# PLANNING JUSTIFICATION REPORT

# DRAFT PLAN OF SUBDIVISION APPROVAL

Menkes Lakeshore Woods Inc. (c/o Menkes Developments Ltd.) 193 Nautical Boulevard, Block 220 on Plan 20M-840 Town of Oakville

January 2022. GSAI File # 1072-002

### **1.0 INTRODUCTION**

Glen Schnarr and Associates Inc. has been retained by Menkes Lakeshore Woods Inc. (c/o Menkes Developments Ltd.) to assist with the planning approvals required to permit the development of the lands municipally known as 193 Nautical Boulevard in the Town of Oakville, for an as-of-right 37 lots residential subdivision. (The "Subject Property")

This Planning Justification Report is prepared in support of an application for Draft Plan of Subdivision Approval. The proposed Draft Plan of Subdivision seeks the approval of a residential subdivision consisting of 37 single detached residential lots, a municipal right of way and two infrastructure blocks (Block 38 - Servicing corridor and Block 39 -Walkway block) on the Subject Property. The subdivision has been designed in full accordance with the existing Official Plan policies and Zoning By-law regulations. The principal of land use has been established on the property through the development of the Lakeshore Woods subdivision process (File No. 24T-00004). As such there are no land use planning approvals that are required to facilitate the proposed development.

The purpose of this report is to outline the nature of the proposed development and the surrounding community context. In addition, the report will provide a framework for which the proposed development has been evaluated in the context of the policies of the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe, the Region of Halton Official Plan, the Livable Oakville Official Plan as well as the Town of Oakville Zoning By-law 2014-014.

This report will provide a planning opinion in support of the proposed Draft Plan of Subdivision which is required to facilitate the proposed development.

## 2.0 CONTEXT ANALYSIS

The following provides a summary of the physical context of the Subject Property within the Lakeshore Woods community as well as a general summary of the characteristics of the surrounding development.

#### 2.1 SITE DESCRIPTION

The Subject Property is located on the south side of Nautical Boulevard, east of Alison Crescent and west of Inville Crescent. The Subject Property is 2.25 hectares (5.56 acres) in area and has a frontage of 145.2 m (476.37 ft) along Nautical Boulevard. The depth of the property is 155.44 m (509.97 ft). The property is currently vacant and undeveloped but has previously been used for

construction staging associated with previous subdivision phases within the Lakeshore Woods development (24T-00004).

A municipal sidewalk is located along the frontage of the property and runs continuously from Alison Crescent to Innville Crescent. The perimeter of the Subject Property is currently secured with a chain link fence.

#### 2.2 ADJACENT LAND USES

The Lakeshore Woods neighbourhood has been developed primarily as a residential neighbourhood. Other land uses within the neighbourhood include Shell Park, Nautical Park and a commercial plaza located at the south east corner of Rebecca Street and Great Lakes Boulevard. An extensive open space system extends from Rebecca Street southward to connect with Shell Park. The open space system includes a trail system which provides for active transportation routes through and around the neighbourhood and the surrounding community. The Region of Halton's Burloak Water Treatment Plant is located at the northerly edge of the neighbourhood.

The Lakeshore Woods neighbourhood has been predominantly developed with single detached, two storey, residential dwellings. There are a few examples of single storey dwellings within the neighbourhood, however such dwellings are very limited in number compared to the prevalence of two storey dwellings. There is great diversity in the architectural design and building materiality within the surrounding neighbourhood. Most dwellings, noting the exception of corner lots, have been developed with driveways and garages within the front yard. Garages are most often setback from the main wall of the dwelling so as to provide prominence to the main entrance and front façade of dwellings. An area of medium density residential uses exists at the northwest corner of the Lakeshore Woods neighbourhood. Built forms within this area include street townhouse dwellings as well as condominium townhouses.

The lotting fabric within the immediate neighbourhood surrounding the Subject Property is relatively consistent with lot areas generally ranging from approximately  $372 \text{ m}^2$  (4,000 ft<sup>2</sup>) to 929 m<sup>2</sup> (10,000 ft<sup>2</sup>). Lot frontages within the surrounding development range from 12.1 m (40 ft) to 15.24 m (50 ft). All of the lands located on the east side of Great Lakes Boulevard and bounded by Nautical Boulevard appear to have been developed in accordance with the existing RL 6 – Residential Low 6 zoning provisions.

#### 2.3 EXISTING NATURAL FEATURES

The Subject Property has previously been pregraded in anticipation of development. The area has also been hydroseeded with grass which has acted as a cover crop and has been maintained with infrequent grass cutting. There is no significant vegetation internal to the Subject Property.

A review of the Livable Oakville Schedule B – Natural Features and Hazard Lands indicates that there are no identified natural features and/or hazard lands that are located on the Subject Property. Portions of Shell Park are identified as Woodlands Area and Significant Wildlife Habitat on Schedule B – Natural Features and Hazard Lands.

#### 3.0 BACKGROUND

The Lakeshore Woods Neighbourhood was developed in the early 2000's by New Province Homes Ltd. c/o Metrus Developments. The original masterplan for the community identified the Subject Property as a candidate location for a school site. In 2013, the Halton District School Board acquired the Subject Property in anticipation of the need for an elementary school site in this location.

Through the Halton District School Boards Long Term Accommodation Plan 2018/2019, the school board identified that the school site was no longer required, and it could be deemed surplus to the school boards needs. In May 2019, the site was deemed surplus to the school boards needs and was authorized by the Ministry of Education for sale. Following the Ministry's authorization, the Halton District School Board marketed the property for sale. The Subject Property was acquired by Menkes Lakeshore Woods Inc. (c/o Menkes Developments Ltd.) on November 30, 2021.

