



OAKVILLE

REPORT

SPECIAL PLANNING AND DEVELOPMENT COUNCIL MEETING

MEETING DATE: SEPTEMBER 26, 2017

FROM: Planning Services Department

DATE: September 12, 2017

SUBJECT: Public Meeting and Recommendation Report - ClubLink Corporation ULC and ClubLink Holdings Limited, Proposed Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision, File No's OPA 1519.09, Z.1519.09 and 24T-17003/1519 - 1333 Dorval Drive

LOCATION: 1333 Dorval Drive¹

WARD: 4

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RECOMMENDATION:

1. That the official plan amendment, zoning by-law amendment and draft plan of subdivision applications by ClubLink Corporation ULC and ClubLink Holdings Limited, for 1333 Dorval Drive (File No's OPA 1519.09, Z.1519.09 and 24T-17003/1519), be refused; and
2. That notice of Council's decision reflects that the comments from the public have been appropriately addressed.

KEY FACTS:

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

- The subject lands are currently occupied by Glen Abbey Golf Course and the RayDor Estate office building.
- The RayDor Estate building was designated in 1993 under Part IV of the *Ontario Heritage Act* (By-law 1993-112) and does not form part of the subject application.

¹ "1333 Dorval Drive" is a convenience address for the entire approximately 229 acre Glen Abbey property. The applicant has taken the same approach in its applications. The property is shown on Figure 3.

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- A pre-consultation meeting was held with the applicant in November 2015 with respect to a proposal to redevelop the subject lands.
- On November 10, 2016 ClubLink Corporation ULC and ClubLink Holdings Limited (hereinafter 'ClubLink') submitted materials in support of applications for an official plan amendment, zoning by-law amendment and draft plan of subdivision to redevelop the property at 1333 Dorval Drive.
- The applications propose a total of 3,222 units, 5,429 m² of office commercial, 5,841 m² of retail commercial space, 546 m² community amenity uses, parks and open space and natural heritage system.
- The applications were determined to be incomplete by the town.
- In response to a motion brought by ClubLink, the Ontario Municipal Board (hereinafter 'OMB') issued a decision on June 7, 2017, determining that the subject applications were complete as of the date of that decision.
- A public information meeting was held on July 19, 2017 at Town Hall, which was attended by a total of 181 people.

Interim Control By-law

- Council passed an Interim Control By-law (hereinafter 'ICB') to restrict the use of the Glen Abbey Golf Course to its existing uses for a period of one year on February 1, 2016. The ICB was subsequently extended for an additional one year on November 1, 2016.
- The applicant subsequently appealed the ICB to the OMB, and on May 10, 2017 the OMB issued its decision upholding the ICB.
- The purpose of the ICB was to allow the town time to undertake a town-wide urban structure review, a land use economic and impact analysis study of the Glen Abbey Property, and a cultural heritage landscape assessment respecting the Glen Abbey Property, prior to making a decision on the ClubLink development applications.

Planning Services Review

- The studies prepared by cultural heritage experts retained by the town through the Cultural Heritage Landscape Strategy conclude that the Glen Abbey Property contains a designed cultural heritage landscape that meets the criteria for cultural heritage value or interest as set out in Ontario Regulation 9/06, under the *Ontario Heritage Act* and is a significant cultural heritage landscape as defined in the PPS (2014).
- Consistent with Section 5.1.2 of the Livable Oakville Plan, a notice of intention to designate the Glen Abbey Property under Part IV of the *Ontario Heritage Act* was approved by Council on August 21, 2017 (Appendix A).
- The peer review undertaken for the town of the Cultural Heritage Landscape Assessment & Heritage Impact Assessment submitted by the applicant found

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that the Assessment provides a flawed evaluation of the cultural heritage landscape, and that, because of this, the impact assessment of the proposed development is not accurate or relevant.

- The 'Six Big Ideas' contained within the Cultural Heritage Landscape Assessment & Heritage Impact Assessment submitted by the applicant are not appropriate conservation strategies for the conservation of the Glen Abbey Property.
- Based on the work undertaken by the town for the property through the Cultural Heritage Landscape Strategy, and the advice from the town's peer review consultant, staff are of the opinion that any proposal resulting in removal of the golf course would not conserve the cultural heritage value and the heritage attributes of the cultural heritage landscape.
- In not conserving a significant cultural heritage landscape, the proposed application are not consistent with Sections 1.7.1 (d) and 2.6.1 of the PPS (2014), and do not conform to Section 4.2.7(1) of the Growth Plan (2017), Section 167(5) of the Halton Official Plan and the cultural heritage objectives and policies of the Livable Oakville Plan including Section 5.3.3 and 5.3.12.
- The applications fail to adequately consider the impact of the development on the town's urban structure. This is an important consideration as this application, if approved, would compromise fulfilment of key Provincial policy directives.
- The geographic area, proposed population, density, built form and building heights of the proposed development is commensurate with a growth area, in the Oakville context.
- No existing or planned higher-order transit, frequent transit, public service facilities or node are located in proximity to the subject lands that would support consideration of these lands as a new growth area.
- The Growth Plan (2017) requires Halton Region to undertake integrated planning with the town through a Regional municipal comprehensive review to establish, amongst other things, new strategic growth areas (nodes or corridors).
- The Glen Abbey Golf Course is not an appropriate location for a new node or corridor, and does not uphold the town's urban structure.
- The proposed removal of the Glen Abbey Golf Course would not preserve, enhance and protect the distinct character, cultural heritage, living environment, and sense of community of neighbourhoods which is a guiding principle of the Livable Oakville Plan.²
- In addition, the internal, external agencies and technical peer review found deficiencies with various reports and studies that accompanied the

² Section 2.2.1 a), Livable Oakville Plan

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applications that did not fully demonstrate conformity with Provincial, Regional and/or local policies or practice.

- Staff recommends refusal of the official plan amendment, zoning by-law amendment, and plan of subdivision applications based on the review and analysis provided herein.

BACKGROUND:

The purpose of this report is to introduce the planning applications as part of the statutory public meeting and to provide a comprehensive staff evaluation and a recommendation on the proposed official plan amendment, zoning by-law amendment and plan of subdivision applications submitted by ClubLink.

A public information meeting was held on July 19, 2017 where a total of 181 people attended. Public comments received as part of this meeting and up to the date of this report are appended hereto as Appendix B.

A pre-consultation meeting was held on November 18, 2015 regarding a proposed redevelopment of the Glen Abbey Golf Course with approximately 3,200 residential units, and approximately 7,432 m² (80,000 ft²) of office and 7,432 m² (80,000 ft²) of retail space in buildings ranging in height from two to twelve storeys. The scale of the proposal caused staff to assess it as potentially proposing the development of a new unplanned growth area in the town.

At its meeting of February 1, 2016, Council passed Interim Control By-law No. 2016-024 (hereafter 'ICB'), which was initially to take effect for one year, but on November 1, 2016 was extended by Council for one additional year. The ICB restricts the Glen Abbey Golf Course to existing uses only pending completion of the following studies:

- i. a town-wide Urban Structure Review;
- ii. a Land Use Economic and Impact Analysis study of the Glen Abbey Golf Course; and,
- iii. the Cultural Heritage Landscape assessment of the Glen Abbey Golf Course.

The applicant appealed the town's ICB to the OMB. On May 10, 2017 the OMB issued its decision dismissing ClubLink's appeal. The OMB's decision held that the magnitude of the proposal along with the potential for impact warrant consideration of the planned function and overall town-scaled urban structure, as well as local character and compatibility:

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No matter how it measures up to other approved growth areas in the Town, the proposal will be very significant to the future structure of the Town and will have implications that warrant study and carefully planned change. (para. 33)

In its conclusion, the OMB found that the interim control by-law is appropriate and necessary:

It is justified and based on a legitimate planning rationale. It has been enacted in good faith, does not unfairly target the subject proposal in comparison with others and there is no evidence that it has been enacted for purpose of delay or to frustrate the proper assessment of the merits of a development application. It is in conformity with the Region of Halton Official Plan and the Provincial Growth Plan, and is consistent with the PPS. (para. 93)

On November 10, 2016, before the studies required by the ICB were complete, ClubLink submitted materials in support of an official plan amendment application, zoning by-law amendment application and draft plan of subdivision which proposed redevelopment of the Glen Abbey Golf Course inclusive of a total of 3,222 units, 5,429 m² of office commercial, 5,841 m² of retail commercial space, 546 m² community amenity uses, parks and open space and natural heritage system.

In accordance with the *Planning Act*, the Town advised ClubLink that the foregoing applications were incomplete. In staff's view, the applications were deficient in that they failed to:

- i. assess the impact of the proposed redevelopment on the urban structure of the town, and in particular in respect of the town's Growth Areas;
- ii. provide an analysis of the economic impact of the loss of the Glen Abbey Golf Course on the town; and,
- iii. submit a draft official plan amendment containing an area-specific plan or policies for the proposed redevelopment of the Glen Abbey Golf Course lands, as required by section 77 (5) of the Region's Official Plan, and a land use planning analysis addressing the criteria set out in that policy;

In response to a motion brought by ClubLink the OMB issued a decision on June 7, 2017 that determined that the subject applications were complete as of the date of that decision.

Pursuant to the *Planning Act*, the town has 120 days from the OMB's decision to consider and decide on the merits of the application for rezoning (October 5, 2017), and 180 days from the OMB's decision to consider and decide on the merits of the application for official plan amendment and plan of subdivision (December 4, 2017), after which time ClubLink can appeal the applications to the OMB.

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Proposal

The applicant seeks approval to redevelop the Glen Abbey Golf Course inclusive of residential, commercial, parks and open space, and natural heritage uses.

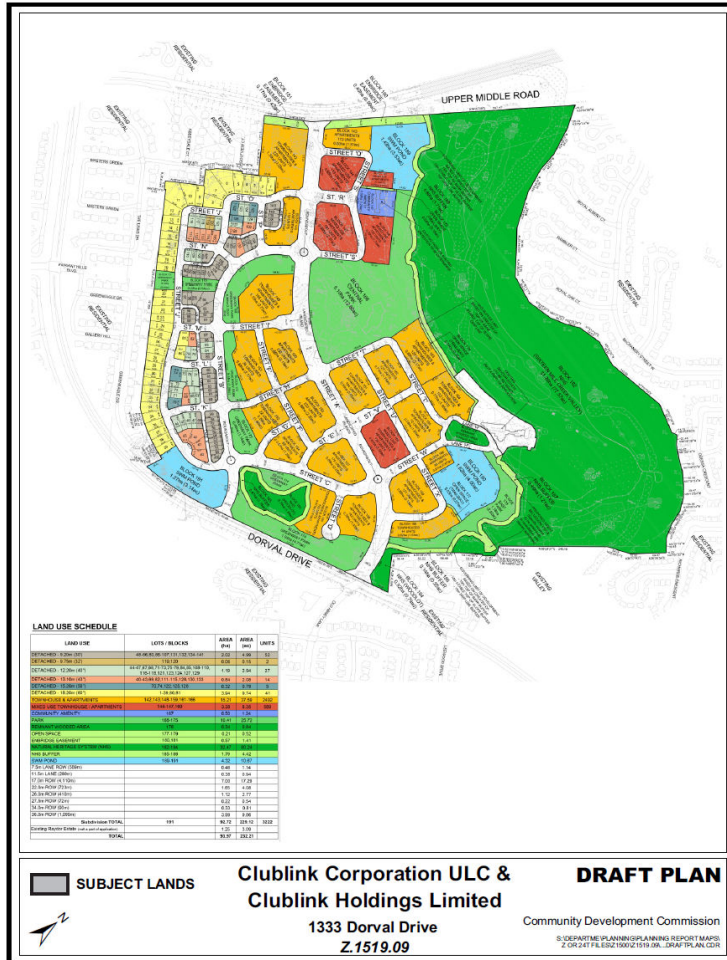


Figure 1: Proposed Draft Plan

A total of 3,222 residential units are proposed in the form of a range of housing types inclusive of detached dwellings, townhouse, stacked townhouse and back-to-back townhouse dwellings, residential apartment buildings, and mixed-use mid-rise retail, office and apartment buildings ranging in height between two to twelve storeys. The density of the development is proposed to be focused along 'Street A', with a gradation to lower building heights toward the existing stable residential neighbourhood to the west. The following chart provides an overview of the allocation of uses and sizes.

