



OAKVILLE

REPORT

PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: MARCH 9, 2020

FROM: Planning Services Department

DATE: February 26, 2020

SUBJECT: **Public Meeting Report, Zoning By-law Amendment and Draft Plan of Subdivision, Lower Fourth Development Ltd and Pendent Development Ltd, Part Lot 17 - 20 Concession 1 NDS, File No. , Z.1317.05, 24T-19004/1317**

LOCATION: East of Neyagawa Boulevard, west of Sixth Line and midway between Dundas Street West and Burnhamthorpe Road West

WARD: 7 Page 1

RECOMMENDATION

1. That the public meeting report, prepared by the Planning Services Department dated February 26, 2020, be received.
2. That comments from the public with respect to the Zoning By-law Amendment and Draft Plan of Subdivision by Lower Fourth Development Ltd and Pendent Development Ltd, File No.: Z.1317.05, 24T-19004/1317, be received.
3. That staff consider such comments as may be provided by Council.

SUMMARY

The applicant has submitted a Zoning By-law Amendment and Draft Plan of Subdivision to redevelop approximately 43 hectares of land for 390 dwellings, a partial school block, two natural heritage system blocks and four townhouse blocks. Access to the site shall be via the extension of Carding Mill Trail and Preserve Drive from the south.

The subject lands are designated *Neighbourhood Area*, *Natural Heritage System Area* and *Elementary School* within the North Oakville East Secondary Plan (Figure NOE2) and zoned *Existing Development (ED)* within Zoning By-law 2009-189, as amended. Both the existing Official Plan designation and zoning are consistent with the Provincial Policy Statement 2014, conform to all applicable Provincial plans, the

From: Planning Services Department
Date: February 26, 2020
Subject: **Public Meeting Report, Zoning By-law Amendment and Draft Plan of Subdivision, Lower Fourth Development Ltd and Pendent Development Ltd, Part Lot 17 - 20 Concession 1 NDS, File No. , Z.1317.05, 24T-19004/1317**

Region of Halton Official Plan as they allow for residential development and protection of the natural heritage system in accordance with the Town's established urban structure.

BACKGROUND

The application was received on September 6, 2019 and deemed complete October 24, 2019. Bill 108 is in-force, except for the Community Benefits provisions and the repeal of the alternative parkland rate. The application is beyond the appeal period timeframe for the Zoning By-law, being December 5, 2019 and Draft Plan of Subdivision, being January 4, 2020.

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

The report outlines the proposed development and identifies matters raised to date through the technical review and public consultation. 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.

Proposal

The proposal relates to the redevelopment of 43 hectares of land as follows:

- 390 dwellings (368 detached dwellings and 22 freehold townhouses);
- a partial school block (Block 373); and,
- two Natural Heritage System blocks (Blocks 378 and 379).

Access would be from the south via the extension of Carding Mill Trail and Preserve Drive.

The site specific Zoning Amendment, as submitted, proposes the following:

1. To amend Map 12(4) of By-law 2009-189.
2. To amend Section 8, Special Provisions, of By-law 2009-189 to include new special provisions for each zone as follows.

From: Planning Services Department
Date: February 26, 2020
Subject: Public Meeting Report, Zoning By-law Amendment and Draft Plan of Subdivision, Lower Fourth Development Ltd and Pendent Development Ltd, Part Lot 17 - 20 Concession 1 NDS, File No. , Z.1317.05, 24T-19004/1317

Existing Development (ED) to Sub-Urban (S-55); General Urban (GU-68); Neighbourhood Centre (NC-69); Institutional (I-71); Open Space (O1) and Natural Heritage System (NHS). Numbers reflect existing special provisions.

A copy of the full Zoning By-law Amendment can be found in Appendix A1.

The draft plan of subdivision would allow for the extension of Carding Mill Trail and Preserve Drive together with the creation of various lots and blocks. The draft plan excerpt, Figure 1 below and contained within Appendix A2, illustrates the proposed development for the site.

