

**Planning Justification Report**

**MacLachlan College Innovation Project – Additions and Alterations  
MacLachlan College, Oakville, ON**



**Prepared for:**

**The Town of Oakville**

**December 2018**

## Table of Contents

1. Introduction and Overview .....	3
2. Development Proposal .....	4
2.1 Conceptual Plan and Proposed Uses.....	4
2.2 Land Use Planning Applications .....	7
2.3 Transportation and Parking .....	7
2.4 Municipal Servicing .....	7
3. Existing Conditions and Site Context .....	8
3.1 Site Location.....	8
3.2 Surrounding Land Uses and Features .....	9
3.3 Existing Site Conditions .....	11
3.4 Existing Land Use Planning Designations.....	15
4. Land Use Planning Policy Analysis .....	23
5. Conclusions .....	38

## 1. Introduction and Overview

MB1 Development Consulting Inc. (“MB1”) has been retained by the owners of MacLachlan College (2587978 Ontario Inc., 2555765 Ontario Ltd., and the MacLachlan School Inc.), located at 337-339 Trafalgar Road in the Town of Oakville, to provide planning and advisory services to facilitate proposed additions and alterations to the private school campus. The following additional lands have been acquired and combined with the existing school campus – 349 Trafalgar Road; 331 Trafalgar Road; and 272 MacDonald Road (“Additional Lands”). The Additional Lands together with 337-339 Trafalgar Road form the “subject property” for the purpose of the proposal and this report.

Several Pre-Consultation Meetings have been held with Town staff with respect to the proposal for the subject property. The most recent meeting was convened on September 12, 2018 to discuss the current proposal. The Pre-Consultation Form confirmed that an amendment to the Zoning By-Law 2014-014 would be required. This Planning Justification Report is being provided in support of an application to amend the Town of Oakville Zoning By-Law to, among other things, implement the proposal on the subject property, including a change of zoning on the Additional Lands from Low Density Residential (RL4-0) to Community Use (CU), to permit the proposed redevelopment. As such, the purpose of this report is to address the submission requirement for a Planning Justification Report and to outline the merits of the development proposal and required Zoning By-Law Amendment. This analysis clearly demonstrates how the existing Zoning By-Law designation on the Additional Lands fails to conform to the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe, the Region of Halton Official Plan and Livable Oakville Plan, as well as how the proposed Zoning By-Law Amendment will achieve conformity with these policies and plans.

There has been a significant amount of public consultation with respect to the development proposal. This consultation included informal discussions with neighbours, the local councillors and other members of the public. Formal meetings with meeting invitations sent by mail were held on January 31, 2018, August 20, 2018 and August 28, 2018. Through all of these consultation efforts, the following key concerns have been identified:

- Impacts to traffic volumes and operations on Trafalgar Road;
- Heritage preservation and enhancement, including the existing school building, the dwellings on the Additional Lands and the carriage house at 349 Trafalgar Road;
- Mitigating impacts on adjacent properties;
- The proposed floor area and student enrolment at the school; and
- Site landscaping and design.

These matters have been addressed in preparing the Zoning By-Law Amendment application package.

## 2. Development Proposal

### 2.1 Conceptual Plan and Proposed Uses

The proposal involves amending Zoning By-Law 2014-014 to change the designations on the Additional Lands from *Low Density Residential (RL4-0)* to *Community Use (CU)*, in order to facilitate proposed additions and alterations to the existing private school. The proposal and Zoning By-Law Amendment application will allow the property to function in conformity with, and supportive of, the Provincial Policy Statement, Growth Plan, Region of Halton Official Plan and Town of Oakville Official Plan.

The specific uses of the individual portions of the property are as follows:

- 337-339 Trafalgar Road: Additions and alterations to the existing 2-storey school building and redevelopment of vehicle circulation and landscaped areas in the front yard along Trafalgar Road;
- 349 Trafalgar Road: Existing 2-storey single detached dwelling to be used for school offices and high school elective course classrooms. The existing carriage house in the rear yard will be maintained by re-configuring its location on the property;
- 331 Trafalgar Road: Existing 2-storey single detached dwelling to remain in use as private staff residence on campus, with the rear yard of the property to be incorporated as part of the school playground;
- 272 MacDonald Road: Existing 2-storey single detached dwelling to be removed and property used as secondary site access and parking area.

The proposed site plan is included in **Figure 1**. The proposal also includes preservation and enhancement of the designated cultural heritage attributes on the existing school building. The project architect has worked in coordination with the retained heritage architect (ATA Architects Inc.) to ensure the identified heritage attributes are addressed through this proposal. To that end, ATA has prepared a Heritage Impact Assessment that is included in the application package for the Zoning By-Law amendment. **Figure 2** includes the proposed building elevations. Moreover, the proposal anticipates the maintenance of the existing carriage house/garage at 349 Trafalgar Road by relocating this structure on site.



