



OAKVILLE

## REPORT

### Planning and Development Council

Meeting Date: July 5, 2021

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**FROM:** Planning Services Department

**DATE:** June 22, 2021

**SUBJECT:** Recommendation Report - Official Plan Amendment, Zoning By-law Amendment, 2507 Dundas Storage GP Corporation, 2507 Dundas Street West, File No. OPA.1330.01, Z.1330.01

**LOCATION:** 2507 Dundas Street West

**WARD:** Ward 7

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#### RECOMMENDATION:

1. That Official Plan Amendment application and Zoning By-law Amendment application (File Nos. OPA.1330.01 and Z.1330.01) submitted by 2507 Dundas Storage GP Corporation, respecting 2507 Dundas Street West, be refused.
2. That notice of Council's decision reflect that Council has fully considered all the written and oral submissions relating to this matter and that those comments have been appropriately addressed.

#### KEY FACTS:

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

- 2507 Dundas Storage GP Corporation has submitted an Official Plan Amendment (OPA) and Zoning By-law Amendment (ZBA) to redevelop 2507 Dundas Street West, being approximately 0.75 hectares of land on the north side of Dundas Street West, east of Old Bronte Road, for a non-residential mixed use development consisting of self-storage, accessory retail and office uses. The existing heritage house is proposed to remain on site but be relocated and used for office purposes.
- The subject lands are designated *Special Study Area* under the in force provisions of the 1984 Oakville Official Plan, and the appealed provisions of North Oakville West Secondary Plan (OPA 289) and zoned *Existing Development (ED)* within Zoning By-law 2009-189, as amended.

- Council approved OPA 306 (By-law 2011-003) on January 24, 2011, which set out the policy framework for the Palermo Village North area, lands north of Dundas Street West subject of the Special Study Area designation in the Council approved North Oakville West Secondary Plan. It should be noted that both a portion of the North Oakville West Secondary Plan that affects the subject property and OPA 306 are appealed to the LPAT, and as such are presently not in force.
- The subject property, 2507 Dundas Street West, is designated under Part IV of the *Ontario Heritage Act*. The heritage designation was enacted by By-law 1993-120.
- The OPA and ZBA application was submitted and deemed complete on October 30, 2020 and Bill 108 provides for a 120-day appeal timeframe, which would have ended on February 27, 2021.
- This site is also subject to a Town-initiated Official Plan Amendment (OPA 34) related to the North Oakville West Secondary Plan and Palermo Village, which was approved by Council and currently under review with the Region of Halton.
- The report recommends refusal of the proposed official plan and zoning amendment applications based on the following:
  - The proposal does not have regard for Matters of Provincial Interest and is not consistent with the Provincial Policy Statement, which promotes coordinated planning to support the growth of complete communities.
  - The proposal fails to comply with the Growth Plan for the Greater Golden Horseshoe as growth is to be directed to growth areas where development provides for a transit-supportive, pedestrian-oriented environment.
  - The proposal fails to comply with the Region of Halton Official Plan, and the North Oakville West Secondary Plan, which requires the completion of coordinated planning studies to provide a policy framework that supports high density residential and high employment generating uses and promotes vibrant urban streetscapes.
  - The proposal does not have regard for the emerging policies as adopted by Council in OPA 34, which provides for mixed use nodes and corridors in a compact built form and which are pedestrian oriented and support active transportation and transit usage.

## **BACKGROUND:**

A pre-consultation meeting was held on January 15, 2020 at which time the submission requirements for a complete application were discussed and documented.

The application was received on October 30, 2020 and the *Planning Act* timeframe for Council to make a decision is 120 days (February 27, 2021).

A statutory public meeting was held at the April 12, 2021 Planning and Development Council meeting. The Council disposition and matters to be considered can be found in Appendix A and are further discussed as part of the Planning Analysis.

The purpose of this report is to provide a comprehensive staff evaluation and a recommendation on the proposed official plan amendment and zoning by-law amendment applications submitted by Dymon Storage GP Corporation.

## **Proposal**

The applicant proposes a six-storey building with uses fronting onto Dundas Street West with a total GFA of 16,526m<sup>2</sup> consisting of self-storage (13,681m<sup>2</sup> or 82.7%), retail (865m<sup>2</sup> or 5.3%) and office uses (1,980m<sup>2</sup> or 12%). The existing heritage building (approximately 279m<sup>2</sup>) on the subject lands is proposed to be retained, relocated on site, and converted to an office use. The development proposes pedestrian and vehicular access from Dundas Street West, and provides a total of 77 surface parking spaces, including two accessible spaces.

The intent of the applicant's official plan amendment is to remove the lands from the North Oakville West Secondary Plan, and incorporate them into the Livable Oakville Official Plan. The lands are currently designated as *Special Study Area* in the NOWSP and the amendment seeks to designate the lands as *Urban Core* in the Livable Oakville Plan, which is primarily applicable to the Midtown and Uptown Core Growth Areas within the Livable Oakville Official Plan. The proposed OPA would further permit a self-storage facility within the *Urban Core* designation where it is currently not a permitted use, and provide specific floor space index (FSI) and height standards.

The zoning by-law amendment proposes to amend by-law 2009-189 (North Oakville Zoning Bylaw) from Existing Development Zone (ED) to General Employment Zone 1 Performance zone with Special Provisions related to landscaping, parking and loading spaces.

The applicant's conceptual site plan provided as Figure 1 below illustrates the proposed development for the site. Figure 2 below illustrates the proposed building.

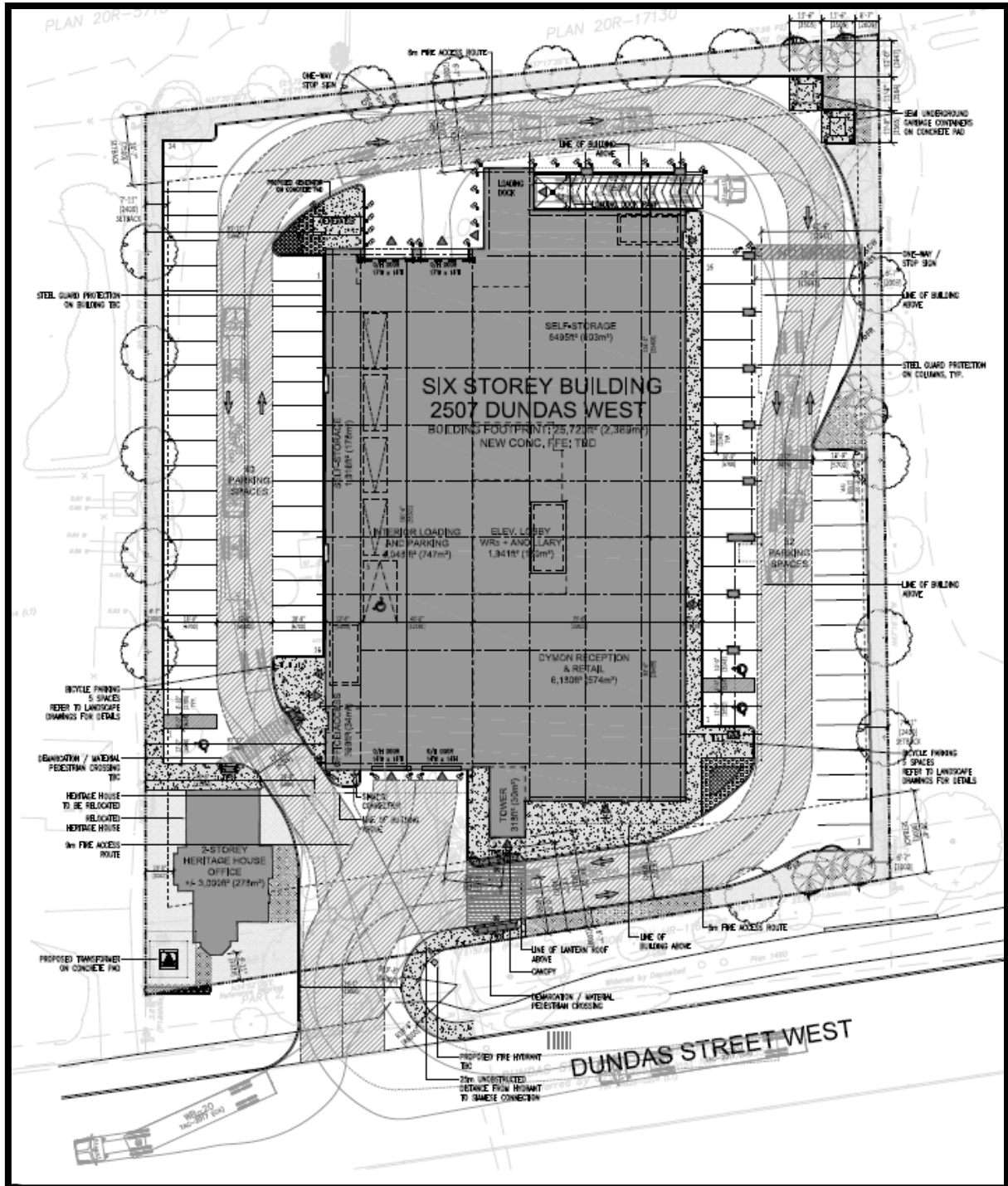


Figure 1 – Concept Plan



*Figure 2 - Rendering*

## **Location & Site Description**

The subject lands are located on the north side of Dundas Street west, east of Old Bronte Road, and are approximately 0.75 hectares in size (see Figure 3 below). A two-storey heritage designated dwelling exists on the site.

