

REPORT

PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: APRIL 13, 2015

FROM: Planning Services Department

PD-016-15

DATE: March 19, 2015

SUBJECT: Public Meeting Report, Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision, Stateview Homes (Ivory Oak Estates), 2295 and 2307 Khalsa Gate, File No.: Z.1430.32 and 24T-14007/1430

LOCATION: 2295 and 2307 Khalsa Gate

WARD: 4

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RECOMMENDATION:

That comments from the public with respect to the Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision application submitted by Stateview Homes (Ivory Oak Estates), File No. Z.1430.32 and 24T-14007/1430, be received.

KEY FACTS:

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

- An Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision application was submitted in December 2014 by Stateview Homes to permit the development of the subject site and a portion of the Town's surplus right of way (overall site area of 0.514 ha) for 22 townhouses.
- The site is located on the east side of Khalsa Gate at the southerly end of Khalsa Gate. Access is proposed from Khalsa Gate.
- The application was deemed complete on December 22, 2014.
- A Public Information Meeting was held on February 26, 2015. One member of the public attended. No concerns were raised.
- Staff will submit a recommendation report for Council's consideration at a future Planning and Development Council meeting.

BACKGROUND:

The purpose of this report is to introduce the planning application in conjunction with the statutory public meeting. Council will hear public delegations on the application, ask questions of clarification and identify planning matters to be considered. The

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report is to be received and no recommendations on the applications are being made at this time.

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

2009 Council Request

On June 2, 2009, as part of the Livable Oakville Plan – Statutory Public Meeting (Addendum Report), Council made the following request of staff:

“4. That staff be requested to:

- (a) initiate a review of the three properties located at 2295, 2307 and 2317 Khalsa Gate relating to the potential for inclusion in the Palermo Village and the appropriate designations of these lands in the fall of 2009; and ...”*

Related Staff Reports

OPA 306 - Statutory Public Meeting Report - PD-020-10

On April 26, 2010, Planning and Development/Council held the Statutory Public Meeting for Official Plan Amendment 306 for Palermo Village North of Dundas Street (NOWSP). As part of the staff report, directions were also outlined for lands south of Dundas Street which pertain to the subject site and address Council's request. An excerpt from page 11 of the staff report states the following:

Khalsa Gate Properties

During the Livable Oakville process, Palermo Village was reviewed in detail as an area for mixed use development. In conducting the Livable Oakville Plan, Council requested staff to, “initiate a review of the three properties located at 2295, 2307 and 2317 Khalsa Gate relating to the potential for inclusion in the Palermo Village and the appropriate designations of these lands.”

These properties are located just east of the Palermo Village growth area and are currently designated Low Density Residential and have single detached buildings on each. The Khalsa Gate properties are surrounded on the south and east by Medium Density Residential, allowing multiple-attached units, stacked townhouses and apartments. The lands to the north is designated Urban Centre, where 6 to 8 storeys are permitted in a mixed use form. The

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land to the west of the properties consist of a very narrow, triangular parcel of vacant land, which is in the Palermo Village growth area and is also designated Urban Centre.

In reviewing the existing uses, as well as the physical and policy context for the Khalsa lands, it is recommended that the Khalsa Gate properties be redesignated to Medium Density Residential with an exception to allow the existing commercial and residential uses to continue. It is also recommended that the lands to the west, bounded by Khalsa Gate and Bronte Road, be removed from the Palermo Village Growth Area and also be considered for redesignation to Medium Density Residential. This will provide appropriate land area for residential development, an adequate buffer to Bronte Road and continued access from Khalsa Gate.

OPA 306 Recommendation Report - PD-003-11

Recommendation report PD-003-11 was received by Planning and Development/Council on January 24, 2011 and brought forward an Official Plan Amendment for Palermo Village North of Dundas Street (NOWSP). As part of the staff report, direction was also outlined for lands south of Dundas Street which pertain to the subject site. An excerpt from page 8 of the staff report states the following:

Through a previous request by Council, staff recommended that the properties located at 2295, 2307 and 2317 Khalsa Gate be redesignated to Medium Density Residential from their existing Low Density Residential designation. It was also recommended that the lands to their west, bounded by Khalsa Gate and Bronte Road, be removed from the Palermo Village Growth Area and also be considered for redesignation to Medium Density Residential. Such designation changes may be facilitated by a Town-initiated amendment that can be completed once the Ontario Municipal Board approves the Livable Oakville Plan. The property owners are also able to apply for redesignation of the current plan prior to Livable Oakville approval.

