

PLANNING JUSTIFICATION REPORT

1086 BURNHAMTHORPE ROAD
RESIDENTIAL PLAN OF SUBDIVISION

PREPARED FOR:

RAMPEN HOLDINGS INC.

PREPARED BY:

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1.0 BACKGROUND

Rampen Holdings Inc. has retained the services of Robert Russell Planning Consultants Inc. to provide a professional Planning Opinion related to a proposed development in the North East Oakville Secondary Plan Area in the Town of Oakville.

The Subject Property has a municipal address of 1086 Burnhamthorpe Road. The development proposal and associated Planning Act applications do not affect the entirety of the property. Only the southern portion consisting of approximately three quarters of the property are proposed for redevelopment.

Robert Russell Planning Consultants Inc. attended a pre-consultation meeting with the Town of Oakville On August 26, 2020 to discuss the proposed development and review the applications, studies and documents that would be required for a complete submission. Subsequent to that time, a technical submission containing the Environmental Impact Report and Functional Servicing Study was made and is being processed by the Town of Oakville, Conservation Halton and Region of Halton. A further pre-consultation was requested by the Town of Oakville which occurred July 27, 2022.

2.0 SITE DESCRIPTION AND CONTEXT

The Subject Property is approximately 21.08 hectares in area and contains a mix of uses, including agricultural production, residential and cultural. The cultural uses are related to the Joshua Creek Heritage Art Centre. The dwelling is a designated cultural heritage resource under Part IV of the Heritage Act.

The municipal property address is 1086 Burnhamthorpe Road and the property is legally described as Pt Lt 10, Con 1 Trafalgar, North Of Dundas Street Des As Pt 1, 20r20421; Oakville/Trafalgar.

The property is located on the south side of Burnhamthorpe Road, however, the Plan of Subdivision is setback from the road a distance of approximately 100 metres. The lands between the Plan of Subdivision and Burnhamthorpe Road will be maintained in their current configuration and existing uses will continue.

A tributary of Joshua's Creek (JC-7) flows through the Subject Property immediately north east of the proposed Plan of Subdivision. There is also a floodplain associated with another tributary to Joshua's Creek (reach JC-8) that extends onto the Subject Property, however, the creek itself is not within the bounds of the Subject Property. Reach JC-8 is located to the west of the Subject Property.

There are four units of the Provincially Significant North Oakville-Milton East Wetland Complex located on the Subject Property. Some of these are within the Core 10 woodlands at the south end of the property. The Core 10 woodlands (Buttonbush) extend on to several other adjacent properties beyond the limits of the

Subject Property.

Mattamy (Joshua Creek) Limited has submitted Plan of Subdivision and Zoning Applications Z.1307.07 and 24T-20007/1307 for the lands located immediately to the east.



Figure 1: Subject Property

3.0 PROPOSED DEVELOPMENT

The proposed development seeks to create 181 new dwelling units consisting of 129 single detached residential lots, and 52 street townhouse units. The Plan of Subdivision also provides for 6 new public right

of ways, a Village Square block to be combined with an adjacent Village Square block on the Mattamy Plan of Subdivision, Natural Heritage Areas related to the JC-7 tributary, inclusive of the linkage preserve area, Floodplain associated with Joshua’s Creek JC-8 reach, and the Core 10 woodland/wetland feature. In addition to the 181 residential units, there are a number of residential reserve part blocks that will be combined with their counterparts on the adjacent Mattamy subdivision to form complete residential lots. A residential reserve part block is provided adjacent to the west property line which cannot be developed until such time as that landowner advances their own development applications. Another residential reserve block is provided surrounding the temporary cul-de-sac at the temporary northern terminus of Street A. The proposed single detached residential lots range in width from 9.8 to 11.6 metres in width, exclusive of corner lots and irregularly shaped lots. The proposed townhouses have a width of 6.1 metres.

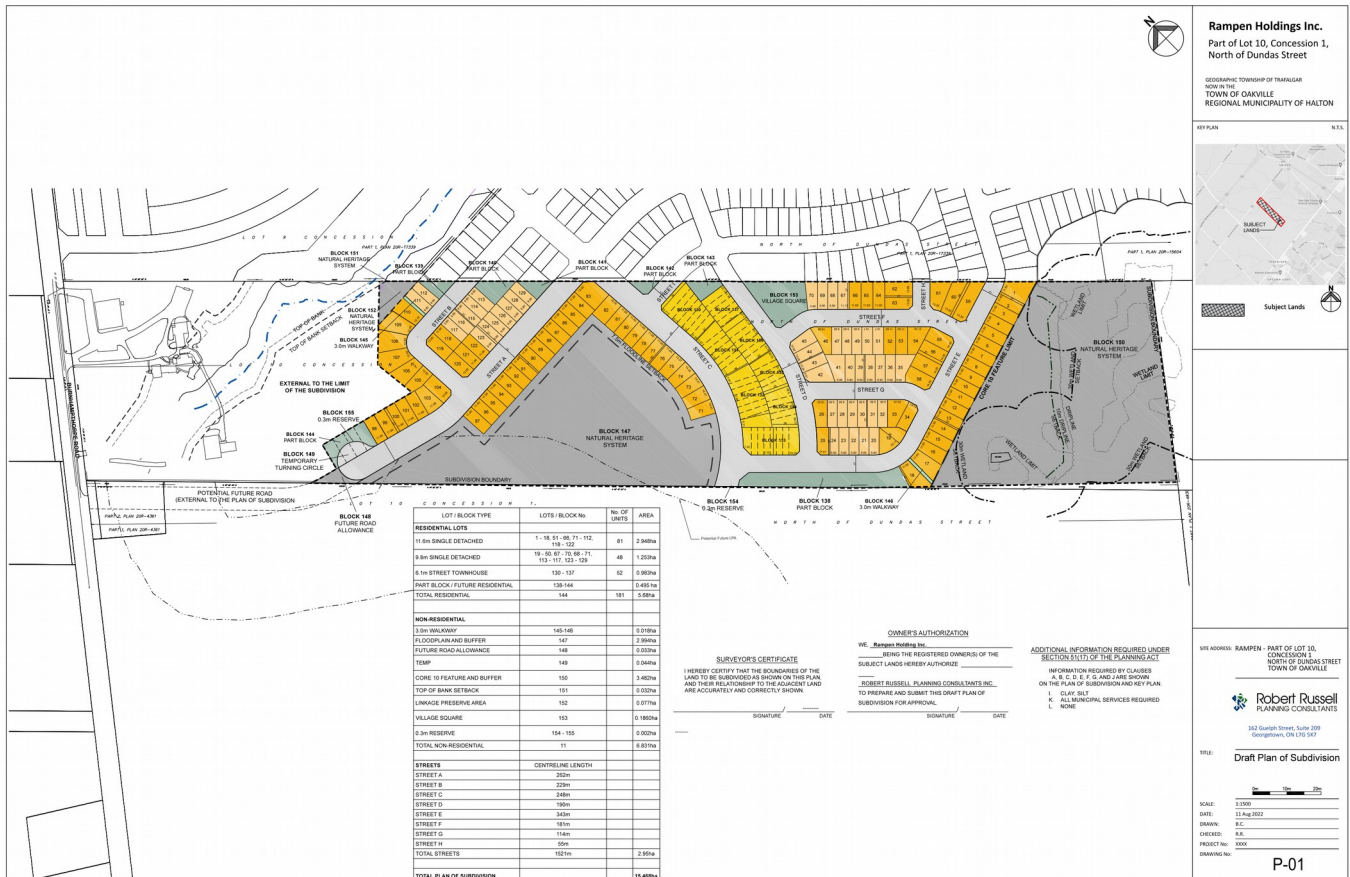


Figure 2: Proposed Draft Plan of Subdivision

Streets A and C is are proposed to function as a Avenue/Transit Corridors with a north south alignment

(Street A) and an east west alignment (Street C). Both streets have connections to the Mattamy Plan of Subdivision. However, the completion of these corridors is dependent on the adjacent lands to the west.

