



OAKVILLE

## REPORT

PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: JULY 6, 2020

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**FROM:** Planning Services Department

**DATE:** June 24, 2020

**SUBJECT:** **Public Meeting Report - Official Plan Amendment and Zoning By-law Amendment, FCHT Holdings (Ontario) Corporation - 271 Cornwall Road and 485 Trafalgar Road, File No.: Z.1612.14, OPA 1612.14**

**LOCATION:** 271 Cornwall Road and 485 Trafalgar Road

**WARD:** 3

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### RECOMMENDATION:

1. That the public meeting report, prepared by the Planning Services Department dated June 24, 2020, be received.
2. That comments from the public with respect to the proposed Official Plan Amendment, and Zoning By-law Amendment applications submitted by FCHT Holdings (Ontario) Corporation (File No.'s: Z.1612.14 and OPA.1612.14), be received.
3. That staff consider such comments as may be provided by Council.

### KEY FACTS:

FCHT Holdings (Ontario) Corporation submitted an Official Plan Amendment and Zoning By-law Amendment application to permit the development of a 14 and 19 storey mixed use building at the north-east corner of Trafalgar Road and Cornwall Road. The 19 storey building is proposed to contain 164 residential units and 1,965 m<sup>2</sup> of commercial space, and the 14 storey building is proposed to contain 128 residential units and 2,100 m<sup>2</sup> of commercial space. The development will also create 300 additional parking spaces in three levels of underground parking.

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

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The effect of the proposed Official Plan Amendment would be to permit a building height of 14 and 19 storeys whereas the current Official Plan policies permit a 10 storey building height at this location. A corresponding zoning amendment is also required to implement the proposed development.

In the past the key development constraints within the Midtown Growth Area included transportation and municipal servicing infrastructure limitations. An Area Servicing Plan (ASP) was undertaken by the Region of Halton for Midtown Oakville which included the subject lands. The Region has approved the ASP. Transportation limitations will be further reviewed as part of the recommendation report.

The application was submitted and deemed complete on September 13, 2019. The applicant is eligible to appeal the Official Plan Amendment application to LPAT as of January 13, 2020 and the Zoning By-law Amendment as of December 13, 2019.

#### **BACKGROUND:**

##### **Proposal:**

The applicant has submitted an Official Plan Amendment and Zoning By-law Amendment application to permit the development of a 14 and 19 storey mixed use building connected by a two storey podium on lands municipally know as 485 Trafalgar Road and 271 Cornwall Road (Figure 1).

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Figure 1: Air Photo

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The 19 storey building is proposed to contain 164 residential units and 1,965 m<sup>2</sup> of commercial space, and the 14 storey building is proposed to contain 128 residential units and 2,100 m<sup>2</sup> of commercial space (Figures 3 and 4).

Of the 292 total units proposed, 97 units (33%) will be greater than 75 m<sup>2</sup> and 195 units (67%) will be less than 75 m<sup>2</sup>.

The development will also create 300 additional parking spaces within three levels of underground parking. The development will also include 102 bicycle parking spaces.

The following charts provide an overview of the proposal relative to the Midtown Oakville Parking Strategy.

Use	Midtown Strategy	Proposed
<b>Residential Apartments</b>	1 space/unit +0.15/unit (visitor)  <b>Overview:</b> <b>292 Tenant Parking</b> <b>44 Visitor Parking</b>  <b>Total: 336 Parking Spaces</b>	300 - Tenant Parking  0 - Visitor Parking (visitor parking to be shared with existing 653 commercial parking spaces)
<b>Proposed: Commercial (4065 m<sup>2</sup>)</b>	3.0 spaces/100m <sup>2</sup>  <b>Total: 122 Commercial Spaces</b>	No additional commercial parking spaces

Vehicular access is proposed from the existing signalized Cornwall Road access where currently left turns are prohibited from Cornwall Road onto the site. The applicant intends to maintain the current egress onto Trafalgar Road.

