



OAKVILLE

REPORT

PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: SEPTEMBER 8, 2020

FROM: Planning Services Department

DATE: August 26, 2020

SUBJECT: Public Meeting Report - Zoning By-law Amendment - EMGO (North Oakville I) Ltd. - Phase 2 - 3369 Sixth Line, File No.: Z.1315.10

LOCATION: 3369 Sixth Line

WARD: 7

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RECOMMENDATION:

1. That the public meeting report prepared by the Planning Services Department dated August 26, 2020, be received.
2. That comments from the public with respect to the proposed Zoning By-law Amendment submitted by EMGO (North Oakville I) Ltd. (File No.: Z.1315.10), be received.
3. That staff consider such comments as may be provided by Council.

KEY FACTS:

The applicant has proposed a revision to the draft plan of subdivision and zoning by-law which was approved by the former Ontario Municipal Board (OMB) on May 4, 2017.

The draft plan of subdivision was broken in two phases, with the first phase was registered in 2019. The second phase, which is the subject of this application consists of 98 detached dwellings, 52 townhouse dwelling units, 20 live-work units, and a Neighbourhood Park. No portions of Phase 2 of the Draft Plan of subdivision have been registered and no purchase and sale agreements have been entered into.

The purpose of the Zoning By-law Amendment application is to reduce the total number of live-work units to be provided in the Neighbourhood Activity Node located

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at Marvin Avenue and Sixth Line from 20 to 4. Further, the effect of the rezoning would be to alter the lot dimensions for the lane-based townhouse units to accommodate additional units along Sixth Line. Reserve Residential Block 53 is intended to be rezoned to coordinate the zoning with the lands to the north, known as EMGO III (also owned by the developer and currently under review).

The effect of the proposed revision to the draft plan of subdivision would be to reconfigure the lot sizes to create three new lots for detached dwellings, as well as an additional 23 lane based townhouse dwellings. The updated proposal consists of 101 detached dwellings, 87 townhouse units, four live-work blocks (each consisting of one ground floor commercial unit with two residential apartment units located above) configured within a townhouse block, and a neighbourhood park.

The proposed revision to the draft plan of subdivision and zoning by-law would continue to conform to the *Neighbourhood Area on Figure NOE 2- Land Use Plan* in the North Oakville East Secondary Plan.

The applications were submitted on June 22, 2020. Bill 108 provides for a 90 day appeal timeframe, which would end on September 20, 2020. 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 90 day appeal timeframe has not been impacted.

BACKGROUND:

The purpose of this report is to introduce the planning application as part of 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 June 22, 2020.

Proposal

The applicant has submitted a Zoning By-law Amendment to reduce the number of live-work units from 20 to 4, reduce the lot width for lane-based townhouse dwelling units, and modify the setbacks for lane-based townhouse dwelling units. A corresponding redline revision to the draft approved plan of subdivision would also be required to increase the number of lane-based townhouse dwelling units, increase the number of detached dwelling units, and reconfigure the laneways.

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In 2017, the Town and the land owner reached a settlement before the Ontario Municipal Board (OMB), where the OMB approved the draft plan of subdivision 24T-12012/1315 and Zoning By-law 2017-017. The subdivision includes detached dwellings, townhouse dwellings, live-work units, and a neighbourhood park.

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Figure 1: Aerial

The applicant advised planning staff that they intended on reducing the number of live-work units in the Neighbourhood Activity Node on the east side of Sixth Line at Marvin Avenue, but would accommodate additional commercial space in their development on the west side of Sixth Line (known as ARGO West Morrison Creek) as shown in Figure 2 below.