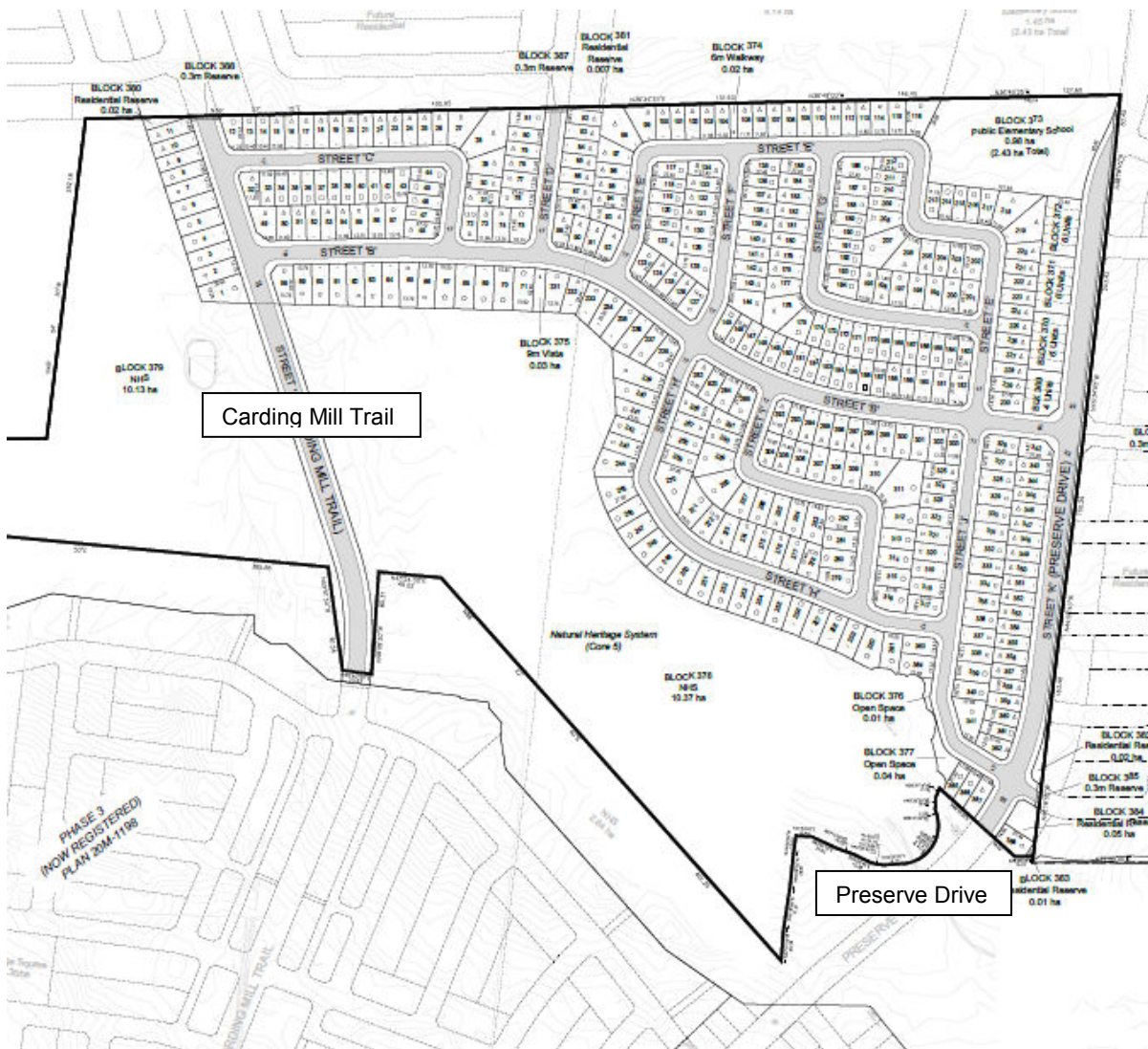


Figure 1 – Proposed Draft Plan Excerpt NTS

From: Planning Services Department
 Date: February 26, 2020
 Subject: **Public Meeting Report, Zoning By-law Amendment and Draft Plan of Subdivision, Lower Fourth Development Ltd and Pendent Development Ltd, Part Lot 17 - 20 Concession 1 NDS, File No. , Z.1317.05, 24T-19004/1317**

The draft plan of subdivision proposes to create lots and blocks containing a range of land uses as described below.