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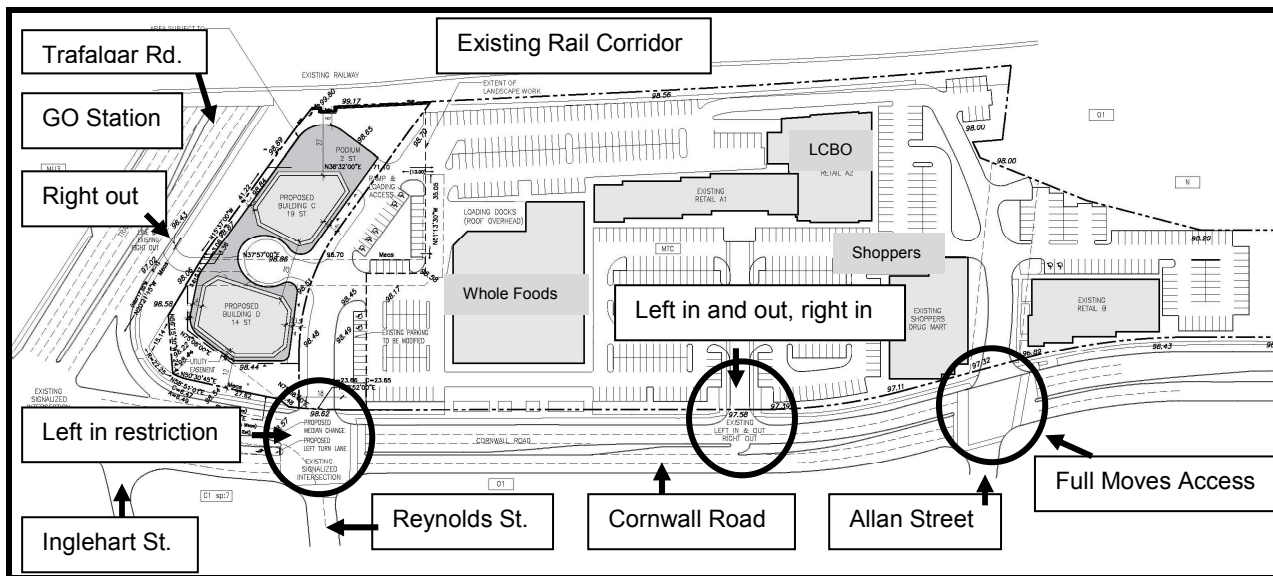
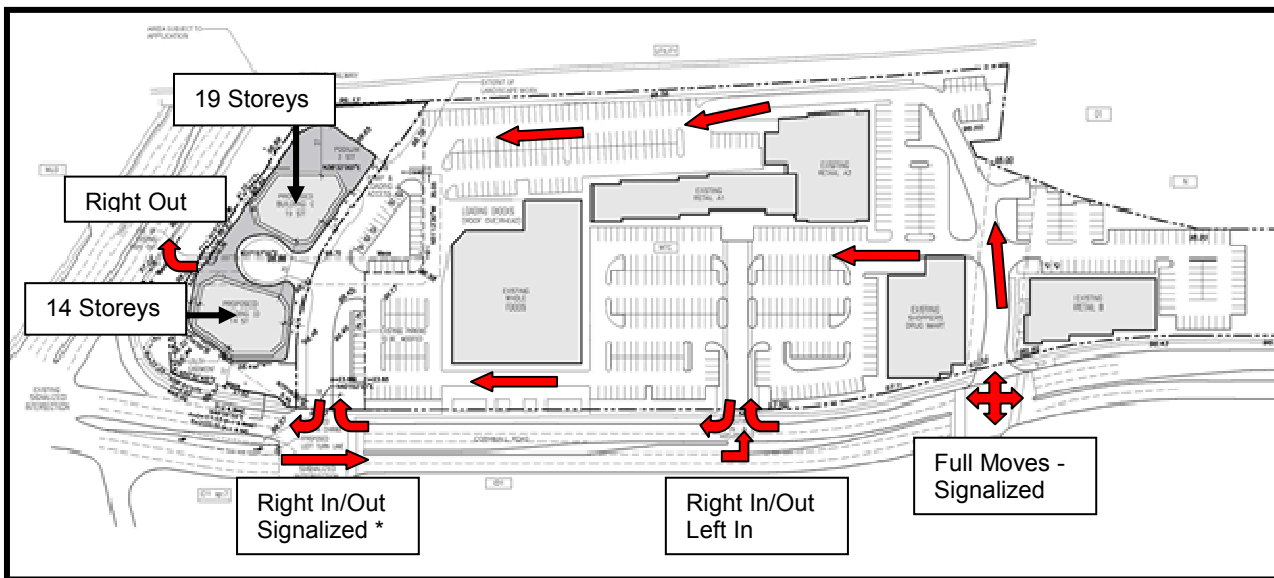


Figure 2a: Overall Site



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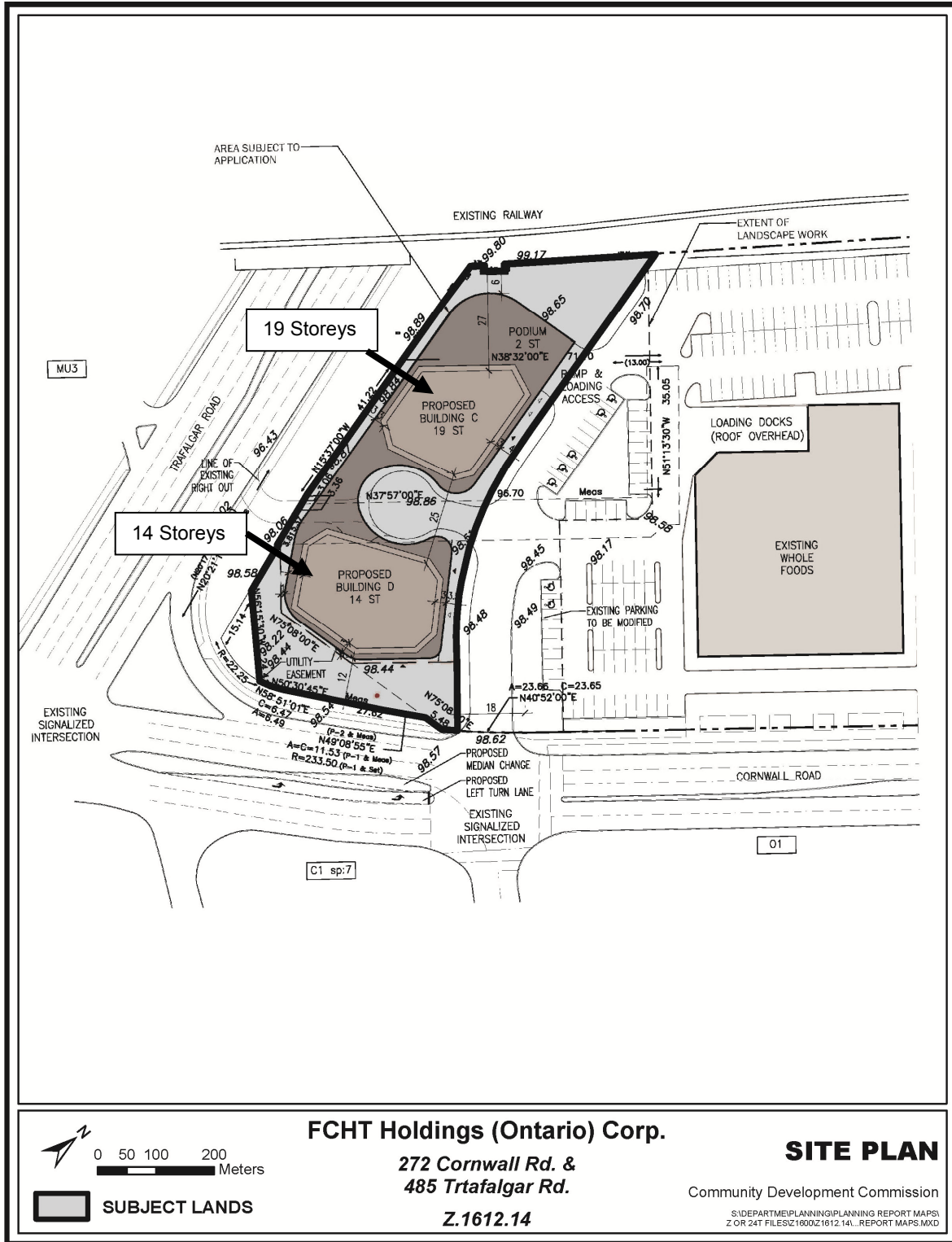


Figure 3: Conceptual Site Plan

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Figure 4: Cornwall Road and Trafalgar Road Intersection

### Location and Site Description

The subject lands are approximately 5 hectares in area however the proposed development will be located on 0.6 ha of the most westerly portion of the site (Figure 1).

