

REPORT

PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: NOVEMBER 28, 2016

FROM: Planning Services Department

16-604

DATE: November 7, 2016

SUBJECT: Public Meeting and Recommendation Report, Draft Plan of Subdivision and Zoning By-law Amendment, Petgor (Mattamy) Phase 2, 24T-12011B / Z.1314.06B, By-law 2016-120

LOCATION: Part of Lots 14 & 15, Concession 1, N.D.S.

WARD: 5

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RECOMMENDATION

1. That, in accordance with Section 34 (17) of the *Planning Act*, no further notice is determined to be necessary;
2. That the Zoning By-law Amendment (File Z.1314.06B) and Draft Plan of Subdivision (File 24T-12011B) by 404072 Ontario Limited (Mattamy Development Corp.), as revised, be approved;
3. That the Director of Planning Services be authorized to grant draft plan approval to the Draft Plan of Subdivision (24T-12011B) submitted by 404072 Ontario Limited (Mattamy Development Corp.) prepared by Korsiak Urban Planning, dated July 25, 2016, subject to the conditions contained in Appendix A;
4. That By-law 2016-120 be passed;
5. That once Plan 24T-12011B has been draft approved by the Director of Planning Services, the Town enter into a Subdivision Agreement to the satisfaction of the CAO and Town Solicitor, or designates;
6. That the Subdivision Agreement be executed in accordance with By-law 2013-057; and
7. That comments from the public be received and that notice of Council's decision reflect that the comments from the public have been appropriately addressed.

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KEY FACTS

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

- The subject report is a combined public meeting and recommendation report.
- This report provides information and a staff recommendation regarding proposed Zoning By-law Amendment and Draft Plan of Subdivision applications submitted by 404072 Ontario Ltd. (revised August 16, 2016) located south of Burnhamthorpe Road, generally midway between Sixth Line and Trafalgar Road.
- These applications represent the second phase of the draft plan of subdivision (24T-12011) and includes a total of 361 units, natural heritage system, and a stormwater management pond.
- The first phase of the draft plan of subdivision (24T-12011) and associated zoning by-law were approved by Oakville Council on May 12, 2014. The first phase of the draft plan of subdivision was registered through phased registrations on March 8, 2016 (Phase 1A, 20M-1173) and August 15, 2016 (Phase 1B, 20M-1176).
- Development applications for these lands were submitted in 2005 prior to the approval of the North Oakville East Secondary Plan (NOESP) and appealed to the Ontario Municipal Board (OMB). The appeals of the 2005 planning applications have been withdrawn. The current application is a new application and has been reviewed in accordance with the North Oakville East Secondary Plan.
- A public information meeting was held on February 19, 2013, with a statutory public meeting held on April 29, 2014 for all lands (Petgor Phase 1 and Phase 2).
- A second public meeting is being held on November 28, 2016 to provide an additional opportunity for public comment due to revisions to the application and the length of time that has passed since the original statutory public meeting.
- The application is proceeding in accordance with the 2012 Halton Region Allocation Program.
- The proposed Draft Plan of Subdivision and Zoning By-law Amendment conforms to and implements the objectives and policies of the NOESP.

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- Staff recommends approval of the applications.

BACKGROUND

The purpose of this report is to provide a comprehensive staff review of the application and a recommendation on the proposed Draft Plan of Subdivision and Zoning By-law Amendment submitted by 404072 Ontario Ltd. (Mattamy Development Corporation).

In February 2005, 404072 Ontario Ltd. submitted a Draft Plan of Subdivision (24T-05009) and a Zoning By-law Amendment (Z.1314.04) for the subject property. These applications were based on a developer-initiated secondary plan for North Oakville prior to approval of the North Oakville East Secondary Plan. These earlier applications were appealed to the Ontario Municipal Board (OMB) but were subsequently withdrawn.

Site-specific Zoning By-law Amendment and Draft Plan of Subdivision applications were submitted on December 21, 2012 by 404072 Ontario Ltd. to permit these lands to be developed as a residential plan of subdivision in accordance with the North Oakville East Secondary Plan. In response to discussion with staff on technical matters, a revised plan of subdivision was submitted in February 2014 to address the first phase of development which extends from Dundas Street to Threshing Mill Boulevard. A revised plan of subdivision for the second phase of development which extends from Threshing Mill Boulevard north to Burnhamthorpe Road – and is the subject of this report – was submitted in December 2015 and revised in August 2016.

The draft plan proposes 361 residential units and includes a natural heritage system component and a stormwater management pond to service this subdivision and surrounding subdivisions (including Star Oak, 24T-13002 and EMGO, 24T-12012).

Proposal

A draft plan of subdivision and zoning by-law amendment have been submitted to permit the development of a range of residential uses (Neighbourhood Centre, General Urban and Sub Urban), natural heritage system and stormwater management pond as noted in the following chart:

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Draft Plan designation	No. of Units	Unit type	Density (uph)	Area (ha)
Neighbourhood Centre	192	Townhouse; Connected Residential/Commercial; Apartment	52.0	3.69
General Urban Area	85	Single-detached	28.8	2.95
Suburban Area	84	Single-detached	28.9	2.91
Natural Heritage System				9.23
Storm Water Management Pond				5.10
Roads, reserves, open spaces, servicing blocks				6.43
Total (Phase 2)	361		37.8	30.31

