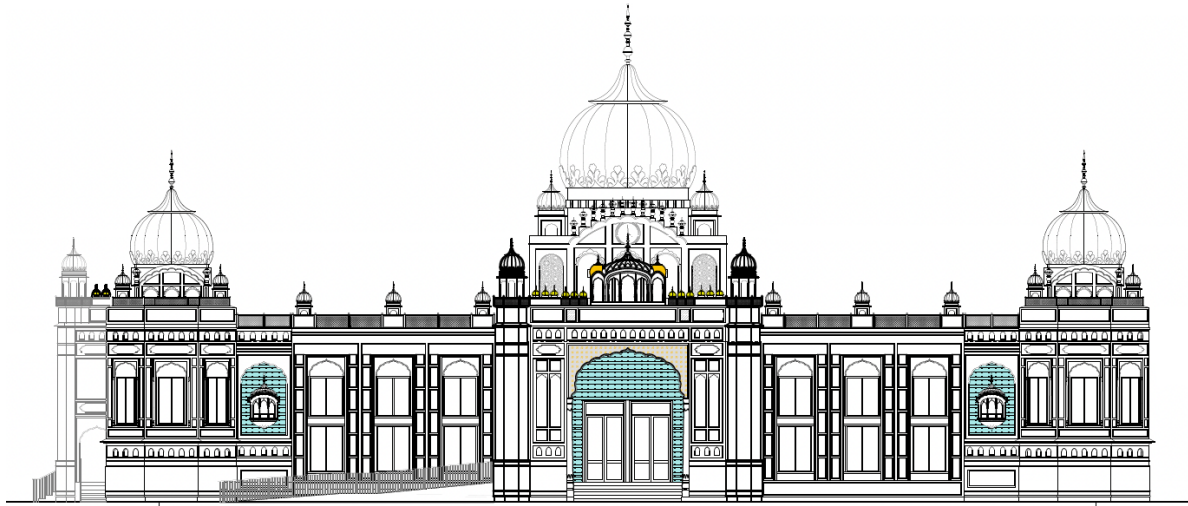


**Planning Justification Report
2403 Khalsa Gate**



**Ruth Victor MCIP, RPP, MRTPI
Prepared September 9, 2024**

1.0 Introduction

The subject lands are located at 2404 Khalsa Gate within the Palermo Village Growth area and are designated Urban Centre and Main Street 2 on Schedule N, Palermo Village Land Use. The site is zoned FD, Future Development.

The property is currently occupied by a building containing 520.79 m² of floor area and this building is used as a Place of Worship. The proposed development consists of an increase in floor area of the existing building of 2013.8 m². The total area of the new building once the addition is completed will be 2,539.59 square metres. An equipment storage facility for site maintenance equipment consisting of 39.72 m² is proposed for the area adjacent to the buffer between the proposed Place of Worship and existing 3 storey townhouses. One hundred and eleven parking spaces are provided behind the rear of the building. The balance of the provided parking, 145 spaces, is provided in the interior side yard, exterior side yard and front yard. Twelve bicycle parking spaces will be provided.

The site is rectangular in shape and is 1.8 ha in area. The proposed building code occupant load is 400 persons. The building will contain 2 prayer halls, washrooms, a gymnasium, a library, a Punjabi Language Learning Room/Music Room, fitness rooms and kitchen facilities.

The site will be accessed from Khalsa Gate and from Pine Glen Road by means of driveways with sufficient width to provide two-traffic. A Fire Route encircles the proposed building.

This Planning Justification Report is in support of an amendment to the Town of Oakville Official Plan and a Zoning By-law Amendment. An Amendment to the Official Plan is required at this time, as OPA 34 is not yet in effect. OPA 34 proposed new policies on building height and site specific surface parking areas for this Place of Worship.

The site is zoned FD, Future Development. A zoning amendment is required to permit the proposed use and to incorporate site specific provisions for this development. There are site-specific provisions proposed for the zoning by-law amendment. One would permit totally surface parking which matches the intent of OPA 34 regarding surface parking. It is appropriate to have only surface parking for a place of worship. The second pertains to the width of the landscape buffer required along a road. A widening of Pine Glen Road is required under the OP policies. Dedication of this land reduces the landscape buffer to 1.18 m. This is a sufficient buffer width in this location. There is a 2 m wide sidewalk between the proposed parking and the landscape buffer. Reduction in the width of the sidewalk would assist if additional buffer area identified during the site plan process. This sidewalk provides for pedestrian movements between parking areas and the proposed building and is a desirable at a 2m width. The specifics of the landscaping treatment will be reviewed in a comprehensive fashion through the Site plan process. It is also noted that there is a slight reduction in the landscape buffer to the south of the property. This is due to the irregular angle of the two lot lines and there is a pinch point due to the need to align the building and parking area to the streetline.

