

REPORT

PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: JUNE 10, 2019

FROM: Planning Services Department

DATE: May 17, 2019

SUBJECT: Public Meeting and Recommendation Report, Temporary Use By-law Extension, Vic Hadfield Golf Centre (1463083 Ontario Limited), File Z.1312.09, By-law 2019-044

LOCATION: 340 Burnhamthorpe Road East

WARD: 7

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RECOMMENDATION:

1. That the Temporary Use By-law Extension application (File Z.1312.09) submitted by 1463083 Ontario Inc. c/o Vic Hadfield Golf and Learning Centre to permit the lands to be used as a golf driving range as a temporary use for a period of three years, until June 10, 2022, be approved.
2. That By-law 2019-044 be passed.
3. That notice of Council's decision reflects that Council has fully considered all written and oral submissions relating to this matter and that those comments have been appropriately addressed.
4. That, in accordance with Section 34(17) of the *Planning Act*, no further notice is determined to be necessary.

KEY FACTS:

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

- An application was submitted in March 2019 to allow an extension to the Temporary Use By-law to permit a golf driving range, sales/pro shop and storage shed for an additional three years;
- These lands have been used for the golf driving range and associated uses since 2001. The current Temporary Use By-law expires on June 13, 2019;
- The lands are designated *Trafalgar Road Urban Core Area* in the North Oakville East Secondary Plan and zoned *Existing Development* and *Temporary Use Performance Zones (ED-T2)*;

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- The continued use of the lands as a golf driving range, sales/pro shop and storage shed as temporary uses for an additional three years is appropriate until municipal services are available and these lands are ready to be developed in accordance with the Trafalgar Urban Core policies of the North Oakville East Secondary Plan; and,
- Staff recommend that Zoning By-law 2019-044 to permit the golf driving range and associated uses as temporary uses for an additional three years (until June 10, 2022) be passed.

BACKGROUND:

Proposal

The proposed temporary use by-law would carry forward the regulations contained within the current by-law, such as minimum lot area (9.7 ha), maximum floor area for the pro shop/sales office (112 m²), storage shed (140 m²), maximum number of driving tees (65) and minimum parking spaces (70).

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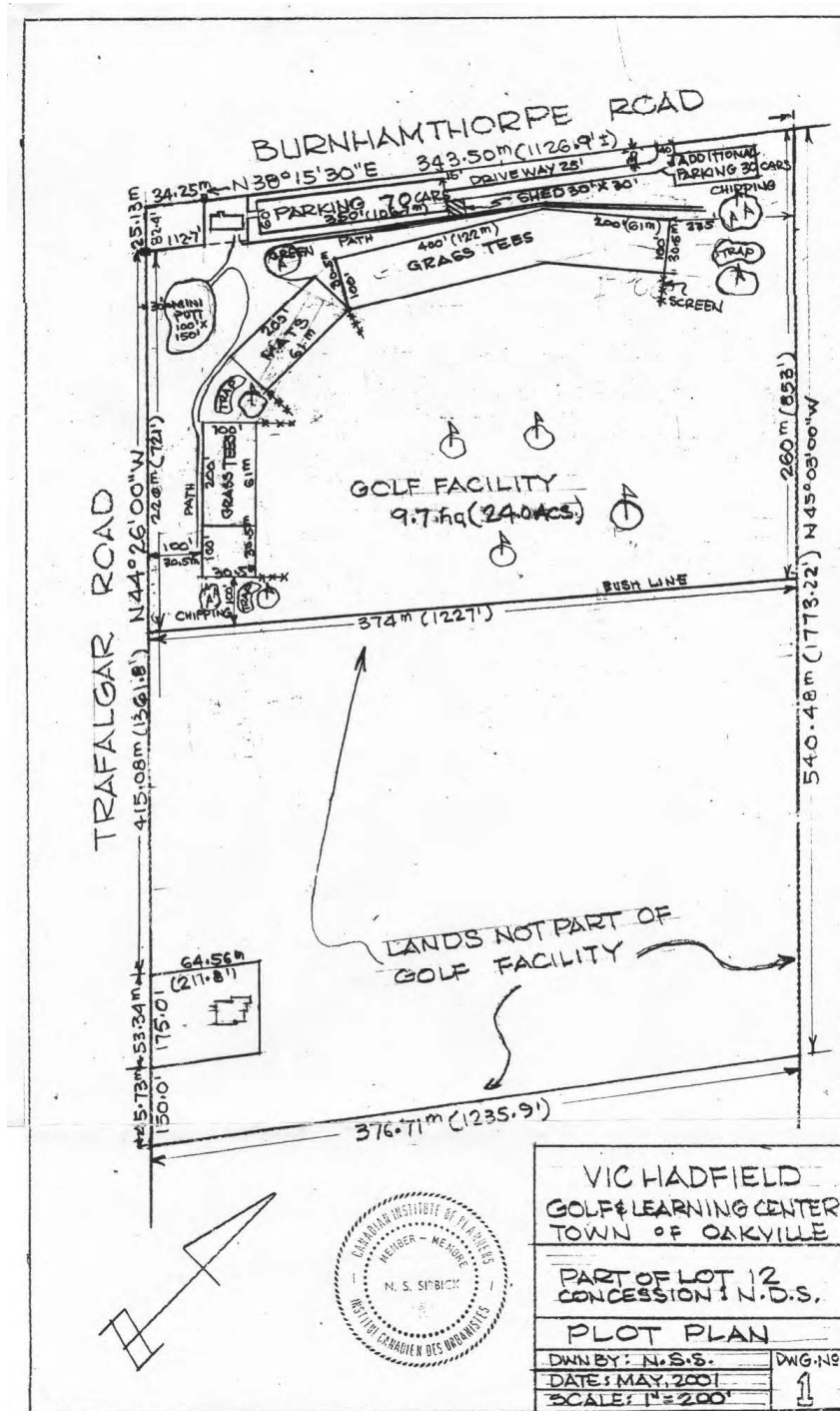


