



PLANNING JUSTIFICATION REPORT

**APPLICATIONS FOR
OFFICIAL PLAN AMENDMENT & ZONING BY-LAW AMENDMENT**

ROWHEDGE CONSTRUCTION LIMITED

**15 LOYALIST TRAIL
TOWN OF OAKVILLE**

OCTOBER 29, 2024

P-2011A

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1.0 INTRODUCTION

KLM Planning Partners Inc. has been retained by Rowhedge Construction Limited (the “Owner”) with respect to the development of their lands municipally known as 15 Loyalist Trail, and legally described as Part Block 154 of Plan 20M-1221, Parts 2, 3, & 6 of Plan 20R-21707 (the “Subject Lands”) in the Town of Oakville (the “Town”), in the Region of Halton (the “Region”) (refer to **Figure 1 – Legal Survey**).

This Planning Justification Report (“PJR”) accompanies applications for Official Plan Amendments (“OPA”) and a Zoning By-law Amendment (“ZBA”) required to facilitate the development of the Subject Lands for stacked townhouse buildings.

A Pre-Submission Consultation Meeting was held on July 17, 2024, where the development proposal was discussed with municipal staff prior to issuance of a Pre-Consultation Comments Report outlining minimum submission requirements and comments from internal departments and external agencies. The materials submitted in connection with the proposed applications are in accordance with the Town and agency requirements as identified on the Pre-Consultation Comments Report, and will assist with the formal review of the proposed development applications.

This PJR is intended to provide an overview of the development proposal as it relates to the applicable Provincial, Regional and Municipal land use policies and plans. The PJR will also provide an analysis and planning rationale for the development, detailing how the proposal represents an appropriate form of development and good land use planning.

1.1 PURPOSE AND BACKGROUND

The Subject lands represent approximately one half of Block 154 of Registered Plan 20M-1221 which was registered on December 23, 2019. Block 154 of 20M-1221 was part of Draft Plan of Subdivision 24T-13002, said draft plan was draft approved and zoned for residential, employment, and commercial uses by the Ontario Land Tribunal on May 4, 2017.

On November 18, 2020, the western half of Block 154 of 20M-1221 was purchased by the Town of Oakville for the construction of a new fire station. The remaining eastern portion of Block 154 is the Subject Lands of the proposed applications.

On November 10, 2021, the Minister of Municipal Affairs and Housing approved Regional Official Plan Amendment 48 (“ROPA 48”). Among other actions, ROPA 48 removed the Regional Employment Area identification overlay from the entirety of Block 154 of 20M-1221 after an extensive growth management exercise.

With the purchase of the western portion of Block 154 of 20M-1221 and the removal of the Regional Employment Area identification overlay, the Owner seeks to apply for OPAs and a ZBA to permit residential uses on the remaining portion of Block 154, now legally described as Parts 3 and 6 of Registered Plan 20R-21707.

2.0 SITE AREA AND CONTEXT

2.1 DESCRIPTION OF SUBJECT LANDS

The Subject Lands have a rectangular configuration with frontage upon Loyalist Trail. The width of the Subject Lands is approximately 70 metres wide and approximately 85 metres deep with an area of 0.65 hectares. No significant vegetation or structures exist on the generally flat site (refer to **Figure 2 – Site Context**).

2.2 SURROUNDING USES

The Subject Lands are surrounded by a variety of land uses as:

North: Immediately to the north is the Moore Regional Water Reservoir facility located below grade with an access/utility structure and

scattered vegetation near the middle of the property. Approximately half of the lands occupied by the reservoir have been identified to form part of the Town's natural heritage system. Beyond the reservoir are lands which have been approved for light industrial uses.

East: Directly to the east is a woodlot beyond which are existing light industrial uses.

South: Immediately to the south is the 20 metre ROW Loyalist Trail beyond which are existing residential uses including townhouses, single detached dwellings, and live-work buildings.

West: The lands immediately to the west are currently vacant which is the site of a future fire station. Beyond the fire station is the 31 metre Right of Way of Sixth line with a future secondary school on the west side of Sixth Line.

3.0 DEVELOPMENT PROPOSAL

The proposed applications will facilitate the development of forty (40) stacked townhouse dwelling units in condominium tenure. The townhouse dwellings units will be located within five (5) individual buildings with eight (8) dwelling units each and all buildings will be three (3) storeys in height. (refer to **Figure 3 – Proposed Development Concept Plan**).

Internal site circulation is proposed to be provided by private roads with a width of 7.5 metres and one common vehicular access to Loyalist Trail will be provided. Internal pedestrian access shall be provided by concrete walkways serving the front of dwelling unit as well as along the main private road leading to Loyalist Trail ultimately connecting to the public sidewalk within the Loyalist Trail right of way.

Each dwelling unit shall be served by one vehicular parking space in a private garage accessed at the rear of each building and one vehicular parking space on a driveway between the private garages and a private road. Three (3) visitor parking spaces are proposed to be provided along with six (6) outdoor bicycle parking spaces.

Outdoor at grade amenity space is provided as a communal parkette in the northwestern portion of the site. Furthermore, each dwelling unit shall have a private balcony.

Landscaping shall be provided by tree planting throughout the Subject Lands. In particular, tree planting shall be provided between the buildings and Loyalist Trail to contribute to the existing streetscaping of the abutting road. Evergreen vegetation and a wood privacy fence are proposed along the western edge of the site to provide year-round visual screening of the future fire station. Landscaping is also provided along the northern edge of the site as well as along the edges of the private parkette

(refer to **Figure 4 – Proposed Development Concept Rendering**).

The proposed development applications will assist the Town in achieving a complete community by expanding the choice of available residential types in the neighbourhood in a compact and transit supportive manner. Furthermore, the proposed development applications will facilitate a development which is compatible with the existing land uses near the Subject Lands.

4.0 PLANNING APPLICATIONS

4.1 OFFICIAL PLAN AMENDMENT

On behalf of the Owner, KLM has submitted an application for an OPA to amend the Town of Oakville Official Plan 2009 known as the Livable Oakville Plan ("LOP") to re-designate the Subject Lands from 'Employment Areas' to 'Residential Areas'. The Residential Areas designation of the LOP permits a range of housing uses, forms, and densities.

Similarly, an OPA to the Town of Oakville's North Oakville East Secondary Plan ("NOESP") has also been submitted to change the designation of the Subject Lands from 'Employment District' to 'Transitional Area'. The Transitional Area land use designation permits a wide range of uses and built form, including those found in the General Urban Land Use Category. The General Urban land use category permits a range of residential uses including stacked townhouses as illustrated in the proposed concept at densities up to 75 units per hectare with a maximum height of 3 storeys.

An analysis of the appropriateness of the proposed amendments is provided in **Appendix A** of this PJR.

4.2 ZONING BY-LAW AMENDMENT

On behalf of the Owner, KLM Planning Partners Inc has submitted an application for a ZBA to amend the Town of Oakville Zoning By-law 2009-189. The submitted ZBA Application will implement the LOP as well as the NOESP as proposed to be amended by the OPAs through

changing the zoning category from 'Service Area – Employment (SA)' Zone to the 'Neighbourhood Centre (NC)' Zone. The Neighbourhood Centre Zone permits, among other uses, residential uses. The ZBA also establishes site-specific zone provisions to facilitate the development of the proposed development concept as follows:

- Allow each dwelling unit of a stacked townhouse building to have an independent entrance.
- Clarify Loyalist Trail is deemed as the front lot line notwithstanding each dwelling unit will be served by a private street.
- Clarify no floor space index is applicable.
- Specify a minimum lot frontage of 65 metres.
- Specify a minimum lot depth of 80 metres.
- Specify a minimum interior side yard setback of 2.9 metres.
- Specify a minimum rear yard setback of 3 metres.
- Specify a maximum building height of 3 storeys.
- Permit flexibility in porch enclosure criteria to allow architectural articulation.

An analysis of the appropriateness of the proposed amendment is provided in **Appendix A**.

5.0 SUPPORTING STUDIES

In addition to this PJR, several additional studies/reports have been prepared by various professional consultants in connection with the applications. A brief summary of each report is provided below:

5.1 FUNCTIONAL SERVICING REPORT

A Functional Servicing Report (“FSR”) has been prepared by Trafalgar Engineering Ltd, dated September 24, 2024, to demonstrate the viability of stormwater management and water and sanitary servicing for the Subject Lands. The FSR concluded the following:

- The Subject Lands can be serviced by the existing infrastructure for water, wastewater, and stormwater and can meet municipal design criteria for a residential development.
- Water and wastewater servicing for the Subject Lands will be provided by connecting to the watermain and sanitary sewers on Loyalist Trail.
- Stormwater will be conveyed through existing storm sewers located within municipal roads to a stormwater management facility southeast of the Subject Lands where quality, quantity, and erosion control will be provided.
- The sight distance between the site entrance and Sixth Line is supportable due to the anticipated speed of vehicles and minimal visual obstructions between Sixth Line and the site access.
- Due to the observed low traffic volumes, minimal impact on traffic operations is expected. Additionally, no operational or safety concerns are anticipated with proposed intersection alignment.
- The proposed site access is in compliance with the access width requirements outlined in the TAC GDGCR, the Town of Oakville Standard Drawings, the Halton Region Access Management Guidelines and the Ontario Building Code.

5.2 TRANSPORTATION BRIEF

A Transportation Brief (“TB”) has been prepared by C.F. Crozier & Associates Inc., dated October 1, 2024, to analyze the impacts of the proposed development on the surrounding road network and recommend transportation mitigation measures, if warranted. The TB concluded:

- Due to the low volume of site generated trips, the proposed development concept is not expected to affect traffic operations at the proposed site access. Therefore, the traffic impacts are projected to be minor.

5.3 URBAN DESIGN BRIEF

An Urban Design Brief (“UDB”) has been prepared by NAK Design Strategies, dated September 2024, to provide design direction for the implementation of the vision and intent of the proposed development applications. The UDB describes and illustrates the design strategy for the development of five (5) stacked townhouse buildings with associated parking, condominium roads, and landscape amenity spaces. The following design principles are established to provide a guiding framework for the proposed development concept:

- Create a comfortable pedestrian-friendly public realm and streetscape.
- Contribute to diversifying housing options in the community.

- Maintain an appropriate scale and pattern of development within its context.
- Provide logical connections with adjacent existing and future communities.
- Balance parking and access requirements with pedestrian areas.
- Attractive built form.
- Preservation and enhancement of the natural environment.

5.4 COMMERCIAL MARKET STUDY

A Commercial Market Study (“CMS”) has been prepared by Urban Metrics, dated September 10, 2024, which:

- Concluded the Subject Lands are not viable for commercial uses.
- Confirmed the size of the Subject Lands would limit the site to accommodating only small scale predominantly convenience uses.
- Noted the population within a study area of one kilometre from the Subject Lands would have their convenience retail space and services needs met by two existing convenience nodes along Burnhamthorpe road as well as two other planned convenience nodes.
- Stated the proposed development would provide logical connections with adjacent existing and future communities.

5.5 LAND USE COMPATIBILITY REPORT

A Land Use Compatibility Report (“LUCR”) has been prepared by Thornton Tomasetti, dated September 2024, to review the potential land use compatibility impacts between the

proposed development concept and the surrounding commercial and industrial land uses and concluded the following regarding the proposed residential use:

- It will not affect the compliance of local industrial facilities with applicable Provincial environmental policies, regulations, approvals, and guidelines.
- It is not likely to result in increased risk of complaint and nuisance claims.
- It is not likely to result in operational constraints for the surrounding industries and commercial operations.
- It is not likely to result in constraints for new industries to reasonably expand, intensify, or introduce changes to their operations.
- It is not likely to result in constraints for new industries to reasonably be established in the surrounding light employment lands, including the future fire station on the adjacent lands.
- The residential uses are not expected to be affected by noise or air emissions from the light employment uses in the area nor the Regional reservoir north of the site.

5.6 PHASE ONE ENVIRONMENTAL SITE ASSESSMENT

A Phase One Environmental Assessment has been prepared by Landtek Limited, dated June 2024, to assess if evidence of potential or actual environmental contamination exists on the Subject Lands. The assessment determined no potential contaminating activity is anticipated to represent areas of potential environmental concern on the site and a Phase Two environmental Assessment was not recommended.

6.0 PLANNING POLICY

6.1 PROVINCIAL POLICY

6.1.1 THE PLANNING ACT

The Planning Act (“Act”) provides the foundation for land use planning in Ontario and describes how land uses may be controlled. The purpose of the Act is to promote economically, environmentally, and socially sustainable development through a land use planning system guided by provincial policy that aims to integrate matters of provincial interest in planning decisions. The Act recognizes the decision-making authority and accountability of municipal councils, and endeavors to provide for fair, open, accessible, timely and efficient planning processes.

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 minimization of waste.
- The orderly development of safe and healthy communities.
- The adequate provision of a full range of housing, including affordable housing.
- The conservation and management of natural resources.
- The adequate provision of employment opportunities.
- The appropriate location of growth and development.
- The promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians.
- The promotion of built form that,
 - (i) is well-designed,
 - (ii) encourages a sense of place, and

- (iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.

The proposed development applications have appropriate regard for the public interest as stipulated in Section 2 of the Act.

Section 3 (5) of the Act states that all planning decisions shall be consistent with the Provincial Planning Statement issued under the Act. The submitted applications are consistent with the Provincial Planning Statement.

Based on the preceding analysis it is our opinion the proposed development applications comply with the Planning Act.

Appendix A to this PJR provides a detailed policy analysis that demonstrates how the Official Plan Amendments and Zoning By-law Amendment proposed for the Subject Lands meet the requirements of the Act.

6.1.2 PROVINCIAL PLANNING STATEMENT (2024)

The Provincial Planning Statement 2024 (“PPS”) provides policy direction on matters of provincial interest related to land use planning and development. 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 province-wide. Section 3 (5) of the Act states that all decisions respecting planning matters must be consistent with the the PPS.

A founding principle and theme throughout the PPS is building homes as well as promoting sustainable, strong, and competitive communities.

Growth and development shall be focused within Settlement Areas which include the

lands which have been designated in an official plan for development over the long term. Development should be based on densities and a mix of land uses which efficiently use land and resources, optimize existing and planned infrastructure, support active transportation, and are transit supportive.

Planning for a range of and mix of housing options and support for general intensification contribute to the achievement of complete communities. The Subject Lands are within the settlement area of the Town and the proposed development applications will facilitate a compact and transit supportive development which efficiently utilizes nearby existing infrastructure.

The PPS states planning authorities shall base population growth forecasts on provincial projections published by the Ministry of Finance. Specifically, when updating official plans municipalities are to ensure sufficient land is made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of between 20 and 30 years. To provide for a range and mix of housing options and densities required to meet projected requirements, planning authorities are to maintain at all times the ability to accommodate residential growth for a minimum of 15 years through which lands are designated and available for residential development. The proposed development applications will assist the Town in achieving residential development targets.

Planning authorities are to establish and implement minimum targets for the provision of housing that is affordable to low and moderate income households by permitting and facilitating all housing options to meet the social, health, and economic well-being of current and future residents. Densities for new housing which efficiently use land, infrastructure and support the use of active transportation and public transit are to be promoted. The proposed development applications will facilitate the use of the Subject

Lands for compact development which utilizes existing infrastructure as well as being within the proximity of potential future public transit on Sixth Line which is identified in the NOESP as a Minor Arterial/Transit Corridor.

The PPS provide policies regarding employment lands and uses and state development within 300 metres of employment lands are to avoid or minimize and mitigate potential impacts on the viability of employment uses. The LUCR concluded use of the Subject Lands for residential development is not anticipated to significantly impact the viability of employment uses due to distance and the presence of other uses and/or natural features separating the Subject Lands from said employment uses.

The land immediately west of the Subject Lands is also designated for employment uses but will be used for a future fire station. The proposed use of the Subject Lands is not anticipated to impact the function of the fire station as demonstrated by several examples of residential use located adjacent to fire stations within the Town.

The Subject Lands are currently designated for employment in the LOP and the NOESP. The PPS provides policy direction on the removal of lands from employment areas. The re-designation of the Subject Lands for residential uses is appropriate as there is a need for housing within the Province as stated in the Vision of the PPS. Furthermore, the proposed residential use of the Subject Lands can utilize existing servicing and transportation infrastructure. Finally, the Subject Lands are not required for employment purposes as evidenced by ROPA 48 removing the Employment Area identification overlay from the Subject Lands

Land use compatibility is also addressed in the PPS. Sensitive land uses such as residential are to minimize and mitigate potential adverse impacts from emissions and other contaminants from major facilities such as

manufacturing and industries. The LUCR submitted in support of the proposed development applications concluded no significant impacts from employment uses are expected to affect the Subject Lands while impacts from the future fire station can be adequately mitigated.

