

## REPORT

### PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: AUGUST 4, 2020

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**FROM:** Planning Services Department

**DATE:** July 22, 2020

**SUBJECT:** Public Meeting Report - Draft Plan of Subdivision and Zoning By-law Amendment - Argo (Joshua Creek) Developments Ltd., Part of Lot 8, Concession 1 N.D.S. File No.: 24T-20002/1308 and Z.1308.03

**LOCATION:** North of Dundas Street, east of Eighth Line

**WARD:** 6

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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 Zoning By-law Amendment and Draft Plan of Subdivision by Argo (Joshua Creek) Developments Ltd., (File No.: Z.1308.03, 24T-20002/1308) be received.
3. That staff consider such comments as may be provided by Council.

#### KEY FACTS:

Argo (Joshua Creek) Developments Ltd., submitted a Zoning By-law Amendment and Draft Plan of Subdivision to develop approximately 38.5 hectares of land for 600 residential units consisting of 222 detached dwellings, 378 townhouse units, a mixed use block, Dundas Urban Core block, neighbourhood park, village square, a stormwater management facility and natural heritage system blocks. Vehicular access to the subdivision would be from Dundas Street with further road connections to the abutting Bressa Draft Plan of Subdivision and the Dunoak Draft Plan of Subdivision.

The subject lands are designated *Neighbourhood Area, Dundas Urban Core, Elementary school, Park and Natural Heritage System Area* within the North Oakville East Secondary Plan (Figure NOE2). The lands are 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

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Statement 2020, conform to all applicable Provincial plans, the Region of Halton Official Plan as they establish applicable policies to guide development including the conveyance 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 before an appeal can be filed for lack of decision. This timeline would normally have ended on May 23, 2020. However, due to the Covid pandemic, the Provincial Government issued a regulation that effectively suspended this timeline from March 17 until June 22, 2020. The new date before an appeal can be filed is now September 8, 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 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.

The current applications were submitted and deemed complete on January 23, 2020. The developer initiated Public Information Meeting occurred on August 8, 2019, where no members of the public attended.

### **Proposal:**

The applicant has submitted a Draft Plan of Subdivision and Zoning By-law Amendment application to permit the development of 600 residential units, stormwater management pond, neighbourhood park, Dundas Urban Core block and natural heritage system on 39.48 ha of land (Figure 1).

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Figure 1 – Proposed Draft Plan of Subdivision

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

<b>Draft Plan Feature</b>	<b>Number of Units</b>	<b>Area (ha)</b>
Single Detached (15.24 m)	12	0.65
Single Detached (13.72 m)	55	2.19
Single Detached (12.80 m)	75	2.67
Single Detached (11.60 m)	80	2.74
Rear Lane townhouses	101	1.57
Street Townhouses	131	2.74
Back-to-Back Townhouses	146	1.43
Mixed Use Block (Block 278)	TBD	0.44
Dundas Urban Core (Blocks 279/280)	TBD	2.46
Neighbourhood Park (Block 281)		1.60
Village Square (Block 282)		0.03
Open Space (Block 283)		0.04
Natural Heritage System (Blocks 286-290)		7.95
SWM Pond (Block 285)		2.61
Residential Reserve (Blocks 291-317)		0.96
Walkway (3 m) (Block 284)		0.01
0.3m reserves (Blocks 318-335)		0.96
Road widening (Blocks 336-337)		0.07
Roads		8.36
<b>TOTAL</b>	<b>600</b>	<b>39.48</b>

The housing types proposed are outlined in the table below:

<b>Proposed Unit Type</b>	<b>Total</b>
Detached Dwellings	222
Townhouses	232
Back to Back townhouses	146
<b>TOTAL</b>	<b>600</b>

The Dunoak draft approved plan of subdivision (24T-12003/1309) is located west of the subject lands. To the east of the subject lands is the Bressa draft plan of subdivision application (24T-20006/1307) which is currently under review. Further east is the larger Bressa subdivision (24T-12004/1309) that was draft approved by the LPAT in 2019. The Argo subdivision will assist in achieving a complete community in this location with the extension of roads and servicing between the Bressa and Dunoak lands (Figure 2).