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Draft Plan Feature	Number of Units	Net Density (UPSH)	Area (Ha)
Low Density Residential			
Detached – 9.2 m (30')	52	25.7	2.02
Detached – 9.75 m (32')	2	33.3	0.06
Detached – 12.2 m (40')	27	22.7	1.19
Detached – 13.1 m (43')	14	16.7	0.84
Detached – 15.2 m (50')	5	15.6	0.32
Detached – 18.2 m (60')	41	10.4	3.94
Subtotal	141	16.8	8.37
High Density Residential			
Townhouse & Apartment	2492	163.8	15.21
Mixed Use			
Townhouse & Apartment	589	174.3	3.38
Community Amenity			
Ext. Paddock Building	-	-	0.5
Parks & Open Space			
Park	-	-	10.41
Open Space	-	-	0.21
Enbridge Easement	-	-	0.57
Natural Heritage			
Woodlot	-	-	0.34
Natural Heritage System	-	-	32.47
Buffer	-	-	1.79
Infrastructure			
SWM Pond	-	-	4.32
Roads	-	-	15.15
TOTAL	3222	119.5	92.72

Table 1: Draft Plan Statistics

In addition to the residential uses, 5,429 m² (58,438 ft²) of office commercial and 5,841 m² (62,871 ft²) of retail commercial uses are proposed in mixed-use residential and commercial buildings. An additional 546 m² (5,877 ft²) of community amenity uses including a village market within the existing stable buildings, 10.41 hectares (25.72 acres) of parks, 0.78 hectares (1.66 acres) of open space, 32.47 hectares (80.24 acres) of natural heritage system, 0.34 hectares (0.84 acres) of remnant wooded area, 1.79 hectares (4.42 acres) of buffer blocks, and 4.32 hectares (10.67 acres) of stormwater management ponds are proposed. A copy of

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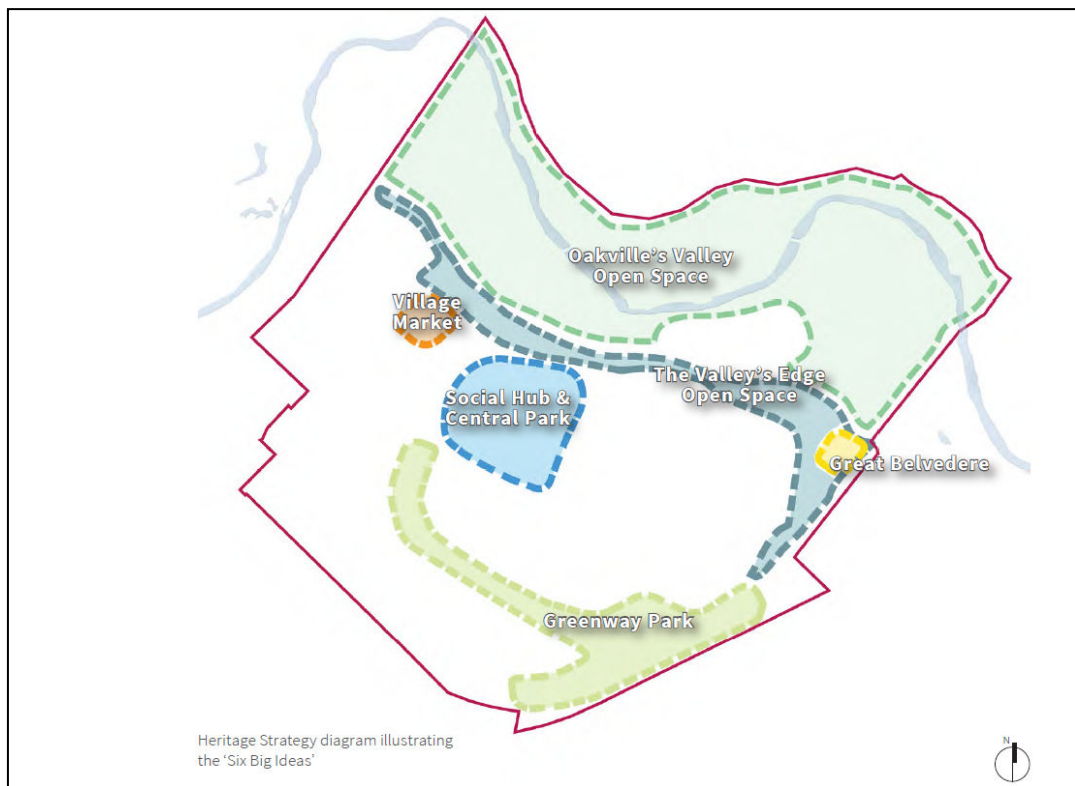
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the applicant's draft official plan amendment and zoning by-law amendment are attached as Appendices I and J, respectively.

As part of the development applications, the natural heritage system, inclusive of the full Sixteen Mile Creek Valley lands would be dedicated to the Town. The RayDor Estate, which is shown on the plan of subdivision for contextual purposes, would be retained by ClubLink and its use as an office complex maintained.

As part of the development applications, ClubLink proposed "Six Big Ideas for an Evolving Landscape." These Ideas include a greenway park, a valley's edge open space, a Great Belvedere, the village market, the central park and social hub, and valley open space, as shown in Figure 2.

In its Heritage Impact Assessment, Clublink's consultant, ERA, advises that these Six Big Ideas are intended to conserve the cultural heritage landscape in the valley and on the valley's edge and to enhance the master plan by rooting the design of its parks and open spaces in the layered history of the site.³



³ Page 170, Cultural Heritage Landscape Assessment & Heritage Impact Assessment

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Figure 2: Applicant's "Six Big Ideas for an Evolving Landscape"

Location

The property is generally located at the south-east quadrant of Upper Middle Road and Dorval Drive. The property is municipally known as 1333 Dorval Drive.⁴

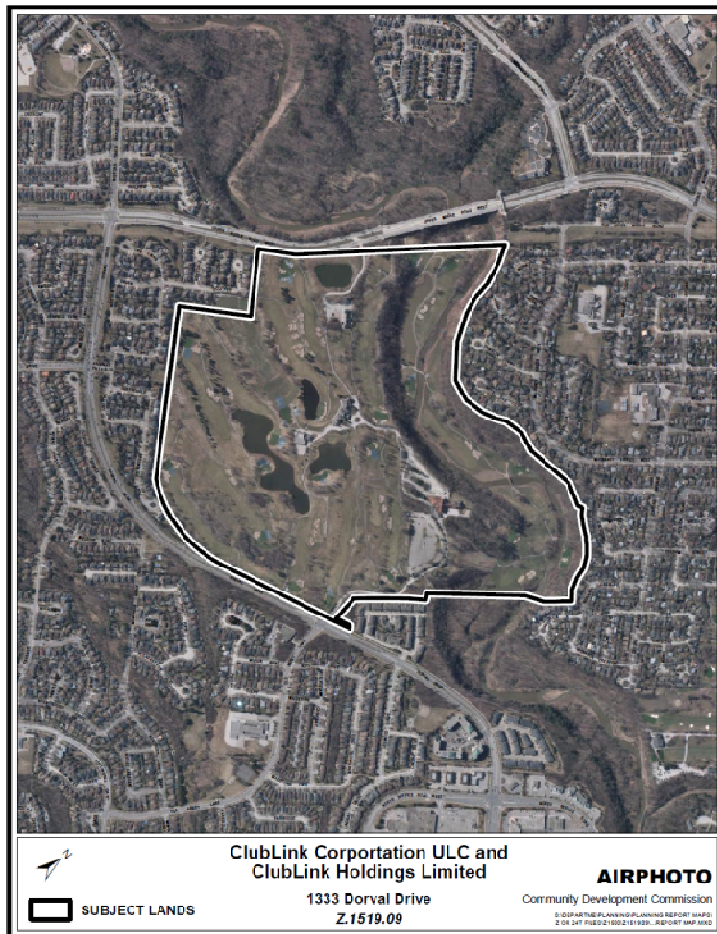


Figure 3: Air Photo

Site Description & Surrounding Land Uses

The subject lands are approximately 92.72 hectares (229 acres) in size and have a lot frontage of approximately 598 m (1,818 ft) on Dorval Drive and 704 m (2,309 ft)

⁴ "1333 Dorval Drive" is a convenience address for the entire approximately 229 acre Glen Abbey property. The applicant has taken the same approach in its applications. The property is shown on Figure 3.

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on Upper Middle Road West. They are currently occupied by Glen Abbey Golf Course and the RayDor Estate office building. The RayDor Estate building was designated in 1993 under Part IV of the *Ontario Heritage Act* (By-law 1993-112) and does not form part of the subject application.

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

POLICY & REGULATORY FRAMEWORK:

The applications are subject to the following policy framework including: the Provincial Policy Statement (2014), the Growth Plan for the Greater Golden Horseshoe (2017), *Ontario Heritage Act*, Halton Region Official Plan, and the Livable Oakville Plan.

Provincial Policy Statement

The Provincial Policy Statement (2014) (hereinafter 'PPS') is intended to promote a policy led system, which recognises 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.

On February 24, 2014, the Ministry of Municipal Affairs and Housing issued a new PPS under Section 3 of the *Planning Act*. The new PPS replaces the 2005 statement and is effective April 30, 2014.

All planning decisions must be consistent with the PPS.

Growth Plan for the Greater Golden Horseshoe (2017)

On May 18, 2017 the Growth Plan for the Greater Golden Horseshoe, 2017 (hereinafter 'Growth Plan') was released and it came into effect on July 1, 2017, replacing the Growth Plan for the Greater Golden Horseshoe, 2006. 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

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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 Growth Plan (2017).

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. On August 21, 2017, Council approved a Notice of Intention to Designate under Section 29, Part IV of the *Ontario Heritage Act* for the Glen Abbey property that includes a statement of cultural heritage value and a description of heritage attributes (Appendix A). One effect of this notice is that Section 33 of the OHA is deemed to apply to the Glen Abbey Property. Section 33 prohibits any alteration of the property that is likely to affect the heritage attributes of the property unless the owner has applied to the Council and has received Council's consent in writing to the alteration.

Region of Halton Official Plan

The OMB has issued a series of decisions regarding the partial approval of ROPA 38 to the Halton Region's Official Plan (hereinafter 'Halton Plan'). The policies of ROPA 38 to Halton's Official Plan are in force with the exception of site-specific and policy-specific matters unrelated to this application.

The lands are designated "Urban Area" and "Natural Heritage System" according to the Region's Official Plan. The Urban Area is "planned to accommodate the distribution of population and employment for the Region and the four Local Municipalities". One of the objectives of the Urban Area (Policy 72(1)) is to "accommodate growth in accordance with the Region's desire to improve and maintain regional unity, retain local community identity, create healthy communities, promote economic prosperity, maintain a high quality, sustainable natural environment, and preserve certain landscapes permanently". The range of permitted uses and the creation of new lots in the Urban Area will be in accordance with Local Official Plans and Zoning By-laws. All development, however, shall be subject to the policies of the Regional Plan. Regional comments regarding policy context are appended as Appendix C.

Livable Oakville

The Livable Oakville Plan was approved by the Ontario Municipal Board on May 10th, 2011. A conformity exercise is currently underway which will consider, amongst other things the PPS (2014) and Growth Plan (2017).

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The Glen Abbey Golf Course is recognized as a 'Residential Area' on Schedule A1 – Urban Structure of the Livable Oakville Plan. Schedule H (West Land Use) of the Livable Oakville Plan designates the subject lands as Private Open Space and Natural Area with a site-specific exception (extract of Schedule H (West Land Use) attached as Appendix D)

Uses permitted within 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.

In addition, a site-specific exception permits the following on the portion of the subject lands designated Private Open Space:

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.*

On the portion of the Glen Abbey Golf Course property designated Natural Area, Section 27.3.5 of the Livable Oakville Plan 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.*

The Private Open Space and Natural Area designations do not permit the proposed development. In order to permit the proposed development, the proponent has applied for an amendment to the Livable Oakville Plan to permit a mixed use development consisting of 141 detached dwellings, 299 townhouse, street

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townhouse, stacked and back-to-back townhouse dwellings, 2,782 apartment dwellings, 5,429 m² (58,438 ft²) of office commercial and 5,841 m² (62,871 ft²) of retail commercial uses in a mixed-use residential and commercial format, 546 m² (5,877 ft²) of neighbourhood amenity uses, and park and open space uses. The official plan amendment proposes to amend Schedule H – West Land Use by changing the Private Open Space designation primarily to low, medium and high residential land use designation, mixed use designation 'Main Street 2', and commercial designation 'Community Commercial'. In addition, an open space designation is proposed in addition to adjustments to the Natural Area designation. The proposed amendment would also replace most of the existing site-specific exceptions with new exceptions.