Based on the preceding analysis it is our opinion the proposed development applications are consistent with the Provincial Planning Statement (2024).

Appendix A to this PJR provides a detailed policy analysis of the PPS that demonstrates how the proposed development of the Subject Lands is consistent with applicable policies of the PPS.

6.2 REGIONAL POLICY

6.2.1 REGION OF HALTON OFFICIAL PLAN (Consolidated May 16, 2024)

The Region of Halton Official Plan ("RHOP") is a strategy for development of the entirety of Halton Region, with sufficient detail to permit the achievement of the Region's planning vision and objectives.

In October 2022, the Province tabled Bill 23, The More Homes Built Faster Act, 2022. This legislation identified the Region as an "upper-tier municipality without planning responsibilities". In April 2024, through Bill 185, The Cutting Red Tape to Build More Homes Act, 2024, the effective date of this change to the Region's role in land use planning was identified as July 1, 2024.

As a result, the RHOP will no longer be an official plan for the Region as of July 1, 2024. Instead, it will be deemed an official plan of each of the Local Municipalities in Halton (the City of Burlington, Town of Halton Hills, Town of Milton, and Town of Oakville) until such time as it is revoked or amended by the respective municipality. As of October 21, 2024, the Town has not revoked the RHOP as it pertains to

lands within the Town hence it is still deemed to be in effect.

Sustainable development and principles of sustainability to guide land use decisions are key tenets of the RHOP's vision. The proposed development supports the concept of sustainable development through its compact urban form, medium density housing, and the utilization of existing infrastructure.

The Subject Lands are currently designated as 'Urban Area' within the Regional Urban Structure (refer to **Figure 5 – Regional Urban Structure**). The Urban Area is where the majority of growth is to be located within the Region. Prior to 2021, the 'Employment Area' identification overlay was also applicable to the site; the Employment Area identification overlay deemed only employment type uses were permitted on the Subject Lands. After a municipal comprehensive review which included consultation with the Town of Oakville, Regional Council adopted ROPA 48 on July 7, 2021, which was approved by the Minister of Municipal Affairs and Housing on November 10, 2021. Among other actions, ROPA 48, removed the Employment Area identification overlay from the Subject Lands thereby deeming employment uses were no longer mandatory on the site.

The goal of the Urban Area within the Regional Urban Structure is to manage growth in a manner which fosters complete communities, create healthy communities, promote economic prosperity, and maintain a high quality, sustainable natural environment. The proposed development will assist in the creation of complete communities by increasing choice in the type of housing within the neighbourhood. As indicated in the CMS submitted in support of the proposed applications, the Subject Lands are not a commercially viable site thus allowing residential use of the lands would be a more appropriate use for the Subject Lands. Furthermore, the development concept does not encroach into the adjacent woodlot thus

the function of the environmental feature will not be impeded.

The Urban Area is planned to accommodate the distribution of population and housing of the Region's growth management policies. Specifically, the RHOP forecast a population of 349,990 for the Town by 2051. The proposed applications for residential use on the Subject Lands will assist in reaching the target population for the Town.

Specific land uses in the Urban Area will be in accordance with the Local Official Plan and Zoning By-laws.

With the approval of the proposed applications, it is our opinion that the proposed development will conform with the RHOP.

Appendix A to this PJR provides for a detailed policy analysis of the RHOP to support our opinion the proposed development conforms with the RHOP.

6.3 LOCAL POLICY

6.3.1 TOWN OF OAKVILLE OFFICIAL PLAN 2009 – Livable Oakville Plan

Schedule A1 of the LOP depict the Subject Lands as being within the 'Urban Area' (refer to **Figure 6 – Livable Oakville Plan – Existing Urban Structure**). While Schedule E of the LOP identified the NOESP as "*Lands not subject to the policies of this plan*", Section 7.1.5 of the NOESP states the provisions of Section 3 and Schedule A1 of the LOP regarding the Urban Structure are indeed applicable to the NOESP area (refer to **Figure 7 – Livable Oakville Plan – Land Use Schedule Boundaries**).

The urban structure sets out the framework for where and how the Town will grow and how to determine Oakville's character and form. The urban structure is composed of several elements of which the 'Employment Areas'

designation is currently applicable to the Subject Lands. The Employment Areas designation within the LOP provide for a mix of employment uses including industrial, and manufacturing.

The submitted development applications include an amendment to the LOP to re-designate the Subject Lands to 'Residential Areas' (refer to **Figure 8 – Livable Oakville Plan – Proposed Urban Structure**). Residential Areas permit low, medium and high density residential uses as well as a range of compatible facilities such as schools, places of worship, recreational and commercial uses that serve the residents of the Town. Some growth and change may occur in the Residential Areas provided the character of the area is preserved and the overall urban structure of the Town is upheld.

The existing residential development on either side of Burnhamthorpe Road East is composed of a mix of ground related buildings including townhouse dwellings, single detached dwellings, and back-to-back dwellings as well as live-work buildings as noted in the UDB. The UDB describes the proposed development concept will incorporate a variety of traditional building materials such as brick, stone, and detailed with wood and/or stucco accents similar to the materials used in the existing residential dwellings. While the tenure of the proposed development is condominium instead of freehold, the individual buildings of the proposed development have massing which is generally similar to the existing live-work buildings and especially the existing back to back buildings south of Burnhamthorpe Road East.

Furthermore, the proposed development concept is compatible with surrounding land as it fulfills the LOP's definition of compatible where developments may co-exist with surrounding land uses without unacceptable adverse impact as concluded in the LUCR.

With respect to criteria established in the LOP for OPA's, the proposed amendment to the LOP is consistent with the LOP's guiding principles of providing choice throughout the Town for a range of housing and achieving sustainable building and community design. The proposed development does not undermine the Town's urban structure since the proposed development makes efficient use of existing infrastructure and protection of the natural environment. Furthermore, since a municipal comprehensive review was conducted for ROPA 48 which led to deeming the Subject Lands as not being required to satisfy employment targets, another municipal comprehensive review is not necessary for the approval of the proposed OPA applications.

With the approval of the proposed applications, it is our opinion the proposed development will conform with the policies of the Livable Oakville Plan.

Appendix A to this PJR provides for a detailed policy analysis of the LOP to support our opinion the proposed development conforms with the LOP.

6.3.2 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 NOESP area.

The community vision of the NOESP generally reflects 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. With respect to housing, the

NOESP area is to be planned using the principles of compact design, importance of pedestrians, and the provision of a range of housing options. The proposed development shall contribute to the vision of the NOESP by contributing to the choice of housing opportunities in a compact built form which is efficient and utilizes existing infrastructure.

Several objectives are identified for the NOESP as a whole in order to guide development. In particular, the objectives related to residential uses, urban design, and servicing being particularly germane for the Subject Lands. With respect to housing objectives, the proposed development applications will facilitate dwellings which will complement the existing built form of the neighbourhood while contributing to the variety of residential densities and unit types in the NOESP area. With respect to urban design objectives, the proposed development concept will promote building design variety that facilitates active modes of transportation and the proposed built form will address all external edges of the Subject Lands including along Loyalist Trail where the impact of garages and driveway parking are eliminated. Finally, the proposed development will fulfill the objective of efficient use of existing infrastructure by connecting to servicing within the Loyalist Trail right of way.

Several components define the general arrangement of the land uses within the community and are illustrated in the Community Structure Plan of the NOESP (refer to **Figure 9 – North Oakville East Secondary Plan – Existing Community Structure**). The Subject Lands are currently designated '*Employment District*' within the Community Structure; said designation is to accommodate development of predominantly employment generating uses including a wide range of industrial uses.

As analyzed in **Section 6.2.1** of this PJR, a municipal comprehensive review was conducted to inform the creation of ROPA 48 which removed the Employment Area

identification overlay within the RHOP from the Subject Lands thereby deeming employment uses no longer required on the site. Notably, the Town did not indicate concern with removing the Employment Area identification overlay on the Subject Lands within the ROPA.

In addition to light industrial uses, the Subject Lands were originally intended for service commercial, and service uses. However, the CMS confirmed the small size of the Subject Lands renders the site unsuitable for commercial use as do the lack of intersection exposure and presence of nearby existing and future retail facilities. Therefore, an amendment to remove the Employment District designation on the Subject Lands within the Community Structure Plan of the NOESP has been proposed which will facilitate development of the Subject Lands for other land uses (refer to **Figure 10 – North Oakville East Secondary Plan – Proposed Community Structure**).

The Land Use Plan of the NOESP illustrates the land use designations applicable to the community (refer to **Figure 11 – North Oakville East Secondary Plan – Existing Land Use Plan**). The Subject Lands are currently designated 'Employment District' within the Land Use Plan. For the same reasons as the Community Structure Plan, the discontinuation of the Employment District designation is appropriate for the Land Use Plan and the proposed applications seeks to re-designate the site 'Transitional Area' (refer to **Figure 12 – North Oakville East Secondary Plan – Proposed Land Use Plan**).

The intent of the Transitional Area is to provide an interface and buffer between the more intensive concentration of employment uses located in the Employment District to the north and the adjacent residential uses, institutional uses, and parks. The Transitional Areas permit uses allowed within the General Urban Area land use category, high density

residential uses, small scale commercial, and parks.

The General Urban Area land use category is intended to be built with a variety of residential building types, including low and medium density buildings the latter of which includes stacked townhouses. Furthermore, the Transitional Area policies require development using the General Urban land use category policies to have a density between 25 and 75 units per net hectare and a maximum height of 3 storeys. The proposed development concept will have a density of 61.5 units per net hectare and will have a maximum height of 3 storeys. Notably, lands south of the site are also designated Transitional Area and have been developed with reference to the General Urban land use category.

The proposed amendment to the Land Use Plan of the NOESP will facilitate stacked townhouse residential use on the Subject Lands. The Moore Regional Water Reservoir to the north and the natural heritage system further to the north and east serves to create logical land use boundaries with employment uses. Since the site is only 0.65 hectares in size, the amount of land removed from the Employment District designation is minor, additionally, ROPA 48 deemed employment uses not necessary on the Subject Lands. Furthermore, the LUCR concluded no significant noise and air quality impacts as per Provincial guidelines are expected from the existing employment uses upon the proposed residential use on the Subject Lands.

The NOESP provides direction on general design as part of the overall community design strategy as exemplified in the Master Plan. The Master Plan is intended to graphically illustrate a potential design of the Secondary Plan area and how policies are to be implemented. The proposed development is generally consistent with the intent of the master plan as it conforms to the general design directions of the NOESP as follows:

- With respect to transit supportive development and promotion of active transportation:
 - The proposed development is compact with density supportive of public transit.
 - The site is within walking distance of future public transit.
 - Private walkways connect to the public sidewalk on Loyalist Trail and bicycle parking facilitate active transportation.
- With respect to the use of the Subject Lands contributing to a hierarchy of commercial uses:
 - The site is on the periphery of existing residential uses, thus utilization of the lands as a neighbourhood commercial focal point is not ideal.
 - Larger existing complexes of mixed-use development are located on both sides of Burnhamthorpe Road East.
 - The removal of commercial use permissions from the site is appropriate, particularly due to the lack of intersection exposure and the limited size of the site.
- With respect to maintaining a modified grid road system and contributing to the streetscape:
 - The development of the Subject Lands does not necessitate the construction of new public roads and maintains the existing grid road pattern.
 - No garages shall face Loyalist Trail nor will parking spaces be located between a building and the public street, thus contributing to maintaining a strong façade and streetscape treatment along Loyalist Trail.

- With respect to the Natural Heritage System: and maintain views and accessibility:
 - The woodlot located to the east of the Subject Lands has undergone extensive study during the creation of plan of subdivision 20M-1221 to determine appropriate buffers which have already been incorporated into the natural heritage system block.
 - The proposed development concept does will not intrude into the natural heritage system block.
 - The eastern edge of the proposed development concept addresses the adjacent natural heritage system by providing an articulate façade facing said natural feature.
 - The existing public trail within the woodlot buffer is able to maintain its connection to Loyalist Trail.
 - The development of the Subject Lands will not hinder views from the public realm to the adjacent natural heritage system as the entire Loyalist Trail frontage of said natural heritage system remains unencumbered.

Compatible is defined in the LOB “as development or redevelopment of uses which may not necessarily be the same, or similar, to the existing development, but can coexist with the surrounding area without unacceptable impact”. The proposed development concept is compatible with the surrounding uses as follows:

- The LUCR concluded the proposed residential use is not expected to result in operational constraints to the existing employment uses and the Subject Lands are beyond the Provincially recommended minimum separation distance.
- The LUCR concluded the proposed residential use is not expected to result

in constraints for new employment uses to establish in surrounding areas.

- The LUCR concluded the future fire hall will not be hindered by the proposed development of the Subject Lands. Furthermore, the LUCR concluded the proposed residential use is not expected to be impacted by significant air quality impacts and noise (siren) impacts are limited by municipal by-laws or otherwise can be mitigated. Notably, several examples of fire stations located adjacent to residential areas exist within the Town.
- The Subject Lands are separated from the existing residential development by Loyalist Trail and a distance of at least 26 metres separates the nearest existing residential building and the proposed stacked townhouse buildings.
- The proposed stacked townhouse buildings will have a maximum height of 3 storeys which is generally similar to the height of some buildings to the south such as the live-work buildings and the back to back dwellings. Notably, the existing zoning permissions applicable to the site would allow a maximum height of 15 storeys on the Subject Lands; therefore, the proposed development is more similar to the existing residential buildings than development permitted in the current zoning permissions.
- The TB concluded the proposed residential use is expected to represent only a minor increase in the volume of existing traffic. Furthermore, no safety or operational concerns were anticipated.
- The 83 vehicular parking spaces provided within the proposed concept is more than double the zoning by-law requirement.

- Views and access to the natural heritage system from the public realm remains unimpeded
- While some of the proposed stacked townhouse dwelling units will have windows which look south towards the existing residential lots, the distance between the proposed dwellings and existing residential lots assist to mitigate privacy concerns. Furthermore, landscaping within the Loyalist Trail right of way will limit overlook into the existing residential uses. Notably, in an urban setting it is not uncommon for views into nearby residential lots to occur where buildings are oriented perpendicular to each other such as at intersections. Furthermore, the existing zoning permits buildings with a maximum of 15 storeys thus the maximum 3 storey height of the proposed buildings is relatively more inductive to maintaining privacy of existing lots.

Finally, the NOESP also provided direction on phasing development to ensure the rate of growth as well as ensuring the progression of development is contingent upon availability of service. The development of lands south of Burnhamthorpe Road East were allowed to proceed without conforming to phasing policies, if at least 25 gross hectares of lands designated Employment District were draft approved. The Subject Lands were part of draft plan of subdivision 24T-13002 and the approval of said draft plan of subdivision satisfied the requirement for the provision of at least 25 gross hectares of Employment District designated lands. The re-designation of the Subject Lands (0.65 hectares) from Employment District to Transitional Area still results in at least 25 gross hectares of draft approved land which is designated Employment District.

With the approval of the proposed applications, it is our opinion the proposed

development will conform with the policies of the North Oakville East Secondary Plan.

Appendix A to this PJR provides a detailed policy analysis of the NOESP to support our opinion that the proposed development conforms with the NOESP.

6.3.3 TOWN OF OAKVILLE ZONING BY-LAW 2009-189

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 'Service Area - Employment (SA)' (refer to **Figure 13 – By-law 2009-189 - Existing Zoning**). The Service Area – Employment Zone permits light industrial, commercial, office, parks, and service uses; residential uses are not permitted.

A ZBA is proposed in order re-zone the lands to 'Neighbourhood Centre (NC)' (refer to **Figure 14 – By-law 2009-189 - Proposed Zoning**). The Neighbourhood Centre Zone has been utilized in other locations within the Town to permit stacked townhouse buildings and said zone category has also been used for some of the existing residential lands to the south as specifically directed by Town staff.

A site-specific exception is also sought in the proposed ZBA to allow each dwelling unit to have independent access. Similarly, an exception is required to clarify the definition of Front Lot line in order to allow the entirety of the Subject Lands to be treated as one lot for zoning purposes. Other site-specific exceptions are proposed to introduce development standards to implement the proposed development concept.

Notably, By-law 2009-189 requires 1 vehicular parking space per stacked townhouse dwelling unit while no visitor vehicular parking spaces are required. Furthermore, By-law 2009-189

does not require bicycle parking spaces for stacked townhouse dwelling units. The proposed development concept illustrates a total of 83 vehicular parking spaces for the 40 dwelling units representing more than double the vehicular parking requirement. Similarly, By-law 2009-189 does not require bicycle parking spaces for stacked townhouses though the concept does provide 6 such spaces.

With the approval of the proposed ZBA, it is our opinion the proposed development will comply with the zoning by-law.