The east side of the site is traversed by a tributary of the Fourteen Mile Creek and is identified within the North Oakville West Secondary Plan as a low constraint stream corridor.

## **Surrounding Land Uses**

To the west is the Palermo United Church (heritage designated) and at the corner with Old Bronte Road is a detached dwelling also heritage designated.

To the north is the natural area associated with the Glenorchy Conservation Area, owned by the Province and managed by Conservation Halton, and a detached dwelling fronting onto Old Bronte Road.

To the east is a large lot with a garage structure.



To the south is a five-storey medical building and an elementary school.

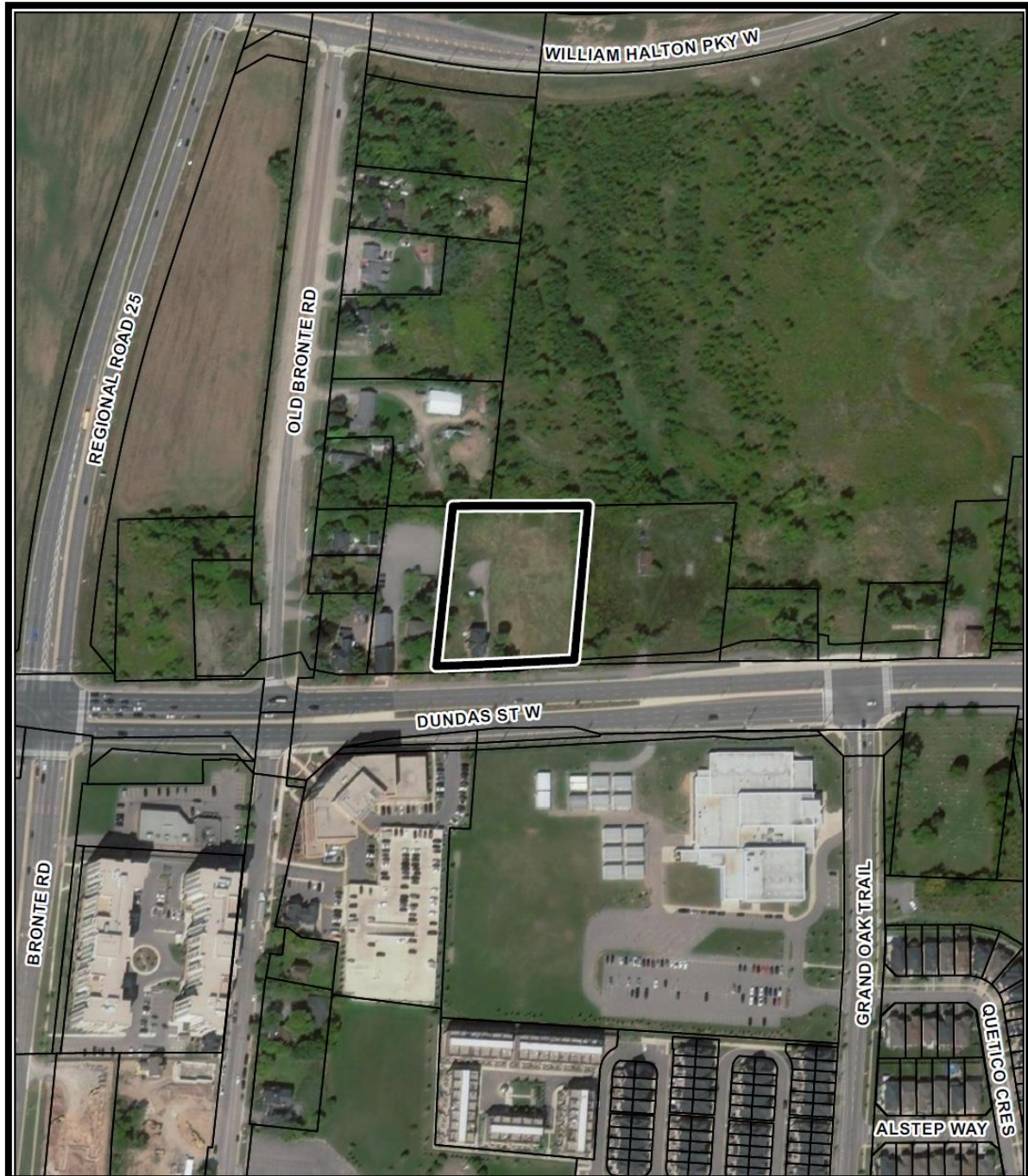


Figure 3 – Aerial Photo

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## PLANNING POLICY & ANALYSIS:

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

- Section 2, Matters of Provincial Interest, *Planning Act*
- Provincial Policy Statement (2020)
- Growth Plan for the Greater Golden Horseshoe (2019)
- Metrolinx 2041 Regional Transportation Plan
- Ministry of Transportation Transit-Supportive Guidelines
- Halton Region Official Plan
- North Oakville East Secondary Plan
- Livable Oakville Plan
- Zoning By-law 2009-189, as amended

### Matters of Provincial Interest

Section 2 on the *Planning Act*, sets out specific criteria for which all planning applications should be evaluated. The following criteria are applicable to the applications:

- “(h) the orderly development of safe and healthy communities;*
- (j) the adequate provision of a full range of housing, including affordable housing;*
- (m) the co-ordination of planning activities of public bodies;*
- (n) the resolution of planning conflicts involving public and private interests;*
- (p) the appropriate location of growth and development;*
- (q) the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;*
- (r) the promotion of built form that,*
  - (i) is well-designed,*
  - (ii) encourages a sense of place, and*
  - (iii) provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;*
- (s) the mitigation of greenhouse gas emissions and adaptation to a changing climate.”*

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## 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.

Section 1 of the PPS provides policies that direct efficient land use and development patterns to support sustainability by promoting strong, liveable, healthy and resilient communities, protecting the environment and public health and safety, and facilitating economic growth.

The PPS under Policy 1.1.1 e) states that:

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

*promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs.”*

Policy 1.1.3.3 states that:

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

It also sets out under Section 1.1.3.4 that:

*“appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.”*

Section 4 of the PPS provides various policies on implementing and interpreting the PPS to ensure the policy objectives are achieved.



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Section 4.6 of the PPS establishes that:

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

*Official plans shall identify provincial interests and set out appropriate land use designations and policies. To determine the significance of some natural heritage features and other resources, evaluation may be required. In order to protect provincial interests, planning authorities shall keep their official plans up-to-date with this Provincial Policy Statement. The policies of this Provincial Policy Statement continue to apply after adoption and approval of an official plan.”*

### **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.

The subject property is within the “Designated Greenfield Area” on Schedule 2 of the Plan.

Section 2 of the Growth Plan provides various policies on where and how to grow. Under Section 2.2.1-3 (Managing Growth), the Growth Plan sets out that upper and single tier municipalities will undertake integrated planning to achieve a number of matters including providing direction for an urban form that will optimize infrastructure, particularly along transit and transportation corridors, to support the achievement of complete communities through a more compact built form (Section 2.2.1-3 (c));

It further states under Section 2.2.1-3 (d) that this integrated planning will be undertaken by way of a municipal comprehensive review and, where applicable, include direction to lower-tier municipalities.

Under Section 2.2.1-4 the Growth Plan intends that the application of its policies will support the achievement of complete communities that feature a diverse mix of land

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uses, convenient access to and public service facilities and provide for a more compact built form and vibrant public realm.

Further, Section 2.2.4-10 (Transit Corridors and Station Areas) states that lands that are adjacent to or near to existing and planned frequent transit should be planned to be transit-supportive and supportive of active transportation and a range and mix of uses and activities.

The Growth Plan provides policy direction with regard to growth in Greenfield Areas including densities and the form of development. In this regard Policy 2.2.7 (1) states that new development taking place in designated greenfield areas will be planned, designated, zoned and designed in a manner that:

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

Section 5 of the Growth Plan provides various policies for the implementation and interpretation of the Plan's objectives. Section 5.2.3 provides direction on the coordination of planning activities between upper and lower tier municipalities that are required to implement the Plan.

### **Metrolinx Regional Transportation Plan**

Metrolinx 2041 Regional Transportation Plan (RTP) provides the long-term transportation vision for the Greater Toronto and Hamilton Area (GTHA). The RTP supports and goes beyond the provincial Growth Plan. It is a guide for the continuing transformation of the transportation system in the Greater Toronto and Hamilton Area (GTHA). It provides a blueprint for an integrated multi-modal regional transportation system that puts the traveller's needs first. The RTP defines Transit-supportive as:

*“Urban planning and design that focusses on making transit more viable and attractive, including compact, mixed-use development that has a high level of employment and residential density and an urban form that supports walking and cycling.”*

The RTP identifies Dundas Street West as a “Project in Development” for Bus Rapid Transit from Bronte Road in the west to Kipling Subway Station in the east. The coordinated planning activities of both the Region and the Town will provide policies that implement the objectives of the RTP.

