



OAKVILLE

REPORT

PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: OCTOBER 5, 2020

FROM: Planning Services Department

DATE: September 23, 2020

SUBJECT: **Public Meeting Report - Zoning By-law Amendment and Draft Plan of Subdivision EMGO III Corporation - 3483 Sixth Line, File Nos.: Z.1315.09 and 24T-20005.1315**

LOCATION: 3483 Sixth Line

WARD: 7

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RECOMMENDATION:

1. That the public meeting report prepared by the Planning Services Department dated September 23, 2020, be received.
2. That comments from the public with respect to the proposed zoning by-law amendment/draft plan of subdivision submitted by EMGO III Corporation (File Nos.: Z.1315.09, 24T-20005.1315), be received.
3. That staff consider such comments as may be provided by Council.

KEY FACTS:

- EMGO III Corporation has submitted a proposed zoning by-law amendment and draft plan of subdivision to develop approximately 6.61 hectares of land for 35 residential units consisting of 32 townhouse dwellings, three detached dwellings, and a partial block for a future Park and School. The draft plan of subdivision also provides for the extension of Settlers Road East to Sixth Line, and the extension of Post Road to the north.
- The subject lands are designated *Neighbourhood Park, Elementary School Site*, and *Neighbourhood Area* by the North Oakville East Secondary Plan and zoned Existing Development (ED) in Zoning By-law 2009-189, as amended. Both the existing Official Plan designation and zoning are consistent with the Provincial Policy Statement, conform to all applicable Provincial plans, the Region of Halton Official Plan and the North Oakville

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East Secondary Plan as they allow for urban development in accordance with the Town's established urban structure.

- The applications were submitted and deemed complete on April 24, 2020. Bill 108 provides for a 90 day appeal timeframe, which would have ended on July 23, 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 90 day appeal timeframe will end September 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 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 April 24, 2020.

Proposal

The applicant has submitted a zoning by-law amendment and draft plan of subdivision application to develop a portion of Neighbourhood 9 within the North Oakville East Secondary Plan. The proposal would create 32 townhouse dwellings, three detached dwellings, a partial Park block having an area of 2.49ha, a partial School block having an area of 2.20ha, the extension of Settlers Road East to Sixth Line, and the extension of Post Road to the north (shown in Figure 1). The development also includes an Activity Node at the intersection of Post Road and Settlers Road East.

The additional lands required for the proposed school block will be created as part of a future draft plan of subdivision and zoning amendment from the abutting lands to the north, owned by a different developer. The proposed park block will be combined with lands to the south which are also designated as a future park and currently owned by the same developer. These additional lands are located within the draft approved plan of subdivision known as EMGO (North Oakville I) Limited – Phase 2 (24T-12012).

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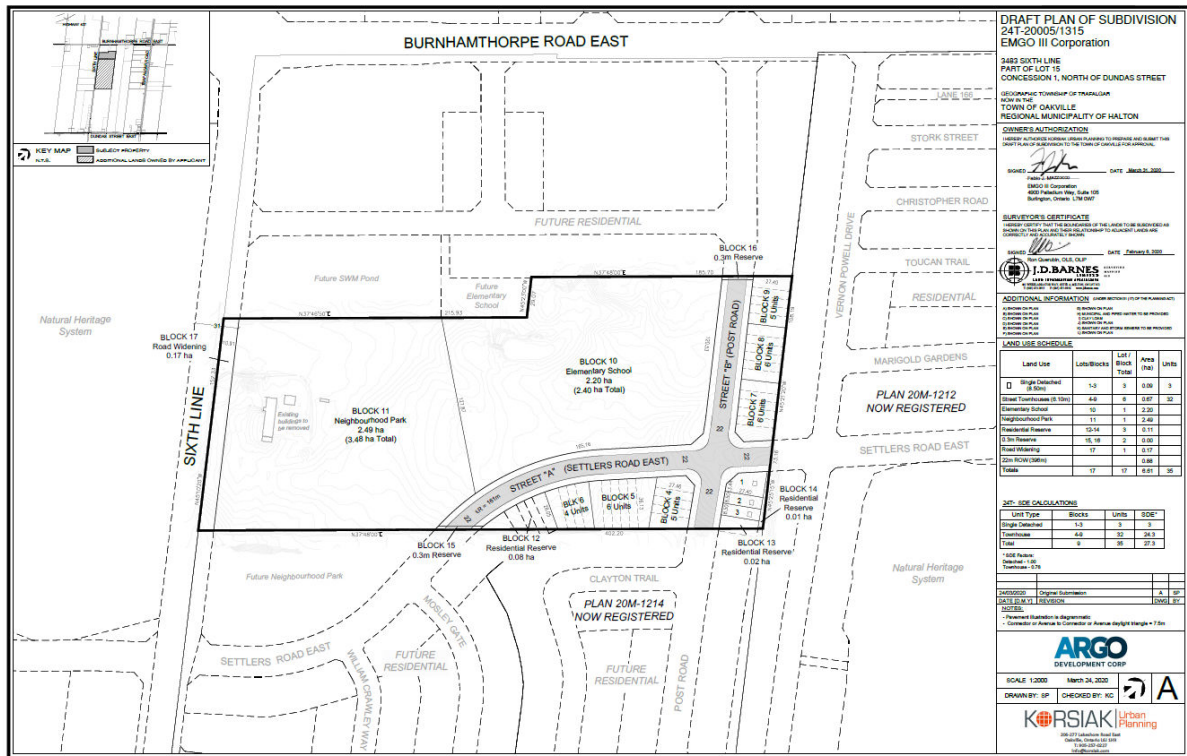


