

REPORT

PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: DECEMBER 7, 2020

FROM: Planning Services Department

DATE: November 25, 2020

SUBJECT: Public Meeting Report - Draft Plan of Subdivision and Zoning By-law Amendment - Mattamy (Joshua Creek) Limited - Phase 3 - Part of Lots 8 and 9, Concession 1 N.D.S., File No.: 24T-20007/1307, Z.1307.07

LOCATION: Part of Lots 8 and 9, Concession 1 N.D.S.

WARD: 6

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RECOMMENDATION:

1. That the public meeting report, prepared by the Planning Services Department dated November 25, 2020, be received.
2. That comments from the public with respect to the Zoning By-law Amendment and Draft Plan of Subdivision by Mattamy (Joshua Creek) Limited – Phase 3, (File No.: 24T-20007/1307 and Z.1307.07) be received.
3. That staff consider such comments as may be provided by Council.

KEY FACTS:

The following are key points for consideration with respect to this report:

- This report provides an overview of a proposed Draft Plan of Subdivision and Zoning by-law Amendment applications submitted by Mattamy (Joshua Creek) Limited which would have the effect of developing approximately 60.5 hectares of land consisting of 687 detached dwellings and 344 townhouse units.
- The subject lands are designated Neighbourhood Area, Neighbourhood Park, Elementary School Site, Village Square 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.
- Notwithstanding the proposal, the existing Official Plan designation and zoning are consistent with the Provincial Policy Statement 2020, conform to all applicable Provincial plans, the Region of Halton Official Plan as they

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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.

- An applicant initiated public information meeting took place on February 11, 2020, and was attended by one resident and the Ward 6 Councillors.
- 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 September 25, 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 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 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 May 27, 2020. The developer initiated Public Information Meeting occurred February 11, 2020, where one member 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 1,031 residential units, two neighbourhood parks, separate elementary school and natural heritage system on 60.5 ha of land (Figure 1).

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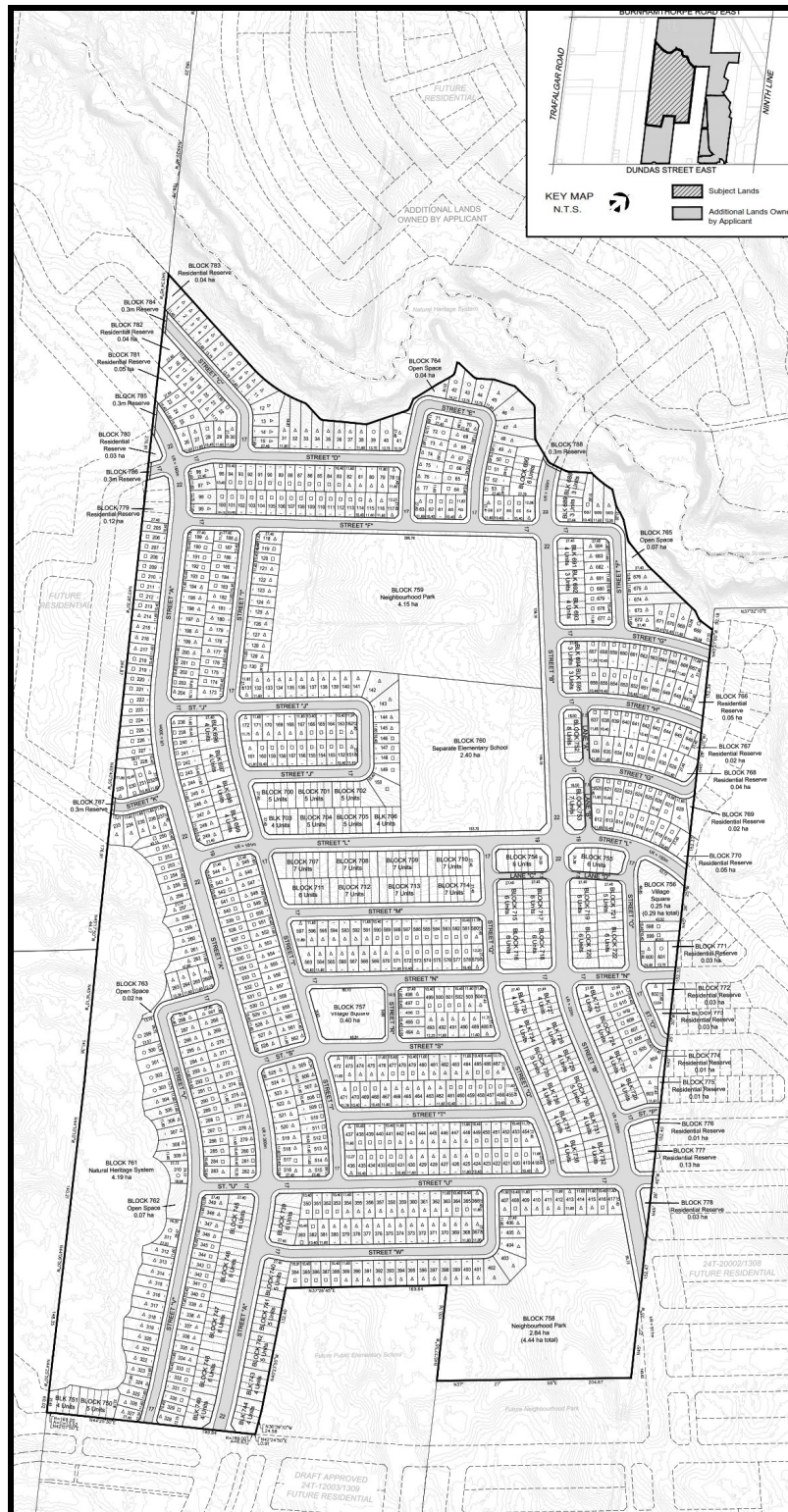


