



THE CORPORATION OF THE TOWN OF OAKVILLE

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STAFF REPORT

Date: May 3, 1994 File No: P.D.1529.1
To: Mayor and Members of Council
From: Planning and Development Department
Long Range Planning Section
Subject: AMENDMENT TO THE PARKWAY BELT WEST PLAN
DONALD AND VIVIAN STANTON

RECOMMENDATIONS

1. That Council advise the Ministry of Municipal Affairs that it does not support Donald and Vivian Stainton's application to amend the Parkway Belt West Plan.
2. That this report be forwarded to the Ministry of Municipal Affairs.

BACKGROUND

Subsequent to completion of a review of the Parkway Belt West Plan, the Ministry of Municipal Affairs has recirculated an application submitted in 1986 to amend the Parkway Belt West Plan. Their letter is attached in Appendix A. The application was made to delete 3.8 ha of land from the Parkway Belt West, south of Upper Middle Road, west of the Glen Abbey Community. The applicant intends to subdivide the lands for residential and open space purposes. About 1 ha of the total lands can accommodate residential development.

The application raises concerns over potential impact on the existing creek valley and woodlot, the Glen Abbey Community and the Parkway Belt West Plan.

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The subject lands represent one of several parcels within the Parkway Belt which could physically support residential development. The subject application therefore raises concerns on its own and also the potential for similar applications in the future. In this respect, the subject application compromises the integrity of the Parkway Belt West Plan.

In 1989, the Region of Halton initiated a review of the Parkway Belt West Plan in Halton Region. The Stainton application was deferred until completion of that study. It was specifically considered in the review. Both the consultant study and the Region's report on the issue did not recommend that this land be removed from the Parkway Belt. The Town concurred with this in its report of May 26, 1993, which was received by Council on June 14, 1993.


It is recommended that the existing boundaries to the Glen Abbey Community be retained and that this application be denied by the Ministry of Municipal Affairs.

Submitted by:

Approved by:

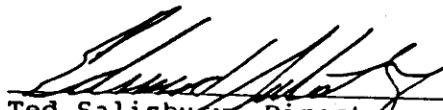


Susan Elbe, Planner
Long Range Planning Section

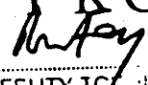


Lynne Gough, Manager
Long Range Planning Section

Authorized by:



Ted Salisbury, Director
Planning Services Department

APPROVED


DEPUTY TOWN MANAGER
DEVELOPMENT AND COMMUNITY PLANNING

**Subject: AMENDMENT TO THE PARKWAY BELT WEST PLAN
DONALD AND VIVIAN STAINTON**

OWNER/APPLICANT/AGENT

Donald E. Stainton
Vivian A. Stainton
2332 Upper Middle Road West
Oakville, Ontario
L6J 4Z3

The application is made to the Ministry of Municipal Affairs who have asked the Town for their comments. The deadline for comments from the Town is June 9, 1994. Staff are seeking Council's input on this matter for submission by this date.

SITE DESCRIPTION

The land to the east of the subject site is designated residential low density in the Official Plan, Figure N. Single family residences have been built in this area of the plan, immediately adjacent to the Stainton lands.

The subject lands are located south of Upper Middle Road, west of the Third Line. The Municipal address is 2332 Upper Middle Road. Legally, the lands are referred to as comprising Part of Lot 29, Concession 2, S.D.S. The property is approximately 4.0 ha in area.

The east branch of the Fourteen Mile Creek bisects the northerly half of the subject lands. Field checks confirm the presence of a woodlot on a portion of the applicant's lands.

OFFICIAL PLAN

Figure B, General Land Use, designates the subject lands as being within the Parkway Belt West. In addition, Figure F, Environmental Planning Areas, designates a significant portion of the subject lands as an "Environmental Protection Area".

With regards to the Parkway Belt West designation Part E, Section 5.1 (a) directs that the lands within the Parkway Belt shall be governed by the provision of the Parkway Belt West Plan, July, 1978. Accordingly, Map 6 to the Parkway Belt West Plan (attached in Appendix B) shows the subject lands as being within the "Public Open Space and Buffer Area" - component of the "Public Use Area".

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Uses contemplated for this area by the Parkway Belt West Plan include linear transportation, communication and utility facilities, public open space uses and certain interim uses.