The subject site has 28 m of frontage on Cornwall Road and 56 metres on Trafalgar Road. The larger land holding currently contains a variety of retail uses including but not limited to Whole Food, Beer Town, LCBO, Shoppers Drug Mart, Indigo Spirit and Starbucks (Figure 2a). The proposed development area includes lands currently occupied by Beer Town and Indigo Spirit. Figure 2b illustrates existing access and on site traffic movements.

### Surrounding Land Uses

The surrounding land uses are as follows:

- North: Rail Corridor, beyond which are retail and office uses two-storeys in height.
- East: The balance of the subject lands currently containing a wide range of commercial uses two-storeys in height.
- South: Cornwall Road, beyond which are commercial/employment uses and Pine Avenue which is a residential street with dwellings one-two storeys in height.

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West: Trafalgar Road, beyond which is a six storey GO Transit parking structure, Via Rail and bus station.

**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;
- *Livable Oakville* Plan; and,
- Zoning By-law 2014-014.

**Provincial Policy Statement (2020) – Effective May 1, 2020.**

The Provincial Policy Statement (‘PPS’) is intended to promote a policy led system, which 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 residential intensification, to respond to current and future needs for a time horizon of up to 25 years.

The PPS 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).

Excerpts of relevant PPS policies to the application are attached as Appendix ‘A’.

**Growth Plan for the Greater Golden Horseshoe (2019)**

The Growth Plan (2019) 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 policies of the Growth



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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, and expand convenient access to transportation options.

As identified on Schedule 2 to the Growth Plan, the subject lands are located within the “Built-Up Area” and “Settlement Area” and are located adjacent to a “Priority Transit Corridor”. The lands are identified as part of an “Urban Growth Centre” where intensification is encouraged to efficiently make use of the existing infrastructure, municipal servicing availability and convenient access to services that meet the daily needs of residents. Intensification must give consideration to adjacent uses and compatible built form and transitioning.

Excerpts of relevant Growth Plan policies to the application are attached as Appendix ‘A’

### **Halton Region Official Plan**

The subject lands are designated “Urban Area” in 2009 Regional Official Plan (ROP). The Urban Area is “planned to accommodate the distribution of population and employment for the Region and the four Local Municipalities”. The policies of the Urban Area designation support a form of growth that is compact and supportive of transit, the development of vibrant and healthy mixed-use communities which afford maximum choices for residence, work and leisure. 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 Regional Official Plan will be provided as part of a future recommendation report.

### **Livable Oakville Plan**

The Livable Oakville Plan was approved by the Ontario Municipal Board on May 10<sup>th</sup>, 2011. The subject lands are located within the Midtown Oakville Growth Area and are planned to accommodate intensification and high density growth.

### 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 care to be

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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 identifies the site as *Nodes and Corridors* which is located within a *Regional Transit Node* and has frontage on Cornwall Road and Trafalgar Road which are both *Regional Transit Priority Corridors* (Figure 5a and 5b). The site is part of Regional Transit Node based on its adjacency to the Oakville GO Station where Regional Transit Nodes are located at key locations to integrate with the town-wide transportation system and to provide a focus for transit supportive development.