Figure 1 – Proposed Draft Plan of Subdivision (also provided in Appendix B)

On-street parking can also be accommodated through this development. The potential on-street parking layout is provided in Figure 2 below:

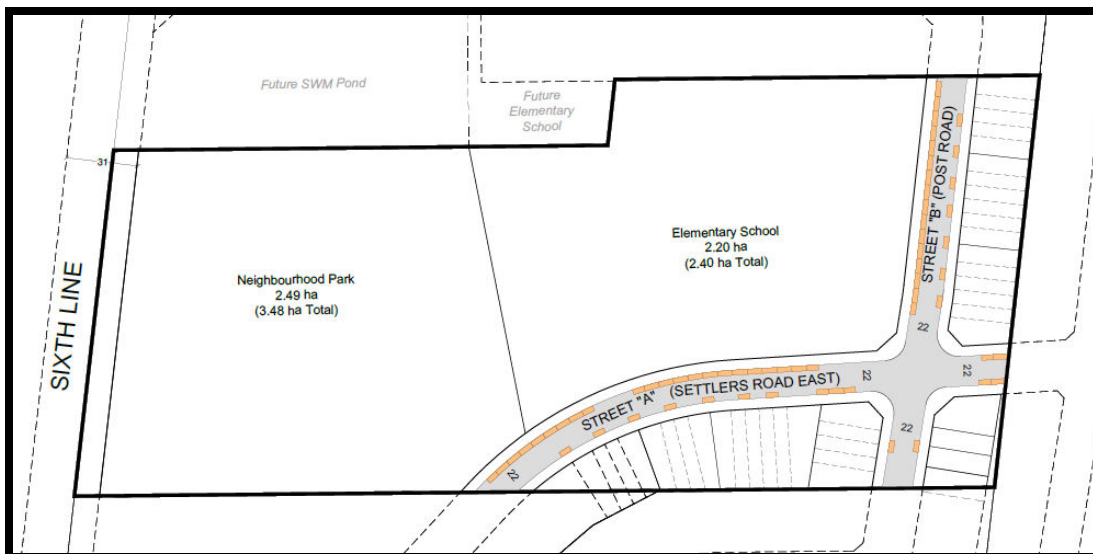


Figure 2 – Potential On-street Parking

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The materials submitted for this application can be found online at <https://www.oakville.ca/business/da-35514.html>

Location & Site Description

The subject lands are located at south of Burnhamthorpe Road East, on the east side of Sixth Line. The subject lands are 6.61ha (16.33 acres) in size with approximately 152 m of frontage on Sixth Line. The site is currently vacant and was previously used for agricultural uses and contained a detached dwelling which has been demolished (Figure 2). The legal description of the lands is Part of Lot 15, Concession 1, N.D.S.

Surrounding Land Uses

The surrounding land uses are as follows:

North: Vacant – designated for future stormwater management pond, elementary school and townhouses

East: Vacant – registered plan of subdivision under construction for two storey townhouses

South: Vacant – registered and draft plan approved subdivisions to permit a range of residential uses including two storey townhouses and detached dwellings and a neighbourhood park.

