



**PLANNING JUSTIFICATION REPORT  
STAR OAK DEVELOPMENTS LIMITED**

**DRAFT PLAN OF SUBDIVISION**

Part of Lot 16, Concession 1 N.D.S.

Town of Oakville  
Regional Municipality of Halton

FEBRUARY 23, 2021

PREPARED BY:

KLM PLANNING PARTNERS INC.

*Planning • Design • Development*

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## 1.0 INTRODUCTION

KLM Planning Partners Inc. has been retained by Star Oak Developments Limited (“The Owner”) to provide land use planning services with respect to the proposed development of their lands located in the southwest quadrant of Burnhamthorpe Road West and Sixth Line within the Town of Oakville, Region of Halton, legally described as Part of Lot 16, Concession 1 North of Dundas Street (“Subject Lands”). The Subject Lands are approximately 23.583 hectares (58.275 acres) in size.

The Owner proposes to develop the Subject Lands for 68 single detached residential lots and 141 townhouse dwelling units; said residential uses will be supported by a stormwater management pond. The proposed residential street pattern is a modified grid with access from collector type roads from Sixth Line and Burnhamthorpe Road West. The overall development integrates with proposed development to the west, south, and east by ensuring land uses are compatible as well as co-ordinating the alignment of proposed roads and open spaces.

As confirmed at a Pre-consultation meeting with municipal and agency staff held on October 21, 2020, applications for Draft Plan of Subdivision and Zoning By-law Amendment are required to facilitate the proposed development. The purpose of this document is to provide planning analysis and justification in support of the proposed Draft Plan of Subdivision and Zoning By-law Amendment.

## 2.0 BACKGROUND

### 2.1 SITE DESCRIPTION

The Subject Lands consist of a parcel of land located in the southwest quadrant of Sixth Line and Burnhamthorpe Road West within the Town of Oakville, Regional Municipality of Halton, legally described as Part of Lot 16, Concession 1 North of Dundas Street. The Subject Lands are approximately 23.583 hectares (58.275 acres) in size, approximately 411.7 metres wide (with 228.9 metres abutting Burnhamthorpe Road) and approximately 615.2 metres deep [Refer to Figure 1: Context Airphoto].



Figure 1: Context Airphoto

A woodlot of approximately 11.823 hectares in size including buffers is located in the northern portion of the Subject Lands and contains two Provincially Significant Wetlands (“PSW”) identified by the Ministry of Natural Resources and Forestry (“MNR”) Mapping [Refer to Figure 2: Ministry of Natural Resources and Forestry – Provincially Significant Wetland Mapping (Created January 2021)]. Staking conducted in September 2020 identified a wetland area in the extreme northern portion of the Subject Lands to the north of the woodlot.

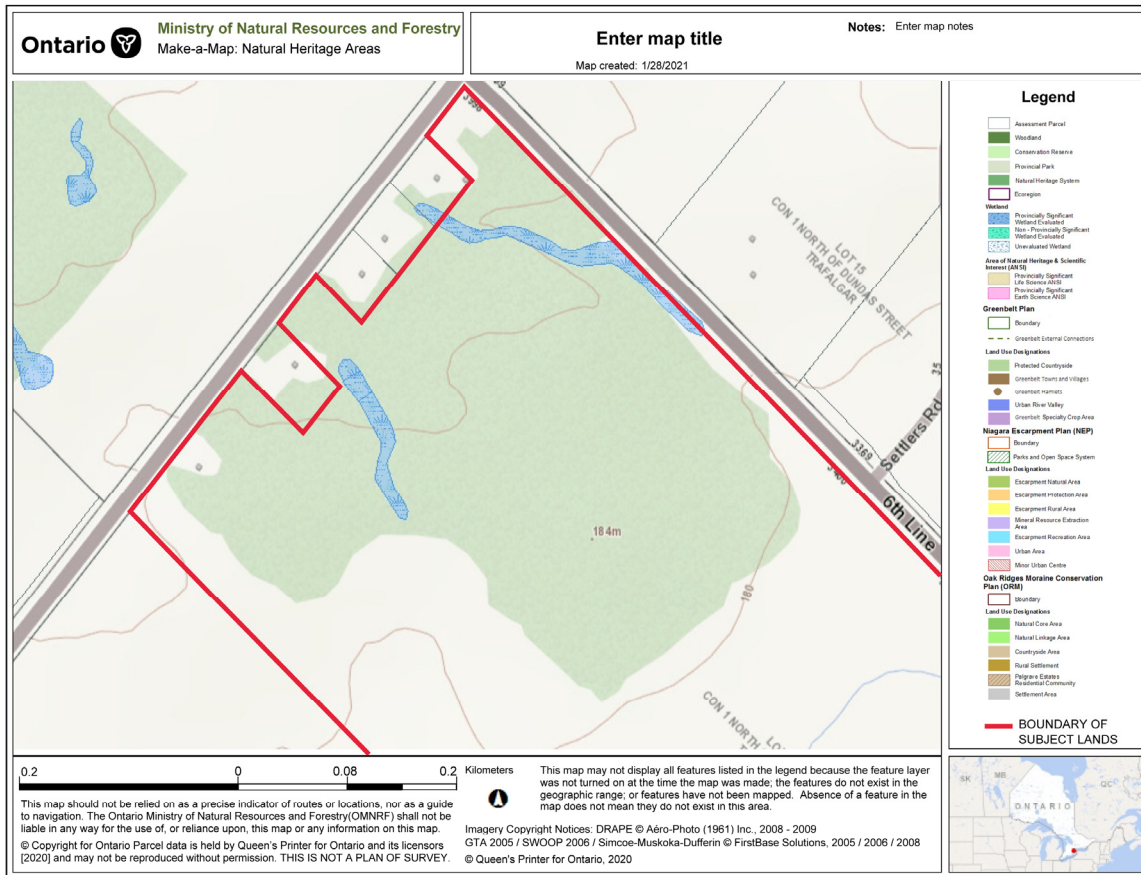


Figure 2: Ministry of Natural Resources and Forestry - Provincially Significant Wetland Mapping (Created January 2021)].

The southern half of the site is currently used for agricultural purposes. The lands have a gentle slope towards the southeast. There are no buildings on the Subject Lands.

## 2.2 SURROUNDING LAND USES

North: Burnhamthorpe Road West beyond which is existing agriculture. The lands are designated for 'Transitional Uses' and 'Natural Heritage System Area' within the North Oakville East Secondary Plan ("NOESP").

West: Proposed residential, school, and supporting uses.

South: Proposed residential and stormwater management uses

East: Sixth Line beyond which are proposed residential, park, and stormwater management uses and approved residential and park uses

### 3.0 DEVELOPMENT PROPOSAL

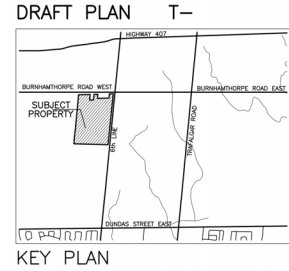
The Subject Lands are part of the North Oakville East Planning Area (“NOEPA”). The NOESP designates the southern portion of the Subject Lands and isolated pockets of lands immediately abutting Burnhamthorpe Road West as *Neighbourhood Area* which may include residential uses. The NOESP also designates the bulk of the northern half of the site as *Natural Heritage System Area* to protect significant natural features.

The Owner wishes to implement the NOESP by developing the Subject Lands for residential purposes within the southwestern portion of the site as well as pockets abutting Burnhamthorpe Road West. Furthermore, the bulk of the northern portion of the site will be left in its natural state. Finally, a connection between the on-site environmental features and the other features south of the Subject Lands is proposed to be maintained by a stormwater management/natural corridor in the southeastern portion of the site.

A Pre-consultation meeting with municipal and agency staff was held on October 21, 2020 where a preliminary development concept was presented. A draft plan of subdivision and zoning by-law amendment were confirmed as being necessary for the development of the Subject Lands.

The proposed Draft Plan of Subdivision consists of sixty-eight (68) single detached lots ranging in lot frontage from 10.7 metres to 12.5 metres. The single detached lots are generally rectangular in configuration with lot depths ranging from 27.5 metres to over 50 metres; all of the single detached lots will be accessed from public streets with the majority being accessed from local roads. The proposed draft plan also consists of eighty (80) front-accessed townhouse dwellings with a unit width of 7.5 metres; these units are located within thirteen (13) blocks with three (3) to eight (8) units each. All 7.5m wide townhouse units will have access from a public street which are either local roads or Avenue/Transit Corridors. Furthermore, forty-eight (48) townhouse dwellings with a unit width of 6.1 metres located within seven (7) blocks are also proposed; these forty-eight townhouse units will have access from a public rear lane. Finally, thirteen (13) townhouse units with a minimum unit width of 6.1 metres are proposed within two blocks located upon Burnhamthorpe Road West [Refer to Figure 3: Proposed Draft Plan of Subdivision].

DRAFT PLAN OF SUBDIVISION  
PART OF LOT 16, CONCESSION 1  
NORTH OF DUNDAS STREET  
(GEOGRAPHIC TOWNSHIP OF TRAFALGAR)  
TOWN OF OAKVILLE  
REGIONAL MUNICIPALITY OF HALTON  
SCALE 1:1250



SECTION 51, PLANNING ACT,  
ADDITIONAL INFORMATION

- A. AS SHOWN ON DRAFT PLAN
- B. AS SHOWN ON DRAFT PLAN
- C. AS SHOWN ON DRAFT PLAN
- D. SEE SCHEDULE OF LAND USE
- E. AS SHOWN ON DRAFT PLAN
- F. AS SHOWN ON DRAFT PLAN
- G. AS SHOWN ON DRAFT PLAN
- H. MUNICIPAL PIPED WATER AVAILABLE AT TIME OF DEVELOPMENT
- I. CLAY-LOAM
- J. AS SHOWN ON DRAFT PLAN
- K. SANITARY AND STORM SEWERS, GARBAGE COLLECTION, FIRE PROTECTION
- L. AS SHOWN ON DRAFT PLAN

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LAND TO BE SUBDIVIDED AND THEIR RELATIONSHIP TO THE ADJACENT LANDS ARE CORRECTLY SHOWN.

DATE JANUARY 4, 2021

*C. P. Edward Ols*  
C. P. EDWARD OLS

OWNER'S CERTIFICATE

I AUTHORIZE KLM PLANNING PARTNERS INC. TO PREPARE AND SUBMIT THIS DRAFT PLAN OF SUBDIVISION TO THE TOWN OF OAKVILLE FOR APPROVAL.

OWNER

STAR OAK DEVELOPMENTS LIMITED

145 REYNOLDS STREET  
SUITE 400  
OAKVILLE, ONTARIO  
L6J 0A7

*Silvio Guglietti A.S.O.*  
SILVIO GUGLIETTI A.S.O.

SCHEDULE OF LAND USE

TOTAL AREA OF LAND TO BE SUBDIVIDED = 23.583±Ha. ( 58.275±Ac. )

DETACHED DWELLINGS	BLOCKS	LOTS	UNITS	AREA	AREA
LOTS 1-22, 35-44, and 55-61 with lot frontages 15m, with lot areas 200sqm.	39	39	1,858	4,097	
LOTS 23-34, 45-54, and 62-68 with lot frontages 6m, with lot areas 200sqm.	29	29	0,911	2,251	
TOWNHOUSES DWELLINGS					
BLOCKS 69-78 and 86-88 with lot frontages 15m.	13	80	1,887	4,663	
BLOCKS 79-85, 89, and 90 with lot frontages 6m.	9	61	1,190	2,941	
SUBSTITUTA	29	AR	500	5,646	13,650
BLOCK 91 - STORM WATER MANAGEMENT	1		1,636	4,043	
BLOCKS 92 and 93 - NATURAL HERITAGE SYSTEM AREA	2		12,740	31,481	
BLOCKS 94-97 - ROAD WIDENING	4		0,189	0,467	
			3,372	8,332	
STREETS					
22.0m WIDE TOTAL LENGTH = 1887m. AREA = 1,484sqm.					
17.0m WIDE TOTAL LENGTH = 1887m. AREA = 1,088sqm.					
8.5m WIDE TOTAL LENGTH = 1887m. AREA = 1,064sqm.					
TOTAL					
	29	68	209	23,583	58,275

NOTE - ELEVATIONS RELATED TO CANADIAN GEODETIC DATUM

PROJECT No. P-2012  
SCALE 1:1250 JAN. 4, 2021  
( 201202636 ) X-REF: ( 2012MASS & 2012MTOPO2 )  
**KLM DWG. No. - 21:1**  
PLANNING PARTNERS INC. 64 JARDIN DRIVE - UNIT 1B, CONCORD, ONTARIO L4K 3P3  
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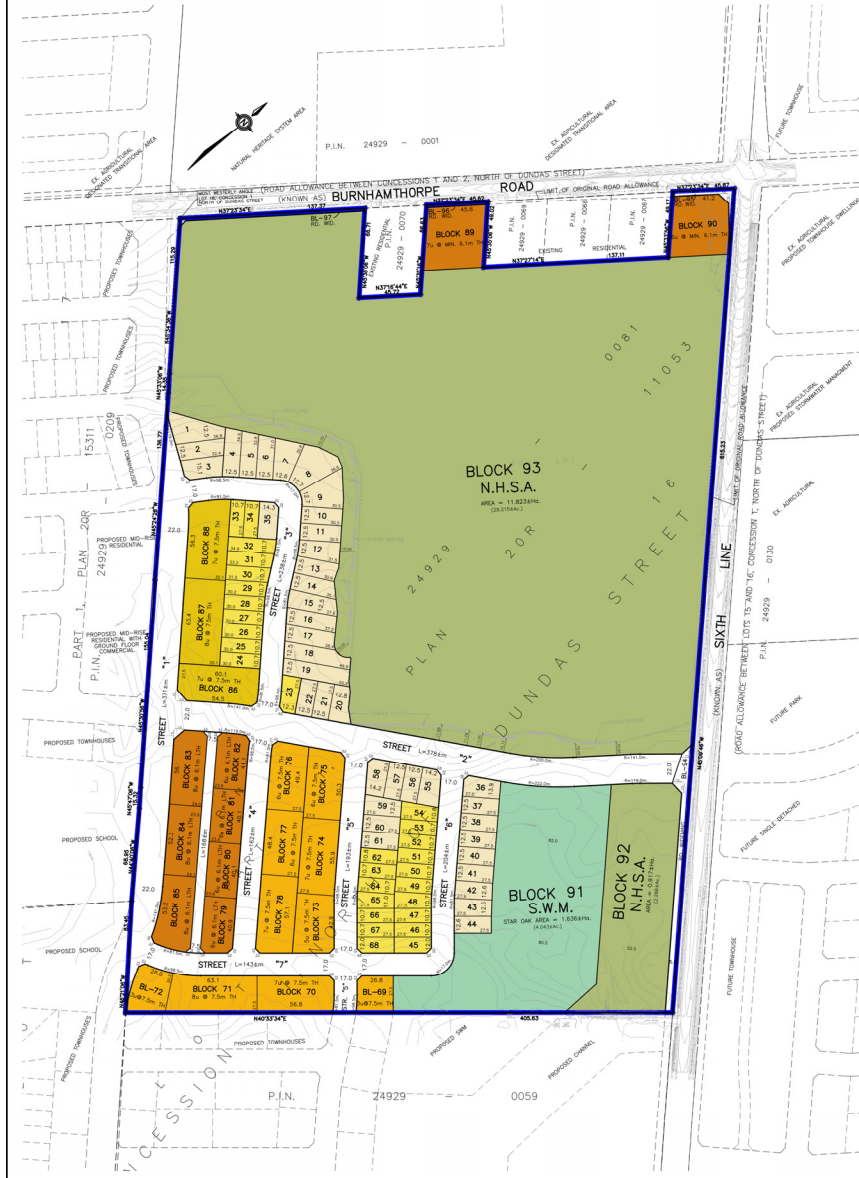


FIGURE 3: Proposed Draft Plan of Subdivision

Supporting the residential uses is a storm water management block (Block 91) which forms the majority of a storm water management facility shared with the lands to the south.



A Natural Heritage System Area block (Block 93) is proposed to preserve the existing woodlot and two PSW located in the northern portion of the Subject Lands. The woodlot was staked to determine the southern and western limits of the feature in 2015. The 2015 staking also noted the presence of a thicket which is in the southwestern corner of the woodlot. As part of a Local Planning Appeal Tribunal (formerly known as the Ontario Municipal Board) hearing for the approval of the NOESP (PL041188), Minutes of Settlement were reached in August 2007 between the Town of Oakville and the Owner to require a 10 metre buffer from the edge of woodlots and 0 metres from the edge of a thicket. Buffers as appropriate have been applied to the staked feature limits to determine the southern and western extent of Block 93 as per the Environmental Implementation Report/Functional Servicing Study Upper West Morrison Creek UWM1 Addendum (“UWM1A”). The northern extent of Block 93 is Burnhamthorpe Road West except for the portion of the Subject Lands which are not continuously abutting Burnhamthorpe Road West, in which instance the extent of Block 93 shall coincide with the extension of the rear lot boundary of #14, #30, and #38 Burnhamthorpe Road West.