2.0 PLANNING POLICY

The proposed development as depicted in the Draft Plan of Subdivision prepared by Robert Russell Planning Consultants Inc. and dated October 2020 is the basis for the policy analysis provided below.

3.1 Provincial Policy Statement 2020

The 2020 Provincial Policy Statement came into effect May 1, 2020 and applies to all Planning Act approvals subsequent to that date.

The following sections of the Provincial Policy Statement are most relevant to the proposed Official Plan Amendment and Zoning By-law Amendment.

- “1.1.1 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;...*
 - h) promoting development and land use patterns that conserve biodiversity;...”*

A key aspect of an efficient land use pattern would be to maximize the use of available and designated land, within a settlement area. The proposed development is located on lands that are designated for residential uses in accordance with the North Oakville East Secondary Plan.

A mix of uses and residential types is provided within and adjacent to the Plan of Subdivision. The Plan of Subdivision includes single detached and townhouse dwelling types along with parks and open space. The proposed area of development (Plan of Subdivision) would preserve the north portion of the Subject Property to maintain the existing cultural and build heritage features and uses. While these uses are not within the area that is subject to these applications, the strategy proposed by this development would ensure their preservation.

Furthermore, development of the Subject Property will provide components of the Town’s transportation

network in accordance with the policies of the North Oakville East Secondary Plan (NOESP).

A substantial portion of the Core 10 natural heritage feature, inclusive of several Provincially Significant Wetlands and an associated woodlot are to be maintained and will ensure the preservation of the biodiversity that those features provide.

“1.1.3.1 Settlement areas shall be the focus of growth and development.”

Settlement Areas are defined as being inclusive of urban areas and rural settlements. As the Subject Property is within the urban area of Oakville the proposed development is in accordance with this policy.

“1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:

- a) efficiently use land and resources;*
- b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;...*
- e) support active transportation;*
- f) are transit-supportive, where transit is planned...”*

The necessary water and sanitary sewer infrastructure extensions were previously planned through the development applications for Mattamy Bressa and Donoak, and the development of the Subject Property will efficiently complete the previously approved servicing strategy as discussed in greater detail in the Environmental Impact Report / Function Servicing Study Addendum #5 (EIR/FSS) prepared by Jennifer Lawrence and Associates Inc., David Schaeffer Engineering Limited, Savanta Inc., R. J. Burnside & Associates Limited, GEO Morphix Ltd., and, Robert Russell Planning Consultants dated July 2022.

Streets A and C are provided on the draft Plan of Subdivision to function as the north south (Street A), and east west (Street C) Avenue/Transit Corridor both of which form an integral part of the active transportation network and public transportation network as envisioned by the NOESP. The NOESP has established a range of acceptable densities for these lands to support those transportation corridors.

“1.1.3.6 New development taking place in designated growth areas should occur adjacent to the existing built-up area and should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.”

The development of the Plan of Subdivision is entirely dependent on the adjacent Mattamy plan of Subdivision to provided access and servicing connections. A such the Plan of Subdivision will be a logical and sequential extension of development. The proposed single detached and townhouse residential lots

provide an appropriate mix of densities in accordance with the allowable density range in the NOESP and the situational context established by the location of the Neighbourhood Centres, Avenue/Transit Corridors, and Natural Heritage System (NHS).

“1.4.3 Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by:...

- b) permitting and facilitating:...*
 - 1 all housing options required to meet the social, health, economic and well-being requirements of current and future residents...*
- d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities,...*
- f) establishing development standards for...and new residential development which minimize the cost of housing and facilitate compact form,...*”

The proposed variety of housing options is anticipated to appeal to the current and future housing market in the suburban GTA area, who predominantly want modestly sized houses on sub-urban style lots with easy access to a variety of urban amenities. The proposed densities are in keeping with the planned densities of the NOESP as discussed in more detail in Section 3.5 of this report.

“1.5.1 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;...”*

The proposed Plan of Subdivision implements the active elements of the NOESP by providing:

- a walkway at the perimeter of the Core 10 feature;
- sidewalks on both sides of all roads; and,
- a walkway within the lineage preserve area associated with the JC-7 tributary to Joshua’s Creek.

A village square is provided in location central to the neighbourhood that will be created through development of this Plan of Subdivision and the adjacent Mattamy Plan of Subdivision.

“1.6.7.2 Efficient use should be made of existing and planned infrastructure, including through

the use of transportation demand management strategies, where feasible.”

As noted in the Traffic Impact Study prepared by NexTrans, there are limited TDM opportunities available for neighbourhoods that are predominantly low-rise residential. However, there are a number of current external factors that have, and will continue to, encourage employees to work from home, take transit, or carpool. This includes the pandemic related health concerns related to large office environments and the price of fuel.

TDM measures that will be implemented in the Plan of Subdivision are:

- sidewalks are provided on both sides of all roads;
- reduced local road right of way widths, to encourage lower speeds, and minimize pedestrian and cyclist crossing distances;
- information packages for all new home owners that includes information and schedules for Oakville Transit and GO Transit, and community amenity and cycling maps.

“2.1.1 Natural features and areas shall be protected for the long term.

“2.1.2 The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.”

Several natural features will be protected within and adjacent to the Plan of Subdivision. Block 150 on the Plan of Subdivision contains the Core 10 wetland and woodlot feature and will be dedicated to the Town of Oakville to ensure its long term protection. Block 147 contains the floodplain and future linkage preserve area of the JC-8 tributary to Joshua’s Creek located to the west of the property and will be dedicated to the Town of Oakville to ensure its long term protection. Block 151 and 152 contain the top of bank setback and linkage preserve area respectively, associated with the JC-7 tributary to Joshua’s Creek and will be dedicated to the Town of Oakville to ensure their long term protection.

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

- a) *significant wetlands in Ecoregions 5E, 6E and 7E1; ...”*

The Provincially Significant Wetlands are contained with the Core 10 feature (Block 150) and no development is proposed within these areas.

“2.1.7 Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.”

A number of species at risk were identified to be present in the area according to the Ministry of Natural Resources. Potential habitat for several of these, such as American Ginseng, and various bat species, is present in the woodlot within the Core 10 feature (Block 150) and will be preserved along with the Core 10 features itself.

“2.1.8 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.”

The EIR/FSS Addendum #5 submitted in support of the Plan of Subdivision builds upon the findings of the original Joshua’s Creek EIR/FSS that was approved through the development review process for Mattamy Bressa and Dunoak. The original EIR/FSS and the Addendum have provided a number of recommendations to ensure that there are no negative impacts to the PSW’s and habitat for SAR. The proposed Plan of Subdivision complies with these recommendations.

“2.2.1 Planning authorities shall protect, improve or restore the quality and quantity of water by:...

- d) identifying water resource systems consisting of ground water features, hydrologic functions, natural heritage features and areas, and surface water features including shoreline areas, which are necessary for the ecological and hydrological integrity of the watershed;*
- e) maintaining linkages and related functions among ground water features, hydrologic functions, natural heritage features and areas, and surface water features including shoreline areas;...*
- i) ensuring stormwater management practices minimize stormwater volumes and contaminant loads, and maintain or increase the extent of vegetative and pervious surfaces.”*

The Joshua’s Creek tributaries, together with the Provincially Significant Wetlands were identified and evaluated through the EIR/FSS process, which has identified appropriate limits for these features to ensure their long term protection. The NOESP recognized the need for a natural linkage in the vicinity of this Plan of Subdivision. A portion of this linkage is provided in Blocks 147 and 152, with the remaining lands necessary to implement the linkage area lands located external to the Plan of Subdivision.

“2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved.”

The Plan of Subdivision occupies the south three quarters of the Subject Property and will allow for the

preservation of the designated heritage structure on the north quarter of the property.

“2.6.2 Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.”

