



OAKVILLE

REPORT

PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: APRIL 16, 2018

FROM: Planning Services Department

DATE: March 22, 2018

SUBJECT: **Public Meeting Report, Zoning By-law Amendment and Draft Plan of Subdivision, Halton Catholic District School Board, 2123 Hixon Street, File No.: Z.1727.16 and 24T-18002/1727**

LOCATION: North side of Hixon Street at Solingate Drive

WARD: 1 Page 1

RECOMMENDATION:

That comments from the public with respect to the Zoning By-law Amendment and Draft Plan of Subdivision application by Halton Catholic District School Board, File No.'s: Z.1727.16 and 24T-18002/1727, be received.

KEY FACTS:

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

- A Zoning By-law Amendment and Draft Plan of Subdivision application was submitted to permit development of 2123 Hixon Street for a proposed 14 lot Plan of Subdivision and 0.314 ha park with frontage proposed along a new 17-metre wide roadway.
- Specifically, the applicant proposes to re-zone the site from *CU – Community Use* to *RL3-0 – Residential Low*. No regulations of the RL3-0 zone are proposed to be amended.
- The site, being the former St. Anne School site, is located on the north side of Hixon Street at Solingate Drive.
- The application was submitted and complete as of February 6, 2018.
- A Public Information Meeting was held on March 6, 2018. 14 members of the public were in attendance. Appendix A contains public comments.

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 prior to the expiration of the 150-day appeal timeframe, being July 6, 2018, as set out in Bill 139, staff will bring forward a recommendation report for consideration by Planning and Development Council to the June 11, 2018 meeting.

A pre-consultation meeting was held on October 25, 2017, which was attended by the applicant, as well as town and regional staff, based on a 13 lot residential plan of subdivision and a park block. The purpose of a pre-consultation meeting is to establish the formal application requirements of a development application, as well as to provide preliminary staff feedback on a proposal. Taking into account the various disciplines at the meeting, the applicant was provided preliminary feedback on that original proposal.

A Public Information Meeting was held on March 6, 2018. Fourteen members of the public were in attendance. An overview of the comments received from the public is contained later in this report.

The town has entered into a purchase agreement with the Halton Catholic District School Board to purchase an approximate 0.7 acre parcel from the former St. Anne's School site at 2123 Hixon Street, to be used for a park. The agreement is still conditional and closing will take place once the conditions have been satisfied. The school board has also agreed to work with the town to allow the remainder of the former school site to be developed in a manner consistent with the surrounding neighbourhood fabric.

Proposal

A Zoning By-law Amendment and Draft Plan of Subdivision application was submitted on February 6, 2018 to permit development of 2123 Hixon Street for a proposed 14 lot Plan of Subdivision and 0.314 ha. park with frontage proposed along a new 17 metre wide roadway.

Specifically, the applicant proposes to re-zone the site from *CU – Community Use* to *RL3-0 – Residential Low*. No site specific regulations are proposed. Figure 1 below highlights the proposed development as submitted.