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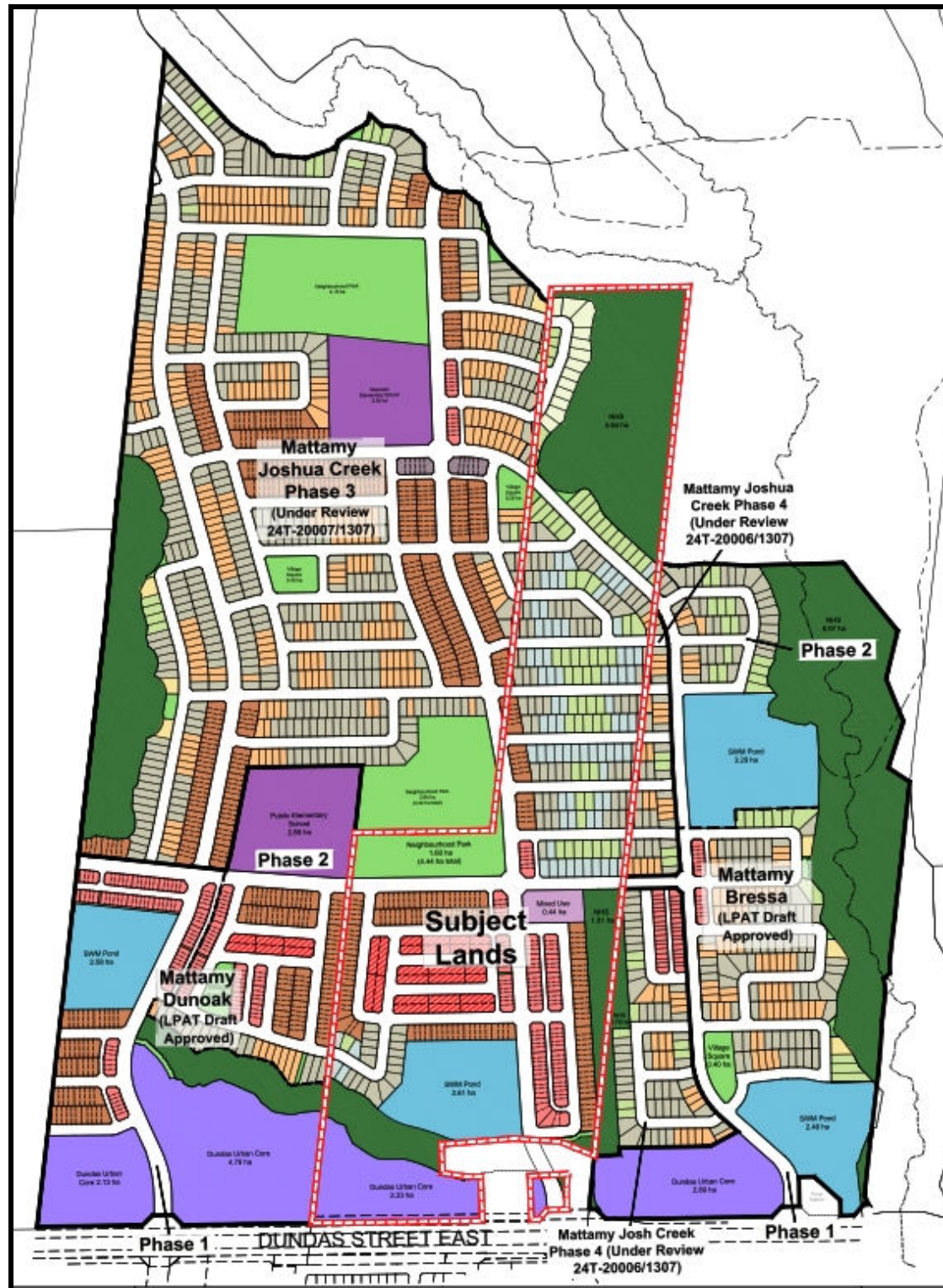


Figure 2 – Context Plan

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The proposed zoning amendment application is intended to implement the land uses of the draft plan of subdivision.

## Location and Site Description

### Location

The property is generally located on the north side of Dundas Street East and west of Ninth Line as shown on Figure 3. The legal description of the properties is Part of Lot 8, Concession 1 N.D.S.

