



**Town of Oakville
Planning and Development Council**

ADDENDUM

Date: Tuesday, October 15, 2024
Time: 6:30 p.m.
Location: Council Chamber

Town Hall is open to the public and live streaming video is available on <https://www.oakville.ca/town-hall/mayor-council-administration/agendas-meetings/live-stream> or at the town's YouTube channel at <https://www.youtube.com/user/TownofOakvilleTV>. Information regarding written submissions and requests to delegate can be found at <https://www.oakville.ca/town-hall/mayor-council-administration/agendas-meetings/delegations-presentations>.

Pages

***6. Public Hearing Item(s)**

Memo from Planning and Development Department has been added to Item 6.1.

***6.1 Public Meeting Report - Official Plan Amendment and Zoning By-law Amendment, Garden Residences Corporation, 105-159 Garden Drive, File No. OPA 1617.47 and Z.1617.47**

2 - 58

Recommendation:

1. That comments from the public with respect to the proposed Official Plan Amendment and Zoning By-law Amendment submitted by Garden Residences Corporation (File No.: OPA 1617.47 and Z.1617.47), be received.
2. That staff consider such comments as may be provided by Council.



OAKVILLE

REPORT

Planning and Development Council

Meeting Date: October 15, 2024

FROM: Planning and Development Department

DATE: October 1, 2024

SUBJECT: Public Meeting Report - Official Plan Amendment and Zoning By-law Amendment, Garden Residences Corporation, 105-159 Garden Drive, File No. OPA 1617.47 and Z.1617.47

LOCATION: 105 – 159 Garden Drive

WARD: Ward 2 Page 1

RECOMMENDATION

1. That comments from the public with respect to the proposed Official Plan Amendment and Zoning By-law Amendment submitted by Garden Residences Corporation (File No.: OPA 1617.47 and Z.1617.47), be received.
2. That staff consider such comments as may be provided by Council.

KEY FACTS

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

- **Nature of Application:** The applicant has applied for an Official Plan Amendment and Zoning By-law Amendment. The purpose of the application is to amend the Livable Oakville Official Plan (the “**Official Plan**”) and site-specific zoning under Zoning By-law 2014-014 (the “**Zoning By-law**”) for the subject property to allow for additional density (more units) and various site-specific relief to facilitate three back-to-back townhouse blocks and one mixed-use building.
- **Proposal:** The proposed development consists of three back-to-back townhouse blocks oriented perpendicular to Garden Drive, and a mixed-use block with commercial on the main floor along Lakeshore Road West and residential units above resulting in total 48 residential units and

approximately 194 square metres of commercial space. A total of 48 parking spaces are proposed for residents in at-grade parking garages below each stacked townhouse block with an additional 11 surface parking spaces reserved for commercial / visitor parking at the rear of the mixed use block.

- **Public Consultation:** The applicant hosted an in-person Public Information Meeting (“**PIM**”) on July 2, 2024, and approximately 17 members of the public attended.

BACKGROUND

The subject property has been subject to two previous development proposals which were not constructed. The most recent proposal was captured through the current site-specific official plan and zoning permissions which allows for two options for development on the subject property: a 5-storey 131-unit apartment building; or, alternatively, a 3-storey, 18-unit townhouse development with a mixed-use building facing Lakeshore Road West.

APPLICATION SUMMARY

Applicant/Owner: Garden Residences Corporation

Purpose of Application(s): The purpose of the official plan amendment application is to change the site-specific exception policies applying to the lands to allow for the development of four blocks of multiple-attached dwellings, each four storeys in height with commercial uses fronting onto Lakeshore Road West as a further permitted use in addition to the existing permitted uses. The purpose of the zoning by-law amendment application is to allow for 3 blocks of four storey back-to-back townhouses and a mixed-use building along Lakeshore Road West for a total of 48 units, and approximately 194 m² of ground floor.

An aerial photograph, existing Livable Oakville land use schedules, and an existing zoning excerpt from By-law 2014-014 are included in **Appendix ‘A’**.

Effect of Applications: The effect of the Official Plan and Zoning By-law Amendment applications is to:

- Permit 3 blocks of four storey back-to-back townhouses and a mixed-use building along Lakeshore Road West for a total of 48 units, and approximately 194 m² of ground floor.
- Rezone the lands from ‘Mainstreet 1, Special Provision 418 (MU1, sp 418)’ to ‘Mainstreet 1, Special Provision XX (MU1, sp XX)’.

A copy of the applicant's 3D rendering and elevations are included as **Appendix 'B'**.

A copy of the applicants draft Official Plan Amendment is included as **Appendix 'C'**.

A copy of the applicant's draft Zoning By-law is included as **Appendix 'D'**.

Submitted Plans / Reports:

The proponent has provided technical supporting studies which are currently under review by various public agencies and internal town departments. A full circulation and assessment of the application was undertaken. The following studies and supporting documentation are accessible on the Towns website by visiting www.oakville.ca and searching z.1617.47.

Property Location: The subject lands are located on the northeast corner of Garden Drive and Lakeshore Road West and are municipally known as 105 -159 Garden Drive.

Surrounding Land Uses:

Surrounding the site are the following:

- North / East - Three-storey townhouses
- East - A four-storey mixed use building on the corner of Maurice Drive and Lakeshore Road West
- South – two storey townhouses and cemetery on south side of Lakeshore Road W
- West - Four-storey apartment building and detached dwellings on west side of Garden Drive

Key Milestones:

Pre-Consultation Meeting	April 10, 2024
Public Information Meeting	July 2, 2024
Pre-submission Review	N/A
Application Deemed Complete	July 24, 2024
P & D Council - Public Meeting	September 24, 2024
Date Eligible for Appeal for Non-decision	February 19, 2025

PLANNING POLICY CONTEXT

The subject property is subject to the following policy and regulatory framework:

- Provincial Policy Statement (2024)

- Halton Region Official Plan
- Livable Oakville Official Plan
- Zoning By-law 2014-014

A full analysis of the Provincial Policy Statement (2024), Halton Regional Official Plan, and Town of Oakville Official Plan will be included within the future recommendation report.

Official Plan extracts are attached as **Appendix 'E'** and Zoning By-law extracts are attached as **Appendix 'F'**.

MATTERS UNDER REVIEW

This application was recently received and is under review by Town departments and agencies. The following are the general issues that will be addressed in a future recommendation report, in addition to any comments from the public, Council and commenting agencies:

- Public & Council Comments/Concerns
- Climate Change/Sustainability Goals
- Consideration of applicable Provincial and Regional policy
- Conformity with Livable Oakville
- Zoning performance standards
- Proposed use and density
- Context and transition to adjacent properties and built form
- Integration/Impact on adjoining and adjacent properties
- Proposed height and setbacks
- Urban design
- Shadow/sun impacts
- Proportion of commercial uses including sufficient amount of, and configuration of, commercial space
- Transportation implications (including travel demand management strategies, and parking utilization)
- Pedestrian connections and walkability
- Tree preservation
- Stormwater management
- Functional servicing

CONCLUSION

Planning staff will continue to review and analyze the subject OPA and ZBA applications and address all technical matters, if any, along with submitted public

comments. No further notice is required; however, written notice of any future public meetings will be provided to those who have made written and/or verbal submissions.

CONSIDERATIONS:

(A) PUBLIC

The applicant held a Public Information Meeting on July 2, 2024, and approximately 17 members of the public attended. The applicant has included a Public Information Meeting Report which includes a summary of the comments received. All other public comments received as of the date of this report are included as “**Appendix ‘G’**”.

Notice of complete application and public meeting were distributed to property owners within 240m of the subject property in accordance with the town’s current notice requirements and *Planning Act*.

(B) FINANCIAL

None.

(C) IMPACT ON OTHER DEPARTMENTS & USERS

The application was circulated to internal and external departments and agencies for review. The application remains in technical review.

(D) COUNCIL STRATEGIC PRIORITIES

This report addresses the corporate strategic goal(s) to:

- be a vibrant and liveable community for all.

(E) CLIMATE CHANGE/ACTION

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

APPENDICES:

Appendix “A”: Mapping

Appendix “B”: 3D Rendering and Elevations

Appendix “C”: Applicant’s Official Plan Amendment

Appendix “D”: Applicant’s Draft Zoning By-law Amendment

Appendix “E”: Official Plan Extracts

Appendix “F”: Zoning By-law Extracts

Appendix “G”: Public Written Submissions

Prepared by:

Catherine Buckerfield, M.Pl., MCIP, RPP
Senior Planner, Current Planning - West

Recommended by:

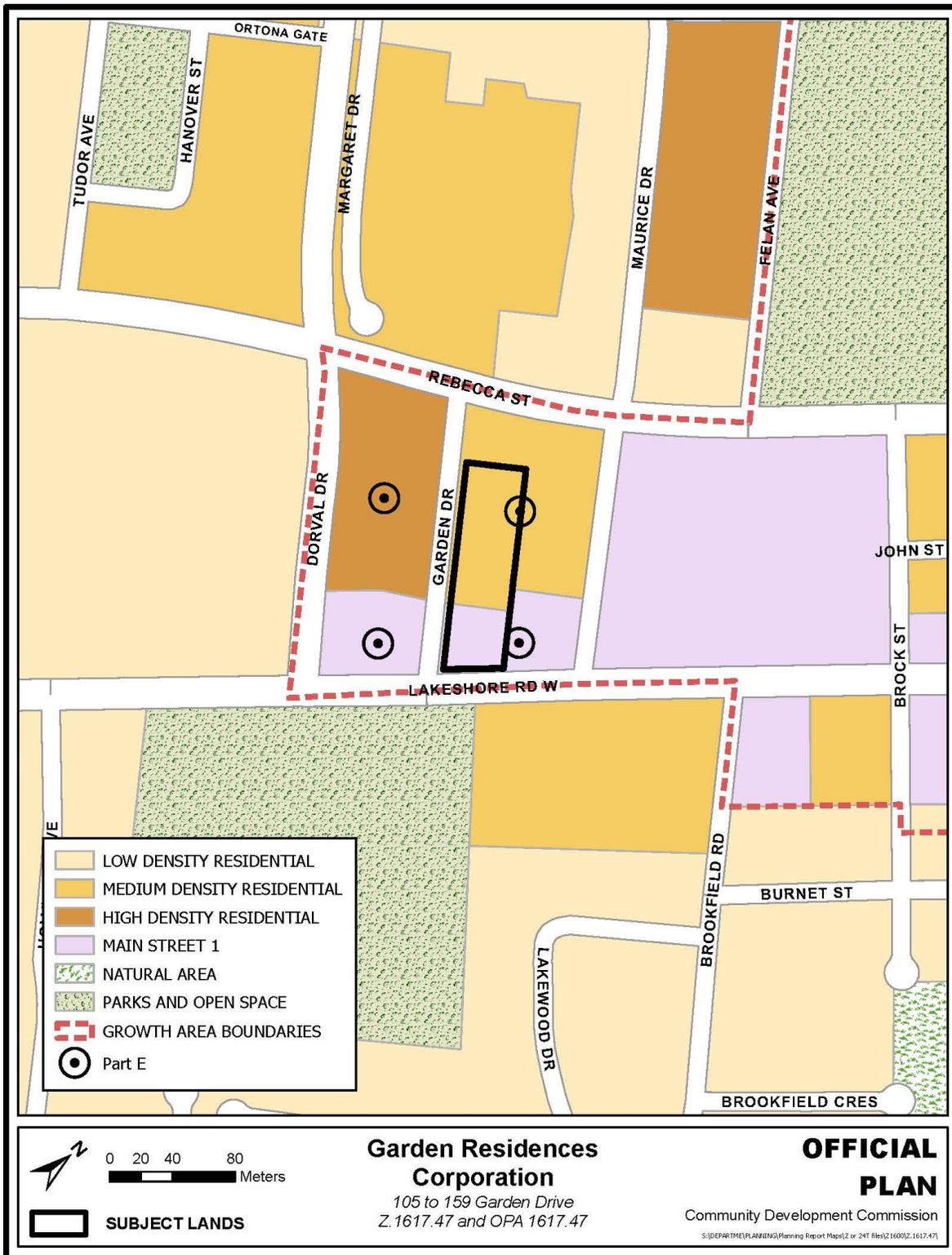
Paul Barrette, MCIP RPP
Manager of Current Planning – West