A Stage 1 and 2 Archaeological Assessment has been prepared and submitted to the Ministry of Culture. The Assessment has determined that no further archaeological assessment of the Subject Property is required. The Ministry of Tourism, Culture and Sport provided their clearance letter April 28, 2017.

“3.1.1 Development shall generally be directed, in accordance with guidance developed by the Province (as amended from time to time), to areas outside of:...
b) hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards;...”

A substantial area within the limits of the Plan of Subdivision was determined to form part of the floodplain associated with a tributary to Joshua’s Creek. These lands are identified in the EIR/FSS addendum and are contained within Block 147 on the Plan of Subdivision. No development will be permitted within this floodplain, with the exception of the westerly alignment of Street C which functions as the east west Avenue/ Transportation Corridor as required by the NOESP. The NOESP contemplates this road crossing the floodplain and tributary as it extends westward toward Trafalgar Road.

Given the above examples, and a review of the remaining policies within Part V Sections 1, 2 and 3 of the PPS, we are of the opinion that the proposed development is consistent with the policies related to Building Strong Communities, Wise Use and Management of Resources and Protecting Public Health and Safety.

3.2 Places to Grow – Growth Plan for the Greater Golden Horseshoe 2019

The Growth Plan for the Greater Golden Horseshoe is approved under the Places to Grow Act and the current version took effect August 28, 2020.

Schedule 2 – A Place to Grow Concept shows the Plan of Subdivision to be within the Designated Greenfield Area.

The following Growth Plan policies are most relevant to the proposed residential subdivision development.

“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;”*

The Town of Oakville has a delineated built boundary as shown on Schedule 2 – A Place to Grow Concept , as noted above the incremental extension of municipal infrastructure to the Subject Property is contemplated in the original Joshua’s Creek EIR/FSS. Although the Plan of Subdivision does not contain all typical elements of a complete community, it conforms with the NOESP and thus contributes to the complete community that is envisioned by that Plan.

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

- a) *feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;...*
- d) *expand convenient access to:*
 - i. *a range of transportation options, including options for the safe, comfortable and convenient use of active transportation;*
 - iii. *an appropriate supply of safe, publicly-accessible open spaces, parks, trails, and other recreational facilities; ...*
- e) *provide for a more compact built form and a vibrant public realm, including public open spaces;...”*

The proposed Plan of Subdivision contains a mix of low rise residential, open space and park land uses. Given the location within the interior of the future neighbourhood, without direct access to higher order roads and transportation corridors, other forms of land use would not be appropriate. The mix of land uses is in accordance with the approved NOESP.

Street’s A and C traverse the property, providing fast and convenient access to the future transit and transportation corridor. All of the proposed park and open space blocks within the Plan of Subdivision are accessible to the future resident’s of the community with walkways and trails provided.

All proposed residential units are low-rise, ground oriented dwellings. The mix of these units provides a reasonable built form with an average density of 35 units per hectare.

“2.2.7.1 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 Subject Property and proposed Plan of Subdivision is located within the Designated Greenfield Area as per Schedule 2 – A Place to Grow Concept. A detailed description of how the proposed Plan of Subdivision supports complete communities, active transportation and transit services, is provided previously in this report.

- “2.2.7.2 The minimum density target applicable to the designated greenfield area of each upper-and single-tier municipality is as follows:
a) ...not less than 50 residents and jobs combined per hectare;...”*

Total developable area of the Plan of Subdivision is 8.9 hectares and total unit count is 181. This suggests a net density per hectare of 20.3 units. However, the developable area calculation factors in the residential reserve blocks, whereas the unit count does not. The 2021 Census Profile for Oakville indicates that the average household size is 2.9 persons. Therefore the proposed Plan of Subdivision would provide 58.9 resident per hectare. There is no employment land to consider. However, the minimum density target provided in the Growth Plan is to be measured across the Region of Halton in accordance with Policy 2.2.7.3, rather than at a project level scale. These calculations are provided to demonstrate that the proposed Plan of Subdivision will not hinder the Region of Halton’s ability to meet the minimum density target.

- “4.2.2.6 Beyond the Natural Heritage System for the Growth Plan, including within settlement areas, the municipality:
a) will continue to protect any other natural heritage features and areas in a manner that is consistent with the PPS; and
b) may continue to protect any other natural heritage system or identify new systems in a manner that is consistent with the PPS.”*

A previously discussed, a significant amount of land in the proposed Plan of Subdivision is set aside for protection. This includes the Core 10 woodlot/wetland, the hazard lands associated with the tributaries to Joshua’s Creek, and the Linkage Preserve Area.

- “4.2.5.1 Municipalities, conservation authorities, non-governmental organizations, and other interested parties are encouraged to develop a system of publicly-accessible parkland, open space, and trails...”*

The proposed Plan of Subdivision includes a village square block to be combined with an adjacent block on the Mattamy Plan of Subdivision. In addition to the open space this provides, a system of walkways is proposed adjacent to some of the natural features, including the Core 10 wetland/woodlot and the Linkage Preserve Area associated with Joshua’s Creek tributary JC-7 and JC-8. These features are provided in conformance with the NOESP.

“4.2.7.1 Cultural heritage resources will be conserved in order to foster a sense of place and benefit communities, particularly in strategic growth areas.”

The designated heritage structure located on the north portion of the Subject Property is not within the proposed Plan of Subdivision and thus will be maintained and conserved in accordance with this policy.

Given the above examples, and a review of the remaining policies within Sections 2, 3, 4, and 5 of the Growth Plan for the Greater Golden Horseshoe 2019, we are of the opinion that the proposed development is consistent with the policies related to growth, infrastructure and protection of natural systems.

3.3 Official Plan of the Regional Municipality of Halton

The Official Plan for the Regional Municipality of Halton was adopted by Regional Council March 30, 1994, and later amended by Regional Official Plan Amendments 25, 37, 38, and 39. The November 2021 consolidated version of the Official Plan was reviewed for the below analysis.

Map 1 – Regional Structure of the Region of Halton Official Plan designates the Subject Property as Urban Area and Regional Natural Heritage System. The Regional Natural Heritage System designation applies to the current locations of the Joshua’s Creek Tributaries, the Core 10 feature and the potential linkage corridor that was proposed in the NOESP.

Map 3 – Functional Plan of Major Transportation Facilities designates Burnhamthorpe Road as a Major Arterial.

The following Regional Official Plan objectives and policies are relevant to the proposed development:

“57 Development is directed to environmentally suitable areas with the appropriate land use designation in accordance with the goals, objectives and policies of this Plan.”

The proposed development is in general conformity with the Regional Natural Heritage System as shown in the ROP mapping and the proposed development will be entirely located on lands that are suitable for such development in accordance with their current condition. As discussed in more detail in Section 3.5 of this report the NOESP Optional Linkage Preserve was only intended to be implemented if the function of the linkage corridor could not be provided alongside of Joshua’s Creek, or if Joshua’s Creek was to be realigned, or otherwise altered. Further to that point, the previously approved EIR/FSS for the Joshua Creek Tributary submitted in support of several preceding subdivision applications, the potential 100 m wide linkage feature has been incorporated along the existing Joshua’s Creek alignment. Map 1 and the NOESP currently show the linkage being located on cultivated agricultural land, and as such there are no existing

natural features to preserve in this location. The function of the linkage will be provided in the original location in accordance with the Joshua's Creek Tributary EIR/FSS.

"2.1 The objectives of the Urban Area are:

- (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...."*

The proposed development would form a continuation of the urban pattern established by the adjacent Mattamy subdivision, upon which the Subject Property and development is reliant on for access and servicing. As such, the proposed development was intended to form part of the complete community that was planned for in the NOESP.

The proposed lot sizes are generally compact and higher densities are proposed along the Avenue/Transit Corridor.

Some of the local community identity will be retained through the preservation of the Joshua Creek Heritage Art Centre and the substantial open spaces related to the Joshua's Creek Tributary, linkage corridor and Core 10 natural heritage feature.

