



OAKVILLE

## REPORT

PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: JUNE 11, 2018

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**FROM:** Planning Services Department

**DATE:** May 18, 2018

**SUBJECT:** Recommendation 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, By-law 2018-053

**LOCATION:** North side of Hixon Street at Solingate Drive

**WARD:** 1

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### RECOMMENDATION:

1. That, in accordance with Section 34(17) of the *Planning Act*, no further notice is determined to be necessary.
2. That Zoning By-law Amendment and Draft Plan of Subdivision application submitted by Halton Catholic District School Board (File No. Z.1727.16 and 24T-18002/1727), be approved on the basis that the application is consistent with the Provincial Policy Statement, conforms or does not conflict with all applicable Provincial plans, conforms the Region of Halton Official Plan, and the Livable Oakville Official Plan, has regard for matters of Provincial interest, and represents good planning for the reasons outlined in the report from the Planning Services department dated May 18, 2018.
3. That the Director of Planning Services be authorized to grant draft plan approval to the Draft Plan of Subdivision (24T-18002/1727) submitted by Halton Catholic District School Board, prepared by Weston Consulting Ltd. dated revised March 28, 2018 subject to the conditions contained in Appendices A and B.
4. That once 24T-18002/1727 has been draft approved by the Director of Planning Services, the Town enter into a Subdivision Agreement to the satisfaction of the CAO and Town Solicitor, or designates.
5. That the Subdivision Agreement be executed in accordance with By-law 2013-057.

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6. That By-law 2018-053, an amendment to Zoning By-law 2014-014, as amended, be passed.
7. That the Urban Design Brief document prepared by MHBC dated May 2018, which provides specific directions, be approved.
8. That notice of Council's decision reflect that Council has fully considered all written and oral submissions related to this matter and that these comments have been appropriately addressed.

**KEY FACTS:**

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

**Location:**

The site is located on the north side of Hixon Street, across from Solingate Drive (former St. Anne School site) and is municipally known as 2123 Hixon Street.

**Proposal:**

The application proposes to rezone the lands from *CU – Community Use* to *RL3-0 – Residential Low* with no relief from the existing zoning regulations to allow for the development of 14 lots and a 0.314 hectare park. A Zoning By-law Amendment is required as the existing zoning does not permit residential development.

An Official Plan Amendment is not required as the site is designated as *Low Density Residential*.

**Timing:**

The zoning by-law amendment was received on February 6, 2018. Council has until July 6, 2018 (150 days), to make a decision on this application.

**EXECUTIVE SUMMARY:**

The purpose of this report is to provide a full staff review of the application and a recommendation on the proposed Zoning By-law Amendment and Draft Plan of Subdivision for 2123 Hixon Street.

**Policy Context:**

Zoning By-law 2014-014 zones the subject lands *CU- Community Use* to reflect the former school. The existing zoning is consistent with the Provincial Policy Statement 2014, conforms to all applicable Provincial plans, the Region of Halton Official Plan and the Livable Oakville Official Plan as it provides a variety of

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community uses that support settlement areas and aids in supporting complete communities.

The proposed Zoning By-law Amendment is also consistent with the Provincial Policy Statement 2014, conforms or does not conflict with all applicable Provincial plans, and conforms with the Region of Halton Official Plan and the Livable Oakville Official Plan as it will provide for intensification of underutilized lands that has been declared surplus, that is already designated for low density residential development and that makes efficient use of existing municipal infrastructure.

Staff has reviewed the application in the context of the existing neighbourhood as well as in accordance with the applicable policy framework. Staff has also considered the comments from the technical review and those received from the public.

Staff recommends approval of this zoning by-law amendment and draft plan of subdivision application.