The proposed draft plan accommodates a linkage between the woodlot and environmental features to the south. As per the North Oakville Creeks Subwatershed Study (“NOCSS”), the width of the linkage is to be 100 metres. As per the UWM1A, the linkage will be implemented through the provision of a Natural Heritage System Area Block (Block 92) of at least 50 metres in width parallel to Sixth Line with the balance of the necessary linkage width accommodated within the storm water management block. Also, as part of a Local Planning Appeal Tribunal hearing for the approval of the NOESP, a settlement was reached between the Town of Oakville and the Owner to establish the spatial relationship of the stormwater management facility and the linkage corridor. Minutes of Settlement issued on August 13, 2007 for the hearing outlined allowable encroachment of stormwater management facilities within the linkage; as per the Minutes of Settlement, Stormwater Management Block 91 encroaches no greater than 50 metres into the 100 metre wide corridor for a length of no greater than 275 metres.

The street pattern proposed within the draft plan of subdivision is a loose grid which is coordinated with the streets proposed in development applications to the south and west as well as aligning with streets within the approved draft plan to the east. The proposed development is ordered by one north/south Avenue Transit/Corridor (Street “1”) and one east/west Avenue/Transit Corridor (Street “2”) of 22 metre width. The local streets are arranged in an alignment which generally parallels the north/south Avenue Transit Corridors and are 17 metres wide. Furthermore, a 7.5 metre wide laneway is included to provide access to townhouse Blocks 79 to 85.

Road widenings are provided along Burnhamthorpe Road West in order to facilitate the provision of an ultimate right of way width of 24 metres for said street centred along the original centreline of said road as per the 2014 Burnhamthorpe Road Environmental Assessment. The road widening increases west of Sixth Line to accommodate an ultimate right of way width of 29

metres at the intersection with Sixth Line. A road widening is also provided along Sixth Line south of Street “2” to accommodate an ultimate right of way width of 31 metres centred on the original centreline of the right of way as per the 2014 Sixth Line Environmental Assessment. Also as per the 2014 Sixth Line Environmental Assessment, no road widening is provided east of Natural Heritage System Area Block 93 in order to protect the woodlot within said block thus the road widening to accommodate an ultimate right of way width of 31 metres shall be taken from lands east of Sixth Line. A road widening along Sixth Line just south of Burnhamthorpe Road is provided within the Subject Lands to assist in bringing the ultimate centreline of Sixth Line back to the centreline of the original right of way north of Burnhamthorpe Road West as per the Sixth Line Environmental Assessment.

The relevant statistics of the proposed draft plan of subdivision are as follows:

Use	No. of Lots/Blocks	No. of Units	Area (Ha.)
Single detached dwelling (12.5m)	39	39	+/- 1.658
Single detached dwelling (10.7m)	29	29	+/- 0.911
Townhouse dwelling (7.5m)	13	80	+/- 1.887
Townhouse dwelling (6.1m, lane)	7	48	+/- 0.784
Townhouse dwelling (6.1m, block)	2	13	+/- 0.406
Stormwater Management	1	N/A	+/- 1.636
Natural Heritage System Area	2	N/A	+/- 12.740
Road Widening	4	N/A	+/- 0.189
Streets	N/A	N/A	+/- 3.372
<b>Total</b>	<b>97</b>	<b>209</b>	<b>+/- 23.583</b>

The Subject Lands are within the boundaries of the North Oakville Zoning By-law 2009-189 and are zoned ‘ED – Existing Development Zone’. Amendments to the Zoning By-law will facilitate the development in a manner that conforms with the applicable official plan policies and will implement the proposed draft plan of subdivision. An analysis of the proposed zoning by-law amendment is provided in **Section 5.7** of this document.

## 4.0 SUPPORTING REPORTS

The following reports have been prepared in support of the proposed Draft Plan of Subdivision and Zoning By-law amendment:

Environmental Implementation Report/Functional Servicing Study Upper West Morrison Creek UWM1 Addendum prepared by Jennifer Lawrence and Associates, Urbantech Consulting, Savanta Inc., LGL Limited, GEO Morphix Ltd., R.J. Burnside & Associates Limited, and Korsiak Planning dated November 2020

An Environmental Implementation Report/Functional Servicing Study Upper West Morrison Creek UWM1 was prepared in 2017 to support a proposed development by the Owner at the northeast corner of Sixth Line and Burnhamthorpe Road West. An addendum (“UWM1A”) was submitted in November 2020 to provide analysis for several additional parcels of land, including the Subject Lands, to assist in the development of draft plans of subdivision, address the requirements of the NOCSS and NOESP, and ensure that the site characteristics are understood in sufficient detail to provide the information necessary to process draft plans and identify conditions of approval.

The purpose of the Environmental Implementation Report portion of the addendum was to characterize and analyze the natural heritage features and functions and to determine and address the potential impacts of the proposed development applications, including servicing requirements, on the Natural Heritage System. The purpose of the Functional Servicing Study portion of the addendum was to identify servicing requirements related to roads, water supply, sanitary sewers, storm drainage, stormwater, and site grading.

Urban Design Brief prepared by NAK Design Strategies and John G Williams Limited dated February 1, 2021

The Urban Design Brief (“UDB”) focused on the physical design of the neighbourhood, with particular reference to structuring elements, the major road network, Natural Heritage System Area, stormwater management pond, and residential areas. The UDB prescribed open space and built form guidelines and principles while allowing some flexibility for delivering a wide range of design expressions, architectural form and styles that provide interest in the urban environment. Specifically, the UDB addressed pertinent urban design issues for the proposed development’s overall community goals and objectives, land uses, structuring elements, streetscapes, open spaces, built form, sustainability and low-impact development strategies. The intended result is the development of a community that is reflective of the fundamental key design tenets of the NOEPA.

Transportation Impact Study prepared by CGH Transportation dated April 2019 and Transportation Impact Study Addendum prepared by CGH Transportation dated January 8, 2021

A Transportation Impact Study (“TIS”) conducted an analysis of the trip generation, access requirements, and the impact of several developments proposed as of 2019 within Neighbourhoods 9, 10, and 11 as delineated in the NOESP upon the existing road network. With select modifications to the existing road network, the existing road network operates with reasonable levels of service. The TIS concluded the proposed access points to the existing road network will operate well and concluded the proposed developments will provide a good pedestrian and cycling network along with good access to transit throughout the developments.

The Transportation Impact Study Addendum (“TISA”) updated the TIS by examining the impact of the current development proposal for the Subject Lands. The current proposed development has been confirmed to have no meaningful impact on the operational analysis and the conclusions of the TIS remain valid. The TISA also addressed issues specific to the Subject Lands including, parking, multi-modal transportation facilities, and roadway cross-sections and concluded that the proposed development will have adequate cycling, pedestrian, and transit facilities and that the proposed rights of way are sufficient to support the appropriate cross-sections.

Stage 1 & 2 Archaeological Assessment prepared by The Archaeologists Inc. dated November 2008

A Stage 1 Archaeological Assessment determined the physiographic setting of the Subject Lands demonstrated a high potential for the recovery of cultural resources. Background research revealed that while no archaeological sites had been registered previously within the Subject Lands, 16 sites were located within a two-kilometre radius of the Subject Lands. No structures were depicted on the illustrated Historical Atlas of the area. Given this information, a Stage 2 Archaeological Assessment was conducted. A subsequent Stage 2 assessment conducted both a pedestrian survey over ploughed lands and a test pit survey over lands that could not be ploughed. Despite careful scrutiny no archaeological resources were encountered during the survey and the Subject Lands should be considered free of any further archaeological concern. Upon review of the Stage 1 & 2 Assessments, the Ministry of Tourism, Culture, and Sport confirmed on September 4, 2012 the Ministry was satisfied that all concerns for archaeological sites have been met for the Subject Lands.

Environmental Noise Assessment prepared by SLR Consulting dated January 2021

As assessment of transportation noise impacts from surrounding roads was conducted which concluded upgraded glazing of building facades is not required for the proposed development. Noise impacts within the rear yard outdoor amenity areas are predicted to be within acceptable levels and no physical mitigation measures are required. Forced air heating with provisions for future installation of central air-conditioning, as well as warning clauses are recommended for units in Lots 36-44 of the proposed draft plan of subdivision. Furthermore, from an aerial review of the Subject Lands and surrounding area, no significant sources of stationary noise were noted to be included in the assessment.

Phase 1 Environmental Site Assessment prepared by Soil Engineers Ltd. dated March 5, 2014

An assessment to identify any potential environmental concern associated with the Subject Lands was conducted and involved document research, an environmental site reconnaissance, and interviews with persons knowledgeable with the site. The phase 1 Environmental Site Assessment has revealed the possibility of pesticide being used as part of the historical farming activities on the Subject Lands. Consequently, a subsurface investigation is required to determine the true impact of on the soil of the site.

## 5.0 PLANNING POLICY ANALYSIS

### 5.1 THE PLANNING ACT

The Planning Act (“the Act”) is the provincial legislation that provides the basis for all land use planning within the Province of Ontario. It describes how land uses may be controlled, and who may control them with the objective of providing a provincial policy framework that promotes sustainable economic development within a healthy natural environment. The Act requires that all planning matters and decisions be consistent with the Provincial Policy Statement (“PPS”) as well as conform to and not conflict with all other provincial plans.

#### MATTERS OF PROVINCIAL INTEREST

Section 2 of the Act requires that an approval authority shall have regard for matters of provincial interest in carrying out their responsibilities under the Act. Several examples of provincial interest are listed within Section 2 of the Act, the most germane for the Subject Lands include:

- the protection of ecological features and functions,
- adequate provision of infrastructure services,
- minimization of waste,
- the orderly development of safe and healthy communities,
- the adequate provision of a full range of housing having well designed built form,
- the co-ordination of planning activities of public bodies
- the promotion of sustainable compact development,
- the appropriate location of growth and development.

The Protection of ecological features and functions is described within the UWM1A. The woodlot and two PSW identified by MNRF are proposed to be maintained within the Natural Heritage System Area Block 93 of the proposed draft plan of subdivision.

Adequate provision of infrastructure services is documented in the UWM1A. Specifically, watermain infrastructure is available from both Sixth Line and Burnhamthorpe Road West. Wastewater infrastructure shall be available by connecting to existing servicing on Sixth Line as well as extension of wastewater infrastructure from the south. Stormwater management shall be provided by Block 91 within the draft plan of subdivision as well as a future facility in the northwest quadrant of Sixth Line and Burnhamthorpe Road West. The proposed development efficiently utilizes the available transportation infrastructure abutting the site as well as extension of roads from the south through proposed draft plans of subdivisions by others.

Minimization of waste is achieved by the provision of a compact and efficient development which utilize generally rectangular lots in efficiently configured blocks served by a flexible grid of local roads.

As the Subject Lands directly abut lands which have development applications submitted for approval, the proposed development of the Subject Lands represents orderly contiguous development.

The residential program of the proposed draft plan of subdivision will contribute to the range of housing types available in the Town of Oakville. Furthermore, the UDB provides guidance for the creation of well-designed built form.

The development of the Subject Lands is subject to review by several review agencies including the Town of Oakville, The Region of Halton, and Conservation Halton. Furthermore, provincial requirements and interest will be reviewed through the development application process.

The proposed development promotes sustainable compact development through the provision of smaller units in the form of townhouses, the grid pattern of roads, and the proximity to potential future transit routes.

The Subject Lands is an ideal location for development as it is located within a settlement area for the purposes of the Growth Plan for the Greater Golden Horseshoe (“Growth Plan”), is designated ‘Urban Area’ within the Halton Region Official Plan (“HROP”), and the portions of the Subject Lands proposed for residential development are designated ‘Neighbourhood Area’ with a more detailed categorization of ‘General Urban Area’ and ‘Neighbourhood Centre’ within the Master Plan for the NOEPA found within the NOESP.

## **PROVINCIAL PLANS**

Section 3(5) of the Act requires that a decision of an approval authority shall be consistent with the PPS as well as conform with provincial plans that are in effect on the day of decision.

**Sections 5.2 and 5.3** of this report demonstrates how in our opinion the proposed development is consistent with the PPS and in conformity with the applicable provincial plan.

## **CRITERIA FOR DRAFT PLANS OF SUBDIVISION**

Section 51 (24) of the Act states that for a draft plan of subdivision application:

*“...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 and to,*

#	POLICY	ANALYSIS
(a)	<i>the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;</i>	As discussed above, the proposed development has regard for matters of provincial interest.
(b)	<i>whether the proposed subdivision is premature or in the public interest;</i>	<p>The proposed development is in the public interest as it contributes to the buildout of 'Phase NOE2' of the overall NOEPA and contributes to providing an additional future supply of housing in an area planned for same.</p> <p>As identified in the NOESP, the Subject Lands are within the second phase of residential neighbourhood development within the NOEPA. As a requirement of development of the second phase, at least 75% of gross developable area of lands within the first phase of residential neighbourhood need to be within registered plans of subdivision; this requirement shall be met prior to development of the Subject Lands.</p>
(c)	<i>whether the plan conforms to the official plan and adjacent plans of subdivision, if any;</i>	<p>The proposed subdivision does not require an amendment to the NOESP or the HRDP. Further analysis explaining how the proposed subdivision conforms to the Official Plans can be found in <b>Sections 5.4</b> and <b>5.6</b> of this report.</p> <p>The proposed plan of subdivision has also been thoughtfully designed to appropriately interface with the proposed subdivision to the south and west, and the approved draft plan of subdivision to the southeast.</p>
(d)	<i>the suitability of the land for the purposes for which it is to be subdivided;</i>	The lands are suitable for the creation of residential lots as the site is serviced with existing and future municipal and utility infrastructure.



(d.1)	<i>if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing</i>	Affordable housing units are not proposed as part of this application.
(e)	<i>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;</i>	<p>The existing grade and elevation of Burnhamthorpe Road West and Sixth Line as well as proposed streets within the internal network have been considered within the UWM1A.</p> <p>The adequacy and location of proposed roads internal to the subdivision have also been considered within the overall impact of development within the vicinity of the Subject Lands and development on nearby lands was studied in the TIS/TISA.</p> <p>Road widenings for Burnhamthorpe Road West and Sixth Line are as per approved Environmental Assessment studies.</p>
(f)	<i>the dimensions and shapes of the proposed lots;</i>	The dimensions and shapes of the proposed lots and blocks represent orderly and efficient development and serve to implement the NOESP policies with respect to residential development.
(g)	<i>the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;</i>	As per the submitted UWM1A the proposed development has recognized the existing woodlot and two PSW on site and implement provision of buffers.
(h)	<i>conservation of natural resources and flood control;</i>	The proposed plan of subdivision has been designed with consideration for the conservation of the woodlot and two PSW as well as flood control measures as explained within the UWM1A.
(i)	<i>the adequacy of utilities and municipal services;</i>	As part of the application for the proposed development, the UWM1A has been

		prepared to ensure efficient and adequate infrastructure will be provided or is in place for the delivery of sewage and water services, and management of stormwater.
(j)	<i>the adequacy of school sites;</i>	A school is located within the proposed draft plan of subdivision to the immediate west.
(k)	<i>the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;</i>	In addition to the roads and road widenings, the proposed subdivision anticipates a stormwater management facility block and two natural heritage system blocks will be conveyed to the Town of Oakville.
(l)	<i>the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and</i>	The proposed Draft Plan of Subdivision shall have full electrical service and water supply through the connection to surrounding infrastructure along adjacent lands as well as services to be extended from the south.
(m)	<i>the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on 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 City of Toronto Act, 2006. 1994, c. 23, s. 30; 2001, c. 32, s. 31 (2); 2006, c. 23, s. 22 (3, 4); 2016, c. 25, Sched. 4, s. 8 (2)."</i>	By-law 2019-114 established the Town of Oakville as a Site Plan Control Area as per Section 41 of the Planning Act. However, single detached dwellings and freehold street townhouses are exempt from Site Plan Control.

Based on the preceding analysis, the proposed Draft Plan of Subdivision has appropriate regard for the public interest as stipulated in Section 2 of the Act and meets the applicable criteria of Section 51(24) of the Act and all other applicable policies of the Act.

## 5.2 PROVINCIAL POLICY STATEMENT (2020)

Decisions affecting planning matters are required to be consistent with the PPS. As a key part of Ontario's policy led planning system, the PPS sets the policy foundation for regulating the development and use of land. The PPS provides direction on matters of provincial interest related to land use planning and development.