2.0 Provincial Planning Statement

A new Provincial Planning Statement has been approved by the Lieutenant Governor in Council by Order in Council No. 1099/2024. The policy document comes into effect on October 20, 2024 and must be considered now in reviewing the proposed applications as consideration of the OPA and ZBA will take place after October 20, 2024. Additional transition provisions for the new PPS are still pending. For the purpose of this report, it is assumed that the new 2024 PPS will be in effect at the time of consideration of these applications.

As noted in the preamble to the PPS the municipal official plan “shall be consistent” with the PPS.

2.1.6a) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), institutional (including places of worship, cemeteries and long-term care homes, recreation, park and open space, and other uses to meet long-term needs.

The application if approved will permit the increase in size of the Place of Worship currently existing on the subject lands and will support the creation of a complete community.

2.3.1 Settlement areas shall be the focus of growth and development.

The lands are located within a Growth Area as identified in the Town of Oakville Official Plan and are identified Urban Area in the Region of Halton Official Plan. The lands are located within an urban area. A Primary Regional Node is located at Bronte Road and Dundas Street. The built-up area is located on all sides of the existing Place of Worship.

3.1 General Policies for infrastructure and Public Service Facilities

3.1.2 Before consideration is given to developing new infrastructure and public service facilities:

- a) the use of existing infrastructure and public service facilities should be optimized; and
- b) opportunities for adaptive re-use should be considered, wherever feasible

The existing building is serviced by municipal services and these services will be reused. As per regional OP policy 58(1.1) uses are permitted provided that an adequate supply of water and treatment of wastewater for the proposed use has been secured to the satisfaction of the Region.

The site is currently occupied by a place of worship and the use will continue after approvals have been granted.

The applications are consistent with the Provincial Policy Statement 2024.

3.0 Former Regional Official Plan

As of July 1, 2024, the Regional Official Plan is no longer a Regional Plan and is now a Local Plan of the Town of Oakville as it relates to these lands.

ROPA 49 adopted by Regional Council in July 2021 and approved by the Minister of Housing on November 4, 2021, is the in-force and effect Official Plan providing I policy for the subject lands. Map 1, *Regional Structure* designates the subject lands as Urban Area. Map 1h further designates the surrounding lands as Built-up Area and depicts the intersection of Dundas Street and Bronte Road as a Primary Regional Node. Policies for development within this land use designation are found in Sections 82 to 82.2 of the ROP. These areas have a concentration of residential and employment uses with development densities and patterns supportive of active transportation and public transit. Section 82.1 identifies the entire Palermo Village as a Primary Regional Node. Section 82(3) states:

To provide a range and mix of transit-supportive uses, such as residential, retail, office and public uses that supports the area in a pedestrian-oriented urban environment.

Policies regarding Urban Services i.e. water and wastewater are found in Sections 89(1) through 89(25). Section 89(8) limits development in the Urban Area to the ability and financial capability of the Region to provide urban services in accordance with its approved financing plan under Section 77(15) of the OP. This requirement was met in the past as full urban services are available to this property.

Part IV of the Plan contains policies pertaining to Healthy Communities. Section 143(5) requires all new development to provide safe and accessible active transportation facilities and access to public transit services, or transit stops where they are likely to be located within a walking distance of 400 metres. Sidewalks are provided in the area; transit facilities are located on Dundas Street with transit stops on both the north and south sides of Dundas Street within walking distance of the subject lands.

Policy 147(17) states:

Require that, prior to the Region or Local Municipality considering any development proposals, the proponent undertake a process in accordance with the Region's Guidelines (Protocol) for Reviewing Development Applications with Respect to Contaminated or Potentially Contaminated Sites and any applicable Provincial legislation, regulations and guidelines to determine whether there is any potential contamination on the site and the steps necessary to bring the site to a condition suitable for its intended use.

A Phase I ESA was prepared by Soil-Mat Engineers and Consultants and this report determined that further investigations including a Record of Site Condition are not required at this time.

