

Appendix 'B' – Comments received by internal departments and external agencies

Zoning Amendment Application Comments Report – 1st Submission

Date:	February 10, 2017 UPDATED MARCH 27, 2017
To:	Nick Dell – Nickdell8@gmail.com
From:	Tricia Collingwood , Senior Planner (East District), Planning Services
Contact Info:	T: 905-845-6601 ext. 3833 E: tricia.collingwood@oakville.ca
Re:	Circulation Comments (1st submission)
Application:	Capreit Limited Partnership
Description:	Zoning Amendment and Official Plan Amendment Application
Address:	1360 White Oaks Drive/1329 Marlborough Court
File #:	Z.1512.08

Comments:

The above-noted development application has been circulated to various municipal departments and external agencies for review. Comments which have been received with respect to the application are included below. Please be aware that comments from some departments and/or agencies may still be pending.

Circulation Comments:

PLANNING SERVICES – CENTRAL DISTRICT

1. Current Planning

1st Circulation – September 29, 2016

- Conformity with Livable Oakville – the application does not conform to Livable Oakville. Staff must be satisfied that the type of use is appropriate
- Staff do not feel this use can be interpreted as intensification in the residential sense.
- Staff must consider the use in relation to the surrounding context, impact on residents, parking, noise and the potential for the Fitness Centre to not be viable and the future use of that space.
- In addition, while the amenity space has not been used for quite some time it is a requirement of the building. Staff will be taking another look at this requirement. NOT REQUIRED. CONFIRMED BY ZONING
- The parking arrangements and spaces allocated to this use must be very clear to all users.
- Additional parking counts/work was undertaken to support the parking justification study.
- The Public Information Meeting was well attended and the area residents are not in support of the use.
- See attached from Policy Planning

2. Urban Design – Shadi Adab – ext 3132

1st Circulation – September 29, 2016

Urban Design staff have no objection to the proposed ZBA and OPA with the condition that a safe and accessible pedestrian path is provided from the commercial parking lot to the main entrance. Please submit the following drawings for our review:

- 1- A pedestrian circulation plan clearly indicating an accessible path from the parking lot or closest public sidewalk to the main entrance. The detailed pedestrian path will be required at site plan stage.
- 2- A lighting plan (or a letter) showing how the pedestrian path will be lit to provide safety and security for the users. Detailed plans will be required at site plan stage.
- 3- A drawing (or a letter) describing pedestrian wayfinding strategy. Detailed drawings will be required at site plan stage.

Please note that staff will have more comments related to this proposal (e.g. the existing fence and the wood deck...) which will be communicated with the applicant through the site plan review process.

INTERNAL DEPARTMENTS

3. Development Engineering – Richard Renaud x3631

1st Circulation – September 29, 2016

No Comments

**Urban Forestry signed off on this application.*

4. Transportation – Lin Rogers x3236

2nd Circulation of parking justification study – January 5, 2017

No further comment. Parking justification study is satisfactory and the proposed use does not have an adverse impact on current parking supply.

1st Circulation – September 29, 2016

Transportation staff have reviewed the parking justification prepared by Trans-Plan and dated August 2016 for the application noted above and have the following comments:

1. The applicant is required to conduct supplementary counts during the fall to substantiate the parking surveys conducted during the summer months. Prior to conducting the counts, staff would appreciate consultation of which day the counts are to be completed.
2. The applicant is required to submit an addendum outlining the results of the supplementary parking utilization counts and address how the updated information impacts the recommendation of the August 2016 report.

The above represent comments based on upon the information provided to date.

5. Building Services, Zoning – Peter Kozelj x3174

1st Circulation – September 29, 2016

No comments at this point. Comments will be provided to staff on the proposed zoning by-law amendment that will go forward to Planning and Development Council to ensure compliance with the parent by-law 2014-014.

6. Building Services, Fire Prevention – Sean McKibben x3602

1st Circulation – September 29, 2016

- November 1, 2016 - Development application. OPA and ZBA to convert indoor swimming pool space to a commercial gym.
- No concerns with proposed work.
Passed (SM)

7. Finance – Paula Adamson x6029

1st Circulation – September 29, 2016

In the case of a development where residential amenity space is converted to a retail use available to the public, it appears development charges would apply to the non-residential GFA being created. If the fitness centre is for the use of the residents that would still be considered amenity space.

