

Appendix C: Halton Region – Policy Comments



August 25, 2017

Legislative & Planning Services
Community Planning
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Mr. Charlie McConnell
Manager – West District
Town of Oakville
1225 Trafalgar Road
Oakville, ON L6H 0H3

Dear Mr. McConnell:

RE: Proposed Amendments to the Town of Oakville's Official Plan, Zoning By-law and a Draft Plan of Subdivision Application
Clublink Corp. ULC and Clublink Holdings Ltd. (Glen Abbey Golf Course)
1333 Dorval Drive
Town Files: OPA1519.09, Z.1519.09 and 24T-17003/O

The purpose of the Local Official Plan Amendment (**LOPA**), Zoning By-law Amendment (**ZBA**) and Draft Plan of Subdivision (**DPS**) applications for 1333 Dorval Drive (**Subject Lands**) are to permit the redevelopment of the Glen Abbey Golf Clubs lands to permit 141 detached dwellings, 299 townhouse dwellings, 2,782 apartment dwelling units, retail and office commercial space, parks and open space, and natural heritage uses (**Development Proposal**).

The proposed amendments include re-designating and rezoning the lands from 'Private Open-Space' and 'Natural Area' designations to various residential, open space, parks and natural heritage designations to implement the Development Proposal. A DPS application has also been submitted that would create new public streets, lots and blocks for future residential/mixed-use development, parkland and open space blocks, and blocks to define the natural heritage system. The effect of these applications is to permit the redevelopment of a 'private golf club' for urban residential/mixed-use and natural heritage uses.

Regional Planning Staff have reviewed the subject applications within the context of Provincial Plans and policies and the Regional Official Plan (**ROP**) and offer the following comments.

Planning Policy Framework:

The Provincial Policy Statement 2014 (**PPS**) and the Growth Plan for the Greater Golden Horseshoe 2006 & 2017 (**P2G**) provide a planning framework to manage growth, protect the natural environment and support economic development. Land use decisions with respect to the subject lands must be consistent with the PPS and conform to the P2G.

The PPS provides policy direction for 'Building Strong Communities', wherein settlement areas are to be the focus of growth and development and their vitality and regeneration shall be promoted. In doing so, planning authorities identify and promote appropriate locations and opportunities for intensification and redevelopment.

Regional Municipality of Halton

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The Province, through the 2006 P2G, provides specific planning direction on how to manage growth to support the achievement of complete communities and the planning for infrastructure to support growth. This policy direction is supported by PPS policy. The policy direction of the 2006 P2G Plan was implemented through Amendment No. 37, 38 & 39 to the ROP. The ROP provides a Regional Structure, as shown on Map 1 that represents the Region's basic position on the use of land and natural resources within its planning area (Section 50 of the ROP) to the planning horizon of 2031.

Planning Analysis Relating to Growth Management:

The Regional Structure is accompanied by a growth strategy for Halton based upon the distribution of population and employment for the planning horizon year of 2031. The Region's growth strategy provides the foundation for land use planning at a Regional and local level. The Region's growth strategy also provides direction on how population and employment growth, to the year 2031, is to be distributed.

Local Official Plans, covering the whole of each Local Municipality, are necessary extensions of the Regional Plan and are intended to direct development in accordance with local desires while adhering to policies of the ROP (Section 47). *Area-Specific Plans*, such as secondary plans are to be prepared by Local Municipalities for settlement areas such as new communities, *Intensification Areas*, and Hamlets in accordance with policies of the ROP (Section 48). The ROP, and by extension Local Official Plans and *Area-Specific Plans*, provide the planning framework for implementing Provincial Plans and addressing matters of provincial interest based upon an integrated, comprehensive and coordinated approach.

The subject lands are located within the Urban Area and within the *Built Boundary* as identified in the ROP. The Regional Intensification and Density Targets (Table 2) and Regional Phasing (Table 2A), sets out the number of housing units within the Built Boundary in the Town of Oakville. To address the planned growth for Built-Up Areas, the ROP provides objectives and policies for *Intensification Areas*. *Intensification Areas* are lands identified by the Region or its Local Municipalities within the Urban Area that are to be the focus for accommodating intensification and include *Urban Growth Centres*, *Major Transit Station Areas*, *Intensification Corridors* and Mixed Use Nodes.

The ROP requires Local Municipalities to prepare *Area-Specific Plans* or policies for major growth areas, including the development or redevelopment of communities (Section 48, Section 77(5), and Section 81(3)). The intent of these policies is to ensure that growth is planned for in a coordinated and integrated manner that considers the goals and objectives of the ROP and is supported by existing or planned infrastructure.

