

REPORT

PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: JANUARY 18, 2021

FROM: Planning Services Department

DATE: January 5, 2021

SUBJECT: Public Meeting Report - Draft Plan of Subdivision and Zoning By-law Amendment - Capoak Inc. and Redoak G & A Inc., 1019 and 1059 Dundas Street East, File No.: 24T-20009/1310 and Z.1310.16

LOCATION: 1019 and 1059 Dundas Street East

WARD: 6

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RECOMMENDATION:

1. That the public meeting report, prepared by the Planning Services Department dated January 5, 2021, be received.
2. That comments from the public with respect to the Zoning By-law Amendment and Draft Plan of Subdivision by Capoak Inc. and Redoak G & A Inc. (File No.: 24T-20009/1310 and Z.1310.16) 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 Capoak Inc., and Redoak G & A Inc., which would have the effect of developing approximately 40.6 hectares of land consisting of 116 detached dwellings and 459 townhouse units.
- The subject lands are designated Neighbourhood Area, Dundas Urban Core Area 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.
- An applicant initiated public information meeting/video conference took place on September 22, 2020, and was attended by 11 residents and the Ward 6 Councillors.

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- 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. The current applications were submitted and deemed complete on August 21, 2020. An appeal can be filed on December 19, 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.

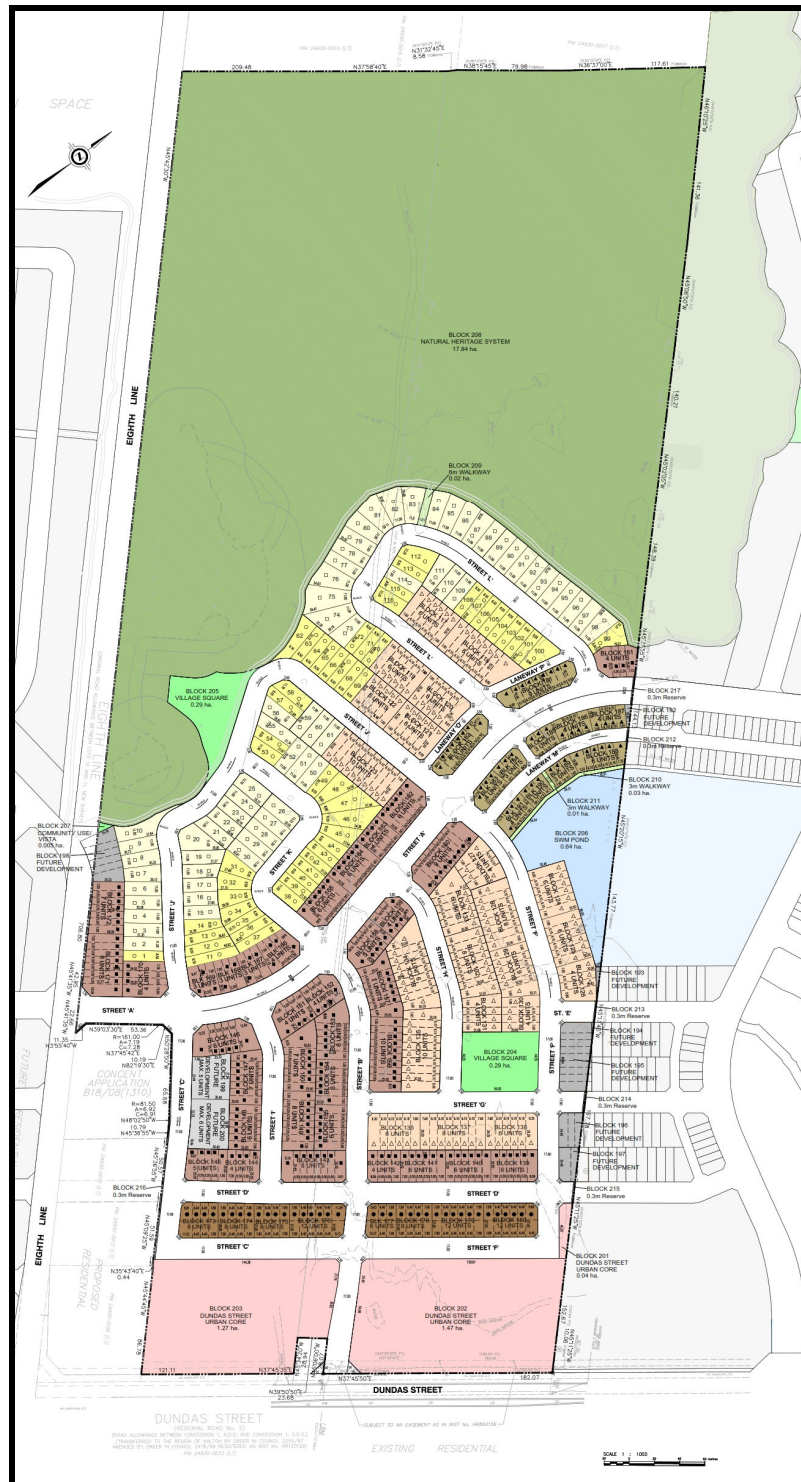
The current applications were submitted and deemed complete on August 21, 2020. The developer initiated Public Information Meeting/video conference occurred September 22, 2020, 2020, where 11 members of the public attended.