Draft Plan Feature	Number of Units	Area (ha)
Single Detached (15.25m)	39	1.94
Single Detached (13.75m)	109	4.63
Single Detached (11.60 m)	151	5.31
Single Detached (10.40 m)	69	2.12
Townhouses (freehold)	22	0.47
Elementary School	Partial block	0.98
Walkway		0.02
Vista		0.03
Open Space		0.05
NHS		20.50
Residential Reserve		0.11
0.3m reserves		0.00
17 m ROW		3.78
19 m ROW		1.25
22 m ROW		2.21
TOTAL	390	43.40

The housing types proposed are outlined in the table below:

Proposed Unit Type	Total
Detached Dwellings	368
Townhouses	22
TOTAL	390

The NHS area, as shown on the draft plan, reflects 47% of the draft plan area and would substantially complete Core 5, as envisioned by the North Oakville Creeks Subwatershed Study and the North Oakville East Secondary Plan.

Application submission material can also be found on the town's website site at <https://www.oakville.ca/business/da-34370.html>

Location/Site Description/Surrounding Land Uses (Figure 2)

The subject land, being approximately 43 hectares in size, is located east of Neyagawa Boulevard, west of Sixth Line and midway between Dundas Street West and Burnhamthorpe Road West.

From: Planning Services Department

Date: February 26, 2020

Subject: Public Meeting Report, Zoning By-law Amendment and Draft Plan of Subdivision, Lower Fourth Development Ltd and Pendent Development Ltd, Part Lot 17 - 20 Concession 1 NDS, File No. , Z.1317.05, 24T-19004/1317

These lands, together with the surrounding lands principally consist of vacant agricultural lands. The southerly portion of the site is part of Core 5, as identified in the North Oakville Creeks Subwatershed Study.

Further south are residential lands presently being developed (Preserve Phase 3 lands).

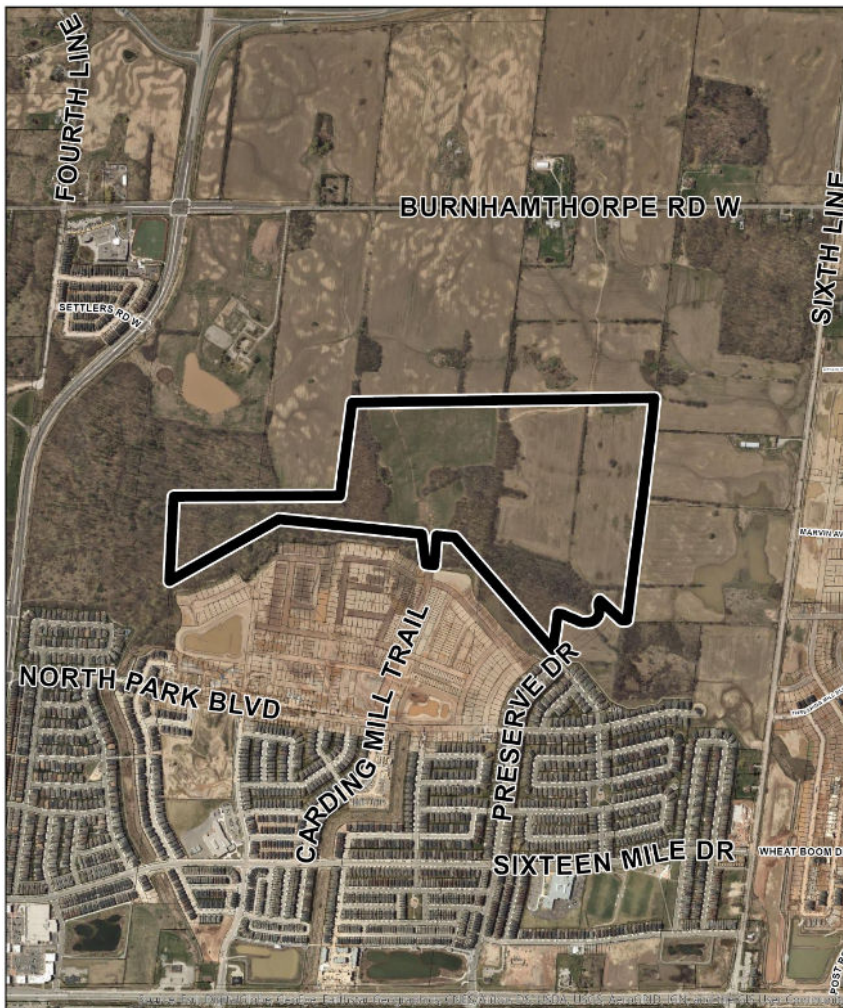


Figure 2: Air Photo NTS

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)

