



OAKVILLE

REPORT

PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: AUGUST 6, 2019

FROM: Planning Services Department

DATE: July 15, 2019

SUBJECT: **Public Meeting Report - Zoning Amendment and Draft Plan of Subdivision - 157 Cross Avenue**
File No.: Z. 1614.73 and 24T-19002/1614

LOCATION: 157 Cross Avenue

WARD: 3

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RECOMMENDATION

1. That the public meeting report prepared by the Planning Services Department dated July 15, 2019, be received.
2. That comments from the public with respect to the proposed Zoning amendment submitted by Can-China Real Capital Inc. (File No.: Z.1614.73 and 24T-19002/1614), be received.
3. That staff consider such comments as may be provided by Council.

KEY FACTS

The applicant has submitted a proposed zoning amendment and draft plan of subdivision application to permit the development of a 26 storey and 12 storey mixed use (residential and commercial) building consisting of 255 residential units, 289 m² retail and 579 m² of office GFA.

The subject lands are located within the Midtown Oakville Growth Area adjacent to the Oakville GO Station which is planned to accommodate significant intensification to meet prescribed Provincial, Regional and municipal targets.

The key development constraints within the Midtown Growth Area include transportation and municipal servicing infrastructure limitations. Although works necessary to address these issues have been identified partly through the approved Midtown Oakville Class Environmental Assessment and OPA 14, the timing of

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implementation and financing of these works has not been determined. Staff note that OPA 14 is partially in force pending the resolution of outstanding appeals.

The Town’s Livable Oakville Plan requires the implementation of a Holding provision as part of any zoning approval until appropriate municipal servicing and transportation infrastructure has been constructed to accommodate development (Part F, Section 28.2).

The application was submitted and deemed complete on April 1, 2019 under Bill 139. It is anticipated that Council will have an opportunity to consider the staff recommendation report in September 2019.

BACKGROUND

Proposal

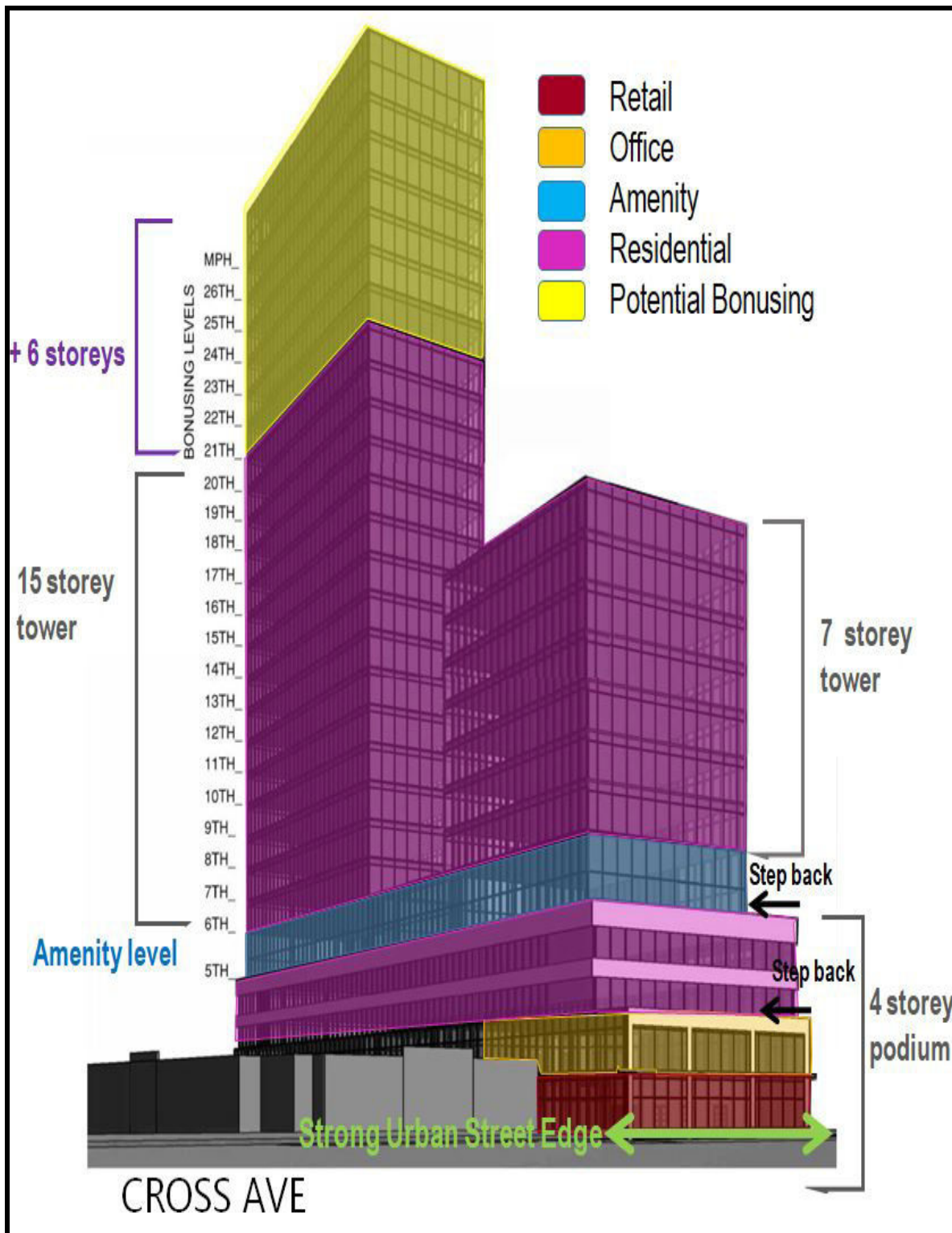
The applicant has submitted a proposed zoning amendment and draft plan of subdivision application to permit the development of a 26 storey and 12 storey mixed use (residential and commercial) building consisting of 255 residential units, 289 m² retail and 579 m² of office GFA. The high rise towers will be connected by a 4 storey podium. The proposal includes a combination of one bedroom (87 units) and two bedroom (165 units) all of which are proposed to be less than 75 m².