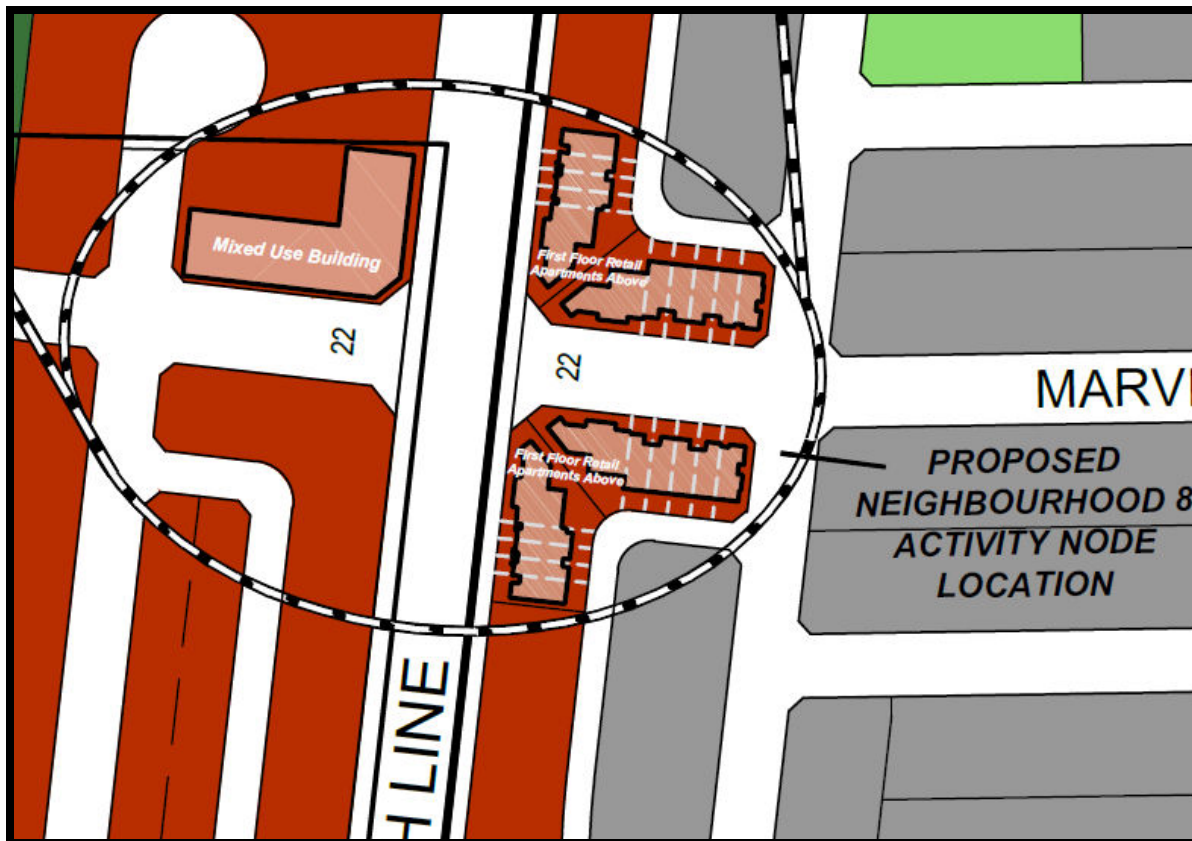


Figure 2 – Neighbourhood Activity Node Concept Plan

As a result, the applicant is proposing to reduce the number of live-work units from 20 to four. In addition, the applicant proposes to reconfigure the three lanes (“AA”, “BB”, and “CC”) to accommodate additional variety in the townhouse units along Sixth Line as shown in Figure 3 below.

