



OAKVILLE

REPORT

PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: MARCH 9, 2020

FROM: Planning Services Department

DATE: February 26, 2020

SUBJECT: Public Meeting Report, Official Plan Amendment, Calloway REIT (Hopedale) Inc., 1431, 1455, 1515 & 1521 Rebecca Street, File No. OPA 1625.01

LOCATION: 1431, 1455, 1515 & 1521 Rebecca Street

WARD: 2

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RECOMMENDATION:

1. That the public meeting report prepared by the Planning Services Department dated February 26th, 2020, be received.
2. That comments from the public with respect to the Official Plan Amendment by Calloway REIT (Hopedale) Inc. (File No. OPA 1625.01), be received.
3. That staff consider such comments as may be provided by Council.

KEY FACTS

The proposed Official Plan Amendment seeks to add a site-specific exception to the Community Commercial designation to redevelop a 2.9 ha easterly portion of the 8.5 ha South Oakville Centre with 86 townhouse units ranging in height between two to three storeys and one nine storey retirement residence containing 131 independent supportive units, and 30 assisted living units with access from an internal private road network.

The subject lands are designated *Community Commercial* by the Livable Oakville Plan and zoned C2 Special Provision 54 by Zoning By-law 2014-014. The Community Commercial designation and zone do not allow for the proposed redevelopment consisting of 86 townhouse units and one 9 storey retirement residence. Both the existing Official Plan designation and zoning are consistent with the Provincial Policy Statement 2014, conform to all applicable Provincial plans, the Region of Halton Official Plan and the *Livable Oakville Plan* as they allow for a variety of retail and service commercial uses primarily servicing the local surrounding community in accordance with the Town's established urban structure.

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This application will be considered under Bill 108, which provides for a 120 day timeline (April 21st, 2020), before an appeal could be filed with any hearing considered under the 'hearing de novo' approach.

BACKGROUND

Proposal

The subject Official Plan Amendment application proposes to redevelop a 2.9 ha easterly portion of the 8.5 ha South Oakville Centre with 86 townhouse units ranging in height between two (2) to three (3) storeys and one nine (9) storey retirement residence containing 131 independent supportive units, and 30 assisted living units with access from an internal private road network, as shown in Figure 1 below.