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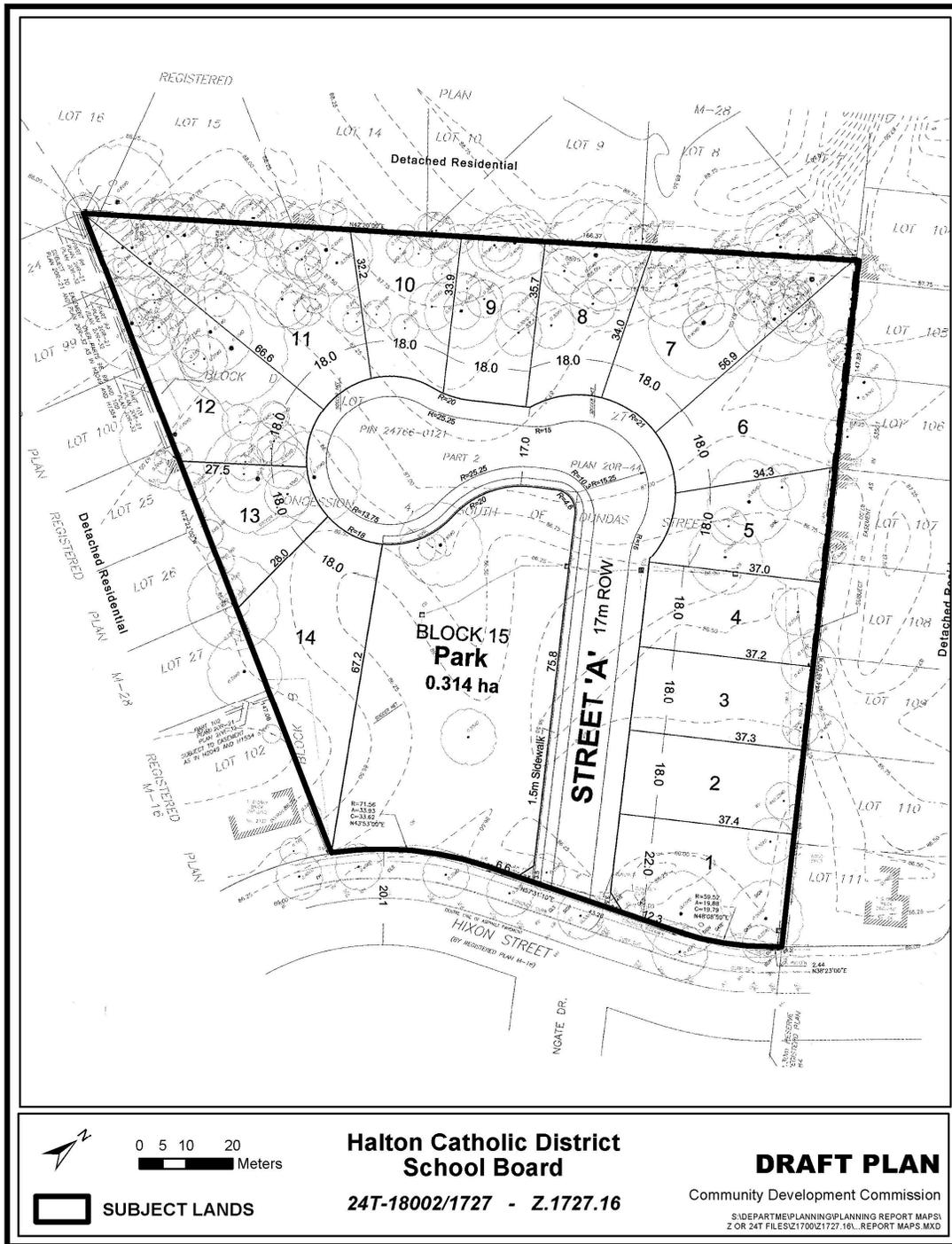


Figure 1 – Draft Plan of Subdivision

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The following reflects the proposed lot areas and lot frontages as depicted in Figure 1, all consistent with the RL3-0 zoning regulations.

Lot Number	Lot Frontages (m)	Lot Area (m ²)
Lot 1	22.0	876.9
Lot 2	18.0	672.4
Lot 3	18.0	670.1
Lot 4	18.0	667.7
Lot 5	18.0	681.3
Lot 6	18.0	1090.8
Lot 7	18.0	1085.8
Lot 8	18.0	647.7
Lot 9	18.0	632.4
Lot 10	18.0	628.2
Lot 11	18.0	1284.8
Lot 12	18.0	1103.2
Lot 13	18.0	570.1
Lot 14	18.0	1124.3

Location and Site Description (Figure 2)

The site, being the former St. Anne’s School site, is approximately 1.82 ha in size, and is located on the north side of Hixon Street at Solingate Drive. Frontage on Hixon Street is approximately 98 metres. Being a former school site, the majority of the property is open (former school building, parking area and play areas) with trees located along the periphery of the site. The school was demolished approximately two years ago.