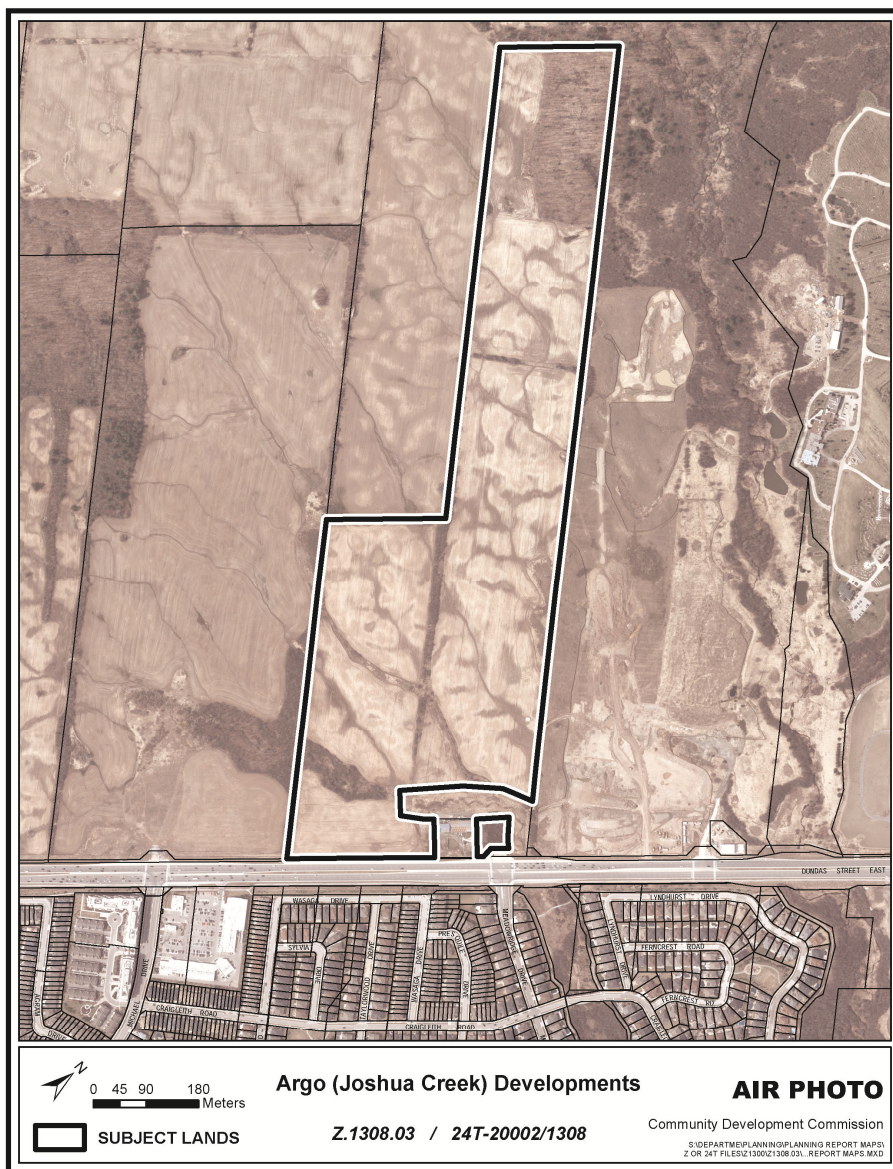


Figure 3: Air Photo

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### Site Description

The subject lands are currently located between the Bressa and Dunoak subdivisions with approximately 300 m of frontage on Dundas Street East. The southern portion of the subdivision is separated by two holdout properties one property located at 1297 Dundas Street East and the second holdout property owned by the Region of Halton.

The Argo lands are generally flat, however a tributary of Joshua Creek cuts through the subdivision just north of Dundas Street East. A portion of the tributary of Joshua Creek is owned by the Region of Halton.

### **Surrounding Land Uses**

Generally the surrounding land uses are as follows (Figure 2):

- South: Dundas Street East, beyond which are Residential uses consisting of two storey detached and townhouse units.
- North: Mattamy (Joshua Creek) Phase 3, Draft Plan of Subdivision 24T-20007/1307, currently under review. This current application consists of detached dwelling and townhouse units as well as a school and park block.
- West: Dunoak LPAT draft approved plan of subdivision consisting detached dwellings, townhouse units, a Dundas Urban Core block, school block and stormwater management pond.
- East: Mattamy (Joshua Creek) Phase 4, Draft Plan of Subdivision 24T-20006/1307, current under review. Beyond which is the Bressa LPAT draft approved plan of subdivision consisting of consisting detached dwellings, townhouse units, a Dundas Urban Core block, school block and stormwater management pond. Planning staff are currently processing a site plan for the Dundas Urban Core block.