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## **Ministry of Transportation Transit-Supportive Guidelines (TSG)**

The Ministry of Transportation (MTO) had prepared a comprehensive document to provide a collection of transit-friendly land-use planning, urban design and operational best-practices. The Guidelines draw from experiences across Ontario, elsewhere in North America and abroad, with the aim of helping urban planners, transit planners, developers and others working in communities of all sizes, in creating an environment that is supportive of public transit and developing services and programs to promote transit ridership.

The Guidelines provide various strategies to achieve good land use planning in various contexts, including within Growth Areas. Further, Section 1.1.7 of the TSG provides that land uses should be coordinated alongside existing and proposed transit investments and usage. While the TSG acknowledges in Section 1.1.5 that it can be challenging to provide the needed transit support in areas that are not yet developed in Designated Growth Areas, a mix of uses and high densities is essential to support transit uses.

The TGS identify suggested minimum densities that would support transit service types. Two types of service that would fit the context of Palermo Village are:

- Very Frequent Bus Service (Every 5 mins) with potential for LRT or BRT
  - 45 units per hectare / 100 residents and jobs combined
- Dedicated Rapid Transit (LRT or BRT)
  - 72 units per hectare / 160 residents and jobs combined

For comparison, a minimum density of 160 residents and jobs combined aligns with the 2019 Growth Plan for major transit station areas located on priority transit corridors that are served by BRT.

In implementing the strategies of the TSG, coordinating the planning activities of upper and lower tier municipalities ensure the realization of the TSG objectives.

## **Halton Region Official Plan**

The Region's Official Plan (ROP) provides goals, objectives and policies to direct physical development and change in Halton. The subject lands are designated as "Urban Area" on Map 1: Regional Structure of the Plan. They also abut lands designated "Regional Natural Heritage System".

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Bronte Road (Regional Road 25) and Dundas Street are identified as “Higher Order Transit Corridor” (Map 3: Functional Plan of Major Transportation Facilities). They are considered to be an “Intensification Area” as per Section 80 of the ROP.

Part III, Land Stewardship Policies provides policies for the Urban Area designation and supports a range of uses and the development of vibrant and healthy mixed use communities which afford maximum choices for residence, work and leisure. Policy 76 states that 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 the Halton Region Plan.

Respecting intensification areas, the Region’s Official Plan Section 81 (2) states that Local Official Plans are required to identify Intensification Areas with detailed boundaries. Further, Section 81 (3) requires area municipalities to prepare detailed Official Plan policies or an Area-specific plan for new Intensification Areas or redevelopment of existing ones. This may be part of a larger community plan. Sections 81 (4), (5), (6) and (7) set out a number of criteria and requirements that need to be include in such Area-Specific plans or policies (including planning for mixed-use areas and minimum densities).

Further, Section 81 (7)-c) requires that such policies prohibit site-specific Official Plan or Zoning By-law amendments to reduce development density within an Intensification Area unless it is part of a municipal comprehensive review of the Official Plan or a review of the Area-Specific Plan for the Intensification Area.

The intent of the Region Official plan is that comprehensive planning occur for intensification areas and detailed policies be established by the Area Municipalities. In the case of Palermo Village, such policies are not in full force and effect.

As mentioned earlier, Council adopted an amendment to the Official Plan (OPA 34- (North West Area and Palermo Village, Excluding the Hospital District). This OPA requires Regional approval, which is currently ongoing.

Additionally, the Region is currently undergoing a review of its Official Plan. As part of this review, certain local priorities as it relates to urban structure are being advanced as a separate amendment. A draft of ROPA 48 to define a Regional Urban Structure, was presented to Council on February 17, 2021, where direction was sought to undertake the public and agency review/engagement stage of the process.

ROPA 48 shows Palermo Village as “Primary Regional Node” which is part of the broader “Strategic Growth Areas”. Within the draft ROPA, there are similar policies to the existing ROP requiring the local municipalities to establish specific policies or area-specific plans to implement the structure (e.g. the Strategic Growth areas).

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## 1984 Oakville Official Plan (Last Consolidated in 2006)

Official Plan policies applicable to the site are complicated by a series of amendments that are either subject to appeal (OPA 289 and OPA 306, which are discussed further in this report), recently adopted (OPA 34, which is discussed further in this report) or subject to consideration at this meeting (OPA 38). In addition, OPA 34 would transfer these lands from the 1984 Oakville Official Plan, as amended, to the Livable Oakville Official Plan. Consideration is given to all relevant policies as described below.

The lands are designated as *Urban Special Study Area* in the 1984 Oakville Official Plan. Due to the complexities of existing land uses or the uncertainty of certain key land use or transportation elements, no specific designation was provided in advance of more detailed studies.

The policies of the 1984 Plan are still applicable to the subject lands. In particular, the lands are subject to two Special Study Areas described in section 4.1 (Urban Area – North Oakville Special Study Area) and section 4.3 (Palermo Major Transit Node Special Study Area).

The purpose of the North Oakville Special Study Area policies is to provide guidance to development of the North Oakville Area and include a variety of residential, employment, commercial, institutional, and open space uses. Section 4.1 of the 1984 Plan provides a vision for North Oakville's development, which would reflect Oakville's distinct historical roots and small-town heritage and Trafalgar Township's village rural heritage, which would include nodal development, prestige industry, and green linkages continuing to define Oakville's unique landscape. These policies would be established through two distinct Secondary Plans, now known as the North Oakville East and North Oakville West Secondary Plans.

Section 4.3 of the 1984 Plan provides further direction to complete a more refined study of the "Palermo Major Transit Node", now referred to as the Palermo Village Growth Area. Policy 4.3 a) to f) states:

- "a) *The four corners at the intersection of Dundas Street and Regional Road 25 are identified in the Halton Transit Opportunities Study as a major transit node.*

*The Palermo Transit Node is located on a regional transit corridor and will function as a major transit interchange, providing both the origin and destination for a high proportion of transit trips in the Region.*



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- b) *The node will cover approximately 365 hectares and will support a wide range of high intensity land uses. It will be pedestrian oriented in its design.*
  - c) *It is anticipated that the total residential population, to be distributed among the four corners, will total 20,000 - 25,000 persons. The employment population will total 20,000 - 25,000 persons.*
  - d) *A major node will provide important services with a regional catchment area (hospitals, higher educational facilities, regional shopping centres, etc.).*
  - e) *The supply and mix of services within this node will be an important factor in defining the node as major and in determining its overall character. In order to establish the form and configuration of land uses which will support regional transit opportunities and initiatives, a detailed land use, urban design, market and transportation study will be completed to the satisfaction of the Town prior to development of this area.*
  - f) *Until such time that the Special Study has been completed and incorporated into the Official Plan, interim uses of a commercial nature that do not conflict with adjacent uses and which conform to accepted zoning standards shall be permitted in existing buildings.”*

The policies of the 1984 Plan demonstrate the long envisioned goals and objectives for development in the North Oakville West Area and Palermo Village. As provided specifically in Policy 4.3 f) above, study completion is required in advance of new development, unless commercial development is proposed within existing buildings.

**North Oakville West Secondary Plan - OPA 289 (By-law 2009-014), OPA 306 (By-law 2011-003), and related appeals**

The North Oakville West Secondary Plan (“NOWSP”), was introduced into the 1984 Oakville Official Plan, as amended through OPA 289. The NOWSP was subsequently amended as it applied to the subject lands through OPA 306 to established land use policies specific to Palermo Village Growth Area. Both OPA 289 and OPA 306 remain subject to appeals as they apply to the subject lands, and are not in force. As discussed below, the policies adopted through OPA 289 and OPA 306 have also been reviewed and revised through the recent comprehensive planning process related to OPA 34.

Similarly, the NOWSP and the policies proposed through OPA 306 for this area were also the result of comprehensive studies and planning processes initiated and

completed in accordance with the requirements of the 1984 Official Plan. These planning review processes and their subsequent policies provide a relevant context for the consideration of this application.

The NOWSP provides policy direction for growth and development to those lands generally west of the Sixteen Mile Creek valley and north of Dundas Street. It sets out the ultimate plan for the North Oakville West Secondary Plan Area, and the Council adopted policies of OPA 306 provide a further refined planning framework for the Palermo Village Growth Area.

### OPA 289

OPA 289 would have maintained the subject lands and the area surrounding the site as *Special Policy Area* designation. Although earlier drafts of NOWSP from October 2007 had proposed the creation of a mixed use area with a designation of “Palermo Village North Urban Core Area”, a need for further evaluation of heritage matters had been identified. As a result, the revised Special Study Area was identified subject to Section 8.6.4 as follows:

#### **8.6.4 SPECIAL STUDY AREA**

*The Special Study Area designation reflects an area which is intended to develop as a mixed use area that is pedestrian and transit oriented. The area is subject to a special study to address its cultural heritage features and how these features can be integrated with the proposed new development. New development shall be limited to expansions of existing uses until this Plan is amended to incorporate detailed policy direction for lands in the Special Study Area.*

The Special Study Area designation applied specifically for Palermo Village north of Dundas is intended to further refine the policy direction provided from the 1984 Plan and the NOWSP.

