



OAKVILLE

## REPORT

PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: JUNE 16, 2020

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**FROM:** Planning Services Department

**DATE:** June 3, 2020

**SUBJECT:** **Public Meeting Report, Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision, Digram Developments Oakville Inc., Part Lot 16, Concession 1 NDS, File No. OPA 1316.08 , Z.1316.08, 24T-20003/1316**

**LOCATION:** West side of Sixth Line, north of Marvin Avenue

**WARD:** 7

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### RECOMMENDATION:

1. That the public meeting report, prepared by the Planning Services Department dated June 3, 2020, be received.
2. That comments from the public with respect to the Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision by Digram Developments Oakville Inc., File No.: OPA1316.08. Z.1316.08, 24T-20003/1316, be received.
3. That staff consider such comments as may be provided by Council.

### KEY FACTS:

Digram Developments Oakville Inc. has submitted an Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision to redevelop approximately 8 hectares of land for 501 dwellings, a stormwater management facility, a block for apartment units and a natural heritage system block. Access to the site, as proposed, is from Sixth Line to the east through the southerly Argo lands and the abutting westerly Mattamy lands, once those properties are developed.

The subject lands are designated *Neighbourhood Area* and *Natural Heritage System Area* 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 designations and zoning are consistent with the Provincial Policy Statement; conform to all applicable Provincial plans, the Region of Halton

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

The application will be considered under Bill 108, which provides for a 120 day timeline, ending June 17, 2020, before an appeal can be filed for lack of decision. However, due to the Covid pandemic, the Provincial Government has issued a regulation that effectively suspends this timeline.

### **BACKGROUND:**

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 approximately 8 hectares of land as follows:

- 501 residential dwellings (141 townhouses and 360 apartment units);
- a Natural Heritage System blocks (Block 25) for the West Morrison Creek;
- a stormwater management pond (Block 24); and,
- a Neighbourhood Centre block for 360 apartment units (Block 27 subject of the OPA).

Access would be from Sixth Line through the Argo Development lands to the south and from the future westerly development lands associated with the Mattamy (Preserve North) lands.

The site specific Official Plan Amendment, as submitted, proposes to increase the density of Block 27 from 150 uph to a maximum density of 260 uph, to permit the developments of 360 residential apartment units.

A copy of the proposed Official Plan Amendment can be found in Appendix A1.

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

1. Amend Map 12(4) of By-law 2009-189.
2. Amend Section 8 Special Provisions, of By-law 2009-189 to include new special provisions for each of the proposed zones as follows:

| From:                     | To:  |
|---------------------------|--|
| Existing Development (ED) | Neighbourhood Centre (NC-2 sp: xx);<br>Neighbourhood Centre (NC sp: xx);<br>General Urban (GU sp: xx);<br>Suburban (S sp: xx);<br>Natural Heritage System (NHS); and,<br>Storm Water Management Facility (SMF) |

A copy of the proposed zoning by-law amendment can be found in Appendix A2.

The draft plan excerpt, Figure 1a below and contained within Appendix A3, illustrates the proposed development for the site.