From: Planning Services Department

Date: February 26, 2020

Subject: **Public Meeting Report, Zoning By-law Amendment and Draft Plan of Subdivision, Lower Fourth Development Ltd and Pendent Development Ltd, Part Lot 17 - 20 Concession 1 NDS, File No. , Z.1317.05, 24T-19004/1317**

- Halton Region Official Plan
- North Oakville East Secondary Plan
- Zoning By-law 2009-189, as amended.

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.

Staff consider the existing designation and existing zoning to be consistent with the PPS as they would permit additional development to occur and provides protection of the natural heritage system.

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.

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 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.

Staff consider the existing designation and existing zoning to conform to or not

From: Planning Services Department
Date: February 26, 2020
Subject: **Public Meeting Report, Zoning By-law Amendment and Draft Plan of Subdivision, Lower Fourth Development Ltd and Pendent Development Ltd, Part Lot 17 - 20 Concession 1 NDS, File No. , Z.1317.05, 24T-19004/1317**

conflict with the Growth Plan as they aid in developing complete communities, support transit services, provides protection of the natural heritage system and aids in supporting the achievement of minimum intensification targets.

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.

North Oakville East Secondary 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* (OPA 15 and 317) provides the basic structural elements for the Town and identifies the site as Residential Area and Natural Heritage System. This is also reflected in Section 3, Urban Structure, of the *Livable Oakville Plan*. Official Plan Amendment 317 to the *North Oakville East Secondary Plan*, confirms the Town’s existing urban structure. OPA 317 was approved by Halton Region on April 26, 2018 and deemed to conform to the Growth Plan and is consistent with the PPS.

Land Use Policies

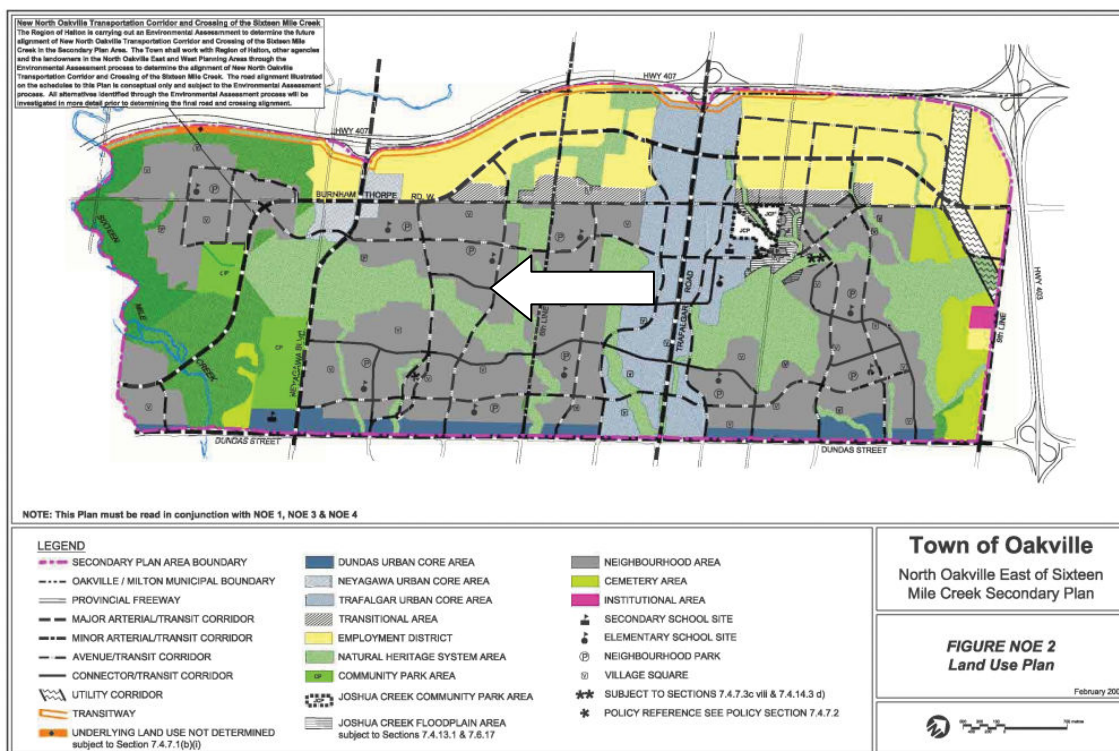
The North Oakville East Secondary Plan provides a planning framework for the lands north of Dundas Street and south of Highway 407 between Ninth Line in the east and approximately the Sixteen Mile Creek valley in the west. The North Oakville Plans are not part of the Livable Oakville Plan but endure as amendments to the town’s 2006 Official Plan.

