



OAKVILLE

## REPORT

PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: DECEMBER 4, 2017

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**FROM:** Planning Services Department

**DATE:** November 21, 2017

**SUBJECT:** **Public Meeting Report - Proposed Town-initiated Zoning By-law Amendment, Glen Abbey Golf Course, File No. Z.1519.10**

**LOCATION:** 1333 Dorval Drive

**WARD:** 4

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### RECOMMENDATION:

That comments from the public with respect to the town-initiated zoning by-law amendment (File No. Z.1519.10) to Town of Oakville Zoning By-law 2014-014, as amended, to recognize the cultural heritage landscape, the existing golf course use and permitted accessory uses at 1333 Dorval Drive, Glen Abbey Golf Course, be received.

### KEY FACTS:

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

- The property municipally known as 1333 Dorval Drive<sup>1</sup> – the Glen Abbey property – is currently occupied by Glen Abbey Golf Course, including associated buildings and structures like the clubhouse, as well as the RayDor Estate office building.
- Interim Control By-law 2016-024, as amended by By-law 2016-115, which applies to the Glen Abbey property and expires January 31, 2018, provided for the completion of the town's Urban Structure Review as well as the cultural heritage landscape assessment of the Glen Abbey Golf Course.
- On August 21, 2017, as a result of the cultural heritage landscape assessment of the Glen Abbey Golf Course, Council unanimously voted to proceed with a Notice of Intention to Designate the Glen Abbey property as a significant cultural heritage landscape under s. 29 of the *Ontario Heritage*

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<sup>1</sup> "1333 Dorval Drive" is the convenience address for the entire, approximately 92.7 hectare, Glen Abbey property owned by ClubLink Corporation ULC and ClubLink Holdings Ltd.

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*Act.* A third party filed an objection to Council's decision, and that matter has been referred to the Conservation Review Board (CRB) for consideration and a report back to Council.

- On September 26, 2017, Council adopted OPA 15 to delete and replace Schedule A1, Urban Structure, of Livable Oakville Plan. OPA 15 is currently being considered for approval by Halton Region. In Schedule A1, Urban Structure, of OPA 15 the Glen Abbey Golf Course is identified as Residential Areas, Greenbelt Urban River Valley and Natural Heritage System. The Glen Abbey Golf Course is also identified as a Heritage Conservation Districts/Cultural Heritage Landscapes, to recognize the Glen Abbey Golf Course cultural heritage landscape.
- On September 26, 2017, Council also adopted OPA 16 to update the town's cultural heritage policies and associated definitions in the Livable Oakville Plan. OPA 16 is currently being considered for approval by Halton Region.
- Staff is now proposing an amendment to Zoning By-law 2014-014, as amended, to regulate the use of the Glen Abbey property, and the erection, location and use of buildings and structures thereon, to ensure that the cultural heritage value or interest and heritage attributes, as identified through the cultural heritage landscape assessment of the Glen Abbey Golf Course, are retained.
- The proposed zoning by-law amendment (Appendix A) would apply a new special provision to the entire Glen Abbey property. The special provision would identify specific areas ("blocks") within the property, which would be subject to specific use permissions and regulations. The effect would be to permit the existing golf course and the existing accessory uses, as well as the existing office uses in the RayDor Estate office building. It would also allow all existing buildings and structures, as well as temporary structures related to golf tournaments.
- The existing zoning permits a hotel within three defined areas of the Glen Abbey property in the vicinity of, but excluding, the RayDor Estate office building. The proposed zoning by-law amendment (Appendix A) would permit a hotel within a single newly defined block surrounding the RayDor Estate office building and main parking lot subject to a condition applied through a new holding provision (a holding symbol "H"). Before the owner could apply to Council for a by-law to be passed to remove the "H" symbol, it would have to demonstrate to the satisfaction of the town that, "The proposed alteration of the property to provide a hotel has been subject to a heritage impact assessment and has received Town consent under section 33 of the Ontario Heritage Act."

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- The purpose of the public meeting at Planning and Development on December 5, 2017 is for Council to hear public delegations with respect to the proposed town-initiated zoning by-law amendment, ask questions of clarification and identify planning matters to be considered.
- Through its consideration of appropriate implementation measures arising from the cultural heritage landscape assessment for the Glen Abbey Golf Course, the town is continuing to evaluate the appropriateness of a site-specific official plan amendment respecting the Glen Abbey property.
- It is noted that the Glen Abbey property is also subject to applications by ClubLink Corporation ULC and ClubLink Holdings Ltd. ("ClubLink") for official plan amendment, zoning by-law amendment and draft plan of subdivision (File No. OPA.1519.09, Z.1519.09 and 24T-17003/1519). At its meeting on September 26 and 27, 2017, Council made a decision to refuse ClubLink's request for an official plan amendment and application for zoning by-law amendment. On November 6, 2017, Council made a decision to refuse ClubLink's application for approval of the plan of subdivision. Appeals of Council's decisions with respect to ClubLink's development applications will be considered by the Ontario Municipal Board.

## **BACKGROUND:**

The purpose of this report is to introduce the proposed zoning by-law amendment in conjunction with the statutory public meeting. Council will hear public delegations on the proposed zoning by-law amendment, ask questions of clarification, and identify matters to be considered. This report is to be received, and no recommendation is being made at this time.

This report outlines the basis for, and a description of, the proposed zoning by-law amendment. Following the statutory public meeting, staff will review comments received from the public, Council, and reviewing departments and agencies. A recommendation report will be brought forward for consideration by Planning and Development Council in early 2018.