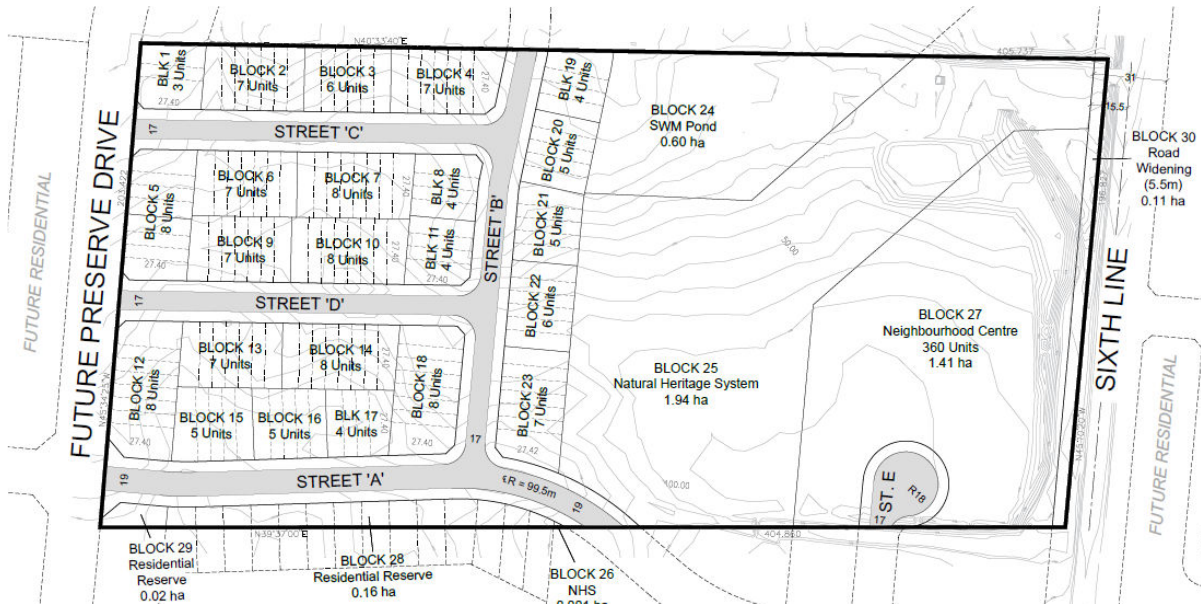


Figure 1a – Proposed Draft Plan Excerpt NTS

The draft plan of subdivision would create blocks containing a range of uses as described below together with the extension of Marvin Avenue.

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| <b>Draft Plan Feature</b> | <b>Number of Units</b> | <b>Area (ha)</b> |
|---------------------------|------------------------|------------------|
| Street Townhouses (5.5 m) | 141                    | 2.51             |
| SWM Pond                  |                        | 0.60             |
| NHS                       |                        | 1.94             |
| Neighbourhood Centre      | 360                    | 1.41             |
| Residential Reserve       |                        | 0.18             |
| Road Widening             |                        | 0.11             |
| 17 m ROW                  |                        | 0.91             |
| 19 m ROW                  |                        | 0.42             |
| <b>TOTAL</b>              | <b>501</b>             | <b>8.08</b>      |

The proposed housing types are outlined in the table below:

| <b>Proposed Unit Type</b>         | <b>Total</b> |
|-----------------------------------|--------------|
| Street Townhouses (Blocks 1 - 23) | 141          |
| Apartment Units (Block 27)        | 360          |
| <b>TOTAL</b>                      | <b>501</b>   |

Block 27, which is the subject of the Official Plan Amendment, proposes three six storey apartment buildings, conceptually shown in Figure 1b.

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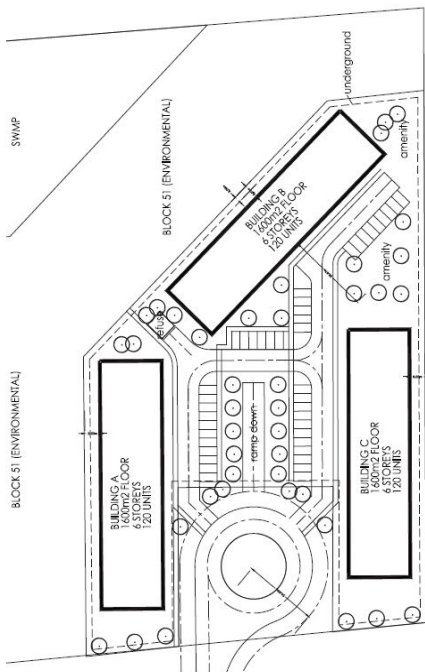


Figure 1b – Block 27 proposed development, NTS

Figure 1c shows this subdivision, identified as number 7, in the context of Neighbourhoods 9, 10 and 11 of the North Oakville East Secondary Plan (NOESP).