Figure 1: Existing Golf Facility

The application to allow the lands to continue to be used as a golf driving range, sales/pro shop and an accessory storage structure for maintenance equipment, was

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submitted on March 19, 2019 and deemed complete on March 22, 2019. The current Temporary Use By-law expires on June 13, 2019. The Temporary Use By-law has been in effect since 2001 and was extended in 2004, 2007, 2010, 2013 and 2016.

Location

The lands are located on the southeast corner of Burnhamthorpe Road East and Trafalgar Road. The municipal address is 340 Burnhamthorpe Road East.

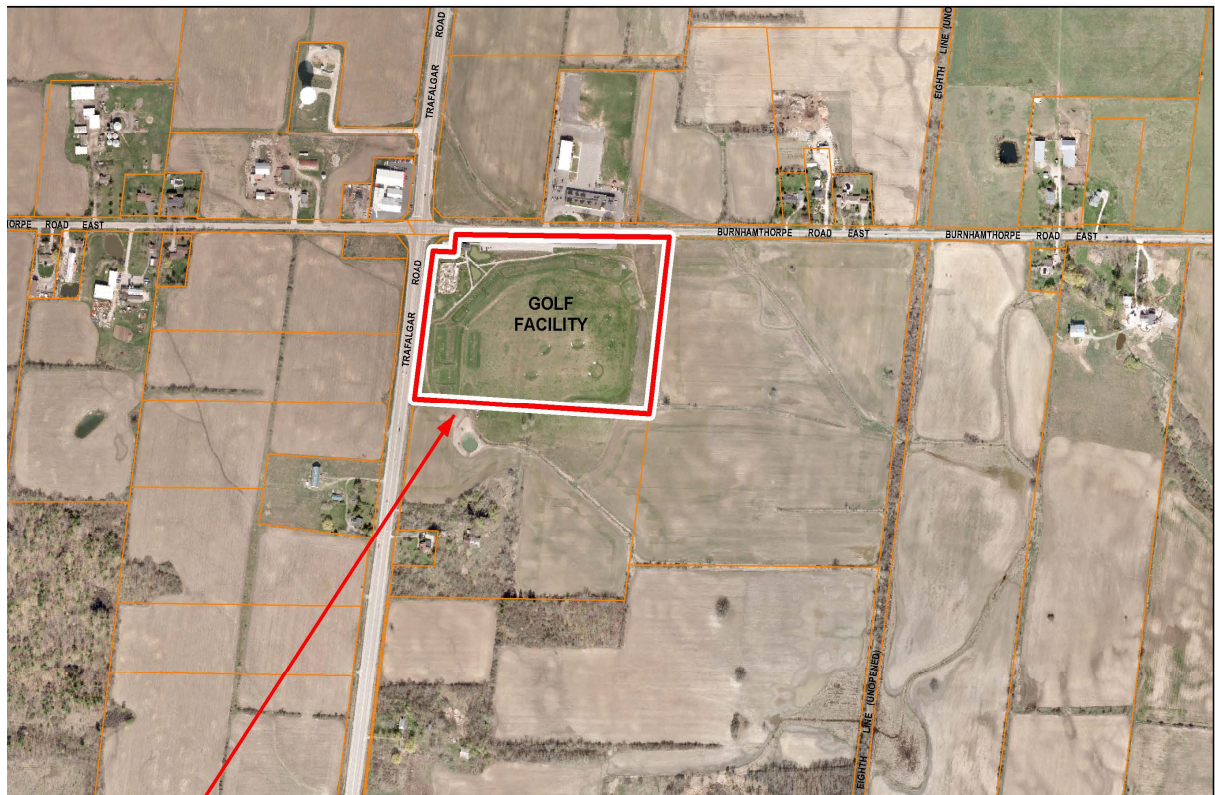


Figure 2: Air Photo

Site Description

The lands are approximately 9.7 hectares in area and has approximately 344 metres of frontage on Burnhamthorpe Road East. Currently, the lands are on private servicing and are not planned to have municipal water and waste water services within the next three years.

A golf facility/driving range is located on the subject lands.

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Surrounding Land Uses

The surrounding land uses are as follows:

North: private school and agricultural
East: agricultural
South: agricultural
West: animal feed/pet store

POLICY FRAMEWORK

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

- Provincial Policy Statement (2014)
- Growth Plan for the Greater Golden Horseshoe
- Halton Region Official Plan
- North Oakville East Secondary Plan
- Zoning By-law 2009-189

2014 Provincial Policy Statement

The Provincial Policy Statement (2014) ('PPS') is intended to promote a policy led system, which recognizes that there are complex relationships among environmental, economic and social factors in land use planning. The PPS encourages the wise management of land to achieve efficient development and land use patterns by directing growth to settlement areas and by promoting a compact development form.

The subject application for the continuation of the temporary use is consistent with the new PPS.

2019 Growth Plan for the Greater Golden Horseshoe

The Growth Plan is a long-term plan that intends to manage growth, build complete communities, curb sprawl and protect cultural heritage resources and the natural environment.

The Growth Plan provides policies for where and how to grow, directing population and employment growth to urban areas and rural settlement areas with delineated built boundaries on full municipal services (policy 2.2.1).