#### 4.0 PROPOSED DRAFT PLAN OF SUBDIVISION

The proposed draft plan of subdivision contains 37 as-of-right residential lots as originally contemplated and established within the existing plan of subdivision (File No. 24T-00004). The proposed residential lots are comprised of the following general lot configurations:

Frontage	Areas	Count
12.80 m	$380 \text{ m}^2$ to $937 \text{ m}^2$	12 Lots
(42 ft)	$(4,090 \text{ ft}^2 \text{ to } 10,085 \text{ ft}^2)$	
14.02 m	439 m <sup>2</sup> to 488 m <sup>2</sup>	6 Lots
(46 ft)	$(4,725 \text{ ft}^2 \text{ to } 5,252 \text{ ft}^2)$	
14.93 m	456 m <sup>2</sup>	1 Lot
(49 ft)	$(4,908 \text{ ft}^2)$	
15.24 m	$412 \text{ m}^2$ to $453 \text{ m}^2$	18 Lots
(50 ft)	$(4,343 \text{ ft}^2 \text{ to } 4,876 \text{ ft}^2)$	

In addition to the proposed residential lots, the draft plan of subdivision includes a single servicing block (Block 38) which provides a servicing connection to the adjacent services located within Alison Crescent. The proposed servicing connection has been design in accordance with the master servicing plan for the subdivision and makes use of existing servicing connections stubs located within the adjacent Block 38 (Alison Crescent).

A walkway block (Block 39) between the proposed 'Street A' and Shell Park has been included approximately midblock at the southerly leg of 'Street A'. The walkway block is intended to provide convenient access from the neighbourhood to Shell Park. Consideration of a walkway connection to Shell Park was identified through the preliminary Public Consultation process as being desirable to the community and as such it has been included in the development proposal.

"Street A' has been designed in accordance with the Town of Oakville right of way (ROW) standard STD 7-22A. As such, the road provides for a 17.0m right of way which includes a 8.5 m paved travel portion, 2.25 m wide boulevard on both side of the street and a 1.5 m sidewalk. The length of 'Street A' is 295 m.

## 5.0 POLICY FRAMEWORK

#### 5.1 THE PLANNING ACT

Section 2 of The Planning Act requires decision makers, in carrying out their responsibilities under the Planning Act, to have regard to, among other matters, matters of provincial interest. The following matters of provincial interest are relevant to the evaluation of the proposed development:

- (d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;
- (f) the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;
- (h) the orderly development of safe and healthy communities;
- (*j*) the adequate provision of a full range of housing, including affordable housing;
- (*p*) the appropriate location of growth and development;
- (q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;
- (*r*) the promotion of built form that,
  - (*i*) *is well-designed*,
  - (ii) encourages a sense of place, and
  - *(iii)* provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;
- (s) the mitigation of greenhouse gas emissions and adaptation to a changing climate.

Based on my review of Section 2 a) through s) of the Planning Act conducted for the preparation of this report, the approval of the proposed development would not cause a conflict with the above mentioned matters of Provincial interest as identified in this section of the Planning Act. On this basis, it is the opinion of the author that the proposed Application has regard for matters of provincial interest.

The proposed Draft Plan has also been evaluated under the criteria established in Section 51(24) of the Planning Act which requires that regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality. The following table provides an analysis of the proposed Draft Plan under this section of the Planning Act:

Section 51(24) Criteria	Response
(a) the effect of development of the proposed	Based on the analysis conducted for this report,
subdivision on matters of provincial interest as	I am of the opinion that the approval of the
referred to in section 2;	proposed subdivision would not cause a

	conflict with the relevant matters of Provincial
	interest as identified in Section 2 of the
	Planning Act.
(b) whether the proposed subdivision is premature or in the public interest;	The proposed subdivision will assist the Town and the Region in achieving their minimum intensification targets as established by the Province. The proposed subdivision will allow for the redevelopment of a currently underutilized parcel of land to accommodate growth within the Town's Built Boundary, in a manner which is sensitive to the surrounding community. The proposed redevelopment is located in an area of existing infrastructure and servicing to support the proposed development.
	On the basis of the above, it is my opinion that the proposed subdivision is in the public interest and is not premature.
(c) whether the plan conforms to the Official Plan and adjacent plans of subdivision, if any;	The Subject Property is identified as Low Density Residential as shown on Schedule F- South West Land use of the Official Plan and is proposed to be developed in full accordance with the existing Official Plan policies. The proposed subdivision has been designed to coordinate with the adjacent plans of
	subdivision with respect to lotting patterns through aligning like built forms and lot orientations.
(d) the suitability of the land for the purposes for which it is to be subdivided;	The Subject Property is appropriately located and sufficiently suitable for the development of a subdivision containing the proposed residential uses.
(d.1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;	It is my understanding that no affordable housing units are being proposed as part of this subdivision.
(e) the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;	The proposed internal road and its external connections to the existing road network have been designed in accordance with the Town and Region engineering standards for road design.
(f) the dimensions and shapes of the proposed lots;	The dimensions and shapes of the proposed lots are appropriate for the proposed residential uses.