Proposal:

The applicant has submitted a Draft Plan of Subdivision and Zoning By-law Amendment application to permit the development of 575 residential units, two village squares, stormwater management pond, two Dundas Urban Core Blocks, and open space areas associated with the natural heritage system on 40.6 ha of land (Figure 1).

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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 (11 m)	63	3.84
Detached Dwellings (8.5 m)	53	
Rear Lane townhouses	51	0.66
Street Townhouses	408	6.91
Future Development (Blocks 199, 200)		0.23
Dundas Urban Core (Blocks 201-203)		2.78
Village Square (Blocks 204, 205)		0.58
Open Space (Block 207)		0.005
Natural Heritage System (Block 208)		17.84
Stormwater Management Facility (Block 206)		0.64
Walkways (209-211)		0.06
Residential Reserve (Blocks 192-198)		0.31
0.3m reserves (Blocks 212-217)		0.01
Roads		6.72
TOTAL	575	40.6

The housing types proposed are outlined in the table below:

Proposed Unit Type	Total
Detached Dwellings	116
Townhouses	459
TOTAL	575

Location and Site Description

Location

The properties are generally located on the east side of Eighth Line and north of Dundas Street East as shown on Figure 2. The legal description of the properties is Part of Lot 10, Concession 1 N.D.S and is municipally known as 1019 and 1059 Dundas Street East.

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Figure 2: Air Photo

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Site Description

The subject lands consist of two properties generally located between the Shieldbay and Dunoak subdivisions with approximately 300 m of frontage on Dundas Street East. Approximately 17.8 ha of the 40.58 ha property will be conveyed to the Town as Natural Heritage System.

The Capoak/Redoak lands are generally flat and comprises of natural features and agricultural fields. The site is currently vacant.

Surrounding Land Uses

Generally the surrounding land uses are as follows:

- South:** Dundas Street East, beyond which are residential uses consisting of two storey detached and townhouse units as well as commercial uses. At the north-east corner of Dundas Street East and Eighth Line is a site plan application proposing an eight-storey residential apartment building.
- East:** 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.
- West:** Shieldbay subdivision which is built and occupied and consists of detached, semi-detached, townhouse units as well as apartment and mixed use buildings.
- North:** Vacant lands which are designated as Natural Heritage System and for future residential uses but are not 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

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encourages the wise management of land to achieve efficient development and land use patterns by directing growth to settlement areas, and encourages Planning authorities to permit and facilitate a range of housing options, including new development as well as residential intensification, to respond to current and future needs for a time horizon of up to 25 years.

The PPS (2020) promotes the integration of land use planning, growth management and transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments and standards to minimize land consumption and servicing costs.

The future recommendation report will provide a full review of the development proposal in accordance with the PPS (2020).