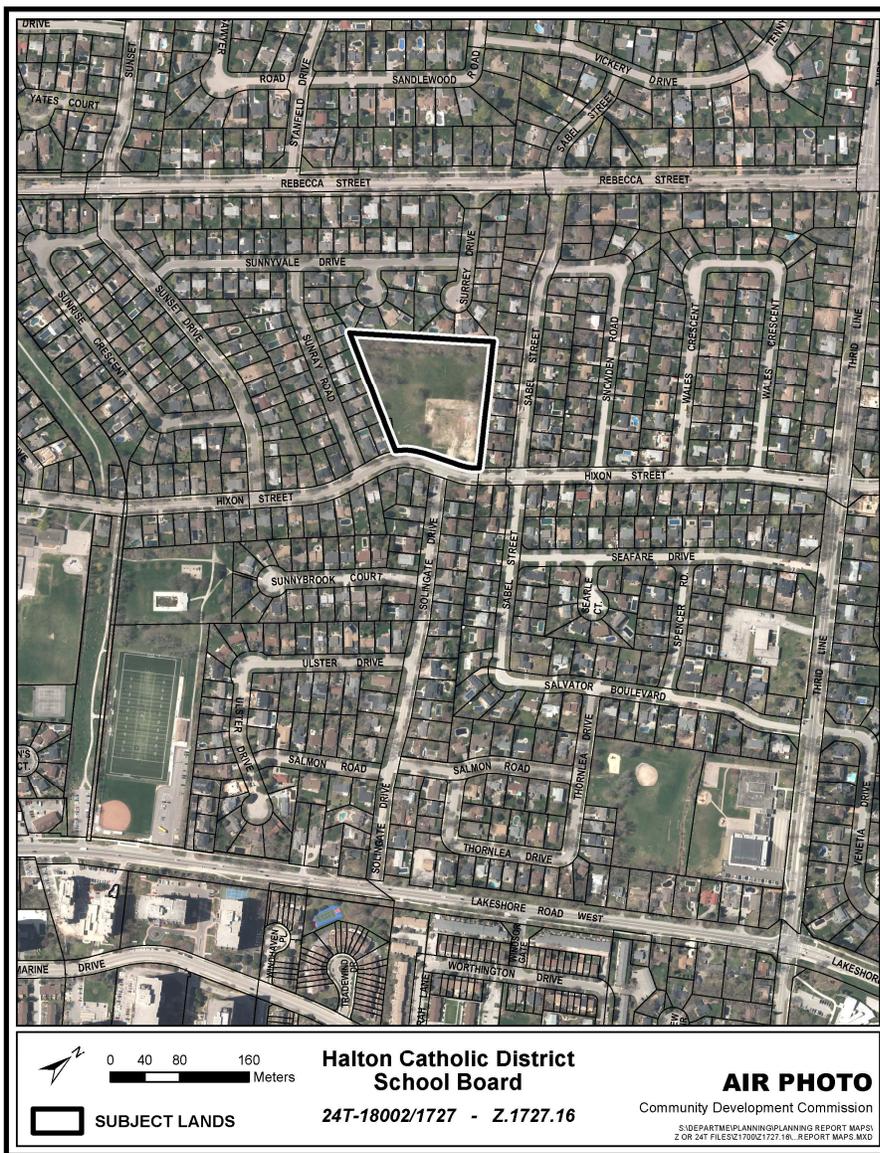


Figure 2 – Airphoto

Surrounding Land Uses

Residential uses, consisting of single detached dwellings (one and two storeys), surround the subject property.

POLICY & REGULATORY FRAMEWORK:

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

- 2014 Provincial Policy Statement

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- 2017 Growth Plan for the Greater Golden Horseshoe
- Halton Region Official Plan
- Livable Oakville Plan
- Zoning By-law 2014-014

2014 Provincial Policy Statement

On February 24, 2014, the Ministry of Municipal Affairs and Housing issued a new Provincial Policy Statement (hereinafter 'PPS') under Section 3 of the *Planning Act*. The new PPS replaced the 2005 statement and came into effect April 30, 2014.