West: Sixth Line, Natural Heritage System

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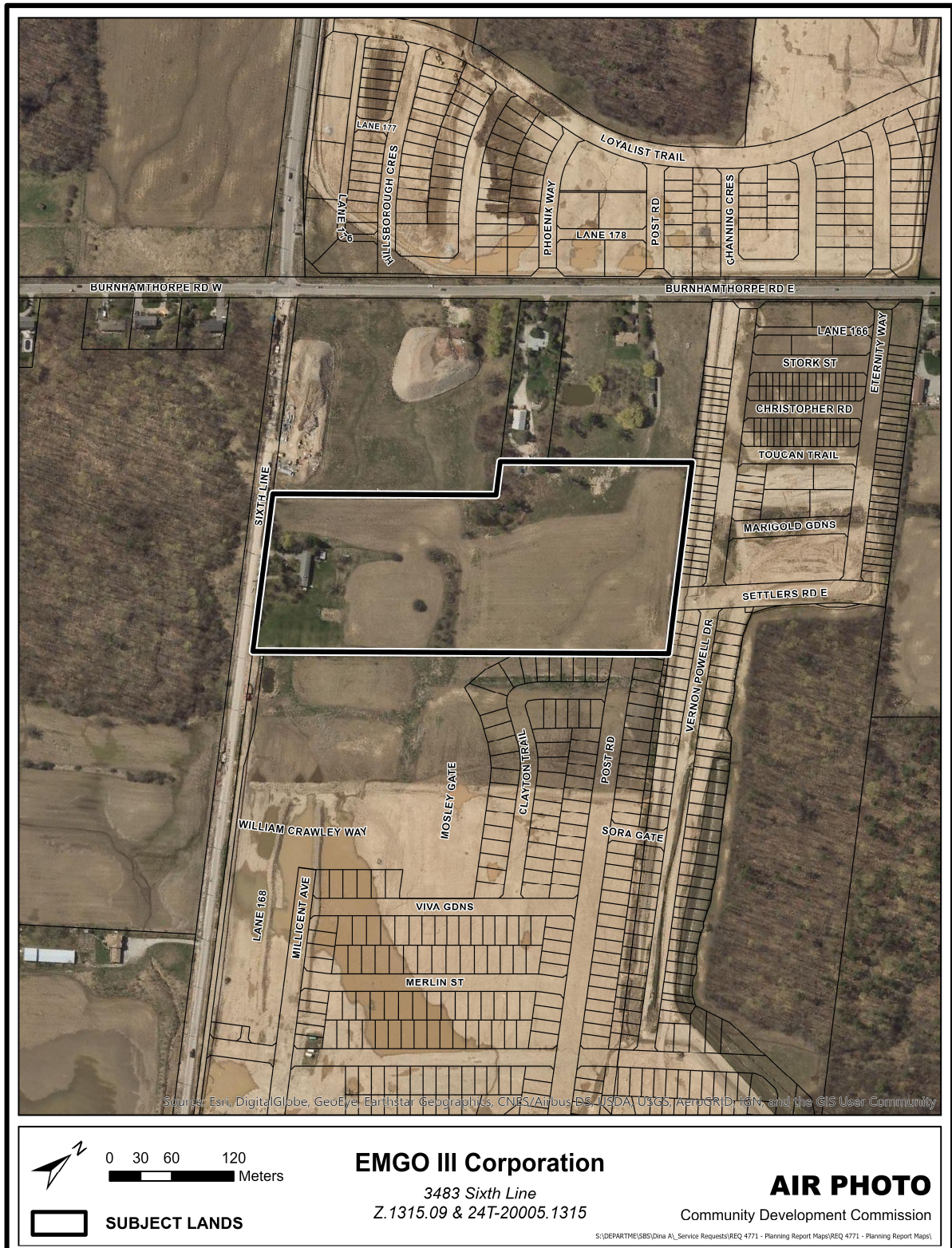


Figure 3 – Air Photo

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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

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,

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

The applicant has secured sufficient allocation to support the proposed development. The Region's final comments will be required prior to providing any support to the proposed development.