## **BACKGROUND:**

### Chronology

The Halton Catholic District School Board determined that the subject land is not required for the purposes of the school board and, therefore, has been deemed surplus. The school board is allowed to sell surplus land provided that the school board adheres to the property disposition protocol outlined in Ontario Regulation 444/98 of the *Education Act*. Part of this protocol is that the school board must offer first rights of acquisition of the surplus lands to a prescribed list of preferred Ministry of Education agencies. The preferred list includes other school boards, various public post-secondary institutions, and the local municipality (such as the Town of Oakville). If the school board does not receive an Offer to Purchase from any of the preferred agencies, the school board is able to pursue the sale of the surplus land to a third party.

The school board did not receive any purchase offers from the preferred agencies. Town Council had no interest in the site with the exception of accommodating a park on site. As such, the school board was able to make the land available for purchase by a third party. Halton Catholic District School Board submitted the application for these lands prior to the subject lands being offered for sale to a third party. The school board is currently in the process of selling the property.

The Town has entered into a purchase agreement with the Halton Catholic District School Board to acquire approximately 0.7acre parcel of land from the former St.

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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.

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.

The Zoning By-law Amendment and Draft Plan of Subdivision application was submitted on February 6, 2018 and deemed complete on February 9, 2018. Council has until July 6, 2018 (150 days from the submission of the complete application) to make a decision on the application.

A Public Information Meeting was held on March 6, 2018 and was attended by 14 members of the public. Many members of the public were generally supportive of the proposed change of use to detached dwellings. Comments expressed related to traffic, parkland, tree preservation, and size of lot 13, etc. These public comments were captured with the March 22, 2018 report, as presented to Council at the Statutory Public Meeting on April 16, 2018.

A Statutory Public Meeting was held at Town Hall on April 16, 2018.

Notice for this recommendation meeting was mailed to those members of the public who have participated in this planning application process.

### **Proposal**

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 a 0.314 hectare (approximately 0.776 acres) 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 relief from existing RL3-0 zoning regulations amendments is proposed. This is the same RL3-0 zoning as the abutting neighbourhood.

Figures 1 below highlights the proposed development.

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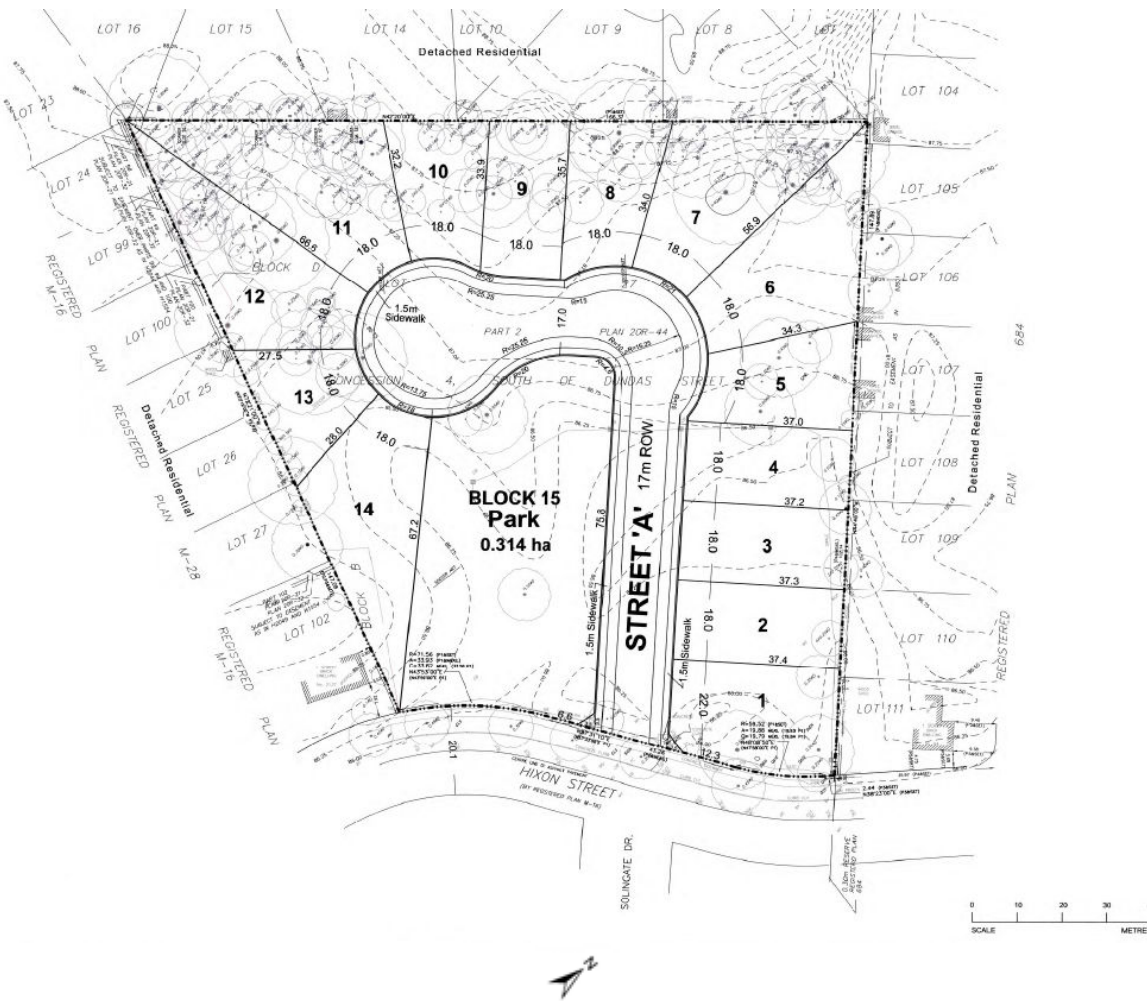


