

## REPORT

### PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: OCTOBER 26, 2020

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**FROM:** Planning Services Department

**DATE:** October 14, 2020

**SUBJECT:** Public Meeting Report - Draft Plan of Subdivision and Zoning By-law Amendment, Mattamy (Joshua Creek) Limited - Phase 4 - 1429 Dundas Street East, File No.: 24T-20006/1307, Z.1307.06

**LOCATION:** 1429 Dundas Street East

**WARD:** 6

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#### RECOMMENDATION:

1. That the public meeting report, prepared by the Planning Services Department dated October 14, 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 4, (File No.: 24T-20006/1307 and Z.1307.06) 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 6.94 hectares of land consisting of 118 detached dwellings and 36 rear lane townhouse units.
- The subject lands are designated Neighbourhood 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.
- 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 establish applicable policies to guide development including the conveyance

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and protection of the natural heritage system in accordance with the Town's established urban structure.

- The applications have been circulated to internal departments and public agencies for review and comment.
- An applicant hosted public information meeting took place on February 11, 2020, that 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 August 21, 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.

### **BACKGROUND:**

The purpose of this report is to introduce the planning application in conjunction with the statutory public meeting. Council will hear public delegations on the application, ask questions of clarification and identify matters to be considered. The report is to be received and no recommendations on the application are being made at this time.

The report outlines the proposed development and identifies matters raised to date through the technical review and public consultation. Following the statutory public meeting and once the review is complete, staff will bring forward a recommendation report for consideration by Planning and Development Council.

The current applications were submitted and deemed complete on April 24, 2020. The developer initiated Public Information Meeting occurred on 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 154 residential units, and natural heritage system on 6.94 ha of land (Figure 1).

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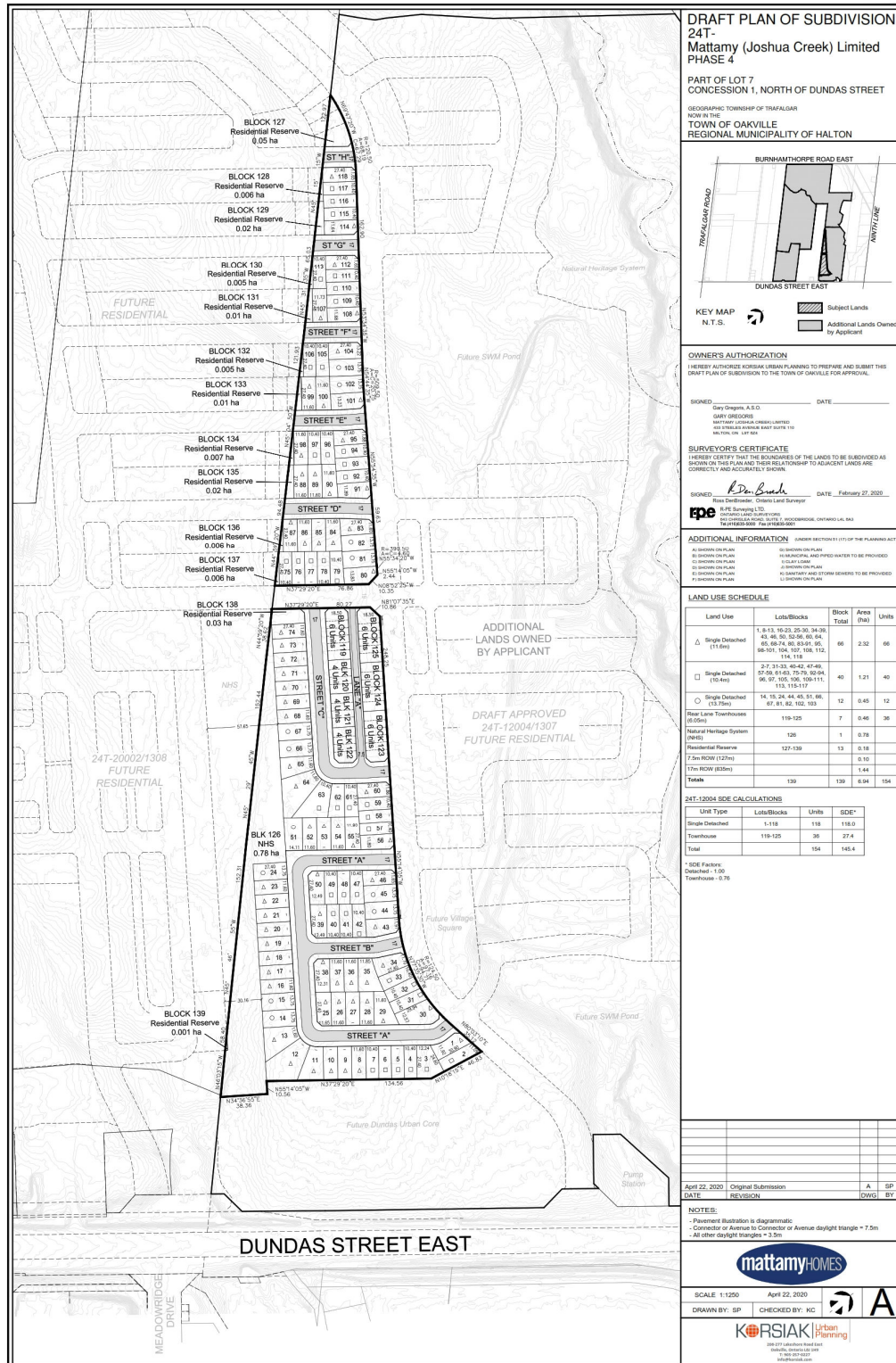