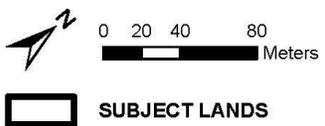
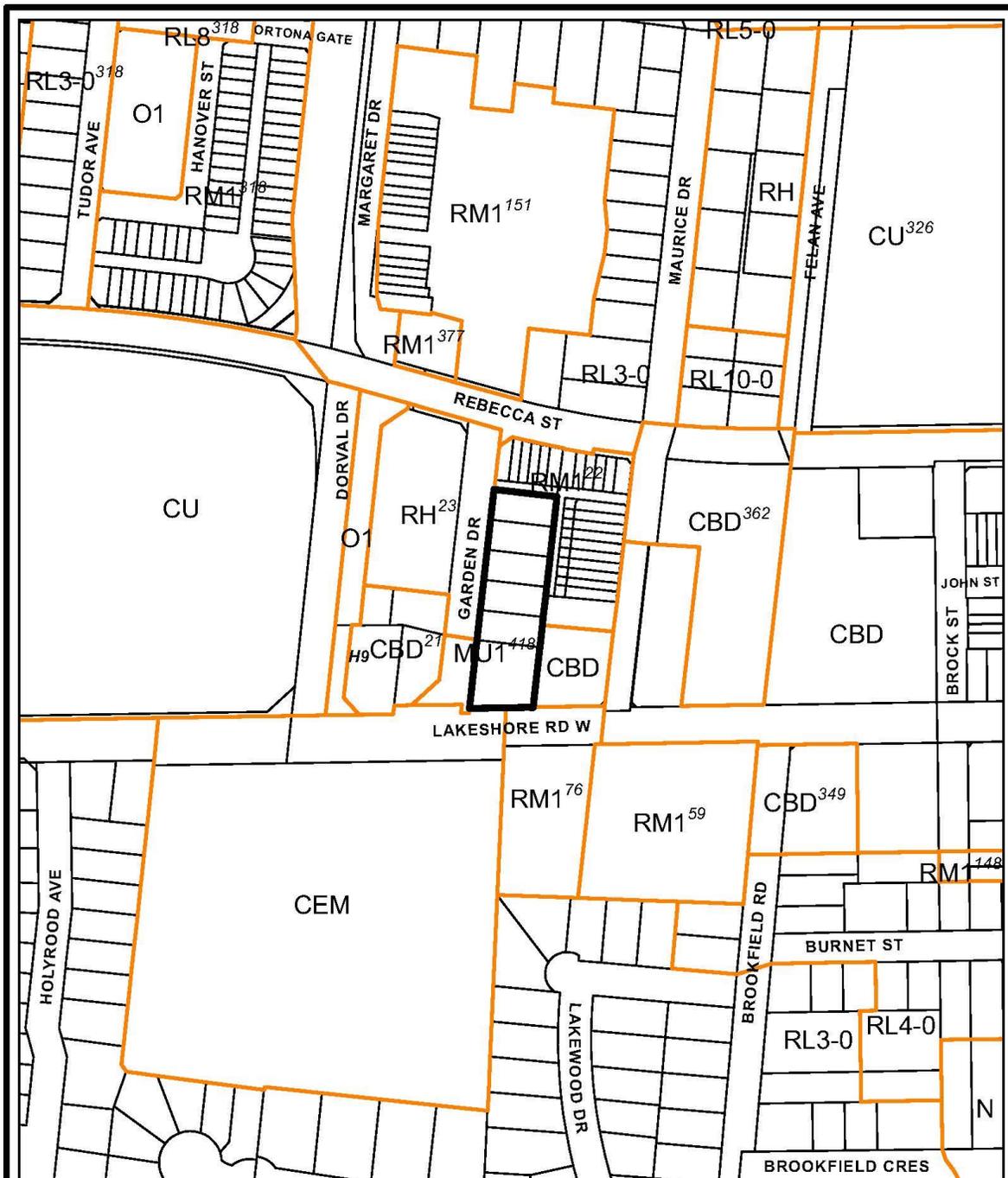
Submitted by:

Gabriel A.R. Charles, MCIP RPP
Director, Planning Services

APPENDIX A: Aerial, Designation and Zone Maps







Garden Residences Corporation
 105 to 159 Garden Drive
 Z.1617.47 and OPA 1617.47

ZONING BY-LAW 2014-014

Community Development Commission

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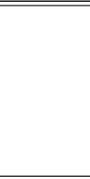
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DATE	DESCRIPTION

DATE: 06/07/24
 DRAWN BY: R. MENGLER
 CHECKED BY: R. MENGLER

PROJECT: BLOCK D - WEST ELEVATION
 DRAWING TITLE: BLOCK D - WEST ELEVATION

PROJECT: GARDEN RESIDENCES CORP.
 GARDEN DRIVE
 CARLE PLACE, ONTARIO

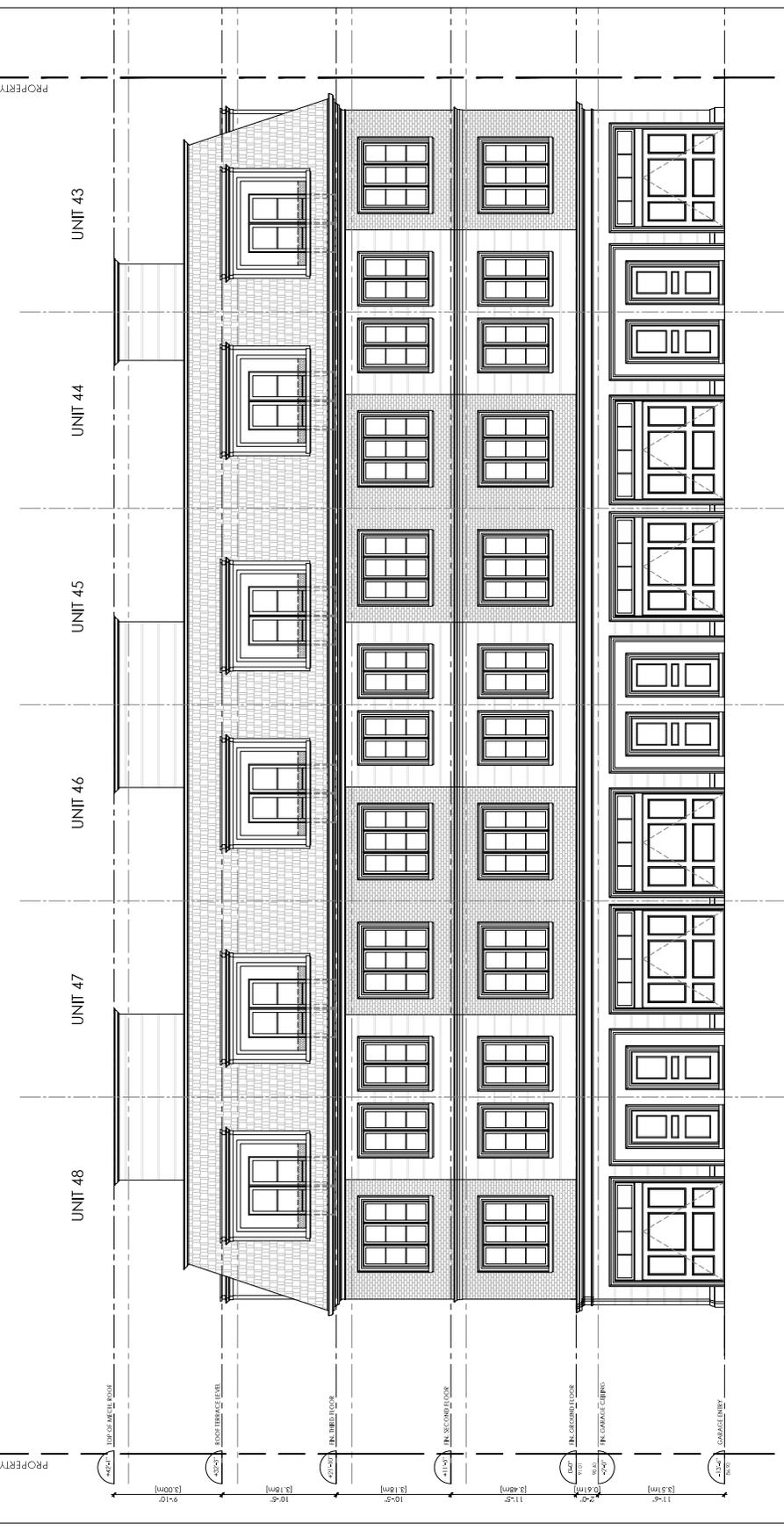


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 email: info@menmler.com



NAME: AS STURWA
 NUMBER: 27447
 EXPIRES: 03/31/27
 PROJECT: 147

A3.7



1 BLOCK D - WEST ELEVATION
 A3.7 SCALE 1/4" = 1'-0"

THE CORPORATION OF THE TOWN OF OAKVILLE
BY-LAW NUMBER 20__-__
Official Plan Amendment __

A by-law to adopt an amendment to the Livable Oakville Official Plan,
Official Plan Amendment Number __
(Garden Residences Corporation, File No.: OPA. _____)

WHEREAS the owner of the lands currently known as 105 and 115-159 Garden Drive has requested that Council amend the Livable Oakville Plan to change the site-specific exception policies applying to the lands to allow for development of four (4) blocks of Multiple-attached dwellings, each four (4) storeys in height with commercial uses fronting onto Lakeshore Road West as a further permitted use in addition to the existing permitted uses.

WHEREAS it is deemed necessary to pass an amendment to the Livable Oakville Plan to incorporate certain modification to text pertaining to the lands known as 105 and 115-159 Garden Drive.

COUNCIL ENACTS AS FOLLOWS:

1. The attached Official Plan Amendment Number __ to the Livable Oakville Plan is hereby adopted.
2. This Official Plan Amendment is subject to appeal rights set out in the Planning Act, R.S.O. 1990,c. and shall come into effect once the deadline for filing appeals has passed or all appeals have been withdrawn or finally disposed of.

PASSED this day of _____, 20__

MAYOR

CLERK

Constitutional Statement

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

Part 1 – Preamble

A. Subject Lands

The subject lands are located at the northeast corner of Garden Drive and Lakeshore Road West and are known municipally as 105 and 115-159 Garden Drive.

B. Purpose and Effect

The purpose and effect of this official plan amendment (OPA) is to modify exception policies 23.7.6, as they apply to the subject lands, to permit four (4) blocks of multiple-attached dwelling, each four (4) storeys in height, with commercial uses fronting onto Lakeshore Road West as a further permitted use in addition to the existing permitted uses.

C. Background and Basis

- The subject lands are vacant, and they have an area of approximately ~4,988 metres squared (0.50 ha)
- On Schedule O1, Kerr Village Land Use, of the Livable Oakville Plan, the subject lands are currently designated “Main Street 1” and identified with bull’s eye symbol to indicate that they are subject to site-specific exception policies.
- The current policies would permit the subject lands to be redeveloped with a maximum of 18 three-storey townhouse units fronting onto Garden Drive (115-159 Garden Drive) and a four-storey mixed use (residential and commercial) building at the corner of Garden Drive and Lakeshore Road West (105 Garden Drive). Alternatively, they would also allow for development of a 5-storey retirement home and/or long term care home on the entirety of the Site including a minimum of 130 square metres of non residential floor area adjacent to Lakeshore Road West.
- The proposed amendment implements the policies of the Kerr Village Growth Area and provides an appropriate scale of development within the block bound by Dorval Drive, Rebecca Street, Maurice Drive and Lakeshore Road West.

Part 2 – The Amendment

A. Text Changes

The text of the Livable Oakville Plan is amended as indicated below. Text that is **underlined** is new text to be inserted into the Livable Oakville Plan. Text that is crossed out (“~~strikethrough~~”) is to be deleted from the Plan.

1. Part E, Section 23.7, Kerr Village Exceptions – Schedule O1, is amended by modifying policy 23.7.6 as follows:

On the lands designated Main Street 1 on the north side of Lakeshore Road, between Dorval Drive and Maurice Drive:

- a) Retail and service commercial uses, and ancillary residential uses, may be permitted on the ground floor.
- b) The maximum building height shall be four storeys
- c) Redevelopment of the lands between Garden Drive and Maurice Drive shall only occur at such time as all the lands within a *development* block have been acquired for *development* purposes. Lands fronting on to Garden Drive (105 and 115-159 Garden Drive) constitute one *development* block, while the remaining lands make up another *development* block.
- d) Redevelopment in accordance with c), above, shall be subject to the urban design guidelines for the Maurice Drive area.
- e) Notwithstanding subsections (a) through (d) above, the following uses are permitted on the development block fronting onto the east side of Garden Drive (105 and 115-159 Garden Drive):
 - i. a retirement home and/or long-term care home on the entirety of the *development* block subject to the additional policies in subsection (f) below; or,
 - ii. *multiple attached dwellings* on the northern portion of the *development* block (115-159 Garden Drive) subject to the additional policies in subsection (g) below, and the remainder of the development block (105 Garden Drive) developed in accordance with subsections (a) through (d) above; or,
 - iii. **multiple attached dwellings on the entirety of the development block subject to the additional policies in subsection (h) below.**
- f) The following additional policies apply to *development* in accordance with subsection (e)(i) above:
 - i. The maximum building height shall be five storeys.
 - ii. The fifth storey shall have a maximum floor area of 975 square metres and no retirement or long-term care dwelling units shall be permitted within it.