(g) the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be	The subdivision has been designed to incorporate the same zoning provisions as existing properties at the periphery of the Subject Property where the proposed development will interface with existing development. The proposed blocks/lots will comply with the minimum required zoning regulations regarding lot area and frontage. This has been done to ensure compatibility between proposed and existing lots and proposed lots. It is not anticipated that any restrictions will be required to accommodate the proposed development.
erected on it and the restrictions, if any, on adjoining land;	
(h) conservation of natural resources and flood control;	The Subject Property has been designated and zoned for residential use and the principal of land use has been established on the property through the development of the Lakeshore Woods subdivision process. Through that process, there are no known matters of conservation or flood control that have been identified that relate to the Subject Property.
(i) the adequacy of utilities and municipal services;	The proposed development blocks will be serviced by a municipal road. The proposed development blocks will be serviced by way of full urban municipal services which will be provided in accordance with the Region's servicing policies. Any upgrades to the existing municipal servicing systems required because of the proposed redevelopment will be the responsibility of the developer.
(j) the adequacy of school sites;	The Subject Property was previously an identified school site which was deemed surplus by the Halton District School Board. Through deeming the site excess, the school board has deemed to confirm the adequacy of existing school site within the surrounding community.
(k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;	The plan includes two blocks which are to be dedicated to the Town for the purpose of providing a walkway connection to Shell Park and a servicing block.
(l) the extent to which the plan's design optimizes the available supply, means of	Any buildings located within the proposed redevelopment will be required to be designed

supplying, efficient use and conservation of energy; and	in accordance with OBC requirements for energy efficiency.
	Other opportunities for energy conservation can be further examined during the detailed design phase for the proposed buildings and future building permit submissions
(m) the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on	The Subject Property falls within an area of the Town identified as a site plan control area.
the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the	Given the ability for the Town to control matters relating to the development of the lands through conditions of approval for the
City of Toronto Act, 2006.	draft plan of subdivision, such as the requirement for a subdivision agreement, it is not anticipated that Site Plan approval will be required.

On the basis of the analysis and commentary provided above, it is my opinion that the proposed subdivision has regard to the matters that are identified in Section 51(24) of the Planning Act.

#### 5.2 THE PROVINCIAL POLICY STATEMENT 2020

The PPS 2020 provides policy direction on matters of provincial interest related to land use planning and development. Section 3 of the Planning Act requires that decisions affecting planning matters "shall be consistent with" policy statements issued under the Act. Section 1 of the PPS outlines policies associated with future development and land use patterns. Sections 1.1.1 and 1.1.3 of the PPS state:

- "1.1.1 Healthy, liveable and safe communities are sustained by:
  - a) promoting efficient development and land use patterns which sustain the financial wellbeing of the Province and municipalities over the long term;
  - b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;
  - e) promoting the integration of land use planning, growth management, 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;

#### 1.1.3.1 Settlement areas shall be the focus of growth and development

- 1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:
  - a) efficiently use land and resources;
  - b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;
  - *e)* support active transportation;
  - *f)* are transit-supportive, where transit is planned, exists or may be developed;

Land use patterns within settlement areas shall also be based on a range of uses and opportunities for intensification and redevelopment in accordance with the criteria in policy 1.1.3.3, where this can be accommodated.

1.1.3.3 Planning authorities shall identify appropriate locations and promote opportunities for transit-supportive development, accommodating a significant supply and range of housing options through intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs."

The proposed development conforms to Sections 1.1.1 and 1.1.3 of the PPS as the Subject Property is located within the Town of Oakville Settlement Area. The proposed development will allow for an efficient use of land by accommodating residential density on a site which is currently underutilized and is designated and zoned for residential land uses. The proposal will make efficient use of existing municipal infrastructure which will assist in sustaining the financial wellbeing of the Town of Oakville and allow for a cost-effective development which will reduce land consumption and servicing costs.

Section 1.4 of the PPS provides policies relating to the provision of housing options. Specifically, Section 1.4.3 of the PPS states that:

- "1.4.3 Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:
  - *b) permitting and facilitating:* 
    - 1. all housing options required to meet the social, health, economic and wellbeing requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and
    - 2. all types of residential intensification, including additional residential units, and redevelopment in accordance with policy 1.1.3.3;

- c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;
- e) requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations;
- f) establishing development standards for residential intensification, redevelopment and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.

The proposed development will assist in providing more housing through increased residential densities within the southwest Oakville area. The area is currently well serviced with appropriate levels of existing infrastructure as confirmed in the Functional Servicing Report submitted with the development application.

Section 1.6 of the PPS provides policies relating to infrastructure and public service facilities:

- "1.6.6.2 Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. Within settlement areas with existing municipal sewage services and municipal water services, intensification and redevelopment shall be promoted wherever feasible to optimize the use of the services;
- 1.6.7.4 A land use pattern, density and mix of uses should be promoted that minimize the length and number of vehicle trips and support current and future use of transit and active transportation.

The proposed development will make use of existing water and wastewater servicing infrastructure. The proposed development will result in an increase in the residential density beyond what currently exists on the Subject Property which will optimize the use of existing services. The Functional Servicing Report submitted in support of the proposed development application identifies no constraints with the existing servicing infrastructure that would prevent the development from proceeding.

The proposed development conforms to Section 1.6 of the PPS as it will be serviced using existing municipal infrastructure. The proposed development is situated in the Settlement Area for the Town of Oakville.

Based on the review conducted for this report, it is my opinion that the proposed draft plan of subdivision is consistent with the policies in the PPS.

#### **5.2** GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE (2019)

The Growth Plan for the Greater Golden Horseshoe, 2019 (the "Growth Plan") is a long-term plan intended to manage growth through building complete communities, curbing sprawl and protecting

the natural environment. The Growth Plan builds upon the initial Growth Plan (2017) and responds to the key challenges that the region will face over the coming decades, with enhanced policy directions. The guiding principles of the Growth Plan include building complete communities that are vibrant and compact, and utilizing existing and planned infrastructure to support efficient growth within communities.