EXTERNAL AGENCIES

8. Region of Halton, Planning & Public Works Department

1st Circulation – September 29, 2016

SEE attached

Development Application Review – Policy Planning Comments

Application: Official Plan Amendment, Zoning By-law Amendment
File No: OPA and ZBA 1512.08
Project Name: Capreit Limited Partnership (c/o Greg Dell)
Planner on File: Tricia Collingwood

Key Points

- The property is subject to the policies of the Livable Oakville Plan.
- The property is located on Schedule I – Central Land Use.
- The property is dual-designated Neighbourhood Commercial and High Density Residential. The area pertaining to this application is designated High Density Residential.
- The property is also considered within the Trafalgar Road Corridor Special Policy Area.

Response

The comments in the table below provide a policy excerpt and response from the Livable Oakville Plan based on the proposed application:

Policy Excerpt (Livable Oakville Plan)	Response / Comment
29.5 Glossary <i>Development</i> – means the creation of a new lot, a change in land use, or the construction of buildings and structures, requiring approval under the <i>Planning Act</i> ... <i>Intensification</i> – means the development of a property, site or area at a higher density than currently exists through: d) the expansion of conversion of existing buildings	<p>The proposal is considered development due to the proposed change in land use – commercial use permissions in a residential designation.</p> <p>The proposal is considered intensification due to the conversion of an existing amenity area within an existing residential building to a commercial use.</p>
3 Urban Structure 3.10 – Special Policy Areas provide for those areas subject to further study or those areas for which additional policies apply beyond the underlying land use designations.	<p>The proposal should be considered under the policies of the underlying land use designation (High Density Residential) and any Special Policy Area policies which apply (Trafalgar Road Corridor).</p>
11 Residential 11.1.8. – <i>Intensification</i> within the stable residential communities shall be provided as follows: c) within the stable residential communities, on lands designated Medium Density Residential and High Density Residential, there may be underutilized lands on which additional development may be appropriate. <i>Intensification</i> of these lands may occur within the existing density permissions for the lands and may be considered subject to the requirements of section 11.1.9 and all other applicable policies of this Plan.	<p>The density permissions relate specifically to residential density.</p> <p>The development planner should be satisfied that subject site is currently underutilized and the proposed development/use is appropriate.</p>

Policy Excerpt (Livable Oakville Plan)	Response / Comment
11.1.9 – <i>Development</i> within stable residential areas shall be evaluated using the following criteria to maintain and protect the existing neighbourhood character...	The development planner should be satisfied that the proposed development/use meets the criteria of 11.1.9
11.1.10 – <i>Special Policy Areas</i> that are designated for residential uses are also described in Part E and are also subject to policies set out in Part E.	The property is considered within the Trafalgar Road Corridor Special Policy Area, and the policies of Part E, Section 26.3 apply.
11.4 High Density Residential The High Density Residential land use designation may permit a range of high density housing types including multiple-attached dwelling units, apartments, retirement homes and long-term care homes.	The High Density Residential land use designation does not contemplate commercial uses.
26.3 Trafalgar Road Corridor (QEW to Dundas Street) ...The boundary of the Trafalgar Road Corridor Special Policy Area is identified on Schedule I, Central Land Use. Large sites that are not wholly within the Trafalgar Road Corridor <i>Special Policy Area</i> boundary on Schedule I, Central Land Use, shall be deemed to be within the Special Policy Area.	The entirety of the subject property, including the High Density Residential lands identified outside the Trafalgar Road Corridor Special Policy Area boundary on Schedule I, is considered part of and subject to the Trafalgar Road Corridor Special Policy Area policies.
26.3.2.a) Urban Design	Defer to Urban Design
26.3.3 Land Use Policies 23.3.3.b) – Notwithstanding section 11.1.8.c) and 11.4.2, on lands designated High Density Residential within the Trafalgar Road Corridor <i>Special Policy Area</i> , there may be underutilized lands on which additional development may be appropriate. <i>Intensification</i> of these lands may be considered to occur up to 300 units per site hectare.	The development planner should be satisfied that subject site is currently underutilized and the proposed development/use is appropriate.

Additional comments may be provided as additional information or new details become available.