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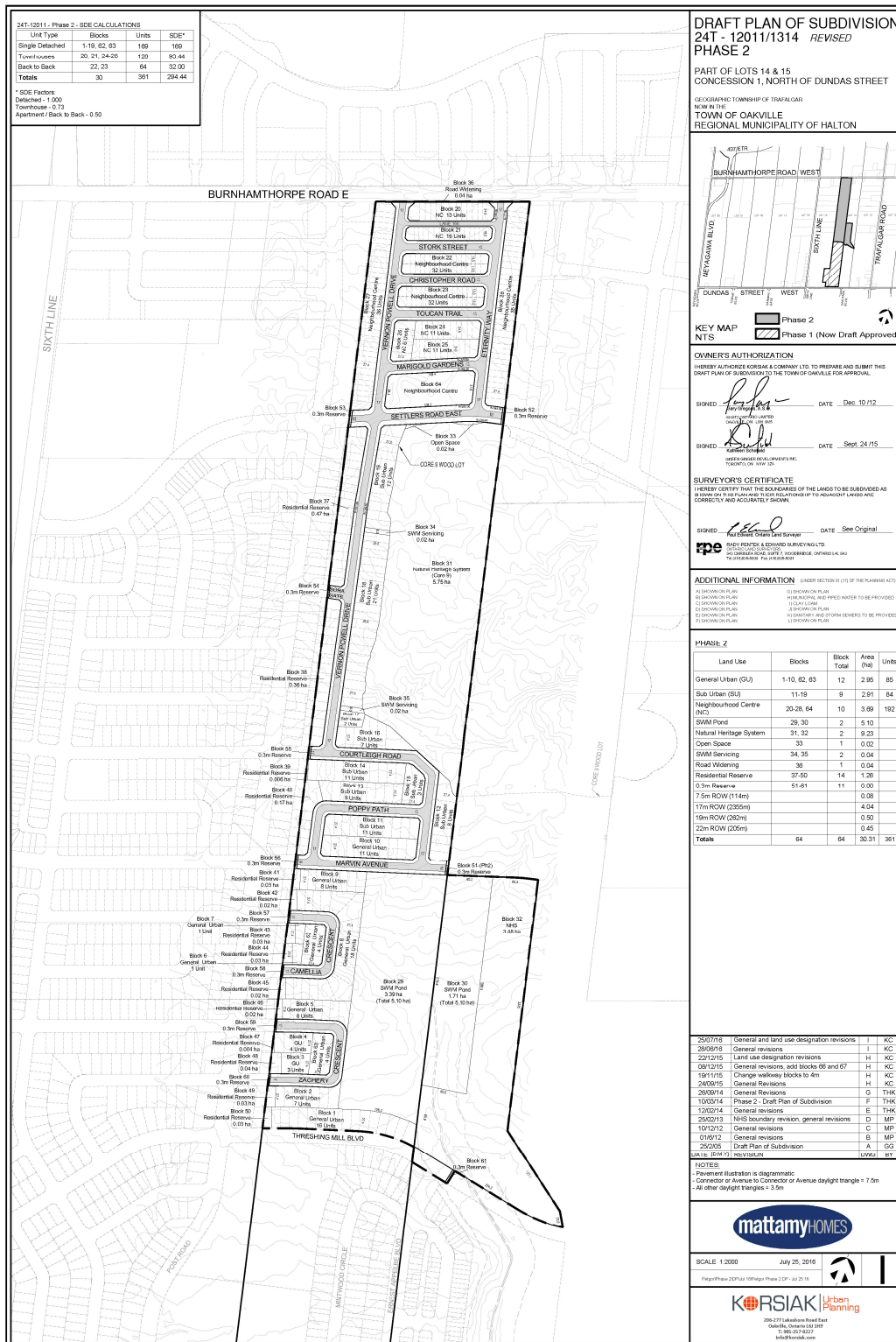


Figure 1: Draft Plan of Subdivision

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Location

The property is located on the south of Burnhamthorpe Road East and north of Threshing Mill Boulevard, generally midway between Sixth Line and Trafalgar Road.

Site Description

The property is currently vacant and used for agricultural purposes or maintained in a natural state. There are no cultural heritage interests on the property.

The property has 206.6 metres of frontage on Burnhamthorpe Road East and approximately 262.5 metres of frontage on Threshing Mill Boulevard. The total site area is approximately 30.3 hectares.

Surrounding Land Uses

The subject lands are located in an area which is currently transitioning from mainly agricultural uses to urban uses as a result of current development and new applications surrounding the subject lands (see Figure 2).

The surrounding land uses are as follows:

- North: Agricultural / vacant – draft plan of subdivision application under review, and appealed to the Ontario Municipal Board, by Star Oak Developments Inc. for future residential and employment land uses
- East: Agricultural / vacant – a portion covered by draft plan of subdivision application under review by Green Ginger Developments for future Trafalgar Urban Core land uses
- South: Residential – recently registered phase 1 of the subject subdivision by 404072 Ontario Ltd (Mattamy Development Corporation)
- West: Agricultural / vacant – a portion covered by draft plan of subdivision application under review, and appealed to the Ontario Municipal Board, by EMGO (North Oakville I) Ltd. for future residential land uses

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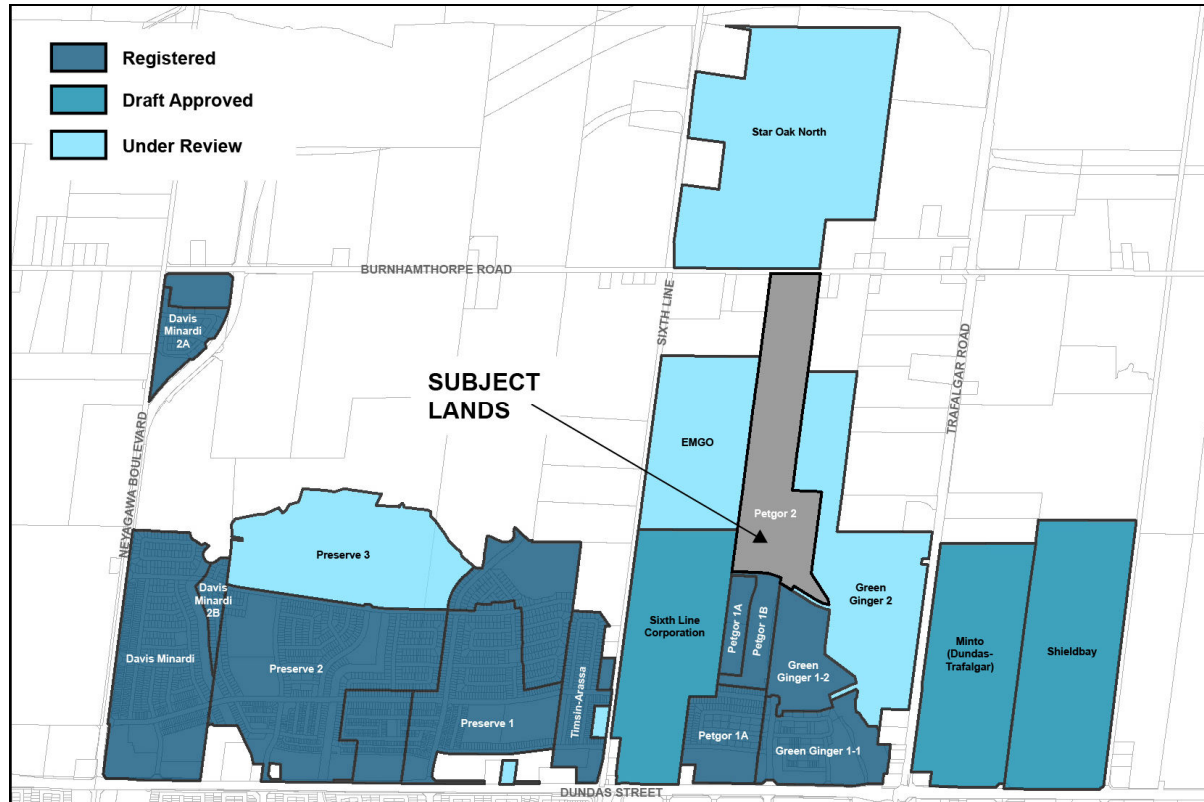


Figure 2: North Oakville East Context and Subdivision Application Status

POLICY FRAMEWORK

The applications are subject to the following policy framework: the Provincial Policy Statement (PPS 2014), the Growth Plan for the Greater Golden Horseshoe (2006), the Halton Region Official Plan, and the Oakville Official Plan (NOESP) and the North Oakville Zoning By-law.