Figure 1 – Draft Plan of Subdivision

The following reflects the proposed lot areas and lot frontages as certified by the applicant's surveyor and as reflected in Figure 1 above; all complying with the RL3-0 zoning regulations.

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<u>LOT</u>	<u>AREA [m<sup>2</sup>]</u>	<u>LOT FRONTAGE [m]</u>
1	876.8	21.94
2	672.4	18.00
3	670.1	18.00
4	667.6	18.00
5	681.0	18.00
6	1091	18.00
7	1086	18.08
8	647.7	18.00
9	632.4	18.22
10	628.2	18.00
11	1285	18.00
12	1103	18.00
13	570.1	18.00
14	1124	18.00

**Site Description (Figure 2)**

The site, being the former St. Anne’s School site, is approximately 1.82 ha in size and 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 with trees located along the periphery of the site.

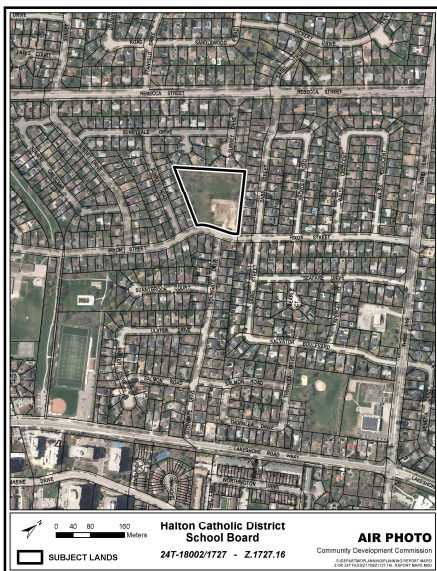


Figure 2 - Airphoto

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**Surrounding Land Uses**

Residential uses, consisting of detached dwellings, surround the subject property.