The 2014 PPS 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.

The subject lands are located within a settlement area, which are to be the focus of growth and development (policy 1.1.3.1). Intensification is one of the ways planning authorities are to provide for an appropriate range and mix of housing types and densities to meet projected requirements of current and future residents (policy 1.4.3). The PPS states that land use patterns within settlement area shall be based in part on providing a range of uses and opportunities for intensification and redevelopment (policy 1.1.3.2)

With respect to intensification, the PPS states:

"1.1.3.3 - That planning authorities shall identify appropriate locations and promote opportunities for 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."

"1.1.3.4 - Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety."

In accordance with section 3 of the *Planning Act*, all planning decisions 'shall be consistent with' the PPS.

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2017 Growth Plan for the Greater Golden Horseshoe

On May 18, 2017, the 2017 Growth Plan for the Greater Golden Horseshoe (hereinafter 'Growth Plan') was released and it came into effect on July 1, 2017, replacing the 2006 Growth Plan for the Greater Golden Horseshoe. The Growth Plan is a long-term plan that works together with the Greenbelt Plan, the Oak Ridges Moraine Conservation Plan and the Niagara Escarpment Plan 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 (policy 2.2.1). 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; improve social equity and overall quality of life; provide a diverse range and mix of housing options; expand convenient access to transportation options, public service facilities, accessible open space and healthy local, affordable food options; ensure development of high quality compact built form; mitigate and adapt to climate change impacts, and integrate green infrastructure and low impact development (policy 2.2.1.4 a-g).

Policy 2.2.2.1 directs that a minimum of 60% of all residential development occurring annually will be within the delineated built-up area. Policy 2.2.2.4 provides that all municipalities develop a strategy to achieve the minimum intensification target throughout the delineated built-up areas. The subject lands are considered within a built up area of Oakville in accordance with the Growth Plan, where growth is intended to be accommodated through intensification, subject to policies developed by local municipalities based on local conditions.

All decisions made on or after July 1, 2017 in respect of the exercise of any authority that affects a planning matter are required to conform to the 2017 Growth Plan.

Region of Halton Official Plan

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

The site is designated Urban Area according to the Halton 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

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(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.

Regional staff in a letter dated March 19, 2018 have stated the following and have provided conditions of draft approval.

“It is the opinion of Regional Planning staff that the subject applications are consistent with the Provincial Policy Statement (2014) and are in conformity with the Growth Plan (2017) and the Halton Region Official Plan (2009).”

Livable Oakville

The Livable Oakville Plan was approved by the Ontario Municipal Board on May 10, 2011. A conformity exercise is currently underway which will consider, among other things, the 2014 PPS and 2017 Growth Plan.

The subject land is contained within a stable residential community as identified by the Livable Oakville Plan and is designated *Low Density Residential* on Schedule F, Southwest Land Use (see Figure 3).

