not be accommodated on the subject lots in a suitable manner and in accordance with

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the zoning by-law. As a result the applicant is proposing to eliminate two blocks of townhouses and reconfigure the Village Square. The proposed Village Square which is proposed to be 0.40 ha in size, is narrower than previously approved and oriented in a north-south direction (Figure 2).

LPAT Approved Draft Plan



Proposed Draft Plan

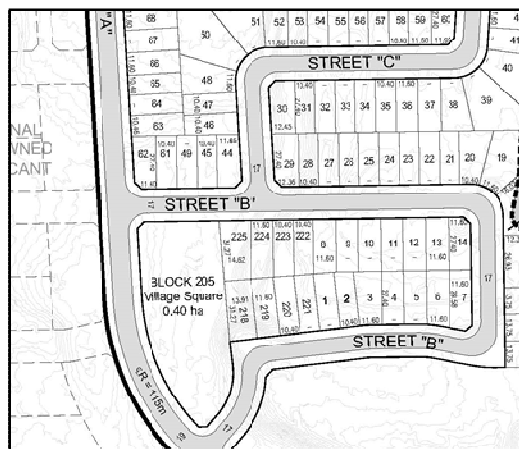


Figure 2: Existing and Proposed Modifications in the vicinity of the Village Square

The proposed Zoning By-Law Amendment application was submitted which would have the effect of reconfiguring the existing zoning boundaries in the vicinity of the Village Square.

The applicant has submitted a corresponding red-line revision to the draft plan of subdivision that can be approved by the Director of Planning following the expiration of the 20 day appeal period relating the current rezoning application. On October 24, 2019, the LPAT issued an order whereby giving the Town the authority to administer final approval for the subdivision.

Submission materials are available at the following link on the Town’s website: <https://www.oakville.ca/business/da-34544.html>.

Location and Site Description:

The subject property is located on the north side of Dundas Street and west of Ninth Line. The larger land holdings is municipally known as 1429 Dundas Street East and the legal description of Part of Lots 7 and 8, Concession 1 N.D.S.

The lands affected by this application is located centrally within the subdivision away from any existing residential uses (Figure 1). No parts of the subdivision have been registered and no purchases and sale agreements have been entered into.

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The lands affected by the revision are described as Blocks 198, 199, and 205 on draft plan of subdivision 24T-12004/1307.

Surrounding Land Uses

The surrounding land uses are as follows are generally residential uses, storm water management pond, roads and DUC blocks associated with the larger “Bressa” subdivision (24T-12004/1307).

PLANNING POLICY & ANALYSIS

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

- Provincial Policy Statement (2014);
- Growth Plan for the Greater Golden Horseshoe (2019);
- Halton Region Official Plan;
- North Oakville East Secondary Plan; and,
- Zoning By-law 2009-189.

Provincial Policy Statement (2014)

The Provincial Policy Statement (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.

The subject lands are located within a settlement area, which are to be the focus of growth and development. The land use patterns within the settlement are based on densities and a mix of land uses that, among other matters, efficiently use land and resources, appropriately use the infrastructure and public service facilities that are planned or available and are transit supportive.

Growth Plan for the Greater Golden Horseshoe (2019)

The Growth Plan for the Greater Golden Horseshoe (‘Growth Plan’) is a long-term plan that intends 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). The subject lands are located within a “Designated Greenfield Area.”

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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, provide a diverse range and mix of housing options, expand convenient access to transportation options.

The existing Official Plan designation conforms and does not conflict with the Growth Plan given that the proposal aids in the development of complete communities. The adjustment of the existing zoning boundaries conforms to the Growth Plan.

Halton Region Official Plan

The subject lands are designated “Urban Area” in 2009 Regional Official Plan (ROP). The Urban Area is “planned to accommodate the distribution of population and employment for the Region and the four Local Municipalities”. Policy 76 notes that the range of permitted uses is to be in accordance with Local Official Plans and Zoning By-laws. All development, however, is subject to the policies of the Regional Plan.

Regional staff has no objections to the approval of the proposed Zoning By-Law Amendment.