The subject application for the continuation of the temporary use is consistent with the new 2019 Growth Plan.

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Region of Halton Official Plan

The subject lands are designated “Urban Area” and located within the Greenfield Area and is in proximity to Trafalgar Road and to Dundas Street East, Higher Order Transit Corridors, which is part of a Regionally identified Intensification Area. The policies of the Urban Area designation support a form of growth that is compact, supportive of transit and the development of vibrant and healthy mixed use communities, which afford maximum choices for residence, work and leisure.

While the ultimate form of development of these lands is anticipated when full municipal services are available, interim uses may exist in accordance with the policies of the North Oakville East Secondary Plan and the Regional Official Plan Policy 89.4(b).

The subject application for the continuation of the temporary use is consistent with the new Regional Official Plan.

Livable Oakville Plan - Urban Structure

The Livable Oakville Plan was approved by the Ontario Municipal Board on May 10, 2011 and is currently undergoing a 5-year Official Plan Review to ensure the policies are consistent with the latest Provincial and Regional policies, support the Town’s strategic goals, and reflect the visions and needs of the community. Schedule A1, Urban Structure, of the Livable Oakville Plan provides the basic structural elements for the Town. On September 27, 2017, Council adopted Official Plan Amendment 15 (OPA 15) to the Livable Oakville Plan and OPA 317, which confirms the Town’s existing urban structure in terms of nodes (growth areas) and corridors. OPA 15 was approved by Halton Region on April 26, 2018 and there is one appeal pending related to portions of OPA 15.

The subject lands are identified on Schedule A1 – Urban Structure as forming part of the Residential Area, and is adjacent to the Town’s system of Nodes and Corridors along Trafalgar Road, which is identified as a Regional Transit Priority Corridor. Intensification along the Trafalgar Road corridor is anticipated when full municipal services are available.

North Oakville East Secondary Plan

The North Oakville East Secondary Plan (NOESP) was approved by the Ontario Municipal Board (OMB) through OPA 272. The Secondary Plan includes detailed policies establishing general development objectives to guide the future development of the area covered by the Plan.