Appendix A to this PJR provides for a detailed policy analysis of Zoning By-law 2009-189 to support our opinion that the proposed development complies with the zoning by-law.

7.0 CONCLUSION

Based on the analysis included within this PJR and the conclusions and recommendations of the reports submitted in support of the applications, the proposed official plan amendment to the Livable Oakville Plan, the proposed official plan amendment to the North Oakville East Secondary Plan, and the proposed zoning by-law amendment to Town of Oakville Zoning By-law 2009-189 to permit stacked townhouse residential use on the Subject lands complies with the Planning Act, and are consistent with the Provincial Planning Statement (2024).

The development applications also conform to the policies of the Region of Halton Official Plan, the Livable Oakville Plan, and the North Oakville East Secondary Plan subject to the approval of the proposed official plan amendments. Overall, the design and layout of the proposed development concept has been undertaken in a manner to ensure compatibility with the existing character of the residential neighbourhood while not impeding the viability of existing employment land uses. Furthermore, there are no impacts anticipated from existing employment uses, Moore Water Reservoir, and future fire station on the proposed residential use.

It is our opinion that the proposed development is appropriate and represents good land use planning in the public interest.

APPENDIX A – POLICY ANALYSIS

THE PLANNING ACT

Policy:

Public 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 minimization of waste.*
- *The orderly development of safe and healthy communities.*
- *the appropriate location of growth and development.*
- *the adequate provision of a full range of housing, including affordable housing.*
- *the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians.*
- *the promotion of built form that,*
 - (i) is well-designed,*
 - (ii) encourages a sense of place, and*
 - (iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant.*
- *The adequate provision of employment opportunities*

Response:

The proposed applications will facilitate a development which is compact built form and utilized existing abutting servicing infrastructure. Also, the development of the Subject Lands represents orderly development as it is adjacent to other urban development and infrastructure. The proposed applications will facilitate a development concept which will contribute to a range of housing within the neighbourhood. Furthermore, the proposed development is transit supportive and accommodating of pedestrian usage through the provision of walkways separated from vehicular traffic. The development concept promotes a built form which provides for a strong urban edge along Loyalist Trail as an articulated façade will address said public street.

The proposed development applications have had regard for the provision of employment opportunities. As documented in this appendix, the Region of Halton conducted a municipal comprehensive review which culminated in ROPA 48 to the RHOP in 2021. Among other results, ROPA 48 removed the Regional Official Plan's Employment Area identification overlay from the Subject Lands thereby indicating said lands were no longer required for employment purposes. Furthermore, as of October 20, 2024, the Act's definition of "Area of Employment" was amended to exclude commercial, office, and retail uses. As the RHOP, LOP, and the NOESP had designated Employment Areas and Districts with enough land area to accommodate recently excluded uses in addition to warehousing and manufacturing uses, the amount of land designated for Employment Areas and Districts within Official Plans is potentially larger than necessary to comply with the Act's definition of Employment Area. Consequently, the proposed OPA and ZBA would not result in the loss of employment opportunities especially considering the relatively small size of the Subject Lands.

Policy:

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. The following section of this appendix will address in detail how in our opinion the proposed development applications are consistent with the Provincial Planning Statement.

In consideration of the above, it is our opinion that the proposed development complies with the Planning Act

PROVINCIAL PLANNING STATEMENT (2024)

Policy:

2.1 *PLANNING FOR PEOPLE AND HOMES*

2.1.6 *Planning authorities should support the achievement of complete communities by:*

- a) accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses (including schools and associated child care facilities, long-term care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs;*
- b) improving accessibility for people of all ages and abilities by addressing land use barriers which restrict their full participation in society; and*
- c) improving social equity and overall quality of life for people of all ages, abilities, and incomes, including equity-deserving groups.*

Response: The proposed applications will facilitate the neighbourhood's ability to accommodate a range of housing options to serve all segments of the population.

Policy:

2.2 *HOUSING*

2.2.1 *Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected needs of current and future residents of the regional market area by:*

- a) establishing and implementing minimum targets for the provision of housing that is affordable to low and moderate income households, and coordinating land use planning and planning for housing with Service*

Managers to address the full range of housing options including affordable housing needs;

b) permitting and facilitating:

- 1. all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including additional needs housing and needs arising from demographic changes and employment opportunities; and*
- 2. all types of residential intensification, including the development and redevelopment of underutilized commercial and institutional sites (e.g., shopping malls and plazas) for residential use, development and introduction of new housing options within previously developed areas, and redevelopment, which results in a net increase in residential units in accordance with policy 2.3.1.3;*

c) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation; and.

c) requiring transit-supportive development and prioritizing intensification, including potential air rights development, in proximity to transit, including corridors and stations.

Response: The proposed applications assist the Town in reaching its targets for the provision of housing as well as facilitating a type of housing which expands the options available to residents in the neighbourhood. The proposed applications would also facilitate the creation of housing which efficiently uses land and existing infrastructure as well as being transit supportive.

Policy:

2.3 SETTLEMENT AREAS AND SETTLEMENT BOUNDARY EXPANSIONS

2.3.1 General Policies for Settlement Areas:

- 1. Settlement areas shall be the focus of growth and development. Within settlement areas, growth should be focused in, where applicable, strategic growth areas, including major transit station areas.*
- 2. Land use patterns within settlement areas should be based on densities and a mix of land uses which:*
 - a) efficiently use land and resources;*
 - b) optimize existing and planned infrastructure and public service facilities;*
 - c) support active transportation;*
 - d) are transit-supportive, as appropriate; and*
 - e) are freight-supportive.*
- 3. Planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities.*

Response: The Subject Lands are in a Settlement Area as it is within the Urban Area of both the RHOP and the LOP. The proposed development will aid in the development of a complete community by providing a greater mix of housing types and tenure. Additionally, it will efficiently use land, optimize utilization of existing infrastructure, and be transit supportive.

Policy:

2.8 EMPLOYMENT

2.8.1 *Supporting a Modern Economy:*

3. *In addition to policy 3.5, on lands within 300 metres of employment areas, development shall avoid, or where avoidance is not possible, minimize and mitigate potential impacts on the long-term economic viability of employment uses within existing or planned employment areas, in accordance with provincial guidelines.*

Response: An existing employment development approximately 270 metres to the east is separated from the Subject Lands by a large woodlot. A future employment development approximately 200 metres to the north is separated from the Subject Lands by a Natural Heritage System corridor and the existing Moore Regional Water Reservoir. Another future employment block is located 150 metres to the northwest and is separated from the site by the Natural Heritage corridor, the future Fire Station, the Regional Reservoir, and Sixth Line which is a 31 metre wide public road. The LUCR concluded the use of the Subject Lands for residential development is not anticipated to significantly impact the viability of the aforementioned employment areas due to the distance and the presence of other uses and/or natural features separating the Subject lands from said employment areas. The land immediately west of the Subject Lands is also designated for employment uses but will be used for the future station. The use of the Subject Lands for residential purposes is not anticipated to impact the function of fire stations as demonstrated by several examples of residential located adjacent to fire stations within the Town of Oakville.

2.8.2 *Employment Areas:*

1. *Planning authorities may remove lands from employment areas only where it has been demonstrated that:*
 - a) *there is an identified need for the removal and the land is not required for employment area uses over the long term;*
 - c) *the proposed uses would not negatively impact the overall viability of the employment area by;*
 1. *avoiding, or where avoidance is not possible, minimizing and mitigating potential impacts to existing or planned employment area uses in accordance with policy 3.5;*
 2. *maintaining access to major goods movement facilities and corridors;*
 - d) *existing or planned infrastructure and public service facilities are available to accommodate the proposed uses; and*

- e) *the municipality has sufficient employment lands to accommodate projected employment growth to the horizon of the approved official plan.*

Response: ROPA 48 no longer deemed the Subject Lands necessary for employment activities through the removal of the Employment Area identification overlay within the RHOP. As stated in Chapter 1 of the PPS, there is a need to build at least 1.5 million homes by 2031. Also, the proposed uses will not adversely impact the overall viability of the employment area as the Subject Lands are isolated from other employment areas and will not impact employment area access to major movement facilities as concluded in the LUCR. Furthermore, the FSR submitted in support of the proposed applications concluded existing infrastructure can service the Subject Lands. Finally, the definition of “Employment Area” removed uses such as commercial and office uses; since the quantum of land for the Employment Areas shown in the LOP and the NOESP had accommodated those uses in addition to manufacturing and warehousing, the amount necessary to for Employment Areas will potentially be less than is currently shown.

Policy:

3.5 LAND USE COMPATIBILITY

1. *Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.*
2. *Where avoidance is not possible in accordance with policy 3.5.1, planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other major facilities that are vulnerable to encroachment by ensuring that the planning and development of proposed adjacent sensitive land uses is only permitted if potential adverse affects to the proposed sensitive land use are minimized and mitigated, and potential impacts to industrial, manufacturing or other major facilities are minimized and mitigated in accordance with provincial guidelines, standards and procedures.*

Response: The LUCR submitted in support of the proposed applications concluded residential uses on the Subject Lands will not affect the compliance of local industrial facilities with applicable Provincial environmental policies, regulations, approvals, and guidelines and are not likely to result in increased risk of complaint and nuisance claims. Furthermore, the proposed development is not likely to result in operational constraints for the surrounding industries and commercial operations. Similarly, the proposed residential use is not likely to result in constraints for industries to expand, intensify, or change their operations. Finally, residential uses are not likely to result in constraints for new industries to reasonably be established in the surrounding light employment lands, including the future fire station on the adjacent lands.

In consideration of the foregoing, it is our opinion that the proposed development is consistent with the Provincial Planning Statement (2024).

REGION OF HALTON OFFICIAL PLAN (CONSOLIDATED MAY 16, 2024)

Policy:

HALTON'S PLANNING VISION

33 ... 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...

Response: 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.

Policy:

HALTON'S REGIONAL STRUCTURE

55 The Regional Structure is accompanied by a growth strategy for Halton based on the distribution of population and employment as contained in Table 1, which has been updated to the planning horizon year of 2051 through the municipal comprehensive review, and in accordance with the Regional phasing outlined on Map 5, as well as by other infrastructure elements such as transportation systems and urban services and other policies of this Plan.

TABLE 1 POPULATION AND EMPLOYMENT DISTRIBUTION

Municipality	Population ¹			Employment		
	2021	2041	2051	2021	2041	2051
Burlington	195,000	240,050	265,160	98,340	114,330	124,390
Oakville	222,000	313,460	349,990	111,980	160,880	181,120
Milton	137,990	277,000	350,870	44,390	100,120	136,270
Halton Hills	66,010	98,890	132,050	24,510	45,900	65,460
Halton Region ²	620,990	929,400	1,098,070	279,220	421,230	507,240

Response: The proposed applications will facilitate the development of the Subject Lands which will assist the Town in reaching the assigned population. Furthermore, the removal of the Employment Area identification overlay by ROPA 48 deemed employment uses are no longer required to be provided on the Subject Lands.

- 55.2 The Regional Structure also sets out the Regional phasing to be achieved every five years from 2022 to 2051 between the Built-Up Areas and the Designated Greenfield Areas in Table 2a.

TABLE 2A REGIONAL PHASING

Municipality	2022-2026	2027-2031	2032-2036	2037-2041
Halton Region				
Units in <i>Designated Greenfield Area</i>	14,970	15,900	16,470	16,810
Low Density Units	5,920	6,270	6,560	6,690
Medium & High Density Units	9,050	9,610	9,920	10,120
Units inside the <i>Built Boundary</i>	12,430	13,200	13,680	13,950
Employment	34,700	36,800	34,700	35,400
Oakville				
Units in <i>Designated Greenfield Area</i>	6,460	6,860	6,010	6,130
Low Density Units	2,120	2,250	2,090	2,130
Medium & High Density Units	4,340	4,610	3,920	4,000
Units inside the <i>Built Boundary</i>	4,500	4,780	4,980	5,080
Employment	13,500	14,300	11,300	11,500

Response: The Designated Greenfield and the Built Boundary are terms within the Growth Plan for the Greater Golden Horseshoe which was revoked on September 7, 2024. The Built Boundary was established by the Ministry of Municipal Affairs and Housing as generally being the portions of the Urban Boundary which had already been developed as of 2006 while the Designated Greenfield Areas were lands generally within the Urban Boundary but generally not yet developed as of 2006. The Subject Lands were part of the Designated Greenfield Area. While the terminology has been superseded, the intent of Table 2A was for the majority of residential development within lands not yet built as of 2006 to be created as medium and high density units; the proposed development is classified as Medium Density Residential Development within the NOESP.

DEVELOPMENT CRITERIA

- 58 Uses are permitted as specified for each land use designation provided that:
- (1) the site is not considered hazardous to life or property due to conditions such as soil contamination, unstable ground or soil, erosion, or possible flooding;

- (1.1) *adequate supply of water and treatment of wastewater for the proposed use has been secured to the satisfaction of the Region; and;*
- (2) *development meets all applicable statutory requirements, including regulations, Official Plan policies, zoning by-laws, and municipal by-laws*

Response: The Phase One Environmental Assessment determined no potential contaminating activity were anticipated to represent areas of potential environmental concern on the site and a Phase Two environmental Assessment was not recommended. Servicing infrastructure exist on Loyalist Trail and servicing allocation will be secured from the Region. With the approval of the proposed official plan amendments and zoning by-law amendment applications, the proposed development will meet all applicable statutory requirements.

Policy:

URBAN AREA AND THE REGIONAL STRUCTURE

72.1 The objectives of the Urban Area are (the most germane to the proposed development are listed below):

- (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.*
- (9) *To facilitate and promote intensification and increased densities.*

Response: The proposed development will not encroach into the adjacent natural heritage system nor interfere with access and views of the natural heritage system from the public realm. Also, the proposed development represents orderly growth as the site is within the settlement area and is serviced by an existing public road. Furthermore, the development provides a denser form of housing which promotes the creation of complete communities by increasing the variety of housing form and tenure that are compatible with existing uses. This compact form is supportive of transit as well as non-motorized modes of travel through the provision of walkways.

- 75 *The Urban Area is planned to accommodate the distribution of population and employment for the Region and the four Local Municipalities as shown in Table 1, the intensification and density targets as shown in Table 2, the Regional phasing as shown in Table 2a, and the targets for Strategic Growth Areas as shown in Table 2b.*

Response: As analyzed previously, the Subject Lands will contribute to reaching the overall population target promoting medium density residential built form.

- 76 *The range of permitted uses and the creation of new lots in the Urban Area will be in accordance with Local Official Plans and Zoning By-laws. All development, however, shall be subject to the policies of this Plan.*

Response: With the approval of the proposed official plan amendment and zoning by-law amendment, the proposed development will be in accordance with the LOP, the NOESP, and Zoning By-law 2009-189 as amended.

Policy:

AIR AND THE AMBIENCE

- 143(12) *Achieve land use compatibility between sensitive land uses and major facilities by:*

- a) requiring that such uses are planned and developed to avoid, or if avoidance is not possible, to minimize and mitigate any potential adverse effects from odour, noise, vibration, air pollutants, and other contaminants, to minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities, in accordance with Provincial guidelines, standards, and procedures;*
- b) where avoidance is not possible, protecting the long-term viability of existing or planned industrial, manufacturing, or other uses that are vulnerable to encroachment by ensuring that the planning and development of proposed adjacent sensitive land uses are only permitted if the following are demonstrated through appropriate studies in accordance with Provincial guidelines, standards and procedures;*
 - (i) there is an identified need for the proposed use;*
 - [ii] alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations;*
 - (iii) adverse effects to the proposed sensitive land use are minimized and mitigated; and*
 - (iv) potential impacts to industrial, manufacturing or other uses are minimized and mitigated*

Response: The LUCR submitted in support of the proposed applications concluded residential uses on the Subject Lands will not affect the compliance of local industrial facilities with applicable Provincial environmental policies, regulations, approvals, and guidelines and are not likely to result in increased

risk of complaint and nuisance claims. Furthermore, the proposed development is not likely to result in operational constraints for the surrounding industries and commercial operations and are not likely to result in constraints and industries to reasonably expand, intensify, or introduce changes to their operations. Also, residential uses are not likely to result in constraints for new industries to reasonably be established in the surrounding light employment lands.

The LUCR also analyzed impacts on the proposed development from employment uses. No significant air or noise sources are associated with the Moore Regional Water Reservoir's operation thus such impacts are not a concern for residential uses on the Subject Lands. Furthermore, the LUCR concluded the proposed development is not expected to be subject to any significant air quality impacts from operation of the future fire station; the LUCR concluded noise emissions can be mitigated with the appropriate selection and placement of equipment while operation of sirens is prohibited by time and place unless required by law. Finally, the LUCR determined existing and planned Light employment uses located at least 150 metres distant from the Subject Lands are outside the 70 metre Potential influence zone for the 'Class 1' industrial category established by the Province's D6 guidelines and are therefore not expected to significantly impact residential uses on the Subject Lands.