- iii. The ground floor adjacent to Lakeshore Road West shall include a minimum of 130 square metres of non-residential floor area for publicly accessible retail and/or service commercial uses.
 - iv. Vehicular access shall only be from Garden Drive
 - v. Redevelopment shall be in accordance with urban design guidelines approved by the Town.
- g) The following additional policies apply to the multiple attached dwellings permitted by subsection (e)(ii) above:
- i. A maximum of 18 units at a maximum density of 53 units per *site hectare* shall be permitted.
 - ii. The maximum building height shall be three storeys.
 - iii. Redevelopment shall only occur upon confirmation of adequate water and wastewater services, the suitability of the adjoining roads to accommodate traffic and the submission of a block plan indicating the integration of the proposed redevelopment within the overall area.
 - iv. Redevelopment shall be subject to urban design guidelines approved by the Town.
- h) The following additional policies apply to the multiple attached dwellings permitted by subsection (e)(iii) above:**
- i. A maximum of 48 residential units shall be permitted.**
 - ii. The maximum building height shall be four storeys.**
 - iii. The ground floor adjacent to Lakeshore Road West shall include a minimum of 130 square metres of non-residential floor area for publicly accessible retail and/or service commercial uses.**
 - iv. Vehicular access shall only be from Garden Drive.**
 - v. Redevelopment shall be in accordance with urban design guidelines approved by the Town.**

THE CORPORATION OF THE TOWN OF OAKVILLE

BY-LAW NUMBER 20__ - __

A by-law to amend the Town of Oakville Zoning By-law 2014-014 to permit the use of lands described as 105, 115-159 Garden Drive (Garden Residences Corporation, File No.: Z. _____)

ORDERED BY THE ONTARIO LAND TRIBUNAL:

1. Part 15, Special Provisions, of By-law 2014-014 as amended, is further amended by renumbering Section 15.418.3 to 15.418.4 and adding new Section 15.418.3 as follows:

418 Map 19 917a)	105, 115-159 Garden Drive	Parent Zone: MU1 (2022-099) (20__ - __)
The lands subject to Special provision 418 may be developed and used in accordance with either subsection 15.418.1, subsection 15.418.2, or Subject 15.418.3.		
15.418.3 – Option #3		
15.418.3.1- Permitted Uses		
The following uses are only permitted:		
a)	<i>Dwelling, Back-to-Back Townhouse</i>	
b)	<i>Dwelling, Multiple</i>	
c)	<i>Art Gallery</i>	
d)	<i>Business Office</i>	
e)	<i>Financial Institution</i>	
f)	<i>Medical Office</i>	
g)	<i>Restaurant</i>	
h)	<i>Retail Store</i>	
i)	<i>Service Commercial Establishment</i>	
j)	<i>Commercial school</i>	
k)	<i>School, private</i>	
l)	<i>Veterinary clinic</i>	
15.418.3.2 Additional Regulations for Permitted Uses		
The following additional regulations apply:		
a)	Non-Residential uses are required within the <i>first storey</i> of a <i>building</i> fronting Lakeshore Road West.	
b)	The minimum combined floor area for all Non-Residential uses required within-the <i>first storey</i> of a <i>building</i> fronting Lakeshore Road West shall be 130m ² .	
c)	Table 8.2, note 3 shall not apply.	
15.418.3.3 Additional Zone Provisions:		

The following additional regulations apply:		
a)	Minimum <i>interior side yard</i> for the first storey	2.5m
b)	Minimum <i>interior side yard</i> for the second to fourth storey	4.5m
c)	Minimum <i>rear yard</i>	6m
d)	Maximum <i>height</i>	16m
e)	Table 8.3.2 shall not apply.	
f)	Section 8.4a) shall not apply.	
g)	Section 8.6c), d), e) shall not apply	
h)	Maximum encroachment for a Porch within a rear yard setback	2m
i)	Minimum width of <i>landscaping</i> abutting a <i>residential zone</i> .	2.5m
j)	Minimum width of <i>landscaping</i> from a surface parking area to a road.	2m
k)	Minimum width of <i>landscaping</i> from a surface parking area to a lot with a residential use.	4m
l)	Section 4.27 f) & e) shall not apply	
15.418.3.4 Parking Provisions		
a)	Minimum Residential Parking Required	1 space per unit
b)	Minimum Non-residential and Residential Visitor parking Required	0.2 spaces per unit
c)	The minimum width of a parking space not located in a private garage	2.6m
d)	Section 5.8. shall not apply.	
15.418.3.5 Special Provisions		
a)	All lands shall be considered as one <i>corner lot</i> for the purposes of this by-law. The <i>lot line</i> abutting Lakeshore Road West shall be deemed the <i>front lot line</i> , and the <i>lot line</i> abutting Garden Drive shall be deemed the <i>flankage lot line</i> .	
15.418.4 Special Figures		

APPENDIX E: Official Plan Extracts

Livable Oakville

Part C: Making Oakville Livable (General Policies)

Section 6: Urban Design

Good urban design is an integral part of the planning process, enabling the creation of stimulating, vibrant, and livable places; it is a key component in creating a definable sense of identity. Tangible elements of the urban environment such as the built form, open space, and public realm, and their relationship to one another, should be organized and designed in an attractive, functional and efficient manner.

6.1 General

6.1.1 Objectives

The general objectives for urban design are to provide for:

- a) diversity, comfort, safety and compatibility with the existing community;
- b) attractive, barrier-free, and safe public spaces, such as streetscapes, gateways, vistas and open spaces;
- c) innovative and diverse urban form and excellence in architectural design; and,
- d) the creation of distinctive places and locales, including Midtown Oakville, the other Growth Areas and high profile locations such as gateways to the Town.

6.1.2 Policies

- a) Development and public realm improvements shall be evaluated in accordance with the urban design direction provided in the Livable by Design Manual, as amended, to ascertain conformity with the urban design policies of this Plan. Alternative design approaches to those found in the Livable by Design Manual may be proposed, with appropriate justification and after consultation with the Town, provided that they meet the intent and purpose of the urban design policies of the Plan.

6.4 Streetscapes

6.4.2 New development should contribute to the creation of a cohesive streetscape by:

- a) placing the principal building entrances towards the street and where applicable, towards corner intersections;
- b) framing the street and creating a sense of enclosure
- c) providing variation in façade articulation and details;
- d) connecting active uses to the public realm to enhance the liveliness and vibrancy of the street, where applicable;
- e) incorporating sustainable design elements, such as trees, plantings, furnishings, lighting, etc.;

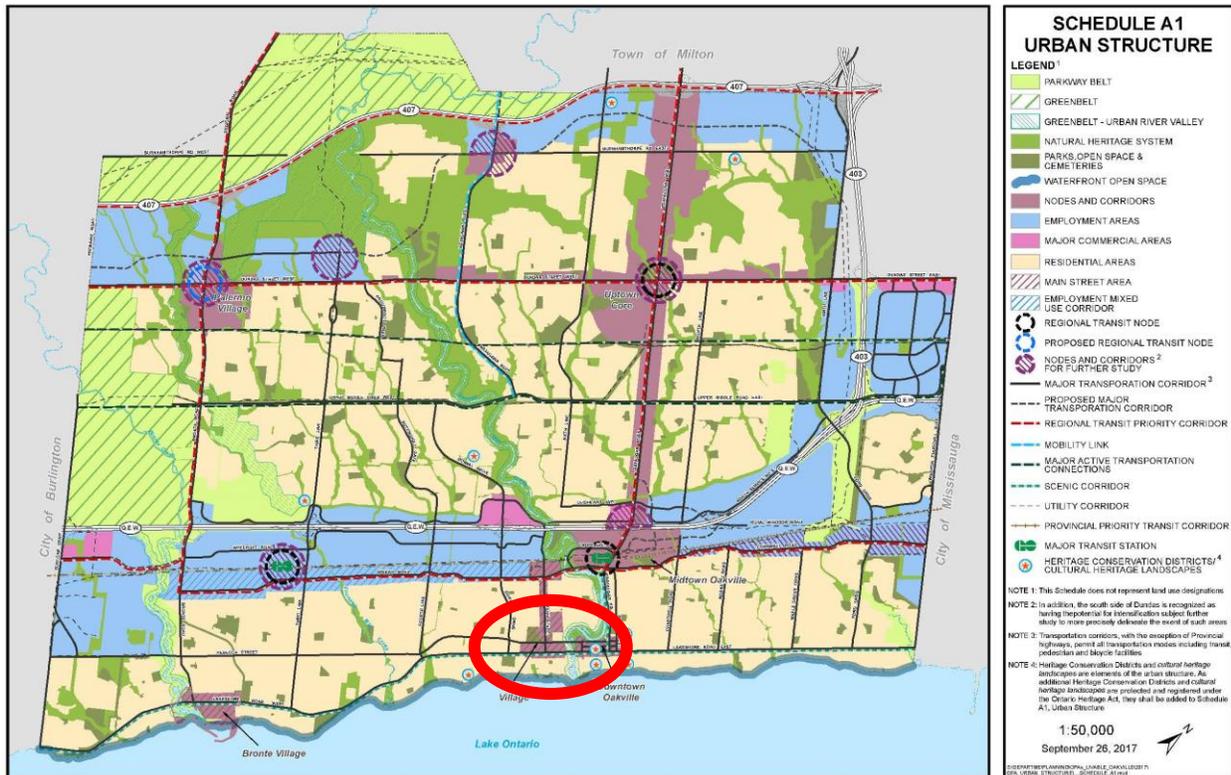
- f) coordinating improvements in building setback areas to create transitions from the public to private realms; and,
- g) improving the visibility and prominence of and access to unique natural, heritage, and built features

6.9 Built Form

- 6.9.1 Buildings should be designed to create a sense of identity through massing, form, placement, orientation, scale, architectural features, landscaping and signage.
- 6.9.2 Building design and placement should be compatible with the existing and planned surrounding context and undertaken in a creative and innovative manner.
- 6.9.3 To achieve compatibility between different land uses, development shall be designed to accommodate an appropriate transition through landscape buffering, spatial separation, and compatible built form.
- 6.9.5 Buildings should present active and visually permeable façades to all adjacent streets, urban squares, and amenity spaces through the use of windows, entry features, and human-scaled elements.
- 6.9.6 Main principal entrances to buildings should be oriented to the public sidewalk, onstreet parking and transit facilities for direct and convenient access for pedestrians.
- 6.9.7 Development should be designed with variation in building mass, façade treatment and articulation to avoid sameness.
- 6.9.8 Buildings located on corner lots shall provide a distinct architectural appearance with a high level of detailing and articulated façades that continue around the corner to address both streets.
- 6.9.9 New development shall ensure that proposed building heights and form are compatible with adjacent existing development by employing an appropriate transition of height and form from new to existing development, which may include setbacks, façade step backs or terracing in order to reduce adverse impacts on adjacent properties and/or the public realm.
- 6.9.10 Continuous streetwalls of identical building height are discouraged. Variety in rooflines should be created through subtle variations in roof form and height.
- 6.9.11 Where appropriate, the first storey of a building shall have a greater floor to ceiling height to accommodate a range of non-residential uses.
- 6.9.12 New development should be fully accessible by incorporating universal design principles to ensure barrier-free pedestrian circulation.
- 6.9.13 Rooftop mechanical equipment shall not be visible from view from the public realm.
- 6.9.14 Outdoor amenity areas on buildings should incorporate setbacks and screening elements to ensure compatibility with the local context.

6.9.15 Buildings should be sited to maximize solar energy, ensure adequate sunlight and skyviews, minimize wind conditions on pedestrian spaces and adjacent properties, and avoid excessive shadows.

Part D: Land Use Designations and Policies



Section 12: Mixed Use

The Mixed Use designations provide areas where residential, commercial and office uses are integrated in a compact urban form at higher development intensities. Mixed Use areas are to be pedestrian-oriented and transit-supportive.

- 12.1.1 The intent of the Mixed Use designations is to allow for a diversity of residential, commercial and office uses which are integrated in buildings to provide for the efficient use of municipal services and *infrastructure*.
- 12.1.2 Mixed use *development* will be focused on lands located within Oakville's Growth Areas and along identified corridors.
- 12.1.3 The Mixed Use designations are intended to create animated streets by providing retail and service commercial uses on the ground floor of mixed use buildings, fronting onto the street and other pedestrian environments. The location and size of any use on upper and/or lower floors within mixed use buildings will be determined through the *development* process and regulated by the implementing zoning.

12.1.4 All *development* within the Mixed Use designations shall be of a high quality design that considers the integration of new and existing buildings, as well as building façade treatment.

