



OAKVILLE

REPORT

Planning and Development Council

Meeting Date: June 7, 2021

FROM: Planning Services Department

DATE: May 25, 2021

SUBJECT: **Public Meeting Report – Zoning By-law Amendment, Delmanor West Oak Inc., 1280 Dundas Street West, File No. Z.1423.07**

LOCATION: 1280 Dundas Street West

WARD: Ward 4

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RECOMMENDATION:

1. That the public meeting report, prepared by the Planning Services Department dated May 25, 2021, be received.
2. That comments from the public with respect to the Zoning By-law Amendment by Delmanor West Oak Inc., 1280 Dundas Street West, File No. Z.1423.07, be received.
3. That staff consider such comments as may be provided by Council.

KEY FACTS:

The following are key points for consideration with respect to this report:

- The applicant has submitted a Zoning By-law Amendment to redevelop the north easterly portion of the St. Volodymyr's Cultural Centre lands on the south side of Dundas Street West, immediate west of the Sixteen Mile Creek for an eight storey retirement home with 315 suites, including 27 ground related independent living townhouse units.
- The entire land holdings is 27.05 hectares in size with frontage on Dundas Street West and Fourth Line, and the proposed development will occupy 4.62 hectares at the north east corner of the site adjacent to Fourth Line, with a future intent to sever these lands from the St. Volodymyr Cultural Centre holdings

- Access for the proposed development would be from the Fourth Line extension via the intersection of Dundas Street with Fourth Line.
- The area for the proposed development is designated as Private Open Space subject to Exception 27.3.2, which permits senior citizen's housing, as well as the existing place of worship, and other uses.
- This application proposes to rezone the associated lands from the Private Open Space (O2) zone Special Provision 122 to a site specific Private Open Space (O2) zone with a Special Provision to reflect the proposed development.
- An applicant initiated public information meeting/video conference took place on April 29, 2021, and was attended by 10 residents and the Ward 4 Councillors.
- The current application was submitted on December 18, 2020 and deemed complete. An appeal can be filed on March 18, 2021. However, the applicant did not host their Public Information Meeting until April 28, 2021 which resulted in a delay in proceeding with the statutory Public Meeting.

BACKGROUND:

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

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

Proposal

The applicant has submitted a Zoning By-law Amendment to redevelop 4.62 hectares on the north easterly portion of the St. Volodymyr's cultural centre land on the south side of Dundas Street West, immediate west of the Sixteen Mile Creek. The ultimate intent is to sever these lands from the St. Volodymyr Cultural Centre.

The application proposes an eight storey retirement home with 315 suites, together with 27 ground related independent living townhouse units in four separate blocks.

Access would be from the extension of Fourth Line via the intersection of Dundas Street with Fourth Line.

The amendment proposes to rezone those associated lands from the Private Open Space (O2) zone Special Provision 122 to a site specific Private Open Space (O2) zone with a Special Provision to permit the proposed development.

The applicant's proposed concept plan, shown on Figure 1 below and contained within Appendix B, illustrates the proposed development concept for the site.