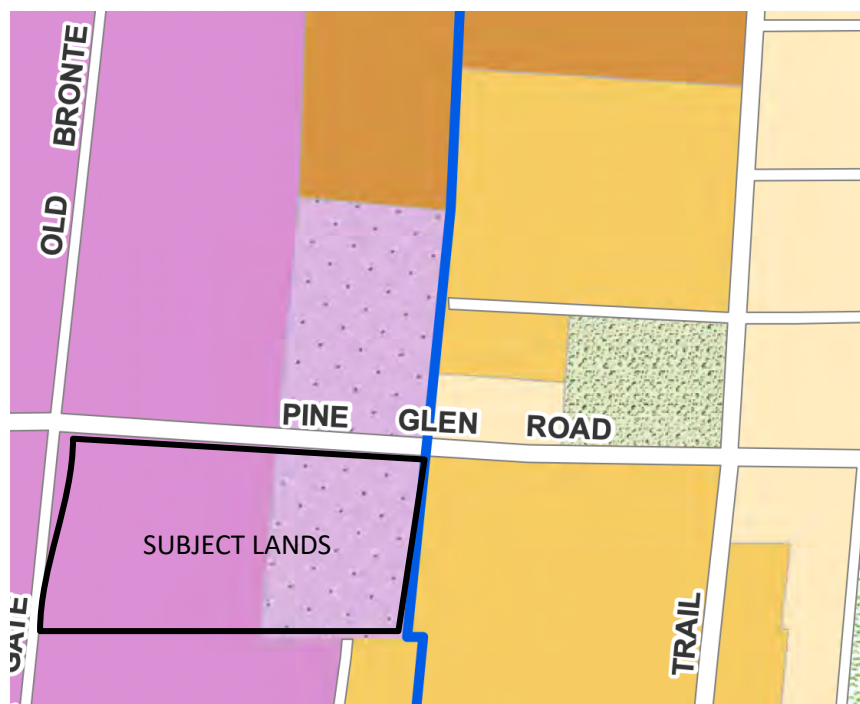
Policy 149(60) encourages landowners to separate solid waste for re-use, recycling and composting. Facilities are provided onsite in three bins within an enclosure.

Conclusion

We conclude that the subject application for an amendment to the Local Official Plan and a Zoning By-law Amendment are consistent with the newly approved Provincial Planning Statement (PPS), and conform to former regional Official Plan now a local plan for the Town of Oakville regarding these lands.

4.0 Town of Oakville Official Plan

The subject lands are located within the Palermo Village Growth Area and are designated Urban Centre and Main Street 2 on Schedule N.



Extract from Schedule N, land Use Plan

Schedule C, Transportation Plan designates Pine Glen Road as a Major Collector and Khalsa Gate is a Local Road. Major Collectors require a right-of-way width of 26 metres and Local Roads require a right-of-way of 18 metres. A road widening of 1.98m is Required along Pine Glen Road.

As per Section D12.4 (Urban Centre) of the Plan the Urban Centre land use designation permits a wide range of retail and service commercial uses including restaurants, commercial schools, major office, offices and residential uses. Places of entertainment, indoor sports facilities and hotels may also be permitted. Building heights are discussed in Section D 12.4.2 shall be a minimum of 6 storeys and a maximum of 8 storeys. Surface parking polices are contained in Section D12.4.3 and set out that parking shall not be permitted in front of or between buildings. The building height polices of Section D are overridden by policies found in Section E which pertains to the Palermo area specifically as the Urban Centre land use designation applies to all Growth Area designations

Section D12.3(Main Street 2) permits similar land uses to the above. Building heights are discussed in Section D 12.4.3 and are to be a minimum of 4 storeys in height and a maximum of 6 storeys. As per Section D 12.3.3, surface parking on corner lots shall be permitted only in the rear yard or in areas that can be appropriately screened. The building height polices of Section D are overridden by policies found in Section E which pertains to the Palermo area specifically as the Urban Centre land use designation applies to all Growth Area designations

Section E-22.5 provides additional policies for both these land uses. For the Urban Centre designation as per Section 22.5.1, mixed use and residential and office developments shall have a maximum floor space index of 4.0. The minimum building height shall be 2 storeys. South of Pine Glen Road multiple attached buildings, stand-alone apartment buildings, stand-alone office buildings and stand-alone retail and service commercial buildings are permitted. Gross floor area is not to exceed 6000 m².

For the Main Street 2 designation as per section 22.5.2 the minimum building height shall be 2 storeys.

We note from the architectural elevations that the proposed building height is 7.31 m. This is effectively a two storey building as typically the first storey of mixed use buildings is 4.5 m and additional storeys above are 3 m in height thus providing the massing of a higher building. In addition dome features take the building heights to a maximum of 22.86 m giving the impression of a building in the range of 6 to 8 storeys in height.

Official Plan Amendmenst 34 & 37

Official Plan amendments 34 and 37 provide revised policies for development in Palermo Village. OPA 34 relates to land south of Dundas Street and OPA 37 deals with parking standards. Both of those OPAs have been referred to the Ontario Land Tribunal and are not in effect however we have reviewed OPA 34 and 37 as a basis for amendments to the polices above with respect to building height and surface parking.



Figure N1 from OPA 34

Schedule N1 designates the lands west of Baronwood as Urban Centre and the lands east of Baronwood as Medium Density Residential.

Places of Worship are specifically permitted under policy 22.6.1. Although the existing official plan policies require minimum heights within OPA 34 once in effect there are no minimum building heights for Places of Worship.

Although the existing Official Plan policies restrict the amount of surface parking, within OPA 34 and OPA 37, as per policy 22.7.3, the lands designated Urban Centre south of Pine Glen Road and known as 2403 and 2417 Khalsa Gate are permitted to have surface parking on more than 50% of the lot when the parking is appropriately sited and screened to minimize views from the streets. We have reviewed the parking policies contained within both Livable Oakville, the in-force Official Plan and the appealed OPA 34 and OPA 37 and note that there are policies pertaining to the location of surface parking that must be amended to permit development of the subject lands as contemplated in the proposed Site Plan. The intent of the original policies was to provide for appropriate landscaping and reducing the visual impact of surface parking. This intent will be followed.