Zoning By-law 2014-014

The subject lands are zoned as Private Open Space and Natural Area, with special provision 114 applying to part of the Private Open Space Zone (O2 Zone). The O2 zone permits community, open space and service commercial uses including a golf course and accessory uses including a restaurant, retail store, and business office. A complete list of the permitted uses in the O2 zone is attached as Appendix E. Special Provision 114 permits the following additional uses:

- a) *Hotel*
- b) *Manufacturing, accessory*
- c) *Public hall, and Footnote 1 of Table 12.2, relating to the limitation to accessory use only, shall not apply*
- d) *Residential accommodation for caretakers and maintenance staff*

The hotel and conference facilities have not been built. At its meeting of February 1, 2016, Town Council passed an ICB, which was initially to take effect for one year, but on November 1, 2016 was extended by Council for one additional year.

The proponent has applied for a Zoning By-law Amendment to rezone the lands to site-specific RL3, RL5, RL8, RL9, RL9, RM1, RH, RH, MU3 and C2 zones and O1, N and SMF zones.

PLANNING ANALYSIS:

Physical Context

The subject lands are part of the neighbourhood known as 'Glen Abbey neighbourhood' which is generally bound by Sixteen Mile Creek to the west, Upper Middle Road West to the north, Fourteen Mile Creek to the east and the employment / commercial area along the QEW to the south. The Glen Abbey

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neighbourhood is comprised of a mix of housing from single-detached to apartments, although the majority of residential development is low-density in form.

The built form generally consists of the original housing stock of single-detached dwellings, with the exception of some redevelopment and infill development which have been developed over time. The housing stock is generally framed by a network of suburban streets with maturing trees and expansive network of natural area and public, and private open space.

Planning Services Review

The Growth Plan (2017) and PPS (2014) each provide that they are to be read in their entirety and the relevant policies are to be applied to each situation. They are more than a set of individual policies. When more than one policy is relevant, a decision-maker should consider all of the relevant policies to understand how they work together.

Planning staff circulated the development applications to internal departments and external agencies, and the town retained a multidisciplinary team of experts to undertake a peer review of certain submitted material and reports. The Growth Plan (2017), PPS (2014), Halton Plan, Livable Oakville Plan and other relevant policies and supporting guidelines were reviewed in their entirety, with relevant policies applied.

Accommodating growth within the built boundary is a necessity, however, the way in which this growth is accommodated requires careful consideration and balance of a number of relevant components, applied on a Regional and town-wide basis. Ontario's policy-led land use planning and decision making system provides policy directives through legislation,⁵ policy statements and plans that provide for a wide range of matters that must be considered in making planning decisions.

This requirement for balance is evident in both the PPS (2014) and Growth Plan (2017). For example, Section 1.1.3.3 of the PPS provides:

Planning authorities shall identify appropriate locations and promote opportunities for intensification and redevelopment where this can be accommodated taking into account existing building stock or areas, including brownfield sites, and the availability of suitable existing or planned infrastructure and public service facilities required to accommodate projected needs.

⁵ Section 2 of the *Planning Act* sets out a list of Provincial Interests that must all be considered in making any planning decision.

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Intensification and redevelopment shall be directed in accordance with the policies of Section 2: Wise Use and Management of Resources⁶ and Section 3: Protecting Public Health and Safety.

There is strong directive in Provincial policy for the Province, Region and town to plan for, establish and invest in an urban structure of nodes and corridors to provide a framework to assist in achieving these interests. This growth management structure is carefully planned for by the Region and the town using a coordinated, integrated and comprehensive approach through a municipal comprehensive review.

When a development application is submitted that is inconsistent with the town's established urban structure, it warrants a comprehensive evaluation to ensure that the policy framework reflected in the town's urban structure is maintained.

Staff have considered, amongst other matters, a full range of factors through a detailed review when forming the independent professional planning opinion provided herein. However, through staff's analysis of the applications, in relation to the applicable policy context, relevant town studies and peer review, two fundamental considerations emerged which informed the opinion to recommend refusal of the development applications. These relate to the conservation of significant cultural heritage resources and where and how to grow. Accordingly, the analysis in this report focuses on two broad areas: (i) protecting what is valuable (cultural heritage resources), and (ii) where and how to grow (urban structure).

Protecting What is Valuable - Cultural Heritage Resources

Policy Framework

As noted above, the Growth Plan (2017) and the PPS (2014) contain policy directions regarding the need to accommodate intensification and redevelopment. However, intensification and redevelopment must be directed in accordance with the requirement to, amongst other matters, protect valuable resources, including conservation of significant cultural heritage landscapes.

The Growth Plan (2017) recognizes that cultural Heritage Resources contribute to a sense of identity and, support a vibrant tourism industry. These valuable assets must be wisely protected and managed as part of planning for future growth. Accommodating growth can put pressure on these resources, however,

⁶ Section 2: Wise Use and Management of Resources includes conservation of significant cultural heritage landscapes.

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conservation of Cultural Heritage Resources forms an integral part of the Ontario policy-led land use planning and decision making system.

The Province, through the new Growth Plan (2017), has made a concerted effort to strengthen policy directives to conserve Significant Cultural Heritage Landscapes. The 2006 version of the Growth Plan, as amended, required “cultural heritage conservation [not defined], including conservation of cultural heritage resources [not defined], where feasible, as the *built-up areas* are intensified.”⁷ In contrast, the 2017 Growth Plan requires that “*cultural heritage resources* [defined to include cultural heritage landscapes] be *conserved* [defined as noted below] in order to foster a sense of place and benefit communities, particularly in *strategic growth areas*.”⁸ The last phrase highlights the important role of Cultural Heritage Landscapes in areas where rapid change could impact this sense of a community’s history and current identity. Further, the 2017 Growth Plan now includes the following statements with respect to Cultural Heritage Resources (with emphasis added):

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.⁹

Our cultural heritage resources and open spaces in our cities, towns, and countryside will provide people with a sense of place.¹⁰

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

⁷ 4.2.4 (e), Growth Plan for the Greater Golden Horseshoe, 2006

⁸ 4.2.7(1), Growth Plan (2017)

⁹ 1.1, Growth Plan (2017)

¹⁰ 1.2, Growth Plan (2017)

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and filtration, cleaner air and habitats, and support pollinators, carbon storage, adaptation and resilience to climate change¹¹.

These valuable assets must be wisely protected and managed as part of planning for future growth...¹²

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.¹³

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...¹⁴

In addition to the foregoing, Section 1.7.1 (d) of the PPS (2014) provides 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.

Section 2.6.1 of the PPS (2014) requires conservation of significant built heritage resources and cultural heritage landscapes.¹⁵

Significant built heritage resources and significant cultural heritage landscapes shall be conserved. (emphasis added)

The Halton Region Official Plan provides a framework to help define cultural heritage resources (including cultural heritage landscapes). It also encourages local municipalities to identify these resources, and, where they are identified, to ensure potential impacts to those resources are adequately studied and if necessary, subjected to mitigation activities in accordance with Provincial requirements. Section 167(5) states:

¹¹ 4.1 Growth Plan (2017)

¹² 4.1 Growth Plan (2017)

¹³ 4.1 Growth Plan (2017)

¹⁴ 4.1 Growth Plan (2017)

¹⁵ The 2005 PPS also included for conservation of significant cultural heritage landscapes.

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Encourage the Local Municipalities to prepare, as part of any Area-Specific Plan or relevant Official Plan amendment, an inventory of heritage resources and provide guidelines for preservation, assessment and mitigate activities.

Section 5 of the Livable Oakville Plan provides local cultural heritage objectives and strong policy directives which similarly, and amongst other matters, require identification, evaluation and conservation of cultural heritage landscapes in accordance with the town's Cultural Heritage Landscape Strategy (policy 5.3.12).

The Town's Cultural Heritage Landscape Strategy

The Cultural Heritage Landscapes Strategy was endorsed by Council in January 2014 and set the foundation for the primary identification of candidate cultural heritage landscapes and future inventory and evaluation of the same. The Glen Abbey Golf Course property was identified as one of 63 properties across the town in the inventory prepared in 2015 during phase one of the implementation of the Cultural Heritage Landscape Strategy. In February 2016, as part of the completion of the phase one inventory, Council identified the Glen Abbey Golf Course property as a 'high priority' for evaluation as a cultural heritage landscape.

The phase two evaluation 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 property, 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... (emphasis added)*

Phase two provided the evidentiary basis to identify the Glen Abbey Golf Course property as meeting provincial *Ontario Heritage Act* criteria for heritage value, and thus also meeting PPS (2014) criteria for heritage significance. The PPS (2014) 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.** (emphasis added)*

Following the phase two evaluation of the property, Council formally recognized the Glen Abbey Golf Course as a significant cultural heritage landscape on May 15, 2017. Council also directed that the property immediately proceed to phase three, which is the implementation of protection measures.

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Phase three included additional research and evaluation by independent experts. This work included an independent expert report on Cultural Heritage Landscape Values that applied the *Ontario Heritage Act* framework and criteria for identifying properties having cultural heritage value. The report concluded that the property, including the designed cultural heritage landscape known as the Glen Abbey Golf Course, has heritage value and significance. The report also provided 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 was conducted 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. This expert's report also found that 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.

Both the PPS (2014) and Growth Plan (2017) define 'cultural heritage landscape' as:

*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.** (emphasis added)*

As identified by the expert retained by the town to peer review the Heritage Assessment submitted by ClubLink, it is clear that the interrelationships between the Glen Abbey Golf Course property component parts such as land uses, land forms, water features, built features and circulation patterns were central considerations in Jack Nicklaus' design and remain fundamental to its understanding today. These interrelationships encompass the entirety of the site.

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Based on the evidence of heritage value and attributes, reflected in the reports on phases two and three of the Cultural Heritage Landscape Strategy, and in accordance with Sections 5.1.2, 5.2.1(e) and 5.3.12 of the Livable Oakville Plan, Council initiated the designation process under Part IV s.29 of the *Ontario Heritage Act* (Appendix A). On August 21, 2017, Council approved a Notice of Intention to Designate under Section 29, Part IV of the OHA for the Glen Abbey Golf Course property. As required by the OHA, and in accordance with criteria for heritage value set out in OHA Regulation 9/06, this Notice included a statement of cultural heritage value and a description of heritage attributes (Appendix A).¹⁶

To implement Council's May 2017 direction regarding phase three of the town's Cultural Heritage Landscapes Strategy, staff are proposing amendments to the cultural heritage policies of the Livable Oakville Plan. The proposed amendments underscore the policy direction of the Livable Oakville Plan and the PPS (2014) regarding the conservation of cultural heritage landscapes through retaining the cultural heritage value or interest of a property. The proposed amendments also reinforce the need to complete a heritage evaluation that addresses the *OHA* requirements to state the cultural heritage value and describe the heritage attributes of a cultural heritage resource before any impact assessment is completed (policy 5.3.2). The proposed amendments also recognize cultural heritage landscapes as part of the town's urban structure; and, contemplate the potential for site-specific land use designations, policies and cultural heritage landscape conservation plans (policy 5.3.4).

As described in more detail below, town staff are recommending, through an amendment to the Livable Oakville implementing the Urban Structure Review, to identify significant cultural heritage landscapes as an element of the town's urban structure. In that regard, it is recommended that the Glen Abbey Golf Course property be identified on Schedule A1 – Urban Structure as containing a cultural heritage landscape.

Review of Applicant's Cultural Heritage Landscape Assessment & Heritage Impact Assessment

Staff have reviewed the Cultural Heritage Landscape Assessment & Heritage Impact Assessment: Proposed Redevelopment of the Glen Abbey Golf Club, Oakville prepared by ERA Architects Inc. dated November 9, 2016 (hereinafter the 'ERA Report') (Appendix F).

¹⁶ Section 33 of the Ontario Heritage Act prohibits any alteration of the property that is likely to impact the heritage attributes of the property unless the owner has applied to the Council and has received Council's consent in writing to the alteration. The effect of the Notice of Intention to Designate for the Glen Abbey property is that s. 33 is deemed to apply. The applications before Council do not include an application under s. 33 of the OHA.