Growth Plan for the Greater Golden Horseshoe (2019)

The Growth Plan (2019) is a long-term plan that intends to manage growth, build complete communities, curb sprawl and protect cultural heritage resources and the natural environment. The Growth Plan provides that it is to be read in its entirety, and the relevant policies are to be applied. When more than one policy is relevant, a decision maker should consider all of the relevant policies to understand how they work together.

The Growth Plan provides policies for where and how to grow, directing population and employment growth to urban areas and rural settlement areas with delineated built boundaries on full municipal services (policy 2.2.1). The policies of the Growth Plan are to be applied to support complete communities that feature a diverse mix of land uses with convenient access to local stores, services, and public service facilities, provide a diverse range and mix of housing options, and expand convenient access to transportation options.

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.

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

2020 Servicing Allocation Program – water and wastewater

Halton Region has implemented a servicing allocation program that requires proponents of residential development applications to secure servicing allocation from Halton Region through a formal Allocation Agreement.

The proposed development would be subject to the 2020 Regional Allocation program.

On June 17, 2020, Regional Council passed By-law 34-20 which confirmed the Regional allocation agreement conditions and requirements have been met and the appropriate financial commitments by all the parties are in place.

A full analysis of the proposal in the context of the Halton Regional Official Plan will be provided as part of a future recommendation report.

North Oakville East Secondary Plan

Urban Structure

The *Livable Oakville Plan* is currently undergoing a 5-year Official Plan Review to ensure the policies are consistent with the Provincial and Regional policies, support the Town's strategic goals, and reflect the visions and needs of the community.

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.

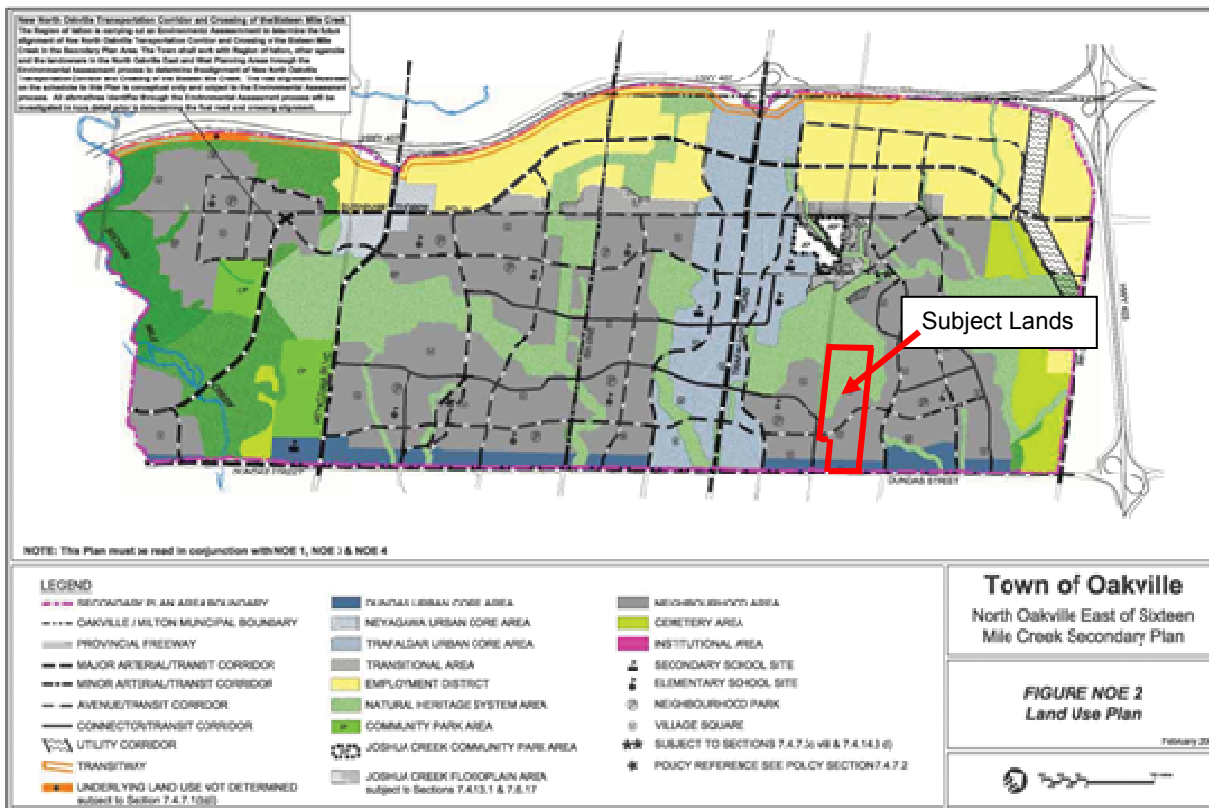
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The development of the North Oakville community is premised on a sustainable, design-first philosophy which promotes the protection of the natural environment, mixed use development, and a modified grid road system that enhances transportation options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