**POLICY FRAMEWORK:**

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

- 2014 Provincial Policy Statement;
- 2017 Growth Plan for the Greater Golden Horseshoe;
- Halton Region Official Plan;
- Livable Oakville Plan; and,
- Zoning By-law 2014-014

**2014 Provincial Policy Statement**

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.”*

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

### **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.



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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 (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 for draft plan 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**

#### **Urban Structure:**

The Livable Oakville Plan was approved by the Ontario Municipal Board on May 10, 2011 and is currently undergoing a 5-year Official Plan Review to ensure the policies are consistent with the latest Provincial and Regional policies, support the Town’s strategic goals, and reflect the visions and needs of the community.

Schedule A1, Urban Structure, of the Livable Oakville Plan provides the basic structural elements for the Town. On September 27, 2017, Council adopted Official Plan Amendment 15 (OPA 15) to the Livable Oakville Plan, which confirms the Town’s existing urban structure in terms of nodes (growth areas) and corridors. OPA 15 was approved by Halton Region on April 26, 2018. The subject lands are located within the identified Residential Area (no change arising from OPA 15).

#### **Land Use Policies**

The site is contained within an established residential community outside of the *Bronte Village Growth Area* as identified by the Livable Oakville Plan and is designated *Low Density Residential* on Schedule F, Southwest Land Use (see Figure 3). The *Low Density Residential* land use designation permits a range of housing types including detached dwellings, semi-detached dwellings and duplexes up to density 29 units per site hectare.

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An Official Plan Amendment is not required given that the proposal conforms to the policies of the Livable Oakville Plan in terms of use and density.

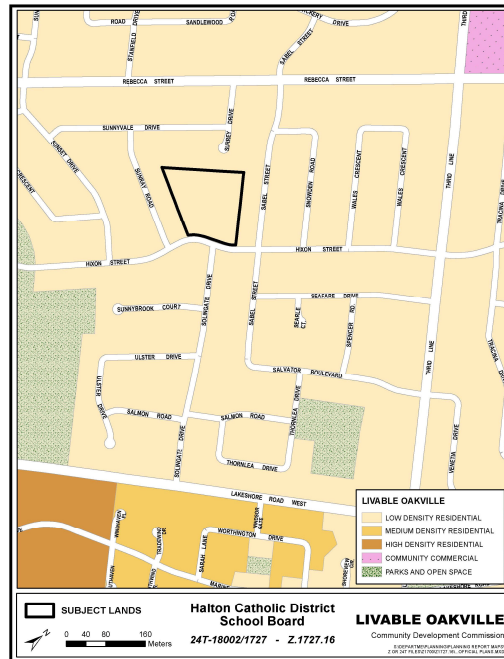


Figure 3 – Livable Oakville Plan

The following are policy excerpts from the Livable Oakville Plan related to the review of 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 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*

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*and greyfield and brownfield sites, will be considered in the context of this Plan.”*

### **Intensification Policies**

Part D, Section 11.1.8 a) and b) of the Livable Oakville Plan enables the town to consider application for intensification in stable residential neighbourhoods as set out below:

*“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.

*“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*

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

### **Urban Design Policies**

Part C, Section 6 of the Livable Oakville Plan contains objectives and policies pertaining to urban design that must be considered as part of this application review. These include policies related to such matters as the compatibility with the existing community, maintenance of existing healthy trees, built form, access and circulation.

### **Zoning By-law 2014-014**

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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. It was partially approved by the OMB in February 2015. There are currently three unrelated appeals outstanding.

The property is zoned *CU – Community Use* as highlighted on Figure 4 below.