A total of 228 parking spaces are proposed for residential uses and 20 spaces for commercial uses.

The draft plan of subdivision provides for the future conveyance of the east/west local municipal road in accordance with Livable Oakville (Schedule L3 of the Midtown Oakville Transportation network).

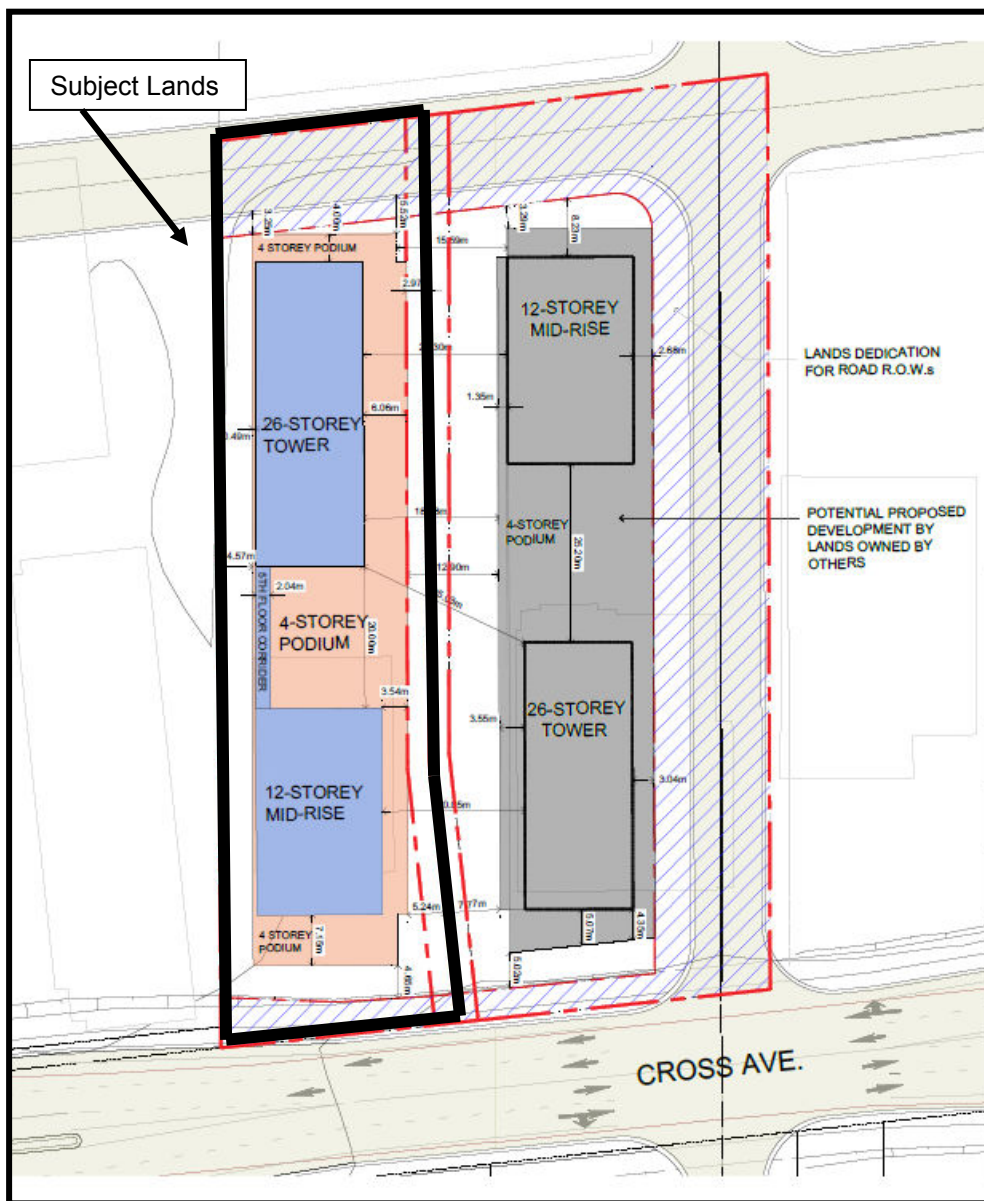
The following chart provides an overview of the proposal relative to the Midtown Oakville Parking Strategy and Zoning By-law 2014-014.

Use	Midtown Strategy	2014-014	Proposed Parking
Res Apt < 75 m²	1 space/unit +0.15/unit visitor	1 space/unit (including 0.2 spaces/unit visitor)	0.90 space/unit (including visitor)
252 units	252 tenant spaces 38 visitor	202 tenant spaces 50 visitor	171 spaces 57 visitor
Commercial: Office 579 m² Retail 289 m²	2.5/100 m ² = 15 sp 3/100 m ² = 9 sp 24 commercial spaces	None None	 20 spaces (all commercial uses)