Livable Oakville Plan - Urban Structure

The Livable Oakville Plan is currently undergoing a 5-year Official Plan Review to ensure the policies are consistent with the 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 317 (OPA 317) to the NOESP, which confirms the Town’s existing urban structure in terms of nodes and corridors, where higher intensity forms of mixed use growth are to be accommodated. OPA 317 was approved by Halton Region on April 26, 2018 and deemed to conform to the Growth Plan and be consistent with the PPS.

The subject lands are identified on Schedule A1 – Urban Structure as being within the Town’s “Residential Areas”. Residential areas include low, medium and high density residential uses as well as a range of compatible facilities such as schools, places of worship, recreational and commercial uses that serve the residents of the Town. Some growth and change may occur in the Residential areas provided the character of the area is preserved and the overall urban structure of the Town is upheld.

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North Oakville East Secondary Plan (NOESP)

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.

Figure NOE2 of the North Oakville East Secondary Plan designates the subject property as *Village Square* and *Neighbourhood Area* (Figure 3).

The LPAT approved Draft Plan of Subdivision included a 0.41 ha Village Square. The proposed revision to the draft plan of subdivision has the effect of reducing the Village Square to 0.40 ha in size. Section 7.6.13.3 – Village Square – Land Use Policies states that Village Squares should be approximately 0.3 ha in size but may be larger or smaller depending on location and facilities accommodated. The applicant provided a concept plan to demonstrate that facilities planned for this Village Square can still be accommodated. Parks and Open Space staff have reviewed the concept plan and support the size and reconfiguration of the Village Square as proposed.

Within the *Neighborhood Area* designation, the lands are further categorized as *General Urban Area* and *Sub Urban Area* as shown on the North Oakville Master Plan. 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 subject application is considered to be a minor revision to the LPAT approved draft plan of subdivision and zoning by-law and an appropriate and compatible development North of Dundas Street which conforms to the policies of the North East Oakville Secondary Plan.

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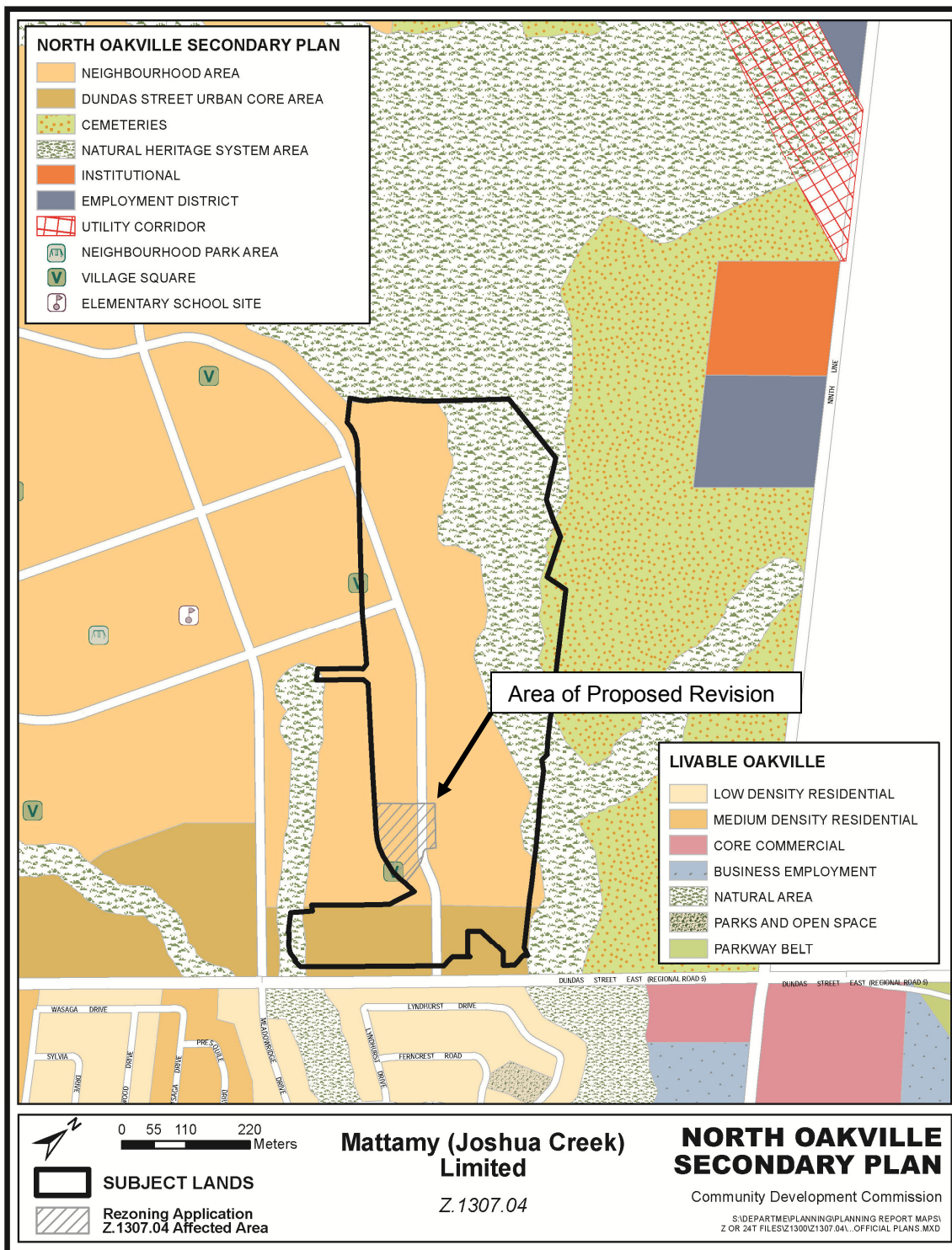