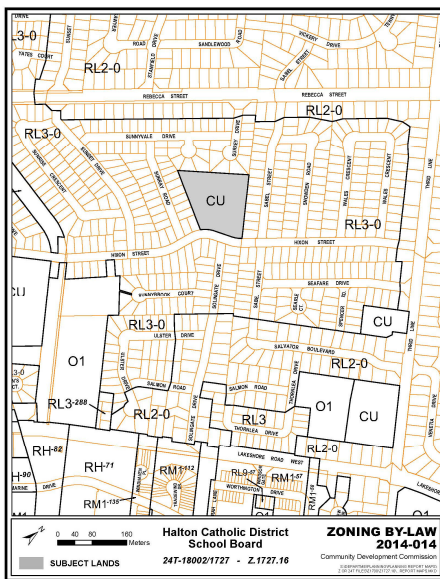


Figure 4 – By-law 2014-014 excerpt

**Proposed Zoning By-law Amendment**

In order to permit the proposal, a Zoning By-law Amendment is required to amend the site’s zoning from *CU* to *RL3-0*. There is no relief requested from the *RL3-0* zoning regulations.

A copy of the proposed Zoning By-law Amendment (By-law 2018-053) is contained in the By-law section of the agenda.

**PLANNING ANALYSIS:**

**CONSISTENCY/CONFORMITY WITH EXISTING POLICY AND EXISTING ZONING:**

In the event that the zoning for the subject property remains unchanged, the following section explains how the existing zoning (*CU*) is consistent with the Provincial Policy Statement 2014 (PPS 2014), conforms or does not conflict with all applicable Provincial plans, and conforms with the Region of Halton Official Plan and the Livable Oakville Official Plan.

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The PPS recognizes that healthy, liveable and safe communities are sustained by, among other matters, accommodating an appropriate range and mix of uses. Map 19(2) of Zoning By-law 2014-014 indicates that the property is zoned *CU*. The existing zoning is consistent with the PPS 2014, as it reflects a variety of community uses such as community centres, parks, schools and libraries within settlement areas.

The subject lands are considered to be 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, including a strategy which will encourage intensification generally to achieve the desired urban structure. The existing zoning is in conformity with the Growth Plan, and therefore does not conflict with the Growth Plan, as it reflects a variety of community uses such as community centres, parks, schools and libraries that supports the creation of complete communities.

The subject lands are designated *Urban Area* and located within the Built Boundary as identified within the 2009 Regional Official Plan. The policies of the Urban Area designation support residential intensification and the development of vibrant and complete communities which afford maximum choices for residence, work and leisure. The existing zoning conforms to the Regional Official Plan, given that the existing community use aids in the development of and supports the community.

The subject lands are designated *Low Density Residential* in the Livable Oakville Plan. *Educational facilities* are permitted in all land use designations except the Natural Area designation [Part C, Section 7.1.2 a) i)].

#### **PROPOSED ZONING BY-LAW AMENDMENT:**

##### Consistency with the 2014 Provincial Policy Statement:

Staff is of the opinion that the proposed Zoning By-law Amendment is consistent with the 2014 Provincial Policy Statement as it:

1. Provides residential intensification of underutilized lands, deemed surplus, on lands already designated *Low Density Residential*.
2. Represents the efficient use of land and is well positioned to make use of existing municipal infrastructure and public facilities, including existing transit facilities.

##### Conformity with the 2017 Growth Plan

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The subject lands are considered to be 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. Staff is of the opinion the proposed Zoning By-law Amendment conforms and therefore does not conflict with the Growth Plan 2017 as it:

1. Provides for residential intensification of underutilized lands, deemed surplus, within the delineated built boundary area and aids in achieving forecasted growth targets.
2. Contributes to the achievement of complete communities by:
  - i) Making use of underutilized lands, with convenient access to local stores, services and public service facilities including transit facilities.
  - ii) Representing high quality-built form which is in keeping with the general intent of the Livable Oakville Plan and maintains the character of the existing neighbourhood.
  - iii) Will utilize existing municipal services.

#### Conformity with the Regional Official Plan:

Regional staff in a letter dated March 19, 2018 and as contained with a report presented to town council at the Planning and Development Council meeting of April 16, 2018, Regional staff have advised that the application conforms to the Regional Official Plan (2009).

#### Conformity with Livable Oakville Plan

#### Physical Context

The subject property has approximately 98 metres of frontage on Hixon Street. The depth of the property varies. At its deepest point, it is approximately 138 metres. The site is presently vacant.