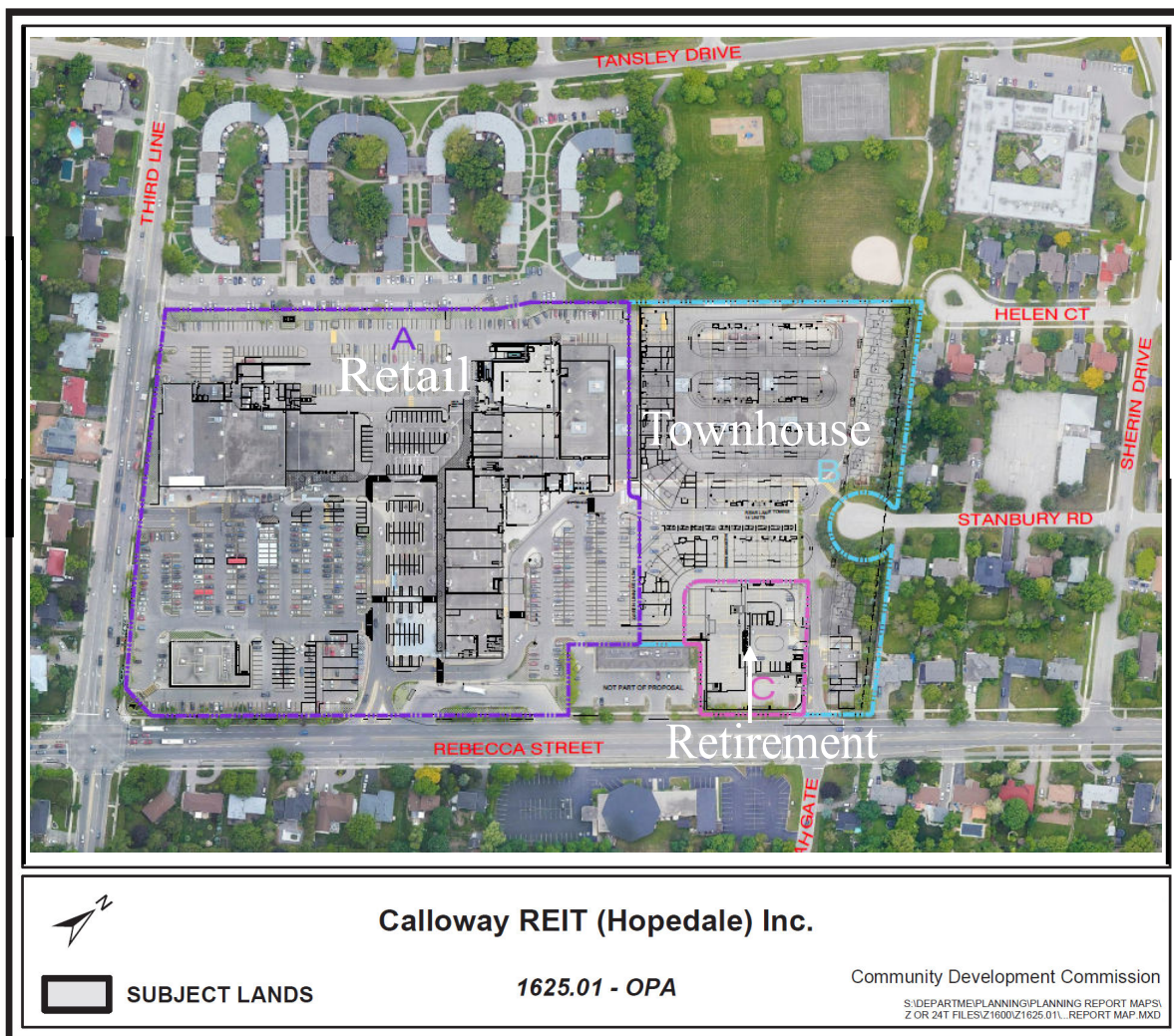


Figure 1: Proposed Site Plan

Location & Site Description

The subject lands are located at the northeast corner of Third Line and Rebecca Street.