### **Heritage Resources**

The holdout property located at 1297 Dundas Street East is listed (not designated) on the Oakville Heritage Register as a property of potential cultural heritage value or interest. Although this property is listed for its historic farmstead, including the farmhouse, barn and outbuildings, there are currently no plans on the town's behalf to designate the property at 1297 Dundas Street East under the *Ontario Heritage Act*.



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## 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 on 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 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 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 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.



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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 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.

The subject lands are also located adjacent to a Higher Order Transit Corridor on Map 3 (Dundas Street/Regional Road 5) of the ROP which forms part of a regionally identified Intensification Area. The ROP directs higher, transit-oriented densities to these areas. The ROP further provides for an appropriate transition of built form for Intensification Areas to adjacent areas.

### **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.

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.

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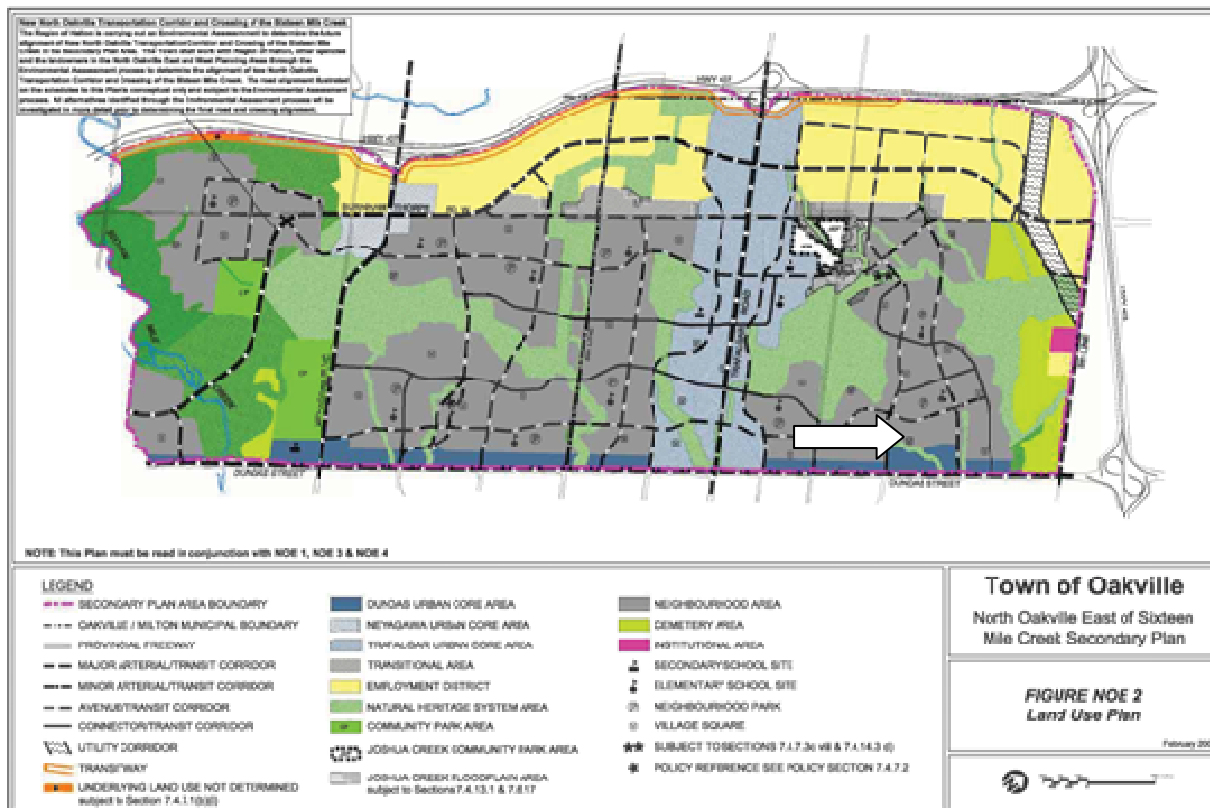
*Schedule A1, Urban Structure*, of the *Livable Oakville Plan* provides the basic structural elements for the Town and identifies the site as *Residential Areas and Natural Heritage System*. This is also reflected in Section 3, Urban Structure, of the *Livable Oakville Plan*. Official Plan Amendment 317 to the *North Oakville East Secondary Plan*, confirms the Town's existing urban structure and 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

In 2008, the North Oakville East Secondary Plan (NOESP) was approved by the former Ontario Municipal Board through OPA 272. The Secondary Plan includes detailed policies establishing general development objectives to guide the future development of the area covered by the Plan. OPA 272 was prepared to be consistent with the 2005 PPS and in conformity with the 2006 Growth Plan.