Existing access point is from Hixon Street. The new 17-metre wide public roadway will be directly across from Solingate Drive.

The topography for the site slopes gently from north to south.

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### Existing Character

The evaluation of the proposed development includes an assessment of the physical context and character of the surrounding neighbourhood. Within this area, land use, built form, lot configuration and overall development pattern were examined. The site is surrounded by Hixon Street, Sunray Road, Sunnyvale Drive, Surrey Drive (cul-de-sac) and Sabel Street.

The existing neighbourhood is in transition and contains detached homes on lots sizes similar to that being proposed. Redevelopment in the area consists of replacement housing.

Lot sizes range from approximately 488 m<sup>2</sup> (263 Sunray Road – rectangular lot) to approximately 1122 m<sup>2</sup> (247 Surrey Drive – pie shaped lot on cul-de-sac). Frontages range from approximately 15.5 to 20 metres.

The proposed application, as submitted, for 14 detached homes on lots that comply with the RL3-0 regulations, is in keeping with the character of the existing neighbourhood.

### Use and Density

The subject lands are designated *Low Density Residential* and are located within a stable residential area. This designation permits detached dwellings units up to a maximum density of 29 units per site hectare. The proposed draft plan has a net density of 11.9 upha. The draft plan reflects lots for detached dwelling units. The proposal conforms to the use and density requirements of the Livable Oakville Plan.

### Intensification

The proposal has been reviewed in relation to the Guiding Principles (Sec 2.2) and Residential Intensification policies (Section 4.3) referenced above and has been deemed to conform as the lots being created are similar in lot size and frontage to that of the neighbourhood area and the proposed built form is detached dwellings; all of which aid in preserving, enhancing, and protecting the character of the neighbourhood.

These lands are also subject to the policies of Part D, Section 11 – Residential, including Section 11.1.8 and 11.1.9 that govern intensification within stable residential communities.



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### Section 11.1.8 (a) and (b)

Section 11.1.8 of the Livable Oakville Plan defines the circumstances whereby lands within stable residential communities may be considered appropriate for intensification.

Section 11.1.8 (a) recognizes that lands designated *Low Density Residential* having the opportunity to be severed through a land division process, may be considered appropriate intensification sites, given that such intensification is compatible with the lot area and frontage of the surrounding area, and conforms to the policies of Section 11.1.9.

Similarly, Section 11.1.8 (b) recognizes “sites with existing non-residential uses ...” may be considered appropriate intensification sites, given that such intensification has sufficient frontage and depth, and conforms to the policies of Section 11.1.9. The proposed intensification of the subject land would be implemented through the Draft Plan of Subdivision process.

The subject lands qualify as a site designated as *Low Density Residential* with sufficient frontage and depth to accommodate appropriate intensification.

### Section 11.1.9 - Neighbourhood Character

The following is an analysis of the Section 11.1.9 criteria.

*“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”.*

Compatible is defined in Part F of the Livable Oakville Plan as:

*“Compatible means development or redevelopment of uses which may not necessarily be the same as, or similar to, the existing development, but can coexist with the surrounding area without adverse impact.”*

The proposed zoning allows for a built form comprising of two storey detached dwellings that reflects the existing surrounding neighbourhood. No changes from the parent RL3-0 zoning regulations are proposed. The proposed scale, height, massing and architectural character would be considered to be

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compatible with the surrounding neighbourhood. The “0” suffix of the parent zoning by-law further dictates the maximum floor areas based upon lot sizes and maximum coverage of the lot at 35%.

- “b) *Development should be compatible with the setbacks, orientation and separation distances within the surrounding neighbourhood.*”

No changes from the parent RL3-0 regulations are proposed. These regulations are the same as in the 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.*”

This evaluation criterion is not applicable.