The land use designations which apply to the subject lands consist of *Neighbourhood Area*, *Dundas Urban Core*, *Natural Heritage System Area*, and *Avenue/Transit Corridor* on Figure NOE2, Land Use Plan (Figures 3a and 3b).



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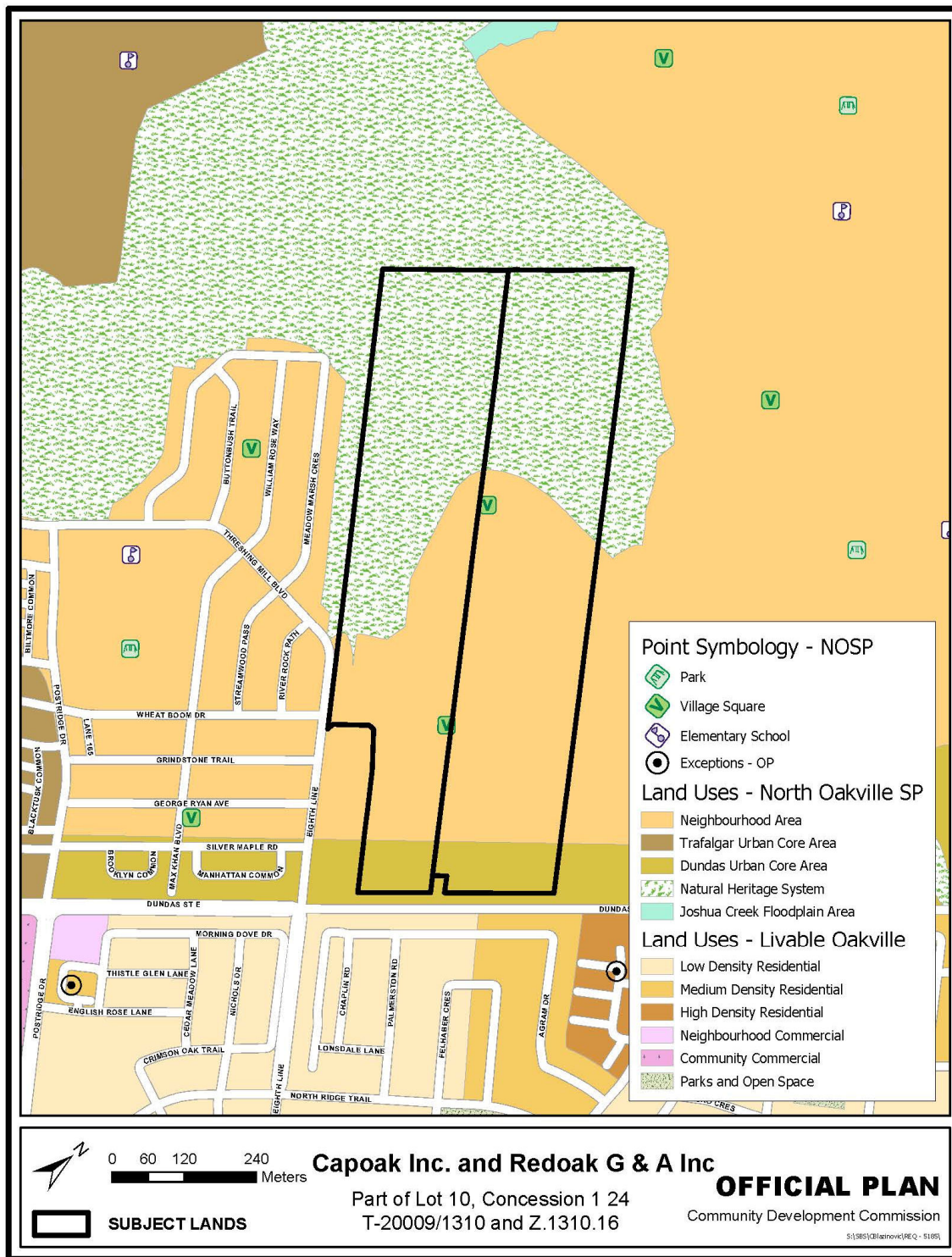