The criteria of Policy 143.12.b) refers to Provincial guidelines to evaluate permission of sensitive land uses near employment areas. Section 3.5 of the PPS has updated the criteria and an evaluation of the proposed development in accordance with the updated criteria is located in the section of this Appendix regarding the PPS.

In consideration of the above, it is our opinion that the proposed development conforms to the applicable policies of the Region of Halton Official Plan, subject to the approval of the proposed official plan amendment and zoning by-law amendment applications.

TOWN OF OAKVILLE OFFICIAL PLAN (2009) – LIVABLE OAKVILLE PLAN

Policy:

RESIDENTIAL AREAS

- 3.9 *Residential Areas include low, medium and high density residential uses as well as a range of compatible facilities such as schools, places of worship, recreational and commercial uses that serve the residents of the Town.*

Some growth and change may occur in the Residential Areas provided the character of the area is preserved and the overall urban structure of the Town is upheld. The character of the Residential Areas will be significantly influenced

by their relationship to the Natural Heritage System, parks and open space areas

Response: The proposed applications will facilitate the creation of medium density residential uses. The neighbourhood south of the Subject Lands in the proximity of Burnhamthorpe Road East is comprised of a mixture of townhouse dwellings, single detached dwellings, back to back dwellings, and live-work buildings with heights ranging between 2 and 3 storeys. Each of the individual buildings of the proposed development concept has generally similar massing to the live-work buildings along Burnhamthorpe Road East and back to back dwellings south of Burnhamthorpe Road East. The façade of the proposed development concept facing Loyalist Trail will be similar to the arrangement of the existing townhouses facing Sixth Line as both provide for streetscape without the intrusion of front facing driveways and garage doors. Finally, the character of the proposed development concept is more similar to the character of the existing residential lands than the existing zoning by-law permissions applicable to the site as said permissions would have allowed a maximum height of 15 storeys and a maximum floor space index of 3 whereas the proposed development will have a maximum of 3 storeys and the floor space index will be approximately 1.

Policy:

CONVERSION OF EMPLOYMENT AREAS

14.2.3 The conversion of lands within Employment Areas to non-employment uses shall only be permitted through a municipal comprehensive review completed by Halton Region;

Response: The Region conducted a municipal comprehensive review which eventually led to the approval of ROPA 48 by the Minister of Municipal Affairs and Housing on November 10, 2021. ROPA 48, among other actions, removed the Regional Employment Area identification overlay from the Subject Lands.

Policy:

SITE-SPECIFIC OFFICIAL PLAN AMENDMENTS

28.2.1 The Town shall evaluate site-specific amendments to this Plan within the context of the goals, objectives and policies of this Plan;

28.2.2 The proponent of an official plan amendment shall submit reports to the satisfaction of the Town demonstrating the rationale for the amendment in accordance with the submission requirements set out in Part F of this Plan;

28.2.3 Submissions must demonstrate that the proposed amendment:

- a) is consistent with the Town's mission and guiding principles;*
- b) does not undermine the Town's urban structure in terms of:*

- i) directing growth to identified nodes and corridors, and ensuring their timely development in a manner that makes effective and efficient use of existing and planned investment and achieves the planned objectives for these areas;*
- ii) protecting natural heritage systems;*
- iii) protecting waterfront open space, parks and other public open space³;*
- iv) conserving cultural heritage resources; and;*
- v) the maintenance of the character of established Residential Areas, Employment Areas and major commercial areas;*
- c) is consistent with Provincial, Regional and Town plans for multi-modal transportation systems, municipal services, infrastructure and public service facilities;*
- d) does not result in adverse fiscal impacts for the Town;*
- e) is an appropriate use for the land;*
- f) is compatible with existing and planned surrounding land uses;*
- g) is not more appropriately considered under a required comprehensive Official Plan review or a municipal comprehensive review principles;*
- h) does not establish an undesirable precedent if approved*
- i) satisfies all other applicable policies of this Plan*

Response: The proposed applications are consistent with the mission and guiding principles of the LOP; specifically ensuring environmental sustainability, contributing to the availability of a wide range of housing to meet the diverse needs of the community through all stages of life, foster excellence in building design, and achieving sustainable community design.

The proposed development concept does not undermine the urban structure as it makes effective and efficient use of existing infrastructure and planned future public transit, and preserves environmental features while maintaining the general character of nearby residential areas.

The proposed development concept accommodates multi-modal transportation through the provision of walkways which are co-ordinate with public sidewalks as well as providing facilities for bicycle parking.

The proposed development concept will contribute to the Town's tax base in the form of additional property taxes collector.

The proposed residential use is appropriate for the land as it is isolated from and/or are distant from existing employment uses. The lack of intersection exposure has confirmed the site unsuitable for commercial use while the neighbourhood is already well served by convenience commercial uses in nearby locations as concluded in the CMS. The Subject Lands is well served by the proximity of future schools being built on the west side of Sixth Line.

A municipal comprehensive review has already been conducted as preparation for the creation of ROPA 48.

Finally, the proposed applications do not establish an undesirable precedent as the limited size, lack of intersection exposure, and the previous removal of the Employment Area identification overlay in the RHOP for this site is relatively unique.

In consideration of the above, it is our opinion that the proposed development conforms to the applicable policies of the Town of Oakville Official Plan 2009 – Livable Official Plan, subject to the approval of the proposed official plan amendment.

NORTH OAKVILLE EAST SECONDARY PLAN

Policy:

GENERAL DEVELOPMENT OBJECTIVES:

7.2.3.2 Residential

- 7.2.3.2.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*
- 7.2.3.2.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.*
- 7.2.3.2.c) *To reflect the land use objectives as set out within the Halton Urban Structure Plan (April 1994).*
- 7.2.3.2.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*
- 7.2.3.2.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.*

Response: As noted in the UDB, the proposed development will use design materials and elements which are similar to and complement the existing residential to the south. The proposed stacked townhouse development on the Subject Lands will assist the Town in achieving the density targets established in the RHOP. The proposed development represents an efficient and appropriate use of land due to its compact built form and will contribute to the variety of densities and built form responding to the varied needs of future population.

7.2.3.4 Urban Design

- 7.2.3.4.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.*
- 7.2.3.4.b) *To integrate important views and vistas of the natural heritage and open space system within community design.*
- 7.2.3.4.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.*
- 7.2.3.4.d) *To promote building design variety that promotes an active, safe pedestrian realm within the streetscape.*
- 7.2.3.4.e) *To design street sections that promote a sense of scale and provide for pedestrian comfort.*
- 7.2.3.4.f) *To promote building forms that address the street and minimize the impact of garages and service areas on the streetscape.*
- 7.2.3.4.g) *To encourage mixed use development along strategic corridors and at neighbourhood centres.*
- 7.2.3.4.h) *To create retail and service commercial development that has a strong relationship to streetscapes and major pedestrian ways.*
- 7.2.3.4.i) *To integrate community and institutional uses at landmark locations.*
- 7.2.3.4.j) *To promote a variety of housing with diverse architecture.*
- 7.2.3.4.k) *To create high quality employment areas which are easily accessed by trucks and other vehicular traffic, as well as transit, bicycles and pedestrians.*

Response: The proposed development concept will not impede views and vistas of the natural heritage system from the public realm. The proposed development concept illustrates three buildings which will present articulated facades facing the woodlot including the provision of balconies providing views of the trail at edge of the woodlot thereby enhancing safety.

The proposed development concept addresses Loyalist Trail by having an articulated façade facing said public road promoting a sense of human scale for the streetscape. Furthermore, garage doors and parking areas are internal to the site thereby allowing a superior urban treatment along the Loyalist Trail. Efforts to increase a sense of connectivity, perceived safety, and visual interest has been taken into account by ensuring front unit accesses, balconies, and windows face Loyalist Trail. Foundation planting along the southern facades of the proposed buildings will supplement the boulevard tree planting in the public right of way.

Walkways are separated from vehicular circulation within the proposed concept and said walkways connect directly to the public sidewalk along Loyalist Trail, thus promoting an active and safe pedestrian realm. Finally, the proposed stacked townhouse buildings promote variety in housing form while being compatible with adjacent land uses.

Policy:

COMMUNITY STRUCTURE:

7.3.6 Population/Housing Targets

7.6.3.1 The North Oakville East Planning Area capacity or ultimate population target, which may not be achieved within the 2021 planning period, is a population of between 45,000 and 55,000 at an overall density that equals or exceeds the requirements of the Halton Urban Structure Plan of 30 units per hectare on a net basis as defined in Section 7.10.13 of this Secondary Plan....

Response: The density of the proposed development concept is 61.5 units per net hectare which will assist the Town in achieving or exceeding the population target. Notably, the population targets in Subsection 7.6.3.1 have not been updated since the approval of the NOESP in 2008.

7.3.7 Employment Targets

... The target is approximately 300 net hectares of employment land and 16,500 jobs at capacity....

Response: The 300 net hectares of employment land is the target for both the NOESP area and the North Oakville West Secondary Plan area combined. Through the removal of the Employment Area identification overlay within the RHOP, ROPA 48 has deemed employment uses are not required on the Subject Lands. Furthermore, the definitions of Area of Employment and Employment Area within the Act and PPS respectively have removed commercial, office, and retail uses as of October 20, 2024. Since the Employment District designation within the NOESP permitted commercial and office within the land use designation, it is possible the amount of land needed to satisfy the current definitions within the Act and PPS is less than 300 hectares. Furthermore, the Subject Lands are only 0.65 hectares in size and the removal of the Employment District designation from the Urban Structure for the site represents only a 0.22 percent reduction in the overall employment area target identified for North Oakville. Consequently, the amendment to remove the Employment District designation will not significantly impede the provision of employment type uses within the NOESP area nor the North Oakville West Secondary Plan area.

Policy:

SUSTAINABLE DEVELOPMENT:

7.4.2 Development Form

The North Oakville East Secondary Plan has been based on a conceptual design which maximizes the potential for sustainable development through such features as mixed

use development, a modified grid road system which enhances the opportunity to provide transit, and a Natural Heritage and Open Space System.

In addition to the general direction implicit in the Plan, the Town will actively encourage development which is specifically based on the principle of sustainable development, including the development of Town facilities. The Town will also work with other public agencies to encourage them to follow these principles. Such development will be designed to

- a) reduce the consumption of energy, land and other non-renewable resources;
- b) minimize the waste of materials, water and other limited resources;
- c) create livable, healthy and productive environments; and,
- d) reduce greenhouse gases.

Response: The proposed stacked townhouses exemplify sustainable development due to the compact built form which efficiently uses land. The Subject Lands will not disrupt the existing grid pattern of local roads.

Policy:

COMMUNITY DESIGN STRATEGY:

7.5.2 Master Plan

- 7.5.2.b) *...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.*
- 7.5.2.h) *A proposed plan of subdivision or other development plan shall be considered to be inconsistent with the Master Plan, as referenced in subsection c) i), if it does not conform to the General Design Directions in Section 7.5.4, or results in coordination issues between areas identified in subsection b.*

7.5.4 General Design Directions:

- 7.5.4.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.*
- 7.5.4.b) *A hierarchy of civic, institutional and commercial uses shall be established in locations which form part of mixed use areas (rather than isolated in single-use complexes) which allow them to serve as focal points for the Planning Area as a whole, neighbourhoods and sub-neighbourhoods. In particular, the ordinary activities of daily living shall occur within walking distance of most dwelling units.*

- 7.5.4.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.*
- 7.5.4.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.*
- 7.5.4.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.*
- With respect to other public facilities particularly schools and parks, of the total linear perimeter distance around such uses in the order of 50% of the perimeter will be bounded by a combination of roads and open space which will allow public access or, at a minimum private open space which will allow significant views of the feature or facility. Where only road frontage is provided the frontage shall be in the order of 40% of the perimeter of the features and facilities.*
- 7.5.4.f) *Parks, neighbourhood activity nodes, and other civic areas will serve as central “meeting places” for residents, particularly within neighbourhoods and sub-neighbourhoods*
- 7.5.4.f) *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*
- 7.5.4.f) *The incorporation of cultural heritage resources into the community, including their use and adaptive reuse, shall be encouraged.*

Response: Town staff did not request an area design plan as part of the submission requirements for the proposed applications.

The proposed development concept conforms with the general design direction by its compact built form which is transit supportive while pedestrian usage is accommodated through walkways separated from the internal vehicular circulation routes which connect directly the public sidewalk along Loyalist Trail. Also, the Subject Lands are on the periphery of existing residential uses and does not have intersection exposure therefore commercial uses are not viable on the site as confirmed in the CMS; notably, a complex of commercial and retail activity for the neighbourhood is present on both sides of Burnhamthorpe Road East. Furthermore, since the site is on a block within a registered plan of subdivision the proposed development will not disrupt the existing grid pattern of streets. Complementing the existing public park on the south side of Loyalist Trail is a private parkette in the northwest portion of Subject Lands. Finally, the proposed development will not encroach into the abutting the natural heritage system and views of said natural heritage system from Loyalist Trail remain unimpeded. Therefore, the proposed development conforms to the General Design Directions of the NOESP.

7.5.6 Building Location

- 7.5.6.b) *Buildings, structures and landscaping shall be designed to provide visual interest to pedestrians, as well as a “sense of enclosure” to the street. Generally, heights of buildings shall also be related to road widths to create a more comfortable pedestrian environment, so that the wider the road width, the higher the building height.*
- 7.5.6.d) *In residential areas, garages shall be designed so that they are not the dominant feature in the streetscape. In particular, attached garages shall not:*
- i) project beyond the façade of the dwelling or the façade (front face) of any porch; or*
 - ii) contain garage doors that occupy more than 50% of the frontage of a lot unless the Town is satisfied through the submission of detailed plans by the applicant that the garage doors can be appropriately integrated with the streetscape.*

Response: The three storey buildings of the proposed development concept will provide a sense of enclosure and human scale for the 20 metre wide Loyalist Trail. All garages and driveways will be facing internal to the site thus the public facing facades will be composed of articulated architecture.

Policy:

LAND USE STRATEGY:

7.6.8 Employment District

7.6.8.2 Permitted uses may include:

- a) *light industrial operations, including light manufacturing, assembling, processing, fabricating, repairing, warehousing, distribution and wholesaling;*
- b) *business and professional office uses and medical clinics;*
- c) *service establishments such as print shops, equipment rental establishments, restaurants, hotels, banquet halls, financial institutions, and service establishments which primarily provide services at the customer's location such as electricians and plumbers and limited retail commercial development such as business supply and industrial supply establishments subject to the requirements of Section 7.6.8.3 and 7.6.8.4d)...*

7.6.8.3 Business and Service Commercial Uses:

Limited retail and service commercial uses permitted in Section 7.6.8.2 shall be clustered at the intersections with Arterial, Avenue and Connector roads...

Response: The entirety of Block 154 of Registered Plan 20M-1221 was originally intended for commercial uses. However, the sale of the western half of the block to the Town for construction of a fire station resulted in the eastern half of Block 154 (the Subject Lands) without exposure at an intersection. Therefore, the site's continue use for the originally intended service commercial uses would not be in conformity with the NOESP thus re-designating the lands for a residential use is appropriate.

7.6.9 Transitional Area

7.6.9.1 The intent of the Transitional Area designation on Figure NOE2 is to provide for an interface and buffer between the more intensive concentration of industrial, office and service employment uses located in the Employment District designation, and adjacent residential uses.

7.6.9.2 Transitional Area uses may include:

- a) *uses permitted in the General Urban Area designation;*
- b) *uses permitted in the Community and Neighbourhood Park designations;*
- c) *small scale convenience retail, personal service and business activity, particularly in areas abutting the Employment District designation;*
- d) *cemetery uses;*
- e) *institutional uses; and;*
- f) *high density residential uses, where such uses can be appropriately buffered from adjacent industrial and low density residential uses;*

Response: The re-designation of the Subject Lands will expand the buffer between the Neighbourhood Area designation south of Burnhamthorpe road and the Employment District north of the Site near William Halton Parkway. The Transitional Area allows a wide range of residential uses including low and medium density built form of the General Urban land use category as well as high density development thus the Transitional Area land use category is suitable for a denser form of development.