Proposal

The applicant has submitted an application for the subject properties (2295 and 2307 Khalsa Gate) and a portion of the Town's surplus Khalsa Gate right-of-way as follows:

- Official Plan Amendment to re-designate the site from *Low Density Residential* to *Medium Density Residential*,

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- Zoning By-law Amendment (By-law 1984-63) to rezone the site from 'Agriculture – SP 28T and 29T' to the R8 zoning category with special provisions,
- Zoning By-law Amendment (By-law 2014-014) to rezone the site from 'Existing Development - ED' to the RM1 zoning category with special provisions; and,
- A Draft Plan of Subdivision to permit a 22 unit multiple-attached development on a future condominium road.

Figure 1 below highlights the proposed development concept.



Figure 1

The disposal of the surplus right of way of Khalsa Gate (0.088 ha, approximately 9 metres wide and 90 metres long) is contingent upon the approval of the associated Zoning By-law Amendment.

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Location and Site Description

The overall site (approximately 0.5 ha in size) is located on the west side of Khalsa Gate, south of Pine Glen Road. The site comprises two separate properties that will be merged together with the surplus town right of way. Frontage on Khalsa Gate is approximately 90 metres.



Figure 2

Surrounding Development

The Palermo area is the subject of a number of development applications, either under construction or in the planning application process, as follows:

- VGR – southwest corner of Dundas Street West and Old Bronte Road: five storey medical office building, completed.
- New Horizon – Old Bronte Road, south of Dundas Street West: two – eight storey condominium buildings, Site Plan approved.
- EMS Station – Pine Glen Road: under construction.
- Peppergate development – east side of Khalsa Gate, south of Pine Glen Road: 166 units, three storey stacked townhouses, under construction.
- Ballantry Homes – west side of Khalsa Gate, south of Pine Glen Road: Zoning By-law Amendment approved. Minimum of 362 apartment units. Site Plan application in technical review.

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- Bronte Community Development Corp. (Crystal Homes): east side of Khalsa Gate, north side of pipeline corridor: three apartments – Official Plan Amendment, Zoning By-law Amendment and Site Plan appealed to the Ontario Municipal Board.

Surrounding Uses

Khalsa Gate and Bronte Road - to the west

Residential (three storey townhouses) - to the east and south

POLICY FRAMEWORK

Provincial Policy Statement (PPS) – 2014

The Provincial Policy Statement is intended to promote a policy led system, which recognizes 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 by promoting a compact development form.

On February 24, 2014, the Ministry of Municipal Affairs and Housing issued a new Provincial Policy Statement (PPS) 2014 under Section 3 of the *Planning Act*. The new PPS replaces the 2005 statement and is effective April 30, 2014.

Region of Halton Official Plan

The OMB has issued a series of decisions regarding the partial approval of ROPA 38 to the Halton Region's Official Plan. The policies of ROPA 38 to Halton's Official Plan are in force with the exception of site specific and policy specific matters unrelated to this application.

The lands are designated "Urban Area" according to the Region's Official Plan. The Urban Area is "planned to accommodate the distribution of population and employment for the Region and the four Local Municipalities". One of the objectives of the Urban Area (Policy 72(1)) is to "accommodate growth in accordance with the Region's desire to improve and maintain regional unity, retain local community identity, create healthy communities, promote economic prosperity, maintain a high quality, sustainable natural environment, and preserve certain landscapes permanently". 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 Regional Plan.

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Livable Oakville Plan

The Livable Oakville Plan was approved by the Ontario Municipal Board on May 10, 2011 and is consistent with the Provincial Policy Statement and conforms to the Provincial Growth Plan for the Greater Golden Horseshoe.

The subject property is designated as ‘*Low Density Residential*’ on Schedule H, West Land Use and is located within a stable residential community as defined by the Livable Oakville Plan.

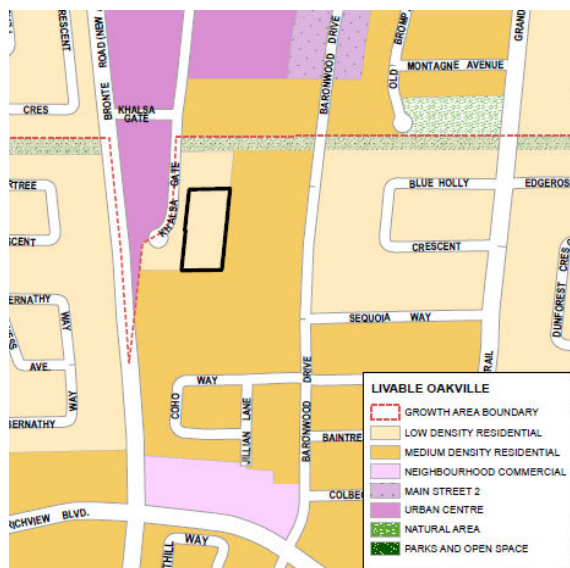


Figure 3 – Livable Oakville Plan

The following policies relate to the Livable Oakville Plan:

Part D Section 11.2

11.2 *Low Density Residential*

11.2.1 *Permitted Uses*

The Low Density Residential land use designation may permit a range of low density housing types including detached dwellings, semi-detached dwellings and duplexes.

