



OAKVILLE

REPORT

Planning and Development Council

Meeting Date: December 9, 2024

FROM: Planning and Development Department

DATE: November 26, 2024

SUBJECT: Official Plan Amendment and Zoning By-law Amendment, Dhan Dhan Baba Budha Ji Gurdward Sahib, File Numbers OPA.1430.34 and Z.1430.34

LOCATION: 2403 and 2417 Khalsa Gate

WARD: Ward 4

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RECOMMENDATION:

1. That comments from the public with respect to the proposed Official Plan Amendment and Zoning By-law Amendment applications submitted by Dhan Dhan Baba Budha Ji Gurdward Sahib, (File No.: OPA.1430.34 and Z.1430.34), be received.
2. 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:

- **Nature of Applications:** The applicant has applied for an Official Plan Amendment and Zoning By-law Amendment. The purpose of the Official Plan Amendment application is to add a site-specific exception to the Palermo Village Exceptions to modify surface parking requirements to allow for greater than 50% surface parking (when appropriately sited and screened to minimize the view of the surface parking from the street), parking within the front and exterior side yards, and remove the minimum building height requirements for the subject property. The purpose of the Zoning By-law Amendment application is to rezone the lands from 'Future Development' to 'Community Use', and establish site specific exceptions to: modify surface parking requirements to allow all required parking to be surface parking, remove requirement that 50% of required parking be in a structure; reduce minimum building height to 1 storey; reduce the minimum landscape buffer to parking (along Pine Glen Road) to 1.18 metres; and reduce the minimum landscape buffer abutting any residential use to 3.2 metres.

- **Proposal:** The applications propose an expansion of the existing place of worship and associated parking lot. The proposed development consists of a 2,013.8m² addition to the existing 520.79m² building for a total floor area of 2,539.59m². A separate 39.72m² building is proposed on site to accommodate the storage of maintenance equipment. A total of 256 surface parking spaces are proposed together with 12 bicycle parking spaces.
- **Public Consultation:** A total of thirteen attendees were present at the virtual Public Information Meeting (“PIM”) held on August 26, 2024.

BACKGROUND:

The purpose of this report is to introduce the submitted Official Plan Amendment and Zoning By-law Amendment applications in conjunction with the Statutory Public Meeting. Council will hear public delegations on the applications, ask questions of clarification and identify matters to be considered. No recommendations or decisions on the applications are being made at this time.

A place of worship has been existing on the subject property since 1995. Various improvements have been undertaken since 1995, inclusive of the expansion of the building footprint to accommodate additional rooms, the enclosure of the former exterior stairwell, and minor exterior façade modifications to accommodate changing needs over time.

The subject property is located within the Palermo Village Growth Area south of Dundas and currently designated Urban Centre along the Khalsa Gate frontage and Main Street 2 toward the rear of the property by Livable Oakville.

Within the Urban Centre designation, the minimum building height is two storeys, and the maximum building height is ten storeys¹. Furthermore, underground and/or structured parking is encouraged, and surface parking is not permitted in front of or between buildings.

Within the Main Street 2 designation, the minimum building height is four storeys and the maximum building height is six storeys. Furthermore, surface parking on corner lots should only be permitted in the rear yard or in areas that can be appropriately screened.

In addition to the abovementioned parking policies, the following functional policies apply to parking in areas designated Urban Centre and Main Street 2 within Palermo Village:

¹ on a corner property.

- a) Structured parking is preferred, and additional lot coverage for buildings may be considered if at least 75 percent of the required parking is provided below grade or in an above-grade structure; and,
- b) The maximum portion of any lot that may be used for surface parking shall be approximately 50 percent.

The subject Official Plan Amendment proposes redesignate the subject property to 'Community Use' and to amend the abovementioned policies to permit a building height of one storey, with all surface parking (when appropriately sited and screened to minimize the view of the surface parking from the street), and to permit parking within the front and exterior side yards.

While the amendment is to the in force policies of the existing Official Plan, on March 22, 2021, [Council adopted Official Plan Amendment 34 \(OPA 34\)](#) with modifications and it was approved by Halton Region, with modifications, on March 13, 2023 which remains subject to outstanding appeals and is not in force. OPA 34 was informed by public engagement², and designated the subject lands 'Urban Centre'. Policy 22.6.1 c) v) provides that the minimum building height does not apply to a place of worship, and the following site-specific policy was included which was intended to guide expansion of the place of worship:

"22.7.3 The lands designated Urban Centre, south of Pine Glen Road and known as 2403 and 2417 Khalsa Gate, are subject to the following additional policies:

- a) Surface parking associated with a place of worship may be permitted on greater than 50 percent of the lot when appropriately sited and screened to minimize the view of the surface parking from the street.*
- b) The expansion of the place of worship or surface parking area shall be subject to site plan approval and shall provide for enhanced streetscape improvements along Khalsa Gate as identified on Schedule N2, and the dedication of the proposed road, as shown on Schedule N1, to the Town."*

As OPA 34 was appealed to the Ontario Land Tribunal, the foregoing policies are not in full force and effect. Accordingly, the subject official plan amendment is required, and the subject Zoning By-law amendment is required to establish the implementing regulations.

While various changes proposed through the amendment would be addressed through the passing of OPA 34, additional amendments would still be required.