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OMB Approved Subdivision

Proposed Redline Subdivision

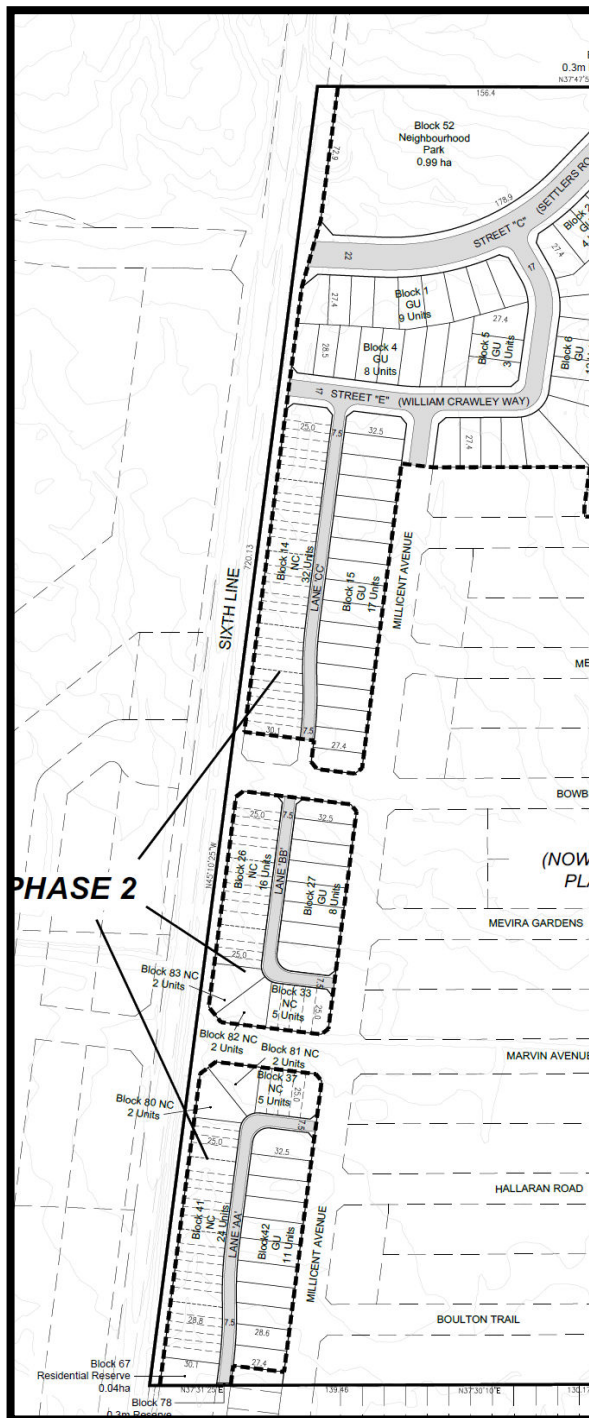
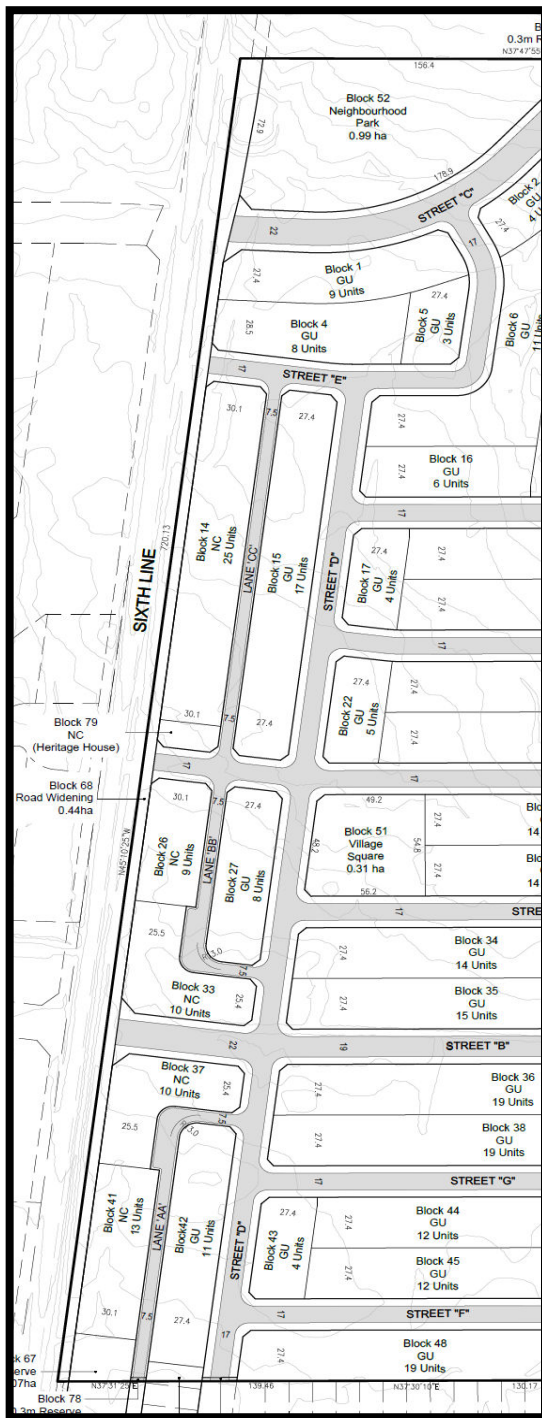