Section 1.2.1 of the Growth Plan establishes the following principles regarding how land is developed, resources are managed and protected, and public dollars are invested:

- Support the achievement of complete communities that are designed to support healthy and active living and meet people's needs for daily living throughout an entire lifetime.
- Prioritize intensification and higher densities in strategic growth areas to make efficient use of land and infrastructure and support transit viability.
- Support a range and mix of housing options, including second units and affordable housing, to serve all sizes, incomes, and ages of households.
- Improve the integration of land use planning with planning and investment in infrastructure and public service facilities, including integrated service delivery through community hubs, by all levels of government.
- Integrate climate change considerations into planning and managing growth such as planning for more resilient communities and infrastructure that are adaptive to the impacts of a changing climate and moving towards environmentally sustainable communities by incorporating approaches to reduce greenhouse gas emissions.

The proposed development will assist in achieving these objectives through providing more opportunity for housing options thereby contributing to a more complete community. The proposed development will locate additional new residential density in an area that is serviced with existing municipal infrastructure. The proposed development will allow for the efficient use of existing and developing infrastructure and public service facilities. Accommodating new residential growth through intensification of underutilized lands within the urban area, will assist in mitigating the impacts of climate change through offsetting the need for accommodating growth through expansions of the urban area into rural and agricultural lands.

Section 2.2.1 - Managing Growth from the Growth Plan include polices that are directly applicable to the evaluation of the proposed application:

*Policy 2.2.1 (2) 2. Forecasted growth to the horizon of this Plan will be allocated based on the following:* 

- *a) the vast majority of growth will be directed to settlement areas that:* 
  - *i. have a delineated built boundary;*
  - *ii. have existing or planned municipal water and wastewater systems; and*
  - *iii. can support the achievement of complete communities;*

c) within settlement areas, growth will be focused in:

- *i. delineated built-up areas;*
- *ii. strategic growth areas;*

*iii. locations with existing or planned transit, with a priority on higher order transit where it exists or is planned; and iv. areas with existing or planned public service facilities;* 

The Subject Property is located within a Settlement Area and within the delineated built boundary for the Town of Oakville. The Subject property is serviced with existing municipal water and wastewater systems.

Policy Section Policy 2.2.1 (4) Managing Growth of the Growth Plan states that:

4. Applying the policies of this Plan will support the achievement of complete communities that:

- *a) feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;*
- *b) improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes;*
- c) provide a diverse range and mix of housing options, including second units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes;
- d) expand convenient access to:

*i.* a range of transportation options, including options for the safe, comfortable and convenient use of active transportation; *ii.* public service facilities, co-located and integrated in community hubs; *iii.* an appropriate supply of safe, publicly-accessible open spaces, parks, trails, and other recreational facilities; and *iv.* healthy, local, and affordable food options, including through urban agriculture;

- e) ensure the development of high quality compact built form, an attractive and vibrant public realm, including public open spaces, through site design and urban design standards;
- f) mitigate and adapt to climate change impacts, build resilience, reduce greenhouse gas emissions, and contribute towards the achievement of low-carbon communities; and
- g) integrate green infrastructure and low impact development.

The proposed development contributes to a diverse mix of land uses in the area by generating additional housing options within the Southwest Oakville area. The approval of the proposed development will create additional residential density on a currently underutilized site.

Based on the above analysis, it is my opinion that the proposed draft plan of subdivision conforms to the intent of the Growth Plan 2019. The application contributes to the creation of complete communities and is a wise use of land through the intensification of a site within a 'Delineated Built-up Area'. The Subject Property's location is ideal in terms of assisting in meeting the density

targets set out in the Growth Plan and will contribute to the Town of Oakville achieving the forecasted growth target.

#### 5.3 **REGION OF HALTON OFFICIAL PLAN (Office Consolidation June 2018)**

The Halton Region Official Plan (Office Consolidation June 19, 2018) (the "Regional Plan") was the result of the last Official Plan Review (ROPA 38) which the OMB modified and approved and concluded in 2017 (with the exceptions of certain site-specific appeals). The current Regional Plan reflects the policies currently in force. The Regional Plan outlines the polices, strategies and long-term vision for the Region's physical form and community. The Regional Plan reflects Halton Region's aspirations for the character of the landscape, and the quality of life to be developed. Building on this framework, the Regional Plan illustrates a regional land use structure and allocates growth to the four local municipalities.

The Subject Property is designated 'Urban Area' with Regional Phasing to 2021 as shown on Map 1 of the Regional Official Plan.

Part II Basic Position of the Regional Plan outlines Halton's Planning Vision, and specifically discusses Population and Employment as well as density targets in the Regional Structure section. *Table 1 - Population and Employment Distribution*, in Section 56 of the Regional Official Plan outlines that Oakville's population shall increase to 255,000 by 2031, and employment shall rise to 127,000. *Table 2 - Intensification and Density Targets* indicates that Oakville's minimum intensification target for 2031 is 13,500 new housing units in the Built-Up Area by 2031. Furthermore, *Table 2A - Regional Phasing* establishes unit targets for Oakville and provides a target of 1,798 Medium & High Density Units to be achieved inside the Built Boundary between 2017 and 2021. The proposed application will assist the Town of Oakville in achieving the required number of units prescribed in the Regional Plan.

The Policies of the Regional Plan's 'Urban Area' land use designation that are relevant to the proposed development include:

- 72 (1) 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.
- 72 (2) To support a form of growth that is compact and supportive of transit usage and non-motorized modes of travel, reduces the dependence on the automobile, makes efficient use of space and services, promotes live-work relationships and fosters a strong and competitive economy.
- 72(3) To provide a range of identifiable, inter-connected and complete communities of various sizes, types and characters, which afford maximum choices for residence, work and leisure.