### **Proposal**

An amendment to Zoning By-law 2014-014, as amended, is proposed to regulate the use of the Glen Abbey property, and the erection, location and use of buildings and structures thereon, to ensure that the cultural heritage value or interest of the property and its heritage attributes are retained.

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### **Location**

The property is generally located at the south-east quadrant of Upper Middle Road and Dorval Drive. It is municipally known as 1333 Dorval Drive, which is the convenience address for the entire, approximately 92.7 hectare, Glen Abbey property as shown in Figure 1.

### **Site Description & Surrounding Land Uses**

The Glen Abbey property is approximately 92.7 hectares (229 acres) in size, and has a lot frontage of approximately 598 m (1,818 ft.) on Dorval Drive and 704 m (2,309 ft.) on Upper Middle Road West. It is currently occupied by Glen Abbey Golf Course, including associated buildings and structures like the clubhouse and maintenance building, as well as the RayDor Estate office building.

The surrounding land uses are as follows:

- South: Sixteen Mile Creek and stable residential neighbourhood
- West: Stable residential neighbourhood and Dorval Drive
- North: Stable residential neighbourhood, Upper Middle Road West and Sixteen Mile Creek
- East: Sixteen Mile Creek, stable residential neighbourhood



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Figure 1: Air Photo of the Glen Abbey Property



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## **POLICY & REGULATORY FRAMEWORK:**

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

- 2014 Provincial Policy Statement
- 2017 Growth Plan for the Greater Golden Horseshoe
- *Ontario Heritage Act*
  - 1993 Designation of the RayDor Estate House
  - Ontario Heritage Toolkit
  - 2017 Notice of Intention to Designate the Glen Abbey Property
- Halton Region Official Plan
- Livable Oakville Plan
  - Urban Structure
  - Cultural Heritage
  - Cultural Heritage Landscape Strategy and Implementation
- 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. All planning decisions must be consistent with the PPS.

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 2014 Provincial Policy Statement (PPS) sets out cultural heritage policies and related definitions with which the town's planning documents and all planning decisions must be consistent.

For example, section 1.7.1(d) of the PPS states that long-term economic prosperity should be supported by "encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including *built heritage resources* and *cultural heritage landscapes*". Further, section 2.6 of the PPS states that:

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2.6.1 *Significant built heritage resources and significant cultural heritage landscapes shall be conserved.*

2.6.3 Planning authorities shall not permit *development and site alteration* on *adjacent lands* to *protected heritage property* except where the proposed *development and site alteration* has been evaluated and it has been demonstrated that the *heritage attributes* of the *protected heritage property* will be *conserved*.

The cultural heritage policies in the PPS are supported by section 6.0, Definitions, of the PPS, which includes the following definitions for the terms “built heritage resource”, “conserved”, “cultural heritage landscape”, “heritage attributes”, “protected heritage property”, and “significant”:

**Built heritage resource:** means a building, structure, monument, installation or any manufactured remnant that contributes to a property’s cultural heritage value or interest as identified by a community, including an Aboriginal community. Built heritage resources are generally located on property that has been designated under Parts IV or V of the *Ontario Heritage Act*, or included on local, provincial and/or federal registers.

**Conserved:** means the identification, protection, management and use of *built heritage resources, cultural heritage landscapes and archaeological resources* in a manner that ensures their cultural heritage value or interest is retained under the *Ontario Heritage Act*. This may be achieved by the implementation of recommendations set out in a conservation plan, archaeological assessment, and/or heritage impact assessment. Mitigative measures and/or alternative development approaches can be included in these plans and assessments.

**Cultural heritage landscape:** means a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Aboriginal community. The area may involve features such as structures, spaces, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. Examples may include, but are not limited to, heritage conservation districts designated under the *Ontario Heritage Act*; villages, parks, gardens, battlefields, mainstreets and neighbourhoods, cemeteries, trailways, viewsheds, natural areas and industrial complexes of heritage significance; and areas recognized by federal or international designation authorities (e.g. a National Historic Site or District designation, or a UNESCO World Heritage Site).

**Heritage attributes:** means the principal features or elements that contribute to a *protected heritage property*’s cultural heritage value or interest, and may include the property’s built or manufactured elements, as well as natural landforms,

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vegetation, water features, and its visual setting (including significant views or vistas to or from a *protected heritage property*).

**Protected heritage property:** means property designated under Parts IV, V or VI of the *Ontario Heritage Act*; property subject to a heritage conservation easement under Parts II or IV of the *Ontario Heritage Act*; property identified by the Province and prescribed public bodies as provincial heritage property under the Standards and Guidelines for Conservation of Provincial Heritage Properties; property protected under federal legislation, and UNESCO World Heritage Sites.

**Significant:** means... [subsection (e)] in regard to cultural heritage and archaeology, resources that have been determined to have cultural heritage value or interest for the important contribution they make to our understanding of the history of a place, an event, or a people.

It is also noted that section 4.12 of the PPS provides that, "*Provincial plans* shall be read in conjunction with this Provincial Policy Statement and take precedence over policies in this Provincial Policy Statement to the extent of any conflict, except where legislation establishing *provincial plans* provides otherwise." This is reinforced by Part III: How to Read the Provincial Policy Statement, which also provides that:

#### **Policies Represent Minimum Standards**

The policies of the Provincial Policy Statement represent minimum standards.