7.6.9.3.a) *It is not intended that the full range of permitted uses will be permitted in all locations so designated. The precise range of uses and form of development shall be determined through an area design plan for the area which must be completed prior to any major new development. The area design plan will:*

- *Create a logical land use boundary with the adjacent Employment District, provided that there shall be no significant reduction in either the Employment Area or Transitional Area designations;*
- *Establish design parameters to mitigate environmental impacts on proposed residential and other sensitive development. In particular, consideration will be given to locating roads which serve both the Transitional Area and Employment District so that they create a buffer between residential development and lands in the Employment District designation. The design parameters will serve as a basis for the development of specific regulations in the zoning by-law and the Urban Design and Open Space Guidelines; and,*
- *Address Provincial noise and air quality guidelines and regulations;*
- *Consider compatibility with existing uses including an appropriate range of adjacent uses and an illustration of how proposed development can be integrated with existing uses which are being maintained.*

Response: The Town did not indicate the necessity of creating an area design plan during Pre-Submission Consultation Meeting held on July 17, 2024. However:

- the existing Moore Regional Water Reservoir, the east/west natural heritage system traversing the northern half of said reservoir, and the woodlot adjacent to the site serves as a logical boundary between employment uses and the residential uses proposed on the Subject Lands.
- The woodlot to the east has been studied as part of plan of subdivision 24T-13002, and appropriate buffers have been provided within the natural heritage block to maintain the ecological function of said woodlot; the proposed development concept does not contemplate intrusion into said natural heritage block.
- The LUCR has indicated the use of the Subject Lands for residential purposes is not anticipated to impact the function of employment uses on nearby lands.
- The proposed development concept and existing residential uses are compatible as they can co-exist without unacceptable adverse impacts due to the separation distance between the Subject Lands and existing residential uses. The LUCR has concluded no significant impacts to and from the existing employment uses are anticipated and any noise impacts from the future fire station can be mitigated.

7.6.9.3.b) *Development shall conform to the following additional criteria:*

- *Uses permitted in accordance with the General Urban Area designation shall be developed in accordance with the policies of that designation;*

Response: The proposed development concept will conform with the policies of the General Urban land use category:

7.6.7.2 *General Urban Area*

7.6.9.3.b) *Permitted Uses, Buildings and Structures:*

- *The permitted uses shall be low and medium density residential uses and home occupation and home business uses.*
- *Permitted uses shall be located in low or medium density residential buildings.*

7.6.9.3.c) *Land Use Policies:*

- *A mix of housing types shall be permitted at the following heights and densities:*
 - *Minimum density - 25 units per net hectare;*
 - *Maximum density - 75 units per net hectare; and,*
 - *Maximum height - 3 storeys*
- *The Town will require that a variety of residential building types be developed throughout the General Urban Area designation in each neighbourhood. The location of building types shall be controlled through the zoning by-law.....*

Response: The proposed stacked townhouse buildings will comply with the definition of Medium Density buildings. Furthermore, the density of the proposed development concept is approximately 61.5 units net per hectare which falls within the acceptable density range for the General Urban Area land use category. Finally, the proposed stacked townhouse buildings will be 3 storeys thus conforming with the maximum height of the General Urban Area land use category.

Policy:

GROWTH MANAGEMENT STRATEGY:

7.9.2 *Phasing*

7.9.2.c) *Unphased Development:*

- a) *Development in Employment, Transitional and Urban Core Area designations, as well as development specifically based on the principle of sustainable development in conformity with Section 7.4.4 of this Plan, and the development of parkland, shall be permitted without reference to any phasing policies subject to the availability of suitable urban infrastructure such as water, wastewater collection and treatment facilities, fire and ambulance protection and transportation;*

In addition, development in the Neighbourhood Area designation in Neighbourhoods 8 and 9, or Neighbourhoods 6 and 7, or Neighbourhoods 9,

10 and 11, shall be permitted without reference to any phasing policies, subject to the availability of suitable urban infrastructure, provided that as a condition of development:

i) Lands in the Employment Area designation

Region and Town are satisfied that municipal sewer and water services are extended, or secured through an agreement, to the lands in the Employment Area designation to permit the development of a plan of subdivision with a minimum gross area of 25 hectares of land within the Employment Area designation, which is draft plan approved, and....

7.10.13. Definitions

a) Gross Developable Area shall be calculated as the total area of land excluding the Natural Heritage System component of the Natural Heritage and Open Space System

Response: The Subject Lands were part of draft of subdivision 24T-13002 which satisfied the conditions to allow lands south of Burnhamthorpe Road to develop without referencing the phasing policies. While the proposed applications will indeed reduce the gross hectare of lands designated Employment District by 0.65 hectares, the quantum of land represented on lands forming part of subdivision 24T-13002 is still adequate to satisfy the 25 gross hectare target as demonstrated by the following calculation based on lands areas from the draft approved plan of subdivision as red line revised dated June 24, 2021:

Stormwater management used by employment blocks:	1.380 hectares
Private Driveway connecting two employment blocks:	0.030 hectares
Employment (not including Subject Lands)	: 19.986 hectares
Roads used by the employment blocks (20m/35m/38m):	4.409 hectares
Road widening:	<u>0.523 hectares</u>
TOTAL :	26.328 hectares

In consideration of the foregoing, it is our opinion that the Proposed Development is in keeping with the objectives and intent of the North Oakville East Secondary Plan.

TOWN OF OAKVILLE ZONING BY-LAW 2009-189

Within the Town of Oakville Zoning By-law 2009-189, the Subject Lands are zoned 'Service Area - Employment (SA) Zone' on Schedule A – Zoning Map 12(5). The Service Area -Employment permits a range of light industrial office, commercial, school, and service uses.

This PJR and the other studies have been submitted in support of the proposed development applications to establish townhouse residential uses on the Subject Lands by means of

amendments to the LOP and the NOESP to change the land use designations from employment to residential. To implement the proposed OPAs, a ZBA is also required to permit residential uses.

The proposed zoning by-law amendment seeks to rezone the Subject Lands to the 'Neighbourhood Centre (NC) Zone'. The Neighbourhood Centre zone permit residential uses (defined within By-law 2009-189 as "*use of land and buildings for human habitation but does not include a hotel*") as well as commercial and institutional uses. The utilization of the Neighbourhood Centre Zone as the base zone is appropriate since said Zone has been used for stacked townhouse buildings in other locations of the Town and the Neighbourhood Centre Zone has already been used for townhouses in other parts of the neighbourhood as directed by Town staff.

The By-law 2009-189 requires 1 vehicular parking space per stacked townhouse dwelling unit while no visitor vehicular parking spaces are required. Furthermore, By-law 2009-189 does not require bicycle parking spaces for stacked townhouse dwelling units. The proposed development concept illustrates a total of 83 vehicular parking spaces for the 40 dwelling units representing more than double the vehicular parking requirement. Similarly, By-law 2009-189 does not require bicycle parking spaces for stacked townhouses though the concept does provide 6 such spaces.

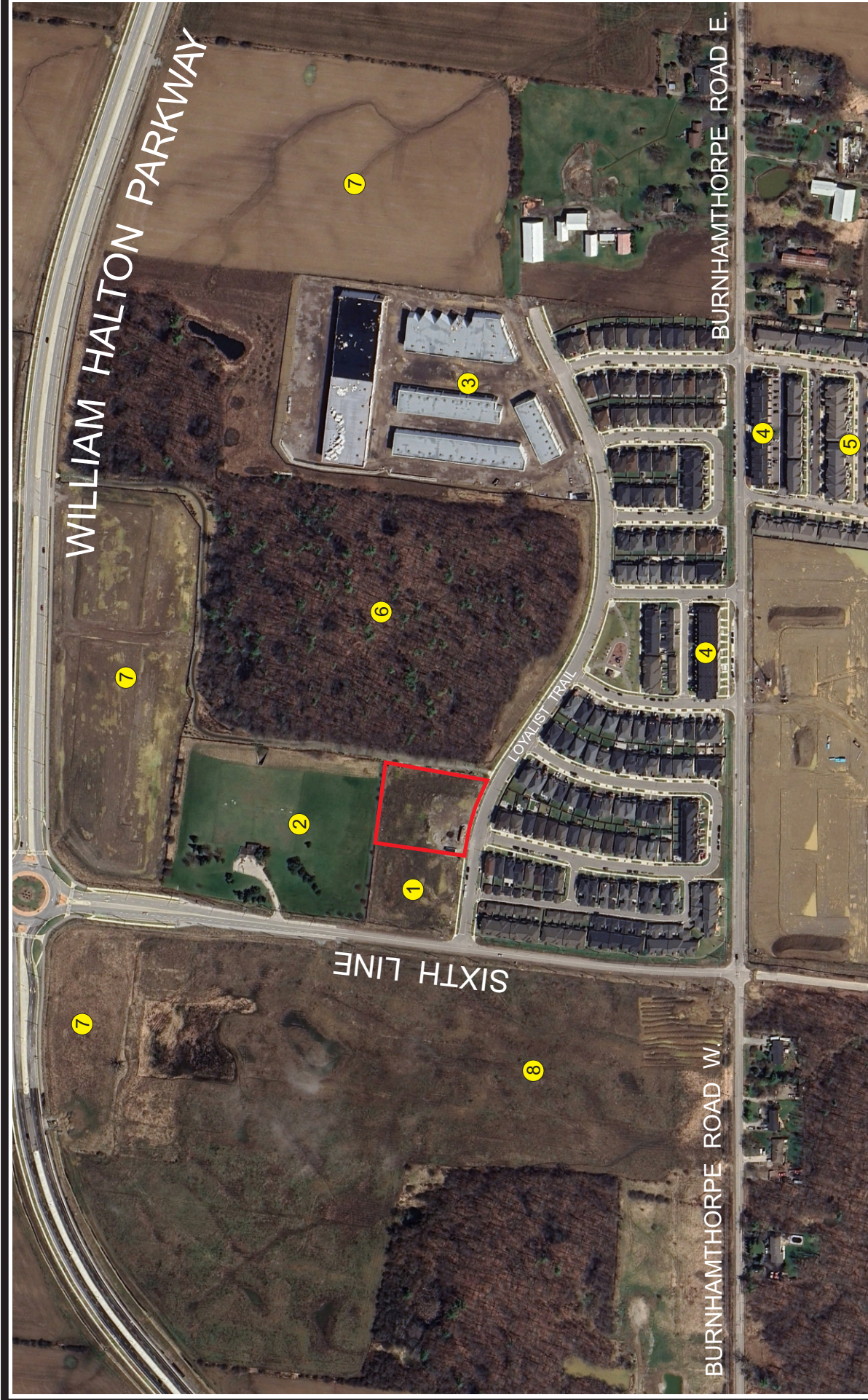
The proposed zoning amendment application also seeks to introduce site-specific exemptions as follows:

- Revising the definition of Stacked Townhouse to allow each dwelling unit to have its own independent entrance as shown on the proposed development concept. This is necessary as the definition within By-law 2009-189 requires entrances be shared; notably, the exception to allow independent entrances for each unit has been used in other stacked townhouse developments within the Town.
- Specifying the entirety of the Subject Lands is deemed to be one lot regardless of any further subsequent divisions of land. This exception is appropriate as it will simplify administering of development standards by allowing the entire site to be developed as one comprehensive development.
- Clarified the lot line abutting Loyalist Trail is deemed to be the Front Lot Line. This exception is necessary since each dwelling unit will be accessed by a private street and as the front lot line is typically the lot line separating the lot from a street, interpretation issues may arise since the intention is for the proposed development concept to be developed in a comprehensive condominium tenure. Therefore, specifying the lot line abutting Loyalist Trail facilitates the ability to deem the entire site as a single lot.
- While the Neighbourhood Centre Zone permits residential uses, no specific development standards are provided within By-law 2009-189 for stacked townhouse buildings. Therefore, the following development standards have been proposed:
 - Minimum and maximum floor space index/density development standards are not listed as applicable to residential building types such as back to back townhouses, street accessed private garage townhouses, apartments, and triplexes. Therefore, the minimum and maximum floor space index/density development standards have also been deemed not applicable for stacked townhouses proposed for the Subject Lands.

- A minimum lot frontage and lot depth have been specified to describe the dimensions of the Subject Lands.
- A minimum interior side yard between 1.2 metres and 1.5 metres has been specified for low rise residential buildings for the Neighbourhood Centre Zone within By-law 2009-189. A minimum interior side yard of 2.9 metres has been specified for the Subject Lands which will allow for the utilization of vegetation within the western interior side yard to buffer the future fire station. Similarly, the eastern minimum 2.9m interior side yard will ensure no encroachment into the adjacent woodlot will occur.
- A minimum 3 metre rear yard has been specified to accommodate landscaping between the proposed buildings and the Moore Regional Water Reservoir.
- While a maximum height of 5 storeys is inherently permitted within the Neighbourhood Centre Zone, the proposed ZBA seeks only a maximum building height of 3 storeys as the NOESP only permits a height of 3 storeys for medium density type buildings such as stacked townhouses. The Maximum 3 storeys is also the maximum height permitted for the existing residential uses south of the Subject Lands.

It is our opinion that the proposed ZBA is appropriate for the development of the Subject Lands.

APPENDIX B – REPORT FIGURES



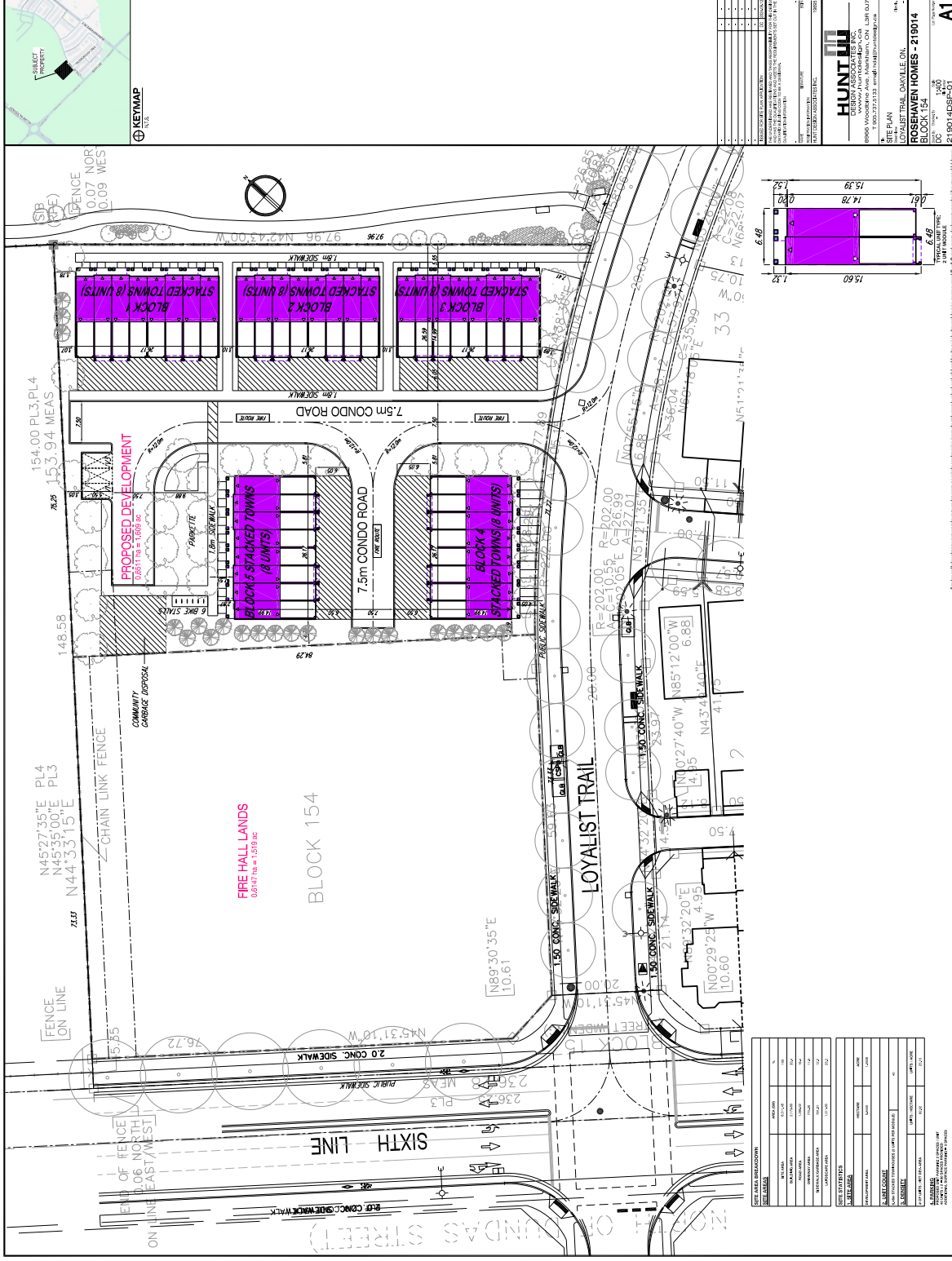
SITE CONTEXT

SUBJECT LANDS

1 FUTURE FIRE STATION
2 EXISTING MOORE REGIONAL WATER RESERVOIR
3 EXISTING EMPLOYMENT
4 EXISTING LIVE-WORK
5 EXISTING BACK TO BACK TOWNHOUSES
6 WOODLOT
7 FUTURE EMPLOYMENT
8 FUTURE SECONDARY SCHOOL