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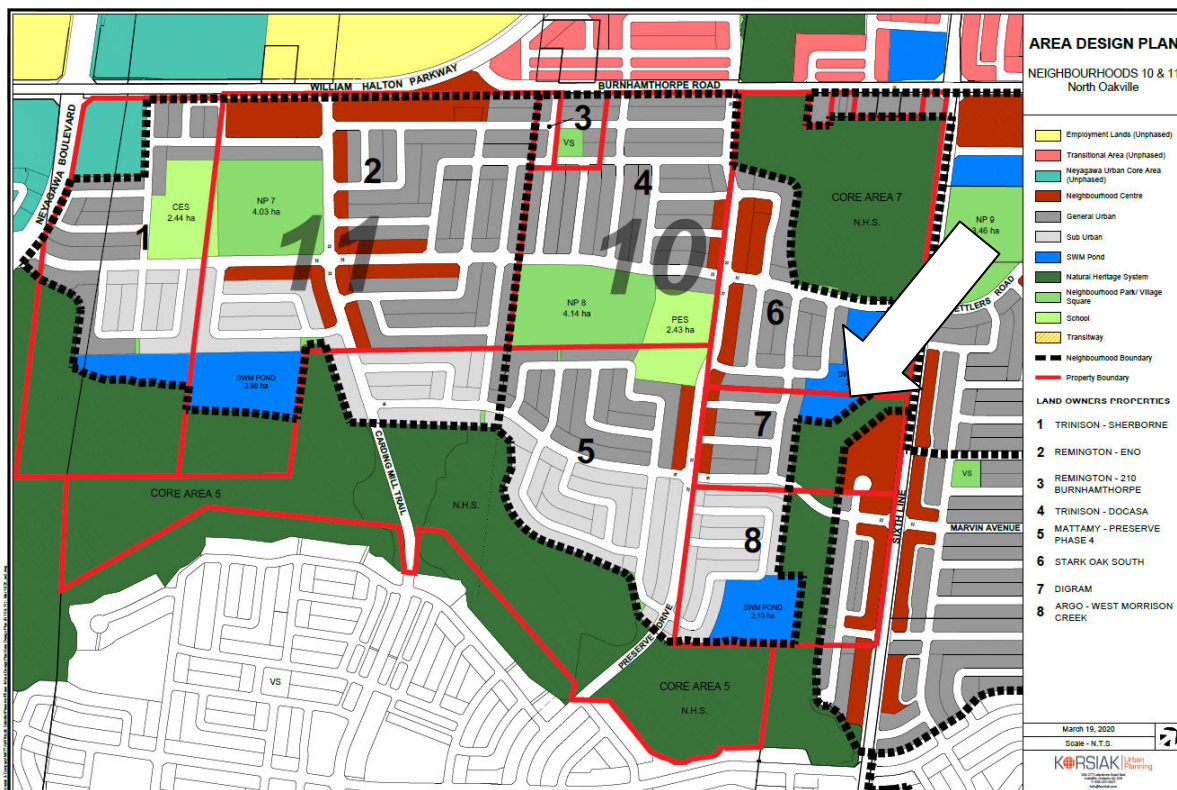


Figure 1c – Subdivision context plan

Application submission material is found on the town’s website site at <https://www.oakville.ca/business/da-35086.html>.

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

The subject land, being approximately 8 hectares in size, is located on the west side of Sixth Line, north of Marvin Avenue.

These lands are remnant agricultural lands, as are the lands to the west and north. Lands to the east and south (Argo Developments) are proposed for residential development.

The West Morrison Creek traverses the subject land, both in the agricultural field and within the Sixth Line roadside ditch.