### OPA 306

In recognition of the study requirement, town staff undertook a further study of the Palermo area (both north and south of Dundas Street). This culminated with the adoption of Official Plan Amendment Number 306 by Council in January 2011, as related to the lands, north of Dundas Street West.

The Palermo *Urban Core* designation for these lands (applied through OPA 306) reflect the most urban part of the North Oakville West Plan Area, with dense development, a mix of uses including residential and commercial, enhanced streetscaping and preservation of cultural heritage. The mixed-use policies included in OPA 306 provide opportunities for flexible growth by accommodating a full range

of uses needed for local residents, businesses and visitors. Streetscaping policies are to ensure that Old Bronte Road in Palermo Village becomes a vibrant, pedestrian-friendly environment as future development takes place. In addition, the policies place a high priority in ensuring new growth is compatible with the significant cultural heritage found in Palermo Village.

#### Appeals to OPA 289 and OPA 306 (consolidated as PL090614)

OPA 289 was appealed to the former Ontario Municipal Board in its entirety and remains subject to appeal to the Local Planning Appeal Tribunal (LPAT) on a site specific basis to an area which includes the subject lands and OPA 306 remains subject to appeal in its entirety. Although the appeals raised various issues with respect to the implementation, size, or intensity of the proposed density node, none of the appeals questioned the concept of the creation of an intense mixed use node which includes the lands subject to OPA 306. Since one of the appeals sought an expansion of the node beyond the OPA 306 lands (involving related appeals to ROPA 38 which proposed those lands for employment consistent with OPA 289) the appeals have been on hold pending further analysis undertaken in conjunction with ROPA 48 and OPA 34.

Neither the applicant nor any previous owners of the applicants property is an appellant or a party to any of the outstanding appeals.

#### Town Initiated OPA 34 – North West Area and Palermo Village

In early 2020, the town began a new review of the North West Area of north Oakville, including Palermo Village to provide a policy framework that would replace OPA 289 and OPA 306. At the November 23, 2020 Planning and Development Council meeting, Council passed the following resolution:

1. *That the staff report titled “Public Meeting Report - Town-initiated Official Plan Amendment - The North West Area and Palermo Village, Excluding the Hospital District (File No. 42.24.23),” dated November 11, 2020, including the Palermo Village Growth Area Review Final Report, be received.*
2. *That the comments from the public with respect to the draft town-initiated official plan amendment (File No. 42.24.23) be received.*
3. *That analysis of the following matters of interest to Council be included as part of the recommendation report:*
  - i. *Look at providing consistency with respect to medium and high density designations between north and south of Dundas Street within the Town of Oakville.*
  - ii. *Report back on a pedestrian overpass, underpass or other means of crossing Dundas Street and Bronte Road.*

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- iii. What is the carbon footprint of the proposed development? What is the number and how many trees will be planted to offset this development?*
  - iv. Report back on how to generate character of a neighbourhood that does not exist.*
  - v. Provide a concise definition of employment uses.*
  - vi. Report back on an active transportation link between Palermo and the hospital lands.*
  - vii. Provide clarification regarding environmental impacts resulting from high density development.*
  - viii. Consider regional servicing options for a place of worship on Bronte Road.*

The purpose of the Town-initiated North West Area and Palermo Village Growth Area Official Plan Amendment is to:

- move the North Oakville West Secondary Plan area (other than the Hospital District) from the 1984 Oakville Official Plan to the Livable Oakville Plan;
- incorporate policies for those lands into the Livable Oakville Plan; and,
- establish updated policies for an expanded Palermo Village Growth Area, including the former OPA 306 lands and additional lands north of Dundas Street West.

As mentioned above, and provided by the 1984 Plan, and the NOWSP, a comprehensive land use planning study must be completed to provide the necessary policy framework to support development on the subject lands and the surrounding area. The study is intended to analyse the land use context that would best support complete communities and encourage high density, transit-supportive and pedestrian-oriented development, both in the Growth Area and for the intended employment uses outside the Growth Area

In 2020, the special study was carried out by the town and recommended a plan for the North West Area, outside of Palermo Village, which would maintain the intent of the NOWSP and OPA 306, but adapt the policies to fit within the Livable Oakville Plan policy framework. The North West Area is characterized by a large natural heritage system, park and open space uses, and employment areas.

The study also provided a recommended plan for Palermo Village that would see the expansion of the growth area north of Dundas Street, delineated by the existing Natural Heritage System established through the North Oakville West Secondary Plan (now the North West Area plan), and confirmed as part of the town's Urban Structure (OPA 15).

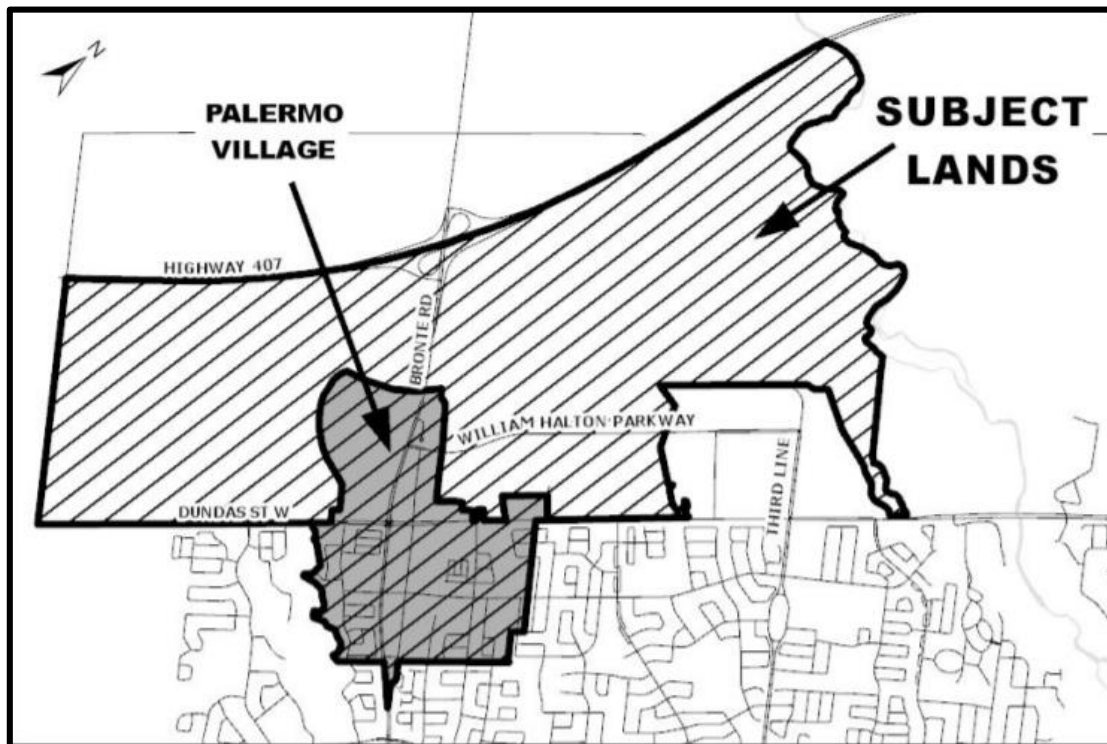


Figure 4 – Special Study Area

Figure 4 above shows the lands subject to the town-initiated study. As discussed above, Palermo Village is planned as a strategic growth area in northwest Oakville where mixed use development and intensification is to be accommodated. It is an intensification node and proposed regional transit node located at the intersection of two regional transit priority corridors: Dundas Street West and Bronte Road. It is intended that Palermo Village develop over the long-term with a mix of residential, commercial, office and community uses that are integrated with existing cultural heritage resources. Employment uses will be directed outside of the Growth Area consistent with the intent of the NOWSP. Maintaining designated lands for employment uses outside the Growth Area provides greater opportunities to minimize negative impacts often associated with employment areas, such as noise and other nuisances. Further employment areas often provide opportunities for less compact development to better accommodate varied parking and circulation requirements for large trucks, employees and the travelling public. This range of uses for the North West Oakville Area and the Growth Area support a high density, transit-supportive and pedestrian-oriented complete community.

On April 12, 2021, Council passed the by-law required to adopt Official Plan Amendment 34 (OPA 34), as modified by Council resolution on March 22, 2021. OPA 34, as adopted, includes the policies for the expanded Palermo Village Growth Area, except for the deferred area-specific parking and cultural heritage policies. The OPA has been sent to Halton Region for approval. The Council adopted policy



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framework established for the Palermo Village Growth Area will result in achieving these objectives discussed above. Once in full force and effect, the lands noted in Figure 4 above will be removed from the North Oakville West Secondary Plan, and be included in the Livable Oakville Plan.

### OPA 318 – Urban Structure

Town Council identified the Urban Structure Review on February 1, 2016 as a Town-wide land use planning policy study that was required to review the town's urban structure and policies established by the Livable Oakville Plan, the North Oakville East Secondary Plan and the North Oakville West Secondary Plan.

The Urban Structure Review study was initiated on February 16, 2016 and is a component of the ongoing five-year Official Plan Review. In September 2017, Town Council adopted OPA 317 to the North Oakville East Secondary Plan, OPA 318 to the North Oakville West Secondary Plan, and OPA 15 to the Livable Oakville Plan. The amendments were subsequently approved by the Region of Halton with modifications. OPA 15 was later amended by OPA 19 and is partially under appeal at the LPAT. The amendments comprises the implementation of the preferred urban structure and policy directions recommended by the Urban Structure Review on a town-wide basis.