From: Planning Services Department
 Date: February 26, 2020
 Subject: Public Meeting Report, Zoning By-law Amendment and Draft Plan of Subdivision, Lower Fourth Development Ltd and Pendent Development Ltd, Part Lot 17 - 20 Concession 1 NDS, File No. , Z.1317.05, 24T-19004/1317

The development of the North Oakville community is premised on a sustainable, design-first philosophy which promotes the protection of the natural environment, mixed use development, and a modified grid road system that enhances transportation options for transit and pedestrians.

The North Oakville East Secondary Plan (NOESP) was approved by the Ontario Municipal Board in 2008 through OPA 272 and was prepared to be consistent with the 2005 PPS and in conformity with the 2006 Growth Plan.

The subject land is designated *Neighbourhood Area, Natural Heritage System Area and Elementary School* as illustrated on Figure 3a below. The arrow identifies the location of the site.



The subject property is located with Neighbourhood 10 and 11 (Phase 2 lands) as outlined with Section 7.9.2 d) ii), and as shown on Figure NOE1 to the NOESP.

Appendix 7.3 - Master Plan

The North Oakville Master Plan, 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.

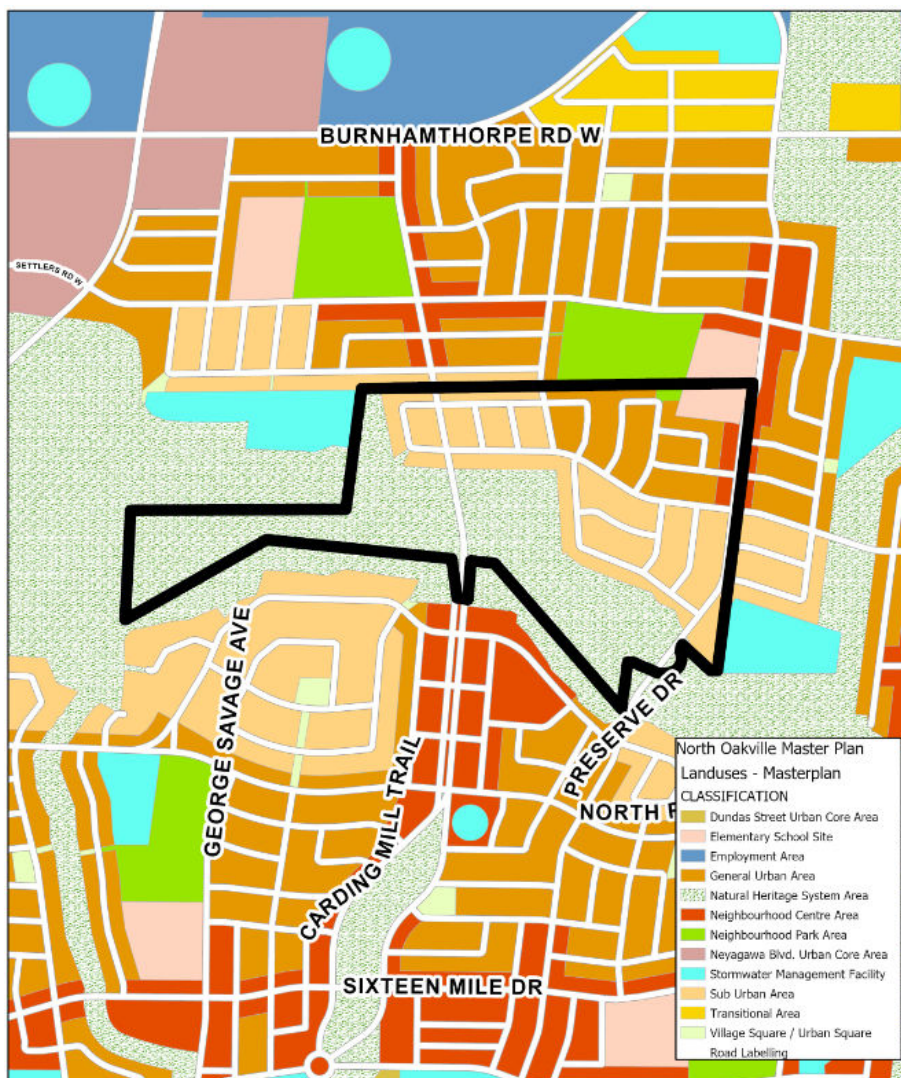


Figure 3b – North Oakville Master Plan Excerpt

Within the North Oakville Master Plan (Figure 4, excerpt above), the lands are further identified as *Natural Heritage System Area*, *General Urban Area*, *Sub Urban*