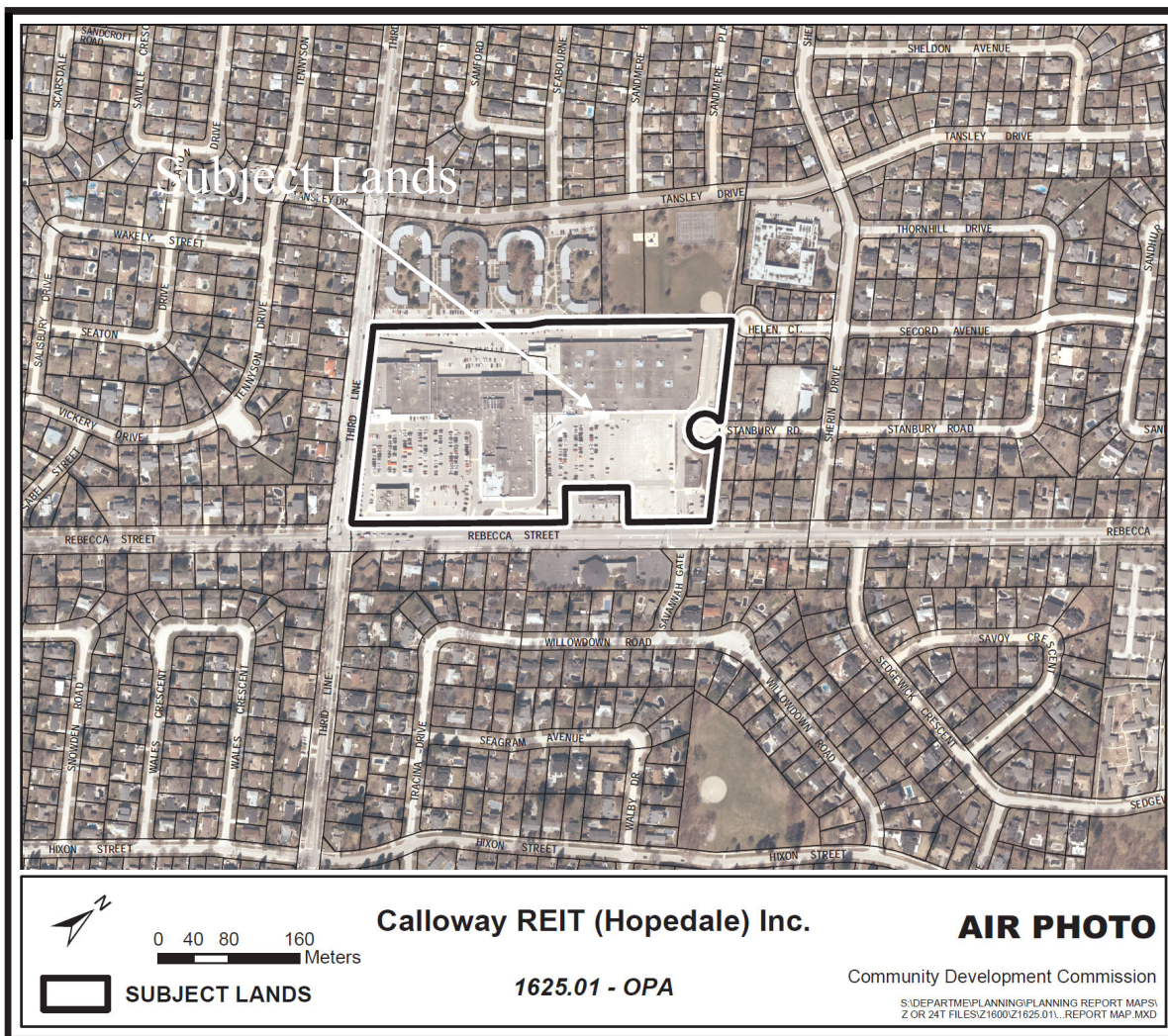


Figure 2: Air Photo

The subject lands are 8.5 ha in size and are occupied by a commercial shopping mall and two stand-alone commercial units surrounded by a surface parking lot. The South Oakville Centre transit hub is located along the Rebecca Street frontage of the site which is served by routes 3, 3A, 14, 14A and 15 and provides direct connections to the Oakville and Bronte Go Stations, Bronte Village, Downtown, and the Oakville Trafalgar Memorial Hospital.

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An established, approximately 9 m wide, landscape buffer with a variety of trees is located along the eastern property boundary.

Surrounding Land Uses

The surrounding land uses are as follows:

North: medium density residential and Hopedale Park

East: low density residential, place of worship and retirement residence

South: commercial plaza, place of worship and low density residential

West: low density residential

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
- *Livable Oakville* Plan
- Zoning By-law 2014-014

Provincial Policy Statement

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.

A full analysis of the PPS will be provided as part of a future recommendation report.

Growth Plan (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.

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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. The Growth Plan sets out new regional population and employment targets to the year 2041. Under the updated targets, Halton's population would grow to 1,000,000 people and 470,000 jobs. That is 220,000 additional residents and 80,000 additional jobs between 2031 and 2041.

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.

A full analysis of the Growth Plan will be provided as part of a future recommendation report.

Halton Region Official Plan

The subject lands are designated "Urban Area" in the Halton Region Plan. Lands within the "Urban Area" are intended for residential and employment growth. 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.