- “d) *Where applicable, the proposed lotting pattern of development shall be compatible with the predominant lotting pattern of the surrounding neighbourhood.*”

The proposed lotting pattern is considered to be compatible with the predominant lotting pattern of the surrounding neighbourhood. Two cul-de-sacs exist just to the north of this property.

Lot sizes range from approximately 488 m<sup>2</sup> (263 Sunray Road – rectangular lot) to approximately 1122 m<sup>2</sup> (247 Surrey Drive – pie shaped lot on cul-de-sac). Frontages range from approximately 15.5 to 20 metres.

- “e) *Roads and/or municipal infrastructure shall be adequate to provide water and wastewater service, waste management services and fire protection.*”

The proposed lots shall be serviced from Hixon Street.

- “f) *Surface parking shall be minimized on the site.*”

Parking will be provided within the proposed garages and driveways for future detached dwellings. Street parking will also be provided.

- “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.*”

Consideration in the design of the subdivision has been given to pedestrian

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and cyclist access. Sidewalks are proposed for both sides of the new street.

*“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.”*

No negative impacts are anticipated on adjacent properties as a result of this proposed development. Standard engineering practices during the engineering review stage will be used to mitigate drainage from this site impacting abutting properties. Use of rear yard swales and catchbasins will be considered to convey drainage to the new street storm sewer system.

*“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.”*

Access to various amenities is being maintained. The prior school facility provided a park function to the neighbourhood and community. The town will be acquiring land for park purposes to maintain this neighbourhood//community function.

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

Traffic generated by this development can be accommodated on the existing road network. Staff have reviewed the updated Traffic Impact Study dated April 18, 2018 and deemed the study as satisfactory. A condition has been included related to street signage due to the curve in the road at this location.

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

All required utilities shall be provided to this development.

The development was evaluated in accordance with the applicable policies of Section 11.1.9 and determined to maintain and protect the character of the existing neighbourhood and maintains the town’s urban structure.

**Matters raised by the Public**

This section provides a staff response and analysis of an additional matter raised by the public.

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## Park

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

The Parkland (0.314ha) will be acquired by the town as per the plan. The applicant is to provide basic levels of servicing to the park (water, storm, electrical). Tree retention within the proposed park block is to be further reviewed during detail design of the subdivision. Upon acquisition of the parkland, the town will engage its own landscape consultant, and will conduct a public consultation and design process for the park area.

## Traffic

- Impact of the proposed development on Solingate Drive.

No transportation impacts are anticipated from the development of this 14-lot plan of subdivision.

## Fencing

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

A condition of draft approval has been included such that privacy fencing is to be installed, where feasible, along the periphery of the site. However, consideration for grading, drainage and tree preservation will be necessary. As such, it should be noted that fencing may not be possible in all areas.

## Grading / Drainage

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

Standard engineering practices will be followed in the detailed design review. Drainage is anticipated to be directed to the new street via drainage easements between the new lots. Conditions of draft approval have been included such that rear lot drainage including catchbasins and easements between lots are to be considered.

## Tree Preservation/Canopy (similar comments raised by Council at the April 16, 2018 meeting)

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

A tree preservation plan has been submitted and reviewed by town forestry

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staff and as shown on Figure 5 below. As mentioned at the April 16, 2018 Public Meeting, trees along the periphery of the site are to be protected.



Figure 5 – Staff coloured tree preservation plan excerpt

A tree protection barrier as per the tree preservation plan will be required to be installed prior to any earthworks being undertaken. Additional tree preservation/relocation efforts will be made by staff during the engineering plan review stage to protect additional trees. New trees will be planted along the new roadway in accordance with town subdivision standards, within the new park and encouraged on the private lots, all with the intent of increasing tree canopy within the town.