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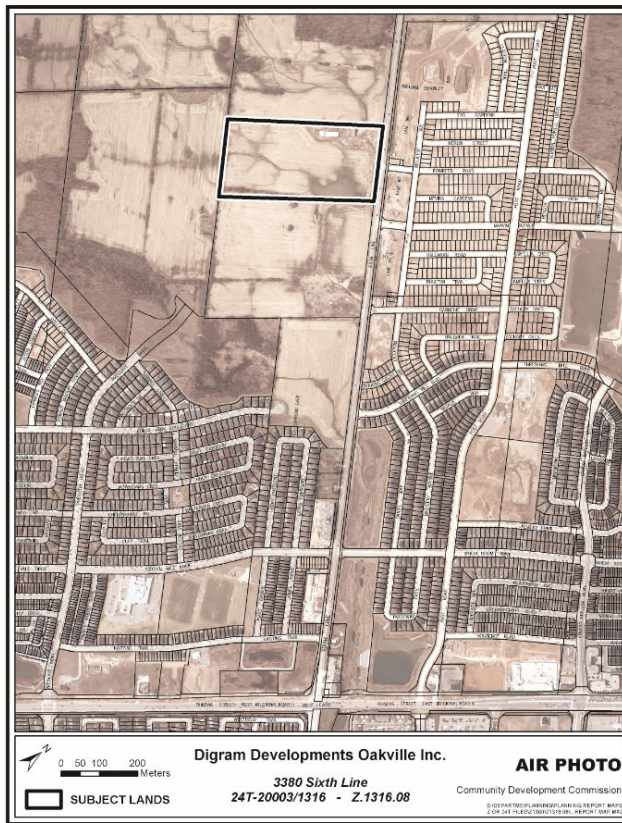


Figure 2: Air Photo NTS

## PLANNING POLICY & ANALYSIS

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

- Provincial Policy Statement (2020)
- Growth Plan for the Greater Golden Horseshoe (2019)
- Halton Region Official Plan
- North Oakville East Secondary Plan
- Zoning By-law 2009-189, as amended

### Provincial Policy Statement

The Provincial Policy Statement (2020) ('PPS'), which came into effect May 1, 2020, continues to recognize 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 encourages Planning authorities to permit and facilitate a range of housing options, including new development as well as

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residential intensification, to respond to current and future needs for a time horizon of up to 25 years.

The PPS (2020) promotes the integration of land use planning, growth management and transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments and standards to minimize land consumption and servicing costs.

The future recommendation report will provide a full review of the development proposal in accordance with the PPS (2020).

### **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.

The future recommendation report will provide a full review of the development proposal in accordance with the Growth Plan.

### **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.



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## **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* provides the basic structural elements for the Town and identifies the site as *Residential Areas* 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 (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 Secondary Plan includes detailed policies establishing general development objectives to guide the future development of the area covered by the Plan.

The subject land is designated *Neighbourhood Area* and *Natural Heritage System Area*, as illustrated on Figure 3a below.