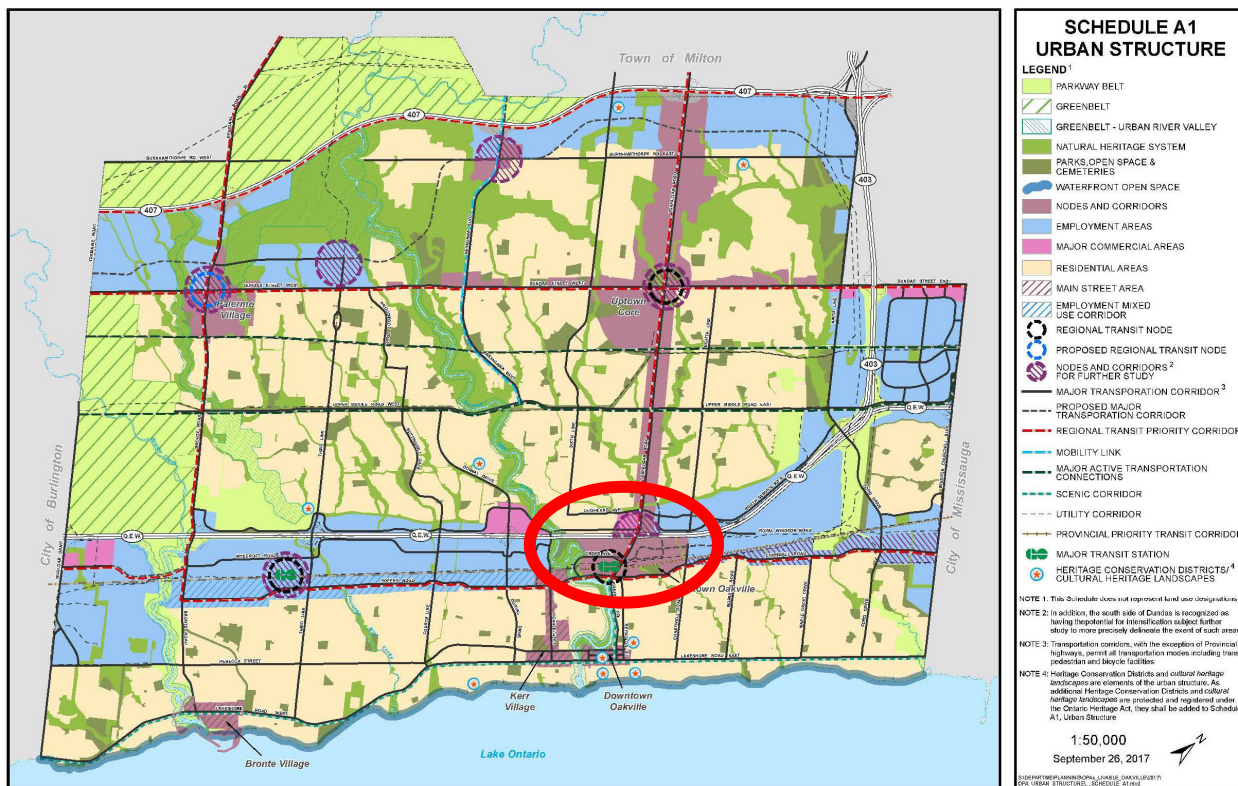


Figure 5a: Urban Structure –Schedule A1

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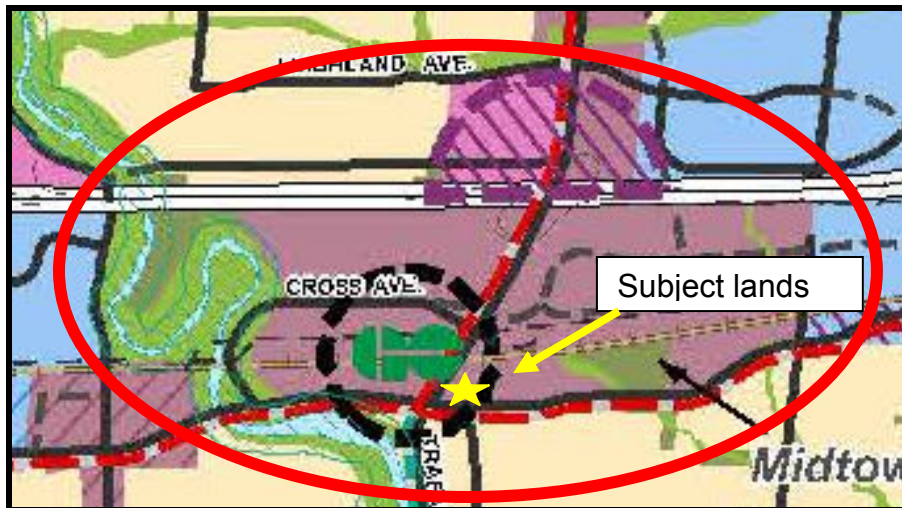


Figure 5b: Urban Structure –Schedule A1- Extract

Land Use Policies

The subject lands are located within the *Midtown Oakville Urban Growth Centre* on *Schedule A2 Built Boundary and Urban Growth Centre* (Figure 6).

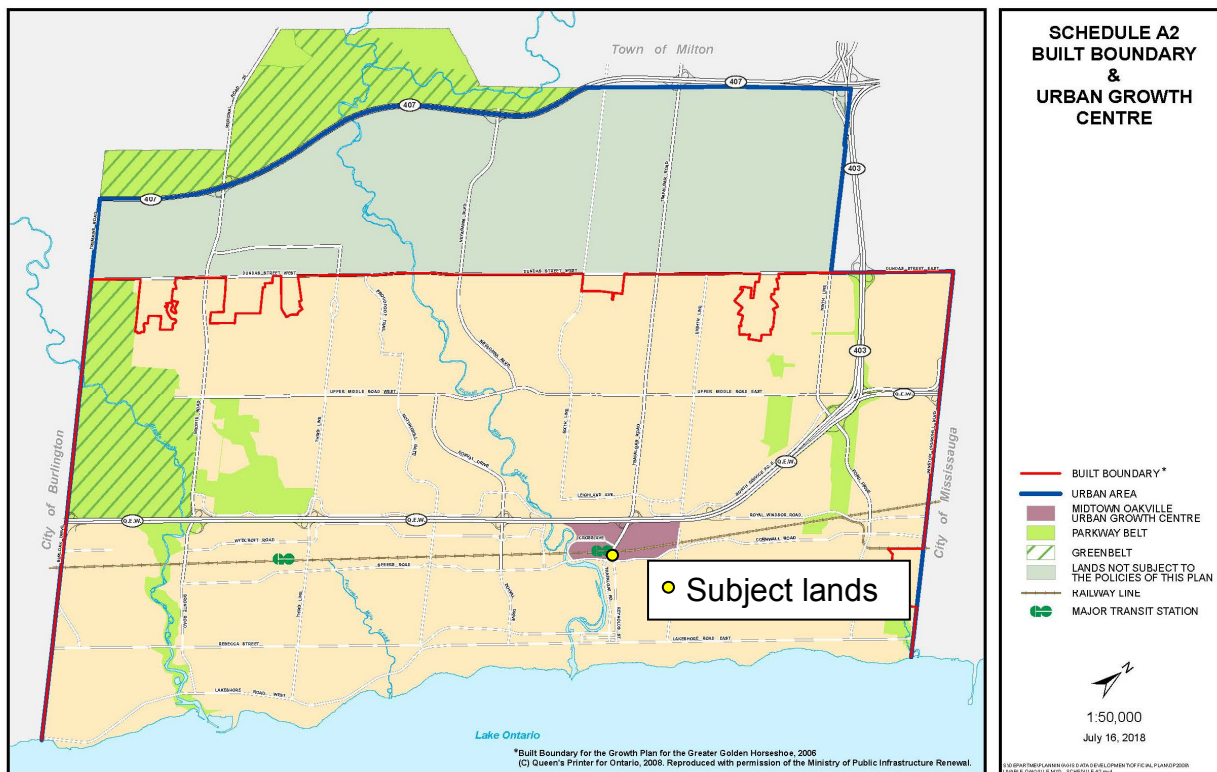


Figure 6: Built Boundary & Urban Growth Centre –Schedule A2

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Midtown Oakville is one of 25 areas identified as an “Urban Growth Centre” in the Province’s Growth Plan for the Greater Golden Horseshoe. Urban Growth Centres are to be transit-supportive regional focus areas that accommodate a significant portion of future population and employment growth in the Greater Holden Horseshoe.