Figure 1 – Proposed Draft Plan of Subdivision

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

Draft Plan Feature	Number of Units	Area (ha)
Single Detached (11.6 m)	66	2.32
Single Detached (10.4 m)	40	1.21
Single Detached (13.75 m)	12	0.45
Rear Lane townhouses	36	0.46
Natural Heritage System (Block126)		0.78
Residential Reserve (Blocks 127-139)		0.18
Roads		1.54
<b>TOTAL</b>	<b>154</b>	<b>6.94</b>

The housing types proposed are outlined in the table below:

Proposed Unit Type	Total
Detached Dwellings	118
Townhouses	36
<b>TOTAL</b>	<b>154</b>

To the west of the subject lands is the Argo draft plan of subdivision (24T-20002/1308) which is currently under review. Further west is the Dunoak draft approved plan of subdivision (24T-12003/1309). To the east is the larger Bressa subdivision (24T-12004/1309) which was draft approved by the LPAT in 2019. The current proposed subdivision would assist in achieving a complete community in this location with the extension of roads and servicing between the Argo, Bressa and Dunoak lands (Figure 2).



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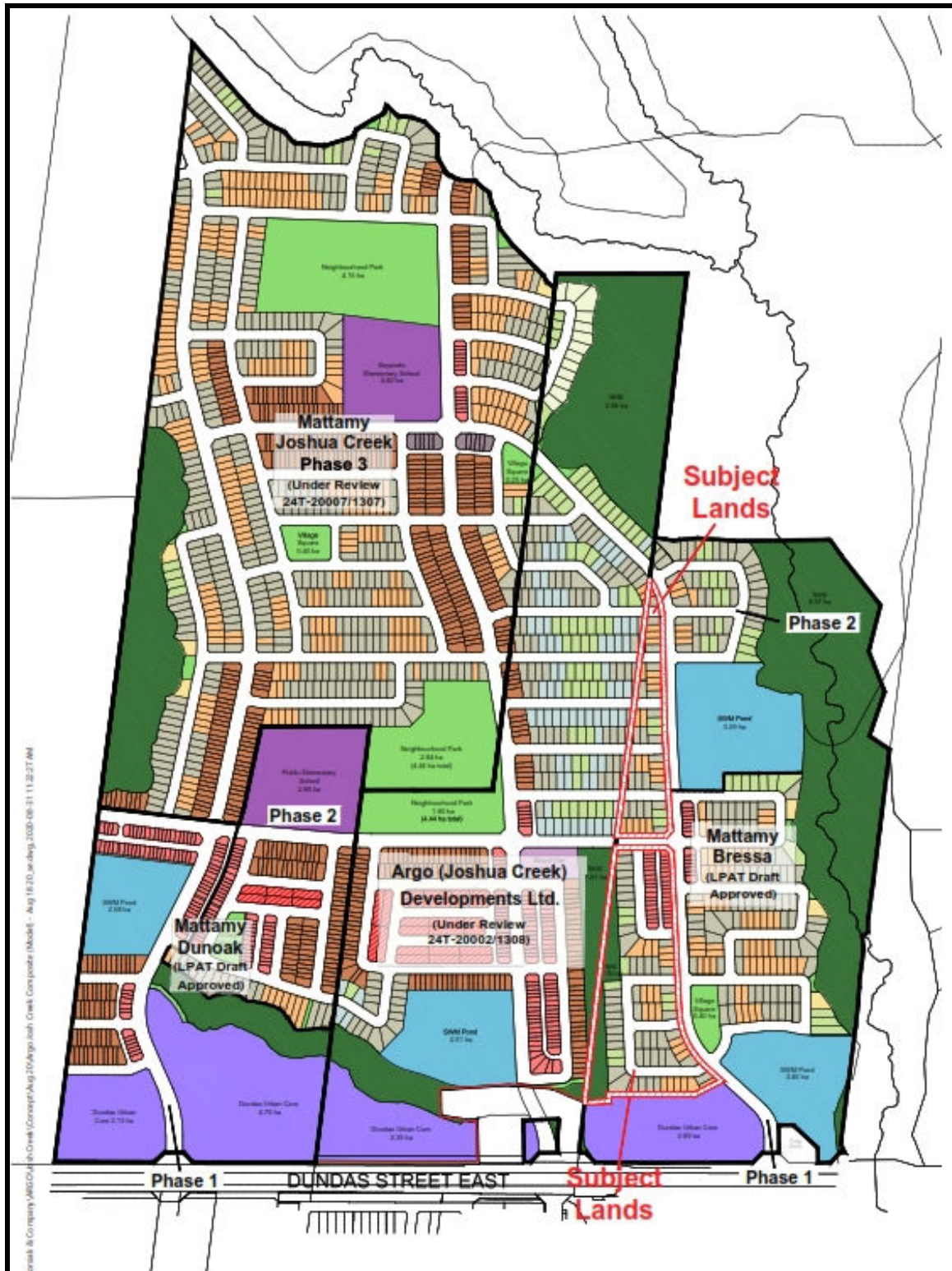


Figure 2 – Context Plan

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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 north side of Dundas Street East and west of Ninth Line as shown on Figure 3. The legal description of the property is Part of Lot 7, Concession 1 N.D.S.



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Figure 3: Air Photo

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### Site Description

The subject lands were originally part of the larger Bressa subdivision but were removed due to the lack of servicing allocation. The subject lands have been included and are eligible for the 2020 Regional Servicing Allocation Program.

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/East/North:

Bressa LPAT draft approved plan of subdivision consisting of consisting detached dwellings, townhouse units, a Dundas Urban Core block, and two stormwater management pond. Planning staff are currently processing a site plan for a portion of the Dundas Urban Core block, which is proposed to be developed for two 12-storey mixed use buildings.

#### West:

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

### **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) with portions of “Regional Natural Heritage System” (RNHS). 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.

### **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.

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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.

#### **Land Use Policies**

In 2008, the North Oakville East Secondary Plan (NOESP) was approved by the former Ontario Municipal Board 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. OPA 272 was prepared to be consistent with the 2005 PPS and in conformity with the 2006 Growth Plan. The land use designations which apply to the subject lands consist of *Neighbourhood Area*, and, *Natural Heritage System Area*, on Figure NOE2, Land Use Plan (Figures 4a and 4b).