Utility Poles (similar comments raised by Council at the April 16, 2018 meeting)

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

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The existing pole line extends from Hixon Street to just south of Rebecca Street, a distance of approximately 270 metres. This is 120 metres beyond the northerly limit of the school site. The poles are owned by Bell Canada. Oakville Hydro removed its equipment from the poles when the school was demolished. Bell Canada on April 23, 2018 advised town staff and the applicant of the following.

*“The poles in question do belong to Bell Canada. We do require these assets and do not plan on relocation/ removal at this time.”*

#### Construction

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

As the project will be sold to a builder/developer, construction timing is unknown. Town staff expect the successful bidder to adhere to the town’s various construction related by-laws in the development of this site.

#### Future Variances

Upon the approval of any Zoning By-law Amendment, variances are not permitted for a minimum of two years, unless exempted by Council. It is fully anticipated that the dwelling will be constructed well before that timeframe. Should the case arise where a variance is requested after that two year timeframe, staff will evaluate the proposed variances against any applicable policies at that time.

#### Lot 13 Size and Rear Yard Setback

Lot 13 has a proposed size of 570 square metres and a lot frontage of 18 metres that complies with the RL3-0 regulations. No zoning relief is being requested including rear yard setback.

Lot sizes range from approximately 488 m<sup>2</sup> (263 Sunray Road – rectangular lot) to approximately 1122 m<sup>2</sup> (247 Surrey Drive – pie shaped lot on cul-de-sac). Frontages range from approximately 15.5 to 20 metres.

Compliance with the RL3-0 regulations will aid in maintaining and protecting the existing neighbourhood character.

#### **NEXT STEP**

Following approval being granted for this proposal, the applicant will seek out a developer/builder who will be tasked with addressing the conditions of draft approval and build the site in accordance with the approved zoning and draft plan of

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subdivision. Also, with the granting of draft approval, town staff will be able to proceed with the finalization of the park acquisition agreement with the school board.

**CONCLUSION:**

The Planning Department undertook a circulation of the application to ensure that all technical and financial matters have been satisfactorily addressed.

Staff is satisfied that the proposed plan of subdivision and zoning by-law amendment application is consistent with the Provincial Policy Statement and conforms to the Growth Plan for the Greater Golden Horseshoe (2017) and the Halton Region Official Plan. Further, the applications are consistent with the principles and overall policy direction of the Livable Oakville Official Plan. Staff recommends approval of the zoning by-law amendment (By-law 2018-053) and the plan of subdivision application (File No.: 24T-18002/1727), subject to the conditions in Appendices A and B, as the following requirements have been satisfied:

- The proposed development provides an appropriate and compatible form of intensification within a stable residential community.
- The proposed plan of subdivision meets the criteria established in Section 51(24) of the *Planning Act*.
- Comments from the public have been appropriately addressed.
- A full circulation has been undertaken and there are no outstanding planning issues to be resolved.

Staff recommends approval of the application on the basis that the proposal is:

- consistent with the PPS,
- conforms with the Growth Plan, Halton’s Official Plan and the Livable Oakville Plan,
- represents good planning; and,
- is in the public interest.

**CONSIDERATIONS:**

**(A) PUBLIC**

A Public Information Meeting together with a Statutory Public Meeting was held on this application. Comments from the public have been addressed. A courtesy notice for the recommendation meeting has been provided to those who participated in the process.

Public comments received to date have been addressed including the ‘matters raised by the public’ section of this staff report.

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**(B) FINANCIAL**

Capital works associated with proposal are local requirements and not anticipated to have any impact on the town. The value of applicable cash-in-lieu of parkland and development charges will be determined at the rate in effect at building permit issuance. Payment of cash in lieu of parkland will be in accordance with town bylaw and Section 42 of the *Planning Act*.

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

The various internal departments and external agencies have been part of the technical review of the application and have provided their input into this report.

**(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 generally complies with the sustainability objectives of Livable Oakville

**APPENDICES:**

Appendix A – Draft Plan conditions

Appendix B – Subdivision Agreement conditions

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