12.2 Main Street 1

The Main Street 1 designation represents small scale, mixed use development along main streets and is intended to reflect a pedestrian-oriented, historic main street character.

12.2.1 Permitted Uses

- a) A wide range of retail and service commercial uses, including restaurants, commercial schools, *offices, places of entertainment, indoor sports facilities, hotels and residential uses, may be permitted in the Main Street 1 designation. The ground floor of buildings in the Main Street 1 designation shall be primarily occupied by retail and service commercial uses. Limited office uses, and ancillary residential uses, may also be permitted on the ground floor of mixed use buildings.*
- b) The requirement for and the size and location of retail, service commercial and office uses on the ground floor of buildings shall be determined through the development process and regulated by the implementing zoning.

12.2.2 Building Heights

- a) Buildings within the Main Street 1 designation shall be a minimum of two storeys in height and a maximum of four storeys in height.

12.2.3 Parking

- a) Surface parking shall be provided only within a side and/or rear yard. Surface parking on corner lots shall only be permitted in the rear yard.

Part E: Growth Areas, Special Policy Areas and Exceptions

Section 23: Kerr Village

Kerr Village will accommodate intensification through new development and redevelopment, with a mix of residential and commercial uses. The Village will also continue to function as a location for institutional, recreational and public open space uses.

23.1 Goal

Kerr Village will be revitalized as a vibrant business district and cultural area.

23.2 Objectives

As Kerr Village develops, the Town will, through public actions and in the process of reviewing planning applications, use the following objectives to guide decisions.

23.2.1 Create opportunities for new, sustainable growth by promoting compact urban form with higher density development through compatible development and redevelopment opportunities.

23.2.2 Enhance the mobility of all users with the provision of transit priority measures and increase levels of service through the development process by:

- a) promoting pedestrian and cycling-oriented mixed use development, with improved connections to the Downtown as well as the GO train station and proposed employment hub in Midtown Oakville;
- b) improving circulation, connections and access for cyclists, pedestrians and public transit; and,
- c) increasing efficiencies for alternate modes of transportation by encouraging compact urban form.

23.2.3 Create an attractive public realm by:

- d) promoting high quality streetscapes and open spaces to create a comfortable, accessible and unique community; and,
- e) ensuring appropriate transitions occur between the main street areas and the lower density residential neighbourhoods.

23.3 Development Concept

Kerr Village is comprised of three land use districts that are structured to provide an appropriate transition in land use and built form between the existing residential areas and any future *development* and redevelopment.

23.3.3 Lower Kerr Village District

The Lower Kerr Village District shall largely be a mixed use area, allowing for a mixture of commercial, office and residential uses, including some standalone residential uses, extending from Downtown Oakville, with a defined entrance into Kerr Village.

23.4 Functional Policies

In addition to the policies of Parts C and D of this Plan, the following functional policies apply to Kerr Village.

23.4.1 Transportation

b) Through the development process, attractive transit environments are encouraged to include transit passenger amenities, minimal surface parking, and other travel demand management strategies to encourage transit ridership.

c) Parking

- i. Surface parking lots shall be limited. Where surface parking is provided, the visual impact of large surface lots shall be mitigated by a combination of setbacks and significant landscaping including:
 - pavement treatment;
 - low walls or decorative fencing;
 - landscape material; and,
 - trees and lighting throughout parking lots and along the edges.
- ii. Access to parking and servicing areas should not occur from Kerr Street but from local streets, service lanes and to the side or rear of buildings.
- iii. On-street parking shall be maintained throughout Kerr Village with the exception of Speers Road and Kerr Street north of Speers Road. It is the intent that on-street parking shall be permitted at all times.

d) Bicycle facilities are encouraged throughout Kerr Village with the appropriate signage and infrastructure such as bicycle racks and bicycle lockers.

23.4.2 Minimum Density – A minimum planned density shall be established for Kerr Village through Provincial plan conformity coordinated with Halton Region.

23.5 Urban Design

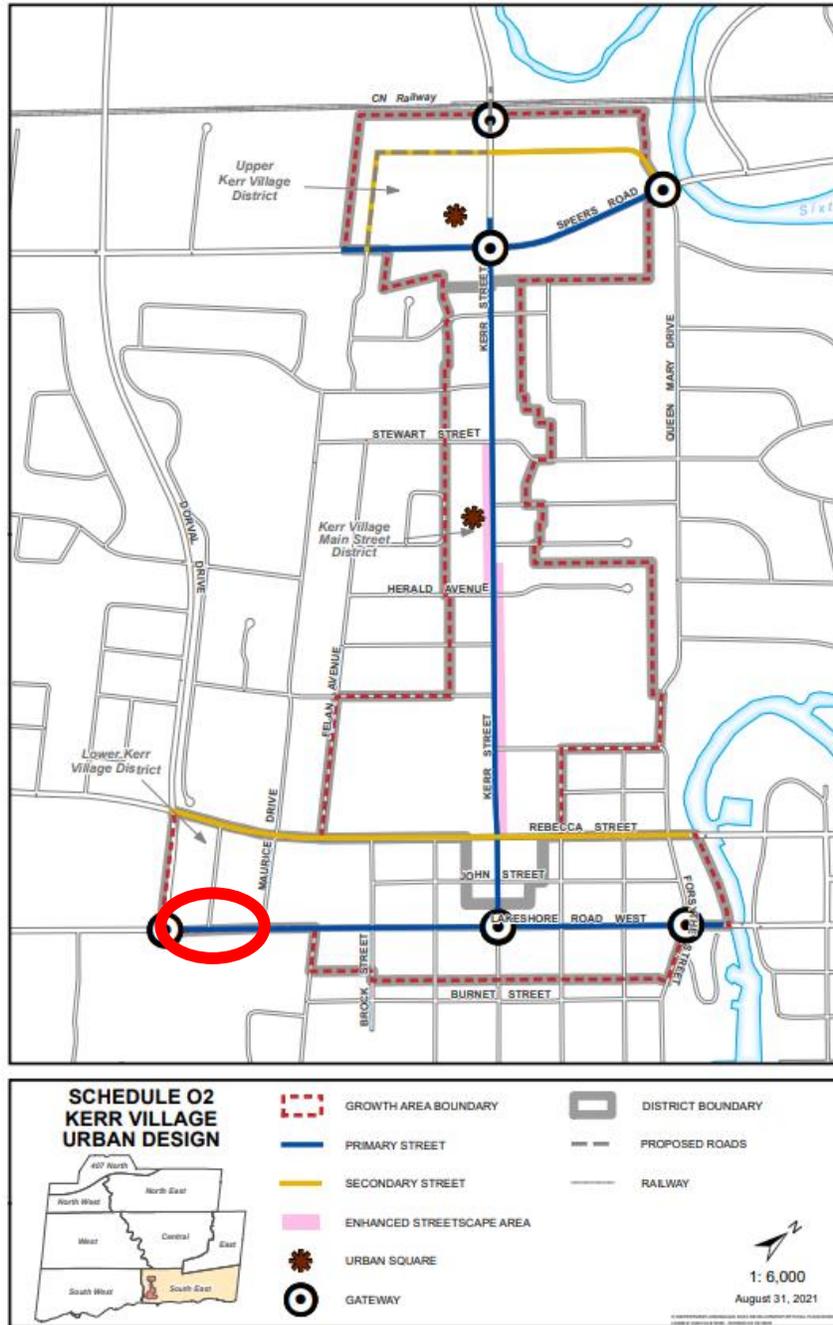
In addition to the Urban Design policies in section 6 of this Plan, the following policies shall apply specifically to Kerr Village. The urban design plan for Kerr Village is provided on Schedule O2.

23.5.1 General

Development and public realm improvements, including the streetscape for Kerr Street and Lakeshore Road West, shall be evaluated in accordance with the urban design direction provided in the Livable by Design Manual.

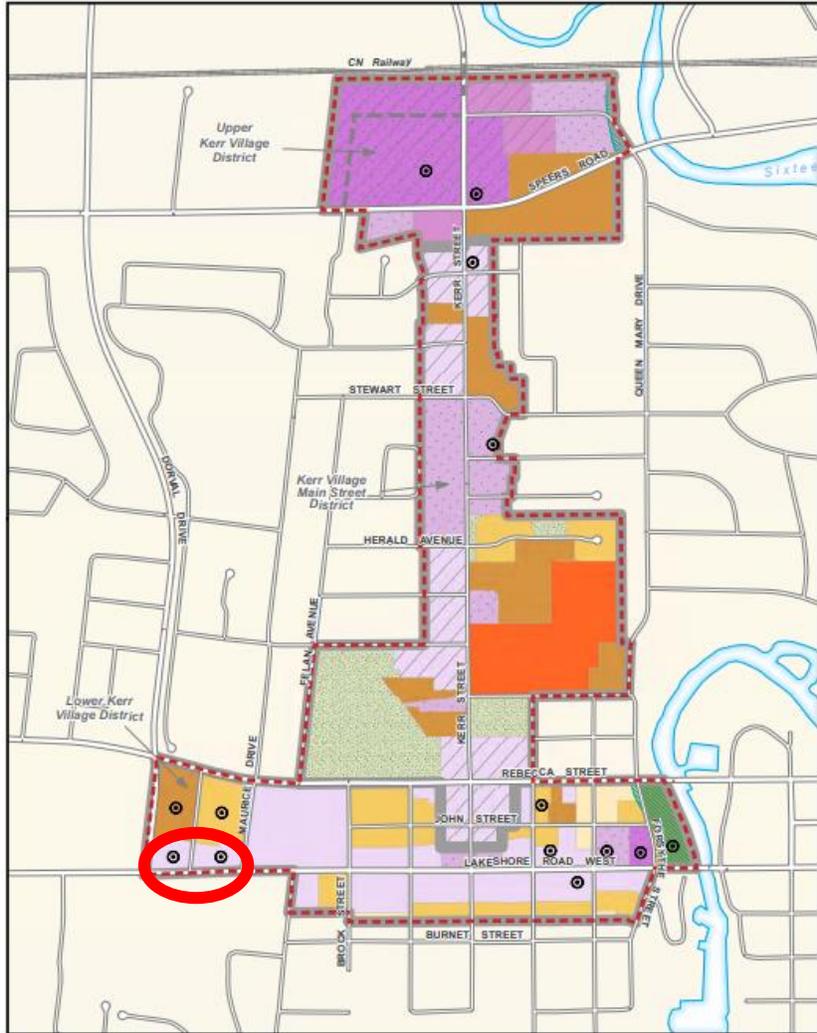
23.5.3 Streetscapes

- a) Primary and secondary streets, as identified on Schedule O2, shall provide for pedestrian-oriented streetscapes through the use of wide sidewalks, landscaping and furnishings.
- b) Buildings along primary streets, as identified on Schedule O2, shall:
 - i. incorporate a high degree of transparency on the ground floor;
 - ii. provide building openings and principal entrances facing the street; and,
 - iii. contain commercial, community, cultural or limited office uses adjacent to the street which foster an active main street environment.
- c) Buildings along secondary streets, as identified on Schedule O2, should:
 - i. incorporate a high degree of transparency on the ground floor
 - ii. provide building openings and principal entrances facing the street; and,
 - iii. contain commercial, office, community or cultural uses adjacent to the street which support the main street district, and may also contain residential uses on the ground floor.



23.7 Kerr Village Exceptions – Schedule O1

23.7.9 On the lands designated Main Street 1 at the southwest corner of Lakeshore Road West and Chisholm Street, a maximum building height of five storeys may be permitted, conditional on the owner entering into an agreement under section 37 of the *Planning Act*.



23.7.5 The lands designated Medium Density Residential and High Density Residential in the general vicinity of Rebecca Street, Garden Drive, and Maurice Drive are subject to the following additional policies:

- a) On the lands designated Medium Density Residential, only *multiple attached dwellings* may be permitted with a maximum building height of three storeys.
- b) On the lands designated High Density Residential, only townhouses and apartments may be permitted with a maximum building height of four storeys.
- c) Redevelopment in accordance with a) and b), above, shall only occur when all of the lands within a *development* block have been acquired for *development* purposes.
 - i) Lands designated High Density Residential, between Dorval and Garden Drives, make up one *development* block.
 - ii) Lands designated Medium Density Residential along Rebecca Street, east of Garden Drive, constitute two *development* blocks.
- iii) The remaining lands designated Medium Density Residential, between Garden Drive and Maurice Drive, make up two *development* blocks:
 - one *development* block fronting Garden Drive, which may be developed for a maximum of 18 *multiple attached dwelling* units and at a maximum density of 53 units per *site hectare*; and,
 - the second *development* block fronting onto Maurice Drive to be developed in accordance with the Medium Density Residential land use and policy provisions of the Plan.
- d) Redevelopment in accordance with a) and b), above, shall only occur upon confirmation of adequate water and wastewater services, the suitability of the adjoining roads to accommodate traffic and the submission of a block plan indicating the integration of the proposed redevelopment within the overall area.
- e) Redevelopment in accordance with a), above, shall be subject to urban design guidelines approved by the Town.
- f) Notwithstanding the above, the lands may continue to be used for the existing single detached dwellings until such time as comprehensive redevelopment occurs.