Within the framework of the provincial policy-led planning system, planning authorities and decision-makers may go beyond these minimum standards to address matters of importance to a specific community, unless doing so would conflict with any policy of the Provincial Policy Statement.

#### **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.

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.



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The 2017 Growth Plan sets out additional cultural heritage policies and related definitions with which the town's planning documents and all planning decisions must conform. For example, section 7, Definitions, of the 2017 Growth Plan provides a definition of "cultural heritage resources" that includes built heritage resources, cultural heritage landscapes and archaeological resources:

#### Cultural Heritage Resources

*Built heritage resources, cultural heritage landscapes and archaeological resources* that have been determined to have cultural heritage value or interest for the important contribution they make to our understanding of the history of a place, an event, or a people. While some *cultural heritage resources* may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation.

Section 1.1, The Greater Golden Horseshoe (GGH), of the 2017 Growth Plan includes the statements that:

As the *GGH* grows and changes, we must continue to value what makes this region unique to ensure the sustained prosperity of Ontario, its people, and future generations. While growth is an important part of vibrant, diversified urban and rural communities and economies, the magnitude of growth that is expected over the coming decades for the *GGH* presents several challenges: ...

- Urban sprawl can degrade the region's air quality; water resources; natural heritage resources, such as rivers, lakes, *woodlands*, and *wetlands*; and *cultural heritage resources*.

Further, under section 1.2, the Vision for the GGH, includes the statement that, "Our *cultural heritage resources* and open spaces in our cities, towns, and countryside will provide people with a sense of place."

Under section 4, Protecting What is Valuable, of the 2017 Growth Plan, section 4.1, Context, states that:

The *GGH* contains a broad array of important hydrologic and *natural heritage features and areas*, a vibrant and diverse agricultural land base, irreplaceable *cultural heritage resources*, and valuable renewable and non-renewable resources. These lands, features and resources are essential for the long-term quality of life, economic prosperity, environmental health, and *ecological integrity* of the region. They collectively provide essential ecosystem services, including water storage and filtration, cleaner air and habitats, and support pollinators, carbon storage, adaptation and resilience to climate change.

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These valuable assets must be wisely protected and managed as part of planning for future growth...

A balanced approach to the wise use and management of all resources, including those related to water, natural heritage, agriculture, cultural heritage, and mineral aggregates, will be implemented in the *GGH*.

This Plan recognizes and supports the role of municipal policy in providing leadership and innovation in developing a culture of conservation and addressing climate change. As the *GGH* grows, so will the overall demand for water, energy, air, and land. The ongoing availability of these natural resources is essential for the sustainability of all communities...

The *GGH* also contains important *cultural heritage resources* that contribute to a sense of identity, support a vibrant tourism industry, and attract investment based on cultural amenities. Accommodating growth can put pressure on these resources through *development* and *site alteration*. It is necessary to plan in a way that protects and maximizes the benefits of these resources that make our communities unique and attractive places to live...

Section 4.2.7, Cultural Heritage Resources, of the 2017 Growth Plan states that:

1. *Cultural heritage resources* will be conserved in order to foster a sense of place and benefit communities, particularly in *strategic growth areas*.
2. Municipalities will work with stakeholders, as well as First Nations and Métis communities, in developing and implementing official plan policies and strategies for the identification, wise use and management of *cultural heritage resources*.
3. Municipalities are encouraged to prepare archaeological management plans and municipal cultural plans and consider them in their decision-making.

### **Ontario Heritage Act**

The *Ontario Heritage Act* (hereinafter 'OHA') came into force in 1975 and it provides municipalities and the provincial government with powers to conserve, protect and preserve the heritage of Ontario.

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### ***1993 Designation of the RayDor Estate House***

Town of Oakville By-law 1993-112 designated 1333 Dorval Drive as a property of historic and architectural value and interest under Part IV of the *Ontario Heritage Act* (By-law 1993-112) to recognize the RayDor Estate house built in 1937 by successful mining engineer Andre Dorfman. The house was also used as a Jesuit retreat and monastery (1953-1963), and later as the clubhouse for the Upper Canada Golf and Country Club, prior to the development of the Glen Abbey Golf Course in the 1970s. The building, including the 1980s addition, is currently occupied by offices and the Canadian Golf Hall of Fame.

### ***Ontario Heritage Toolkit***

The Ontario Heritage Toolkit: Heritage Property Evaluation (2006) provides further guidance with respect to cultural heritage landscapes. It states:

A cultural heritage landscape can be designated as a unit under section 29 or protected as part of a larger heritage conservation district under Part V. (See Heritage Conservation Districts, A Guide to District Designation Under the Ontario Heritage Act) These are geographical areas that involve a grouping of features such as buildings, spaces, archaeological sites and natural elements, which collectively form a significant type of cultural heritage resource. Examples might include villages, parks, gardens, battlefields, main streets and other streets of special interest, golf courses, farmscapes, neighbourhoods, cemeteries, historic roads and trailways and industrial complexes.

### ***Cultural Heritage Landscape Strategy Implementation***

In January 2014, Council adopted the Cultural Heritage Landscapes Strategy, which set the foundation for the primary identification of candidate cultural heritage landscapes and the further inventory and evaluation of significant cultural heritage landscapes. It also developed a formal process for addressing the conservation of cultural heritage landscape resources in the Town of Oakville.