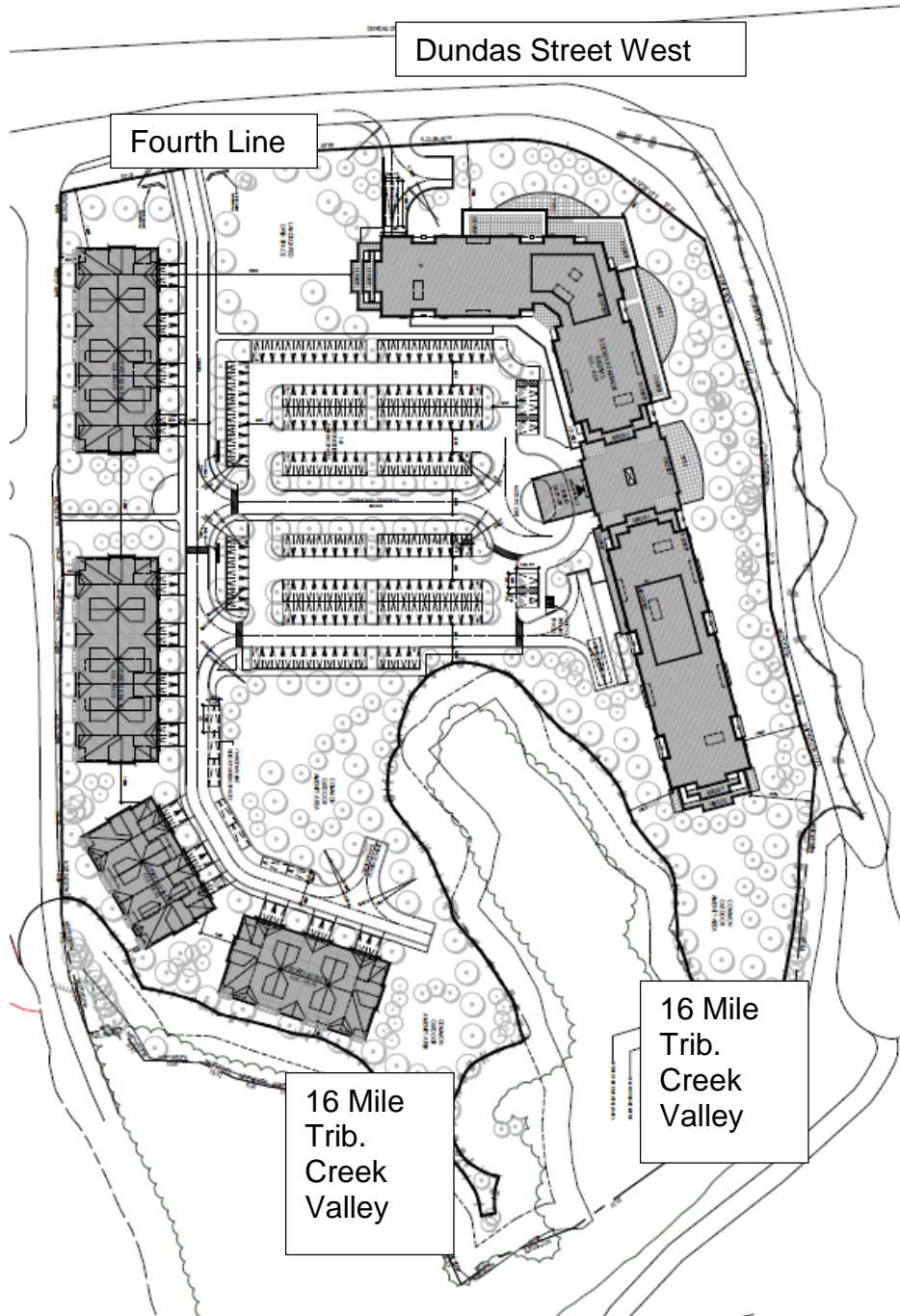


Figure 1 – Proposed Site Plan NTS

The applicant's proposed Zoning regulations can be found in Appendix A to this report.

Application submission material can also be found on the town's website site at <https://www.oakville.ca/business/da-37142.html>.

Location

The property is located on the south side of Dundas Street West immediately west of the Main Sixteen Mile Creek Valley. The portion of the property subject to this application is located at the north east corner of the site and is currently vacant (shown in Figure 2 below). The property has frontage on Dundas Street West and Fourth Line. Fourth Line at this location runs parallel to Dundas Street West before turning south into a cul-de-sac. The entire land holdings are known municipally as 1280 Dundas Street West. Should the area of lands being developed become severed from the larger land holdings, a new Fourth Line address will be established.



Figure 2: Air Photo

Site Description and Surrounding Land Uses

The entire cultural centre property, which extends much further south, is approximately 27.05 hectares in size. The area subject to this application is approximately 4.62 hectares in size. The portion of land subject to this application is currently vacant.

PLANNING POLICY & ANALYSIS

The property is subject to the following policy and regulatory framework:

- Provincial Policy Statement (2020)
- Growth Plan for the Greater Golden Horseshoe (2019)
- Halton Region Official Plan
- Livable Oakville Plan
- Zoning By-law 2014-014

Provincial Policy Statement (2020)

The Provincial Policy Statement (2020) ('PPS') continues to recognize that there are complex relationships among environmental, economic and social factors in land use planning. The PPS encourages the wise management of land to achieve efficient development and land use patterns by directing growth to settlement areas, and encourages Planning authorities to permit and facilitate a range of housing options, including new development as well as residential intensification, to respond to current and future needs for a time horizon of up to 25 years.

The PPS (2020) promotes the integration of land use planning, growth management and transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments and standards to minimize land consumption and servicing costs.

Applicable Policies have been provided in Appendix C.

Growth Plan (2019)

The Growth Plan for the Greater Golden Horseshoe ('Growth Plan') is a long-term plan that intends to manage growth, build complete communities, curb sprawl and protect cultural heritage resources and the natural environment.