Figure 1 – Proposed Draft Plan of Subdivision

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

Draft Plan Feature	Number of Units	Area (ha)
Detached Dwellings (20.11 m)	4	0.23
Detached Dwellings (13.75 m)	15	0.62
Detached Dwellings (10.4 m)	282	8.45
Detached Dwellings (11.60 m)	386	13.38
Rear Lane townhouses	15	0.20
Street Townhouses	317	7.07
Live-work Townhouses	12	0.27
Neighbourhood Park (Blocks 758, 759)		6.99
Separate Elementary School (Block 760)		2.40
Village Square (Blocks 756, 757)		0.65
Open Space (Blocks 762-765)		0.02
Natural Heritage System (Block 761)		4.19
Residential Reserve (Blocks 766-783)		0.74
0.3m reserves (Blocks 784-788)		0.00
Roads		15.11
TOTAL	1031	60.5

The housing types proposed are outlined in the table below:

Proposed Unit Type	Total
Detached Dwellings	687
Townhouses	344
TOTAL	1031

To the south of the subject lands is the Dunoak draft approved plan of subdivision (24T-12003/1309) and the Argo draft plan of subdivision (24T-20002/1308) which is currently under review. 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 Bressa subdivision (24T-12004/1309) that was draft approved by the LPAT in 2019. The subject development will assist in achieving a complete community in this location with the extension of roads and servicing between the Bressa, Dunoak and Argo 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 south side of Burnhamthorpe Road East and west of Ninth Line as shown on Figure3. The legal description of the properties is Part of Lots 8 and 9, Concession 1 N.D.S.



Figure 3: Air Photo

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Site Description

The subject lands are currently located north of Dunoak and the Argo subdivisions. Vehicular access to the subdivision would be coordinated through the abutting Dunoak, Argo and Bressa subdivisions.

The subject lands are generally flat and were previously used for agricultural purposes. The site is currently vacant.

Surrounding Land Uses

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

South: Dunoak LPAT draft approved plan of subdivision consisting (2 storey) detached dwellings and townhouse units, a Dundas Urban Core block, school block and stormwater management pond.

South and East: Argo (Joshua Creek), Draft Plan of Subdivision 24T-20002/1308, currently under review. This current application consists of 2 storey detached dwelling and townhouse units, park, mixed use block and Dundas Urban Core Block.

North and West: Vacant lands which are designated for future residential uses but are not currently subject to a development application.