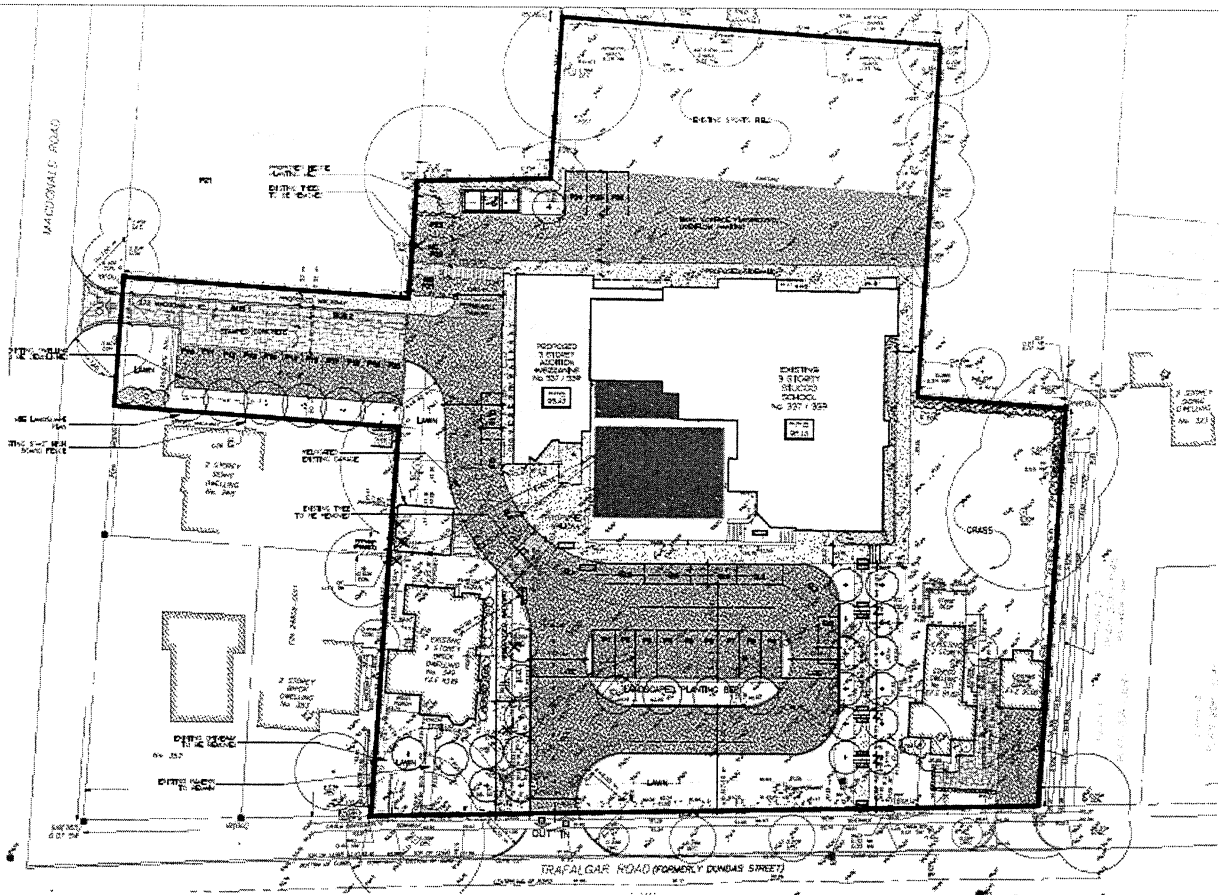


Figure 1 – Proposed Site Plan

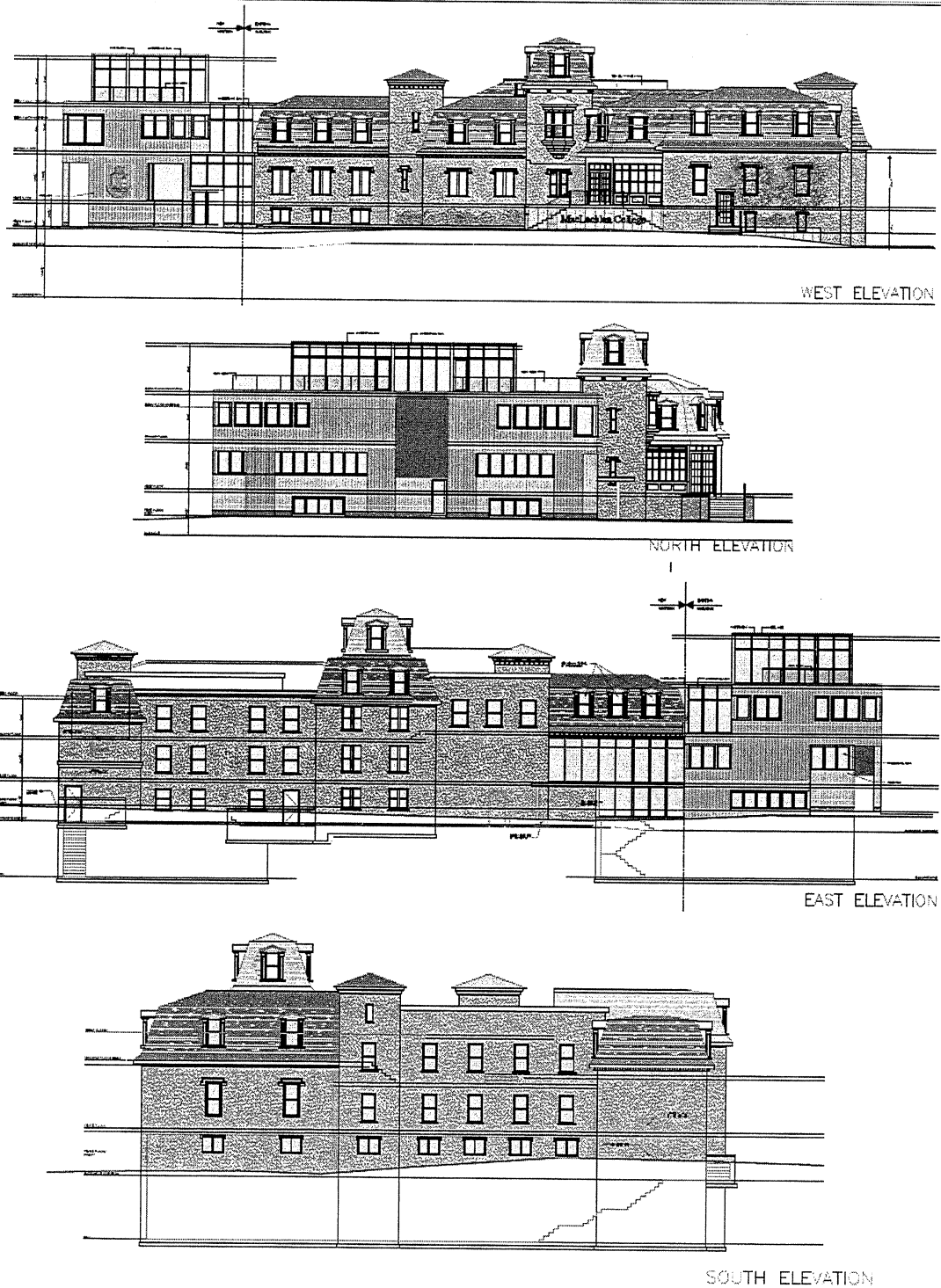


Figure 2 – Proposed Elevations

## **2.2 Land Use Planning Applications**

The owners are proposing the following application:

- To amend Zoning By-Law 2014-014 to change the designations on the Additional Lands from *Low Density Residential (RL4-0)* to *Community Use (CU)*.

## **2.3 Traffic and Parking**

The proposed additions and alterations are intended to enhance traffic and parking operations through the following measures:

- Closing of the existing driveways at 349 Trafalgar Road and the southerly driveway at 337 Trafalgar Road;
- Re-configuration of the vehicular circulation area in front of the school building, adjacent to Trafalgar Road;
- Provision of an additional site access via 272 MacDonald Road, to improve on site circulation and reduce reliance on Trafalgar Road; and
- Provision of additional parking area at 272 MacDonald Road adjacent to the new site access.

GHD prepared a comprehensive Traffic Impact Study (TIS) for the proposed additions and alterations. The TIS concluded that the road network surrounding the subject property is expected to continue to operate without concerns after the proposed additions and alterations are completed. The findings included the following:

- Queue lengths and vehicle delays are expected to remain acceptable despite the minor increase of vehicles on the network;
- The increase in inbound and outbound vehicles is expected to be minor during the a.m. peak hour;
- The expected operational impact on Trafalgar Road and on the internal site circulation will be minimal; and
- No further improvements to internal school circulation are required to enhance traffic flow within the site.

## **2.4 Municipal Servicing**

The Functional Servicing Report prepared by Trafalgar Engineering Ltd. confirmed that there would be no adverse impacts from a municipal servicing perspective associated with the proposed additions and alterations. The specific conclusions included the following:

- The site will utilize the existing sanitary services to the property. Except for the connection to 272 MacDonald Road, which will be decommissioned, no changes are proposed to the existing sanitary drainage system.
- The rezoning of the property does not increase the calculated sewage flows from the property.
- The site will utilize the existing water services to the property. Except for the connection to 272 MacDonald Road, which will be decommissioned, no changes are proposed for the water supply system.
- The existing municipal water distribution provides adequate domestic and fire flows to the property.

### 3. Existing Conditions and Site Context

#### 3.1 Site Location

The subject property is located on the east side of Trafalgar Road, south of MacDonald Road. The site location is identified in **Figure 3**. An aerial view of the existing property is provided in **Figure 4**.



**Figure 3 – Site Location**



Figure 4 – Aerial View of Site

### ***3.2 Surrounding Land Uses and Features***

The subject property is surrounded by low density residential uses on all sides. The residential uses to the north, west and south are zoned RL4-0 while the residential uses to the east are zoned RL5-0. **Figure 5** illustrates the existing building fabric in the surrounding neighbourhood. The subject property is located within the Trafalgar Road Heritage Conservation District, which includes both sides of Trafalgar Road.



**Figure 5 – Existing Single Detached Dwelling Fabric in Community**

There are a number of changes and proposals in the surrounding community of note:

- Redevelopment of the former Medical Arts Building at 358 Reynolds Street: The former Medical Arts Building abuts the northwest corner of the subject property (as shown in **Figure 5**). The previous medical office uses have been discontinued and the property is proposed for infill residential redevelopment.
- Redevelopment of the former Oakville-Trafalgar Memorial Hospital lands: The former hospital lands are highlighted in **Figure 6** and are the subject of comprehensive land use policy changes to facilitate a mixed use development. This process remains underway with the intent of creating a new community centre, park and potential future housing.
- Redevelopment of Brantwood School (221 Allan Street) to convert the school building into condominium units and the rear of the property along Douglas Avenue for single detached lots.



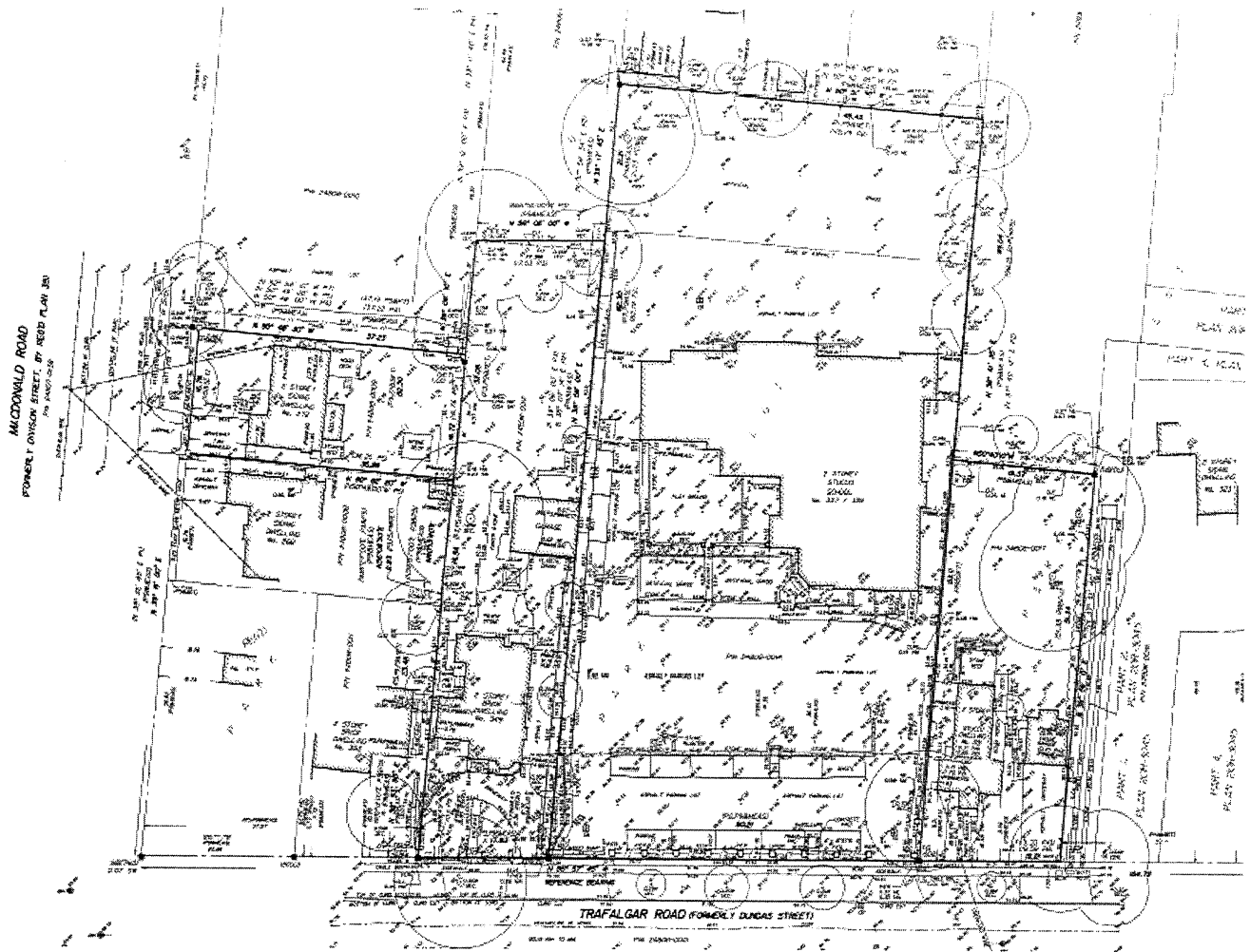
**Figure 6 – Former Oakville-Trafalgar Memorial Hospital Site Location**

### **3.3 Existing Site Conditions**

A survey of the subject property is provided in **Figure 7**, including the following:

- 337-339 Trafalgar Road: 2-storey school building with landscaped area and a sports field in the rear yard. The existing school building includes elements of cultural heritage interest that will be maintained and enhanced as part of the proposal. There are existing vehicle circulation and landscaped areas in the front yard along Trafalgar Road (**Figure 8**).
- 349 Trafalgar Road: Existing 2-storey single detached dwelling (**Figure 9**);
- 331 Trafalgar Road: Existing 2-storey single detached dwelling (**Figure 10**);
- 272 MacDonald Road: Existing 2-storey single detached dwelling, to be removed as part of the proposed development (**Figure 11**).