Midtown Oakville is an area identified for the highest intensification in the Town as an Urban Growth Centre.

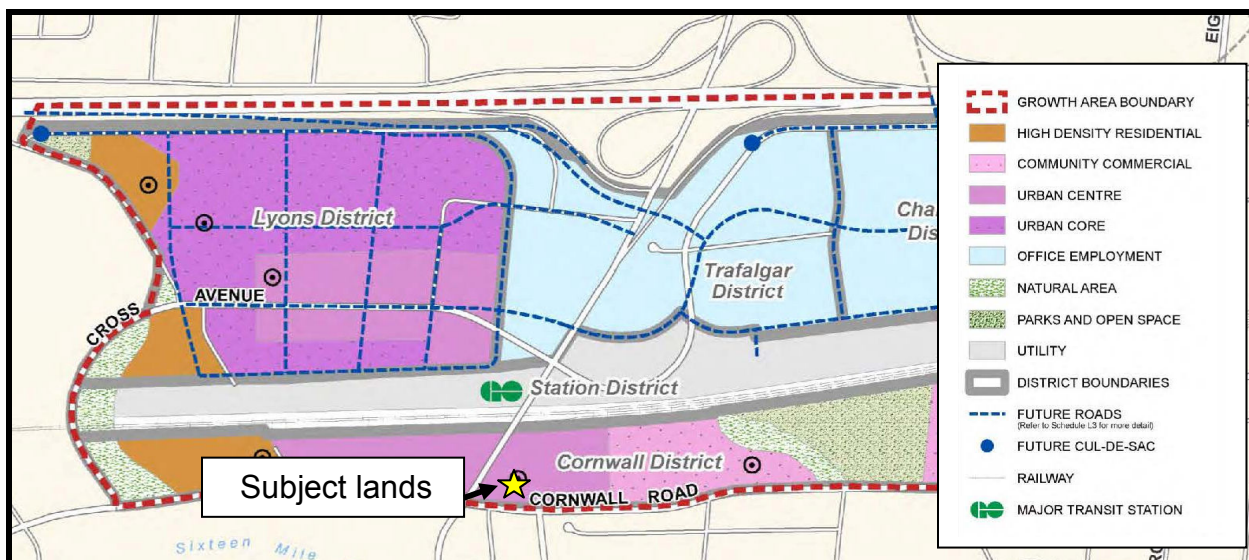


Figure 7: Schedule L1 - Cornwall District (from OPA 14)

Part E: Growth Areas, Special Policy Areas and Exception includes specific policies which provide direction for the development of this area.

The subject lands are also located within the *Cornwall District* within Midtown Oakville (Figure 7).

**Section 20.3.5 – Cornwall District**

*“The Cornwall District shall include a mix of uses that define the southern edge of Midtown Oakville and are compatible with the residential neighbourhood south of Cornwall Road. Commercial areas and active parkland will serve the needs of residents and workers in Midtown Oakville and the surrounding area. Taller residential and mixed use buildings shall be located in the vicinity of Sixteen Mile Creek and Trafalgar Road.”*

**Schedule L1: Midtown Oakville Land Use** - The lands are designated *Urban Centre* and are also subject to Exception 20.6.3 (Figure 8).

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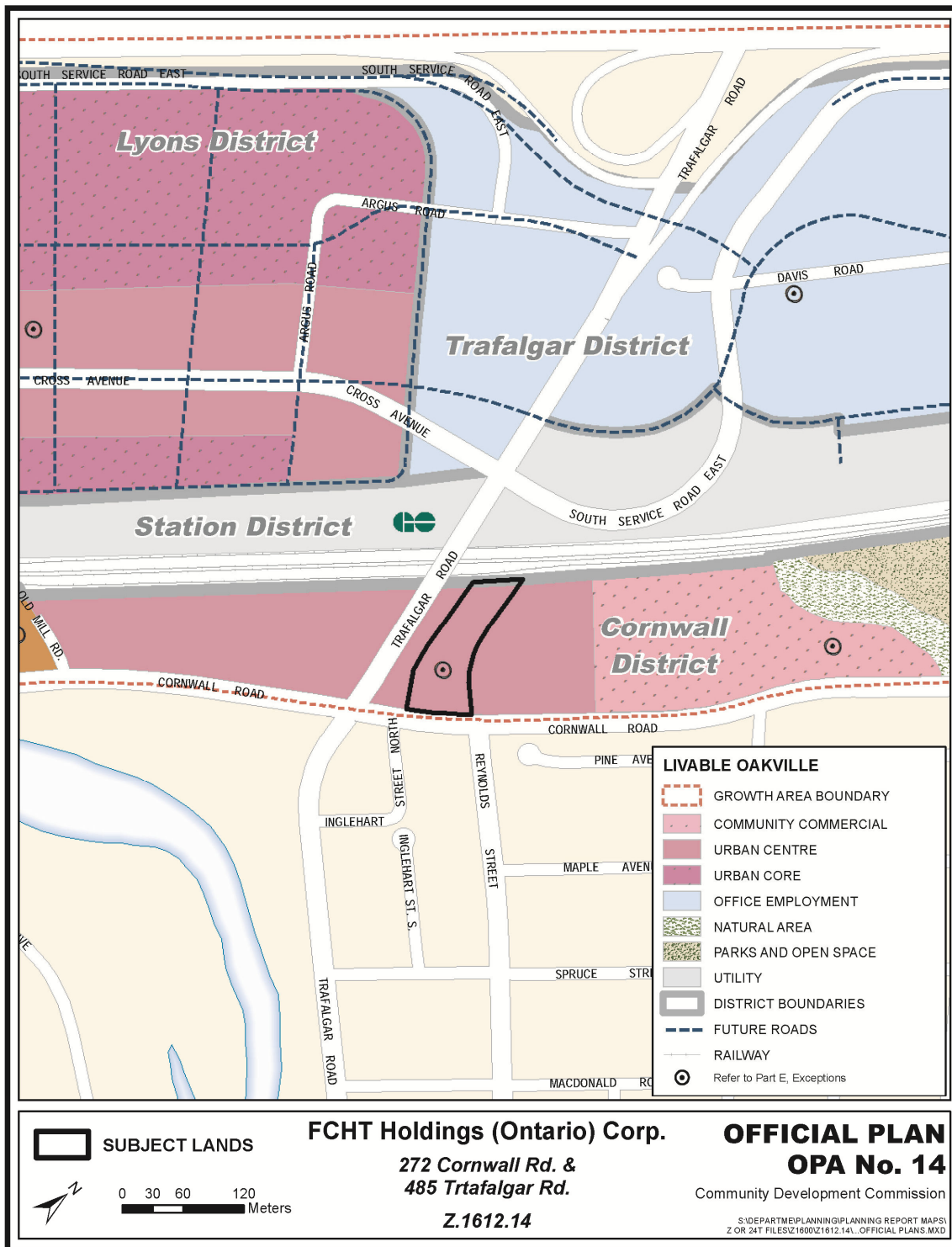