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.

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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.

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.

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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.

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.

North Oakville East Secondary Plan (NOESP)

The North Oakville East and West Secondary Plans (North Oakville Plans) provide a planning framework for the lands north of Dundas Street and south of Highway 407 between Ninth Line in the east and Tremaine Road in the west. The North Oakville Plans are not part of the *Livable Oakville Plan* but endure as amendments to the town's 2006 Official Plan. The North Oakville Plans are intended to guide development in North Oakville to the year 2021.

The development of the North Oakville community is premised on a sustainable, design-first philosophy which promotes the protection of the natural environment, mixed use development, and a modified grid road system that enhances transportation options for transit and pedestrians.

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

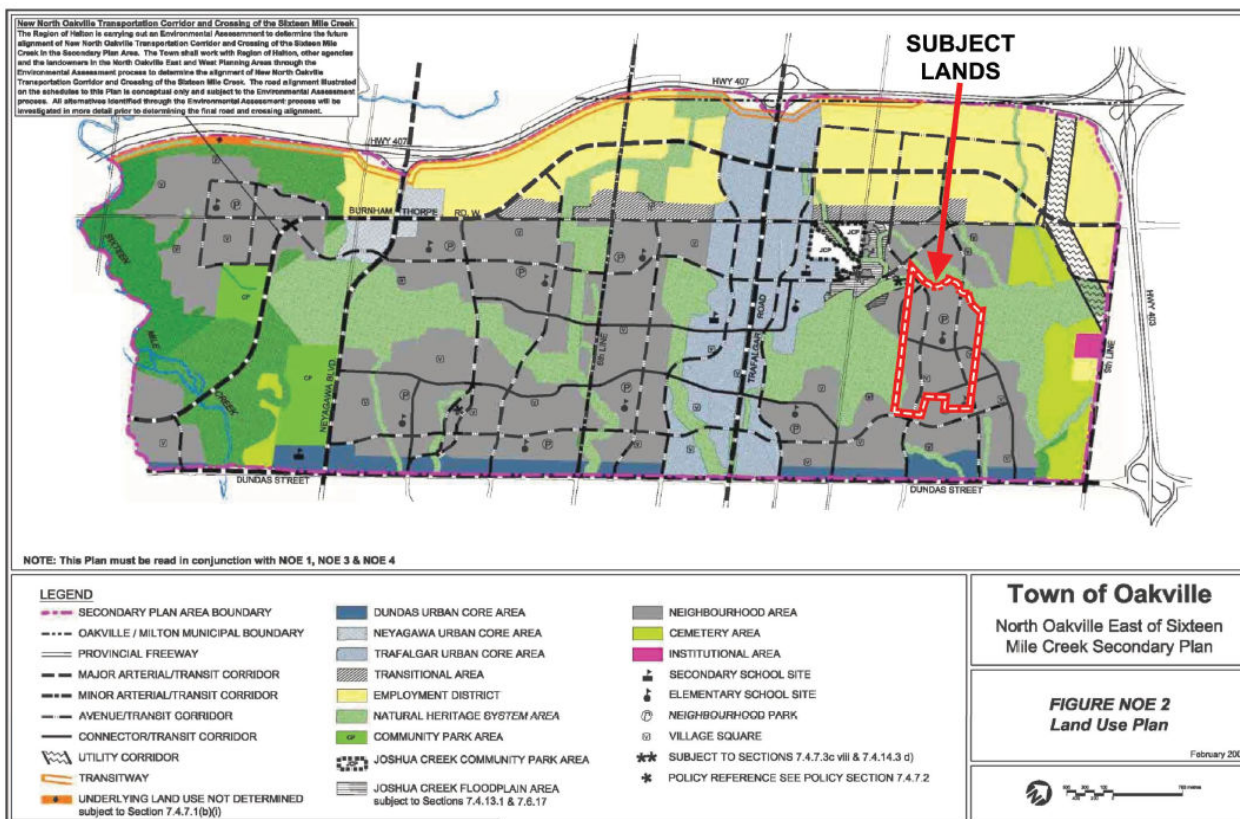
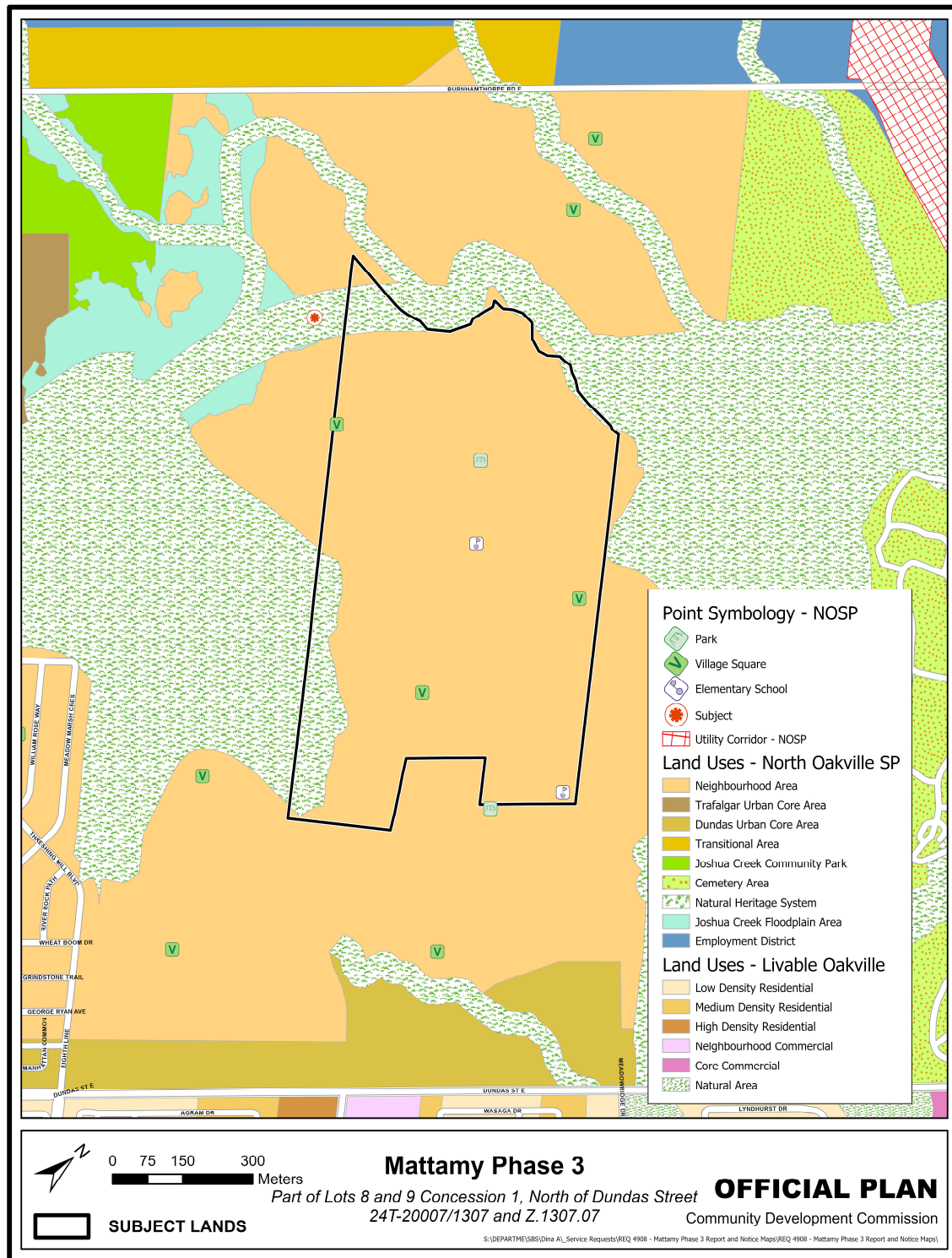


Figure 4a – North Oakville East Secondary Plan - Figure NOE2



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In 2018, approved OPA 321 updated the Neighbourhood Centre Area policies to enhance clarity, increase the maximum height and require one mixed use or non-residential building at neighbourhood activity nodes.