- 23.7.6 On the lands designated Main Street 1 on the north side of Lakeshore Road, between Dorval Drive and Maurice Drive:
- a) Retail and service commercial uses, and ancillary residential uses, may be permitted on the ground floor.
 - b) The maximum building height shall be four storeys.
 - c) Redevelopment of the lands between Garden Drive and Maurice Drive shall only occur at such time as all the lands within a *development* block have been acquired for *development* purposes. Lands fronting on to Garden Drive constitute one *development* block, while the remaining lands make up another *development* block.
 - d) Redevelopment in accordance with c), above, shall be subject to the urban design guidelines for the Maurice Drive area.

Zoning By-law 2014-014

Part 8

Mixed Use Zones

5. A maximum of one of the *uses* subject to this footnote shall be permitted in a *dwelling* or an *accessory dwelling unit* associated with the main *dwelling*. (2023-024)
6. On a *lot* having *lot frontage* greater than 20.0 metres *uses* subject to this footnote are limited to a cumulative maximum width of 50% of the *building* in the first 9.0 metres of depth of the *building* on the *first storey* only, measured in from the *main wall* oriented toward the *front lot line*.
7. Shall have a maximum *net floor area* of 1,400.0 square metres per *premises*, applying only for the portion of the *premises* located on the *first storey*.
8. Prohibited within a single *use building*. (PL140317)

8.3 Regulations

The regulations for *lots* in a Mixed Use *Zone* are set out in Tables 8.3.1 and 8.3.2, below.

Table 8.3.1: Regulations in the Mixed Use Zones						
		CBD	MU1	MU2	MU3	MU4
<i>Minimum front yard</i>	A	0.0 m	0.0 m	0.0 m	0.0 m	1.0 m
<i>Maximum front yard</i>	A	3.0 m (1)(2)	3.0 m (1)	5.0 m (1)(3)	5.0 m (1)(3)	5.0 m (1)(3)
<i>Minimum flankage yard</i>	B	0.0 m	0.0 m	0.0 m	0.0 m	1.0 m
<i>Maximum flankage yard</i>	B	3.0 m (1)(2)	3.0 m (1)	5.0 m (1)(3)	5.0 m (1)(3)	5.0 m (1)(3)
<i>Minimum interior side yard (2015-018)</i>	C	0.0 m	0.0 m	0.0 m	0.0 m	0.0 m
<i>Minimum interior side yard abutting a lot in any Residential Zone, Institutional (I) Zone, or Community Use (CU) Zone</i>	C	3.0 m	3.0 m	3.0 m (4)	7.5 m (5)	7.5 m (5)
<i>Minimum rear yard (2015-018)</i>	D	0.0 m	0.0 m	0.0 m	0.0 m	0.0 m
<i>Minimum rear yard abutting a lot in any Residential Zone, Institutional (I) Zone, or Community Use (CU) Zone</i>	D	3.0 m	3.0 m	3.0 m (4)	7.5 m (5)	7.5 m (5)
<i>Minimum number of storeys</i>	H	2 (7)	2 (7)	4 (7)	6 (7)	8 (7)
<i>Maximum number of storeys</i>	H	4 (6)	4	6	8	12
<i>Minimum first storey height</i>		4.5 m (7)	4.5 m (7)	4.5 m (7)	4.5 m (7)	4.5 m (7)
<i>Minimum height</i>	H	7.5 m (7)	7.5 m (7)	13.5 m (7)	19.5 m (7)	25.5 m (7)
<i>Maximum height</i>	H	15.0 m (6)	15.0 m	22.0 m	29.0 m	43.0 m

Additional Regulations for Zone Regulations Table 8.3.1

1. The *maximum front yard* and *maximum flankage yard* requirements do not apply when an *urban square* measuring no less than 300.0 square metres in area and having a minimum length of 10.0 metres is provided along the length of the *main wall* oriented toward the *front or flankage lot line*.
2. The *maximum front* and *flankage yard* shall be 5.0 metres where a *dwelling* occupies the entire *first storey* on a *lot* having *lot frontage* onto any *public road* other than Lakeshore Road West, Lakeshore Road East, or Kerr Street. (2015-079)
3. Shall only apply to the first 12.0 metres of *building height*, measured along the *main wall* oriented toward the *front or flankage lot line*.
4. The *minimum yard* shall be increased to 7.5 metres for that portion of a *building* greater than 13.5 metres in *height*.
5. The *minimum yard* shall be increased to 10.0 metres for that portion of a *building* greater than 13.5 metres in *height*.
6.
 - a) The maximum number of *storeys* shall be 3 and the maximum *height* shall be 12.0 metres where the *lot* is adjacent to a *lot* in any Residential Low (RL) *Zone*.
 - b) Notwithstanding Section 4.6.4(a), a *mechanical penthouse* shall not exceed 3.0 metres in height, measured from the top of the roof on which the *mechanical penthouse* is directly situated, where the *lot* is adjacent to a *lot* in any Residential Low (RL) *Zone*.
7. Any *building* legally existing on the effective date of this By-law not complying with this provision shall be permitted.

Table 8.3.2: Regulations for Permitted Detached, Semi-detached, and Townhouse Dwellings			
	<i>Detached dwellings</i>	<i>Semi-detached dwellings</i>	<i>Townhouse dwellings</i>
<i>Minimum lot area</i>	As legally existing on the effective date of this By-law		
<i>Minimum lot frontage</i>			
<i>Minimum front yard</i> A	As legally existing on the effective date of this By-law less 1.0 metre (1)		
<i>Minimum flankage yard</i> B	3.0 m	3.0 m	3.0 m
<i>Minimum interior side yard</i> C	1.2 m	1.2 m (2)	1.2 m (2)
<i>Minimum rear yard</i> D	7.5 m	7.5 m	7.5 m
Maximum number of <i>storeys</i> H	3	3	3
Maximum <i>height</i> H	12.0 m	12.0 m	12.0 m
Maximum <i>lot coverage</i> for the <i>dwelling</i>	35%	n/a	n/a
Regulations for <i>accessory buildings and structures</i>	Section 6.5 shall apply		

Additional Regulations for Zone Regulations Table 8.3.2

1. Notwithstanding this, Section 6.6 additionally applies for any *dwelling* erected between *dwelling*s that legally existed on the effective date of this By-law. (2015-018)
2. Section 6.10 of this By-law shall apply for determining *yard* compliance.

Part 15

Special Provisions

343	105 Garden Drive	Parent Zone: CBD
Map 19(7)	(Part of Lot 17, Concession 3 S.D.S.)	(2013-101) (2015-018) (2017-036)
15.343.1 Prohibited Uses		
The following <i>uses</i> are prohibited:		
a)	<i>Commercial parking area</i>	
b)	<i>Taxi dispatch</i>	
15.343.2 Zone Provisions		
The following zone regulations apply to a <i>Long Term Care Facility</i> and/or <i>Retirement Home</i> : (2017-036)		
a)	Maximum number of <i>dwelling units</i>	60
b)	Maximum <i>height</i>	14.3 m
c)	Maximum <i>first storey height</i>	4.0 m
d)	Minimum width of landscaping along a <i>lot line</i> abutting a <i>Residential Zone</i>	1.5 m, and may include hard landscaping
e)	Minimum setback for outdoor second floor personal recreation space from the eastern edge of the <i>building</i>	1.5 m
f)	Minimum setback for outdoor second floor personal recreation space from Lakeshore Road West	6.0 m
g)	Maximum area for outdoor second floor personal recreation space (2015-018)	54.0 m ²
h)	Minimum setback for a rooftop terrace from the eastern edge of the <i>building</i>	9.0 m
i)	Maximum area for a rooftop terrace (2015-018)	22.0 m ²
15.343.3 Parking Provisions		
The following parking regulations apply to a <i>Long Term Care Facility</i> and/or <i>Retirement Home</i> : (2017-036)		
a)	Minimum number of <i>parking spaces</i>	22, which includes 2 <i>tandem parking spaces</i>
15.343.4 Special Site Provisions		
The following additional provisions apply:		
a)	The <i>front lot line</i> shall be the <i>lot line</i> abutting Lakeshore Road West.	
b)	A <i>driveway</i> shall not be permitted from Lakeshore Road West.	
c)	Outdoor amenity space shall only be permitted on the second floor and rooftop.	

418	105, 115-159 Garden Drive (2603848 & 2603849 Ontario Ltd. c/o Revera Inc.)	Parent Zone: MU1
Map 19(7a)		(2022-099) OLT-21-001638
The lands subject to Special provision 418 may be developed and used in accordance with either subsection 15.418.1 or subsection 15.418.2		
15.418.1 Option #1 (Block 1)		
15.418.1.1 Permitted Uses for Block 1		
The following <i>uses</i> are only permitted on lands identified as Block 1 on Figure 15.418.1		
a)	<i>Long term care facility</i>	
b)	<i>Retirement home</i>	
c)	<i>Art Gallery</i>	
d)	<i>Business office</i>	
e)	<i>Financial institution</i>	
f)	<i>Medical office</i>	
g)	<i>Restaurant</i>	
h)	<i>Retail store</i>	
i)	<i>Service commercial establishment</i>	
15.418.1.2 Additional Regulations for Permitted Uses on Block 1		
The following additional regulations apply to a <i>long term care facility</i> or a <i>retirement home</i> on Block 1 on Figure 15.418.1		
a)	<i>Art gallery, business office, financial institution, medical office, restaurant, retail store, and/or service commercial establishment</i> uses are required within the <i>first storey</i> of a <i>long term care facility</i> or <i>retirement home</i> for the lands identified as Block 1a on Figure 15.418.1	
b)	Minimum combined <i>floor area</i> for all <i>art gallery, business office, financial institution, medical office, restaurant, retail store, and/or service commercial establishment</i> uses required within the <i>first storey</i> within Block 1a on Figure 15.418.1 shall be 130m ²	
c)	Only the uses listed in 15.148.1.2 a) shall be oriented onto Lakeshore Road West on the <i>first storey</i> save and except corridors, hallways and stairwells of a <i>long term care facility</i> or a <i>retirement home</i> .	
d)	<i>Assisted living and dwelling units</i> shall not be permitted in the <i>fifth storey</i> .	
15.418.1.3 Additional Zone Provisions for Block 1		
The following additional regulations apply to Block 1 on Figure 15.418.1		
a)	Minimum <i>front yard</i> for the <i>fifth storey</i> including <i>mechanical penthouse</i>	10.0m
b)	Maximum <i>front yard</i> for the <i>fifth storey</i> shall not apply	
c)	Minimum <i>flankage yard</i> for the <i>fifth storey</i> including <i>mechanical penthouse</i>	7.0m
d)	Maximum <i>flankage yard</i>	5m
e)	Maximum <i>flankage yard</i> for <i>fifth storey</i> shall not apply	
f)	Minimum <i>interior yard</i> for the <i>first and second storey</i> abutting a <i>residential zone</i> or a <i>mixed use zone</i>	4m
g)	Minimum <i>interior side yard</i> for the <i>third and fourth storey</i> abutting a <i>residential zone</i>	10.5m