The town-wide Urban Structure in OPA 318 identifies both Bronte Road and Dundas Street as "Regional Transit Priority Corridor" and all four quadrants of the intersection as "Proposed Regional Transit Node" and "Nodes and Corridors for Further Study", this includes the subject lands.

### **Livable Oakville Official Plan**

The Livable Oakville Plan was approved by the Ontario Municipal Board on May 10<sup>th</sup>, 2011, and provides a policy framework for lands south of Dundas Street. 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.

### OPA 15 and 19 - Urban Structure

Staff are working towards including the lands north of Dundas into the Livable Oakville Plan to provide a unified framework across the town. As described above, Schedule A1, Urban Structure, of the Livable Oakville Plan provides the basic structural elements for the Town. This is also reflected in Section 3, Urban Structure, of the Livable Oakville Plan. Official Plan Amendment 15 and amended by OPA 19 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.

Also described above, the town-wide Urban Structure in OPA 15 as amended by OPA 19 identifies both Bronte Road and Dundas Street as “Regional Transit Priority Corridor” and all four quadrants of the intersection as “Proposed Regional Transit Node” and “Nodes and Corridors for Further Study”, this includes the subject lands.

The Urban Structure further entrenches the Town’s growth expectations and objectives on a town-wide basis to promote the development of complete communities.

The applicant has applied for an official plan amendment, which would have the effect of removing the lands from the North Oakville West Secondary Plan, and include the subject lands within the Livable Oakville Plan. Further, the applicant is seeking a change in the designation from *Special Study Area* to apply the *Urban Core* designation into the Livable Oakville framework. While both the NOWSP and the Livable Oakville Plan have an *Urban Core* designation, they relate to different contextual areas of the town. Policy 12.4 of the Livable Oakville Plan states:

*“The Urban Centre designation shall incorporate a mix of uses including retail and service commercial, office and residential uses. Development should be oriented to the street and shall contribute to a high quality pedestrian-oriented and transit-supportive environment.”*

Further, Policy 12.5 states:

*“The Urban Core designation is envisioned to have a strong urban focus and incorporate retail and service commercial, office and residential uses. Development should be oriented to the street and shall contribute to a high quality pedestrian-oriented and transit-supportive environment. Midtown Oakville and the Uptown Core are the primary locations for this designation.”*

The applicant also seeks to provide a special exception to include a self-storage use, which is currently not permitted.

In considering the objectives of the Palermo Village Growth Area, the Urban Design policies in Section 6 are also relevant.

Policy 6.4.2 states:

*“New development should contribute to the creation of a cohesive streetscape by:*

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- a) *placing the principal building entrances towards the street and where applicable, towards corner intersections;*
  - b) *framing the street and creating a sense of enclosure;*
  - c) *providing variation in façade articulation and details;*
  - d) *connecting active uses to the public realm to enhance the liveliness and vibrancy of the street, where applicable;*
  - e) *incorporating sustainable design elements, such as trees, plantings, furnishings, lighting, etc.;*
  - f) *coordinating improvements in building setback areas to create transitions from the public to private realms; and,*
  - g) *improving the visibility and prominence of and access to unique natural, heritage, and built features”*

Further Section 6.9 provides various built form policies that relate to having new development create a sense of identity, as well as being compatible with both the existing and planned context. More specifically, Policy 6.9.4 states that:

*“In Growth Areas and along intensification corridors, buildings should incorporate distinctive architecture, contribute to a sense of identity and be positioned on and oriented towards the street frontage(s) to provide interest and comfort at ground level for pedestrians.”*

#### OPA 34

Palermo Village, at the intersection of Bronte Road (Regional Road 25) and Dundas Street (Regional Road 5), has long been envisioned as a node for employment and residential development. It is intended to develop into a high density, transit-supportive, mixed use area and contribute to a complete community. The town-wide Urban Structure in OPA 15 as amended by OPA 19 identifies the existing Palermo Village Growth Area on the south side of Dundas Street. It also identifies both Bronte Road and Dundas Street as “Regional Transit Priority Corridor” and all four quadrants of the intersection as “Proposed Regional Transit Node” and “Nodes and Corridors for Further Study”.

Palermo Village is also planned to include an important civic presence with various community uses, parks and open spaces suitable for many types of gatherings, as well as pedestrian and cycling linkages to an extensive natural heritage system. These elements, and the concentration of retail, service commercial and office uses, will make this area a destination for the surrounding communities of northwest Oakville.

The owner of the subject lands actively participated in the Town-initiated OPA process, and provided feedback that site specific policies that permit self-storage

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uses should be incorporated into OPA 34. This approach was not accepted, and staff noted the following in the staff report presented on March 22, 2021:

*“Comments received asked that staff consider permitting commercial self-storage facilities within the Mixed Use, Urban Core land use designation within Palermo Village.*

*Staff are of the opinion that commercial self-storage facilities are more appropriately located within the town’s employment land use designations, and should be directed away from the town’s mixed use nodes and corridors that are intended to support high density residential and high employment generating uses, which support achieving transit supportive densities.*

*Uses within the town’s mixed use nodes and corridors are to be provided in a compact built form and which are pedestrian oriented and support active transportation and transit usage. It is staff’s opinion that commercial self-storage facilities do not achieve these objectives.”*

The applicant submitted their own official plan and zoning by-law amendment applications for further consideration, in advance of OPA 34 and ROPA 48 being fully vetted, and in full force and effect.

As discussed above, OPA 34 has been adopted by Council and is currently under review with the Region of Halton. OPA 34 provides the needed policy framework to support the growth objectives for Palermo Village and the surrounding area. Through Council adopted OPA 34, the intended land uses designation for the subject site is *Urban Centre*, within the Main Street District as shown in Figure 5 below.

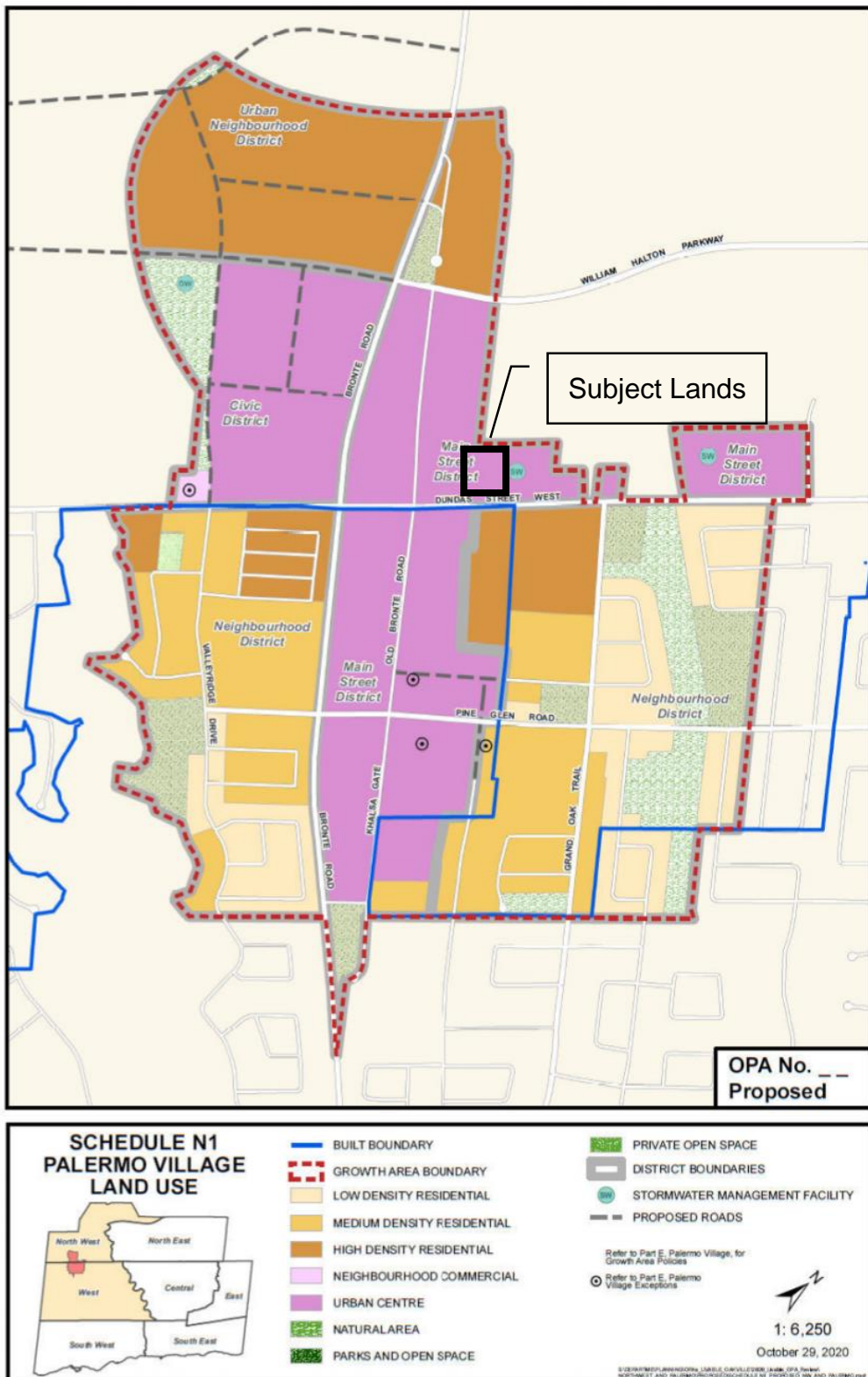


Figure 5 – Council adopted Land Use Plan for Palermo Village



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In accordance with OPA 34, it is anticipated that Palermo Village will develop over a number of years with a mix of residential, commercial, office and community uses that are integrated with existing cultural heritage resources. It will become a high density, transit-supportive and pedestrian-oriented complete community.