Figure 3b – Extract North Oakville East Secondary Plan - Figure NOE2

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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

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.

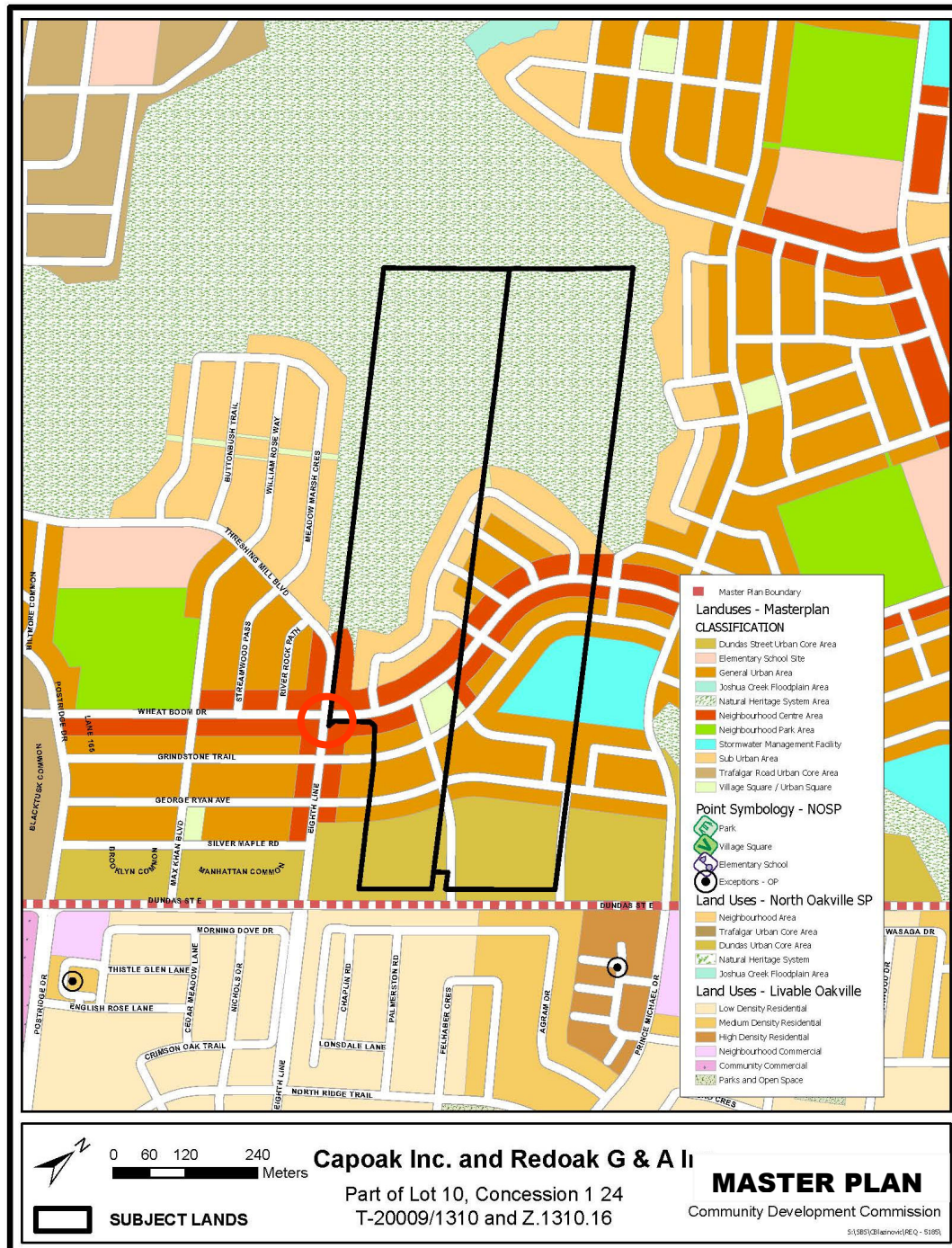
OPA 321 also removed FSI maximums and included bonusing provisions into the land use policy framework of the Dundas Urban Core land use designations. Eligible lands for bonusing have the opportunity for increased height up to four additional storeys, subject to approval over and above the maximum height of 8 storeys.