The town's Cultural Heritage Landscape Strategy is based on best practices in municipal heritage planning and applicable legislation, including the *Planning Act* and the *Ontario Heritage Act*.

The implementation of the town's Cultural Heritage Landscape Strategy has proceeded in three phases:

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- **Phase One** – Inventory of Public and Private Potential Cultural Heritage Landscapes – was endorsed by Council on February 26, 2016. Phase One of the study identified eight properties, including Glen Abbey Golf Course, as high priorities for an assessment under Cultural Heritage Landscapes Strategy Implementation – Phase Two.
- **Phase Two** consists of detailed assessments of the potential cultural heritage landscapes identified in Phase One.
  - Council recognized the following four Oakville properties as significant cultural heritage landscapes at its Planning and Development Council on May 15, 2017:
    - Raydor Estate/Glen Abbey at 1333 Dorval Drive
    - Bowbeer Farmstead at 1086 Burnamthorpe Road East
    - Hilton Farm at 2013 North Service Road West
    - Biggar Farm at 4243 Sixth Line
  - All four properties will be subject to Phase Three implementation work led by town staff to identify and recommend to Council potential measures to conserve their cultural heritage value or interest and their heritage attributes.
  - Pursuant to Interim Control By-law 2016-024, as amended by By-law 2016-115, which expires January 31, 2018, the cultural heritage landscape assessment of the Glen Abbey Golf Course was expedited.
  - The phase two evaluation of the Glen Abbey Golf Course was carried out by a multidisciplinary team of experts and provided a thorough review of the property’s history, existing site conditions and potential cultural heritage value. With respect to the Glen Abbey Golf Course, the related staff report stated:
 

This property has been evaluated and found to have local, provincial and national significance... The existing protection for this property is insufficient to recognize and protect a significant cultural heritage landscape...
  - The phase two evaluation of the Glen Abbey Golf Course provided the evidentiary basis to identify the Glen Abbey property as meeting provincial *Ontario Heritage Act* criteria for heritage value, and thus also meeting 2014 PPS criteria for

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heritage significance. As noted previously, the 2014 PPS defines 'significant' in regard to cultural heritage as:

...resources that have been determined to have cultural heritage value or interest for the important contribution they make to our understanding of the history of a place, an event, or a people.

- **Phase Three** consists of the consideration and recommendation of appropriate measures for the conservation of significant cultural heritage landscapes recognized by Council. Such measures include the adoption of official plan policies to support the implementation of the Cultural Heritage Landscape Strategy and the conservation of cultural heritage landscapes, the designation of cultural heritage landscapes under the *Ontario Heritage Act*, and the preparation of individual cultural heritage landscape conservation plans.
  - Phase three included additional research and evaluation by independent experts. This work included an independent expert report on cultural heritage landscape values that applies the *Ontario Heritage Act* framework and criteria for identifying properties having cultural heritage value. The report concluded that the Glen Abbey property, including the designed cultural heritage landscape known as the Glen Abbey Golf Course, has heritage value and significance. The report also stated that:

Glen Abbey is one of the most significant works by one of golf's most significant figures, Jack Nicklaus. It ushered in a new era in tournament golf course design with its stadium and hub-and-spoke features. Its design is remarkable for the integration of artistry and craftsmanship, with many iconic stretches including the challenge and beauty of the valley holes and the drama of the final two holes. Its association with the Canadian Open has given it international significance and ties to many of the leading figures in the sport. It is a landmark not only on the Town of Oakville, but across Canada and abroad. The property also contains associations with some previous landscape layers, through surviving remnants or features.

- In addition, phase three included a detailed review of the Glen Abbey Golf Course property by an international golf course design expert. This expert concluded that the golf course has a number of key attributes, including its 'spoke and wheel' design centred on the clubhouse. This expert's report also found that

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the spatial arrangement of all the holes and the relationship between them needs to be protected (valley holes, table land holes and the central clubhouse which acts as the 'hub' of the wheel). The other designed features of the golf course, including the greens, bunkers, lakes, planting and landforms, such as spectator mounds make the property an important early example of a stadium-style golf course.

### ***2017 Notice of Intention to Designate***

On August 21, 2017, Council approved a Notice of Intention to Designate under Section 29, Part IV of the *Ontario Heritage Act* for the entire Glen Abbey property that includes a statement of cultural heritage value and a description of heritage attributes (Appendix B).

On September 25, 2017, a third party filed an objection to the town's Notice of Intention to Designate Glen Abbey Golf Course. This objection has been forwarded to the Conservation Review Board (CRB) for a hearing. After the hearing, the CRB provides its report to Council setting out its recommendations as to whether or not the property should be designated. The final decision to designate rests with Council.

The town is currently drafting a cultural heritage landscape conservation plan for the Glen Abbey property.

### **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 Glen Abbey Golf Course is designated Urban Area and Natural Heritage System 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.



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Under Part IV, Healthy Communities Policies, of the Halton Plan, it is an objective of the Region to “preserve certain landscapes as part of *Halton’s Cultural Heritage Resources*” (s.146(3)). The subsequent section on Cultural Heritage Resources includes the following goal and objectives:

165. The *goal* for *Cultural Heritage Resources* is to protect the material, cultural and built heritage of *Halton* for present and future generations.
166. The *objectives* of the *Region* are:
  - 166(1) To promote awareness and appreciation of *Halton's* heritage.
  - 166(2) To promote and facilitate public and private stewardship of *Halton's* heritage.