Figure 8: Official Plan Excerpt

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### **Section 12.4 – Urban Centre**

*“The Urban Centre designation shall incorporate a mix of uses including retail and service commercial, office and residential uses. Development should be oriented to the street and shall contribute to a high quality pedestrian-oriented and transit-supportive environment.”*

The permitted uses within the *Urban Centre* designation includes “ A wide range of retail and service commercial uses including restaurants, commercial schools, offices and residential uses may be permitted in the Urban Centre designation. Retail and service commercial uses shall be provided on the ground floor of mixed use buildings that directly front a public street. These uses may also extend to other floors. Entertainment facilities and hotels may also be permitted. Office uses and ancillary residential uses may be provided on the ground floor and/or above the ground floor.”

### **Section 20.6.3 – Midtown Oakville Exceptions states:**

*“The lands designated Urban Centre and Community Commercial at the northeast corner of Cornwall Road and Trafalgar Road are recognized as permitting the existing commercial centre and are subject to the following additional policy:*

- a) *Redevelopment in this location may occur gradually in a phased manner and should:*
  - a) *provide an attractive gateway to Midtown Oakville and a transition to the established residential neighbourhood to the south; and,*
  - b) *be a collection of buildings, diverse in design and character, and in harmony with each other.”*

### **Schedule L2 – Midtown Oakville Building Heights**

The Official Plan currently permits building heights between 4-10 storeys. (Staff note that the applicant proposes a site specific amendment to the Official Plan to permit the proposed 14 and 19 storey building heights.) – Figure 9.

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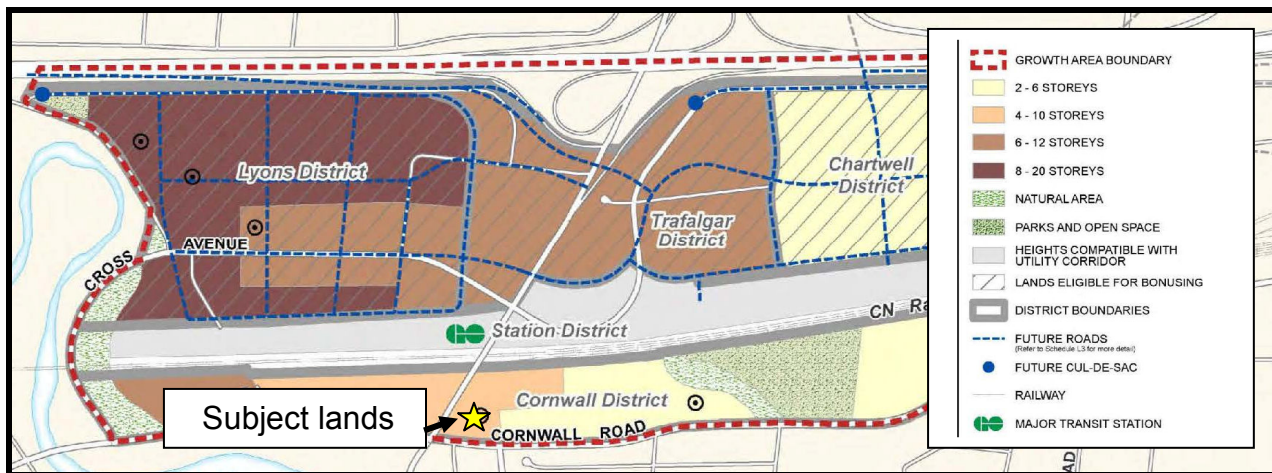


Figure 9: Schedule L2 – Midtown Oakville Building Heights (from OPA 14)

**Section 20.4.1 – Transportation**

- a) *Significant road, transit and active transportation infrastructure to the Midtown Oakville as shown on Schedules C, D and L3, is needed to accommodate the growth the Town is required to achieve in Midtown Oakville. Many existing roads shall be realigned, widened, extended or replaced.*
- b) *The Town may secure right-of-way on alignments as shown on Scheduled C, D and L3 through the planning approval process. Final rights-of way shall be consistent with the Midtown Oakville Class Environmental Assessment, 2014, and shall otherwise be determined through detailed transportation studies, environmental assessments where required, and the planning approval process.*
- d) *The rights-of-way of future roads shall be required to achieve the maximum widths identified in Schedule L3.*
- e) *Development shall not preclude the following as contemplated in this Plan:*
  - v. *grade separated pedestrian and cycling facilities, as shown on Schedule D, to be located across:*
    - *the QEW, east and west of Trafalgar Road; and,*
    - *the railway, east of Trafalgar Road.*