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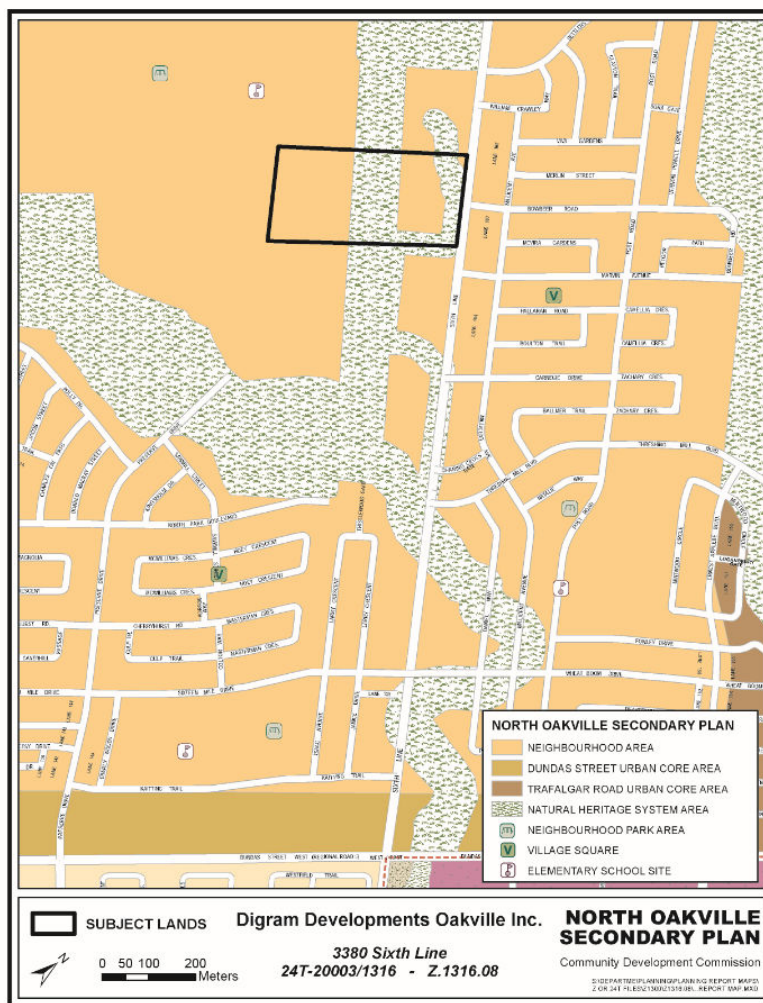


Figure 3a – North Oakville East Secondary Plan - Figure NOE2

Appendix 7.3 - Master Plan

The lands are further identified as *Natural Heritage System Area, General Urban Area, Suburban, Neighbourhood Centre Area and Stormwater Management Facility*, as shown in Appendix 7.3 North Oakville Master Plan (Figure 3b below).

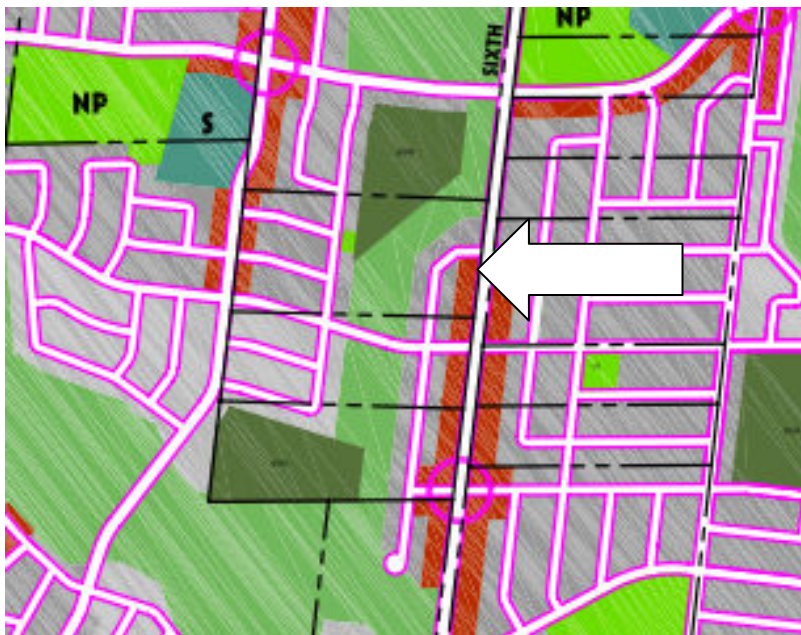
The North Oakville Master Plan illustrates the conceptual design and land use categories for the North Oakville East planning area.

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.