OPA 34 provides the following policy for the Main Street District:

***“22.3.1 Main Street District***

*The Main Street District will be an active mixed use area focused on Old Bronte Road/Khalsa Gate, which will be a walkable main street with an enhanced streetscape. Development will have a compact urban form with pedestrian-oriented design that frames the main street. Uses that support a main street function will be provided on the ground floor of buildings fronting onto Old Bronte Road.*

*The District will provide for a full range of commercial, office, community and high density residential uses. Mixed use development will be predominately located along Old Bronte Road and is also directed to the intersection of Dundas Street West and Palermo Park Drive. High density residential uses may be permitted adjacent to Khalsa Gate and north of William Halton Parkway on Old Bronte Road.*

*Cultural heritage resources and small urban squares will be integrated into development to retain the area’s heritage character, create interest and variety in the streetscape, and enable activity along the street*

*Opportunities to connect the Main Street District across Dundas Street West (Regional Road 5) will be pursued, including the provision of safe and convenient pedestrian linkages, in coordination with Halton Region.”*

Further, OPA 34 provides for Urban Design policies in addition to those provided in Section 6 of the Livable Plan. Policy 22.5.1 a (iii) states:

*“The Dundas Street and Bronte Road corridors and the abutting lands should be designed to enable a cohesive and connected community, rather than remain a dividing barrier. Design shall be used to establish visual and physical links between the north and south, as well as the east and west sides of these major arterials. The Town shall provide input and guidance into the design of roads and boulevards owned by Halton Region.”*

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Additionally, Policy 22.5.3 c) states:

*“Primary and Secondary streets, as identified on Schedule N2, shall provide for pedestrian-oriented streetscapes through the use of wide sidewalks, landscaping, tree plantings and street furniture. Places for gathering and public art installations shall be encouraged.”*

Staff note that Dundas Street West is considered a Secondary street on Schedule N2 contained within OPA 34.

The Livable Oakville Plan also provides the following densities for residential land use designations:

- Medium Density Residential: 30-50 units per site hectare (i.e., townhouse units)
- High Density Residential: 51-185 units per site hectare (i.e., apartment units)

Given this, it is anticipated that a range of residential dwelling types could be accommodated within the Palermo Village Growth Area, with a focus providing medium and high density uses to support transit-supportive densities. As noted earlier in this report, a minimum density of 160 residents and jobs combined aligns with the 2019 Growth Plan for major transit station areas located on priority transit corridors that are served by BRT.

### **Zoning By-law (By-law 2009-189)**

The North Oakville Zoning By-law (By-law 2009-189) sets zoning standards with the establishment of general regulations and zones so as to implement the intent of the North Oakville East and West Secondary Plans. Town Council approved the North Oakville Zoning Bylaw on November 23, 2009. Zoning By-law 2009-189 was not intended to implement the policies of the Livable Oakville Official Plan.

The subject lands are zoned *Existing Development (ED)*, as illustrated on Figure 6 below. The *Existing Development (ED)* zone only allows uses that legally existed on the date of the parent by-law came into effect. The ED zone was established to require that new development would be subject to a zoning by-law amendment application to ensure conformity with the North Oakville West Secondary Plan, which requires further study of the lands in advance of development proceeding in this area. In order for the town to consider applications to rezone ED lands, Official Plan land use policies must be in place.

The applicant proposes to rezone the lands to General Employment, modified with special provisions for landscaping, parking, and loading. Staff note that self-storage uses are not permitted in any commercial or mixed-use zone of By-law 2009-189.

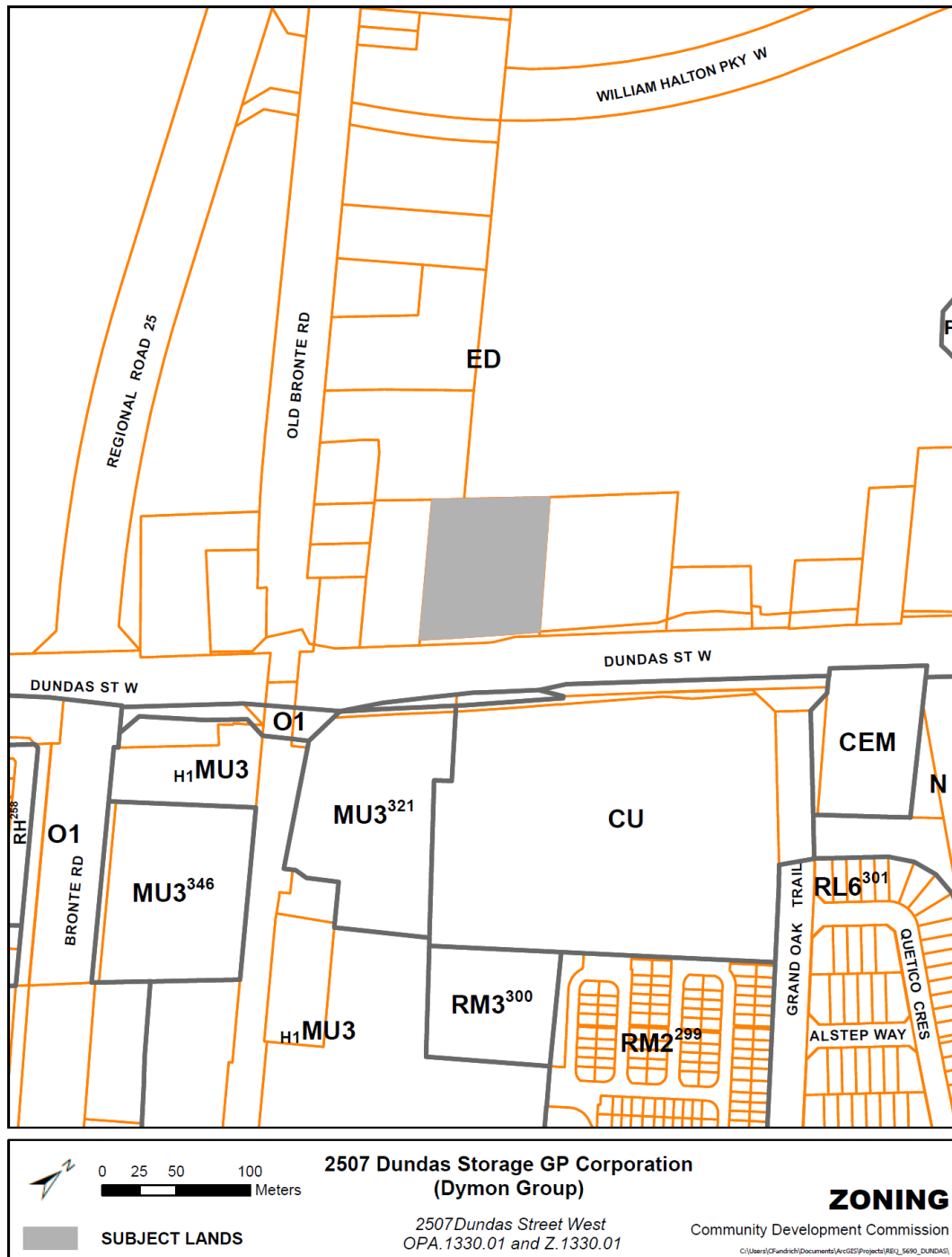


Figure 6 – Zoning Map

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## PLANNING ANALYSIS

The following section provides a complete planning analysis of the application, and assesses the merits of the proposal with respect to the existing land use policy and emerging land use policy context provided above. Key elements that formulate staff's recommendation of this proposal include:

- i. Coordination of Planning Activities
- ii. Appropriateness of the proposed land use within a Growth Area
- iii. Issues under Review/Matters to be considered

### Coordination

As provided by the Matters of Provincial Interest, the PPS, the Growth Plan and the Region's Official Plan, the coordination of planning activities is required to ensure orderly development and support good planning. Further, conformity with the Region's Official Plan relies upon the coordination of land use planning exercises between the Region and the Town. As discussed above, the Region is currently undertaking their Official Plan Review and have prepared a draft of ROPA 48. ROPA 48 shows Palermo Village as "Primary Regional Node" which is part of the broader "Strategic Growth Areas".

Also mentioned above, the Town initiated a new study of the North Oakville West Area, including the Palermo Village Growth Area and excluding the Hospital District. Staff took a comprehensive planning approach to evaluate the built and natural environment to better direct growth for the North Oakville West Area and built upon the studies already completed. The study reviewed and supplemented the previous work conducted in support of the past OPA's, is in line with the various *Special Study Area* designations, and responds to the requirement for a Special Study to be conducted to provide the policy framework to support development in the North Oakville West area and the Palermo Village Growth Area.