A full analysis of the proposal in the context of the Halton Region Official Plan will be provided as part of a future recommendation report.

Livable Oakville Plan

OP Objectives

Section 2.1 of the Livable Oakville Plan provides the following mission statement:

To enhance the Town's natural, cultural, social and economic environments by ensuring that environmental sustainability, cultural vibrancy, economic prosperity and social well-being are incorporated into growth and development decisions.

Section 2.2 of the Livable Oakville Plan provides the following guiding principles:

2.2.1 Preserving and creating a livable community in order to:

- a) preserve, enhance, and protect the distinct character, cultural heritage, living environment, and sense of community of neighbourhoods;*

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- b) direct the majority of growth to identified locations where higher density, transit and pedestrian oriented development can be accommodated; and,*
- c) achieve long term economic security within an environment that offers a diverse range of employment opportunities for residents.*

2.2.2 Providing choice throughout the Town in order to:

- a) enable the availability and accessibility of a wide range of housing, jobs and community resources to meet the diverse needs of the community through all stages of life;*
- b) provide choices for mobility by linking people and places with a sustainable transportation network consisting of roads, transit, walking and cycling trails; and,*
- c) foster the Town's sense of place through excellence in building and community design.*

2.2.3 Achieving sustainability in order to:

- a) minimize the Town's ecological footprint;*
- b) preserve, enhance and protect the Town's environmental resources, natural features and areas, natural heritage systems and waterfronts; and,*
- c) achieve sustainable building and community design.*

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. Official Plan Amendment 15 ("OPA 15") to the Livable Oakville Plan, 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 15 was approved by Halton Region on April 26th, 2018 and deemed to conform to the Growth Plan and is consistent with the PPS. There is one appeal pertaining to OPA 15.

The subject lands are identified on Schedule A1 – Urban Structure as being within '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. While the focus of mixed use development and intensification is within Nodes and Corridors, some growth and change may occur in Residential Areas provided the

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character of the area is preserved and the overall urban structure of the town is upheld.

Land Use Policies

The subject lands are designated '*Community Commercial*' which are intended to provide a variety of retail and service commercial uses primarily servicing the local surrounding community.

Section 13.4.1 of the Livable Oakville Plan provides that permitted uses may include a range of retail and service commercial uses including restaurants, food stores and motor vehicle service stations. Recreational uses may also be permitted. Offices may be permitted provided they serve a secondary function and are small in scale. Community Commercial areas are encouraged to provide and maintain a food store as part of the node.

While the *Community Commercial* designation is part of a residential community, residential land uses are not permitted.

Section 4.3 of the Livable Oakville Plan provides that it is the policy of the Livable Oakville Plan that the key focus for development and redevelopment to accommodate intensification will be the locations identified as Growth Areas. While the Livable Oakville Plan encourages intensification generally throughout the built up area, it also recognizes that some growth and change may occur in these areas provided the character of the area is preserved and the overall urban structure of the Town is upheld. Intensification outside of the Growth Areas including additional intensification opportunities such as infill, redevelopment, and greyfield and brownfield sites, are to be considered in the context of the overall Plan.

The subject lands are located within a stable residential community. Section 11.1.8 of the Livable Oakville Plan provides that intensification within the stable residential communities shall be provided as follows:

- a) *Within stable residential communities, on lands designated Low Density Residential, the construction of a new dwelling on an existing vacant lot, land division, and/or the conversion of an existing building into one or more units, may be considered where it is compatible with the lot area and lot frontages of the surrounding neighbourhood and subject to the policies of section 11.1.9 and all other applicable policies of this Plan;*
- b) *Within the stable residential communities, on lands designated Low Density Residential, there may also be sites at the intersection of arterial and/or collector roads, or sites with existing non-residential uses, that have sufficient frontage and depth to accommodate appropriate intensification through*

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development approvals. Intensification of these sites may occur with Low Density Residential uses in accordance with section 11.1.9 and all other applicable policies of this Plan; and,

- c) *Within the stable residential communities, on lands designated Medium Density Residential and High Density Residential, there may be underutilized lands on which additional development may be appropriate. Intensification of these lands may occur within the existing density permissions for the lands and may be considered subject to the requirements of section 11.1.9 and all other applicable policies of this Plan.*

The intensification policies within stable residential communities only permit intensification within lands designated low, medium and high density residential, not community commercial. Further, the subject lands are not identified as ‘special policy areas’.