### EFFICIENT USE OF LAND

The PPS promotes the efficient use of land that supports sustainability and promotes strong, livable and healthy communities that facilitate economic growth. Policy 1.1.1 states that:

*“Healthy, liveable and safe communities are sustained by:*

- a) promoting efficient development and land use patterns which sustain the financial well-being 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;*
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;*
- d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;*
- 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 ;*
- f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;*
- g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;*
- h) promoting development and land use patterns that conserve biodiversity; and*
- i) preparing for the regional and local impacts of a changing climate.”*

The proposed subdivision promotes efficient use of land through the development of residential lots and blocks that will help to sustain the financial well-being of the Town of Oakville by providing a future long-term increased tax base. The proposed

development will accommodate a range of land uses including residential, conservation, and stormwater management infrastructure. Single detached and townhouse dwellings are proposed and will contribute to providing an appropriate mix of housing form within the area that will implement the NOESP policies.

The proposed dwelling units promote cost-effective development which, in conjunction with the proposed modified grid pattern of roads, reduces the per unit cost burden of maintaining municipal services. Furthermore, the development utilizes residential designated lands within the NOESP thereby reducing the need for rural or agricultural land conversions for urban uses.

## **SETTLEMENT AREAS**

The Subject Lands are within a Settlement Area under the PPS as the site is located within urban area of the HROP and NOESP. The relevant polices related to Settlement Areas include the following:

*“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;*
- c) minimize negative impacts to air quality and climate change, and promote energy efficiency;*
- d) prepare for the impacts of a changing climate*
- e) support active transportation;*
- f) are transit-supportive, where transit is planned, exists or may be developed;*  
*and*
- g) are freight-supportive; and*

*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.”*

The PPS encourages development to locate in designated settlement areas, which are intended to be areas where growth is focused. Land use patterns within settlement areas should be based on an appropriate mix of land uses at densities that make efficient use of land and existing infrastructure.

In this regard, the proposed development implements the policies of the PPS as it represents the use of an underutilized parcel of land within the Settlement Area. It also contributes to providing an appropriate range and mix of different housing forms in the area while conforming with the NOESP density provisions. The proposed development will also be fully serviced by municipal services and utilities, while stormwater runoff will be directed towards a stormwater management facility located on site.

## **RANGE AND MIX OF HOUSING**

The need for a suitable range and mix of housing types for existing and future residents is echoed in Policy 1.4.1 of the PPS which states:

*“To provide for an appropriate range and mix of housing types and densities required to meet projected requirements of current and future residents of the regional market area planning authorities shall:*

- a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development;*
- b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate residential intensification and redevelopment and land in draft approved and registered lands.”*

Approval of the proposed development will aid the Town and Region in their ability to meet the long-term growth targets established by the Growth Plan.

## **PUBLIC SPACES TO PROMOTE HEALTH AND ACTIVITY**

Policy 1.5 of the PPS provides direction on how public spaces, recreation, parks and trails and opens space should promote healthy, active communities. Policy 1.5.1 specifically states:

*“Healthy, active communities should be promoted by:*

- a) planning public streets, spaces and facilities to be safe, meet the needs of pedestrians, foster social interaction and facilitate active transportation and community connectivity;*
- b) planning and providing for a full range and equitable distribution of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources;*
- c) providing opportunities for public access to shorelines; and*

- d) *recognizing provincial parks, conservation reserves, and other protected areas, and minimizing negative impacts on these areas.”*

The public street network will be implemented to provide a linked circulation system within the development and will provide connections to the adjacent subdivisions and the Town’s and Region’s greater arterial road network. Additionally, the proposed development also includes two natural heritage blocks which will provide future residents with opportunities for trails and linkages.

## **INFRASTRUCTURE**

Policy 1.6 of the PPS provides policy related to the provision of Infrastructure and public service Facilities. Specifically, Section 1.6.6.1 states that:

*“Planning for sewage and water services shall:*

- a) *direct and accommodate expected growth or development in a manner that promotes the efficient use and optimization of existing:*
1. *municipal sewage services and municipal water services; and*
  2. *private communal sewage services and private communal water services, where municipal sewage services and municipal water services are not available;*
- b) *ensure that these systems are provided in a manner that:*
1. *can be sustained by the water resources upon which such services rely;*
  2. *prepares for the impacts of a changing climate;*
  3. *is feasible and financially viable over their lifecycle; and*
  4. *protects human health safety, and the natural environment;*
- c) *promote water conservation and water use efficiency;*
- d) *integrate servicing and land use considerations at all stages of the planning process; and,*
- e) *be in accordance with the servicing hierarchy outlined through policies 1.6.6.2, 1.6.6.3, 1.6.6.4 and 1.6.6.5...”*

The UWM1A confirms that the stormwater management facilities and water services will efficiently service the lands in a manner that is sustainable, feasible, financially viable, protects human health and will meet all regulatory requirements.

## **PROTECTION OF NATURAL FEATURES**

Policy 2.1 provide policies for the protection of natural features. Specifically:

*“2.1.4 Development and site alteration shall not be permitted in:*

- a) significant wetlands in Ecoregions 5E, 6E and 7E; and
- b) significant coastal wetlands.

2.1.5 Development and site alteration shall not be permitted in:

- a) significant wetlands in the Canadian Shield north of Ecoregions 5E, 6E and 7E;
- b) significant woodlands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River);
- c) significant valleylands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River);
- d) significant wildlife habitat;
- e) significant areas of natural and scientific interest; and
- f) coastal wetlands in Ecoregions 5E, 6E and 7E that are not subject to policy 2.1.4(b)

*unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.”*

While Section 6.0 of the PPS states the following:

*“Significant means in regard to wetlands, coastal wetlands and areas of natural and scientific interest, an area identified as provincially significant by the Ontario Ministry of Natural Resources and Forestry using evaluation procedures established by the Province, as amended from time to time.”*

The Subject Lands are located in Eco Region 7E. Two PSW are identified by MNRF within the Subject Lands as per Figure 2 of this document. No site alteration or development is proposed within the two PSW since said PSW are located within Natural Heritage System Area Block 93 of the proposed draft plan of subdivision. Similarly, a woodlot as identified within the UWM1A shall also be protected within Block 93.

Policy 2.1.8 of the PPS states the following with respect to land adjacent to significant natural features:

*“Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.4, 2.1.5, and 2.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.”*

While Policy 4.6 of the PPS states the following with respect to implementing the PPS within Official Plans:

*“The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans.*

*Official plans shall identify provincial interests and set out appropriate land use designations and policies. To determine the significance of some natural heritage features and other resources, evaluation may be required.*

*In order to protect provincial interests, planning authorities shall keep their official plans up-to-date with this Provincial Policy Statement. The policies of this Provincial Policy Statement continue to apply after adoption and approval of an official plan.”*

The location and boundary of the woodlot containing the two PSW shown as Block 93 within the proposed draft plan of subdivision is reflective of the policies and schedules of the NOESP as documented within the UWM1A. Analysis of the woodlot in 2006, 2008, and 2012 included site investigations of the adjacent lands to the south and west and determined said adjacent lands were comprised of flat, active agricultural lands that exhibited little in the way of important or sensitive natural heritage functions. Consequently, there are no expected impacts through development of these agricultural tablelands, nor would there be any expected impacts on the southern and western sides of the woodlot given the establishment of the appropriate buffers that were documented in the UWM1A. Furthermore, with respect to the wetland area north of the woodlot, the UWM1A documents the wetland area can be removed contingent on confirmation of impacts to the PSW within Block 93 and its hydrological function can be mitigated.

Based on the above analysis, it is our opinion the proposed development is consistent with the PPS.



### 5.3 GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE (2020)

The Growth Plan provides the framework and guidance on decision-making, land-use planning, urban form, housing, natural heritage and resource protection, transportation and infrastructure planning. This section demonstrates that the proposed development of the Subject Lands conforms to the applicable policies of the Growth Plan. The Subject Lands are located within the ‘Conceptual Designated Greenfield Area’ of the Greater Golden Horseshoe as illustrated in Scheduled 2 of the Growth Plan [Refer to Figure 4: Excerpt from the Growth Plan – Schedule 2 – A Place to Grow Concept].



Figure 4: Excerpt from the Growth Plan – Schedule 2 – A Place to Grow Concept

## **GUIDING PRINCIPLES**

Policy 1.2.1 list the principles regarding how land is developed with the most germane to the Subject Lands being the following:

- 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.
- Support a range and mix of housing options, including additional residential units and affordable housing, to serve all sizes, incomes, and ages of households.
- Protect and enhance natural heritage, hydrologic, and landform systems, features, and functions.

The proposed development will assist in the completion of the second phase of development within the NOEPA by efficiently using a parcel of land which is currently underutilized for urban development. Furthermore, the proposed development will aid in providing a range of housing options to serve all sizes of households by contemplating residential lots of various sizes and types. Also, the existing significant natural features on site are protected through their inclusion within Block 93 of the proposed Draft Plan of Subdivision.

## **MANAGING GROWTH**

Policy 2.2.1 of the Growth Plan identifies ways in which growth is to be accommodated. Policies 2.2.1.1 and 2.2.1.2 state:

*“2.2.1.1 Population and employment forecasts contained in Schedule 3 or such higher forecasts as established by the applicable upper- or single-tier municipality through its municipal comprehensive review will be used for planning and managing growth in the GGH to the horizon of this Plan in accordance with the policies in subsection 5.2.4.*

*2.2.1.2 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;*
- b) growth will be limited in settlement areas that:*
  - i. are rural settlement areas;*
  - ii. are not serviced by existing or planned municipal water and wastewater systems; or*
  - iii. are in the Greenbelt Area;*

- 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;*
- d) *development will be directed to settlement areas, except where the policies of this Plan permit otherwise;*
- e) *development will be generally directed away from hazardous lands; and*
- f) *the establishment of new settlement areas is prohibited.*

Implementation of the proposed development contributes to the achievement of the growth targets for the Region of Halton identified in Schedule 3 of the Growth Plan, which projects the population to increase to 1,100,000 residents by the year 2051. The development of the Subject Lands conforms to Policy 2.2.1.2 as the site is located within a settlement as per its designation in the HROP as 'Urban Area' and as 'Neighbourhood Area' within the NOESP and has water and wastewater infrastructure available through connection to surrounding services on abutting and/or future roads.

Regarding the concept of complete communities, Section 2.2.1.4 states:

*"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 additional residential 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. *provide for a more compact built form and a vibrant public realm, including public open spaces;*

- f. *mitigate and adapt to climate change impacts, improve resilience and reduce greenhouse gas emissions, and contribute to environmental sustainability; and*
- g. *integrate green infrastructure and appropriate low impact development”*

The Subject Lands will contribute to the creation of complete communities by supporting the commercial component of an apartment building proposed within the proposed draft plan of subdivision to the immediate west. The residential dwellings of varying frontages and types will contribute to a range of housing sizes. The proposed development provides for a form of development that is in compliance with the NOESP density provisions and promotes a vibrant and attractive public realm provided through the provision of public sidewalks and trails.

## **HOUSING**

Section 2.2.6 of the 2019 Growth Plan consists of policies related to Housing, which state:

*“Notwithstanding policy 1.4.1 of the PPS, 2020, in implementing policy 2.2.6.1, municipalities will support the achievement of complete communities by:*

- a) planning to accommodate forecasted growth to the horizon of this Plan;*
- b) planning to achieve the minimum intensification and density targets in this Plan;*
- c) considering the range and mix of housing options and densities of the existing housing stock; and*
- d) planning to diversify their overall housing stock across the municipality.”*

As discussed above, the proposed development will support the achievement of complete communities by proposing a greater mix and intensity of urban uses on the lands that are currently underutilized within the NOESP urban boundary. The introduction of single detached dwellings with varying frontages and various types of townhouse development will provide a range of housing sizes allowing different options in a manner that is compatible with existing development and proposed development on adjacent lands while assisting the Town and Region in achieving the population targets of the Growth Plan.

## **DESIGNATED GREENFIELD AREAS**

Section 2.2.7 outlines development within *Greenfield* situations. The Subject Lands are located within the Conceptual Designated Greenfield Area of the Growth Plan as per Figure 4 of this document. The Growth Plan defines ‘Designated Greenfield Area’ as follows:

*“Lands within settlement areas (not including rural settlements) but outside of delineated built-up areas that have been designated in an official plan for development and are required to accommodate forecasted growth to the horizon of this Plan. Designated greenfield areas do not include excess lands.”*

The Subject Lands are located within the *Settlement Area* as noted by its designation as ‘*Urban Area*’ within the HROP and its designation as ‘*Neighbourhood Area*’ within the NOESP while also being outside of the *Built Boundary* as per the HROP and the Town of Oakville Official Plan. Therefore, the Subject Lands are classified as being within a *Greenfield* area for the purposes of the Growth Plan and the policies affecting such a classification apply.

Specifically, Section 2.2.7.1 states:

*“New development taking place in designated greenfield areas will be planned, designated, zoned and designed in a manner that:*

- a. supports the achievement of complete communities;*
- b. supports active transportation; and*
- c. encourages the integration and sustained viability of transit services.”*

The proposed development shall support the completion of the second phase of development within the NOEPA by appropriately developing a parcel of land which is underutilized for urban uses.

Regarding density within *Greenfield* areas, Section 2.2.7.2 states:

*“The minimum density target applicable to the designated greenfield area of each upper- and single-tier municipality is as follows:*

- a. The Cities of Barrie, Brantford, Guelph, Hamilton, Orillia and Peterborough and the Regions of Durham, Halton, Niagara, Peel, Waterloo and York will plan to achieve within the horizon of this Plan a minimum density target that is not less than 50 residents and jobs combined per hectare;*
- b. The City of Kawartha Lakes and the Counties of Brant, Dufferin, Haldimand, Northumberland, Peterborough, Simcoe and Wellington will plan to achieve within the horizon of this Plan a minimum density target that is not less than 40 residents and jobs combined per hectare.”*

and Section 2.2.7.3 states:

*“The minimum density target will be measured over the entire designated greenfield area of each upper- or single-tier municipality, excluding the following:*

- a. natural heritage features and areas, natural heritage systems and floodplains, provided development is prohibited in these areas;*
- b. rights-of-way for:*
  - i. electricity transmission lines;*
  - ii. energy transmission pipelines;*
  - iii. freeways, as defined by and mapped as part of the Ontario Road Network; and*

- iv. *railways;*
- c. *employment areas; and*
- d. *cemeteries.”*

As noted in **Chapter 5.4** of this report, the HROP’s Table 2 requires that the designated *Greenfield* area achieve a minimum overall development density of 46 residents and jobs combined per hectare within the Town of Oakville and an overall minimum of 50 residents and jobs combined per hectare across the Region of Halton.

While the density target is intended to be measured across the entirety of the *Greenfield* area of Halton Region, the proposed development as a stand-alone development would actually meet the density target on a site-specific basis based on the following parameters:

- Total area of residential lots within Subject Lands: +/- 5.646 hectares
- Total area of roads and widenings within Subject Lands: +/- 3.561 hectares
- Area of stormwater management facilities within Subject Lands: +/- 1.636 hectares
- No. of Future Single Detached dwelling units within Subject Lands: 68 units
- No. of future townhouse units within Subject Lands: 141
- Average household size (*from 2016 Census data for the Town of Oakville*): 3.3 persons per single detached household and 2.7 person in townhouse households.

With an overall *Greenfield* area of 10.843 hectares and an estimated total of 605 residents, the Subject Lands has an estimated 55.8 residents per hectare thus meeting the density target established by the Growth Plan on a site-specific basis as well as assisting Halton Region in meeting its target for Oakville and the Region as a whole.

## **INFRASTRUCTURE PLANNING**

Section 3.2 of the Growth Plan provide policies related to Infrastructure Planning. Specifically, Section 3.2.7 discusses Stormwater Management policies including:

*“Proposals for large-scale development proceeding by way of a secondary plan, plan of subdivision, vacant land plan of condominium or site plan will be supported by a stormwater management plan or equivalent, that:*

- a) is informed by a subwatershed plan or equivalent;*
- b) incorporates an integrated treatment approach to minimize stormwater flows and reliance on stormwater ponds, which includes appropriate low impact development and green infrastructure;*

- c) establishes planning, design, and construction practices to minimize vegetation removal, grading and soil compaction, sediment erosion, and impervious surfaces; and*
- d) aligns with the stormwater master plan or equivalent for the settlement area, where applicable.”*

Stormwater Management is addressed within Section 8 of the UWM1A submitted in support of the proposed development.

Based on the above analysis, it is our opinion the proposed development on the Subject Lands conforms with the policies of the Growth Plan (2020).