- 72(7) To plan and invest for a balance of jobs and housing in communities across the Region to reduce the need for long distance commuting and to increase the modal share for transit and active transportation.
- 72 (9) To facilitate and promote intensification and increased densities.

The application conforms with policy 72, as it contributes to the Region's ability to accommodate growth within an 'Urban Area' that will foster the development of a healthy community in the Lakeshore Woods community. It does so through supporting growth in a compact built form. The application proposes a form of intensification and density that aligns with the objectives of the Regional Plan.

Additional 'Urban Area' policies that apply include:

- 74. The Urban Area consists of areas so designated on Map 1 where urban services are or will be made available to accommodate existing and future urban development and amenities. Within the Urban Area, Employment Areas and Urban Growth Centres are identified on Map 1 as overlays on top of the Urban Area, for which specific policies apply.
- 75 The Urban Area is planned to accommodate the distribution of population and employment for the Region and the four Local Municipalities as shown in Table 1 and the Regional phasing as shown in Table 2a.

The application conforms with policy 74 and 75 by proposing a development within the 'Urban Area' where services are currently available and can accommodate growth. The proposal aligns with the density targets prescribed in the Region of Halton Official Plan and contributes to the Town of Oakville achieving these targets.

As discussed above the proposed draft plan of subdivision conforms with the Regional Plan's policies, through contributing to a built form that is compact, complementary to the area and will support the Region achieving their density targets. The proposed application will introduce a residential density that will assist in the creation of a complete community. Based on a review and analysis of the relevant Regional Official Plan policies, it is my opinion that the proposed draft plan of subdivision conforms to the Regional Official Plan policies and supports the objectives of the Region of Halton.

#### 5.4 TOWN OF OAKVILLE LIVABLE OAKVILLE OFFICIAL PLAN

The Livable Oakville Plan (The "OP") establishes the desired land use pattern for the Town's growth, through a coordination of land use development and infrastructure. The OP does so by providing policy framework and policy context that is intended to conform with provincial interests and is consistent with the Provincial Policy Statement. The OP provides planning policies to guide the Town's development to the year 2031, as required by Provincial legislation. As required by the Planning Act, the OP contains polices to manage physical

change in the Town while giving consideration to the social, economic and natural environment impacts. It also forms the basis for detailed land use designations and urban design policies. Part B: Mission Statement and Guiding Principles of The OP outlines the Guiding Principles for Town of Oakville's growth focusing on becoming a sustainable town that balances the town's natural, cultural, social and economic environments. Section 4.2 of The OP outlines the following guiding principles related to the proposed development:

- 2.2.1 Preserving and creating a livable community in order to:
  - a) preserve, enhance, and protect the distinct character, cultural heritage, living environment, and sense of community of neighbourhoods;
- 2.2.2 Providing choice throughout the Town in order to:
  - a) enable the availability and accessibility of a wide range of housing, jobs and community resources to meet the diverse needs of the community through all stages of life;
  - b) provide choices for mobility by linking people and places with a sustainable transportation network consisting of roads, transit, walking and cycling trails; and,
  - *c) foster the Town's sense of place through excellence in building and community design.*
- 2.2.3 Achieving sustainability in order to:
  - *a) minimize the Town's ecological footprint;*
  - *b)* preserve, enhance and protect the Town's environmental resources, natural features and areas, natural heritage systems and waterfronts; and,
  - *c) achieve sustainable building and community design.*

The proposed development promotes a desirable urban form that will preserve and enhance the Lakeshore Woods community character as the development provides a consistent lot fabric similar to the adjacent residential neighbourhoods. With the Subject Property's proximity to numerous services and amenities located within the Lakeshore Woods community as well as in Bronte Village, the introduction of new residential units will further develop a balanced form of growth and facilitate the creation of a complete community. The proposed development supports the Town's objectives for complete communities through an appropriate compact built form and density with opportunities for an active lifestyle thereby minimizing the Town's ecological footprint.

Part C: General Policies of the Livable Oakville Plan states the Town's urban structure was shaped by the Town's environmental features, historic routes, original settlements, and Lake Ontario. This Section of The OP recognizes the nine categories of land use designations that shape the Urban Structure of the Town. The Subject Property is designated 'Residential' as shown on the Livable Oakville Plan – Schedule A1 Urban Structure. *Policy 3.1* states the following regarding the 'Residential' designation:

The majority of the residential neighbourhoods in the Town are designated for low density residential uses to ensure a continuation of the existing neighbourhood structure. Medium and high density areas are also provided for in existing communities primarily to reflect developments that are already in place.

The proposed plan of subdivision conforms with the intent of the 'Residential' designation through proposing the introduction of new residential land uses to an area of land where such land uses are already permitted under the existing Official Plan land use designations. The residential density being sought through the proposed development application is in keeping with the existing density found within the surrounding development.

Section 4 Managing Growth and Change provides polices relating to the Town's transition towards a more compact urban form and intensification within the built-up area. The OP forecasts a population of 255,000 by the year 2031, to accommodate this growth the Town is intended to accommodate the majority of the growth within the existing 'Built Boundary' which the Subject Property is located within. The OP specifically states the following regarding managing growth and change:

In managing growth and change, the use of existing infrastructure and public service facilities should be optimized wherever feasible before consideration is given to the development of new infrastructure. Infrastructure investment shall be cost-effective and co-ordinated to support and facilitate intensification. The Town will consider planning approval, financial and other incentives to support the development of intensification areas.