As already noted, the subject property is located within the Trafalgar Road Heritage Conservation District. In terms of specific heritage designations, the existing school building at 337-339 Trafalgar Road is designated under Part IV of the Heritage Act, while the remaining portions of the subject lands are designated under Part V of the Heritage Act, as part of the Heritage Conservation District.

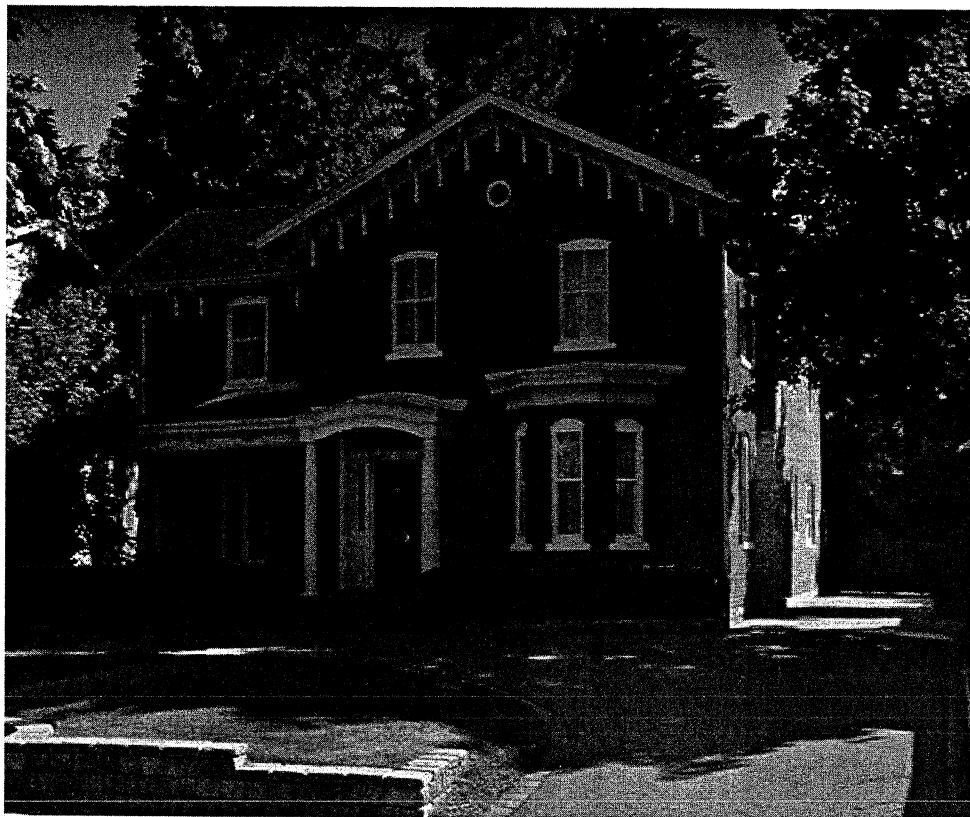


**Figure 7 – Survey of Subject Property**





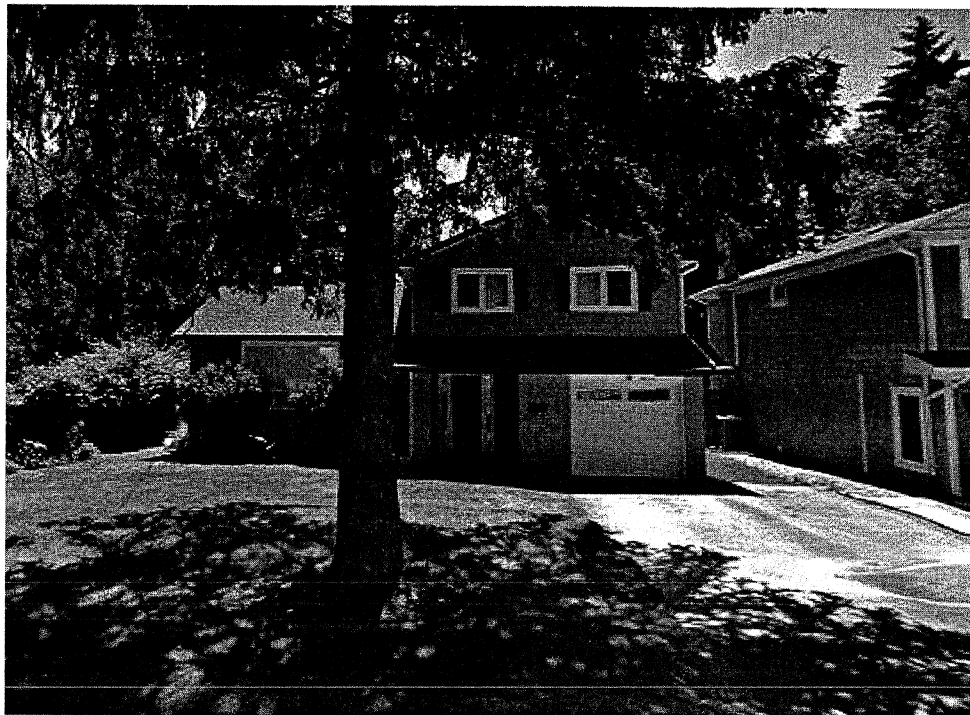
**Figure 8 – Existing School Building on Subject Property**



**Figure 9 – 349 Trafalgar Road**



**Figure 10 – 331 Trafalgar Road**



**Figure 11– 272 MacDonald Road**

## 3.4 Existing Land Use Planning Designations

### 3.4.1 Places to Grow Growth Plan for the Greater Golden Horseshoe (2017)

Figure 12 includes a portion of Schedule 4 to the Places to Grow Growth Plan, which illustrates that the subject property is located in the Built-Up Area.

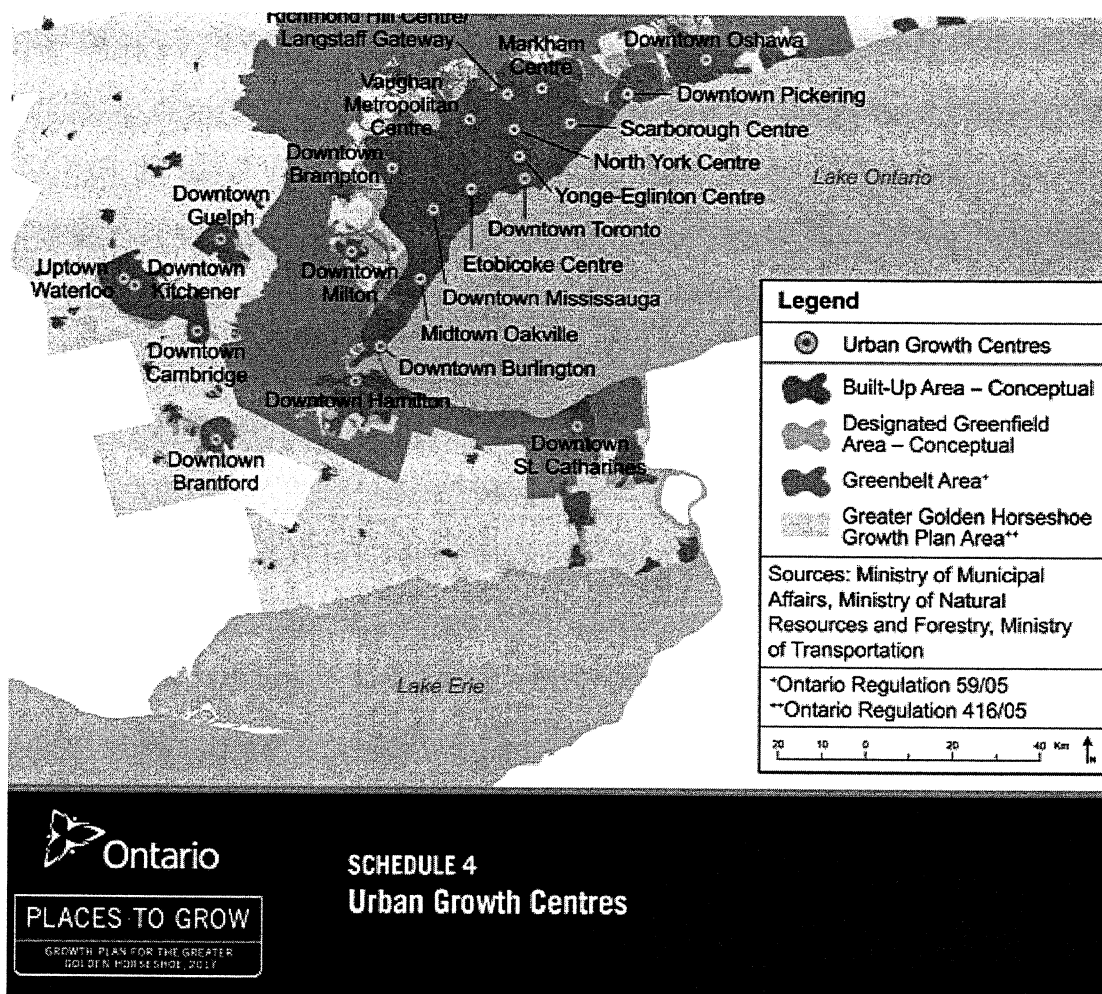
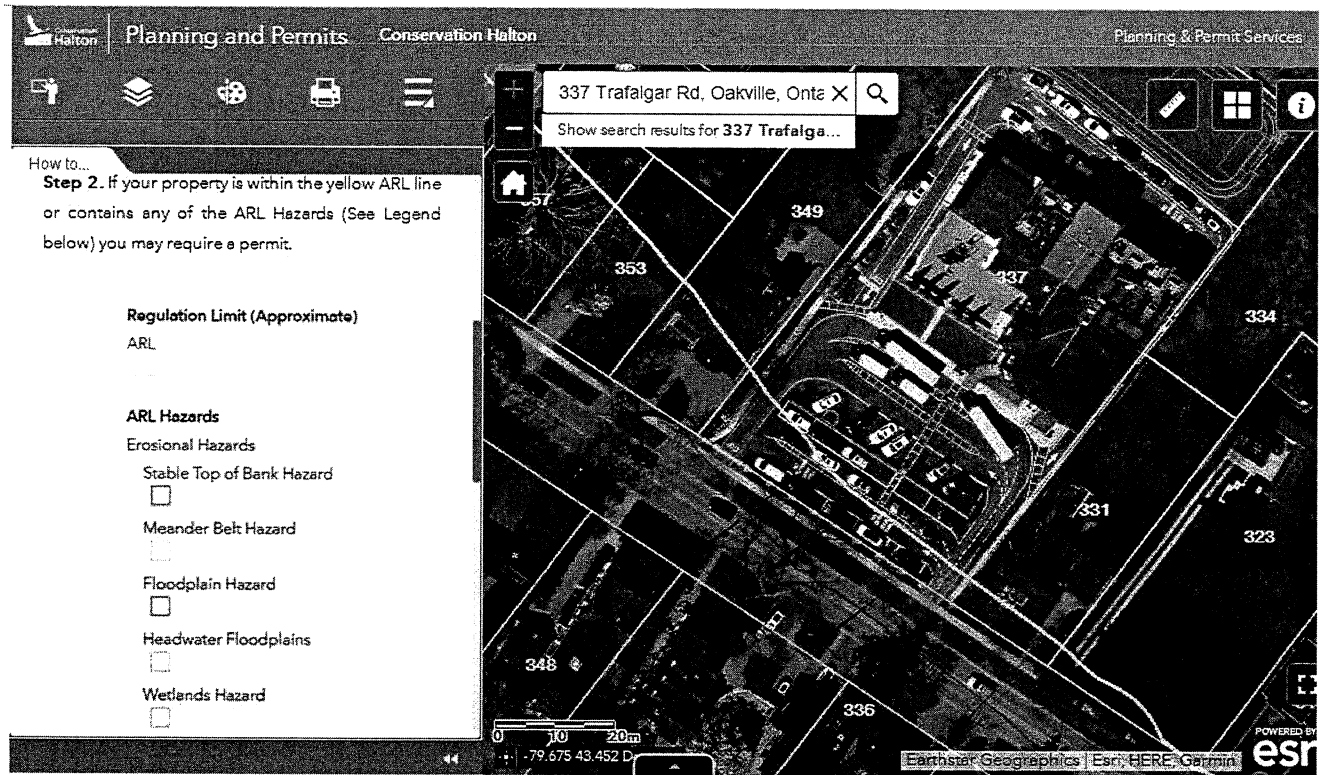