418	105, 115-159 Garden Drive (2603848 & 2603849 Ontario Ltd. c/o Revera Inc.)	Parent Zone: MU1
Map 19(7a)		(2022-099) OLT-21-001638
h)	Minimum <i>interior side yard</i> for the third and fourth <i>storey</i> abutting a <i>mixed use zone</i>	6.0m
i)	Minimum <i>interior side yard</i> for the fifth <i>storey</i> including <i>mechanical penthouse</i>	16.0m
j)	Minimum <i>rear yard</i> for the <i>first</i> to fourth <i>storey</i>	3.5m
k)	Minimum <i>rear yard</i> for the fifth <i>storey</i> including <i>mechanical penthouse</i>	27.0m
l)	Maximum encroachment for a stair well tower into a <i>rear yard</i> for the fifth <i>storey</i>	11.0m
m)	Minimum setback from the edge of the roof for <i>structures</i> on a <i>rooftop terrace</i>	2m
n)	<i>Section 4.27 e) shall not apply</i>	
o)	Maximum number of <i>storeys</i>	5
p)	Maximum <i>height</i>	18.5 m
q)	Maximum <i>floor area</i> of the fifth <i>storey</i>	975 m ²
r)	Maximum depth of an <i>uncovered platform</i> on the <i>first storey</i> .	2.0 m
s)	Minimum width of <i>landscaping</i> abutting a <i>residential zone</i> shall not apply.	
t)	A minimum of 70% of the length of all main walls oriented toward the <i>flankage lot line</i> shall be located within the area on the lot defined by the minimum and maximum <i>flankage yards</i> .	
15.418.1.4 Parking Provisions for Block 1		
a)	Section 5.2.3 d) shall not apply to parallel <i>parking spaces</i> for the uses noted in Section 15.418.1	
15.418.1.5 Special Site Provisions For Block 1		
a)	All lands as identified in Block 1 shall be considered as one <i>corner lot</i> for the purposes of this by-law. The <i>lot line</i> abutting Lakeshore Road West shall be deemed the <i>front lot line</i> and the <i>lot line</i> abutting Garden Drive shall be deemed the <i>flankage lot line</i> .	
15.418.2 Option #2 (Block 2)		
15.418.2.1 Permitted Uses for Block 2		
The following <i>uses</i> are permitted on lands identified as Block 2 on Figure 15.418.2		
a)	<i>Townhouse Dwellings</i> on Block 2a	
b)	Uses permitted in the MU1 zone, except for <i>commercial parking area</i> and <i>taxi dispatch</i> on Block 2b	
15.418.2.2 Regulations for Permitted Uses for Block 2a		
The following regulations apply to lands identified as Block 2a on Figure 15.418.2		
a)	Maximum number <i>dwellings</i>	18
b)	Minimum <i>lot frontage</i> per <i>dwelling</i>	4.0m
c)	Minimum <i>front yard</i>	3.0m
d)	Minimum <i>interior side yard</i> - north side	1.2m

418	105, 115-159 Garden Drive (2603848 & 2603849 Ontario Ltd. c/o Revera Inc.)	Parent Zone: MU1
Map 19(7a)		(2022-099) OLT-21-001638
e)	Minimum <i>interior side yard</i> - north side below <i>grade</i>	0.7m
f)	Minimum <i>interior side yard</i> - south side above <i>grade</i>	2.0m
g)	Minimum <i>interior side yard</i> - south side below <i>grade</i>	0.3m
h)	Minimum <i>rear yard</i> for a <i>dwelling</i>	14.5m
i)	Minimum <i>rear yard</i> for a below <i>grade</i> lane	8.0m
j)	Minimum <i>rear yard</i> – below <i>grade</i> for a geothermal mechanical room	3.0m
k)	Minimum <i>rear yard</i> – below <i>grade</i> for visitor parking	1.3m
l)	Minimum <i>rear yard</i> – below <i>grade</i> for egress stair well	4.5m
m)	Maximum number of <i>storeys</i>	3
n)	Maximum <i>height</i>	10.7m
o)	Maximum additional <i>height</i> for a <i>mechanical penthouse</i>	2.5m and section 4.6.4 shall apply
p)	Maximum projection into a <i>front yard</i> for a non-walk in bay, box out, and bow windows with or without foundations spanning one or two <i>storeys</i> , and porches open or covered by a roof located on the same level or lower as the main floor of the <i>dwelling</i>	1.0m
q)	Maximum projection into a <i>rear yard</i> for <i>uncovered platforms</i> which are attached to the rear wall of the <i>dwelling</i> located at a minimum <i>height</i> of 2.0 m above surrounding <i>grade</i>	Permitted up to the <i>rear</i> and <i>side lot lines</i>
r)	The parapet setback for <i>lots</i> in a Residential Medium (RM) Zone in Section 4.6.3 shall not apply	
t)	<i>Motor vehicle</i> access to individual <i>dwelling units</i> shall only be provided via a private rear <i>lane</i> .	
15.418.2.3 Regulations for Permitted Uses for Block 2b		
The following regulations apply to <i>long term care facilities</i> and <i>retirement homes</i> permitted on lands identified as Block 2b on Figure 15.418.2		
a)	Maximum number of <i>dwelling units</i>	60
b)	Maximum <i>height</i>	14.3m
c)	Maximum <i>first storey height</i>	4.0m
d)	Minimum width of <i>landscaping</i> along a <i>lot line</i> abutting a <i>Residential Zone</i>	1.5m and may include hard landscaping
e)	Minimum setback for outdoor second floor personal recreation space from the eastern edge of the <i>building</i>	1.5m
f)	Minimum setback for outdoor second floor personal recreation space from Lakeshore Road West	6.0m
g)	Maximum area for outdoor second floor personal recreation space (2015-018)	54.0m ²
h)	Minimum setback for a <i>rooftop terrace</i> from the eastern edge of the <i>building</i>	9.0m
i)	Maximum area for a <i>rooftop terrace</i> (2015-018)	22.0 m ²

418	105, 115-159 Garden Drive (2603848 & 2603849 Ontario Ltd. c/o Revera Inc.)	Parent Zone: MU1
Map 19(7a)		(2022-099) OLT-21-001638

- j) The *front lot line* shall be the *lot line* abutting Lakeshore Road West
- k) A *driveway* shall not be permitted on Lakeshore Road West
- l) Outdoor amenity space shall only be permitted on the second floor and rooftop

15.418.2.4 Parking Provisions for Block 2

- | | |
|--|------------------------------------|
| a) Minimum number of <i>parking spaces</i> for <i>long term care facilities</i> or <i>retirement home</i> on Block 2b in Figure 15.418.2 | 22, which includes 2 tandem spaces |
|--|------------------------------------|

15.418.2.5 Special Site Provisions for Block 2

- a) All lands identified as Block 2a on Figure 15.418.2 shall be considered an *interior lot*. The *lot line* abutting Garden Drive shall be deemed the *front lot line*.
- b) All lands identified as Block 2b on Figure 15.418.2 shall be considered a *corner lot*. The *lot line* abutting Lakeshore Road West shall be deemed the *front lot line* and the *lot line* abutting Garden Drive shall be deemed the *flankage lot line*.

15.418.3 Special Figures

Figure 15.418.1

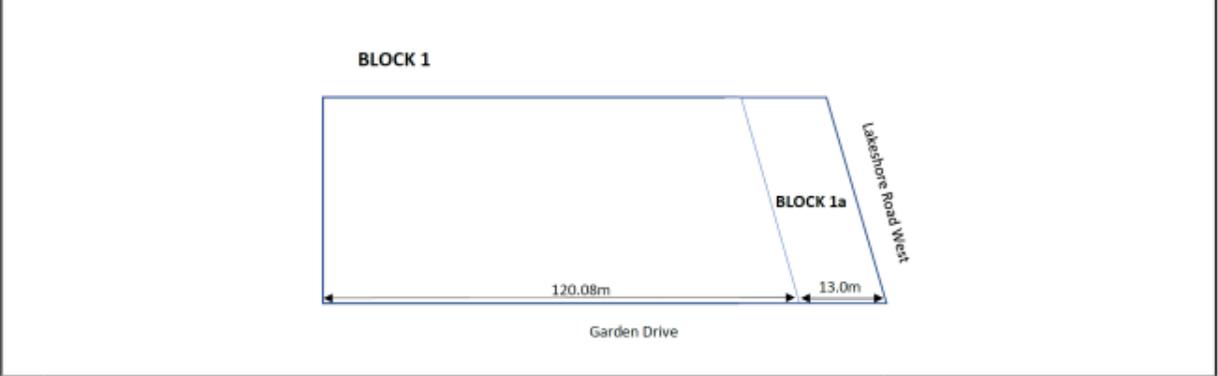
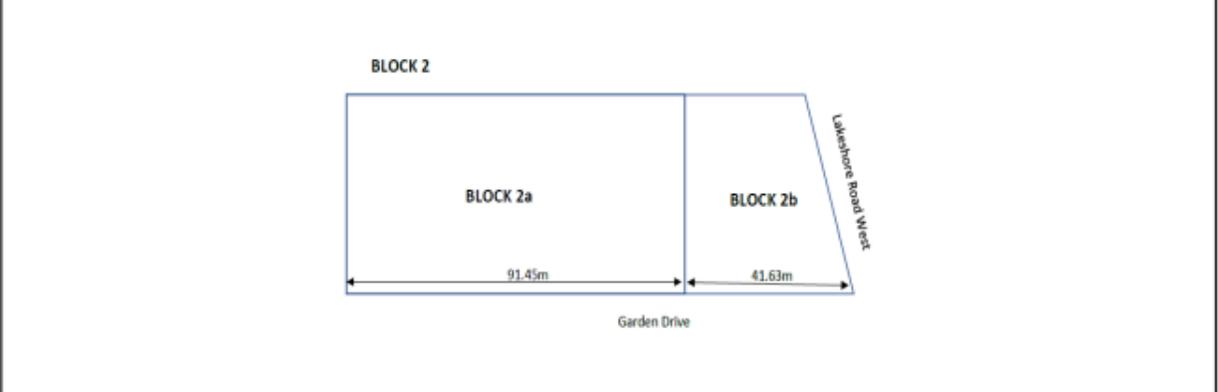


Figure 15.418.2



APPENDIX G: Public Written Submissions

No written submissions received as of print date.

Memo

To: Mayor and Members of Council

From: Catherine Buckerfield – Senior Planner
Planning Department

CC: ELT
Vicki Tytaneck, Town Clerk

Date: October 08, 2024

Subject: Update to Appendices for Item 6.1, Public Meeting Report - Official Plan Amendment and Zoning By-law Amendment, Garden Residences Corporation, 105-159 Garden Drive, File No. OPA 1617.47 and Z.1617.47, dated October 1, 2024

Comments

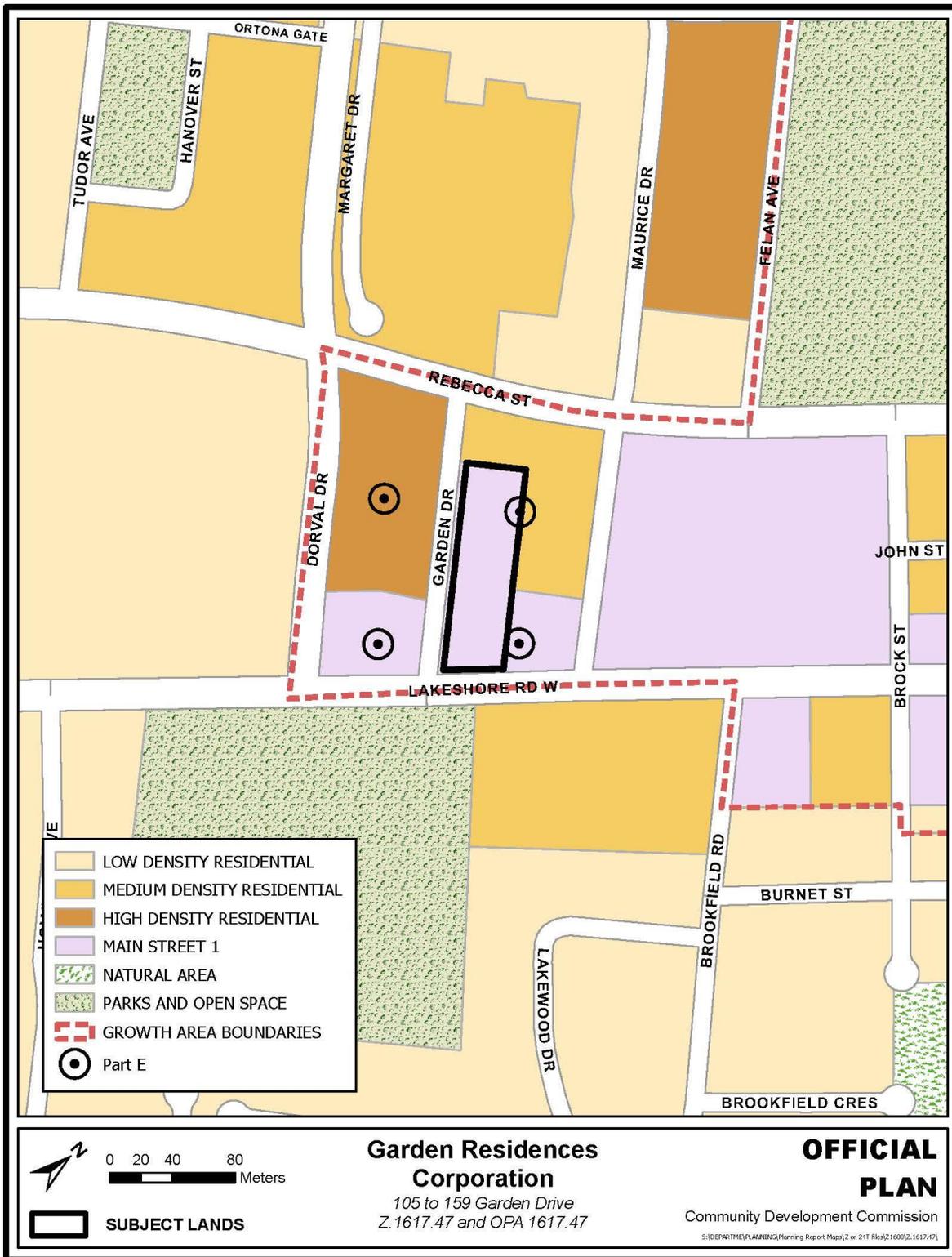
This memo provides additional context to Item 6.1 for the Planning and Development meeting on October 15, 2024. Appendix A: Mapping and Appendix E: Official Plan Extracts are updated and attached as Appendix A: Mapping (Updated) and Appendix E: Official Plan Extracts (Updated) to included text and updates to the mapping that were not yet consolidated into the version of Livable Oakville on the Town's website. Ontario Land Tribunal decision for Case No. OLT-21-001637 dated October 14, 2022 for 105, 113-159 Garden Drive included Official Plan Amendment 52 which updated the designation of the property to be completely Main Street 1 which is reflected in Appendix A: Mapping (Updated) and updated the text of Sections 23.7.5 and 23.7.6 of the Livable Oakville Official Plan which are reflected in Appendix E: Official Plan Extracts (Updated).

