

REPORT

PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: AUGUST 4, 2020

FROM: Planning Services Department

DATE: July 22, 2020

SUBJECT: Public Meeting Report, Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision, Argo (West Morrison Creek) Limited, Part Lot 16, Concession 1 NDS, File No. OPA.1316.07, Z.1316.07, 24T-20001/1316

LOCATION: West side of Sixth Line, north of Carnegie Drive

WARD: 7

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RECOMMENDATION

1. That the public meeting report, prepared by the Planning Services Department dated July 22, 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 Argo (West Morrison Creek) Limited, File No.: OPA.1316.07, Z.1316.07, 24T-20001/1316, be received.
3. That staff consider such comments as may be provided by Council.

KEY FACTS

Argo (West Morrison Creek) Ltd. has submitted an Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision to redevelop approximately 13 hectares of land on the west side of Sixth Line, north of Carnegie Drive as follows:

- 88 detached dwellings and 122 townhouses;
- An eight storey mixed use building with 222.5 square metres of ground floor commercial and 103 residential units;
- a stormwater management facility;
- several natural heritage system blocks associated with the West Morrison Creek; and,
- road network.

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Access to the site would be from Sixth Line to the east and the abutting westerly Mattamy lands, once that property is 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 Official Plan as they allow for additional development and provide for the conveyance and protection of the natural heritage system in accordance with the Town's established urban structure.

The ZBA and Draft Plan of Subdivision application was submitted on December 23, 2019. Bill 108 provides for a 120-day appeal timeframe, which would have ended on April 21, 2020. However due to the Covid pandemic, the Province issued a regulation that effectively suspended this timeframe between March 17, 2020 and June 22, 2020. In consideration of this, the 120-day appeal timeframe ended July 27, 2020.

Subsequent to the ZBA and Draft Plan submission, an Official Plan Amendment was submitted on June 5, 2020. The Bill 108 120-day timeline (after June 22, 2020) ends on October 20, 2020.

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. 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.

The ZBA and Draft Plan of Subdivision was deemed complete on January 7, 2020 with the subsequent OPA being deemed complete on June 9, 2020.

Proposal

The proposal reflects an Official Plan Amendment, a Zoning By-law Amendment and Draft Plan of Subdivision.

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The development proposal relates to the development of approximately 13 hectares of land as set out below and as seen on Figure 1a below:

- 88 detached dwellings and 122 townhouses;
- An eight storey mixed use building containing 103 residential units and 222.5 square metres of ground floor commercial, located on the northwest corner of proposed Street A (extension of Marvin Avenue) and Sixth Line;
- several Natural Heritage System blocks associated with the West Morrison Creek;
- a stormwater management pond; and,
- road network

Access to the site would be from Sixth Line to the east and the abutting westerly Mattamy lands, once that property is developed.

The applicant's site specific Official Plan Amendment (Block 107 only) proposes to:

- increase the height from six (6) storeys to eight (8) storeys; and,
- increase the Floor Space Index (FSI) from two (2) to 4.2.

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

The applicant's Zoning By-law Amendment 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 Performance Zone Z (NC-2 sp: xx); Neighbourhood Centre (NC sp: xx); General Urban (GU sp: xx); Sub-Urban (S sp: xx); Natural Heritage System (NHS); and Storm Water Management Facility (SMF).

The applicant's proposed zoning regulations can be found within Appendix A2.