The Growth Plan provides policies for where and how to grow, directing population and employment growth to urban areas and rural settlement areas with delineated built boundaries on full municipal services. The policies of the Growth Plan are to be applied to support complete communities that feature a diverse mix of land uses with convenient access to local stores, services, and public service facilities, provide

a diverse range and mix of housing options, expand convenient access to transportation options.

Applicable Policies have been provided in Appendix C.

Halton Region Official Plan

The subject lands are designated as 'Urban Area' and 'Regional Natural Heritage System (RNHS)' within the 2009 Regional Official Plan (ROP). Dundas Street is a Higher Order Transit Corridor where intensification is contemplated in the ROP. Therefore, the Urban Area and Intensification Area policies of the ROP apply to the subject lands.

The RNHS limits traverses the subject lands across the southerly and easterly boundaries up to the centre of the subject lands, and follow the Ministry of Natural Resources Woodland Area mapping overlay feature. As well, the RNHS limits are within the regulated area of 'Conservation Halton'. There are Regional concerns with the intensity of the proposed development in relation to the protection of the ecological functionality of the RNHS. These concerns need to be addressed upfront in order understand the extent of built form that can be permitted on the subject lands, and to avoid any negative environmental impacts.

Section 143(10) of the ROP and implementing Guidelines require that likely issues that could emanate from sources of possible emissions be addressed through the review of a development proposal. Six (6) AM radio transmission towers (supporting two radio stations) exist to the north, on the lands across Dundas Street West from the subject lands.

In accordance with Section 167(6) of the ROP, the subject lands are within an area of potential archaeological resources. Staff acknowledged the Stage 1 Archaeological Assessment (ASI – August 2020). The assessment determined that majority if the subject lands exhibit the potential of encountering archaeological resources, and a Stage 2 Archaeological Assessment is required.

Section 89(3) of the ROP, requires that all new development within the Urban Areas be on the basis of connection to Halton's municipal water and wastewater service. The servicing options proposed by the applicant are not acceptable and will be required to revisited to support the proposal. A holding provision could be considered on the zoning application in order to accommodate the Region's servicing concerns.

A full analysis of the proposal in the context of the Halton Region Official Plan will be provided as part of a future recommendation report.

Livable Oakville Plan

Urban Structure

The Livable Oakville Plan is currently undergoing a 5-year Official Plan Review to ensure the policies are consistent with the Provincial and Regional policies, support the Town's strategic goals, and reflect the visions and needs of the community.

Schedule A1, Urban Structure, of the *Livable Oakville Plan* provides the basic structural elements for the Town and identifies the site as *Residential Area*. This is also reflected in Section 3, Urban Structure, of the *Livable Oakville Plan*. Official Plan Amendment 15 (currently under appeal) to the *Livable Oakville Plan*, confirms the Town's existing urban structure in terms of nodes and corridors, where higher intensity forms of mixed use growth are to be accommodated.

Land Use Policies

The property is designated *Private Open Space* and *Natural Area* on Schedule H. The portion of the site subject to this application is designated *Private Open Space*, as illustrated on Figure 3 below.