Figure 12 – Places to Grow Schedule of Urban Growth Centres

### 3.4.2 Conservation Authority Regulated Area

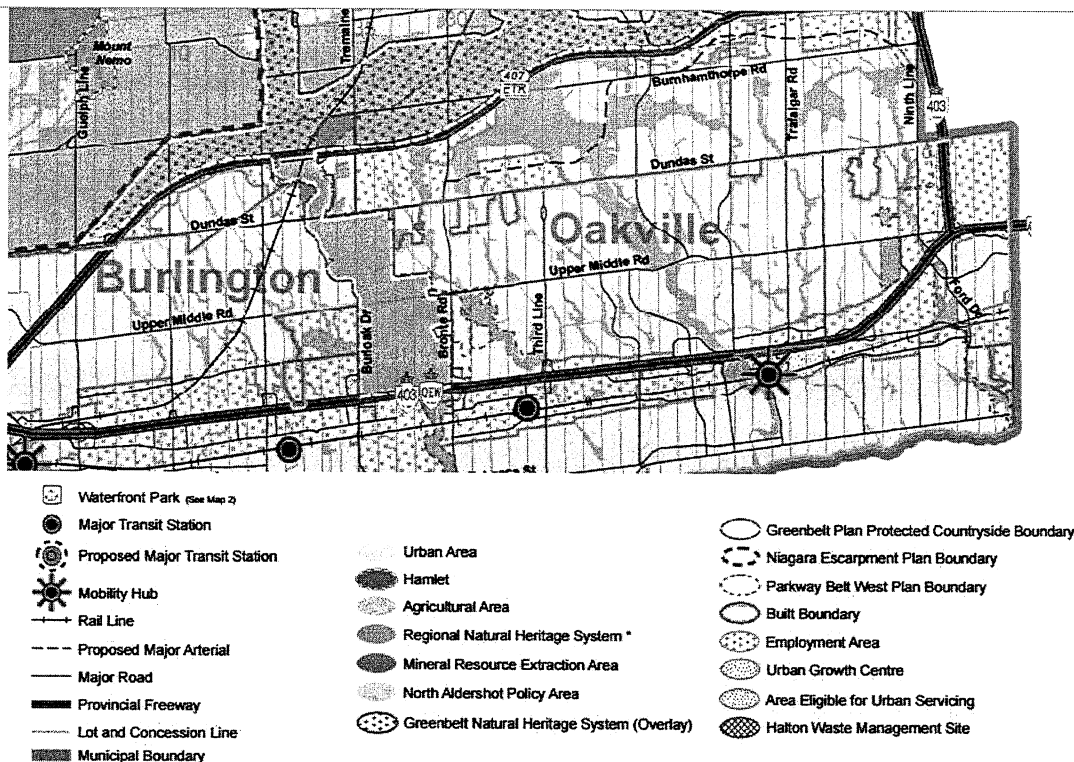
As illustrated in Figure 13, the subject property is located within the Conservation Halton regulatory limits and immediately adjacent to the Stable Top of Bank for Sixteen Mile Creek. On this basis, it is expected that a permit for the proposed development would be required from Conservation Halton.



**Figure 13 – Conservation Halton Regulatory Mapping**

### 3.4.3 Region of Halton Official Plan

As illustrated in **Figure 14**, the subject property is designated Urban Area under the Region of Halton Official Plan, and are located in close proximity to a Mobility Hub and Urban Growth Centre. More detailed land use designation is provided in the Livable Oakville Plan and Zoning By-Law 2014-014.



**Figure 14 – Excerpt from Region of Halton Official Plan Map 1 – Regional Structure**

### 3.4.4 Livable Oakville Plan

As noted in **Figure 15**, the subject property is designated *Low Density Residential* under the Livable Oakville Plan. Section 7.1.2 of the Plan confirms that community uses such as elementary and secondary schools are permitted in low density residential areas. Among the Section 11 policies that apply to all residential areas are the following:

- maintain, protect and enhance the character of existing residential areas;
- encourage an appropriate mix of housing types, densities, design and tenure throughout the Town;
- encourage the conservation and rehabilitation of older housing in order to maintain the stability and character of the existing stable residential communities.



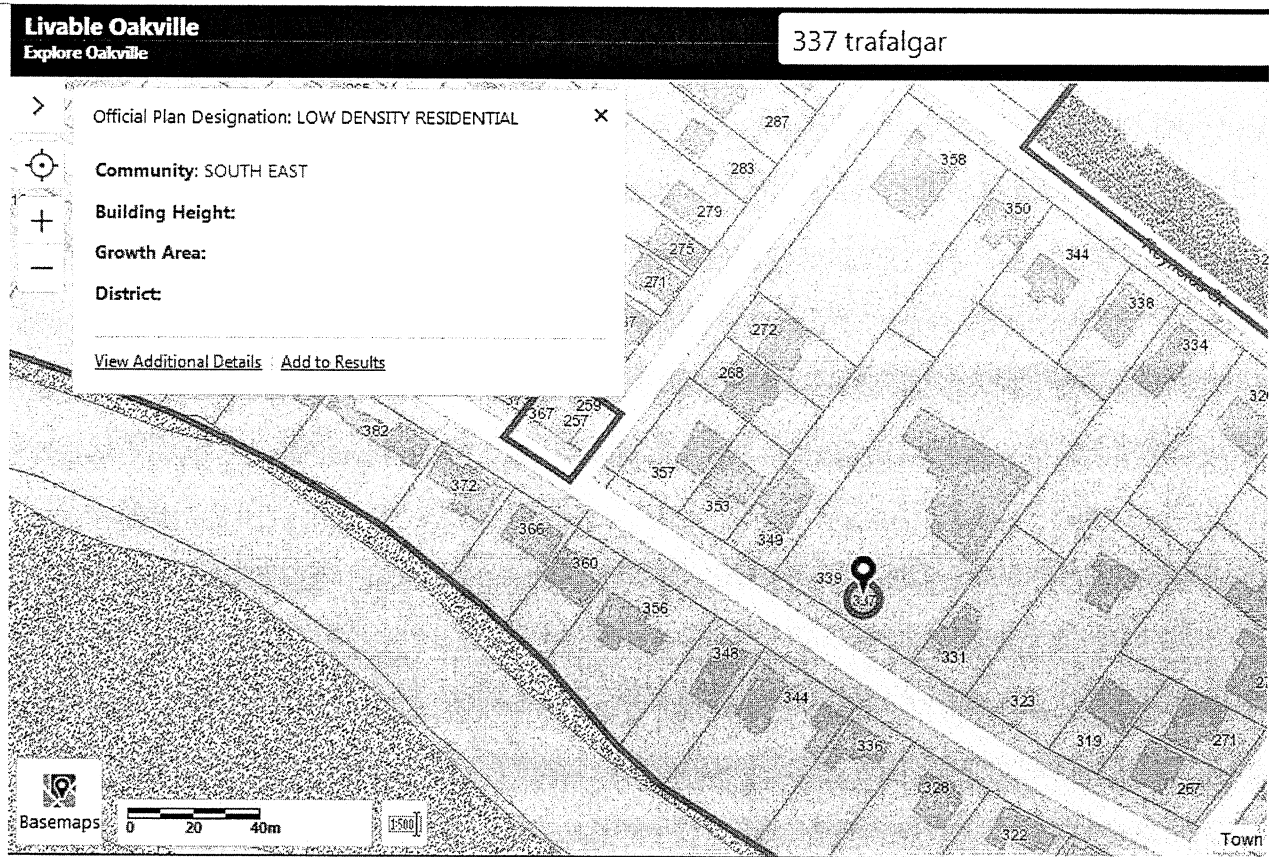


Figure 15 – Livable Oakville Plan Designation

### 3.4.5 Secondary Plan

The subject property is not located within any Secondary Plan or Growth Plan Areas of the Livable Oakville Plan.