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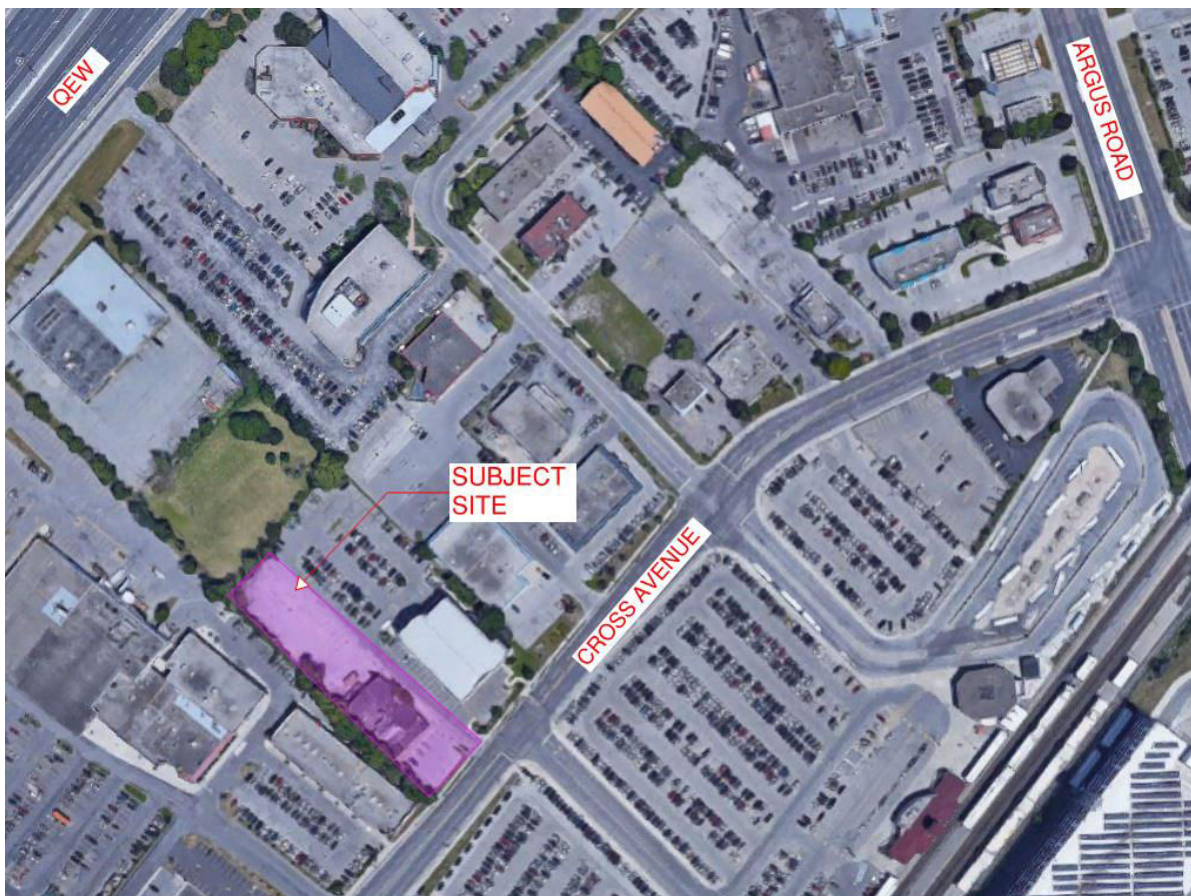
Conceptual layout showing how lands may develop with adjacent lands to the east.



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Midtown Oakville – Development Approvals



Location

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Location & Site Description

The subject lands are located in Midtown Oakville along the north side of Cross Avenue, directly across the street from the Oakville Station. The municipal address is 157 Cross Avenue.

The lands are 0.382 hectares in area and currently contain a single storey commercial building. Vehicular access to Cross Avenue is currently provided via a mutual driveway which is shared with the abutting lands and commercial use to the east.

The lands have approximately 33 m of frontage on Cross Avenue and a lot depth of approximately 128 m.

Surrounding Land Uses

The surrounding land uses are as follows:

- To the south – Cross Avenue and Oakville GO parking lot
- To the east – a three storey storey retail/office commercial use
- To the west – a single storey multi tenant commercial use
- To the north – a single storey commercial use

PLANNING POLICY & ANALYSIS

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

- Provincial Policy Statement (2014)
- 2019 Growth Plan for the Greater Golden Horseshoe (2007)
- 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.

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The subject lands are located within a settlement area, which are areas to be the focus of growth and development. The land use patterns within the settlement areas 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.

The PPS also 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. The PPS therefore recognizes that healthy, liveable and safe communities are sustained by, among other matters, accommodating an appropriate range and mix of densities and land uses.

Excerpts attached as Appendix B.

Growth Plan (2019)

The 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 that it is to be read in its entirety, and the relevant policies are to be applied. When more than one policy is relevant, a decision maker should consider all of the relevant policies to understand how they work together.

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 "Built-up Area."

The subject lands are also a designated Urban Growth Centre which is planned to accommodate significant population and employment growth and support the transit network at a regional scale. Urban Growth Centres are intended to achieve a minimum density target of 200 residents and jobs combined per hectare by 2031.