"2.4 Require development occurring in the Designated Greenfield Areas to:

- 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;...*
- e) create high quality parks and open spaces with site design standards and urban design guidelines that support opportunities for transit and active transportation."*

The total number of persons expected in the proposed development 524.9 persons which provides a net density of 58.9 persons per hectare based on the 2021 Census estimate of the number of persons per unit in Oakville. This density achieves the minimum overall development density 46 Persons Per Hectare for the Town of Oakville as identified in Table 2 of the ROP. A substantial percentage of the proposed development will be dedicated as open space, complete with active transportation in the appropriate places. The Village

Square will provide a high quality accessible open space.

“84 The goal for housing is to supply the people of Halton with an adequate mix and variety of housing to satisfy differing physical, social and economic needs.”

The mix and variety of housing types is somewhat constrained by the relatively small size of the proposed Plan of Subdivision and the prevailing NOESP land use policies. Accordingly, the proposed Plan of Subdivision provides:

- 6.1 m wide street townhouses
- 9.8 m single detached dwellings
- 11.6 m single detached dwellings

“85 The objectives for housing are:...

- (4) To make more efficient use of existing developed lands, housing stock and available services to increase the supply of housing while maintaining the physical character of existing neighbourhoods....”*

The proposed development will be a continuation of the built form that is proposed by the adjacent Mattamy subdivision, which is not yet approved. As such, there are no existing neighbourhoods in proximity to the proposed development upon which to model the physical character. However, the NOESP, and the Mattamy draft Plan of Subdivision both envision a moderately dense, suburban, low-rise neighbourhood for this area. The largest proposed lot sizes are only 11.6 metres and will ensure that the built form is compact and allow for a larger increase to the housing supply.

“86 It is the policy of the Region to:...

(6) Adopt the following housing targets:

- (a) that at least 50 per cent of new housing units produced annually in Halton be in the form of townhouses or multi-storey buildings; and*
- (b) that at least 30 per cent of new housing units produced annually in Halton be Affordable or Assisted Housing.”*

Townhouses represent 29% of all units within the proposed Plan of Subdivision. Although this is below the overall target for the Region, it is appropriate for this particular development given the fact that proposed units are quite removed from higher order roads and transit. As established in the NOESP, higher density ground related uses, such as townhouses, are to be concentrated in Neighbourhood Centres and multi-storey density uses are more appropriate in the High Density Residential Areas.

“89 It is the policy of the Region to:...

- (3) Require that approvals for all new development within the Urban Area be on the basis of connection to Halton's municipal water and wastewater systems...
- (8) Limit development in the Urban Area to the ability and financial capability of the Region to provide urban services in accordance with its approved financing plan under Section 77(15) of this Plan....”

Rampen Holdings Inc. has secured 76 SDE of servicing allocation in 2020 and will be fully connected to Halton’s municipal water and wastewater system when the adjacent Mattamy subdivision extends those services through their lands. Allocation Plan AP-1 is provided with this submission (Figure 3) and identifies which units are intended to be constructed with those 76 SDE of allocation.

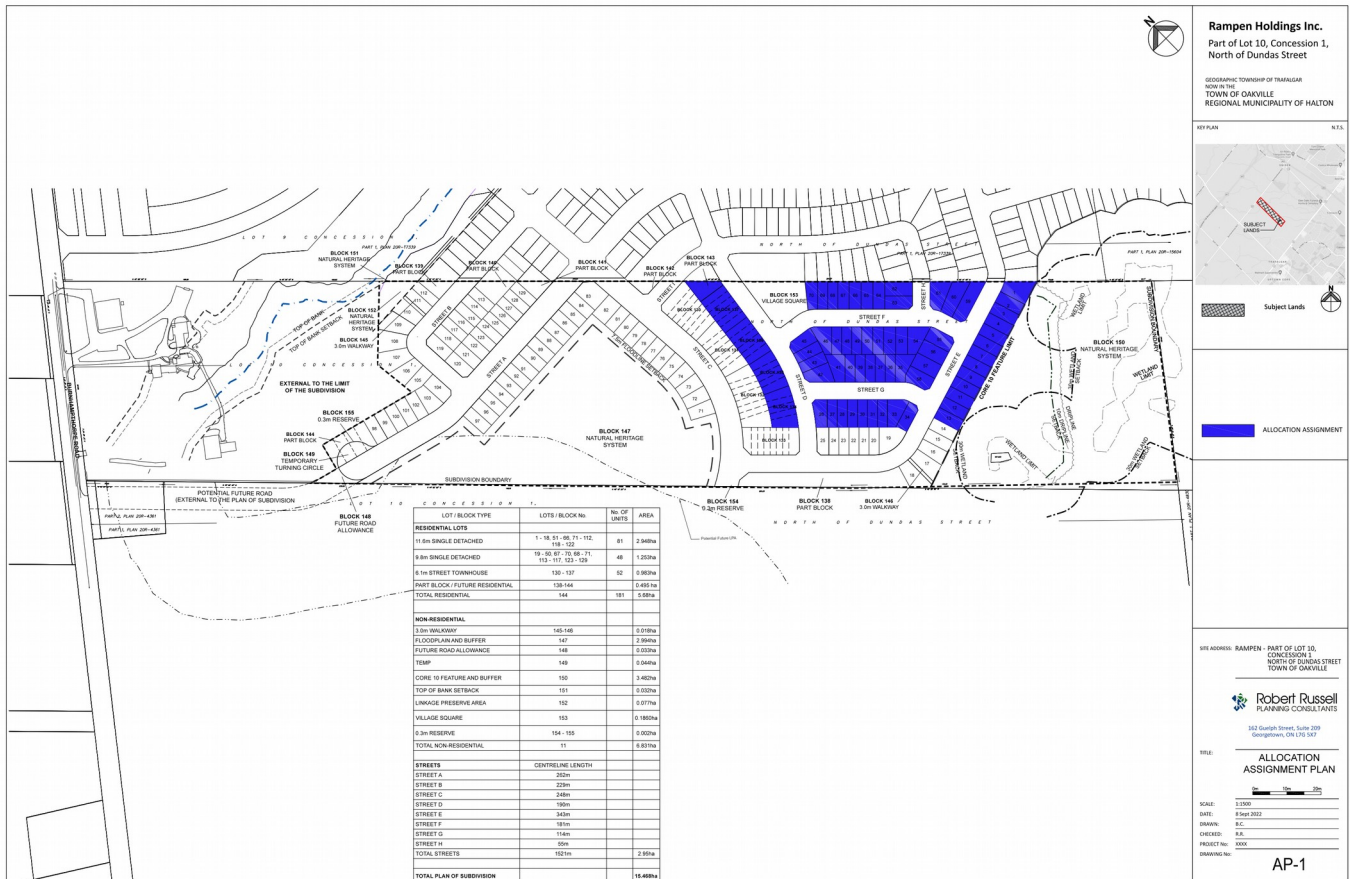


Figure 3: Allocation Plan

“114.1 The objectives of the Natural Heritage System are:

- (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....*
- (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....*
- (12) To preserve native species and communities that are rare, threatened or endangered based on regional, provincial or national scales of assessment....”*

The value, limits, and composition of the Natural Heritage System and hazard lands was previously established through the approved Joshua Creek Tributary EIR/FSS which was reviewed in support of a number of preceding developments. These limits have been respected in the design and layout of the proposed Plan of Subdivision. However, the proposed Plan of Subdivision does propose a reconfiguration of the floodplain associated with the Joshua’s Creek tributary that is located on external lands to the west. The purpose of this reconfiguration is to improve the land use efficiency of the subdivision design and ensure that the proposed subdivision conforms with the Provincial policies related to efficiency of land use.

Based upon our review of the entirety of the Halton Region Official Plan (2006), as amended, including the specific policies referenced above, we conclude that the proposed development conforms to the Halton Region Official Plan.