OPA 15, provides clarity in terms of the Town’s urban structure and consideration of site-specific official plan amendments.

Section 28.1.3 of OPA 15 states that a municipal comprehensive review¹ shall be required for: the identification of new strategic growth areas²; and, significant changes to the boundaries of existing strategic growth areas.

Pursuant to Section 28.2.3 of OPA 15, submissions for site-specific amendments to the Livable Oakville Plan must demonstrate that the proposed amendment:

- a) *is consistent with the Town’s mission and guiding principles.*
- b) *does not undermine the Town’s urban structure in terms of:*
 - i. *directing growth to identified nodes and corridors, and ensuring their timely development in a manner that makes effective and efficient use of existing and planned investment and achieves the planned objectives for these areas;*
 - ii. *protecting natural heritage systems;*
 - iii. *protecting waterfront open space, parks and other public open space;*
 - iv. *conserving cultural heritage resources; and,*

¹ **Municipal comprehensive review** means a new official plan, or an official plan amendment, initiated by an upper- or single-tier municipality under section 26 of the Planning Act that comprehensively applies the policies and schedules of the Growth Plan, 2017. (Livable Oakville Plan)

² **Strategic Growth Areas** means within settlement areas, nodes, corridors, and other areas that have been identified by municipalities or the Province to be the focus for accommodating intensification and higher-density mixed uses in a more compact built form. Strategic growth areas include urban growth centres, major transit station areas, and other major opportunities that may include infill, redevelopment, brownfield sites, the expansion or conversion of existing buildings, or greyfields. Lands along major roads, arterials, or other areas with existing or planned frequent transit service or higher order transit corridors may also be identified as strategic growth areas.(OPA 15, Livable Oakville)

- v. *the maintenance of the character of established residential areas, employment areas and major commercial areas.*
- c) *is consistent with Provincial, Regional and Town plans for multi-modal transportation systems, municipal services, infrastructure and public service facilities.*
- d) *does not result in adverse fiscal impacts for the Town.*
- e) *is an appropriate use for the land.*
- f) *is compatible with existing and planned surrounding land uses.*
- g) *is not more appropriately considered under a required comprehensive Official Plan review³ or a municipal comprehensive review.*
- h) *does not establish an undesirable precedent if approved.*
- i) *satisfies all other applicable policies of this plan.”*

Where intensification is permitted within stable residential communities, pursuant to Section 11.1.5 of the Livable Oakville Plan, development on private roads is discouraged. Where it is demonstrated that a public road is not warranted, to the satisfaction of the Town, development through plans of condominium on private roads may be permitted provided all required services are appropriately accommodated and all applicable policies of this Plan are satisfied.

Further, section 11.1.9 of the Livable Oakville Plan provides that development within all stable residential communities shall be evaluated using the following criteria to maintain and protect the existing neighbourhood character:

- a) *The built form of development, including scale, height, massing, architectural character and materials, is to be compatible with the surrounding neighbourhood.*
- b) *Development should be compatible with the setbacks, orientation and separation distances within the surrounding neighbourhood.*
- c) *Where a development represents a transition between different land use designations or housing forms, a gradation in building height shall be used to achieve a transition in height from adjacent development.*
- d) *Where applicable, the proposed lotting pattern of development shall be compatible with the predominant lotting pattern of the surrounding neighbourhood.*
- e) *Roads and/or municipal infrastructure shall be adequate to provide water and wastewater service, waste management services and fire protection.*
- f) *Surface parking shall be minimized on the site.*
- g) *A proposal to extend the public street network should ensure appropriate connectivity, traffic circulation and extension of the street grid network designed for pedestrian and cyclist access.*