Municipalities are required to develop a strategy to achieve the minimum intensification target and intensification throughout delineated built-up areas which will identify strategic growth areas to support the achievement of the intensification target and recognize them as a key focus for development.

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.

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Excerpts attached as Appendix B.

Halton Region Official Plan

The subject lands are designated “Urban Area” in the Halton Region Official 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 is subject to the policies of the Regional Plan.

Livable Oakville Plan

Background

- The Midtown Oakville area around the Oakville GO Station has long been recognized for its redevelopment potential due to its location and the number of vacant or underutilized properties.
- The Livable Oakville Plan (adopted by Council in 2019 and approved by the OMB in 2011) introduced Midtown Oakville as an Urban Growth Centre, and defined it as one of the town’s primary Growth Areas planned to accommodate significant intensification.
- Midtown is defined as a Mobility Hub by Metrolinx’s Big Move Plan as it serves several transit functions through GO Transit, VIA and the town’s transit station. A Mobility Hub specific to Midtown was completed by Metrolinx in 2012 and provides a long term vision for station operations, including the extension of the rail platform eastwards across Trafalgar Road, the provision of additional GO passenger parking and changes to pedestrian and vehicular access and circulation as well as the bus loop.

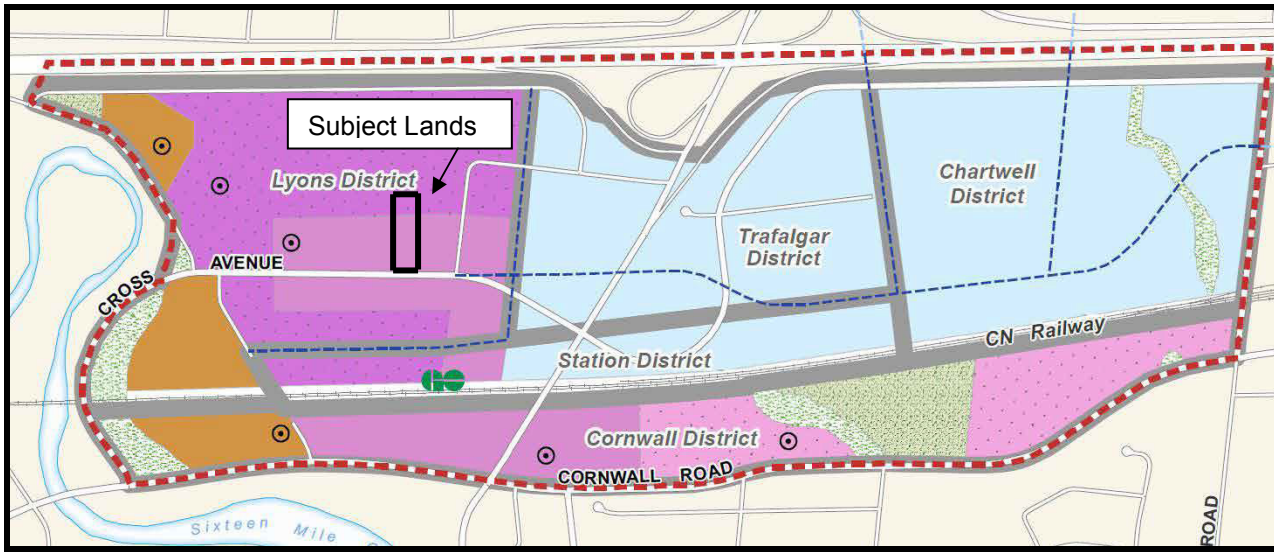
The following Livable Oakville policies apply to the proposed development:

- Schedule A2 – Built Boundary and Urban Growth Centre – identifies the property as being located within the “Midtown Oakville Urban Growth Centre”.
- Schedule L1 – Midtown Oakville Land Use – identifies the site within the Lyons District area and designates the southerly portion of the lands as Urban Centre and the northerly portion as Urban Core. The lands are eligible for bonusing. *(Staff note that Section 37 of the Planning Act (Bonusing provisions) will be replaced with a new CBC (Community Benefit Charge) under Bill 108.)*