Provincial Policy Statement

The Provincial Policy Statement (PPS) is intended to promote a policy-led system which recognizes 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 by promoting a compact development form and the provision of a full range of uses to meet community needs.

On February 24, 2014, the Ministry of Municipal Affairs and Housing issued a new Provincial Policy Statement 2014 under Section 3 of the *Planning Act*. The new PPS replaces the 2005 statement and is effective April 30, 2014.

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The subject application is consistent with the 2014 PPS.

Growth Plan for the Greater Golden Horseshoe

In 2006, the Growth Plan was approved and provides a framework for implementing the Province's vision for building stronger, prosperous communities by better managing growth. The Plan directs growth to built-up areas through intensification where development proposals can efficiently use existing transportation and servicing infrastructure.

Regarding development in designated greenfield locations, the Growth Plan requires new development to provide a diverse mix of land uses, contribute to creating complete communities and provide densities and an urban form that supports walking, cycling and transit services.

The subject applications generally conform to the Growth Plan as they represent a comprehensive draft plan with a mix of land uses and residential densities.

Region of Halton Official Plan

The OMB has issued a series of decisions regarding the partial approval of ROPA 38 to the Halton Region's Official Plan. The policies of ROPA 38 to Halton's Official Plan are in force with the exception of site specific and policy specific matters unrelated to this application.

The lands are designated "Urban Area" according to the Region's Official Plan. The Urban Area is "planned to accommodate the distribution of population and employment for the Region and the four Local Municipalities". One of the objectives of the Urban Area (Policy 72(1)) is to "accommodate growth in accordance with the Region's desire to improve and maintain regional unity, retain local community identity, create healthy communities, promote economic prosperity, maintain a high quality, sustainable natural environment, and preserve certain landscapes permanently". The range of permitted uses and the creation of new lots in the Urban Area will be in accordance with Local Official Plans and Zoning By-laws. All development, however, shall be subject to the policies of the Regional Plan.

Servicing allocation was assigned to the landowner as part of the Region of Halton 2012 Water and Wastewater Servicing Allocation Program for various subdivisions in North Oakville. Development of the subject lands will be proceeding in accordance with the Regional Allocation Program.

The subject applications conform to the policies of the Regional Official Plan. Conditions of draft approval have been provided by the Region of Halton.

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Town of Oakville Official Plan / North Oakville East Secondary Plan

In 2008 the North Oakville East Secondary Plan (NOESP) was approved 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. It is recognized that while the Growth Plan for the Greater Golden Horseshoe, 2006 was not legally applicable to the North Oakville East Secondary Plan, it was reviewed as part of the preparation of the Plan.

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

The Land Use Plan of the NOESP, Figure NOE2, designates that subject property as Neighbourhood Area and Natural Heritage System Area as shown in Figure 3.

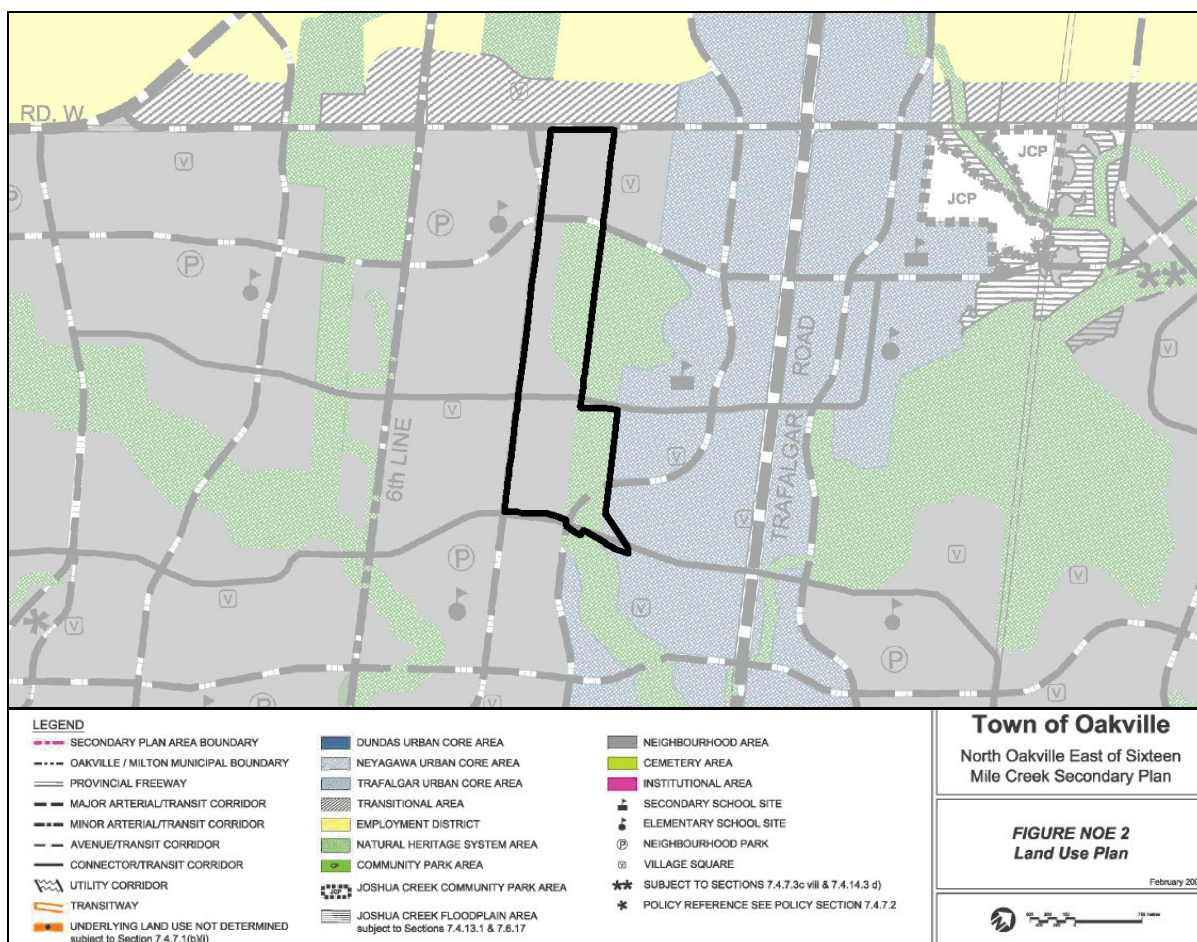


Figure 3 – Excerpt from Figure NOE2 Land Use Plan with subject lands indicated.