11.2.2 *A density of up to 29 dwelling units per site hectare may be permitted in areas designated Residential Low Density.*

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Part D Section 11.1.9

“Development within all stable residential communities shall be evaluated using the following criteria to maintain and protect the existing neighbourhood character:

- a) The built form of development, including scale, height, massing, architectural character and materials, is to be compatible with the surrounding neighbourhood.*
- b) Development should be compatible with the setbacks, orientation and separation distances within the surrounding neighbourhood.*
- c) Where a development represents a transition between different land use designations or housing forms, a gradation in building height shall be used to achieve a transition in height from adjacent development.*
- d) Where applicable, the proposed lotting pattern of development shall be compatible with the predominant lotting pattern of the surrounding neighbourhood.*
- e) Roads and/or municipal infrastructure shall be adequate to provide water and wastewater service, waste management services and fire protection.*
- f) Surface parking shall be minimized on the site.*
- g) A proposal to extend the public street network should ensure appropriate connectivity, traffic circulation and extension of the street grid network designed for pedestrian and cyclist access.*
- h) Impacts on the adjacent properties shall be minimized in relation to grading, drainage, location of service areas, access and circulation, privacy, and microclimatic conditions such as shadowing.*
- i) The preservation and integration of heritage buildings, structures and uses within a Heritage Conservation District shall be achieved.*
- j) Development should maintain access to amenities including neighbourhood commercial facilities, community facilities including schools, parks and community centres, and existing and/or future public transit services.*
- k) The transportation system should adequately accommodate anticipated traffic volumes.*

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- l) Utilities shall be adequate to provide an appropriate level of service for new and existing residents."*

The applicant has submitted an Official Plan Amendment to re-designate the subject lands from *Low Density Residential* to *Medium Density Residential* to permit the proposed development. A copy of the proposed Official Plan Amendment can be found in Appendix A of this staff report. Section 11.3 *Medium Density Residential* of the Livable Oakville Plan permits multiple-attached dwelling units with a density range of 30 to 50 dwelling *units per site hectare*.

Zoning

Zoning By-law 2014-014 has been partially deemed in force by the Ontario Municipal Board. Where a development application or building permit is made on lands subject to a regulation not yet in force, compliance with the standards of both this by-law and the former By-law 1984-63, as amended, will be necessary. Compliance with both standards will be required until the new standard comes into effect.

The site is currently zoned *Agriculture – SP 28T and 29T* within By-law 1984-63 as highlighted on Figure 4a and *Existing Development - ED* as highlighted on Figure 4b within By-law 2014-014.