3.5 North Oakville East Secondary Plan

Although the Town of Oakville adopted the Livable Oakville Plan in June 2009 and the Region of Halton approved in in November 2009, the North Oakville East and West Secondary Plan areas were approved under the former Official Plan and that document continues to be the parent Official Plan for the lands in North Oakville. Certain policies within the NOESP make reference to specific policies within the previous Town-wide Official Plan which was last consolidated September 30, 2006.

The North Oakville East Secondary Plan, was approved as OPA 272 to the Official Plan of the Town of Oakville and is dated February 2008.

Figure NOE1 – Community Structure – indicates that the property contains portions of the Natural Heritage Component of the Natural Heritage and Open Space System, along with sections of two Avenue/Transit Corridors. This figure also indicates that the property is just outside of the 5 minute pedestrian shed of the Central Activity Node of Neighbourhood 7, suggesting that it is in the 5 – 10 minute range.

Figure NOE2 – Land Use Plan – designates the Subject Property primarily as Neighbourhood Area, with

Natural Heritage System Area designations associated with the existing natural features. There is a portion of the Subject Property, associated with the optional Linkage Preserve Area, that is designated as Natural Heritage System that is not associated with an existing feature and is subject to Sections 7.4.7.3c viii & 7.4.14.3 d). The Land Use Plan also identifies a portion of the Joshua Creek Floodplain Area on the Subject Property. The proposed Joshua Creek Community Park Area is located immediately west of the Subject Property.



Figure 4: NOE2 - Land Use

Figure NOE3 – Natural Heritage Component of the Natural Heritage and Open Space System – indicates that the Joshua Creek tributaries within the Subject Property are considered to be Medium Constraint Stream Corridors, and the tributary located immediately west of the Subject Property is classified as a Hydrologic Features “A”. This figure also indicates that there is an Optional Linkage Preserve Area traversing the property in a location that coincides with the lands subject to Sections 7.4.7.3c viii & 7.4.14.3 d) as noted on NOE2.

Figure NOE4 – Transportation Facilities – indicates that the previously identified Avenue/Transit Corridors are planned for Secondary Transit Corridor Service. A Major Trail System is shown along the perimeter of the Core 10 Natural Feature, and extending along the Optional Linkage Preserve.

Appendix 7.1 – Designated Heritage Buildings – identifies that the Subject Property contains a designated heritage building.

Appendix 7.3 – North Oakville Master Plan shows the Subject Property to contain the following designations:

- General Urban Area
- Sub Urban Area
- Village Square/Urban Square
- Natural Heritage System Area

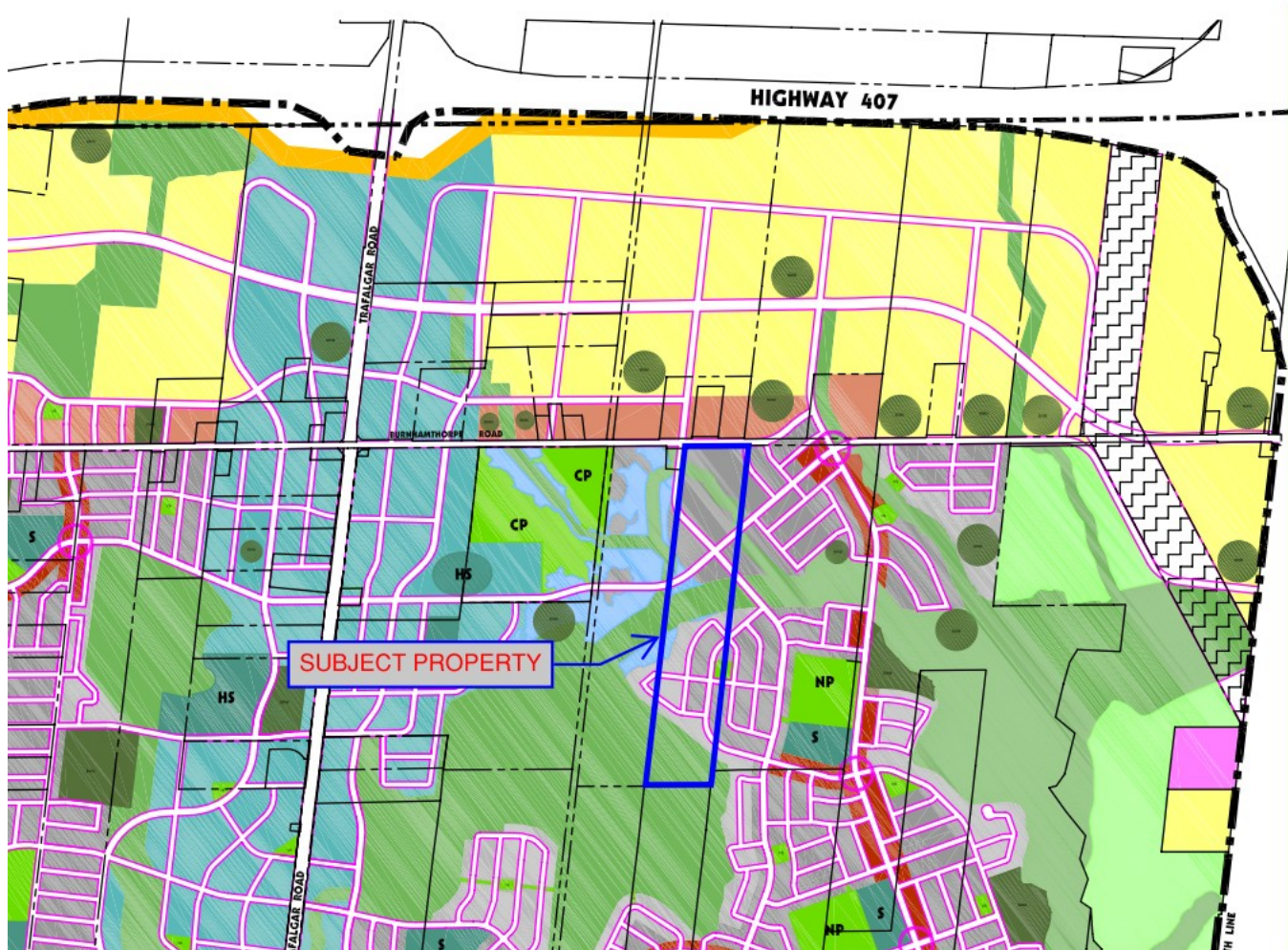


Figure 5: Master Plan

Section 7.2.1 – Purpose of the NOESP, indicates that the vision and objections are not be used in the evaluation of any development. As such, the discussion below is strictly focused on the key, relevant, policies provided in the NOESP Section 7.3 through 7.10

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

- b) *General Urban*
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.
- c) *Sub-urban*
The least dense and most purely residential context is found in areas in a neighbourhood termed “Sub-urban”. While live-work functions are permitted, these areas are primarily residential in nature.... ”

The North Oakville East Master Plan envisions both General Urban and Sub-Urban neighbourhoods on the Subject Property, with the more dense General Urban area located closer to Burnhamthorpe Road and the Central Activity Node of Neighbourhood 7. The proposed Plan of Subdivision includes a variety of lot sizes with the smaller, more compact and dense of those lots being located generally in accordance with the General Urban area. However, given the physical barrier created by the Joshua Creek tributaries and the Linkage Preserve Area, the Master Plan strategy has been modified slightly to direct the most compact of the dwelling types to the area surrounding the intersection of the 2 Avenue/Transit Corridors. This is considered to be appropriate as the Master Plan had contemplated the Linkage Preserve to be located further south and not associated directly with the tributaries.

Recent global events related to the Covid19 Pandemic have further highlighted the need for housing to accommodate home based working arrangements, whether as a home business or a remote working situation. In keeping with the above policy the draft Zoning By-law provided as part of this application include live-work and home businesses as a permitted uses. Design flexibility will be considered in floor plans to allow home offices as part of the design package to purchasers.