² including the Livable Oakville Subcommittee on January 15, 2018, public information sessions on May 29, 2018, a second Livable Oakville Subcommittee meeting on October 7, 2019, a public workshop on November 25th, 2019, a statutory public meeting on November 23, 2020 and a Council workshop on February 2, 2021.

Procedural issues related to the appeals will be addressed as part of the future recommendation.

APPLICATION SUMMARY

Applicant/Owner: Dhan Dhan Baba Budha Ji Gurdward Sahib

Purpose of Application(s): The purpose of the Official Plan Amendment application is to add site-specific exceptions to the Palermo Village Exceptions and associated Schedule N to modify surface parking requirements to allow for parking within the front and exterior side yards and remove the minimum building height requirements for the subject property. The purpose of the Zoning By-law Amendment Application is to rezone the lands from 'Future Development' to 'Community Use', and establish site specific exceptions to: modify surface parking requirements to allow all required parking to be surface parking, remove requirement that 50% of the required parking be in a structure; reduce minimum building height to 1 storey; reduce the minimum landscape buffer to parking (along Pine Glen Road) to 1.18 m; and reduce the minimum landscape buffer abutting any residential use to 3.2 m.

An aerial photograph, in effect Livable Oakville land use schedules, and an existing zoning excerpt from By-law 2014-014 are included in **Appendix 'A'**.

Effect of Application(s): The effect of the Official Plan and Zoning By-law Amendment applications is to permit an expansion to the existing place of worship and associated surface parking lot.

A copy of the applicant's 3D rendering and elevations are included as **Appendix 'B'**.

A copy of the applicant's draft Official Plan Amendment is included as **Appendix 'C'**.

A copy of the applicant's draft Zoning By-law Amendment is included as **Appendix 'D'**.

Submitted Plans / Reports:

The proponent has provided technical supporting studies which are currently under review by various public agencies and internal town departments. The supporting documentation is accessible on the town's website by visiting www.Oakville.ca and searching OPA 1430.34 or Z.1430.34.

Property Location: The subject property is located on the southeast corner of Khalsa Gate and Pine Glen Road and is municipally known as 2403 and 2417 Khalsa Gate.

Surrounding Land Uses:

The surrounding land uses are as follows:

- North – St. Joseph’s Portuguese Roman Catholic Church on north side of Pine Glen Road
- South – Baronwood Drive and three-storey stacked townhouses
- East – Vacant lands
- West – development application for ten storey mixed use building containing residential units, and commercial at grade approved in 2017 directly east of Khalsa Gate. Abutting property currently contains 3 storey townhouse dwellings

Key Milestones:

Pre-Consultation Meeting	January 24, 2024
Public Information Meeting	August 26, 2024
Pre-submission Review	N/A
Application Deemed Complete	October 16, 2024
P & D Council - Public Meeting	December 9, 2024
Date Eligible for Appeal for Non-decision	May 14, 2025

PLANNING POLICY CONTEXT:

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

- Provincial Policy Statement (2024)
- Halton Region Official Plan
- Livable Oakville Official Plan
- Zoning By-law 2014-014

A full analysis of the Provincial Planning Statement (2024), Halton Regional Official Plan, Town of Oakville Official Plan, and Town of Oakville Zoning By-law will be included within the future recommendation report.

Official Plan extracts are attached as **Appendix ‘E’** and Zoning By-law extracts are attached as **Appendix ‘F’**.

MATTERS UNDER REVIEW

This application was recently received and is under review by Town departments and agencies. The following are the general issues that will be addressed in a future

recommendation report, in addition to any comments from the public, Council and commenting agencies:

- Public & Council Comments/Concerns
- Climate Change/Sustainability Goals
- Consideration of applicable Provincial and Regional policy
- Conformity with Livable Oakville
- Zoning performance standards
- Context and transition to adjacent properties and built form
- Integration/Impact on adjoining and adjacent properties
- Proposed height and setbacks and landscape buffers
- Urban design
- Transportation implications (including travel demand management strategies, and parking utilization)
- Pedestrian connections and walkability
- Tree preservation
- Stormwater management
- Functional servicing

CONCLUSION:

Planning staff will continue to review and analyze the subject Official Plan and Zoning By-law Amendment applications and address all technical matters, if any, along with submitted public comments. 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.

CONSIDERATIONS:

(A) PUBLIC

The applicant held a virtual Public Information Meeting (“PIM”) on August 26, 2024, to present the proposal for the subject property which was attended by 13 residents. Minutes of the meeting have been included as **Appendix ‘G’**.

No public comments were received as of the date of this report.

Notice of complete application and public meeting were distributed to the property owners within 240m of the subject property in accordance with the town’s current notice requirements and the *Planning Act*.

(B) FINANCIAL

None.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

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

(D) COUNCIL STRATEGIC PRIORITIES

This report addresses Council's strategic priority/priorities: Growth Management, Community Belonging, Environmental Sustainability and Accountable Government.

(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": Mapping

Appendix "B": 3D Rendering and Elevations

Appendix "C": Applicant's Official Plan Amendment

Appendix "D": Applicant's Draft Zoning By-law Amendment

Appendix "E": Official Plan Extracts, Official Plan Amendment No. 34, and Zoning By-law Extracts

Appendix "F": Public Information Meeting Minutes

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