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

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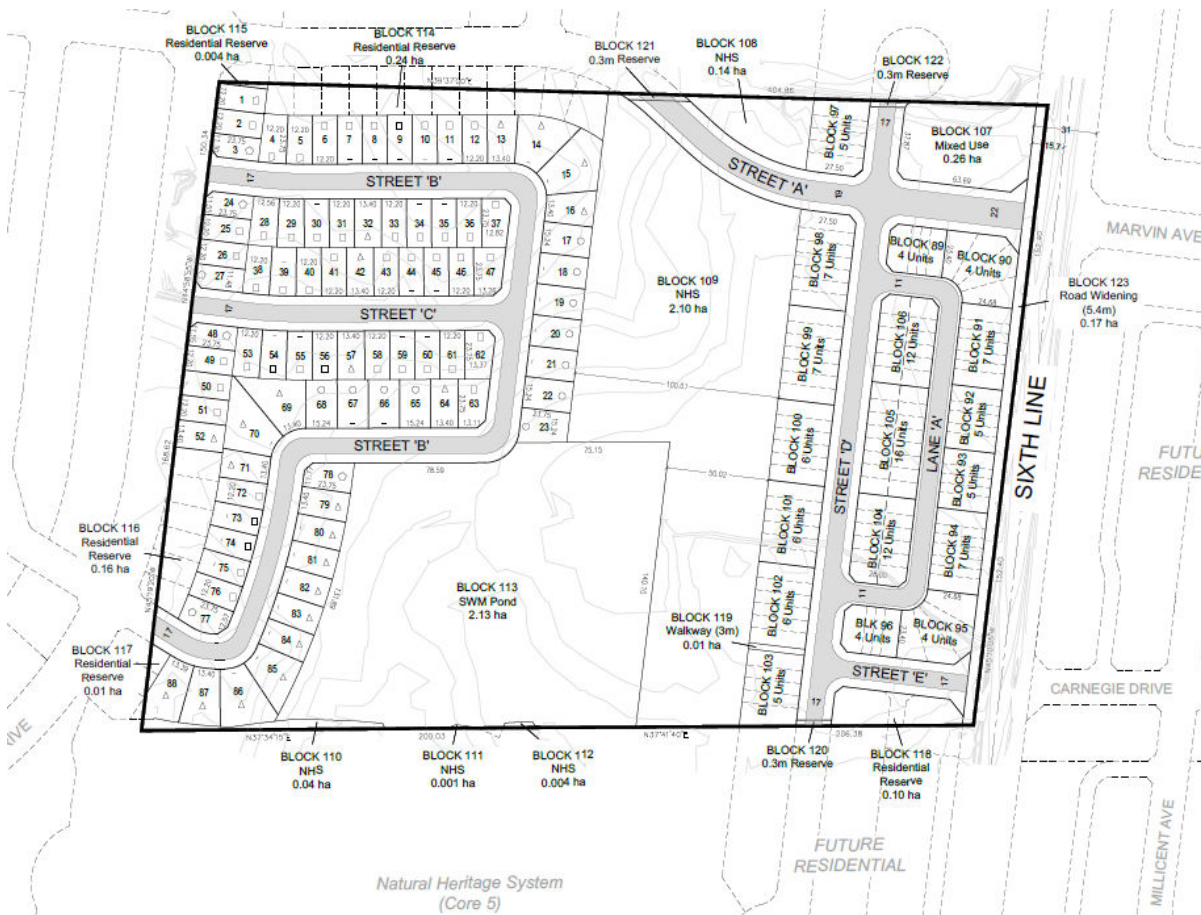


Figure 1a – Proposed Draft Plan Excerpt NTS

For contextual purposes, Figure 1b identifies the property in relation to Neighbourhoods 8, 9, 10 and 11. The number 8 on the plan identifies the Argo property.