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 in the NOESP designates the subject lands (shown in Figure 4):

- Neighbourhood Area
- Elementary School Site
- Neighbourhood Park

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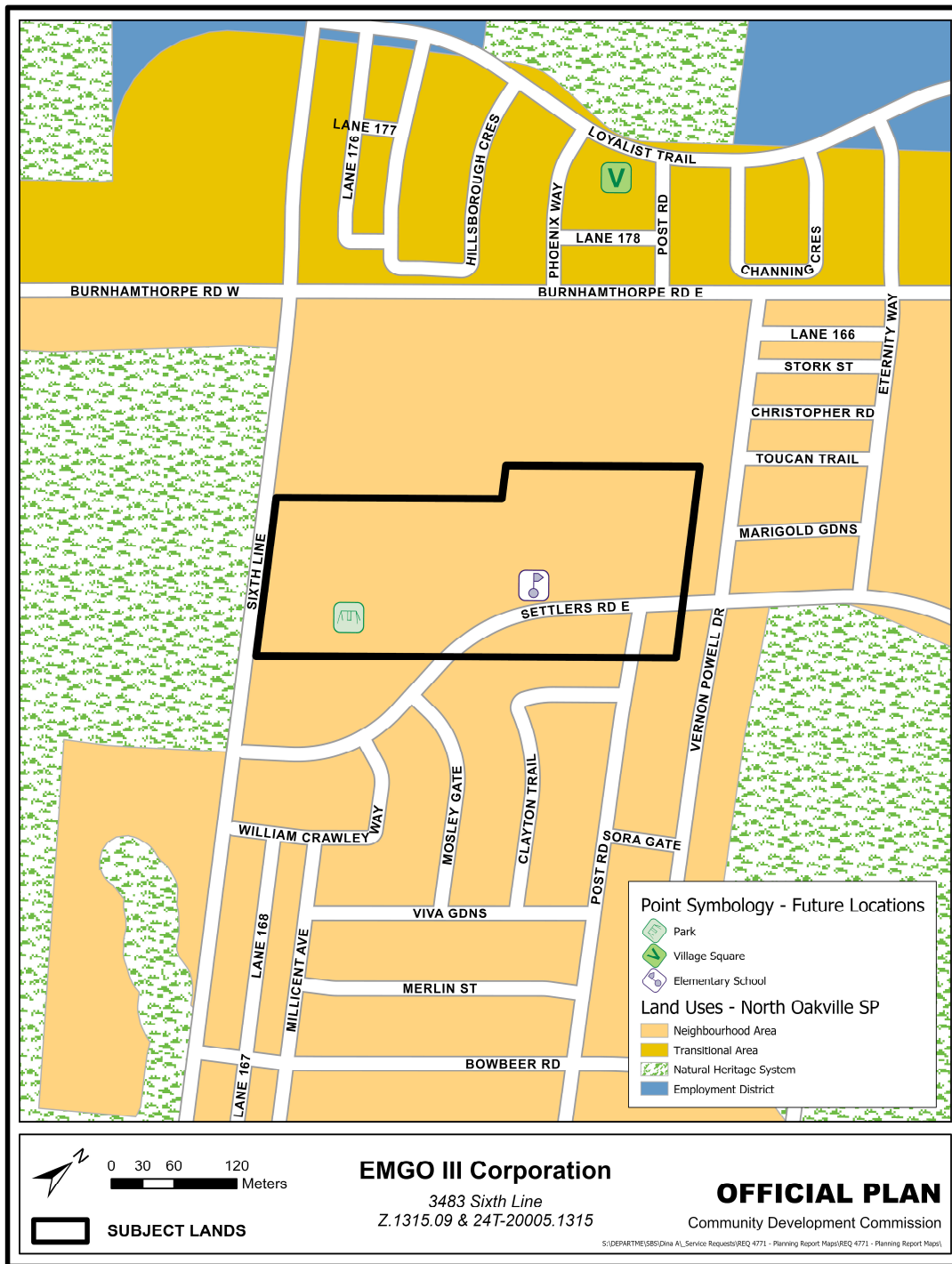


Figure 4 –NOESP

Appendix 7.3 North Oakville Master Plan further categorizes the lands as Neighbourhood Centre Area (red), Elementary School (teal), Neighbourhood Park (light green), and includes a neighbourhood centre activity node (purple circle) at the intersection of Settlers Road East and Post Road, shown in Figure 5 below.