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The Transportation Plan, Figure NOE4, identifies an Avenue / Transit Corridor along Settlers Road East (running east-west through the northern portion of the subject lands). The development will be served by both community transit service and ultimately, with secondary transit corridor service connecting to Sixth Line and Trafalgar Road along Settlers Road East.

The North Oakville Master Plan (Appendix 7.3 in the NOESP) graphically illustrates a potential design concept for the North Oakville East Secondary Plan area. Development applications are reviewed in the context of the Master Plan in order to evaluate consistency. Variations from the Master Plan may be considered so long as the general intent and direction of the Master Plan is maintained (Section 7.5.2).

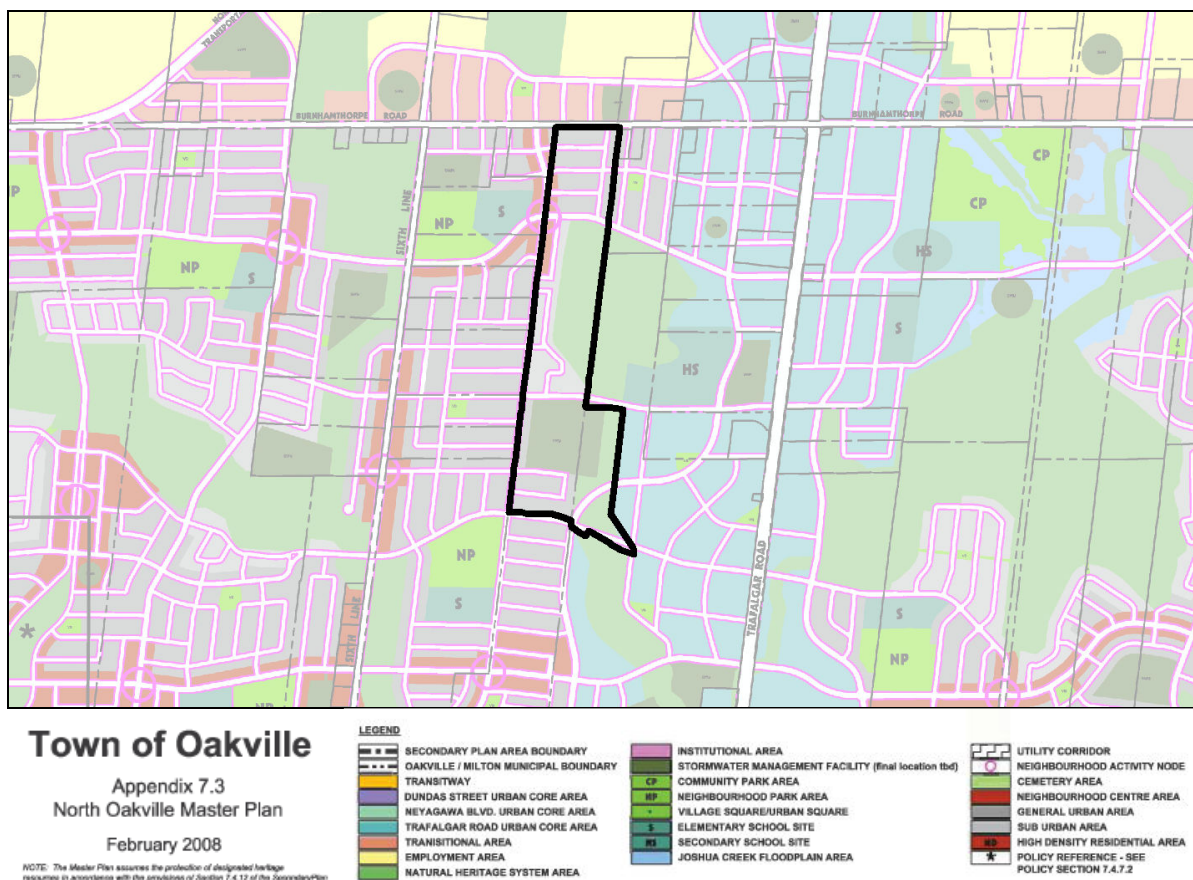


Figure 4 – Excerpt from Appendix 7.3 Master Plan with subject lands indicated.

The primary difference between the proposed draft plan of subdivision and the Master Plan is that the Master Plan indicates a single north-south road aligned with its centerline on the west application boundary as well as a Neighbourhood Activity Node centered on this boundary. The subdivision designs for this subdivision, and the neighbouring subdivisions to the west, propose two roadways each fully contained within the respective subdivisions on either side of the west application

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boundary. The Neighbourhood Activity Node has been proposed to be located in the subdivision to the west of the boundary. This alternative roadway network design and neighbourhood activity node location continues to maintain the general intent and direction of the Master Plan.

The Master Plan identifies the subject lands as Neighbourhood Centre Area, General Urban Area, Sub Urban Area, Natural Heritage System Area and Stormwater Management Facility.

Table 1 of the NOESP provides a ratio for the distribution of land uses through the various neighbourhoods. This phase of development is located in Neighbourhoods 8 and 9.

Neighbourhood Land Use Category Requirements			
Neighbourhood	Neighbourhood Centre Area	General Urban Area	Sub-urban Area
8	15%	63%	22%
Proposed Nhbd 8	15.6%	77%	7.4%
9	12%	82%	6%
Proposed Nhbd 9	40.6%	53.8%	5.6%

The “proposed” categories in the foregoing chart are based on an evaluation of the subject lands developed in conjunction with the proposed draft plan of subdivision to the west by EMGO and future anticipated subdivisions for lands not yet subject to a development application within Neighbourhoods 8 and 9.

The NOESP sets out the requirements for the design of development within all areas. These policies address streetscaping, building locations, parking and landscaping among other design elements. Conditions of draft plan approval are included to address and implement these various matters and are found in Appendix A.