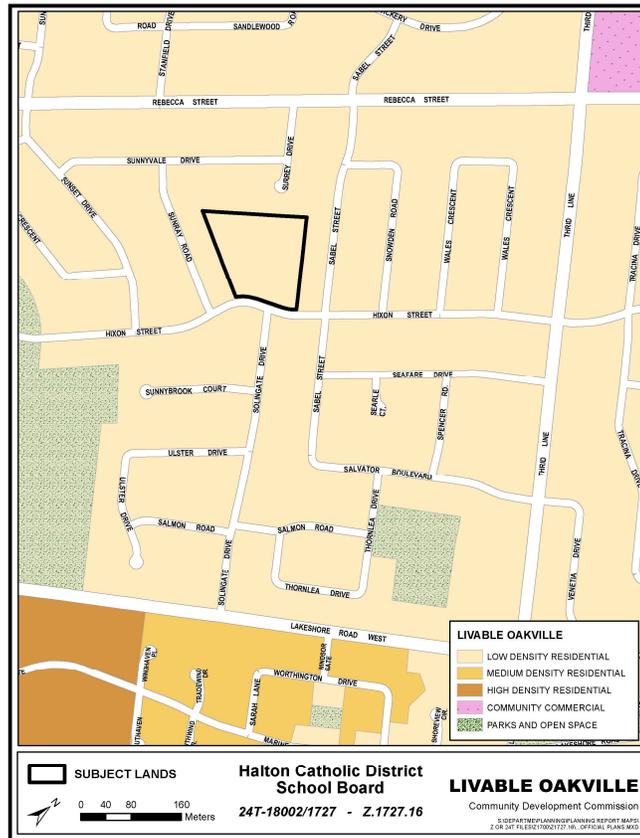


Figure 3 – Livable Oakville Plan

The following are policy excerpts from the Livable Oakville Plan related to this development application.

2.2 Guiding Principles

“2.2.1 Preserving and creating a livable community in order to:

- a) preserve, enhance, and protect the distinct character, cultural heritage, living environment, and sense of community of neighbourhoods; and, ...”*

“4.3 Residential Intensification Outside of the Growth Areas

It is the policy of the Plan that the key focus for development and redevelopment to accommodate intensification will be the locations identified as Growth Areas. Lands outside of Growth Areas are predominantly stable residential communities which consist of established neighbourhoods. While the Plan encourages intensification generally throughout the built up area, it also recognizes that some growth and change may occur in these areas

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provided the character of the areas is preserved and the overall urban structure of the Town is upheld. Intensification outside of the Growth Areas including additional intensification opportunities such as infill, redevelopment and greyfield and brownfield sites, will be considered in the context of this Plan.”

Part D, Section 11

“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.”

“11.1.8 Intensification within the stable residential communities shall be provided as follows:

- a) Within stable residential communities, on lands designated Low Density Residential, the construction of a new dwelling on an existing vacant lot, land division, and/or the conversion of an existing building into one or more units, may be considered where it is compatible with the lot area and lot frontages of the surrounding neighbourhood and subject to the policies of section 11.1.9 and all other applicable policies of this Plan;*
- b) Within the stable residential communities, on lands designated Low Density Residential, there may also be sites at the intersection of arterial and/or collector roads, or sites with existing non-residential uses, that have sufficient frontage and depth to accommodate appropriate intensification through development approvals. Intensification of these sites may occur with Low Density Residential uses in accordance with section 11.1.9 and all other applicable policies of this Plan...”*

The policy criteria within Section 11.1.9 for evaluating development applications within all stable residential communities is as follow.

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“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.*

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- k) *The transportation system should adequately accommodate anticipated traffic volumes.*

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

Urban Design: Livable Oakville (Part C Section 6) and Livable By Design Manual

The way in which growth is accommodated requires careful consideration and balance of a number of relevant components, including how to achieve a high standard of urban design, architectural quality and sensitivity to the surrounding neighbourhood. The proposed development will also be reviewed in the context of the Urban Design Policies contained in Part C Section 6 of Livable Oakville, and the directions outlined in the Town’s Livable By Design Manual. Attention will be given to policies and directions related to streetscape, built form and achieving compatibility with the surrounding neighbourhood.

Zoning By-law 2014-014

Zoning By-law 2014-014, as amended, is the town’s comprehensive zoning by-law for the lands south of Dundas Street and north of Highway 407.

Map 19(2) of Zoning By-law 2014-014 indicates that the property is zoned *CU – Community Use* as highlighted by the arrow on Figure 4 below.