The application conforms with the goal intent of Section 4 through developing an underutilized a site with access to existing infrastructure and public services (refer to Table 2: Facilities, Service and Recreation). The proposal will optimize existing infrastructure within the southeast Oakville neighbourhood, while assisting the Town in reaching the 2031 OP population target.

Section 4.3 of The OP provides the policy directive that growth will occur in the six designated growth area. However, the Livable Oakville Plan also recognizes that some growth can occur outside the growth areas on the provision that the character of the community is preserved and the overall urban structure of the Town is maintained.

Section 6 of The OP establishes policies which are relevant to Urban Design matters. These policies recognize that *good urban design is an integral part of the planning process, enabling the creation of stimulating, vibrant, and livable places; it is a key component in creating a definable sense of identity.* Section 6.1.2. (a) of the Livable Oakville Plan states that:

Part D of The OP provides greater policy direction for growth of land within the Town of Oakville. Section 11 Residential states the 'Residential Area' contains three residential land use designations namely Low Density Residential, Medium Density Residential and High Density Residential.

Section 11.1.8 of the Livable Oakville Plan states that intensification within the stable residential

communities shall be provided as follows:

- a) Within stable residential communities, on lands designated Low Density Residential, the construction of a new dwelling on an existing vacant lot, land division, and/or the conversion of an existing building into one or more units, may be considered where it is compatible with the lot area and lot frontages of the surrounding neighbourhood and subject to the policies of section 11.1.9 and all other applicable policies of this Plan;
- b) Within the stable residential communities, on lands designated Low Density Residential, there may also be sites at the intersection of arterial and/or collector roads, or sites with existing non residential uses, that have sufficient frontage and depth to accommodate appropriate intensification through development approvals. Intensification of these sites may occur with Low Density Residential uses in accordance with section 11.1.9 and all other applicable policies of this Plan; and,
- c) Within the stable residential communities, on lands designated Medium Density Residential and High Density Residential, there may be underutilized lands on which additional development may be appropriate. Intensification of these lands may occur within the existing density permissions for the lands and may be considered subject to the requirements of section 11.1.9 and all other applicable policies of this Plan.

Section 11.1.8 c) best represents the form of intensification proposed on the Subject Property, as the property currently has existing density permissions under the existing Low Density Residential designation. Furthermore, lands are currently underutilized and have not been developed since the granting of the original draft plan of subdivision in the early 2000's. The proposed development contemplates a residential density of 21.6 units per site hectare which is in keeping with the maximum density permitted within the Low Density Residential designation of 29 units per site hectare.

Section 11.1.9 of the Livable Oakville Plan establishes a set of evaluative criteria for infill development in stable residential communities. The proposed development is required to be evaluated in the context of the policies contained in Section 11.1.9. The following table provides commentary on how the proposed development is in accordance with Section 11.1.9 of the Livable Oakville Plan:

Table 1 - Evaluation of	of the Pro	posed Develo	pment under Section	11.1.9
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11.1.9 Development within all stable residential communities shall be evaluated using the	
following criteria to maintain and p	rotect the existing neighbourhood character:
a) The built form of development, including scale, height, massing, architectural character and materials, is to be compatible with the surrounding neighbourhood.	The proposed two storey built form is similar to that which currently exists in the neighbourhood, is considered to be at a scale, height and massing that is generally compatible with the surrounding neighbourhood. The proposed site layout provides for adequate degrees of separation between the proposed and existing adjacent residential development and as such effectively mitigates potential impacts resulting from new development.
b) Development should be compatible with the setbacks, orientation, and separation distances within the surrounding neighbourhood.	The proposed development is considered to provide an appropriate degree of separation between the proposed development and the adjacent residential properties. The provided building setbacks to existing adjacent development are consistent with those of the abutting residential uses, as well as with the Zoning Bylaw provisions.
c) Where a development represents a transition between different land use designations or housing forms, a gradation in building height shall be used to achieve a transition in height from adjacent development	As the existing zoning regulations are being maintained, no transition in building height that will result in the approval of the proposed development.
d) Where applicable, the proposed lotting pattern of development shall be compatible with the predominant lotting pattern of the surrounding neighbourhood.	The proposed development has been designed so that it is consistent with the lotting fabric of the surrounding development.
provide water and wastewater service, waste management services and fire protection.	A Functional Servicing Report has been submitted as part of the review of the Application. The site layout has been designed to meet the requirements of the Town's standards with respect to the road and, the Ontario Building Code with respect to Fire Access requirements.
f) Surface parking shall be minimized on the site	Surface parking has been minimized through the provision of parking which meets the minimum requirements of the Zoning By-law.

g) A proposal to extend the public	The proposed 'Street A' has been designed in
street network should ensure	accordance with the Town's Engineering standards
appropriate connectivity, traffic	and will provide the appropriate connectivity and
circulation and extension of the	traffic circulation. Additionally, the subdivision has
street grid network designed for	been designed to include sidewalks on both sides of
pedestrian and cyclist access.	the street and to provide a pedestrian connection to
	Shell Park through Block 39.
h) Impacts on the adjacent	No significant grading changes are proposed. The
properties shall be minimized in	Functional Servicing Report prepared for the proposed
relation to grading, drainage,	development included a preliminary Grading Plan
location of service areas, access	which identified the manner in which stormwater
and circulation, privacy, and	management would occur on the Site. Any potential
microclimatic conditions such as	issues relating to grading and drainage will be further
shadowing.	addressed through conditions of approval for the
	subdivision.
i) The preservation and integration	Not applicable
of heritage buildings, structures	11
and uses within a Heritage	
Conservation District shall be	
achieved.	
j) Development should maintain	No impacts on access to amenities are anticipated.
access to amenities including	
neighbourhood commercial	
facilities, community facilities	
including schools, parks and	
community centres, and existing	
and/or future public transit	
services.	
k) The transportation system	Not applicable.
should adequately accommodate	**
anticipated traffic volumes.	
l) Utilities shall be adequate to	A Functional Servicing Report has been prepared in
provide an appropriate level of	support of the proposed development the report does
service for new and existing	not identify any deficiencies with the existing
residents.	servicing infrastructure or utilities.