The expansion of the Place of Worship or surface parking area are subject to site plan approval and shall provide for enhanced streetscape improvements and dedication of the proposed road as shown of schedule N1.

As noted previously the primary purpose of this amendment is to incorporate into the Livable Oakville Plan the provisions found within OPAs 34 and 37 which are not yet in effect.

The proposed Zoning By-law amendment further implements the proposed site plan through a site specific provision.

Conclusion

It is our opinion that these applications conform to the policies of Livable Oakville Plan.

5.0 Supporting Documents

The following studies have been prepared in support of the Zoning By-law and Official Plan Amendments:

Transportation Impact Analysis & Parking Justification Letter
 Phase 1 Environmental Assessment
 Stage 1-2 Archaeological Study
 Storm Water Management Study and Functional Servicing Report
 Arborist Report and Tree Preservation Plan
 Pedestrian Circulation Plan
 Landscape Concept Plan
 Canopy Cover Plan
 Urban Design Brief

6.0 Conclusion

Our review of provincial and former regional polices concludes that the proposed Official Plan Amendment and Zoning By-law Amendment are in conformity with and consistent with the PPS and former regional official plan as applicable. The approval of the OPA and Zoning By-law Amendment provides for an enhanced place of worship serving both the local and wider communities and is an important part of assisting with the creation of a Complete Community. In my opinion the approval of the two applications set out within this planning report represents good planning.

Ruth Victor



MCIP, RPP, MRTPI

APPENDIX 'A'

DRAFT OFFICIAL PLAN AMENDMENT

THE CORPORATION OF THE TOWN OF OAKVILLE

BY-LAW NUMBER 2024-XXX

Official Plan Amendment No.YYY

A by-law to amend the Livable Oakville Plan to incorporate new policies for the lands known as 2403 and 2417 Khalsa Gate.

WHEREAS subsection 22(1) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, states that a person or public body requests that a Council of a municipality that is within a planning area amend its Official Plan and section 17 applies to any such amendment; and,

WHEREAS it is deemed necessary to pass an amendment to permit the development of the subject lands in accordance with the policies proposed in OPA 34 and with the regulations in a proposed Zoning By-law Amendment;

COUNCIL ENACTS AS FOLLOWS:

1. For the purposes of this by-law:
 - a. "1984 Oakville Official Plan" means the Official Plan for the Oakville Planning Area adopted by the Council of The Corporation of the Town of Oakville on July 5, 1983 by By-law 1983-114, approved as modified by the Minister of Municipal Affairs and Housing on December 21, 1984 subject to certain referrals and deferrals, and as subsequently amended.
 - b. "Livable Oakville Official Plan" and "Livable Oakville Plan" mean the Official Plan for the Oakville Planning Area that currently applies to the lands south of Dundas Street and the lands north of Highway 407, and was adopted by Council on June 22, 2009, and approved with modifications by the Ontario Municipal Board on May 10, 2011, and as subsequently amended.
2. The Livable Oakville Official Plan is hereby amended as it affects the lands identified in **Appendix "A"** to this by-law.
3. Pursuant to subsection 17(27) of the *Planning Act*, R.S.O. 1990, c.P.13, as amended, this Official Plan Amendment comes into effect upon the day after the last day for filing a notice of appeal if no appeal is filed pursuant to subsections 17(24) and (25). Where one or more appeals have been filed under subsection 17(24) and (25) of the said Act, as amended, this Official Plan Amendment comes into effect when all such appeals have been withdrawn or finally disposed of.