Figure 3: Official Plan Excerpt

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North Oakville Zoning By-law (2009-189)

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 lands are zoned *P- Park*, *GU - General Urban (sp:54)*, *S – Sub-Urban (sp:55)* as shown on Figure 4 below.

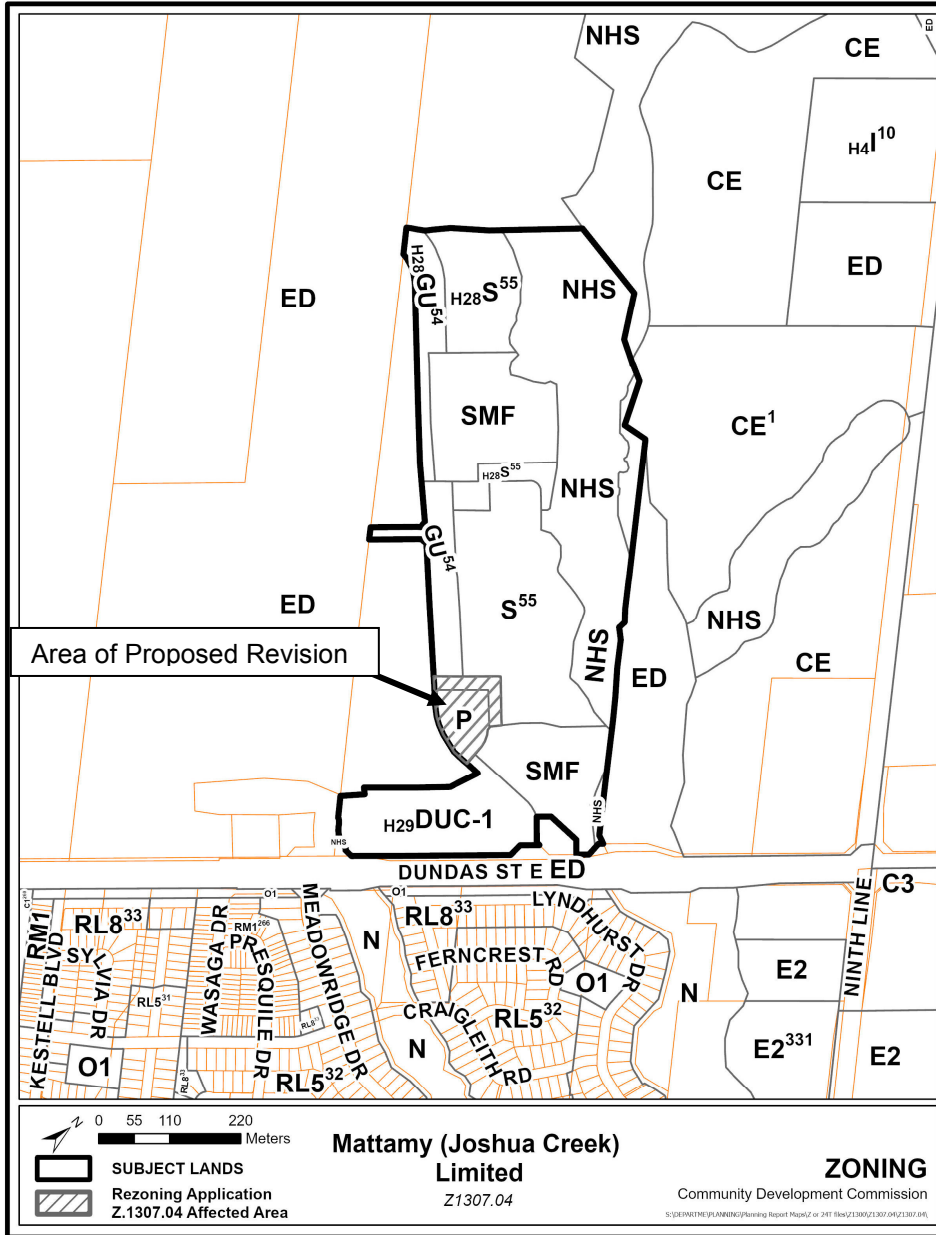


Figure 4: Zoning By-law Extracts from By-law 2009-189

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TECHNICAL COMMENTS

The proponent has provided studies in support of the application which have been circulated to various public agencies and internal Town departments. Town staff and external agencies have reviewed the materials and are in support of the application.

Proposed Zoning By-law Amendment

The effect of the revisions would be to reconfigure the zone boundaries as described:

- extend the *P- Park* zone onto lands formerly zoned *S - Sub-Urban (sp:55)* and *GU – General Urban (sp:55)*;
- rezone *S – Sub-Urban (sp:55)* on the north side of Street B to *GU - General - Urban (sp:55)* so that all the lots fronting onto the Village Square will have consistent zoning regulations;
- rezone *GU - General - Urban (sp:55)* to *S – Sub-Urban (sp:55)* east of the Village Square so that all the lots fronting onto Street B will have consistent zoning regulations; and
- remove the park *P- Park* zone on lands east of the Village Square and replace it with *S – Sub-Urban (sp:55)*.

CONCLUSION

The Planning Department undertook a circulation of the application to ensure that all technical and financial matters have been satisfactorily addressed.