November 24, 2016

Legislative and Planning Services
Planning Services
1151 Bronte Road
Oakville ON L6M 3L1
Fax: (905) 825-8822

Ms. T. Collingwood, Senior Planner
Town of Oakville
1225 Trafalgar Road
Oakville, ON L6H 0H3

Dear Ms. Collingwood:

Re: **Proposed Local Official Plan Amendment and Zoning By-law Amendment
Part lot 12, Block D, J, Concession 2 SDS, Registered Plan 1523
1360 White Oaks Blvd and 1289 Marlborough Court
Town of Oakville, Region of Halton
Files Numbers: OPA and ZBL 1512.08 Capreit Limited Partnership**

Regional Planning staff has reviewed local official plan amendment as well as zoning bylaw amendment to redevelop an existing vacant residential amenity space including existing swimming pool, located at 1360 White Oaks Blvd into a commercial fitness centre providing no additional on-site parking, and providing public access through the plaza located at 1289 Marlborough Court.

In accordance with Halton Region By-law 16-99 and following review of the proposed official plan amendment application, it appears that this application will be exempt from Halton Region approval. **Please forward the draft report and proposed amendment with recommendations to Halton Region at least 12 days prior to the presentation of the report to Oakville Council, as per the requirements of the by-law for the exemption to be confirmed by Regional staff.**

The lands are designated as 'Urban Area' in the ROP. The range of permitted uses and the creation of new lots within the Urban Area will be in accordance with Local Official Plans and Zoning Bylaws. All development, however, shall be subject to the policies and plan in effect.

Trafalgar Road (Regional Road 3) is designated as a Major Arterial Road and is also designated a Higher Order Transit Corridor. Policy 80 of the ROP addresses intensification areas as areas that consists of Urban Growth Centre; Major transit Station Areas; intensification corridors as identified in Local Official Plans and Mixed Use Nodes. Livable Oakville identifies this corridor as a Special Policy Area/ Intensification Corridor.

Policy 78(3) of the ROP states the objectives of the Intensification Areas are to provide a range of employment opportunities, facilities and services in centralized locations that are readily accessible by public transit.

Regional Municipality of Halton

HEAD OFFICE: 1151 Bronte Rd, Oakville, ON L6M 3L1

905-825-6000 | Toll free: 1-866-442-5866

Servicing

It appears that the proposed change in use does not have a significant impact to the existing services that service the property. It may be necessary to obtain a Regional services permit if the service connections are needed to be changed or altered to accommodate the building renovations. Halton Region's multi-unit servicing policy would also have to adhere to for any the changes to the building.

There are no servicing issues related to this proposed change in use.

Other Matters of Regional Interest:

Regional Planning staff is satisfied that the proposed development is consistent with the policies of the Provincial Policy Statement (2014) and conforms to the Growth Plan.

With respect to ROP Policy 147(17) regarding Halton Region's Protocol for reviewing Development Applications with Respect to Contaminated or Potentially Contaminated sites, the Owner has submitted a Site Screening Questionnaire dated September 16, 2016. Halton Region has no further requirements in this regard.

Halton Region Health Department staff note that before a public pool is put into use after construction or alteration, the owner or the owner's agent shall notify, in writing, Halton Region Health Department of the building permit number issued for the construction or alteration of the pool in accordance with Ontario regulation 565/90. A person who proposes to open or reopen a pool for use as a public pool after construction or alteration shall not open or reopen the pool without first obtaining written permission from the Health Department.

Halton Region's Waste Management section will not service the proposed commercial fitness centre for waste collection the owner of the fitness centre is required to provide private waste collection.

Please be advised that should this application be subject to site plan approval any lands that are part of the subject property as identified as required for the future widening and/or realignment of **Trafalgar Road**, as identified in the Trafalgar Road Environmental Study Report and/or Detailed Design Study, will be required to be dedicated to the Regional Municipality of Halton for the purpose of road right-of-way widening, realignment and future road improvements.

NOTE: The Owner will be required to pay all applicable Regional development charges in accordance with the Region of Halton Development Charge By-law(s), as amended. Please visit our website at www.halton.ca/developmentcharges to obtain the most current development charge information, which is subject to change.

Conclusion

Regional staff has no objection to the above noted applications.

Please provide the Region with a copy of the Town's Decision regarding this application, as noted above, please also forward the proposed Official Plan Amendment to Regional staff for formal exemption.

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Should you require any additional information or have any questions in this regard, please do not hesitate to contact me at (905) 825-6000, extension 7182.

Sincerely,

A handwritten signature in black ink, appearing to read 'Laurielle Brooks', written in a cursive style.

Laurielle Brooks, MCIP, RPP
Senior Planner

c.c. Nick Dell (e-mail)
Greg Dell and Associates

Ron MacKenzie (e-mail)
Development Project Manager, Halton Region