Figure 3 – OMB Approved and proposed Draft Plan of Subdivision

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The proposed Zoning By-Law Amendment application would have the effect of reducing the number of live-work units in the Neighbourhood Activity Node at the intersection of Sixth Line and Marvin Avenue, as well as modifying the setbacks for the lane-based townhouse dwelling units. Further, the rezoning of a Residential Reserve Block 53 will better coordinate with the applicant's proposed development to the north.

The applicant has submitted a corresponding red-line revision to the draft plan of subdivision that can be approved by the Director of Planning following the expiration of the 20 day appeal period relating the current rezoning application.

Submission materials are available at the following link on the Town's website:
<https://www.oakville.ca/business/da-35858.html>

Location and Site Description:

The subject property is located on the east side of Sixth Line south of Burnhamthorpe Road East and north of Threshing Mill Road. The lands are municipally known as 3369 Sixth Line and the legal description is Part of Lot 15, Concession 1, N.D.S.

The lands affected by the revision are described as Blocks 6, 7, 8, 14, 17, 26, 27, 33, 37, 41, and 42 on draft plan of subdivision 24T-12012/1315.

Surrounding Land Uses

The surrounding land uses are as follows:

North: Vacant – designated for future residential uses

East: Vacant – registered plan of subdivision approved for residential uses

South: Vacant – registered plan of subdivision approved for residential uses.

West: Sixth Line, designated for future residential uses

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

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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.

Growth Plan for the Greater Golden Horseshoe (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 (policy 2.2.1). The subject lands are located within a "Designated Greenfield Area."

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.

Halton Region Official Plan

The subject lands are designated as 'Urban Area', located within the Greenfield Area, as identified within the ROP. The policies of Urban Area designation support the development of vibrant and healthy mixed use communities which afford maximum choices for residence, work and leisure. The Urban Area policies also requires *development* in the *Greenfield Area* to contribute to achieving development density targets established by the Plan, contribute to healthy communities, and provide a range and mix of uses to support vibrant neighbourhoods. Policy 76 notes that the range of permitted uses is to be in accordance with Local Official Plans and

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Zoning By-laws. All development, however, is subject to the policies of the Regional Plan.

The applicant has secured sufficient allocation to support the additional units proposed for the development. However, the Region has not submitted their final comments to the town at the time of writing this report.

North Oakville East Secondary Plan (NOESP)

Urban Structure

Schedule A1, Urban Structure, of the Livable Oakville Plan provides the basic structural elements for the Town for both north and south of Dundas Street. The subject lands are identified on Schedule A1 – Urban Structure as being within the Town’s “Residential Areas”. Residential areas include low, medium and high density residential uses as well as a range of compatible facilities such as schools, places of worship, recreational and commercial uses that serve the residents of the Town.

Land Use Policies

Figure NOE 2 – Land Use Plan designates the subject lands as Neighbourhood Area as shown in Figure 4 below.