From: Planning Services Department
 Date: February 26, 2020
 Subject: Public Meeting Report, Zoning By-law Amendment and Draft Plan of Subdivision, Lower Fourth Development Ltd and Pendent Development Ltd, Part Lot 17 - 20 Concession 1 NDS, File No. , Z.1317.05, 24T-19004/1317

Area, Neighbourhood Centre Area, Elementary School Site and Neighbourhood Park.

The various North Oakville East Secondary Plan policies are contained within Appendix B to this report.

Zoning By-law (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 *Existing Development (ED)*, as illustrated on Figure 4 below. The *Existing Development (ED)* zone only allows uses that legally existed on the date of the parent by-law came into effect.

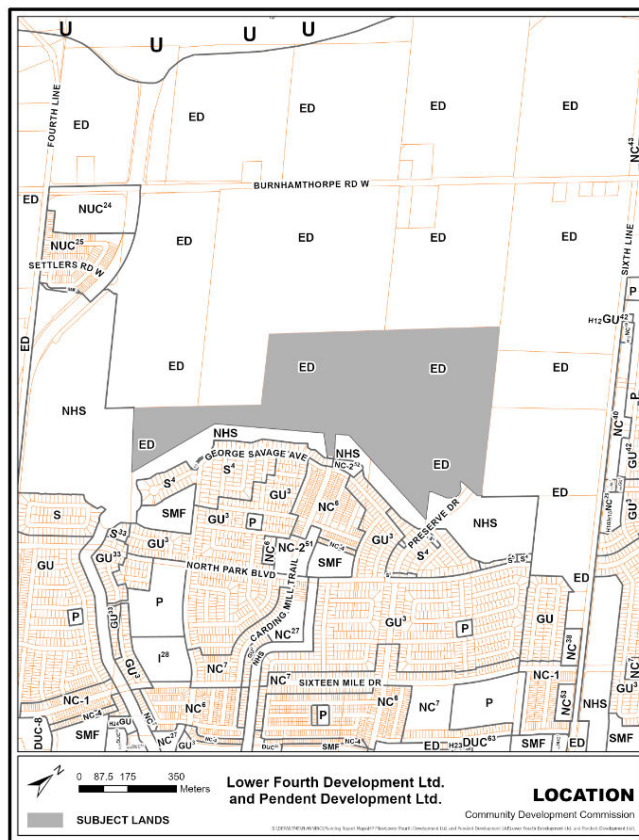


Figure 4 – Zoning By-law Excerpt

From: Planning Services Department
 Date: February 26, 2020
 Subject: Public Meeting Report, Zoning By-law Amendment and Draft Plan of Subdivision, Lower Fourth Development Ltd and Pendent Development Ltd, Part Lot 17 - 20 Concession 1 NDS, File No. , Z.1317.05, 24T-19004/1317

The application proposes to rezone the lands to various site-specific zones as shown in Figure 4b below to permit the redevelopment of the site for 390 residential units, a partial school block and two NHS blocks. Each suffix reflects an existing special provision within the North Oakville Zoning By-law.