The Dundas Urban Core blocks are intended to allow the creation of a band of mixed use development and high and medium densities along Dundas Street and would include retail and service commercial development to be located at the intersections with north/south streets. It is also anticipated that the highest density uses would be encouraged to locate at these intersections.

Master Plan – Appendix 7.3

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

Additional land use designations are further identified as *Natural Heritage System Area, General Urban Area, Sub Urban Area, Neighbourhood Centre Area, Stormwater Management Facility, Activity Node, and Village Square* as shown in North Oakville Master Plan (Figure 4).



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North Oakville Zoning By-law (2009-189)

The subject lands are zoned *Existing Development (ED)* (Figure 5). The *Existing Development (ED)* zone only allows uses that legally existed on the date of the parent by-law came into effect.

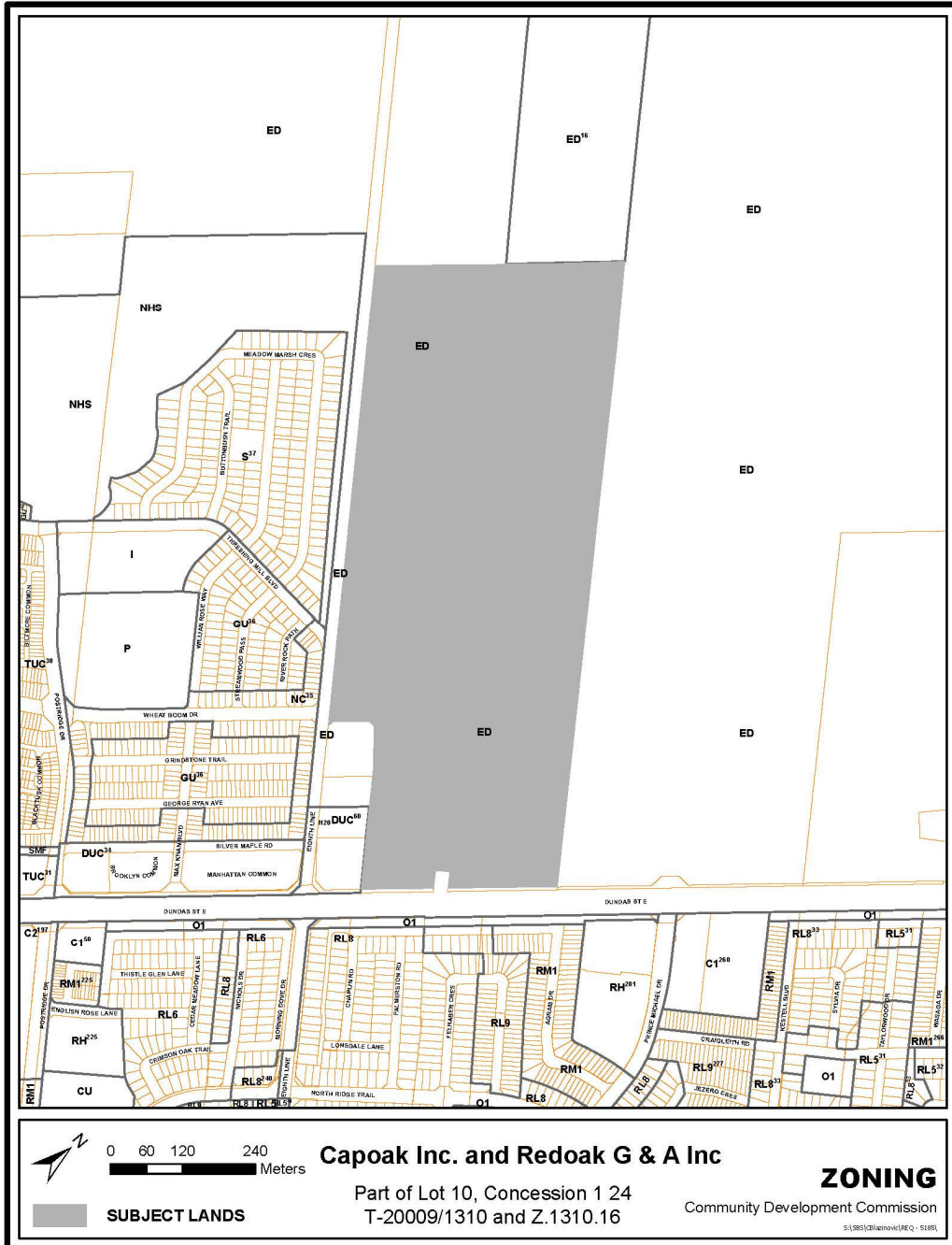


Figure 5 – Zoning By-law Extract

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Proposed Zoning

A draft Zoning By-law has been submitted by the applicant to rezone the lands from *Existing Development (ED)* to site specific *General Urban, Sub-Urban, Neighbourhood Centre Area (NCA), Park (P), Stormwater Management Facility (SWF)* and *Natural Heritage System (NHS)* zones. The proposed zoning would facilitate the development of the lands for approximately 575 residential units, stormwater management pond and natural heritage system.

The applicant proposes the following modifications:

Zone Regulation	Modification
Dundas Urban Core (DUC)	