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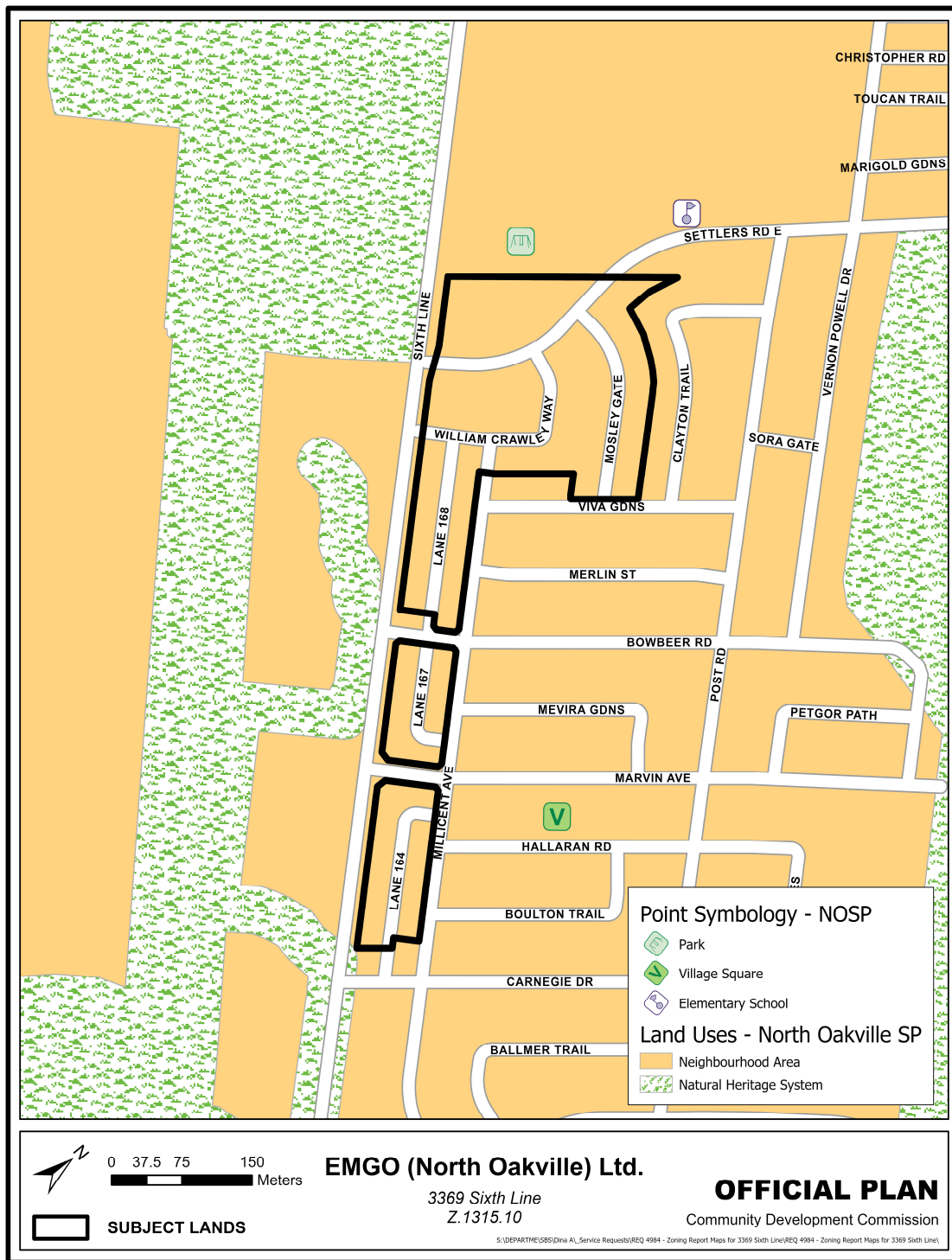


Figure 4 – Oakville Official Plan (2006)

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The North Oakville Master Plan, identified in Appendix 7.3 of the NOESP 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.