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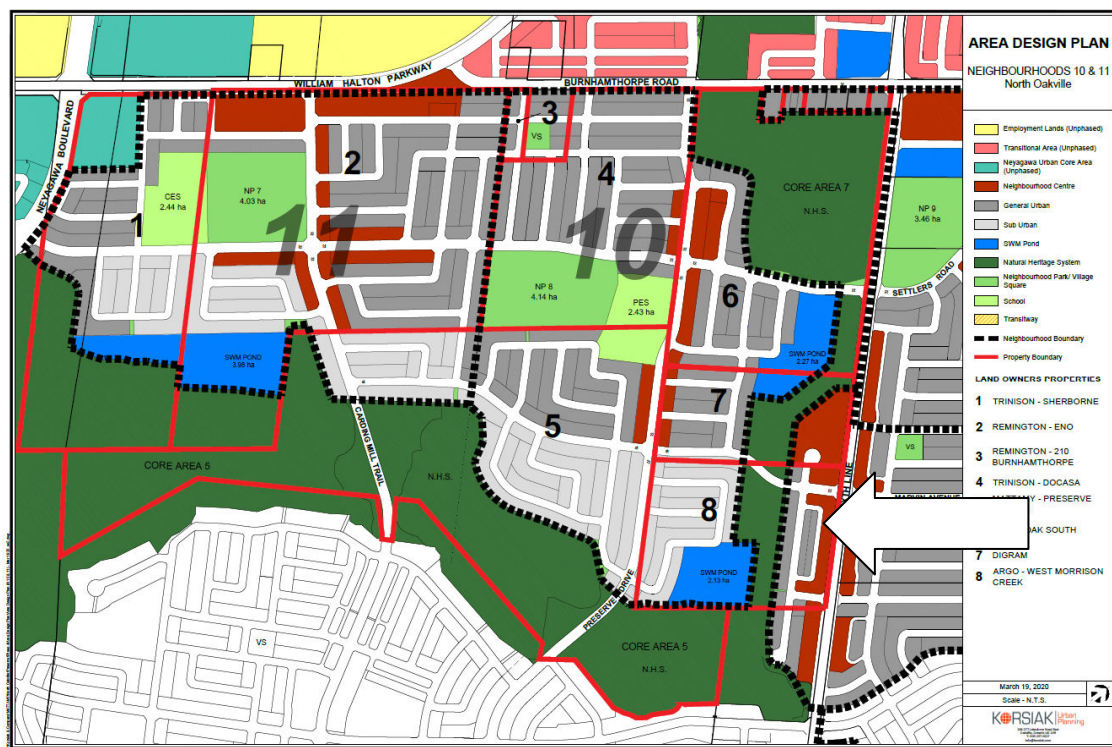


Figure 1b – Context plan

The draft plan of subdivision proposes to create blocks containing a range of uses as described below:

Draft Plan Feature	Number of Units	Area (ha)
Single Detached	88	2.97
Townhouses	122	1.87
Mixed Use Block (Block 107)	103	0.27
NHS		2.28
SWM Pond		2.13
Residential Reserve		0.51
3.0 m Walkway		0.01
0.3m reserves		0.00
Road widening		0.17
11 m ROW		0.24
17 m ROW		1.76
19 m ROW		0.24
22 m ROW		0.16
TOTAL	313	12.57

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The housing types proposed are outlined in the table below:

Proposed Unit Type	Total
Detached Dwellings	88
Townhouses	122
Apartment Units (Block 107)	103
TOTAL	313

All application submission material are found on the town's website site at <https://www.oakville.ca/business/da-34793.html>.

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

The subject land, being approximately 13 hectares in size, is located on the west side of Sixth Line, across from Carnegie Drive.