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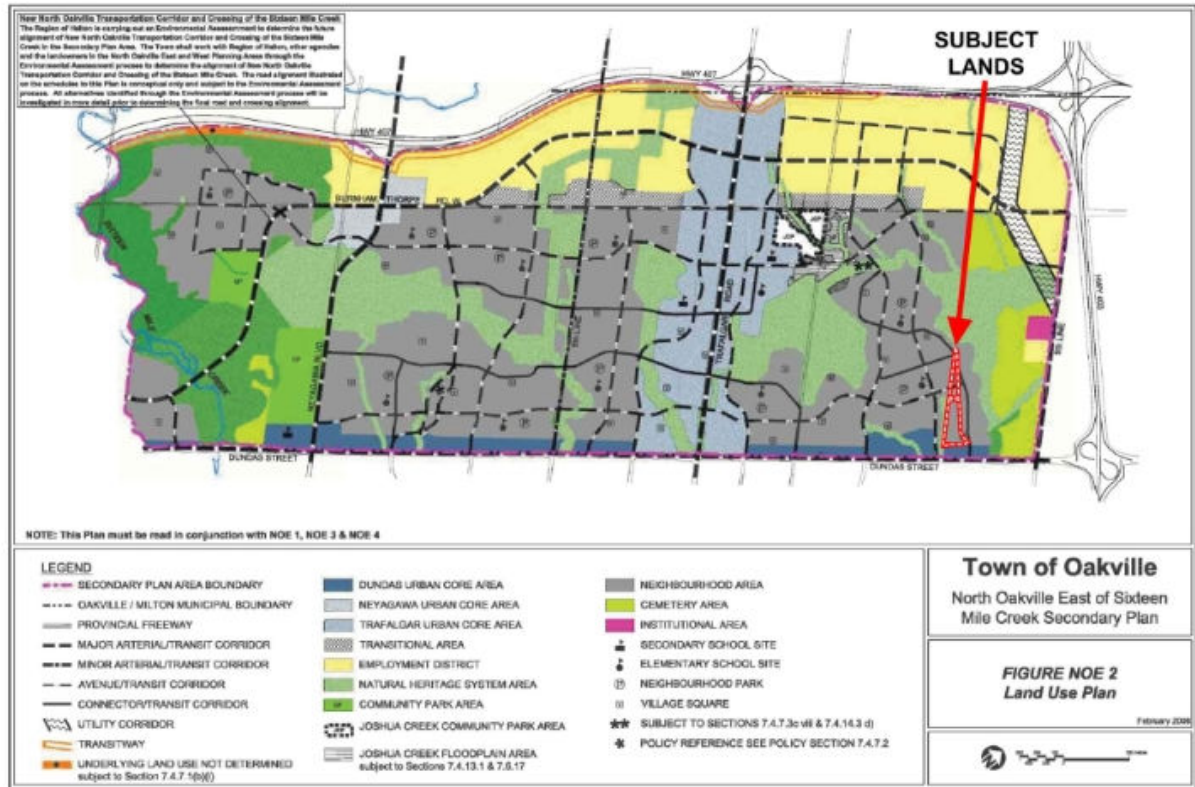