### 3.4.6 Oakville Zoning By-Law 2014-014

As illustrated in **Figure 16**, the existing school portion of the subject property is designated (*Community Use CU sp 283*) under Zoning By-Law 2014-014. The Additional Lands are zoned *Low Density Residential RL4-0*. **Figure 17** includes Table 11.2 of the Zoning By-Law, which outlines the uses permitted in the CU zone. It is very important to note that a private school is not listed as a permitted use, even though the Livable Oakville Plan permits this use in all low density residential areas. **Figure 18** provides the additional regulations established under special provision 283. **Figure 19** includes Table 6.2.1, which illustrates the restrictions on permitted uses to low density residential and accessory uses. The “-0” suffix further restricts regulations include building height, lot coverage and floor area ratio. Thus, the RL4-0 zoning on the Additional lands inherently restricts land use to low density residential built form.



Figure 16 – Existing Zoning Designation on Subject Property

<b>Table 11.2: Permitted Uses in the Institutional and Community Use Zones (2017-023)</b>		
	<b>I</b>	<b>CU</b>
<i>Art gallery</i>	✓	✓
<i>Business office</i>	✓	
<i>Cemetery</i>		✓ (1)
<i>Community centre</i>	✓	✓
<i>Commercial parking area</i>	✓	
<i>Conservation use</i>	✓	✓
<i>Day care</i>	✓	✓ (2)
<i>Dormitory</i>	✓ (6)	
<i>Emergency service facility</i>	✓ (3)	✓ (3)
<i>Emergency shelter (PL140317)</i>	✓ (9)	✓ (9)
<i>Food bank</i>	✓	✓
<i>Hospital</i>	✓	
<i>Library</i>	✓	✓
<i>Long term care facility</i>	✓	
<i>Medical office</i>	✓	
<i>Museum</i>	✓	✓
<i>Place of worship (PL140317)</i>	✓ (4)(8)	✓ (4)(5)(8)
<i>Park, private</i>	✓	✓
<i>Park, public</i>	✓	✓
<i>Public hall</i>	✓ (7)	✓ (7)
<i>Public works yard</i>	✓ (3)	
<i>School, post-secondary</i>	✓	
<i>School, private</i>	✓	✓ (2)
<i>School, public</i>		✓
<i>Stormwater management facility</i>	✓	✓
<i>Retirement home</i>	✓	

Figure 17 – CU Zone Permitted Uses



<b>283</b> Map 19(8)	<b>337-339 Trafalgar Road</b> <b>(Part of Lot 13, Concession 3 S.D.S.)</b>	<b>Parent Zone: CU</b> (1996-121) A/055/2007 A/172/2007 (2008-051) (2010-057) (2014-014) PL140317
<b>15.283.1 Zone Provisions</b>		
The following regulations apply:		
a) <i>Minimum front yard</i>		36.0 m
b) <i>Minimum interior side yard, north side</i>		6.0 m
c) <i>Minimum interior side yard, south side</i>		3.0 m
d) <i>Minimum rear yard for buildings</i>		30.2 m
e) <i>Maximum height</i>		As legally existing on the lot on the effective date of this By-law
f) <i>Maximum lot coverage</i>		17.8%
g) <i>Maximum floor area</i>		3,073.5 sq.m
<b>15.283.2 Parking Provisions</b>		
The following additional parking provisions apply:		
a) Section 5.1.2, relating to exclusive use of <i>parking areas</i> , shall not apply to a <i>parking area</i> legally existing on February 25, 2014.		
b) Section 5.1.4, relating to requiring minimum <i>parking spaces</i> to be located on the same lot, shall not apply.		
c) Minimum number of <i>parking spaces</i> required for a <i>private school</i>		1.5 per classroom for all classrooms, not including any portables
d) Minimum width and length for <i>stacking spaces</i> legally existing on February 25, 2014		As legally existing on February 25, 2014
e) Minimum number of <i>stacking spaces</i> required for a <i>private school</i> in a <i>stacking lane</i> legally existing on February 25, 2014		As legally existing on February 25, 2014
f) Minimum width of a <i>driveway</i> and <i>aisle</i> legally existing on February 25, 2014		As legally existing on February 25, 2014
g) <i>Parking spaces</i> required by this By-law can be provided on a paved playground as legally existing on February 25, 2014 to a maximum of 40 <i>parking spaces</i> .		

Figure 18 – Regulations of Special Provision 283

**Table 6.2.1: Permitted Uses in the Residential Low Zones and the Residential Uptown Core Zone (2017-025)**

		RL1, RL2, RL3, RL4, RL5, RL6	RL7, RL8, RL9	RL10	RL11	RUC
<i>Accessory dwelling</i>	(1)	✓	✓	✓	✓	✓
<i>Bed and breakfast establishment</i>	(1)	✓	✓	✓	✓	✓
<i>Conservation use</i>		✓	✓	✓	✓	✓
<i>Day care</i>	(1)	✓	✓	✓	✓	✓
<i>Detached dwelling</i>		✓	✓	✓		✓
<i>Duplex dwelling</i>				✓		
<i>Emergency service facility</i>		✓	✓	✓	✓	✓
<i>Emergency shelter</i>						
<i>Home occupation</i>		✓	✓	✓	✓	✓
<i>Linked dwelling</i>					✓	
<i>Lodging house</i>	(1)(2)	✓			✓	✓
<i>Park, public</i>		✓	✓	✓	✓	✓
<i>Place of worship</i>						
<i>Private home day care</i>	(1)	✓	✓	✓	✓	✓
<i>Private school</i>						
<i>Semi-detached dwelling</i>			✓			✓
<i>Short-term accommodation</i>	(4)	✓	✓	✓	✓	✓
<i>Stormwater management facility</i>		✓	✓	✓	✓	✓
<i>Townhouse dwelling</i>						✓

**Figure 19 – Permitted Uses in RL4-0 Zone**

## 4 Land Use Planning Analysis

The following sections of this Planning Justification Report provide a detailed analysis of how the development proposal is consistent with the Provincial Policy Statement and Growth Plan, and conforms to the Region of Halton Official Plan and Livable Oakville Plan. This analysis also demonstrates how the following tests are satisfied:

- The existing zoning designation on the Additional Lands is not consistent with the policies of Provincial Policy Statement and Growth Plan;
- The existing zoning designation on the Additional Lands does not conform to the Region of Halton Official Plan and Livable Oakville Plan;
- The Zoning By-Law Amendment will facilitate use of the Additional Lands in a manner consistent with the policies of the Provincial Policy Statement and Growth Plan; and
- The Zoning By-Law Amendment will bring the Additional Lands into conformity with the Region of Halton Official Plan and Livable Oakville Plan.

### 4.1 *Provincial Policy Statement*

#### 4.1.1 Policy Overview

Section 3 of the Planning Act requires that municipal decisions affecting planning matters “shall be consistent” with the Provincial Policy Statement (PPS). The Vision for Ontario’s Land Use Planning System outlined in Part IV of the PPS includes the following key points:

- Land use must be carefully managed to accommodate appropriate development to meet the full range of current and future needs, while achieving efficient development patterns and avoiding significant or sensitive resources and areas which may pose a risk to public health and safety; and
- Efficient development patterns optimize the use of land, resources, public investment in infrastructure and public service facilities.

Section 1.0 of Part V of the PPS outlines policies for Building Strong Healthy Communities. In Section 1.1, a number of principles are outlined that sustain healthy, liveable and safe communities, including:

- Promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- Promoting cost-effective development patterns and standards to minimize land consumption and servicing costs; and

- Ensuring that necessary infrastructure, electricity generation facilities and transmission and distribution systems, and public service facilities are or will be available to meet current and projected needs.

Section 1.1.2 also mandates that, within settlement areas, sufficient land shall be made available through intensification and redevelopment. Section 1.1.3.5 reiterates that municipalities shall establish and implement minimum targets for intensification and redevelopment within built-up areas. This is consistent with the policies of the Growth Plan for the Greater Golden Horseshoe, which represent the minimum targets. Similarly, Section 1.1.3.6 indicates that new development taking place in the existing built-up area shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

Section 1.6 emphasizes the importance of efficient and cost effective infrastructure and public service facilities. Specifically, these facilities are to be financially viable over their life cycle and available to meet current and projected needs. Section 1.6.3 suggests that priority be given to development that uses and optimizes existing infrastructure rather than development that requires construction of new facilities.

#### 4.1.2 Analysis of Conformity with Policy

It is my opinion that the development proposal and proposed Zoning By-Law Amendment are consistent with the applicable provisions of the Provincial Policy Statement. The proposal provides compatible and reasonably intensified development inside the existing urban boundary and built-up area. The design is compatible and consistent with the character of the adjacent community and represents a reasonable intensification on the subject property. The proposal also provides for intensification within a building with designated heritage attributes, in a manner that will protect and preserve these attributes. In addition, the development will make more efficient use of existing serviced land without adverse impacts to the quality of life and built form in the community. Moreover, no public investment is required in municipal services or infrastructure. The proposal will contribute to the financial well-being of the City by increasing the property tax levy on the property and generating payment of development charges, planning application fees and building permit fees.

Given the current Zoning By-Law designation on the Additional Lands is for low density residential uses with specific limitations on built form height, floor area and lot coverage, among other regulations, this zoning designation does not allow for intensified and more efficient use of these lands. Thus, the existing designation also does not allow for accommodation of future growth and needs but rather effectively limits future uses to single detached dwellings of similar size, if not smaller, than those existing today. This is inconsistent with the Provincial Policy Statement policies that seek more efficient land use and development that optimize use of public infrastructure and facilities, and bring new investment and revenue to the community.