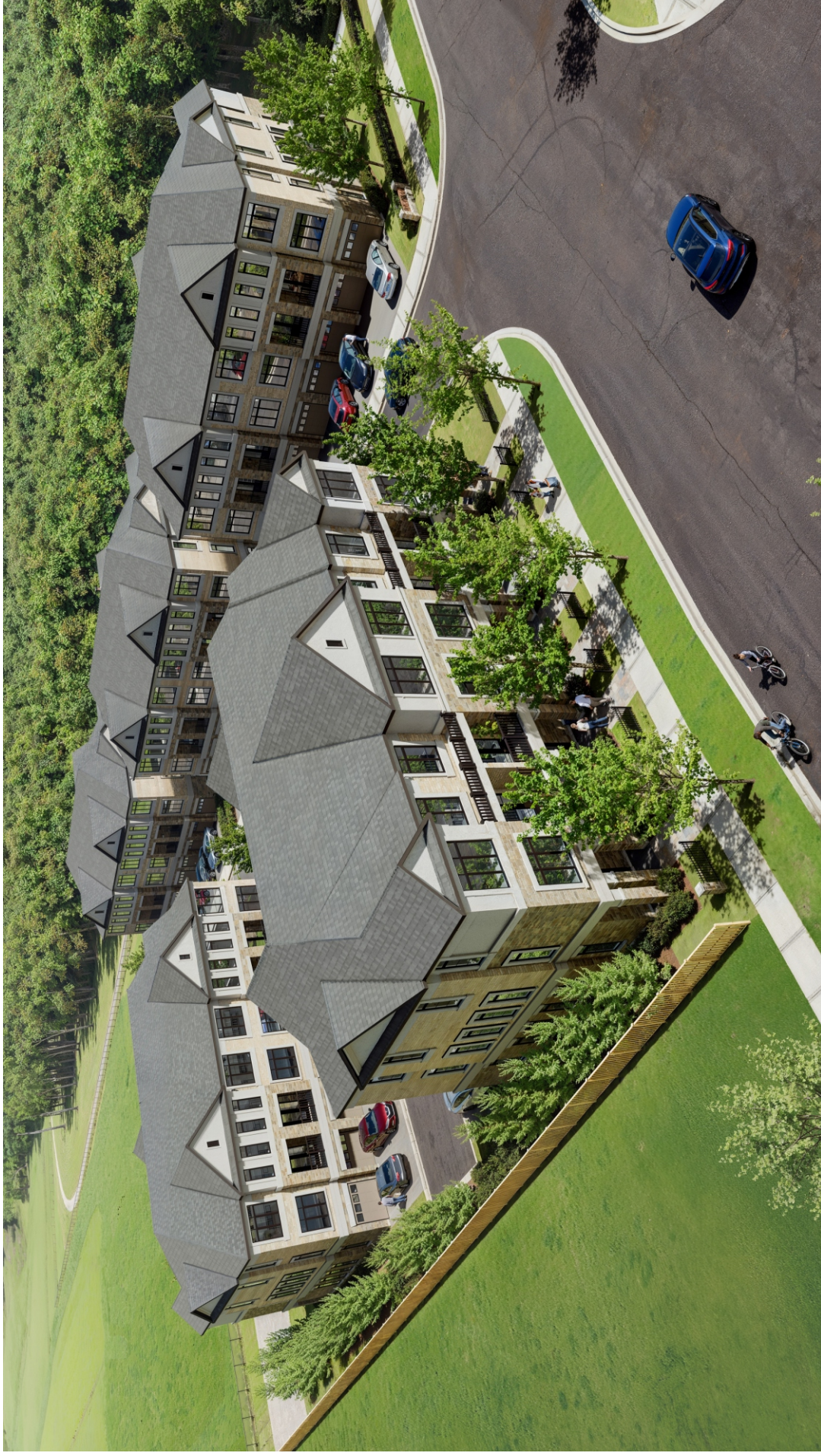
PLANNING JUSTIFICATION REPORT - ROWHEDGE CONSTRUCTION LIMITED - 15 LOYALIST TRAIL

FIGURE 2



PROPOSED DEVELOPMENT CONCEPT PLAN



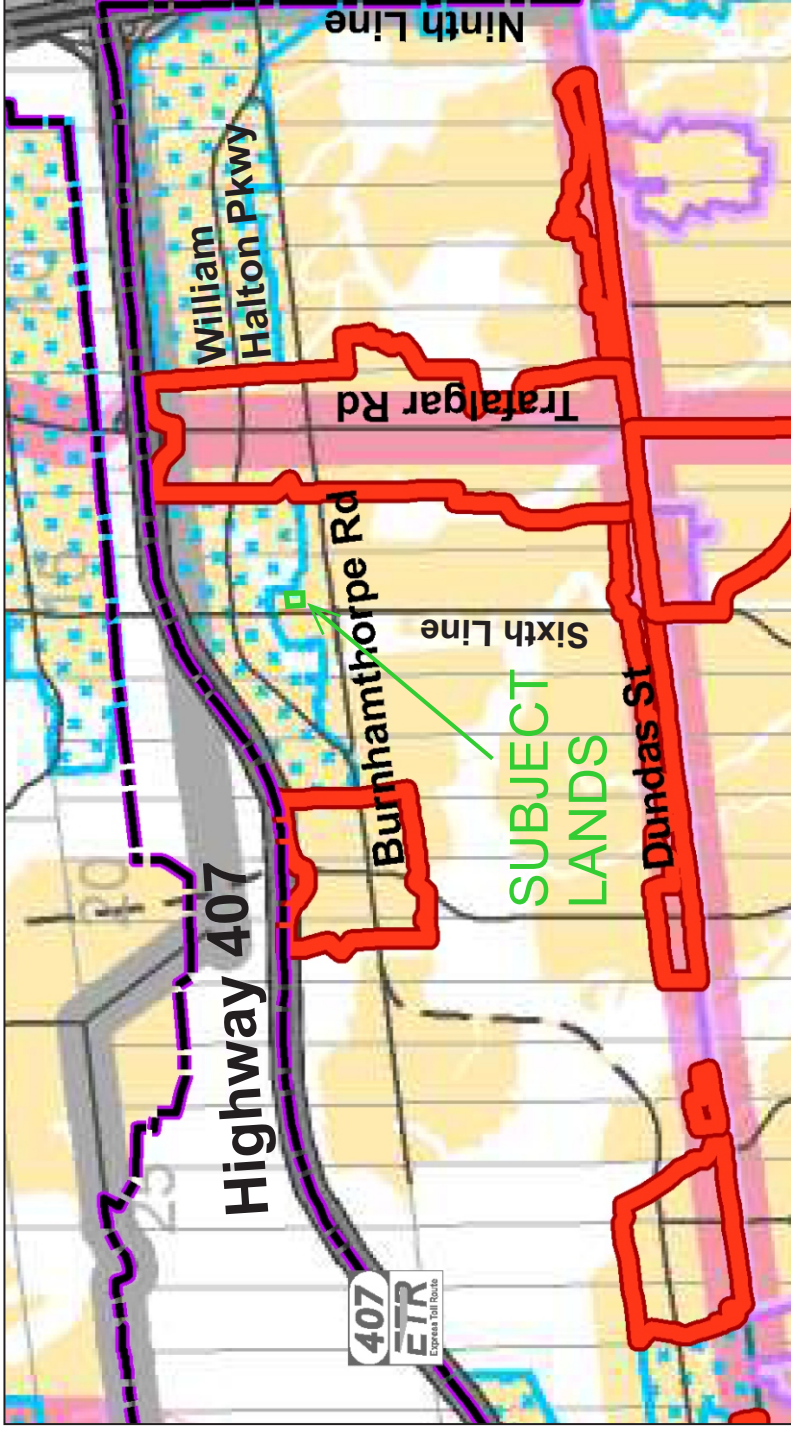


PROPOSED DEVELOPMENT CONCEPT RENDERING

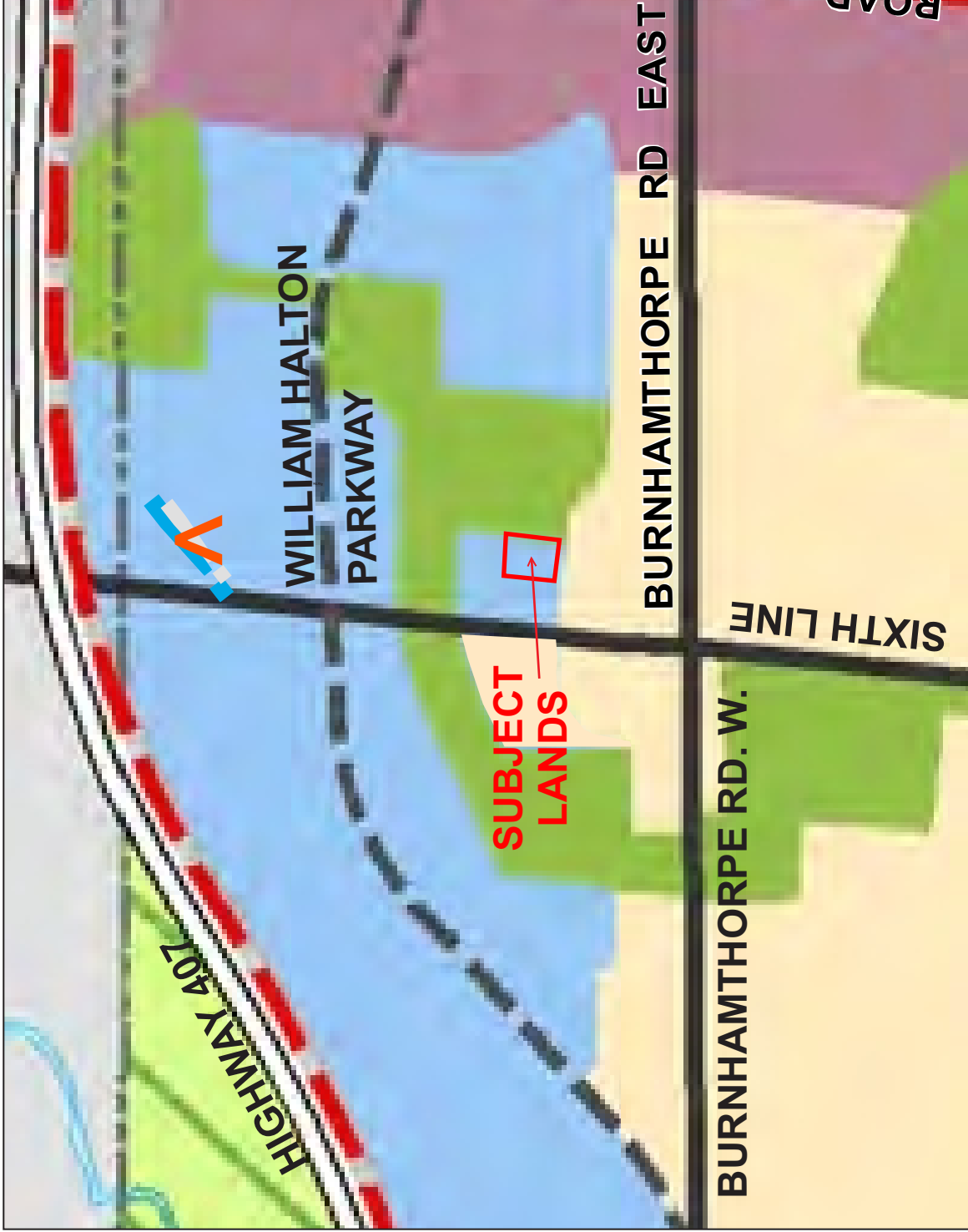


PLANNING JUSTIFICATION REPORT - ROWHEDGE CONSTRUCTION LIMITED - 15 LOYALIST TRAIL

FIGURE 4



REGIONAL URBAN STRUCTURE



**EXCERPT OF THE TOWN OF
OAKVILLE OFFICIAL PLAN 2009**
(AUGUST 31, 2021 CONSOLIDATION)
SCHEDULE A1 - URBAN STRUCTURE

LEGEND 1

- PARKWAY BELT
- GREENBELT
- GREENBELT - URBAN RIVER VALLEY
- NATURAL HERITAGE SYSTEM
- PARKS, OPEN SPACE & CEMETERIES
- WATERFRONT OPEN SPACE
- NODES AND CORRIDORS
- EMPLOYMENT AREAS
- MAJOR COMMERCIAL AREAS
- RESIDENTIAL AREAS
- MAIN STREET AREA
- EMPLOYMENT MIXED USE CORRIDOR
- REGIONAL TRANSIT NODE
- PROPOSED REGIONAL TRANSIT NODE
- NODES AND CORRIDORS 2 FOR FURTHER STUDY
- MAJOR TRANSPORTATION CORRIDOR 3
- PROPOSED MAJOR TRANSPORTATION CORRIDOR
- REGIONAL TRANSIT PRIORITY CORRIDOR
- MOBILITY LINK
- MAJOR ACTIVE TRANSPORTATION CONNECTIONS
- SCENIC CORRIDOR
- UTILITY CORRIDOR
- PROVINCIAL PRIORITY TRANSIT CORRIDOR
- MAJOR TRANSIT STATION
- HERITAGE CONSERVATION DISTRICTS 4
- CULTURAL HERITAGE LANDSCAPES

NOTE 1: This Schedule does not represent land use designations having the potential for intensification subject further study to more precisely delineate the extent of such areas.

NOTE 2: Transportation corridors, with the exception of Provincial highways, include transportation modes including transit, pedestrian and bicycle facilities.

NOTE 3: Heritage Conservation Districts and cultural heritage landscapes are elements of the urban structure. As additional Heritage Conservation Districts and cultural heritage landscapes are designated under the Ontario Heritage Act, they shall be added to Schedule A1.

1:50,000
August 31, 2021



FIGURE 6

LIVABLE OAKVILLE PLAN

EXISTING URBAN STRUCTURE



EXCERPT OF THE TOWN OF
OAKVILLE OFFICIAL PLAN 2009
(AUGUST 31, 2021 CONSOLIDATION)
SCHEDULE E - LAND USE SCHEDULE
BOUNDARIES

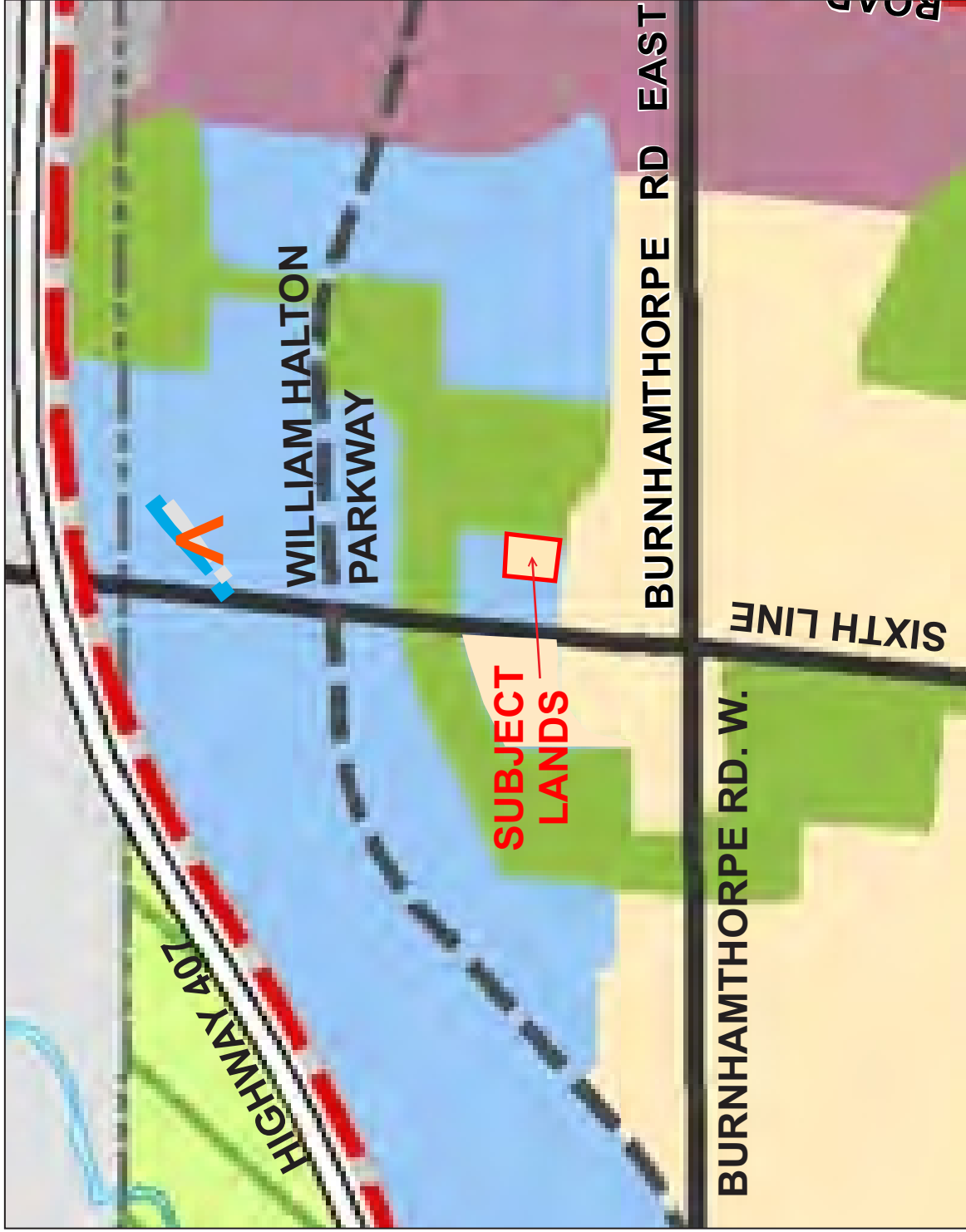
- SCHEDULE AREA BOUNDARY
- PARKWAY BELT
- GREENBELT
- LANDS NOT SUBJECT TO THE POLICIES OF THIS PLAN
- RAILWAY LINE