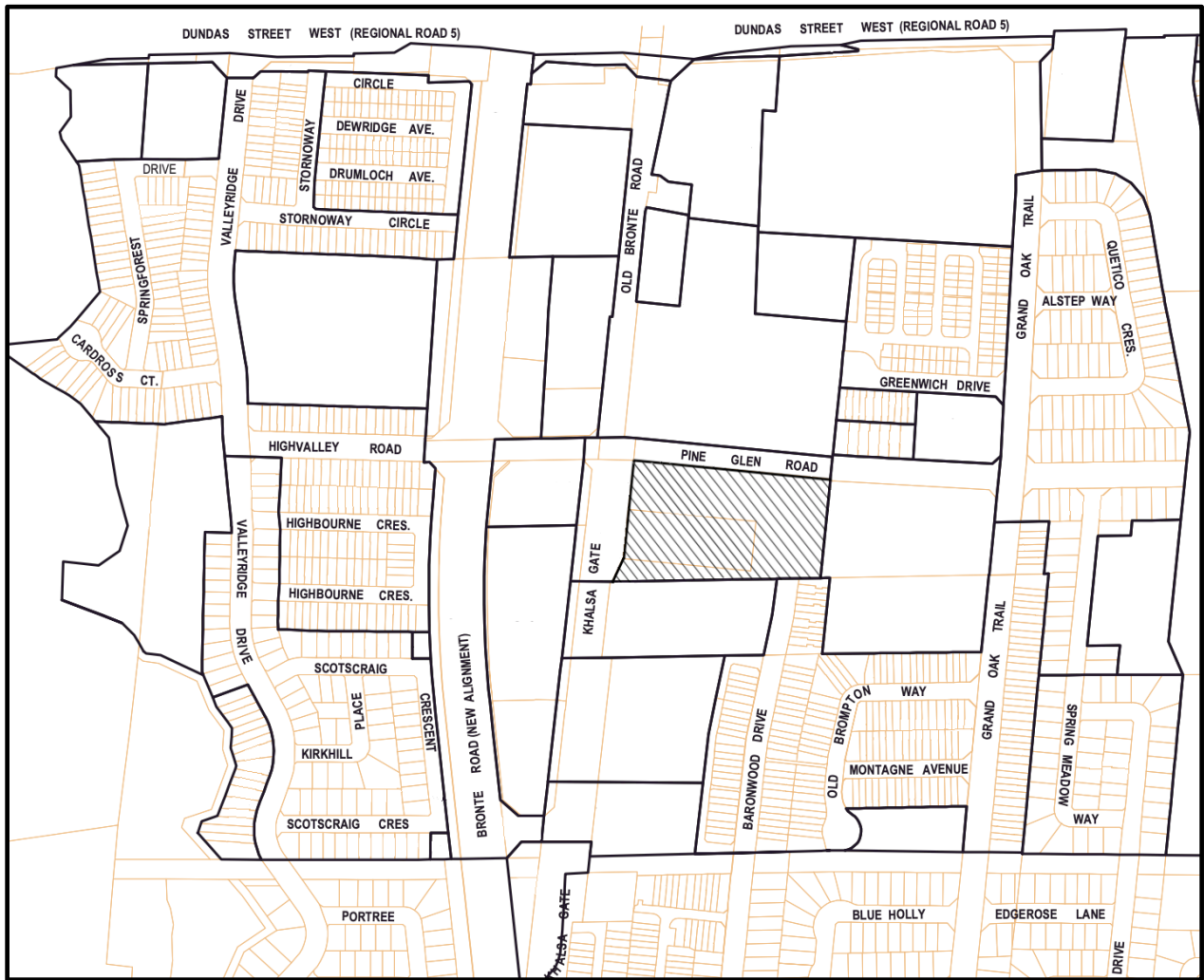
PASSED this day of 2024

MAYOR

CLERK

APPENDIX "A" to By-law 2021-043

Lands subject to amendments to
the Livable Oakville Plan



Subject Lands

APPENDIX “B” to By-law 2021-043
Official Plan Amendment Number YYY
to the Town of Oakville’s Livable Oakville Plan

Constitutional Statement

The details of the Amendment, as contained in Part 2 of this text, constitute Amendment Number YYY to the Livable Oakville Plan.

Part 1 – Preamble

A. Subject Lands

The proposed OPA relates to the following lands as identified in **Attachment 1** to this OPA:

- The lands south of Pine Glen Road and east of Khalsa Gate with municipal address of 2403 and 2417 Khalsa Gate.

B. Purpose and Effect

The purpose of the proposed amendment is to incorporate policies for those lands identified above, and establish modified Schedule N for the Palermo Growth Area to show an exception for the subject lands and to add a new subsection 22.7.3 to Section 22.7 Palermo Village Exceptions – Schedule N.

The effect of the proposed amendment to the Livable Oakville Plan is to: update schedule N to identify the lands at 2403 and 2417 Khalsa Gate as an exception to general polices in the Oakville Livable Official Plan regarding building height and surface parking areas.

C. Background and Basis

Palermo Village, at the intersection of Bronte Road (Regional Road 25) and Dundas Street (Regional Road 5), has long been envisioned as a node for employment and residential development. It is intended to develop into a high density, transit supportive, mixed use area and contribute to a complete community. The town-wide Urban Structure in OPA 15 identifies the existing Palermo Village Growth Area on the south side of Dundas Street. It also identifies both Bronte Road and Dundas Street as “Regional Transit Priority Corridor” and all four quadrants of the intersection as “Proposed Regional Transit Node” and “Nodes and Corridors for Further Study”.

Complete communities include Places of Worship and this amendment relates to the proposed addition to the existing Sikh Temple on the subject lands.

A public information meeting was held on August 26, 2024.