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LEGEND

|  |                                      |  |   |  |   |
|--|--------------------------------------|--|---|--|---|
|  | SECONDARY PLAN AREA BOUNDARY         |  | INSTITUTIONAL AREA                                  |  | UTILITY CORRIDOR                              |
|  | OAKVILLE / MILTON MUNICIPAL BOUNDARY |  | STORMWATER MANAGEMENT FACILITY (final location tbd) |  | NEIGHBOURHOOD ACTIVITY NODE                   |
|  | TRANSITWAY                           |  | COMMUNITY PARK AREA                                 |  | CEMETERY AREA                                 |
|  | DUNDAS STREET URBAN CORE AREA        |  | NEIGHBOURHOOD PARK AREA                             |  | NEIGHBOURHOOD CENTRE AREA                     |
|  | NEYAGAWA BLVD. URBAN CORE AREA       |  | VILLAGE SQUARE/URBAN SQUARE                         |  | GENERAL URBAN AREA                            |
|  | TRAFALGAR ROAD URBAN CORE AREA       |  | ELEMENTARY SCHOOL SITE                              |  | SUB URBAN AREA                                |
|  | TRANSITIONAL AREA                    |  | SECONDARY SCHOOL SITE                               |  | HIGH DENSITY RESIDENTIAL AREA                 |
|  | EMPLOYMENT AREA                      |  | JOSHUA CREEK FLOODPLAIN AREA                        |  | POLICY REFERENCE - SEE POLICY SECTION 7.4.7.2 |
|  | NATURAL HERITAGE SYSTEM AREA         |  |   |  |   |

Figure 3b – North Oakville Master Plan Excerpt

Applicable North Oakville East Secondary Plan policies are contained within Appendix B attached to this report.

The applicant’s proposed Official Plan Amendment applies only to Block 27 on the draft plan of subdivision. It requests an increase in the maximum density for this Neighbourhood Centre block from 150 units per net hectare to 260 units per hectare to permit three six storey apartment buildings. The proposed OPA can be found in its entirety in Appendix A1 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, so as to implement the intent of the North Oakville East and West Secondary Plans. Town Council approved the North Oakville Zoning Bylaw on November 23, 2009.

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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.