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The subject lands are designated Trafalgar Urban Core on Figure NOE2, Land Use Plan in the NOESP. The Trafalgar Road Urban Core Area provides for the creation of a major node, a dense mixed use development concentration that is pedestrian and transit oriented. The permitted uses include a “full range of employment, commercial, including retail commercial, accommodation, institutional, cultural, health and medical, and entertainment uses, medium and high density residential uses, and related public uses such as urban squares and parking.” (Section 7.6.4)

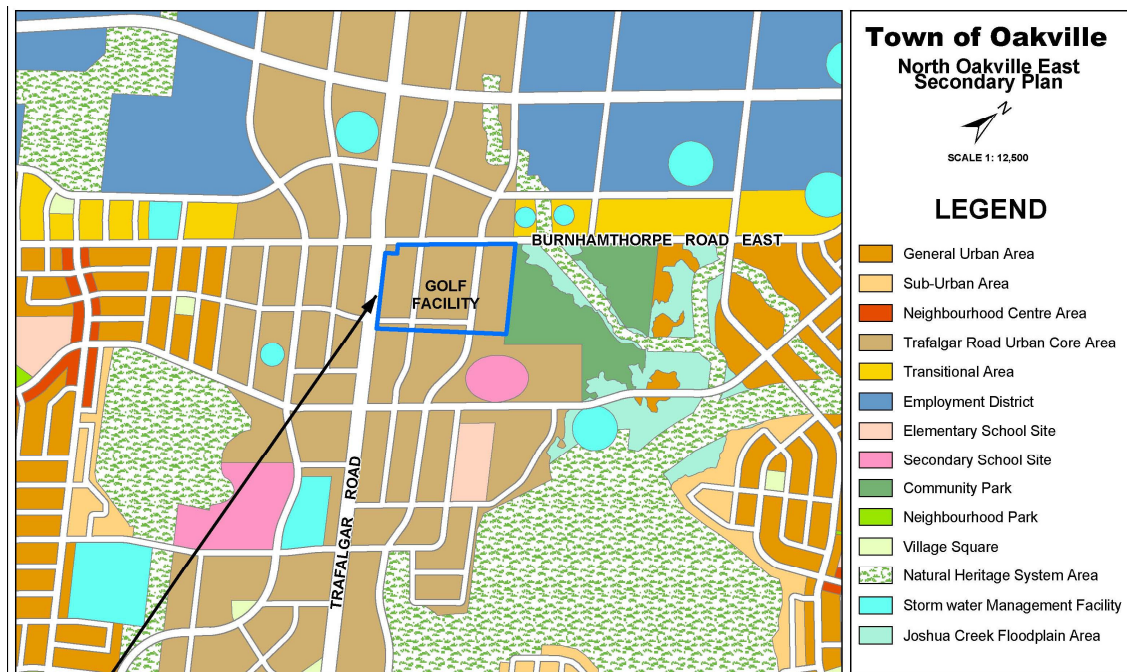


Figure 3 Official Plan

The NOESP also contains policies with respect to existing non-conforming uses which states that,

“notwithstanding any other provision of this Plan or of the Official Plan, this Plan is not intended to prevent the continuation, expansion or enlargement of existing uses which do not conform to the designation or provisions of this Plan” (Section 7.10.3).

Until such time as these lands are on municipal services and are proposed for development, it is appropriate to allow the lands to continue to be used as a golf driving range.

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North Oakville East Secondary Plan - Council Adopted Policy (OPA 321):

On June 11, 2018, Council adopted Official Plan Amendment 321 to amend the North Oakville East Secondary Plan as part of the North Oakville Secondary Plans Review to ensure conformity with the Growth Plan and consistency with the PPS 2014.

Through OPA 321, Council adopted amendments to the NOESP, including changes to the Trafalgar Urban Core policies, in order to allow for opportunities for higher density, mixed use transit supportive development for undeveloped Trafalgar Urban Core lands. Specification of a minimum density implements the density suggested in Ontario's Transit Supportive Guidelines for a transit service type of dedicated rapid transit service (LRT/BRT), which is intended to service Trafalgar Road in the future.

Approving the temporary use permissions of the golf centre does not preclude future development of a mixed use transit supportive development as envisioned in OPA 321.

North Oakville Zoning By-law

The lands are zoned *Existing Development* and *Temporary Performance Zones* (ED-2T). The Zoning By-law for the lands north of Dundas Street permits the existing use of the lands as a golf driving range, sales/pro shop and an accessory storage structure for the storage of maintenance equipment until June 13, 2019. The Temporary Performance Zone also provides regulations for minimum lot area (9.7 ha), maximum floor area for the pro shop/sales office (112 m²) and storage shed (140 m²), maximum number of driving tees (65) and minimum parking spaces (70). An amendment is required to the Temporary Performance Zone to permit the existing uses and regulations for an additional three years (June 10 2022).