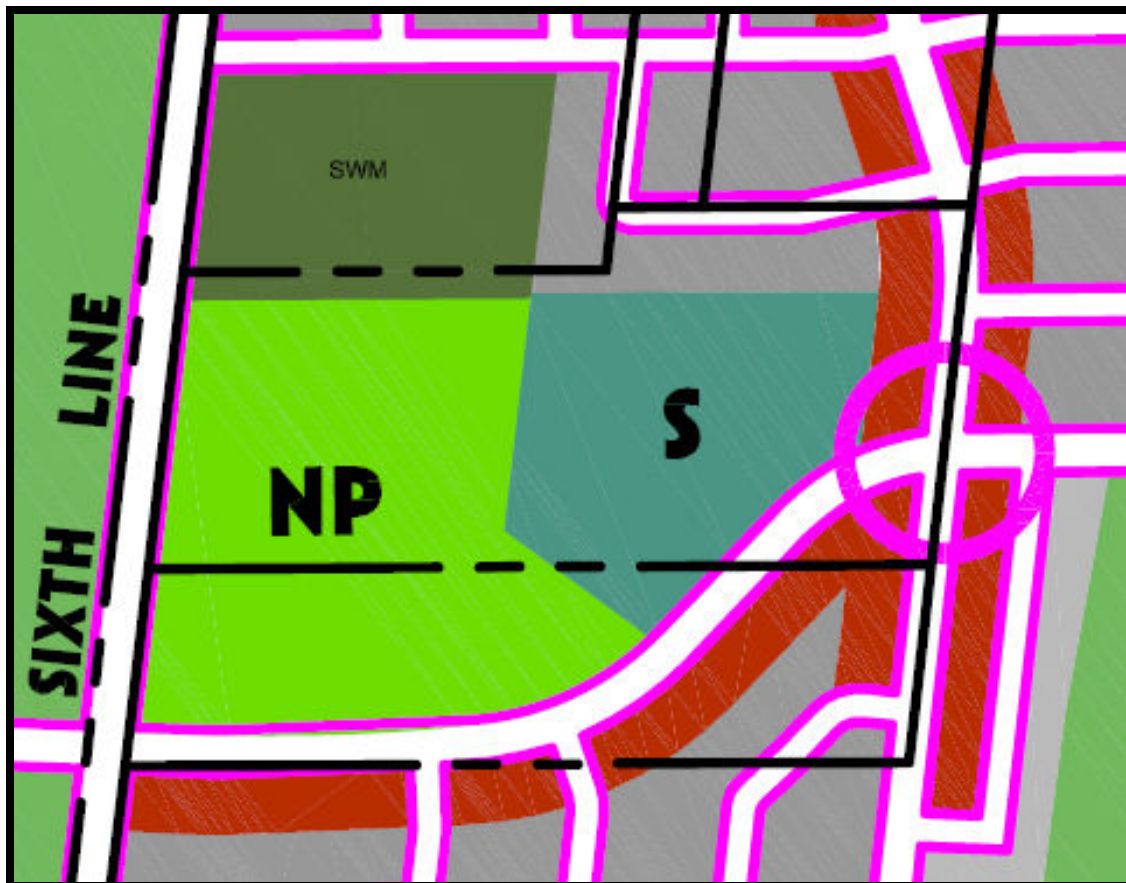


Figure 5 – Master Plan land use

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, including road network alterations may be considered, assuming the general intent and direction of the Master Plan is maintained. Policy 7.7.2.1 b) acknowledges that road alignments are diagrammatic, and an amendment to this Plan will not be required for changes in a road alignment provided that the general intent and purpose of this Plan are 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.

Zoning By-law (2009-189)

The subject lands are zoned ED (Existing Development) and a zoning amendment is required to implement the land use strategy of the NOESP and coordinate with the proposed draft plan of subdivision.

Proposed Zoning

The applicant proposes to change the zoning from ED (Existing Development) to P (Neighbourhood Park), I (School) modified, NC (Neighbourhood Centre) modified, and GU (General Urban) modified, more clearly shown in Figure 6 below. The proposed zoning regulations are provided in Appendix “D”.