Regional Staff understand that the Town of Oakville, as directed through the Interim Control By-law for the Subject Lands, has now completed Urban Structure Review of the Liveable Oakville Plan, the North Oakville East, and the North Oakville West Secondary Plans. Through this process the Town has validated its Urban Structure and clarified policy direction on where and how to grow to 2031. While the Town's Urban Structure Review Final Report and draft Amendments to the Liveable Oakville Plan and the North Oakville Secondary Plans have been completed, a Town decision on these amendments has not been provided to date.

Given this direction, Regional Staff do not support this proposal on the basis of the following policies and rationale:

1. The proposed development of 3,222 residential units would permit a level of development that is comparable to the Town's planned growth areas. In fact, the density of the Development Proposal is similar to or greater than other Intensification Areas that were subject to a coordinated and comprehensive planning process which is missing in this case.
2. The subject lands are not located within a regionally mapped *Intensification Area* (i.e. *Urban Growth Centre* or *Major Transit Station Area*). In addition, the Town's Urban Structure Review and drafted amendments have also confirmed that the subject lands should not be 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*.
3. The policy direction of the ROP provides for a comprehensive municipally led process to define and establish *Intensification Areas*. This direction permits Local Municipalities and the Region to carefully assess, amongst other matters, the fiscal and physical impacts of considering new growth areas on a larger scale. In considering the Development Proposal and supporting technical studies, it is not clear to the Region how the proposal would impact the Region's and Town's planned growth in identified and planned growth areas, recognizing that significant public resources have been dedicated to support growth in such areas. The lack of comprehensive justification and analysis to support the Development Proposal reaffirms the Region's policy direction that the planning for new major growth areas should be municipally led undertakings.
4. The scope of analysis completed as part of the Traffic Impact Statement (TIS) and Functional Servicing Reports (FSR) did not provide the level of detail required to support the level of development or a new major growth area for these lands.
5. It is not clear how this Development Proposal addresses the affordable housing provisions of the PPS and ROP, and in doing so, how the Development Proposal would result in a complete community.
6. On July 1, 2017, the 2017 Growth Plan for the Greater Golden Horseshoe (2017 P2G) took effect. The 2017 P2G Plan provides direction on how to manage growth to the 2041 planning horizon. In accordance with Policy 2.2.1 (3) of the 2017 P2G, the planning for forecasted growth to the year 2041 must establish a hierarchy of settlement areas and areas within settlement areas that are to be the focus of growth. Further, this policy requires an urban form that will optimize infrastructure and align growth with transit and transportation corridors. The 2017 P2G requires this approach to be implemented through a municipal comprehensive review that is initiated by an upper-tier level or single-tier municipality. The 2017 P2G further requires the 2041 growth targets and forecasts, the delineation of *strategic growth areas*, and the density targets to be achieved by lower-tier municipalities to be defined and accommodated by planning authorities through a municipal comprehensive review.

On January 26, 2016 in response to questions from the Town relating to this proposal, Regional Staff advised that the ROP does not specifically require a municipal comprehensive review to implement this application. This is based on the policy direction of Section 48, Section 77(5), and Section 81(3) of the ROP which provides for a comprehensive municipal led process to identify new *Intensification Areas* that are supported by the policies of the ROP. The Region

further stated that the Town led Urban Structure Review would be an appropriate vehicle to comprehensively address this requirement.

As discussed above, the Town has now completed an Urban Structure Review of the Livable Oakville Plan which has validated its Urban Structure and growth to 2031. This process is consistent with the direction of the Region's January 26, 2016 letter wherein the Town led a comprehensive process to identify/confirm where intensification is to occur to 2031. Consistent with ROP policy and the 2017 P2G, the planning for new major growth areas should occur through a municipally led process, and not through a privately initiated development application such as the Development Proposal Clublink has brought forward.

The conformity exercises required by the 2017 P2G Plan have not been completed by the Region to date. The 2017 P2G Plan places a significant level of importance on the regionally led coordinated and comprehensive analysis on planning for growth. Given the importance of a municipal comprehensive review process in planning for growth as directed by the 2017 P2G Plan, it would be inappropriate to decide at this point in time how future *strategic growth areas* will be defined and planned for to the 2041 planning horizon in a piecemeal application by application manner.