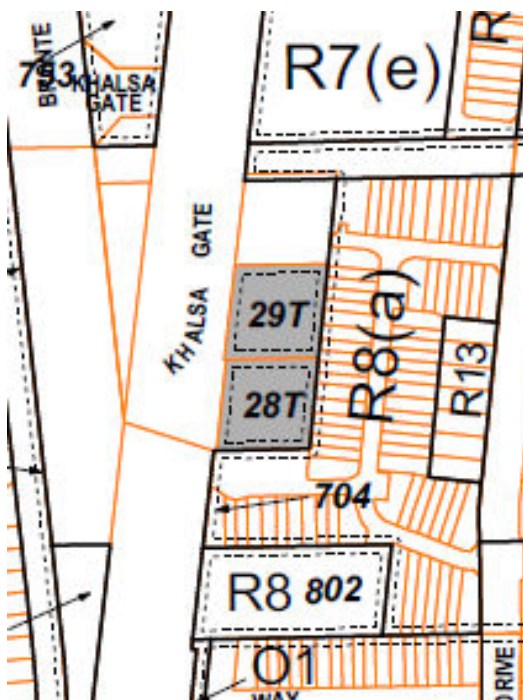


Figure 4a – By-law 1984-63

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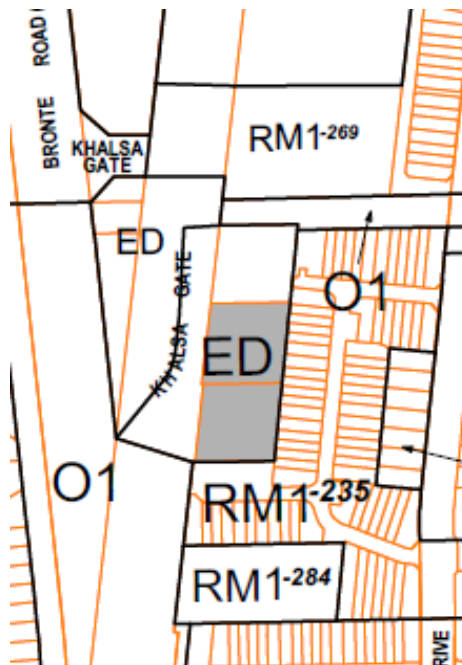


Figure 4b – By-law 2014-014

An application has submitted to rezone the subject site to permit a proposed 22 unit townhouse development. A copy of the proposed Zoning By-law Amendment can be found in Appendix B to this staff report.

COMMENTS

The application was submitted on December 2014. The following information has been submitted related to the application:

- Planning Justification Report;
- Draft Official Plan and Zoning By-law Amendment;
- Draft Plan of Subdivision;
- Aerial photograph;
- Site Development Plan;
- Survey; and
- Various technical plans and reports such as Streetscape Plan, Waste Management Plan, Noise Study, Urban Design Brief, Functional Servicing Report, Traffic Assessment and Phase One Environmental Site Assessment.

The application has been circulated to the various departments and agencies. As such, the application remains under technical review. Various supporting

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documentation has been placed on the Town's website at <http://www.oakville.ca/business/da-10032.html>.

Old Bronte Road / Khalsa Gate Streetscape Plan

On April 10, 2012 Council endorsed the Old Bronte Road/ Khalsa Gate Streetscape Plan.

The streetscape plan presents a high-level, cohesive design strategy for Old Bronte Road/Khalsa Gate in Palermo Village. Its purpose is to transform Old Bronte Road/Khalsa Gate into an active main street, where pedestrian amenities, transportation choices and accessibility provisions are found. The streetscape plan provides direction for the road cross-section, street furniture, parking arrangements, pedestrian scaled-lighting, as well as guidelines for site and building design.

As new development occurs in Palermo Village, there are opportunities to narrow Old Bronte Road/Khalsa Gate to create a more walkable street.

The proposal will require site plan approval, wherein details related to the development of the site and the streetscape will be further reviewed.

Matters to be considered

A complete analysis of the application on the appropriateness of the proposal continues to be undertaken. This includes, but is not limited to, a review of the following matters identified to date:

- Appropriateness of proposed Official Plan and Zoning By-law Amendment;
- Coordination of road rights of way;
- Stormwater management; and,
- Urban Design; and,
- The streetscape design for Khalsa Gate reflecting the Old Bronte Road/Khalsa Gate Streetscape Study. All associated financial obligations to be borne by the developer.

CONCLUSION:

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

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CONSIDERATIONS:

(A) PUBLIC

Notice for this meeting was provided through a mailing to all properties within 120 m of the subject property and placed on the site sign.

A Public Information Meeting was held on February 26, 2015. One member of the public attended. No concerns were raised.

(B) FINANCIAL

Financial obligations such as Khalsa Gate streetscape and other requirements of the owner with respect to on-site works are being dealt with through the Site Plan process. All works to be constructed will be fully funded by the owner.

Cash in lieu of parkland shall be required. Valuation will be at building permit issuance in accordance with Town By-law 2008-105 and Sec. 42 of the *Planning Act*. Development Charges will also be payable at building permit issuance in accordance with the rates and by-laws in effect at that time.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

The proposal has been circulated to the various agencies and departments for consideration. As such, the application remains in technical circulation.

(D) CORPORATE AND/OR DEPARTMENT STRATEGIC GOALS

This report addresses the corporate strategic goal to:

- be the most livable town in Canada

(E) COMMUNITY SUSTAINABILITY

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

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APPENDICES:

Appendix A - Proposed Official Plan Amendment by applicant

Appendix B - Proposed Zoning By-law Amendment by applicant

Appendix C - Technical Comments

Prepared by:

Robert H. Thun, MCIP, RPP

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Current Planning – West District

Recommended by:

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Manager

Current Planning – West District

Submitted by:

R. Scott Hannah, MCIP, RPP

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Current Planning and Heritage