Figure 4a – North Oakville East Secondary Plan - Figure NOE2

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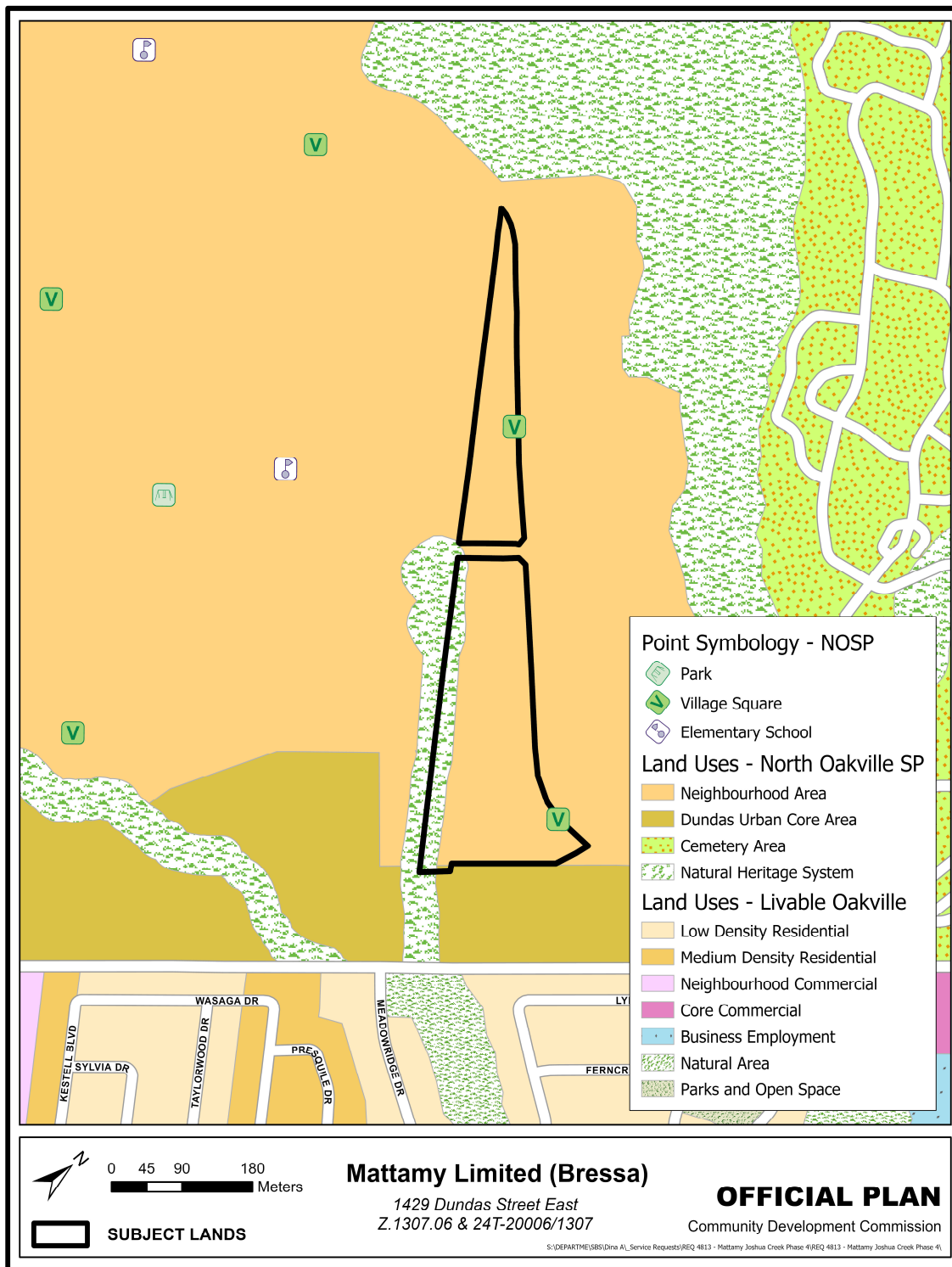


Figure 4b – Extract North Oakville East Secondary Plan - Figure NOE2

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### 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*, and, *General Urban Area*, as shown in North Oakville Master Plan (Figure 5a and 5b).

The NOESP requires a variety of building types to be developed throughout the General Urban Area, Sub-Urban Area and Neighbourhood Centre Area in each neighbourhood. This phase of development is located within Neighbourhood 5 and according to an extract of Table 1 the following is required:

<b>Table 1</b>			
<b>Neighbourhood Land Use Category Requirements</b>			
Neighbourhood	Neighbourhood Centre Area	General Urban	Sub-urban Area
<b>5</b>	15%	56%	29%

These requirements will be used in the evaluation of the application in the future recommendation report.