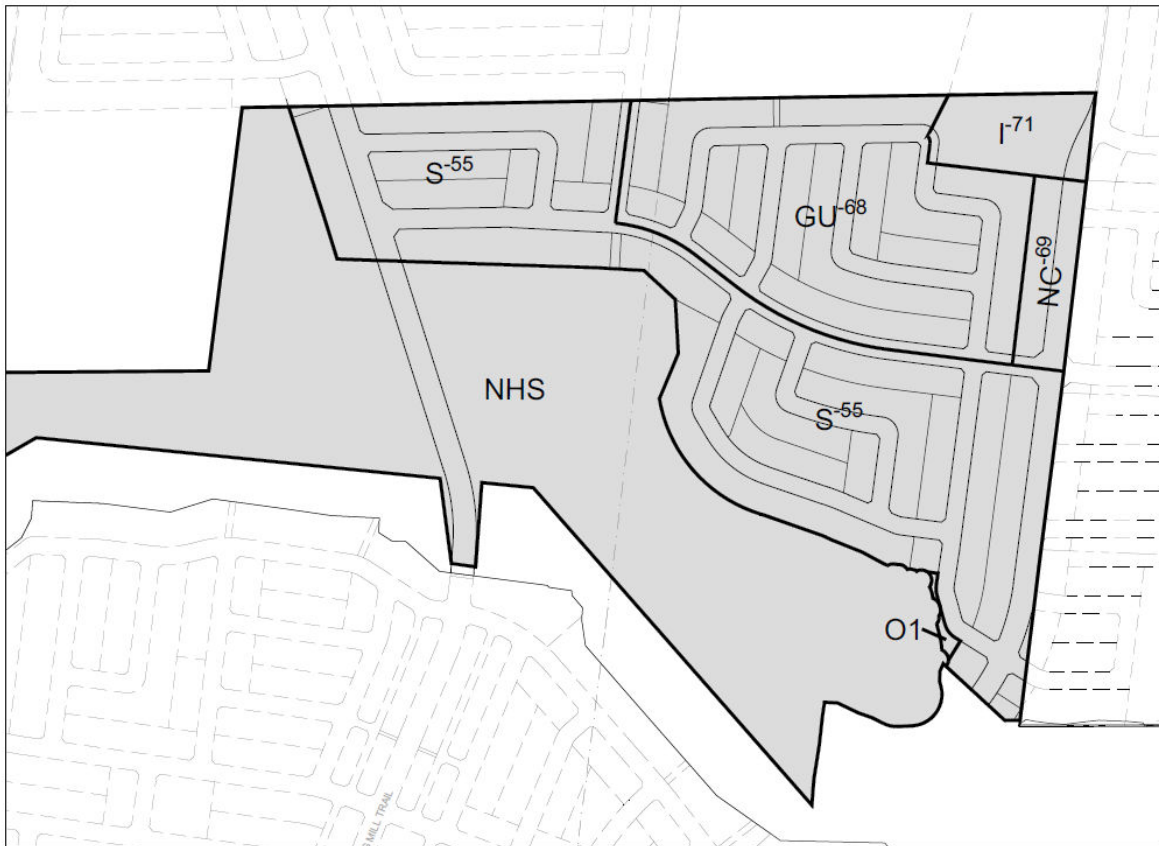


Figure 4b – Applicant's proposed zoning schedule

The applicant's proposed zoning by-law can be found within Appendix A1.