These lands are remnant agricultural lands, as are the lands to the west and north. Lands to the east and south 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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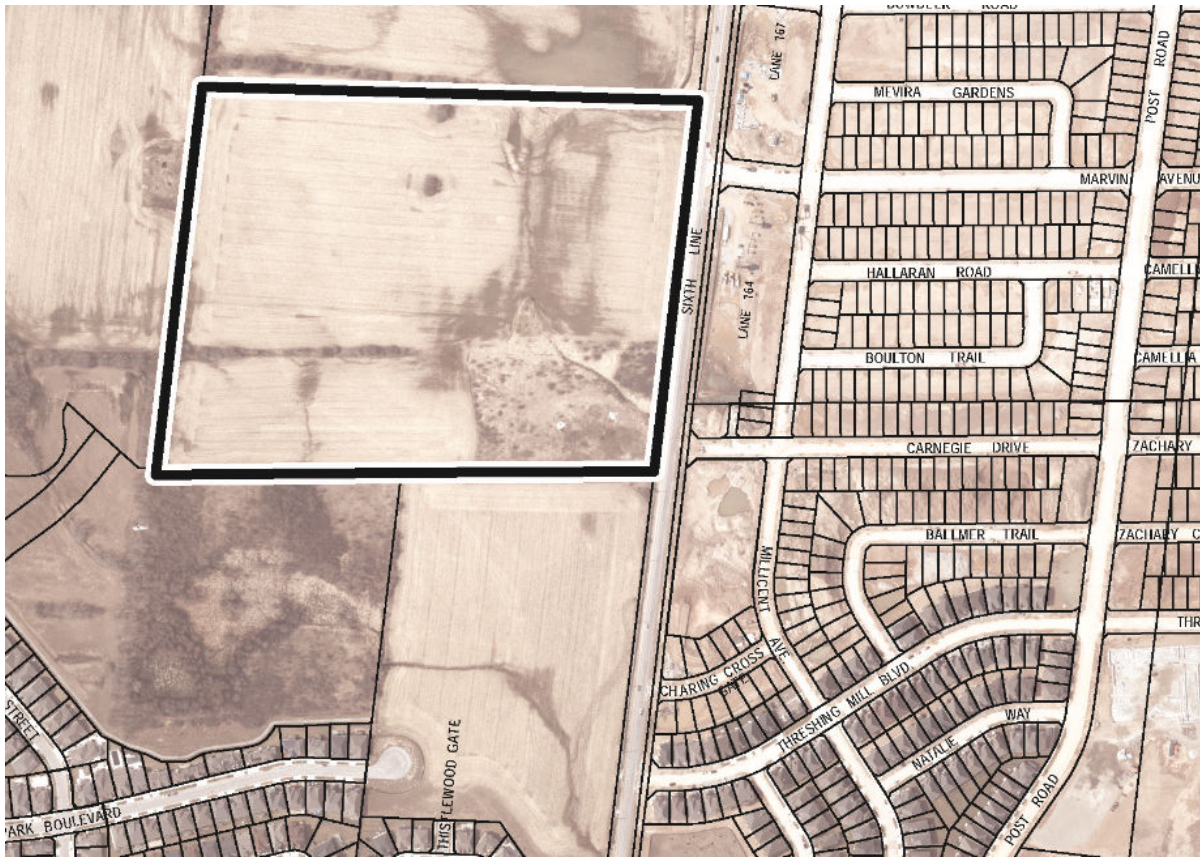


Figure 2: Air Photo NTS

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 (2020)

The Provincial Policy Statement (2020) ('PPS') 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

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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 (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.

2020 Servicing Allocation Program – water and wastewater

Halton Region has implemented a servicing allocation program that requires proponents of residential development applications to secure servicing allocation from Halton Region through a formal Allocation Agreement.

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The proposed development would be subject to the 2020 Regional Allocation program.

On June 17, 2020, Regional Council passed By-law 34-20, which confirmed the Regional allocation agreement conditions and requirements have been met and the appropriate financial commitments by all the parties are in place.

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.

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*, on Figure NOE2 of the NOESP and as illustrated on Figure 3a below.

The arrow, on Figure 3a, identifies the location of the subject lands.