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- f) *The extension of the rail platform to the east side of Trafalgar Road shall be encouraged to improve rail passenger access to and from the Lyons and Cornwall Districts. The Town will work with the Region and Metrolinx to study the associated impacts to traffic, and local and inter-regional transit operations, including parking.*
  - g) *The design of existing and new roads in Midtown Oakville shall promote walking, cycling and transit use.*
  - h) *Development shall promote safe, convenient and attractive pedestrian access to transit stops or stations. Barriers, such as boundary fences, shall be discouraged.*
  - j) *Parking*
    - i. *Parking structures are preferred for the provision of required parking.*
    - ii. *Surface parking lots are discouraged. However, where surface parking is provided, it shall be in the side or rear yard and the visual impact shall be mitigated by a combination of setbacks and significant landscaping in accordance with the Livable by Design Manual and the Designing Midtown document.*
    - iii. *Reduced parking standards may be considered in the implementing zoning.*
    - iv. *Individual driveway access to Trafalgar Road shall not be permitted.*
    - v. *Shared driveways and parking facilities shall be encouraged.*
    - vi. *Access to parking, service and loading areas should be from local roads or service lanes, and to the side or rear of buildings.*
    - vii. *Implementation of the Midtown Oakville Parking Strategy shall be undertaken.*

#### **Section 20.4.2 – Urban Design**

- a) *In addition to the urban design policies of this Plan, development and the public realm shall address the urban design direction provided in the Livable by Design Manual and the Designing Midtown Oakville document.*



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- b) *Midtown Oakville shall be designed as a regional destination and an urban centre with a focus on creating a safe and attractive public realm that encourages walking, cycling and transit use. New development shall support this objective through its form, scale and detail.*
  - c) *A network of public spaces, or varying sizes and activity, should be planned for Midtown Oakville to support residents and employees throughout.*
  - d) *Development shall promote safe, convenient and attractive pedestrian access to transit stops or stations. Barriers, such as boundary fences, shall be discouraged.*
  - e) *It is intended that some of the town's tallest buildings locate in Midtown Oakville. These buildings shall be designed to the highest architectural quality and detail to create landmark buildings and contribute to a distinct skyline.*
  - f) *Building Heights*
    - i. *Minimum and maximum building heights shall be permitted in accordance with Schedule L2 and the policies of this Plan.*
    - iii. *Minor reductions to the minimum building heights required by Schedule L2 may be considered as part of comprehensive redevelopment applications to allow flexibility in building and site design. Such consideration shall only be given where it can be demonstrated that the policies of sections 20.2 and 20.3 of the Plan are met and the planned intensification for the site(s) can be achieved.*

### **Livable by Design Manual and Midtown Oakville Urban Design Guidelines**

The Livable by Design Manual provides a comprehensive and detailed design direction for development to ensure designed and built elements are integrated with their surrounding and result in projects that not only function, but are aesthetically pleasing, support community vitality, and improve the overall livability.

Section 3.1 Tall and mid-rise buildings states *“Successful tall and mid-rise buildings are architecturally interesting and create a cohesive design composition through their proportion, scale, massing, building materials, and architectural character. These building forms typically feature a defined base that can emphasize human scale and create a pedestrianized environment, a middle section that reduces the potential appearance of bulk, and a top section that can create an interesting Skyline.”*

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*“Most mid-rise and tall buildings will typically be located within the Town’s Growth Centres and along Intensification Corridors.”*

*“In applying the design directives, tall buildings are those which are greater than twelve storeys, while mid-rise buildings are between six and twelve storeys.”*

The Midtown Oakville Urban Design Guidelines are a tool to be used to evaluate the design elements of development applications and implement the vision for Midtown as a sustainable, livable community.

**Zoning By-law (2014-014)**

The subject lands are zoned *MTC – Midtown Transitional Commercial* as shown on Figure 10 below.

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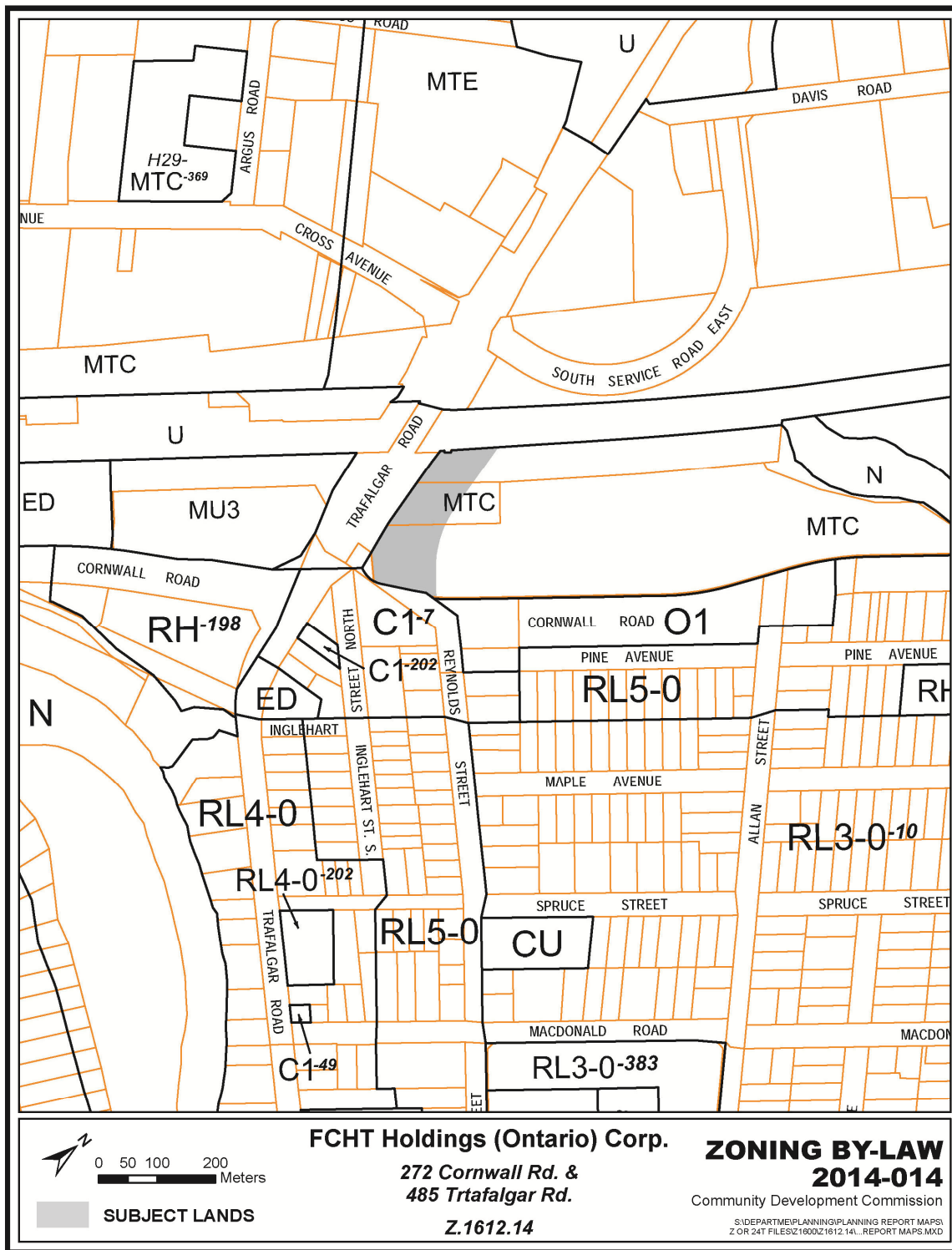