“7.3.5 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 North Oakville East Planning Area. 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) *Core Preserve Areas...*
 - ii) *Linkage and Optional Linkage Preserve Areas...*
 - iii) *High Constraint Stream Corridor Areas...*
 - iv) *Medium Constraint Stream Corridor Areas...*
 - v) *Other Hydrological Features...*
- 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 noted above the NOESP Figures indicate that the Subject Property contains Core Preserve Areas, Linkage and Optional Linkage Preserve Areas, Medium Constraint Stream Corridor Areas and Other Hydrological Features, and as such, there are substantial components of the NOESP Natural Heritage and Open Space System. These components have been evaluated in greater detail in the Joshua Creek Tributary EIR/FSS, inclusive of Addendum #5 which was prepared in support of this proposed development.

“7.4.3 The Town recognizes that air quality in North Oakville East will be significantly influenced by air pollutant emissions from outside the area. However, the Town will work to improve air quality and energy efficiency in North Oakville East:

- a) by directing through the Secondary Plan policies, and their implementation, through the evaluation of development applications...consideration of the following land use and transportation strategies to minimize the amount of vehicular travel and emissions:*
 - i) Concentrate activity centres such as places of worship, recreation centres and schools;...*
 - iii) Encourage increased density near transit stops/stations and along transit routes commensurate with the type and frequency of transit service planned for that area and/or corridor;*
 - iv) Provide pedestrian and bicycle facilities;*
 - v) Ensure an interconnected street network; ...”*

Land uses within the proposed Plan of Subdivision are consistent with the previously approved NOESP, which provides a number of Central Activity Nodes to concentrate those uses with a higher volume of participation with higher population densities. The Subject Property does not contain a Central Activity Node, and is not appropriate for those higher volume uses. As such, none are provided. Proposed densities within the Plan of Subdivision are in keeping with it's location away from a Central Activity Node, and as such, are near the lower end of the density range established in the Official Plan for General Urban and Sub-Urban Areas. All public streets within the Plan of Subdivision will have sidewalks on both sides. The proposed street pattern avoids permanent cul-de-sacs and other non-connected road patterns. There is a temporary turning circle proposed at the northern terminus of the north/south Avenue/Transit Corridor. This is required until the adjacent lands to the west are developed in accordance with the NOESP and complete the connection of the Avenue/Transit Corridor to Burnhamthorpe Road.

Sections 7.4.7.1 and 7.4.7.2 provide a description of, and criteria to be considered for, Natural Heritage Designations. As noted above, the proposed Subject Property includes several of these features. A thorough description and analysis of these features, their attributes, permitted uses and recommendations

for protection are provided in the Rampen Holdings Inc. (Coscorp) Environmental Implementation Report and Functional Servicing Study (RHI EIR/FSS) prepared in support of the proposed development.

In summary:

- The Core 10 feature is located partly on the south end of the Subject Property and proposed development limits are based on the previously established limit to this feature.
- The JC7 watercourse at the north end of the Subject Property, although designated as a medium constraint feature, which permits some alteration, will be maintained in its current alignment.
- Given that JC7 is to remain in its existing location, the Linkage Preserve Area can be provided along this tributary rather than in the Optional location.

Section 7.4.7.3 provides the list of permitted uses and their implementation criteria. This subject is also discussed in detail in Section 6 of the RHI EIR/FSS, which has indicated that following uses are proposed within the NHS:

- The proposed Major Trail along the north limit of the Core 10 is a continuation of the proposed trail within the Mattamy Draft Plan to the east. This trail is located on lands that are currently in agricultural production, with some short sections being located in the 30 m setback to the PSW. This trail conforms with requirements of Section 7.4.7.3
- The proposed Major Trail along the south limit of the JC-7 tributary is intended to replicate the function of the Major Trail shown within the Optional Linkage Preserve Area which can no longer be provided in that location as the Linkage Preserve is provided along JC-7. This trail is also a continuation of a proposed trail within the adjacent Mattamy Draft Plan. This trail conforms with requirements of Section 7.4.7.3
- The Joshua Creek Heritage Art Centre, located within a designated heritage structure on the Subject Property, but external to the lands within the proposed Zoning By-law Amendment and proposed Plan of Subdivision, is permitted in accordance with Section 7.4.7.3(c)(viii).
- Some grading is proposed within the NHS associated with the trails identified above and complies with the requirements for grading within the NHS. Please refer to the RHI EIR/FSS for additional information.

Section 5 of the RHI EIR/FSS analyzes the opportunity to alter grading within the floodplain of JC-8. JC-8 is located to the west of the Subject Property, however, its floodplain extends onto the Subject Property. The proposed Plan of Subdivision is based on an adjustment to the floodplain that would make more efficient use of available land in accordance with the PPS and Growth Plan, yet maintain flood storage volumes. This approach is also consistent with Policy 7.4.13.1(b) of the Official Plan, which permits the floodplain to be modified and any lands outside of the revised floodplain may be considered for development as per Section 7.6.7 of the NOESP.

“7.7.4.5 ...The public portions of the Open Space component of the Natural Heritage and Open Space System will generally be acquired in accordance with the provisions of the Planning Act and Section 7.7.4.5 of this Plan with respect to parkland acquisition.”

Further to the above Official Plan policy, Section 51(24) of the Planning Act indicates that when considering a draft Plan of Subdivision, that regard shall be had to:

“...(h) conservation of natural resources and flood control;...

“(k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes...”

The above quoted Section of the Planning Act allows an approval authority to consider the dedication of lands for public purposes, which presumably would include flood control and conservation of natural resources and features. However, it does not empower an approval authority to require the dedication of lands for these purposes.

Section 51(25) of the Planning Act lists the specific conditions that an approval authority can impose on a Plan of Subdivision. A number of conditions are related to land dedication for transportation and public parkland and recreation. This section does not include the ability for an approval authority to require lands to be dedicated for the preservation of natural features.

Given the above, Rampen Holdings Inc. is agreeable to dedicate the Natural Heritage System Blocks as identified on the Plan of Subdivision, however, does not intend to dedicate any portion of JC-7, JC-8, or the LPA external to the Plan of Subdivision boundary. This position is specifically related to the discussion about the NHS lands within the Joshua Creek Heritage Art Centre that took place during the supplemental Pre-Consultation meeting July 27, 2022.

“7.4.14.3(d) In accordance with the policies of Section 7.4.14.3 a) i), the existing art school use and expansions to that use, and an art gallery and other similar uses are permitted in the designated heritage buildings and expansions to those buildings or additional buildings approved by the Town in accordance with the provisions of the Heritage Act and the Planning Act at 1086 Burnhamthorpe Road East in the East Half of the North Half of Part of Lot 10, Concession I (NDS).”

The Joshua Creek Heritage Art Centre, and the lands surrounding it are not subject to the Zoning By-law Amendment and are external to the Plan of Subdivision, however, the design of the Plan of Subdivision and the proposed limit of development allows for the continuation, and potential future expansion, of these uses in accordance with this policy.

Section 7.5.2 discusses the NOE Master Plan as provided in Appendix 7.3 of the NOESP. The intention of the Master Plan is to illustrate how the policies in the NOESP are to be implemented. Developments that are “*generally consistent*” with the Master Plan may proceed without the need to prepare an Area Design Plan. The proposed Plan of Subdivision provides the NHS areas as shown on the Master Plan along with the major Transportation Features. Local residential roads are generally consistent as they needed some modification based on the limitations imposed by the floodplain for JC-8 and the preservation of the Built Heritage Features associated with the Joshua Creek Heritage Art Centre. As such it is our position that an Area Design Plan is not required for the proposed development applications.