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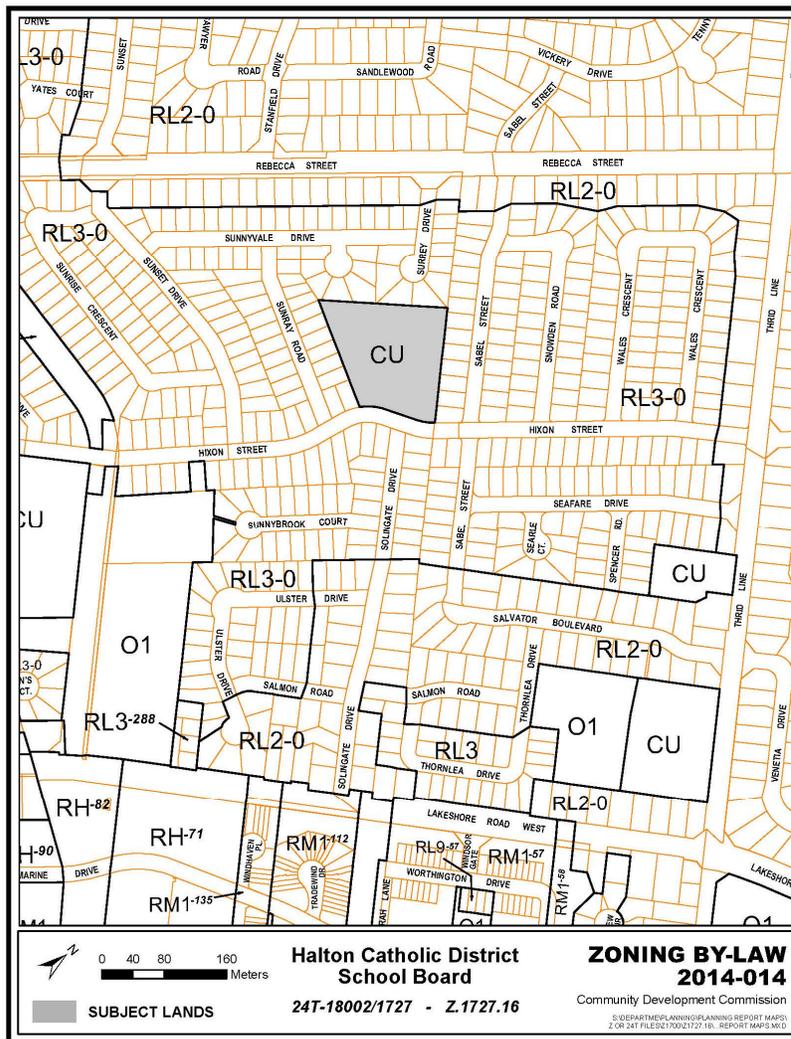


Figure 4 – By-law 2014-014

The Zoning By-law Amendment proposes to amend the site's zoning category from CU – Community Use to RL3-0 Residential Low as seen on Figure 5 below. No site specific regulations are being requested for change.

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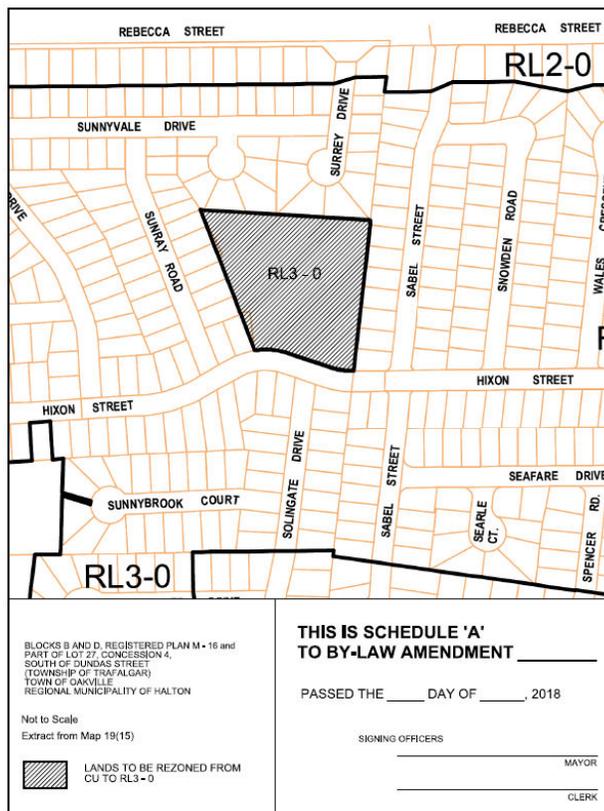


Figure 5 – proposed zoning schedule

SUBMITTED STUDIES

The application was submitted on February 6, 2018. The following information was submitted related to the application:

- Planning Justification Report and ZBA;
- Aerial photograph;
- Survey Plan;
- Draft Plan of Subdivision; and,
- Various technical plans and reports such as but not limited to Urban Design Brief, Functional Servicing and Stormwater Management Report, Arborist Report, Transportation Impact Assessment, and Phase One/Two Environmental Site Assessment.