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- Schedule L2 – Midtown Oakville Building Heights – the Urban Centre and Urban Core designations have height permissions of 6 to 12 storeys for the southerly portion and 8 to 20 storeys for the northerly portion respectively.
- Schedule L3 – Midtown Oakville Transportation Network – identifies the future local road network. Cross Avenue is designated as a minor arterial intended to achieve a 28 m right-of-way. The north/west local road is intended to achieve a 22 m right-of-way as identified on Schedule L3.
- Part E: Growth Areas, Special Policy Areas and Exception includes specific policies which provide direction for the development of this area. The Lyons District is anticipated to develop into a compact mixed use neighbourhood, including taller residential buildings and at-grade retail uses oriented towards Cross Avenue, as noted in Policy 20.3.3 of Livable Oakville.
- Policy 20.4.1 speaks to the requirement of a variety of transportation facilities to be improved and constructed to achieve the development objectives within Midtown, and identifies environmental assessments and detailed transportation studies where required.
- Policy 20.7.1: Phasing and Transition (a) states that:
 - “Development will likely occur gradually over the long-term and be coordinated with the provision of infrastructure, including:*
 - ii) road network capacity;*
 - iv) water and waste water services”*
- Part F, Section 28.2 Holding By-laws – 28.2.2 states: *“A site specific holding by-law shall be used to implement this Plan.....a) to ensure that certain conditions, studies or requirements related to a proposed zoning change are met....c) to ensure that adequate infrastructure and community services and facilities are, or shall be, available in accordance with municipal standards.”*

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Zoning By-law 2014-014

The subject lands are zoned Midtown Transitional Commercial (MTC) which restricts all building envelopes to those legally existing on the effective date of the 2014 Zoning By-law.

Any new buildings and structures would require an amendment to Zoning By-law 2014-014 which would provide an opportunity to evaluate the impacts of a proposal in terms of conformity with the Livable Oakville Plan including the acquisition of future roads required in Midtown.

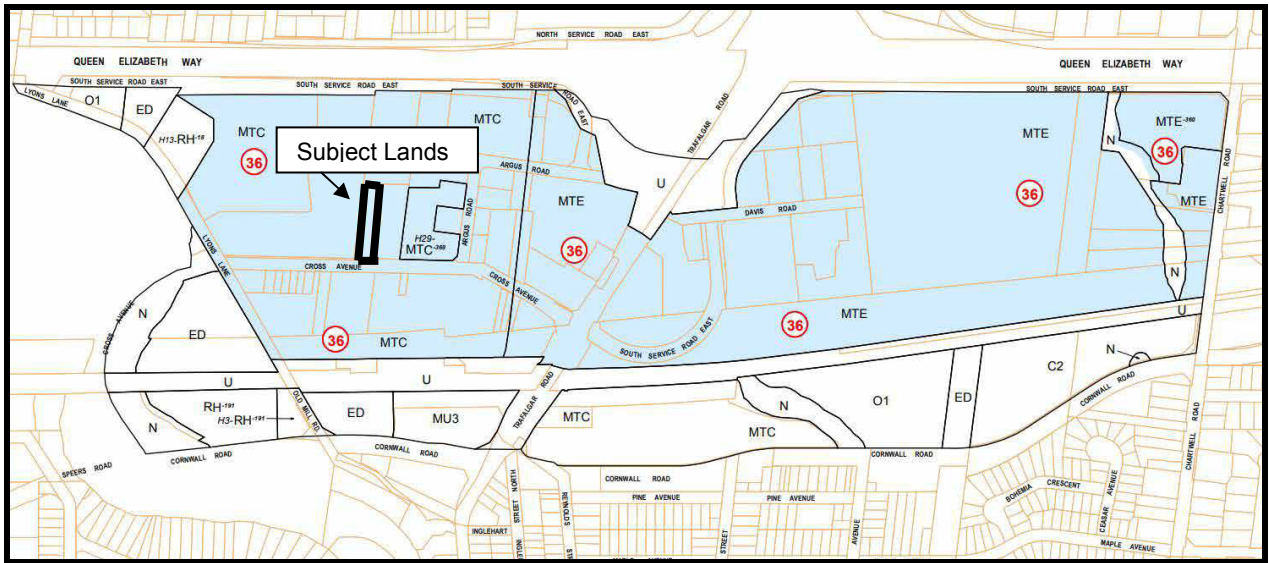
Staff note that the MTC zoning is not in full force and effect pending the resolution of an outstanding appeal.