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The ERA Report was completed prior to Council's identification and recognition of the property as a significant cultural heritage landscape on May 15, 2017. However, the property had already been included in the town's inventory of Cultural Heritage Landscapes as part of phase one of its Cultural Heritage Landscape Strategy. On February 16, 2016 Council also identified this property as a high priority for detailed assessment in phase two of the Cultural Heritage Landscape Strategy. Following that direction, staff proceeded to retain independent experts to carry out the detailed phase two research and evaluation.

Staff's initial review of the ERA Report revealed concerns with the evaluation of the cultural heritage landscape of the property, the statement of cultural heritage value or interest, the listing of heritage attributes and the resulting assessment of the impact of the development application. The review indicated that the ERA Report did not meet the requirements of the existing policy framework as outlined herein. Among other things, it failed to appropriately identify the cultural heritage landscape, which led to its failure to recommend protection measures that would conserve the cultural heritage landscape.

Given the foregoing, staff recommended that the town retain the services of a peer review expert to assist with the review of the ERA Report. The full peer review assessment and heritage staff comments are appended to this report as Appendix G. The reviews of both staff and the peer review expert share fundamental issues with the ERA Report:

- The ERA Report does not properly identify the nature of the cultural heritage landscape on the Glen Abbey Golf Course property. It identifies the landscape as an 'evolved' cultural heritage landscape. This conclusion is incorrect. The ERA Report has not demonstrated why the property is considered to be 'evolved' in the full context of the three types of internationally recognized cultural heritage landscapes. As summarized in the town's Cultural Heritage Landscapes Strategy, the three types are: evolved, designed and associative. The distinction between the types of cultural heritage landscapes is critical and town staff and the peer review expert share the opinion that the property is a 'designed' cultural heritage landscape, not 'evolved'.
- The flawed identification of the property as an 'evolved' landscape has led to a flawed evaluation of the cultural heritage landscape.
- Contrary to statements made in the ERA Report, town staff and the peer review expert accept that OHA Regulation 9/06 applies without qualification

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to the evaluation of cultural heritage value for designed cultural heritage landscapes.

- The proposed Statement of Significance and list of heritage attributes in the ERA Report do not reflect the property's value as a designed cultural heritage landscape.
- Given the conclusion that ERA's identification and evaluation of the cultural heritage landscape is flawed, ERA's assessment of the impact of the proposed development is not accurate or relevant because it is based on a misleading and incomplete assessment of the cultural heritage landscape itself.
- The 'Six Big Ideas' contained within the ERA Report are not appropriate strategies to ensure that the cultural heritage value or interest of the Glen Abbey Golf Course is conserved. While the ERA Report acknowledges that there is cultural heritage value in the golf course and that the property is a cultural heritage landscape, the 'Six Big Ideas' fail to retain the overall value of the property as a designed landscape; instead, these ideas attempt to fragment the cultural heritage value into individual components that do not conserve the interrelated and integrated design of the golf course or its relationships, meanings and associations.
- The residential, office, and retail components, although not discussed in the ERA Report except for the brief mention in the introduction, together form the most important big idea. None of these components are included in the 'Six Big Ideas'. These components occupy a majority of the site, they change the site from open green space to an emphasis on built form, and, most significantly in the context of the Heritage Impact Assessment, they remove the Glen Abbey Golf Course in its present form as a cultural heritage landscape of recognized significance.

Staff are also of the view that, contrary to the Livable Oakville Plan, the ERA Report has not appropriately identified or evaluated the Glen Abbey Golf Course property in accordance with the Town's Cultural Heritage Landscape Strategy (hereinafter 'the Strategy'). Though the ERA Report references the Strategy, it has done so in ways that ignore or take key points out of context. Examples include:

- Discussion of the 'type' of cultural heritage landscape. On pages 89 and 186-187, the ERA Report identifies the property as 'Continuing Evolved Landscape.' The report does not include the definition of the other types of cultural heritage landscapes. The ERA Report does not demonstrate how or

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why it determined that the property is an “evolved” landscape compared to the Strategy’s listed alternatives of being a “designed” or “associative” landscape.

- With respect to conservation priorities, the ERA Report fails to reference the Strategy’s priority to conserving cultural heritage landscapes in situ and complete. Instead, it assumes that the piecemeal protection of individual elements of the cultural heritage landscape is permitted without qualification. Although the Strategy does include reference to alternative approaches to conservation, assessment of the alternative approaches must address the priorities set out in the Strategy. The ERA Report does not address why the preferred approach is removal of the golf course cultural heritage landscape. The ERA Report also fails to acknowledge that a complete cultural heritage landscape may be conserved on the property.

Cultural Heritage Conservation Conclusions

As previously identified, the PPS (2014) requires ‘significant cultural heritage landscapes’ be ‘conserved’ (PPS, Part 2.6.1) and the Growth Plan requires that cultural heritage resources be conserved (Growth Plan, Part 4.2.7(1)). ‘Conserved’ is defined by the PPS (2014) and Growth Plan (2017) as:

*means the **identification, protection, management and use of... cultural heritage landscapes... 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. (emphasis added)*

It is necessary for the cultural heritage value or interest to be retained under the *Ontario Heritage Act* in order to conserve a significant cultural heritage landscape. With respect to the applicant’s ‘Big Six Ideas’ which were intended to conserve the landscape, the peer review expert found:

The ‘Big Six Ideas’ highlight the problems with erasing an intact cultural heritage landscape. Hidden in these assumptions is the first, and most critical intervention – removing most of the golf course so that Jack Nicklaus’s design survives only as a remnant. Once this has been accomplished, the golf course remnant can be combined with the remnants of all the earlier periods to create a landscape based on commemoration and interpretation. But it is that first, hidden, step that runs counter to the central intent of cultural heritage resource protection in Ontario’s regulatory environment.

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Based on the findings of the Cultural Heritage Landscape Strategy, inclusive of phases one to three undertaken on the Glen Abbey Golf Course property and the staff and peer review expert analysis of the development application outlined herein, the proposed development fails to retain the cultural heritage value or interest of the significant cultural heritage landscape. Effectively, the proposed development would remove a significant cultural heritage landscape and replace it with a high density mixed use development.

Moreover, based on the work undertaken by the town for the property through the Cultural Heritage Landscape Strategy, and the advice from the town's peer review consultant, staff are of the opinion that any development resulting in removal of the golf course would not retain the cultural heritage value or interest, under the *Ontario Heritage Act*. The peer review expert provided the following analogy:

Allowing new development parcels along the perimeter, or at random points within the site, would be like allowing new residential, office and retail components to intrude within the boundaries of Olmsted's Central Park in New York City. The cultural heritage value in either case would be seriously jeopardized, even if significant 'remnants' were preserved. New uses might be introduced into the RayDor estate house, or the stables, just as the uses of historic buildings in Central Park evolve from time to time. But overall, a designed cultural landscape is shaped with intent - "at a specific time by a specific person", to quote the Ontario Heritage Trust....¹⁷.

The proposed development would therefore not conserve a significant cultural heritage landscape, thereby contravening Provincial, Regional and Town cultural heritage resource protection requirements which form an integral part of the Ontario policy-led land use planning and decision making system including:

- i. Section Sections 1.7.1 (d) and 2.6.1 of the PPS (2014), which requires conservation of significant cultural heritage landscapes;
- ii. Section 4.2.7(1) of the Growth Plan (2017), which requires cultural heritage resources to be conserved in order to foster a sense of place and benefit communities, particularly in strategic growth areas;
- iii. 167(5) of the Halton Region Official Plan, which provides a framework to help define cultural heritage resources (including cultural heritage landscapes), encourage local municipalities to identify such resources, and ensure that development proposals that may impact these resources are adequately assessed and, if necessary subjected to mitigation in accordance with Provincial requirements;

¹⁷ V.1.5. Peer Review of Cultural Heritage Landscape Assessment and Heritage Impact Assessment

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- iv. The cultural heritage objectives and policies, including Section 5.3.3 and 5.3.12 of the Livable Oakville Plan, which require significant cultural heritage resources to be conserved, in accordance with the town's Cultural Heritage Landscape Strategy.
- v. The proposed amendments to the cultural heritage policies of Livable Oakville, which underscore the policy direction regarding the conservation of cultural heritage landscapes, under the OHA, the *Planning Act* and Provincial Policy.

Where and How to Grow

Policy Framework

A foundational component of the Growth Plan (2017) is the population and employment forecasts.¹⁸ By 2041, the Growth Plan forecasts Halton Region to grow to 1,000,000 people and 470,000 jobs.¹⁹ Broadly, the Growth Plan (2017) directs the vast majority of this growth to settlement areas, such as the town²⁰. Within the Region, a minimum of 40% of residential growth is directed to the delineated built up area²¹; however, this target is set to progressively increase to a minimum of 60% of residential growth by the year 2031.²²

The PPS (2014) and Growth Plan (2017) direct municipalities to use a coordinated, integrated and comprehensive approach to land use planning, and infrastructure and transportation planning and investments.²³ Moving forward, transit is the first priority within the Greater Golden Horseshoe (hereinafter 'GGH') for transportation investments to move people.²⁴

The Growth Plan (2017) establishes a structure of Urban Growth Centres and Major Transit Station Areas (nodes) and 'priority transit corridors' (corridors) within which growth is directed. Within the town, the Lakeshore West GO line is a 'priority transit corridor' and two GGH transit nodes are identified:

- i. Urban Growth Centre (Midtown): Required to be planned to achieve within 14 years (2031) a minimum of 200 residents and jobs per hectare²⁵ (20,000 residents and jobs); and,

¹⁸ Section 2.1, Growth Plan (2017)

¹⁹ Schedule 3, Growth Plan, 2017

²⁰ Section 2.2.1 (a), Growth Plan (2017)

²¹ Within the town the built up area consists of the lands generally south of Dundas Street.

²² Section 2.2.2, the Growth Plan (2017)

²³ Section 1.2.1, 1.6.1, PPS (2014), Section 3.2.1, 3.2.2, 3.2.8, 5.2.3 Growth Plan (2017)

²⁴ Section 3.2.3 (1), Growth Plan (2017)

²⁵ Section 2.2.3, Growth Plan (2017)

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- ii. Major Transit Station Areas (Bronte Go Station): Required to be planned to achieve a minimum density of target of 150 residents and jobs per hectare²⁶.

The Growth Plan (2017) requires Halton Region to undertake integrated planning to manage forecasted growth, which will:²⁷

- i. establish a **hierarchy of settlement areas, and of areas within settlement areas** including delineated built-up areas; **strategic growth** areas; locations with existing or planned transit, with a priority on higher order transit where it exists or is planned; and areas with existing or planned public service facilities.
- ii. be **supported by planning for infrastructure** and public service facilities by considering the full life cycle costs of these assets and developing options to pay for these costs over the long-term; and,
- iii. provide direction for an **urban form that will optimize infrastructure, particularly along transit and transportation corridors**, to support the achievement of complete communities through a more compact built form;

The foregoing urban structure elements are required to be established through a municipal comprehensive review undertaken by the Region, which will in turn provide direction to its local municipalities.²⁸

Map 3 of the in force Halton Plan (conforms to Growth Plan, 2006) identifies the aforementioned GGH nodes and corridors, and also adds a Regional layer of higher-order transit corridors (within the town: Trafalgar Road, Bronte Road, Dundas Street, and Highway 407). The current policies of the Halton Plan regarding Intensification Areas currently require local municipalities to identify Intensification Corridors and mixed use nodes with development densities and patterns supportive of pedestrian traffic and public transit, to which development with higher densities and mixed uses will be directed. For instance, section 72 (6) of the Halton Plan provides that an objective of the Urban Area is:

To identify an urban structure that supports the development of Intensification Areas.

This objective is further defined through the policies of Section 81 (1) and 81(2) of the Halton Plan which state that it is the policy of the Region to:

²⁶ Section 2.2.4(3), Growth Plan (2017)

²⁷ Section 2.2.1 (3), Growth Plan (2017)

²⁸ Section 2.2.1 (3), Growth Plan (2017)

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Direct development with higher densities and mixed uses to Intensification Areas.

Require Local Official Plans to identify Intensification Areas with detailed boundaries in accordance with the objectives and policies of this Plan.

The existing Halton Plan does not establish the full range of strategic growth areas throughout the Region, but as noted above requires local municipalities to identify Intensification Areas. Going forward, the Growth Plan (2017) will require the Region to be responsible for establishing such areas through its municipal comprehensive review.