Change of uses of lands are anticipated providing that new uses are as compatible to the plan as existing uses and, all natural features are preserved to the maximum possible degree.

The Official Plan designation of "Environmental Protection Area" identifies areas having the highest level of environmental significance and biological sensitivity in the Town. These include land and water resources which exhibit environmental hazards or are critical to maintenance of natural systems. Permitted uses may include conservation, forestry, public works and private open space. Part D, Section 5.1 (c) specifies the relevant policies which are attached in Appendix C.

ZONING BY-LAW

By-law 1984-63 zones the subject lands "05", Parkway Belt Public Use. Permitted uses include public parks, country and recreation clubs that are open to the general public, conservation projects, public works and utilities, private utilities and recreation facilities all authorized by a government authority subject to municipal approval.

PROPOSAL

The application proposes to delete the subject lands from the Public Open Space designation of the Parkway Belt West Plan. The applicant proposes to develop residential uses in conjunction with existing proposals to the east. In addition the applicant proposes to preserve the Fourteen Mile Creek ravine as a recreational trail for public use.

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CIRCULATION RESPONSES

When the proposal was previously circulated (in 1987), the following comments were raised:

The Public Works Department noted that should the property develop, it must do so in conjunction with the residential development to the east.

The Glen Abbey Residents' Association opposed any proposal which would have the effect of 'whittling away' the Parkway Belt West Plan and compromising the Glen Abbey Secondary Plan.

The Parks and Recreation Department also expressed concern at that time over the deletion of lands from the Parkway Belt West Plan.

The Region of Halton communicated serious concerns regarding the application and did not support the deletion of the lands from the Plan. The concerns included possible environmental impacts and deterioration of the function of the Parkway Belt West Plan. In addition, the Region was concerned that the approval of the application could set a precedent with respect to removal of additional lands from this portion of the Parkway Belt West. If other lands were to be removed, it might cause a strain on community services and existing facilities.

The Halton Region Conservation Authority did not support the application. They noted that further development "...is not seen as being consistent with ...protection of the creek and valley lands."

Comments received in response to the most recent circulation maintain a position of not supporting the application. Comments made previously have essentially been reiterated.

Additional comments come from Oakville Hydro and the Development Engineering section in Planning Services. Oakville Hydro notes that electrical supply would not be readily available from east of the subject lands. The closest source of power would be on the north side of Upper Middle Road and connection would involve considerable cost to the developer of the lands.

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The Development Engineering section points out that a significant portion of the land is within the E.P.A. and that the application is inconsistent with the protection of the natural system. It is further noted that a detailed assessment using an integrated ecosystem approach is required before comments can be provided on the suitability of development in the area. The Region's position is outlined in more detail below.

PARKWAY BELT WEST PLAN

The Parkway Belt West Plan and its policies form part of the Town's Official Plan. Of importance to this application are the following goals stated in the Parkway Belt West Plan:

- Separate and define the boundaries of urban areas, thus helping to provide the residents with a sense of community identification.

- provide a system of open space and recreational facilities linked with each other, with nearby communities, and with other recreational uses.

To this end, the Plan has specific objectives which call for the definition of urban areas by means of clear limits to urban development and provision of extensive blocks of land as a reserve for unforeseen, compatible public and private activities.

The subject application is not seen as a way of implementing or conforming to these policies. In most respects, the proposal is contrary to the goals of the Parkway Belt West Plan.

PARKWAY BELT WEST PLAN REVIEW

As noted above, the Region undertook a review of the Parkway Belt West Plan as it related to Halton Region. The study was completed in April of 1991. Regional Council subsequently adopted the study and approved the incorporation of the study recommendations into the Regional Official Plan. In part, the recommendation stated that:

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"This site is necessary to the Open Space and linkages function of the Parkway Belt....Recommendation - Maintain in Parkway Belt West Plan as part of Greenlands System in draft Regional Official Plan."

The Town concurred with this in its report of May 26, 1993, which was approved by Council on June 14, 1993.

CONCLUSION

Staff are at this time requesting that Council confirm its position regarding the status of the Stainton lands within the Parkway Belt West. This position is consistent with previous Council acceptance of the Parkway Belt West Plan Review for Halton Region on June 14, 1993. It is appropriate for Council to reconfirm this position to the Ministry of Municipal Affairs in response to its circulation on this application for amendment. Council's comments will be forwarded to the Ministry of Municipal Affairs before June 9, 1994.