### **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.

#### ***Urban Structure***

Schedule A1, Urban Structure, of the Livable Oakville Plan provides a high-level organization of the basic structural elements of Plan Area by identifying Residential Areas, Employment Areas, Growth Areas, Major Commercial Areas, and Parkway Belt (i.e., lands subject to the province’s Parkway Belt West Plan). The Glen Abbey Golf Course is within the identified Residential Area.

On September 26, 2017, Council adopted OPA 15 to delete and replace Schedule A1, Urban Structure, of Livable Oakville Plan. OPA 15 is currently being considered for approval by Halton Region. In Schedule A1, Urban Structure, of OPA 15 (Appendix C), the Glen Abbey Golf Course is identified as Residential Areas, Greenbelt Urban River Valley and Natural Heritage System. The Glen Abbey Golf Course is also identified as a Heritage Conservation Districts/Cultural Heritage Landscapes, to recognize the Glen Abbey Golf Course cultural heritage landscape.

#### ***Cultural Heritage***

The existing cultural heritage policies and related definitions were adopted as part of the Livable Oakville Plan on June 22, 2009, and are based on the 2005 Provincial Policy Statement, which also required significant cultural heritage landscapes to be conserved. Some minor updates to the cultural

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heritage policies were adopted as part of OPA No. 1 (Housekeeping) to the Plan on April 30, 2012. The policies conform with the cultural heritage policies in the Halton Plan and support the implementation of the *Ontario Heritage Act* and local planning and regulatory initiatives in support of heritage conservation.

The introduction to section 5, Cultural Heritage, of the Livable Oakville Plan, states that, "Oakville's cultural heritage resources shall be identified and conserved so that they may be experienced and appreciated by existing and future generations, and enhance the Town's sense of history, sense of community, identity, sustainability, economic health and quality of life."

Section 5.1.2 of the Livable Oakville Plan states that:

The Town will use the power and tools provided by legislation, policies and programs, particularly the *Ontario Heritage Act*, the *Planning Act*, the *Environmental Assessment Act*, and the *Municipal Act* in implementing and enforcing the cultural heritage policies of the Town.

Section 5.2.1(e) of the Livable Oakville Plan states that:

The Town will protect and conserve *cultural heritage resources* in accordance with applicable legislation and recognized heritage protocols. The Town: ...

e) may designate cultural heritage landscapes;

Section 5.3.12 of the Livable Oakville Plan states that:

The Town shall identify, evaluate and conserve cultural heritage landscapes in accordance with the Cultural Heritage Landscape Strategy.

Further, section 5.3.5, of the Plan states that:

The Town may impose, as a condition of any *development* approvals, the implementation of appropriate conservation, restoration or mitigation measures to ensure the preservation of any affect *cultural heritage resources*.

On September 26, 2017, Council adopted OPA 16 to update the town's cultural heritage policies and associated definitions in the Livable Oakville Plan. OPA 16 is currently being considered for approval by Halton Region.

OPA 16 amends section 29, Interpretation, of the Livable Oakville Plan, by replacing the definitions of the terms "conserved" (or "conserve"), "cultural heritage landscape" and "cultural heritage resources", and adding new definitions for the terms "built heritage resource" and "heritage attributes."

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The definition of “cultural heritage landscape”, as amended by OPA 16, is as follows:

*Cultural heritage landscape* means a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Aboriginal community. The area may involve features such as structures, spaces, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association. Examples may include, but are not limited to, heritage conservation districts designated under the *Ontario Heritage Act*; villages, parks, gardens, battlefields, mainstreets and other streets of special interest, golf courses, farmscapes, neighbourhoods, cemeteries, historic roads and trailways, viewsheds, natural areas and industrial complexes of heritage significance; and areas recognized by federal or international designation authorities (e.g. a National Historic Site or District designation, or a UNESCO World Heritage Site).

OPA 16 also amends the policies of section 5, Cultural Heritage, of the Livable Oakville Plan as shown in Appendix D. Selected policies are also provided below.

Section 5.1.2 of the Livable Oakville Plan, as amended by OPA 16, states:

#### Powers and Tools

The Town will exercise the powers and apply the tools provided by legislation, particularly the *Ontario Heritage Act*, the *Planning Act*, the *Environmental Assessment Act*, the *Building Code Act*, and the *Municipal Act* in implementing and enforcing the cultural heritage policies of the Town.

Section 5.2.1 of the Livable Oakville Plan, as amended by OPA 16, states:

To *conserve cultural heritage resources* in accordance with applicable legislation and recognized heritage protocols, the Town: ...

- b) may recognize and/or designate *cultural heritage resources*; ...
- d) may, consistent with provincial standards, establish policies, procedures, plans, and guidelines to support the identification, assessment, evaluation, management, use, registration, designation, alteration, removal, and demolition of *cultural heritage resources* or changes to their heritage status;

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Section 5.3.12 of the Livable Oakville Plan, as amended by OPA 16 (to be a new section 5.3.3), states:

The Town shall *conserve cultural heritage landscapes* in accordance with the Cultural Heritage Landscape Strategy.

OPA 16 also includes a new section 5.3.4, which states:

Where protected or registered under the *Ontario Heritage Act*, a Heritage Conservation District or *cultural heritage landscape*:

- a) shall be identified on Schedule A1, Urban Structure;
- b) shall be subject to applicable powers and tools for their conservation; and,
- c) may be subject to an area-specific land use designation and policies consistent with the applicable Heritage Conservation District plan or *cultural heritage landscape* conservation plan.