When major growth areas are proposed, which includes the development or redevelopment of communities and the development of Intensification Areas, the policies of the Halton Plan require an area-specific plan to be undertaken by the town to ensure that growth is planned for in a coordinated, integrated manner that comprehensively implements the goals and objectives of the Halton Plan and is supported by existing or planned infrastructure.²⁹

Section 81 (3) of the Halton Plan provides that it is policy of the Region to:

Require the Local Municipalities to prepare detailed official plan policies or an Area-Specific Plan for the development of a new Intensification Area or the redevelopment of an existing Intensification Area, in accordance with Sections 48 and 77(5) of this Plan. The provisions for Intensification Areas may be incorporated as part of a larger community plan.

The Livable Oakville Plan provides important guiding principles with respect to preserving and creating a livable community in order to:³⁰

- a. ***preserve, enhance, and protect the distinct character, cultural heritage, living environment, and sense of community of neighbourhoods;***
- b. ***direct the majority of growth to identified locations where higher density, transit and pedestrian oriented development can be accommodated; and,***
- c. ***achieve long term economic security within an environment that offers a diverse range of employment opportunities for residents. (emphasis added)***

²⁹ Section 48, 77(5), 81(3) Halton Region Official Plan

³⁰ Section 2.2.1, Livable Oakville Plan

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These principles form the foundation for a livable Oakville, guide the implementation of Provincial and Regional Policy directives at a local level and are fundamental to implementation of the Plan. The foregoing principles are implemented by the detailed policies of Livable Oakville, which protect valuable resources such as cultural and natural heritage resources, protect existing neighbourhood character, and direct intensification primarily within defined growth areas that are generally nodes on existing or planned higher-order transit routes.

Livable Oakville sets out an urban structure on Schedule A1 (Urban Structure), which, amongst other matters, identifies six Growth Areas,³¹ in addition to Employment Areas, Major Commercial Areas, Residential Areas and Major Transit Stations. The urban structure of the town is further informed by other schedules and policies of the plan, for example the corridors that are established in Part E. The Growth Areas and corridors identified within Livable Oakville would represent Intensification Areas, as defined in the Halton Plan, and strategic growth areas, as defined in the Growth Plan (2017).

On February 1, 2016, Council directed that a review of the town's urban structure and related policies be undertaken, as a component of the town's ongoing official plan review. The Urban Structure Review was also identified as one of the studies to be undertaken in connection with the ICB.

In connection with the Urban Structure Review, the town retained a planning consultant to undertake a study, which was completed on May 15, 2017, with the receipt by the Livable Oakville Sub-Committee of the consultant's final study report, entitled *Urban Structure Review – Policy Directions Report*. The recommendations of the consultant's report largely reaffirmed the town's existing urban structure of nodes³² and corridors, and confirmed that planned growth in these areas alone would fully accommodate the intensification target of 14,390 residential units within the built boundary by 2031. The study also concluded that the Town has more than sufficient potential future housing supply to accommodate housing demand to 2041, the estimated forecast of population and employment growth to 2041 can be accommodated without significant changes to the Town's urban structure, and additional Growth Areas were not required for that purpose.

Notwithstanding the conclusion that additional growth areas would not be required to accommodate forecasted growth to 2041, the study considered whether there were locations in Oakville that could accommodate new or expanded nodes or corridors.

³¹ including the Midtown Urban Growth Centre

³² The consultant's report recommended adoption of the term "node" to refer to the Growth Areas in the Livable Oakville Plan and the mixed use nodes planned within North Oakville to reflect terminology used in the Growth Plan.

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The report indicated that a fundamental criterion for the creation of a new node (growth area) or corridor was a location in relation to existing or planned major transit infrastructure, particularly the inter-regional transit network, and that a site such as the Glen Abbey Golf Course lands would not meet the criterion for an appropriate location for a new node.

As noted previously in this report, the Glen Abbey Golf Course is recognized as a 'Residential Area' on Schedule A1 – Urban Structure of Livable Oakville. Livable Oakville establishes several categories of land use designations that are intended to recognize and shape the town's urban structure. For example, the Residential Area within the Urban Structure is supported by several categories of Residential and Commercial land use designations, as well as Institutional, Private Open Space, Parks and Open Space, and Natural Area land use designations.

The Glen Abbey Golf Course is designated Private Open Space and Natural Area on the Livable Oakville land use schedules. Section 3.7 of the Livable Oakville Plan states that the open space system:

*provides land and locations for **public and private recreational opportunities and physical linkages that enhance the community and neighbourhood character.** (emphasis added)*

The placement of private open space lands, such as the Glen Abbey Golf Course, within the Residential Area of the town's urban structure recognizes that private open space is a land use that is supportive of the surrounding stable residential neighbourhood.

Livable Oakville also establishes special policy areas that identify lands subject to further study or special policies. The Glen Abbey Golf Course lands are not identified as a special policy area within the Livable Oakville Plan.

Section 4.1 of Livable Oakville provides that the majority of intensification in the town is to occur within the Growth Areas.³³ Section 4.3 then reiterates that the key focus for intensification is within growth areas recognizing that some growth and change may occur outside these areas provided the character of the area in which the development occurs is preserved and the overall urban structure of the Town is upheld:

It is the policy of the Plan that the key focus for development and redevelopment to accommodate intensification will be the locations identified

³³ Sections 26.3 and 26.4 of Livable Oakville also recognizes the potential for intensification within corridors along Dundas Street and Speers Road.

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*as Growth Areas. Lands outside of Growth Areas are predominantly stable residential communities which consist of established neighbourhoods. While the Plan encourages intensification generally throughout the built up area, **it also recognizes that some growth and change may occur in these areas provided the character of the areas is preserved and the overall urban structure of the Town is upheld.** Intensification outside of the Growth Areas including additional intensification opportunities such as infill, redevelopment and greyfield and brownfield sites, will be considered in the context of this Plan. (emphasis added)*

Accordingly, Section 4.3 establishes a two-part test for intensification in Residential Areas outside of Growth Areas relating to: (i) impact on urban structure; and (ii) impact on the character of stable residential areas.

Section 11.1.8 of the Livable Oakville Plan provides opportunities for intensification within stable residential communities, on lands that are already the subject of a residential land use designation:³⁴

Intensification within the stable residential communities shall be provided as follows:

a) Within stable residential communities, on lands designated Low Density Residential, the construction of a new dwelling on an existing vacant lot, land division, and/or the conversion of an existing building into one or more units, maybe considered where it is compatible with the lot area and lot frontages of the surrounding neighbourhood and subject to the policies of section 11.1.9 and allover applicable policies of this Plan;

b) Within the stable residential communities, on lands designated Low Density Residential, there may also be sites at the intersection of arterial and/or collector roads, or sites with existing non-residential uses, that have sufficient frontage and depth to accommodate appropriate intensification through development approvals. Intensification of these sites may occur with Low Density Residential uses in accordance with section 11.1.9 and all other applicable policies of this Plan; and,

c) Within the stable residential communities, on lands designated Medium Density Residential and High Density Residential, there may be underutilized lands on which additional development may be appropriate. Intensification of these lands may occur within the existing density permissions for the lands

³⁴ In accordance with Section 11 of the Livable Oakville Plan, the lands identified as Residential Areas on Schedule A1, Urban Structure, represent the areas that provide for stable residential communities.

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and may be considered subject to the requirements of section 11.1.9 and all other applicable policies of this Plan.

The policies of Section 11.1.8 would not apply to intensification requiring the redesignation of lands from a non-residential designation to a new residential land use designation.

In summary, the policies of the Livable Oakville plan are structured so that:

- (a) the majority of new growth to accommodate residential intensification is directed to the six Growth Areas, and to defined corridors;
- (b) while intensification is permitted outside of Growth Areas and corridors, in order to protect stable residential neighbourhoods there are strict policies for placing intensification on lands with existing Low, Medium or High Density Residential land use designations; and
- (c) certain larger sites located outside of Growth Areas, which are not within stable residential neighbourhoods, where redevelopment is anticipated are identified as Special Policy Areas, and are subject to special policies contemplating future comprehensive study before these areas can develop.

The policies of Livable Oakville do not contemplate or provide for any intensification of the Glen Abbey Golf Course above and beyond the existing permissions under the Livable Oakville Plan. As such, the introduction of a large-scale redevelopment proposal of the nature proposed by ClubLink through a site-specific official plan amendment needs to be considered through an assessment of how the proposed development and implementing official plan amendment relate to the overall structure of the plan, considering the guidance in Section 4.3 and the guiding principles of the Plan.

The Proposed Development Would Constitute a New Growth Area (Node)

The proposed development is approximately 57 ha (141 acres) in size (net), and would consist of approximately 6,581 people and 243 jobs for a total of approximately 6,823 people and jobs (~120 people and jobs per hectare). The development would constitute approximately 22% of forecasted residential growth within the built boundary that is anticipated over a 25 year planning period (14,390 units).

As can be seen from Table 2 below, the level of development proposed on the Glen Abbey Golf Course lands is substantial, and would be comparable to the existing Growth Areas of the Town in terms of area, proposed population and density.

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Comparison of Growth Areas to Glen Abbey Proposal					
Area	Site Area Estimate (ha)	Population ³⁵	Jobs ³⁶	People and Jobs	Planned Density (ppl/jobs) per hectare
Uptown	114ha	16,600	3,000	19,600	172
Midtown	100ha	12,000	8,000	20,000	200
Palermo	86ha	5,200	3,800	9,000	105
Kerr	66ha	5,000	1,500	6,500	98
<i>Glen Abbey</i>	<i>57 ha</i>	<i>7,376³⁷</i>	<i>243</i>	<i>7,618</i>	<i>133</i>
Bronte	40ha	4,500	900	5,400	135
Downtown	25ha	-	-	-	-

Table 2: Comparison of Growth Areas to Glen Abbey Proposal

The development proposed by the applications would have the effect of establishing a new node of high density residential development, supported by a mix of commercial development.

In the larger town context, the proposed development would be very substantial, and in staff's view is commensurate to the creation of new a growth area in the Oakville context with respect to area, proposed population, density, built form and building heights. Likewise, the proposed development would have the effect of creating a new unplanned Intensification Area, as that term is defined in the Halton Plan.³⁸

As discussed above, in respect of intensification in the Residential Area outside of Growth Areas, Section 4.3 of Livable Oakville allows "some growth and change ... in these areas provided the character of the areas is preserved and the overall urban structure of the Town is upheld." The notion of 'some growth and change' being permitted outside of the Growth Areas infers that such growth or change is not the same scale, form or function to that principally permitted in a Growth Area. As noted above, the proposed development is commensurate to a growth area with respect to area, proposed population, density, built form and building heights. A proposal to permit development commensurate to a Growth Area, outside of a Growth Area is inconsistent with the premise of Section 4.3. The two specific tests established by Section 4.3, regarding impact on overall urban structure of the town and impact on character of stable residential communities, are discussed in more detail below.

³⁵ Population estimate based on 2021 People Per Unit (PPU) calculations from Halton Regions Best Planning Estimates.
³⁶ Jobs estimates based on 500 ft2 per employee, consistent with 2013 Development Charges Background Study.
³⁷ Units in the townhouse & apartment category were split equally between medium and high density PPU.
³⁸ Regional Official Plan section 80.

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The Proposed Development would not Uphold the Town's Urban Structure

The proposed development undermines fundamental growth management policy directives at a Provincial and Regional level. The Growth Plan (2017) defines a strategic growth area as:

within settlement areas, nodes, corridors, and other areas that have been identified by municipalities or the Province to be the focus for accommodating intensification and higher-density mixed uses in a more compact built form. Strategic growth areas include urban growth centres, major transit station areas, and other major opportunities that may include infill, redevelopment, brownfield sites, the expansion or conversion of existing buildings, or greyfields. Lands along major roads, arterials, or other areas with existing or planned frequent transit service or higher order transit corridors may also be identified as strategic growth areas.

The proposed redevelopment of the Glen Abbey Golf Course, as proposed, would constitute the establishment of a new strategic growth area through a private development application, which is contrary to growth management directives of the PPS (2014), Growth Plan (2017), and Halton Region Official Plan that recognize redevelopment at this scale needs to be carefully planned using a coordinated, integrated and comprehensive land use planning process.³⁹ As noted above, Section 2.2.1 of the Growth Plan (2017) requires strategic growth areas to be established exclusively through a municipal comprehensive review undertaken by the Region. Further, the Halton Region Official Plan requires the town to prepare an area-specific plan to establish major growth areas, including the development or redevelopment of communities or Intensification Areas.⁴⁰

In Halton Region's comments on the applications, one of the reasons provided for not supporting the applications was that planning for new major growth areas should occur by municipally-led process and not through a private development application.⁴¹

The establishment of a strategic growth area through a private development application is not permitted by the Growth Plan or the Halton Region Official Plan, could have serious adverse consequences and undermine how the town is mandated to grow through the Ontario policy-led land use planning and decision making system.