The land use designations which apply to the subject lands consist of *Dundas Urban Core Area*, *Neighbourhood Area*, *Park*, *Natural Heritage System Area*, and *Avenue/Transit Corridor* on Figure NOE2, Land Use Plan (Figures 4a and 4b).

The arrow, on Figure 4a, identifies the location of the subject lands.



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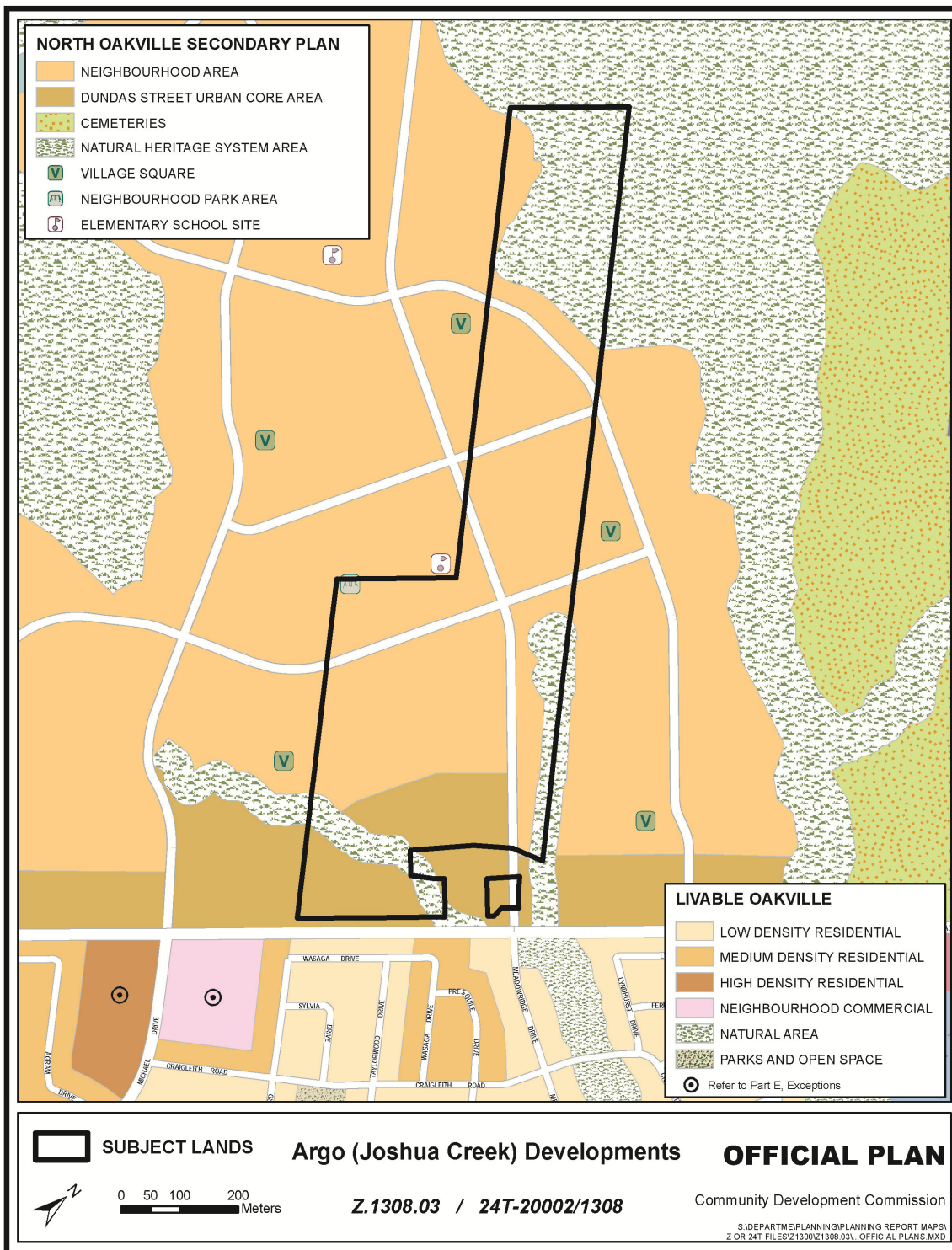