## 5.4 REGION OF HALTON OFFICIAL PLAN (June 19, 2018 Consolidation)

The HROP is a strategy for development of the entirety of Halton Region, with sufficient detail to permit the achievement of Region's planning vision and objectives

### **HALTON'S PLANNING VISION**

The vision espoused within the HROP can be summarized in Section 33 as follows:

*"In summary, Halton will use the concept of sustainable development and principles of sustainability to guide its land use decisions and hence achieve its planning vision. Stated plainly, this vision is to preserve for this and future generations a landscape that is rich, diverse, balanced, productive and sustainable, and a society that is economically strong, equitable and caring. Specifically, such a vision will be delivered through the two main themes of land stewardship and healthy communities..."*

The proposed development supports the concept of sustainable development through its compact urban form, medium density housing and the utilization of existing and planned infrastructure. A balanced approach has been taken in the design of the draft plan of subdivision by utilizing developable land efficiently while preserving a woodlot and two PSW identified by MNRF located on site within Block 93 of the proposed draft plan of subdivision.

### **HALTON'S REGIONAL STRUCTURE**

HROP outlines the structure of the Region and designates the Subject Lands as 'Urban Area' and 'Natural Heritage System' in Map 1 - Regional Structure of the HROP [Refer to Figure 5: Excerpt from the Halton Region Official Plan – Map 1 – Regional Structure].



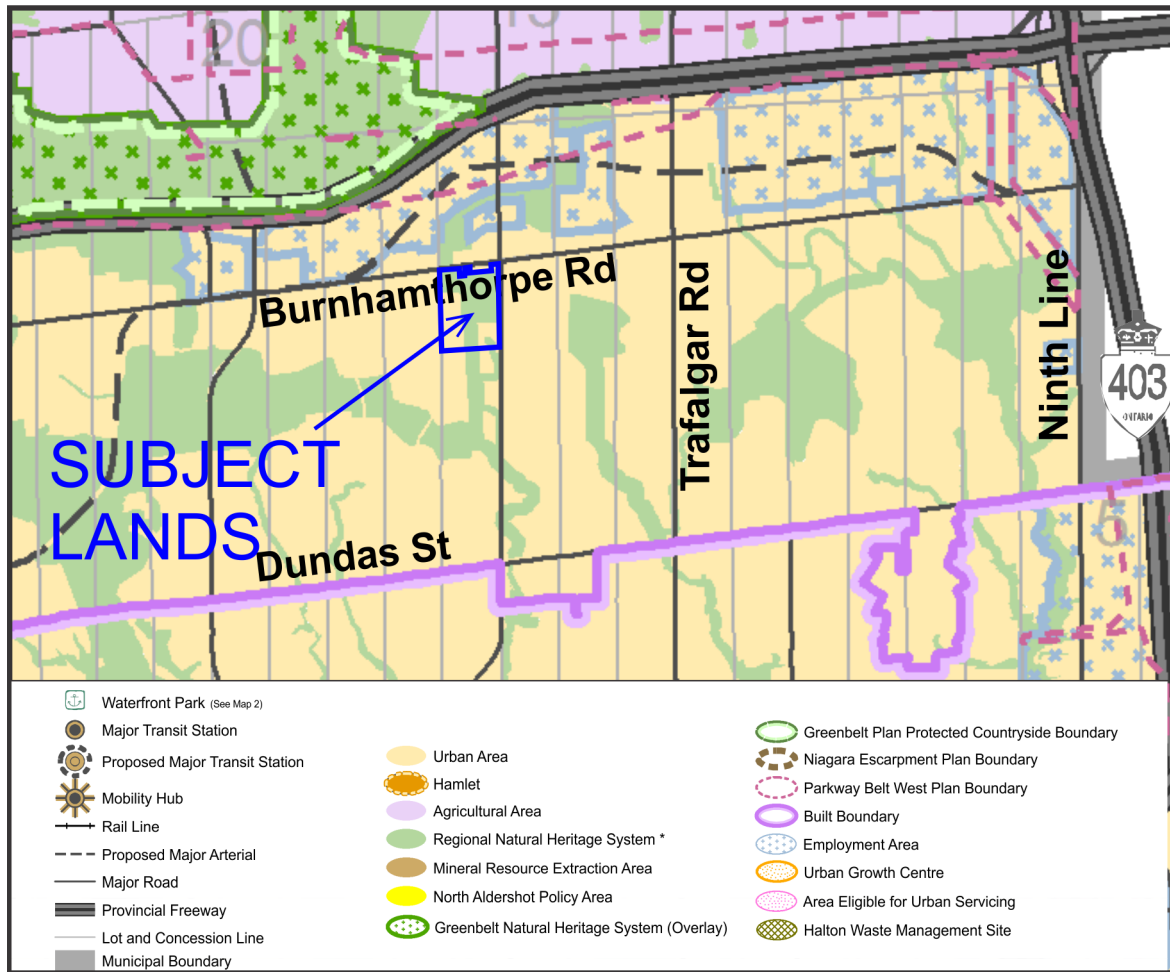


Figure 5: Excerpt from the Halton Region Official Plan – Map 1 – Regional Structure

The Subject Lands are located within the Settlement Area of the Region with the specific designation of ‘Urban Area’ within the majority of the southwest portion of the Subject Lands and ‘Regional Natural Heritage System’ with the majority of the northeastern portion of the site.

Section 55 of the HROP outlines the growth strategy for the Region based on the distribution of population and employment for the planning horizon year. Specifically, Table 1 of the HROP projects the population of the Town of Oakville to be 255,00 by the year 2031. Furthermore, Table 2 of the HROP sets out a density target of 46 residents/jobs per gross hectare within the Designated Greenfield areas of the Town with an overall Regional average of 50 residents/jobs per gross hectare. As outlined in the analysis of the Growth Plan in **Section 5.3** of this document, the proposed development is estimated to accommodate approximately 55.8 residents per hectare thus fulfilling the density target established for the Town as well as assisting Halton in reaching its target for the Region as whole.

## **DEVELOPMENT CRITERIA**

Section 57 directs development to environmentally suitable areas with the appropriate land use designations. The proposed development will be directed towards the portion of the Subject Lands which are not constrained by significant environmental features.

Sections 58 and 59 state the uses permitted for each land use designation provided that the site has adequate infrastructure, and development meets all applicable statutory and regulatory requirements. As per the UWM1A servicing infrastructure shall be available either through connections to existing or future services located along abutting roads. As analyzed in the **Section 5** of this document, the proposed development satisfies all existing statutory requirements and with the proposed amendment to the Town of Oakville's Zoning By-law 2009-189 shall conform with regulatory requirements.

## **URBAN AREA LAND USE DESIGNATION**

Section 72 outlines the objectives of the 'Urban Area' land use designation; the most relevant to the Subject Lands being the following:

- "(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.*
- (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.*
- (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.*
- (5) To establish a rate and phasing of growth that ensures the logical and orderly progression of development, supports sustainable and cost-effective growth, encourages complete communities, and is consistent with the policies of this Plan."*

The proposed development contributes to the implementation of the phasing policies of the NOESP and provides a range of housing including townhouses in a compact and efficient manner that is supportive of transit and utilizing services which are either existing or planned.

Section 75 of the HROP states the *Urban Area* is planned to accommodate the distribution of population and housing of the Region's growth management policies.

The proposed development, through the proposed range of residential uses, will assist the Region in implementing the growth management policies.

Section 76 of the HROP states the range of permitted uses and the creation of new lots in the *Urban Area* shall be in accordance with local official plans and zoning by-laws. As analyzed in **Section 5.6** of this document, the proposed uses are in conformity with the policies of the NOESP while **Section 5.7** provides an analysis of the proposed zoning amendment to Town of Oakville Zoning By-law 2009-189 to implement the proposed draft plan of subdivision.

Section 77.(2.4) of the HROP states the following with respect to development occurring in Designated Greenfield Area:

- “a) contribute towards achieving the development density target of Table 2 and the Regional phasing of Table 2a;*
- b) contribute to creating healthy communities;*
- c) create street configurations, densities, and an urban form that support walking, cycling and the early integration and sustained viability of transit services;*
- d) provide a diverse mix of land uses, including residential and employment uses to support vibrant neighbourhoods; and*
- e) create high quality parks and open spaces with site design standards and urban design guidelines that support opportunities for transit and active transportation.”*

As analyzed in **Section 5.3** of this document, the proposed development shall contribute to achieving the density targets established for the Town of Oakville specifically and the Region as a whole. Furthermore, the proposed development shall contribute to the creation of healthy communities through the provision of active transportation opportunities in the form of sidewalks on every street as well as trails in the stormwater management and natural heritage blocks where appropriate. The configuration of streets proposed is a flexible grid to promote efficient vehicular and pedestrian circulation as well as providing easy access to possible transit stop locations.

The HROP has policies related to housing with the main stated goal to supply the people of the Region with an adequate mix and a variety of housing. While many of the policies are with respect to co-ordination of effort between the Region and local municipalities, Section 86.(6).(a). of the HROP states that at least 50 percent of new housing units produced annually in Halton should be in the form of townhouses or multi-storey buildings; the proposed development shall contribute to meeting the target by providing over two-thirds of the proposed units as townhouse units.

## NATURAL HERITAGE SYSTEM LAND USE DESIGNATION

Section 114 of the HROP states the goal of the Natural Heritage System is to protect biological diversity and to ensure ecological functions will be preserved. Section 114.1 list the objectives of the Natural Heritage System with the most pertinent to the Subject Lands being the following:

- “(1) To maintain the most natural Escarpment features, stream valleys, wetlands and related significant natural areas and associated Cultural Heritage Resources.*
- (4) To direct developments to locations outside hazard lands.*
- (5) To protect or enhance the diversity of fauna and flora, ecosystems, plant communities, and significant landforms of Halton.*
- (7) To protect or enhance fish habitats.*
- (8) To preserve and enhance the quality and quantity of ground and surface water.*
- (9) To contribute to a continuous natural open space system to provide visual separation of communities and to provide continuous corridors and inter-connections between the Key Features and their ecological functions.*
- (17) To preserve the aesthetic character of natural features.*
- (18) To provide opportunities, where appropriate, for passive outdoor recreational activities.”*

The woodlot and two PSW and their associated flora and fauna are maintained within Natural Heritage System Area Block 93 of the proposed draft plan of subdivision. The proposed development shall not occur on lands which are classified as hazard lands. Block 92 as well as the eastern portion of Stormwater Management Block 91 contribute to a continuous open space system within the neighbourhood as outlined in **Section 3** of this document. Blocks 91 to 93 have several edges which are open to public view thus preserving the aesthetic character of natural features. Finally, trails are located where appropriate within the Natural Heritage System Area and Stormwater Management Blocks.

Section 116.1 of the HROP provide policies on the boundaries of the Regional Natural Heritage System, Section 116.2 states the following:

*“Notwithstanding Section 116.1, within the North Oakville East Secondary Plan Area, the Regional Natural Heritage System will be delineated and implemented in accordance with Town of Oakville Official Plan Amendment No. 272.”*

As discussed in **Section 5.6** of this document, the boundaries of the Natural Heritage System are defined within the NOESP through its Figures NOE1, NOE2, and NOE4. Said

Figures illustrate the Natural Heritage System as reflected as Blocks 92 and 93 of the proposed draft plan of subdivision.

Based on the above analysis, it is our opinion the proposed development on the Subject Lands conforms with the policies of the Halton Regional Official Plan (2018).

## 5.5 TOWN OF OAKVILLE OFFICIAL PLAN (August 28, 2018 Consolidation)

The Schedules of the Town of Oakville Official Plan depict the NOEPA as not subject to the policies of the Town of Oakville Official Plan [Refer to Figure 6: Town of Oakville Official Plan “Livable Oakville” (August 28 2018 Consolidation) – Schedule A2 – Built Boundary and Urban Growth Centre].

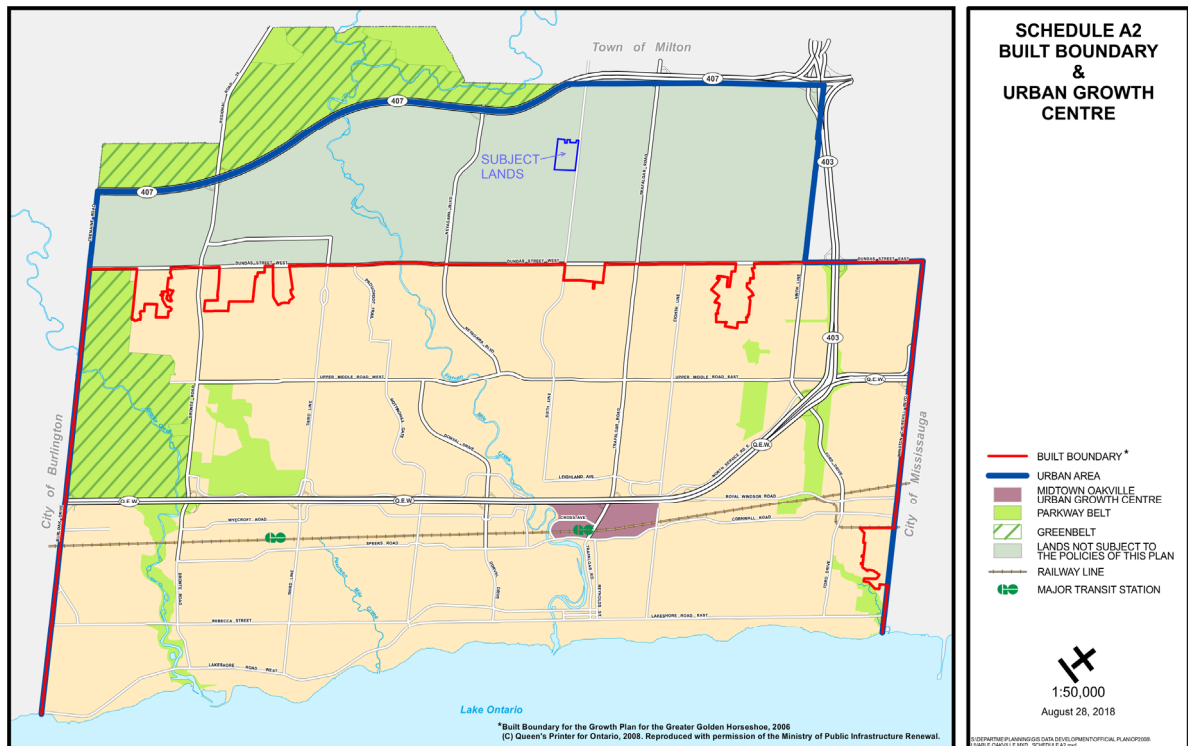


Figure 6: Town of Oakville Official Plan “Livable Oakville” (August 28 2018 Consolidation) – Schedule A2 – Built Boundary and Urban Growth Centre.

## 5.6 NORTH OAKVILLE EAST SECONDARY PLAN

The NOESP was approved by the Local Planning Appeal Tribunal in 2008 and subsequently amended by the Local Planning Appeal Tribunal in 2019. The purpose of the NOESP is to establish a detailed planning framework for the future urban development of the NOEPA.

### **COMMUNITY VISION**

The development of the NOEPA is to generally reflect a cross section of human settings from the most rural which is reflected in the natural heritage and open space system, to the most urban conditions, which is reflected in urban core areas. In between the rural and most urban settings are the various residential neighbourhood settings and employment opportunities. The NOEPA is to be planned using the principles of compact design, importance of pedestrians, provision of a range of housing options, and a system of open space and natural heritage areas.

The proposed development shall contribute to the vision of the NOEPA by offering a choice of housing opportunities while preserving significant features and linkages.

### **GENERAL DEVELOPMENT OBJECTIVES**

Several objectives are identified for the NOESP as a whole in order to guide development. In particular, the objectives related to the environment, residential uses, urban design, servicing, and transportation are particularly germane for the Subject Lands.

#### **Environment and Open Spaces:**

Section 7.2.3.1 provide general objectives for the environmental and open spaces and include the following:

- a) To establish as a first priority of the Town, a natural heritage and open space system, within the context of an urban setting, the majority of which is in public ownership.*
- b) To create a sustainable natural heritage and open space system which provides a balance between active and passive recreational needs and links to the existing open space system within the Town.*
- c) To identify, protect and preserve natural heritage features within the natural heritage component of the natural heritage and open space system and ensure that their use respects their functional role as natural areas within the ecosystem.*

- d) *To incorporate measures intended to achieve the goals of environmental protection and enhancement including energy conservation, greenhouse gas reduction, and increased utilization of public transit.*
- e) *To preserve and protect ESA's, ANSI's, provincially significant wetlands and significant woodlands which form the core of the natural heritage component of the natural heritage and open space system, together with required buffers and adjacent lands intended to protect the function of those features and ensure the long term sustainability of the natural heritage component of the system within the urban context."*

The proposed development assists the Town to achieve these objectives by preserving the core features of a woodlot as well as two PSW within Natural Heritage System Area Block 93 of the proposed draft plan of subdivision while a linkage to environmental features to the south is provided by Natural Heritage System Block 92. Furthermore, trails within the Natural Heritage System Area blocks and Stormwater Management Block 91 are proposed where appropriate to promote passive recreation.