³⁹ Section 1.2.1, 1.6.1, PPS (2014), Section 2.2.1, 3.2.1, 3.2.2, 3.2.8, 5.2.3 Growth Plan (2017), Section 48, 77(5), 81(3) Halton Region Official Plan

⁴⁰ Section 48, 77(5), 81(3) Halton Region Official Plan

⁴¹ Page 4, Halton Region Comments dated August 25, 2017.

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As previously discussed, Section 2.2.1(3) of the Growth Plan (2017) requires upper-tier municipalities (Halton Region) to establish a hierarchy of settlement areas and areas within settlement areas (including strategic growth areas), that are to be the focus for growth through a municipal comprehensive review. Further, this policy requires an urban form that will optimize infrastructure and align growth with transit and transportation corridors. This is consistent with Section 1.2.4 (b) and (d) of the PPS (2014), which requires upper tier municipalities to identify areas where growth or development will be directed, including the identification of nodes and the corridors linking these nodes and where transit corridors exist or are to be developed, identify density targets.

It is a guiding principle of the Growth Plan (2017) to prioritize intensification and higher densities to make efficient use of land and infrastructure and support transit viability⁴². Significant cost savings can be achieved by ensuring that existing infrastructure is optimized before new infrastructure is built. This principle is integrated into the policies of the Growth Plan (2017) and applies to all forms of infrastructure⁴³.

Section 3.2.1 (2) of the Growth Plan (2017) provides that planning for new or expanded infrastructure will occur in an integrated manner, including evaluations of long-range scenario-based land use planning and financial planning, and will be supported by infrastructure master plans, asset management plans, community energy plans, watershed planning, environmental assessments, and other relevant studies where appropriate, and should involve:

- a) leveraging infrastructure investment to direct growth and development in accordance with the policies and schedules of this Plan, including the achievement of the minimum intensification and density targets in this Plan;*
- b) providing sufficient infrastructure capacity in strategic growth areas;*
- c) identifying the full life cycle costs of infrastructure and developing options to pay for these costs over the long-term; and*
- d) considering the impacts of a changing climate.*

Section 3.2.1 (3) of the Growth Plan (2017) provides that infrastructure investment and other implementation tools and mechanisms will be used to facilitate intensification and higher density development in strategic growth areas. Priority will be given to infrastructure investments made by the Province that support the policies and schedules of the Plan.

⁴² 1.2.1, Growth Plan (2017)

⁴³ 3.1, Growth Plan (2017)

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The Growth Plan (2017) specifically requires all decisions on transit planning and investment will be made according to certain criteria, including:⁴⁴

- b) prioritizing areas with existing or planned higher residential or employment densities to optimize return on investment and the efficiency and viability of existing and planned transit service levels;*
- c) increasing the capacity of existing transit systems to support strategic growth areas;*
- d) expanding transit service to areas that have achieved, or will be planned to achieve, transit-supportive densities and provide a mix of residential, office, institutional, and commercial development, wherever possible;*
- e) facilitating improved linkages between and within municipalities from nearby neighbourhoods to urban growth centres, major transit station areas, and other strategic growth areas;*
- f) increasing the modal share of transit...*

The Growth Plan (2017) requires this integrated planning to be supported by the town by developing a local strategy within the delineated built up area (area generally south of Dundas Street), to achieve the minimum intensification target, which will:⁴⁵

- a) encourage intensification generally to **achieve the desired urban structure**;*
- b) identify the **appropriate type and scale of development** and transition of built form to adjacent areas;*
- c) identify **strategic growth areas to support achievement of the intensification target and recognize them as a key focus for development**;*
- d) ensure lands are zoned and development is designed in a manner that supports the achievement of complete communities;*
- e) prioritize **planning and investment in infrastructure and public service facilities that will support intensification**; and*
- f) be implemented through official plan policies and designations, updated zoning and other supporting documents. (emphasis added)*

Section 4 of the Livable Oakville Plan provides that in managing growth and change, the use of existing infrastructure and public service facilities should be optimized, wherever feasible before consideration is given to the development of new infrastructure.

⁴⁴ Section 3.2.3 (2), Growth Plan (2017)

⁴⁵ 2.2.2 (4) of the Growth Plan (2017)

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With respect to the transit component of urban structure, Section 8.12.2 of the Livable Oakville Plan provides the following local policy direction:

*Development plans shall be designed with specific regard to the safe, convenient and efficient provision of public transit as well as pedestrian and cycling facilities. In particular, **to facilitate the development of a transit-supportive urban structure, the following measures will be reflected in all development proposals:***

*a) **densities supportive of transit, which are commensurate with the type and frequency of transit service planned for the area and/or corridor, particularly near transit stops and stations; (emphasis added)***

This transit supportive urban structure is supported by the Ministry of Transportation Transit-Supportive Guidelines ('Guidelines'), which provide guidance on creating a pattern of development within existing communities and new development capable of promoting and supporting increased transit ridership in existing and planned systems. The Guidelines recommend an urban structure based on transit nodes and corridors to best achieve transit-supportive development, which will reduce automobile usage and make efficient use of infrastructure.⁴⁶

Identify higher-density, mixed-use nodes (Guideline 1.1.2) and corridors (Guideline 1.1.3) within each settlement area. Tie these areas into existing and planned transit investments and vary their size and intensity according to the level of planned transit service. (emphasis added)

With respect to nodes, section 1.1.2 of the Guidelines provides that:

Focusing urban growth within nodes and supporting these nodes with higher levels of transit service is fundamental to linking land use and transit, reducing walking times to and from uses and supporting the more efficient delivery of transit service. (emphasis added)

Section 1.1.2 (1) (3) of the Guidelines provides that nodes are to be planned at focal points in the transit system such as intersecting corridors, transfer points or stations with a density and mix of uses at nodes that is appropriate for the existing or planned level of transit service and planned function of the node. The largest, most densely developed nodes are to be located at major focal points in the transit system.

Section 1.1.4 (1) of the Guidelines requires protection of the positive qualities of the built-up area while supporting ongoing change such as sensitive infill that can

⁴⁶ Section 1.1.1 (13) of the Transit-Supportive Guidelines

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enhance the transit-supportive nature of these areas. Further, subsection 5 provides:

*Situate transit generating uses such as shopping centres, **higher density housing**, employment uses or institutions **close to existing or planned transit routes**. (emphasis added)*

Section 1.1.2 of the Guidelines also encourage the preservation of cultural heritage resources and discourage the demolition of heritage sites.

The subject lands are not located within a node (Section 1.1.2) or a corridor (Section 1.1.3) where urban growth is to be focused, however they are located within the settlement area (noted in Figure 4 as grey).

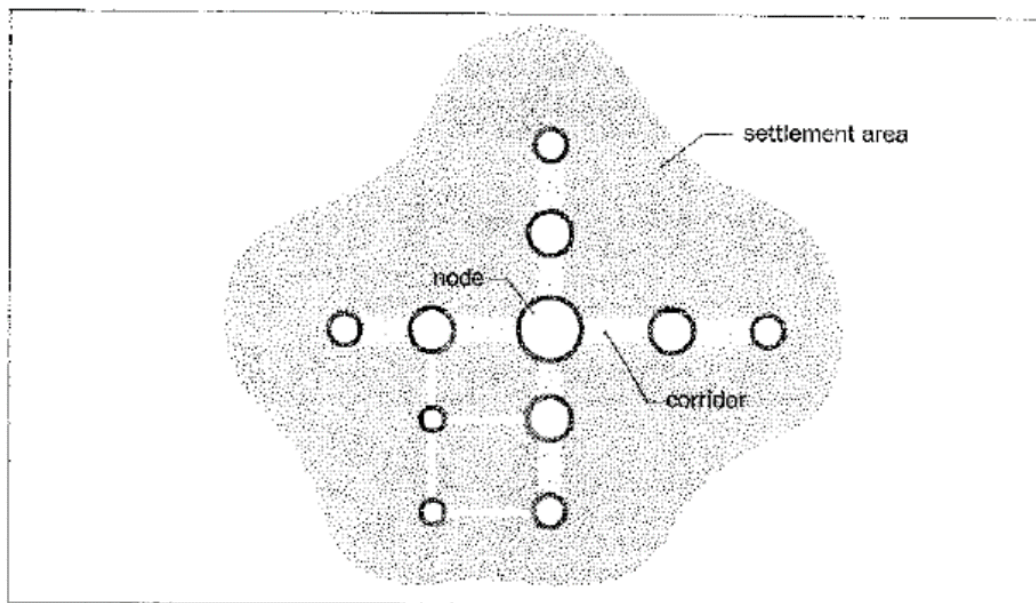


Figure 4 - Figure from Section 1.1 – Transit-Supportive Guidelines

As discussed previously in this report, consistent with the foregoing directions from the above policies and guidelines providing for higher-density development being directed to transit nodes and corridors, Livable Oakville establishes six growth areas (nodes) and identifies two major transit stations, together with corridors for development along transit routes. All of these elements are proposed to be shown on a revised Schedule A1 – Urban Structure through the urban structure review.

The proposed development would consist of 3,222 units, which equates to an average density of approximately 53 units per hectare. According to Section 1.1.7 of the MTO Guidelines, the proposed density exceeds the minimum 45 units per hectare suggested for “very frequent bus service”, which is defined as one bus every

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five minutes (5-minute headway) with potential for bus rapid transit or light rail transit. The Growth Plan (2017) defines “frequent transit” as service that runs at least every 15 minutes in both directions throughout the day and into the evening every day of the week. However, the Glen Abbey Golf Course lands are not located at a planned transit node or along one of the town’s planned higher-order transit corridors – Trafalgar Road and Dundas Street – which are envisioned to be provided with higher frequency transit service.

The Transportation Considerations Report by BA Group submitted in support of the applications recommends the introduction of a new primary transit route to service the lands. The proposed route connects the Oakville GO Station to the Uptown Core via Cross Avenue, Speers Road, Kerr Street, Dorval Drive, Upper Middle Road, Sixth Line and Dundas Street. The service is proposed to operate at 12-minute headways during both the morning and afternoon peak hours (30 minutes thereafter), and serve existing stops located on roads outside the development lands and new stops along a new major collector road proposed within the development. This level of service does not meet the standards for frequent or higher-order transit noted above.

The peer review consultant retained by the town to review the Transportation Considerations Report advised that the route proposed is somewhat circuitous and lengthy, traveling through the catchment areas of existing services, and would serve to connect the Glen Abbey Golf Course lands to existing transit nodes more like a feeder service than a typical transit corridor. Accordingly, it is unlikely to generate much additional transit ridership or foster transit-supportive development outside of Glen Abbey, or a mode share within the development beyond existing trends.

The peer review consultant further concluded that it is unlikely that there is any transit strategy that could provide the level and quality of transit service needed to facilitate transit-supportive development within the lands, without diverting resources from existing and already planned services, or imposing additional cost for the town.

The development proposed by the applications at overall number of units and densities expected in a growth area, but located outside of a node supported by an appropriate high frequency or higher-order transit route (corridor), is not in conformity with the Provincial, Regional and Town policies for transit-supportive development. Moreover, there would appear to be no reasonable justification for the town to devote the financial resources necessary to provide a level of transit service to the Glen Abbey Golf Course lands needed to support transit-supportive development. Such expenditures should be reserved to enhance service along existing and planned transit corridors servicing planned nodes.

Allowing the proposed level of development in this location, outside of a planned Growth Area or Corridor, may slow the rate of growth in other growth areas in which

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investments have been made or are planned. For example, within the town, significant public resources have been dedicated to support growth in the approved nodes corridor components of the in force urban structure, including the following:

- i. The Federal and Provincial Governments have allocated \$13.5 billion⁴⁷ to the GO Regional Express Rail project (GO expansion) which includes more frequent and quicker travel times along the Lakeshore GO Line;
- ii. The Province plans to invest approximately \$58 million⁴⁸ for higher-order transit along Dundas Street via bus rapid transit;
- iii. The Province plans to invest additional funding for Bus Rapid Transit along Trafalgar Road.
- iv. The Province plans to invest additional funding for an extension of the 407 Transitway which is currently subject to an environmental assessment
- v. Halton Region is investigating the funding of infrastructure to develop Midtown;
- vi. The Town has substantially revised its transit system in 2016 and invested \$10,000,000; and,
- vii. The Town intends to invest approximately \$25,000,000 in the acquisition of land in Midtown to create a transportation network that will support planned growth required by the Province.