“7.5.4 General Design Directions

- 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...*
- 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.*
- h) The incorporation of cultural heritage resources into the community, including their use and adaptive reuse, shall be encouraged. “*

The Plan of Subdivision contains areas identified as General Urban Area on the Master Plan. As discussed previously in this report, the townhouse dwelling types and lots sizes are consistent with a compact community.

Also discussed previously is the interconnected road system, that is generally consistent with a grid pattern. A true grid pattern would not be possible given the constraints imposed by the NHS.

The Core 10 feature and Linkage Preserve Area represent a substantial contribution to the overall NHS of the NOESP. As noted previously in this report Major Trails are provided along the north limit of the Core 10 feature and along the south limit of the Linkage Preserve Area.

Both of the Avenue/Transit Corridors provide long sections of single loaded road that provides view corridors into the JC-8 and associated Linkage Preserve Area. Given the more sensitive nature of the Core 10 feature, access and views are more limited, and provided through walkway connections to the perimeter trail system.

The highest density land uses within the Plan of Subdivision are located at the intersection of the east/west and north/south Avenue/Transit Corridors.

Cultural heritage resources are preserved as part of the Joshua Creek Heritage Art Centre. Although the Art Centre is located on the periphery of the neighbourhood, the eventual completion of the north/south Avenue/Transit Corridor along the west limit of those lands will provide additional visibility from the community to the Art Centre which will help contribute to the perception that it is part of the community.

The distribution of Land Use Categories as per Table 1 is to be applied across the entire neighbourhood. Given the location of the Plan of Subdivision between Neighbourhood 6 and 7, it is difficult to determine which distribution should be evaluated. Furthermore, the Master Plan contemplates development of the Joshua Creek Heritage Art Centre, which would skew the General Urban percentage higher in Neighbourhood 7 than what could actually be achieved.

The proposed Plan of Subdivision is comprised of 56% General Urban Area and 44% Sub-Urban Area.

“7.5.5.3 Avenue/Transit Corridors and Connector/Transit Corridors as designated on Figure NOE4 connect neighbourhoods together and to Urban Core Areas and other major focal points of the community. These roads will have a higher level of design than the Local Streets...”

Section 6.2.1 of the Urban Design Brief prepared by John G. Williams provides the elevated level of design requirements for the Avenue/Transit Corridors in accordance with this policy. Some key elements to be incorporated are:

- Single lane of traffic in each direction
- Sidewalks on both sides of the street
- Street trees can be accommodate in the grass boulevard between the sidewalk and the curb based on the proposed ROW width

“7.5.5.4 Local streets play a dual role as neighbourhood socialization spaces, as well as supporting transportation needs. The design requirements, while less substantial than for connector roads, must support the dual role of the local streets. “

Section 6.2.2 of the Urban Design Brief prepared by John G. Williams provides design guidance for local roads in accordance with this policy.

“7.5.5.9(a) Sidewalks shall generally be provided on both sides of all streets...”

Sidewalks are proposed for both sides of all streets. In locations where roads flank the Natural Heritage and Open Space System, there are no trail facilities required, as per direction from the Town of Oakville Staff. As such, sidewalks are also provided on both sides of the single loaded roads.

“7.5.5.11 An extensive system of recreational trails will be developed related to the Natural Heritage and Open Space System as well as along certain public road rights of way. A conceptual major trail system which will form a basis for the development of this more extensive system is identified on Figure NOE4. However, any proposed trail development within the Natural Heritage and Open Space System shall be subject to further study as part of the Implementation Strategy to the satisfaction of the Town, in consultation with the Region of Halton and Conservation Halton. The system may be refined through the preparation of an Environmental Implementation Report in accordance with the provisions of Section 7.8.3 a) of this Plan.”

Major Trails are shown on the Sidewalk/Trail Location Plan Figure 6.4 included with the RHI EIR/FSS in accordance with the locations identified in NOE4 and described previously in this document. The RHI EIR/FSS refines the design of these trails in accordance with this policy.

“7.5.5.14 The length of the block makes a significant difference in creating a pedestrian-friendly environment. Blocks should be short and regular in length to make walking efficient and allow for variation in routes. Where it is impossible or undesirable to provide short blocks, wide public mid-block pathways should be provided to shorten walking distances.”

The longest block in the proposed Plan of Subdivision is approximately 175 metres, which is substantially less than the suggested maximum of 250 metres as noted in Section 3.2.2 of the North Oakville Urban Design and Open Space Guidelines. As such the only walkways provided are to access trails adjacent to the NHS.

The Urban Design Brief prepared by John G. Williams, in particular Section 7.8, provides direction regarding building location and enhanced elevations in accordance with the policies in Section 7.5.6 of the Official Plan.

“7.5.9 The applicable policies of Part C, Section 10.3, Urban Forests of the Official Plan shall apply...”

Most of the policies within Part C, Section 10.3 of the Oakville Official Plan (2006) provide direction to the Town regarding the setting of targets, road standards, coordination with utilities. However, 10.3(f) states that the Town “...shall require as a condition of planning approval...landscape plans...”

In accordance with this policy, landscape plans, including a tree canopy plan, will be provided after Draft Plan Approval as part of the detailed design review process. This was agreed with Leigh Musson and Brandon Hassan during a virtual meeting September 12, 2022.

“7.6.7 Each neighbourhood will be developed with a mix of development based on the following land use categories. The land use categories, Neighbourhood Centre, General Urban and Sub-urban, shall be represented in each neighbourhood....”

The Subject Property is located approximately mid-way between Neighbourhoods 6 and 7, outside of the 5 minute pedestrian shed and offset to the west. As such, the Neighbourhood Centre land use category is not appropriate for the Plan of Subdivision. Both General Urban Area and Sub-Urban Area land use categories are contained in the proposed Plan of Subdivision in accordance with this policy.

“7.6.7.2(b) The permitted uses shall be low and medium density residential uses and home occupation and home business uses....”

The proposed development provides single detached and townhouse dwellings in the General Urban land use category. The definitions provided in Section 7.10.13 indicate that Low Density Uses consist primarily of single detached, semi-detached, duplex and similar types, and Medium Density Uses include those Low Density Uses in addition to Triplexes and multi-attached, such as townhouses. The proposed Plan of Subdivision includes single detached and townhouses dwellings in the General Urban Area in accordance with the permitted uses.

Policy 7.6.7.2(c) indicates that the minimum density is 25 units per net hectare and the maximum is 75 units per net hectare for the General Urban Area. As per the Density Map provided with this application, the lots within the General Urban represent a density of 35.7 units per net hectare, which is within the allowable range. Net hectare is calculated in accordance with the definition provided and only includes the areas of the lots themselves and excludes all other elements of the Plan of Subdivision.

“7.6.7.3(b) The permitted uses shall be low density residential uses and home occupation and home business uses....”

The Sub-Urban area as illustrated on the Density Map includes only single detached dwellings in accordance with this policy and the definition of “Low Density Residential”

Policy 7.6.7.3(c) indicates that the minimum density is 15 units per net hectare and the maximum is 35 units per net hectare for the General Urban Area. As per the Density Map provided with this application, the lots within the General Urban represent a density of 34.0 units per net hectare, which is within the allowable range. Net hectare is calculated in accordance with the definition provided and only includes the areas of the lots themselves and excludes all other elements of the Plan of Subdivision.

It may be noted that although the proposed density in the Sub-Urban Area is within the allowable range, it is at the upper limit. The rationale for this is approach is that the Subject Property is relatively small and contains both General Urban Area and Sub-Urban Area. To maintain a cohesive design throughout the proposed Plan of Subdivision, similar lot sizes are provided throughout the plan. The primary difference in densities is attributed to the proposed townhouses within the General Urban Area.

“7.6.13.2 The main permitted uses shall include a range of active and passive recreation uses from gazebos, seating areas, and nature viewing to junior playgrounds and areas for unorganized recreational and leisure activities.”

The conceptual Facility Fit plan submitted with this application demonstrates how the Village Square (Block 153) when combined with the adjacent similar block on the Mattamy plan, will be utilized in accordance with the permitted uses.