Figure 10: Zoning Excerpt

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The MTC zone permits existing uses in addition to other uses including:

- retail and service commercial uses;
- office uses;
- community uses;
- open space uses;
- employment uses; and
- hospitality uses.

Residential uses including apartment dwellings are currently not permitted within a MTC zone. The applicant has submitted a Zoning By-Law Amendment to permit an apartment building with site specific regulations to allow for 14 and 19 storey mixed use buildings.

**TECHNICAL & PUBLIC COMMENTS**

The proponent has provided technical 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-34287.html>):

- Planning Justification Report/ Urban Design Brief
- Transportation Study
- Conceptual Site Plan
- Functional Servicing and Stormwater Management Report
- Phase 1 Environmental Site Assessment
- Urban Design Brief including a shadow study
- Building Elevations/Floor Plans
- Pedestrian and Cyclist Plan
- Conceptual Landscape Plan
- Noise and Vibration Study
- Waste Management Plan
- Summary of the Public Information Meeting

**Issues Under Review / Matters to be Considered**

The following is an overview of the issues and matters identified to date. Not all circulation comments have been received but will be considered in the future recommendation report.

- Consistency with the Provincial Policy Statement, 2020 and conformity to the 2019 Growth Plan for the Greater Golden Horseshoe.

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- Conformity to the Region of Halton Official Plan.
  - Conformity with the intent of the Livable Oakville Plan.
  - Appropriateness of the proposed development relative to the Livable by Design Manual and Midtown Oakville Urban Design Guidelines including built form, building heights, scale and massing, shadow impacts and appropriate separation distances between buildings.
  - Appropriateness of establishing a full moves access from Cornwall Road at the westerly driveway, where currently left turns from Cornwall Road are prohibited.
  - Appropriateness of the continued use of the egress onto Trafalgar Road.
  - Assessment of overall commercial parking on-site and proposed parking.
  - Assessment of the existing and proposed internal vehicular and pedestrian circulation.
  - Confirmation of adequate transportation and servicing infrastructure to accommodate the proposed development.
  - Opportunities to integrate the development with the transit station.
  - Analysis of shadow impacts.
  - 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 matters identified above and any comments received at this public meeting.

### **Public Comments**

Neighbourhood comments received to date have been included within Appendix "B". Minutes from the applicant hosted Public Information Meeting are included within Appendix "C". These comments will be addressed as part of the future recommendation report.

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**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.

**CONSIDERATIONS:**

**(A) PUBLIC**

Notice for the public meeting has been distributed in accordance with the Planning Act. Staff have received some comments from the community with respect to the proposed development and their comments are included within Appendix “B”.

A Public Information Meeting was hosted by the applicant on May 14, 2019. The meeting was attended by 20 residents and business owners as well as the Ward 3 Councillors. A summary of comments received at the meeting is included in Appendix “C”.

**(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 the proposed regulations and 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 bonusing), Section 42 parkland dedications, existing parkland agreements, 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). The Town is reviewing the potential implication to the draft regulation released on February 28, 2020.

**(C) IMPACT ON OTHER DEPARTMENTS & USERS**

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

The applicant is eligible to appeal the Official Plan Amendment application to LPAT as of January 13, 2020 and the Zoning By-law Amendment as of December 13, 2019.

**(D) CORPORATE AND/OR DEPARTMENT STRATEGIC GOALS**

This report addresses the corporate strategic goal to:

- be the most livable town in Canada

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Date: June 24, 2020

Subject: **Public Meeting Report - Official Plan Amendment and Zoning By-law Amendment, FCHT Holdings (Ontario) Corporation - 271 Cornwall Road and 485 Trafalgar Road, File No.: Z.1612.14, OPA 1612.14**

**(E) COMMUNITY SUSTAINABILITY**

The proposed development will be reviewed to ensure compliance with the Town's sustainability objectives of the Livable Plan. The proposal will also be reviewed in the context of Council declaring a Climate Change Emergency on June 24, 2019 and where there are opportunities to reduce the development footprint of the proposal and the future residents.

**APPENDICES:**

Appendix "A" – PPS (2020) and Growth Plan excerpts

Appendix "B" – Neighbourhood Comments

Appendix "C" – Applicant Hosted Public Information Meeting Minutes – May 14, 2019

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