The application has been circulated to the various departments and agencies. As such, the application remains under technical review. Various supporting documentation including the Zoning By-law Amendment and Draft Plan of Subdivision has been placed on the Town’s website at <https://www.oakville.ca/business/da-28505.html>.

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MATTERS TO BE CONSIDERED

A complete analysis of the application is underway and includes a review of the following matters, which have been identified to date:

- Provincial Policy Statement (PPS):
 - Consideration for policies related to mix of residential uses, efficient use of land, infrastructure and services that support transit.
- Growth Plan:
 - Consideration for complete communities; intensification that efficiently uses land, infrastructure and supports transit viability; demonstrated mix of housing options, and protection of natural features
- Regional Official Plan:
 - Consideration by Regional staff to review conformity with Regional Official Plan.
- Livable Oakville Plan:
 - Evaluation of the appropriateness of the level of proposed intensification within a stable residential neighbourhood.
 - Assessment of impacts on adjacent properties and mitigation of identified impacts.
 - Compatibility with the surrounding neighbourhood and protecting the existing neighbourhood character, including streetscape.
- Livable By Design Manual:
 - Evaluation of proposed built form and site layout in comparison to urban design directions.
- Zoning By-law:
 - Suitability of the proposed zone and regulation amendments in relation to the proposed development and the existing neighbourhood.
- Technical Review:
 - Functional Servicing and Stormwater Management
A review of the Functional Servicing and Stormwater Management Report in order to demonstrate that the development can be feasibly serviced with full municipal services including sanitary, water and fire protection, and that stormwater and storm drainage can be adequately managed to Town standards.

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- **Transportation Impact Study**
 A review of the Transportation Impact Study, to demonstrate that the proposal will not negatively impact existing and future road conditions in the area and that the vehicle maneuvering plan and sightlines are suitable.
- **Tree Preservation**
 The Arborist Report and tree preservation plan submitted inventoried 108 trees (seven municipal trees and 101 on the site) of which 49 would require removal to accommodate the proposed development. Ensuring proper tree preservation, streetscape plans and a review of proposed tree canopy cover will be taken into consideration.

Comments received from the public at this public meeting will be considered and included in a forthcoming recommendation report.

CONCLUSION

Planning staff will review the comments received with respect to the draft proposed zoning by-law amendment and draft plan of subdivision and report back to Council with a recommendation prior to the expiration of the Bill 139 150-day timeframe for Zoning By-law Amendments. 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

Notice of 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 March 6, 2018. 14 members of the public attended. Comments raised by the residents included:

Park

- Has consideration been given to the programming of the park?

Traffic

- Impact of the proposed development on Solingate Drive.

Fencing

- Will privacy fencing be erected along the periphery of the site?

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Grading / Drainage

- How will the proposed development accommodate rear lot drainage along the abutting lot lines?

Tree Preservation

- A number of trees exist on the site. What measure will be undertaken to protect the trees along the periphery of the site?

Utility Poles

- Utility poles presently exist along the easterly property limit. Will these poles be removed with the redevelopment of the site?

Construction

- What is the anticipated construction timing?
- Where will construction vehicles parking?

Several residents stated that the proposal was a “nice design” and an appropriate after-use.

Appendix A contains the public comments received to date.

(B) FINANCIAL

None associated with this report.

(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

Appendix

Appendix A – Public Comments

Appendix B – Region of Halton comments dated March 19, 2018

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