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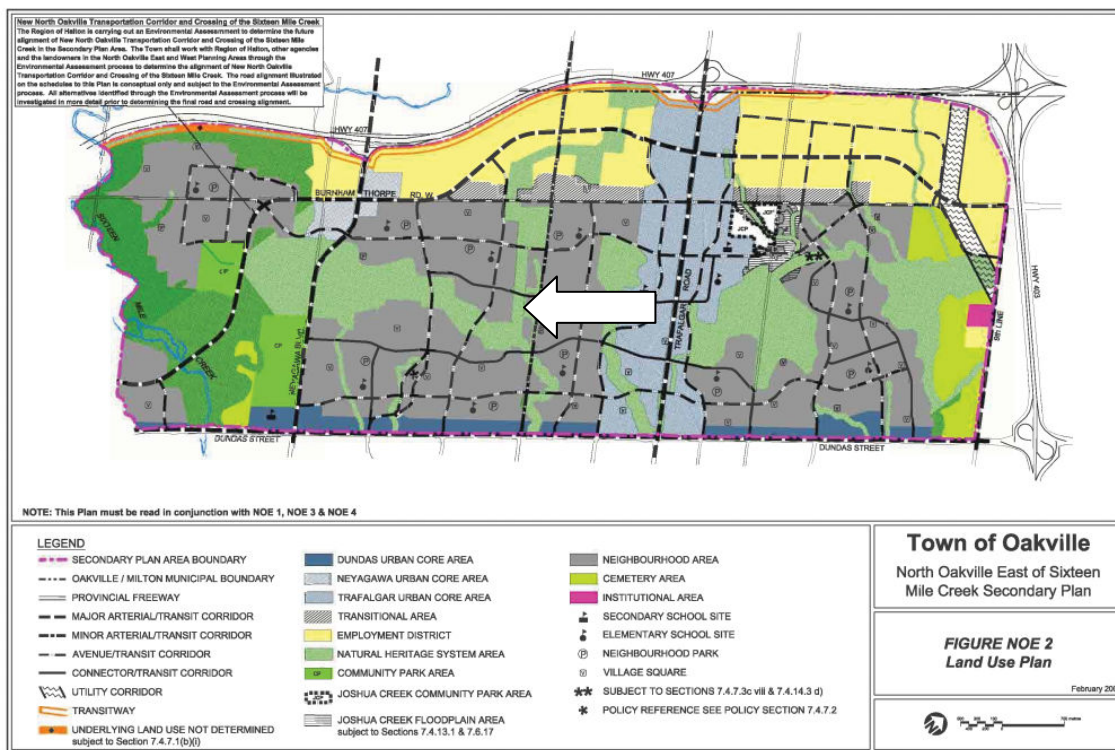


Figure 3a – North Oakville East Secondary Plan - Figure NOE2

Master Plan - Appendix 7.3

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.