General Urban (GU) uses and buildings not permitted	Allow GU uses and buildings, subject to GU regulations
Min. width of parking space in a private garage – 3 m	Min. width of parking space in a private garage – 2.9 m
One step may encroach into the length of a parking space	One step to encroach into the length and width of a parking space
Porch – a porch shall have a minimum depth from the exterior of the building to the outside edge of the porch of 1.5 m. Required depths shall be provided for a minimum of 70% of the porch. However, steps may encroach into the required depth. Porches shall have walls that are open and unenclosed for at least 70% of the total area of the vertical planes forming its perimeter, other than where it abuts the exterior of the building or insect screening.	Section 4.27 shall not apply to inset porches. Notwithstanding 4.27, a porch shall have walls that are open and enclosed for at least 40% of the total area of the vertical planes forming its perimeter, other than where it abuts the exterior of the building or insect screening.
General Urban (GU)	
Min. width of parking space in a private garage – 3 m	Min. width of parking space in a private garage – 2.9 m
One step may encroach into the length of a parking space	One step to encroach into the length and width of a parking space
Porch – a porch shall have a minimum depth from the exterior of the building to the outside edge of the porch of 1.5 m. Required depths shall be provided for a minimum of 70% of the porch. However, steps may encroach into the required depth. Porches shall have	Section 4.27 shall not apply to inset porches. Notwithstanding 4.27, a porch shall have walls that are open and enclosed for at least 40% of the total area of the vertical planes forming its perimeter,