The study provides recommendations for both the Growth Area and the North Oakville West Area, not including the Hospital District, as shown in Figure 7 below. To support the complete communities direction of the applicable Provincial plans, residential and commercial development is intended to be accommodated in the Palermo Village Growth Area (as shown in Figure 5 above), and employment uses, such as self-storage facilities are intended to be accommodated outside the Growth Area, shown in blue in Figure 7 below.

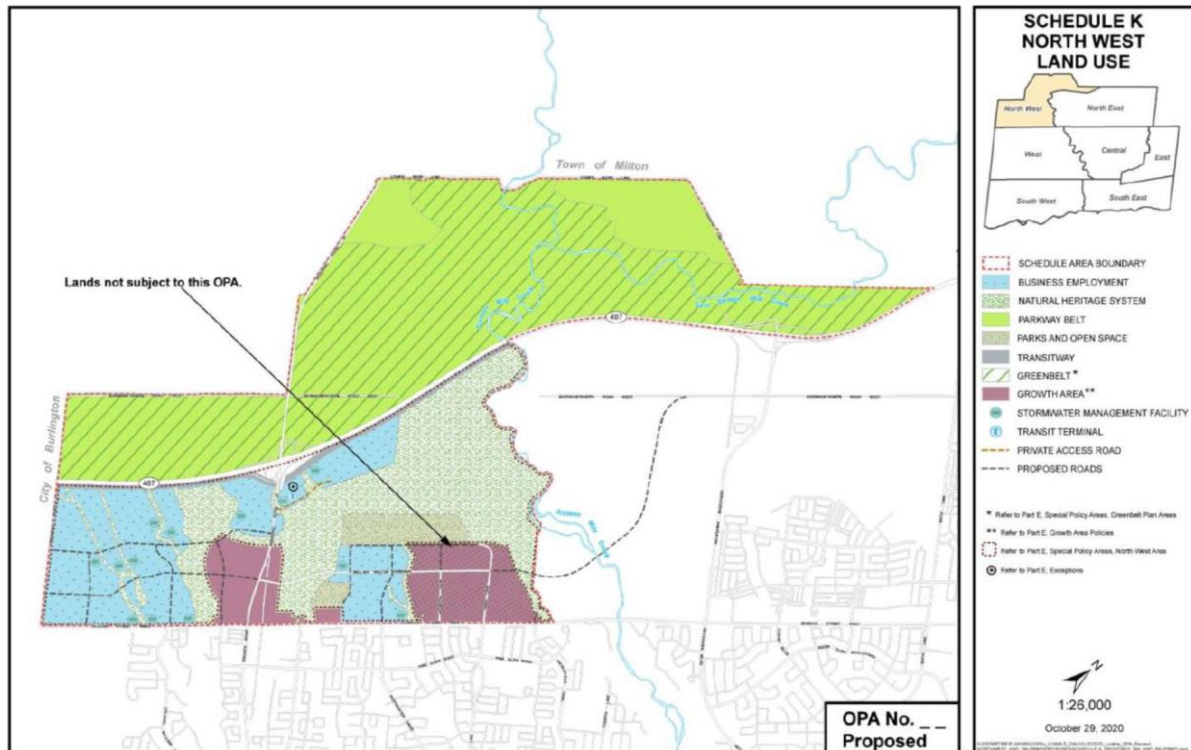


Figure 7 – Council Adopted Land Use Schedule

The Town-initiated review of the Palermo Village Growth Area resulted in Council adopted policies (OPA 34) that continue to support the vision for Palermo Village. As mentioned above, OPA 34 is currently under review with the Region, and not in full force and effect. Similarly, the Region’s own Municipal Comprehensive Review is not yet completed.

The applicant’s Planning Justification Report (PJR) was submitted as a requirement identified through the Pre-Consultation process. The PJR reflects on the various applicable policies similar to those provided in this report, and provides the following comment with respect to the rationale of the proposed Official Plan Amendment:

**“3.5.4 Rationale for the Official Plan Amendment**

*The proposed development is currently located within a policy “vacuum” due to the outstanding appeals of OPA 289 and OPA 306. Were these two planning instruments not appealed, the subject lands would have appropriate land use permissions, including a height of up to 8 storeys and a density of up to 4.0 FSI. The only substantive amendment thereafter which would be sought would be to clarify that self-storage is a permitted use in an urban built form as contemplated through the applications.*



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*In our opinion, the policy vacuum created by the appeals of OPA 289 and OPA 306 is not appropriate and should have been addressed long ago (the appeals have been unresolved since 2009 and 2011 respectively). The continuation of a policy vacuum, in our opinion, does not implement (and thereby not consistent nor in conformity with) the policy directions of the Province, Region or Town for intensified development of the subject lands. In summary, the Official Plan Amendment is meant to fill this policy vacuum and allow an appropriately designed, intensified built form to occur on the subject lands.”*

The applicant’s submissions that the proposed applications are intended to “fill this policy vacuum” does not sufficiently address the matters required to be addressed through the Special Study Area policies. The *Special Study Area* designation is in place to ensure that a comprehensive planning study be completed to establish a vision and policy framework for future development for the entirety of the Special Study lands, not just a single parcel. As discussed in the NOWSP section above, the Palermo Village Growth Area has been identified as a “node” in the town’s Urban Structure and is intended to develop as a mixed use area this is transit and pedestrian oriented, and integrates cultural heritage features. The required study is a multi-faceted review that considers all aspects of the natural and built environment as well as technical components such as servicing, transportation and transit usage, and urban design for both the Growth Area and the surrounding area as shown in Figure 4 above. The study is intended to establish policies to support a range of residential and commercial uses that achieve this objective.

It is staff’s opinion that a change in designation from the *Special Study Area* on a site specific basis without a completed study being implemented is not only inappropriate, but would result in a land use that is contrary to the direction of OPA 289, 306 and 34. Further, it does not conform to the 1984 Oakville Official Plan, which is the in effect Official Plan that provides a vision and policies to ensure the subject lands and surrounding lands in the Growth Area are developed as a mixed use node that is transit supportive and pedestrian oriented.

On this basis, it is staff’s opinion that the proposal does not have regard for Section 2 (m) of the *Planning Act*, and is not consistent with Section 4.6 of the PPS as the current Council adopted OPA 34 is not in full force and effect to provide the required land use policy framework to support development. Further, the proposal does not conform to Section 2.2.1-3 of the Growth Plan as the Region’s Municipal Comprehensive Review is not completed and the town-initiated OPA 34 is not yet approved and in full force and effect. Similarly, the proposal does not conform to the Region’s Official Plan, or the 1984 Oakville Official Plan.

Staff's assessment of the proposal has determined that appropriate coordination of planning activities has not taken place to sufficiently address the policies outlined in this report. Further, consideration of an amendment presents potential negative impacts to maintaining the integrity of the emerging policies for the Palermo Village Growth Area, and the ability to achieve the goals and objectives of OPA 34, as adopted by Council. Therefore, it is staff's opinion that the proposal is not appropriate and does not represent good planning.

#### Appropriateness of Proposed Land Use

This report has provided extensive background on the existing and emerging policy context for the subject lands and surrounding area. The themes evolving from this discussion include:

- i. Mixed land use, including high density residential, and high generating employment uses, such as commercial offices and retail.
- ii. Transit-supportive densities.
- iii. Pedestrian-oriented and vibrant public realm.

The applicant identifies their proposed self-storage building with accessory retail and office use as a 'mixed use' building. With respect to identifying the nature of uses in a single building, it is staff's opinion that the term 'mixed use' is more commonly associated with a combination of both residential and non-residential uses in a single building. However, 'mixed use' in the context of the larger Palermo Village Growth Area is intended to have a range of uses that provide transit-supportive densities. This can include buildings that provide a combination of commercial uses such as offices and retail within a single building. Therefore, staff acknowledge that buildings within Palermo Village, specifically along the transit corridors such as Dundas Street West, can be completely non-residential. However, the proposed self-storage use is not included within the range of uses that have been included within Council's adopted policies of OPA 34 (or the previously adopted OPA 306).

To better understand the types of development that provides high generating employment uses staff reviewed the Region's 2019 Employment Survey and compared data pertaining to total gross floor area and number of employees. The Employment Survey, identified that 2019 saw higher than average industrial development, which included two new self storage facilities with a total approximate floor area of 193,923 square feet. However, of all the self-storage uses in the town they only provide approximately 1-4 full-time staff and 1-8 part-time staff positions per building. For comparison, the Employment Survey also identified that the one office use having a building size of approximately 80,000 square feet provides approximately 364 positions. The applicant has not identified how many staff are anticipated to be accommodated for the proposed development, or how the

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proposed development provides a density to support transit usage, consistent with the MTO Transit Supportive Guidelines as provided above.

Further, Staff acknowledge that self-storage uses are evolving to take on a form that is less land intensive. For example, the use has historically been provided in single-storey structures and new facilities are often being accommodated within multi-storey buildings. However, staff disagree with the applicant's submission that the proposed use represents a "compact built form that is consistent with the planned character area of Palermo Village". While staff are encouraged by the height of the building on Dundas Street West, it is staff's opinion that describing the building as 'compact' is only a reflection of this evolution of built form. On this basis, it is staff's opinion that the applicant has not sufficiently demonstrated how the proposal achieves transit-supportive densities.