Within the Neighbourhood Centre Area, Section 7.6.7.1 states that the intention is to accommodate a range of medium density residential, mixed use, and limited commercial and civic uses to serve neighborhood residents from a central neighborhood activity node. The uses permitted include medium density residential, mixed use and small scale convenience retail, personal service commercial, restaurants and business activity, village squares and small scale offices, medical clinics, workshops and artisan studios.

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, Neighbourhood Park, Elementary School Site, and Village Square* as shown in North Oakville Master Plan (Figure 5).

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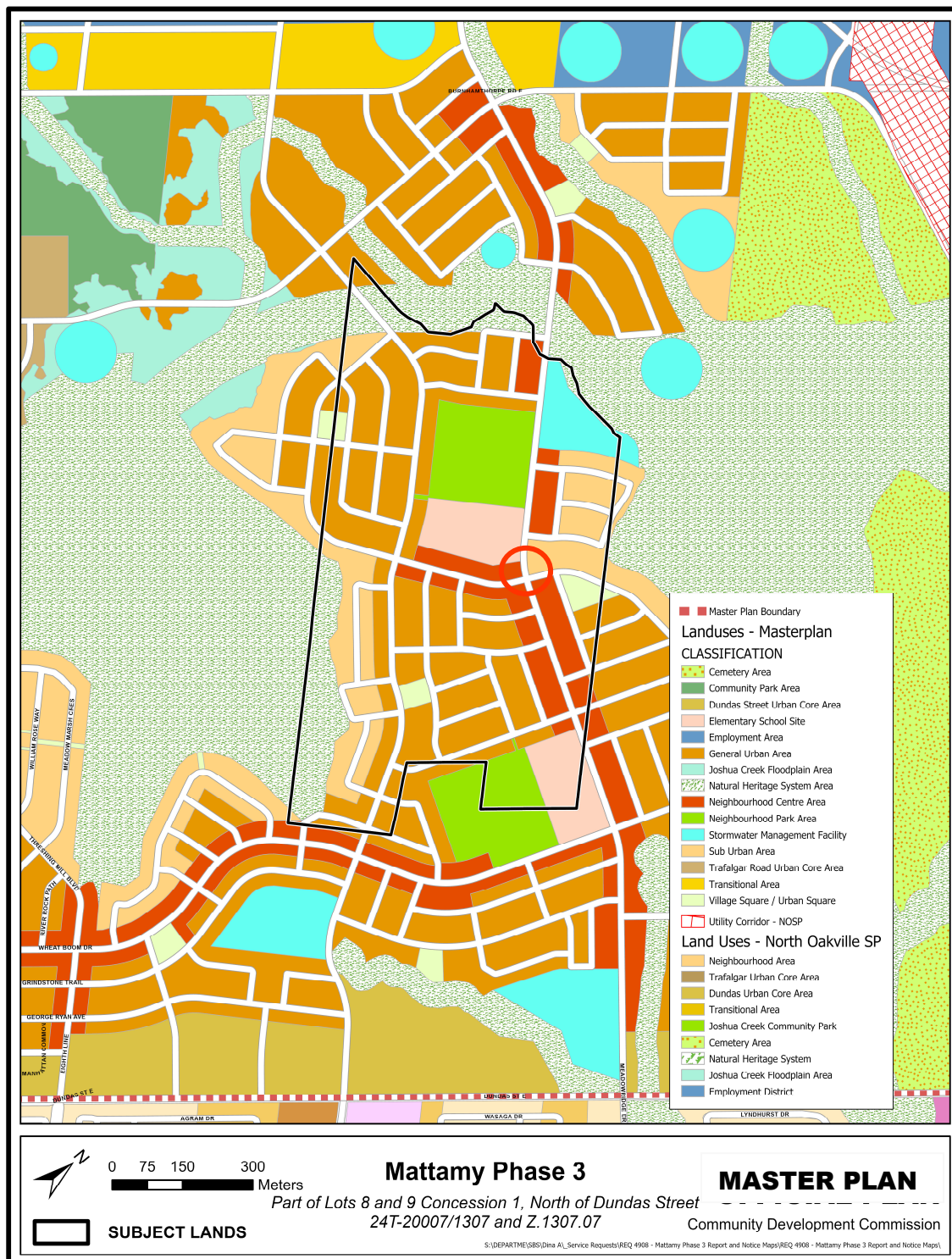