³ **Required Comprehensive Official Plan Review** means a town-initiated process under Section 26 of the Planning Act. (OPA 15, Livable Oakville)

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- h) Impacts on the adjacent properties shall be minimized in relation to grading, drainage, location of service areas, access and circulation, privacy, and microclimatic conditions such as shadowing.*
- i) The preservation and integration of heritage buildings, structures and uses within a Heritage Conservation District shall be achieved.*
- j) Development should maintain access to amenities including neighbourhood commercial facilities, community facilities including schools, parks and community centres, and existing and/or future public transit services.*
- k) The transportation system should adequately accommodate anticipated traffic volumes.*
- l) Utilities shall be adequate to provide an appropriate level of service for new and existing residents.*

Pursuant to Section 11.2 of the Livable Oakville Plan, the follow densities on a per site hectare basis apply to the following land use designations:

Low density: up to 29 dwelling units per site hectare

Medium density: between 30 to 50 dwelling units per site hectare

High density: between 51 to 185 units per site hectare

The proposed development does not conform to the Livable Oakville Plan. The applicant is seeking an amendment to the Livable Oakville Plan to permit the proposed development. A full analysis of the proposed amendment to the Livable Oakville Plan will be provided as part of a future recommendation report.

Zoning By-law 2014-014

Zoning By-law 2014-014 zones the subject lands as C2 Special Provision 54, which does not permit the proposed development. The C2 zone permits variety of retail and service commercial uses primarily servicing the local surrounding community. Special Provision 54 provides for a maximum height limit of 3 storeys and a minimum setback to the easterly lot line of 30 m.

An amendment to Zoning By-law 2014-014 would be required to permit the proposed redevelopment. As of the date of this report, the applicant has not submitted a Zoning By-law Amendment application.

TECHNICAL & PUBLIC COMMENTS

The proponent has provided numerous studies in support of the application which have been circulated to various public agencies and internal Town departments, and which are under review. The following studies and supporting documentation are also accessible on the town's website (<https://www.oakville.ca/business/da-34820.html>):

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- Arborist Report
- Erosion Sediment Control Plan
- Environmental Site Assessment - Phase 1
- Functional Servicing Report
- Grading Plan
- Landscape Concept
- Master Plan
- Pedestrian Circulation Plan
- Planning Justification Report
- Draft Official Plan Amendment
- Retail Impact Assessment
- Servicing Plan
- Shadow Study
- Survey
- Transportation Report
- Tree Inventory
- Urban Design Brief & Character Impact Analysis
- Vehicular Circulation Plan
- Shadow Study

In addition, a peer review of the Retail Impact Assessment is expected to be undertaken, at the applicant's cost, and an addendum to the applicant's Planning Justification Report is required to identify and address the requirements of OPA 15.

Issues Under Review / Matters to be Considered

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

- i. **impact/integration of the proposed development on adjoining properties including:**
 - whether the proposed land use, density, built form and design of the proposed development is appropriate given the existing and planned surrounding context;
 - transportation considerations within the proposed development, and in relation to adjacent roadways and intersections;
 - connectivity to adjacent roadways, including Stanbury Road;
 - adequacy of proposed sanitary, water and stormwater management servicing and consistency with applicable engineering standards;
 - pedestrian circulation and integration with larger network;
 - tree preservation, including the trees along eastern property boundary;

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- capacity of existing transportation, water, sanitary and other infrastructure to support the proposed development and the reconfigured community commercial; and,
- appropriateness of phasing / coordinating the proposed development with the provision of necessary infrastructure improvements or reduction of the proposed density.