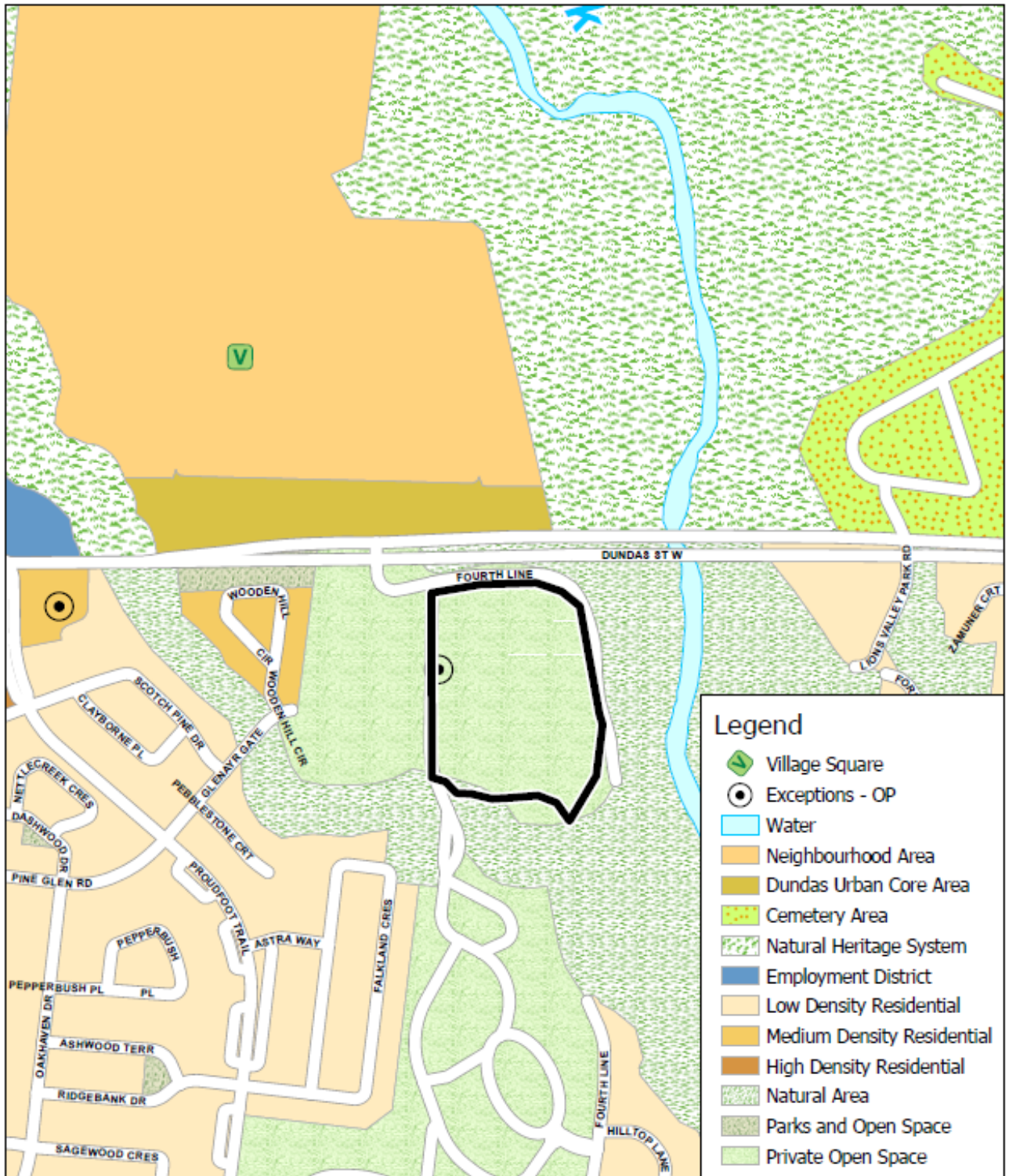


Figure 3 – Schedule H – West Land Use Excerpt

The *Private Open Space* designation may include the following range of uses:

- legally existing golf courses;
- legally existing recreational facilities;
- trails;
- existing cemeteries;
- conservation uses including fish, wildlife and forest management; and,
- essential public works including transportation, utility, watershed management and flood and erosion hazard control facilities.

Within Section 27, Exceptions 27.3.2 as related to the entire cultural centre lands states:

“On the lands designated Private Open Space on the south side of Dundas Street, immediately west of Sixteen Mile Creek (St. Volodymyr’s Cultural Centre), excluding the cemetery lands, only the following uses may be permitted:

- a) a place of worship;*
- b) a youth hostel;*
- c) a community centre;*
- d) senior citizens’ housing;*
- e) conservation uses; and,*
- f) active and passive recreational uses.”*

As mentioned above, the entire land holdings also includes *Natural Area* designation. The lands are also regulated by the Halton Conservation Authority, including the portion of land subject to this proposal. Section 16 of the Livable Oakville Plan sets out the policy framework for areas designated as *Natural Area*. Should the subject lands be divided, all natural heritage areas recognized by the will be conveyed to the town in accordance with the policies contained within Section 28.10, inclusive of all buffer areas.

Applicable Policies have been provided in Appendix C.

Zoning By-law (By-law 2014-014)

The subject lands are zoned Private Open Space (O2) Special Provision 122, as illustrated on Figure 4 below.