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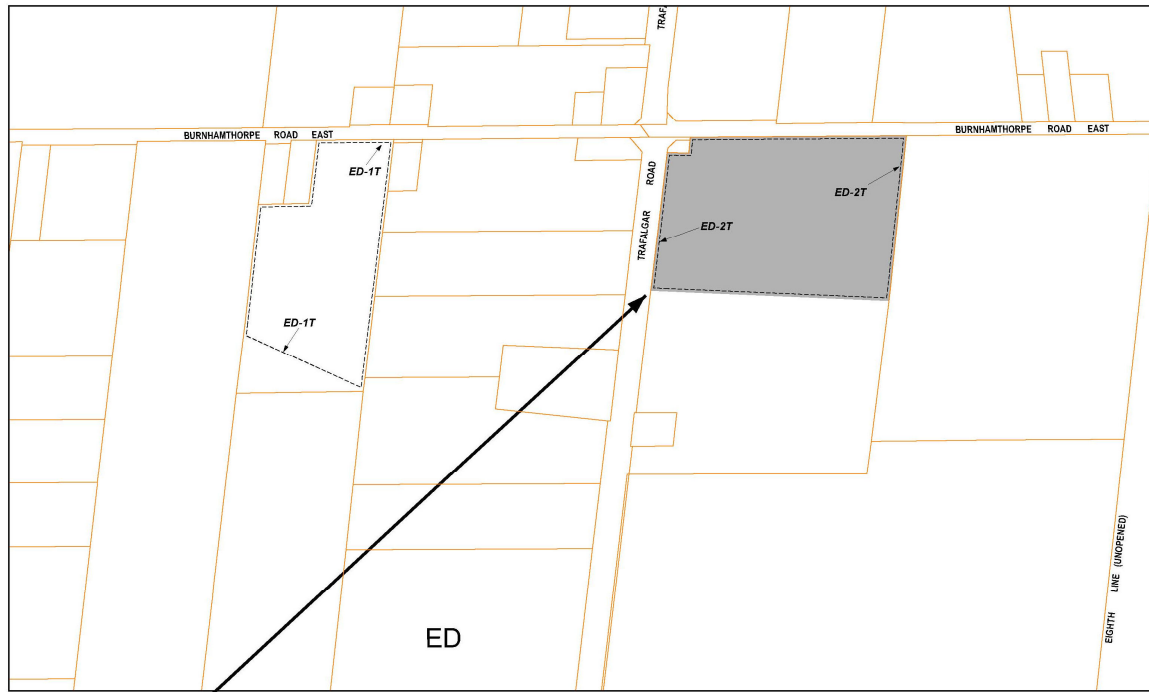


Figure 4 Zoning

TECHNICAL AND PUBLIC COMMENTS

Conformity with North Oakville East Secondary Plan

The golf driving range and associated uses have existed on the lands for 15 years. Approval is requested for an additional three years. At the end of the three years, the applicant will be required to make an application to allow the lands to be used as a golf centre for a further three year duration.

No concerns have been raised with the proposed extension of the existing use as a golf driving range as the site is currently on private servicing with no commitment for municipal services in this area before 2022. Planning staff recommend that the Temporary Use be extended for an additional three years, given that municipal infrastructure will not be available within the next three years.

Proposed Zoning By-law Amendment

A site specific temporary use by-law is proposed which reflects the interim nature of the use on the subject property for a maximum period of three years commencing from June 13, 2019 until June 10, 2022.

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CONCLUSION

Staff recommends approval of the extension to the temporary use by-law, as the application is consistent with the Provincial Policy Statement, does not conflict with Provincial plans or to the Region of Halton Official Plan, has regard for matters of Provincial interest, and represents good planning. Further the application is consistent with the North Oakville East Secondary Plan and Zoning By-law 2009-189. The following requirements have been satisfied:

- The proposed development conforms to the NOESP and complies with the site specific Zoning By-law regulations applicable to the subject lands;
- A full circulation has been undertaken and there are no outstanding financial or planning issues to be resolved;
- Opportunities for public participation were provided as part of the Notice of Complete Application through a mailing to all properties within 120 m of the subject property. No comments have been received from the public in response to the notice.

CONSIDERATIONS:

(A) PUBLIC

Notice of complete application was provided through a mailing to all properties within 120 m of the subject property. No comments have been received from the public in response to the notice.

(B) FINANCIAL

None arising from this report.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

None of the circulated departments/agencies raised any issues with respect to the proposal.

(D) CORPORATE AND/OR DEPARTMENT STRATEGIC GOALS

This report addresses the corporate strategic goal to:

- be the most livable town in Canada

(E) COMMUNITY SUSTAINABILITY

The extension of the temporary use generally complies with the sustainability objectives of the North Oakville East Secondary Plan.

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