### **Residential Uses:**

Section 7.2.3.2 provide general objectives for residential uses and include the following:

- "a) To create residential communities which complement the existing built form elements that are intended to remain within the community, and incorporate the best community planning and urban design practices available while protecting, enhancing and integrating the area's natural heritage component of the natural heritage and open space system.*
- b) To establish overall development densities that equal or exceed the density established by the Halton Urban Structure Plan and which are commensurate with the type and frequency of transit service planned for the area.*
- c) To reflect the land use objectives as set out within the Halton Urban Structure Plan (April 1994).*
- d) To minimize travel time, traffic, greenhouse gases, servicing costs and energy costs through a variety of mechanisms, and particularly by providing an efficient land use arrangement and a mix of housing forms and tenures.*
- e) To encourage a closer relationship between the workplace and home through land use planning decisions.*
- f) To create varied and distinguishable residential neighbourhoods which provide a strong, identifiable sense of place for the residents.*
- g) To provide for a variety of residential densities and unit types throughout the planning area, responding to the varied needs of the future population, while directing the highest densities and intensity of use to the Trafalgar Road*



*Corridor in support of a broad range of services including high frequency transit, shopping, personal services and community facilities.”*

The layout of the proposed development demonstrates best practice community design principles while protecting significant natural features. As noted in the analysis of the HROP within **Section 5.4** of this document, the target density for the Town of Oakville is 46 residents/jobs per hectare while analysis of the Growth Plan within **Section 5.3** of this document has demonstrated the density of the proposed development will result in a density of over 55 residents per hectare. Furthermore, the flexible grid arrangement of proposed streets minimizes unnecessary automobile emissions as well as providing efficient pedestrian access to potential future transit stops.

### **Urban Design:**

Section 7.2.3.4 provide general objectives for urban design and include the following:

- a) To provide integrated community design that coordinates land use, the natural heritage and open space system, the street network and built form to reinforce the community vision.*
- b) To integrate important views and vistas of the natural heritage and open space system within community design.*
- c) To create an urban fabric characterized by a connected street system that is responsive to the natural heritage and open space system and existing land uses.*
- d) To promote building design variety that promotes an active, safe pedestrian realm within the streetscape.*
- e) To design street sections that promote a sense of scale and provide for pedestrian comfort.*
- f) To promote building forms that address the street and minimize the impact of garages and service areas on the streetscape.*
- g) To encourage mixed use development along strategic corridors and at neighbourhood centres.*
- h) To create retail and service commercial development that has a strong relationship to streetscapes and major pedestrian ways.*
- i) To integrate community and institutional uses at landmark locations.*
- j) To promote a variety of housing with diverse architecture.*
- k) To create high quality employment areas which are easily accessed by trucks and other vehicular traffic, as well as transit, bicycles and pedestrians.”*

The proposed draft plan co-ordinates the utilization of land for urban residential uses while protecting the natural environment. Many of the edges of Stormwater

Management Block 91 and of Natural Heritage System Blocks 92 and 93 shall be open to public view. The flexible grid pattern of the proposed development responds to the configuration of the existing significant natural features as well as accommodating linkages to environmental features south of the Subject Lands. Furthermore, the scale of proposed streets with sidewalks accommodates pedestrian usage while the built form and proposed setbacks ensure a human scale of community identity.

### **Transportation:**

Section 7.2.3.5 provide general objectives for transportation and include the following:

- a) To create a system of roads and transportation corridors which promotes the safe, efficient circulation of traffic including transit and non-vehicular traffic.*
- b) To establish an efficient and linked, safe pedestrian movement system (cycleways and walkways) along with an appropriate distribution of land uses so that residents do not need to rely on the automobile to meet the recreational, shopping and commuter needs of daily life.*
- c) To establish a transportation system that complements and supports the existing and future urban structure and land use pattern.*
- d) To promote transit opportunities through community design, including a “transit first” policy to ensure that development including the phasing of development, proceeds in a manner which will be supportive of the early provision of transit services.*
- e) To explore all modes of transportation including the use of HOV lanes, express bus lanes and transit rights-of-way on the existing and future road network in Oakville, as well as other innovative approaches to transit.*
- f) To plan residential development and its road network so that residents are predominantly within a 400 metre walking distance of transit services.*
- g) To promote both local and higher order transit opportunities through land use arrangements, building orientation and streetscape design.”*

As documented in the TIS/TISA, the road fabric proposed for the Subject Lands provides for the efficient and safe movement of vehicles and pedestrians which has been coordinated with proposed developments to the west, south, and east. Sidewalks will be provided on public streets. As illustrated in the TIS/TISA, all proposed residential development shall be within 400 metres of possible future transit stops at the main intersections which is further assisted by the efficient grid pattern of streets to foster easier access to said transit stops.

### **Servicing:**

Section 7.2.3.6 provide general objectives for servicing and include the following:

- a) To provide for water and wastewater services, together with storm drainage works, reflecting the requirements of the various levels of government and minimizing their impact on the natural environment.
- b) To ensure that the development industry absorbs its share of the cost in the provision of the necessary infrastructure.”

As per the UWM1A, the proposed development will be served by connecting to existing infrastructure along Sixth Line and/or extension of services along proposed streets through the proposed development south of the Subject Lands. Stormwater Management for the Subject Lands shall be accommodated by Block 91 of the proposed draft plan of subdivision.

## COMMUNITY STRUCTURE

Several components define the general arrangement of the land uses within the NOEPA and are illustrated in the Community Structure Plan of the NOESP [Refer to Figure 7: North Oakville East Secondary Plan – Figure NOE 1 – Community Structure Plan]. Policies regarding the residential neighbourhoods, natural heritage and open space system, and population/housing components are particularly relevant for the Subject Lands

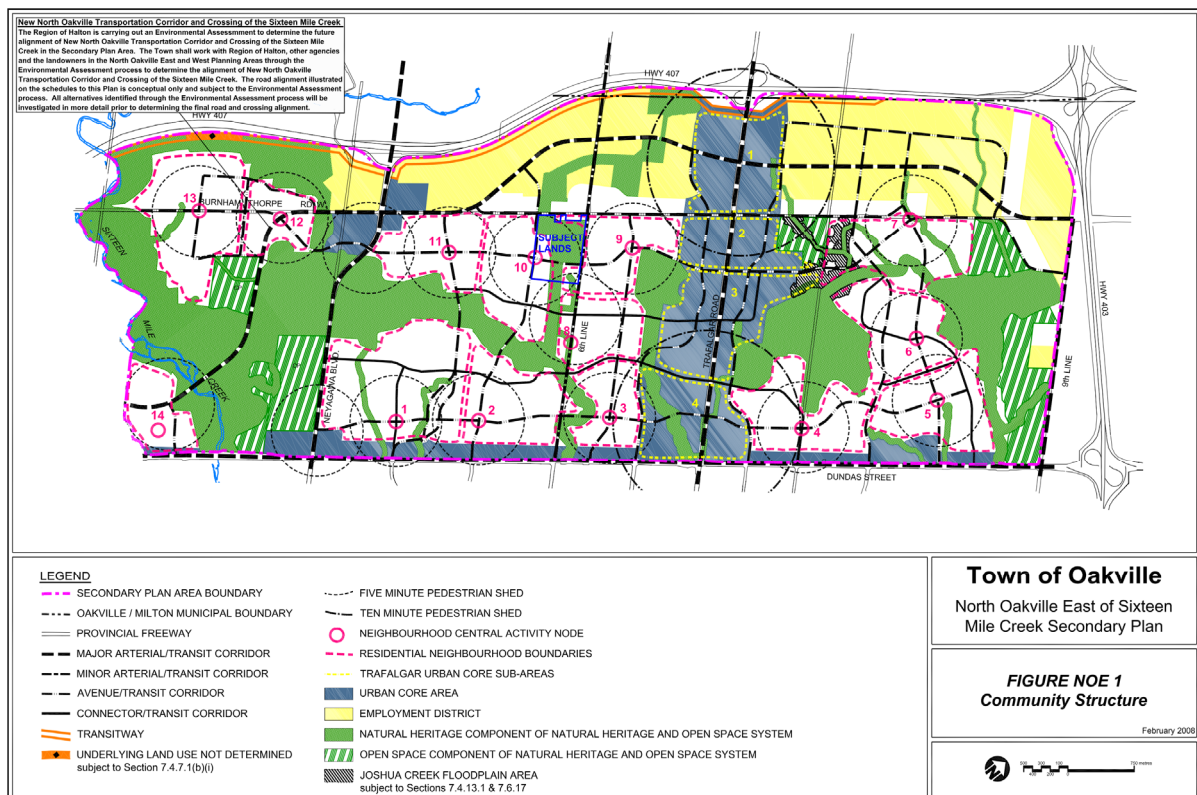


Figure 7: North Oakville East Secondary Plan – Figure NOE 1 – Community Structure

The Subject Lands are designated ‘Neighbourhood Area’ and ‘Natural Heritage System Area’ within the NOESP Land Use Plan [Refer to Figure 8: Excerpt from the North Oakville East Secondary Plan – Figure NOE 2 – Land Use Plan]

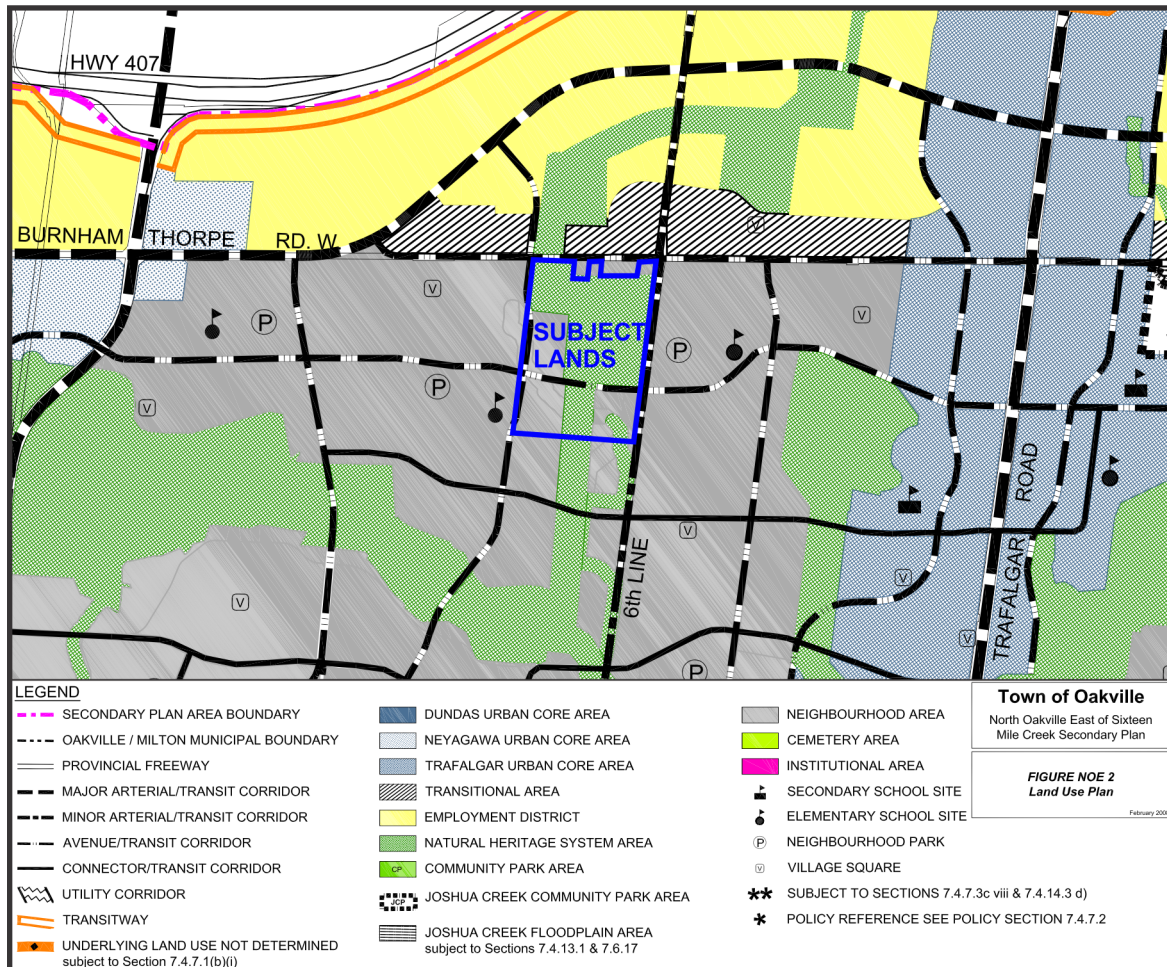


Figure 8: Excerpt from the North Oakville East Secondary Plan – Figure NOE 2 – Land Use Plan

**Residential Neighbourhoods:**

Section 7.3.3 describes the function of the residential neighbourhoods with the following particularly relevant for the proposed development:

*“Residential neighbourhoods as designated on Figure NOE1 (Community Structure Plan) are comprised of a range of residential densities including significant areas appropriate for ground related housing and live/work opportunities:*

- a) *Neighbourhood Centres are located in the centre of each neighbourhood, within walking distance of most residents. While predominately residential in character, Neighbourhood Centres will permit a range of uses. These uses will*

*be permitted throughout the area but will be focused at a central activity node for the neighbourhood. Neighbourhood Centres have denser development than other parts of the neighbourhood but are predominantly ground related, and, in addition to residential development, will include a range of convenience and service commercial, civic, institutional and live-work functions in buildings at a scale and with a design appropriate to the area.*

- b) *General Urban areas, while predominately residential, also provide for live-work functions. Development will be at lower densities than those found in the Neighbourhood Centre.”*

As analyzed in subsequent paragraphs of **Section 5.6** of this document, the lands interpreted as *Neighbourhood Centre* within the proposed development are proposed to be developed with a denser form of development while the area interpreted as *General Urban Area* is proposed to be developed with a mix of single detached and townhouse dwellings.

### **Master Plan:**

While Figure 8 of this document illustrates the general land use designations, Appendix 7.3 – Master Plan of the NOESP illustrates specific land use categories within the Subject Lands to include ‘*Neighbourhood Centre Area*’, ‘*General Urban Area*’, ‘*Neighbourhood Activity Node*’, ‘*Natural Heritage System Area*’, and ‘*Stormwater Management Facility*’ [Refer to Figure 9: Excerpt from the North Oakville East Secondary Plan – Appendix 7.3 – Master Plan]. The proposed development implements the *Neighbourhood Centre* land use category of the NOESP by providing for a denser form of residential development along higher order roads. The intersection of Streets “1” and “2” will serve the neighbourhood through the provision of a commercial component on the ground floor of a denser development block located on the northwest corner of the intersection in the adjacent subdivision. The *General Urban Areas* reflected within the Subject Lands will be the location for a variety of single detached and front accessed townhouses.