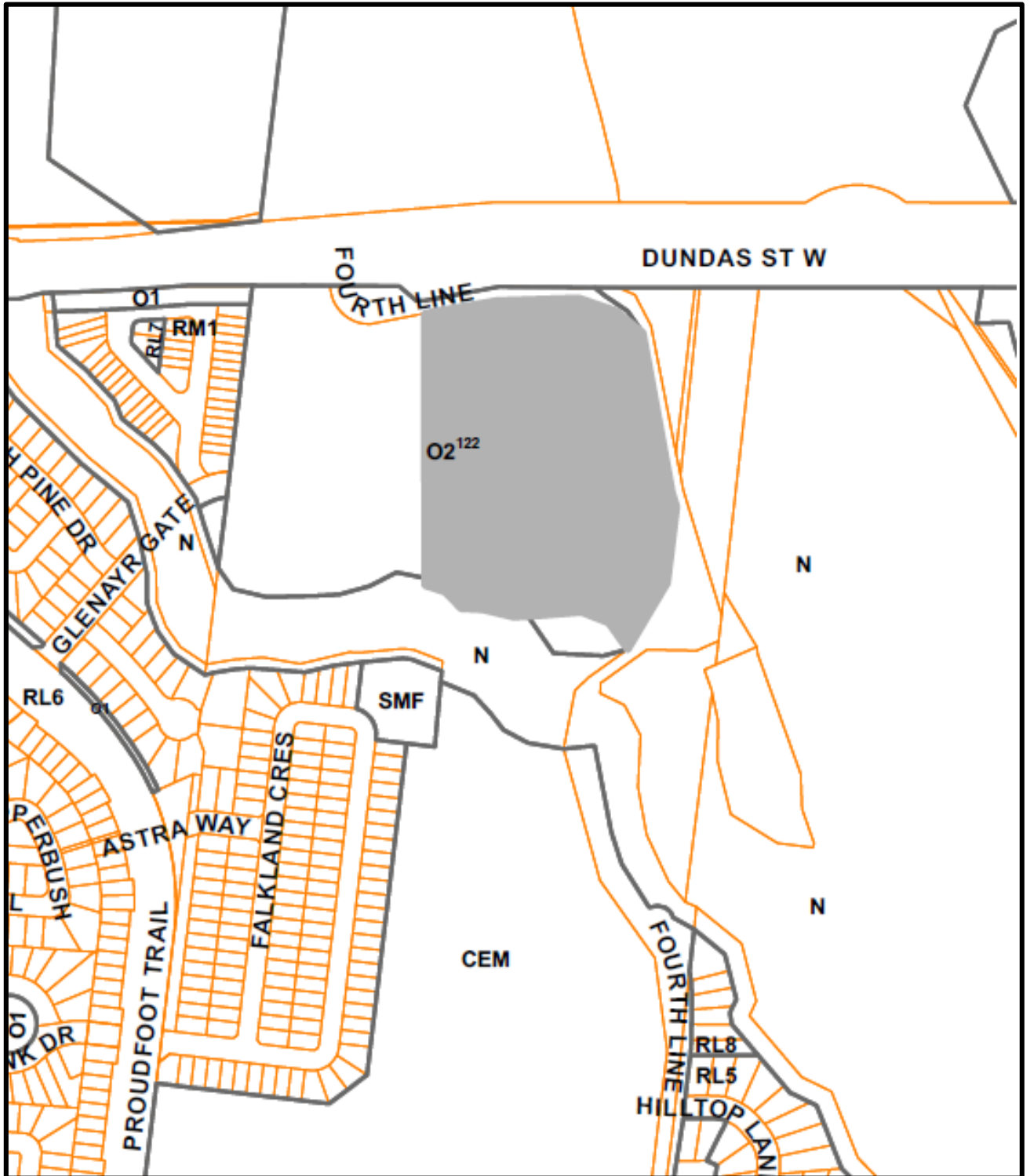


Figure 4 – Zoning By-law Excerpt

The applicant proposes to rezone the subject lands from the Private Open Space (O2) zone Special Provision 122 (shown in Figure 5 below) to a site specific Private Open Space (O2) zone with a Special Provision to permit the proposed senior’s citizen housing to implement the policies of the Official Plan. The range of uses reflected in the special exception provided in the Official Plan were not reflected within the Zoning By-law. This was to ensure that new uses were evaluated through a comprehensive process.

The applicant proposes to maintain the Private Open Space (O2) zone with further regulations for minimum setbacks, lot coverage, landscaping, and parking among other provisions. The applicant’s proposed zoning is provided in Appendix A of this report.