TECHNICAL AND 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 supporting documents are accessible on the town's website (<https://www.oakville.ca/business/da-34370.html>):

- Aerial;

From: Planning Services Department

Date: February 26, 2020

Subject: **Public Meeting Report, Zoning By-law Amendment and Draft Plan of Subdivision, Lower Fourth Development Ltd and Pendent Development Ltd, Part Lot 17 - 20 Concession 1 NDS, File No. , Z.1317.05, 24T-19004/1317**

- Draft Plan of Subdivision;
- Parking Analysis Plan;
- Pedestrian Circulation Plan;
- Planning Justification Report;
- Planning Density Plan
- Survey for Lower Fourth Development;
- Survey for Pendent Development;
- Transportation Impact Study;
- Tree Canopy Coverage Analysis; and,
- Urban Design Brief.

In addition, and prior to the submission of this application, the Preserve North Environmental Implementation Report and Functional Servicing Study was submitted.

Issues under Review/ Matters to be considered

The following issues and matters have been identified to date for further review and consideration. Not all circulation comments have been received to date, but will be considered in the future recommendation report.

- Confirmation of being a member of the North Oakville East Developers Group and party to the Cost Sharing Agreement.
- Consistency with the Provincial Policy Statement, 2014 and conformity to the 2019 Growth Plan for the Greater Golden Horseshoe.
- Conformity to the Region of Halton Official Plan and the inclusion of a Holding Provision to ensure, among other matters, that water and wastewater servicing allocation has been secured through Halton Region.
- Does the EIR/FSS appropriately implement the North Oakville Creek Subwatershed Study, and has the Natural Heritage System limits for Core 5 been adequately defined?
- Conformity with urban design policies on matters such as built form, compatibility with adjacent properties, interface with public realm/vista blocks and vehicular access.
- Exploration of mechanisms to obtain the additional lands to the north to create a complete school block and potential re-alignment of proposed

From: Planning Services Department

Date: February 26, 2020

Subject: **Public Meeting Report, Zoning By-law Amendment and Draft Plan of Subdivision, Lower Fourth Development Ltd and Pendent Development Ltd, Part Lot 17 - 20 Concession 1 NDS, File No. , Z.1317.05, 24T-19004/1317**

blocks.

- Justification for the proposed modifications to the parent zoning by-law ensuring the proposed zoning by-law amendment appropriately implements the vision of the North Oakville East Secondary Plan.
- Does the proposal reflect appropriate residential, mixed use and on-street parking?
- A comprehensive Transportation Impact Study was created by the Landowners Group for Neighbourhoods 9, 10 and 11. Staff have concerns with this parent document that would need to be addressed including any interim transportation and coordination matters.
- Coordination with the easterly abutting landowner with regard to stormwater management and connection to Pond 21 to the southeast of the site.
- Alignment with the Climate Emergency declared by Council in June 2019 for the purposes of strengthening the Oakville community commitment in reducing carbon footprints.

A complete analysis of this application will be undertaken including the foregoing matters, and other matters which may be subsequently identified.

CONSIDERATIONS

(A) PUBLIC

Notice for this meeting was distributed to all properties within 120 m of the subject property, residents who have already made comments on the proposal and is included on the signs posted at the site.

Prior to submission of the application, the applicant undertook a community consultation process, with a public open house on July 22, 2019 at town hall. Two members of the public attended and no concerns were raised.

(B) FINANCIAL

There is significant NHS area, for which trails would likely be built on behalf of the town and reimbursed in a later year. Bill 108 introduces significant changes to the financial tools available to the town. There are proposed changes to the development charges for growth related park and community infrastructure, replacing them with a capped community benefits charge. This is anticipated to impact the town's ability to ensure that "growth pays for growth" and the protection of complete communities.

From: Planning Services Department

Date: February 26, 2020

Subject: **Public Meeting Report, Zoning By-law Amendment and Draft Plan of Subdivision, Lower Fourth Development Ltd and Pendent Development Ltd, Part Lot 17 - 20 Concession 1 NDS, File No. , Z.1317.05, 24T-19004/1317**

(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.

CONCLUSION

Staff will continue to review and analyze the proposed application and address all technical matters along with submitted public comments, and report to Council at a future meeting. 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.

APPENDICES:

Appendix A1 - Applicant's Zoning By-law Amendment

Appendix A2 - Applicant's Draft Plan of Subdivision

Appendix B - Applicable Policies

Appendix C - Public Comments

Prepared by:
Robert Thun, MCIP, RPP
Senior 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