In Staff's opinion the Zoning By-law Amendment is appropriate and continues to conform to the North East Secondary Plan, does not conflict with the Provincial Policy Statement and Growth Plan and conforms to the Region of Halton Official Plan. It is recommended that the By-law 2020-018, be approved as a minor revision to the LPAT approved draft plan of subdivision and zoning by-law.

By-law 2020-018 is attached as Appendix "A".

CONSIDERATIONS:

(A) PUBLIC

Notice for the meeting regarding this development application was provided through a mailing of all properties within 120 meters of the larger "Bressa" Subdivision. No written correspondence from the public has been received at the time of the writing of this report.

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(B) FINANCIAL

All Financial arrangements have been secured through the conditions of approval as approved by the LPAT and through a future subdivision agreement with the Town.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

The application was circulated to internal and external departments and agencies or review and there was no objections to the proposed development.

(D) CORPORATE AND/OR DEPARTMENT STRATEGIC GOALS

This report addresses the corporate strategic goal to:

- be the most livable town in Canada

(E) COMMUNITY SUSTAINABILITY

The proposed development generally complies with the Town's sustainability goals and objectives of the North Oakville East Secondary Plan. The proposal has also been reviewed in the context of Council declaring a Climate Change Emergency on June 24, 2019 to provide opportunities to reduce the development footprint of the proposal.

APPENDICES

Appendix "A" – By-law 2020-018

Prepared by:
Leigh Musson, MCIP, RPP
Senior Planner, Current Planning
East District

Recommended by:
Heinz Hecht, MCIP, RPP
Manager, Current Planning
East District

Submitted by:
Mark H. Simeoni, MCIP, RPP
Director, Planning Services