OPA 321

In September 2018, Halton Region approved OPA 321 and was subsequently approved at the LPAT in July 2019, with modifications. The effect of OPA 321 is to implement the policy directions focused on areas of concern to be addressed in the short-term through the North Oakville Secondary Plans Review. As it relates to this proposal, the Neighbourhood Centre Area policies were updated to enhance clarity, provide opportunities to increase the maximum height and require one mixed use or non-residential building at neighbourhood activity nodes. Further, the definition for Medium Density Residential Development was updated to remove detached, semi-detached and duplex dwellings as permitted uses.

North Oakville Zoning By-law (2009-189)

The subject lands are zoned P- Park, GU - General Urban (SP:42), Neighbourhood Centre (SP:40 and SP:41) as shown on Figure 5 below.

Proposed Zoning

The applicant proposes to modify the existing zoning as follows:

- Reduce the area required for live-work units at the intersection of Sixth Line and Marvin Avenue to require four live-work units, rather than 20.
- Modify the lot dimensions to accommodate additional lane-based townhouse units.
- Change the NC-1 SP41 Zone to NC SP40 for a residential reserve block located at the northern portion of the subject site (shown in Figure 5 below).

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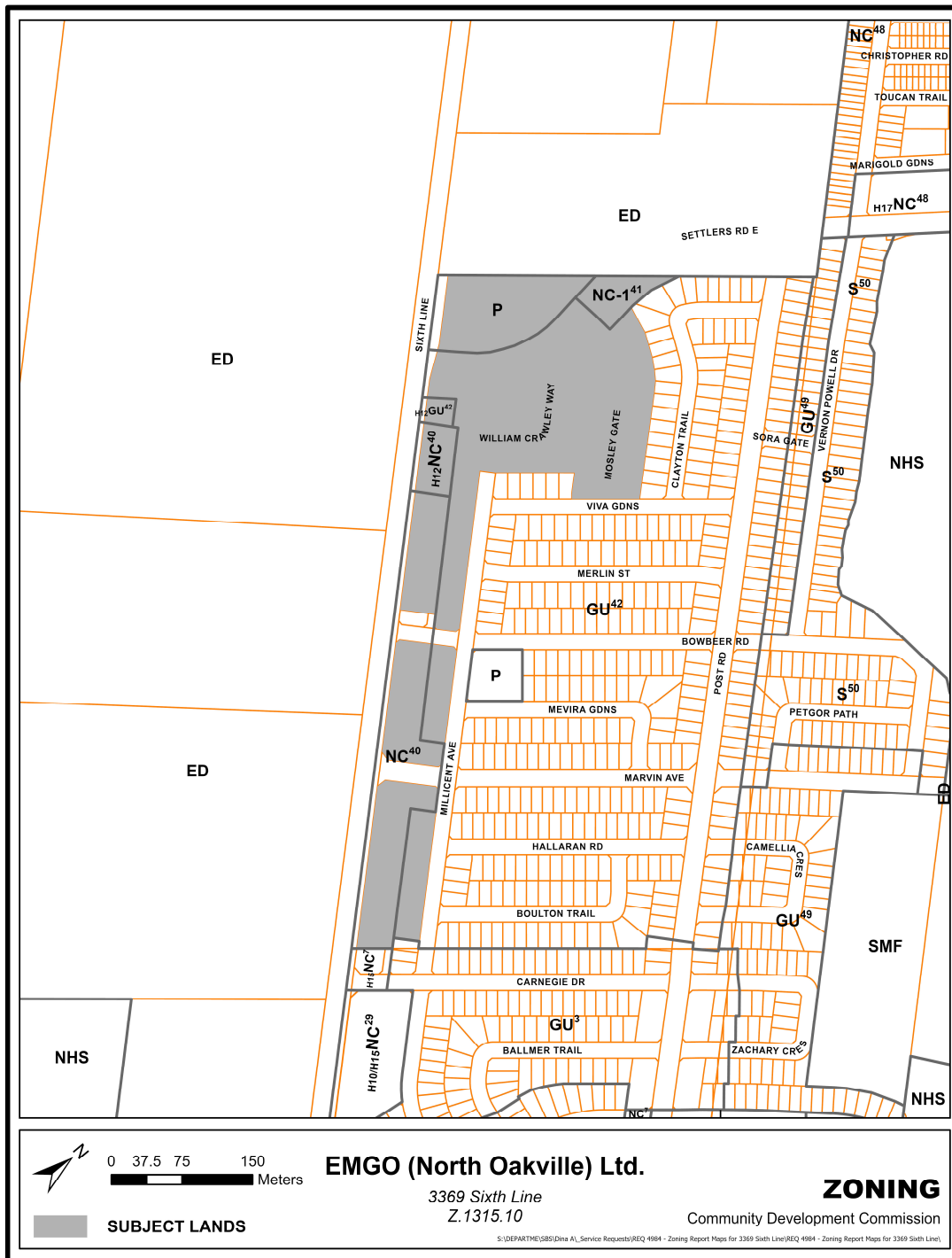