Figure 5 – North Oakville Master Plan Excerpt

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Section 7.2 Community Vision states *“The community will be well served by an interconnected transit network which will provide residents and employees opportunities for an attractive alternative travel mode within North Oakville, and connections to the rest of the Town, as well as transit facilities which will serve the Region and the Greater Golden Horseshoe”.*

Section 7.2.3.5 – Transportation

- a) To create a system of roads and transportation corridors which promotes the safe, efficient circulation of traffic including transit and non-vehicular traffic.*
- c) To establish a transportation system that complements and supports the existing and future urban structure and land use pattern.*
- d) To promote transit opportunities through community design, including a “transit first” policy to ensure that development including the phasing of development proceeds in a manner which will be supportive of early provision of transit services.*

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.

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Figure 6 – Zoning By-law Extract

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, Neighbourhood Centre Area (NCA), Park (P), Institutional* and *Natural Heritage System (NHS)* zones. The proposed zoning would facilitate the development of the

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lands for approximately 1,031 residential units, neighbourhood park, elementary school site and natural heritage system.

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

TECHNICAL & PUBLIC COMMENTS

The proponent has provided technical supporting studies which are currently under review have been circulated to various public agencies and internal town departments. The following studies and supporting documentation are also accessible on the town's website <https://www.oakville.ca/business/da-35693.html>

- 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
- Environmental Impact Report/Functional Servicing Study
- Archaeological Assessment
- Noise Study

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.
- 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.
- Review of the alignment of Street "B" to protect for an appropriate connection between Dundas Street East and Burhamthorpe Road East in accordance with the NOESP master plan and road network.

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- Ensure that the approval of the current draft plan of subdivision does not restrict the Municipality's ability of provided the East-West connection across Town as anticipated on Figures NOE2 and NOE4.
 - The North East Secondary Plan and Master Plan anticipates three Village Squares within the subject lands, while only two are proposed.
 - An Activity Node is identified within the Master Plan to be located at the intersection of Street "B" and "L", and the Neighbourhood Centre policies require a mixed use/non-residential building to be located within the activity node. The applicant is proposing that the elementary school at that intersection would satisfy this policy directive.
 - Confirmation from the Region that the applicant has secured sufficient allocation to allow the full build out of the subdivision.
 - Coordination of the draft plan of subdivision with the Environmental Implementation Report and Functional Servicing Study to the satisfaction of Conservation Halton, the Region 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.
 - Review of the opportunities to provide on-street parking and investigate opportunities to maximize visitor parking.
 - Confirmation of appropriate road and lane widths to ensure functionality.
 - Consideration of the need for additional rear lane townhouse units along streets "B" and "L" to reduce the number of driveways and maximize additional on-street parking opportunities.
 - 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 matters identified above and any comments received at this public meeting.

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CONSIDERATIONS:

(A) PUBLIC

Notice for the public meeting has been distributed in accordance with the *Planning Act*. Resident Associations were notified along with property owners in accordance with the *Planning Act* Regulations and Town practices.

An applicant hosted public information meeting took place on February 11, 2020, that was attended by one resident and the Ward 6 Councillors. The resident inquired about timing/availability of the units and the location of the natural heritage trail system. Minutes from the meeting can be found at Appendix "C".

(B) FINANCIAL

Development Charges would be applicable to this development. Parkland dedication is applicable and may be satisfied following confirmation that the developer is in good standing with the North Oakville East Developers Group and party to the Cost Sharing Agreement. The parks and trails may result in work that would be done on behalf of the town and reimbursed in a future year. The amendments to the Development Charges Act, 1997 and the *Planning Act* proposed through Bill 108, the More Homes, More Choice Act, and Bill 197, the COVID-19 Economic Recovery Act have been proclaimed and are in force as of September 18, 2020. This 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 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 September 25, 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 October 20, 2020.

(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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(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.

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

Appendix C - Applicant Hosted Public Information Meeting Minutes – February 11, 2020

Prepared by:

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