The Zoning By-Law Amendment will conform to the Provincial Policy Statement by allowing for expansion and redevelopment the private school campus, which is a use permitted under the Livable Oakville Plan, to achieve the following:

- Higher student enrolment and, consequently, increased teaching and administrative staff working at the facility;
- Enhanced educational facilities and administrative operations;
- Improved vehicular site access, including consolidation of access points and reduced dependence on Trafalgar Road;
- Improved on-site vehicular circulation and parking;
- Preservation of existing single detached dwellings with designated heritage features rather than redevelopment of these structures for new homes; and
- Increased property tax revenue and payment of development fees and charges.

## **4.2 Places to Grow**

### **4.2.1 Policy Overview**

The Places to Grow Growth Plan for the Greater Golden Horseshoe (the “Growth Plan”) is aimed at growth that sustains the economy, builds strong communities and promotes a healthy environment. The key policy directions that stem from the objective of mitigating the negative effects of growth include the following:

- Directing growth to built-up areas;
- Promoting transit-supportive densities; and
- Conservation of natural systems and agricultural areas.

Among the Guiding Principles for development of land outlined in the Growth Plan are the following:

- Build compact, vibrant and *complete communities*;
- Plan and manage growth to support a strong and competitive economy; and
- Optimize the use of existing and new infrastructure to support growth in a compact, efficient form.

The Growth Plan also outlines how and where growth should occur, and indicates that better use of land and infrastructure can be made by directing growth to existing urban areas. The Growth Plan envisages increasing intensification of the existing built-up area, with a focus on urban growth centres, intensification corridors, major transit station areas, brownfield sites and greyfields.

## 4.2.2 Analysis of Conformity with Policy

It is my opinion that the development proposal and applications conform to the Growth Plan. The proposal represents growth in the existing built-up area with uses and built form that will be compatible with the character and quality of the existing neighbourhood. The proposal will also increase the intensity of development and variety of uses in the community. This intensification will also be done in a manner that is compatible with the existing neighbourhood and consistent with existing built form. Finally, the proposal will make use of existing City infrastructure without requiring upgrades or new services to be installed.

The existing low density residential zoning designation on the Additional Lands is not consistent with the Growth Plan. This existing designation limits opportunities for lands in the existing urban area to be developed in a more efficient and compact manner that is also compatible with the community. The Growth Plan seeks development that increases the intensity of land use in a manner that is beneficial to the community. However, the existing zoning designation allows only for very limited single detached dwelling and accessory uses.

The proposed Zoning By-Law Amendment will facilitate use of the Additional Lands in a manner consistent with the Growth Plan. These lands are immediately adjacent to an existing Community Use, and would be consolidated into a larger campus that allows for growth and development consistent with the Growth Plan. As noted in the previous section, the Zoning By-Law Amendment will allow for expansion and redevelopment the private school campus, which is a use permitted under the Livable Oakville Plan, while also increasing student enrolment and teaching and administrative staff working at the facility, enhancing on and off-site traffic and parking operations, and increasing financial benefits to the Town relative to the existing conditions.

## 4.3 *Conservation Authority Regulated Area*

A portion of subject property is located within the regulated area of Conservation Halton (CH). Therefore, a permit will be required from CH to proceed with the proposed development. As well, CH will provide their input on the application for Zoning By-Law Amendment.

It is my opinion that the proposal and application will have no adverse impacts that will be of concern to CH, for the following reasons:

- The residential components of the property located at 331 Trafalgar Road and 349 Trafalgar Road will largely remain in their current form and will not experience any significant changes in grading or impervious cover;
- The existing school component of the site will be designed and graded to ensure proper drainage and storm water quality and quantity control occurs before any water leaves the subject lands; and

- 
- The proposal and design will conform to CH policies and regulations.

#### **4.4 Region of Halton Official Plan**

The purpose of the Region of Halton Official Plan (“Regional Plan”) is outlined in Part I, and includes to *give clear direction as to how physical development should take place in Halton to meet the current and future needs of its people*. The Regional Plan is not only the basis for Regional Council to make decisions on municipal projects, facilities and programs, also the way by which local municipalities prepare their own Official Plans and Zoning By-laws.

Part III of the Regional Plan contains Development Criteria. The following text represents pertinent sections of the Regional Plan:

- 57. Development is directed to environmentally suitable areas with the appropriate land use designation in accordance with the goals, objectives and policies of this Plan.
- 58. Uses are permitted as specified for each land use designation provided that: (1) the site is not considered hazardous to life or property due to conditions such as soil contamination, unstable ground or soil, erosion, or possible flooding; (1.1) adequate supply of water and treatment of wastewater for the proposed use has been secured to the satisfaction of the Region; and (2) development meets all applicable statutory requirements, including regulations, Official Plan policies, zoning by-laws, and municipal by-laws.

Section 72 of the Regional Plan outlines several objectives for the *Urban Area*, including the following:

- 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;
- To provide a range of identifiable, inter-connected and complete communities of various sizes, types and characters, which afford maximum choices for residence, work and leisure;
- To facilitate and promote intensification and increased densities;
- To provide for an appropriate range and balance of employment uses including industrial, office and retail and institutional uses to meet long-term needs.

It is my opinion that the proposal and Zoning By-Law Amendment conform to the Regional Plan on the basis of the following:

- The development represents intensification and enhancement of an existing use in the built-up area;
- Existing municipal services are available to the property and no municipal upgrades will be required;

- The subject property is not subject to any natural heritage or hazard constraints;
- The subject property represents an important component of the community fabric, and these characteristics will be maintained and enhanced through the development;
- The proposal includes measures to ensure there are no undue adverse impacts on the adjacent land uses or wider community; and
- As will be outlined in the following sections, the proposal conforms to the Livable Oakville Plan and Zoning By-Law 2014-014.

It is also my opinion that the existing zoning designation on the Additional Lands does not conform to the Regional Plan. The RL4-0 low density residential designation greatly restricts the types of uses and the built form that can be constructed, effectively eliminating any opportunity for intensification. The only opportunity to redevelop the Additional Lands would be to remove the existing dwellings, which have designated heritage features, and construct new dwellings of similar or smaller size. This would not represent intensification and would also negatively impact the community character and identity. Moreover, in limiting permitted uses to low density residential, there is no opportunity to develop a range of uses and built form in the community.

The Zoning By-Law Amendment proposed for the Additional Lands would conform to the Regional Plan on the following basis:

- Facilitate the expansion and enhanced operations of a Community Use permitted under the Regional Plan and is currently part of the character and fabric of the neighbourhood;
- Allow intensification/more-efficient use of the Additional Lands, in a manner that is compatible with the surrounding community;
- Would lead to preservation of existing community features that have aesthetic and heritage character; and
- Would allow a greater diversity of use on the Additional Lands and overall Subject Property.

## **4.5 Livable Oakville Plan**

### **4.5.1 Mission Statement and Guiding Principles (Part B)**

Section 2 of the Livable Oakville Plan provides the policy framework for the Plan. In Section 2.1, the Mission Statement of the Livable Oakville Plan is as follows: *To enhance the Town's natural, cultural, social and economic environments by ensuring that environmental sustainability, cultural vibrancy, economic prosperity and social well-being are incorporated into growth and development decisions.*

One of the key Guiding Principles of the Plan, set out in Section 2.2, is to preserve and create a livable community in order to preserve, enhance, and protect the distinct character, cultural heritage, living



environment, and sense of community of neighbourhoods. A similar Guiding Principle is to provide choice throughout the Town in order to foster the Town's sense of place through excellence in building and community design.

It is my opinion that the development proposal conforms to the Mission Statement and Guiding Principles of the Livable Oakville Plan. The proposal represents excellent architectural and urban design that will be compatible with the neighbourhood and will enhance the quality of the built form and streetscape. It is also our opinion that the proposal conforms to the land use policies and criteria for evaluation of development proposals as outlined in the Plan.

#### 4.5.2 Cultural Heritage (General Policies (Part C))

Section 5 of Part C provides policies on Cultural Heritage. The following opening statement sets the tone of this section: *Conservation of cultural heritage resources forms an integral part of the Town's planning and decision making. 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 5.3 contains the following applicable Heritage Conservation policies:

- The Town shall encourage the preservation and continued use of cultural heritage resources identified on the register and their integration into new development proposals through the approval process and other appropriate mechanisms;
- Significant cultural heritage resources shall be conserved, and may be integrated into new development;
- The Town may require a heritage impact assessment where the development or redevelopment of property is proposed: a) on, adjacent to, or in the immediate vicinity of, an individually designated historic property; b) within, adjacent to, or in the immediate vicinity of, the boundaries of a Heritage Conservation District; or, c) on a property listed on the Oakville Register of Properties of Cultural Heritage Value or Interest.
- 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 affected cultural heritage resources.

It is my opinion that the development proposal and proposed amendment to the Zoning By-Law conform to these policies. The cultural heritage features of the existing school building are being maintained and enhanced as part of the proposal. The proponent has worked in conjunction with a prominent heritage architect to ensure proper treatment and preservation efforts are enacted. A Heritage Impact Assessment has been prepared as part of the application package and outlines the cultural heritage preservation merits of the proposal. The proposal also involves maintaining the relevant portions of the existing carriage house located

in the rear yard of 349 Trafalgar Road, rather than demolishing or removing this important feature from the property.

The existing zoning designation on the Additional Lands does not conform to the cultural heritage policies of the Livable Oakville Plan. 331 and 349 Trafalgar are occupied by houses with designated cultural heritage features that will be maintained through the development proposal. However, the restrictive nature of the existing low density residential zoning designation, in terms of permitted uses and built form regulations, effectively prevents any opportunity incorporate the existing buildings, and their designated cultural heritage features, into a redevelopment proposal.