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August 31, 2021



LIVABLE OAKVILLE PLAN LAND USE SCHEDULE BOUNDARIES



**EXCERPT OF THE TOWN OF
OAKVILLE OFFICIAL PLAN 2009
(AUGUST 31, 2021 CONSOLIDATION)**
SCHEDULE A1 - URBAN STRUCTURE

LEGEND¹

- PARKWAY BELT
- GREENBELT
- GREENBELT - URBAN RIVER VALLEY
- NATURAL HERITAGE SYSTEM
- PARKS OPEN SPACE & CEMETERIES
- WATERFRONT OPEN SPACE
- NODES AND CORRIDORS
- EMPLOYMENT AREAS
- MAJOR COMMERCIAL AREAS
- RESIDENTIAL AREAS
- MAIN STREET AREA
- EMPLOYMENT MIXED USE CORRIDOR
- REGIONAL TRANSIT NODE
- PROPOSED REGIONAL TRANSIT NODE
- NODES AND CORRIDORS² FOR FURTHER STUDY
- MAJOR TRANSPORTATION CORRIDOR³
- PROPOSED MAJOR TRANSPORTATION CORRIDOR
- REGIONAL TRANSIT PRIORITY CORRIDOR
- MOBILITY LINK
- MAJOR ACTIVE TRANSPORTATION CONNECTIONS
- SCENIC CORRIDOR
- UTILITY CORRIDOR
- PROVINCIAL PRIORITY TRANSIT CORRIDOR
- MAJOR TRANSIT STATION
- HERITAGE CONSERVATION DISTRICTS/⁴ CULTURAL HERITAGE LANDSCAPES

NOTE 1: This Schedule does not represent land use designations having the potential for intensification subject further study to more precisely delineate the extent of such areas.

NOTE 2: Transportation corridors, with the exception of Provincial Highway, include transportation modes including transit, pedestrian and bicycle facilities.

NOTE 3: Heritage Conservation Districts and cultural heritage landscapes are elements of the urban structure. As additional Heritage Conservation Districts and cultural heritage landscapes are designated under the Ontario Heritage Act, they shall be added to Schedule A1, Urban Structure.

1:50,000
August 31, 2021



LIVABLE OAKVILLE PLAN

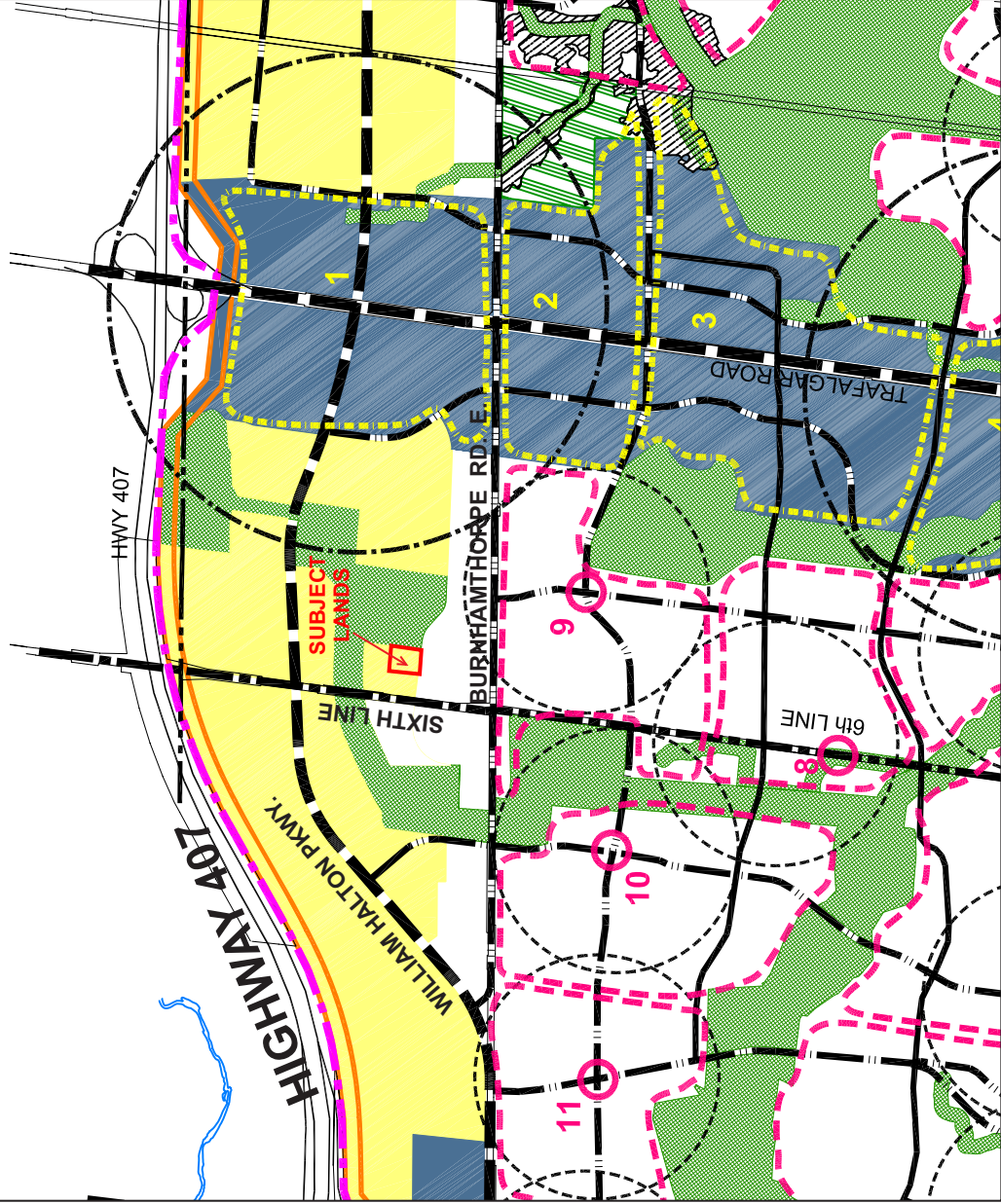
PROPOSED URBAN STRUCTURE

EXCERPT OF THE THE NORTH OAKVILLE EAST SECONDARY PLAN

FIGURE NOE 1 - COMMUNITY STRUCTURE

- LEGEND

 - SECONDARY PLAN AREA BOUNDARY
 - OAKVILLE / MILTON MUNICIPAL BOUNDARY
 - PROVINCIAL FREEWAY
 - MAJOR ARTERIAL/TRANSIT CORRIDOR
 - MINOR ARTERIAL/TRANSIT CORRIDOR
 - AVENUE/TRANSIT CORRIDOR
 - CONNECTOR/TRANSIT CORRIDOR
 - TRANSITWAY
 - UNDERLYING LAND USE NOT DETERMINED
subject to Section 7.4.7.1(b)(i)
 - FIVE MINUTE PEDESTRIAN SHED
 - TEN MINUTE PEDESTRIAN SHED
 - NEIGHBOURHOOD CENTRAL ACTIVITY NODE
 - RESIDENTIAL NEIGHBOURHOOD BOUNDARIES
 - TRAFALGAR URBAN CORE SUB-AREAS
 - URBAN CORE AREA
 - EMPLOYMENT DISTRICT
 - NATURAL HERITAGE COMPONENT OF
NATURAL HERITAGE AND OPEN SPACE SYSTEM
 - OPEN SPACE COMPONENT OF NATURAL
HERITAGE AND OPEN SPACE SYSTEM
 - JOSHUA CREEK FLOODPLAIN AREA
subject to Sections 7.4.13.1 & 7.6.17

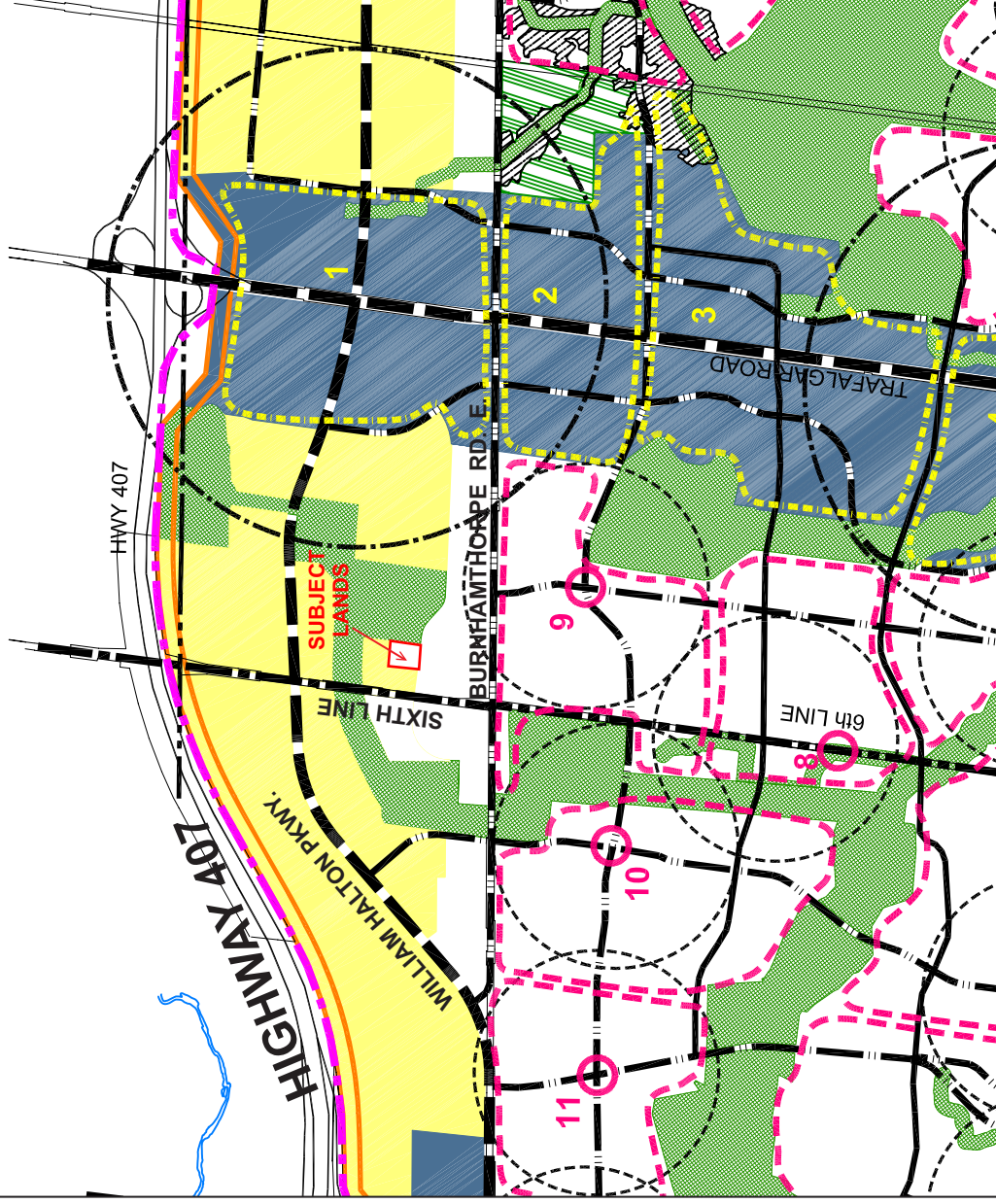


NORTH OAKVILLE EAST SECONDARY PLAN EXISTING COMMUNITY STRUCTURE

EXCERPT OF THE THE NORTH OAKVILLE EAST SECONDARY PLAN

FIGURE NOE 1 - COMMUNITY STRUCTURE

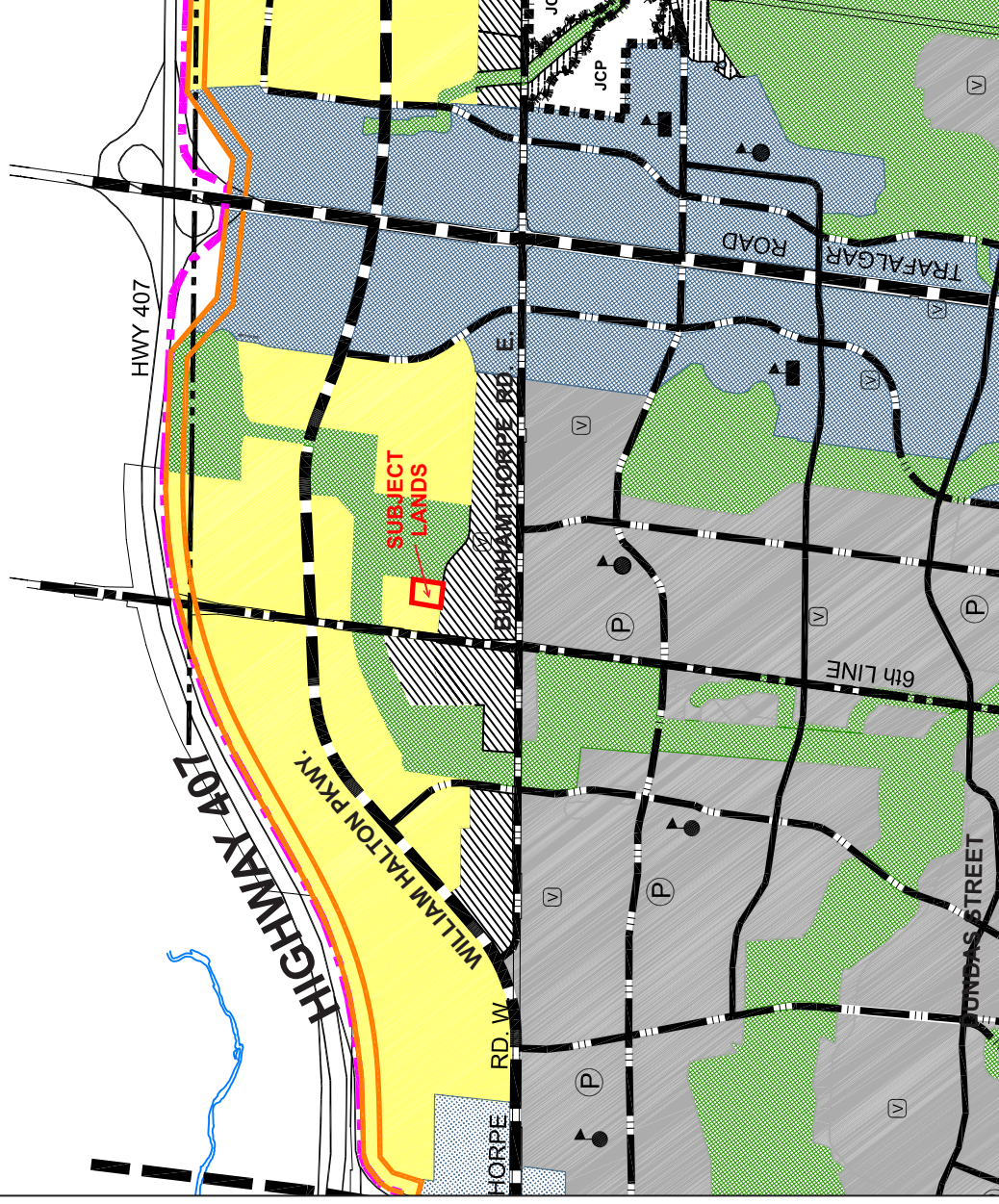
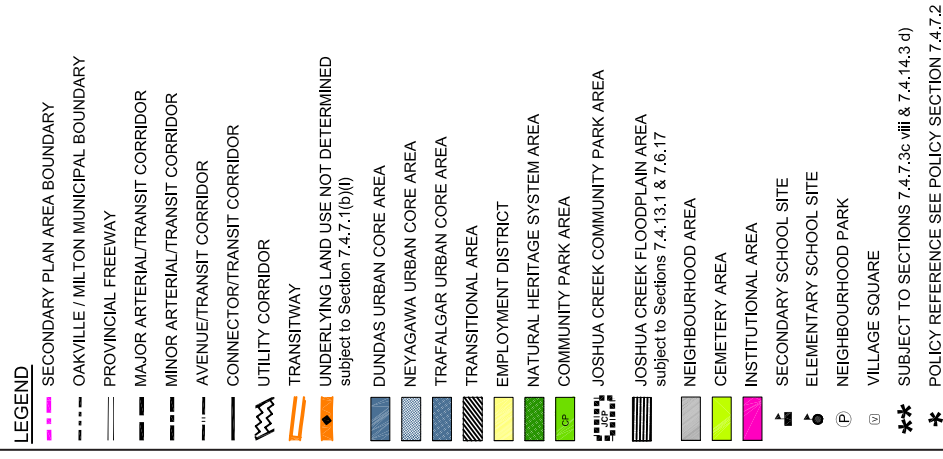
- LEGEND**
- SECONDARY PLAN AREA BOUNDARY
 - OAKVILLE / MILTON MUNICIPAL BOUNDARY
 - PROVINCIAL FREEWAY
 - MAJOR ARTERIAL/TRANSIT CORRIDOR
 - MINOR ARTERIAL/TRANSIT CORRIDOR
 - AVENUE/TRANSIT CORRIDOR
 - CONNECTOR/TRANSIT CORRIDOR
 - TRANSITWAY
 - UNDERLYING LAND USE NOT DETERMINED
subject to Section 7.4.7.1(b)(i)
 - FIVE MINUTE PEDESTRIAN SHED
 - TEN MINUTE PEDESTRIAN SHED
 - NEIGHBOURHOOD CENTRAL ACTIVITY NODE
 - RESIDENTIAL NEIGHBOURHOOD BOUNDARIES
 - TRAFALGAR URBAN CORE SUB-AREAS
 - URBAN CORE AREA
 - EMPLOYMENT DISTRICT
 - NATURAL HERITAGE COMPONENT OF
NATURAL HERITAGE AND OPEN SPACE SYSTEM
 - OPEN SPACE COMPONENT OF NATURAL
HERITAGE AND OPEN SPACE SYSTEM
 - JOSHUA CREEK FLOODPLAIN AREA
subject to Sections 7.4.13.1 & 7.6.17