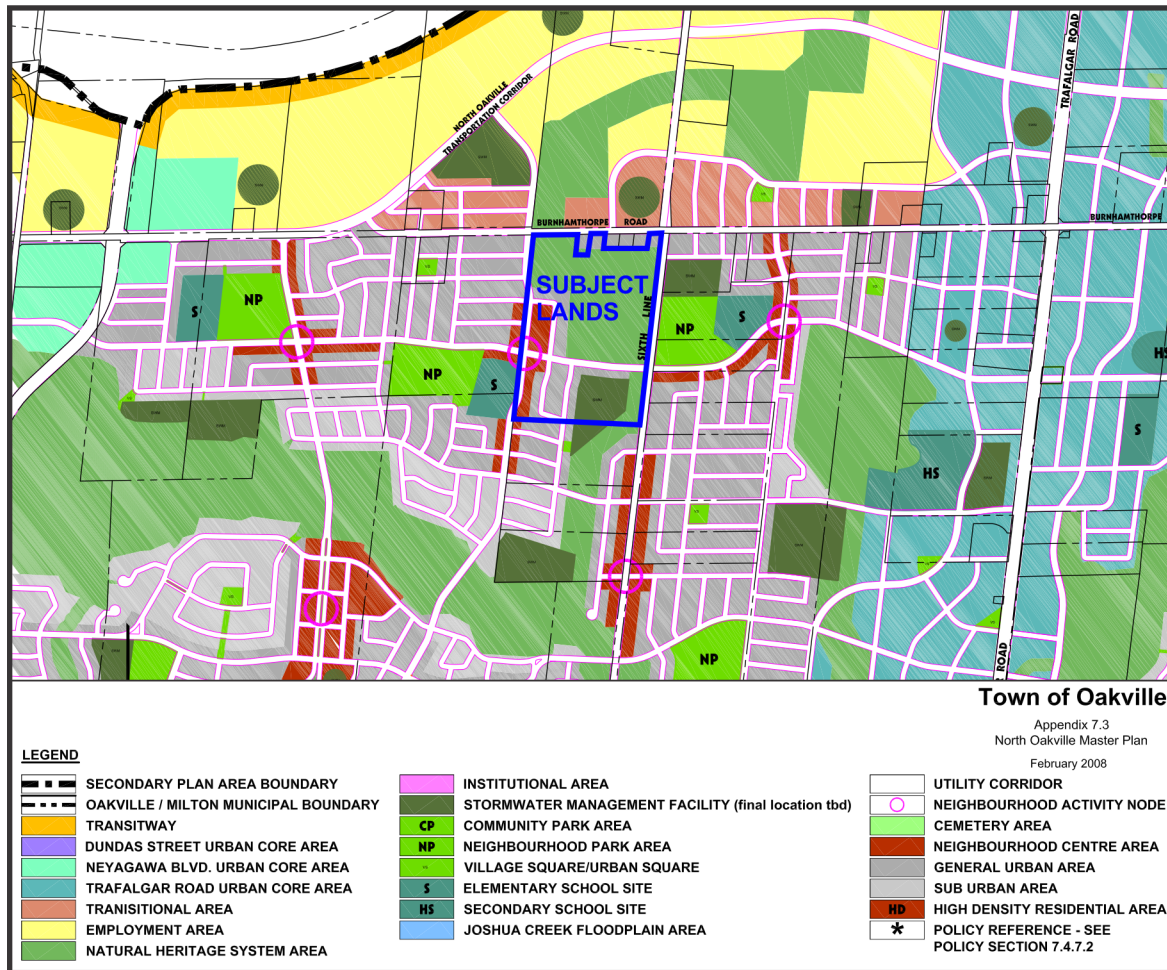


Figure 9: Excerpt from the North Oakville East Secondary Plan – Appendix 7.3 – Master Plan

**Natural Heritage and Open Space:**

7.3.5 describes the function of the natural heritage and open space components of the community structure with the following particularly relevant for the proposed development:

*“The Natural Heritage and Open Space System for North Oakville East is part of a larger system which is intended to extend through all of North Oakville. It forms a central feature of the NOEPA. It is comprised of two components, a Natural Heritage component and an Open Space component.*

a) *The Natural Heritage component of the System is comprised of the following key areas as identified by the policies in the Plan:*

i) *The Core Preserve Areas include key natural features or groupings of key natural features, together with required buffers and adjacent lands intended to protect the function of those features and ensure the long term sustainability of the Natural Heritage component of the System within the urban context.*

- ii) *Linkage and Optional Linkage Preserve Areas include areas which are designed to link the Core Preserve Areas to maintain and enhance their environmental sustainability. They follow natural features whenever possible and are intended to be of sufficient size and character, including buffers, to ensure the functionality and sustainability of the Natural Heritage component of the System.*
  - iv) *Medium Constraint Stream Corridor Areas include certain watercourses and adjacent riparian lands, including buffers measured from the stable top-of-bank or meander belts. These areas are located primarily inside Core and Linkage Preserve Areas, but are also found outside such areas. They must be protected for hydrological and ecological reasons. These watercourses may be deepened and/or relocated in accordance with subsection 7.4.7.1 d).*
  - v) *In addition, to the High and Medium Constraint Stream Corridor Areas, a number of other hydrological features have been identified in North Oakville East. These features are also part of the Natural Heritage component of the Natural Heritage and Open Space System to the extent they are maintained after development occurs.*
- b) *The Open Space component of the Natural Heritage and Open Space System includes open space areas such as stormwater facilities, cemeteries, public parks and schools. The Open Space component of the System will be designed, where possible, to connect to, and enhance the Natural Heritage component of the System.”*

As illustrated in Figure NOE 3 of the NOESP, the portion of the Subject Lands containing a woodlot and two PSW are designated ‘Core Preserve Area’. Furthermore, an ‘Optional Linkage Preserve Area’ is illustrated extending south from the Core Preserve Area. A ‘Moderate Constraints Stream’ is shown near the eastern edge of the Subject Lands. A Low Constraints Stream is illustrated in the southwestern portion of the Subject Lands. Finally, a small portion of the site abutting Sixth Line is shown as ‘Hydrological Feature “B”’. [Refer to Figure 10: Excerpt from the North Oakville East Secondary Plan – Figure NOE 3 – Natural Heritage Component of the Natural Heritage and Open Space System Including Other Hydrological Features].

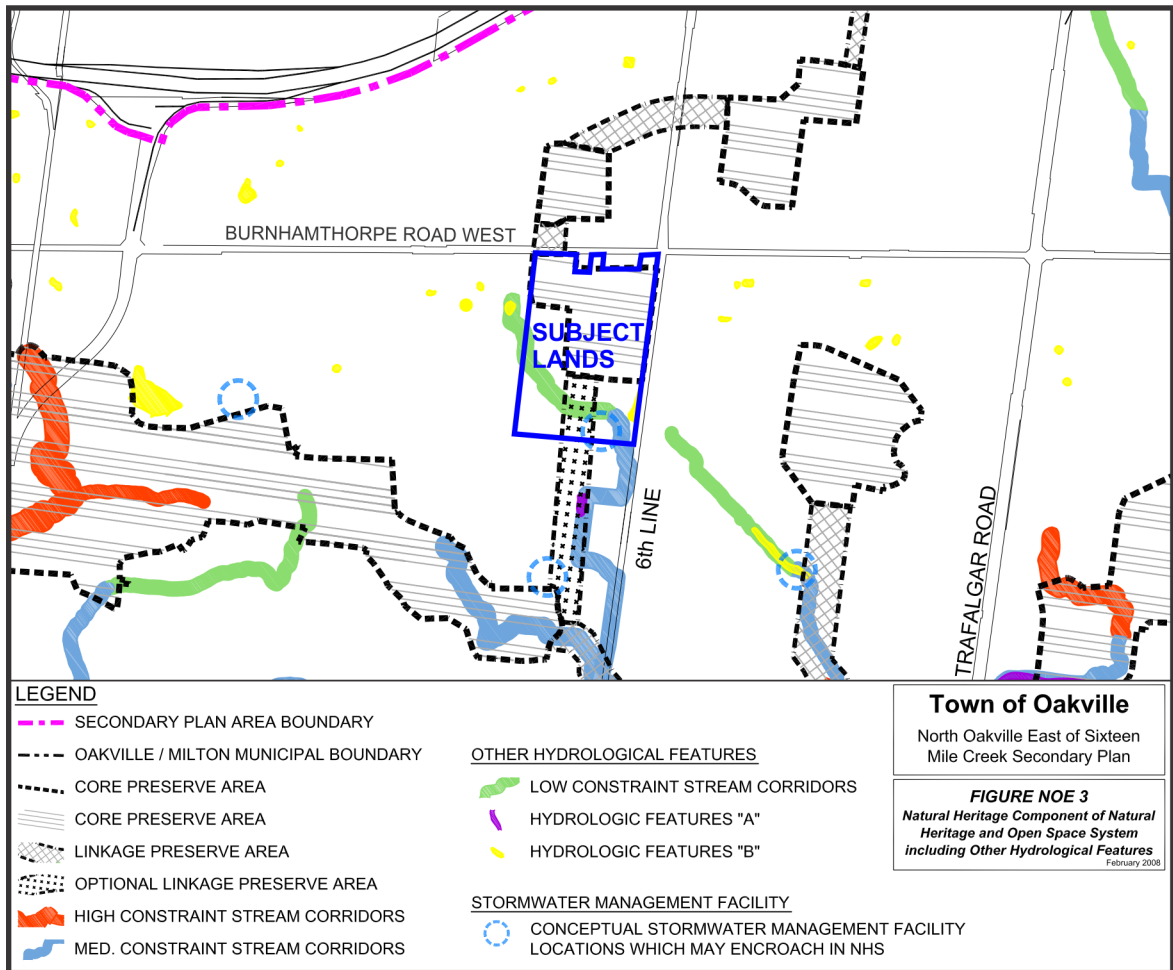


Figure 10: Excerpt from the North Oakville East Secondary Plan – Figure NOE 3 – Natural Heritage Component of the Natural Heritage and Open Space System Including Other Hydrological Features

The *Core Preserve Area* is maintained within Block 93 of the proposed draft plan of subdivision. The *Optional Linkage Preserve Area* has been maintained by Natural Heritage System Area Block 92 which shall also maintains the function of a *Medium Constraint Stream Corridor* as well as other hydrological features as described in the UWM1A. The Stormwater Management Block 91 is a component of the overall Town open space system and in part contributes to the linkage function between the *Core Preserve Area* features located on site and to the south of the Subject Lands.



### **Population and Housing:**

Section 7.3.6 describes population and housing targets. The NOEPA is projected to accommodate a population of between 45000 and 55000 at an overall density equal to or exceeding the Regional requirement. The proposed development contributes to the meeting of the population density target by accommodating over 55 residents/jobs per hectare as analyzed in **Section 5.3** of this document. Furthermore, on a unit per hectare basis the proposed development has an overall density of 37 units per net hectare which exceeds the density of 30 units per net hectare specified in Section 7.3.6.1 of the NOESP. The proposed development shall also assist the Town in reaching its housing mix targets.

## **SUSTAINABLE DEVELOPMENT STRATEGY**

Section 7.4 of the NOESP provide general policies with respect to sustainability. Of particular relevance to the Subject Lands are policies related to development form, and the protection of ecological features and functions.

### **Efficient Use of Land:**

Section 7.4.2 of the NOESP encourages development which is specifically based on the principle of sustainable development designed to, among other objectives, reduce the consumption of land, create livable and healthy communities. The proposed development exemplifies compact development through the utilization of smaller single detached lots and provision of several townhouse typologies.

### **Environmental Implementation Report:**

Section 7.4.5 of the NOESP states an Environmental Implementation Report will be required for each subcatchment area of the water courses within the NOEPA prior to approval of draft plans of subdivision. The UWM1A was undertaken to study the subcatchment area in which the Subject Lands are located.

### **Natural Heritage and Open Space System:**

Sections 7.4.6 and 7.4.7 of the NOESP provides a description on how the natural heritage and open space system supports the objectives of sustainability. The system is designed to protect the natural environment, provide a balance between active and passive recreational needs, and contribute to overall quality of life in NOEPA and the Town as a whole. Natural Heritage System Area Block 93 of the proposed draft plan preserves significant natural features while Natural Heritage System Area Block 92 provides linkage opportunities to other environmental features of the system off site. Stormwater Management Block 91 is part of

the open space component of the system which enhances the natural heritage component by assisting in the linkage function.

Particularly relevant to the Subject Lands are policies regarding the *Core Preserve Area*, the *Optional Linkage Preserve Area*, the *Medium Constraint Stream Corridor Area*, the *Low Constraint Stream Corridor Area*, and *Hydrological Features "B"* designations.

Section 7.4.7.1.a).i) of the NOESP states the following with respect to the *Core Preserve Area* designation:

*"The Core Preserve Area designation on Figure NOE3 includes key natural features or groupings of key natural features, together with required buffers and adjacent lands intended to protect the function of those features and ensure the long term sustainability of the Natural Heritage component of the System within the urban context."*

The *Core Preserve Area* designation is maintained as Block 93 within the proposed draft plan of subdivision and includes a woodlot as well as two PSW.

Section 7.4.7.1.b).ii) of the NOESP state the following with respect to the *Optional Linkage Preserve Area* designation:

*"The Optional Linkage Preserve Areas have been established based on the potential to relocate adjacent Medium Constraint Streams into the area designated as "Optional Linkage Preserve Area". However, if the adjacent stream is not relocated into the lands designated "Optional Linkage Preserve Area", and remains in place in a manner which satisfies the requirements to serve a linkage function as set out in Subsection 7.4.7.1 d), then the lands in the Optional Linkage Preserve Area designation, without the need for amendment to this Plan, may be developed in accordance with the abutting land use designation. Otherwise the lands in the Optional Linkage Preserve Area designation shall be subject to the policies of the Linkage Preserve Area designation."*

While Section 7.4.7.1.d).ii) of the NOESP state the following with respect to the *Medium Constraint Stream Corridor* designation:

*"Medium Constraint Stream Corridor Areas, as designated on Figure NOE3, include certain watercourses and adjacent riparian lands, including buffers measured from the stable top-of-bank or meander belts. These areas are located primarily inside Core and Linkage Preserve Areas, but are also found outside such areas. They must be protected for hydrological and ecological reasons. These watercourses may be deepened and/or relocated and consolidated with other watercourses provided that the watercourse feature, as well as the function of the watercourse, is maintained in accordance with the directions established in the NOCSS and Federal, Provincial and Conservation Authority regulations, and natural channel design is used..."*

The *Medium Constraint Stream Corridor* designation function in the southeast portion of the Subject Lands is maintained as the Optional Linkage Preserve Area as documented within the UWM1A and results in the provision of Natural Heritage System Block 92 within the proposed draft of subdivision. While the NOCSS states the width of linkages is to be 100 metres wide, approximately half of the linkage width is comprised of the eastern portion of Stormwater Management Block 91 as allowed in the August 2007 Local Planning Appeal Tribunal Minutes of Settlement for the establishment of the NOESP as described in **Section 3** of this document.

### **Core Boundaries:**

Section 7.4.7.2 of the NOESP state the following with respect to the boundaries of the *Core Preserve Area* and *Medium Constraint Stream Corridor Area* designations:

*“The boundaries of the Core and Linkage Preserve Area, and High Constraint Stream Corridor Area designations shall be maintained generally in accordance with the designations on Figure NOE3 and the NOCSS.*

*As part of the detailed planning process, minor modifications to the boundaries of these designations may be considered to reflect differences in scale and levels of detail, or to better integrate natural and urban land uses to achieve a more compact, efficient urban form. However, such minor modifications will not negatively impact the Natural Heritage component of the Natural Heritage and Open Space System as determined by the Town, in consultation with the Region of Halton and Conservation Halton, nor shall such minor modifications result in any significant decrease in the size of the Natural Heritage component of the System.*

*The location and boundaries of the Medium Constraint Stream Corridor Area designations on Figure NOE3 shall be determined in accordance with the directions established in the NOCSS and Federal, Provincial and Conservation Authority regulations during the preparation of the Environmental Implementation Reports (EIR) required by Section 7.8.3 of this Plan.”*

Block 93 of the proposed draft plan of subdivision closely mimics the designation of the *Core Preserve Area* within the northeast portion of the Subject Lands as shown in Figure 10 of this document. Notably, the northern edge of the Core Preserve Area is either the Burnhamthorpe Road West right of way or follows a line co-linear with the rear lot lines of #14, 30, and 38 Burnhamthorpe Road West as described in the UWM1A. The northern boundary of the Block 93 is also consistent with the August 2007 Minutes of Settlement of the Local Planning Appeal Tribunal hearing to establish the NOESP. The southern and southwestern boundary is also generally reflective of the *Core Preserve Area* designation shown in Figure 10 of this document and was more specifically established by following buffer requirements established within the Minutes of Settlement at the Local Planning

Appeal Tribunal for the establishment of the NOESP as described in **Section 3** of this document.

As documented in the UWM1A, the location and function of the medium constraint stream corridor has been replicated as a channel located within Natural Heritage System Area Block 92 of the proposed draft plan of subdivision.

### **Permitted Uses in the Natural Heritage System:**

Section 7.4.7.3 provides direction on permitted uses within the Natural Heritage system. Generally, only legal existing use and conservation uses, trails, roads and related utilities, and storm water management are permitted in *Core Preserve Areas* while *Medium Constraint Stream Corridors* areas are allowed to be relocated or channelized. The only uses proposed for Natural Heritage System Area Block 93 of the proposed draft plan of subdivision shall be conservation of the existing significant natural features as well as trails where appropriate as illustrated in the TIS/TISA and UDB. Street “2” of the proposed draft plan of subdivision is located outside of the *Core Preserve Area* and respects the buffers deemed necessary by the August 2007 Minutes of Settlement as well as being in the general location shown in NOESP Figures. As stated in **Section 3** of this document, a portion of Stormwater Management Block 91 occupies part of the nominal 100 metre width of the relocated Optional Linkage Preserve Area while the remainder of said linkage in the form of Block 92 replicates the function of the *Medium Constraint Stream Corridor Area* as per the UWM1A.

Section 7.4.8.b.i) of the NOESP provides policies on features designated *Low Constraint Stream Corridor Area* in Figure 10 of this document and specify such features do not need to be maintained but the function of the watercourse must be maintained in accordance with the NOCSS. The UWM1A documents the Low Constraint Stream Corridor within the Subject Lands as having low hydrologic function and replication and enhancement of said function can be achieved through the development of an appropriate stormwater management plan.

Section 7.4.8.b.iv) of the NOESP provides policies on features designated *Hydrological Features “B”* identified in Figure 10 of this document and specify such features may be relocated and consolidated with other wet features provided the hydrologic function of the feature is maintained. As per the Section 6.8 of the UWM1A, the *Hydrologic Feature “B”* located within the Subject Lands on the west side of Sixth Line is an artificial pond and has been approved for removal by the appropriate agencies.