Part 2 – The Amendment

A. Text Changes

Item No.	Section	Description of Change
<u>1</u>	<u>22.6 Exceptions</u>	<u>Insert a new Section 22.6.2</u>

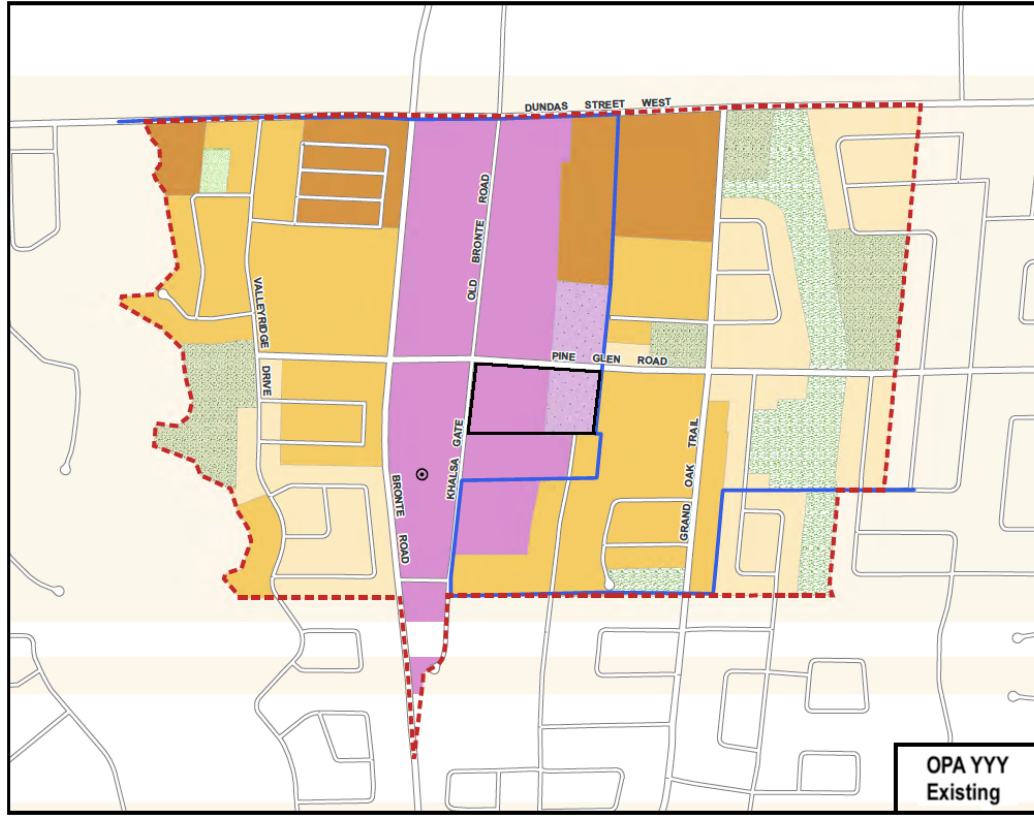
22.6. Palermo Village Exceptions

2.6.2 The lands designated Urban Centre and Main Street 2, south of Pine Glen Road and known as 2403 and 2417 Khalsa Gate, are subject to the following additional policies:

- a) Policies 12.3.3, 12.4.3 and 22.4.1b)(i) and 22.4.1b)(ii) do not apply to the subject lands;
- b) Surface parking associated with a place of worship may be permitted on greater than 50 percent of the lot when appropriately sited and screened to minimize the view of the surface parking from the street. This parking may be permitted within front and exterior side yards.
- c) the proposed building shall not be subject to the minimum height requirements provided in the Urban Centre policies in Section 22.5.1c) and the Main Street 2 policies in Section 22.5.2c)
- d) The expansion of the place of worship or surface parking area shall be subject to site plan approval and shall provide for enhanced streetscape improvements along Khalsa Gate as identified on Schedule N, and the dedication of the proposed road, Baronwood Drive, shall not be required.

B. Schedule Changes

Schedule N, is amended to show the new exception for lands south of Pine Glen Road.