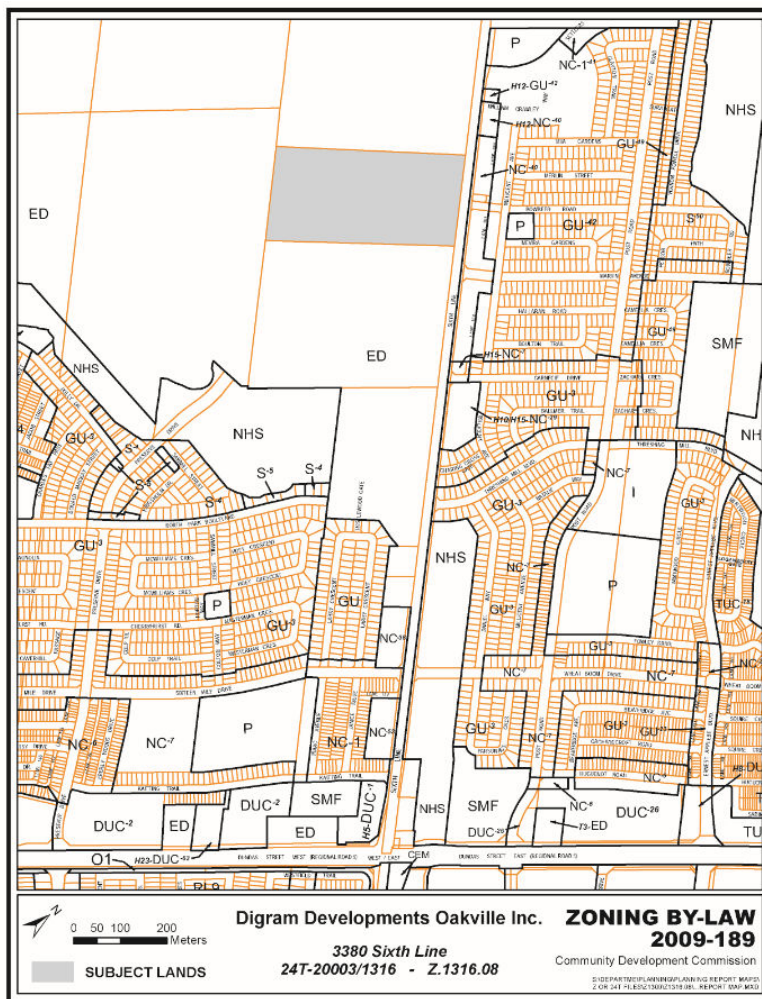


Figure 4 – Zoning By-law Excerpt

The application proposes to rezone the lands to a number of site-specific zones to permit the redevelopment of the site for 501 residential units, stormwater management facility and a NHS block as previously outlined in this report.

The applicant’s proposed zoning by-law amendment can be found within Appendix A2.

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**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-35086.html>:

- Aerial;
- Archaeological Report – Stage 1;
- Density Plan;
- Draft Official Plan and Zoning By-law Amendments;
- Draft Plan of Subdivision;
- Environmental Site Assessment - Phase 1;
- Parking Plan;
- Grading and SWM Plans
- Planning Justification Report;
- Survey; and,
- Urban Design Brief.

**Issues under Review/ Matters to be considered**

The following issues and matters are 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 and Master Parkland Agreement.
- Consistency with the Provincial Policy Statement, 2020 and conformity to the 2019 Growth Plan for the Greater Golden Horseshoe.
- Conformity to the Region of Halton Official Plan.
- Does the EIR/FSS appropriately implement the North Oakville Creeks Subwatershed Study? Have the Natural Heritage System limits (the West Morrison Creek) been appropriately defined?
- Conformity with urban design policies on matters such as built form, transitions and compatibility with adjacent properties, interface with public



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realms and vehicular access.

- Justification for the proposed modifications to the NOESP and the North Oakville zoning by-law ensuring the proposed amendments appropriately implement the vision of the North Oakville East Secondary Plan.
- Is the development of Block 27 with an increase in density from 150 units per site hectare to 260 units per site hectare for Block 27 (Neighbourhood Centre) appropriate and does it maintain the intent of the NOESP?
- Street E - Rationale to deviate from the Master Plan with no connection to the intersection of Bowbeer Road and Sixth Line.
- Appropriate on-street parking and visitors parking.
- The Landowners Group created a comprehensive Transportation Impact Study 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. Street E is proposed to end in a cul-de-sac. Has appropriate justification been provided which differs from that of the North Oakville Master Plan?
- Coordination is necessary with the town's Sixth Line reconstruction project. Has the Sixth Line road widening been accurately identified?
- 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.



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**CONSIDERATIONS:**

**(A) PUBLIC**

Notice for this meeting was distributed to all properties within 120 m of the subject property and is included on the sign posted at the site.

In consideration of the Covid-19 pandemic, the applicant was not able to hold a developer sponsored public information meeting. As an alternative, the applicant sent out material to the landowners within 120 metres of the site and to the ward councillors with a response date of May 25, 2020. At the time of writing this report, one submission was made by Hydro One. No concerns were raised through this public process.

**(B) FINANCIAL**

Development Charges would be applicable to this development. The NHS area may result in trail work that would be done on behalf of the town and reimbursed in a future year. On June 6, 2019, Bill 108, More Homes, More Choices Act (Bill 108), received Royal Assent. Parts of the Bill are now in force while others await proclamation. Bill 108 introduces significant change to the financial tools available to the town. *Planning Act* changes with respect to density and height bonusing, parkland and cash-in-lieu of parkland, and some development charges will be replaced 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. Details of the final regulations are pending.

**(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.

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**CONCLUSION:**

Planning 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 Official Plan Amendment
- Appendix A2 - Applicant's Zoning By-law Amendment
- Appendix A3 - Applicant's Draft Plan of Subdivision
- Appendix B - Applicable Policies

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