A number of implementation measures were approved by Town Council in 2008 and 2009 in accordance with Section 7.10.1 of the Secondary Plan. These documents include guidelines related to such matters as Urban Design, Sustainability, and Park Facilities, among others. These are listed below:

Item	Council Approval Date
North Oakville Zoning By-law	23 November, 2009
Urban Design and Open Space Guidelines	9 November, 2009
Parks Facilities Distribution Plan	9 November, 2009
North Oakville Transit Plan	9 November, 2009

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Typical road and trail cross sections	9 November, 2009
North Oakville Creeks Subwatershed Study Implementation Report	Part of NOESP OMB hearing
North Oakville Parking Strategy: Phase A	9 November, 2009
North Oakville Sustainable Development Checklist	23 June, 2008
North Oakville East Trails Plan	21 May, 2013
North Oakville East Cycling Strategy	23 June, 2008
North Oakville Urban Forestry Strategic Management Plan	13 March, 2012

The applications conform to the intent of the policies of the North Oakville East Secondary Plan.

Minutes of Settlement and Various Agreements

Mattamy Development Corporation (as 404072 Ontario Limited) entered into the various Minutes of Settlement and Agreements with the Town as part of the final resolution of the NOESP:

- June 2006 Minutes of Settlement;
- August 2007 Comprehensive Minutes of Settlement (with all parties associated with the appeal to the NOESP); and
- North Oakville East Secondary Plan Master Parkland Agreement.

June 2006 Minutes of Settlement

The applicant entered into a specific agreement with the Town as part of resolving outstanding matters related to the NOESP. Matters captured within the agreement include, but are not limited to:

- discussion on the boundaries and dedications of the NHS on an “as is, where is” basis (clause 4);
- parkland dedication;
- various matters related to the resolution of the NOESP; and ,
- partial pre-payment of Development Charges and voluntary contribution to parks and recreational facilities.

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August 2007 Comprehensive Minutes of Settlement

As part of the formal resolution of the NOESP before the OMB, the majority of the landowner / appellants entered into a formal agreement with the Town that reflected matters which included, but are not limited to:

- discussion of various stormwater management pond locations;
- the North Oakville Master Parkland Agreement is to govern parkland dedications (Clause 12);
- the agreed upon modifications to the NOESP;
- the early dedication of the NHS; and,
- various landowner specific agreements.

North Oakville Master Parkland Agreement

This agreement was signed by the majority of the parties that were appellants at the NOESP OMB hearing. The agreement generally sets out the total parkland obligation for the development of the land north of Dundas Street, comprising 64.5 hectares of eligible parkland. The agreement reflects the requirements for Community Parks, Neighbourhood Parks, Village Squares and walkways.

The Trustee representing the signatories shall be responsible for the over-dedication / under-dedication generated by any proposed development. Compensation for the over / under dedication shall be resolved by the landowner's agreement to which the Town is not a party.

A condition has been included requiring the landowner within the subdivision agreement to implement the provisions of the various agreements including the North Oakville Master Parkland Agreement.

North Oakville Zoning By-law (By-law 2009-189)

The North Oakville Zoning By-law sets the new zoning standards with the establishment of general regulations and zones reflecting the North Oakville East and West Secondary Plans. Town Council approved the North Oakville Zoning By-law (By-law 2009-189) on November 23, 2009.

The subject property is zoned Existing Development (ED), and like most lands within North Oakville, a Zoning By-law Amendment is necessary to implement the proposal.

A site specific zoning by-law is proposed for the Neighbourhood Centre Area (NC), General Urban Area (GU), and Sub Urban Area (S) to accommodate specific building types and associated regulations to ensure that housing forms are consistent with the North Oakville East Secondary Plan. Detail regarding the site specific provisions in the proposed Zoning By-law may be found below under the heading "Proposed Zoning By-law Amendment".

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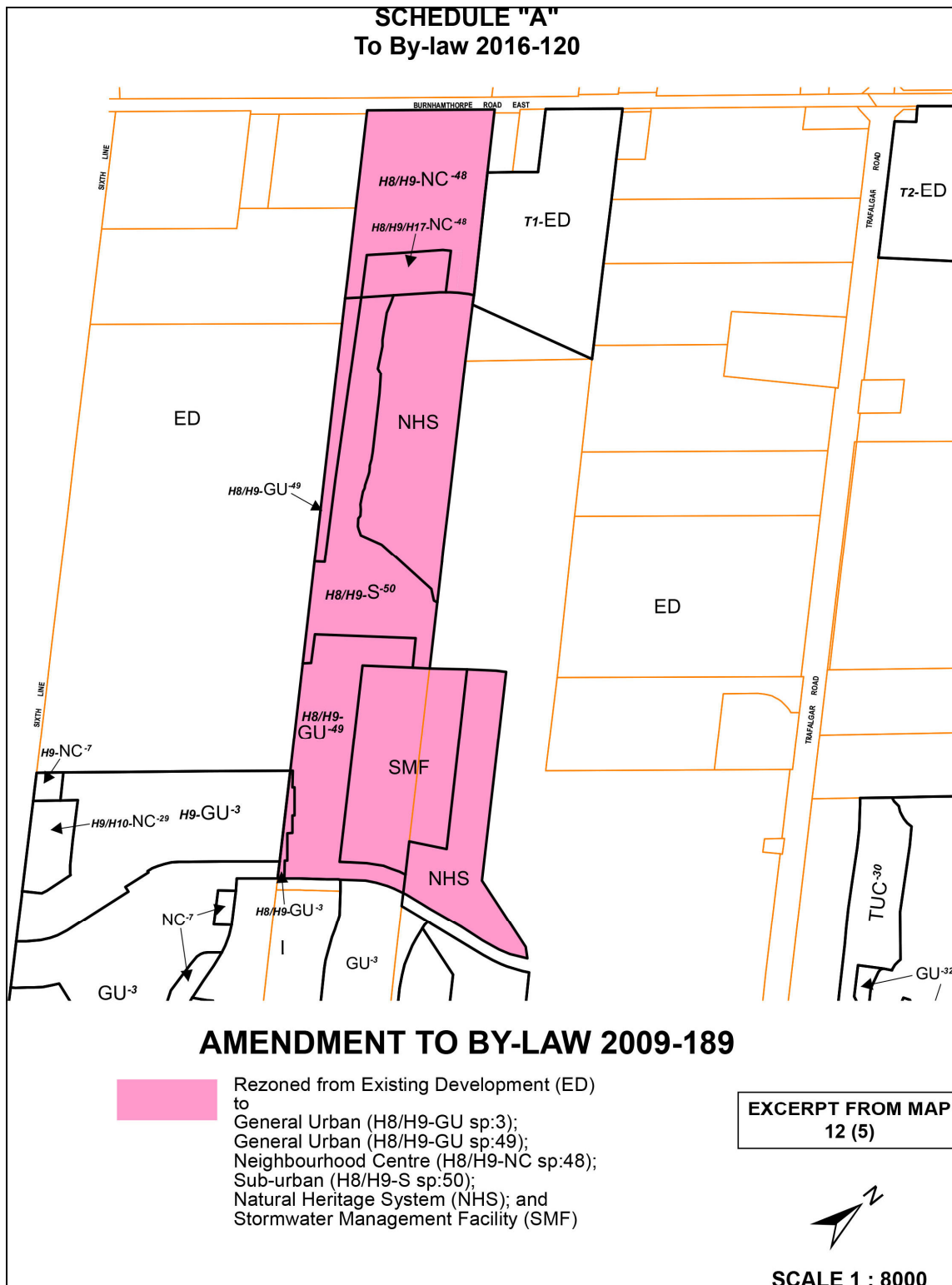