The proposed Zoning By-Law Amendment will conform to the Cultural Heritage policies of the Livable Oakville Plan. The Zoning By-Law Amendment will allow the Additional Lands will be incorporated into the expanded school campus and the designated cultural heritage features will be preserved and enhanced as part of the proposal. The designated buildings on the Additional Lands will no longer be isolated on small low density residential lot but rather incorporated into a broader private school use. Since these buildings will also be integrated into school operations and administration, there will be continued use of these structures, which will also increase attention to these structures and their cultural heritage features.

#### 4.5.3 Urban Design – Streetscapes (General Policies (Part C))

Section 6.4.2 of Part C of the Plan indicates that new development should contribute to the creation of a cohesive streetscape by:

- placing the principal building entrances towards the street and where applicable, towards corner intersections;
- framing the street and creating a sense of enclosure;
- providing variation in façade articulation and details;
- connecting active uses to the public realm to enhance the liveliness and vibrancy of the street, where applicable;
- incorporating sustainable design elements, such as trees, plantings, furnishings, lighting, etc.;
- coordinating improvements in building setback areas to create transitions from the public to private realms; and
- improving the visibility and prominence of and access to unique natural, heritage, and built features.

It is my opinion that the development proposal will help achieve a cohesive streetscape in a manner that conforms to these policies. The entrances to each of the structures situated on the subject property are oriented and visible to Trafalgar Road. The closing of the existing driveways at 349 Trafalgar Road and the southerly driveway at 337 Trafalgar Road will create a more consistent streetscape and also help to frame to consolidated property. The expansion to the main school building involves a variety of architectural treatments and materials that will provide an interesting and vibrant aesthetic appearance from Trafalgar

Road. These building modifications will also enhance the existing cultural heritage attributes of the school building. Finally, a comprehensive landscaping design concept has been prepared to provide high quality site and streetscape design, including trees and other plantings.

#### 4.5.4 Urban Design – Built Form (General Policies (Part C))

Section 6.9 of Part C includes the following Built Form policies:

- Buildings should be designed to create a sense of identity through massing, form, placement, orientation, scale, architectural features, landscaping and signage.
- Building design and placement should be compatible with the existing and planned surrounding context and undertaken in a creative and innovative manner.
- To achieve compatibility between different land uses, development shall be designed to accommodate an appropriate transition through landscape buffering, spatial separation, and compatible built form.
- Buildings should present active and visually permeable façades to all adjacent streets, urban squares, and amenity spaces through the use of windows, entry features, and human-scaled elements.
- Development should be designed with variation in building mass, façade treatment and articulation to avoid sameness.
- New development shall ensure that proposed building heights and form are compatible with adjacent existing development by employing an appropriate transition of height and form from new to existing development, which may include setbacks, façade step backs or terracing in order to reduce adverse impacts on adjacent properties and/or the public realm.
- Continuous streetwalls of identical building height are discouraged. Variety in rooflines should be created through subtle variations in roof form and height.
- New development should be fully accessible by incorporating universal design principles to ensure barrier-free pedestrian circulation.
- Rooftop mechanical equipment shall not be visible from view from the public realm.

It is my opinion that the development proposal is in conformity with these built form policies, for the following reasons:

- The proposed expansion to the main school building will provide balance among high quality architectural design, cultural heritage preservation and enhancement, and compatibility with adjacent built form;
- The existing setbacks and proposed landscaping buffers, in conjunction with the addition of the single detached dwellings at 331 and 349 Trafalgar Road to the subject property, will provide significant areas of transition and buffer to adjacent properties;
- The proposed expansion to the main school building incorporates a variety of materials, architectural design and building articulation to provide diversity in built form.

## 4.5.5 Urban Design – Landscaping (General Policies (Part C))

Section 6.10 of Part C includes the following policies with respect to landscaping design and treatment:

- enhance the visual appeal and human scale of development;
- create an attractive environment for pedestrian movement;
- frame desired views or focal objects;
- define and demarcate various functions within a development; and
- provide seasonal variation in form, colour, and texture.

This section also maintains the following policies to preserve and enhance the urban forest by:

- maintaining existing healthy trees, where possible;
- providing suitable growing environments;
- increasing tree canopy coverage;
- incorporating trees with historic or cultural significance; and
- integrating a diverse mix of native plant species.

**Figure 20** includes the proposed landscaping plans for the subject property.

It is my opinion that the proposal will satisfy the above-noted policies in the following ways:

- The quality of the natural environment on the subject property will be enhanced for members of the public and visitors/users of the school facility relative to existing conditions;
- A wide variety of species and plantings have been incorporated to ensure diversity and seasonal variety; and
- Existing trees are being maintained and protected where possible, including heritage trees.

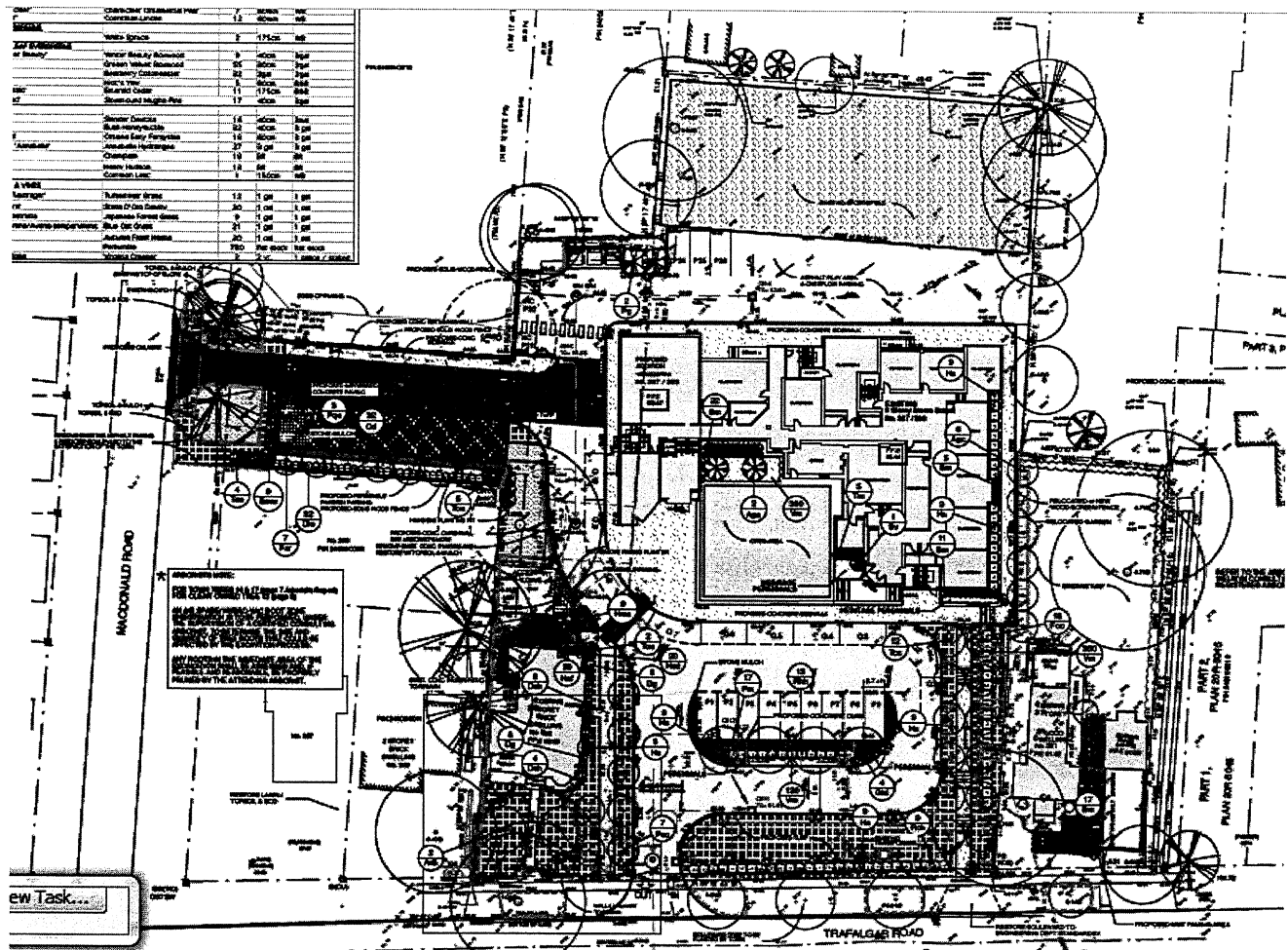


Figure 20 – Proposed Landscaping Plans

## 4.5.6 Urban Design – Vehicular Circulation and Parking (General Policies (Part C))

Section 6.12 provides the following policies for Vehicular Access and Circulation:

- Developments should incorporate safe and direct vehicular access and circulation routes with defined internal driving aisles to direct traffic, establish on-site circulation, and frame parking areas.
- Consolidated driveway accesses are encouraged to maximize the areas available for landscaping, minimize disruption of the public sidewalk, and minimize expanses of pavement.

Section 6.13 provides the following policies for Parking:

- To provide safe and attractive pedestrian environments, surface parking areas should be organized into appropriately sized areas (parking courts) separated by a combination of built form, landscaping, and pedestrian facilities.

- Surface parking areas should be: a) located in the rear or side yard, or in areas that can be appropriately screened, so they do not dominate the streetscape, but are sufficiently visible for safety and functionality; and, b) connected to the on-site pedestrian network and streetscape through landscaped pedestrian linkages.
- Barrier-free parking spaces should be located in close proximity to principal building entrances.
- Surface parking areas should incorporate planted landscaped areas that: a) effectively screen parked vehicles from view from the public realm; b) provide shade, wind break, and visual relief from hard surfaces; c) clearly define the vehicular circulation route(s); and, d) are sufficiently sized to support the growth of trees and other vegetation.
- Parking areas within a structure should be screened from view from the public realm. Structured parking facilities should be underground structures, wherever possible.