ii. urban design and function of site including:

- Mix of land uses, built form, massing, building setbacks, overall design and appropriateness of the proposed development;
- shadow impact;
- parkland dedication, access to public open space and pedestrian connectivity;
- appropriateness of the proposed private street network, and whether public road(s) are warranted;
- conformity with the urban design policies of the Livable Oakville Plan and consistency with the Livable by Design Manual.
- adequate building setbacks and tower separation;
- transit-supportive considerations including adequate transit passenger amenities, bicycle infrastructure and walkable blocks.

iii. consistency / conformity with applicable Provincial, Regional and Town policy including:

- whether the proposed density and built form of development supports the urban structure of the town and is appropriate given the existing and planned surrounding context;
- impact of reduction of commercial space on planned function of site, surrounding area and urban structure of the town;
- Consistency with the Provincial Policy Statement, conformity with the Growth Plan, Halton Region Official Plan, Livable Oakville Plan and related guidelines.

iv. operation of site and existing commercial plaza including:

- feasibility of stormwater infrastructure during and after construction;
- suitability of longer-term reliance of remnant commercial plaza from the proposed private condominium road.

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v. suitability of land for intended use including:

- environmental suitability of lands for proposed use (sensitive land use / contamination);

A complete analysis of this application will be undertaken including the foregoing matters, and other matters which may be subsequently identified. It is anticipated that due to the complexity of these interrelated matters, and additional information requested from the applicant which has not been provided yet, that a recommendation report will be brought to Council for consideration beyond the 120 day timeframe. Staff will address these matters in a future recommendation report.

Public Comments

A Public Information Meeting was held by the applicant on May 2nd, 2019 where 182 members of the public attended. During the session, three development options were presented to the public and inputs on the options, housing types, pedestrian and vehicular circulation, as well as general comments were collected by the applicant. Comments were summarized by the applicant in the minutes of the public information meeting which are appended to this report as Appendix C.

As of the date of this report, eleven formal written comments have been received which are appended to this report as Appendix D. In addition, staff met Councillors Duddeck and Chisolm together with three area residents on February 13th, 2020 on site where residents discussed comments on the development application which included: concerns with the height and massing of the proposed retirement residence, suitability of the lands for the proposed retirement residence and compatibility with the surrounding neighbourhood, density of the proposed development, the importance to the community of maintaining a commercial presence, preference for public roads, preservation of the landscape buffer along the eastern property line and importance of public open space. Concerns expressed by residents (both written and oral comments) related to the proposed development / planning issues have been included in the 'issues under review / matters to be considered' section of this report.

Comments received from the public at this public meeting will also be considered and included in a forthcoming recommendation report.

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CONSIDERATIONS:

(A) PUBLIC

Notice for this meeting was distributed to all properties within 120 m of the subject property and included on the three signs posted on the site. In addition, a Public Information Meeting was held on May 2nd, 2019 where 182 members of the public attended. Public comments received as of the date of this report are summarized in the public comments section of this report.

(B) FINANCIAL

None arising from this report.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

The application was circulated to internal and external departments and agencies for review. The application remains in technical review.

(D) 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 will be reviewed to ensure compliance with the Town's sustainability objectives of the Livable Oakville Plan. The proposal will also be reviewed in the context of Council declaring a Climate Change Emergency on June 24th, 2019 to provide opportunities to reduce the impact of, and increase the resilience of, the proposed development on climate change.

CONCLUSION

Planning staff will continue to review and analyze the proposed applications and address all technical matters, if any, along with submitted public comments, and report to Council at a future meeting. No further notice is required; however, notice of any future public meetings will be provided to those who have made submissions.

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APPENDICES:

A – Official Plan (Livable Oakville) extract

B – Zoning By-law (2014-014) extract

C – Applicant’s Minutes of Public Information Meeting

D – Public Comments

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Submitted by:

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