OPA YYY
Existing

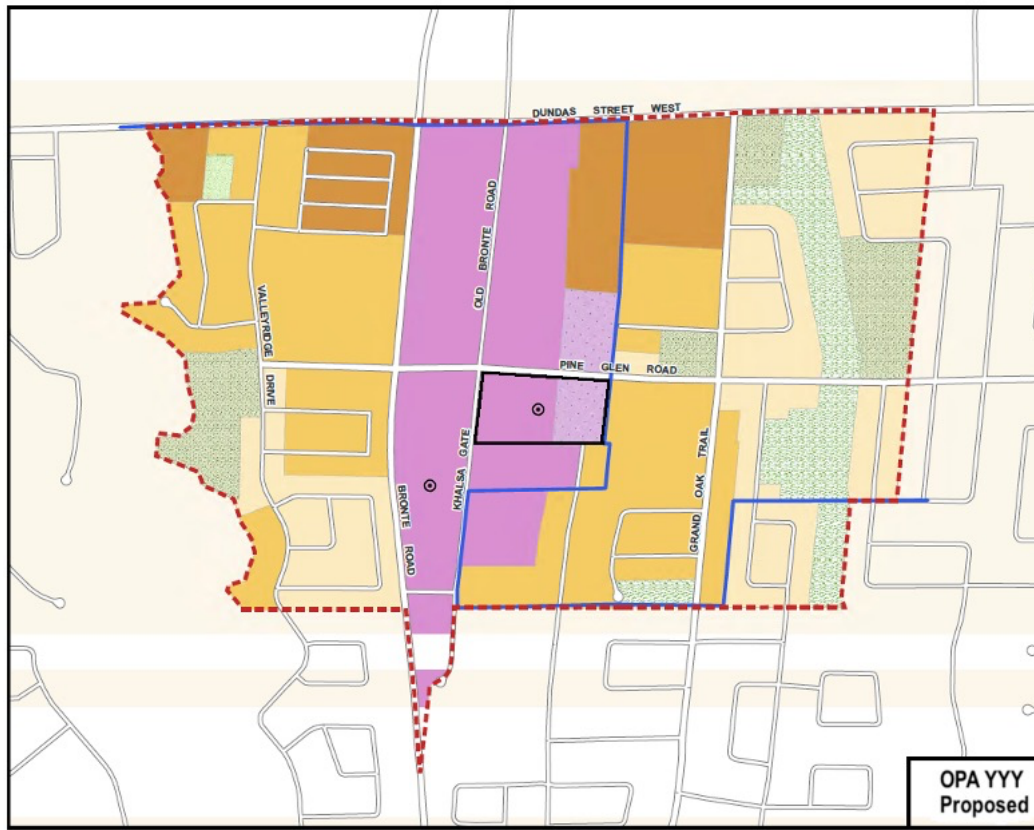
SCHEDULE N PALERMO VILLAGE LAND USE

- BUILT BOUNDARY
- GROWTH AREA BOUNDARY
- LOW DENSITY RESIDENTIAL
- MEDIUM DENSITY RESIDENTIAL
- HIGH DENSITY RESIDENTIAL
- MAIN STREET 2
- URBAN CENTRE
- NATURAL AREA
- PARKS AND OPEN SPACE
- PRIVATE OPEN SPACE

Refer to Part E, Palermo Village, for Growth Area Policies
 ⊙ Refer to Part E, Palermo Village Exceptions

1:5,000
August 31, 2021

© 2021 PALERMO VILLAGE DATA DEVELOPMENT OFFICIAL PLANNING
 LAMBTON-KAWARTHA REGION



OPA YYY
Proposed

SCHEDULE N PALERMO VILLAGE LAND USE

- BUILT BOUNDARY
- GROWTH AREA BOUNDARY
- LOW DENSITY RESIDENTIAL
- MEDIUM DENSITY RESIDENTIAL
- HIGH DENSITY RESIDENTIAL
- MAIN STREET 2
- URBAN CENTRE
- NATURAL AREA
- PARKS AND OPEN SPACE
- PRIVATE OPEN SPACE

Refer to Part E, Palermo Village, for Growth Area Policies
 ⊙ Refer to Part E, Palermo Village Exceptions

1:5,000
August 31, 2021

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 LAMBTON-KAWARTHA REGION

APPENDIX 'B'

DRAFT ZONING BY-LAW AMENDMENT



THE CORPORATION OF THE TOWN OF OAKVILLE

BY-LAW NUMBER 2024-XXX

A by-law to amend the Town of Oakville Zoning By-law 2014-014 to permit the use of lands described as Part Lot 30 Concession 1 South of Dundas Street (2403-2417 Khalsa Gate)

1. Map 91(19a) of By-law 2014-014 is amended by rezoning the lands as depicted on Schedule 'A' to this By-law from FD, Future Development to CU, Community Use
2. Part 15, Special Provisions, of By-law 2014-014 is amended by adding a new Subsection 15.ZZZ as follows:

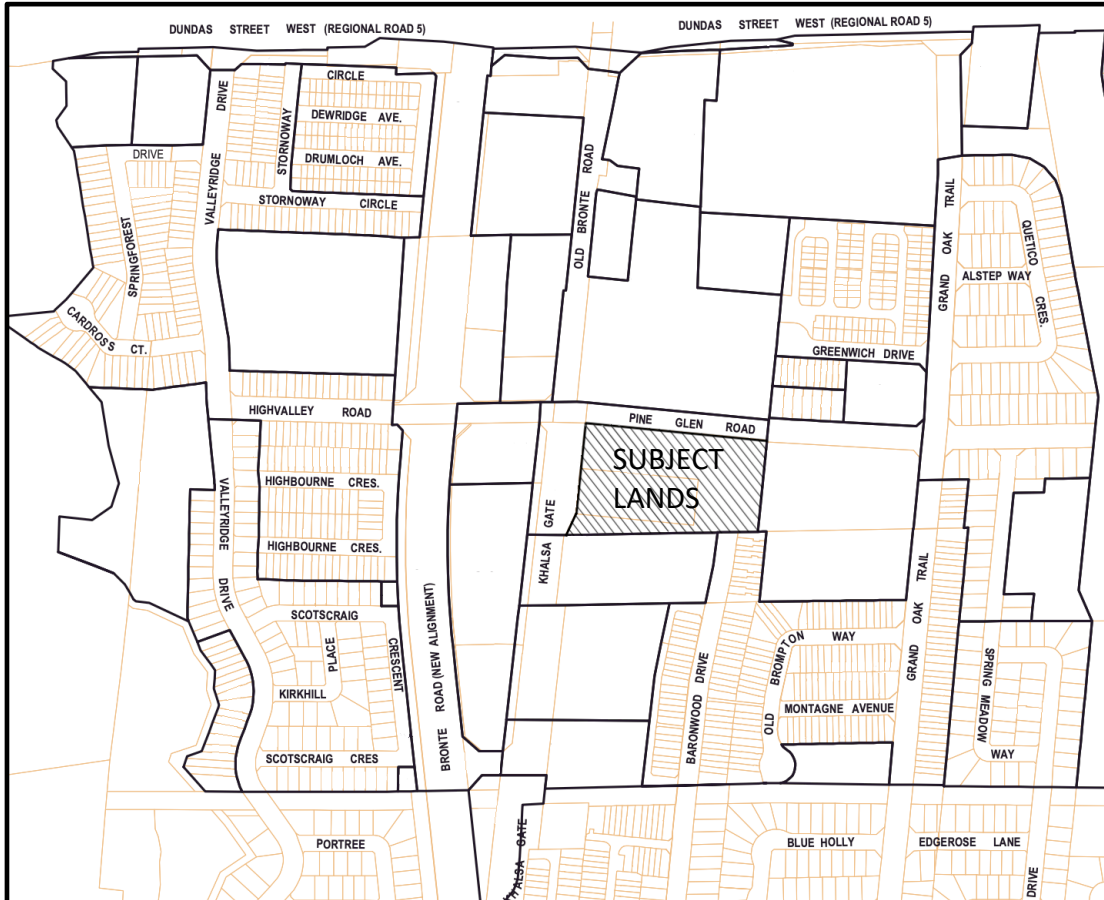
Map 19 (19a)	2403, 2417 Khalsa Gate Part of Lot 30 Concession 1 S.D.S.	Parent Zone: CU
15.ZZZ Additional Zone Regulations for subject lands		
The following additional regulations apply to lands identified as 2401, 2417 Khalsa Gate on Figure 15.ZZZ:		
a)	All required parking may be surface parking notwithstanding the Zoning By-law regulation that 50% of the required parking be within a structure	
b)	Building height (minimum)	1 storey
c)	Minimum landscape buffer to parking along Pine Glen Road	1.18 m
d)	Minimum landscape buffer abutting any residential use	3.2 m

PASSED by The Council this day of 2024

MAYOR

CLERK

SCHEDULE "A"
To By-law 2024-XXX



PROPOSED AMENDMENT

Rezoned from FD, Future Development
To CU, Community Use)
EXCERPT FROM MAP 19(19a)

APPENDIX 'C'

MINUTES OF PRE-APPLICATION INFORMAL PUBLIC MEETING

Minutes of Virtual Pre-Application Information Public Information Meeting

6:00PM on Monday August 26, 2024 via ZOOM

9 people attended, including:

- 1) Jarnail – Gurdwara Board Member
- 2) Herman – Gurdwara Board Member
- 3) Ruth Victor, Principal, Ruth Victor & Associates
- 4) Len Radomski, Project Manager, Ruth Victor & Associates
- 5) Creighton Chartier, Paradigm Transportation Solutions
- 6) Harpreet Bhons, Principal, Technoarch
- 7) Screenname “Rusty” – member of public
- 8) Screenname “Sunder” – member of public
- 9) Screenname “Piara” – member of public

Ruth presented the proposal to the attendees until 6:15pm

A Question-and-Answer Period was held with no questions from the public.

The meeting was concluded at 6:20

Len Radomski remained available until 7:00pm

4 members of the public joined the meeting after the presentation:

- 1) Screenname “Alexandra” – member of public
- 2) Screenname “Ervis Zeneli” – member of public
- 3) Screenname “Balsit Kehal” – member of public
- 4) Screenname “Depak Tyagi” – member of public

Len Radomski asked these members of the public if there were any questions, with no response from the members.

A member of the public emailed with respect to a call in number for the meeting, however did not call in.

A member of the public emailed Len Radomski the following day and provided their phone number and requested a call. Len called the member of the public and spoke with them for 30 minutes. This member of the public was supportive of the application, however raised a concern about the architectural feature casting shadows on their property. The member of the public also raised the issue of the current parking lot lighting shining directly into their bedroom window at night. Len stated he would pass this information on to the Gurdwara and advised the member that the Site Plan Approval Process will be addressing issues like Site Lighting.