Through its consideration of appropriate implementation measures arising from the cultural heritage landscape assessment for the Glen Abbey Golf Course, the town is continuing to evaluate the appropriateness of a site-specific official plan amendment respecting the Glen Abbey property.

### **Land Uses**

The Livable Oakville Plan's land use schedules provide specific land use designations that are intended to align with the Urban Structure. The Glen Abbey Golf Course is bisected by Sixteen Mile Creek, which forms the boundary between two land use schedules applying to the area. Schedule H, West Land Use, and Schedule I, Central Land Use, designate the Glen Abbey property as Private Open Space and Natural Area (Figure 2). On Schedule H, each designation is identified ("⊙" symbol) as being subject to an exception policy.

The uses that may be permitted in the Private Open Space designation include: legally existing golf courses; legally existing recreational facilities; trails; existing cemeteries; conservation uses including fish, wildlife and forest management; and, essential public works including transportation, utility, watershed management and flood and erosion hazard control facilities (Livable Oakville, s. 17.4.1).

In addition, the following site-specific exception (Livable Oakville, s. 27.3.4) applies to the portion of the subject property designated Private Open Space:

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...the following additional uses related to the principal golf course use may also be permitted:

- a) a hotel / conference centre with accessory facilities and uses thereto;
- b) banquet and dining facilities;
- c) limited retail, service commercial, manufacturing and storage;
- d) recreational, educational and cultural facilities;
- e) administrative offices and publication facilities; and,
- f) maintenance / groundskeeper facilities, including existing residential uses.

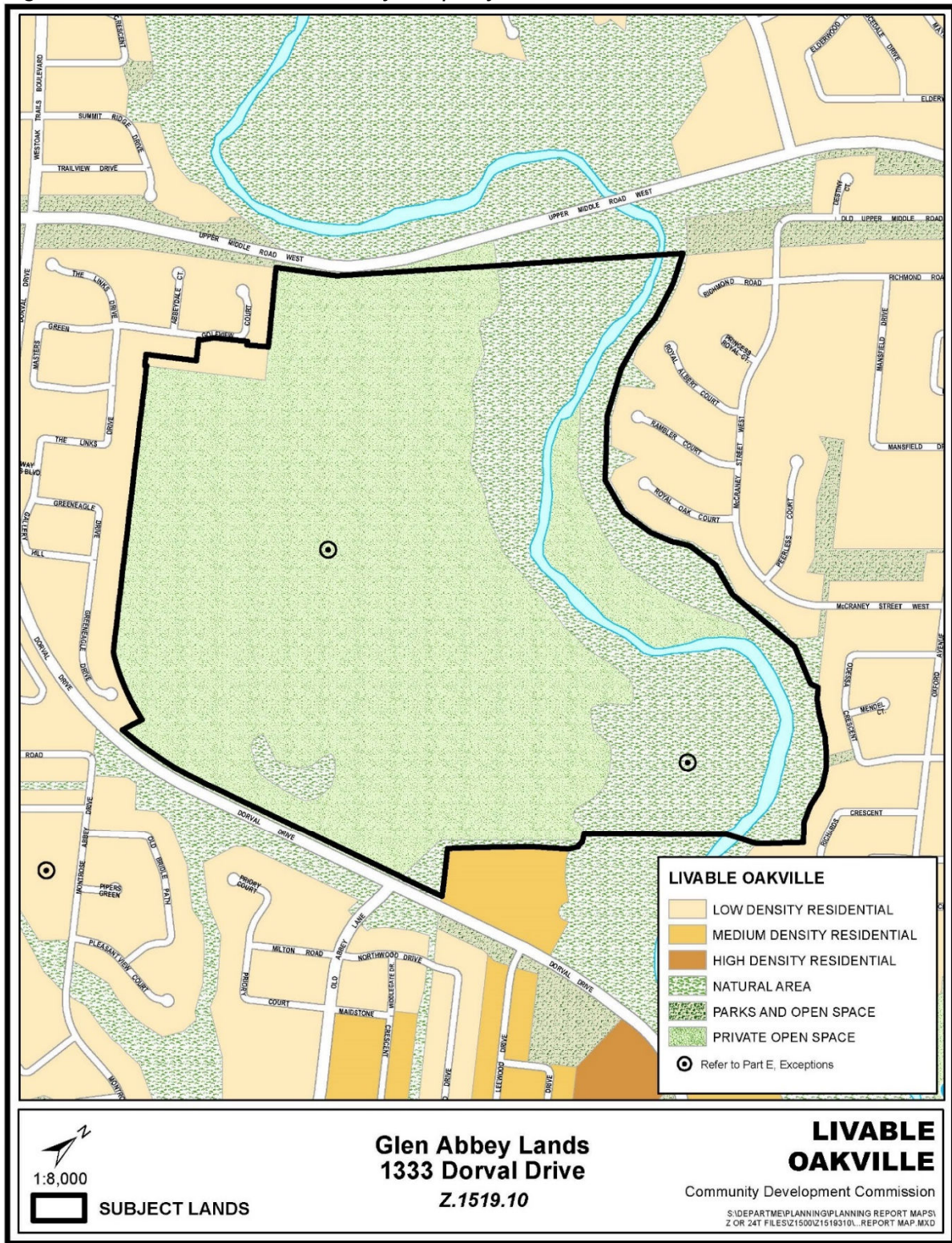
The uses that may be permitted within the Natural Area designation, subject to Conservation Authority policies, include: legally existing uses, buildings and structures; fish wildlife and conservation management including forestry management; essential public works including transportation, utility, watershed management, and flood and erosion control facilities (Livable Oakville, s. 16.1.1)