Figure 5 – Proposed Zoning By-law Amendment, Schedule A

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PLANNING ANALYSIS

Planning Matters Considered

Physical Context

The proposed subdivision is within Neighbourhoods 8 and 9 as identified on the Community Structure Plan, Figure NOE1, of the Secondary Plan and is intended to accommodate apartment buildings, townhouses, live-work units, semi-detached and detached dwellings. This subdivision represents an integral eastern portion of both Neighbourhoods 8 and 9. The subdivisions of EMGO (24T-12012) and Sixth Line Corp. (24T-12009) to the west of the subject lands contain the majority of Neighbourhoods 8 and 9.

Conformity with the North Oakville East Secondary Plan

The subject lands fall within the Neighbourhood Area and Natural Heritage System designations of the NOESP. The Neighbourhood Area designation is intended for the development of residential neighbourhoods with central activity nodes within an approximate five-minute walk from most residences. This neighbourhood will provide residents with transit services, bike routes, walkways and a trail system all within close proximity to services. The subdivision also contains a portion of a Core Preserve Area, which will become part of the North Oakville Natural Heritage System, and a stormwater management pond to service this subdivision and portions of neighbouring communities from a stormwater perspective.

The structural layout of the draft plan continues the planned road network of the proposed subdivisions to the west (EMGO and Sixth Line Corp.) and the registered subdivision to the south (Petgor 1, 20M-1173 and 20M-1176 and Green Ginger 1, 20M-1163 and 20M-1175). The modified grid street network will link residents to a neighbourhood activity node, future neighbourhood parks, village square, schools and other services thereby meeting the intent for a well-connected neighbourhood that is not solely reliant on the private automobile.

The proposed development incorporates a mix of residential densities and is consistent with the NOESP and the primary elements of the Master Plan. The overall proposed density for the plan of subdivision is approximately 38 units per hectare, falling within the medium density range. The Master Plan indicates that this subdivision is to contain Neighbourhood Centre, General Urban and Sub Urban areas, all of which are being proposed within this subdivision.

Table 1 of the NOESP provides a ratio for the distribution of land uses throughout the various neighbourhoods. The subject property is located within Neighbourhoods

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8 and 9. The table below illustrates the requirements of the NOESP as well as how the draft plan of subdivision meets or exceeds those requirements.

Table 1 Neighbourhood Land Use Category Requirements			
Neighbourhood	Neighbourhood Centre Area	General Urban Area	Sub-urban Area
8	15%	63%	22%
Proposed Nhbd 8	15.6%	77%	7.4%
9	12%	82%	6%
Proposed Nhbd 9	40.6%	53.8%	5.6%

As noted in the table above, the proposed percentage for Sub Urban Area in Neighbourhood 8 is less than the percentage indicated in Table 1 whereas the proposed percentage of General Urban Area is higher than indicated in the NOESP. Similarly, the proposed land use category percentages for General Urban Area in Neighbourhood 9 is less than Table 1 whereas the proposed percentage of Neighbourhood Centre is higher than indicated in the NOESP.

In general, development in the Neighbourhood Centre Area is at a higher densities than General Urban Areas and development in General Urban Areas is at a higher densities than Sub Urban Areas. The NOESP vision for North Oakville is for a compact, pedestrian-oriented, urban community that supports an interconnected transit network. Therefore, the deviations between the proposed subdivision land use category distributions indicated in Table 1 represent an exceedance of the Secondary Plan requirements because higher residential densities are an important part of creating compact, pedestrian-oriented, urban communities. Staff also note that the land use and housing mix targets noted in Table 1 are expected to be fully met upon full build out of Neighbourhoods 8 and 9.

The Master Plan shows a single north-south avenue that splits the property line between the subject property and adjacent properties to the west. The proposed road network proposes two north-south roadways fully contained within the respective properties to east and west of this property line. The roadway proposed east of the subject lands will be the primary north-south avenue from Burnhamthorpe Road to Dundas Street upon full build out of all the subdivisions in this area.

The Master Plan also indicates a Neighbourhood Activity Node to be located along the single north-south avenue split between the subject lands and adjacent property to the west. Due to the proposed road network which locates the primary north-south avenue west of the subject lands, the proposed Neighbourhood Activity Node was also relocated to the property west of the subject lands. Staff have worked with the applicant to ensure that Neighbourhood Centre land use and building types will

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be incorporated into the subject subdivision to support the future Neighbourhood Activity Node to the west.

The secondary plan indicates that modifications to, or relocations of portions of, the road pattern and reconfiguration of the neighbourhood land use categories in general conformance of Table 1 will generally be considered consistent with the Master Plan.

Staff are of the opinion that the proposed subdivision is generally consistent with the Master Plan even though the planned road network and configuration of the neighbourhood land use categories are different than what is shown in the Master Plan.

Technical Review

Phasing

The North Oakville East Secondary Plan outlines a growth management strategy for new urban development that is designed to make sure that growth occurs in an orderly, well-planned manner (Section 7.9). It sets out a phasing strategy intended to ensure that progression of residential development will follow a logical, contiguous sequence (generally south to north), is contingent on the availability and efficient utilization of public infrastructure and services, and provides adequate schools, parks, transit and healthcare facilities in a timely fashion.

The secondary plan identifies a three-phase approach to the development of residential neighbourhoods. The subject lands fall within Neighbourhoods 8 and 9 that form part of Phase 2 within the secondary plan. The secondary plan provides two approaches or sets of requirements that are required to be met prior to the commencement of development in Phase 2.

The first approach requires that all financial and other requirements of the Town and Region of Halton are satisfied, and that,

“a minimum of 75% of the gross developable area in the previous phase shall be within registered plans of subdivision or sites which are zoned to permit the development contemplated by this plan.” (Section 7.9.2.e.ii)

Staff estimate that only 50% of Phase 1 lands are currently within registered plans of subdivision or are zoned to permit development in accordance with the secondary plan. Upon draft approval and registration of a number of subdivisions with applications currently under review by the Town, staff anticipate that the 75% requirement can be met.