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walls that are open and unenclosed for at least 70% of the total area of the vertical planes forming its perimeter, other than where it abuts the exterior of the building or insect screening.	other than where it abuts the exterior of the building or insect screening.
Sub-Urban (S)	
Min. width of parking space in a private garage – 3 m	Min. width of parking space in a private garage – 2.9 m
One step may encroach into the length of a parking space	One step to encroach into the length and width of a parking space
Porch – a porch shall have a minimum depth from the exterior of the building to the outside edge of the porch of 1.5 m. Required depths shall be provided for a minimum of 70% of the porch. However, steps may encroach into the required depth. Porches shall have walls that are open and unenclosed for at least 70% of the total area of the vertical planes forming its perimeter, other than where it abuts the exterior of the building or insect screening.	Section 4.27 shall not apply to inset porches. Notwithstanding 4.27, a porch shall have walls that are open and enclosed for at least 40% of the total area of the vertical planes forming its perimeter, other than where it abuts the exterior of the building or insect screening.
“Lot Frontage” means the horizontal distance between the side lot lines of a lot measured at a minimum applicable front yard setback. Frontages shall be determined in a manner that is most compatible with the surrounding development where possible, otherwise the shorter boundary abutting a street shall be deemed to be the frontage.	“Lot Frontage” means the horizontal distance between the side lot lines of a lot measured parallel to and 6.0 metres back from the front lot line.
General	
	Where the provisions of this By-law conflict with the provisions of the North Oakville By-law 2009-189, the provisions of this By-law shall take precedence.

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

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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-36132.html>

- Draft Plan of Subdivision
- Planning Justification Report
- Draft Amending Zoning By-law
- Urban Design Brief
- Traffic Impact Study
- Density Plan
- Pedestrian Circulation Plan
- Transit Facility Plan
- Environmental Impact Report/Functional Servicing Study
- Archaeological Assessment
- Environmental Site Assessment
- Noise Feasibility Study
- Dundas Urban Core Concept Plan
- Park/Village Square Concept Plan

Public Comments

The applicant hosted Public Information Meeting on September 20, 2020. Eleven residents and well as the Ward Councillors were in attendance. Questions were raised relating to:

- Construction timelines and access routes
- Eighth Line/traffic calming and bike route locations
- Type of development (i.e. residential/commercial)
- Location of schools

Two written submission were received and can be found in Appendix "D". Issues raised related to the disposition of 8th Line and concerns regarding high density uses north of Dundas Street, construction issues, decrease in property values and lack of trees and greenspace.

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.

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- 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.
 - An Activity Node is identified within the Master Plan to be located at the intersection of Street "A" and Eighth Line. The Neighbourhood Centre policies require a mixed use/non-residential building to be located within the activity node. The west side of Eighth Line contains residential uses. The applicant is proposing residential uses on the north-east corner which would result in a non-residential or mixed use building to be located at the south-east corner (holdout property).
 - Confirmation that the Dundas Urban Core Blocks (Blocks 202 and 203) are an appropriate size to ensure a comprehensive development including a mix of uses (i.e. residential and retail).
 - Review opportunities to ensure the Dundas Urban Core blocks (Blocks 202 and 203) contain sufficient retail and service commercial uses in conjunction with highest density uses.
 - 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.

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- Confirmation of the appropriate location of walkways.
- Consideration of the need for additional rear lane townhouse units along street "A" to reduce the number of driveways and maximize additional on-street parking opportunities.
- Additional information is required regarding the number and types of units for "Future Development" Blocks 199 and 200.
- Small holdout property (owned by the Region) along Dundas Street to be incorporated into Dundas Urban Core Block 203.
- Discussion with Town Planning and Legal staff regarding the acquisition of Town land (Eighth Line) to be consolidated with "Future Development" Block 198
- 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.

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/video conference took place on September 20, 2020, that was attended by 11 residents and the Ward 6 Councillors. Minutes from the meeting can be found at Appendix "C".

Two written submission can be found in Appendix "D".

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(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. The current applications were submitted and deemed complete on August 21, 2020. An appeal can be filed on December 19, 2020.

(D) CORPORATE AND/OR DEPARTMENT STRATEGIC GOALS

This report addresses the corporate strategic goal to:

- be the most livable town in Canada

(E) COMMUNITY SUSTAINABILITY

The proposed development will be reviewed to ensure compliance with the Town's sustainability objectives of the Livable Plan. The proposal will also 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.

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APPENDICES:

Appendix A - Applicant's Proposed Zoning Regulations

Appendix B - Applicable Policies

Appendix C - Applicant Hosted Public Information Meeting Minutes – September 20, 2020

Appendix D – Written Submissions

Prepared by:

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

Recommended by:

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

Submitted by:

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