In addition, the site-specific exception (Livable Oakville, s. 27.3.5) applying to the portion of the Glen Abbey Golf Course designated Natural Area permits the existing golf course to be restored and/or rebuilt to its previous condition if damaged or destroyed by a natural disaster, subject to the following:

- a) The owner shall prepare an environmental impact statement to demonstrate, to the satisfaction of the Town, that erosion and any adverse impacts to water quality, water quantity, slope stability, wildlife habitat, existing vegetation and drainage shall be minimized and existing valley slopes shall not be disturbed.
- b) Necessary mitigation measures shall be implemented to the satisfaction of the Town.
- c) The necessary permits shall be obtained from Conservation Halton.

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Figure 2: Official Plan, Glen Abbey Property





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### **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(14) of Zoning By-law 2014-014 indicates that the Glen Abbey property is zoned N (Natural Area) and O2 (Private Open Space), with special provision 114 applying to three defined areas within the O2 (Private Open Space) Zone (Appendix E).

For ease of reference, in Figure 3 the Zone boundaries and the areas subject to special provision 114, which surround the RayDor Estate office building, have been superimposed on an air photo of the property.

The full lists of uses permitted in the N (Natural Area) and O2 (Private Open Space) Zones (Zoning By-law 2014-014, Tables 12.2 and 13.2), as well as the associated regulations and the full text of special provision 114 (Zoning By-law 2014-014, s.15.114), are attached as Appendix E. In brief:

- The N (Natural Area) Zone primarily permits conservation uses. The golf course is recognized as a legal non-conforming use.
- The O2 Zone permits uses including a golf course, and accessory uses including a restaurant, retail store, commercial school and business office.
- Special Provision 114 (Figure 3) permits the following additional uses within the three defined areas to which it applies: a hotel, accessory manufacturing, residential accommodation for caretakers and maintenance staff, and a public hall, which is not required to be accessory to a permitted use.

### ***History***

Zoning By-law 2014-014 replaced Zoning By-law 1984-63, which replaced Zoning By-law 1965-136. Similar special zoning provisions permitting hotel/conference facilities have applied to the same three defined areas of the Glen Abbey property since 1980:

- Zoning By-law 1965-136, Special Provision 283: In August 1980, Council approved an application for zoning by-law amendment by Genstar Limited, a previous owner of the property, and passed By-law 1980-91 to amend Zoning By-law 1965-136 to permit "one conference centre together with uses accessory thereto" within three defined areas of the property. The applicable regulations included a maximum

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gross floor area of 18,750 square metres, a maximum building height of 9 storeys, a minimum of 212 parking spaces, and a minimum setback of 15.24 m from the top of the bank of the Sixteen Mile Creek.

- Zoning By-law 1984, Special Provision 283: Zoning By-law 1984-63, the town's new comprehensive Zoning By-law at the time, maintained the special zoning provision for the three defined areas of the property approved under By-law 1980-91.
  - In the early 2000s, there was a proposal to build a "Delta Glen Abbey Resort" hotel immediately north of the RayDor Estate office building, which was later abandoned.
- Zoning By-law 2014-014, Special Provision 114: In this by-law there is no "conference centre" use, but a "hotel" means a premises containing lodging facilities, which may also include a restaurant, meeting facilities and public hall, among other things. Special provision 114 permits a hotel (Appendix E).

As noted previously, the entire Glen Abbey property is also subject to Interim Control By-law 2016-024, as amended by By-law 2016-115, which expires January 31, 2018.

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Figure 3: Zoning By-law (Existing), Glen Abbey Property



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## COMMENT/OPTIONS:

Staff is proposing an amendment to Zoning By-law 2014-014, as amended, to regulate the use of the Glen Abbey property, and the erection, location and use of buildings and structures thereon, to ensure that the cultural heritage value or interest of the property and its heritage attributes are retained.

The existing boundaries of the O2 (Private Open Space) and N (Natural Area) Zones are not proposed to change (Figure 4). The Zone boundaries align with the Private Open Space and Natural Area land use designations on Schedule H, West Land Use, and Schedule G, Central Land Use, of the Livable Oakville Plan.

The proposed zoning by-law amendment (Appendix A) would apply a new special provision to the entire Glen Abbey property. The special provision would identify specific areas/"blocks" within the property (Figure 5), which would be subject to specific use permissions and regulations. The effect would be to permit the existing golf course and the existing accessory uses, as well as the existing office uses in the RayDor Estate office building. It would also allow all existing buildings and structures, as well as temporary structures related to golf tournaments.

The existing zoning permits a hotel within three defined areas of the Glen Abbey property in the vicinity of, but excluding, the RayDor Estate office building. The proposed zoning by-law amendment (Appendix A) would permit a hotel within a single newly defined block (Figure 5; Block 2) surrounding the RayDor Estate office building and main parking lot subject to a condition applied through a new holding provision (a holding symbol "H").

Before the owner could apply to Council for a by-law to be passed to remove the "H" symbol, it would have to demonstrate to the satisfaction of the town that, "The proposed alteration of the property to provide a hotel has been subject to a heritage impact assessment and has received Town consent under section 33 of the Ontario Heritage Act."