The evaluation criteria of 11.1.9 focuses on the compatibility of intensification within the existing neighbourhood, servicing and traffic. In relation to compatibility in the existing neighbourhood the proposed development incorporates various architectural features that maintain and respect the existing character including setbacks, landscaping, natural buffers, orientation of residential blocks and similar building materials. The Livable Oakville Plan defines *Compatible* to mean the development or redevelopment of uses which may not necessarily be the same as, or similar to, the existing development, but can coexist with the surrounding area without unacceptable adverse impact. Based on the analysis provided in the preceding table, it is my opinion that the proposed development when evaluated in the context of Section 11.1.9 of the Livable Oakville Plan will not present an unacceptable adverse impact to the surrounding Community.

Based on the analysis conducted for this report, it is my opinion that the proposed draft plan of subdivision is in keeping with the intent of the relevant Official Plan policies and would allow for the continuance of the planning objectives of the Livable Oakville Official Plan.

#### 5.5 TOWN OF OAKVILLE ZONING BY-LAW 2014-014

The Town of Oakville Zoning By-law 2014-014 zones the Subject Property as RL6-296 (Residential Low 6) Zone The Residential Low Zone permits a variety of residential types, including detached dwelling, and, Special Provision No. 296 permits a Public school as an additional use

The proposed draft plan of subdivision has been designed in full accordance with the existing RL-6 zoning provisions regarding minimum lot area and minimum lot frontage.

Future development of the proposed residential lots will be designed to fully comply with the relevant zoning standards regarding building height, maximum lot coverage and residential floor area and minimum required setbacks. Compliance with the existing zoning regulations will assist in ensuring that the proposed development is compatible with the surrounding existing development.

#### 6.0 SUPPORTING STUDIES

Through the preconsultation process, the Town of Oakville has identified a number of reports and studies that are required in support of the proposed Draft Plan of Subdivision. The majority of the identified reports have been prepared and are being submitted to the Town of Oakville. The following section provides a summary of the reports and studies submitted.

#### 6.1 SUMMARY OF SUPPORTING MATERIALS

#### **Arborist Report**

An Arborist Report, dated January 31, 2022, has been prepared by Strybos Barron King Ltd. in accordance with Town of Oakville Tree Bylaw requirements. The report includes a Tree Inventory and Preservation Plan. The report summarizes the trees inventoried within and immediately adjacent to the site and provides recommendations for preservation in the context of the proposed Draft Plan of Subdivision. The report concludes that the subject property is void of trees with the exception of a small number of trees which occur at the southeast corner of the site which create a slight encroachment into the TPZ of tree #337 & 339. All preserved trees within and immediately adjacent to the property are to be protected in accordance with Town of Oakville tree protection standards and for the duration of the construction works.

#### **Functional Servicing Report**

A Functional Servicing and Stormwater Management ("SWM") Report (The "Stantec Report"), dated January 20, 2022, has been prepared by Stantec Consulting Ltd. Within the Stantec Report, the supporting civil engineering drawings are included to provide a detailed understanding of the

design. The Stantec Report concludes that the existing SWM pond B can accommodate the proposed development and no internal SWM measures are proposed. With respect to Grading and Drainage, the report concludes that the proposed grading design for the site can be achieved using the conventional subdivision design standards and compliance to the proposed stormwater management and overland flow concept.

Regarding site servicing, the report concludes that the proposed watermain will be looped and connect to the two existing stubs located at the site frontage and that sanitary sewer servicing can be achieved by connecting to the existing outfall. It has been demonstrated that the existing sewer network was designed to accommodate a population equivalent to what is proposed and that ample capacity exists in all downstream sewers to the 750mm trunk sewer.

#### Phase 1 and Phase 2 Environmental Site Assessment

A Phase 1 and Phase 2 Environmental Site Assessment, dated August 21, 2021, was prepared by MTE Consultants. The scope of work for the Phase II ESA was developed based on the results of a previous Phase I ESA (MTE, 2021). The results of the Phase I ESA identified potential environmental concerns at the Subject Property as a result of the former use as a construction staging area, previous soil stockpiling activities and the potential that fill was historically imported to the Subject Property during regrading and/or to construct the soil berms. The Phase II ESA scope of work included the collection and submission of selected soil samples for analysis from 14 boreholes advanced across the Subject Property and in the areas of potential concern. Groundwater samples were collected from three existing monitoring wells to evaluate general groundwater at the Subject Property. No further Phase II ESA investigations are recommended at this time.

#### **Environmental Site Screening Questionnaire (ESSQ)**

The ESSQ has been completed by the property owners as per Regional requirements.

#### **Environmental Impact Analysis**

An Environmental Impact Analysis (EIA) has been requested by the Region of Halton. The Region indicates that the proposed development would trigger the EIA requirements in accordance with Sections 118 (3) & (3.1)c) of the Regional Official Plan.