NORTH OAKVILLE EAST SECONDARY PLAN PROPOSED COMMUNITY STRUCTURE

EXCERPT OF THE THE NORTH OAKVILLE EAST SECONDARY PLAN

FIGURE NOE 2 - LAND USE PLAN

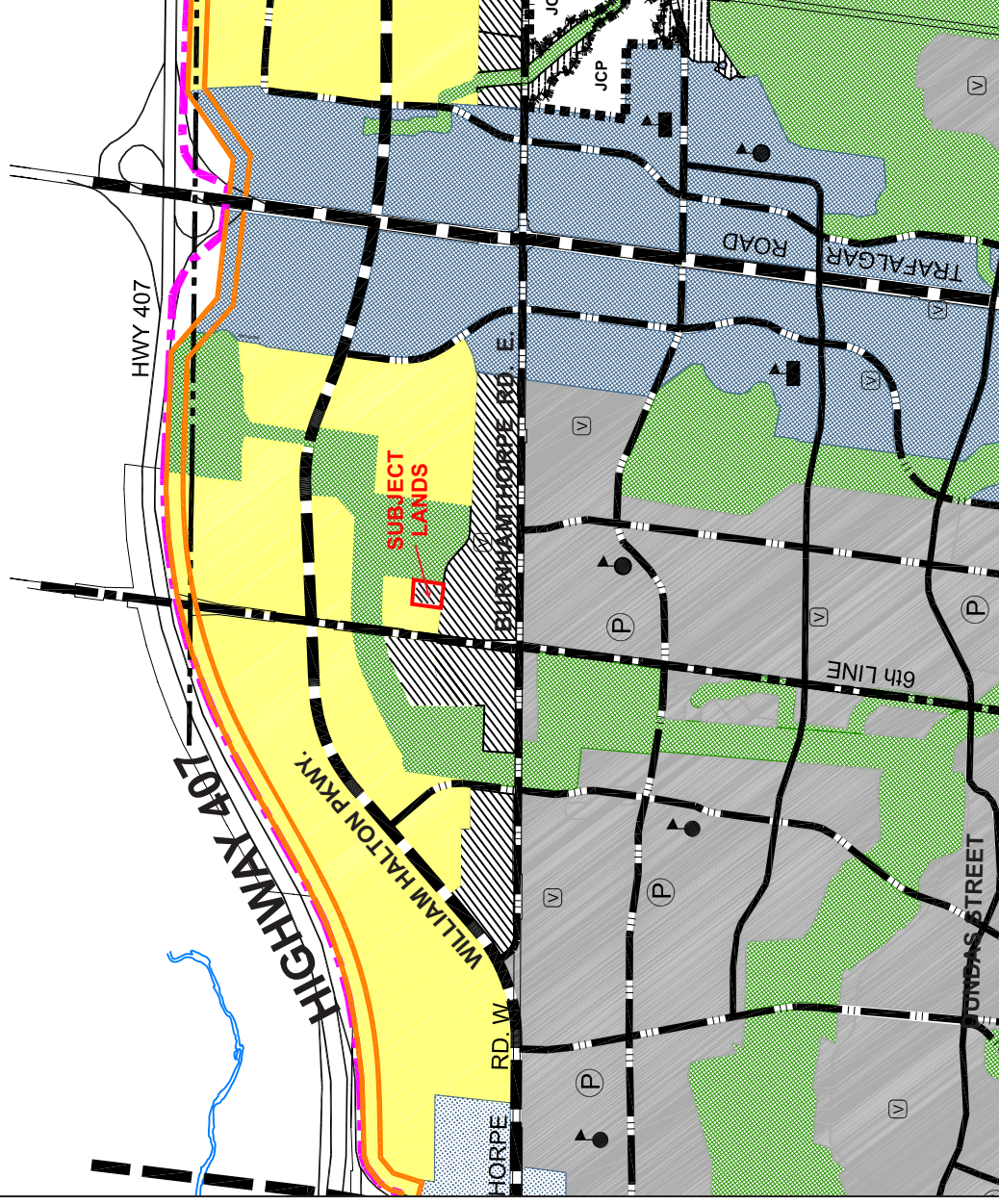


NORTH OAKVILLE EAST SECONDARY PLAN EXISTING LAND USE PLAN

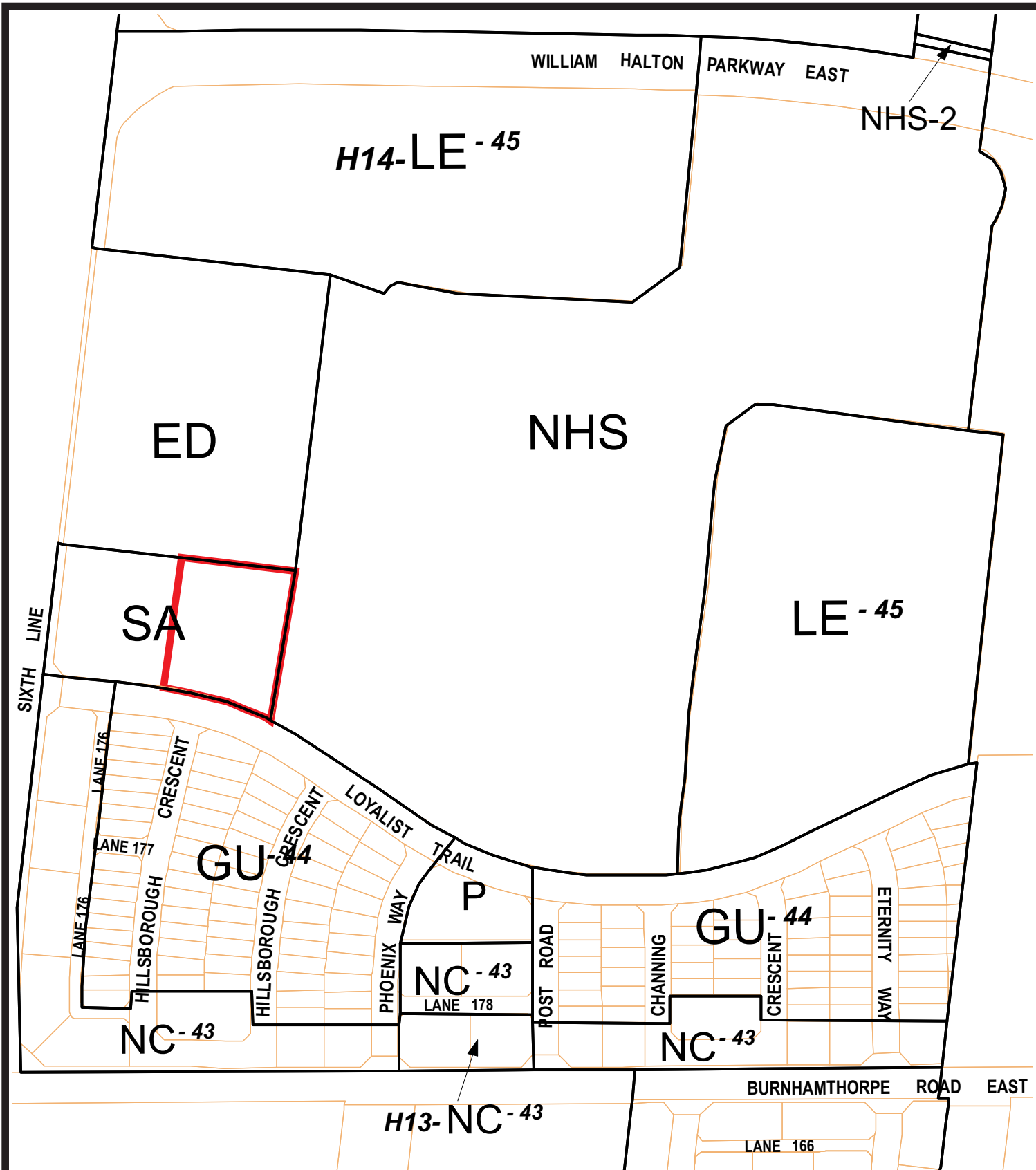
EXCERPT OF THE THE NORTH OAKVILLE EAST SECONDARY PLAN

FIGURE NOE 2 - LAND USE PLAN

- LEGEND**
- SECONDARY PLAN AREA BOUNDARY
 - OAKVILLE / MILTON MUNICIPAL BOUNDARY
 - PROVINCIAL FREEWAY
 - MAJOR ARTERIAL/TRANSIT CORRIDOR
 - MINOR ARTERIAL/TRANSIT CORRIDOR
 - AVENUE/TRANSIT CORRIDOR
 - CONNECTOR/TRANSIT CORRIDOR
 - UTILITY CORRIDOR
 - TRANSITWAY
 - UNDERLYING LAND USE NOT DETERMINED
subject to Section 7.4.7.1(b)(i)
 - DUNDAS URBAN CORE AREA
 - NEYAGAWA URBAN CORE AREA
 - TRAFALGAR URBAN CORE AREA
 - TRANSITIONAL AREA
 - EMPLOYMENT DISTRICT
 - NATURAL HERITAGE SYSTEM AREA
 - COMMUNITY PARK AREA
 - JOSHUA CREEK COMMUNITY PARK AREA
 - JOSHUA CREEK FLOODPLAIN AREA
subject to Sections 7.4.13.1 & 7.6.17
 - NEIGHBOURHOOD AREA
 - CEMETERY AREA
 - INSTITUTIONAL AREA
 - SECONDARY SCHOOL SITE
 - ELEMENTARY SCHOOL SITE
 - NEIGHBOURHOOD PARK
 - VILLAGE SQUARE
 - SUBJECT TO SECTIONS 7.4.7.3c, viii & 7.4.14.3 d)
 - POLICY REFERENCE SEE POLICY SECTION 7.4.7.2



NORTH OAKVILLE EAST SECONDARY PLAN PROPOSED LAND USE PLAN



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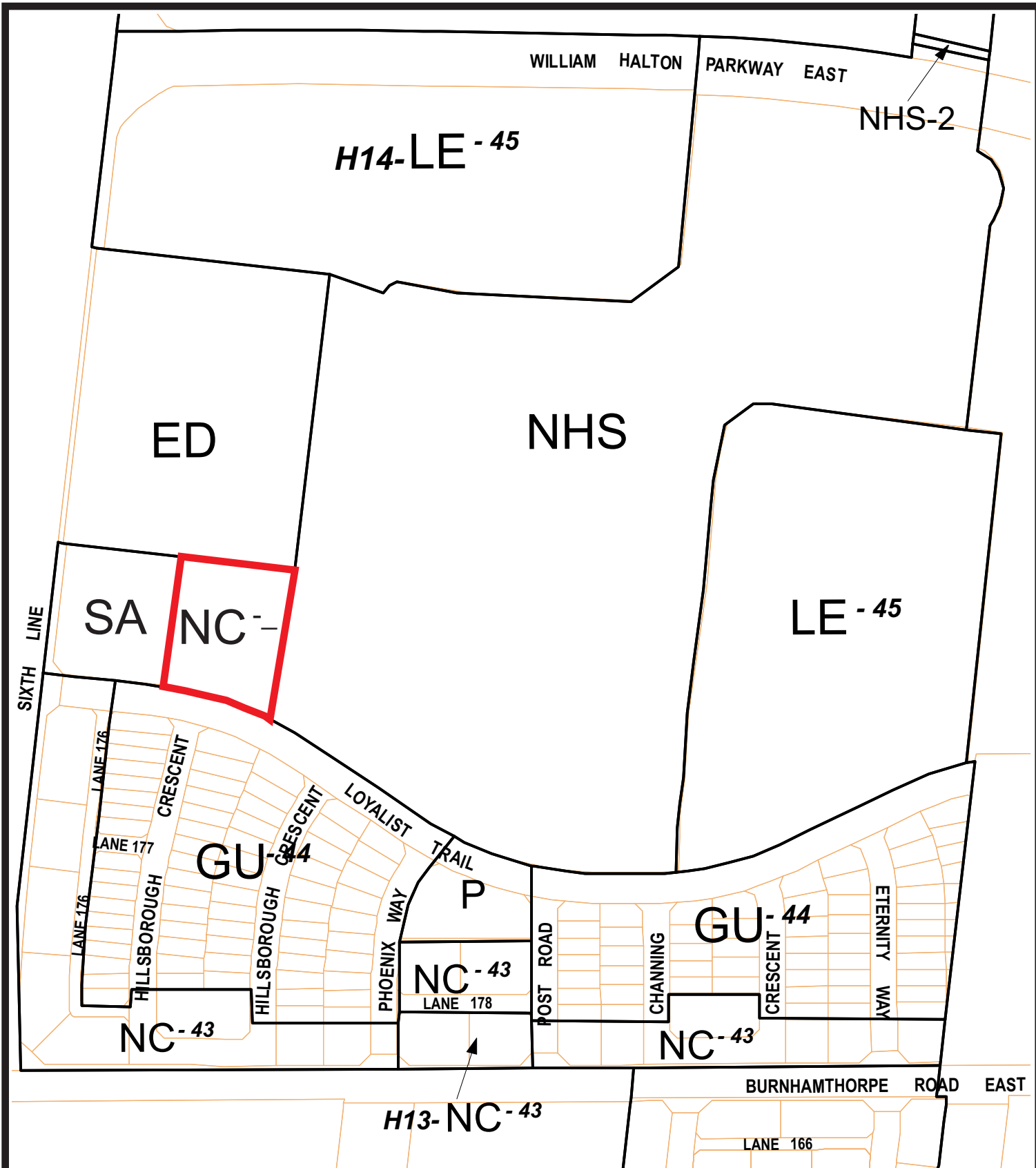
EXISTING ZONING

 SUBJECT LANDS

PLANNING JUSTIFICATION REPORT -
ROWHEDGE CONSTRUCTION LIMITED - 15 LOYALIST TRAIL


KLM
PLANNING

FIGURE 13



BY-LAW 2009-189 PROPOSED ZONING



PLANNING JUSTIFICATION REPORT -
ROWHEDGE CONSTRUCTION LIMITED - 15 LOYALIST TRAIL

FIGURE 14