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The alternative approach permits development to commence in Neighbourhoods 8 and 9 (a portion of Phase 2 lands only),

“without reference to any phasing policies, subject to the availability of suitable urban infrastructure, provided that as a condition of development:

- i) municipal sewer and water services are extended to the lands in the Employment Area designation to permit the development of a plan of subdivision with a minimum gross area of 25 hectares, which is draft plan approved, and which the Town is satisfied can be registered provided services are made available; and*
- ii) municipal sewer and water services are extended to the lands in the Trafalgar Urban Core Area designation to permit the development of a plan of subdivision with a minimum gross area of 10 hectares, which is draft plan approved, and which the Town is satisfied can be registered provided services are made available.” (Section 7.9.2.c)*

The successful registration of the Green Ginger 1 plan of subdivision (20M-1173 and 20M-1176) provided the lands and servicing within Trafalgar Urban Core Area designation needed to satisfy requirement (ii) above.

On February 9, 2015, Council authorized the settlement of the Star Oak and EMGO appeals subject to the resolution of issues identified in the confidential staff report to the satisfaction of the Director of Planning Services, Director of Development Engineering and Town Solicitor. Since that time, the Star Oak and EMGO applications have been processed in conjunction with the subject application since the stormwater and land use patterns are inter-related.

Staff anticipate that the Star Oak North subdivision application (24T-13002), currently under appeal to the Ontario Municipal Board, and the applicable provision of water and wastewater services, will provide the required lands within the Employment Area designation and satisfy requirement (i) above, once the Town is satisfied the subdivision is capable of being registered.

As of the date of this report the settlements of the EMGO and Star Oak appeals are approaching completion. A settlement hearing before the Board is anticipated in late 2016 or early 2017.

The phasing requirements to permit development on the subject lands can be satisfied through either approach outlined in the NOESP but the requirements of neither approach have been fully satisfied to date.

As such, a Holding Provision will be applied to the entirety of the subject lands, which requires the phasing policies of the NOESP to be met to the satisfaction of

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Town prior to issuance of building permits. This holding provision will effectively prevent the construction of dwelling units while still allowing a logical sequence of mutually-supportive draft plan approvals, pre-servicing agreements, subdivision agreements and plan registrations to provide the water, wastewater and stormwater management servicing needed to facilitate coordinated development in Neighbourhoods 8 and 9, including the subject lands.

Since the stormwater management pond provided through this plan of subdivision is required to accommodate the drainage of the surrounding subdivisions, including Star Oak (the subdivision that will provide the employment lands required to satisfy the phasing policies), staff have taken the approach that the registration of this plan is appropriate and potentially necessary prior to the satisfaction of the full requirements of the phasing policies. The holding provision described above will prevent full development of this subdivision prior to satisfaction of the phasing policies while still allowing registration to occur.

Through the application of the holding provision described above and proposed sequencing of development, staff are of the opinion that the phasing strategy of the secondary plan will continue to be met, while at the same time, facilitating the provision of the necessary servicing, associated approvals and agreements in a manner that corresponds to Town and Regional standards.

Servicing Allocation

Servicing allocation was assigned to the landowner as part of the Region of Halton 2012 Water and Wastewater Servicing Allocation Program for various subdivisions in North Oakville. Development of the subject lands will be proceeding in accordance with the Regional Allocation Program.

The Town will be applying a holding provision to the subject lands which requires that water and wastewater servicing be provided to the satisfaction of the Region of Halton and the Town to ensure that all servicing requirements are met prior to development of these lands.

Environmental Implementation Report / Function Servicing Study (EIR/FSS)

The EIR/FSS ensures that the requirements of the North Oakville Creeks Subwatershed Study (NOCSS) and Secondary Plan are met and that the site characteristics are understood in sufficient detail to provide the information necessary for processing development applications. The purpose of the EIR component is to characterize and analyze the natural features and functions within the associated subcatchment area and to determine and address potential issues of a proposed development application, including servicing requirements. The FSS

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part of the Study identifies servicing requirements related to sanitary, water, stormwater management, site grading and mitigation of any downstream implications.

An EIR/FSS has been prepared for the subject lands in accordance with NOCSS and has been approved in-principle by Conservation Halton, the Region of Halton and Town staff. A condition of draft approval requires the submission of a final, updated EIR/FSS to the satisfaction of the applicable agencies.

Urban Design

The North Oakville East Urban Design and Open Space Guidelines, which was approved by Council on November 9, 2009, provides design direction for the overall design and layout of the proposed subdivision. It also includes general recommendations with respect to the built form, treatment of heritage resources, landscape requirements, and the relationship of development to open space and other land uses.

The Urban Design Brief (UDB) submitted with this application describes the strategy and illustrates the design solutions for the proposed development. The UDB evaluates the proposal based upon the guiding design principles outlined in the North Oakville East Urban Design and Open Space Guidelines with a focus on achieving sustainable design and community integration.

The premise of the proposed development is that of an urban community which is compact, walkable and transit-oriented. The layout of the subdivision is based on a grid-like street pattern which allows easy access for transit and provides a high degree of permeability into the neighbourhood by cyclists, pedestrians and automobiles.

A mix of townhouse building types are proposed in the northern portion of the plan in proximity to Burnhamthorpe Road and Settlers Road (an east-west Avenue / Transit Corridor) with the potential for mid-rise apartments along Settlers Road and/or Live-work townhouses fronting onto Burnhamthorpe Road. This Neighbourhood Centre area will help support a proposed Neighbourhood Activity Node to be located immediately to the west of this area. The interior of the neighbourhood in and around the Natural Heritage System lands and stormwater management pond will be comprised of single-detached dwellings within the General Urban and Sub Urban designations.

Two future neighbourhood parks and two future school sites are located both west and south of the subject lands as well as a village square located east of the subject lands in the adjacent subdivisions (see additional comments below in the section

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entitled *Park Facilities Distribution Plan*). Upon ultimate development of the surrounding lands, these will serve the recreational needs of the area residents.

For key lots within the subdivision, such as at view termini, corner locations and where adjacent to public areas, conditions of draft approval for architectural control have been included.

Transportation

Terms of reference for Transportation Impact Studies (TIS), Transportation Function Design Studies and Transit Plans were developed as part of the Town's implementation program for the NOESP. Documents submitted to support the application were reviewed by Town staff and coordinated with the development lands to the west and south with regards to review and phasing of infrastructure construction which was required for a complete evaluation of the application to proceed.

The development is designed to meet all Town transportation requirements including facilitation for early transit service. A TIS has been prepared to ensure that the traffic generated by the proposed development can be accommodated on the existing and planned transportation network. The TIS analyzed the street hierarchy and connections to adjacent lands including Burnhamthorpe Road.