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

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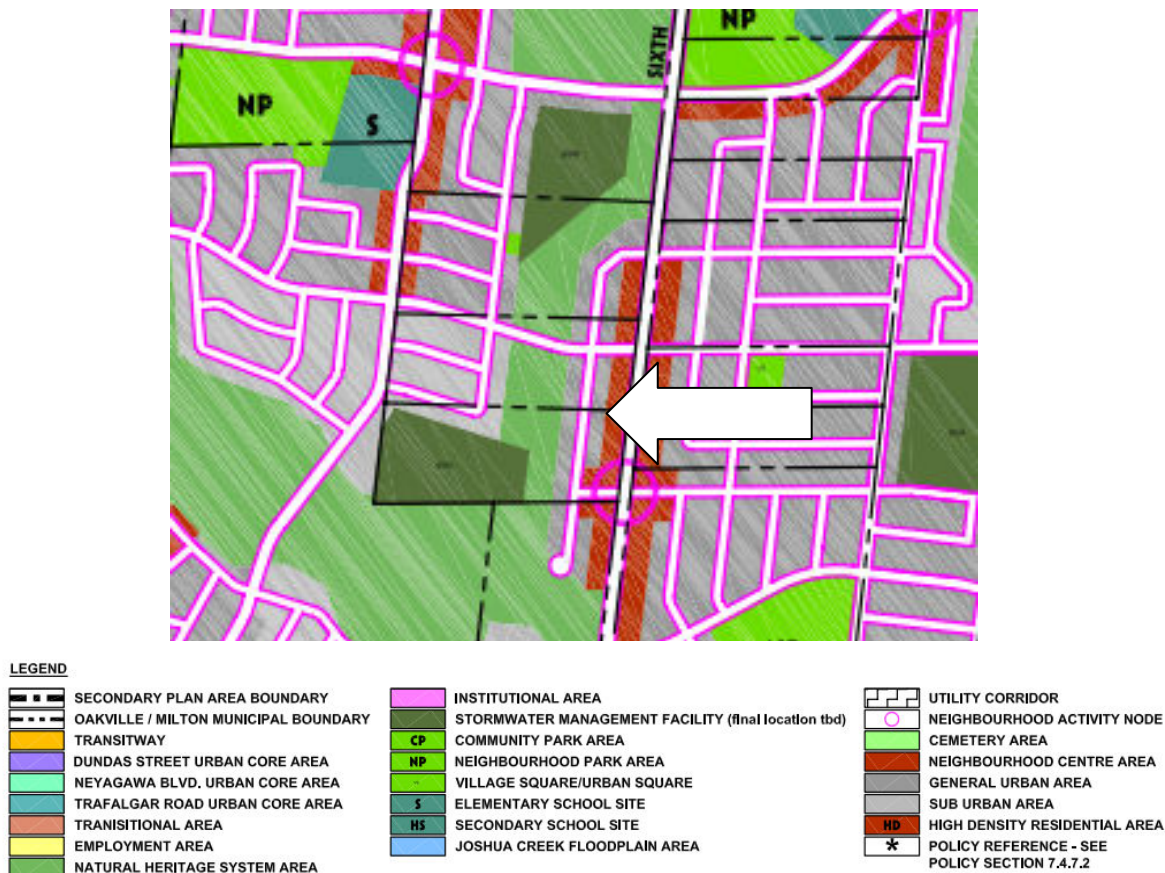


Figure 3b – North Oakville Master Plan Excerpt

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

The applicant's site specific Official Plan Amendment (Block 107 only) proposes to:

- increase the height from six (6) storeys to eight (8) storeys; and,
- increase the FSI from two (2) to 4.2.

The applicant's proposed OPA is 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.