Section 118 (3) of the Regional Official Plan states:

Require the proponent of any development or site alteration that meets the criteria set out in Section 118(3.1) to carry out an Environmental Impact Assessment (EIA), unless:

b) it is a use conforming to the Local Official Plan and permitted by Local Zoning By-laws;

The proposed development application is for Draft Plan of Subdivision approval. The proposed development has been designed in full accordance with the existing Official Plan policies and

existing Zoning By-law regulations. There are no land use planning approvals beyond the approval of the Draft Plan of Subdivision that are required to implement the proposed development. Furthermore, the principal of land use has been established on the Subject Property through the development of the Lakeshore Woods subdivision process (File No. 24T-00004).

On this basis, we respectfully submit that the requirement for the provision of an EIA in support of the proposed Draft Plan of Subdivision is not supported by Regional policy. As such, an EIA is not being provided as part of the application.

#### Archaeological report

At the request of the owner, the Region of Halton has waived the requirement for an Archeological Assessment on December 15, 2021 on the basis that the Subject Property has been substantialy disturbed

#### Traffic Memo

A Road Conformance Memo, dated January 31, 2022, was prepared by Stantec Consulting Ltd. in accordance with terms of reference approved by the Town of Oakville. The memo confirms that the proposed roadway that will service the development is designed in accordance with the Oakville Standard for a 17.0m wide right-of-way (STD 7-22A) and that the western road connection will align with the existing Nautical Boulevard/Turning Leaf Road intersection.

#### **Urban Design Brief**

An Urban Design Brief is being required by the Town of Oakville. The Town of Oakville has established Terms of Reference for the preparation of Urban Design Briefs. The Terms of Reference define the purpose of and outline the contents of such briefs. Additionally, the Terms of Reference define when and under which type of development applications an Urban Design Brief is required. There are two sets of Terms of Reference relating to Urban Design Briefs that could apply to the proposed development, those being:

- Development Application Guidelines Urban Design Brief, and
- Development application guidelines Urban Design Brief for Subdivisions

In the 'When is this required' section of the Terms of Reference for Development Application Guidelines - Urban Design Brief, the document states that:

# An urban design brief for development sites may be required in support of a planning application for:

• *Plan of Subdivision (proposals for tall and/or midrise buildings)* 

In this regard I note that the proposed draft plan of subdivision will facilitate the creation of lots for single detached dwellings. The Terms of Reference indicate in brackets that an Urban Design Brief is to be required for tall and or midrise buildings. The proposed development would not

facilitate either of these built forms and as such, it is my opinion that the requirement for the provision of an Urban Design Brief is not warranted under the Towns Terms of Reference for Urban Design Brief.

Additionally, in the 'When is this required' section of the Terms of Reference for Development Application Guidelines - Urban Design Brief for Subdivisions, the document states that:

An urban design brief for subdivisions may be required in support of a planning application for large-scale neighbourhood development proposals, whether in an intensification or greenfield context.

In this regard I note that the proposed draft plan of subdivision proposes an as-of-right 37 – unit single detached dwelling subdivision within an existing and approved Draft Plan of Subdivision (24T-00004). The proposed development is not considered to be a large scale neighbourhood development proposal and as such, it is my opinion that the requirement for the provision of an Urban Design Brief is not warranted under the Towns Terms of Reference for Urban Design Brief for Subdivisions.

On this basis, we respectfully submit that the requirement for the provision of an Urban Design Brief in support of the proposed Draft Plan of Subdivision is not supported by the Town's Terms of Reference for such studies. As such, an Urban Design Brief is not being provided as part of the application.

#### 7.0 CONCLUSION

It is my opinion that the proposed draft plan subdivision is justified and represents good planning for the following reasons:

- 1. The proposal conforms to and promotes the policies of the Provincial Policy Statement, the Growth Plan, the Region of Halton Official Plan and the policies of the Town of Oakville Livable Oakville Official Plan. An amendment to the Region of Halton Official Plan is not required to implement the proposed development.
- 2. The proposed draft plan of subdivision is not considered to have a negative effect on matters of provincial interest as referred to in section 2 of the Planning Act
- 3. The Subject Property is located within a Settlement Area defined by the PPS, the Built-Up Area defined by the Growth Plan, the Urban Area defined by the Region of Halton Official Plan, and the Built Boundary defined by the Livable Oakville Plan, which are intended to be the focus of growth and development and are to accommodate a significant portion of new growth.

The proposed redevelopment therefore promotes the PPS and Growth Plan policies that direct and manage growth and are consistent with the growth policies of the Region of Halton and Livable Oakville Official Plans which direct growth to the Urban Area and Built Boundary. This growth is being achieved in a manner which does not offend the Livable Oakville policies regarding achieving compatible development which is sensitive to the existing and stable residential character.

- 4. The proposed redevelopment conforms to the Urban Structure policies of the Livable Oakville Plan which do not preclude intensification opportunities such as infill and redevelopment outside of the identified Growth Areas. The integrity of the Town's vision and intent of achieving the desired Urban Structure is therefore maintained and is not undermined by the proposed redevelopment.
- 5. The development provides a compact urban form and represents a level of density which can be supported by existing surrounding community infrastructure; and,
- 6. The proposed built form is considered to be compatible with the surrounding development in regard to building height and massing, architectural design and general urban design characteristics of the surrounding neighbourhood.

On the basis of the above, it is my opinion that the proposed draft plan of subdivision represents good planning, and it is respectfully recommended that the applications be approved by the Town of Oakville Planning and Development Committee.

Respectfully submitted, GLEN SCHNARR & ASSOCIATES INC.

David Capper, MCIP, RPP Associate

#### **APPENDICES:**

Appendix I – Proposed Draft Plan of Subdivision

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