The developer is required to undertake local improvements to Burnhamthorpe Road required to serve this subdivision. Draft plan conditions have been established to reflect this requirement. Similar requirements and conditions are also proposed for the Star Oak North plan of subdivision (24T-13002) to the north and would be imposed on future developers of lands adjacent to Burnhamthorpe Road. All developments will be required to work together to implement and cost-share the improvements to Burnhamthorpe Road.

Conditions for draft approval have been included to address infrastructure requirements.

Parks Facilities Distribution Plan

No Neighbourhood Parks or Village Squares are proposed for the subject lands and were not required by the NOESP.

Two Neighbourhood Parks to serve the subject lands are proposed on lands adjacent to the west subject and southwest of the subject lands. A portion of the northerly neighbourhood park, sufficiently sized to accommodate facilities meeting Town requirements is proposed on the EMGO (24T-12012) draft plan. The remainder of this neighbourhood park will be provided upon future development of

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potential development applications. The southerly Neighbourhood Park is split between the Sixth Line Corp (24T-12009) subdivision and on registered plan 20M-1173. Upon registration of the Sixth Line Corp. subdivision, lands for the entire Neighbourhood Park will have been conveyed to the Town and park facilities can be constructed.

Two Village Squares to serve the subject lands are proposed on lands to the east and west of the subject lands. It is anticipated that this eastern village square will be provided through future development application approval for lands not yet subject to a development application. The western Village Square is proposed within the EMGO (24T-12012) subdivision and upon draft approval / registration of that subdivision, lands for the village square will have been conveyed to the Town. The developer will be responsible for construction of village square facilities to satisfaction of the Town as part of that approval.

North Oakville Trails Plan

As part of the North Oakville Trails Plan, active transportation facilities have been identified within the overall subdivision. A major trail is located along the outer perimeter of the Natural Heritage System that will connect to development lands to the south and southeast. Open space blocks, servicing blocks with sidewalks, and window streets will provide internal neighbourhood connections to the trail

A bike route is planned for Settlers Road East and Marvin Avenue to connect to development lands to the east and west.

Proposed Zoning By-law Amendment

The proposed Zoning By-law Amendment employs existing zone categories found in the North Oakville Zoning By-law (2009-189) with some minor modifications intended to provide greater clarity and some flexibility.

The proposed Zoning By-law (By-law 2016-120) can be found in the By-law section of this agenda. The subdivision is proposed to be zoned in accordance with the Neighbourhood Centre (NC), General Urban (GU), and Sub Urban (S) zones. Live-work opportunities have been reflected in the Neighbourhood Centre (NC) zones. The Natural Heritage System and stormwater management pond blocks will also be zoned accordingly.

The proposed zoning is intended to implement the plan of subdivision. Staff has evaluated the proposed development in the context of the NOESP and the Master Plan. The Zoning By-law Amendment has been drafted to permit slight alterations to the Neighbourhood Centre (NC), General Urban (GU), and Sub Urban (S) zones with regards to providing an appropriate mix of dwelling types, and such matters as

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permitting window projections, providing minimum internal (garage) parking space, and delineating enclosure requirements for porches, among others.

Communication Strategy

Conditions of draft plan approval have been established for the purposes of providing additional notification to prospective purchasers regarding Town policies, standards and warning advisories. The objective is to outline potential site specific issues associated with residing in proximity to construction areas, subdivision amenity features, road corridors, public trails systems and interim and permanent transit routes. This also includes providing advance notice to homeowners considering landscaping works on private property and the potential adverse effects on approved lot grading.

A Communication Strategy for the New Communities of Oakville continues to be implemented for new developments. This strategy includes the preparation of an information package for new residents that outlines all of the elements relating to their new community including, but not limited to: sustainability, the NHS, landscaping encroachments matters, the “transit-first” principle, cycling and trails. There is a requirement as part of the draft approval for the developer to provide this information package to new residents.

CONCLUSION

The subject report recommends approval of a Draft Plan of Subdivision and Zoning By-law Amendment which would have the effect of permitting a total of 361 or more residential units consisting of a range of housing forms, neighbourhood commercial uses, Natural Heritage System and open spaces. A site-specific Zoning By-law has been drafted to reflect the overall design of the subdivision.

The subject subdivision is a crucial piece for this part of North Oakville. The subject subdivision provides the stormwater pond to service this subdivision and adjacent neighbouring subdivisions of Star Oak North (24T-13002) and EMGO (24T-12012). Conversely, the Star Oak North draft plan of subdivision and associated servicing will help satisfy phasing requirements that the subject lands require prior to development.

On February 9, 2015, Council authorized the settlement of the Star Oak and EMGO appeals subject to the resolution of issues identified in the confidential staff report to the satisfaction of the Director of Planning Services, Director of Development Engineering and Town Solicitor. Since that time, these applications have been processed in conjunction with the Petgor applications since the stormwater and land use patterns are inter-related.

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As of the date of this report the settlements of the EMGO and Star Oak appeals are approaching completion. A settlement hearing before the Board is anticipated in late 2016 or early 2017.

The application conforms to the overall policy direction of the North Oakville East Secondary Plan and all other relevant policy documents, reflects servicing requirement of the Region of Halton, and meets all requirements of the Town of Oakville. The proposal provides an overall well-developed and coordinated plan that furthers the NOESP community objectives. Staff recommends approval of the application.

CONSIDERATIONS:

(A) PUBLIC

A public information meeting was held on February 19, 2013, with a statutory public meeting held on April 29, 2014, which provided an opportunity for public comment. A second public meeting is being held on November 28, 2016 to provide an additional opportunity for public comment due to revisions to the application and the length of time that has passed since the statutory public meeting.

(B) FINANCIAL

The Town's Development Charge Study and capital forecast sets out growth-related capital works eligible for development charge reimbursement. Reimbursement of eligible works associated with the subject proposal shall be limited to the standards for such works contained in the study and will only be paid in the year(s) that the project is funded in an approved capital budget. Capital works associated with walkways and the stormwater management pond including pond landscaping are local costs to the developer in accordance with the Development Charge Study standards and by-law approved by Town Council for lands north of Dundas Street.

Parkland requirements have been addressed as part of the Master Parkland Agreement and North Oakville East Secondary Plan minutes of settlement.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

Agencies and Town Departments were consulted during the review of these applications.

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(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 development proposal furthers the sustainability principles established within the North Oakville East Secondary Plan.

APPENDICES:

Appendix A – Conditions of Draft Approval

Appendix B – Conditions for Subdivision Agreement

Appendix C – Proposed Draft Plan of Subdivision

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