## CONCLUSION:

Planning staff will review the comments received with respect to the draft proposed zoning by-law amendment for the Glen Abbey property (Appendix A), and report back to Council at a future meeting.

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.

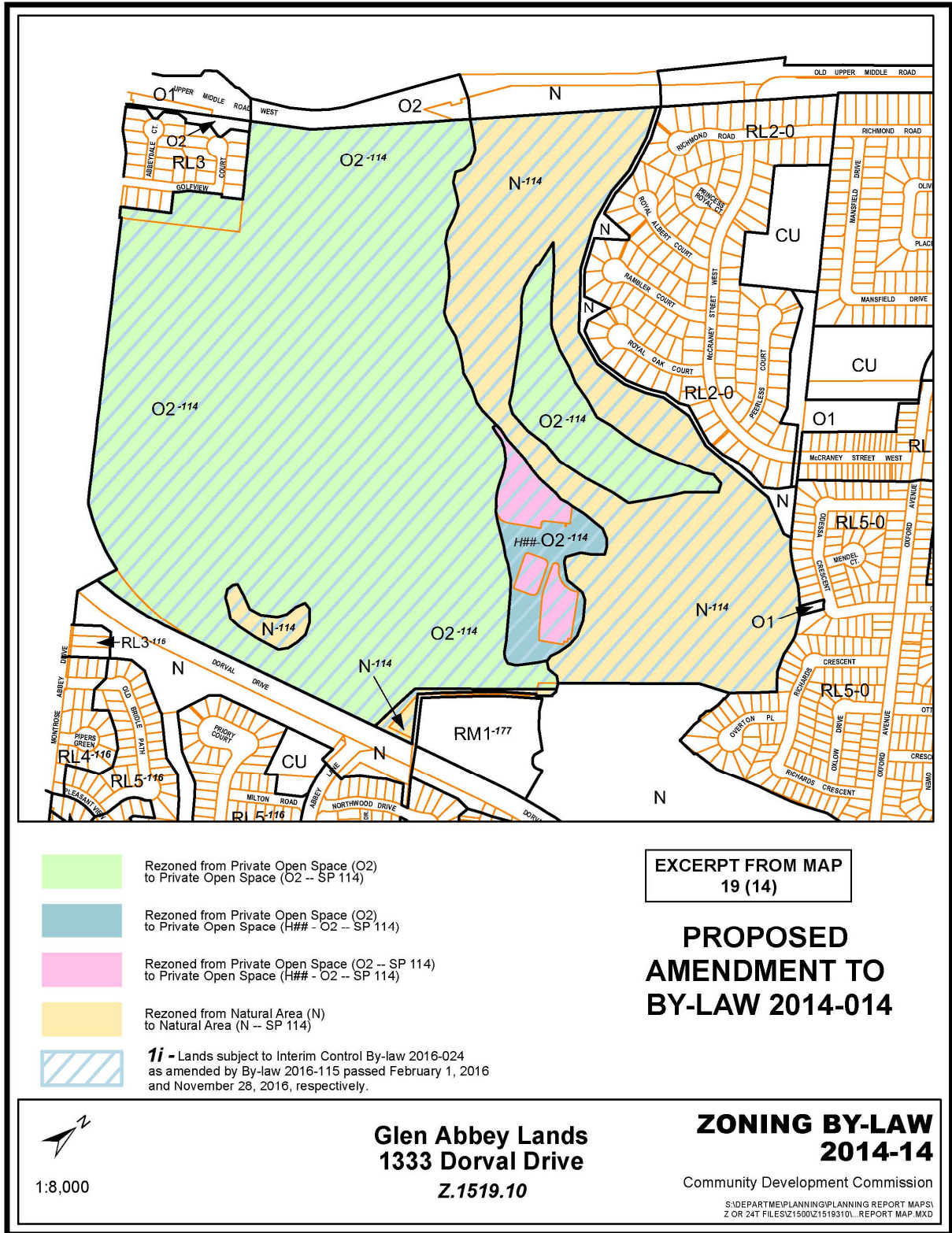


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Figure 4: Draft Proposed Zoning, Glen Abbey Property





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Figure 5: Draft Proposed Zoning, Special Site Figure, Glen Abbey Property





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**CONSIDERATIONS:**

**(A) PUBLIC**

On November 8, 2017, the owner was notified and provided with a copy of the draft proposed zoning by-law amendment. On November 9, 2017, notice was published in the Oakville Beaver, mailed to owners of property within 120 m of the Glen Abbey property, and provided to the agencies and public bodies prescribed by the *Planning Act*.

**(B) FINANCIAL**

No financial implications arise from this report.

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

The draft proposed zoning by-law amendment has been circulated to internal departments and external agencies for comments. It will also be presented to the Heritage Oakville Council Advisory Committee on December 19, 2017.

**(D) CORPORATE AND/OR DEPARTMENT STRATEGIC GOALS**

This report addresses the corporate strategic goal to:

- enhance our cultural environment
- be the most livable town in Canada

**(E) COMMUNITY SUSTAINABILITY**

The proposed zoning by-law amendment will be reviewed to ensure compliance with the sustainability objectives of the Livable Oakville Plan.

**APPENDICES:**

Appendix A	Draft Proposed Zoning By-law Amendment
Appendix B	Notice of Intention to Designate
Appendix C	Urban Structure as Adopted under OPA 15
Appendix D	Cultural Heritage Policies as Adopted under OPA 16
Appendix E	Existing Zoning

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