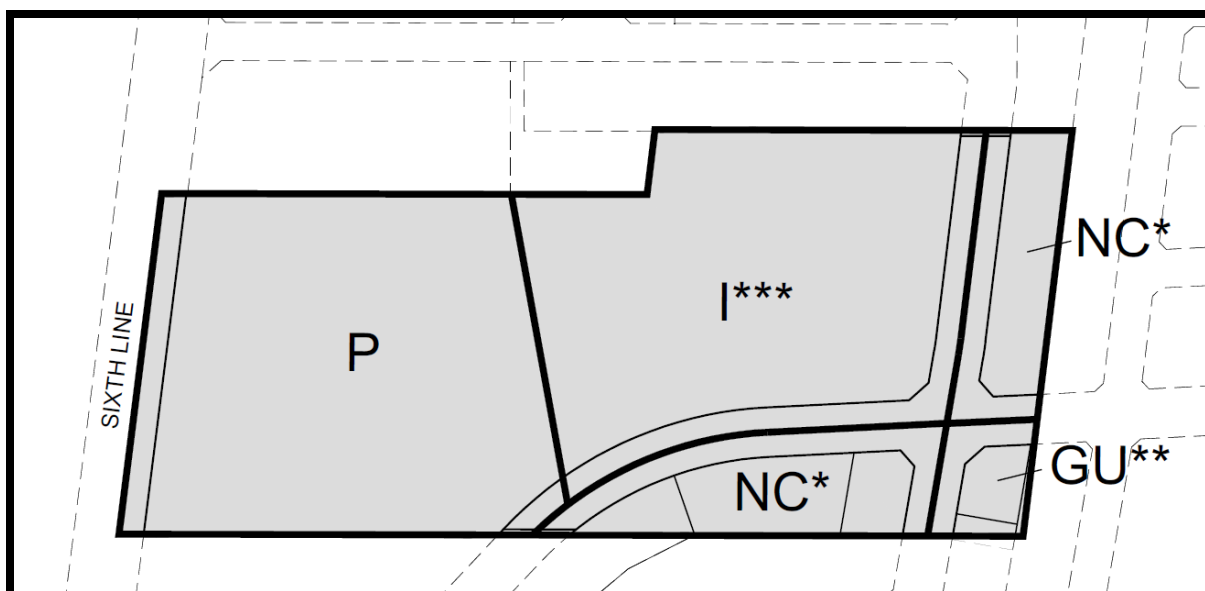


Figure 6 – Proposed Rezoning

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TECHNICAL & PUBLIC 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-35514.html>)

- Plan of Survey
- Draft Plan of Subdivision
- Archaeological Assessment
- Density Designation Plan
- Draft Zoning By-law Amendment
- Environmental Implementation Report and Functional Servicing Study
- Environmental Site Screening Questionnaire
- Parking Facility Plan
- Pedestrian Circulation Plan
- Planning Justification Report
- Tree Canopy Coverage Analysis
- Urban Design Brief

Issues Under Review / Matters to be Considered

A complete analysis of the applications will be undertaken including the review of the following matters which have been identified to date:

- 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.
- Conformity and coordination of the draft plan of subdivision with the NOESP and Master Plan. The changes to the configuration and alignment of the proposed Settlers Road East and Post Road has impacted the location and size of the required Neighbourhood Park and Elementary School Blocks. The applicant would be required to coordinate their proposal with the future development of the lands to the north.
- The design and functionality of the mixed use block located at the neighbourhood activity node. The neighbourhood activity node requires at

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least one mixed use or non-residential building. The applicant has interpreted the Town's policies in a manner which establishes that the future elementary school would satisfy this requirement. Staff note that the school is designated separately from the neighbourhood activity node and has its own set of policies.

- The coordination of residential reserve blocks with the adjacent plans of subdivision and zoning.
- Environmental Implementation Report/Functional Servicing Study needs to be updated prior to providing draft plan conditions.

CONSIDERATIONS:

(A) PUBLIC

The applicant held a Public Information Meeting on December 16, 2019, for which notice was provided on November 28, 2019. There were no members of the public in attendance.

Notice for the meeting regarding this development application was provided through a mailing of all properties within 120 meters of the subject lands. Resident Associations were notified along with property owners in accordance with the *Planning Act* and Town practices. 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 for 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 would normally have ended on July 23, 2020. However, due to the COVID

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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 file is September 20, 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 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.

CONCLUSION

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

APPENDICES:

- Appendix "A" – Location Map
- Appendix "B" – Draft Plan of Subdivision
- Appendix "C" – Applicable Policies
- Appendix "D" – Applicant's Proposed Zoning Regulations

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