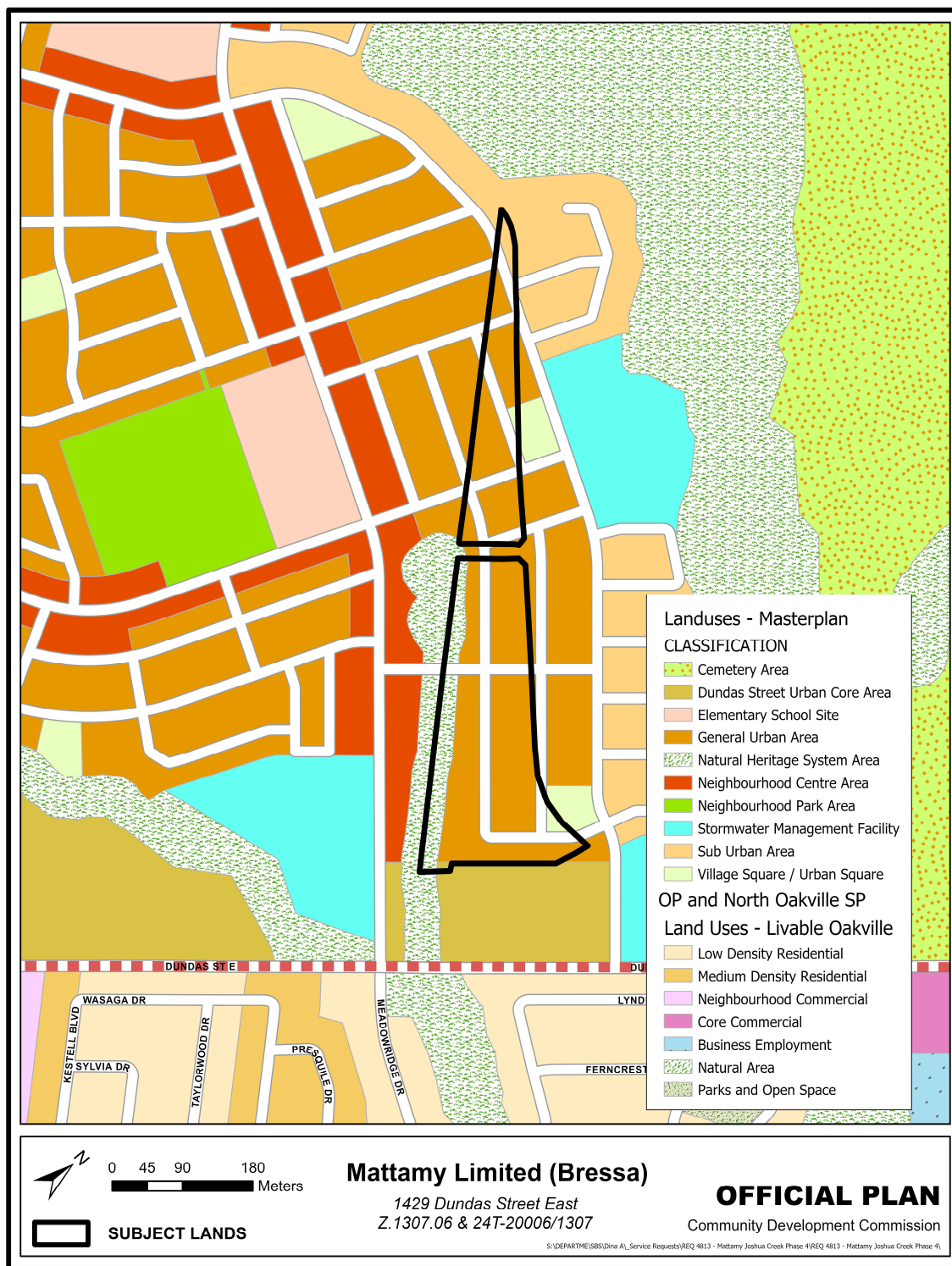
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**Zoning By-law (By-law 2009-189)**

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.

A zoning amendment is required to implement the proposal.