Figure 4b – Extract North Oakville East Secondary Plan - Figure NOE2

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### Master Plan – Appendix 7.3

The North Oakville Master Plan is intended to assist in providing guidance and coordination of local roads and adjacent land uses for the North Oakville Planning Area. Development applications are reviewed to ensure general coordination and consistency with the intent of the Master Plan. Minor modifications are permitted provided the general intent and direction of the Master Plan is maintained (Section 7.5.2).

Additional land use designations are further identified as *Natural Heritage System Area, General Urban Area, Sub Urban Area, Neighbourhood Centre Area, Stormwater Management Facility and Dundas Urban Core*, as shown in North Oakville Master Plan (Figure 5).

The NOESP requires a variety of building types to be developed throughout the General Urban Area, Sub-Urban Area and Neighbourhood Centre Area in each neighbourhood. This phase of development is located within Neighbourhood 5 and according to an extract of Table 1 the following is required:

<b>Table 1</b> <b>Neighbourhood Land Use Category Requirements</b>			
Neighbourhood	Neighbourhood Centre Area	General Urban	Sub-urban Area
<b>5</b>	15%	56%	29%

These requirements will be used in the evaluation of the application in the future recommendation report.



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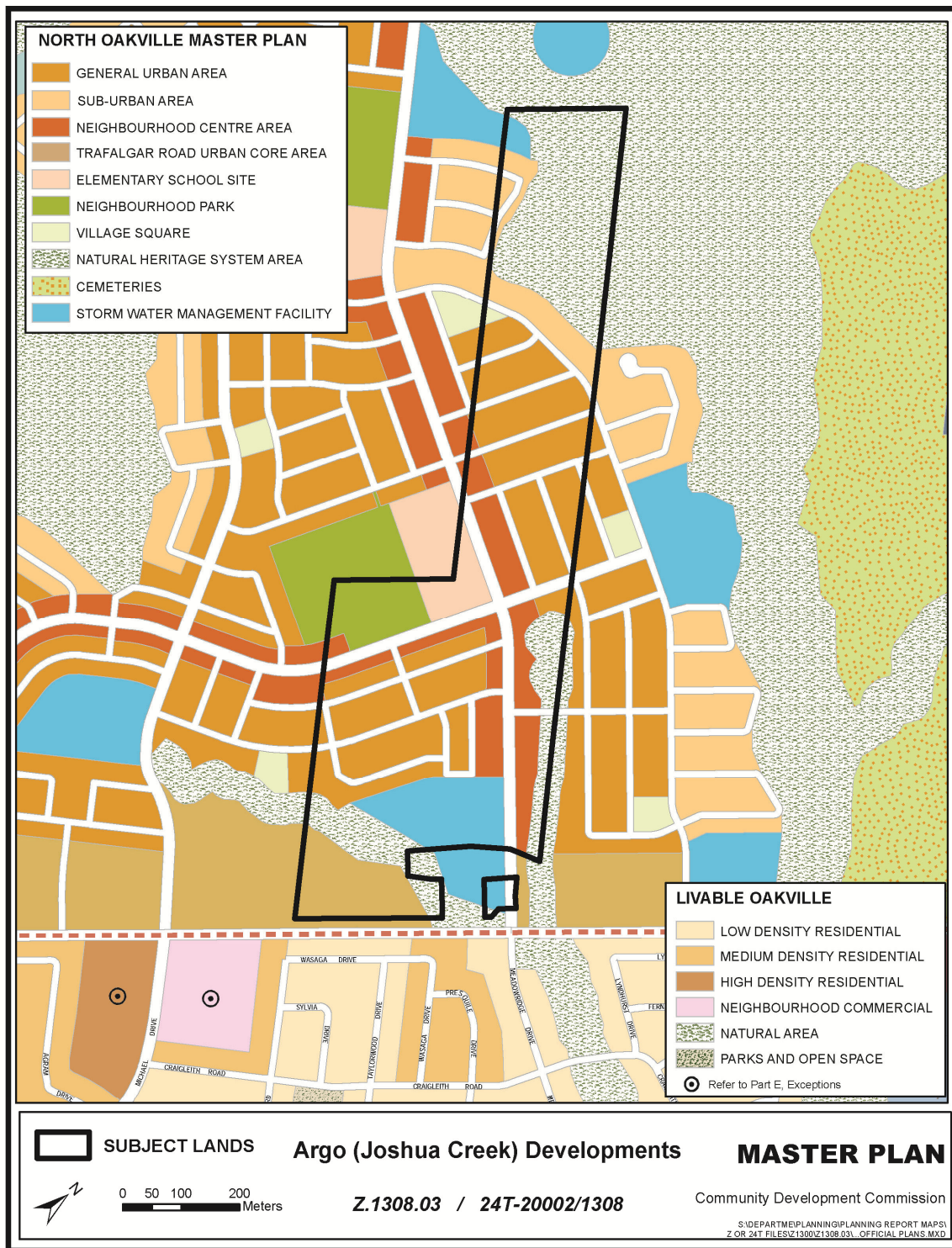