The proposed development imposes a significant risk of undermining the town's urban structure by redirecting growth from identified nodes and corridors, delaying timely development within those areas that is required to make effective and efficient use of existing and planned public investment. Specifically, this could also direct a significant proportion of growth away from existing or planned higher-order transit which would be contrary to an established principle of the Growth Plan of coordinating transit infrastructure with growth management by directing growth, especially higher-density development, to areas with existing or planned higher-order / frequent transit.

Urban Structure Conclusions

Significant future growth has been forecasted by the Province to be accommodated within the town. In accordance with Provincial policy directives, this growth will be focused within the built boundary (lands generally south of Dundas Street). The way

⁴⁷ Province of Ontario Statement dated March 31, 2017 entitled 'Federal Investment in Transit to Help Continued Transformation of Ontario's GO Network'

⁴⁸ Metrolinx 'Quick Wins'

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in which this growth is accommodated requires careful consideration and balance of a number of relevant components. These components include matters of Provincial Interest as provided in Section 2 of the *Planning Act*, and other matters set out in the PPS (2014), Growth Plan (2017), Halton Plan and Livable Oakville Plan.

The Ontario policy-led land use planning system provides clear policy directive for municipalities to establish an urban structure of nodes and corridors. The Province, through the Growth Plan (2017), Halton Region through the Halton Plan, and the town through the Livable Oakville Plan has defined, established and invested in an urban structure. The urban structure coordinates land use and infrastructure requirements and establishes a framework and policy context for decision making that provides certainty for the planning process. It is also fundamental in achieving a number of Provincial interests, and guides public and private investment decisions.

Despite the policies of the Growth Plan (2017), which are explicit that a municipal comprehensive review undertaken by Halton Region is necessary to establish a new Strategic Growth Area or Intensification Area, the applicant is proposing a development commensurate with a new Growth Area in terms of area, proposed population, density, built form and building heights. In the Oakville context, this would constitute very substantial development, which would comprise of approximately one quarter of the forecasted growth to 2031 on one site, within a stable residential community. The proposed development has been proposed in the absence of an adequate identification of the urban structure of the town by the applicant or any meaningful analysis of the impact of the proposal on the town's urban structure.

Staff are of the opinion that a municipal comprehensive review undertaken by Halton Region would be required to consider a development of the nature proposed, which would carefully assess the proposed development in a coordinated, integrated and comprehensive manner. This review would also consider first principles of growth management being the Provincial Interests defined herein. Through the town's Urban Structure Review, it was determined that the subject lands are not an appropriate location for the creation of a new growth area, given the absence of existing or planning transit service that would support the creation of a new node. Further, the town has confirmed through its Urban Structure Review where and how the town will accommodate future growth to achieve its intensification target to 2031, and its estimated population and employment forecast to 2041.

The applicant has attempted to address one aspect relevant to urban structure, being transit-supportive development, by proposing a new bus route to service the proposed development entirely within the catchment area of existing Oakville Transit routes. The town's peer reviewer further concluded that it is unlikely that there is any

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transit strategy that could provide the level and quality of transit service needed to facilitate transit-supportive development within the lands, without diverting resources from existing and already planned services, or imposing additional cost for the town.

The proposed development imposes a significant risk of undermining the town's urban structure by redirecting growth from identified nodes and corridors, delaying timely development within those areas that is required to make effective and efficient use of existing and planned public investment. Specifically, this could also direct a significant proportion of growth away from existing or planned higher-order transit which would be contrary to an established principle of the Growth Plan of coordinating transit infrastructure with growth management by directing growth, especially higher-density development, to areas with existing or planned higher-order / frequent transit.

Fails to Preserve Neighbourhood Character

A result of directing growth to identified nodes and corridors and making effective and efficient use of existing and planned public investment is to preserve, enhance, and protect the distinct character, cultural heritage, living environment, and sense of community of neighbourhoods where residential intensification is not focused.

This is one of the guiding principles of the Livable Oakville Plan (policy 2.2.1(a)).

As discussed previously in this report, Section 4.3 of the Livable Oakville Plan provides that any intensification outside of Growth Areas must preserve the character of those areas.

Section 11.1.9 of the Livable Oakville Plan provides the following criteria to maintain and protect the existing neighbourhood character and is applied to new development within the context of the Plan.

- 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.*

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Subject: **Public Meeting and Recommendation Report - ClubLink Corporation ULC and ClubLink Holdings Limited, Proposed Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision, File No's OPA 1519.09, Z.1519.09 and 24T-17003/1519 - 1333 Dorval Drive**

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- e. Roads and/or municipal infrastructure shall be adequate to provide water and wastewater service, waste management services and fire protection.*
- f. Surface parking shall be minimized on the site.*
- g. A proposal to extend the public street network should ensure appropriate connectivity, traffic circulation and extension of the street grid network designed for pedestrian and cyclist access.*
- h. Impacts on the adjacent properties shall be minimized in relation to grading, drainage, location of service areas, access and circulation, privacy, and microclimatic conditions such as shadowing.*
- i. The preservation and integration of heritage buildings, structures and uses within a Heritage Conservation District shall be achieved.*
- j. Development should maintain access to amenities including neighbourhood commercial facilities, community facilities including schools, parks and community centres, and existing and/or future public transit services.*
- k. The transportation system should adequately accommodate anticipated traffic volumes.*
- l. Utilities shall be adequate to provide an appropriate level of service for new and existing residents.*

Section 11.1.9 must be interpreted within the context of all of the policies of the Plan, including the policies regarding residential intensification outside of growth areas (Section 4.3) and the intensification policies for stable residential communities (Section 11.1.8). Section 11.1.9 was intended to provide guidance to assess the impact of intensification that is otherwise contemplated by the policies of the Plan. However, it is staff's opinion that Section 11.1.9 was not intended to justify a whole-scale change in land use on a large site commensurate in scale to a Growth Area within a stable residential neighbourhood.

In staff's view, given the amount of change and growth being proposed, a much more detailed analysis of the surrounding stable residential neighbourhood is warranted, commensurate to a secondary plan. This level of analysis was not provided in support of the application.

When the proposed development is reviewed in the context of Provincial Policy, as a secondary plan would be, it is clear that cultural heritage landscapes help define the character of the area. For instance, the PPS (2014) recognizes 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 cultural heritage landscapes. Similarly, the Growth Plan requires cultural heritage resources to be conserved in order to foster a sense of place and benefit communities.

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Further, Section 3.7 of the Livable Oakville Plan states that the open space system:

provides land and locations for public and private recreational opportunities and physical linkages that enhance the community and neighbourhood character. (emphasis added)

The Glen Abbey Golf Course is part of the Glen Abbey stable residential community. This is consistent with the original policies for the Glen Abbey Community and provided that:

Glen Abbey Golf Course measures some 205 acres and will remain permanently as a golf course or some other open space use⁴⁹.

While it is recognized that this policy has since been repealed, the point is that the Glen Abbey Golf Course was designed to be part of the surrounding stable residential community from the onset.

The PPS (2014) also recognizes 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 cultural heritage landscapes.⁵⁰ Similarly, the Growth Plan requires cultural heritage resources to be conserved in order to foster a sense of place and benefit communities⁵¹.

This prominent open space feature forms part of a defining open space characteristic of the stable residential community. Further, the Glen Abbey Golf Course is a significant cultural heritage resource which helps define the character of the surrounding area, and the town, and fosters a sense of place. The proposed development would diminish the character of the area by removing this important feature.

Halton Region Comments

Halton Region has confirmed that it does not support the development proposal, citing a number of key concerns including:

- “The proposed development of 3,222 residential units would permit a level of development that is comparable to the Town’s planned growth areas.
- “The subject lands are not within a regionally mapped *Intensification Area* (i.e. *Urban Growth Centre* or *Major Transit Station Area*). In addition, the

⁴⁹ Section 10c, The Glen Abbey Community

⁵⁰ 1.7.1 (d), PPS (2014)

⁵¹ 4.2.7(1), Growth Plan (2017)

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Town's Urban Structure Review and drafted amendments have also confirmed that the subject lands should be not planned or identified as a locally defined *Intensification Corridors* or a Mixed-Use Node. The ROP therefore does not support the significant form of intensification being proposed for these lands as these lands are not within a defined *Intensification Area*."

- The Traffic Impact Statement and Functional Servicing Reports did not provide a level of detail required "to support the level of development or a new major growth area."
- "Given the importance of a municipal comprehensive review process in planning for growth as directed by the 2107 P2G [Places to Grow] Plan, it would inappropriate to decide at this point in time how future *strategic growth areas* will be defined and planned for the 2041 planning horizon in a piecemeal application by application manner."
- The applications and supporting technical studies contain insufficient detail to characterize the natural heritage system and identify the impacts of the proposed development.
- It is noted that Conservation Halton identified "significant issues from a natural heritage and natural hazards perspective."

The Region's comments conclude that "the growth being considered through this development proposal as contemplated is not consistent with the PPS [2014] and does not confirm to the P2G [Growth Plan], GBP [Greenbelt Plan] and the ROP [Region Official Plan]." Regional comments regarding policy context are appended as Appendix C.

The Applicant's Planning Justification Report

The Planning Justification Report dated November 2016 (hereinafter the 'PJR') submitted in support of the application has not considered any 2017 Growth Plan policies and failed to identify or apply fundamental Halton Region Growth Management policies with respect to area-specific plans. Moreover, the PJR did not review the MTO Transit-Supportive Guidelines or Urban Structure Review conclusions and, in staff's view, failed to adequately consider the impact of the proposal on the urban structure of the town.

The PJR reached the following conclusions:

The Glen Abbey Golf Club lands are located within the Urban Area and Built Boundary of the Town of Oakville. The land use policies for the low, medium and high density residential designations do not preclude intensification opportunities such as infill and redevelopment provided they are considered in the context of the Livable Oakville Plan policies. The residential,

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*commercial, open space, and natural area components of the proposed redevelopment are consistent with the components associated with a "Residential Area". The integrity of the Town's vision and intent of achieving the desired Urban Structure is therefore maintained and is not undermined by the proposed redevelopment.*⁵²

*The proposed redevelopment will also maintain the integrity of the Town's vision and intent of achieving the desired Urban Structure and will not undermine it. The proposed redevelopment is also in accordance with the intensification policies of the Livable Oakville Plan and maintains the character of the Glen Abbey Community.*⁵³

Staff does not accept these findings. As previously identified, Section 4.3 (Residential Intensification Outside of the Growth Areas) of the Livable Oakville Plan provides that the key focus for intensification is within existing growth areas and it is recognized that some growth and change may occur outside these areas provided that the character of the area is preserved and the overall urban structure of the Town is upheld. The analysis provided did not fully consider the impact of the proposal on the urban structure of the town, aside from the above statement that redevelopment of the Glen Abbey Golf Course would constitute an urban land use in the built-boundary, and the conclusion that the policies of the Livable Oakville Plan regarding intensification in low, medium and high density residential designations do not preclude intensification outside of these areas.

The PJR also submitted the following in support of the application:

The proposed redevelopment of the Glen Abbey Golf Club lands will contribute to the achievement of the minimum population/employment forecasts and minimum intensification/density targets of the Growth Plan and will not undermine the Town's Urban Structure.

Staff do not agree that the proposed redevelopment can be justified on this basis. As described above, and as concluded through the Urban Structure review, the Livable Oakville Plan fully accommodates the intensification target of 14,390 residential units within the built boundary by 2031 (without amendment to the Plan). Staff also note that Section 5.2.4 of the Growth Plan (2017) provides that outside of a municipal comprehensive review, the forecasts in Schedule 3 and Schedule 7 cannot be applied on a site-specific scale as the basis for approving or refusing proposals for development. Finally, the only means that the proposed development could contribute to the achievement of the minimum population/employment

⁵² PJR page 21

⁵³ PJR page 31

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forecasts and minimum intensification/density targets of the Growth Plan would be by diverting planned growth away from primary growth areas served by existing or planned higher-order transit.

In respect of the coordination of planning and infrastructure requirements, the PJR provides that:

The proposed development provides opportunities for intensification and redevelopment and will result in an efficient development pattern that will optimize the use of land, infrastructure and public service facilities.

