



OAKVILLE

REPORT

PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: NOVEMBER 01, 2016

FROM: Planning Services Department

16-594

DATE: October 20, 2016

SUBJECT: **By-law 2016-115 - Extension of Interim Control By-law 2016-024
(Glen Abbey Golf Course)**

LOCATION: Town Wide

WARD:

Page 1

RECOMMENDATION:

1. That Report PD-16-594 from the Planning Services department entitled *By-law 2016-115 - Extension of Interim Control By-law 2016-024 (Glen Abbey Golf Course)*, dated October 20, 2016, be received; and
2. That By-law 2016-115, a by-law to amend By-law 2016-024 (Glen Abbey Golf Course), be passed.

KEY FACTS:

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

- The Council for the Town of Oakville passed Interim Control By-law 2016-024 on February 1, 2016 (copy of the By-law, together with Staff Report PD-16-527 as it relates to the Interim Control By-law, is attached as Appendix A).
- The by-law as passed provided for the completion of three studies as they affect the Glen Abbey lands.
- The *Planning Act* allows for Interim Control By-laws to be amended to extend the period of time during which it will be in effect, provided the total period of time does not exceed two years from the date of the passing of the Interim Control By-law.
- The three studies that have been undertaken have not been completed, including any implementation that may be necessary arising from the studies, such as any Official Plan Amendments or Zoning By-law Amendments.
- An additional year will be required to complete the studies including associated implementation.

BACKGROUND:

At its meeting of February 1, 2016, Oakville Town Council passed Interim Control By-law 2016-024. The by-law site specifically applied to the Glen Abbey property. In November of 2015, representatives of Glen Abbey and Town staff held a pre-consultation meeting regarding a proposed redevelopment of the golf course. During that meeting it was learned that the proposal would see the elimination of the golf course in favor of developing approximately 3,200 residential units, and approximately 80,000 sq. ft. of office and 80,000 sq. ft. of retail space. The scale of the proposal caused staff to assess it as potentially proposing the development of a new unplanned growth area in the town. As such, the proposal has the potential to impact the planned function of the Town of Oakville.

Status of Studies

The Town had commenced its five year review of the Livable Oakville Plan prior to the pre-consultation meeting. With this in mind, staff recommended that an urban structure review should be undertaken as part of the Livable Oakville review. This study would consider, among other matters, the following:

- Population projections;
- Locational assessment of existing and potential growth areas;
- Criteria for evaluation of new growth areas;
- Relationship between growth areas and the delivery of municipal infrastructure;
- Urban structure for the town to accommodate growth until 2041
- Conformity with Provincial/Regional plans and PPS 2014 and,
- Preservation of stable residential areas.

Work on the Urban Structure study commenced in the spring of 2016. The work program (Appendix B) contemplates a four phase study. At the time of writing this report the study is in Phase 3 - Option Development and review. It is anticipated that the study will be completed in draft in mid-2017 subject to any implementation, following co-ordination and input from the other two studies. The completion of the study however does not include the time to consider and implement any Official Plan Amendments and / or Zoning By-law Amendments that may be recommended as a result.

In addition to the Urban Structure review, the Town's Land Use and Economic Impact Study has also been commenced. PwC was retained in June of 2016 and a draft report is expected to be completed in the first quarter of 2017,

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following co-ordination and input from the other two studies. The terms of agreement are attached as Appendix C.

The last study that must be completed is the Cultural Heritage Landscape assessment. Work on Phase 2 of this study has only recently been initiated by the new Phase 2 Study team now headed by Marcus Letourneau, owing to a potential conflict of interest issue that arose with the prior consulting team. The work plan for the study (Appendix D), identifies a minimum of 20 weeks for the study to be complete. Based on this timetable it is estimated that at minimum the study will not be completed before March of 2017. It should be noted that the time estimate does not include the additional time it will take to implement any study results that may be identified or recommended as a result of the study.

COMMENT/OPTIONS:

An Interim Control By-law provides a municipality the time it takes to complete certain studies that have been directed by council in respect of land use planning policies in the municipality, including any implementation.

An Interim Control By-law may only be applied initially for one year with the potential for amendment to extend the period of time the By-law may be in effect, as long as that total period of time does not exceed two years.

In the case of the Glen Abbey property, the Interim Control By-law was passed to allow for the identified studies to be completed, as a result of a redevelopment proposal that was being contemplated for the site. The Planning Act's authority to do this is meant to provide time for the completion of the necessary studies, including any implementation. In this case the necessary studies and any associated implementation will not be completed by the end of January 2017. With this in mind, it is recommended that the Interim Control By-law be extended for one additional year in order to allow the studies currently underway to be completed, considered by Town Council, and implemented as necessary.

The original Interim Control By-Law has been subject to appeal by Glen Abbey (ClubLink) with a hearing date of January 30, 2017. It is assumed that any amending by-law extending the time period will also be subject to an appeal. An early passage of the amending by-law extending the time period will enable any appeal of it to be combined with the current hearing, so as to avoid any delay thereof, such as might arise if the Interim Control By-law amending by-law were only passed at a January 2017 Council meeting on the eve of the Ontario Municipal Board hearing.

In the event that the completion of the studies and any associated changes to the Official Plan and / or Zoning By-law or other implementation tools are in place prior to the expiry of the two year period, the Interim Control by-law can then be repealed.

CONSIDERATIONS:**(A) PUBLIC**

The normal circulation of Council reports, and a letter to the landowners, is the only notice that has been provided. Notice of passing of the Interim Control By-law shall be provided pursuant to the provisions of the *Planning Act*.

(B) FINANCIAL

The studies have already been budgeted for and there will be no impact on the budget.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

There are numerous town departments engaged in the five-year Official Plan Review in order to provide for stronger integration between key master plans and the Official Plan.

(D) CORPORATE AND/OR DEPARTMENT STRATEGIC GOALS

This report addresses the corporate strategic goal to:

- continuously improve our programs and services
- be the most livable town in Canada

(E) COMMUNITY SUSTAINABILITY

The proposed development will be reviewed to ensure compliance with the Town's sustainability objectives of the Livable Oakville Plan.

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APPENDICES:

Appendix A – Interim Control By-Law 2016-024 and Staff Report dated
January 28, 2016

Appendix B – Urban Structure Review Work Program

Appendix C – Terms of Agreement - Land Use Economic and Impact
Analysis Study

Appendix D - Cultural Heritage Landscape Assessment Work Plan

Recommended by:

Mark H. Simeoni, MCIP, RPP

Director, Planning Services