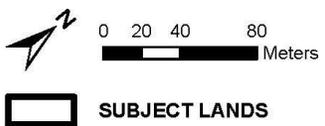
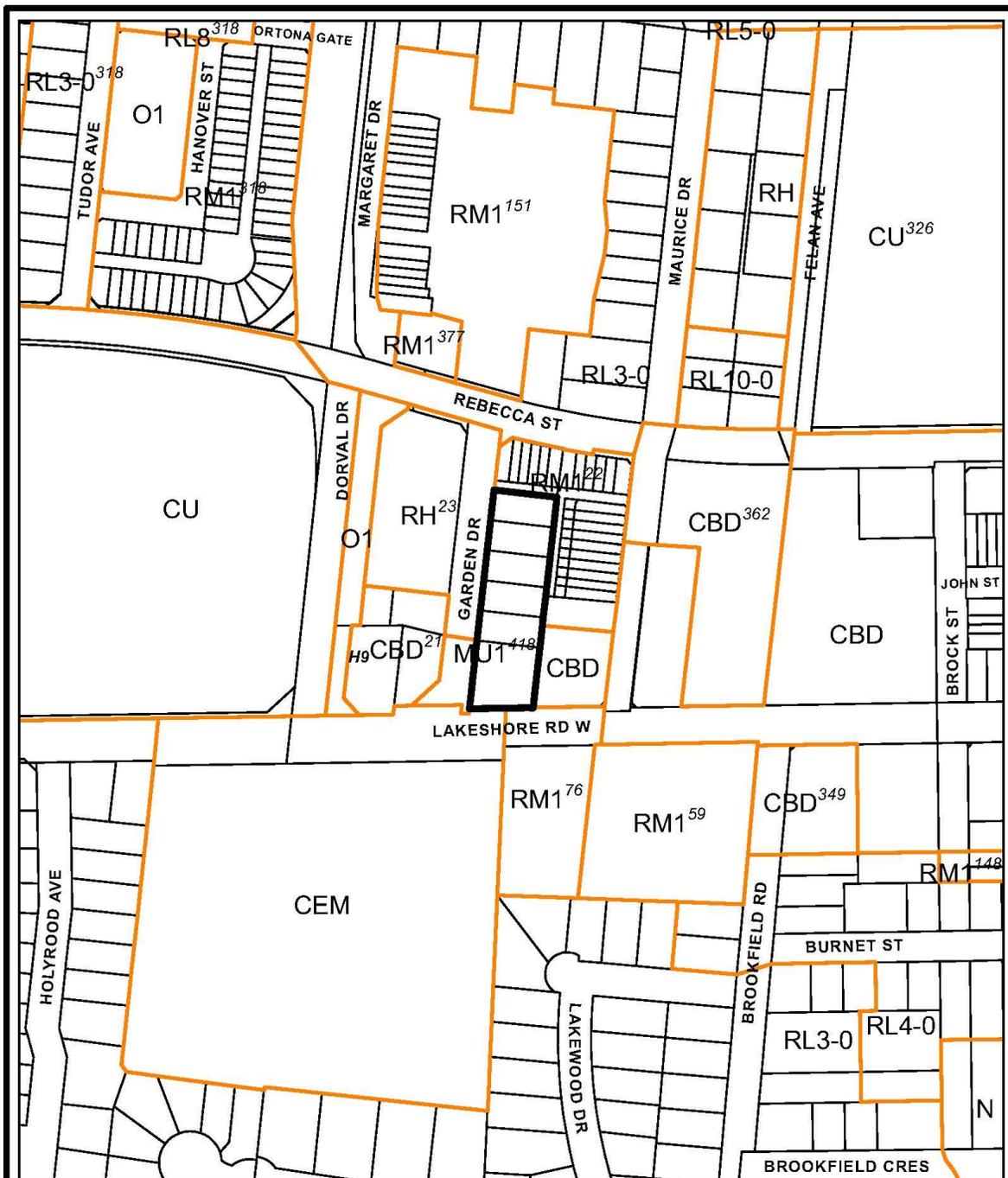
Attachments:

Appendix A: Mapping (Updated)
Appendix E: Official Plan Extracts (Updated)

APPENDIX A: Mapping (Updated)







Garden Residences Corporation
 105 to 159 Garden Drive
 Z.1617.47 and OPA 1617.47

ZONING BY-LAW
2014-014

Community Development Commission

S:\DEPARTMENT\PLANNING\Planning Report Maps\2 or 24\ Files\216002-1617-471

APPENDIX E: Official Plan Extracts (Updated)

Livable Oakville

Part C: Making Oakville Livable (General Policies)

Section 6: Urban Design

Good urban design is an integral part of the planning process, enabling the creation of stimulating, vibrant, and livable places; it is a key component in creating a definable sense of identity. Tangible elements of the urban environment such as the built form, open space, and public realm, and their relationship to one another, should be organized and designed in an attractive, functional and efficient manner.

6.1 General

6.1.1 Objectives

The general objectives for urban design are to provide for:

- a) diversity, comfort, safety and compatibility with the existing community;
- b) attractive, barrier-free, and safe public spaces, such as streetscapes, gateways, vistas and open spaces;
- c) innovative and diverse urban form and excellence in architectural design; and,
- d) the creation of distinctive places and locales, including Midtown Oakville, the other Growth Areas and high profile locations such as gateways to the Town.

6.1.2 Policies

- a) Development and public realm improvements shall be evaluated in accordance with the urban design direction provided in the Livable by Design Manual, as amended, to ascertain conformity with the urban design policies of this Plan. Alternative design approaches to those found in the Livable by Design Manual may be proposed, with appropriate justification and after consultation with the Town, provided that they meet the intent and purpose of the urban design policies of the Plan.

6.4 Streetscapes

6.4.2 New development should contribute to the creation of a cohesive streetscape by:

- a) placing the principal building entrances towards the street and where applicable, towards corner intersections;
- b) framing the street and creating a sense of enclosure
- c) providing variation in façade articulation and details;
- d) connecting active uses to the public realm to enhance the liveliness and vibrancy of the street, where applicable;
- e) incorporating sustainable design elements, such as trees, plantings, furnishings, lighting, etc.;

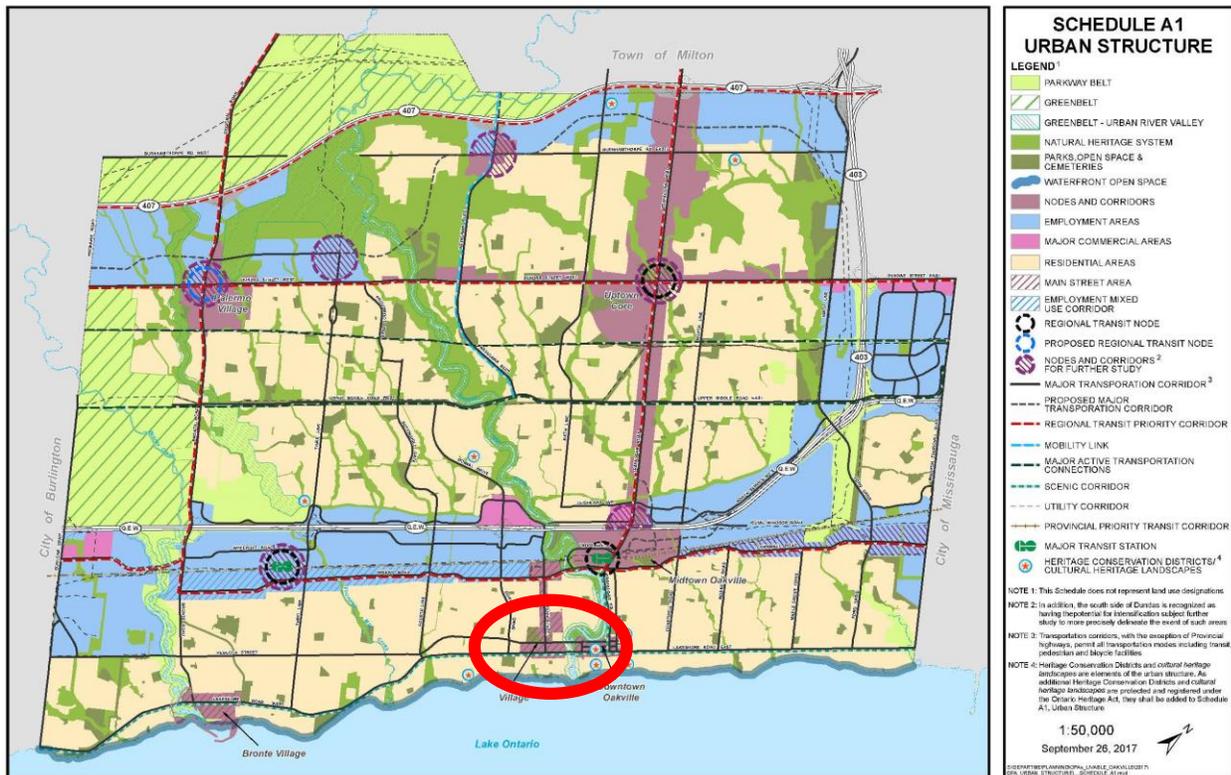
- f) coordinating improvements in building setback areas to create transitions from the public to private realms; and,
- g) improving the visibility and prominence of and access to unique natural, heritage, and built features

6.9 Built Form

- 6.9.1 Buildings should be designed to create a sense of identity through massing, form, placement, orientation, scale, architectural features, landscaping and signage.
- 6.9.2 Building design and placement should be compatible with the existing and planned surrounding context and undertaken in a creative and innovative manner.
- 6.9.3 To achieve compatibility between different land uses, development shall be designed to accommodate an appropriate transition through landscape buffering, spatial separation, and compatible built form.
- 6.9.5 Buildings should present active and visually permeable façades to all adjacent streets, urban squares, and amenity spaces through the use of windows, entry features, and human-scaled elements.
- 6.9.6 Main principal entrances to buildings should be oriented to the public sidewalk, onstreet parking and transit facilities for direct and convenient access for pedestrians.
- 6.9.7 Development should be designed with variation in building mass, façade treatment and articulation to avoid sameness.
- 6.9.8 Buildings located on corner lots shall provide a distinct architectural appearance with a high level of detailing and articulated façades that continue around the corner to address both streets.
- 6.9.9 New development shall ensure that proposed building heights and form are compatible with adjacent existing development by employing an appropriate transition of height and form from new to existing development, which may include setbacks, façade step backs or terracing in order to reduce adverse impacts on adjacent properties and/or the public realm.
- 6.9.10 Continuous streetwalls of identical building height are discouraged. Variety in rooflines should be created through subtle variations in roof form and height.
- 6.9.11 Where appropriate, the first storey of a building shall have a greater floor to ceiling height to accommodate a range of non-residential uses.
- 6.9.12 New development should be fully accessible by incorporating universal design principles to ensure barrier-free pedestrian circulation.
- 6.9.13 Rooftop mechanical equipment shall not be visible from view from the public realm.
- 6.9.14 Outdoor amenity areas on buildings should incorporate setbacks and screening elements to ensure compatibility with the local context.

6.9.15 Buildings should be sited to maximize solar energy, ensure adequate sunlight and skyviews, minimize wind conditions on pedestrian spaces and adjacent properties, and avoid excessive shadows.

Part D: Land Use Designations and Policies



Section 12: Mixed Use

The Mixed Use designations provide areas where residential, commercial and office uses are integrated in a compact urban form at higher development intensities. Mixed Use areas are to be pedestrian-oriented and transit-supportive.