Figure 5 – North Oakville Master Plan Excerpt

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### Zoning By-law (By-law 2009-189)

The subject lands are zoned *Existing Development (ED)* (Figure 6). The *Existing Development (ED)* zone only allows uses that legally existed on the date of the parent by-law came into effect.

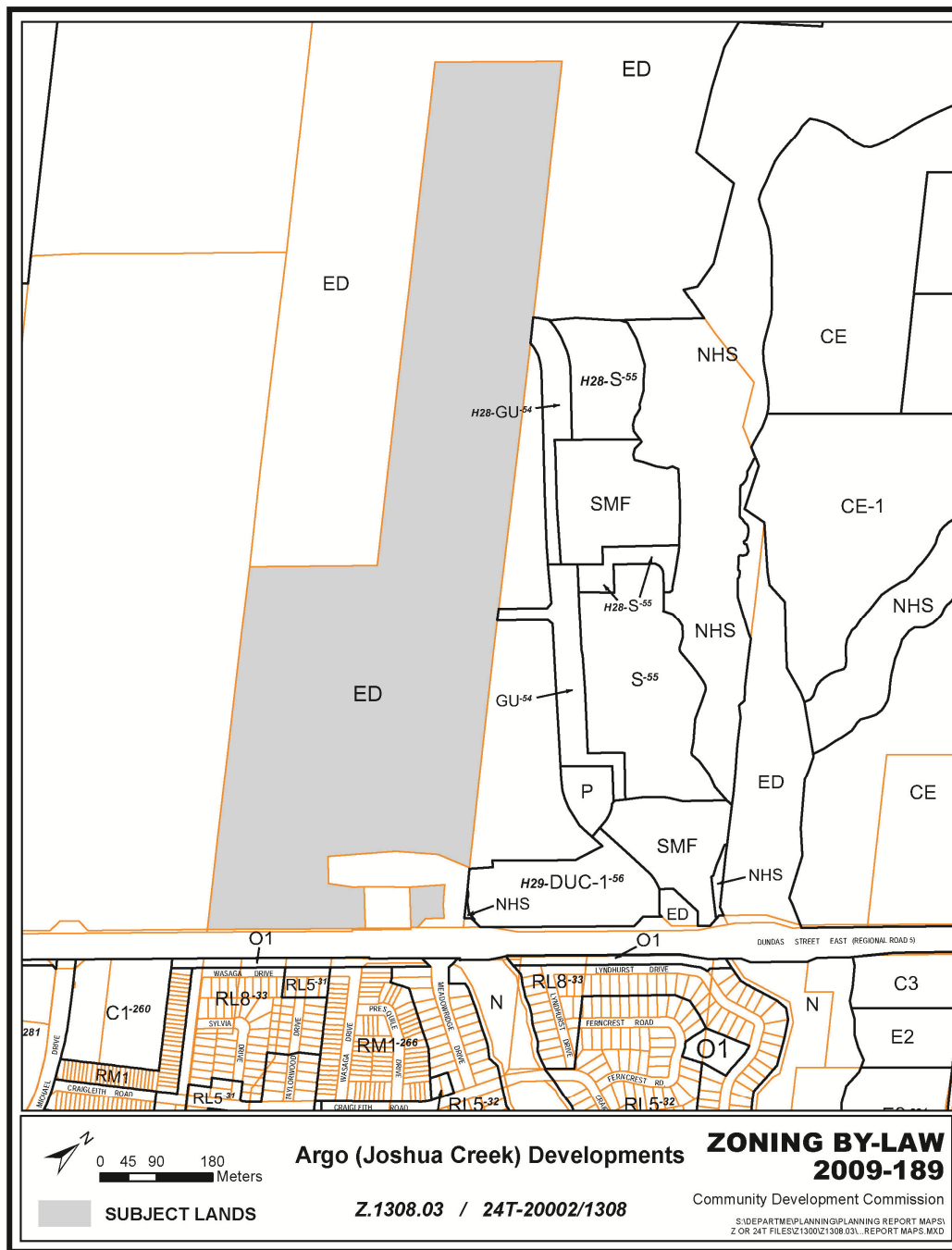


Figure 6 – Zoning By-law Extract

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### Proposed Zoning

A draft Zoning By-law has been submitted by the applicant to rezone the lands from *Existing Development (ED)* to site specific *General Urban, Sub-Urban, Dundas Urban Core, Neighbourhood Centre Area (NCA), Park (P), Stormwater Management Facility (SWM)* and *Natural Heritage System (NHS)* zones. The proposed zoning would facilitate the development of the lands for approximately 600 residential units, stormwater management pond, neighbourhood park, Dundas Urban Core block and natural heritage system.

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

### **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-34925.html>.

- Survey
- Draft Plan of Subdivision
- Planning Justification Report
- Draft Amending Zoning By-law
- Urban Design Brief
- Transportation Impact Study
- Density Plan
- Pedestrian Circulation & Transit Facility Plan
- Preliminary Mixed Use Concept Plan
- EIR/FSS
- Stage 1-2 Archaeological Study
- Noise and Vibration Study
- Phase 1 and Phase 2 Environmental Site Assessment
- Geotechnical Investigation Report

### **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.

- Confirmation of being a member in good standing with the North Oakville East Developers Group and party to the Cost Sharing Agreement.

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- Consistency with the Provincial Policy Statement, 2020 and conformity to the 2019 Growth Plan for the Greater Golden Horseshoe.
  - Conformity to the policies of the Region of Halton Official Plan.
  - Conformity of the proposal with the land use and policies of the North Oakville East Secondary Plan.
  - Coordination of the draft plan of subdivision with the Environmental Implementation Study to the satisfaction of Conservation Halton and the Town.
  - 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.
  - Appropriate residential, on-street parking and visitors parking.