122 (Old 475)	St. Volodymyr’s Cultural Centre, 1280 Dundas Street West	Parent Zone: O2
Map 19(20)	(Part of Lot 23, Concession 1 S.D.S.)	(1987-271) (2014-014)
15.122.1 Additional Permitted Uses		
The following additional <i>use</i> is permitted:		
a) <i>Place of worship</i>		
15.122.2 Prohibited Uses		
The following <i>uses</i> are prohibited:		
a) <i>Commercial school</i>		
b) <i>Golf course</i>		
c) <i>Outside miniature golf course</i>		
d) <i>Restaurant</i>		
e) <i>Retail store</i>		
f) <i>Service commercial establishment</i>		
g) <i>Sports facility</i>		

Figure 5 – Existing Zoning

TECHNICAL COMMENTS

The proponent has provided various studies in support of the application, which have been circulated to various public agencies and internal Town departments, and which are under review.

The following supporting documents are accessible on the town’s website (<https://www.oakville.ca/business/da-37142.html>):

- [Aerial](#)
- [Arborist Report](#)
- [Archaeological Assessment - Phase 1](#)
- [Area Design Plan](#)

- [Elevations - South and West](#)
- [Environmental Impact Study](#)
- [Environmental Site Assessment Study - Phase 1](#)
- [Functional Servicing Report](#)
- [Geotechnical Study](#)
- [Grading and Drainage Plan](#)
- Floor Plan
- [Landscape Plan](#)
- [Noise Vibration Study](#)
- [Pedestrian Circulation Plan](#)
- [Planning Justification Report](#)
- [Radio Impact Study](#)
- [Renderings](#)
- [Shadow Study](#)
- [Site Plan](#)
- [Site Servicing Plan](#)
- [Slope Stability Assessment](#)
- [Survey](#)
- [Tree Protection Plan](#)
- [Transportation Impact Analysis](#)
- [Truck Turning Plan](#)
- [Urban Design Brief](#)

Issues under Review/ Matters to be considered

The following issues and matters have been identified to date for further review and consideration. Not all circulation comments have been received to date, but will be considered in the future recommendation report.

- Consistency with the Provincial Policy Statement, 2020 and conformity to the Growth Plan for the Greater Golden Horseshoe, 2019;
- Conformity to the Region of Halton Official Plan;
- Evaluation of the Natural Area and all natural heritage features on the subject lands impacted by the proposed development to the satisfaction of Halton Region and Conservation Halton, including the conveyance of natural and hazard lands to the town through a future land division application;
- Evaluation of potential impacts from CHWO radio station tower on the proposed development;

- Conformity with urban design policies on matters such as built form, building heights, transitions and compatibility with adjacent properties, interface with public realms and vehicular access;
- The adequacy of the site to be serviced by the existing municipal infrastructure;
- Impacts of the proposed development with respect to access to the Old School House from the cul-de-sac of Fourth Line;
- Consideration of the comprehensive redevelopment of remaining land holdings, and potential requirements for plan of subdivision and extension of Glenayr Gate into the western portion of the property;
- Potential future improvements of Fourth Line and impacts to the proposed development;
- Impacts of the proposal on the existing trail network; and
- Whether the proposed zoning by-law amendment appropriately implements the vision of the Livable Oakville Plan.

A complete analysis of this application will be undertaken including the foregoing matters, and other matters which may be subsequently identified.

Public Comments

As of the date of this report, various public comments have been received and are contained within Appendix “D” of this staff report. These comments will be addressed as part of the future recommendation report.

CONSIDERATIONS:

(A) PUBLIC

Notice for this meeting was distributed to all properties within 120 m of the subject property including the local resident’s association, and residents who have already made comments on the proposal. A sign was also posted on the property.

At the time of writing this report, seven written submissions have been received and are included in Appendix “D” to this staff report. There are no letters of support for this application.

The applicant undertook a community consultation process, wherein a public information meeting was held on April 29, 2021. Ten members of the public attended the virtual meeting. Minutes of the meeting are contained within Appendix “E” to this staff report.

(B) FINANCIAL

Cash in Lieu of Parkland and Development Charges would be applicable to this development.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

The application was circulated to internal and external departments and agencies for review. The application remains in technical review.

(D) CORPORATE STRATEGIC GOALS

This report addresses the corporate strategic goal(s) to:
Make Oakville the most livable town in Canada

(E) CLIMATE CHANGE/ACTION

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

CONCLUSION:

Planning staff will continue to review and analyze the proposed application and address all technical matters along with submitted public comments, and report to Council at a future meeting. No further notice is required, however, written notice of any future public meetings will be provided to those who have made written and/or verbal submissions.

APPENDICES:

- Appendix A – Applicant’s Proposed Zoning
- Appendix B – Applicant’s Proposed Concept Plan
- Appendix C – Policy Excerpts
- Appendix D – Public Comments
- Appendix E – PIM Minutes

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