It is my opinion that the proposed development will conform to these policies in the following ways:

- The elimination of three driveways on Trafalgar Road will reduce the number of locations where vehicles can enter and exit the subject property;
- Vehicles entering and exiting the subject property will do so through clearly defined and managed driveways and on-site circulation routes;
- The additional access to MacDonald Road will provide an opportunity to reduce traffic flow to Trafalgar Road and also define a clearer on-site circulation pattern;
- The closure of three driveways will allow for a more consistent streetscape and sidewalk along the public realm;
- Parking areas are located away from Trafalgar Road and highly screened from the public realm; and
- Landscaping and urban design treatments are proposed to enhance the quality and character of parking and vehicle circulation areas.

The existing RL4-0 zoning on the Additional Lands does not conform to these policies of the Livable Oakville Plan. The existing zoning designation requires 331 and 349 Trafalgar Road to have individual driveway access to Trafalgar Road and parking provided at the front of each building. These requirements do not conform to the vehicle circulation and parking policies of the Livable Oakville Plan.

The proposed Zoning By-Law Amendment will conform to these policies of the Livable Oakville Plan. The Amendment will allow consolidation of the Additional Lands with 337-339 Trafalgar Road to form the Subject Property. This will result in closure of the three driveways on Trafalgar Road to the Additional Lands and elimination of parking in front of the existing dwellings. This will facilitate the streetscape and vehicle circulation policies of the Livable Oakville Plan.

## 4.5.7 Community Uses (General Policies (Part C))

Section 7 of Part C of the Plan establishes policies for Community Uses. Section 7.1.2 confirms that the following uses are considered Community Uses and may be permitted within all land use designations of this Plan with the exception of the Natural Area designation:

- educational facilities such as elementary and secondary schools;
- places of worship on sites less than 2.5 ha;
- community facilities such as libraries, seniors' centres, emergency services buildings and facilities, and recreational facilities;
- day care centres;
- parks;
- emergency shelters; and
- arts and cultural facilities such as museums, art galleries and performing arts centres.

The appropriate location for a Community Use should satisfy the following criteria:

- the use is intended to serve and support the community and is not more appropriately located in the Institutional designation;
- the use is compatible with surrounding land uses;
- the site is designed to be well integrated with surrounding land uses;
- the site is an appropriate size to accommodate:
  - adequate buffers such as landscaping and fencing to ensure compatibility with adjacent land uses;
  - recreational amenities as necessary; and
  - on-site parking.

It is my opinion that the development proposal conforms to these policies for Community Uses. The existing and proposed school uses are permitted in Low Density Residential areas. Moreover, the school has served the community on this site for over 40 years, with great attention to avoiding adverse impacts on adjacent uses and properties. The proposed development will enhance the quality and character of the site and built form and also provide additional landscaping and buffers to neighbouring lands. Finally, additional on-site parking and vehicle circulation areas are proposed to enhance vehicular operations and mitigate impacts to the adjacent road network.

The existing zoning designation on the Additional Lands does not conform to the Community Use policies of the Livable Oakville Plan. The RL4-O designation does not permit Community Uses while the Livable Oakville Plan permits Community Uses, including elementary and secondary schools, in all designations where the criteria noted above are achieved.

The Zoning By-Law Amendment proposed for the Additional Lands will bring the zoning on the Additional Lands into conformity with the Livable Oakville Plan by permitting Community Uses on these lands. The existing school is an important part of the character of the neighbourhood. The Zoning By-Law Amendment will allow the Additional Lands to be consolidated with the existing community use to provide an enhanced facility that will benefit the community.

#### 4.5.8 Residential Uses

As noted earlier in this report, the subject property is designated *Low Density Residential* under the Livable Oakville Plan. Section 11 of Part D of the Plan outlines the land use designations and policies for Residential uses in the Town. Among the objectives for Residential uses are the following:

- maintain, protect and enhance the character of existing residential areas;
- encourage an appropriate mix of housing types, densities, design and tenure throughout the Town;
- promote housing initiatives to facilitate revitalization, compact urban form and an increased variety of housing alternatives; and
- encourage the conservation and rehabilitation of older housing in order to maintain the stability and character of the existing stable residential communities.

Section 11.1.8 a) indicates that intensification within the stable residential communities and on lands designated Low Density Residential may be considered where it is *compatible* with the lot area and lot frontages of the surrounding neighbourhood and all other applicable policies of the Plan. Similarly, Section 11.1.9 indicates that development within all stable residential communities shall be evaluated using the following criteria to maintain and protect the existing neighbourhood *character*:

- a) The built form of *development*, including scale, height, massing, architectural *character* and materials, is to be *compatible* with the surrounding neighbourhood;
- b) *Development* should be *compatible* with the setbacks, orientation and separation distances within the surrounding neighbourhood;
- c) Where a *development* represents a transition between different land use designations or housing forms, a gradation in building height shall be used to achieve a transition in height from adjacent *development*;
- d) Where applicable, the proposed lotting pattern of *development* shall be *compatible* with the predominant lotting pattern of the surrounding neighbourhood;
- e) Roads and/or municipal *infrastructure* shall be adequate to provide water and wastewater service, waste management services and fire protection;
- f) Surface parking shall be minimized on the site;
- g) A proposal to extend the public street network should ensure appropriate connectivity, traffic circulation and extension of the street grid network designed for pedestrian and cyclist access;
- h) Impacts on the adjacent properties shall be minimized in relation to grading, drainage, location of service areas, access and circulation, privacy, and microclimatic conditions such as shadowing;



- 
- i) The preservation and integration of heritage buildings, structures and uses within a Heritage Conservation District shall be achieved;
  - j) *Development* should maintain access to amenities including neighbourhood commercial facilities, community facilities including schools, parks and community centres, and existing and/or future public transit services;
  - k) The transportation system should adequately accommodate anticipated traffic volumes; and
  - l) *Utilities* shall be adequate to provide an appropriate level of service for new and existing residents.

It is my opinion that the development proposal and Zoning By-Law Amendment to change the Low Density Residential components of the site to Community Use are in conformity with these policies, with consideration for the following:

- The existing school building has existed in the community for over 40 years and now represents the built form character of the subject property and is part of the built form character of the surrounding community;
- The single detached dwellings that have been incorporated into the subject property (331 and 349 Trafalgar Road) provide single detached residential character on the limits of the property, which continues to provide a buffer and transition to adjacent properties;
- The proposal will revitalize the existing school building, the single detached dwellings consolidated with the school property, and the landscaping and urban design elements of the subject lands;
- Existing municipal services will be utilized and no upgrades or new infrastructure are required external to the property;
- The heritage attributes of the existing school building will be preserved and enhanced while, at the same time, increasing the architectural character of the building.

#### **4.6 Town of Oakville Zoning By-Law 2014-014**

As outlined in the Town of Oakville's User's Guide to the Zoning By-Law, the Zoning By-Law is intended to implement the Livable Oakville Plan. The Zoning By-Law translates the vision and policies of the Livable Oakville Plan regulations and permissions. Section 28.1.1 of Part F of the Livable Oakville Plan indicates the following: *"Zoning by-laws shall be used to implement the objectives and policies of this Plan by regulating the use of land, buildings or structures in accordance with the provisions of the Planning Act and may be more restrictive than the provisions of this Plan. It is not intended that the full range of uses or densities permitted by this Plan will be permitted by the Zoning By-law in all locations."* In other words, the Zoning By-Law implements the Livable Oakville Plan through specific regulations and permissions, and may be more restrictive than the Livable Oakville Plan where appropriate.

The existing primary and secondary private school use under the *Community Use (CU)* zoning designation on 337-339 Trafalgar Road represents a permitted use under the Zoning By-Law. The proposal involves consolidating the Additional Lands in order to upgrade the school administration and operations. The Livable

Oakville Plan permits Community Uses, including schools, in all low density residential designations where certain criteria have been satisfied. This Planning Justification Report has demonstrated that these criteria will be satisfied and exceeded by the development proposal.

It is my opinion that the Zoning By-Law does not conform to the Community Use policies of the Livable Oakville Plan in that the RL4-0 zoning designation does not permit Community Uses, including schools, on low density residential designated properties situated immediately adjacent to an existing Community Use. The existing school is an important part of the character and history of the community and provides important services and benefits to the neighbourhood and wider area.

The Zoning By-Law Amendment proposed for the Additional Lands will bring the Zoning By-Law into conformity with the Livable Oakville Plan by allowing the proposed Community Use in the adjacent low density residential zoning area. Moreover, it is my opinion that the proposed Zoning By-Law Amendment is appropriate and should be approved on the following basis:

- The development proposal will be compatible with the surrounding community and appropriate for the use of the subject property;
- The proposal represents an expansion of an existing Community Use that is well-entrenched in the community and part of the built form and land use fabric;
- The proposal will expand an existing Community Use rather than establishing a new Community Use; and
- The Zoning By-Law Amendment conforms to the purpose and intent of the Livable Oakville Plan.

## 5 Conclusions

It is my opinion that the proposed expansion and redevelopment of MacLachlan College, and the requested Zoning By-Law Amendment to change zoning designation of the Additional Lands Low Density Residential (RL4-0) to Community Use (CU) are appropriate and desirable for the subject lands, on the basis of the following:

- The proposal and proposed Zoning By-Law Amendment are consistent with Provincial Land Use Planning Policy as established through the Provincial Policy Statement and Places to Grow Growth Plan for the Greater Golden Horseshoe;
- The existing Zoning By-Law designation on the Additional Lands is not consistent with the Provincial Policy Statement and Places to Grow Growth Plan for the Greater Golden Horseshoe;
- The existing zoning designation on the Additional Lands does conform to the policies of the Region of Halton Official Plan and the Livable Oakville Plan;
- The proposal and Zoning By-Law Amendment conform to the policies of the Region of Halton Official Plan and the Livable Oakville Plan;

- 
- The proposal will have no adverse impacts on cultural or natural heritage, and efforts will be made to preserve and enhance these features on and adjacent to the subject property;
  - The proposal will allow for desirable and appropriate use of the subject lands in a manner that is compatible and beneficial for the neighbourhood and wider community; and
  - The existing zoning designation on the Additional Lands is not consistent with the policies of Provincial Policy Statement and Growth Plan.

Regards,



Michael Barton, MCIP, RPP

President

[michael@mb1consulting.com](mailto:michael@mb1consulting.com)

905-599-9973