Planning Analysis relating to Protecting Natural and Cultural Resources:

To maintain Halton's reputation as a great place to live, while accommodating anticipated population growth, landscape permanence is identified as a fundamental value in Halton's Planning Vision. This means that significant importance has been placed on permanently protecting and enhancing Halton's natural heritage, as well the rural countryside character for which the Region is known. This vision is also based upon the notion that Halton will undertake the necessary steps to ensure that growth will be accommodated in a fashion that is sensitive to its heritage and culture. This concept of landscape permanence is reflected in the goals, objectives and policies of the ROP.

The Regional Structure, as shown on Map 1 of the ROP, also designated the subject lands as 'Regional Natural Heritage System' (RNHS). To achieve the objectives of this vision, the ROP provides direction with respect to the identification, refinement, and/or boundary adjustments to the RNHS through Subwatershed studies, an individual Environmental Impact Assessment (EIA), or similar studies accepted by the Region.

In support of this Development Proposal, the proponent has prepared a number of technical studies to define the Key Features and Hazards associated with these lands. A review of the Development Proposal and supporting technical studies has identified that there is insufficient detail provided to characterize the system, including up-stream and down-stream impacts, and characterization of *Key Features* was not provided in accordance with ROP policy direction. Without more comprehensive and detailed information, it is unclear to Regional Staff how the submitted natural heritage and natural hazard technical studies have addressed the policies of the PPS, the 2017 P2G and the ROP.

The ROP also provides policy direction for the identification and protection of *Cultural Heritage Resources*. The ROP encourages 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 mitigative activities. In doing so, the ROP provides a framework to help define these resources and to ensure that any development proposals are

adequately studied to consider potential impacts to those resources, and if necessary and appropriate, any mitigation activities in accordance with Provincial requirements.

The Region understands that the Town, through its Cultural Heritage Landscape Strategy, has undertaken a review to understand and define cultural landscapes within Oakville. In the context of the process, Town Council has recognized the Glen Abbey property as a significant cultural heritage landscape, and Town Staff and Town Council have recommended that the lands be designated as a property of cultural heritage value or interest under Part IV of the Ontario Heritage Act. As noted above, ROP policy supports measures to define and protect cultural heritage resources. In assessing the Development Proposal the Town must ensure that the significant cultural heritage resources are protected.

The PPS provides policy direction for the 'Wise Use and Management of Resources' and for 'Protecting Public Health and Safety'. For example, the PPS requires:

- the protection of natural features and functions, improving and restoring water quality and quantity;
- conservation of cultural heritage and archaeological resources; and,
- the protection of public health and safety,

Based upon a review of the Development Proposal and the submitted technical studies and report, it does not appear as though these policy requirements of the PPS have been adequately addressed. For example, Conservation Halton in their July 31, 2017 comment letter identified significant issues from a natural heritage and natural hazards perspective with the Development Proposal and the supporting technical studies.

According to the Greenbelt Plan (GBP), the Subject Lands are traversed by an Urban River Valley that forms part of an external connection between the Greenbelt Natural Heritage System and other features such as the Lake Ontario shoreline. The intent of the Urban River Valley policies of the GBP is to provide opportunities for additional connections to help expand and integrate the Greenbelt and its systems into the broader landscape. Based upon a review of the supportive studies provided as part of this application, there is no reference as to how this policy direction of the GBP has been addressed.

Conclusion:

The Development Proposal has been considered the context of Provincial and Regional public policy framework, as contemplated and required through the *Planning Act*. The Regional Structure, as discussed above, provides clear direction on how to manage and plan for intensification. The Development Proposal seeks approval for a new major growth area and a significant intensification of uses that have not been subject to a rigorous assessment process as contemplated through the PPS, P2G and ROP. This is evident in the fact the Town has completed a comprehensive review of their current Urban Structure which confirms the subject lands are not considered for major growth. In fact, the density of the Development Proposal is similar to or greater than other *Intensification Areas* that were subject to a coordinated and comprehensive planning process.

This Development Proposal would result in a departure from the Town's vision for growth and would result in a new major growth area in the Town that was not planned for in an integrated, coordinated, and comprehensive manner. As such, and based upon the above noted comments,

the growth being considered through this development proposal as contemplated is not consistent with the PPS, and does not conform with P2G, GBP and the ROP.

I trust that the above noted comments are helpful. Please let us know if you require anything further on the above.

Sincerely,

A handwritten signature in black ink, appearing to read 'Curt Benson', with a stylized, cursive script.

Curt Benson, MCIP, RPP
Acting Director of Planning Services