This general conclusion is not substantiated by a review of capacity of existing public service facilities and provides a limited analysis of other infrastructure. The proposed development has greenfield characteristics and similar infrastructure requirements. This includes an extension of water and wastewater services, extension of the public street network, new stormwater infrastructure and a new public transit route that would otherwise not be required.

The lack of comprehensive justification and analysis to support the proposal highlights the need for a coordinated and comprehensive approach that integrates planning for infrastructure and growth as required by the Growth Plan (2017) through a municipal comprehensive review.

Urban Structure OPA

As discussed above, the town's Urban Structure Review was one of the land use planning studies related to enactment of the ICB for the Glen Abbey Golf Course lands. The Urban Structure Review has allowed the town to consider and make decisions on important growth management issues, before deciding whether new development on the Glen Abbey Golf Course property at the scale proposed by the applications might be appropriate. As discussed above, the Urban Structure Review essentially confirmed the town's existing urban structure in terms of nodes (growth areas) and corridors, concluded that the creation of new growth areas is not necessary to accommodate estimates of forecast growth, and that the Glen Abbey Golf Course lands are not an appropriate location for a new growth area. '

Through a separate report to be considered at the same meeting as this report, staff are recommending the adoption of an official plan amendment ('Urban Structure OPA') that has the effect of updating Schedule A1 - Urban Structure of the Livable Oakville Plan, together with related policies. The updated Schedule A1 - Urban Structure continues to show the majority of the tableland portion of the Glen Abbey Golf Course as 'Residential Areas,' however the those lands within the natural area

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land use designation are now shown on updated Schedule A1 - Urban Structure as 'Natural Heritage System'.⁵⁴

The policies for the 'Residential Areas' proposed by the Urban Structure OPA provide that these areas will include residential uses and a range of compatible facilities such as school, places of worship, recreational and commercial uses that serve the residents of the town. The Glen Abbey Golf Course fits within the Residential Area as a compatible supporting recreational and commercial use. As explicitly noted on the current and proposed Schedule A1 - Urban Structure, the 'Residential Areas' element of the urban structure does not predetermine any particular land use designation, as there are several land uses that are required and appropriate within the 'Residential Areas' urban structure element.

The Urban Structure OPA also proposes to identify cultural heritage landscapes as elements of the urban structure to be identified with a symbol on Schedule A1 – Urban Structure. Given its recognition by Council as a significant cultural heritage landscape through the Cultural Heritage Landscape Strategy, the Glen Abbey Golf Course is also identified as a cultural heritage landscape on Schedule A1 – Urban Structure included in the Urban Structure OPA.

The Urban Structure OPA also proposes a new Section 28.2.3 that is intended to provide guidance regarding matters to be reviewed in assessing development applications proposing site-specific amendments to the town's official plan. Proposed Section 28.2.3 provides:

28.2.3 Submissions must demonstrate that the proposed amendment:

- a) is consistent with the Town's mission and guiding principles.*
- b) does not undermine the Town's urban structure in terms of:
 - i) directing growth to identified nodes and corridors, and ensuring their timely development in a manner that makes effective and efficient use of existing and planned investment and achieves the planned objectives for these areas;*
 - ii) protecting natural heritage systems;*
 - iii) protecting waterfront open space, parks and other public open space;*
 - iv) conserving cultural heritage resources; and,*
 - v) the maintenance of the character of established residential areas, employment areas and major commercial areas.**

⁵⁴ Natural Heritage System is an urban structure element that is proposed to be added to Schedule A1 – Urban Structure by the Urban Structure OPA on a town-wide basis.

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- c) is consistent with Provincial, Regional and Town plans for multi-modal transportation systems, municipal services, infrastructure and public service facilities.*
- d) does not result in adverse fiscal impacts for the Town.*
- e) is an appropriate use for the land.*
- f) is compatible with existing and planned surrounding land uses.*
- g) is not more appropriately considered under a required comprehensive Official Plan review or a municipal comprehensive review.*
- h) does not establish an undesirable precedent if approved.*
- i) satisfies all other applicable policies of this plan.*

The foregoing criteria are not intended to provide new “tests” for site-specific official plan amendments, but rather are intended to summarize important matters to be considered in assessing such applications under existing provincial policy, the town and regional official plans, and principles of good planning.

Several of the criteria relate to elements of the town’s urban structure, particularly those set out in clause 28.2.3(b). That clause summarizes matters to be considered under the existing policies of Livable Oakville, and regional and provincial policy, including the requirement to direct growth to nodes and corridors, the protection of the natural heritage system and public open spaces, the conservation of cultural heritage resources, and the protection of the character of developed areas.

For the reasons expressed elsewhere in this report, it is staff’s view that the site-specific amendment to the town’s official plan proposed by the applications does not meet the criteria set out in proposed Section 28.2.3.

Agency and Peer Review Comments

The applications and a number of the reports submitted in support of the applications were circulated to the Region and Halton Region Conservation Authority and were the subject of a separate peer review.

The peer reviewers retained by the town were asked to identify issues which may affect the principle of land use, the specific land uses proposed in the applications, or might otherwise significantly impact the configuration of the proposed development. The peer reviewers were also asked to identify any other issues or concerns.

The comments of the town’s peer reviewers, and technical comments from the Region and Conservation Halton, are attached as Appendix H.

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While it is acknowledged the cultural heritage and urban structure sections of this report identify critical issues with the redevelopment of this site, a number of technical deficiencies were identified with various reports and studies that accompanied the applications that did not fully demonstrate conformity with the Provincial, Regional and/or local policies or practice.

As discussed above, it is the view of planning staff that the applications must be considered comprehensively in the broader context of the urban structure which does not contemplate development of this scale in this location. A number of the peer reviewer's comments indicate on technical grounds that a broader study area is required to properly evaluate the impacts of the proposed redevelopment.

Examples include:

- it is noted that there is a lack of a holistic, system-based assessment of the Sixteen Mile Creek and McCraney Creek drainage areas,
- there is evidence of slope instabilities in the vicinity of the site, including on the east side of the Creek adjacent to the site, which have not been assessed; and
- the study area of the Transportation Impact Assessment must be expanded.

Although these are technical comments which are not based on a policy analysis, they underscore the view that the size and scope of this development requires studies which take in a larger study area in order to properly understand the impacts of the applications.

Matters Raised at the Public Meeting

The following section provides a staff response and analysis of the matters raised at the public information meeting and comments submitted as of the date of this report.

A total of 181 people attended the public information meeting on July 19, 2017.

Attendees were asked to fill out comment cards and outline what they like about the proposal and what they do not like about the proposal. All public comments received as of the date of this report are included in Appendix B of this report.

Based on the comment cards received, the vast majority of attendees did not like anything about the proposal. However, few (14) did like the dedication of the Sixteen Mile Creek valley for a public use, and some (7) did appreciate the detailed renderings and amount of work the applicant put into their proposal.

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Based on the comment cards received, the top concerns of attendees in descending order include:

- a) Traffic Impact
- b) Loss of world Famous Golf Course and Heritage Site
- c) Intensity of Development (number of units)
- d) Negative Impact to Natural Heritage System
- e) Loss of Green Space
- f) Negative Impact on Planned and Approved Urban Structure of Town
- g) Negative Impact to Neighbourhood Character
- h) Intensity of Development (height)
- i) Negative Economic Impact
- j) Negative Impact to Existing Service Levels and Infrastructure
- k) Lack of Accommodation for New Students
- l) Negative Impact on Area Real Estate Value
- m) Removal of Large Trees
- n) Loss of Small Town Feel
- o) Loss of Golf Course for Public Use

Residents' concerns with the application have been discussed through the review of the development application. Detailed technical comments including traffic impact, natural heritage impact, cultural heritage and urban structure have been summarized in the preceding sections of this report and detailed comments included in Appendix B of this report. The technical review, including the peer review, found a number of issues with the proposed development and the supporting studies including cultural heritage, natural heritage and urban structure.

CONCLUSION:

Planning staff circulated the development applications to internal departments and external agencies, and the town retained a multidisciplinary team of experts to undertake a peer review of certain submitted material and reports. The Growth Plan (2017), PPS (2014), Halton Region Official Plan, Livable Oakville Plan and other relevant policies and supporting guidelines were reviewed in their entirety, with relevant policies applied. The application proposes a development which contravenes numerous Provincial, Regional and town policy requirements which form an integral part of the Ontario policy-led land use planning and decision making system. Some of these deficiencies are fundamental, and not resolvable through design revisions. In summary, staff's analysis of the applications concluded the following:

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- the applications engage several matters that are fundamental to the Ontario policy-led land use planning and decision making system process, including: the conservation of significant cultural heritage resources; achieving intensification and redevelopment by planning for growth in a coordinated and comprehensive manner; directing growth to planned strategic growth areas that will be supported by infrastructure investments, including transit; planning for growth to make effective and efficient use of infrastructure, and to increase the use of transit; and maintaining the character of existing communities - while intensification generally and development in the built-up area are important objectives, they must be balanced against other important Provincial, Regional and Town objectives based on comprehensive and strategic planning;
- the development proposed by the applications would have the effect of removing a significant designed cultural heritage landscape, and replacing it with urban development, thereby failing to conserve a significant cultural heritage landscape, having cultural heritage value and significance according to Provincial criteria, in contravention the cultural heritage resource policies of the PPS (2014), Growth Plan (2017), Halton Plan and the Livable Oakville Plan;
- the applications propose development commensurate to a new unplanned Growth Area (within the Livable Oakville policy context), Intensification Area (within the Halton OP policy context), and strategic growth area (within the Provincial Growth Plan (2017) policy context), considering the development's area, proposed population, density, built form and building heights;
- the creation of a new strategic growth area outside of a municipal comprehensive review does not conform to policies of the Growth Plan (2017).
- the Region has confirmed that the applications do not conform with the Halton Region Official Plan.
- the applications propose development commensurate to a new unplanned strategic growth area in a location that is not served by any existing or planned level of transit service that would attract a mode share of transit beyond existing trends, contrary to Provincial, Regional and Town policy;
- the applications are inconsistent with the town's policy framework in the Livable Oakville Plan that establishes where and how the town will accommodate growth;

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- the town has confirmed through its Urban Structure Review where and how the town will accommodate future growth to achieve its intensification target to 2031, and its estimated population and employment forecast to 2041;
- the town's Urban Structure Review also determined that the subject lands are not an appropriate location for the creation of a new growth area, given the absence of existing or planning transit service that would support the creation of a new node;
- the proposed development could direct a significant proportion of growth from existing or planned higher-order transit which would be contrary to an established principle of the Growth Plan (2017) of coordinating transit infrastructure with growth management by directing growth to areas with existing or planned higher-order / frequent transit;
- the applications represent a substantial deviation from the approved and in-force growth management strategy of the Livable Oakville Plan that could undermine the Town's urban structure by redirecting growth from identified nodes and corridors, delaying timely development which would result in the ineffective and inefficient use of existing and planned investment.
- the development proposed by the applications would fail to preserve the character of the area, by removing a significant cultural heritage resource which helps define the character of the surrounding area, and the town, and fosters a sense of place;
- the development as proposed is not consistent with / does not conform to Provincial, Regional and Town policy requirements regarding protection of the natural heritage system; and,
- the technical review and peer review generally found that many of the reports and studies submitted in support of the applications contained technical deficiencies that did not fully demonstrate conformity with the Provincial, Regional and/or local policies or practice.

Considering all of the foregoing, staff are of the view that the applications do not represent good planning and are not consistent or in conformity with applicable Provincial, Regional and Town policy, and that approval of the applications would not be in the public interest. Accordingly, staff recommend that the applications be refused.

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CONSIDERATIONS:

(A) PUBLIC

Notice for the meeting regarding this development application was provided through a mailing to all properties within 120 m of the subject property and to other residents who expressed interest in the application.

Public comments received to date have been addressed identified in the 'matters raised by the public' section of this staff report and discussed throughout this report.

(B) FINANCIAL

There are no direct financial implications from this report.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

There are no immediate impacts.

(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

A review of the sustainability objectives of Livable Oakville has been included as part of this report.

APPENDICES:

- Appendix A - Notice of Intention to Designate
- Appendix B – Public Comments
- Appendix C – Halton Region - Policy Comments
- Appendix D – Livable Oakville Extract
- Appendix E – Zoning By-law 2014-014 Extract
- Appendix F – Heritage – Planning Staff Comments
- Appendix G – Heritage Peer Review Comments
- Appendix H - Agency and Peer Review Comments
- Appendix I - Proposed Draft Official Plan Amendment
- Appendix J – Proposed Zoning By-law Amendment

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