## **COMMUNITY DESIGN STRATEGY**

Section 7.5 of the NOESP outlines general design policies for the NOEPA and provide specific policies for the neighbourhoods shown in Figure 7 of this document. As described in Section

7.5.2 of the NOESP, Figure 9 of this document illustrates the design of the NOEPA and how the policies and figures of the NOESP are to be implemented.

**Criteria for the Necessity of Area Design Plans:**

Section 7.5.2.b) states the following with respect to development of neighbourhoods shown in Figure 7 of this document under what circumstances an area design plan is required:

*“Prior to the commencement of the development of any:*

- i) neighbourhood in accordance with the neighbourhood boundaries established on Figure NOE1 and, where applicable, the portion of the Dundas Urban Core that abuts the neighbourhood;*
- ii) sub-area within the Trafalgar Urban Core Area identified on Figure NOE1, except that lands in any sub-area on one side of Trafalgar Road may proceed independently of the lands in that sub-area on the other side of Trafalgar Road;*
- iii) part of the Neyagawa Urban Core Area; or*
- iv) sub-area within the Employment Area or the Transitional Area identified by the Town, in consultation with all affected landowners, based on boundaries created by Arterial, Avenue or Connector roads or natural features, provided that a sub-area may include adjacent Employment and Transitional Areas.*

*The Town shall determine, after consultation with all affected landowners in the specific area, whether proposed plans of subdivision or other development plans for the affected lands are generally consistent with the Master Plan in Appendix 7.3. Where such plans are determined to be generally consistent with the Master Plan, development may be permitted to proceed without the preparation of an area design plan.”*

While Section 7.5.2.c) states the following regarding when an area design plan shall be required:

*“The Town shall require the preparation of an area design plan to the satisfaction of the Town, prior to draft plan approval or approval of other development plans in a specific area identified in subsection b), where:*

- i) proposed plans of subdivision or other development plans for the area are not generally consistent with the Master Plan in Appendix 7.3;*
- ii) the Town after consultation with all affected landowners, determines that an area design plan is required to address coordination issues between landowner plans;*

- iii) the Town, after consultation with all affected landowners, determines that an area design plan is required to address coordination issues between areas identified in 7.5.2 b) i) to iv); or
- iv) any significant development is proposed in the Transitional Area designation.”

A side by side comparison of NOESP’s Master plan and the proposed development demonstrates a high degree of compliance with respect to development pattern. [Refer to Figure 11: Comparison of the of North Oakville East Secondary Plan Master Plan and Proposed Development]. With respect to land use, the *Neighbourhood Centre* land use category permits a range of medium density buildings while the *General Urban Area* category permits both low density buildings including single detached as well as medium density buildings. The locations and uses of the *Natural Heritage System Area* and *Storm Water Management Facility* land use categories are maintained.

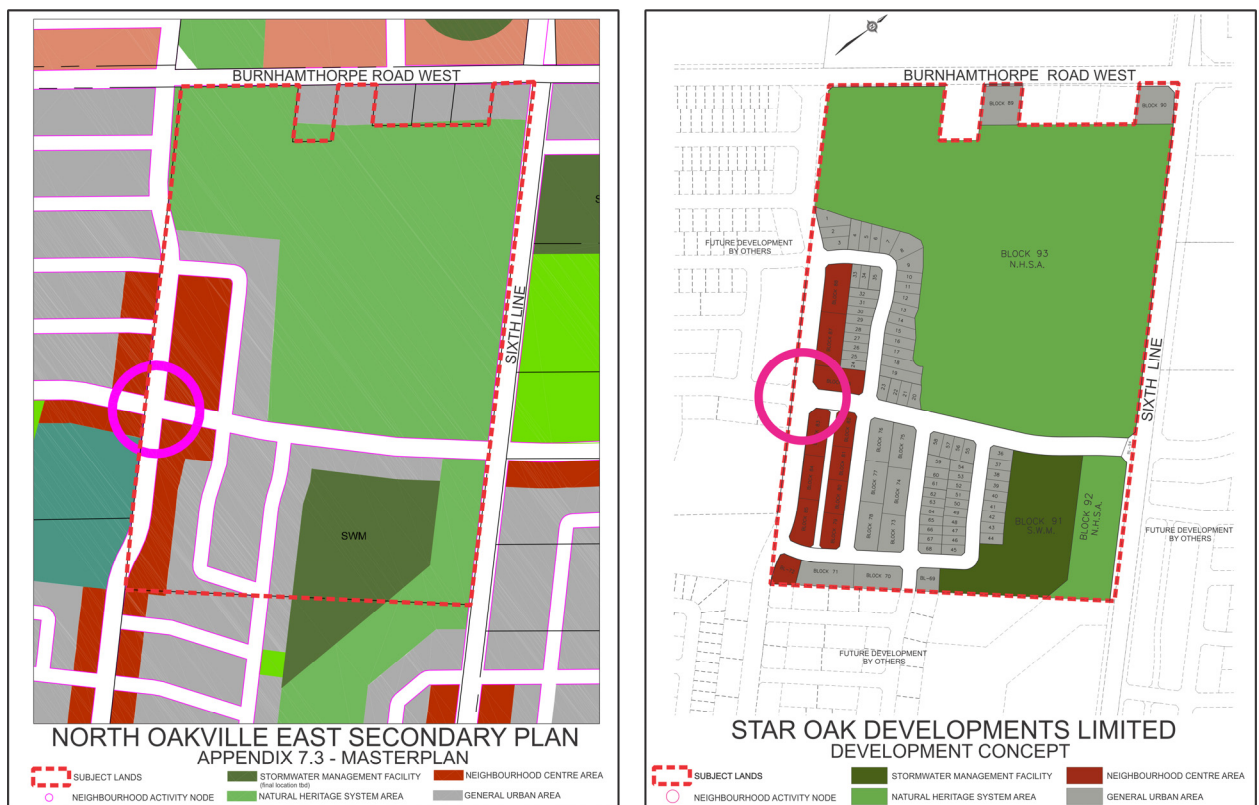


Figure 11: Comparison of the North Oakville East Secondary Plan Master Plan and Proposed Development

The proposed development is well co-ordinated with adjacent development as follows:

West: Street “1”’s alignment matches the road on the adjacent draft plan and said road is actually shared between the two ownerships. Street “3”’s alignment

matches the alignment of the corresponding road to the west. Discussions with the owner of the adjacent land have determined a commercial component shall be provided in the proposed apartment block in the northwest corner of the *Activity Node*. Rear Laneway access dwellings are proposed within the Subject Lands to minimize vehicular traffic conflicts with users of the school block proposed in the southwest corner of the Activity Node in the adjacent development. Finally, Townhouse Blocks 87 and 88 proposed in the Subject Lands shall be a transition between the denser apartment blocks to the west and the small single detached lots to the east.

South: Street “5”’s alignment matches the road on the adjacent draft plan and indeed Street “5” has been provided on the Subject Lands in order to allow the lands to the south to maximize their development efficiency by eliminating wastage resulting from pie-shaped lots if Street “5” had not been provided in the Subject Lands. The adjacent development proposes townhouse dwellings along its northern edge which is mirrored by proposed townhouse Blocks 69 to 72 within the Subject Lands. Stormwater Management Block 91 has been sized to complete a larger facility in conjunction with the stormwater management block to the south as per the UWM1A. Finally, alignment and function of the Natural Heritage Block 92 within the Subject Lands is continued in the proposed development to the south.

East: Street “2”’s alignment matches the road alignment on the approved draft plan of subdivision on the east side of Sixth Line. The configuration of road widening has been co-ordinated with the approved development to implement the Environmental Assessment to provide an ultimate right of way width of 31 metres for Sixth Line.

North: No current development application has been made for the lands to the north. However, road widenings have been provided within the Subject Lands to contribute to an ultimate width of 24 metres as required by the environmental assessment study for said road.

Furthermore, there are no co-ordination issues with respect to neighbourhood boundaries as shown in Figure 7 of this document and the vicinity of the Subject Lands is not within the Trafalgar Urban Core nor the Neyagawa Urban Core, an employment area.

While the Subject Lands are near Transitional Area to the north, enough separation in the form of the 24 metre wide Burnhamthorpe Road West right of way acts as an

effective delineation of the Subject Lands and the Transitional Area thus there are no anticipated conflicts.

Based on the above analysis, an area design plan is not necessary.

### **General Design Directions:**

Section 7.5.4 state general design directions of which the following are the most germane for the Subject Lands:

- “a) All development, particularly in the Urban Core Areas, Neighbourhood Centre and General Urban Areas, shall be designed to be compact, pedestrian and transit friendly in form. Mixed use development will be encouraged.*
- c) Development shall be based on a modified grid road system with interconnected networks of roads designed to disperse and reduce the length of vehicular trips and support the early integration and sustained viability of transit service. For local roads not shown on Figure NOE4, the modified grid road system will respond to topography and the Natural Heritage System component of the Natural Heritage and Open Space System. Cul-de-sacs will generally be permitted only when warranted by natural site conditions*
- d) The Natural Heritage component of the Natural Heritage and Open Space System forms a central feature of the Planning Area and the development form should reflect this fact. In addition, an associated comprehensive, interconnected system of trails will be developed which will generally reflect the major trail system on Figure NOE4.*
- e) Public safety, views and accessibility, both physically and visually, to the Natural Heritage component of the Natural Heritage and Open Space System, as well as to parks, schools and other natural and civic features, will be important consideration in community design. This will be accomplished through a range of different approaches including, but not limited to, the use of single loaded roads, crescent roads, combining public open space with other public or institutional facilities (e.g. school/park campuses, easements, stormwater ponds adjacent to the Natural Heritage component of the System) and the location of high density residential and employment buildings. With respect to the Natural Heritage component of the Natural Heritage and Open Space System, priority will be given to maintaining views and accessibility at key trail access points where Arterial, Avenue and Connector roads are adjacent to the System. Where there is no significant Natural Heritage edge exposed at Arterial, Avenue or Connector roads, Neighbourhood Parks, Village Squares or local roads will be encouraged to provide access and visibility...*
- f) Parks, neighbourhood activity nodes, and other civic areas will serve as central “meeting places” for residents, particularly within neighbourhoods and sub-neighbourhoods*



- g) Building densities and land uses designed to support the use of transit and the level of transit service proposed for specific areas shall be located within walking distances of transit stops and lines.”*

The proposed development promotes compact development through the provision of a range of lot sizes for single detached and townhouse dwellings. The street pattern proposed is a flexible grid to provide efficient movement of vehicles and pedestrians. Significant natural features are protected within Block 93 while Blocks 91 and 92 provide a linkage function to features to the south. Physical accessibility to the natural heritage system and stormwater management facilities have been provided by public trails where appropriate while visual accessibility is provided by several open edges for Blocks 91, 92 and 93. The intersection of Streets “1” and “2” serves as an activity node anchored by the commercial component of the first floor of apartment development in the northwest corner as well as being the location of a potential transit stop as per the TIS/TISA. Townhouse development have been located within the Subject Lands assist in supporting potential transit routes.

#### **Streetscape:**

Section 7.5.5 provide policies related to streetscapes. The provision of sidewalks on every street, boulevard vegetation, lighting, and lane configuration are documented for the proposed development within the UBD. Both the UBD and TIS/TISA illustrate trails located within the natural heritage system and storm water management facility where appropriate. Furthermore, the TIS/TISA propose Street “2” be a signed cycling route. The UDB also noted streets with front accessed townhouses such as Streets “4” and “5” benefit from a proposed unit width of 7.5 metres providing a wider building frontage than typical and will enhance the streetscape through well-defined building entrances, ground level windows and single-car garages integrated into the main building massing. The use of single-car garages on the increased lot frontage (generally 1.5m wider than a typical street townhouse unit) will allow for sufficient on-street parking opportunities as well as additional landscape opportunities within the boulevard. The rear-lane townhouses along the west side of Street “4” and the east side of Street “1” will further enhance these streetscapes with the elimination of driveways. Finally, the length of bocks proposed within the Subject Lands are generally short and regular in length thus allowing choice in pedestrian circulation routes.

#### **Building Location:**

Section 7.5.6 of the NOESP provides direction on building location to enhance urban design within the public realm. The proposed zoning will implement setback requirements and height permissions to ensure the building walls produce a human scale sense of enclosure.

The UDB provides guidelines specially for upgraded design treatment of corner lots including architectural porch treatment, roof lines, and massing.

### **Parking:**

Section 7.5.7 of the NOESP provides policies on parking. As described in the UDB, the provision of a wider than usual unit width of the front accessed townhouses will reduce the impact of driveways and garages on the built form as will the absence of visible garages of the rear lane accessed townhouses. As illustrated in the TIS/TISA, parking opportunities exist on all streets. In particular, Street “5” has on-street parking opportunities on the east side between driveways of single detached dwellings as well as potentially along the west side of Block 69. Similarly, the lack of driveways on the west side of Street “4” provides significant on-street parking opportunities. Additional on-street opportunities are specified within the TISA.

## **LAND USE STRATEGY**

Section 7.6 of the NOESP outlines the land use policies of the various designations illustrated in Figure 8 of this document and categories in Figure 9 of this document. Particularly pertinent for the Subject Lands are the *Natural Heritage System Area* and *Neighbourhood Area* Land Use designations.

### **Natural Heritage System Area Land Use Designation**

The *Natural Heritage System Area* reflects the Natural Heritage component of the Natural Heritage and Open Space system and is composed of *Core Preserve Areas*, *Optional Linkage Preserve Areas*, and *Medium Constraint Stream Corridors* and have been analyzed previously in **Section 5.6** of this document. Stormwater Management is the most relevant category of the Open Space component of the Natural Heritage and Open Space System and has also been analyzed previously in **Section 5.6** of this document.

### **Neighbourhood Area Land Use Designation**

Each Neighbourhood shown within Figure 7 of this document shall be comprised of several urban land use categories with the most relevant for the Subject Lands being *Neighbourhood Centre*, *Activity Node* and *General Urban Area*. The Subject Lands are mainly within Neighbourhood 10 with Blocks 89 and 90 being the only portion of the proposed development within Neighbourhood 9.

### **Neighbourhood Centre Land Use Category:**

Section 7.6.7.1 provides policies related to the *Neighbourhood Centre* land use category which is generally centrally located in each neighbourhood. The category permits a range of

medium density residential development including townhouse dwellings at densities ranging from 35 to 150 units per net hectare with heights ranging from 2 to 5 storeys.

Figure 9 of this document contemplates the portion of the *Neighbourhood Centre* of Neighbourhood 10 within the Subject Lands as being along the north/south Avenue Transit Corridor (Street “1” of the proposed develop) with the depth of the category being two lot depths north of the east/west Avenue Transit Corridor (Street “2” of the proposed development) and generally one lot depth for lands south of said the east/west Avenue Transit Corridor.

More Specifically illustrated in Figure 11 of this document, the area occupied by Lots 24-35 and Blocks 72, 82-88 of the Subject Lands are shown as *Neighbourhood Centre* within the NOESP’s Master Plan. The proposed development has interpreted Blocks 72, 79-88 as *Neighbourhood Centre*. As per Section 7.5.2.h).iv of the NOESP, reconfiguration of land use categories generally in accordance with Table 1 of NOESP is considered consistent with the Masterplan. Table 1 of the NOESP list percentage of land area occupied by each land use category for each neighbourhood and the *Neighbourhood Centre*. As the land area occupied by Lots 24-35 and Blocks 72, 82-88 and the land area occupied by Blocks 72, 79-88 is approximately the same, the land area contribution of the proposed development to the percentage of land categorized as *Neighbourhood Centre* within Neighbourhood 10 is in general accordance with Table 1 of the NOESP. Furthermore, the design direction to have the *Neighbourhood Centre* land use category abutting the eastern edge of Street “1” and the most westerly portion of Street “2” is maintained. Therefore, the relocation of the Neighbourhood Centre category contemplated by the proposed development is consistent with the Master Plan.

Furthermore, the proposed *Neighbourhood Centre* category within the Subject Lands shall be used for townhouse dwellings with a density of approximately 52 units per net residential hectare and minimum height of 2 storeys for the main building as contemplated in the proposed zoning by-law amendment [Refer to Figure 12: Density Calculations in the Proposed Land Use Categories].