“7.6.13.3(b) Village Squares shall generally meet the following criteria:

- Walk to facilities;*
- Approximately 0.3 hectares in size with a tot lot and other passive recreational facilities,...*

Village Square Block 153 as provided on the Plan of Subdivision is 0.186 ha in size, and when combined with the adjacent Mattamy block will provide a combined Village Square of 0.376 ha, which is consistent with the policy above, and less than the maximum of 0.5 hectares.

“9.5.1 All major residential (more than 5 lots), commercial, industrial, and institutional development proposals must be accompanied by a Storm Water Management (SWM) Report. The SWM Report shall be prepared by a qualified professional to the

satisfaction of the Town and the appropriate approval authorities in accordance with the following criteria:...”

Table 2 – Transportation Facilities provides the Function and Design Guidelines for the various road classifications in the NOESP.

- The two Avenue/Transit Corridors that are provided within this Plan of Subdivision are to serve an intermediate volume of traffic and allow connections between Major and Minor Arterial/Transit Corridors and Urban Centres. Direct access from abutting properties is permitted, and transit supportive uses are encouraged along the ROW. On street parking is to be provided on both sides. The highest densities within this Plan of Subdivision are focused along these corridors and particularly at the intersection of them in accordance with these guidelines. The preliminary parking plan submitted with this application illustrates how parking can be accommodated on both sides of these Corridors.
- The Local roads are intended to provide access to individual properties and service the internal neighbourhood while providing a connection to higher order components of the transportation network. Direct access from abutting properties is permitted and the maximum ROW width will be 17 metres. The roads and lots on the Plan of Subdivision have been designed in accordance with this guideline.

As fully described in the RHI EIR/FSS and in accordance with NOESP policy 7.7.3.1(a) the proposed development will be connected to municipal water and wastewater systems.

Section 7.8.3 of NOESP lists the studies and plans that are required to support development applications. The RHI EIR/FSS as required by subsections (a) and (b) was previously submitted and has been reviewed by the Town of Oakville and is included with this submission. All other studies are being submitted in accordance with the remaining sub-sections of this policy and the submission requirements as provided at the pre-consultation meeting.

Section 7.9.2 provides policies related to the phasing of the development properties and areas within the NOESP area. Some of the key factors to be considered are that services are available, inclusive of transit, health care and education, and that the order of development will proceed logically and sequentially from south to north. The proposed development is dependant on the adjacent Mattamy subdivision to the east not only for access and municipal infrastructure, but also because the Mattamy subdivision includes most of the developable lands south of the Subject Property. As such, once the Mattamy subdivision is approved, the next property in sequence from south to north would be the Subject Property.

It should also be noted that 7.9.2(c) states that development in the Neighbourhood Area designation in some specific Neighbourhoods will be permitted to proceed without reference to phasing policies, if

municipal infrastructure is available. These policy includes mention of Neighbourhoods 6 and 7, which the Subject Property is part of as noted previously.

Based upon our review of the entirety of the North Oakville East Secondary Plan and those policies of the Town of Oakville Official Plan that are referenced in the NOESP, including the specific policies discussed above, we conclude that the proposed development is in full conformity with the intent of the Town of Oakville Official Plan and will facilitate the implementation of the approved policies of OPA 272.

3.6 Town of Oakville Zoning By-law 2009-189

The Town of Oakville has 3 Zoning By-laws currently in effect. Zoning By-law 2009-189, as amended, applies to lands between Dundas Street and Highway 407 and is the governing By-law for the Subject Property.

Map 12(6) of the Zoning By-law zones the Subject Property as Future Development (FD) special provision 16.

Section 7.13.1(i) indicates that the permitted uses in the FD zone will be in accordance with Section 4.3.1.

Section 4 provides the General Regulations of the Zoning By-law and applies to the entirety of the area that is subject to Zoning By-law 2009-189. Section 4.3.1 notes that the uses listed within this section are permitted in all zones. Section 4.3.1 list these permitted uses as: existing uses, conservation uses, and a limited number of uses on behalf of a public authority or utility.

Special Provision 16 allows an art gallery and art school in addition to the permitted uses noted above.

As previously described in this report, the Joshua Creek Heritage Art Centre occupies the north portion of the Subject Property and its use is permitted in accordance with Special Provision 16.

The proposed development of the remainder of the Subject Property is not permitted by the current FD zone. As such a Zoning By-law Amendment (ZBA) is required and has been submitted concurrently with the application for Subdivision Approval.

The Draft Zoning By-law Amendment Schedule that is submitted in support of the ZBA application only proposes to rezone the lands within the Plan of Subdivision and does not propose a zoning change for the Joshua Creek Heritage Art Centre given that its use is permitted by the existing zone.

The lands within the Plan of Subdivision are proposed to be zoned as:

- General Urban (GU)
- Sub Urban (S)
- Natural Heritage System (NHS)
- Park (P)

The General Urban (GU) zone is regulated in Section 7.6 of the ZBL and indicates that the permitted uses are listed in Section 6. Table 6.1 indicates that “*Residential*” uses are permitted. Residential is defined in Section 3.0 of the ZBL. The definition provided is very general and simply states that the land and buildings may be used for “*human habitation*” but excludes a hotel. As such, all forms and typologies of dwellings, including multiple dwellings are permitted in the GU zone.

The Sub Urban (S) zone is regulated in Section 7.7 of the ZBL and indicates that the permitted uses are listed in Section 6. Table 6.1 indicates that “*Residential*” uses are permitted. As noted above, the definition of residential includes all forms and typologies of dwellings.

The draft Zoning By-law Schedule shows the proposed residential lots to be zoned as either GU or S, and as such, all proposed residential lots will be permitted under the proposed zoning.

It is anticipated that the residential structures that will be constructed in both the GU and S zones within the Plan of Subdivision will comply with the current provisions of the GU and S zones, and as such, no special provisions are requested.

The proposed Natural Heritage System zone correlates to the Core 10 natural heritage feature (Block 150), the floodplain associated with the external tributary to Joshua Creek (Block 147) and the lands within the JC-7 top of bank (Block 151) along with the required Linkage Preserve Area (Block 152). Section 7.14 lists the permitted uses as those within Section 4.3.1, existing uses, and infrastructure. As noted above, Section 4.3.1 allows fish, wildlife and conservation management uses and is the most appropriate zone for the affected lands given their ecological and hydrological value and the desire for these lands to remain undeveloped.

The proposed Park zone correlates to the Village Square (Block 153) that will be shared with the adjacent Mattamy subdivision and is regulated in Section 7.12 of the ZBL. Section 7.12.1 refers to Section 6 for the list of permitted uses. Table 6.2 lists Public Park as a permitted use and is the most appropriate zone for the Village Square, which is intended to function as a public park in accordance with the definition provided in Section 3.0 of the ZBL.

Upon approval of the Zoning By-law Amendment the proposed development will comply with the Town of Oakville Zoning By-law 2009-189, as amended.

5.0 SUMMARY

The proposed development of 129 single detached residential lots, 52 street townhouses, together with future residential reserve blocks, natural heritage system blocks, and a parkland block will implement the planned vision for North Oakville as documented in the North Oakville East Secondary Plan, including the Master Plan contained in Appendix 7.3. Furthermore the development of the Subject Property is a cohesive component of the sequential and logical extension of the urban area of the Town of Oakville and will provide critical infrastructure and transportation linkages that will benefit the surrounding communities.

It is my Professional Planning Opinion that given the analysis provided above the proposed Plan of Subdivision with implementing Zoning By-law Amendment conforms with the Provincial Policy Statement, Growth Plan for the Greater Golden Horseshoe, Region of Peel Official Plan and Town of Oakville Official Plan, is appropriate for the community, and represents good, sound planning.

Yours Truly,

ROBERT RUSSELL PLANNING CONSULTANTS INC.



Rob Russell, MCIP, RPP
President