  - Location of walkway blocks.
  - Location of village square.
  - Design and functionality of the mixed use block located at the Neighbourhood Activity Node.
  - The coordination and phasing of the proposed local road network with the adjacent draft plan of subdivisions and Dundas Street East. There is a “gap” with the proposed Street B where it crosses the Regional lands in the southern part of the subdivision in the vicinity of Dundas Street East. A section of Street B is proposed to be located on Regional lands and dedication of lands which will allow for future access to Dundas Street East will have to be addressed as part of the Draft Plan approval.
  - Confirmation of appropriate road and lane widths to ensure functionality.
  - 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.



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A complete analysis of this application will be undertaken including the matters identified above and any comments received at this public meeting.

## **CONSIDERATIONS:**

### **(A) PUBLIC**

Notice public meeting has been distributed in accordance with the Planning Act. Prior to submission of the application, the applicant hosted a public information meeting on August 8, 2019. 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 comment. The application remains in technical review.

The application will be considered under Bill 108, which provides for a 120-day timeline before an appeal can be filed for lack of decision. This timeline would normally have ended on May 23, 2020. However, due to the Covid pandemic, the Provincial Government had issued a regulation that effectively suspended this timeline from March 17 until June 22, 2020. The new date before an appeal can be filed in September 8, 2020.

### **(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 Plan. The proposal will also

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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.

## **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 A - Applicant's Proposed Zoning Regulations

Appendix B - Applicable Policies

Prepared by:

Leigh Musson, MCIP, RPP  
Senior Planner, Current Planning  
East District

Recommended by:

Heinz Hecht, MCIP, RPP  
Manager, Current Planning  
East District

Submitted by:

Mark H. Simeoni, MCIP, RPP  
Director, Planning Services