- 12.1.1 The intent of the Mixed Use designations is to allow for a diversity of residential, commercial and office uses which are integrated in buildings to provide for the efficient use of municipal services and *infrastructure*.
- 12.1.2 Mixed use *development* will be focused on lands located within Oakville's Growth Areas and along identified corridors.
- 12.1.3 The Mixed Use designations are intended to create animated streets by providing retail and service commercial uses on the ground floor of mixed use buildings, fronting onto the street and other pedestrian environments. The location and size of any use on upper and/or lower floors within mixed use buildings will be determined through the *development* process and regulated by the implementing zoning.

12.1.4 All *development* within the Mixed Use designations shall be of a high quality design that considers the integration of new and existing buildings, as well as building façade treatment.

12.2 Main Street 1

The Main Street 1 designation represents small scale, mixed use development along main streets and is intended to reflect a pedestrian-oriented, historic main street character.

12.2.1 Permitted Uses

- a) A wide range of retail and service commercial uses, including restaurants, commercial schools, *offices, places of entertainment, indoor sports facilities, hotels and residential uses, may be permitted in the Main Street 1 designation. The ground floor of buildings in the Main Street 1 designation shall be primarily occupied by retail and service commercial uses. Limited office uses, and ancillary residential uses, may also be permitted on the ground floor of mixed use buildings.*
- b) The requirement for and the size and location of retail, service commercial and office uses on the ground floor of buildings shall be determined through the development process and regulated by the implementing zoning.

12.2.2 Building Heights

- a) Buildings within the Main Street 1 designation shall be a minimum of two storeys in height and a maximum of four storeys in height.

12.2.3 Parking

- a) Surface parking shall be provided only within a side and/or rear yard. Surface parking on corner lots shall only be permitted in the rear yard.

Part E: Growth Areas, Special Policy Areas and Exceptions

Section 23: Kerr Village

Kerr Village will accommodate intensification through new development and redevelopment, with a mix of residential and commercial uses. The Village will also continue to function as a location for institutional, recreational and public open space uses.

23.1 Goal

Kerr Village will be revitalized as a vibrant business district and cultural area.

23.2 Objectives

As Kerr Village develops, the Town will, through public actions and in the process of reviewing planning applications, use the following objectives to guide decisions.

23.2.1 Create opportunities for new, sustainable growth by promoting compact urban form with higher density development through compatible development and redevelopment opportunities.

23.2.2 Enhance the mobility of all users with the provision of transit priority measures and increase levels of service through the development process by:

- a) promoting pedestrian and cycling-oriented mixed use development, with improved connections to the Downtown as well as the GO train station and proposed employment hub in Midtown Oakville;
- b) improving circulation, connections and access for cyclists, pedestrians and public transit; and,
- c) increasing efficiencies for alternate modes of transportation by encouraging compact urban form.

23.2.3 Create an attractive public realm by:

- d) promoting high quality streetscapes and open spaces to create a comfortable, accessible and unique community; and,
- e) ensuring appropriate transitions occur between the main street areas and the lower density residential neighbourhoods.

23.3 Development Concept

Kerr Village is comprised of three land use districts that are structured to provide an appropriate transition in land use and built form between the existing residential areas and any future *development* and redevelopment.

23.3.3 Lower Kerr Village District

The Lower Kerr Village District shall largely be a mixed use area, allowing for a mixture of commercial, office and residential uses, including some standalone residential uses, extending from Downtown Oakville, with a defined entrance into Kerr Village.

23.4 Functional Policies

In addition to the policies of Parts C and D of this Plan, the following functional policies apply to Kerr Village.

23.4.1 Transportation

b) Through the development process, attractive transit environments are encouraged to include transit passenger amenities, minimal surface parking, and other travel demand management strategies to encourage transit ridership.

c) Parking

- i. Surface parking lots shall be limited. Where surface parking is provided, the visual impact of large surface lots shall be mitigated by a combination of setbacks and significant landscaping including:
 - pavement treatment;
 - low walls or decorative fencing;
 - landscape material; and,
 - trees and lighting throughout parking lots and along the edges.
- ii. Access to parking and servicing areas should not occur from Kerr Street but from local streets, service lanes and to the side or rear of buildings.
- iii. On-street parking shall be maintained throughout Kerr Village with the exception of Speers Road and Kerr Street north of Speers Road. It is the intent that on-street parking shall be permitted at all times.

d) Bicycle facilities are encouraged throughout Kerr Village with the appropriate signage and infrastructure such as bicycle racks and bicycle lockers.

23.4.2 Minimum Density – A minimum planned density shall be established for Kerr Village through Provincial plan conformity coordinated with Halton Region.

23.5 Urban Design

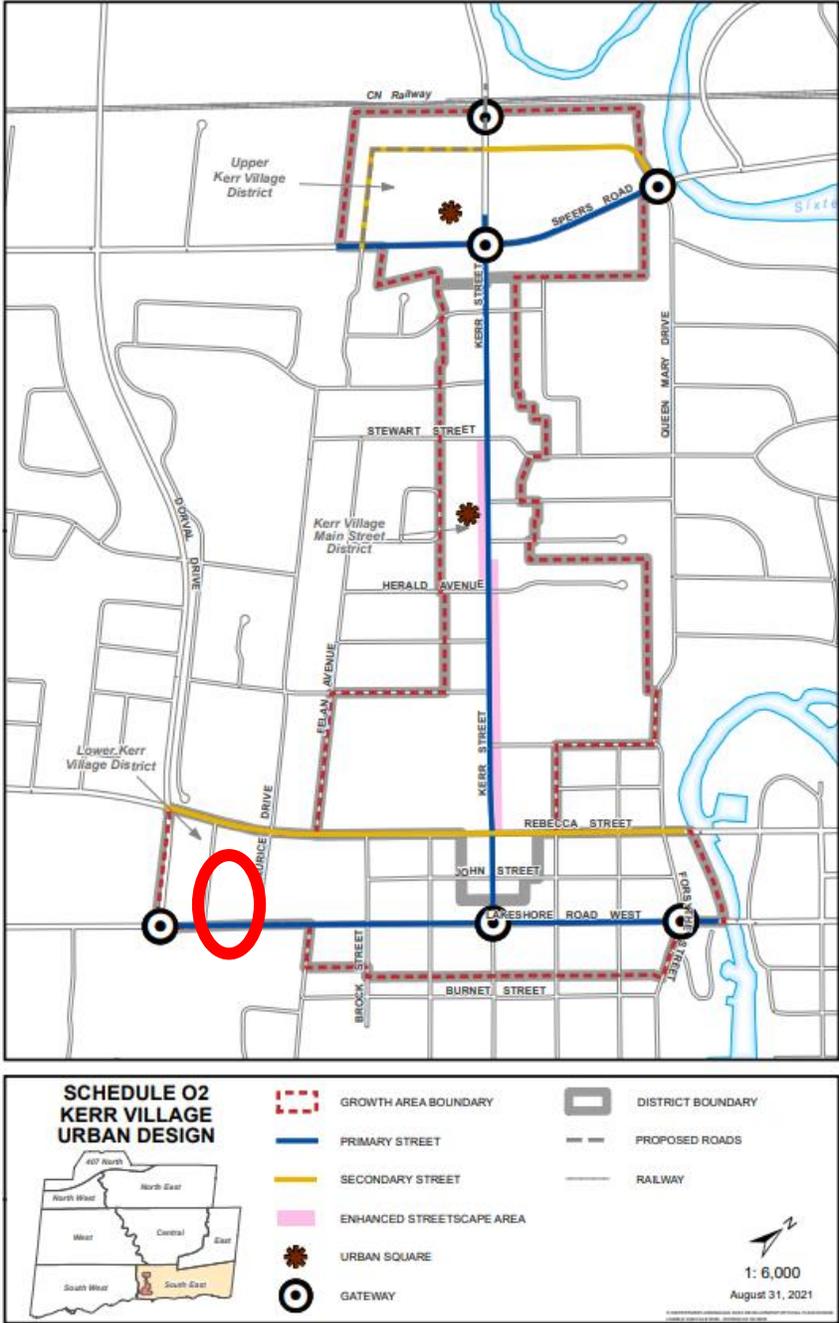
In addition to the Urban Design policies in section 6 of this Plan, the following policies shall apply specifically to Kerr Village. The urban design plan for Kerr Village is provided on Schedule O2.

23.5.1 General

Development and public realm improvements, including the streetscape for Kerr Street and Lakeshore Road West, shall be evaluated in accordance with the urban design direction provided in the Livable by Design Manual.

23.5.3 Streetscapes

- a) Primary and secondary streets, as identified on Schedule O2, shall provide for pedestrian-oriented streetscapes through the use of wide sidewalks, landscaping and furnishings.
- b) Buildings along primary streets, as identified on Schedule O2, shall:
 - i. incorporate a high degree of transparency on the ground floor;
 - ii. provide building openings and principal entrances facing the street; and,
 - iii. contain commercial, community, cultural or limited office uses adjacent to the street which foster an active main street environment.
- c) Buildings along secondary streets, as identified on Schedule O2, should:
 - i. incorporate a high degree of transparency on the ground floor
 - ii. provide building openings and principal entrances facing the street; and,
 - iii. contain commercial, office, community or cultural uses adjacent to the street which support the main street district, and may also contain residential uses on the ground floor.



23.7 Kerr Village Exceptions – Schedule O1

23.7.5 The lands designated Medium Density Residential and High Density Residential in the general vicinity of Rebecca Street, Garden Drive, and Maurice Drive are subject to the following additional policies:

- a) On the lands designated Medium Density Residential, only *multiple attached dwellings* may be permitted with a maximum building height of three storeys.
- b) On the lands designated High Density Residential, only townhouses and apartments may be permitted with a maximum building height of four storeys.
- c) Redevelopment in accordance with a) and b), above, shall only occur when all of the lands within a *development* block have been acquired for *development* purposes.
 - i) Lands designated High Density Residential, between Dorval and Garden Drives, make up one *development* block.
 - ii) Lands designated Medium Density Residential along Rebecca Street, east of Garden Drive, constitute two *development* blocks.
 - iii) The remaining lands designated Medium Density Residential fronting onto Maurice Drive are a *development* block to be developed in accordance with the Medium Density Residential land use and policy provisions of the Plan.
- d) Redevelopment in accordance with a) and b), above, shall only occur upon confirmation of adequate water and wastewater services, the suitability of the adjoining roads to accommodate traffic and the submission of a block plan indicating the integration of the proposed redevelopment within the overall area.
- e) Redevelopment in accordance with a), above, shall be subject to urban design guidelines approved by the Town.
- f) Notwithstanding the above, the lands may continue to be used for the existing single detached dwellings until such time as comprehensive redevelopment occurs.

23.7.6 On the lands designated Main Street 1 on the north side of Lakeshore Road, between Dorval Drive and Maurice Drive:

- a) Retail and service commercial uses, and ancillary residential uses, may be permitted on the ground floor.
- b) The maximum building height shall be four storeys.
- c) Redevelopment of the lands between Garden Drive and Maurice Drive shall only occur at such time as all the lands within a *development* block have been acquired for *development* purposes. Lands fronting on to Garden Drive (105 and 115-159 Garden Drive) constitute one *development* block, while the remaining lands make up another *development* block.

- d) Redevelopment in accordance with c), above, shall be subject to the urban design guidelines for the Maurice Drive area.
- e) Notwithstanding subsections (a) through (d) above, the following uses are permitted on the *development* block front onto the east side of Garden Drive (105 and 115-159 Garden Drive):
 - a retirement home and/or long term care home on the entirety of the *development* block subject to the additional policies in subsection (f) below; or,
 - multiple attached dwellings* on the northern portion of the *development* block (1115-159 Garden Drive) subject to the additional policies in subsection (g) below, and the remainder of the *development* block (105 Garden Drive) developed in accordance with subsections (a) through (d) above.
- f) The following additional policies apply to *development* in accordance with subsection (e)(i) above:
 - i) The maximum building height shall be five storeys,
 - ii) The fifth storey shall have a maximum floor area of 975 square metres and no retirement or long-term care dwelling units shall be permitted within it.
 - iii) The ground floor adjacent to Lakeshore Road West shall include a minimum of 130 square metres of non-residential floor area for publicly accessible retail and/or service commercial uses.
 - iv) Vehicular access shall only be from Garden Drive
 - v) Redevelopment shall be in accordance with urban design guidelines approved by the Town.
- g) The following additional policies apply to the *multiple attached dwellings* permitted by subsection (e)(ii) above:
 - i) A maximum of 18 units at a maximum density of 53 units per *site hectare* shall be permitted.
 - ii) The maximum building height shall be three storeys.
 - iii) Redevelopment shall only occur upon confirmation of adequate water and wastewater services, the suitability of the adjoining roads to accommodate traffic and the submission of a block plan indicating the integration of the proposed redevelopment within the overall area.
 - iv) Redevelopment shall be subject to urban design guidelines approved by the Town.