Figure 5 – Zoning Map

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TECHNICAL COMMENTS

The applicant 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 studies and supporting documentation are also accessible on the town's website

(<https://www.oakville.ca/business/da-35858.html>)

- Plan of Survey
- Planning Justification Report
- Parking Analysis Plan
- Pedestrian Circulation Plan
- Context Map Area Design Plan
- Density Plan
- Draft Zoning By-law Amendment
- Floor Plans
- Detached Floor Plan Elevations
- Multi Use Floor Plan Elevations
- Rear Lane Elevation Plans
- Servicing Brief

Town staff and external agencies have reviewed the materials and have raised the concerns below.

Issues Under Review / Matters to be Considered

In review of the submitted materials staff have raised the following issues and matters to be considered:

- Confirmation that the applicant is a member in good standing with the North Oakville Developers landowners association and is a 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.
- The design and functionality of the live-work units located at the Neighbourhood Activity Node.
- The coordination of residential reserve blocks with the adjacent plans of subdivision and zoning.
- The layout and laneway alterations within the subdivision.

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CONSIDERATIONS:

(A) PUBLIC

Notice for the meeting regarding this development application was provided through a mailing of all properties within 120 meters of the subject lands, and including to the North Oakville Ward 7 Residents Association. A total of 52 notices were distributed. No written correspondence from the public has been received at the time of the writing of this report.

(B) FINANCIAL

Development Charges would be applicable to this development. In 2019 the More Homes, More Choices Act (Bill 108), received Royal Assent. Parts of the Bill are now in force while others await proclamation. The COVID-19 Economic Recovery Act, 2020 (Bill 197) received Royal Assent on July 21, 2020, and would reverse many of the changes introduced through Bill 108, restoring the financial tools available to the town. Bill 197 provides more certainty in municipal financing and assists the town in providing complete communities while ensuring that “growth pays for growth” to the maximum extent possible.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

The application was circulated to internal and external departments and agencies or review and remains in technical review.

The applications will be considered under Bill 108, which provides for a 90 day timeline before an appeal can be filed for lack of decision. This timeline will end on September 20, 2020. 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 date before an appeal can be file remains unchanged.

(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 generally complies with the Town’s sustainability goals and objectives of the North Oakville East Secondary Plan. The proposal has also been reviewed in the context of Council declaring a Climate Change Emergency on June 24, 2019 to provide opportunities to reduce the development footprint of the proposal.

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CONCLUSION

Planning staff will continue to review and analyze the proposed applications and address all technical matters, if any, along with submitted public comments, and report to Council at a future meeting. No further notice is required; however, notice of any future public meetings will be provided to those who have made submissions.

APPENDICES

- Appendix "A" – Location Map
- Appendix "B" – PPS and Growth Plan Policies
- Appendix "C" – Applicant's Proposed Zoning Regulations

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