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Urban Structure

Midtown Oakville is one of six Growth Areas (Uptown Core, Palermo Village, Downtown Oakville, Bronte Village and Kerr Village) which are intended to provide for a concentration of mixed use and higher density development.

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 26, 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* within OPA 15 as being within a Regional Transit Node based on its proximity to the Oakville GO Station. Regional Transit Nodes are at key locations to integrate with the town-wide transportation system and to provide a focus for transit supportive development.

TECHNICAL & PUBLIC COMMENTS

The proponent has submitted technical studies in support of the application which has been circulated to various public agencies and internal town departments for

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comment. The following studies and supporting documentation are also accessible on the town's website:

- Planning Justification Report/Urban Design Brief
- Draft plan of subdivision
- Conceptual site plan and elevation plans
- Functional Servicing Report
- Traffic Impact Study
- Shadow Study

Municipal Services – Water and Wastewater

The Region of Halton has advised that there are existing downstream sanitary sewer capacity issues which will need to be resolved prior to development proceeding.

- 525 mm Wastewater Main on Cross Avenue between Argus Road and Lyons Lane – not currently funded
- 625 mm wastewater main on Trafalgar Road between Spruce Street to approximately 60 m north of Cornwall Road – not currently funded

Issues Under Review / Matters to be Considered

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

- Consistency with the Provincial Policy Statement 2014 and conformity to the Growth Plan for the Greater Golden Horseshoe 2019.
- The subject lands are located within the Midtown Oakville Growth Area as identified by Livable Oakville and is planned to accommodate a large share of population and employment growth, serve as a high density employment centre, accommodate transit infrastructure and be planned as a focal area for investment. The proposed development would assist in achieving the Town's policies and provincial objectives.
- Conformity with Midtown Oakville Urban Design Guidelines including scale and massing, shadow impacts and appropriate separation distances between buildings.

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- Appropriateness of proposed Cross Avenue driveway access and internal circulation including suitability of shared access and future access to adjacent local roads.
- Alignment of future east/west local road and timing of construction.
- Establishment of an appropriate parking standard for residential and commercial uses including visitor parking.
- Coordination of proposed development with adjacent lands to the east in terms of access, internal circulation and separation distances between buildings.
- Coordination of the proposed development with the Metrolinx Mobility Hub vision for the Oakville GO Station in terms of future modifications to vehicular access, pedestrian circulation and the bus loop.
- Confirmation of adequate transportation and servicing infrastructure to accommodate the proposed development.
- The implementation of a holding provision as a component of the zoning by-law to ensure that servicing and transportation infrastructure is available to accommodate the proposed development.
- Bill 108 implications on the ability to utilize bonusing provisions in a manner intended by the Livable Oakville Plan.

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

CONSIDERATIONS

(A) PUBLIC

Notice for the public meeting has been distributed in accordance with the Planning Act.

(B) FINANCIAL

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. To date, only some information on some of the proposed regulations and to be prescribed matters has been provided. Bill 108 introduces significant changes to the financial tools available to the town. Planning Act changes with respect to Section 37 (density and height

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bonusing), Section 42 parkland dedications and payments in lieu, along with proposed changes to Development Charges (DCs) for growth-related park and community infrastructure will be replaced with a capped community benefits charge (CBC). This is anticipated to significantly undermine the town's ability to ensure that "growth pays for growth" and emplacement of complete communities. In addition, the Province, through this bill may now order a municipality to establish a development permit system that applies to a specified area or to an area surrounding and including a specified location.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

The application is currently in circulation to internal departments and public agencies for comment. The application remains in technical circulation.

(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

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 submissions.

APPENDICES

- Appendix A – Draft Plan of Subdivision
- Appendix B – PPS and Growth Plan excerpts

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

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