Lastly, through the assessment of this application, it is staff's opinion that the form and function of the proposed development would conflict with the Urban Design policies and guidelines for the Palermo Village Growth Area. For example, the applicant proposes a six-storey building, surrounded by a two-way drive aisle that wraps around the building together with surface parking (as shown in Figure 1 above). The retail and office portions are accessory to the predominant self-storage use, resulting in most of the proposed six-storey massing being blank walls, which is not a desirable condition in the Growth Area, and would be highly visible along Dundas Street West. Circulation and parking areas account for 48% of the total site area, which does not reflect an efficient use of the lands and does not mitigate for the visibility of the expansive blank walls of the building. The access and associated drive aisles prevent the building from addressing the street and creating the desired vibrancy often associated with urban areas.

To facilitate access to the storage units internal to the building, the proposal provides for an indoor garage feature. This includes roll-up garage doors that are oriented towards the street. To accommodate the proposed access and queueing in front of the large glass drive-in doors, the building is pushed back from the street. In addition to aspects of the building noted above, this further reinforces that the nature of the proposed use is not oriented to pedestrians and would not provide transit-supportive densities. It is staff's opinion that the use is primarily auto-centric in its design and purpose, as most customers will attend the site via single occupancy vehicles (car, van or truck).

On this basis, staff disagree with the applicant's submissions that the proposal would be appropriate for the Growth Area and that it reflects a land use and built form that would be consistent with the planned character for Palermo Village. It is staff's opinion that the proposal has the potential to undermine the integrity of the emerging policies approved by Council through OPA 34. The proposal provides a combination of uses, design, site layout, and building orientation that conflicts with

the urban environment envisioned for the town's Growth Area. It is staff's opinion that the proposal does not have regard for Section 2 (h), (j), (p), (q), (r) and (s) of the *Planning Act* as it will result in a development which has not been appropriately located, does not provide for a range of housing types or provides transit supportive densities, does not promote good urban design, and is primarily reliant on automobile usage, which does not mitigate greenhouse gas emissions. Further, the proposal is not consistent with the PPS, Policy 1.1.3.3 as it does not achieve the densities needed to support transit usage. Similarly, the proposal does not conform to the Growth Plan, the Region's Official Plan, the North Oakville West Secondary Plan or the Council adopted policies of the Livable Oakville Official Plan as it results in a development that does not achieve the Growth Area objectives to provide a transit-supportive and pedestrian oriented environment.

#### Issues under Review/ Matters to be considered

Through the review of the application, staff identified the following issues for further consideration:

- Consistency with the Provincial Policy Statement, 2020 and conformity to the 2019 Growth Plan for the Greater Golden Horseshoe.
- Conformity to the Region of Halton Official Plan.
- Does the commercial self storage facility meet the general objectives of the Town's emerging policies including but not limited to a mixed use, transit supportive and pedestrian oriented community.
- Does the EIR/FSS appropriately implement the North Oakville Creeks Subwatershed Study? Have the Natural Heritage System limits (Core 2) been adequately defined?
- Conformity with current urban design policies, and consistency with emerging policies on matters such as built form, transitions and compatibility with adjacent properties, interface with public realms, and vehicular access.
- Impacts to and integration of the existing heritage resource on the property, including the completion of a Peer Review of the Heritage Impact Study.
- Adequacy of Water and Sanitary servicing for the property.
- Timing of the proposal with respect to the Regional review of OPA 34 to the Livable Oakville Official Plan.

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- Consideration for how the proposed Zoning By-law Amendment can be passed, if the parent Zoning By-law was not approved to implement the Official Plan the lands would be moving into.
  - Alignment with the Climate Emergency declared by Council in June 2019 for the purposes of strengthening the Oakville community commitment in reducing carbon footprints. This can involve staff working with developers to incorporate travel demand strategies to reduce the transportation emissions from single occupant vehicles and increase the transit, pedestrian and cycling mode split.

In addition to these matters, Council raised the following at the Public Meeting held on April 12, 2021:

- review parking requirements including the accessible parking spaces.

Further, a representative of the Trafalgar Township Historical Society also commented as follows:

*“concerns regarding placement of the existing historical heritage home on the property, and context in terms of scale and scope next to the proposed building, advising that they made suggestions to the developer regarding historical elements to the heritage home, and design conducive to the original Palermo Village.”*

In the assessment of this application, the proposal does not align with the emerging policy framework of either the Region or the Town. It is staff’s opinion that, the outstanding site-related technical issues such as heritage conservation, site servicing, parking, ingress and egress, and landscaping are only matters that would need to be resolved should the principle of the proposed use for the subject lands be supported. As this is not the case, and as the resolution of these issues would not impact the outcome of the policy issues discussed in this report, there is no basis for resolving the outstanding technical matters at this time. On this basis, staff have not proceeded with a Peer Review of the applicant’s Heritage Impact Assessment, or taken further steps to resolve these outstanding matters.

## **SUMMARY AND CONCLUSION**

As mentioned above, the town undertook a comprehensive study of the subject lands and surrounding area to create land use principles and objectives that would direct growth and intensification to the Palermo Village Growth Area. The intent of these policies would be to encourage transit-supportive development that provides a range of housing types together with commercial amenities and office uses.

On April 12, 2021, Council passed the By-law that would adopt OPA 34 and provide the policy framework for North West Oakville, including Palermo Village Growth Area, excluding the Hospital District. OPA 34 is currently under review with Halton Region, who is also currently undertaking their own Municipal Comprehensive Review (ROPA 48).

The applicant has submitted various studies and reports that present a number of conflicts with the applicable provincial policies, Regional Official Plan and the Town's Official Plans. It is staff's opinion that the proposed self-storage facility presents a development that is auto-centric and provides a built form that does not align with that found in a compact, pedestrian-oriented environment. Further, the proposal does not demonstrate how transit supportive densities are achieved for the site.

Staff recommends refusal of the proposed official plan amendment and zoning by-law amendment applications based on the following:

- The applicant's request to amend the Official Plan to provide a special provision to permit self-storage uses within the Growth Area is a policy change that presents potential negative impacts to maintaining the integrity of the emerging policies for the Palermo Village Growth Area, and has the potential to undermine the ability to achieve the goals and objectives of OPA 34, as adopted by Council.
- The applicant's proposed official plan amendment does not reflect a development which sufficiently addresses the vision and policy direction of the 1984 Oakville Official Plan to provide nodal development with a mixture of uses that are transit-supportive and pedestrian-oriented.
- Technical aspects of the proposal such as built heritage, natural heritage, servicing, access, and design have not been sufficiently addressed to demonstrate that development on the subject lands will achieve the goals and objectives of the Growth Area and cannot be considered in advance of the principle of the land use being established.
- As self-storage facilities are permitted as-of-right within employment zones, and predominantly found in designated employment areas, the request to amend the Official Plan and Zoning By-law further reinforces that self-storage facilities are not intended to be located in designated urban, pedestrian-oriented and transit-supportive Growth Areas.
- The proposed self-storage use is not within a mixed residential and non-residential building, and is not balanced with more appropriate uses to better

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generate high employment densities needed to support transit infrastructure and promote pedestrian activity along the street.

- OPA 34 also recommends a plan for the North West Area, excluding the Hospital District that includes employment uses. These uses are found outside of the designated Growth Area, where larger areas can accommodate the often needed vehicular circulation, surface parking, nuisance noises from mechanical operations and doors, and varying operational hours. The proposed land use would be more appropriately located in employment areas.
- It is staff's opinion that the application does not satisfactorily address the Matters of Provincial Interest, is not consistent with the Provincial Policy Statement, does not conform to the Growth Plan, the Region of Halton Official Plan, the 1984 Oakville Official Plan, and is not in keeping with the policies of the North Oakville West Secondary Plan or the Livable Oakville Plan as it does not provide for the adequate coordination of planning activities between the upper and lower tier municipalities, and results in a development which is not transit supportive or provide for a built form which encourages a vibrant, pedestrian-oriented urban environment.

## **CONSIDERATIONS:**

### **(A) PUBLIC**

Staff received one public comment from the Public Meeting on April 12, 2021, which was in respect to retention and integration of the heritage building on the subject lands.

As discussed in this report, the fundamental land use conflicts of the proposal do not support the proposed development. On this basis, other matters pertaining to built and natural heritage, servicing, and transportation (among others) will not be further considered at this time.

### **(B) FINANCIAL**

None associated with this report.

### **(C) IMPACT ON OTHER DEPARTMENTS & USERS**

The application has been reviewed by other departments, and their comments have been considered in this report.

### **(D) CORPORATE STRATEGIC GOALS**

This report addresses the corporate strategic goal to:

- be 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.

**APPENDICES:**

Appendix A – Council Disposition from April 12, 2021

Prepared by:

Kate Cockburn, MCIP RPP  
Senior Planner, West District

Recommended by:

Charles McConnell, MCIP, RPP  
Manager, West District

Submitted by:

Gabe Charles, MCIP, RPP  
Director of Planning