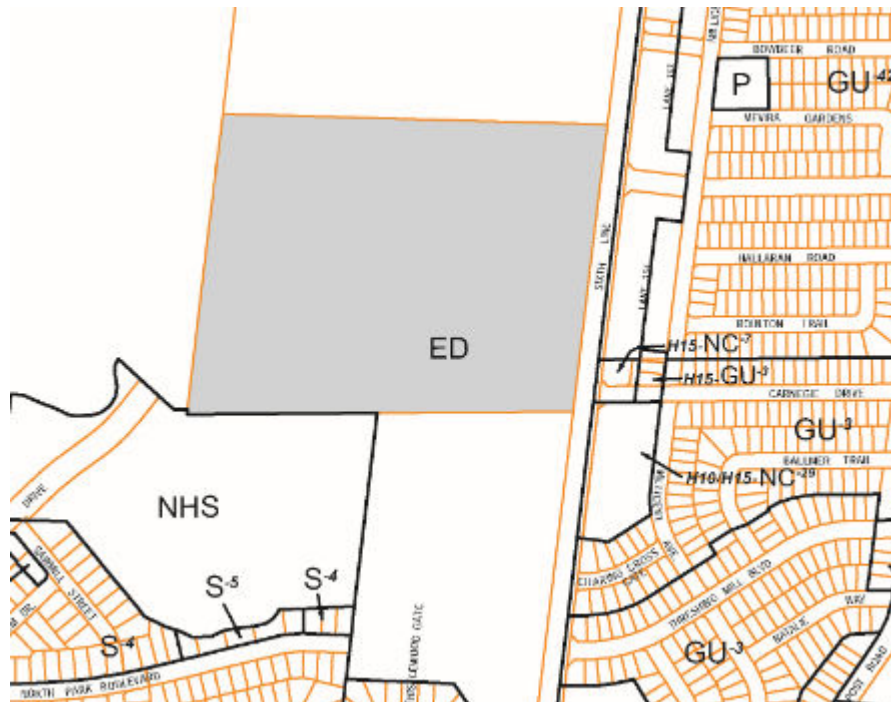


Figure 4 – Zoning By-law Excerpt

The application proposes to rezone the site from Existing Development (ED) to site specific Neighbourhood Centre Performance Zone, Neighbourhood Centre, General Urban, Sub-Urban, Natural Heritage System (NHS); and Storm Water Management Facility (SMF) to permit the redevelopment of the site for residential units, a mixed-use block, stormwater management facility and several NHS blocks, as reference above.

The applicant's proposed zoning regulations can be found within Appendix A2.

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-34793.html>):

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- Aerial;
- Archaeological Report - Stage 1 & 2;
- Conceptual Architectural Plans for Block 107;
- Density Plan;
- Updated Zoning By-law Amendment;
- Draft Official Plan Amendment
- Updated Draft Plan of Subdivision;
- Environmental Site Assessment - Phase 1 and 2;
- Geotechnical Investigation Report;
- Neighbourhood 8 - Area Design Plan;
- Parking Management Plan;
- Pedestrian Circulation & Transit Facility Plan;
- Updated Planning Justification Report;
- Staking Survey;
- Survey;
- Updated Traffic Impact Study;
- Shadow Study
- Block 107 Concept Plan;
- Tree Inventory & Preservation Plan Report; and,
- Updated Urban Design Brief.

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, 2020 and conformity to the 2019 Growth Plan for the Greater Golden Horseshoe.
- Conformity to the Region of Halton Official Plan.
- Conformity of the proposal with the land use and policies of the North Oakville East Secondary Plan.
- Is the proposed OPA for Block 107 appropriate and does it maintain the intent of the NOESP?

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- Does the EIR/FSS appropriately implement the North Oakville Creeks Subwatershed Study? Have the Natural Heritage System limits (Core 5 and the West Morrison Creek) been adequately defined?
- Conformity with urban design policies on matters such as built form, lot sizes, transitions and compatibility with adjacent properties, interface with public realms and vehicular access.
- 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.
- Appropriate residential, on-street parking and visitors parking. The applicant is proposing the use of on-street parking, directly abutting the mixed-use building site, for the non-residential parking component of the mixed-use development.
- The Landowners Group created a comprehensive Transportation Impact Study for Neighbourhoods 9, 10 and 11. Staff have raised concerns with this parent document that would need to be addressed including any interim transportation and coordination matters.
- Design of the mixed-use block located at the Neighbourhood Activity Node and corresponding zoning.
- Coordination with the town's Sixth Line reconstruction project. Have all road widenings been 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. This can involve staff working with developers to incorporate travel demand strategies to reduce the transportation emissions from single occupant vehicles and increase the transit, pedestrian and cycling mode split.

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.

Prior to submission of the application, the applicant undertook a community consultation process. A public open house on December 16, 2019 at town hall. No members of the public attended.

(B) FINANCIAL

Development Charges would be applicable to this development. The NHS and park areas 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 would introduce significant change to the financial tools available to the town. On July 8, 2020, the COVID-19 Economic Recovery Act, 2020 (Bill 197) was introduced potentially reversing many of the changes introduced through Bill 108, primarily as it related to parkland dedication and DC eligible services. Until either Bill 197 is approved or a regulation implementing the community benefits charge introduced through Bill 108 is finalized, the financial impacts of the application are difficult to assess.

(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

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

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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 Proposed Zoning Regulations
- Appendix A3 - Applicant's Draft Plan of Subdivision
- Appendix B - Applicable Policies

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