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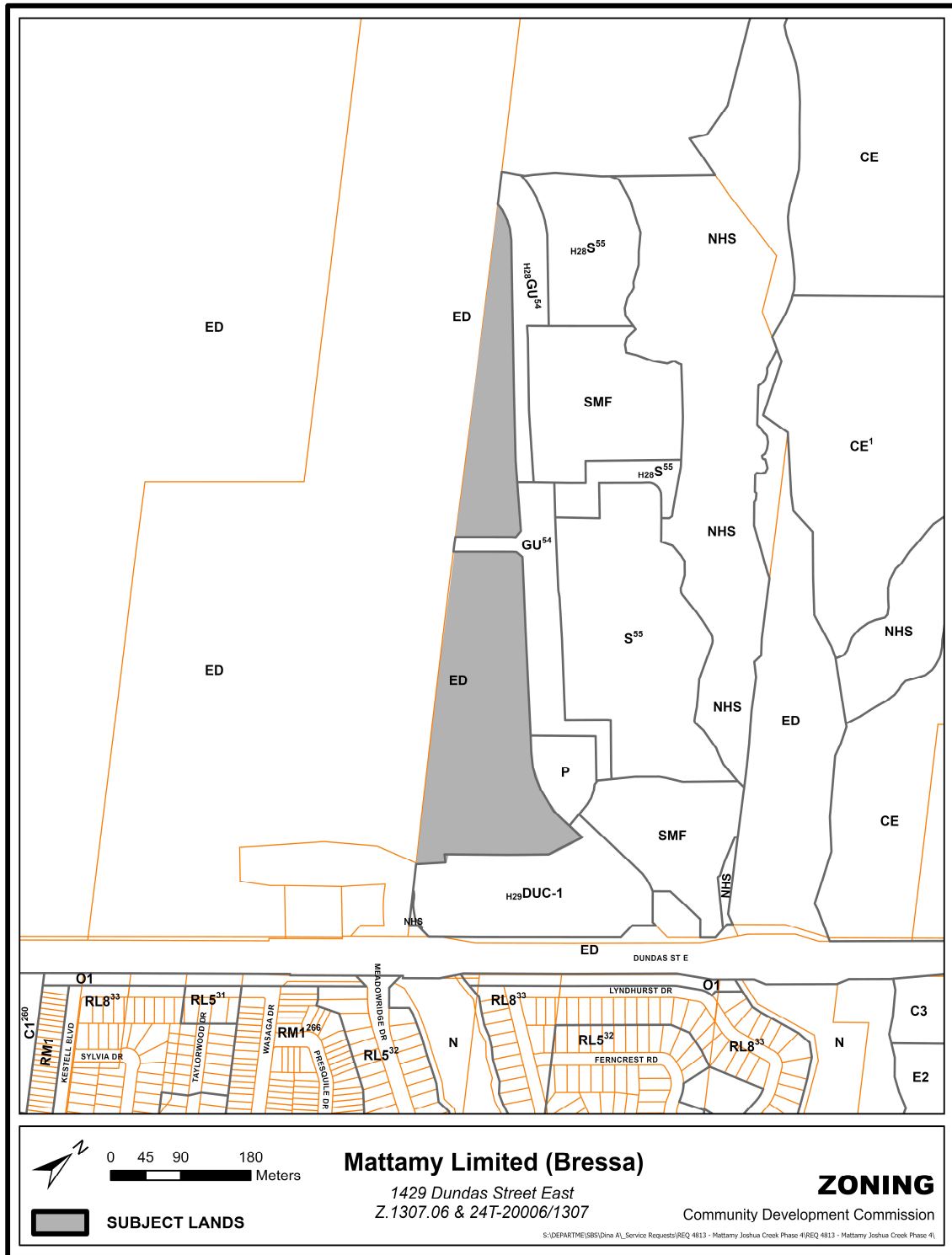


Figure 6 – Zoning By-law Extract

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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 (GU)* zone. The proposed zoning would facilitate the development of the lands for approximately 154 residential units in coordination with the draft plan of subdivision.

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

### **TECHNICAL & PUBLIC COMMENTS**

The proponent has provided technical studies in support of the application which have been circulated to various public agencies and internal town departments, and which are under review. The following studies and supporting documentation are also accessible on the town's website <https://www.oakville.ca/business/da-35521.html>.

- Draft Plan of Subdivision
- Planning Justification Report
- Draft Amending Zoning By-law
- Urban Design Brief
- Transportation Impact Study
- Density Plan
- Pedestrian Circulation and Transit Facility Plan
- EIR/FSS Addendum
- Stage 1-2 Archaeological Study
- 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 that the developer is 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.

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- 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 options to maximize visitor parking.
- Investigate the feasibility of a street connection/pedestrian connection between this subdivision and the Argo submission to the west is the general location of the upper extent of Street "A".
- Confirmation of appropriate road and lane widths to ensure functionality.
- 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 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".

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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 NHS area may result in trail 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 August 21, 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

**(E) COMMUNITY SUSTAINABILITY**

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

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**APPENDICES:**

Appendix A - Applicant's draft zoning regulations

Appendix B - Applicable Policies

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

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