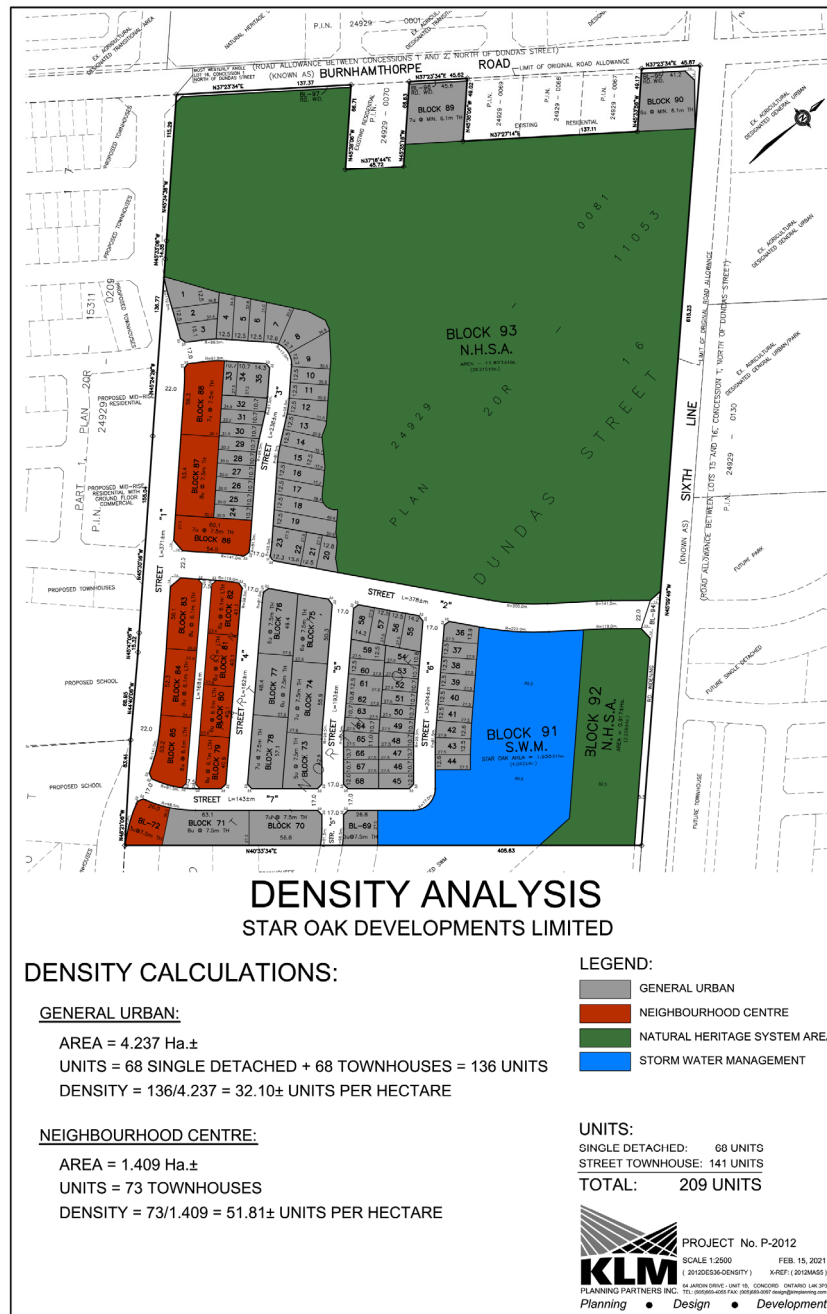


Figure 12: Density Calculations in the Proposed Land Use Categories

**General Urban Land Use Category:**

Section 7.6.7.2 of the NOESP provides land use policies for the *General Urban Area* Land Use category. Specifically, permissions include low to medium density residential buildings including single detached and townhouse dwellings with density ranging from 25 to 75 units

per net residential hectare with buildings no taller than 3 storeys. As illustrated in Figure 12, the density of the *General Urban Area* category within the Subject Lands is approximately 32 units per net residential hectare and the proposed zoning by-law amendment shall restrict the maximum height to be no higher than 3 storeys.

## **COMMUNITY SERVICE STRATEGY**

Section 7.7 of the NOESP outline policies with respect to the provision of services to the NOEPA. Most germane to the Subject Lands are policies regarding transportation and servicing.

### **Transportation:**

Section 7.7.2 of the NOESP provides policies regarding the transportation network within the NOEPA. The following classification of roads are located within or abutting the Subject Lands [Refer to Figure 13: Excerpt from the North Oakville East Secondary Plan – Figure NOE 4 – Transportation Plan]:

- Minor Arterial Road (Sixth Line)
- Character Road (Burnhamthorpe Road West)
- Avenue/Transit Corridor (Streets “1” and “2”)
- Local Road <listed in Table 2 of the NOESP – Transportation Facilities> - (Streets “3”- “7”)
- Lane <listed in Table 2 of the NOESP – Transportation Facilities>

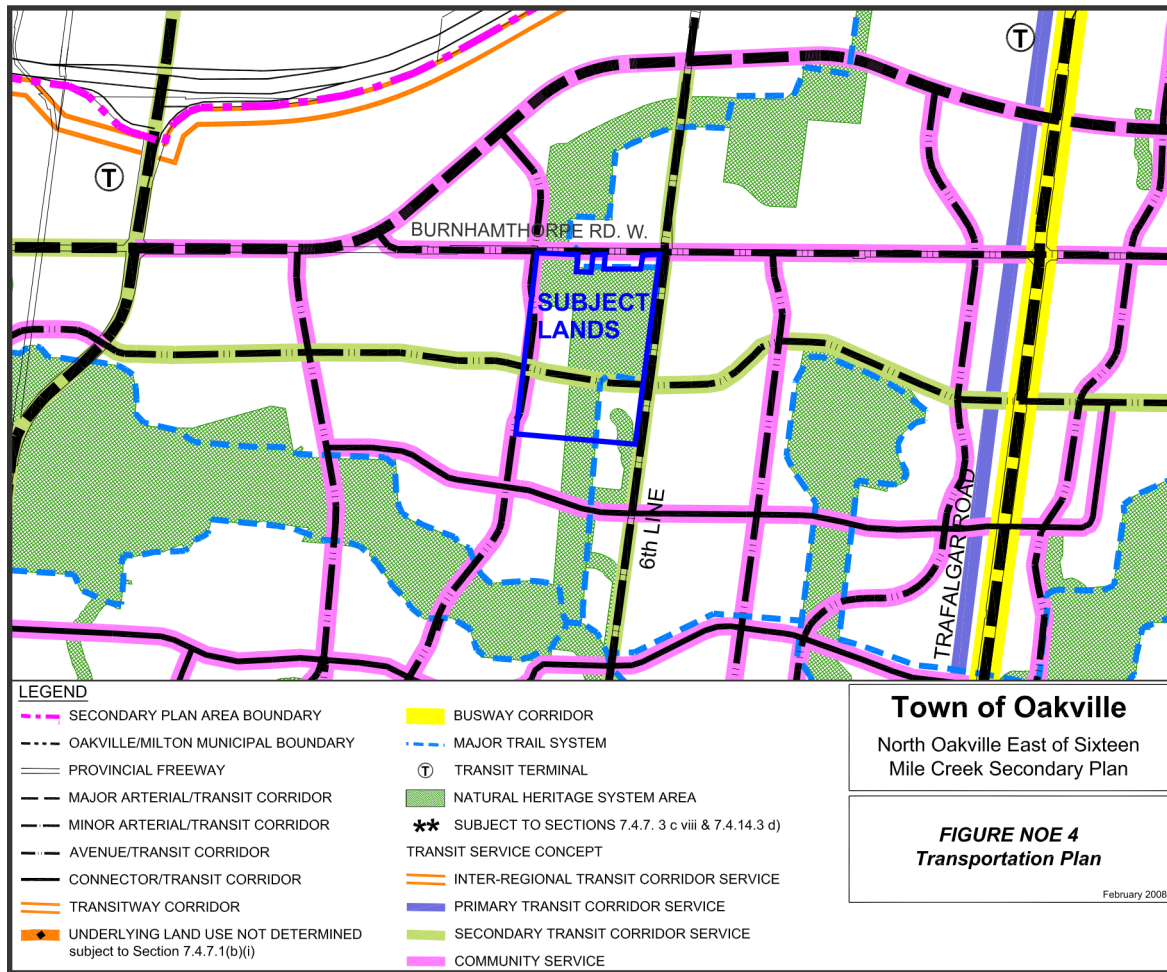


Figure 13: Excerpt from the North Oakville East Secondary Plan – Figure NOE 4 – Transportation Plan

As analyzed in the TIS/TISA, Sixth Line serves a combination of local and through traffic as well as being able to accommodate public Transit. No direct access to residential properties is proposed. Road widenings have been provided within the proposed development to accommodate the ultimate 31 metre right of way width as per the environmental assessment study for Sixth Line.

Burnhamthorpe Road West serves a collector road function and shall provide direct access to townhouse dwellings within Blocks 89 and 90 of the proposed development. Road widenings have been included within the proposed development to accommodate an ultimate 24 metre right of way width as per the environmental assessment studies for said road.

Streets “1” and “2” provide linkage to other neighbourhoods and accommodate public transit as well as providing direct access to adjacent residential dwellings. As per the

TIS/TISA, two travel lanes, a parking lane, and a centre turn lane is contemplated for the 22 metre right of way for these streets.

Streets “3” to “7” within the Subject Lands serve to provide direct access to dwellings located abutting said roads as well as providing internal access to other areas of the neighbourhood. As per the TIS/TISA, the right of way width is 17 metres which allows for sidewalks on both sides with on-street parking provided on one side along with two travel lanes

The lane illustrated with the proposed development has a right of way width of 7.5 metres as per Table 2 of the NOESP and shall provide vehicular access to Blocks 79 to 85 thus allowing a more attractive streetscape on Streets “1” and “4”.

### **Servicing:**

Full water, stormwater, and wastewater servicing shall be made available for the propose development either through connections to existing infrastructure on Sixth Line or by extending services along Streets 1 from the south as per the UWM1A.

## **GROWTH MANAGEMENT - PHASING**

Section 7.9.2 of the NOESP outlines the phasing strategy for the orderly development of the NOEPA. Specifically, 7.9.2.d) divides the Neighbourhoods identified in Figure 7 of this document into three phases as follows:

*“i) Phase NOE1*

*Neighbourhoods 1, 2, 3, 4, 5 and 14*

*ii) Phase NOE2*

*Neighbourhoods 6, 7, 8, 9, 10 and 11 with priority being given to development in Neighbourhoods 6 and 8.*

*iii) Phase NOE 3*

*Neighbourhoods 12 and 13”*

While Section 7.9.2.e) of the NOESP states the following regarding phasing requirements:

*“Prior to the commencement of development of each residential phase:*

- i) Any financial and other requirements of the Town and the Regional Municipality of Halton, pursuant to all applicable legislation, shall be satisfied; and,*
- ii) a minimum of 75% of the gross developable area in the previous phase shall be within registered plans of subdivision or sites which are zoned to permit the development contemplated by this plan”*

As the Subject Lands are in Neighbourhoods 9 and 10, it is considered part of Phase NOE2. By the time the Subject Lands are approved for development, it is estimated approximately 75% of the developable land within Phase NOE1 will be registered thus allowing Phase NOE2 to proceed.

Based on the aforementioned analysis, it is our opinion the proposed development conforms with the NOESP.



## 5.7 TOWN OF OAKVILLE ZONING BY-LAW 2009-189 (Nov. 2, 2020 Consolidation)

The Town of Oakville Zoning By-law 2009-189 was passed by Town Council on November 23, 2009 and approved by the Local Planning Appeal Tribunal in 2010 in order to implement the policies of the NOESP. The Subject Lands are currently zoned '*Existing Development – (ED)*'. The Existing Development Zone only permits conservation management uses, public uses, and uses in buildings existing as of 2009. A Zoning By-law Amendment Application is proposed in order re-zone the lands '*General Urban – (GU)*', '*Stormwater Management Facility – (SWF)*', '*Neighbourhood Centre – (NC)*', and '*Natural Heritage System – (NHS)*'. Site-specific provisions are proposed for the residential uses as outlined in the Draft By-law prepared by KLM Planning Partners Inc [refer to Figure 14: Proposed Zoning]. These zoning categories will provide appropriate zoning for the proposed single detached Lots 1 to 68, townhouse dwellings blocks 69 to 90, the stormwater management Blocks 91, and the natural heritage system area Blocks 92 and 93. The single detached dwelling lots consist of a variety of 10.7 metre and 12.2 metre frontages while the townhouse blocks consist of front accessed townhouses and rear lane accessed townhouses with unit widths ranging from 6.1 metre to 7.5 metre.

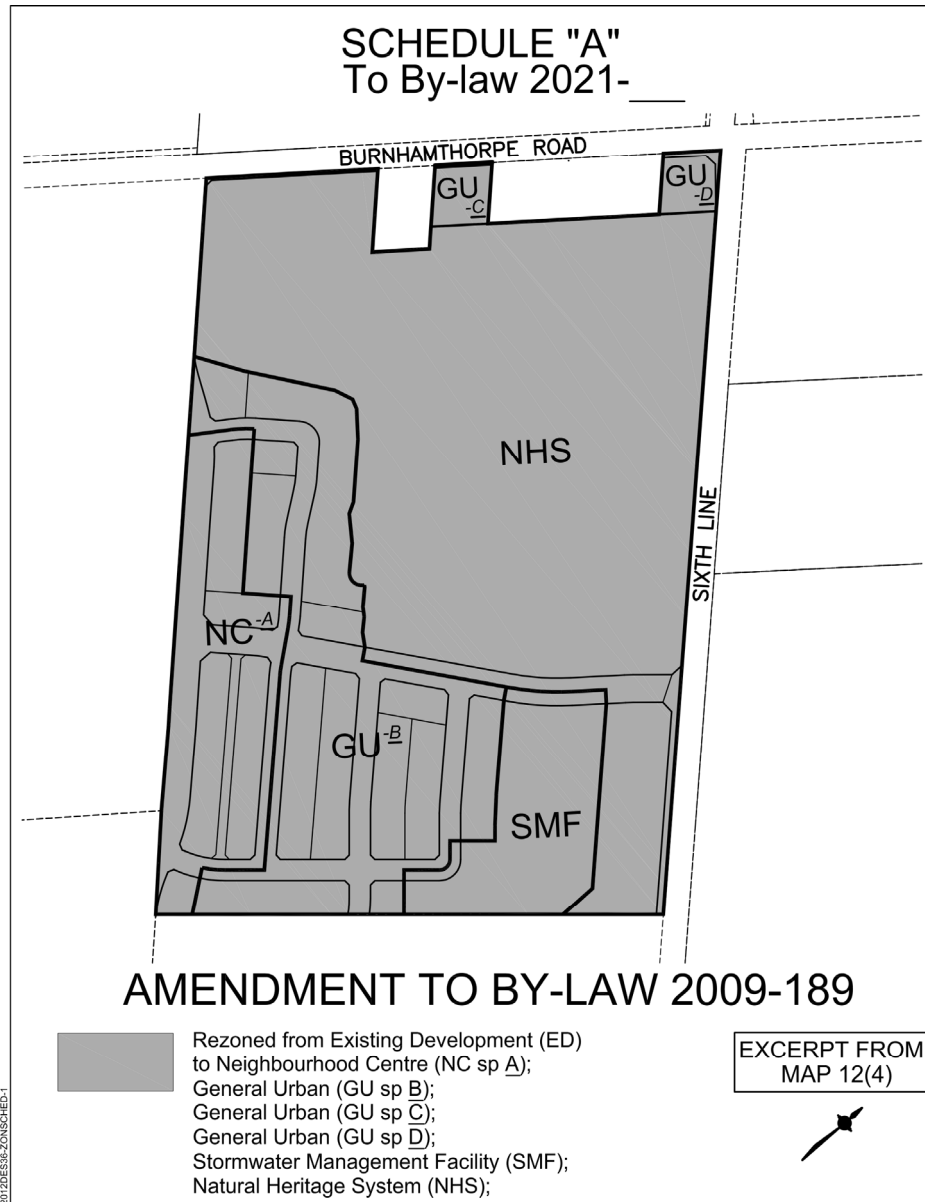


Figure 14: Proposed Zoning

The proposed Zoning By-law Amendment has the effect of implementing the NOESP and the HROP.

Based on the above, it is our opinion the proposed zoning by-law amendment appropriately implements the proposed draft plan and conforms with the NOESP, HROP, and Growth Plan policies.

## 6.0 CONCLUSION

The proposed draft plan of subdivision and zoning by-law amendment are consistent with the objectives and intent of the Provincial Policy Statement subject to confirmation the impacts on PSW within Block 93 of the proposed draft plan resulting from the removal of wetland area within Block 89 can be mitigated, conform to and do not conflict with the Growth Plan, and conform to the HROP and NOESP.

The proposed development of the Subject Lands provides for the efficient use of the currently underutilized land and has regard for the co-ordination with proposed development on adjacent lands. The proposal culminates and draws upon the work carried out by the consultant team in order to demonstrate that the proposed development is appropriate for the Subject Lands.

The proposed development will protect and maintain significant natural heritage features and their functions on the Subject Lands, as demonstrated through the supporting technical reports, as required by the applicable Provincial, Regional and local policies.

Given all of the above, it is our opinion that the proposed draft plan of subdivision and zoning By-law amendment represent good land use planning and are in the public interest.